

INTERIM STUDY PROPOSAL 2023-008

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3 REQUESTING THAT THE ARKANSAS LEGISLATIVE COUNCIL REFER TO THE
4 SENATE JUDICIARY COMMITTEE A STUDY OF THE USE OF MENTAL HEALTH
5 ASSESSMENTS FOR CRIMINAL DEFENDANTS IN THE COURT SYSTEM AND THE
6 STAFFING AND BUDGETARY SHORTFALLS OF THE ARKANSAS STATE HOSPITAL
7 AND THE DEPARTMENT OF HUMAN SERVICES AS THEY RELATE TO THE
8 CRIMINAL JUSTICE SYSTEM.
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10 WHEREAS, the increasing number of criminal court filings in Arkansas
11 district courts and circuit courts is a challenge for the court system and
12 its participants; and
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14 WHEREAS, mental health issues are a significant factor contributing to
15 criminal activity for many criminal defendants; and
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17 WHEREAS, evidence supports that providing mental health services for
18 criminal defendants with mental health issues is more effective at preventing
19 criminal recidivism than prosecution and sentencing without mental health
20 services; and
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22 WHEREAS, a mental health assessment can be an effective tool for
23 screening for mental health issues and identifying persons who may benefit
24 from further examination and mental health services; and
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26 WHEREAS, the Arkansas State Hospital provides limited services in cases
27 in which a criminal defendant may be affected by mental illness but is
28 typically filled to capacity and lacks sufficient staff, budget, and other
29 resources to provide mental health services for all criminal defendants who
30 may need mental health services; and
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32 WHEREAS, the Department of Human Services provides mental health
33 services but lacks sufficient staff, budget, and other resources to provide
34 mental health services for all criminal defendants who may need mental health
35 services,
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1 NOW THEREFORE,
2 BE IT PROPOSED BY THE ARKANSAS LEGISLATIVE COUNCIL OF THE NINETY-FOURTH
3 GENERAL ASSEMBLY:

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5 THAT the Arkansas Legislative Council refer to the Senate Judiciary
6 Committee a study of the use of mental health assessments in district courts
7 and circuit courts and to study the staffing and budgetary shortfalls of the
8 Arkansas State Hospital and the Department of Human Services as they relate
9 to the criminal justice system.

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Respectfully submitted,

Senator Joshua Bryant

District 32

Prepared by: JLC/JLC