

ARKANSAS BOARD OF PAROLE



MIKE BEEBE
Governor

105 WEST CAPITOL • SUITE 500
LITTLE ROCK, ARKANSAS 72201
Phone: (501) 682-3850
FAX: (501) 682-3860
www.paroleboard.arkansas.gov

JOHN FELTS
Chairman

September 25, 2012

Arkansas Bureau of Legislative Research
Attention: Director of Bureau of Legislative Research
State Capitol Room 315
Little Rock, AR 72201

Dear Director Garrity,

As required by Arkansas Code Annotated § 16-93-202, enclosed you will find the 2011-2012 Annual Report for the Arkansas Parole Board. We are proud to be one of a handful of Boards and Releasing Authorities nationally to be accredited by the American Correctional Association. Our Commissioners, Revocation Hearing Judges, and Support Staff are committed to bringing the highest level of professionalism to the people of Arkansas.

If you would like to discuss the enclosed information further please do not hesitate to contact me.

Sincerely,

A handwritten signature in black ink, appearing to read "John Felts", written over a circular stamp.

John Felts, Chairman
Arkansas Parole Board



Arkansas Parole Board

“Parole Works”

The Annual Report
For Fiscal Year 2011-2012
as required by A.C.A. § 16-93-202

An ACA Accredited Agency

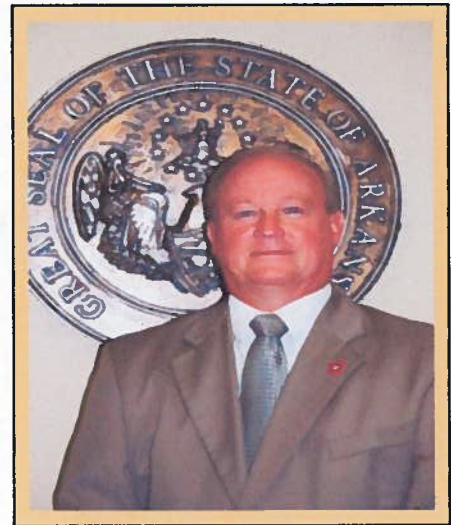


Arkansas Parole Board

John Felts, Chairman

September 1, 2012

The Honorable Mike Beebe, Governor of Arkansas
& Members of the General Assembly
State Capitol
Little Rock, Arkansas 72201



To Whom It May Concern,

I respectfully submit the following report on behalf of the Arkansas Parole Board for fiscal year 2011-2012. Enclosed you will find statistical information pertaining to the Parole, Revocation, Executive Clemency, and Fiscal activities of the Board.

Thank you again for your continued support as we fulfill our mission to promote public safety through the return of offenders into the community through supervised conditional release.

Sincerely,

A handwritten signature in dark ink that reads "John Felts". The signature is written in a cursive, flowing style.

John Felts
Chairman

Table of Contents

Arkansas Parole Board	1
Organizational Chart	2
Mission and History	3
Authority and Responsibility	4
Victim Input	5
Parole Process	6
Parole Population	7
Hearings and Screenings	9
Executive Clemency	12
Revocations	13
Budget	14

Arkansas Parole Board Members and Staff



Seated from left: Secretary Richard Mays Jr., Chairman John Felts & Commissioner Carolyn Robinson
Standing in back from left: Vice-Chairman Jimmy Wallace, Commissioner Richard Brown Jr.,
Commissioner Abraham Carpenter Jr., & Commissioner Joseph Peacock.

Hearing Examiners

Carol V. Bohannon
James L. Williams, II
Ashley Vailes

Administrative Staff

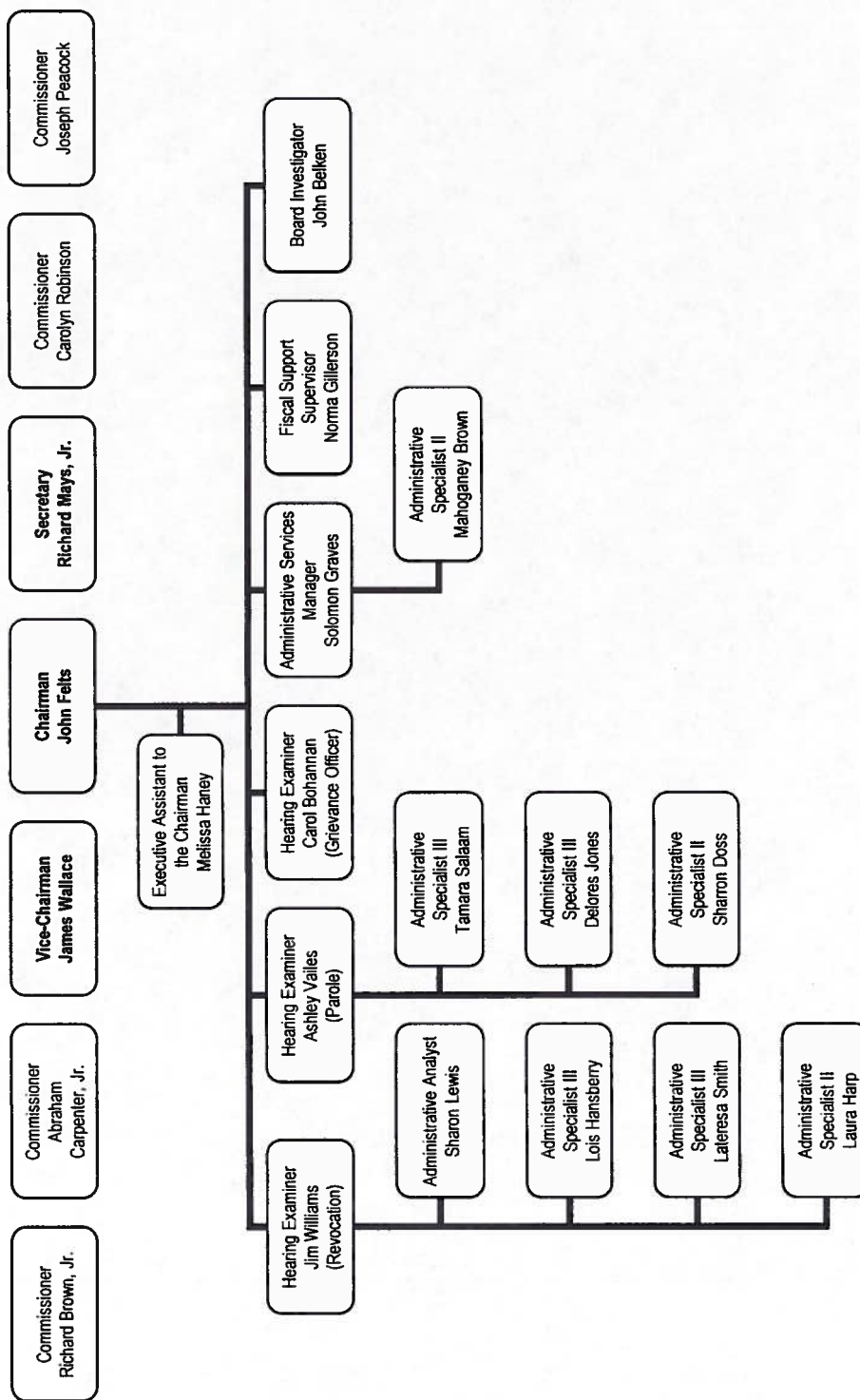
Solomon Graves*, Administrative Services Manager
Norma Gillerson, Fiscal Support Supervisor
Melissa Haney**, Executive Assistant to the Chairman
John Belken, Board Investigator
Sharon H. Lewis, Administrative Analyst
Lois Jean Hansberry, Administrative Specialist III
Tamara Salaam, Administrative Specialist III
Lateresa Smith, Administrative Specialist III
Delores Jones, Administrative Specialist III
Mahoganey Brown, Administrative Specialist II
Laura Harp, Administrative Specialist II
Sharron Doss, Administrative Specialist II (Receptionist)

* Accreditation Coordinator

** Victim Input Coordinator

Organizational Chart

(as of June 30, 2012)



Mission and History

The Arkansas Parole Board (APB) is an important part of the criminal justice system. The Board is dedicated to the process of promoting public safety by the return of offenders into the community through supervised conditional release. It is our desire that there will be a successful transition from confinement to responsible conduct within the community.

Parole has been a component of corrections in Arkansas for almost 70 years. The State Penitentiary Board was originally established through Act 1 of 1943. Act 50 of 1968 reorganized the State Penitentiary as the Arkansas Department of Correction (ADC) and created two major boards: the Board of Correction and the Board of Pardons and Paroles. Act 937 of 1989 abolished the Board of Pardons and Paroles and the Board of Community Rehabilitation to create the Board of Parole and Community Rehabilitation.

Prior to reorganization, the Board of Pardons and Paroles consisted of five members who were appointed by the Governor to staggered five-year terms. The Board initially met three days each month at various units within the ADC. The Board interviewed inmates to determine who should be placed on parole and set the prescribed conditions of parole. Additionally, they made recommendations to the Governor on applications for pardons and commutations.

The Board of Community Rehabilitation consisted of six members. This body was appointed by the Governor to staggered four-year terms. The Commission met at least once a month and was primarily responsible for reviewing and certifying alternative service programs, screening files of qualified offenders and recommending expungement of records for eligible offenders who successfully completed a prescribed program.

In 1993, legislation revamped the Board of Parole and Community Rehabilitation. The Board was renamed the Arkansas Post-Prison Transfer Board with three full-time members. Subsequent legislation in 1995 and 1997 expanded the number of full-time positions.

In 2005, Senate Bill 383 renamed the Post-Prison Transfer Board to the Arkansas Parole Board. The move was designed to alleviate confusion on the part of the public about the duties of the Board.

In 2005, the Board also became accredited by the American Correctional Association. The Board was reaccredited in 2008 and 2011.

In 2007, legislation made all seven Board members full-time employees of the state.

Authority and Responsibility

The APB is an independent, quasi-judicial body whose members are appointed by the Governor and confirmed by the Senate. The Chairman of the Board reports directly to the Governor, and serves as a voting member of the Board of Correction. The APB's mandates are to conduct parole hearings throughout the state of Arkansas, make decisions on the conditional release of inmates from correctional facilities, revoke the parole of offenders who have violated one (1) or more conditions of their release, and review all pardon and commutation applications before issuing non-binding recommendations to the Governor.

APB members have the authority to make decisions on the conditional release of offenders from prison and community correction centers. The Board's public accountability requires that the risk of public harm be constantly evaluated when considering the potential freedom and reintegration of offenders into the community. In making a decision, the Board is guided by two criteria: the risk posed to the community by the offender's potential to re-offend and the rehabilitation and reintegration of the offender back into the community. If a decision is made to grant parole, a conditional release is authorized. A conditional release establishes explicit rules and requirements that an offender must follow once they are released into the community. These rules are explained to the offender, who must sign the agreement prior to release. Each release decision requires a quorum of four members.

For offenders sentenced on or after January 1, 1994, release eligibility is determined by statute. The Board only has the discretion to deny parole for all homicides, certain violent offences, and certain sexual offenses. The Board reviews the release of offenders convicted of non-discretionary offenses and can only delay release to community supervision until the inmate has completed specific programs. Inmates who are sentenced to death or life without parole are not eligible for parole release consideration. Those sentenced to life are not eligible unless their sentences are commuted to a term of years.

Public notification of scheduled parole release hearings is required by Board policy. These hearings are open to the public with the consent of the inmate. Victims and/or their families are given separate hearings to voice their opposition to parole releases. These hearings are not open to the public.

Revocation hearings are conducted on the Board's behalf by its Hearing Examiners. They exercise independent judgment in cases of parole violations and have the authority to temporarily suspend parole and authorize a warrant for the arrest of a parolee.

Victim Input

Crime victims may provide information to the Board via a written and/or oral statement regarding the potential release of an offender. Victims who wish to address the Board in person must contact the Board and request a hearing. Victims are notified of the release decision once that vote has been ratified by the Board. In most cases, victim input to parole decisions is confidential and cannot be obtained by an inmate.

Victims receive additional notification from the ADC and the Arkansas Crime Information Center via the VINE (Victim Information Notification Everyday) system.

Month	Hearings Scheduled	No Shows	Hearings Conducted
July 2011	24	12	12
August 2011	31	6	25
September 2011	24	11	13
October 2011	35	11	24
November 2011	48	16	32
December 2011	Hearings for inmates seen in December 2011 were held November 30, 2011		
January 2012	23	7	16
February 2012	24	6	18
March 2012	21	5	16
April 2012	24	3	21
May 2012	19	2	17
June 2012	27	7	20
FY 2012 Total	300	86	214

Parole Process

The parole process allows an offender the opportunity to serve a portion of their sentence under administrative supervision of the Department of Community Correction (DCC). Parole provides a way to reintegrate the offender from the absolute control of incarceration into the community before being fully released from custody. A review is scheduled when an offender is deemed eligible for parole consideration by the ADC or DCC. Legal notice of a scheduled hearing is published and testimony in support of, or opposition to, is considered at that time. The following factors are considered:

- ☐ Institutional adjustment in general, including the nature of any disciplinary actions.
- ☐ When considered necessary, an examination and opinion by a psychiatrist or psychologist can be requested and considered.
- ☐ The record of previous criminal offenses (misdemeanors and felonies), the frequency of such offenses, and the nature thereof.
- ☐ Conduct in any previous release program, such as probation, parole, work release, boot camp, or alternative service.
- ☐ Recommendations made by the Judge, Prosecuting Attorney, and Sheriff of the county from which a person was sentenced, or other interested persons.
- ☐ The nature of the release plan, including the type of community surroundings in the area the person plans to live and work.
- ☐ The results of a validated risk/needs assessment.
- ☐ The inmate's employment record.
- ☐ The inmate's susceptibility to drugs or alcohol.
- ☐ The inmate's basic good physical and mental health.
- ☐ The inmate's participation in institutional activities, such as, educational programs, rehabilitation programs, work programs, and leisure time activities.
- ☐ The presence of a detainer from another law enforcement agency. (A detainer is not considered an automatic reason for denying parole.)

Parole Population

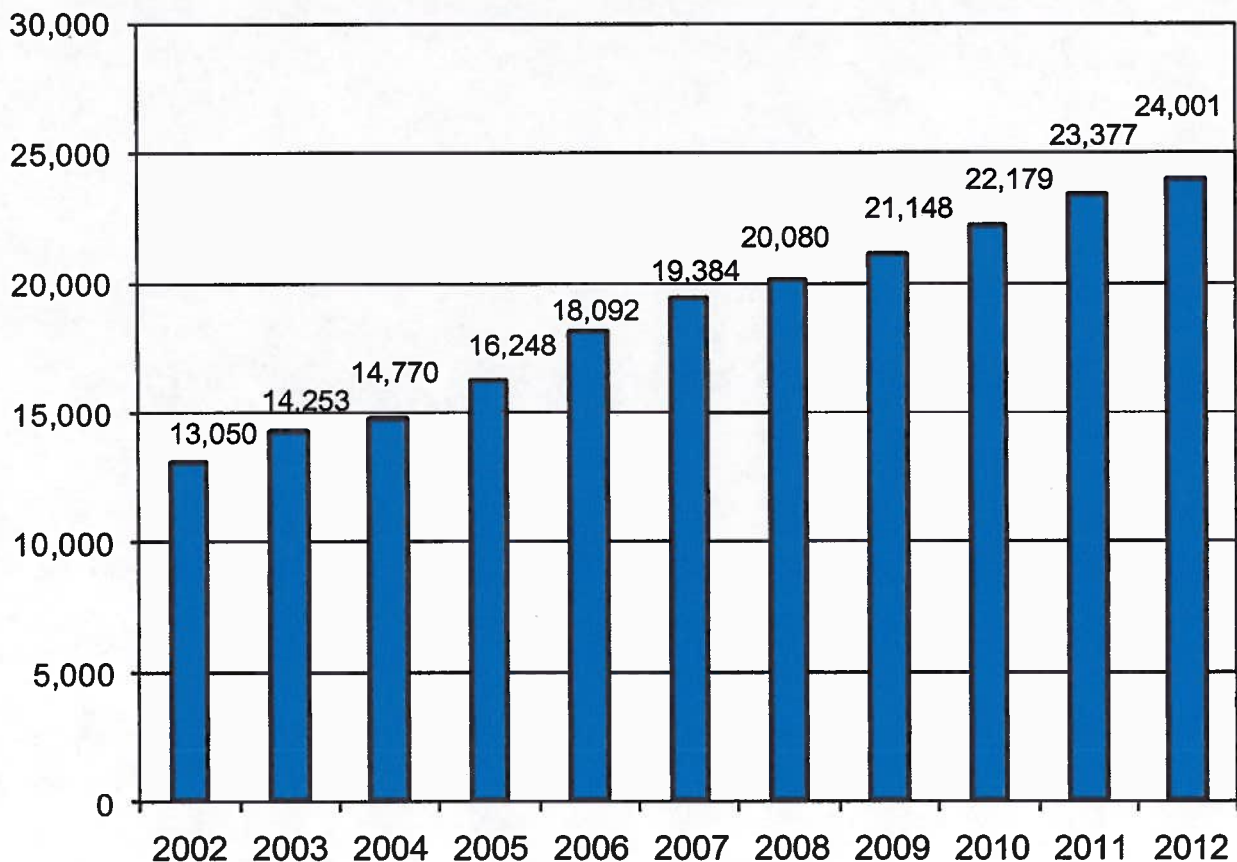
Fiscal Years 2002 through 2012

(Data provided by the Department of Community Correction)

Depending on the date of a crime or sentence, some inmates are transfer eligible (TE) and others are parole eligible (PE). Parole/transfer is the conditional release of an inmate from incarceration to structured supervision within the community for the balance of the court-ordered sentence.

Parole/transfer may be granted to an eligible person by the Board when, in its opinion, there is a reasonable probability that the person can be released without detriment to the community or the offender or when mandated by law.

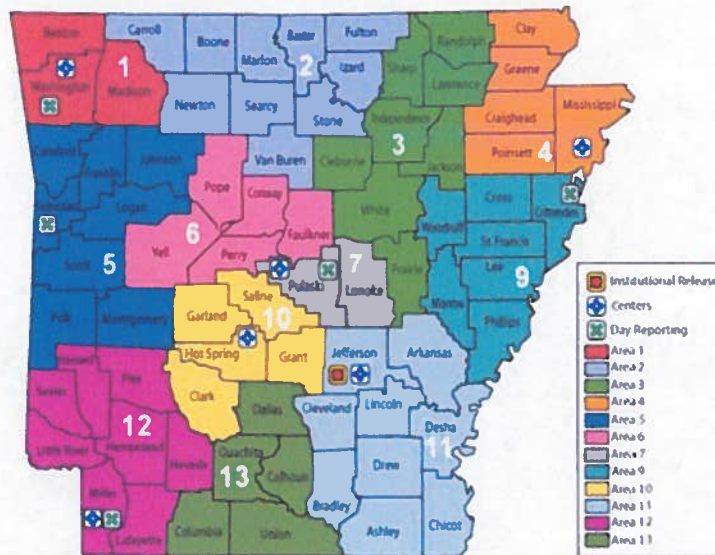
Since 2002, the parole caseload has grown 84%. During the past five years (since FY '08), the number of supervised parolees has increased by 19% (from 20,080 to 24,001).



Data includes Boot Camp Releases

Parole Population by DCC Area Office as of June 30, 2012

(Data provided by the Department of Community Correction)



Area	Parole	Boot Camp	Total
1	2,217	85	2,302
2	795	11	806
3	1,446	30	1,476
4	1,477	16	1,493
5	2,037	34	2,071
6	1,113	20	1,133
7	4,804	110	4,914
9	1,400	60	1,460
10	1,740	42	1,782
11	1,839	36	1,875
12	1,715	59	1,774
13	1,144	42	1,186
ISC*	1,716	13	1,729
FY 2012 Total	23,443	558	24,001

* ISC refers to parolees who are supervised via the Inter-State Compact (www.interstatecompact.org).

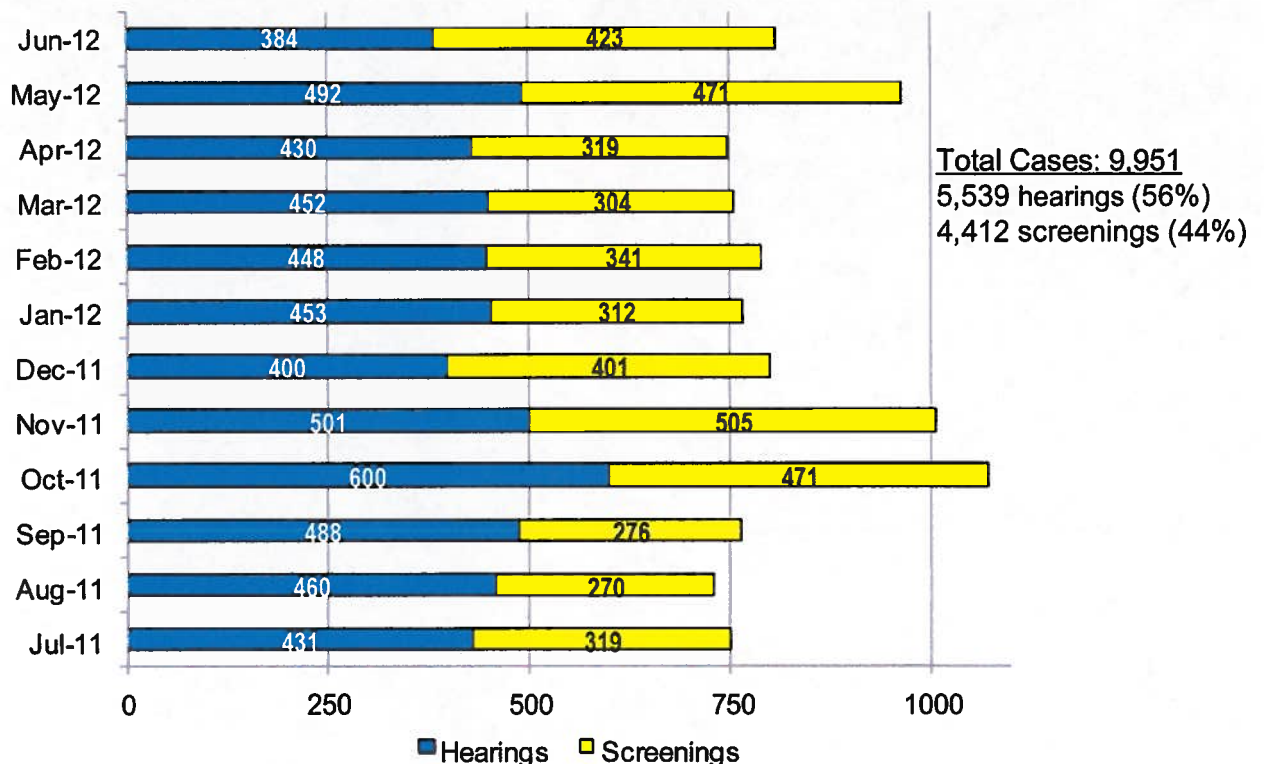
Hearings and Screenings Fiscal Year 2011-2012

Reviews are held on all parole/transfer eligible cases. Hearings involve one or more members of the Board taking testimony and/or documentation from offenders, possible victims, and other interested individuals. Screenings are file reviews of eligible inmates. A screening allows the Board to determine release stipulations, i.e., deferred release for completion of a program or the imposition of mental health and/or substance abuse counseling, or community service. Screenings are also held for clemency applications to determine if a full Board hearing is warranted.

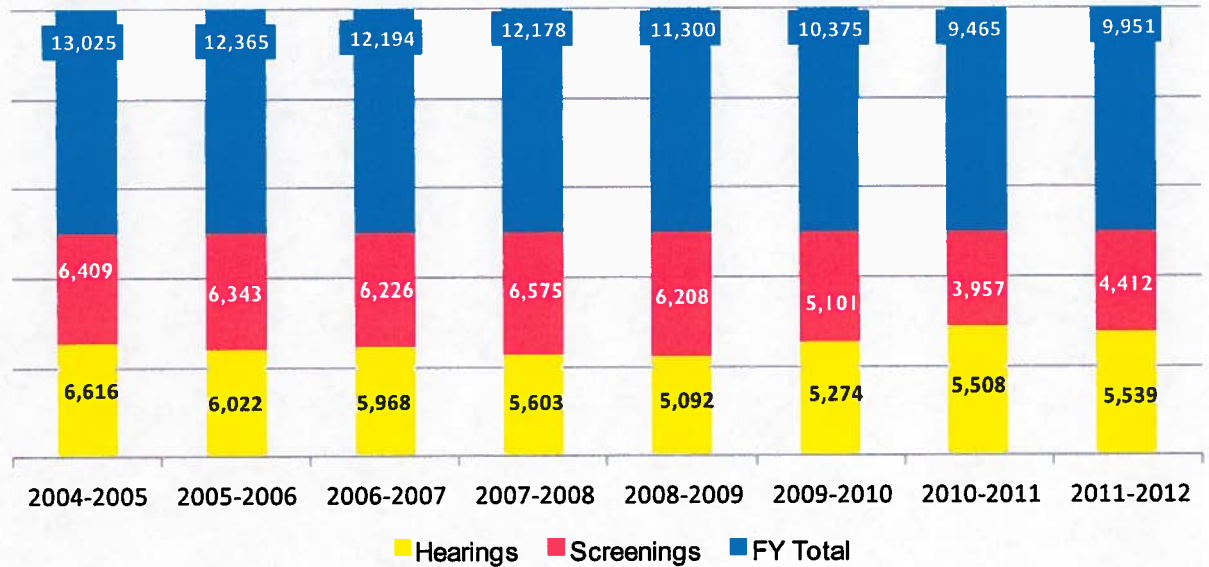
In FY 2012, 9,951 hearings and screenings were conducted by the Board. Of that number, 7,534 were approved for release. Of those approved for release, 79% were approved releases with no stipulated pre-release programs and 21% were approved releases contingent upon completion of stipulated pre-release programs.

DCC's Institutional Release Services' staff prepare case files for use by Board members in conducting hearings and screenings.

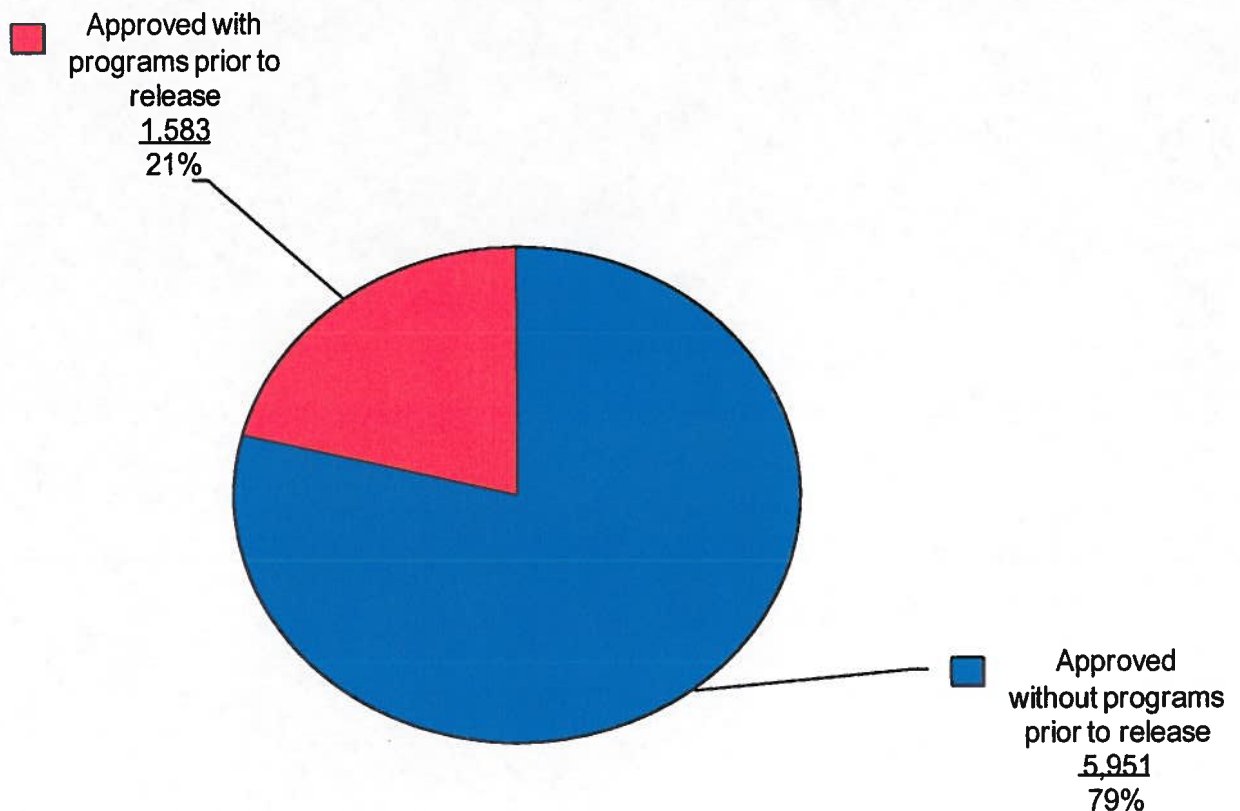
Information regarding an individual case is kept confidential. Prior to the hearing, Board members review available information regarding the offender's prior history, current situation, events in the case since any previous hearing, information about the offender's future plans and relevant conditions in the community, among other factors. A person considered by the Board for release is advised of the decision in writing.



Hearings and Screenings Fiscal Year 2005 through Fiscal Year 2012



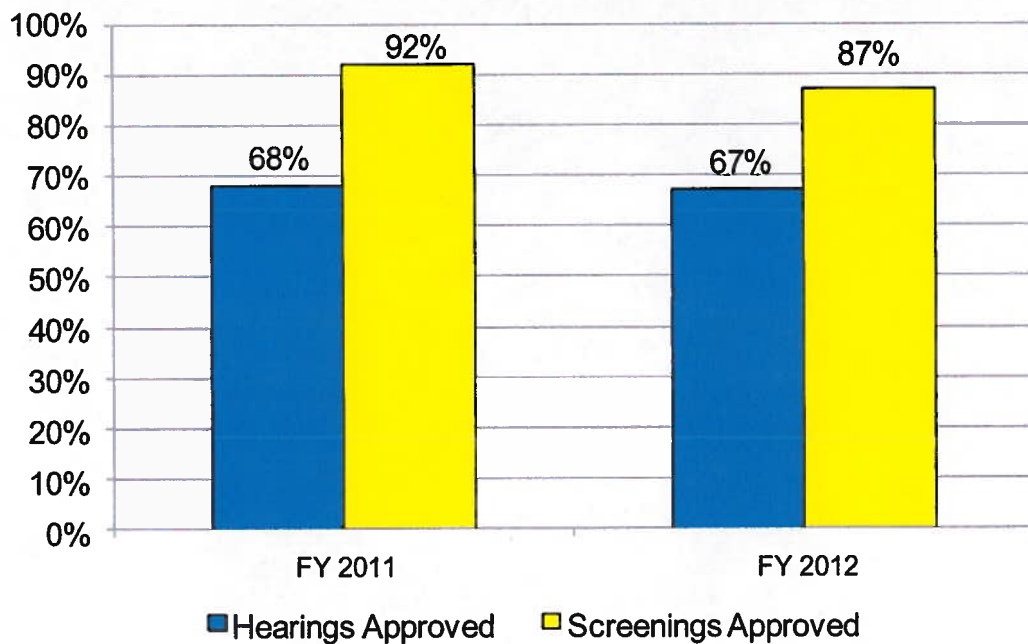
Summary of Approved Releases Fiscal Year 2012



Approval Rate for Hearings and Screenings Fiscal Year 2011-2012

Month	Hearings Approved	Screenings Approved
July 2011	71%	93%
August 2011	64%	90%
September 2011	70%	95%
October 2011	66%	94%
November 2011	67%	89%
December 2011	64%	92%
January 2012	68%	91%
February 2012	65%	91%
March 2012	62%	68%
April 2012	68%	72%
May 2012	69%	84%
June 2012	68%	86%
FY 2012 Average Total	67%	87%

Approval Rate for Hearings and Screenings Fiscal Year 2011 and Fiscal Year 2012



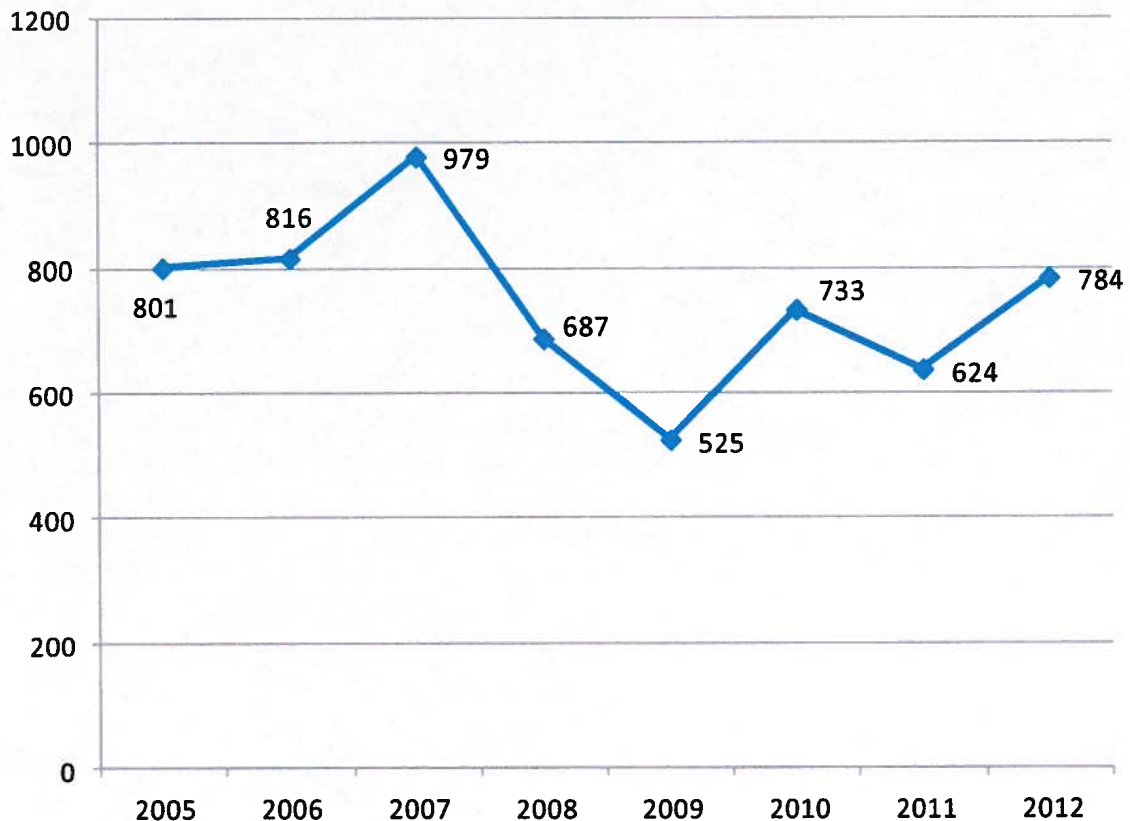
Executive Clemency

The Arkansas Constitution, Article 6, Section 18, gives the Governor the power to grant Executive Clemency. This is the process through which the Governor considers requests for granting reprieves, commutations of sentence, pardons after conviction, and requests to forgive fines and forfeitures. A reprieve is a temporary relief from, or postponement, of execution or criminal punishment of a sentence. Commutation means a permanent reduction of sentence or punishment, such as changing a death sentence to a life sentence without parole. A pardon request asks that a criminal record be expunged, or removed, from the public record.

Inmates submit requests through an Institutional Release Officer. Persons who are not incarcerated submit applications directly to the DCC's Institutional Release Services Office where background information is gathered.

A report recommending granting or denying an application is compiled and sent to the Governor. The recommendation from the Board to the Governor is non binding.

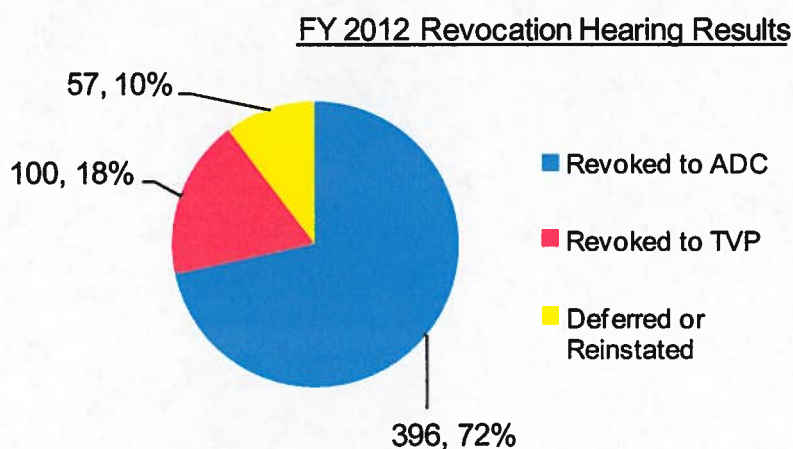
Executive Clemency Hearings and Screenings: Fiscal Years 2005-2012



Revocation

If a parolee violates any of his/her release conditions, a Hearing Examiner may impose additional conditions, specify whether the violator should be sent to DCC's Technical Violator Program (TVP) if eligible, or return the offender to prison. At a revocation hearing, the Hearing Examiner will seek and consider evidence that supports and counters the violation charges, as well as any extenuating or mitigating circumstances that suggest the violations do or do not warrant revocation.

A total of 553 hearings were held by Hearing Examiners during FY 2012 (compared to 752 in FY 2011). Of that number, 396 (72%) were revoked to ADC (compared to 609 in FY 2011), 100 (18%) were revoked to DCC's TVP (compared to 64 in FY 2011), and 57 (10%) were not revoked or had their final decision deferred (compared to 79 in FY 2011).



A parolee may waive their right to a hearing and be sent to the ADC or TVP. In this instance, a Hearing Examiner would not meet with the parolee for a hearing. During FY 2012 the Board's Revocation section processed 821 waivers to TVP (compared to 1,038 in FY 2011) and 351 waivers to ADC (compared to 1,151 in FY 2011).



Hearing Examiners

Seated from left: Ashley Vailes, James L. Williams II, Carol Bohannon

Fiscal Year 2012 Revenues and Expenditures

For Fiscal Year 2012, the Board received \$1.9749 million in funding from General Revenue. \$1.9742 million was expended of that appropriation. The Board also received \$36,144.63 as in-kind support and \$47.00 from Marketing & Redistribution.

FY 2012 Funding	
General Revenue (Funded)	\$1,974,987.62
In-Kind Support	\$36,144.63
Marketing & Redistributing	\$47.00
Total	\$2,011,179.25

FY 2012 Expenses from General Revenue			
Commitment Item	Amount Funded	Amount Expended	Remaining Balance
Regular Salaries (00)	\$1,297,334.02	\$1,297,334.02	\$0.00
Personal Services Matching (03)	\$383,836.78	\$383,836.78	\$0.00
Maintenance & Operation (02)	\$271,192.79	\$270,429.37	\$763.42
Conference & Travel (09)	\$2,624.03	\$2,624.03	\$0.00
Professional Fees (10)	\$20,000.00	\$20,000.00	\$0.00
FY 2012 Total	\$1,974,987.62	\$1,974,224.20	\$763.42

Arkansas Parole Board

Two Union National Plaza Building

105 West Capitol – Suite 500

Little Rock, Arkansas 72201

Telephone: (501) 682-3850

Fax: (501) 683-5381

Website: <http://paroleboard.arkansas.gov>