



Arkansas Parole Board

The Annual Report for Fiscal Year 2013-2014 as required by A.C.A. § 16-93-202

An ACA Accredited Agency



Arkansas Parole Board John Felts, Chairman

August 14, 2014

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



Dear Governor Beebe &
Members of the General Assembly,

I respectfully submit the following report on behalf of the Arkansas Parole Board for Fiscal Year 2013-2014. Enclosed you will find statistical information pertaining to the Parole, Revocation, Executive Clemency, and Fiscal activities of the Board.

This was a year of change for the Board. We dealt with unprecedented growth in our workload, implemented new policies, further automated existing processes, and welcomed new members to the Board and support staff. Our commitment to public safety and professionalism has never been greater. This fact was recognized by the American Correctional Association (ACA) when we were accredited in May for another three-year cycle.

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'.

John Felts
Chairman

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Arkansas Parole Board Members and Staff



Seated from left: Vice-Chairman Richard Brown, Jr., Chairman John Felts, Secretary Dawne Vandiver
Standing in back from left: Commissioner Jimmy Wallace, Commissioner Richard Mays, Jr.,
Commissioner Abraham Carpenter, Jr., and Commissioner Dennis Young

Hearing Judges

Carol V. Bohannon
James L. Williams, II*
Ashley Vailes
Cara Boyd-Connors

Administrative Staff

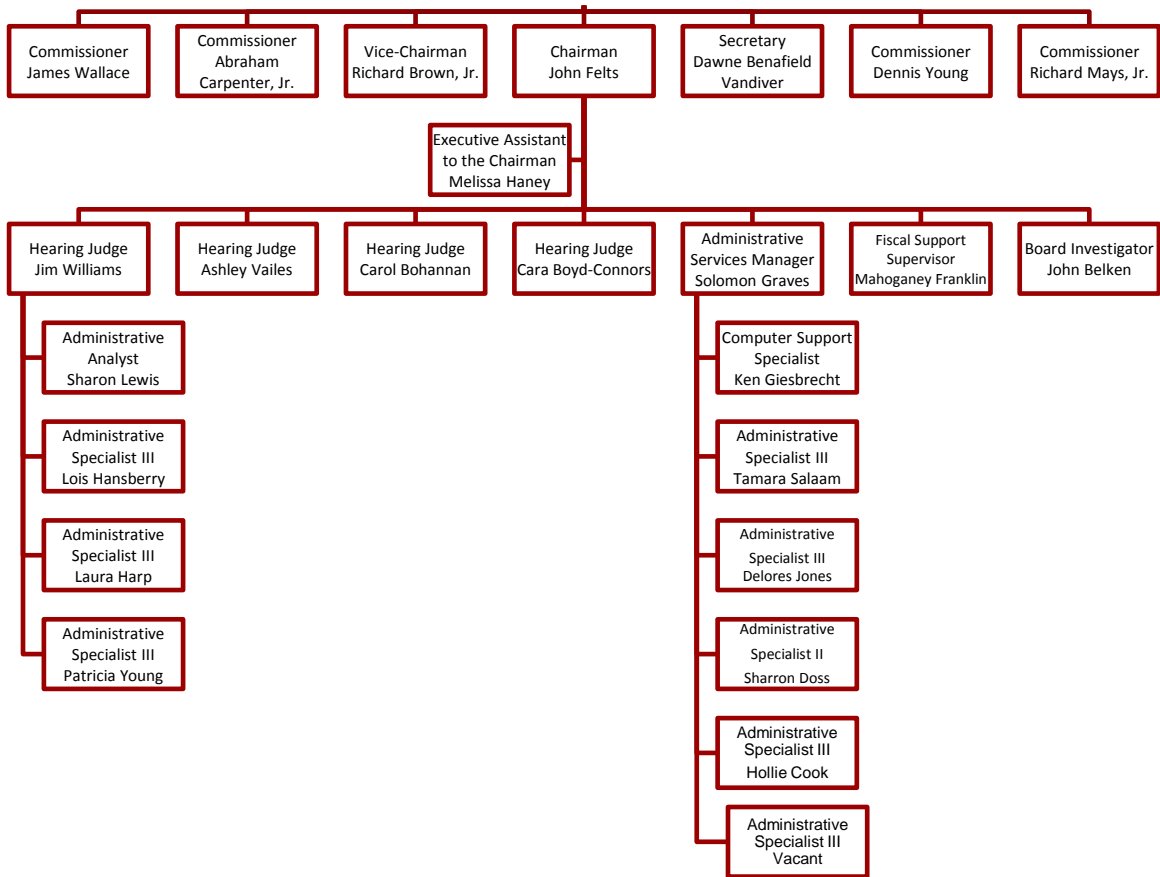
Solomon Graves**, Administrative Services Manager
Mahogany Franklin, Fiscal Support Supervisor
Melissa Haney***, Executive Assistant to the Chairman
John Belken, Board Investigator
Ken Giesbrecht, Computer Support Specialist
Sharon H. Lewis, Administrative Analyst
Lois Jean Hansberry, Administrative Specialist III
Laura Harp, Administrative Specialist III
Patricia Young, Administrative Specialist III
Tamara Salaam, Administrative Specialist III
Delores Jones, Administrative Specialist III
Hollie Cook, Administrative Specialist III
Sharron Doss, Administrative Specialist III (Receptionist)

* Revocation Supervisor

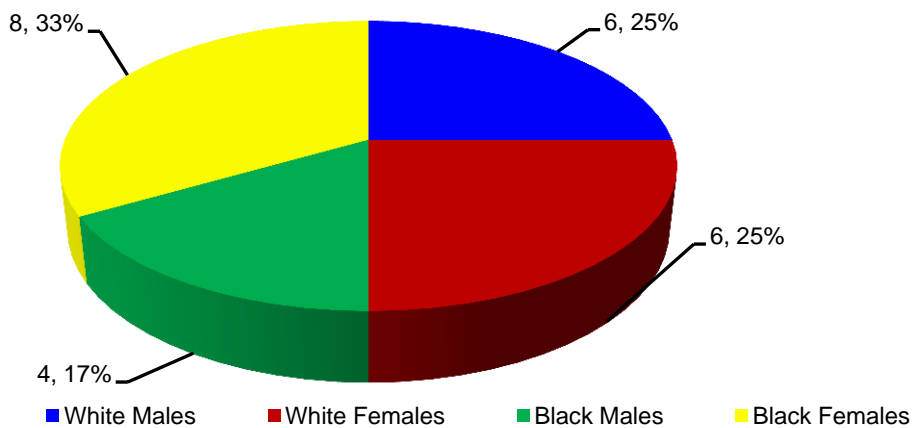
** Accreditation Coordinator / Parole Services Supervisor

*** Victim Input Coordinator

Organizational Chart & Employee Demographics



Employee Demographic Summary



History and Highlights

Parole has long been a component of corrections in Arkansas. 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, 2011, and again in 2014. Currently, there are less than ten (10) accredited Parole Boards in the nation.

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

In 2011, Act 570 required the Board to adopt several evidenced-based practices into its decision-making. Among them, was the development and implementation of a validated risk assessment, expanded reporting, and a structured evidenced-based training curriculum for the Board.

In 2013, Acts 136 and 485 gave the Board discretion over all sex offenses and additional violent and serious felonies.

In 2013 and again in 2014, the Board added additional staff to cope with increases in the workload of the Board and to further support its automation efforts

Authority and Responsibility

The Board 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 the agency director and as a voting member of the Board of Correction (which supervises, ADC, ACC, and Correctional School System). The Board's mandates are to conduct parole hearings in order to make decisions on the conditional release of eligible 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.

Board 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 against the need for reintegration into the community when considering the potential release of offenders. The Board also considers the input of victims, law enforcement, and other interested parties. 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 and requirements (conditions) are explained to the offender, who must sign the agreement prior to release. Every decision requires a quorum of four members.

For offenders sentenced on or after January 1, 1994, release eligibility is determined by statute. *Depending on the date the offense was committed, the Board has the discretion to deny parole for all homicides, all sexual offenses, and certain other violent/serious offenses. The Board may also deny the release of a parole violator who is returned to incarceration.* For offenders convicted of non-discretionary offenses, the Board can only delay release to community supervision until the offender has completed "a specific course of action" (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. Parole hearings are only open to the public with the consent of the inmate. Victims and/or their next-of-kin 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 Judges. They function as Administrative Law Judges and exercise independent judgment in cases of alleged parole violations and have the authority to determine whether the parolee should be returned to incarceration or reinstated on active supervision.

Authority and Responsibility

Current Discretionary Offenses

Since January 1, 1994, the Board has had the limited discretion to deny parole only for certain felony offenses. As of the 89th Regular Session of the General Assembly, the Board may only deny the parole of an offender convicted of the following:

Offenses COMMITTED on or after 1/1/1994

- Murder in the 1st Degree
- Kidnapping
- Rape
- Aggravated Robbery
- Causing a Catastrophe
- Engaging in a continuing Criminal Enterprise

Offenses COMMITTED on or after 7/30/1999

- Capital Murder
- Murder in the 2nd Degree
- Manslaughter
- Negligent Homicide
- Simultaneous Possession of Drugs and Firearms
- Battery in the 1st Degree
- Domestic Battering in the 1st Degree
- Sexual Assault in the 1st Degree
- Sexual Assault in the 2nd Degree

Offenses COMMITTED on or after 2/20/2013

Any offense for which an inmate is required, upon release, to register as a sex offender under the Sex Offender Registration Act of 1997 other than Rape, Sexual Assault in the 1st Degree, and Sexual Assault in the 2nd Degree (see previous sections).

Offenses COMMITTED on or after 08/16/2013

- Attempted Capital Murder
- Attempted Murder in the 1st Degree
- Attempted Aggravated Robbery
- Terroristic Act
- Arson
- Aggravated Residential Burglary
- Unlawful Discharge of a Firearm from a Vehicle
- Offenses Related to Acts of Terrorism

The Board may deny the parole of an offender convicted of an offense committed prior to January 1, 1994 or any offender that has been returned to incarceration for a parole violation.

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 the Board votes on the case. Unless written, victim input to parole decisions is confidential and cannot be obtained by an inmate.

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

For FY 2014, the Board scheduled 286 Victim Input Hearings and conducted 202.

Month	Hearings Scheduled	No Shows	Hearings Conducted	No. Approved	Percent Approved	No. Denied	Percent Denied	No. Deferred	Percent Deferred
Jul-13	26	10	16	1	6%	12	75%	3	19%
Aug-13	31	12	19	2	11%	12	63%	5	26%
Sept-13	25	7	18	3	17%	14	78%	1	6%
Oct-13	17	4	13	0	0%	11	85%	2	15%
Nov-13	20	7	13	2	15%	10	77%	1	8%
Dec-13	23	7	16	1	6%	10	63%	5	31%
Jan-14	29	8	21	6	29%	11	52%	4	19%
Feb-14	19	7	12	5	42%	4	33%	3	25%
Mar-14	13	2	11	0	0%	8	73%	3	27%
Apr-14	25	2	23	8	35%	11	48%	4	17%
May-14	29	12	17	3	18%	8	47%	6	35%
Jun-14	29	6	23	5	22%	17	74%	1	4%
FY 2014 Total	286	84	202	36	18%	128	63%	38	19%

Parole Process

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

- ☐ Institutional adjustment, to include the nature of any disciplinary actions and participation in institutional activities, such as, educational programs, rehabilitation programs, work programs, and leisure time activities.
- ☐ When considered necessary, an examination and opinion by a psychiatrist or psychologist.
- ☐ 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 sentencing Judge, Prosecuting Attorney, and Sheriff of the county from which a person was sentenced, or other interested persons.
- ☐ The impact statements submitted by victims of crime.
- ☐ 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 assessment.
- ☐ The inmate's employment record.
- ☐ The inmate's susceptibility to drugs or alcohol.
- ☐ The inmate's basic good physical and mental health.
- ☐ 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 2004 through 2014

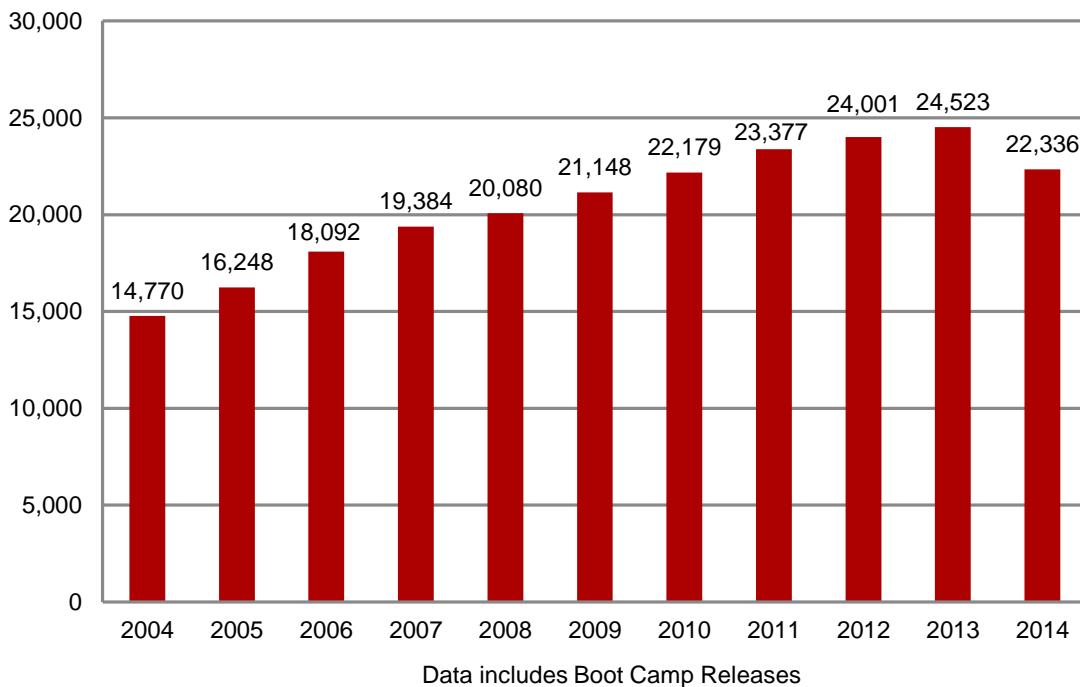
(Population Data Provided by Arkansas Community Correction)

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.

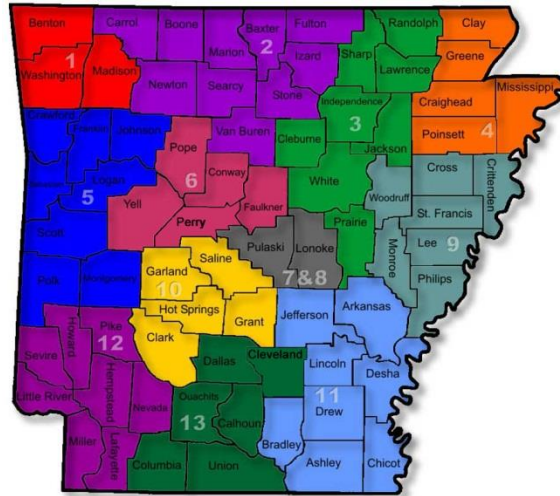
Since 2004, the parole caseload has grown by 7,566 offenders (or 51%).

Parole Population Fiscal Years 2004 through 2014



Parole Population by ACC Area Office as of June 30, 2014

(Population data provided by Arkansas Community Correction)



Area	Parole	Boot Camp	Total
1	2,154	33	2,187
2	706	7	713
3	1,344	17	1,361
4	1,224	2	1,226
5	1,957	17	1,974
6	1,232	17	1,249
7*	0	0	0
8*	4,438	29	4,467
9	1,234	23	1,257
10	1,599	17	1,616
11	1,570	17	1,587
12	1,685	21	1,706
13	1,105	29	1,134
ISC**	1,836	23	1,859
Statewide Total	22,084	252	22,336

* - In 2013 Community Correction split Area 7 in to two (2) Area Offices. Area 7 is Probation and Area 8 is Parole.

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

Hearings and Screenings

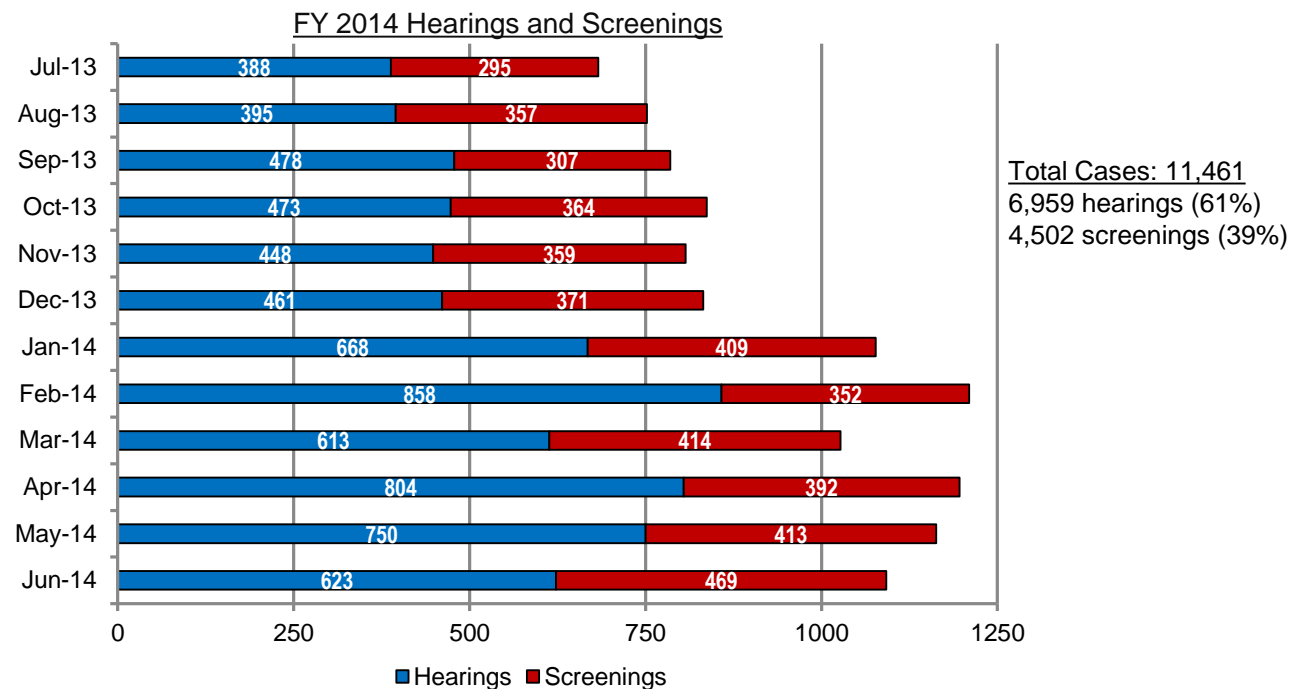
Fiscal Year 2014

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 parties. 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. Clemency Screenings are reported on page 13 of this report.

In FY 2014, 11,461 hearings and screenings were conducted by the Board. Of that number, 8,719 were approved for release. Of those approved for release, 77% were approved releases with no stipulated pre-release programs and 23% were approved releases contingent upon completion of stipulated pre-release programs. All offenders released by the Board are subject to standard, and often special, conditions of release. The Board conducted 1,337 hearings which resulted in a denial of that inmate's release. Of those denied, 1,212 were denied for 1 year and 125 were denied for 2 years.

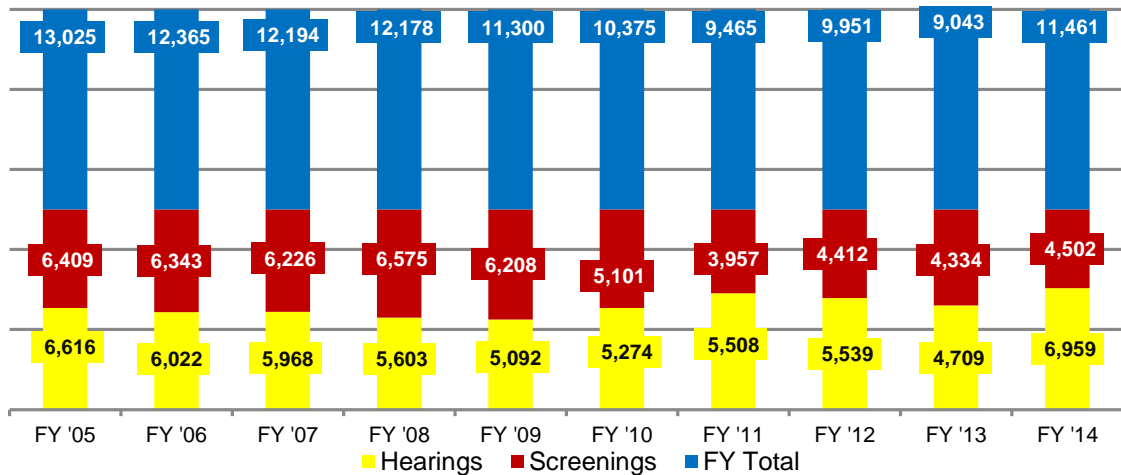
ACC's Institutional Release Services' staff prepare the case files for use by Board members in conducting hearings and screenings. Information contained in those files reflects the decision criteria listed earlier in this report.

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 2014



Frequency of Common Program Stipulations for Approved Releases Fiscal Year 2014

Program	Count
Thinking Errors	540
Substance Abuse Treatment Program	538
Therapeutic Community	173
Substance Abuse Education	170
Domestic Violence	132
Pre-Release	118
Vo-tech	70
Anger Management	66
Reduction of Sexual Victimization Program	46

Risk Level Summary for Approved and Denied Releases (Rate of Release Decision) Fiscal Year 2014

Risk Level	Approved	Denied
High	73%	62%
Moderate	15%	16%
Low Moderate	6%	13%
Low	2%	6%
Unknown	4%	1%

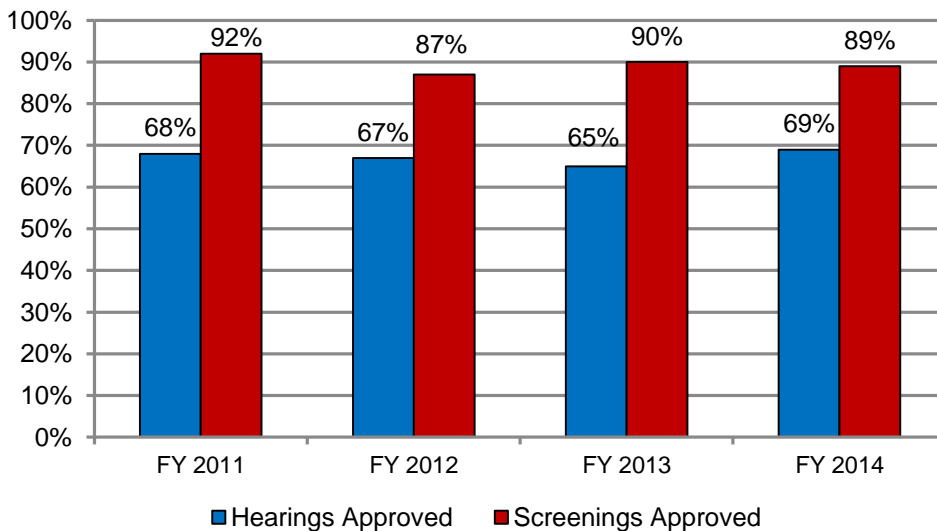
Frequency of Offense Categories for Denied Releases Fiscal Year 2014

Offense Category	Count
Sex	409
Battery	202
Murder	183
Other Violent	115
Drug Sale	88
Theft	78
Robbery	73
Burglary	51
Other Non-Violent	39
Weapons	28
Criminal Attempt	20
Assault	18
Crime Conspiracy	17
Fraud	7
Drug Possession	4
Other Property	4
DWI	1

Approval Rate for Hearings & Screenings Fiscal Year 2014

Month	Hearings Approved (Rate)	Screenings Approved (Rate)
July 2013	64%	88%
August 2013	63%	92%
September 2013	67%	86%
October 2013	60%	79%
November 2013	64%	90%
December 2013	65%	89%
January 2014	68%	92%
February 2014	75%	88%
March 2014	71%	90%
April 2014	72%	93%
May 2014	71%	83%
June 2014	70%	93%
FY 2014 Total	69%	89%

Approval Rate for Hearings and Screenings Fiscal Year 2011 through Fiscal Year 2014



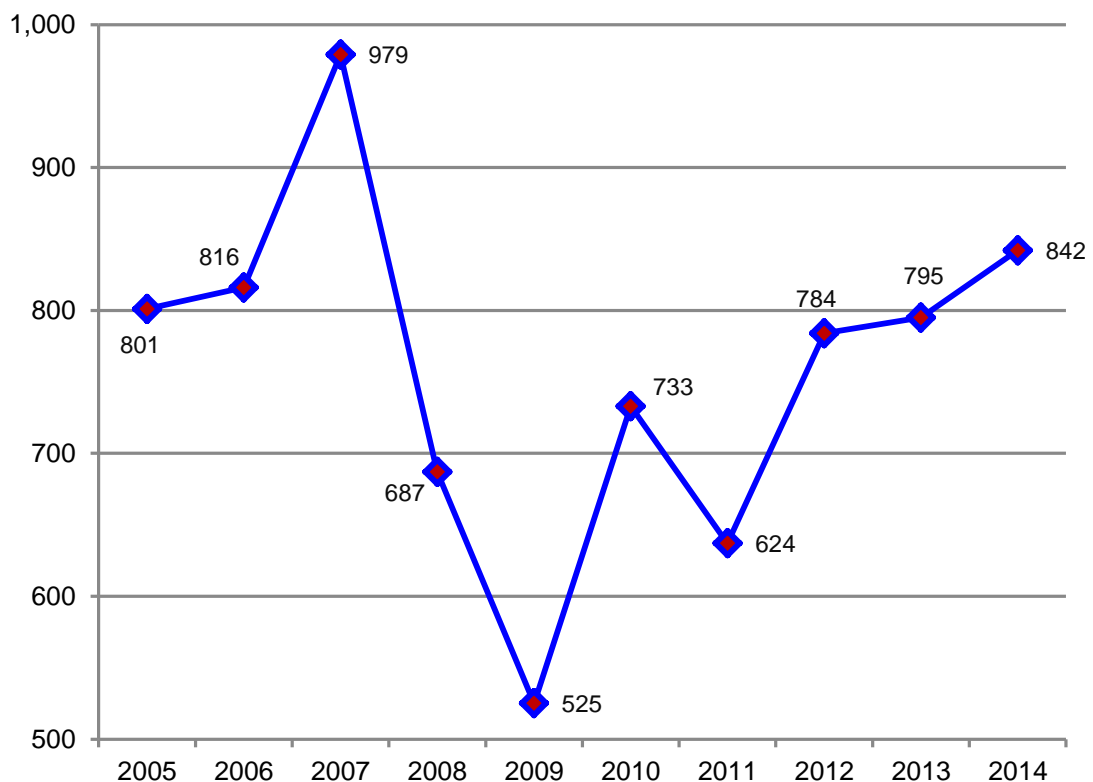
Executive Clemency Hearings & Screenings For Fiscal Year 2005-2014

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 ACC's Institutional Release Services Office where background information is gathered.

A report detailing the Board's recommendation is compiled and sent to the Governor's Office. The recommendation from the Board to the Governor is nonbinding. The Board conducted 842 Executive Clemency Hearings and Screenings during Fiscal Year 2014. The Board made 298 recommendations that an application was *With Merit* and that another 422 were *Without Merit*. The remainder were deferred for further review.

Executive Clemency Hearings and Screenings: Fiscal Years 2005-2014



Revocation of Parole

If a parolee is believed to have violated any of his/her release conditions, their supervising officer will submit a violation report to the Board. The violation report contains the information on the alleged violations. Based on the information provided, or when required by law, the Board will issue a warrant for the arrest of the parolee. Once the warrant has been served, the parolee will be brought before a Hearing Judge unless they waive their right to a hearing.

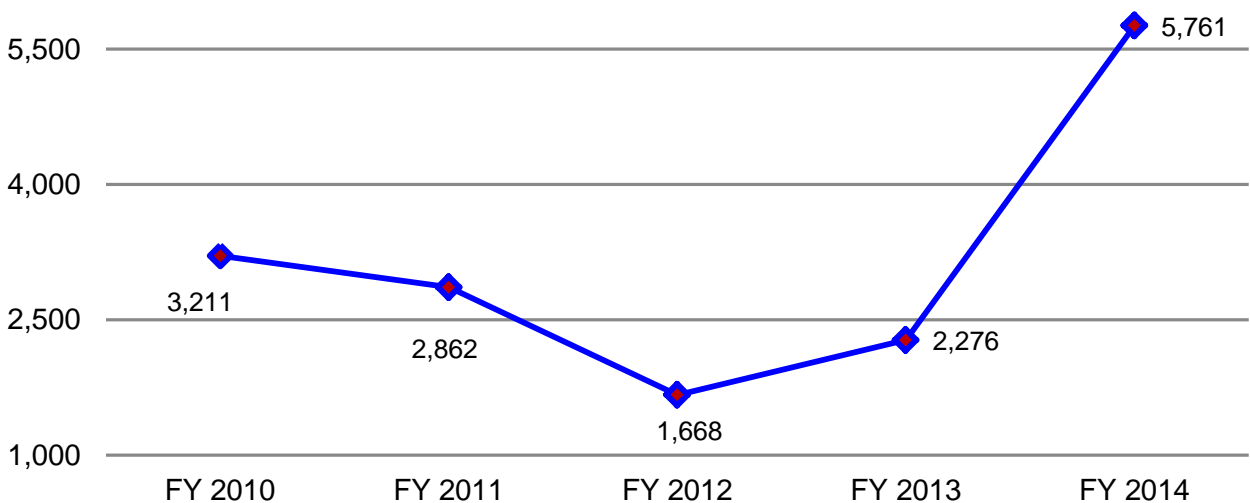
If a parolee waives their right to a hearing, they will be sent to the ADC or, if eligible, to an ACC Community Correction Center (beginning in December 2013) or ACC's Technical Violator Program (TVP). In this instance, a Hearing Judge would not meet with the parolee for a hearing. During FY 2014 the Board's Revocation section processed over 115 waivers to ACC's TVP, 236 waivers to an ACC Center, and 3,675 waivers to ADC.

If a hearing is held, a Hearing Judge may impose additional conditions, specify whether the violator should be sent to an ACC Center or TVP if eligible, or return the parolee to prison (ADC). At a revocation hearing, the Hearing Judge will seek and consider evidence that supports and counters the violation charges, as well as any aggravating or mitigating circumstances that suggest the violations do or do not warrant revocation.

A total of 1,871 hearings were held by Hearing Judges during FY 2014 (compared to 500 in FY 2013). The growth in hearings and waivers, was due in part to changes in Board of Correction policy that mandated that ACC refer certain offenders to a Revocation Hearing. Of the total hearings held in FY 2014, 1,434 (77%) resulted in a parolee being revoked to ADC. 70 (4%) resulted in a parolee being revoked to an ACC Center. 231 (12%) resulted in a parolee being revoked to TVP. 136 (7%) were not revoked. The total number of hearings does not include those that were deferred, continued, or not held.

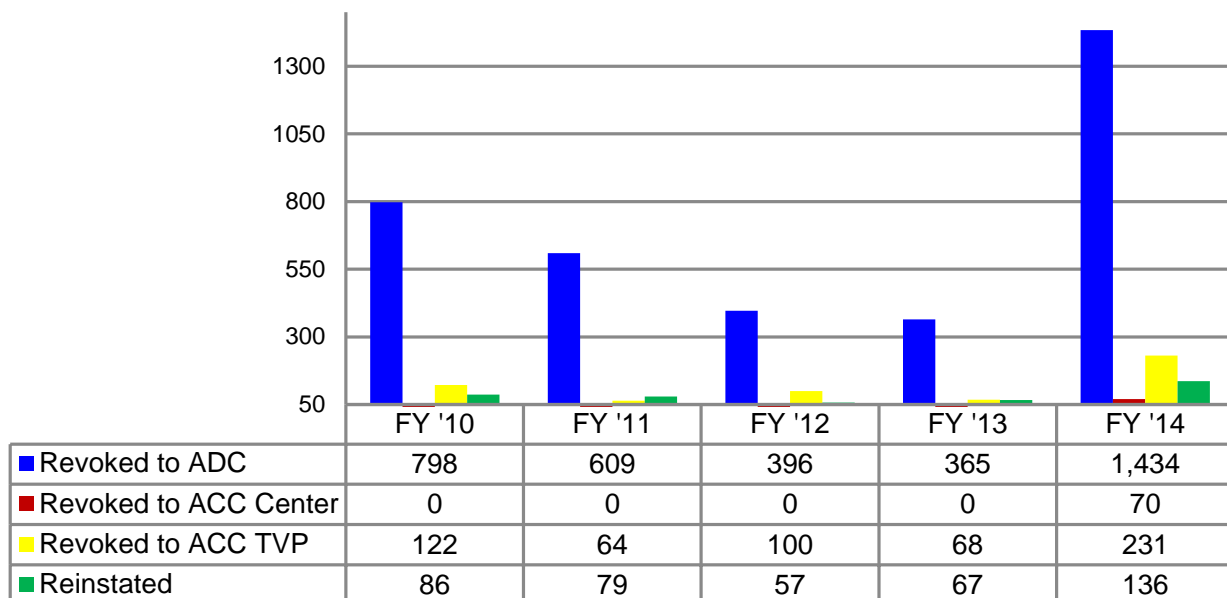
Total revocations (via hearings and waivers) increased over 150% from the proceeding fiscal year.

Total Revocations Via Hearing Judge Decision or Hearing Waiver
Fiscal Years 2011 through 2014



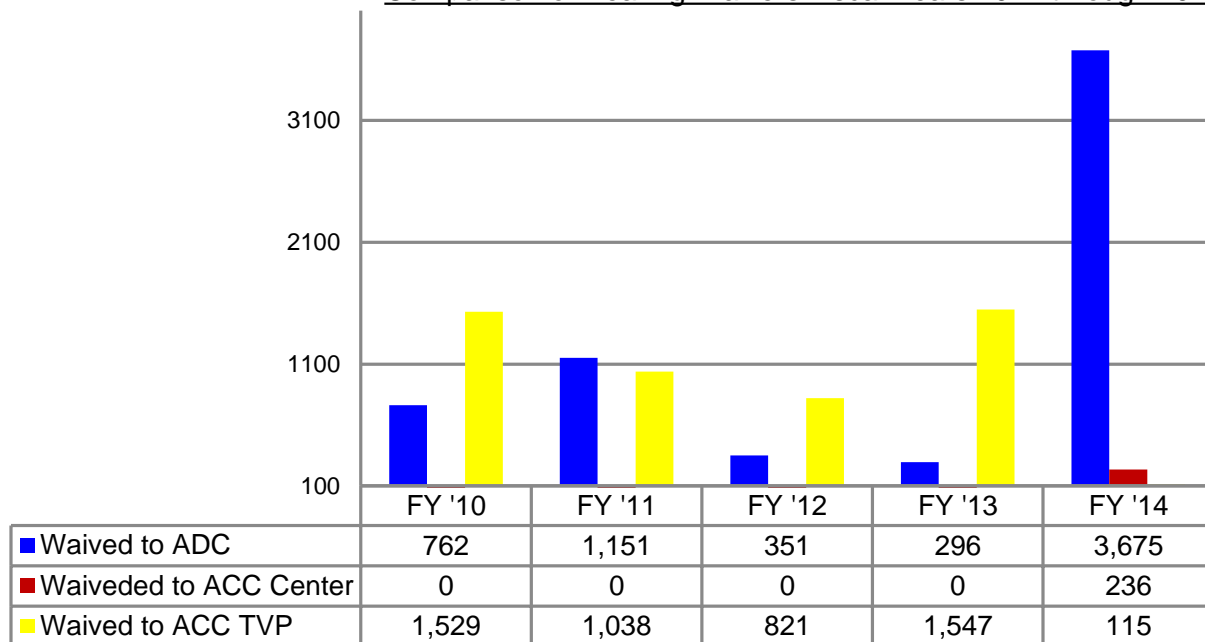
Revocation of Parole Hearings and Waivers

Comparison of Hearing Results Fiscal Years 2011 through 2014*



* - Total Hearings does not consider Deferrals, Continuances, or those Not Held

Comparison of Hearing Waivers Fiscal Years 2011 through 2014



Fiscal Year 2014 Revenue and Expenditures

For Fiscal Year 2014, the Board received \$2.038 million in funding from General Revenue. \$2.022 million was expended of that funding. The Board also received \$58,711.19 unreimbursed support from other agencies and entities and \$406.25 in revenue from Marketing & Redistribution.

FY 2014 Funding	
General Revenue (Funded)	\$2,038,293.00
Support from Other Agencies & Entities	\$58,711.19
Marketing & Redistribution	\$406.25
FY 2014 Total	\$2,051,044.78

FY 2014 Expenditures from General Revenue			
Commitment Item	Amount Funded (to include adjustments)	Amount Expended	Remaining Balance
Regular Salaries (00)	\$1,325,602.00	\$1,322,798.62	\$2,803.38
Personal Services Matching (03)	\$419,526.00	\$407,032.72	\$12,493.28
Maintenance & Operation (02)	\$269,988.00	\$269,119.74	\$617.67
Conference & Travel (09)	\$3,177.00	\$3,175.49	\$1.51
Professional Fees (10)	\$20,000.00	\$20,000.00	\$0
FY 2014 Total	\$2,038,293.00	\$2,022,126.57	\$15,915.84

FY 2014 Expenditures from Marketing & Redistribution Revenue			
Commitment Item	Amount Funded (to include adjustments)	Amount Expended	Remaining Balance
Marketing & Redistribution (25)	\$406.25	\$0	\$406.25
FY 2014 Total	\$406.25	\$0	\$406.25

FY 2014 Support from Other Agencies & Entities		
Funding Source	Purpose of Funding	Amount of Funding
National Parole Resource Center	Training (x2)	\$1,499.82
Department of Correction	Computers & eOMIS Development	\$16,916.57
Arkansas Community Correction	eOMIS Development	\$40,294.80
FY 2014 Total		\$58,711.19

Arkansas Parole Board

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