

Elder Parole: A Safe, Data-Driven Response to Arkansas's Prison Crisis

THE ASK

Give older people who have served significant time in prison the opportunity to be considered for parole. Not automatic release — a hearing, with a risk-based review by the Post Prison Transfer Board.

3rd	19,454	2,360	15.2%	5,086
highest imprisonment rate in the U.S. (596 per 100,000 adults) ¹	people in Arkansas state prisons ²	state-sentenced people held in county jails awaiting a bed ²	correctional staff vacancy rate ²	more people projected over next 10 years under Act 659 ³

PROBLEMS WE ALL AGREE EXIST

- **Overcrowding** creates unsafe conditions for incarcerated people and staff alike. Many ADC units ran above their rated capacity in FY 2024, including Cummins, Varner, East Arkansas Regional, Grimes, McPherson, and Wrightsville.⁴
- **A staffing crisis.** With a 15% vacancy rate, a significant number of correctional positions are unfilled. Pay is so low that contraband smuggling remains a persistent problem, and staffing shortages have created severe operational strain and jeopardize the safety and stability of the prison system.⁵
- **High recidivism.** Overcrowded, understaffed prisons lead to worse outcomes when people return home.

These problems are connected: each is driven by, and worsens, overcrowding. Act 659 (the “Protect Arkansas Act”), which requires 85–100% of time served for many offenses, will add 5,086 people over the next decade with no new release valve.

A GROWING PROBLEM: AN AGING PRISON POPULATION

Arkansas prisons now hold **2,098 people age 60 or older** — about 1 in 9 people in ADC custody — and roughly **3,470 people age 55 or older** (about 18% of the prison population).⁶ Prisons were never designed to be nursing homes. Yet today, the only way out for an aging person are restrictive mechanisms that require them to be dying or permanently incapacitated first.

ELDER PAROLE: WHO IT WOULD REACH

A preliminary analysis of ADC's public inmate records finds that **1,211 people** are 55 or older and have served at least 15 years — half of the county jail backlog.⁶

Counts are best-effort estimates from ADC's online inmate search (Aug. 2026). Eligibility means a parole hearing, not release.

THE CRISIS AS WE SEE IT: CURRENT RELEASE TOOLS ARE FAILING

Arkansas already has three compassionate-release pathways. National experts grade the system an **F (33/100)**.⁷ All three are reactive: a person must be terminally ill or incapacitated before being considered.

Program	Grade	Why it falls short
Medical Parole	F (32)	Terminally ill or permanently incapacitated; no application process; no clear right to counsel or appeal.
Home Detention Release	F (36)	Same medical threshold; little public policy guiding referrals; “permanently incapacitated” undefined.
Medical Executive Clemency	F (31)	“Life-threatening” undefined; no release planning; denied applicants usually wait 12+ months to reapply.

ELDER PAROLE’S THREE-FOLD BENEFIT

Opens bed space

Relieves overcrowded units and the county jail backlog while avoiding the cost of building a new prison.

Reduces recidivism

People age out of crime: recidivism drops at age 40. Releasing low-risk people eases the overcrowding that drives poor outcomes.

Lowens costs

Health care for older people can increase incarceration costs two to three times and is far more costly in prison than in a community-based setting.

HOPE IS A PUBLIC-SAFETY TOOL

Hope for release has proven to be a powerful incentive for personal transformation. It encourages program participation and compliance with rules. When people believe they have a realistic path home, their behavior improves, as do their outcomes. Severely limiting parole opportunities removes that hope. Arizona’s experience with truth-in-sentencing reveals that prison conditions and recidivism get worse, not better.⁸ *Miller v. Alabama*, the United States Supreme Court ruling in 2012 that mandatory life-without-parole sentences for people whose crimes occurred under the age of 18 are unconstitutional, restored hope for some, as many people were provided the opportunity for resentencing based on their demonstrated growth while incarcerated.

“Before 2012, I felt a lack of hope, but once hope was restored, all the way across the board, all of us started acting better.”

— Formerly incarcerated Arkansan sentenced to Life Without the Possibility of Parole as a teenager

WHO ELSE PAYS THE PRICE

- **Families.** Families spend an average of \$4,200 a year supporting an incarcerated relative; Black families spend \$8,005.⁹ Older people in prison are often parents and grandparents who lose the opportunity to be caregivers.
- **Local jails.** County sheriffs hold more than 2,000 state-sentenced people, and neither jails nor prisons are equipped to provide long-term geriatric care.
- **Women.** Incarcerated women have high rates of prior trauma and chronic illness that worsen with age, and many were primary caregivers before prison.
- **Communities of color.** Black Arkansans are about 15% of the state's population but 41% of its prison population.¹⁰

RECOMMENDATIONS

1. **Create elder parole eligibility** for older people who have served significant time in prison, with the Post-Prison Transfer Board deciding each case.
2. **Use a validated risk assessment**, tailored to older people, instead of strict medical criteria.
3. **Streamline review** so medically vulnerable people do not die in custody awaiting a decision.
4. **Plan reentry and care** with community health providers, Medicaid, and social services before release.

Sources: ¹BJS, Prisoners in 2023. ²ADC Division of Correction Directors Board Report, July 2026. ³ADC Prison Population Forecast, Nov. 2025. ⁴ADC FY24 Annual Report, institutional capacity and yearly population averages. ⁵*The Arkansas Advocate*, State Prisons Turn to Extended Lockdowns Amid Staffing Shortages, Overcrowding, December 4, 2024. ⁶Analysis of ADC inmate search data by J. Adler & L. Kelly, Aug. 2026. ⁷FAMM, Compassionate Release report cards. ⁸Macdonald, D. C., 2024. Truth in sentencing, incentives and recidivism. SSRN. ⁹FWD.us, We Can't Afford It. ¹⁰U.S. Census QuickFacts; ADC FY22 Statistical Information.



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