

Minutes

House Committee on Judiciary
Senate Committee on Judiciary
House Committee on State Agencies and Governmental Affairs
Senate Committee on State Agencies and Governmental Affairs
Charitable, Penal & Correctional Institutions Subcommittee of the Arkansas Legislative Council

August 28, 2019

The Senate and House Committees on Judiciary, the Senate and House Committees on State Agencies and Governmental Affairs, and the Charitable, Penal and Correctional Institutions Subcommittee of the Arkansas Legislative Council, met jointly on Wednesday, August 28, 2019 at 10:00 a.m. at the Department of Correction-Cummins Unit, Gould, Arkansas.

Committee members present: Senators Alan Clark, Senate Chair, Ronald Caldwell, John Cooper, Joyce Elliott, Stephanie Flowers, Trent Garner, and Gary Stubblefield. Representatives Carol Dalby, House Chair, Stan Berry, Sarah Capp, Andrew Collins, Cindy Crawford, Jim Dotson, Jon Eubanks, David Fielding, Megan Godfrey, Spencer Hawks, Douglas House, Justin Gonzales, Gayla McKenzie, Josh Miller, Clint Penzo, Rebecca Petty, Jamie Scott, Matthew Shepherd, Brandt Smith, Dwight Tosh, and Jeff Wardlaw.

Other legislators present: Senator Missy Irvin. Representatives Vivian Flowers, Lane Jean, Chris Richey, Kenneth Ferguson, Vivian Flowers, Kim Hammer, Fredrick Love, and Keith Slape.

Call to Order: Representative Dalby called the meeting to order and recognized the Chairs, Co-Chairs, and Vice-Chairs in attendance.

Welcome and Overview of the Department of Corrections

Representative Dalby recognized Wendy Kelley, Secretary, Arkansas Department of Corrections (ADC). Ms. Kelley discussed the changes to the structure of the ADC based on legislation passed during the 2019 legislative Session. The ADC now comprises the Division of Community Correction (DCC), the Correctional School System, the Office of Criminal Detention Facility Review Coordinator and their Committees, the Parole Board, and the Sentencing Commission. Other changes from the combined and shared services include: human resource functions, budget functions, information technology, research and planning. Improvements and streamlining of sentencing orders is being developed between the divisions moving towards electronic data entry and monitoring. Ms. Kelley gave an overview of the operations and programs of the Cummins Unit:

- The facility is the oldest operating correctional facility in the state opening in 1902
- The current inmate population is 1,876 with 555 employees
- The execution chamber is housed in the Cummins Unit
- Agricultural operations include: row crops, livestock, vegetable crops, a slaughter house, poultry, swine, cattle, a hothouse, a dairy creamery, a farm garage, a pecan orchard, and a canine unit
- Programs include: a faith-based program, Principal Applications for Life (PAL), General Education Development Classes, health programs, recreational programs, and industrial training programs that focus on developing trade skills such as screen printing, garment production, and monogramming

Arkansas Prison Seminaries Program Overview

Representative Dalby recognized Mr. Dub Byers, Board Member, Board of Corrections and former State Senator Eddie Joe Williams. Mr. Byers and Senator Williams gave a presentation on a satellite program beginning in the Varner Unit established by the Mid America Baptist Theological Seminary. Mr. Byers described aspects of the program including:

- 25 inmates have been chosen for the program at no cost to the individuals or the state
- Inmates who complete the program will receive a degree with the possibility of acting as field ministers assisting Prison Chaplains across the state
- The program is currently focused on inmates incarcerated for long periods of time and/or life sentences

- Similar programs have been developed in 23 other states originating in Louisiana
- Legislators were invited to attend a dedication ceremony being held at the Varner Unit today at 12:15 p.m. to coincide with classes beginning today
- Legislators will have the opportunity to meet the inmates and tour the college

Senator Williams explained, Arkansas's Prison Seminars Program is modeled after similar seminary programs that have demonstrated success in other state prison systems. He noted that providing an opportunity for incarcerated individuals to earn an accredited degree through Arkansas State University is a significant benefit for inmates who successfully complete the program. Senator Williams explained various details about the program including:

- Inmates who participate will be full-time students and the classes will be their full-time job
- Inmates who complete the program will receive an accredited degree from Arkansas State University (ASU)
- The classes will be taught by video and in person
- Each year 25 students will be added to the program with an approximate total of 100 students

Restore Hope, Arkansas Program Overview [Exhibit D]

Representative Dalby recognized Mr. Paul Chapman, Director, Restore Hope and former Representative Charlotte Douglas. Representative Douglas told legislators the Restore Hope program began as a pilot program in Sebastian County several years ago. Mr. Chapman gave a PowerPoint presentation and described a graph indicating the significant number of children entering the foster care system in correlation to the high growth rate of incarcerated individuals. Mr. Chapman explained the idea behind the Restore Hope program is to provide efficiencies in communication and system problems to help to reduce recidivism. In order to help individuals return to their communities after incarceration, several factors depend on the coordination of available resources between agencies and the private sector. Mr. Chapman explained the need for professionals to address the needs of individuals immediately upon their release from incarceration. Harbor House has on boarded 1,125 inmates over the past 12 months inside a parole or probation office. He explained the Restore Hope program uses software that allows various agencies and entities to key in data which is combined into one monthly report, and used to identify potential clients and assess their readiness for entering a vocational training program.

Update on Facility Security and Contraband Interdiction Efforts

Representative Dalby recognized Mr. Dexter Payne, Director, Arkansas Division of Correction. Mr. Payne described the problem of contraband within the facilities. In 2017 an epidemic of K2 began but today many forms of liquefied forms of drugs are being introduced into facilities. The department has invested \$2 billion in body scanners enhancing the ability to identify individuals attempting to smuggle contraband. The scanners have been installed in the Cummins, Varner, East Arkansas, Ouachita River, Tucker, and Maximum Security Units. Efforts have been expanded to educate inmates about the dangers of drugs using curriculums based on a substance abuse program. Mr. Payne said earlier this year a new substance abuse intervention program was implemented in the Varner Unit for inmates found guilty of disciplinary violations related to drug use or drug possession. Multiple units have established pyramid education programs with a "No One Left Behind" Program that helps inmates by utilizing peers to assist them on refusing to participate in drug activity. Efforts are ongoing to allow correctional institutions to jam cellular devices because cell phones are the main source of drug and contraband activity. Legislators discussed the ongoing problems and the efforts by the department to eliminate contraband entering the facilities.

Overview of Parole/Probation Officer Caseloads

Representative Dalby recognized Mr. Kevin Murphy, Director, Division of Community Correction. Mr. Murphy gave an overview which includes:

- 2 primary divisions and 6 facilities around the state
- Inmates housed in these units have been sentenced to 6 years or less, plus drug court violators There are 33,000 individuals on probation
- There are 2,190 drug court violators
- There are 25,161 on parole
- There is a total of 64,800 individuals on supervision

Mr. Murphy discussed tools the division is incorporating to better manage cases, which include:

- 30 new parole officer positions approved during the 92nd Legislative Session

- Incorporation of a recommendation by the Council of State Government to weight each case by maximum, medium, and minimum supervision using a point value system
- Smartphone technology is being used to monitor the whereabouts and check-in procedures for parolees deemed as needing minimal supervision
- The technology is also used on maximum caseloads believed to be affiliated with gang activity requiring a daily check-in
- Data entry has been streamlined using one screen to identify positions of individuals within the organization
- Positions have been identified within administrative areas to be recommended and/or reclassified as parole officers adding 13 additional positions

Mr. Murphy described several other efforts being used such as recovery coaches from Harbor House imbedded in some of the parole offices.

There being no further business, the meeting adjourned at 11:45 a.m.

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