

JOINT PERFORMANCE REVIEW COMMITTEE

SEPTEMBER 19, 2013

MINUTES

The Joint Performance Review Committee met Thursday, September 19, 2013 at 9:30 a.m. in Room A, MAC Building, Little Rock, Arkansas.

Committee members present were Senators Jane English, Senate Co-Chair, Jimmy Hickey, Uvalde Lindsey, David Sanders, and Larry Teague. Also attending were Representatives Terry Rice, House Co-Chair, Randy Alexander, Bob Ballinger, Harold Copenhaver, Jody Dickinson, Jon Eubanks, Debra Hobbs, Douglas House, Mark Lowery, Josh Miller, Nate Steel, Brent Talley, and Bruce Westerman.

Other members present were Senator Joyce Elliott; plus Representatives Duncan Baird, Scott Baltz, Nate Bell, Jim Dotson, David Hillman, John Hutchison, Joe Jett, Sheila Lampkin, Stephanie Malone, Walls McCrary, Micah Neal, Mary Lou Slinkard, Jeff Wardlaw, and David Whitaker.

Call to Order

Senator English called the meeting to order.

Approval of Minutes – August 1, 26, and 27, 2013 [Exhibit B, B-1, B-2]

A motion to approve the minutes of the August 1st, 26th, and 27th, 2013 committee meetings was made by Representative House and seconded by Representative Rice. The minutes were adopted unanimously.

Overview and discussion of the Omega Technical Violator Center, Arkansas Department of Community Corrections (DCC), located in Malvern [Exhibit C]

Senator English asked the staff of the Department of Community Correction (DCC) to introduce themselves and give an overview of the Omega Technical Violator Center. Director Sheila Sharp, Deputy Director Dina Tyler, and Omega Center Supervisor Kathy Brown introduced themselves. Ms. Sharp recognized the Board of Corrections members who were in attendance. Members were Board Chairman Benny Magness, Vice Chairman Mary Parker, Secretary Janice Walmsley, and Bobby Glover. Parole Board Chairman John Felts was also recognized.

Ms. Sharp told legislators there are three DCC Technical Violator Programs (TVP) in the following locations:

- the Omega Technical Violator Center in Malvern has 300 beds
- the Southwest Center in Texarkana has 96 beds for male offenders
- the Southeast Center in Pine Bluff has 75 beds for female offenders

She described the programs as either a sanction or an intervention for parolees who have violated their parole. The programs are designed to help offenders adjust before being returned to the community. She gave examples of offenses committed by parolees that cause a parolee to be assigned to the TVP programs:

- failure to comply with conditions of supervision
- failure to report
- failure of drug and/or alcohol tests

Certain offenders can sign a waiver asking to be placed in a 60 or 90 day program in lieu of being returned to the Arkansas Department of Correction (ADC). If an offender does not choose to sign a waiver, the Parole Board has the authority to assign them to a TVP program or send them to ADC. Ms. Sharp referenced Exhibit C, which lists descriptions of programs offered at the TVP centers.

Kathy Brown discussed the TVP programs and said a classification process occurs before an offender enters the TVP unit. A medical evaluation is performed, which lasts from 48 to 72 hours. An offender is assigned a counselor and enters the general TVP population, followed by an orientation period. During the orientation period, the offender is provided a handbook which details the Center's rules, regulations, and expectations. Once an offender completes the orientation period, they enter a basic treatment period which lasts several weeks. The offender confers with a counselor on identified problems. The offender works one half of each day and participates in classes the remainder of the day. At the end of the basic treatment period, the offender attends classes for two weeks in a life skills program and a relapse prevention program. During the two weeks of classes, victim impact panels participate in discussions with offenders. A reentry program is conducted by prison ministries. Ms. Brown said the offenders are held accountable for their actions with zero tolerance for any type of violence or sexual acting out. All the programs are evidence based for evaluation purposes.

A question was asked concerning the number of times an offender may be reassigned to a Technical Violator Unit. Ms. Sharp provided the following information based on a system-wide review from 2008 to 2013:

- 56.6% or 11,274 offenders were assigned to the TVP program one time
- 28.6% or 3,226 offenders were assigned to the TVP program two times
- 11.6% or 1,308 offenders were assigned to the TVP program three times
- 304 offenders were assigned to the TVP program four times
- 55 offenders were assigned to the TVP program five times or more

Ms. Tyler was asked if victims of crimes are notified when an offender is released from TVP. Ms. Tyler said victims may register through ADC and DCC for notification of any change in an offender's status. She then described a program she and Director Sharp learned of in Faulkner County. Faulkner County has created a coordinated crime group of law enforcement officials, including police officers, sheriffs, and deputies who meet and review information on offenders who are returning to their

communities. Ms. Tyler told legislators that both she and Ms. Sharp believe this is an excellent tool which Ms. Sharp is pursuing for replication statewide.

Discussion of the AR Department of Community Correction's Recent Policy Proposal for Opening Parole Records

Senator English recognized Ms. Tyler to discuss policies proposed by DCC regarding the release of inmate and offender records. Ms. Tyler told committee members she established a policy during her tenure at ADC for the release of records, which complies with the Freedom of Information Act (FOI) and allows for the release of information to legislators as requested. Ms. Tyler said she and Board of Correction's member Dr. Mary Parker took the ADC policy and adapted it to DCC with the addition of components regarding offenders on parole or probation. Ms. Tyler thinks this policy will allow DCC to properly respond to media inquiries and provide legislators necessary information.

There being no further business the meeting adjourned at 11:10 a.m.

DRAFT