

State of Arkansas

77th General Assembly

Regular Session, 1989

A Bill

SENATE BILL

362

By: Senator Bookout

For An Act To Be Entitled

"AN ACT TO AMEND ARK. CODE ANN. §16-93-803 TO PROVIDE FOR
UNIT WARDEN RECOMMENDATIONS CONCERNING INMATE RELEASE; AND
FOR OTHER PURPOSES."

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

SECTION 1. Ark. Code Ann. §16-93-803 is amended to read as follows:

"16-93-803. Application - Procedure.

(a) Any inmate of the Department of Correction who is serving under a commitment to the department for the commission of a nonviolent offense and who has no previous convictions for other than nonviolent offenses and who is not otherwise eligible for parole may have his or her application considered by the Board of Pardons and Paroles for release on parole to participate in a work program as provided for in this subchapter if:

(1) The family of the applicant or some other suitable person or entity agrees to sponsor the applicant with shelter, food, and clothing; and

(2) The applicant has assurance of gainful employment upon release, satisfactory to the Board of Pardons and Paroles; and

(3) The parole officer for the region in which the applicant will reside agrees to supervise the applicant in accordance with the rules and guidelines prescribed by the Board of Pardons and Paroles; and

(4) The prosecuting attorney of the county wherein the crime was committed approves the release in writing if the applicant is serving a second or subsequent confinement in the department.

(b) The unit warden where the inmate is confined may submit to the Board of Pardons and Paroles a recommendation concerning the inmates' release under this subchapter based upon the inmates' conduct within the Department of Correction.

(c) The sheriff or the prosecuting attorney of the county in which the

inmate will reside may seek the advice and recommendations of the chief law enforcement officer of the municipality in which the inmate will reside if released, the judge of the court by which the inmate was sentenced, the prosecuting attorney of the circuit in which the inmate was prosecuted and convicted, the offended party, if possible, and such other persons as the sheriff or prosecuting attorney deems necessary or appropriate to determine the attitude of the community regarding the parole of the inmate under the provisions of this subchapter.

(d) When any eligible inmate makes application to the Board of Pardons and Paroles for release on parole as provided for in this section and furnishes written proof verified by the regional parole officer that the various requirements and conditions prescribed in this section have been met, the board shall conduct such investigation of the inmate and of the application as it shall deem appropriate and may, upon completion of the investigation, either grant or deny the application."

SECTION 2. All provisions of this act of a general and permanent nature are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code Revision Commission shall incorporate the same in the Code.

SECTION 3. All laws and parts of laws in conflict with this act are hereby repealed.