

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

1 State of Arkansas
2 85th General Assembly
3 Regular Session, 2005
4

A Bill

SENATE BILL 385

5 By: Senator Luker
6 By: Representatives Bond, D. Johnson
7

For An Act To Be Entitled

10 AN ACT TO ESTABLISH AN EARLY RELEASE PROGRAM FOR
11 OFFENDERS TO TRANSITIONAL HOUSING FACILITIES; AND
12 FOR OTHER PURPOSES.
13

Subtitle

14 AN ACT TO ESTABLISH AN EARLY RELEASE
15 PROGRAM FOR OFFENDERS TO TRANSITIONAL
16 HOUSING FACILITIES.
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20 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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22 SECTION 1. Arkansas Code Title 16, Chapter 93, Subchapter 2 is amended
23 to add an additional section to read as follows:

24 16-93-211. Early release to transitional housing facilities.

25 (a) As used in this section, "transitional housing" means a program
26 that provides housing for one (1) or more offenders who have either been
27 transferred or paroled from the Department of Correction by the Post Prison
28 Transfer Board or placed on probation by a circuit or district court. An
29 offender's home or the residence of an offender's family member shall not be
30 considered a transitional housing facility for purposes of this section.

31 (b)(1) To assist offenders who will be eligible for parole or transfer
32 to successfully reintegrate into the community, the Post Prison Transfer
33 Board is authorized to place the offenders into approved transitional housing
34 up to one (1) year prior to the offenders' dates of eligibility for parole or
35 transfer.

36 (2) Subject to conditions of release, and consistent with rules



1 promulgated by the Post Prison Transfer Board, placement in a transitional
2 housing facility must be preceded by the provision of all applicable notices
3 under § 16-93-206 and a hearing conducted by the Post Prison Transfer Board.

4 (c)(1) The decision to place offenders in transitional housing and the
5 establishment of conditions of release by the Post Prison Transfer Board must
6 be based on a reasoned, rational plan developed in conjunction with an
7 accepted risk-needs assessment tool such that each placement decision is
8 based on established criteria and a determination that there is a reasonable
9 probability that an offender can be placed in a transitional housing facility
10 without detriment to the community or himself or herself.

11 (2) The conditions of release established by the Post Prison
12 Transfer Board are subject to review and modification by the Board of
13 Corrections.

14 (d) Conditions of release imposed by the Post Prison Transfer Board
15 must at a minimum include a curfew requiring offenders placed in transitional
16 housing to present themselves at a daily, regularly scheduled time to be
17 confined in the transitional housing facility.

18 (e) Offenders placed in transitional housing by the Post Prison
19 Transfer Board will be supervised by officers of the Department of Community
20 Correction.

21 (f) Offenders who, without permission, leave the transitional housing
22 facility in which they are placed will be subject to criminal prosecution for
23 escape.

24 (g) Revocation of placement in transitional housing must follow the
25 revocation proceedings established in § 16-93-705.

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