

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

As Engrossed: S2/22/05  
**A Bill**

SENATE BILL 385

5 By: Senator Luker  
6 By: Representatives Bond, D. Johnson  
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9 **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

14 **Subtitle**

15 AN ACT TO ESTABLISH AN EARLY RELEASE  
16 PROGRAM FOR OFFENDERS TO TRANSITIONAL  
17 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) 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 (d) Conditions of release imposed by the Post Prison Transfer Board  
12 must at a minimum include a curfew requiring offenders placed in transitional  
13 housing to present themselves at a daily, regularly scheduled time to be  
14 confined in the transitional housing facility.

15 (e) Offenders placed in transitional housing by the Post Prison  
16 Transfer Board will be supervised by officers of the Department of Community  
17 Correction.

18 (f) Offenders who, without permission, leave the custody of the  
19 transitional housing facility in which they are placed may be subject to  
20 criminal prosecution for escape.

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

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24 /s/ Luker  
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