

1 State of Arkansas  
2 91st General Assembly  
3 Regular Session, 2017  
4

# A Bill

SENATE BILL 273

5 By: Senator Standridge  
6 By: Representatives Drown, Bentley  
7

## For An Act To Be Entitled

9 AN ACT PERMITTING ACT 309 INMATES IN THE CUSTODY OF  
10 THE DEPARTMENT OF CORRECTION WHO ARE HOUSED IN A  
11 COUNTY JAIL TO WORK FOR LOCAL NONPROFIT  
12 ORGANIZATIONS; AND FOR OTHER PURPOSES.  
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## Subtitle

15 PERMITTING ACT 309 INMATES IN THE CUSTODY  
16 OF THE DEPARTMENT OF CORRECTION WHO ARE  
17 HOUSED IN A COUNTY JAIL TO WORK FOR LOCAL  
18 NONPROFIT ORGANIZATIONS.  
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22 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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24 SECTION 1. Arkansas Code § 12-30-407 is amended to read as follows:  
25 12-30-407. Housing of participants.

26 (a)(1)(A) The Board of Corrections may promulgate rules ~~and~~  
27 ~~regulations~~ to allow the proper classification of inmates to be released to  
28 the county sheriffs of approved jail facilities or chiefs of police or other  
29 authorized law enforcement officers of city-operated approved jail facilities  
30 or community correction centers outside the Department of Correction.

31 (B)(i) Inmates shall be interviewed to develop a  
32 classification of each inmate's skills, work experiences, job background, and  
33 education.

34 (ii) ~~Such inmates are to~~ Inmates shall work at jobs  
35 under this section that directly benefit ~~those approved jail facilities,~~ or a  
36 political subdivision, or a nonprofit organization with a chapter, committee,



1 or other governing body that is based in the county, and that are related to  
 2 a particular inmate's background classification, ~~and where they are to be in~~  
 3 which the inmates are under supervision at all times.

4 (2)(A)(i) County sheriffs, chiefs of police, or other authorized  
 5 law enforcement officers of approved jail facilities may request assignment  
 6 of inmates to their approved jail facilities to perform particular jobs for  
 7 the approved jail facilities, ~~or~~ for a political subdivision, or for a  
 8 nonprofit organization with a chapter, committee, or other governing body  
 9 that is based in the county, which are in a particular area of need of the  
 10 ~~facility or a~~ approved jail facilities, political subdivision, or nonprofit  
 11 organization with a chapter, committee, or other governing body that is based  
 12 in the county.

13 (ii) The Department of Correction shall review the  
 14 requests and shall submit a list of inmates with appropriate skills or  
 15 backgrounds for the particular job needs of the approved jail facility,  
 16 political subdivision, or nonprofit organization with a chapter, committee,  
 17 or other governing body that is based in the county, in accordance with the  
 18 Department of Correction's classification of inmates' skills and backgrounds.

19 (iii) County sheriffs, chiefs of police, or other  
 20 authorized law enforcement officers ~~will~~ shall choose inmates from the  
 21 submitted list ~~which~~ who are appropriate for the needs of ~~their~~ the approved  
 22 jail facilities, ~~or a~~ political subdivision, nonprofit organization with a  
 23 chapter, committee, or other governing body that is based in the county.

24 (B) County sheriffs, chiefs of police, or other authorized  
 25 law enforcement officers of approved jail facilities shall not request the  
 26 assignment of a particular inmate to ~~their~~ an approved jail facility,  
 27 political subdivision, or nonprofit organization with a chapter, committee,  
 28 or other governing body that is based in the county, and may refuse the  
 29 assignment of a particular inmate.

30 (3)(A) An inmate shall not be released to ~~approved jail~~  
 31 ~~facilities~~ a county sheriff, chief of police, or other authorized law  
 32 enforcement officer of an approved jail facility under this section until  
 33 notification of the release is first sent to the county sheriff of the county  
 34 from which the inmate was tried and convicted, the prosecuting attorney's  
 35 office ~~who convicted~~ that prosecuted the inmate, and, upon a written request,  
 36 to the victim or victim's family.

1 (B) Notification of the victim or victim's family shall be  
2 done by mail to the last known address supplied to the Department of  
3 Correction in accordance with Department of Correction policies.

4 (4)(A) Inmates ~~so~~ released under this section shall be entitled  
5 to credit on their sentences under the meritorious classification system of  
6 the Department of Correction.

7 (B) However, no inmate shall be eligible to be released to  
8 the county sheriff, chief of police, or other authorized law enforcement  
9 officer of an approved jail facility unless the inmate is within thirty (30)  
10 months of his or her first parole eligibility date or his or her first post  
11 prison transfer eligibility date, unless:

12 (i) The inmate is returning to the county from which  
13 he or she was tried and convicted and the victim or victim's immediate  
14 family, if residing in the county from which the inmate was tried and  
15 convicted, has been notified of the inmate's return; or

16 (ii)(a) If the inmate is released to a county other  
17 than a county from which he or she was tried and convicted, the county  
18 sheriff of the county from which he or she was tried and convicted shall be  
19 notified as provided in subdivision (a)(3)(A) of this section.

20 (b)(1) Unless the county sheriff responds  
21 within fifteen (15) days of notification that he or she disapproves of the  
22 transfer, the inmate may be transferred as provided in this section.

23 (2) If the county sheriff disapproves of  
24 the transfer and an inmate becomes eligible to be released again, the  
25 notifications required by subdivision (a)(3) of this section shall be made  
26 again.

27 (b)(1) The number of persons on prerelease, work-release, and other  
28 rehabilitative programs that may be housed at the Arkansas Health Center  
29 shall not exceed a number appropriate to maintain the security and good order  
30 of the center.

31 (2) However, with the approval of the Department of Human  
32 Services State Institutional System Board and the Administrator of the  
33 Arkansas Health Center, a maximum number of persons on prerelease, work-  
34 release, and other rehabilitative programs to be housed at the center may be  
35 established by the Board of Corrections.

36 ~~(c) Inmates released to the county sheriff of approved jail facilities~~

1 ~~or community correction centers pursuant to this section prior to July 28,~~  
2 ~~1995, shall remain eligible for release, notwithstanding the provisions of~~  
3 ~~this section.~~

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