

1 State of Arkansas  
2 93rd General Assembly  
3 Regular Session, 2021  
4

# A Bill

HOUSE BILL 1120

5 By: Representative Slape  
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## For An Act To Be Entitled

8 AN ACT CONCERNING CRIMINAL DETENTION FACILITIES  
9 REVIEW COMMITTEES; AND FOR OTHER PURPOSES.  
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### Subtitle

11 CONCERNING CRIMINAL DETENTION FACILITIES  
12 REVIEW COMMITTEES.  
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17 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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19 SECTION 1. Arkansas Code § 12-26-103 is amended to read as follows:

20 12-26-103. Office of Criminal Detention Facilities Review Coordinator –  
21 Creation – Duties.

22 (a) There is established the Office of Criminal Detention Facilities  
23 Review Coordinator within the Department of Corrections which shall consist  
24 of:

25 (1) A ~~criminal detention facilities review coordinator~~ Criminal  
26 Detention Facilities Review Coordinator, who shall be ~~appointed~~ hired and  
27 employed by and serve at the pleasure of the ~~Governor~~ Secretary of the  
28 Department of Corrections; and

29 (2) An administrative assistant; and

30 (3) Other staff permanently or temporarily assigned from within  
31 the Department of Corrections.

32 (b) The office shall be responsible for promulgating, upon approval of  
33 the secretary, minimum standards for the construction, maintenance, and  
34 operation of local, county, regional, or state criminal detention facilities  
35 and juvenile detention facilities in accordance with the Arkansas  
36 Administrative Procedure Act, § 25-15-201 et seq.



1 (c) The coordinator shall perform all duties ~~necessary~~ assigned by the  
 2 secretary to assure uniformity in the interpretation and administration of  
 3 the minimum standards by the several criminal facility detention review  
 4 committees.

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 6 SECTION 2. Arkansas Code § 12-26-106 is amended to read as follows:

7 12-26-106. Powers and duties of a criminal detention facility review  
 8 committee.

9 A criminal detention facility review committee shall:

10 (1) Provide consultation and technical assistance to county and  
 11 local government officials with respect to criminal detention facilities and  
 12 juvenile detention facilities;

13 (2) ~~Visit and inspect the~~ Review and approve the written  
 14 inspection reports of the Criminal Detention Facilities Review Coordinator  
 15 for criminal detention facilities and juvenile detention facilities in the  
 16 criminal detention facility review committee's district for compliance with  
 17 the standards as established under § 12-26-103;

18 (3) Advise government officials and other appropriate persons of  
 19 deficiencies in the criminal detention facilities and juvenile detention  
 20 facilities and make recommendations for improvements;

21 ~~(4) Submit written reports of the inspections to appropriate~~  
 22 ~~agencies and persons as provided in § 12-26-107;~~

23 ~~(5)~~(4) Review and ~~comment on~~ approve plans for the construction  
 24 and major modification or renovation of the criminal detention facilities and  
 25 juvenile detention facilities; and

26 ~~(6)~~(5) Perform such other duties as may be necessary to carry  
 27 out the policy of the state regarding criminal detention facilities and  
 28 juvenile detention facilities.

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 30 SECTION 3. Arkansas Code § 12-26-107 is amended to read as follows:

31 12-26-107. Inspection of facility – Report.

32 (a)~~(1)~~ Except as otherwise provided in this chapter, ~~each criminal~~  
 33 ~~detention facility review committee~~ the Criminal Detention Facilities Review  
 34 Coordinator shall visit and inspect each criminal detention facility and each  
 35 juvenile detention facility, if any, in ~~the committee's~~ each criminal  
 36 detention facility review committee district at least annually for the

1 purpose of determining the conditions of confinement, the treatment of  
2 prisoners, and whether the criminal detention facilities and juvenile  
3 detention facilities comply with the minimum standards established pursuant  
4 to this chapter.

5 (2) The inspection may be conducted in a manner deemed  
6 appropriate by the coordinator, with approval of the Secretary of the  
7 Department of Corrections.

8 (3) The coordinator shall report in writing his or her findings  
9 that result from the visits to each criminal detention facility and each  
10 juvenile detention facility to the criminal detention facility review  
11 committee for the district.

12 (b)(1) A written report of each inspection shall be ~~made~~ issued by the  
13 criminal detention facility review committee within thirty (30) days  
14 following ~~such~~ the inspection under subsection (a) of this section to the  
15 administrative judge for a judicial district within the geographic area of  
16 the criminal detention facility review committee district in which the  
17 criminal detention facility or juvenile detention facility is located and to  
18 the county judge or the governing body of the political subdivision whose  
19 criminal detention facility or juvenile detention facility is the subject of  
20 the written report.

21 (2) The written report shall specify ~~those respects~~ the ways in  
22 which the criminal detention facility or juvenile detention facility does and  
23 does not comply with the required minimum standards.

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