

COMMISSION ON ACCREDITATION FOR CORRECTIONS
STANDARDS COMPLIANCE REACCREDITATION AUDIT

Arkansas Board of Parole
Little Rock, Arkansas

May 2-3, 2011

VISITING COMMITTEE MEMBERS

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A. Introduction

The audit of the Arkansas Board of Parole was conducted on May 2-3, 2011, by Danny Wilkins, Chairperson and Susan Lindsey, ACA Auditor.

B Facility Demographics

Rated Capacity:

This agency is a Parole Board, and does not supervise offenders. Therefore, offender numbers are not applicable.

Full-Time Staff: 22 including one vacant investigator position.

13 administrative including one investigator vacancy, 9 Support Staff

C. Facility Description

The Arkansas Parole Board is located in downtown Little Rock, Arkansas. This state office building also houses offices of the Department of Community Corrections, as well as other state agencies. The offices are modern, comfortable, and well-appointed for the work of the Board and support staff. There is adequate equipment and space with appropriate privacy as necessary for the effective and efficient processing of business

The Arkansas State Penitentiary Board was first established by legislation in 1943. In 1968, this Board was separated into two agencies: the Board of Correction and the Board of Pardons and Paroles. The Board of Pardons and Paroles consisted of five members who three days a month to make recommendations on parole, pardons, and clemency. Reorganization occurred in 1989 when the Board of Pardons and Paroles combined with the Board of Community Rehabilitation to create a single agency, the Board of Parole and Community Rehabilitation. This new agency consisted of six members who served four year terms and met at least once a month. In 1993, this Board was renamed the Post Prison Transfer Board. By 1997, members of the Board were full time employees. In 2005, the Post Prison Transfer Board became the Arkansas Parole Board, an agency which continues to grow in size and scope. The present Board consists of twenty-two full time employees, including seven Parole Board Members who are appointed by the Governor to seven year terms. The terms are staggered so that a quorum of four members is always available. Arkansas Parole Board Chairman Leroy Brownlee is serving his fourth term in this capacity, and plans to retire in June 2011.

D. Pre-Audit Meeting

The ACA Team met with Chairman Brownlee and Solomon Graves, Administrative Service Manager, on May 1, 2011, in Little Rock, Arkansas, to discuss the information received and the upcoming audit. The ACA team had been provided with information about the Board from the agency, which they reviewed and also accessed the extensive material available on the agency's web site.

E. The Audit Process

1. Transportation

The ACA team was escorted to the facility by Solomon Graves, Administrative Services Manager.

2. Entrance Interview

The ACA team proceeded to the office of Leroy Brownlee, Board Chairman. The team expressed the appreciation of the Association for the opportunity to be involved with the Arkansas Parole Board in the accreditation process.

Mr. Graves and Chairman Brownlee escorted the Audit Chair to the Board Hearing Room where the formal entry meeting was held.

The following persons were in attendance:

Leroy Brownlee, Chairman
Abraham Carpenter, Jr., Vice-Chairman
John Felts, Commissioner
Richard Mays, Jr, Commissioner
James M. Wallace, III, Commissioner
Carolyn Robinson, Commissioner
Joseph Peacock, Commissioner
Carol Bohannan, Hearing Examiner
James L. Williams, Hearing Examiner
Ashley Bailes, Hearing Examiner
Solomon Graves, Administrative Services Manager
Sharon Lewis, Assistant to the Director
Norma Gillerson, Physical Support Supervisor
Sharon Doss, Administrative Specialist II
Lois Jean Hansberry, Administrative Support Supervisor
Tamara Salaam, Administrative Support Supervisor
Delores Jones, Administrative Specialist III
Laquishia Robinson, Administrative Specialist II
Plato Barnett, Accreditation Coordinator (Community Corrections)

The chairperson emphasized the goals of accreditation toward the efficiency and effectiveness of correctional systems throughout the United States. The audit schedule was also discussed at this time.

At the Entrance Interview, agency staff made presentations about the following agency functions:

- Parole Services/ Multi level victim input hearings
- Revocation

- Fiscal / Human Resources/ Cohesive Team
- Information Technology/ Increase in Automation and Effectiveness

3. Facility Tour

The ACA Team toured the agency's offices from 9:30 a.m. to 11:30 a.m. accompanied by Solomon Graves, Administrative Services Manager. The agency's offices were comfortable and modern, and contained all furnishings and equipment necessary for the performance of the agency's duties. The agency is equipped with extensive video and audio equipment which allows the Hearing Examiners to conduct revocation hearings from the central office, while the offender is in one of the Department of Community Corrections field offices. This allows for prompt hearings without the need for the Hearing Examiner or the Parolee to travel to another location.

4. Conditions of Confinement/Quality of Life

This section is not applicable, as the agency does not supervise offenders.

F. Examination of Records

The ACA team proceeded to the Board Hearing Room to review the accreditation files and evaluate compliance levels of the policies and procedures. The agency has no notices of non-compliance with local, state, or federal laws or regulations.

The agency was found in non-compliance with one standard, 2--1042. This standard requires that the salaries of Parole Board Members be within 80% of the salaries of felony trial court judges in the state. Parole Board Chairman Brownlee expressed optimism that salaries are expected to increase in the next legislative session, however, he considered the compensation to the Board members as very adequate given salary ranges of comparable positions in the State. The ACA team noted that a Discretionary Compliance request was approved during the last audit. Again, they are requesting a Discretionary Compliance waiver from the ACA Commission.

1. Litigation

Over the last three years, the agency had no consent decrees, class action lawsuits or adverse judgments.

2. Significant Incidents/Outcome Measures

No significant incidents are applicable, or were provided for this agency. This manual does not contain outcome measures.

3. Departmental Visits

The ACA team met with all staff with the exception of two support employees. Each office and work station was visited and found to be well appointed for their duties. The demeanor of the entire office was highly professional and motivated. On the first audit date, the Team observed a revocation hearing conducted by Carol Bohannon, Hearing Examiner/Attorney, via video conferencing concerning parolee Jason Scott Klein who is being held in Garland County Jail. The hearing was also attended by Parole Officer Smith, and two of the arresting officers representing separate violations. The ACA team complimented Hearing Examiner Bohannon for the comprehensive and objective hearing conducted which allowed for extensive input by all. Additionally, on the second date, the ACA team observed a parole hearing conducted by videoconference which included eighteen inmates. The team was again impressed with the open dialog with the hearing conducted by Commissioner Mays on inmate David Lee regarding his offense, his completion of programming and excellent work/behavior record, which was corroborated by a correctional officer at the work station, and his plans for the future if paroled.. He was recommended for parole.

4. Shifts

All agency staff works Monday – Friday, 8:00 a.m. – 5:00 p.m.

5. Status of Previously Non-compliant Standards/Plans of Action

The previous audit found a 99% compliance rating.

G. Interviews

During the course of the audit, team members met with all staff excepting two support staff employees: Latresa Smith, Administrative Specialist III, and Amber Baldwin, Administrative Specialist III. All were enthusiastic about their jobs and generally expressed very good work relationships throughout the office. Several members complimented their supervisor, Chairman Brownlee, and stated he was one of the reasons they have such longevity on their job.

1. Offender Interviews

No offender interviews were conducted as this agency does not supervise offenders.

2. Staff Interviews

The ACA Team noted the clear satisfaction expressed by staff with the agency, its direction and leadership. There were no concerns about training, supervision, or the work environment which was supported by training records reviewed by the team. All staff saw the leadership as supportive of their job duties, and indicated that they were provided with the necessary equipment and space to perform their assignments.

H. Exit Discussion

The exit interview was held at 11:15 a.m. in the Parole Board Hearing Room with the all staff present except for Lateresa Smith and Amber Baldwin, Administrative Specialists III. Also in attendance was Plato Barnett, Accreditation Coordinator for the Arkansas Department of Community Corrections, Veter Howard, Department of Community Corrections Chief Deputy, Dan Roberts, Deputy Director for Field Services, and Dicky Johnson, Department of Community Corrections Internal Affairs Administrator.

The Chairperson explained the procedures that would follow the audit. The team discussed the compliance levels of the mandatory standards and reviewed their individual findings with the group. It was noted that there are no applicable mandatory standards. The ACA Team also complimented the agency on their professionalism and commitment to the audit process. The ACA team stressed their accomplishment as one of very few accredited Parole Boards in the Country. The team also complimented the Board for its extensive victim services which include bi-weekly victim input meetings to meet with individual victims for their comments and concerns. Auditor Lindsey also stated how impressed she was with the well written policy they reviewed throughout the process.

The ACA team expressed appreciation for the cooperation of everyone concerned and congratulated the facility team for the progress made and encouraged them to continue to strive toward even further professionalism within the correctional field.

COMMISSION ON ACCREDITATION FOR CORRECTIONS
AND THE
AMERICAN CORRECTIONAL ASSOCIATION

COMPLIANCE TALLY

Manual Type	Adult Probation and Parole Authorities, Second Edition	
Supplement	2006 Standards Supplement	
Facility/Program	Arkansas Parole Board	
Audit Dates	May 2-3, 2011	
Auditor(s)	Danny Wilkins, Chairperson Susan Lindsey, Auditor	
	MANDATORY	NON-MANDATORY
Number of Standards in Manual	0	130
Number Not Applicable	0	9
Number Applicable	0	121
Number Non-Compliance	0	1
Number in Compliance	0	120
Percentage (%) of Compliance	100%	99%
<ul style="list-style-type: none"> ● Number of Standards minus Number of Not Applicable equals Number Applicable ● Number Applicable minus Number Non-Compliance equals Number Compliance ● Number Compliance divided by Number Applicable equals Percentage of Compliance 		

COMMISSION ON ACCREDITATION FOR CORRECTIONS

Arkansas Board of Parole
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Visiting Committee Findings

Non-Mandatory Standards

Non-Compliance

Standard #2-APA-1042

SALARIES OF PAROLE AUTHORITY MEMBERS ARE WITHIN TWENTY PERCENT OF THE SALARY PAID TO JUDGES OF COURTS HAVING TRIAL JURISDICTION OVER FELONY CASES. (ESSENTIAL)

FINDINGS:

According to the documentation provided, parole board members are not within 80% of the salary of trial court judges.

AGENCY RESPONSE

Discretionary Compliance Request

An unwillingness to request funds from a parent agency or funding source.

While we understand ACA's intent in expecting that Adult Parole Authority members make within 20% of trial court judges, it is not feasible for the Arkansas Parole Board to meet this standard (2-APA-1042). We agree that our members do work that is similar in scope to that of a trial court judge and should receive "adequate" compensation. The Arkansas General Assembly appropriates the budgets of all agencies on an annual basis. The members of the Arkansas Parole Board are classified in a pay grade with a compensation level of \$73,116 – \$91,395 depending on length of service. Our Chairman has been appropriated an annual salary of \$94,684 (Fiscal Year 2011) and \$98,662 (Fiscal Year 2012). These salaries are some of the highest among members of Boards and Commissions in our state.

In Arkansas the lowest paid trial court judge, with jurisdiction over the inmates the Board reviews, makes slightly over \$136,000. During the most recent legislative session, all state salaries were frozen at current levels. This environment does not allow the Board to

pursue a salary increase which would amount to a \$30,000 increase in pay to bring our lowest paid Board member within 80% of a trial court judge (\$26,000 for the highest paid member and \$10,000 for the Chairman). In addition, current U.S. Department of Agriculture figures show that the median salary in Arkansas is only \$32,315. Our members receive a reasonable and adequate wage in comparison.

AUDITOR'S RESPONSE

The auditor supports discretionary compliance request.

COMMISSION ON ACCREDITATION FOR CORRECTIONS

Arkansas Board of Parole
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Visiting Committee Findings

Non-Mandatory Standards

Not Applicable

Standard #2-APA-1002

WHEN THE PAROLE AUTHORITY IS ADMINISTRATIVELY PART OF A FEDERAL, STATE OR LOCAL OVERALL CORRECTIONAL AGENCY, IT IS INDEPENDENT FROM THE CONTROL OF ANY OF THE UNITS IN THE AGENCY IN ITS DECISION-MAKING FUNCTIONS. (ESSENTIAL)

FINDINGS:

The Arkansas Parole Board is an independent agency.

Standard #2-APA-1009

WHILE THE EXISTENCE OF A STATUTORY LIMIT MAY PREVENT DISCHARGE PRIOR TO TWO YEARS OF PAROLE, THE PAROLE AUTHORITY HAS THE STATUTORY POWER TO DISCHARGE FROM PAROLE IN ALL CASES SUBSEQUENT TO THIS LIMITATION. (ESSENTIAL)

FINDINGS:

The Arkansas Parole Board has no statutory authority to discharge an offender from supervision.

Standard #2-APA-1058

ALL PART-TIME STAFF AND VOLUNTEERS WORKING LESS THAN 40 HOURS PER WEEK RECEIVE TRAINING APPROPRIATE TO THEIR ASSIGNMENTS; VOLUNTEERS WORKING THE SAME SCHEDULE AS FULL-TIME, PAID STAFF RECEIVE THE SAME TRAINING AS FULL-TIME STAFF. (ESSENTIAL)

FINDINGS:

The Arkansas Parole Board does not have part-time staff.

Standard #2-APA-1071

OFFENDERS ARE NOTIFIED IN WRITING OF THEIR FIRST LEGAL ELIGIBILITY DATE FOR A PAROLE HEARING WITHIN 90 CALENDAR DAYS AFTER BEING RECEIVED IN A CORRECTIONAL INSTITUTION. (ESSENTIAL)

FINDINGS:

The Arkansas Parole Board does not provide eligibility dates to offenders. Eligibility dates are statutorily determined and notice is provided at the institutional level.

Standard #2-APA-1072

OFFENDERS ARE SCHEDULED AUTOMATICALLY FOR HEARING AND REVIEW BY THE PAROLE AUTHORITY WITHIN ONE YEAR AFTER BEING RECEIVED IN A CORRECTIONAL INSTITUTION IF THERE IS NO MINIMUM ELIGIBILITY DATE. (ESSENTIAL)

FINDINGS:

The Arkansas Parole Board does not provide eligibility dates to offenders. Eligibility dates are statutorily determined and notice is provided at the institutional level.

Standard #2-APA-1073

OFFENDERS MAY BE RELEASED EARLIER THAN INITIALLY ANTICIPATED, ACCORDING TO LAW AND IN CONFORMITY WITH THE AUTHORITY=PREVIOUSLY ESTABLISHED AND WRITTEN CRITERIA. (ESSENTIAL)

FINDINGS:

The Arkansas Parole Board has no statutory authority to discharge an offender from parole. Early parole release can only be granted by the Board of Corrections in accordance with state statute.

Standard #2-APA-1121

IN JURISDICTIONS WHERE THE PAROLE AUTHORITY HAS DISCRETION TO AWARD OR FORFEIT GOOD CONDUCT DEDUCTIONS FOR TIME SERVED ON PAROLE IN THE COMMUNITY, THERE ARE WRITTEN GUIDELINES FOR THE AWARD OR FORFEITURE OF SUCH DEDUCTIONS. (ESSENTIAL)

FINDINGS:

The Arkansas Parole Board has no statutory authority to grant, award, or forfeit good time while the offender is on parole in the community.

Standard #2-APA-1124

PAROLEES ARE NOT CONTINUED UNDER ACTIVE PAROLE SUPERVISION AFTER ONE YEAR UNLESS, CONSISTENT WITH THE PAROLE AUTHORITY'S WRITTEN POLICY, GOOD REASONS EXIST TO SHOW THAT SUCH CONTINUED SUPERVISION IS REQUIRED. (ESSENTIAL)

FINDINGS:

The Arkansas Parole Board has no statutory authority to grant, award, or forfeit good time while the offender is on parole in the community.

Standard #2-APA-1125

IF NOT DISCHARGED AFTER ONE YEAR OF RELEASE ON PAROLE OR THE STATUTORY MINIMUM PERIOD, THE PAROLEE MAY REQUEST A DISCHARGE REVIEW BY THE AUTHORITY. (ESSENTIAL)

FINDINGS:

Once sentenced to the Department of Corrections, that department retains legal custody.

Significant Incident Summary

This summary is required to be provided to the regional specialist at least two weeks prior to the arrival of your audit team. The information contained on this form will be summarized in the narrative portion of the visiting committee report and will be incorporated into the final report. It should contain data for the last 12 months; indicate those months in the boxes provided. Please type the data. If you have questions on how to complete the form, please contact your regional specialist.

Facility: Arkansas Board of Parole

Year: 2010-2011

Incidents		Months											
		Apr 2010	May	Jun	Jul	Aug	Sept	Oct	Nov	Dec	Jan 2011	Feb	Mar
Assault: Offenders/ Offenders*	Indicate types (sexual**, physical, etc.)	0	0	0	0	0	0	0	0	0	0	0	0
	# With Weapon	0	0	0	0	0	0	0	0	0	0	0	0
	# Without Weapon	0	0	0	0	0	0	0	0	0	0	0	0
Assault: Offender/ Staff	Indicate types (sexual**, physical, etc.)	0	0	0	0	0	0	0	0	0	0	0	0
	# With Weapon	0	0	0	0	0	0	0	0	0	0	0	0
	# Without Weapon	0	0	0	0	0	0	0	0	0	0	0	0
Number of Forced Moves Used***	(Cell extraction or other forced relocation of offenders)	0	0	0	0	0	0	0	0	0	0	0	0
Disturbances****		0	0	0	0	0	0	0	0	0	0	0	0
Number of Times Chemical Agents Used		0	0	0	0	0	0	0	0	0	0	0	0
Number of Times Special Reaction Team Used		0	0	0	0	0	0	0	0	0	0	0	0
Four/Five Point Restraints	Number	0	0	0	0	0	0	0	0	0	0	0	0
	Indicate type (chair, bed, board, etc.)	0	0	0	0	0	0	0	0	0	0	0	0
Offender Medical Referrals as a Result of Injuries Sustained	#'s should reflect incidents on this form, not rec or other source	0	0	0	0	0	0	0	0	0	0	0	0
Escapes	# Attempted	0	0	0	0	0	0	0	0	0	0	0	0
	# Actual	0	0	0	0	0	0	0	0	0	0	0	0
Substantiated Grievances (resolved in favor of offender)	Reason (medical, food, religious, etc.)	0	0	0	0	0	0	0	0	0	0	0	0
	Number	0	0	0	0	0	0	0	0	0	0	0	0
Deaths	Reason (violent, illness, suicide)	0	0	0	0	0	0	0	0	0	0	0	0
	Number	0	0	0	0	0	0	0	0	0	0	0	0

*Any physical contact that involves two or more offenders

**Oral, anal or vaginal copulation involving at least two parties

***Routine transportation of offenders is not considered "forced"

****Any incident that involves four or more offenders. Includes gang fights, organized multiple hunger strikes, work stoppages, hostage situations, major fires, or other large scale incidents

