



Arkansas Parole Board

The Annual Report for Fiscal Year 2014-2015 as required by A.C.A. § 16-93-202

An ACA Accredited Agency



A Message from Chairman John Felts

January 28, 2016

The Honorable Asa Hutchinson, Governor of Arkansas
& Members of the General Assembly
State Capitol
Little Rock, Arkansas 72201



Dear Governor Hutchinson &
Members of the General Assembly,

I respectfully submit the following report on behalf of the Arkansas Parole Board for Fiscal Year 2015. Enclosed you will find statistical information pertaining to the Parole, Revocation, Executive Clemency, and Fiscal activities of the Board.

In Fiscal Year 2015, we continued to deal with the unprecedented population growth. We also implemented policies and further automated processes in order to increase our efficiency and effectiveness.

I often describe the Parole Board as a “bridge agency” between the Department of Correction and Arkansas Community Correction. More important than our logistical role, is our role as a public safety agency. Through all we’ve accomplished, we always maintained our commitment to preserve and promote the public’s safety.

Thank you in advance for your continued support. We stand ready to provide any explanation of the information contained within this report.

Sincerely,

A handwritten signature in black ink that reads "John Felts". The signature is written in a cursive, flowing style.

John Felts
Chairman

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Arkansas Parole Board Current Members and Staff



Chairman
John Felts



Vice-Chairman
Richard Brown, Jr.



Secretary
Dawne Vandiver



Commissioner
Abraham Carpenter, Jr.



Commissioner
Jimmy Wallace



Commissioner
John Belken



Commissioner
Andy Shock

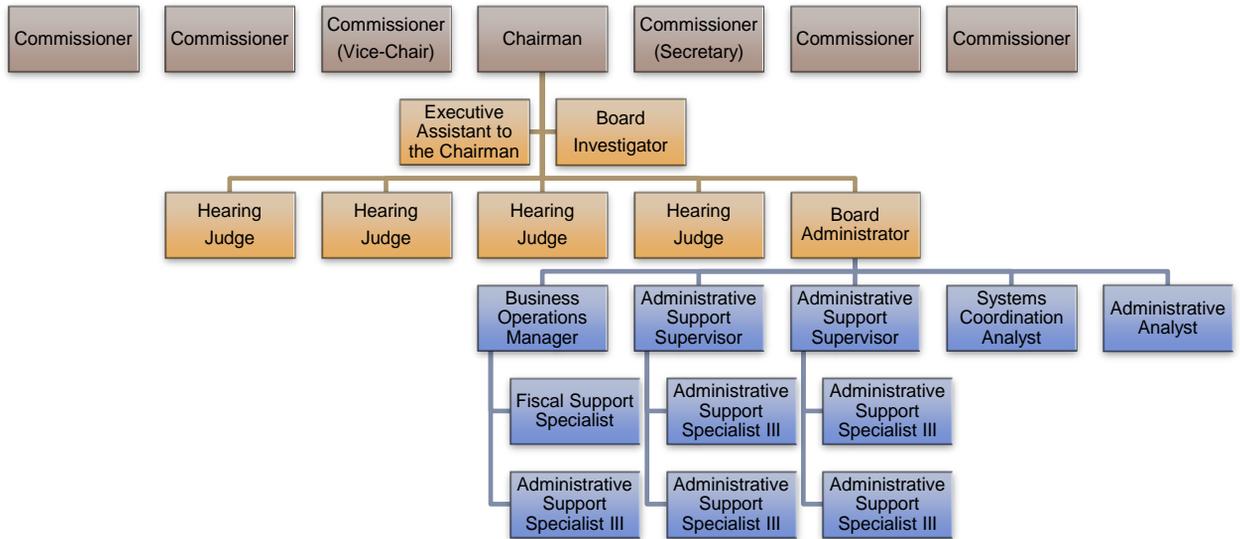
Hearing Judges/Attorneys

Carol V. Bohannon
James L. Williams, II
Ashley Vailes
Cara Boyd-Connors

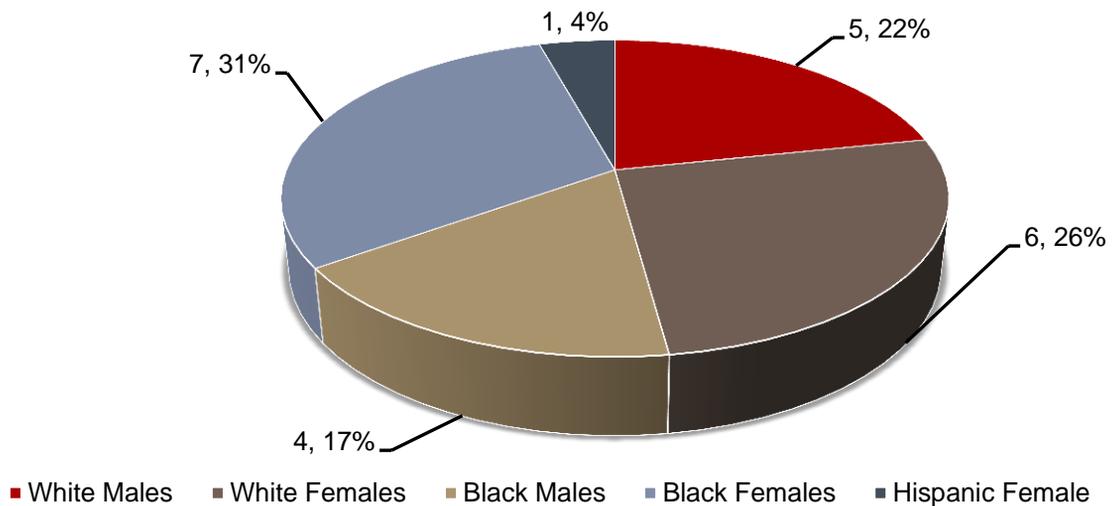
Administrative Staff

Solomon Graves, Board Administrator
Mahogany Franklin, Business Manager
Kelly Knuckles, Executive Assistant to the Chairman
Scott Howard, Board Investigator
Vacant, Systems Coordination Analyst
Sharon H. Lewis, Administrative Analyst
Lois Jean Hansberry, Administrative Support Supervisor
Tamara Salaam, Administrative Support Supervisor
Christie Little, Administrative Support Specialist III
Delores Jones, Administrative Support Specialist III
Hollie Cook, Administrative Support Specialist III
Sharron Doss, Administrative Support Specialist III
Vacant, Fiscal Support Specialist

Organizational Chart & Employee Demographics



Employee Demographic Summary as of June 30, 2015



History and Highlights

Parole has long been a component of corrections in Arkansas. The State Penitentiary Board was originally established through Act 1 of 1943. Act 50 of 1968 reorganized the State Penitentiary as the Arkansas Department of Correction (ADC) and created two major boards: the Board of Corrections and the Board of Pardons and Paroles. Act 937 of 1989 abolished the Board of Pardons and Paroles and the Board of Community Rehabilitation to create the Board of Parole and Community Rehabilitation.

Prior to reorganization, the Board of Pardons and Paroles consisted of five members who were appointed by the Governor to staggered five-year terms. The Board initially met three days each month at various units within the ADC. The Board interviewed inmates to determine who should be placed on parole and set the prescribed conditions of parole. Additionally, they made recommendations to the Governor on applications for pardons and commutations.

The Board of Community Rehabilitation consisted of six members. This body was appointed by the Governor to staggered four-year terms. The Commission met at least once a month and was primarily responsible for reviewing and certifying alternative service programs, screening files of qualified offenders and recommending expungement of records for eligible offenders who successfully completed a prescribed program.

In 1993, legislation revamped the Board of Parole and Community Rehabilitation. The Board was renamed the Arkansas Post-Prison Transfer Board with three full-time members. Subsequent legislation in 1995 and 1997 expanded the number of full-time positions.

In 2005, Senate Bill 383 renamed the Post-Prison Transfer Board to the Arkansas Parole Board. The move was designed to alleviate confusion on the part of the public about the duties of the Board.

In 2005, the Board also became accredited by the American Correctional Association. The Board was reaccredited in 2008, 2011, and again in 2014. Currently, there are less than ten (10) accredited Parole Boards in the nation.

In 2007, an Act of the Legislature made all seven Board members full-time employees of the state.

In 2011, Act 570 required the Board to adopt several evidenced-based practices into its decision-making. Among them, were the development and implementation of a validated risk assessment, expanded reporting, and a structured evidenced-based training curriculum for the Board.

In 2013, Acts 136 and 485 gave the Board discretion over all sex offenses and additional violent and serious felonies respectively.

In 2013 and again in 2014, the Board added additional staff to cope with increases in the workload of the Board and to further support its automation efforts

In 2015, Act 895 expanded the Board's discretion over and placed the day-to-day operations of the Board under the Chairman. Additional legislation during the 2015 legislative session expanded the Board's role in inmate reentry programming and strengthened the protections afforded to victim impact statements provided to the Board.

Authority and Responsibility

The Board is an independent, quasi-judicial body whose members are appointed by the Governor and confirmed by the Senate. The Chairman of the Board reports directly to the Governor, and serves as the agency director and as a voting member of the Board of Correction (which supervises ADC, ACC, and Correctional School System). The Board's mandates are to conduct parole hearings in order to make decisions on the conditional release of eligible inmates from correctional facilities, revoke the parole of offenders who have violated one (1) or more conditions of their release, and review pardon and commutation applications before issuing non-binding recommendations to the Governor.

Board members have the authority to make decisions on the conditional release of offenders from prison and community correction centers. Both State law and Board policy require that the risk of public harm be constantly evaluated against the need for reintegration into the community when considering the potential release of offenders. The Board also considers the input of victims, law enforcement, prosecutors, judges, and other interested parties. If a decision is made to grant parole, a conditional release is authorized. A conditional release establishes explicit rules and requirements that an offender must follow once they are released into the community. These rules and requirements (conditions) are explained to the offender, who must sign the agreement prior to release. Every decision requires five (5) affirmative votes from among the members of the Board.

For offenders sentenced on or after January 1, 1994, release eligibility is determined by statute. Depending on the date the offense was committed, the Board has the discretion to deny parole for all homicides, all sexual offenses, and certain other violent/serious offenses. Beginning April 2, 2015, the Board may deny the parole of any offender it determines to be a detriment to the community. Finally, the Board may deny the release of a parole violator who is returned to incarceration. For offenders convicted of non-discretionary offenses, the Board can only delay release to community supervision until the offender has completed "a specific course of action" (programs), unless the inmate is determined to be a detriment to the community. Inmates who are sentenced to death or life without parole are not eligible for parole release consideration. Those sentenced to life are not eligible unless their sentences are commuted to a term of years.

The public notification of scheduled parole release hearings is required by both State law and Board policy. Parole hearings are only open to the public with the consent of the inmate. The deliberations of the Board are not open to the public. Victims and/or their next-of-kin are given separate hearings to voice their opposition to parole releases. These hearings are not open to the public.

Revocation hearings are conducted on the Board's behalf by its Hearing Judges. They function as Administrative Law Judges and exercise independent judgment in cases of alleged parole violations and have the authority to determine whether the parolee should be returned to incarceration or reinstated on active supervision. The Board generally serves as the appellate body for revocation decisions. However, the Board may exercise any authority delegated to a Hearing Judge.

Authority and Responsibility

Current Discretionary Offenses

Since January 1, 1994, the Board has had the limited discretion to deny parole only for certain felony offenses. As of the 90th Regular Session of the General Assembly, the Board may only deny the parole of an offender convicted of the following:

<p>Offenses COMMITTED on or after 1/1/1994</p> <ul style="list-style-type: none"> • Murder in the 1st Degree • Kidnapping • Rape • Aggravated Robbery • Causing a Catastrophe • Engaging in a continuing Criminal Enterprise 	<p>Offenses COMMITTED on or after 7/30/1999</p> <ul style="list-style-type: none"> • Capital Murder • Murder in the 2nd Degree • Manslaughter • Negligent Homicide • Simultaneous Possession of Drugs and Firearms • Battery in the 1st Degree • Domestic Battering in the 1st Degree • Sexual Assault in the 1st Degree • Sexual Assault in the 2nd Degree
<p>Offenses COMMITTED on or after 2/20/2013</p> <p>Any offense for which an inmate is required, upon release, to register as a sex offender under the Sex Offender Registration Act of 1997 other than Rape, Sexual Assault in the 1st Degree, and Sexual Assault in the 2nd Degree (see previous sections).</p>	<p>Offenses COMMITTED on or after 08/16/2013</p> <ul style="list-style-type: none"> • Attempted Capital Murder • Attempted Murder in the 1st Degree • Attempted Aggravated Robbery • Terroristic Act • Arson • Aggravated Residential Burglary • Unlawful Discharge of a Firearm from a Vehicle • Offenses Related to Acts of Terrorism
<p>Offenses COMMITTED on or after 04/02/2015</p> <ul style="list-style-type: none"> • Battery in the 2nd Degree • Aggravated Assault • Terroristic Threatening • Domestic Battering in the 2nd degree • Residential Burglary 	

The Board may deny the parole of any offender convicted of an offense committed prior to January 1, 1994, any offender determined to be a detriment to the community, or any offender that has been returned to incarceration for a parole violation.

Victim Input

Crime victims may provide input to the Board by means of a written and/or oral statement regarding the potential release of an offender. Victims who wish to address the Board in person must contact the Board and request a hearing. Victims whom do not wish to appear before the Board may provide written or recorded statements describing their opposition to the potential release of an offender. Victim impact statements written by victims of sex offences are privileged and cannot be disclosed in most situations. All other impact statements written by victims of crime may be disclosed on a limited basis upon written request by the inmate.

Victims are notified of the release decision once the Board release their decision on the case.

Victims receive additional notifications from the ADC, ACC, and the Arkansas Crime Information Center via the VINE (Victim Information Notification Everyday) system.

During FY 2015, the Board scheduled 299 Victim Input Hearings and conducted 214.

Month	Hearings Scheduled	No Shows	Hearings Conducted	No. Approved	Percent Approved	No. Denied	Percent Denied	No. Deferred	Percent Deferred
Jul-14	25	11	14	3	21%	6	43%	5	36%
Aug-14	20	2	18	5	28%	8	44%	5	28%
Sept-14	26	9	17	2	12%	8	47%	7	41%
Oct-14	29	12	17	3	18%	10	59%	4	24%
Nov-14	28	8	20	1	5%	17	85%	2	10%
Dec-14	22	8	14	5	36%	10	71%	2	14%
Jan-15	40	10	30	7	23%	15	50%	8	27%
Feb-15	21	2	19	1	5%	10	53%	8	42%
Mar-15	19	5	14	1	7%	12	86%	2	14%
Apr-15	23	4	19	1	5%	15	79%	3	16%
May-15	28	10	18	2	11%	10	56%	6	33%
Jun-15	18	4	14	3	21%	13	93%	2	14%
FY 2015 Total	299	85	214	34	16%	134	63%	54	25%

Parole Process

The parole process allows an offender the opportunity to serve a portion of their sentence under the active supervision of the Department of Community Correction (ACC). Parole provides a way to reintegrate the offender from the absolute control of incarceration into the community before being fully released from custody. A hearing or screening is scheduled when an offender is deemed eligible for parole consideration by the ADC or ACC. The following factors are considered:

- ❑ Institutional adjustment in general, including the nature of any disciplinary actions;
- ❑ When considered necessary, an examination and opinion by a mental health professional;
- ❑ The record of previous criminal offenses (misdemeanors and felonies), the frequency of such offenses, and the nature thereof;
- ❑ Conduct in any previous release program, such as probation, parole, work release, boot camp , reentry, or alternative service;
- ❑ Recommendations made by the Judge, Prosecuting Attorney, and Sheriff of the county from which an offender was sentenced, or other interested persons;
- ❑ The nature of the release plan, including the type of community surroundings in the area the offender plans to live and work;
- ❑ The possibility that the offender poses a detriment to the community in which they will be residing;
- ❑ The results of a validated risk/needs assessment;
- ❑ The offender's employment record;
- ❑ The offender's susceptibility to drugs or alcohol;
- ❑ The offender's basic good physical and mental health;
- ❑ The offender's participation in institutional activities, such as educational programs, rehabilitation programs, work programs, and reentry programs;
- ❑ The presence of a detainer from another law enforcement agency.

Parole Population

Fiscal Years 2005 through 2015

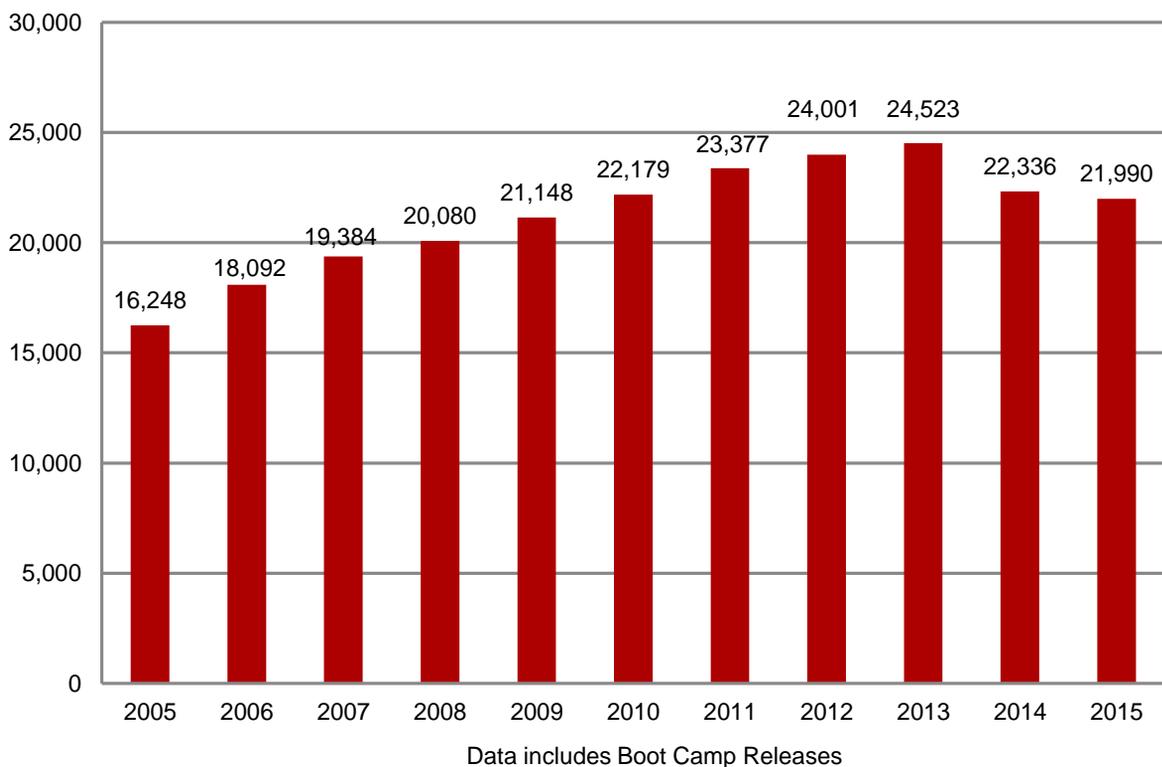
(Population Data Provided by Arkansas Community Correction)

Depending on the date of a crime, some inmates are transfer eligible (TE) and others are parole eligible (PE). Parole/transfer is the conditional release of an inmate from incarceration to structured supervision within the community for the balance of the court-ordered sentence.

Parole/transfer may be granted to an eligible person by the Board when, in its opinion, there is a reasonable probability that the person can be released without detriment to the community or the offender, or when mandated by law.

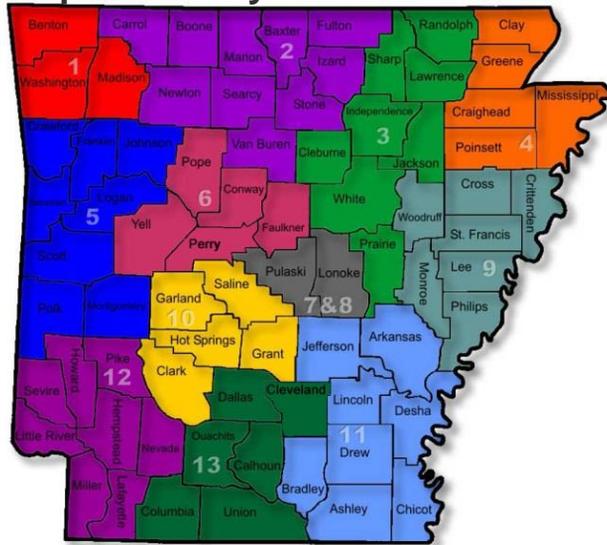
Since 2005, the parole caseload has grown by 5,742 offenders (or 35%).

Parole Population Fiscal Years 2005 through 2015



Parole Population by ACC Area Office as of June 30, 2015

(Population data provided by Arkansas Community Correction)



Area	Parole	Boot Camp	Total
1	2,009	40	2,049
2	664	9	673
3	1,366	19	1,385
4	1,184	11	1,195
5	1,889	22	1,911
6	1,198	17	1,215
7*	N/A	N/A	N/A
8*	4,212	37	4,249
9	1,128	16	1,144
10	1,573	25	1,598
11	1,629	16	1,645
12	997	20	1,017
SOS**	454	0	454
ISC***	1,732	19	1,751
Statewide Total	21,708	282	21,990

* - In 2013 AR Community Correction split Area 7 in to two (2) Area Offices. Area 7 is Probation and Area 8 is Parole. During FY15, ACC dissolved Area 13 in to Areas 11 and 12. Area 13 was restored at the beginning of FY 16.

** - SOS refers to AR Community Correction's Sex Offender Aftercare Program.

*** - ISC refers to parolees who are supervised via the Inter-State Compact (www.interstatecompact.org).

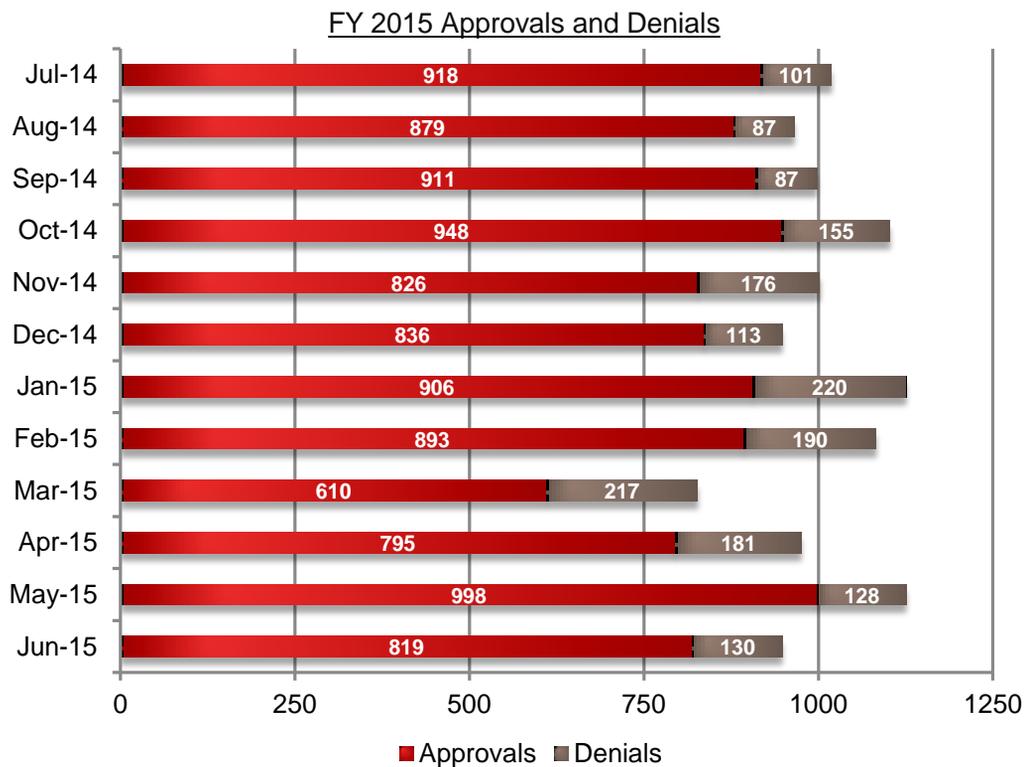
Hearings and Screenings

Fiscal Year 2015

Reviews are held on all parole/transfer eligible cases. Hearings involve one or more members of the Board taking testimony and/or documentation from offenders, possible victims, and other interested parties. Screenings are file reviews of eligible inmates. A screening allows the Board to determine release stipulations, i.e., deferred release for completion of a program or the imposition of mental health and/or substance abuse counseling, or community service. Screenings are also held for clemency applications to determine if a full Board hearing is warranted. Clemency Screenings are reported later in this report.

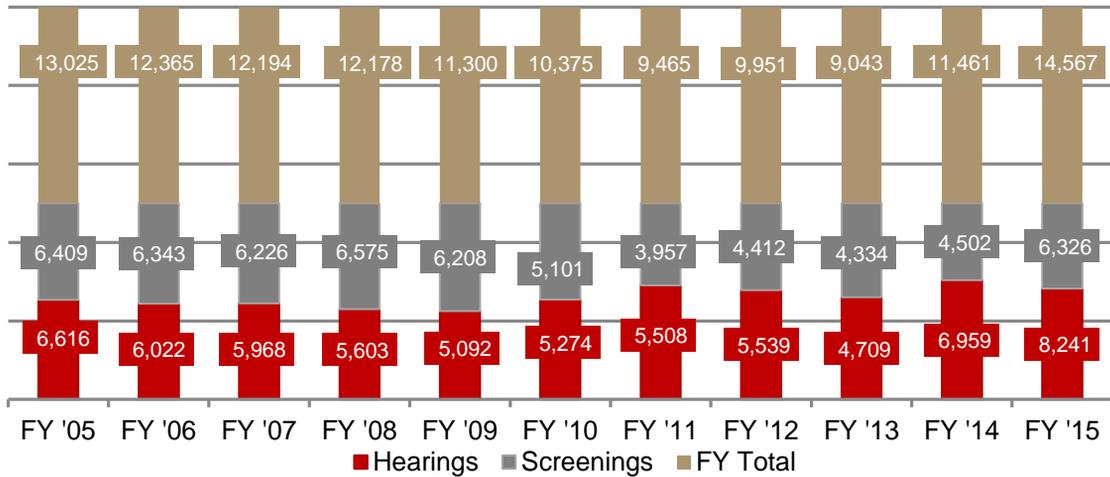
Prior to the hearing, Board members review available information reflecting the decision criteria explained earlier in this report. A person considered by the Board for release is advised of the decision in writing.

In FY 2015, 14,567 hearings and screenings were conducted by the Board. Of that number, 10,339 (71%) were approved for release. All offenders released by the Board are subject to standard conditions of release. Many offenders also receive special conditions of release. The Board conducted 1,785 hearings (12%) which resulted in a denial of that inmate's release. Hearings accounted for 57% of the Board's workload, while screenings accounted for 43% of the Board's workload.



Hearings and Screenings

Fiscal Year 2005 through Fiscal Year 2015



Program	Count
Thinking Errors	662
Substance Abuse Treatment Program	580
Domestic Violence	187
Therapeutic Community	165
Pre-Release	127
Vocational Technical Training	118
Substance Abuse Education	113

Special Condition	Count
Community Service Hours	9,187
Periodic [Drug] Testing	9,175
Develop an Employment Plan	8,261
Total Abstinence from Drugs and Alcohol	7,480
Curfew Unless at Work, School or Church	6,011
Alcohol and/or Drug Counseling/Aftercare	3,471
Maximum Supervision	2,999
No Association w/Victim or Victim's Family	2,255
Restitution Payments	2,092
Alcohol/Drug Assessment Plan	1,448
Participate In GED Prog.	882
Electronic Monitoring	545

Risk Level Coded	Risk Count	Percentage:
High	9,925	74.27%
Medium	2,184	16.34%
Low Moderate	930	6.96%
Low	325	2.43%
Total Assessments	13,364	100%

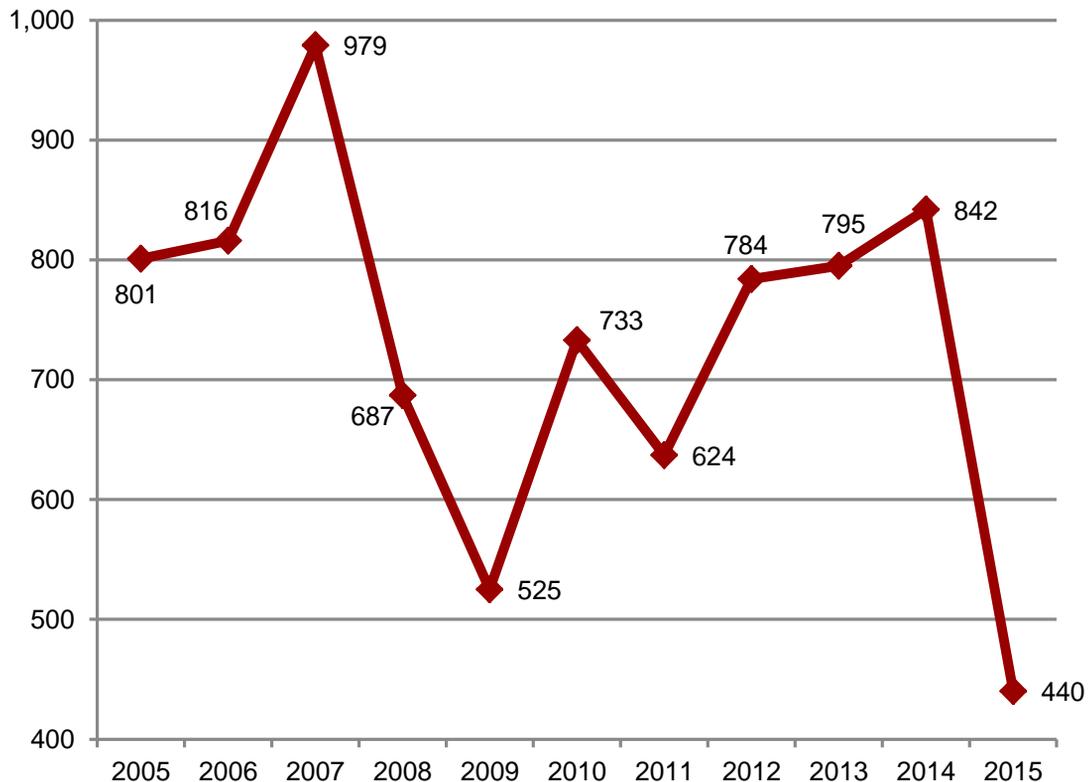
Executive Clemency Hearings & Screenings For Fiscal Year 2005-2015

The Arkansas Constitution, Article 6, Section 18, gives the Governor the power to grant Executive Clemency. This is the process through which the Governor considers requests for granting reprieves, commutations of sentence, pardons after conviction, and requests to forgive fines and forfeitures. A reprieve is a temporary relief from, or postponement, of execution or criminal punishment of a sentence. Commutation means a permanent reduction of sentence or punishment, such as changing a death sentence to a life sentence without parole. A pardon request asks that a criminal record be expunged, or removed, from the public record.

Inmates submit requests through an Institutional Release Officer. Persons who are not incarcerated submit applications directly to the ACC's Institutional Release Services Office where background information is gathered.

A report detailing the Board's recommendation is compiled and sent to the Governor's Office. The recommendation from the Board to the Governor is nonbinding. The Board conducted 440 Executive Clemency Hearings and Screenings during Fiscal Year 2015. The Board made 23 recommendations that an application was *With Merit* and that another 344 were *Without Merit*. The remainder were deferred for further review.

Executive Clemency Hearings and Screenings: Fiscal Years 2005-2015



Revocation of Parole

If a parolee is believed to have violated any of his/her release conditions, their supervising officer will submit a violation report to the Board. The violation report contains the information on the alleged violations. Based on the information provided, or when required by law, the Board will issue a warrant for the arrest of the parolee. Once the warrant has been served, the parolee will be brought before a Hearing Judge unless they waive their right to a hearing.

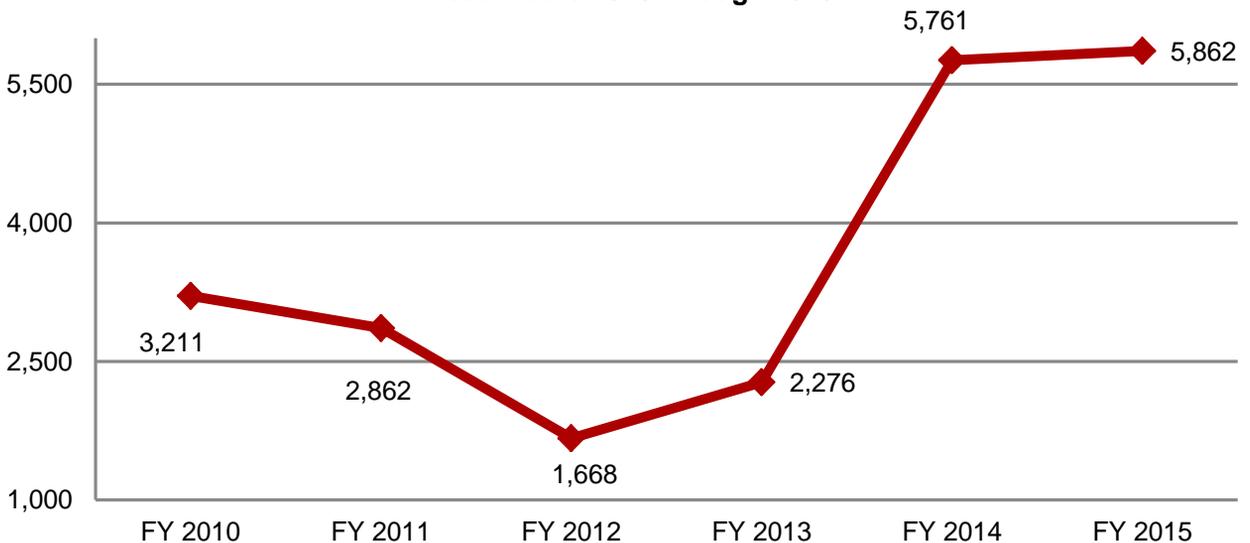
If a parolee waives their right to a hearing, they will be sent to the ADC or, if eligible, to an ACC Community Correction Center or ACC's Technical Violator Program (TVP). In this instance, a Hearing Judge would not meet with the parolee for a hearing. During FY 2015 the Board's Revocation section processed 7 waivers to ACC's TVP, 168 waivers to an ACC Center, and 3,915 waivers to ADC. 124 offenders either discharged their parole or had their revocation reversed following their signing of a hearing waiver.

If a hearing is held, a Hearing Judge may impose additional conditions, specify whether the violator should be sent to an ACC Center or TVP if eligible, or return the parolee to prison (ADC). At a revocation hearing, the Hearing Judge will seek and consider evidence that supports and counters the violation charges, as well as any aggravating or mitigating circumstances that suggest the violations do or do not warrant revocation.

A total of 1,648 hearings were held by Hearing Judges during FY 2015 (compared to 1,735 in FY 2014). Of the total hearings held in FY 2015, 1,396 resulted in a parolee being revoked to ADC. 35 resulted in a parolee being revoked to an ACC Center. 175 resulted in a parolee being revoked to TVP. 42 offenders either discharged their parole or had their revocation reversed following their revocation by a hearing judge. The total number of hearings does not include those that were deferred, continued, or not held.

Total revocations (via hearings and waivers) increased over 1.8% from the proceeding fiscal year.

**Total Revocations Via Hearing Judge Decision or Hearing Waiver
Fiscal Years 2010 through 2015**



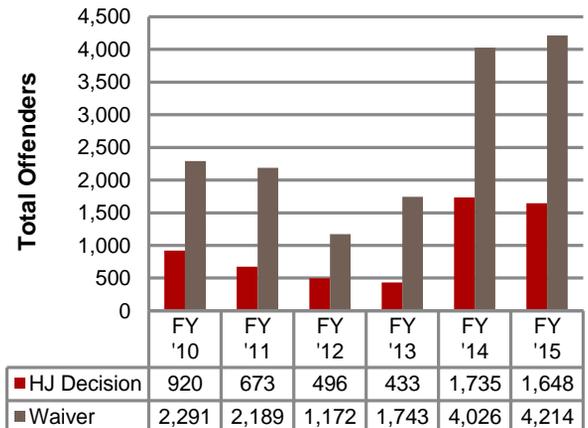
Revocation of Parole

Summary by Source and Final Destination

		Revocation Outcome	VIOLATION TYPES			Total
			Laws and Technical	Laws Only	Technical Only	
Revocation by Source	Revoked via Hearing Judge Decision	ADC	635	364	397	1,396
		CCC	8	9	18	35
		CJB Release	8	4	1	13
		Parole Board Reversal while on CJB	3	3	23	29
		TVP	52	1	122	175
		Total by Outcome	706	381	561	1,648
	Revoked via Hearing Waiver	ADC	2,401	460	1,054	3,915
		CCC	58	5	105	168
		CJB Release	21	8	6	35
		Parole Board Reversal while on CJB	31	8	50	89
		TVP	2	0	5	7
		Total by Outcome	2513	481	1220	4,214
	Total ALL Types	ADC	3,036	824	1,451	5,311
		CCC	66	14	123	203
		CJB Release	29	12	7	48
		Parole Board Reversal while on CJB	34	11	73	118
		TVP	54	1	127	182
		Total ALL Outcomes	3,219	862	1,781	5,862

DESTINATION		Revocation by Source		
		Hearings	Waived	Total
ADC	Count	1,396	3,915	5,311
	% of Total	23.8%	66.8%	90.6%
CCC	Count	35	168	203
	% of Total	.6%	2.9%	3.5%
CJB Release	Count	13	35	48
	% of Total	.2%	.6%	.8%
Parole Board Reversal while on CJB	Count	29	89	118
	% of Total	.5%	1.5%	2.0%
TVP	Count	175	7	182
	% of Total	3.0%	.1%	3.1%
Total	Count	1,648	4,214	5,862
	% of Total	28.1%	71.9%	100%

**Revocation of Parole
Fiscal Year 2010 through
Fiscal Year 2015**



Fiscal Year 2015 Revenue and Expenditures

During Fiscal Year 2015, the Board received \$2.197 million in funding from General Revenue. \$2.194 million was expended from that funding. The Board also received \$43,746.96 unreimbursed support from other agencies and entities and \$17,124 in grant funds.

FY 2015 Funding			
General Revenue (Funded)			\$2,197,132.97
Grant Funds (Central Arkansas Planning and Development District – CAPDD)			\$17,124.00
Support from Other Agencies & Entities			\$43,746.96
FY 2015 Total			\$2,258,003.93
FY 2015 Expenditures from General Revenue			
Commitment Item	Amount Funded (to include adjustments)	Amount Expended	Remaining Balance
Regular Salaries (00)	\$1,403,745.00	\$1,403,621.10	\$123.90
Personal Services Matching (03)	\$437,612.21	\$437,612.21	\$0.00
Maintenance & Operation (02)	\$291,508.06	\$288,370.96	\$3137.10
Conference & Travel (09)	\$5,000.00	\$4,982.42	\$17.58
Professional Fees (10)	\$40,000.00	\$39,999.80	\$.20
Capitol Outlay (11)	\$19,267.70	\$19,267.70	\$0.00
FY 2015 Total	\$2,197,132.97	\$2,193,854.19	\$3,278.68
FY 2015 Expenditures from Cash Funds (CAPDD Grant Funding)			
Commitment Item	Amount Funded (to include adjustments)	Amount Expended	Remaining Balance
Cash Funds (46)	\$17,124.00	\$0.00	\$17,124.00
FY 2015 Total	\$17,124.00	\$0.00	\$17,124.00 (carried over to FY16)
FY 2015 Support from Other Agencies & Entities			
Funding Source	Purpose of Funding	Amount of Funding	
Department of Finance & Administration	Pool Vehicle	\$19,267.70	
Arkansas Community Correction	Temporary Employee	\$4,978.38	
Department of Correction	Extra Help Employee	\$18,923.68	
National Parole Resource Center	Training	\$577.20	
FY 2015 Total		\$43,746.96	



Arkansas Parole Board

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