

Arkansas Parole Board



**2006-2007
Annual Report**

The Arkansas Parole Board is dedicated to promoting public safety by the return of offenders to the community through supervised, conditional release. It is our sincere desire that there will be successful transitions from confinement to responsible conduct within the community.

HISTORY

The State Penitentiary Board was originally established through Act 1, 1943. Act 50 of 1968 reorganized the State Penitentiary as the Arkansas Department of Correction and created two major boards, the Board of Correction and the Board of Pardons and Paroles. These two separate boards were abolished by Act 936 of 1989 and a single Board of Parole and Community Rehabilitation was created. Under this structure, the Governor appointed six Arkansas citizens as members of this Board. These citizens served staggered four-year terms. The Board of Parole and Community Rehabilitation 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. Subsequent legislation in 1993 and 1997 expanded the Board to fulltime positions.

In 2005, Senate Bill 383, renamed the Post Prison Transfer Board to the Arkansas Parole Board (APB). The move was designed to alleviate confusion on the part of the public regarding board responsibilities. Each Board member is appointed by the Governor for a term of seven years.

Board members come from a variety of cultural backgrounds and geographical areas. They receive training prior to assuming the responsibility of conducting parole hearings. Members provide strong links between communities and the Board through outreach with concerned community groups, speaking engagements at community functions, and communications initiatives.

2006-2007 Annual Report

August 31, 2007

The Honorable Mike Beebe
Governor of Arkansas
Governor's Office, State Capitol
Little Rock, Arkansas 72201



Dear Governor Beebe:

The Arkansas Parole Board (APB) respectfully submits the 2006-07 Annual Report. This report reflects the hard work and dedication of our employees in meeting the highest standards of effectiveness, efficiency, and integrity.

The APB and professional staff are proud to serve Arkansas with the highest standards in the field.

Sincerely,

Leroy Brownlee
Chairman

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Arkansas Parole Board

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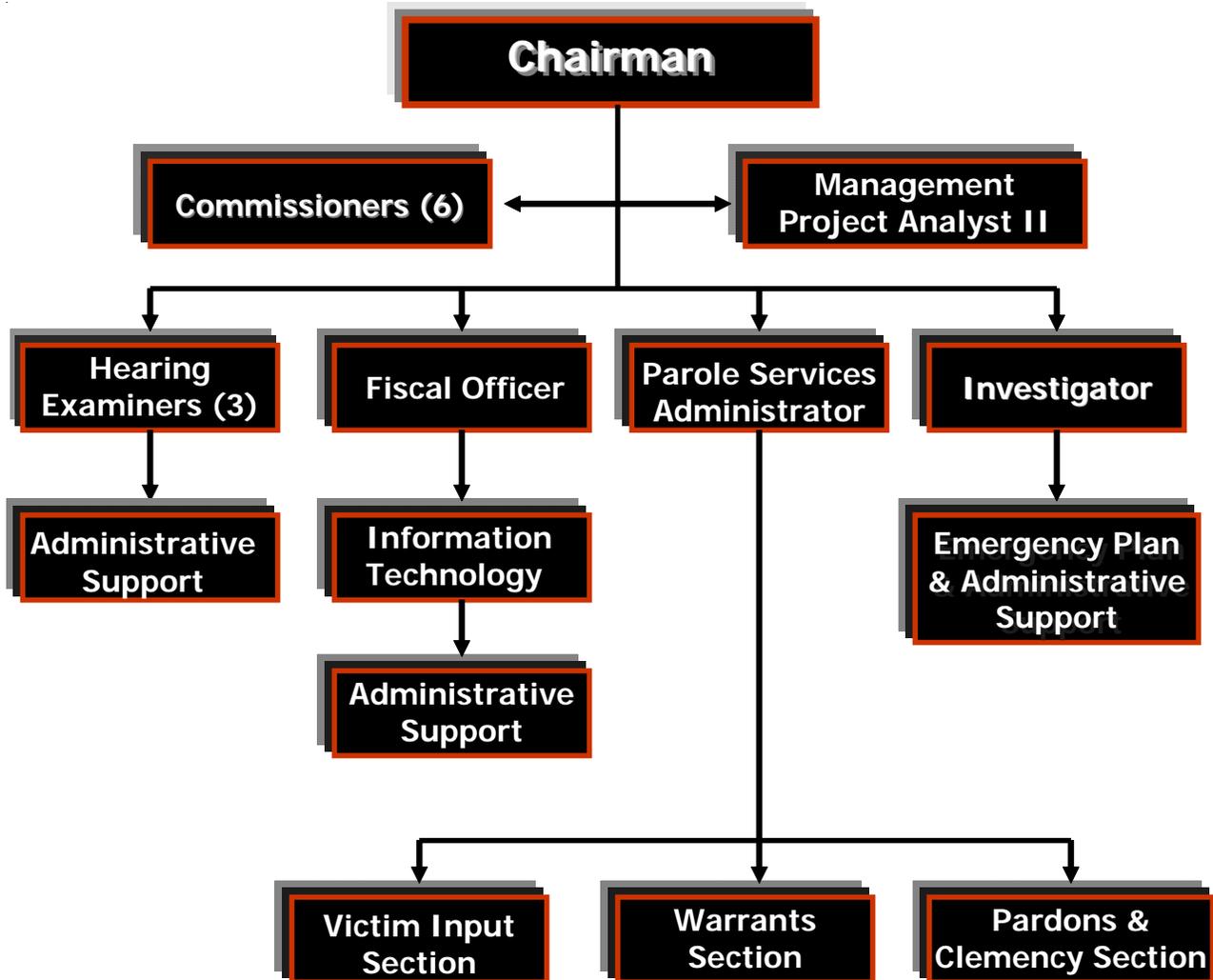
Leroy Brownlee, *Chairman*
Lynn Story, *Vice Chairman*
Carolyn Robinson, *Secretary*
John Felts, *Commissioner*
John Belken, *Commissioner*
Abraham Carpenter, *Commissioner*
Richard L. Mays, Jr., *Commissioner*



Administrative Staff

Carol V. Bohannon, *Senior Hearing Examiner*
James L. "Jim" Williams II, *Hearing Examiner*
Ernest Sanders, Jr., *Hearing Examiner*
Sharon H. Lewis -- *Office Administrator*
Bernastene Hendrix -- *Fiscal Manager*
Lois Jean Hansberry -- *Hearing Examiner Coordinator*
Tamara Salaam -- *Board Coordinator*
Natasha Holloway, *Administrative Assistant I*
Kapricia Crosby, *Administrative Assistant I*
Sandra Westbrook, *Administrative Assistant I*
LaQuishia Robinson, *Secretary II*
Lateresa Smith, *Secretary II*
Pat Dyson -- *Receptionist*

Organizational Chart



Authority and Responsibilities

The Arkansas Board of Parole (ABP) 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 a voting member of the Board of Corrections. The ABP's mandates are to conduct parole hearings throughout the state of Arkansas, make decisions on conditional release of inmates from correctional facilities, and review all pardon and executive clemency applications before issuing recommendations to the Governor.

A major responsibility of the ABP is to grant, deny, suspend, and revoke parole in accordance with legislated criteria. ABP members have the authority to make decisions on the conditional release of offenders from prison. The Board's public accountability requires that the risk of public harm be constantly evaluated when considering the potential freedom and reintegration of offenders into the community. In making a decision, the Board is guided by two criteria set out in legislation: the risk posed to the community by the offender's potential to re-offend and the rehabilitation and reintegration of the offender back into the community. If a decision is made to grant parole, a conditional release is authorized. Conditional releases establish explicit rules and requirements that an offender must follow once they are released into the community. These rules are explained to the applicant, who must sign the agreement prior to release. In general, each hearing requires a quorum of four members. Board members exercise independent judgment in cases of parole violations and have authority to temporarily suspend parole and authorize a warrant for the arrest of the parolee. The Board reviews all pardon and executive clemency applications and makes non-binding recommendations to the Governor.

For offenders sentenced under current law, mandatory release eligibility is determined by statute. The Board reviews the release of offenders convicted of specific violent or drug-related offenses and can delay release until the inmate has completed specific programs. 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 sentence is commuted to a term of years.

Public notification of scheduled parole release hearings is required by Board policy. Such hearings are open to the public with some restrictions.

Crime victims can provide information to the Board via a written and/or oral statement. The agency notifies crime victims of scheduled parole consideration hearings if the victim has asked to

Public Notification

Crime victims may provide information to the Board via a written and/or oral statement regarding an offender's potential release. The APB notifies crime victims of scheduled parole hearings if the victim has asked to be notified. Crime victims are permitted to attend parole consideration hearings only at the discretion of the inmate who has the choice of an open or closed hearing. Victims are notified of the decision if they have asked to be notified. Victim input to parole hearing is confidential and cannot be obtained by the inmate.

FY '07 Victim Input Hearings

<u>Month</u>	<u>Hearings Scheduled</u>	<u>No Shows</u>	<u>Hearings Conducted</u>
July 2006	14	6	8
August 2006	20	5	15
September 2006	14	1	13
October 2006	17	4	13
November 2006	24	7	17
December 2006	5	1	4
January 2007	24	4	20
February 2007	11	3	8
March 2007	21	2	19
April 2007	20	6	14
May 2007	16	6	10
June 2007	18	5	13
Total	204	50	154



Parole Process

The parole process allows an offender the opportunity to serve a portion of his or her sentence under administrative supervision of the Department of Community Correction (DCC). Regardless of the length of sentence, most offenders have an expected time of release. Parole provides a way to reintegrate the offender from the absolute control of incarceration into the community before being fully released from supervision. A hearing is scheduled when an offender is deemed eligible for parole consideration by the Arkansas Department of Correction (ADC) or DCC. Legal notice of a scheduled hearing is published and testimony in support of, or opposition to, is heard at this time.

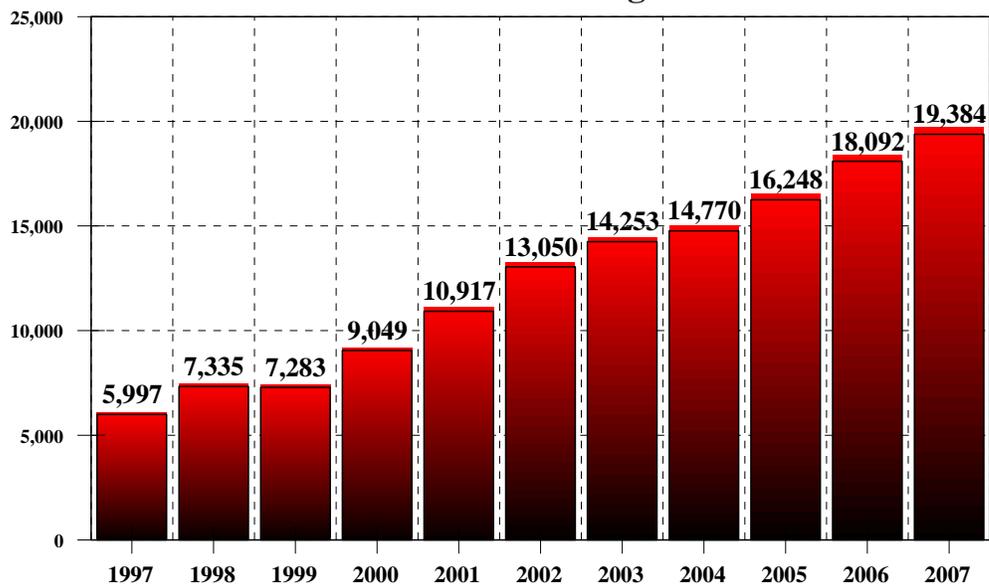
The following factors are considered:

- ◆ Type and length of sentence
- ◆ Recommendations of sentencing judge, county attorney, and sheriff
- ◆ Fact and circumstances of the offense
- ◆ Mitigating and aggravating factors
- ◆ Prior criminal record
- ◆ Adjustment of previous probation, parole, or confinement
- ◆ Detainers/pending criminal charges
- ◆ Changes in motivation and behavior
- ◆ Personal goals and description of personal strength or resources available to maintain motivation for law-abiding behavior
- ◆ Personal, social, family, and marital history
- ◆ Education, training, and employment record
- ◆ Institutional adjustment
- ◆ Program goals and accomplishments
- ◆ Work assignments
- ◆ Personal relationships with institutional staff and offenders
- ◆ Behavior, including misconduct
- ◆ Community resources, including tentative parole plan
- ◆ Residence living – alone, with family, or others
- ◆ Special needs and resources
- ◆ Psychological tests/reports and institution progress report
- ◆ Victim(s) testimony through written statements or personal APB interviews

PAROLE is the conditional release of an inmate from incarceration to continue serving the balance of the court-ordered sentence under structured supervision within the community.

Since 1997, the parole caseload has grown 223%. Arkansas' parole system is challenged by the continued increase in the number of offenders released under parole supervision. During the past 5 years, the number of supervised parolees has increased by 48.5%.

**Parole Population
(includes Boot Camp Releasees)
Fiscal Years 1997 through 2007**

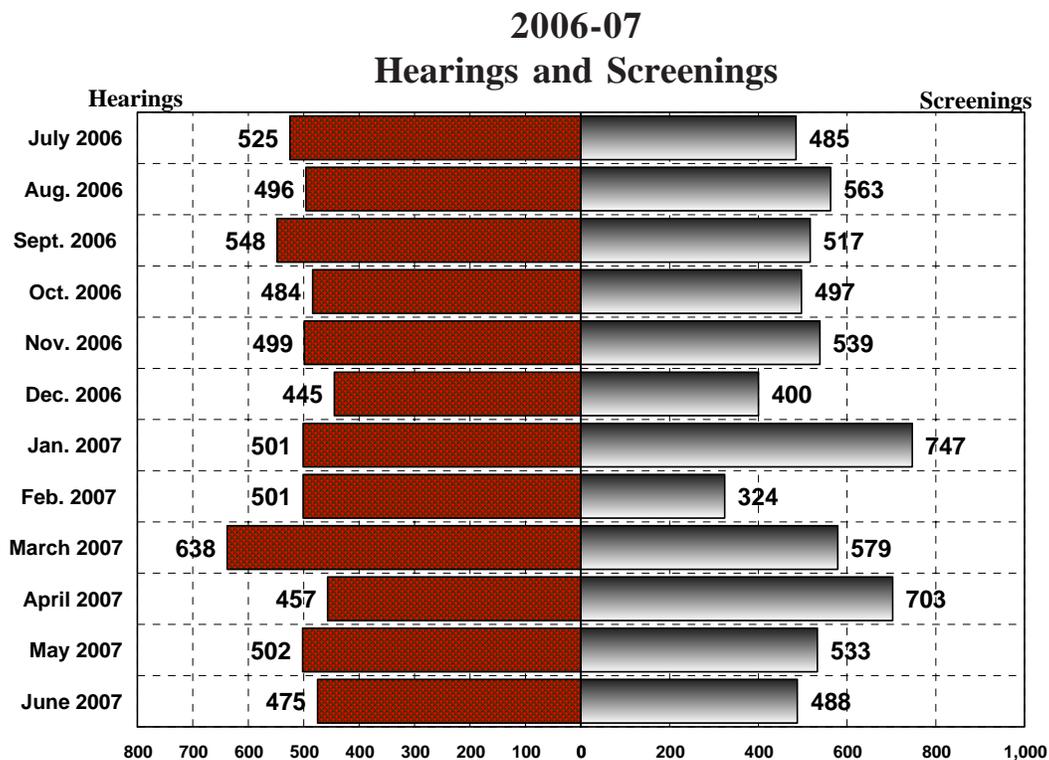


Release or discretionary transfer may be granted to an eligible person by the Board when, in its opinion, there is a reasonable probability that the person can be released without detriment to the community or the offender.

Hearings & Screenings

Hearings are held on all PE cases and involves one or more Board member taking testimony or documentation from offenders and possible victims and their supporters. The ABP conducted 6,071 hearings in FY 2006-07. Of that number, 36% were approved releases with no programs, 21% were approved releases contingent upon additional programs, 20% were deferred decisions, 12% were denied or not recommended for release, 3% were recommended executive clemency hearing releases, and 8% were other Board actions.

The DCC Institutional Release staff prepare case records for use by APB members in conducting Arkansas Department of Correction inmate case reviews and hearings to determine parole, as required by Arkansas Code Annotated § 16-93-203. Depending on the date of a crime or sentence, some inmates are transfer eligible (TE)¹ and others are parole eligible (PE)². Some inmates are not eligible for parole, but may be considered for release under clemency laws.



Total Cases: 12,446 (6,071 hearings and 6,375 record screenings)

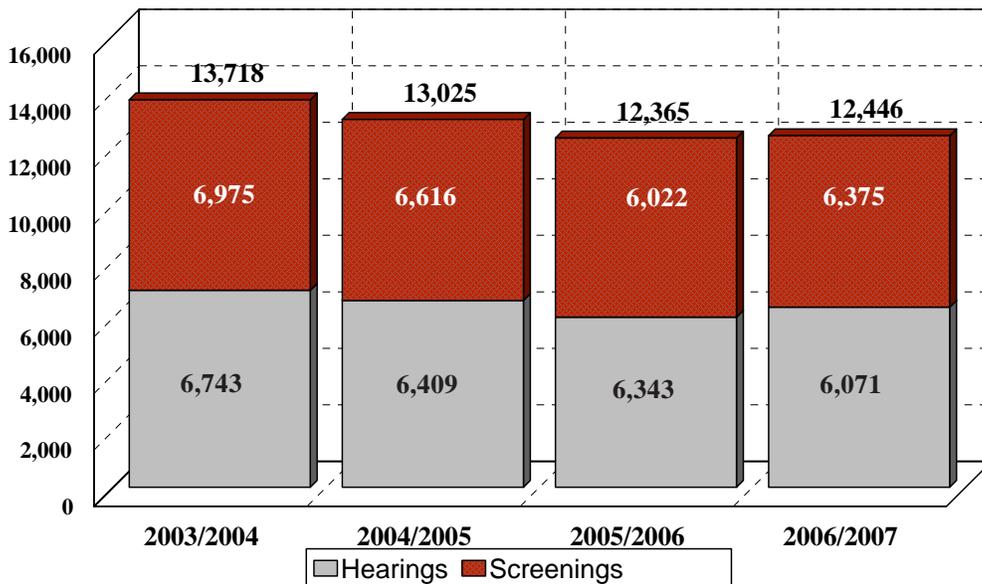
¹Arkansas Code Annotated § 16-93-206 and § 16-93-1302 allows for transfer of inmates from ADC to DCC for those who committed certain crimes on or after 1/2/04.

²The Board has discretionary transfer authority for inmates with a PE, or discretionary transfer date.

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Screenings are file reviews of inmates eligible for early release from incarceration. A screening allows the Board to determine release stipulations, e.g., deferred release for completion of a program or the imposition of mental health and/or substance abuse counseling, community service. Screenings are also held for Clemency applications to determine if a full Board hearing is warranted.

**Total Number of Monthly Hearings, Screenings, and other Board Actions
Fiscal Years 2004 through June 2007**



During FY 2006-07, 6,071 cases were reviewed. Of those considered, 51% of the actions approved an offender for release with no or additional programming, 14% were reconsiderations of earlier decisions or scheduling a screening, 12% were Executive Clemency hearings, and 10% were pardons, denied parole requests or rescinding of early actions comprised 13% of the Board Actions. Less than 1% requested restoration of firearm rights or special consideration for progress and was not considered in the total.

Information regarding the individual case is kept confidential. Prior to the hearing, Board members review available written information about the offender’s prior history, current situation, events in the case since any previous hearing, information about the offender’s future plans, and relevant conditions in the community. A person considered by the Board for release is advised of the decision in writing.

**Percent of Parole and Transfers
Approved for Release**

Fiscal Year 2006 – 2007

<u>Month</u>	<u>Transfers Approved</u>	<u>Transfers Approved with Programs</u>
July 2006	32%	23%
August 2006	28%	21%
September 2006	39%	20%
October 2006	41%	18%
November 2006	38%	21%
December 2005	34%	29%
January 2007	43%	19%
February 2007	35%	21%
March 2007	33%	19%
April 2007	37%	22%
May 2007	36%	22%
June 2007	38%	18%

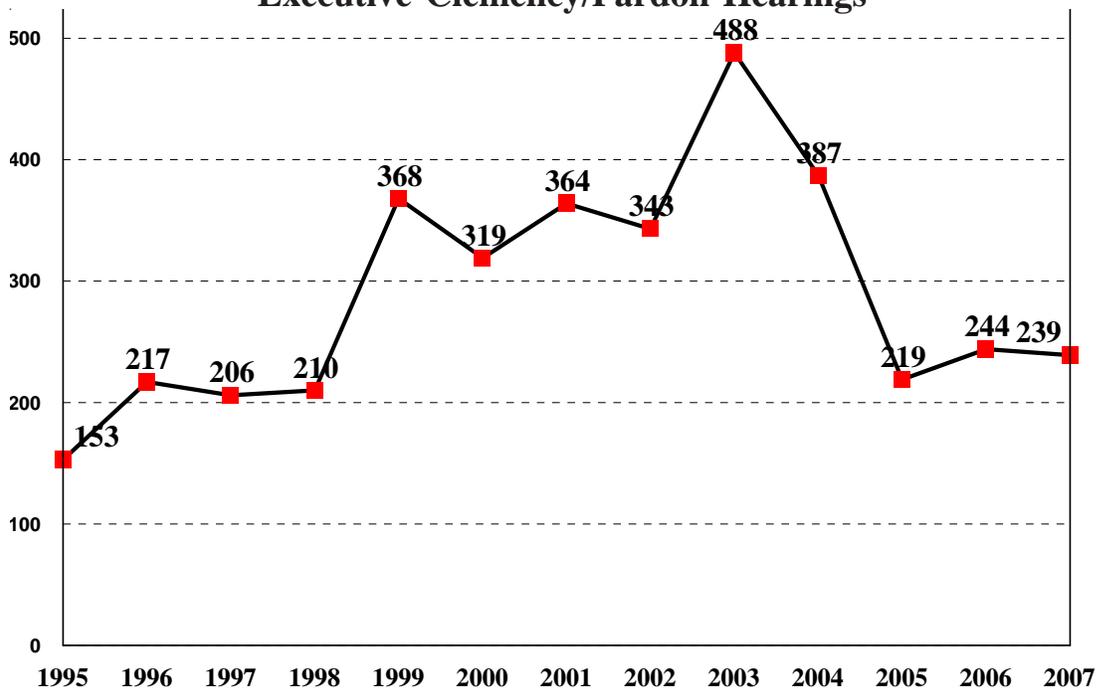
<u>Month</u>	<u>Parole Approved</u>	<u>Parole Approved with Programs</u>
July 2006	45%	2%
August 2006	49%	1%
September 2006	48%	3%
October 2006	42%	2%
November 2006	46%	3%
December 2005	74%	2%
January 2007	31%	2%
February 2007	76%	3%
March 2007	68%	1%
April 2007	35%	3%
May 2007	47%	3%
June 2007	50%	2%

Executive Clemency

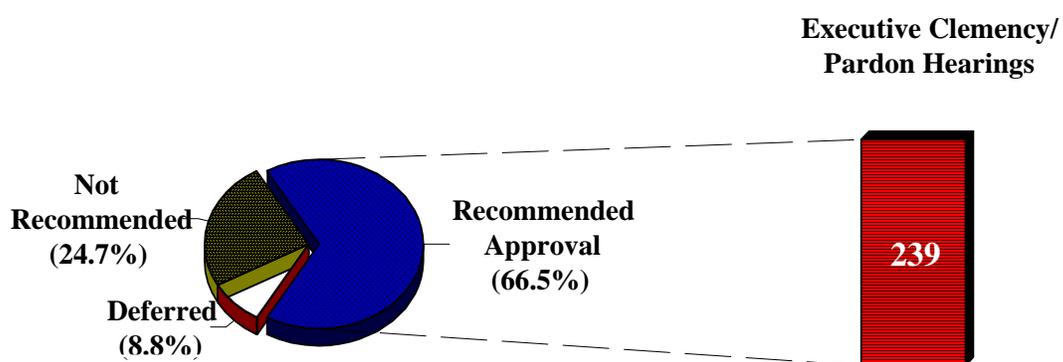
During Fiscal Year 2006-07, 239 Executive Clemency and Pardon hearings were held. Of that number, 159 (66%) were recommended for approval, 59 (25%) recommended for denial, and action on 21 cases (9%) was deferred.

The Arkansas Constitution, Article 6, Section 18, gives the Governor pardoning 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 considers requests to forgive fines and forfeitures. A reprieve is a temporary relief from or postponement of execution or criminal punishment or sentence. Commutation means a permanent change 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 Arkansas Department of Community Correction Institutional Release Office where background information is gathered. The requests are forwarded to the ABP for investigation. The Board can conduct Pardon, Executive Clemency, and Victim Input hearings. A recommendation report is compiled and sent to the Governor.

Executive Clemency/Pardon Hearings



The Board can recommend commutation (reduction of criminal penalty) or pardon (forgiveness) of a sentence for a criminal conviction following application. In either case, the offender must receive a favorable recommendation from the Arkansas Parole Board before the matter can go to the Governor for a final decision. The recommendation from the Board to the Governor is not binding. The Governor ultimately makes the decision.



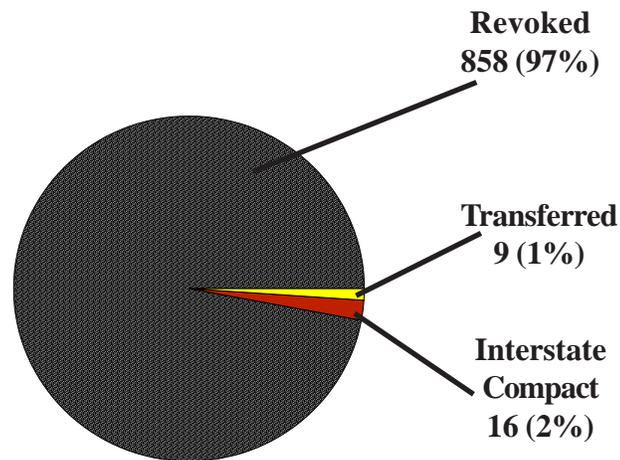
Revocations

Hearing Examiner Results

If a parolee violates any of the release conditions, a Hearing Examiner may impose additional conditions or specify whether the violator should be sent to the Technical Violator Program (TVP), if eligible, or return the offender to prison. At a revocation hearing, the Hearing Examiners seek and consider evidence that supports or counters the violation charges, as well as any extenuating or mitigating circumstances that suggest the violation does or does not warrant revocation.

A parolee may waive his or her right to an official hearing and be sent to ADC or a TVP. In this instance, Hearing Examiners would not meet with the parolee for a hearing.

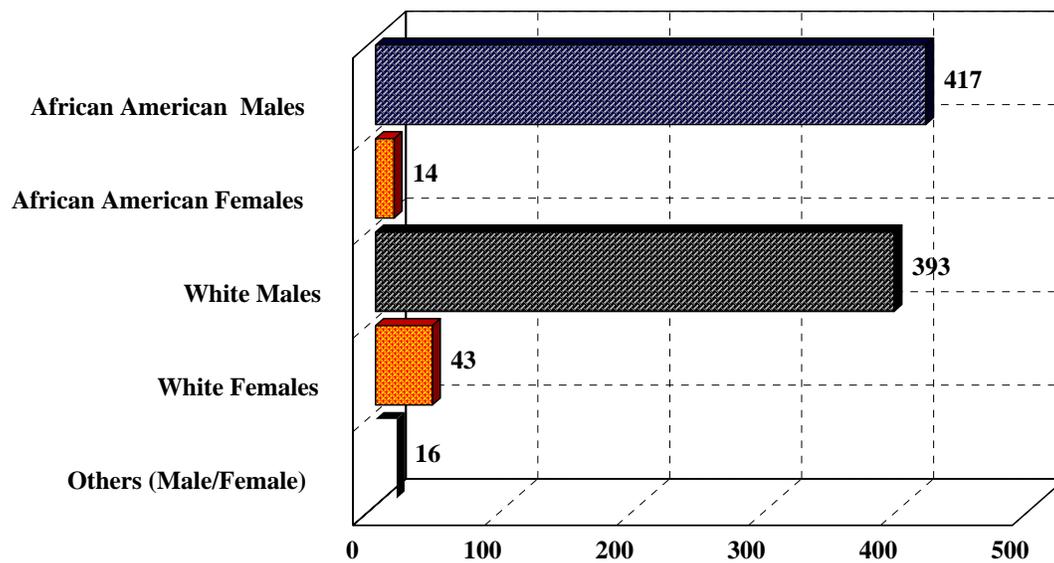
A total of 883 hearings were held by Hearing Examiners. Of that number, 97% were revoked to ADC or to a DCC TVP, 2% were Interstate Compact cases, and 1% were transferred.



Of the 858 parolees revoked through a hearing, 660 were sent to ADC, 100 to DCC Technical Violator Programs, 72 were considered not guilty and were not revoked, 3 were reinstated to parole status, and 23 had the final decision on their case deferred.

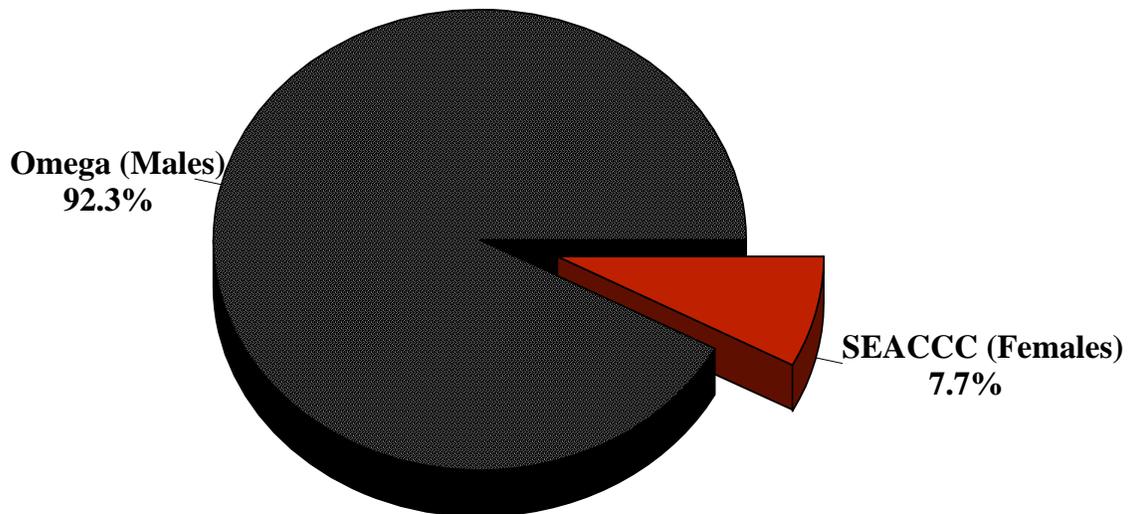
Hearing Examiners drove a total of 24,027 miles to conduct hearings at county jails or Department of Community Correction offices.

**Hearing Examiner Results
Racial Breakdown of Offenders
883 Parolees**



Technical Violators

During FY '07, there were 1,733 offenders (1,599 males, 134 females) admitted to a DCC technical violator program. A technical violation is a failure to abide by the conditions of supervision other than by commission of a new felony offense.



BUDGET

<u>Expenses</u>	<u>FY 2004</u>	<u>FY 2005</u>	<u>FY 2006</u>	<u>FY 2007</u>
Regular Salary	\$ 820,165.45	\$ 842,654.17	\$ 895,708.53	\$ 947,313.18
Personnel Service Match	194,520.48	201,768.55	240,589.07	237,305.55
Operation	108,467.45	80,005.32	294,428.86	249,293.04
Conference	-	830.40	2,886.29	261.75
Capital Outlay	12,058.85	-	91,305.90	-
Total	\$ 1,135,212.23	\$ 1,125,258.44	\$ 1,524,918.65	\$ 1,434,173.52

<u>Funding Sources</u>	<u>FY 2004</u>	<u>FY 2005</u>	<u>FY 2006</u>	<u>FY 2007</u>
General Revenue	\$ 1,026,212.00	\$ 1,062,577.00	\$1,524,919.00	\$1,495,759.00
Cash for Dept of Correction	109,000.00	62,681.00		
Total	\$ 1,135,212.00	\$1,125,258.00	\$1,524,919.00	\$1,495,759.00

	Asian		Black		Cuban		Hispanic		Native American		Mexican		Other		Unkn		White		Total		Grand Total
	App	Def	App	Def	App	Def	App	Def	App	Def	App	Def	App	Def	App	Def	App	Def	App	Def	
Fraudulent Use Of Credit Card	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	12	6	20	7	27
Furnishing Prohib. Articles	0	0	6	5	0	0	0	0	0	0	0	0	0	0	0	0	10	12	17	17	35
Hindering Apprehension Or Proc	0	0	3	3	0	0	0	0	0	0	0	0	0	0	0	4	2	7	13	20	
Hct Check Violation	0	0	39	17	0	0	0	0	0	0	0	0	0	0	0	122	35	163	52	215	
Incap Oper Of Vital Pub. Facill	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	2	2	2	2	4	
Incest	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0	8	18	9	18	29	
Interference With Custody	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1	1	1	1	2	
Interfering With Law Emf. Off.	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1	1	1	1	2	
Intimidating A Witness	0	0	0	1	0	0	0	0	0	0	0	0	0	0	0	1	1	1	2	3	
Intro Cont Subs Body/Another	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	3	1	3	1	4	
Kidnaping	0	0	3	12	0	0	0	0	0	0	0	0	0	0	0	3	3	3	1	4	
Manuslaughter	0	0	10	18	0	0	0	0	0	0	0	0	0	0	0	12	36	22	56	81	
Manu/Deliv/Poss Control Subs.	11	4	1	627	13	1	0	18	0	1	0	1	0	0	0	1,143	804	2,011	1,458	3,500	
Murder-1st Degree	1	0	34	182	31	0	0	0	0	0	0	0	0	0	0	9	192	204	284	379	
Murder-2nd Degree	0	0	15	58	18	0	0	0	0	0	0	0	0	0	0	13	33	28	91	157	
Negligent Homicide	0	0	1	1	2	0	0	1	0	0	0	0	0	0	0	4	20	6	22	30	
Non-Support	0	0	10	2	0	0	0	0	0	0	0	0	0	0	0	19	7	29	9	38	
Perjury	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1	1	1	1	2	
Poss Anhyd Ammonia Unlaw/cont	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	8	5	8	5	13	
Poss Will To Manufacture	0	0	2	0	0	0	0	0	0	0	0	0	0	0	0	12	14	14	2	16	
Poss. Firearm Certain Person	0	0	67	47	1	0	0	0	0	0	0	0	0	0	0	47	37	115	84	202	
Poss. Firearm Incar. Person	0	0	1	1	0	0	0	0	0	0	0	0	0	0	0	1	1	1	2	3	
Poss. Of Firearm - School	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0	1	1	2	2	3	
Possession Of Drug Paraphernal	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1	1	1	1	2	
Possession Of Ephedrine	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0	4	1	5	1	5	
Pub. Disp. Hard Core Sex Cond.	0	0	21	123	35	0	0	3	0	0	0	1	0	0	0	28	197	50	324	484	
Rape	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1	1	1	
Reckless Burning	0	0	2	0	0	0	0	0	0	0	0	0	0	0	0	0	3	2	3	5	
Res Sex offend near cert fac	2	2	0	285	18	0	0	6	0	0	0	3	0	0	0	419	336	697	632	1,372	
Residential Burglary	0	0	264	0	0	0	0	0	0	0	0	0	0	0	0	2	2	2	2	4	
Retaliation Against Informant	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
Robbery	0	0	222	280	16	0	0	2	0	0	0	0	0	0	0	85	93	307	375	705	
Sexual Abuse-1st Degree	1	2	12	38	8	0	0	0	0	0	0	0	0	0	0	38	78	51	118	213	
Sexual Assault	2	1	26	55	13	0	0	12	5	0	0	0	0	0	0	70	192	105	263	452	
Sexual Indecency With A Child	0	0	2	1	0	0	0	7	0	0	0	0	0	0	0	8	18	11	26	37	
Sexual Solicitation Of A Child	0	0	2	4	0	0	0	0	0	0	0	0	0	0	0	3	9	5	13	19	
Simul. Poss Of Drugs/Firearm	0	0	21	27	2	0	0	1	0	0	0	0	0	0	0	61	110	83	138	226	
Solicit Money/Prop From Incomp	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1	1	1	1	2	
Stalking	0	0	3	3	0	0	0	0	0	0	0	0	0	0	0	3	5	6	8	14	
Tampering With Physical Evid.	0	0	2	0	0	0	0	0	0	0	0	0	0	0	0	2	1	4	1	5	
Terroristic Act	1	3	0	40	1	0	0	0	0	0	0	0	0	0	0	3	6	23	49	74	
Terroristic Threatening	0	0	8	10	0	0	0	0	0	0	0	0	0	0	0	17	21	27	31	58	
Theft By Receiving	1	0	85	64	0	0	0	2	0	0	0	0	0	0	0	111	71	200	137	337	
Theft Of Leased Property	0	0	3	3	0	0	0	0	0	0	0	0	0	0	0	3	3	6	3	9	
Theft Of Property	1	0	149	106	5	0	0	3	1	0	0	0	0	0	0	367	231	512	338	861	
Theft Of Public Benefits	0	0	2	1	0	0	0	0	0	0	0	0	0	0	0	2	0	4	1	5	
Theft Of Services	0	0	2	0	0	0	0	0	0	0	0	0	0	0	0	0	0	2	2	4	
Trans. Distr Mat. Deplctg Chil	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
Unknown	0	0	2	60	1	0	0	0	0	0	0	0	0	0	0	4	68	6	129	136	
Use Of Another's Prop For Crime	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	3	3	3	3	6	
Use Of Communication Facility	0	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
Video Voyeurism	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1	1	1	1	2	
Viol Of Cmb DMV Act 4th Offens	1	0	0	6	2	0	0	0	0	0	0	0	0	0	0	1	3	1	3	4	
Violation Of A Minor-1st Dg	0	0	30	0	0	0	0	0	0	0	0	0	0	0	0	110	27	152	33	188	
Violation Of A Minor-2nd Dg	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	4	1	4	1	5	
Witness Bribery	0	0	1	2	0	0	0	0	0	0	0	0	0	0	0	0	0	0	2	2	
Total	26	15	2,658	3,120	269	1	1	147	86	8	16	6	1	14	8	4,290	3,861	7,161	7,101	14,948	

The Arkansas Parole Board received accreditation from the American Correctional Association (ACA), passing the audit with 100% compliance.

Arkansas is one of four states who have ACA accredited parole boards. The other three are from the states of New York, Montana, and Ohio.

Congratulations!

CHAIRMAN LEROY BROWNLIE

Parole Board Audit on Accreditation's
PERFECT SCORE

You have showed that *CHARACTER determines Success*

You showed **JUSTICE**, taking personal responsibility to uphold what is pure, right, and true;

You showed **LOYALTY**, using difficult times to demonstrate your commitment to those you serve;

You showed **MEEKNESS**, yielding your personal rights and expectations with your desire to serve;

You showed **WISDOM**, seeing and responding to life situations from a prospective that transcends the current circumstances.

Those of us who serve with you on the Department of Corrections Board are **PROUD** of you, and **PROUD** for you.

Benny Maguire
John P. ...
John ...

W. ...
Bill ...



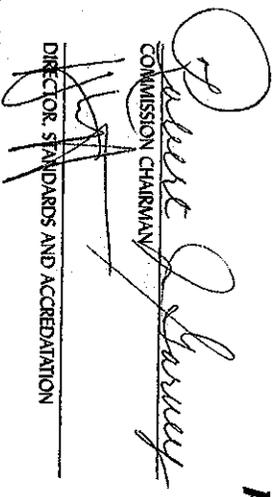
Commission On Accreditation For Corrections
and the
American Correctional Association
awards

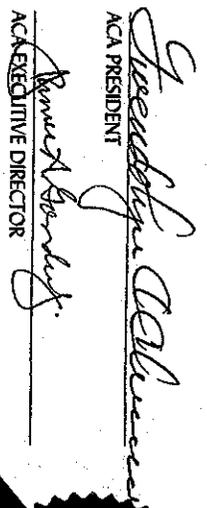


ACCREDITATION

to
State of Arkansas
Past Prison Transfer Board
Little Rock, Arkansas
2005-2008

in recognition of the attainment of excellence in the operation of
an Adult Probation and Parole Authority
presented this 8th day of August 2005


COMMISSION CHAIRMAN
DIRECTOR, STANDARDS AND ACCREDITATION


ACA PRESIDENT
EXECUTIVE DIRECTOR



APB



Staff





Notes

Notes

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