



**MINUTES OF THE  
ARKANSAS PAROLE BOARD  
APRIL 24, 2014 @ 9:30 A.M.  
AUSTIN CONFERENCE CENTER  
HOT SPRINGS**

**BOARD MEMBERS PRESENT:**

John Felts, Chairman  
Richard Brown Jr., Vice-Chairman /Commissioner  
Dawne Vandiver, Secretary/Commissioner  
James Wallace, Commissioner  
Richard L. Mays, Jr., Commissioner  
Abraham Carpenter, Commissioner  
Dennis Young, Commissioner

**HEARING JUDGES PRESENT:**

Jim Williams, Hearing Judge/Attorney  
Carol Bohannon, Hearing Judge/Attorney  
Ashley Vailes, Hearing Judge/Attorney  
Cara Boyd-Conners, Hearing Judge/Attorney

**EXCUSED WITH VALID REASONS:**

Mahogany Franklin, Fiscal Support Supervisor, APB  
Tamara Salaam, Administrative Specialist III (Parole), APB  
Melissa Haney, Executive Assistant to the Chairman, APB

**OTHERS PRESENT**

Solomon Graves, Administrative Services Manager, APB  
Kenneth Giesbrecht, Computer Support Specialist, APB  
Dan Roberts, Deputy Director of Probation/Parole Services, ACC  
Shirley Ellingburg, Area Manager, Institutional Release Services, ACC

## **CALL TO ORDER**

Chairman Felts called the meeting to order at 9:30 am. A quorum was declared.

## **APPROVAL OF MINUTES – April 10, 2014**

Commissioner Vandiver moved. Commissioner Brown seconded the motion. The minutes were approved as presented.

## **POPULATION REPORT**

Chairman Felts stated that there are currently 17,543 inmates incarcerated in the Department of Correction. There are currently 2,453 men and women on the County jail backup list. There has been some progress in alleviating the backup and in a continued effort to cull the population, they will be sending out a list of those who have been approved for parole and are past their TE dates. Chairman Felts stated that ACC might want to let their offices know that this list will be going out and try to move these people out as quickly as possible. Mr. Dan Roberts reported that he has notified his officers and they are prepared for this list. Every day we have been bringing in 45 individuals from the County Jail. There were 200 beds opened at North Central, but it has not alleviated the problem because we have run out of people suitable for release and are no longer able to bring in 45 a day. There were no questions regarding the report.

In review of the ACC Parole and Probation Population report there are 28,240 individuals on probation, 2,316 in drug court, 21,868 individuals on parole, and 305 on boot camp release for a total of 52,729 under supervision.

In review of the ACC jurisdiction population there is a total population of 1,851. This includes those in ACC correction centers and Omega and SE ARK TVP. The total ACC capacity is 1,878. Chairman Felts stated that they are doing a great job of keeping their beds filled and at capacity. They are trying to help with some of the overcrowding issues by allowing parole violators who qualify to stay at ACC centers.

In review of the APB monthly report, Chairman Felts stated that the Board had a total of 371 approved Transfer Screenings out of a total of 414. The overall approval rate for Screenings was 89.6%. There were 41 deferred and 98 were scheduled for hearings. The Board conducted a total of 612 Transfer Hearings with 435 approved. Of this number there were 333 approved without programs. The Board had a 71.5% approval rate. There were 65 denied and 108 deferred. The Board conducted 77 reconsideration hearings, 40 rescind screenings and 26 rescind hearings. There were also 30 pardons, 2 firearm restorations, 33 commutation screenings and 4 commutation hearings for a total of 69 clemencies. The Board had total actions of 1,337. Chairman Felts stated that the numbers will continue to be large until the backup count is alleviated. There has been an increase in the number of new commitments. There has been a decrease in those coming back as parole violators. This will allow the Board to reduce the backup.

## **ATTORNEY GENERAL'S OFFICE**

There was no report from the Attorney General's office.

## **FISCAL REPORT**

Mrs. Mahogany Franklin was not present at the meeting and the report was presented by Mr. Solomon Graves. Mr. Graves reported that the Board has currently expended 71% of its annual travel, maintenance and operations budget. He stated that the detailed report is included for the Board's review. Mr. Graves reminded the Board that we do have Merit raise payments on June 27<sup>th</sup>. He stated that they received an email stating that they would be receiving some merit adjustment funds to supplement the agency to pay that out. The majority of the state agencies are receiving these funds. He stated that they have also received FY15 funding levels and will be finishing the lined out allocations the latter part of the week. The Board will receive a copy of those next week so they can be reviewed and returned to DF&A.

## **HEARING JUDGES REPORT**

The Hearing Judge report was available to the Board for review. There were no questions regarding the Hearing Judge Report.

## **AGENCY UPDATES**

Mr. Graves reminded the Board that the ACA audit will be on May 28<sup>th</sup> and 29<sup>th</sup>. He stated that last week they sent the list of the audit team. Susan Ramsey, who is a retired correctional professional from the state of Louisiana and is on their Committee of Correction. She will be the Chairperson of our audit. She was on our audit team three years ago. The other person will be John Barren who is also a retired Correctional Professional. We will be getting a welcome letter out to them early next week. As it stands now, we are on track to finish up all the files by Friday, May 2<sup>nd</sup>. There will be some minor housekeeping for the audit, but we are on track. This will be a challenging audit, but we are in good shape to maintain accreditation. He stated that we missed out on a few months of scheduled time due to a 300% work load increase. There was no way to keep up with all the audit scheduling. If we lose a standard we will be able to submit a plan of action to the standards committee in Salt Lake this summer to maintain accreditation. We will not fall below 90%. Chairman Felts clarified that there are certain standards on the hearings we hold, revocation hearings and other issues. Mr. Graves stated that ACA requires that once a warrant is served we have 14 days to hold a parole hearing. We went outside that time frame but at the time we had 300 people waiting for hearings.

Mr. Graves stated that they had eOMIS training yesterday and there are several changes coming with eOMIS. Some of them deal with notice for revocation appeals. This project was at the request of the Chairman to ensure that offenders are aware of the rules for a revocation appeal. You only get one appeal and it must be made by the offender or legal representative. It cannot be made by the offender's family or significant other. Those currently under supervision will be given this notice by their supervising officer. When Mrs. Ellingburg's IPO's give the approved offenders their conditional orders of release they will also have them sign an acknowledgement form stating they understand the regulations. These will be signed annually in order to ensure that the Board is on solid ground if they must deny an appeal. If it goes outside the scope of normal rules we would have the acknowledgement form signed by the offender that they were given notice of the things they are permitted to do and the actions that will be taken if they go outside their conditions of release. This went into production today as well as revocation hearing scheduling.

Mr. Graves stated that he would like to follow up on some comments made yesterday. There will be an adjustment period in the field and some might view it as cumbersome. When the Board is put in a position where we have to provide data, then we have to provide that data. It is not a good look for the Board when we have to tell a Legislator or Legislative staff at the Governor's office that we do not have numbers. If someone asks how many people we have waiting for revocation hearings, we need to be able to give that information. If someone asks the nature of offenses that are leading to revocation hearings we need to have that information readily available and ready to provide within a matter of hours. In moving forward with the 2015 session, there will be segments of the assembly that want to change the way we do our business. We need to ensure that we have the data needed. Mr. Graves stated that he wants everyone to understand this and understand that we are in a position where we have to provide data as requested.

Mr. Graves stated that for those that are free on Tuesday, there is a Joint State Agency Meeting with the Board of Correction at 10:00 am at the Varner unit. There are two items of interest to the Board. The first is a 10 year population projection presented by the JFA group. They will discuss Parole Board mandates. They will also present some preliminary data of the success rate of the PRAT assessment. They are looking at those we flagged as high risk to see if they participated in high risk behavior. The Board of Corrections Subcommittee on Prison Funding will be making their report regarding the initial projected cost of a new facility for the Department of Correction.

Commissioner Wallace asked what the Legislature wants to change about the dynamic of the Parole Board. Mr. Graves stated that the main thing will be discussion about the return of parole violators. Specifically taking away some of the Board's leeway in revocation hearings. This would create an even bigger back up than we currently have. Commissioner Wallace stated that he feels that the Board is not being told anything about the legislatures plans. Chairman Felts stated that the problem is that they do not usually include the Board until they get ready to change something. They will call us over there and tell us during the session, but they don't give any notice. Commissioner Wallace stated that the Board seems to have miscommunication with a few legislatures and he suggested inviting them to the Board meetings and ask them to go into the field and observe. That way they can fully understand what is going on. Chairman Felts stated that they have sat down with some of the legislatures

and the problem is that it only takes a single idea to get out there for it to take off. Commissioner Carpenter stated that before they make irrational decisions that make situations worse the Board needs to identify those specific legislators and bring them in and explain to them what their actions can affect. Chairman Felts stated that we should invite them to a meeting with the Board and just talk to them. We would have to let the media know in advance so that they are not coming in unprepared. Commissioner Wallace stated that we could invite them in and see what their interests are and then encourage them to find out what we really do. He stated that most people don't know anything about parole. Commissioner Vandiver suggested that the Board find out their concerns so that they can be prepared to address those issues. Chairman Felts stated that it is important to sit down with legislators and have some discussion about the issues that concern them. Mr. Graves stated that he will get with the staff and determine a schedule.

### **OLD BUSINESS**

Commissioner Vandiver stated that they are still having trouble with the dockets at the units. Mr. Graves stated that this is an issue that he would like to discuss at a later date.

### **EXECUTIVE SESSION**

The Board went into Executive Session at 10:11 am to discuss a personnel issue. The Executive Session ended at 10:45 am. The Board did make a recommendation to hire. Chairman Felts deferred to Commissioner Vandiver to discuss the hiring recommendation in further detail.

### **NEW BUSINESS**

Commissioner Vandiver stated that the Board decided unanimously to hire Hollie Cook at the new position in parole services assisting Delores and Tamara. Commissioner Vandiver moved to accept this hiring recommendation. Commissioner Mays seconded the motion. The motion was carried.

### **May 2014 SCHEDULE**

Chairman Felts stated that if there are any conflicting dates or issues please let him know so those can be discussed. The numbers are likely to change so if there are units that require more manpower that can be addressed as needed.

### **FILES FOR DISCUSSION - REVIEW**

There are still votes that need to be made on two cases. Those will be addressed when the Board returns to the office. There were no questions regarding the files for discussion

### **ADOPTION OF RECOMMENDATIONS**

Commissioner Vandiver moved. Commissioner Carpenter seconded the motion to adopt the recommendations. Motion carried.

### **ADJOURNMENT**

The next Board meeting will be held on Thursday, May 15, 2014 at 9:30a.m. at the Arkansas Parole Board.

The meeting adjourned at 10:51 a.m.

### **Signature on File**

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**John Felts**  
Chairman

### **Signature on File**

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**Dawne Vandiver**  
Secretary

**ARKANSAS BOARD OF PAROLE  
FULL BOARD RATIFICATION OF VOTES**

**APRIL 2014**

<b><u>UNITS:</u></b>	<b><u>RATIFIED (X)</u></b>
EAST AR	X
MISSISSIPPI CO.	X
NEACCC	X
OUACHITA RIVER CORR.	X
PINE BLUFF	X
R.L. WILLIAMS	X
SEARC	X
VARNER	X
WRIGHTSVILLE	X
OTHER: PARDONS, COMMUTATIONS, TRANSFER SCREENINGS, ACT 290, 700'S, RECONSIDERATION, REVOCATION APPEALS, EPA, ETC.	X

**MOTION BY: Commissioner Vandiver    SECONDED BY: Commissioner Carpenter**

**RATIFICATION DATE: APRIL 24, 2014**