



# Arkansas Parole Board

Annual Report  
Fiscal Year 2017-2018



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The Honorable Asa Hutchinson  
And Members of the General Assembly  
Arkansas State Capitol  
500 Woodlane St.  
Little Rock, AR 72201



Chairman John Felts

Governor Hutchinson and  
Members of the General Assembly:

We are pleased to present the following information regarding the Parole, Revocation, Executive Clemency and Fiscal functions of the Board, as well as some of our accomplishments throughout the year.

The Arkansas Parole Board is committed to professionalism and public safety. We are continuously striving to improve our effectiveness and efficiency using structured, evidence-based decision-making, updated policies, and improved technology. During FY18, the Board, with the assistance of the Office of Internal Audit, completed its Control Self-Assessment with zero significant weaknesses noted. Other achievements include the automation of certain processes such as reviewing Violation Reports allowing the Board to operate more efficiently. In the upcoming fiscal year, the Board eagerly awaits the implementation of more data-driven performance measures not just for its agency but for all correctional agencies in Arkansas. We simply cannot thank you enough for your continued support as we fulfill our mission and focus on serving the citizens of Arkansas.

Respectfully,

A handwritten signature in cursive script that reads "John Felts".

John Felts  
Chairman

# ARKANSAS PAROLE BOARD

PUBLIC SERVICE WITH FAIRNESS AND INTEGRITY



John Belken  
Vice-Chairman



John Felts  
Chairman



Andy Shock  
Secretary



Dawne Vandiver  
Commissioner



Abraham Carpenter  
Commissioner



Jerry Riley  
Commissioner



Lona McCastlain  
Commissioner

The Board is composed of seven (7) members appointed from the State at large by the Governor and confirmed by the Senate. Each member is appointed for a term of seven (7) years, and the terms are staggered by the Governor so that the term of one (1) member expires each year. Each member is a full-time official of the State. The Chair of the Board is designated by the Governor and serves as the Agency's Director. The Board annually elects a Vice-Chair and a Secretary to serve as its remaining officers for the year.

# OUR VISION

The Arkansas Parole Board will strive to become a national model for releasing authorities by:

- Making data-driven parole decisions through: (1) the consistent application of nationally recognized evidence-based approaches, (2) the consideration of all available case information and (3) the application of appropriate decision criteria;
- Stipulating programs, conditions, and services in a manner that enhances the reentry of offenders into the community;
- Responding to parole violations appropriately and effectively by utilizing evidence-based approaches and taking into account the severity of the violation and the risks posed by the offender;
- Providing victims of crime with opportunities to give input and with timely information regarding the decision-making process;
- Collaborating with stakeholders on policies, programs, and processes; and
- Streamlining the decision-making process through innovative policies, programs, and technologies.

# OUR MISSION

To effectively and efficiently serve the citizens of Arkansas through the conditional release of offenders via structured and evidence-based decision-making; thereby ensuring the public's safety, the empowerment of victims, and that offenders will be provided opportunities for positive behavioral change and held accountable for their actions upon release.

○ FAIRNESS ○

INTEGRITY ○

INNOVATION ○

# Arkansas Parole Board Staff

As of June 30, 2018

## ADMINISTRATIVE SERVICES

Brooke D. Cummings  
Lindsey Rindahl  
Scott Howard  
William Bowman



## FISCAL/HUMAN RESOURCES

Christie Little  
Sharron Doss  
Rachel Butler

## REVOCATION HEARING JUDGES

Carol V. Bohannan  
Lisa Mills Wilkins  
Evelyn D. Gomez

## PAROLE SERVICES

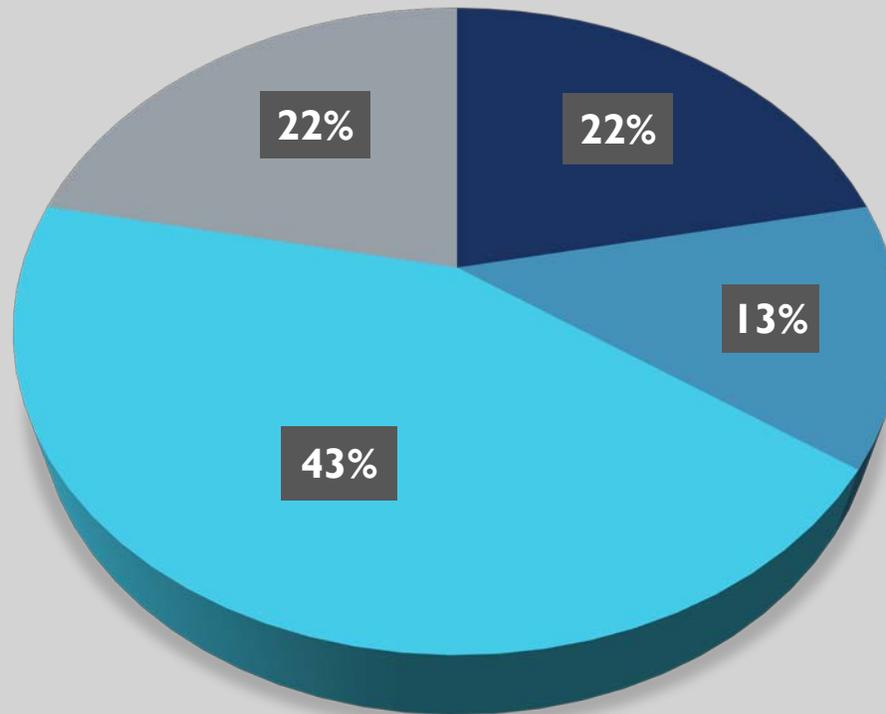
Tamara Salaam  
Hollie Wellborn  
Evan Jackson

## REVOCATION SERVICES

Monica Adams  
Jennifer Thompson  
Lakeshia Swanigan

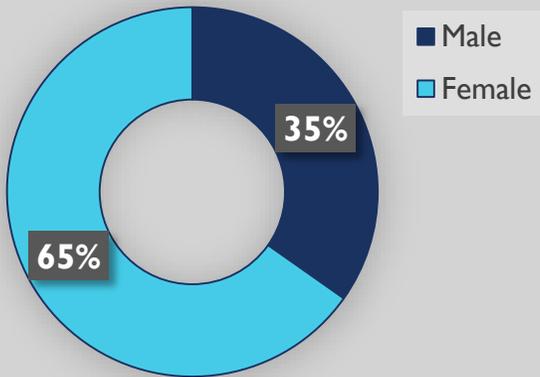
# ORGANIZATIONAL CHART & EMPLOYEE DEMOGRAPHICS

Employee Demographic Summary



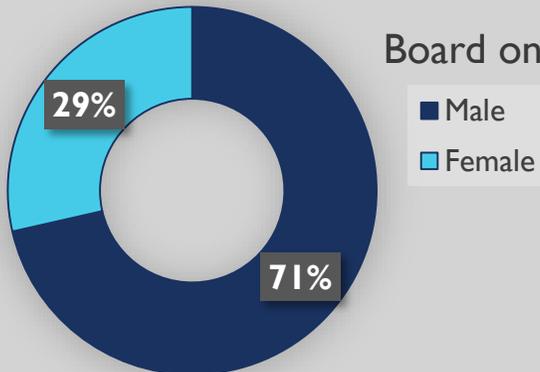
■ Black Females ■ Black Males ■ White Females ■ White Males

Agency-wide



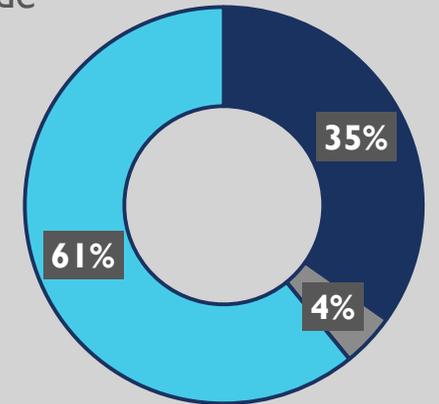
■ Male  
■ Female

Board only



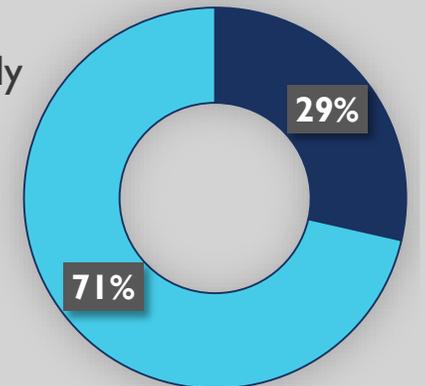
■ Male  
■ Female

Agency-wide

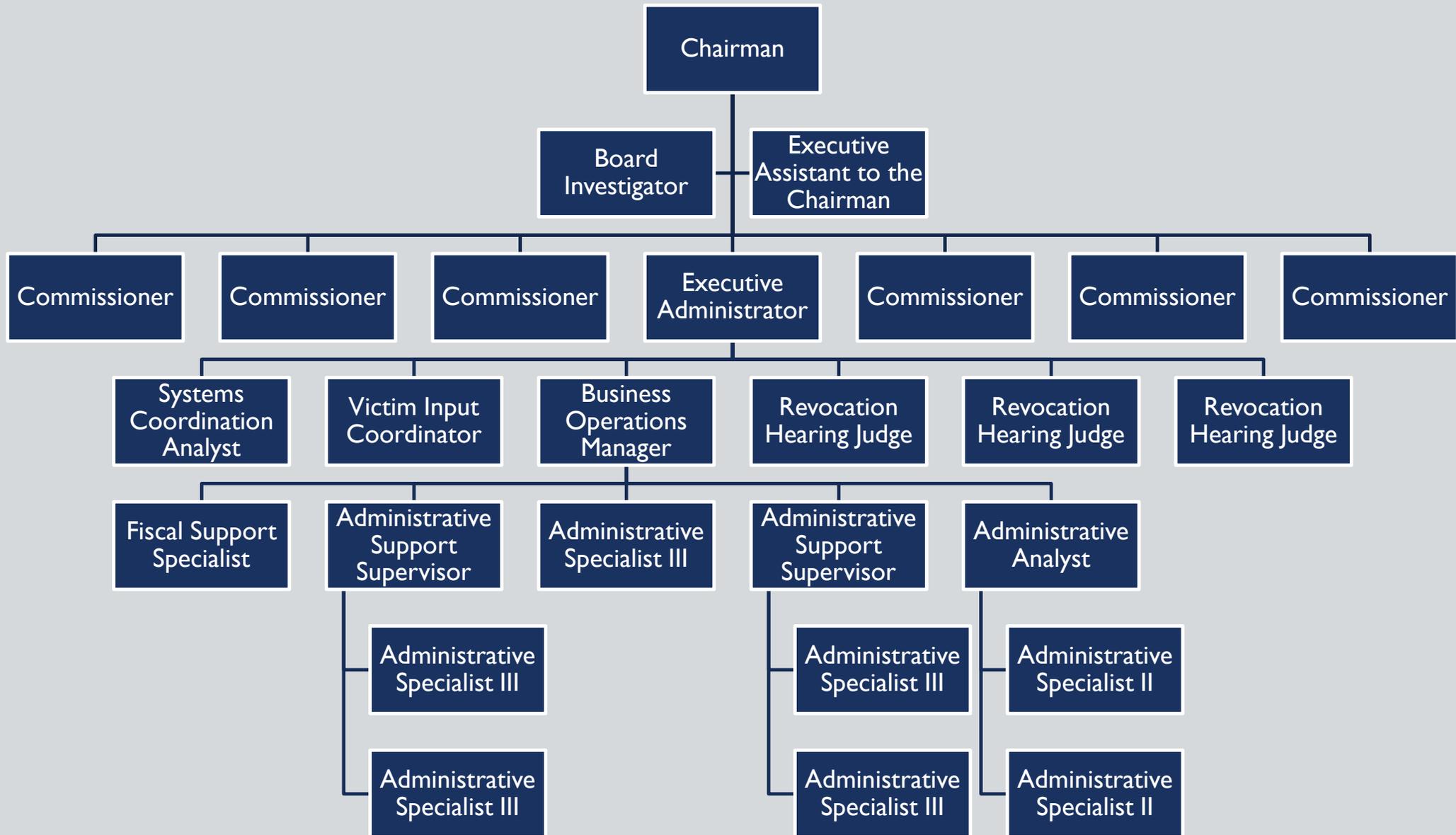


■ Black  
■ Other  
■ White

Board only



■ Black  
■ White



# HISTORY AND HIGHLIGHTS

- 1943—The State Penitentiary Board is created.
- 1968—The State Penitentiary Board becomes the Board of Correction, and the Department of Correction and the State Board of Pardons and Paroles are created.
- 1989—Board of Pardons and Paroles is abolished, and the State Board of Parole and Community Rehabilitation is created.
- 1993—State Board of Parole and Community Rehabilitation is renamed the Arkansas Post-Prison Transfer Board.
- 2005—Post-Prison Transfer Board is renamed the Arkansas Parole Board, and the Board becomes accredited by the American Correctional Association.
- 2007—All seven members of the Arkansas Parole Board become full-time employees of the State.
- 2008—The Board is reaccredited with the American Correctional Association.

- 2013—Acts 136 and 495 give the Board discretion over all sex offenses and additional violent and serious felonies.
- 2014—The Board is reaccredited with the American Correctional Association.
- 2015—Act 895 expands the Board’s discretion relating to certain offenses and places the day-to-day operations of the Board under the Chairman. Additional legislation expands the Board’s role in inmate reentry programming and strengthens the protections afforded to victim impact statements provided to the Board.
- 2017—Act 539 further extends the discretion of the Board specifically relating to certain individuals who were minors at the time of crime commission. However, Act 423 somewhat limits the Board’s ability to revoke parolees who are considered technical violators. The Board is reaccredited with the American Correctional Association.

# 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 director of the agency, as well as being a voting member of the Board of Correction (which supervises ADC, ACC, and Correctional School System). The Board's mandates include: (1) conducting parole screenings and hearings in order to make decisions on the conditional release of eligible inmates from correctional facilities; (2) revoking the parole of offenders who have violated one or more conditions of their release; and (3) reviewing all pardon and commutation applications and issuing non-binding recommendations to the Governor. Every decision requires five (5) affirmative votes from among the members of the Board.

The Board's public accountability requires 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 considers the input of victims, law enforcement, prosecutors, judges, and other interested parties. Victims and/or his/her next-of-kin are given separate hearings to voice their opposition to parole release. These hearings are not open to the public. 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 consent of the inmate. 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 he/she is released into the community. These rules and requirements (conditions) are explained to the offender, who must sign the agreement, prior to release.

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 who 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” (program). Most inmates who are sentenced to death or life without parole are not eligible for parole release consideration. However, inmates convicted of Capital Murder or Treason sentenced to death or life without parole for Capital Murder or Treason and who were minors at the time the crime was committed will be eligible for parole consideration after being incarcerated a minimum of thirty (30) years. Generally, those sentenced to life are not eligible unless their sentences are commuted to a term of years. Although individuals sentenced to life for committing Murder in the first degree before attaining eighteen years of age become eligible for parole consideration after twenty-five (25) years’ imprisonment.

Revocation hearings are conducted on the Board’s behalf by Revocation Hearing Judges who exercise independent judgment in cases of alleged parole violations. The Revocation Hearing Judges 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 Revocation Hearing Judge.

# AUTHORITY AND RESPONSIBILITY

## CERTAIN DISCRETIONARY OFFENSES

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

### Offenses COMMITTED on or after 1/1/1994

- ❖ Murder 1<sup>st</sup> Degree
- ❖ Kidnapping
- ❖ Rape
- ❖ Aggravated Robbery
- ❖ Causing a Catastrophe
- ❖ Engaging in a continuing Criminal Enterprise

### Offenses COMMITTED on or after 8/16/2013

- ❖ Attempted Capital Murder
- ❖ Attempted Murder 1<sup>st</sup> Degree
- ❖ Attempted Aggravated Robbery
- ❖ Terroristic Act
- ❖ Arson
- ❖ Aggravated Residential Burglary
- ❖ Unlawful Discharge of a Firearm from a Vehicle
- ❖ Offenses Related to Acts of Terrorism

### Offenses COMMITTED on or after 7/30/1999

- ❖ Capital Murder
- ❖ Murder 2<sup>nd</sup> Degree
- ❖ Manslaughter
- ❖ Negligent Homicide
- ❖ Simultaneous Possession of Drugs and Firearms
- ❖ Battery 1<sup>st</sup> Degree
- ❖ Domestic Battery 1<sup>st</sup> Degree
- ❖ Sexual Assault 1<sup>st</sup> Degree
- ❖ Sexual Assault 2<sup>nd</sup> Degree

### Offenses COMMITTED on or after 4/2/2015

- ❖ Battery 2<sup>nd</sup> Degree
- ❖ Aggravated Assault
- ❖ Terroristic Threatening
- ❖ Domestic Battery 2<sup>nd</sup> Degree
- ❖ Residential Burglary

### Offenses COMMITTED on or after 02/20/2013

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 1<sup>st</sup> Degree, and Sexual Assault 2<sup>nd</sup> Degree

Offenses COMMITTED by individuals who were under the age of 18 at the time of commission of the offense of:

- ❖ Capital Murder and/or Treason and have served a minimum of 30 years
- ❖ Murder 1<sup>st</sup> Degree and sentenced to life imprisonment and have served a minimum of 25 years
- ❖ Any crime in which the death of another did not occur no later than after 20 years of incarceration

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

Month	Hearings Scheduled	Hearings Conducted	Number (%) Approved	Number (%) Denied	Number (%) Deferred
Jul-17	18	14	3 (21%)	9 (64%)	2 (14%)
Aug-17	11	7	2 (29%)	5 (71%)	-
Sept-17	17	14	2 (14%)	10 (71%)	2 (14%)
Oct-17	18	12	4 (33%)	8 (67%)	-
Nov-17	35	30	5 (17%)	24 (80%)	1 (3%)
Dec-17	-	-	-	-	-
Jan-18	29	25	5 (20%)	19 (76%)	1 (4%)
Feb-18	11	10	2 (20%)	6 (60%)	2 (20%)
Mar-18	25	20	8 (40%)	12 (60%)	-
Apr-18	16	14	6 (43%)	7 (50%)	1 (7%)
May-18	21	12	5 (42%)	6 (50%)	1 (8%)
Jun-18	18	15	2 (13%)	13 (87%)	-

## VICTIM INPUT HEARINGS

Crime victims may provide information to the Board via a written and/or oral statement regarding the potential release of an offender. Victims who wish to appear before the Board are scheduled by the Victim Input Coordinator to appear in front of the Board to provide input regarding the potential release of an offender.

# PAROLE PROCESS

Parole provides a way to reintegrate an offender from incarceration into the community before fully being released from custody. The following list, although not exhaustive, details factors taken into consideration by the Board when determining whether or not to release an offender to community supervision:

- 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) and the frequency and nature thereof
- Conduct in any previous release program (i.e. probation, parole, work release, or alternative service)
- Recommendations made by the Judge, Prosecuting Attorney, Sheriff of the county from which offender was sentenced, and/or other interested persons
- The nature of the release plan, including the type of community surroundings in the area the person 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 assessment
- Employment record
- Susceptibility to drugs and/or alcohol
- Physical and Mental Health
- Presence of a warrant or detainer from another law enforcement agency

## Parole Population FY09 through FY18



# PAROLE POPULATION FY09—FY18

Depending on the date of commission of the crime and/or date of sentence, some inmates are transfer eligible (TE) and others are parole eligible (PE). Parole/Transfer is the conditional release of an inmate from incarcerations to structured supervision within the community for the remainder of the court-ordered sentence. Parole/Transfer may be granted to an eligible person when mandated by law or 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.

Area Office	Parole Population
Fayetteville	2449
Mountain Home	883
Searcy	1597
Jonesboro	1347
Fort Smith	2457
Conway	1549
Saline County	538
Little Rock & Lonoke	4547
West Memphis	1073
Hot Springs	1339
Pine Bluff	1983
Texarkana	1746
El Dorado	1133
Interstate Compact	1924
<b>TOTAL</b>	<b>24,565</b>

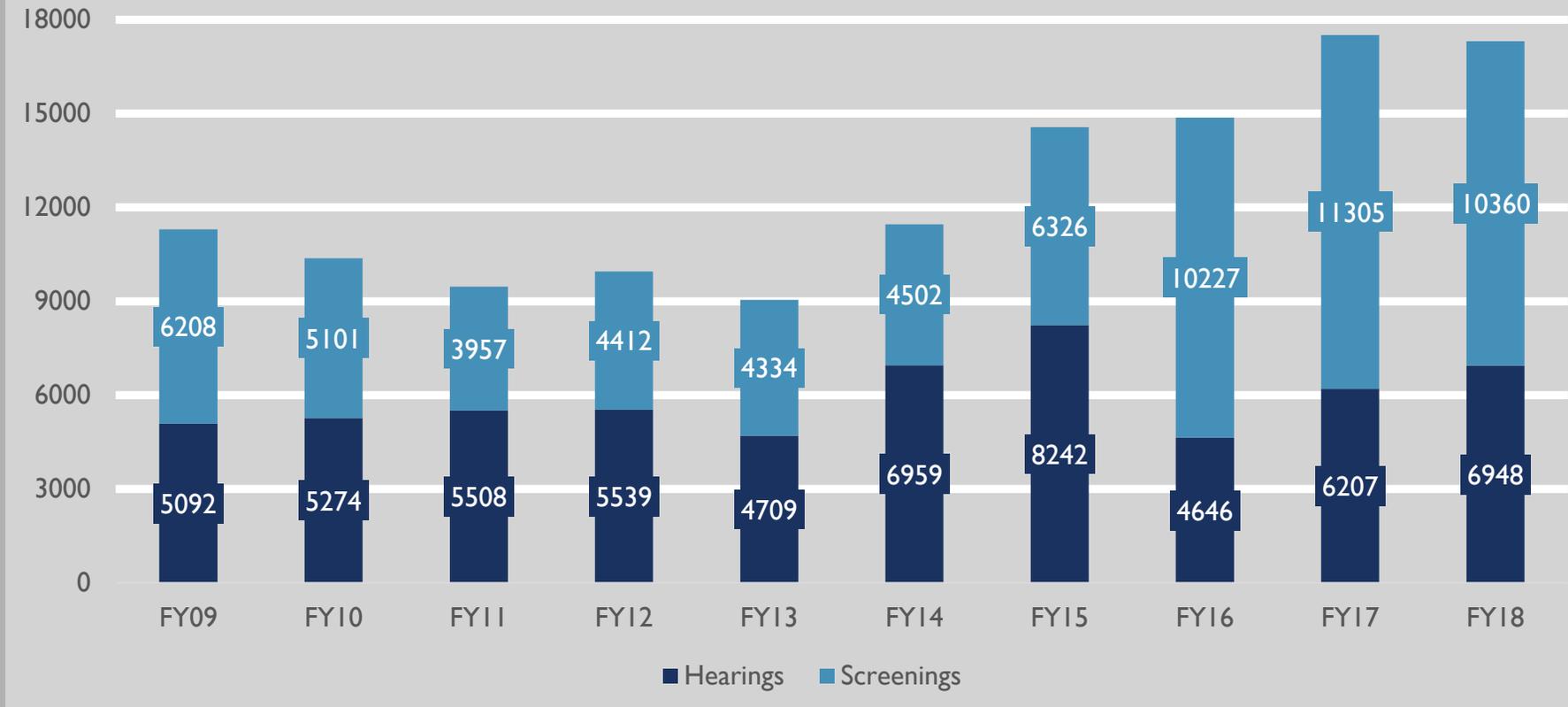
# PAROLE POPULATION

## By Area Office

as of June 30, 2018



Hearings and Screenings FY09 through FY18



# HEARINGS AND SCREENINGS FY09—FY18

Reviews are held on all Parole/Transfer eligible cases. Hearings may involve one or more members of the Board taking testimony and reviewing available documentation from offenders, victims, and/or other interested parties. Screenings are file reviews of eligible inmates. A Screening allows the Board to determine release stipulations, i.e. defer release for completion of a program or the imposition of mental health and/or substance abuse counseling. Screenings are also held for clemency applications to determine if a full Board hearing is warranted.

## Executive Clemency Hearings and Screenings FY09 through FY18



## EXECUTIVE CLEMENCY

The Arkansas Constitution gives the Governor the power to grant Executive Clemency. This is the process by which the Governor considers requests for granting reprieves, commutations, pardons, and requests to forgive fines and forfeitures. The Parole Board provides the Governor with non-binding recommendations on each Executive Clemency action it reviews. During FY18, the Board conducted 491 Executive Clemency Hearings and Screenings.

# PAROLE RELEASE REVOCATION

Total Revocations Via Hearing and Waiver  
FY13 through FY18



- ❖ 1906 Hearings Resulted in Revocation to ADC
  - Approximately 10% of Parolees revoked at a hearing were classified as Technical Only violators
- ❖ 3520 Waivers to ADC Approved
  - 16% of Parolees who waived a revocation hearing and were revoked to ADC were classified as Technical Only violators
- ❖ 578 (or 14%) of the Total Number of Revocations were for Technical Only Violations

FINAL ACTION	VIOLATION TYPES				TOTAL
	Laws and Technical	Laws Only	No Violations Noted	Technical Only	
Revoked	884	839	-	183	1906
Waived	2697	245	-	578	3520
Deferred	16	14	25	16	71
Reinstated	73	34	-	50	157
<b>TOTAL</b>	<b>3670</b>	<b>1132</b>	<b>25</b>	<b>827</b>	<b>5654</b>

## REVOCATION CONSIDERATION OUTCOMES & VIOLATION TYPES

If a parolee is found to have violated any condition of his/her release, the Board or Hearing Judge may return the parolee to supervision, defer the outcome of the revocation hearing, order placement in ADC, or utilize an appropriate alternative to incarceration. When making a revocation decision, the full range of alternatives to incarceration and available treatment options should be considered, in addition to considering the benefit of incarceration to the offender and the general public.

# FISCAL YEAR 2018 REVENUE AND EXPENDITURES

Funding	
General Revenue (Funded)	\$2,286,946.00
Marketing & Redistribution	\$100.19
<b>TOTAL</b>	<b>\$2,287,046.19</b>

Expenditures from General Revenue			
COMMITMENT ITEM	FUNDED	EXPENDED	BALANCE
Regular Salaries	\$1,464,141	\$1,464,141	\$27,060.90
Personal Services Matching	\$467,994	\$458,077.53	\$9,916.47
Maintenance & Operation	\$270,311	\$264,696.23	\$5,614.77
Conference & Travel	\$4,500	\$1,052.24	\$3,447.76
Professional Fees	\$80,000	\$59,917	\$20,083
<b>TOTAL</b>	<b>\$2,286,946</b>	<b>\$2,220,823.10</b>	<b>\$66,033.26</b>