



Arkansas Parole Board
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ADMINISTRATIVE DIRECTIVE: 17-01 Agency Description and Public Information

TO: ARKANSAS PAROLE BOARD MEMBERS AND STAFF

FROM: JOHN FELTS, BOARD CHAIRMAN

SUPERSEDES: NONE

APPROVED: SIGNATURE ON FILE EFFECTIVE: March 13, 2017

- I. APPLICABILITY.** This policy applies to Arkansas Parole Board (“APB,” “the Board,” or “agency”) members, staff, and is made available to the public in order to provide general information about the process for releasing public records.
- II. POLICY.** It is APB policy to administer a uniform process for responding to requests for public records in accordance with the Arkansas Freedom of Information Act and other state and federal laws and to facilitate appropriate interactions with the public and the media in order to facilitate community awareness of the Board.
- III. AGENCY INFORMATION.**
 - A. Citizen or Media Inquiries.** The agency website provides information of interest to the public. Additional information about the Arkansas Parole Board may be obtained by contacting the APB Spokesperson. When submitting written requests, including requests made under the Arkansas Freedom of Information Act, please provide your name, address and phone number; the date of the request and a detailed description of the records sought. A fee of \$0.04 per page may be charged. Payment should be made by check or money order payable to the Arkansas Parole Board.
 - B. Contact Information.** The general public is encouraged to make inquiries directly to the Board. The postal/e-mail addresses and phone number for the office are available on the APB Website at <http://paroleboard.arkansas.gov>
 - C. APB Policy.** Arkansas Parole Board policies are available on the APB website at <http://paroleboard.arkansas.gov>.

D. Structure. The Arkansas Parole Board consists of seven (7) members appointed by the Governor who (1) serve as both the paroling and revocation authority for the State and (2) make non-binding recommendations to the Governor related to Executive Clemency. The full Board has the authority to regulate parole, revocation, and the Executive Clemency application process, subject to State law. The Chair of the Board is designated from among the seven (7) members by the Governor and serves as the chief executive, administrative, budgetary, and fiscal officer of the board. The Chair exercises general supervisory responsibilities over the members and staff of the Board but may not remove a member of the board except as provided in State law.

IV. APB STAFF GUIDANCE.

A. External Organizations. Subject to the approval of the Chair, members and staff are encouraged to cooperate with community organizations, civic clubs and educational institutions to the extent their qualifications, experience and schedules permit. Members and staff may provide guest lectures, present special program information, or provide consultation services for a specific project or program when requested and approved by the Chair.

B. Criminal Justice Organizations. When approved by the Chair, APB members and staff are encouraged to cooperate, consult, plan, and participate with local, state, and federal criminal justice agencies to the extent their qualification, experience, and schedules permit.

C. Release of Information and Communications.

1. All APB staff who release information or communicate with the public and other agencies must be aware of and follow appropriate policy guidance concerning the release of public records. No member of the Board or its support staff may release public records to inmates, media, or the general public unless authorized by policy or in writing by the Chair or by a designee of the Chair.
2. The Chair serves as the chief spokesperson of the Board, and has delegated that responsibility to the Board Administrator. Unless authorized by the Chair, no member of the Board or its support staff may issue statements on behalf of the Board.
3. The release of certain information or records is prohibited or restricted by state and federal laws. Such restrictions will be communicated by the Chair or a designee of the Chair.

4. Requests for Public Records.

- a.** To ensure responses to requests are accurate and timely, an APB employee receiving a request for public records should ask the requester to submit the request in writing, to include the name, address and phone number of the requester, the date of the request, and a detailed description of the record(s) sought. However, no request will be ignored or denied if the requester refuses to submit the request in writing.
- b.** All requests for public records and responses must be coordinated through the Board Administrator, who should be contacted immediately upon receipt of a request. The Board Administrator will ensure that receipt of the request is acknowledged within 24 hours of receipt.

5. Inspection and Copying of a Public Record.

- a.** Agency records in active use and disclosed pursuant to the Arkansas Freedom of Information Act and other state or federal law must be available for inspection and copying between the hours of 8:00 a.m. and 4:30 p.m. on regular work days.
- b.** Pursuant to the Arkansas Freedom of Information Act, the Board is not obligated to provide copying service. Whenever the Board provides a copy of any requested documents, the requester may be charged \$0.04 per page, paid in advance. The fee must be paid by check or money order made payable to the APB.
- c.** Pursuant to guidance contained within Arkansas Attorney General Opinion No. 2015-095 disclosable records within the Electronic Offender Information System (eOMIS) are considered to be in storage. Unless agreed to in advance with the requestor, these records will be disclosed within three (3) business days.

6. Inspection of Parole, Revocation, and Executive Clemency Files.

- a.** To the extent allowable by State and Federal law the following portions of parole, revocation, and Executive Clemency files are available for inspection:
 - 1.** Responses from Judges, Prosecutors, Sheriffs, and other public officials in their official capacities;
 - 2.** Commutation and Pardon Applications;
 - 3.** Recommended and Final parole actions, votes of members, pre and post-release conditions of release, and stipulated programs;
 - 4.** Recommended and Final revocation actions, alleged violations of release, and revocation hearing reports;
 - 5.** Revocation Hearing Waivers; and
 - 6.** Revocation appeals (to include the votes of Commissioners and notice of the Board's decision).

- b. Additional portions of Parole, Revocation, and Executive Clemency Files not restricted by State or Federal law may be made available for inspection upon written authorization of the Chair.

7. Online Inspection of Records.

- a. The Chair shall ensure that the public website of the Board contains a searchable database of upcoming parole hearings pursuant to State law. Design and maintenance of the database may be delegated to another employee or to a contracted vendor.
- b. The Chair shall ensure that the public website of the Board contains searchable database of parole decisions. Design and maintenance of the database may be delegated to another employee or to a contracted vendor.

8. Legislative Inspection of Records.

- a. Pursuant to State laws, the Chair shall ensure that authorized legislative committee staff has access to view all classification, disciplinary, demographic, and parole hearing records of a current, or former, inmate or parolee that is currently, or was formally, granted parole by the Board. Access will be granted through the use of Attachment 1.
- b. Pursuant to Board Policy 5.5.4, authorized legislative committee staff must sign a confidentiality statement (Attachment 2) prior to gaining access to the information referenced above.

9. Release of Victim Impact Statements.

- a. A victim impact statement written by the victim of a sex crime as defined by A.C.A. § 16-90-1101 or the Sex Offender Registration Act of 1997, § 12-12-901 et seq., is privileged. It cannot be disclosed, directly or indirectly, to any person other than a member of the Board, its authorized agents, a court, or other person, excluding the inmate, entitled under state law or Board Policy to receive the statement.
- b. The Board, or a court of competent jurisdiction, may order the disclosure of an impact statement written by the victim of a sex offense when the Board finds that the interests of the inmate outweigh the privacy and safety interests of the victim or to enhance the accuracy of the Board's determination.

- c. An inmate eligible to receive an impact statement written by their victim shall only receive it upon a written request. The inmate's request shall be submitted to the Institutional Release Officer assigned to their unit. The Institutional Release Officer will in turn submit the request to the ACC Public Information Office or the Board (the Board Administrator and Victim Input Coordinator) for fulfillment. An APB employee, or the ACC Public Information Office, must redact the following information from an impact statement written by a victim prior to releasing the statement to the inmate:
 - 1. any information protected by Federal or State privacy laws;
 - 2. the address of a victim, their parent, legal guardian, and/or their next of kin; and
 - 3. any information that could reasonably be used to determine the location of a victim, their parent, or legal guardian, and/or their next of kin;
- d. The Victim Input Coordinator under the direction of the Board Administrator shall ensure that that a victim is notified in writing of the release of their impact statement. The notification shall consist of:
 - 1. the inmate's name and ADC number;
 - 2. the date the statement was released; and
 - 3. a copy of the released statement.
- e. No other information or records related to a victim may be released by the Board or an agent of the Board unless required by Federal and/or State Law.

10. Release of Information to Researchers.

Pursuant to Board Policy and the directive on Research and Program Evaluation, the Chair or his/her designee may release any information to researchers and others involved in monitoring or studying the criminal justice system not restricted by law or policy.

- D. Citizen Complaints.** Citizen complaints should be reported promptly to the Board Administrator who will notify others as appropriate and assist in preparing a response. This does not prohibit employees from handling minor concerns within their scope of responsibility.
- F. Requests from Federal, State, and Local Legislative or Agency Executive Representatives.** To maintain agency integrity and credibility, requests for information from legislative or other agency executive representatives should be answered fully and promptly. Employees who receive these requests must immediately inform the Board Administrator who will notify others as appropriate and coordinate a response.

V. FORMS.

Attachment 1: eOMIS Legislative Access request Form
 Attachment 2: eOMIS Confidentiality Agreement
 Attachment 3: APB Employee Acknowledgement

Arkansas Parole Board
Electronic Offender Management Information System (eOMIS)
Legislative Access Request Form
Only one (1) form can be completed per Committee

Committee Name _____

Committee Chair's Name _____

Committee Chair's Email Address & Phone Number _____

User Information (PLEASE PRINT):

1. Full Name & Title _____

Email Address & Phone Number _____

IP Address _____

A static IP address is required to access eOMIS. Please contact your local IT staff, if needed.

2. Full Name & Title _____

Email Address & Phone Number _____

IP Address _____

A static IP address is required to access eOMIS. Please contact your local IT staff, if needed.

3. Full Name & Title _____

Email Address & Phone Number _____

IP Address _____

A static IP address is required to access eOMIS. Please contact your local IT staff, if needed.

Arkansas Parole Board
eOMIS CONFIDENTIALITY AGREEMENT
(For Legislative Staff Access)

You have been provided access to the State’s electronic offender management information system (eOMIS) for the sole purpose of allowing a member of the General Assembly or an employee of the House of Representatives, Senate, or the Bureau of Legislative Research acting on the member’s behalf to view all classification, disciplinary, demographic, and parole hearing records of a current or former inmate or parolee who is currently or was formally granted parole by the Board.

Any record requested to be viewed is privileged and confidential and shall not be shown to any person not authorized to have access to the record and shall not be used for any political purpose including without limitation to political advertising, fundraising, or campaigning. Unauthorized access or disclosure of a record may result in the immediate denial of access.

I read and understand the above statements, and I agree to maintain confidentiality regarding the information to which I may be granted access. Further, I understand that sharing my password with someone else or leaving a login session unattended may allow access to confidential data as described above, and therefore is a breach of my agreement to maintain confidentiality.

_____ Employee Printed Name	_____ Employee Signature	_____ Date
_____ APB Chairman or Designee	_____ Date	

Employee Acknowledgement of Agency Description and Public Information Policy

Please acknowledge by signing that you received, read, and understand the Arkansas Parole Board Administrative Directive:

17-01 Agency Description and Public Information

I understand it is my responsibility to read it thoroughly and ask questions of my supervisor if I don't understand it. All employees or officials of the Arkansas Parole Board are responsible for complying with all pertinent policies, directives, and memorandum. The Business Operations Manager will place a signed copy of this form in your personnel file.

This form must be signed and returned within five days of receipt.

_____ Employee Printed Name	_____ Employee Signature	_____ Date
_____ Supervisor Printed Name	_____ Supervisor Signature	_____ Date