



ARKANSAS SENTENCING COMMISSION

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Commission Meeting October 24, 2023

MEMBERS PRESENT

Judge Gordon McCain

Mr. Dan Shue

Mr. Michael Robbins

Judge Kathleen Bell

Judge Shannon Blatt

Ms. Diana Lowe

Judge Carlton Jones

MEMBERS EXCUSED

Mr. Kendrell Collins

Mr. Keith Rutledge

STAFF PRESENT

Tawnie Rowell

Toni Hamp

Laura Ebner

VISITORS PRESENT

Krystal Mann (Administrative Office of the Courts)

Julie Chavis (Attorney General's Office)

Martha Cooksey (Love 1st Initiative and Re-entry)

Judge Gordon McCain declared that a quorum was present and called the meeting to order.

Mr. Shue moved, and Judge Blatt seconded the motion to approve the minutes from the July 2023 meeting. The motion was approved unanimously.

Mr. Robbins moved, and Mr. Shue seconded the motion to approve the quarterly expense report. The motion was approved unanimously.

The Commission considered the final adoption of the Amendments to Sentencing Standards and Seriousness Reference Tables. The public comment period has closed and no comments or objections were received. The final adoption will be tabled until later in the meeting after other business is discussed.

The Commission was presented with the Population Monitoring report. The ADC population continues to track closely with earlier projections. The DOC has not authorized the Emergency Powers Act, and 1,000 beds have been put online in the continued effort to ease the county jail backup. As part of the Protect Arkansas Act, one of the statutory duties for the Sentencing Commission will be to address the allocation of non-traditional beds during intake process so that space is used in the most efficient way.

Director Tawnie Rowell presented the Time Computation Report for the second quarter of 2023. The Time Computation Report is prepared in accordance with the DOC Secretarial Directive and contains the statistical results of the commission staff's review of time entry. The percentage of discrepancies on time continues to decrease. The DOC Secretary has transferred the ADC and ACC records management

Arkansas Sentencing Commission Meeting Minutes

October 24, 2023

Page 2 of 2

to the Sentencing Commission. Toni is going to oversee the process changes with the goal of continuing to reduce discrepancies, particularly on new sentences.

Ms. Rowell presented the Director's report. There has been a significant amount of training in recent months. Training has been held in Washington County, Rogers, Hot Springs, Polk County, and several other areas in the state in anticipation of changes coming through the Protect Arkansas Act. New bench books should be coming out shortly after the adoption of all amendments. We plan to print fewer hard copies and encourage the use of digital copies of the book. We are in talks with ACI for printing services, and working with the Parole Board on linking the bench book to the Safer Arkansas app that is currently in development. The information is being gathered for presentation to the Commission for consideration early next year concerning the provisions in the Protect Arkansas Act that require some offenses to be classified as either 25% or 50% of time served before parole eligibility.

Ms. Martha Cooksey of the Love 1st Initiative and Re-entry group asked to address the Commission concerning sentences for offenses committed by individuals under age 18. She spoke about the 2017 legislation that requires a term of years for certain offenses committed by a juvenile that would otherwise carry a life sentence. Ms. Cooksey expressed that her group proposes an expansion through age 21 for the requirement of a term of years instead of a life sentence. The Chairman thanked her for her presentation.

Judge Blatt moved, and Judge Bell seconded the motion to approve the final adoption of the Amendments to Sentencing Standards and Seriousness Reference Tables.

The Commissioners considered dates for 2024 meetings. After a review of proposed dates for each quarter, the dates February 7, May 8, August 21, and October 9 were voted on and approved unanimously. These meetings will be held in person with a Zoom option for those who are unable to attend in person. Additionally, the May 8 meeting will be held in Northwest Arkansas.

Meeting adjourned.