

Stricken language would be deleted from and underlined language would be added to present law.

State of Arkansas
95th General Assembly

A Bill

DRAFT CEB/CEB
SENATE BILL

By: Senator C. Tucker

For An Act To Be Entitled

AN ACT TO ESTABLISH PRE-RELEASE CUSTODY CREDITS; TO
REQUIRE THE DIVISION OF CORRECTION TO TRANSFER AN
ELIGIBLE INMATE TO A PRE-RELEASE CUSTODY PLACEMENT IN
HOME DETENTION WITH ELECTRONIC MONITORING OR A
TRANSITIONAL HOUSING FACILITY; AND FOR OTHER
PURPOSES.

Subtitle

TO ESTABLISH PRE-RELEASE CUSTODY
CREDITS; AND TO REQUIRE THE DIVISION OF
CORRECTION TO TRANSFER AN ELIGIBLE
INMATE TO A PRE-RELEASE CUSTODY
PLACEMENT.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

SECTION 1. Arkansas Code Title 12, Chapter 29, Subchapter 1, is
amended to add an additional section to read as follows:

12-29-122. Pre-release custody credits.

(a) The Director of the Division of Correction shall implement a
program for an inmate to earn pre-release custody credits towards transfer to
a pre-release custody placement.

(b) A pre-release custody placement may be in:

(1) A home detention program with electronic monitoring; or

(2) A transitional housing facility.

(c) The director shall transfer an eligible inmate to a pre-release

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1 custody placement if an appropriate pre-release custody placement is
2 available.

3 (d) An inmate is eligible for a pre-release custody placement if he or
4 she:

5 (1) Was determined to have a low or minimum risk of recidivism
6 as a result of his or her most recent validated risk and needs assessment
7 conducted under § 12-29-904; and

8 (2) Has earned sufficient pre-release custody credits.

9 (e) An inmate shall earn pre-release custody credits for:

10 (1) Good behavior;

11 (2) Job responsibilities;

12 (3) Involvement in rehabilitative activities; and

13 (4) Successful completion of:

14 (A) State-sponsored general education development
15 certificate programs;

16 (B) Vocational programs for which certification is
17 awarded; and

18 (C) Drug or alcohol treatment programs offered at a
19 Division of Correction facility.

20 (f)(1) The term of a pre-release custody placement shall not exceed
21 the number of years of imprisonment to which the inmate was sentenced.

22 (2) The length of time the inmate participates in a pre-release
23 custody placement shall be credited against the inmate's sentence.

24 (g) An inmate who violates the terms of a pre-release custody
25 placement shall be returned to the custody of the division.

26 (h) The division shall file an annual report on pre-release custody
27 placements with the Legislative Council.