

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

State of Arkansas
94th General Assembly
Regular Session, 2023

A Bill

SENATE BILL 439

By: Senators C. Tucker, Gilmore
By: Representative Gazaway

For An Act To Be Entitled

AN ACT TO CREATE THE LEGISLATIVE RECIDIVISM REDUCTION
TASK FORCE; AND FOR OTHER PURPOSES.

Subtitle

TO CREATE THE LEGISLATIVE RECIDIVISM
REDUCTION TASK FORCE.

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

SECTION 1. TEMPORARY LANGUAGE. DO NOT CODIFY. Legislative Recidivism
Reduction Task Force – Creation – Membership – Duties.

(a)(1) The General Assembly finds that:

(A) Approximately forty-six percent (46%) of people
released from an Arkansas prison eventually return to incarceration within
three (3) years;

(B)(i) Failure to disrupt this revolving door contributes
to crime and a significant number of prison admissions.

(ii) Recidivism among people on probation and parole
in Arkansas accounts for an estimated sixteen percent (16%) of arrests for
violent crime and sixty-two percent (62%) of prison admissions.

(C) A fifty percent (50%) decrease in recidivism could
mean an eight percent (8%) decrease in violent crime and a thirty-one percent
(31%) decrease in prison admissions; and

(2) It is the intent of the General Assembly to:

(A) Implement safe and effective policy changes that will
reduce recidivism and lower crime across the state; and



(B) Establish the Legislative Recidivism Reduction Task Force as a mechanism to promote improvement in criminal justice system outcomes in the State of Arkansas.

(b) There is created the Legislative Recidivism Reduction Task Force.

(c) The task force shall consist of the following seventeen (17) members:

(1) One (1) member appointed by the Chief Justice of the Supreme Court;

(2) Eight (8) members appointed by the Governor, as follows:

(A) One (1) member who is a county sheriff;

(B) One (1) member who is a representative of the Arkansas Public Defender Commission;

(C) One (1) member who is a prosecuting attorney;

(D) One (1) member who is a member of the executive board of the Arkansas Association of Chiefs of Police;

(E) One (1) member who is a victim of crime or an advocate for victims of crime;

(F) One (1) member who is a member of a community affected by crime and who may be a person with personal experience in the criminal justice system; and

(G) Two (2) at-large members who are representative of the racial, ethnic, gender, and geographical diversity of the state;

(3) Two (2) members of the Senate appointed by the President Pro Tempore of the Senate;

(4) Two (2) members of the House of Representatives appointed by the Speaker of the House of Representatives;

(5) The Chair of the Board of Corrections, or his or her designee;

(6) The Chair of the Arkansas Parole Board, or his or her designee;

(7) The Secretary of the Department of Corrections, or his or her designee; and

(8) The Director of the Division of Community Correction, or his or her designee.

(d) If a vacancy occurs on the task force, the vacancy shall be filled by the same process as the original appointment.

(e) Legislative members of the task force shall be paid per diem and mileage as authorized by law for attendance at interim meetings of committees of the General Assembly.

(f)(1) The Senate members appointed by the President Pro Tempore of the Senate shall call the first meeting of the task force no later than August 31, 2023.

(2) At the first meeting of the task force, the members of the task force shall elect from the membership a chair and other officers as needed for the transaction of its business.

(3) The task force shall meet at least quarterly at the call of the chair or a majority of the members of the task force.

(4) The task force shall meet at the State Capitol Building or in the legislative committee rooms in the Multi-Agency Complex on the State Capitol grounds.

(g)(1) The task force shall adopt rules and procedures for conducting its business.

(2) Eight (8) members of the task force shall constitute a quorum for transacting business.

(h) The Bureau of Legislative Research shall provide staff for the task force.

(i) The purpose of the task force is to study and recommend improvements to the criminal justice system outcomes in the State of Arkansas.

(j) To achieve this purpose, the task force, working with the support of the Council of State Governments Justice Center, shall:

(1) Conduct a comprehensive data analysis to identify the drivers of Arkansas's high recidivism rates;

(2) Examine the effectiveness of current supervision practices and responses to technical violations of supervision;

(3) Identify unnecessary barriers to successful reentry into society;

(4) Determine gaps in behavioral health treatment, workforce training, and other services for people on supervision and reentering society from incarceration;

(5) Use data to identify how recidivism contributes to overall crime and incarceration rates; and

(6) Develop data-driven recommendations for reducing recidivism and improving outcomes for people on supervision and reentering society from incarceration.

(k)(1) On or before December 31, 2023, the task force shall submit a preliminary report to the Legislative Council, the Governor, and the Chief Justice of the Supreme Court.

(2) On or before December 1, 2024, the task force shall submit its final report to the Legislative Council, the Governor, and the Chief Justice of the Supreme Court.

(3) The preliminary report and the final report shall include the task force's activities, findings, and recommendations, including without limitation:

(A) Recommendations for improvements to criminal justice system outcomes;

(B) A summary of projected savings to the State of Arkansas to be generated from adoption of the recommendations of the task force; and

(C) The projected impact on public safety in the state with adoption of the recommendations of the task force.

(l) The task force shall expire on December 31, 2024.