

1 State of Arkansas
2 94th General Assembly
3 Regular Session, 2023
4

A Bill

SENATE BILL 439

5 By: Senators C. Tucker, Gilmore
6 By: Representative Gazaway
7

For An Act To Be Entitled

8
9 AN ACT TO CREATE THE LEGISLATIVE RECIDIVISM REDUCTION
10 TASK FORCE; AND FOR OTHER PURPOSES.
11

Subtitle

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14 TO CREATE THE LEGISLATIVE RECIDIVISM
15 REDUCTION TASK FORCE.
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18 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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20 SECTION 1. TEMPORARY LANGUAGE. DO NOT CODIFY. Legislative Recidivism
21 Reduction Task Force – Creation – Membership – Duties.

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

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

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

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

31 (C) A fifty percent (50%) decrease in recidivism could
32 mean an eight percent (8%) decrease in violent crime and a thirty-one percent
33 (31%) decrease in prison admissions; and

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

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



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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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