

Research Paper

Current State of Arkansas' Criminal Justice System

The following information was compiled from Arkansas Division of Correction (ADC) Statistical Reports, ADC Director Board Reports, CGL projections (CGL), and other Department of Corrections (DOC) documents.

ADC Capacity and Jurisdictional Population

After the second phase of Ouachita Regional Correctional Unit was completed in 2004, ADC capacity was 11,640 beds. According to Statistical Reports, ADC capacity peaked in 2016 at 15,618. Between 2017 and 2022, ADC capacity decreased by 542 beds to 15,076.

According to the July 2026 ADC Director Board Report, the current capacity of existing ADC facilities is 15,362. However, according to internal DOC spreadsheets, the design capacity of existing ADC facilities is 15,797, the Board Rated Capacity is 16,770, and a total of 16,809 beds are operated by ADC. The efforts of Governor Sanders and the DOC in adding 1,485 beds since 2023 are evident in the internal ADC numbers, as it appears ADC capacity has grown to an historic high of operated beds.

ADC capacity has increased in response to an ever-increasing jurisdictional population. In 2004, the jurisdictional population was 13,251, compared to a capacity of 11,640. The jurisdictional population was 18,117 in 2016, 2,775 higher than a reported peak capacity of 15,362. As of July 2026, ADC's jurisdictional population was 19,454. Comparing the July 2026 jurisdictional population of 19,454 to the current operated beds per DOC of 16,809 results in a difference of 2,645.

The jurisdictional population has increased from 13,251 in 2004 to 19,454 in July 2026, an increase of 6,203 inmates across 22 years. The jurisdictional population is expected to grow to 21,497 in 2029, an increase of 2,043 state inmates within 3 years. As the jurisdictional population grows, the need for additional ADC capacity increases. If ADC capacity does not increase, the county jail backup increases, creating deleterious impacts on the misdemeanor justice system.

County Jail Backup

The highest average county jail backup occurred in 2015 with an average backup of 2,396 ADC inmates. As of July 31, 2026, there were 2,263 ADC inmates in county jails, an increase of 327 from the January 2026 average.

As of July 22, 2026, five county jails (Benton, Pulaski, Sebastian, Washington, and White) are housing 100 or more ADC inmates. Five county jails (Crawford, Faulkner, Miller,

Ouachita, and Pope) are housing between 50-99 ADC inmates. Together, these ten county jails are holding 1,409 ADC inmates. Each of these jails has over 20% of its capacity occupied by ADC inmates waiting to move upstream. Benton County's jail has 20.48% of its capacity occupied by ADC inmates. Washington County has 25.8% capacity occupied by ADC inmates, White County 27.27%, Sebastian County 31.46%, and Pulaski County 33.97%.

Of the jails holding between 50-99 ADC inmates: Faulkner County has 21.5% of beds occupied by ADC inmates; Crawford County 28.66%; Miller County 29.62%; Ouachita County 41.5%; and Pope County 44.19%.

As ADC's jurisdictional population increases, its capacity must grow as well. There are an approximate 11,842 county jail beds. According to current ACIC information, 10,365 county beds are occupied. With a projected increase of 2,043 ADC inmates over the next three years—and a current backup of 2,263 inmates in county jails—ADC clearly must add capacity. Currently, county jails can manage the state inmate backup through coordination and planning with other county jails. For example, if Faulkner County jail is unable to safely detain state inmates, another county jail may be able to receive state inmates or other detainees. With the expected jurisdictional growth and lower churn out of ADC as the Protect Act's impacts come to fruition, the ability of county jails to manage this population will decrease. The county jails that have historically detained a large percentage of ADC inmates will push the backup population or other detainees to other county facilities. This will remove those county beds from any kind of use except for detaining the ADC backup.

ADCC and County Jail Backup

According to the July ADC Director Report, the Division of Community Correction (ADCC) has 7 facilities for a total capacity of 2,092 beds and a population of 1,924, leaving open 168 beds. Six of the seven ADCC facilities are designated for males and the remaining facility is designated for females. According to the same report, 5 of the 7 facilities are undercapacity. While these facilities are undercapacity, county jails are holding at least 84 state inmates that should be in ADCC facilities.

Projected Future State of Arkansas' Criminal Justice System

JFA Associates, now part of CGL Companies, has been tracking and projecting the ADC and ADCC populations for over 20 years. The information below has been compiled from CGL and DOC reports.

ADC Projected Growth

CGL projects a 2.1% average yearly increase in ADC jurisdictional population between 2025 and 2036. **The projected EOY 2029 jurisdictional population is 21,497, an increase of 2,043 inmates from the current jurisdictional population.** Assuming that the in-house population cannot grow without additional bed capacity – either in existing facilities or a new facility – the difference between the in-house ADC population and the ADC jurisdictional population will grow. And the result of that growth will be more ADC inmates in county jails.

In addition to the projected growth of the ADC population, the characteristics of the ADC population have changed as well. In 2004, the ADC population was composed of 58% non-violent offenders and 41% violent offenders. Since 2004, the ADC population has shifted from majority non-violent to majority violent offenders. In 2022, the ADC population was 39.6% non-violent offenders and 60.4% violent offenders. CGL projects that 25% of ADC admissions will be for the most serious of offenses, such as rape, murder, aggravated robbery, and aggravated residential burglary.

ADCC Projected Growth

The 2024 CGL Report projected an EOY 2025 ADCC population of 1,829; the actual EOY population was 1,951. While the ADC population is projected to grow at an average of 2.6% per year, the ADCC population is projected to grow at an average of 1% per year through 2035. The EOY 2029 ADCC population is projected to be 1,899, which has already been eclipsed.

As discussed above, the ADCC population at the end of January 2026 was 1,910, only 87 short of the EOY 2035 projections. It should be noted that CGL predicts ADCC forecasts with the assumption that ADCC facilities are operated at full capacity, which they presently do not seem to be.

Needs and Solutions – Immediate, Intermediate, Long-Term

From the information above, it is clear that the most pressing need is more bed capacity, especially within ADC. The efforts of Governor Sanders, her staff, and the DOC in bringing beds back online and adding beds at existing facilities has been of tremendous value. Without the 1,485 additional beds, the state of the county jail backup and the ramifications of the backup would be much worse.

Secretary Profiri presented three phases of solutions: immediate, intermediate, and long-term. Immediate solutions include the efforts to add beds to existing facilities or to bring beds back online. The intermediate phase looks to solutions like renting beds or repurposing existing non-ADC facilities. The long-term phase includes building new facilities, such as a prison, to create new infrastructure and new capacity.

The immediate phase is an ongoing phase as there is always an emergent question of “what can be done with what currently exists?” At some point the ability to add to existing infrastructure ceases to exist, which shifts focus to intermediate and long-term solutions.

Intermediate solutions such as renting beds or acquiring and repurposing existing infrastructure are viable options to reduce the county jail backup. The most permanent solution to the issues facing Arkansas is the construction of a new prison.

Conclusion

The ADC backup of state inmates into county jails has been an ongoing and recurrent issue for over 25 years. From 2003 to 2024, the average county jail backup was 1,322. From 2015 to 2024, the average county jail backup was 1,698. The average county jail backup in 2023 was 1,971; for 2024, 1,987. The current county jail backup is 2,263. The jurisdictional population of ADC has increased to over 19,000. According to CGL projections, the ADC EOY jurisdictional population will be 21,497 in 2029, an increase of 2,043 inmates from the present.

An additional 2,043 ADC inmates will cause the county jail backup to consistently remain higher than 2,000 without additional capacity. As noted above, ten county jails are housing 1,409 of the 2,263 ADC inmates in county jails. Counties work together to manage the burdens the ADC population places on their facilities by coordinating between jails and detention centers. It is not only plausible but realistic that in the near future, the ability of county facilities to absorb additional state inmates will run out. When this occurs, there will not be a pressure relief valve for the overburdened ADC facilities and the overburdened county jails.

The ramifications of this scenario are dire. The misdemeanor justice system is currently on life support. There are 144,523 unserved misdemeanor warrants and 24,333 misdemeanor failure to appear warrants. Additionally, there are 24,965 felony warrants and 2,060 felony FTA warrants. This is a total of 195,881 active warrants in Arkansas. There is a total of 26,393 FTA warrants. Arkansas has more active FTA warrants than Mississippi (20,757), Kentucky (12,908), Oklahoma (2,566), Kansas (6,714), Louisiana (6,086), Alabama (6,180), and Missouri (1,275). Sheriffs, prosecutors, and district court judges see the impact a stymied misdemeanor justice system has. As the ADC jurisdictional population grows capacity must also grow. If capacity does not grow but the county jail backup does, the ability of law enforcement, prosecutors, and judges to protect their communities will be further diminished.

Projected End of Year ADC Population 2014-2035

Year	Males	Females	Total	Growth
2014	16453	1397	17850	
2015	16282	1402	17684	-166
2016	16161	1376	17537	-147
2017	16665	1413	18078	541
2018	16396	1403	17799	-279
2019	16188	1571	17759	-40
2020	14781	1313	16094	-1665
2021	15571	1429	17000	906
2022	16210	1411	17621	621
2023	16907	1567	18474	850
2024	17817	1618	19435	961
2025	18132	1659	19791	356
2026	18496	1680	20176	385
2027	18905	1700	20605	429
2028	19322	1724	21046	441
2029	19745	1752	21497	451
2030	20202	1778	21980	483
2031	20656	1809	22465	485
2032	21076	1833	22909	444
2033	21516	1864	23380	471
2034	21978	1897	23875	495
2035	22406	1933	24339	464

ADC Custody & Jurisdictional Population & Jail Backup

Fiscal Year	ADC Average Custody Count	ADC Jurisdictional Count	Difference Custody - Jx	ADC Backup
2013	14061	14825	764	391
2014	14558	16883	2325	2164
2015	15410	18021	2611	2396
2016	16050	18117	2067	1569
2017	15885	17824	1939	1256
2018	15637	18091	2454	1604
2019	15674	17876	2202	1552
2020	15079	16552	1473	1256
2021	14110	16560	2450	1646
2022	14733	17129	2396	1743
2023	15440	18213	2773	1971

Row Labels	Count of ADC#	Total Inmates	Non- ADC	Total Beds	% of Beds Taken by ADC Inmates
Benton County Backup List	137	705	568	669	20.48%
Crawford County Backup List	88	251	163	307	28.66%
Faulkner County Backup List	89	420	331	414	21.50%
Miller County Backup List	85	341	256	287	29.62%
Ouachita County Backup List	83	175	92	200	41.50%
Pope County Backup List	76	194	118	172	44.19%
Pulaski County Backup List	411	1341	930	1210	33.97%
Sebastian County Backup List	112	341	229	356	31.46%
Washington County Backup List	226	743	517	876	25.80%
White County Backup List	102	384	282	374	27.27%