

ARKANSAS CORRECTIONS: REENTRY, RECIDIVISM & BED CAPACITY

Thank you for the opportunity to discuss reentry and recidivism in Arkansas. This information is brought to you through analysis of how Arkansas can relieve pressure surrounding prison beds through measurable improvements in correctional throughput and successful reentry while also maintaining our laws regarding sentencing, consideration of victim(s), necessary discipline, Post-Prison Transfer Board discretion, and secure custody when current risk requires it.

— Celina Coleman-Hale

Arkansas Restorative Initiative

How much of Arkansas's current pressure can be safely reduced through better use of existing programming, release processes, supervision, treatment, and community resources before the remaining secure-bed need is determined?

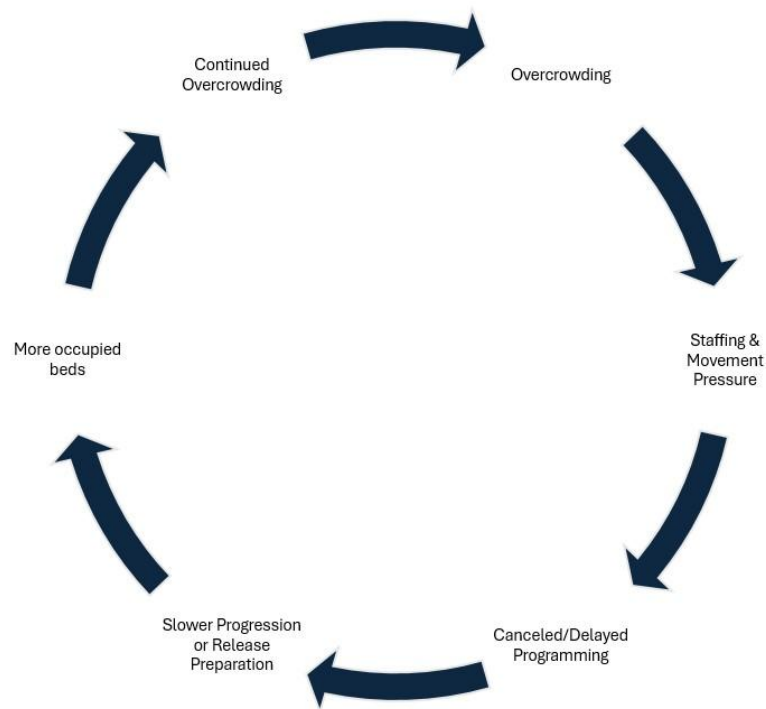
- 1.) On Sept. 1, 2026, ADC reported 16,804 people in units against a listed capacity of 15,362 (109.4%), with 2,351 people in county jail backup.
- 2.) This analysis and information intentionally sets no release quota. Eligibility is not release. Sentence requirements, present risk, serious institutional conduct, victim considerations, and other public safety factors can justify continued secure custody.
- 3.) Staffing, movement restrictions, program access, release processing, housing, treatment, supervision capacity, and preventable returns can add custody days even when no new physical bed has been created.
- 4.) Act 769 requires validated risk/needs assessment, individualized case plans, reassessment, evidence-based programming, and reentry coordination. Arkansas also has Institutional Release Services, ACC supervision and treatment, transitional housing, community providers, and PPTB review.
- 5.) Credit to capacity should come **only** from verified days in custody safely avoided, admissions prevented, or returns reduced. New crime, violent crime, supervision outcomes, and reentry stability are tracked at the same time.

ADC Units	Listed Capacity	Above Listed	County Backup	ACC Residential	ACC Supervision
16,804	15,362	1,442	2,351	2,029/2,092	71,876 total (444 filled/43 vacant)

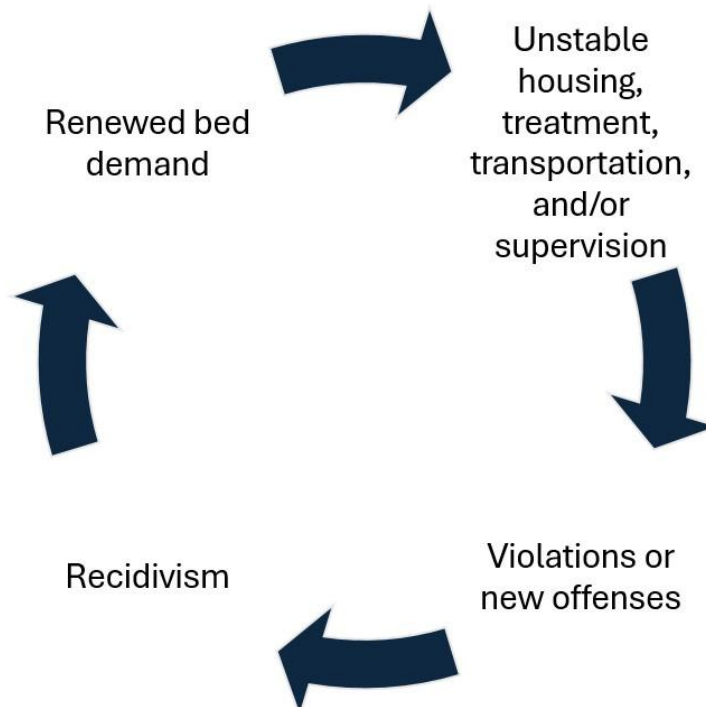
NOTE: This is the current capacity pressure as of September 2026. Additionally, the indicators of pressure aren't similar to construction requirements. ACC reported 487 authorized supervision officers, 444 filled positions, and 43 vacancies. Community capacity needs to be considered with institutional capacity.

TWO PRESSURIZED CYCLE (INTERNAL & EXTERNAL) TO MEASURE

INTERNAL PRESSURIZED CYCLE:



EXTERNAL PRESSURIZED CYCLE:



Annualized bed equivalents are calculated by multiplying the number of verified individuals affected by their verified avoidable custody days, then dividing that total by 365. However, a waiting list, eligibility count, or hypothetical approval rate does not automatically equate to a recovered bed.

The proposed framework does not allow for automatic releases, age-based release rules, or

guaranteed releases solely based on completed coursework. It maintains all PPTB discretion and victim input. Under this model, serious restrictions remain warranted for individuals with a history of violent, manipulative, escape, or weapons offenses, as well as those involved in trafficking or other security threatening conduct. Ultimately, the framework evaluates whether avoidable delays can be reduced without compromising established public safety standards.

SHORT TERM (0-18 MONTHS): USE EXISTING RESOURCES MORE PRECISELY

I. STAFFING, MOVEMENT AND PROGRAM ACCESS

- A. Record why a required program or class doesn't occur: staffing, lockdown/security, movement restriction, instructor shortage, medical restriction, transfer, disciplinary restriction, refusal, or other. Refusal by the individual and unavailability caused by the system should not appear as the same event in the data.
- B. Use Act 769 risk/needs information, time remaining, and Board-mandated or time-sensitive requirements to prioritize scarce slots. Where clinically and operationally appropriate, smaller groups, in-housing delivery, secure digital work, or alternate scheduling can preserve continuity when normal movement fails.

II. DISCIPLINE: PROPORTIONAL, CUMULATIVE AND CONNECTED TO RISK

- A. Discipline is necessary for order and staff safety. ADC FY2023 data show that common disciplinary categories included failure to obey staff, unexcused absence from work/school, out of place of assignment, failure to keep person/quarters within regulation, and insolence.
- B. A single lower-level infraction can receive an ordinary sanction. Repeated violations, deliberate manipulation, coordinated misconduct, escalation, or a safety threat can justify compounded restrictions. When safe, an unrelated lower-level sanction does not have to automatically interrupt treatment or another required risk-reduction activity. If security requires removal, document the reason and the delay it creates.

III. DRUG VIOLATIONS: ACCOUNTABILITY AND TREATMENT CAN OPERATE TOGETHER

- A. Drug possession, use, trafficking, or related contraband inside a prison can create legitimate security concerns and can be sanctioned. If assessment also shows active addiction or relapse risk, treatment addresses a separate public-safety problem: the condition that can continue after release.
- B. NIDA's criminal-justice treatment guidance supports monitoring drug use, predictable graduated sanctions for noncompliance, reinforcement of progress, and treatment adjustment when relapse is detected. Arkansas SURS programming at McPherson uses CBT and motivational interviewing and teaches refusal skills, coping with cravings, emergency planning, family recovery, and relapse prevention.

IV. PPTB: PRESERVE DISCRETION, MAKE CHANGEABLE CONCERNS CLEAR

- A. The August 2026 PPTB report includes deferrals for completion of CTE, RSVP, SURS, anger management, and mental-health evaluation, while denial/rewrite reasons also include factors such as nature and seriousness of the crime, institutional record, prior criminal history, victim-related factors, and violent history.
- B. A useful distinction is static versus changeable. Static factors can include offense seriousness, victim factors, and criminal history. Changeable factors can include institutional behavior,

treatment, programming, current validated risk, housing, substance-use stability, and release readiness. Where a concern is changeable, naming it gives the person and case staff a measurable target. Completion is evidence for later review, not an entitlement to release.

V. REENTRY: SCALE STAFF INTENSITY TO RISK, COMPLEXITY AND PROXIMITY TO RELEASE

- A. Arkansas already performs prerelease work: Institutional Release Officers complete a pre-release assessment and help establish a community supervision plan; a person cannot be released to community supervision without an approved plan. Community Supervision Officers investigate the residence and develop supervision goals after release.
- B. The practical option is tiered case management rather than intensive staff work for everyone at once: basic planning and documents early; more active housing, treatment, medication, benefits, employment/training and transportation work as release approaches; and concentrated case-management time for complex or release-ready cases where a barrier can delay release or increase the likelihood of return.
- C. Community and approved providers can handle defined navigation tasks under clear standards and outcome reporting. Correctional and supervision staff retain functions that require legal authority, security judgment, assessment, treatment decisions, or public-safety supervision.

SUCCESSFUL REENTRY IS PART OF CAPACITY MANAGEMENT

An incarcerated person's case should follow a practical, continuous pathway from the ADC case plan through Institutional Release Services, PPTB decision-making, ACC supervision, and authorized community providers to ultimately deliver measured outcomes. To support this interconnection, role specific access can safeguard private information while preventing agencies and providers from operating in **isolated silos**.

An effective reentry process incorporates support systems like housing, identification and vital records, treatment and medication continuity, transportation, employment or training, health benefits coverage, recovery and peer support, supervision appointments, and family or community support when appropriate. Not every individual requires every service; the intensity of the intervention should be tailored specifically to the person's assessed risk, criminogenic need, case complexity, and the specific barriers most likely to destabilize their release.

MEASURE PUBLIC SAFETY AND CAPACITY TOGETHER

Measure	Baseline	90 / 180 / 365-day follow-up
Public safety	New arrests, convictions, violent new offenses	Compare directly; do not hide tradeoffs
Supervision	Technical, new crime, absconding, mixed violations	Type, frequency, sanction and custody response
Stability	Housing, treatment, medication, employment/training	Continuity and sustained participation
Return to custody	Reason and days	Separate preventable returns from new-crime returns
Capacity	Program/release delay days + occupied custody days	Verified days reduced / 365

EXAMPLE ON HOW CAPACITY RECOVERY WOULD BE COUNTED

Illustrative purposes only: 40 people are otherwise progressing toward lawful release, but required programming, housing approval, or release processing adds an average of 60 custody days. Existing resources reduce the avoidable portion by 30 days.

**40 people x 30 fewer days = 1,200 custody days | 1,200 / 365 =
about 3.3 annualized bed equivalents**

NOTE: Any avoided return to custody is counted separately only after it is observed and supported by outcome data. The example does not assume that 40 people equal 40 open beds.

LONG-SERVING CASES: REASSESS CURRENT RISK, NOT AGE ALONE

The National Institute of Justice (NIJ) describes the age-crime curve and cessation as well-established patterns, and U.S. Sentencing Commission data show lower recidivism among older federal offenders. These are not Arkansas release predictions. They support using age at offense, current age, years served, institutional trajectory, current validated risk, victim considerations, and release readiness together when individualized reassessment is legally available.

Long-term (2-5 years): Connect one core case plan across ADC, release services, PPTB and ACC; standardize provider referral, acceptance and outcome reporting; maintain program delivery options that can function during reasonable movement disruptions; measure facility and community capacity by geography and treatment need; and use repeated Arkansas outcome data to direct staff and funding toward interventions that demonstrably reduce new offending, avoidable delay, or return to custody.

RESIDUAL BED QUESTION

To determine the remaining secure bed need, subtract verified avoidable custody days, sustainable and outcome-supported alternatives, and reduced preventable returns from the current documented pressure.

Note: If substantial secure capacity remains necessary after those factors are measured, the remaining need is clearer. If measurable operational and reentry improvements reduce pressure, those gains can be incorporated before sizing additional capacity.

REFERENCES

- American Bar Association. (2011). *ABA standards for criminal justice: Treatment of prisoners* (3rd ed.). https://www.americanbar.org/groups/criminal_justice/resources/standards/treatment-of-prisoners
- American Correctional Association, & Commission on Accreditation for Corrections. (2024). *Ronald McPherson Unit, Arkansas Division of Correction: Accreditation audit report*. Arkansas Department of Corrections. <https://media.ark.org/doc/McPherson-2024.pdf>
- Arkansas Community Correction. (2026, September 1). *ACC supervision population: Caseloads/workloads* [Legislative Exhibit E]. Arkansas General Assembly. https://arkleg.state.ar.us/Home/FTPDocument?path=%2FAssembly%2FMeeting+Attachments%2F060%2F28005%2FEx+E+ACC+Caseloads+QUARTERLY+_119_1825920905989360996.pdf
- Arkansas Department of Corrections. (n.d.). *Parole/post-release supervision process*. <https://doc.arkansas.gov/post-release-supervision-process>
- Arkansas Department of Corrections. (n.d.). *Programs & services*. <https://doc.arkansas.gov/community-correction/programs-services>
- Arkansas Department of Corrections. (2023). *FY 2023 annual report*. <https://media.ark.org/doc/FY23-Annual-Report-02.05.2025.pdf>
- Arkansas Department of Corrections, Division of Correction. (2025, July). *ADC director's board report: July 2025*. Arkansas Department of Corrections. https://media.ark.org/doc/Division-of-Correction-Directors-Board-Report_-July-2025.pdf
- Arkansas Department of Correction. (2026, September 1). *Statewide population report: ACC option* [Exhibit H.1(b)]. Arkansas General Assembly. <https://www.arkleg.state.ar.us/Home/FTPDocument?path=%2FAssembly%2FMeeting+Attachments%2F000%2F28013%2FExhibit+H.01.b+-+DOC+-+ACC+-+Inmate+Population+Report+as+of+9-1-2026.PDF>
- Arkansas Department of Correction. (2026, September 1). *Statewide population report: ADC option* [Exhibit H.1(c)]. Arkansas General Assembly. <https://www.arkleg.state.ar.us/Home/FTPDocument?path=%2FAssembly%2FMeeting+Attachments%2F000%2F28013%2FExhibit+H.01.c+-+DOC+-+ADC+-+Inmate+Population+Report+as+of+9-1-26.PDF>
- Act 769 of 2025*, 95th Gen. Assemb., Reg. Sess. (Ark. 2025). <https://www.arkleg.state.ar.us/Home/FTPDocument?path=%2FACTS%2F2025R%2FPublic%2FACT769.pdf>
- Kazemian, L. (2021, November 8). *Pathways to desistance from crime among juveniles and adults: Applications to criminal justice policy and practice*. National Institute of Justice. <https://nij.ojp.gov/topics/articles/pathways-desistance-crime-among-juveniles-and-adults-applications-criminal-justice>
- National Institute on Drug Abuse. (2014). *Principles of drug abuse treatment for criminal justice populations: A research-based guide* (Rev. ed.). National Institutes of Health. https://nida.nih.gov/sites/default/files/podat_cj_guide_508.pdf

Post-Prison Transfer Board. (2026, August). *Post-Prison Transfer Board decisions by race and crime: August 1–31, 2026* [Exhibit H.1(a)]. Arkansas General Assembly.
<https://www.arkleg.state.ar.us/Home/FTPDocument?path=%2FAssembly%2FMeeting+Attachments%2F000%2F28013%2FExhibit+H.01.a+-+DOC+-+PPTB+-+Report+as+of+August+1,+2026.pdf>

United States Sentencing Commission. (2017, December 7). *The effects of aging on recidivism among federal offenders*. <https://www.ussc.gov/research/research-reports/effects-aging-recidivism-among-federal-offenders>