

1 State of Arkansas
2 95th General Assembly
3 Regular Session, 2025
4

A Bill

SENATE BILL 590

5 By: Senator Gilmore
6 By: Representative Beaty Jr.
7

For An Act To Be Entitled

9 AN ACT TO CREATE THE RECIDIVISM REDUCTION SYSTEM
10 WITHIN THE DEPARTMENT OF CORRECTIONS; TO DECLARE AN
11 EMERGENCY; AND FOR OTHER PURPOSES.
12
13

Subtitle

15 TO CREATE THE RECIDIVISM REDUCTION
16 SYSTEM WITHIN THE DEPARTMENT OF
17 CORRECTIONS; AND TO DECLARE AN
18 EMERGENCY.
19

20 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
21

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

24 Subchapter 9. – Recidivism Reduction System
25

26 12-29-901. Legislative findings and intent.

27 (a) The General Assembly finds that:

28 (1) Recidivism rates reflect not just the behavior of a person
29 after reentry into society, but the correctional system’s response to that
30 person’s behavior during his or her term of incarceration; and

31 (2) The recidivism rate for the Department of Corrections for
32 the 2019 cohort was forty-eight and three-tenths percent (48.3%), resulting
33 in anticipated costs for reincarceration of over one hundred forty million
34 dollars (\$140,000,000) annually.

35 (b) The General Assembly intends for the Department of Corrections to:

36 (1) Harness the opportunity of incarceration by beginning



1 reentry preparation for those incarcerated upon the first day of
2 incarceration through the development and expansion of coordinated evidence-
3 based programming, educational systems, and reentry services that support
4 intended outcomes of incarceration, avert the costs of recidivism, and
5 enhance public safety; and

6 (2) Embrace a correctional philosophy that reentry preparation
7 must begin on the first day of incarceration and adopt policies and rules
8 that result in reduction of the recidivism rate of people released from the
9 Division of Correction and under the supervision of the Division of Community
10 Correction.

11
12 12-29-902. Definitions.

13 As used in this subchapter:

14 (1) "Case plan" means an individualized plan developed by the
15 Department of Corrections that identifies the available programs or
16 meaningful activities that address the needs of an inmate and reduce an
17 inmate's risk of recidivism;

18 (2) "Program or meaningful activity" means an evidence-based activity
19 provided to an inmate to address factors that lead to recidivism.

20 (3) "Recidivism" means a criminal act that results in the rearrest,
21 reconviction, or return to incarceration of a person with a new sentence or
22 the revocation of parole or post-release supervision during a three-year-
23 period following the person's release from custody; and

24 (4) "Validated risk and needs assessment" means a standardized
25 evaluation process that quantifies an inmate's risk of recidivism.

26
27 12-29-903. Establishment.

28 (a)(1) There is established the Recidivism Reduction System within the
29 Department of Corrections.

30 (2) The system shall be established at the cabinet level rather
31 than within the Division of the Correction or Division of Community
32 Corrections to address the factors that lead to recidivism.

33 (b) The Secretary of the Department of Corrections shall develop and
34 implement the system so that the system:

35 (1) Includes a validated risk and needs assessment to be
36 administered as part of the intake process, ensuring that the results

1 distinguish the different rates of failure;

2 (2) Assigns an inmate to appropriate programs or meaningful
3 activities, through development of an individualized case plan;

4 (3) Provides for periodic reassessment of the recidivism risk of
5 each inmate using an appropriate reassessment tool;

6 (4) Provides evidence-based programming; and

7 (5) Incorporates incentives and disincentives to encourage an
8 inmate to participate in his or her case plan.

9 (c) The secretary may:

10 (1) Add components to the system beyond those required by this
11 subchapter to further enhance the system and achieve the desired correctional
12 outcomes; and

13 (2) Expand the effective programs or meaningful activities that
14 are offered and add any new program or meaningful activity necessary to
15 effectively implement this subchapter.

16
17 12-29-904. Risk and needs assessment – Case plan – Periodic
18 reassessment.

19 (a) A validated risk and needs assessment shall be conducted at the
20 time of intake for each inmate.

21 (b)(1) A case plan shall be developed for each inmate based on the
22 findings of the validated risk and needs assessment to assign an inmate to
23 appropriate programs or meaningful activities to reduce the inmate's risk of
24 recidivism.

25 (2) The case plan shall:

26 (A) Serve as an individual road map tailored to an
27 inmate's specific risks, needs, and time to serve including assigned programs
28 or meaningful activities;

29 (B) Be developed to ensure that an inmate receives the
30 appropriate services for his or her needs that are delivered with the
31 intensity and frequency necessary to reduce the inmate's risk of recidivism;
32 and

33 (C) Be updated after a reassessment under subsection (c)
34 of this section to reassign the inmate to appropriate programs or meaningful
35 activities based on the revised determination, the specific needs of the
36 inmate, and the successful completion of programs or meaningful activities.

1 (3) An inmate's case plan shall be discussed with the inmate and
2 a written or electronic copy of the results shall be made available to the
3 inmate.

4 (c) An inmate's risk of recidivism shall be reassessed periodically
5 using dynamic risk factors, indicators of progress, and indicators of
6 regression, including without limitation newly acquired skills and changes in
7 attitude and behavior over time.

8
9 12-29-905. Programming.

10 (a)(1) The Recidivism Reduction System shall include guidance on the
11 kind and amount of programs or meaningful activities that should be assigned
12 to an inmate.

13 (2) The guidance shall include protocols for the Department of
14 Corrections to tailor placement in programs or meaningful activities to the
15 specific needs of each inmate to most effectively reduce his or her
16 individual risk of recidivism.

17 (b) An inmate shall be assigned to a program or meaningful activity
18 that corresponds with the inmate's risk of recidivism in accordance with the
19 inmate's needs such that the higher the inmate's risk of recidivism, the more
20 programs or meaningful activities the inmate will be assigned.

21 (c) An inmate shall participate in programs or meaningful activities
22 throughout the inmate's entire term of incarceration.

23 (d) The department shall produce, publish, and update annually a
24 catalog containing an inventory of programs or meaningful activities offered
25 at each institution including without limitation the following information
26 for each program or meaningful activity:

27 (1) The title of the program or meaningful activity;

28 (2) A description of the program or meaningful activity;

29 (3) The facility or facilities at which a program or meaningful
30 activity is offered;

31 (4) The risk and needs that the specific program or meaningful
32 activity addresses;

33 (5) The program or meaningful activity delivery method such as
34 in-person learning, digital or virtual learning, self-paced learning,
35 instructor-led learning; and

36 (6) If the program or meaningful activity is led by an

1 instructor or provider, the minimum qualifications and title of the
2 instructor or provider.

3 (e) The department shall provide programs or meaningful activities
4 that include without limitation:

5 (1) Academic and career technical education including functional
6 literacy, a general educational development program, a high school diploma
7 program, post-secondary education, and opportunities for inmates with
8 learning disabilities;

9 (2) Substance abuse and sex offender education and treatment;

10 (3) Self-improvement programs such as cognitive behavioral
11 therapy and cognitive restructuring and reentry preparation;

12 (4) Family and faith-based programs; and

13 (5) Skills development opportunities through work assignments.

14 (f) Through the system and after accounting for institutional security
15 and the safety of each inmate and member of staff at the facility, the
16 department shall group and house together inmates with a similar risk of
17 recidivism if practicable.

18

19 12-29-906. Incentive system.

20 (a)(1) The Recidivism Reduction System shall incorporate incentives
21 and rewards for inmates to participate and complete assigned programs or
22 meaningful activities.

23 (2) An inmate who is successfully participating in his or her
24 assigned program or meaningful activity and demonstrates sustained prosocial
25 behavior shall receive incentives which may include without limitation:

26 (A) Extended phone privileges;

27 (B) Extended time for in-person or video visitation;

28 (C) Increased commissary spending limits;

29 (D) Additional personal property;

30 (E) Preferential work assignments;

31 (F) Skilled work assignments; or

32 (G) Extended or additional recreation activities.

33 (3) Incentives under this section shall be in addition to any
34 other rewards, incentives, and activities for which an inmate may be
35 eligible.

36 (b)(1) The system shall incorporate disincentives for an inmate who

1 violates Department of Corrections rules or fails to meet the participation
2 expectations for a program or meaningful activity.

3 (2) An inmate who refuses to attend an assigned program or
4 meaningful activity included in his or her case plan after being offered the
5 opportunity to participate shall be ineligible for incentives.

6 (3) An inmate who is enrolled in a program or meaningful
7 activity included in his or her case plan and is subsequently removed for
8 failure to maintain eligibility requirements or meet participation
9 expectations shall be ineligible for incentives until being reenrolled in a
10 program or meaningful activity in accordance with his or her case plan.

11
12 12-29-907. Partnerships.

13 (a) The Recidivism Reduction System shall include policies for the
14 Department of Corrections to enter partnerships with:

15 (1) A nonprofit or other private organization that will deliver
16 programs or meaningful activities on a volunteer basis, including without
17 limitation faith-based, art-based, and community-based organizations;

18 (2) An institution of higher education that will provide
19 instruction on a volunteer basis or through scholarships, Pell Grants, or
20 other means not impacting the department's budget;

21 (3) Private entities that will:

22 (A) Deliver career technical education, vocational
23 training, or certifications;

24 (B) Provide equipment to facilitate career technical
25 education, vocational training, or employment opportunities for inmates; or

26 (C) Employ inmates or assist inmates in finding
27 employment; and

28 (4) Industry-sponsored organizations that will deliver workforce
29 development, apprenticeships, or training on a voluntary or no cost basis or
30 for a licensure fee only.

31 (b) The department shall coordinate with the Chief Workforce Officer
32 annually to ensure career technical education programs and other relevant
33 programs align with community workforce opportunities upon reentry.

34
35 12-29-908. Programming priority ranking.

36 (a) An inmate shall be ranked for priority in program or meaningful

1 activity placement through a priority ranking report developed by the
2 Department of Corrections.

3 (b) A priority ranking report shall be used for placement
4 consideration by prioritizing those inmates with the highest risk of
5 recidivism.

6 (c) Each inmate shall be prioritized to complete a specific program or
7 meaningful activity during his or her incarceration.

8 (d) Programming priority shall:

9 (1) Be based on the results of an inmate's validated risk and
10 needs assessment; and

11 (2) Take into consideration an inmate's sentence length and the
12 time remaining for an inmate to serve.

13 (e) Subject to custody classification restrictions, personnel
14 facilitating a program or meaningful activity shall utilize the priority
15 ranking report to identify and place an inmate into a program or meaningful
16 activity by his or her rank.

17
18 12-29-909. Inmate ineligibility.

19 An inmate shall not be eligible to participate in an educational
20 program if he or she is:

21 (1) Housed in maximum custody or detention, except where a
22 digital learning educational program is available;

23 (2) Sentenced to death;

24 (3)(A) A citizen or national of a foreign country that is
25 legally present in the United States and subject to a detainer or a removal
26 order.

27 (B) However, a citizen or national of a foreign country
28 that is legally present in the United States without a detainer or removal
29 order may be eligible for educational programming; or

30 (4) A citizen or national of a foreign country that is not
31 legally present in the United States.

32
33 12-29-910. Reentry preparation and services.

34 (a)(1) There is created the position of Deputy Director of Reentry
35 within the Department of Corrections.

36 (2) The deputy director shall:

1 (A) Identify the reentry needs of the inmate population
2 and develop a reentry preparation program for the department to address the
3 needs identified in accordance with this subchapter; and

4 (B) Develop and update annually a reentry handbook with
5 relevant transition information.

6 (b) The department shall designate one (1) or more reentry
7 coordinators at each correctional facility who is dedicated to and
8 experienced in reentry preparation, including without limitation employment
9 and housing counseling.

10 (c) A reentry coordinator shall develop, with the input of the inmate:

11 (1) A reentry plan for each inmate as described in § 12-29-112;

12 (2) A post-release housing plan; and

13 (3) A post-release employment plan.

14 (d) A reentry coordinator shall:

15 (1) Provide reentry preparation that includes without limitation
16 in-person or digital learning modules that contain information pertinent to
17 transitioning from incarceration to community and family reunification;

18 (2) Ensure that the inmate receives:

19 (A) The documentation required under § 12-29-112;

20 (B) Information regarding any fines, fees, or child
21 support for which the inmate may be responsible upon release; and

22 (C) A copy of the reentry handbook described in
23 subdivision (a)(2)(B) of this section;

24 (3) Coordinate with the Department of Health regarding benefits
25 that are available to the inmate upon release;

26 (4) Coordinate with Division of Workforce Services and Chief
27 Workforce Officer to help the inmate:

28 (A) Develop workforce connections;

29 (B) Craft an effective resume;

30 (C) Complete job applications; and

31 (D) Attend job fairs;

32 (5) Aid in establishing a relationship between the inmate and a
33 medical provider and transfer medical records to the medical provider or to
34 the inmate directly to ensure continuity of care;

35 (6) Coordinate with the Department of Veterans Affairs to ensure
36 that an inmate who is a veteran is aware of and has access to any services

1 for which he or she is eligible upon release from incarceration; and

2 (7)(A) Ensure that an inmate who has been diagnosed with a
3 serious mental illness, substance use disorder, or significant cognitive
4 impairment, including without limitation an intellectual disability or
5 traumatic brain injury, is able to engage in the appropriate health and
6 behavioral health services upon release.

7 (B) For an inmate with a substance use disorder,
8 subdivision (d)(7)(A) of this section includes without limitation a referral
9 to a medicated-assisted-treatment center and a prescription for medication to
10 treat an opioid use disorder.

11 (e) There is established a Reentry Hotline within the Department of
12 Corrections that shall operate during business hours and be available to
13 post-release inmates for assistance with information and referral to
14 transition services.

15
16 12-29-911. Reporting.

17 The Board of Corrections shall include the following in the report
18 required by § 12-27-104:

19 (1) A summary of the Department of Corrections' activities and
20 accomplishments under this subchapter;

21 (2) A summary of the types of programs or meaningful activities
22 that are available to inmates in each correctional facility;

23 (3) A summary of the effectiveness of the programs or meaningful
24 activities that are available to inmates in each correctional facility;

25 (4) The capacity of the Arkansas Correctional School District
26 and each program or meaningful activity at each correctional facility,
27 including without limitation the enrollment and utilization, the rate of
28 completion, and the number of apprenticeships, diplomas, certificates, and
29 degrees conferred;

30 (5) A summary of any shortage of capacity or lack of utilization
31 that the department has identified;

32 (5) The number of volunteer partnerships the department has
33 entered;

34 (6) The number of employers that the department works with under
35 this subchapter;

36 (7) The number of inmates participating in a work release

1 program and a list of the job titles or positions held;

2 (8) The number of inmates participating in digital or virtual
3 education, programming, and literacy training and the number of hours
4 completed for digital or virtual education, programming, and literacy
5 training;

6 (9) A summary of a decrease in recidivism that may be attributed
7 to implementation of the Recidivism Reduction System or the increase in
8 programs or meaningful activities; and

9 (10) A summary of cost savings or cost avoidance that may be
10 attributed to the Recidivism Reduction System or the increase in programs or
11 meaningful activities.

12
13 12-29-912. Reclassification of correctional officer positions.

14 (a) The Secretary of the Department of Corrections shall reclassify up
15 to one hundred fifty (150) vacant correctional officer positions to create an
16 appropriate number of Recidivism Reentry System positions necessary to comply
17 with this subchapter.

18 (b) If after reclassification, all vacant correctional officer
19 positions are filled and the positions having been reclassified are
20 determined necessary to fulfill the department's mission, the secretary may
21 seek reestablishment of the reclassified correctional officer position
22 through a legislative request for new funding appropriation to reestablish
23 some or all the reclassified positions.

24
25 12-29-913. Audit.

26 (a) To ensure the Department of Corrections implements and operates
27 the Recidivism Reduction System as required under this subchapter and any
28 developed rules or policies, the Department of Inspector General shall
29 conduct biennial audits to assess system utilization, adherence, and
30 outcomes.

31 (b) The audits under subsection (a) of this section shall be provided
32 to the Department of Corrections and the Charitable, Penal and Correctional
33 Institutions Subcommittee of the Legislative Council and be published to the
34 website of the Department of Corrections.

35 (c) If the Department of Inspector General identifies noncompliance in
36 an audit under subsection (a) of this section, the Department of Corrections

1 shall provide a corrective action plan to the Department of Inspector General
2 with date certain remedy which shall be reinspected by the Department of
3 Inspector General to verify that the noncompliance has been remedied.

4
5 12-29-914. Rulemaking.

6 The Secretary of the Department of Corrections may promulgate rules to
7 implement this subchapter.

8
9 SECTION 3. DO NOT CODIFY. Temporary language.

10 Within one hundred eighty (180) days of the effective date of this act,
11 the Secretary of the Department of Corrections shall:

12 (1) Develop and implement the Recidivism Reduction System;

13 (2) Develop a plan for each current inmate in the custody of the
14 Department of Corrections to be assessed under a validated risk and needs
15 assessment by December 31, 2026; and

16 (3) Ensure that each inmate in the custody of the department is
17 ranked for placement in programs and meaningful activities through a priority
18 ranking report.

19
20 SECTION 4. DO NOT CODIFY. Temporary language.

21 Prior to December 31, 2025, the Superintendent of the Arkansas
22 Correctional School District, in coordination with the Department of
23 Education, shall present to the Charitable, Penal and Correctional
24 Institutions Subcommittee of the Legislative Council a plan to implement, at
25 minimum, the following improvements to correctional education:

26 (1) Establish a year-round school calendar with at least two
27 hundred eight (208) days of instructional time;

28 (2) Establish a high school diploma program;

29 (3) Establish a literacy program that ensures that an inmate
30 testing below an eighth-grade literacy standard is enrolled in a minimum of
31 fifteen (15) hour per week of literacy remediation until the inmate reaches
32 an eighth-grade literacy standard; and

33 (4) Analyze the cost-effectiveness of privatization of the
34 general educational development program.

35
36 SECTION 5. EMERGENCY CLAUSE. It is found and determined by the

1 General Assembly of the State of Arkansas that a high rate of recidivism
2 threatens the safety of the state; that the Recidivism Reduction System is
3 designed to meaningfully address the current high rate of recidivism; and
4 that this act is immediately necessary to begin implementing the Recidivism
5 Reduction System and address the high rate of recidivism and the danger it
6 poses to the people of the state. Therefore, an emergency is declared to
7 exist, and this act being immediately necessary for the preservation of the
8 public peace, health, and safety shall become effective on:

9 (1) The date of its approval by the Governor;

10 (2) If the bill is neither approved nor vetoed by the Governor,
11 the expiration of the period of time during which the Governor may veto the
12 bill; or

13 (3) If the bill is vetoed by the Governor and the veto is
14 overridden, the date the last house overrides the veto.

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