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**ARKANSAS
DEPARTMENT OF CORRECTION,
SENTENCING COMMISSION,
& DEPARTMENT OF COMMUNITY CORRECTION**

**TEN-YEAR ADULT SECURE POPULATION PROJECTION
2014 – 2024**

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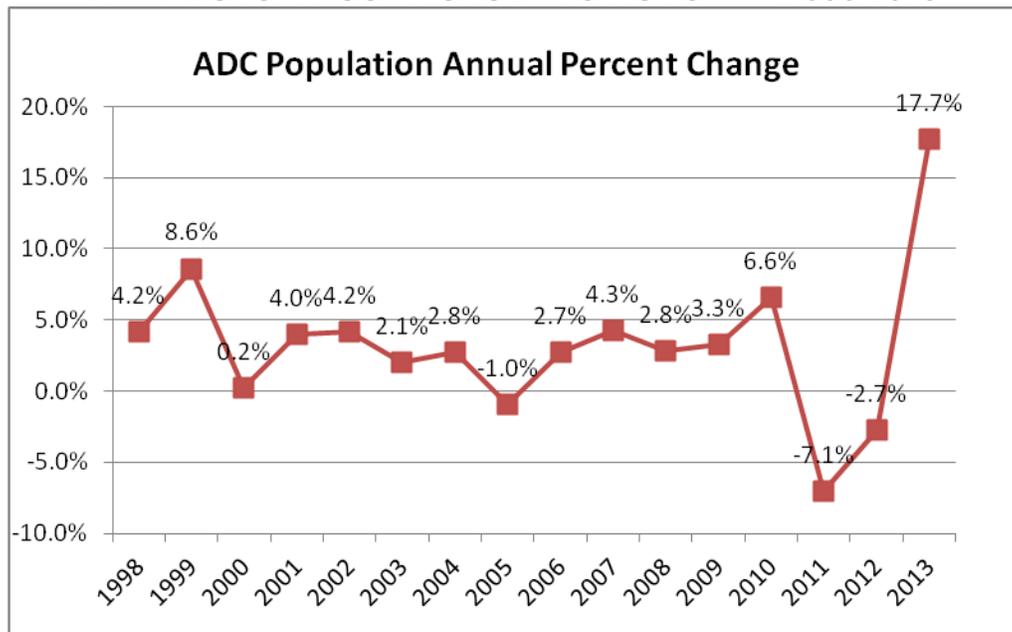
April 2014

EXECUTIVE SUMMARY

The 17.7 percent increase in the Arkansas prison population in 2013

The Arkansas Department of Correction (ADC) saw an explosion in its prison population in 2013. At year end 2012, the ADC population was 14,627. By year end 2013, the population had increased by 17.7 percent to 17,211 (See Figure 3). The most recent count available (March 2014) puts the ADC total responsible population at 17,371. To put this growth in perspective Figure 1 below compares the one year population change for the ADC from 1998 to 2013.

Figure 1
ARKANSAS PRISON POPULATION GROWTH 1998-2013



Source: Arkansas Sentencing Commission ADC Population Monitoring Report

The one year change in the ADC population in 2013 is 105.8 percent greater than the largest one year increase (1999) in the previous 15 years tracked. The purpose of this report is to present the trends in the ADC prison population, analyze any external factors that impact this population and establish a baseline prison population projection. The projections were generated by JFA Associates (JFA) utilizing its proprietary simulation model which mimics the prison system and builds in policy assumptions. With a dramatic change in a prison system such as the 17.7 percent one year increase, it becomes very difficult to produce an accurate forecast as there are no long term established trends to serve as a base. In situations like this, it becomes crucial to determine the underlying reasons in order to establish a feasible baseline forecast for planning and decisions making purposes.

The following is a summary and analysis of the reasons for the dramatic one year 2013 ADC population increase:

1. An increase in total parole revocation hearings held which in turn led to an increase in the number parole revocations to prison.
2. An increase in both new charge parole revocations and reintroduction of a large volume of technical violators returned to prison -- most notable in seriousness levels 1-6.
3. Increase in new commitments to prison – most notably in seriousness levels 2-5.

A more detailed discussion of these reasons follows.

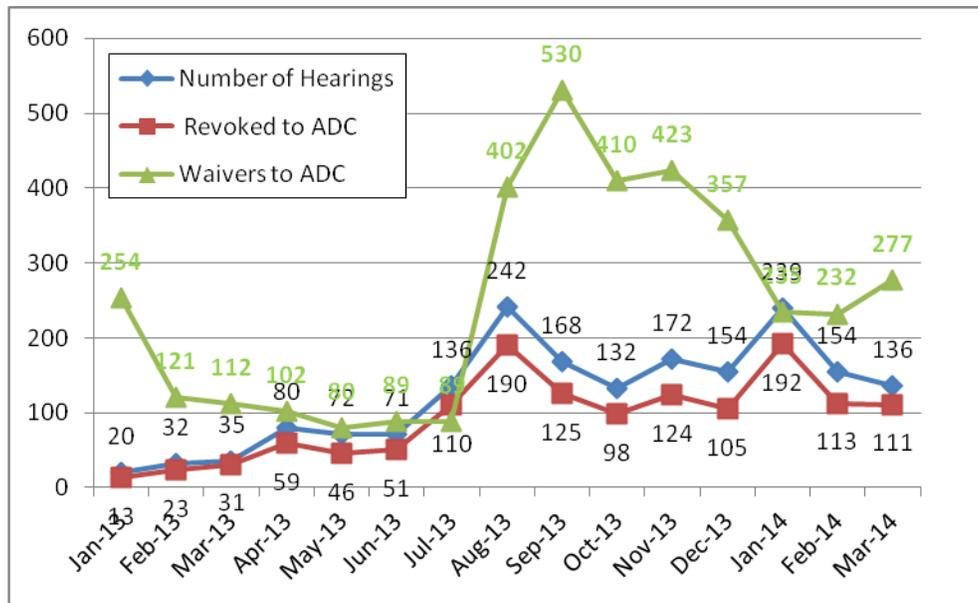
1. Increase in parole revocation hearings and resultant revocations to prison.

The number of parole revocation hearings increased exponentially in the latter part of 2013. From January to March of 2013, an average of 29 revocation hearings were held each month, from March to June an average of 74 revocation hearings were held per month and from July to December an average of 170 hearings were held per month . These figures represent a 300% increase in the total number of revocation hearings held in the latter six months of 2013.

The number of waivers to the ADC also increased dramatically in the second half of 2013. From January to June 2013, waivers averaged 126 per month. From July to December waivers averaged 369 per month. This represents a 192.8 percent increase.

It should be noted that while the number of revocation hearings increased, the percentage of revocations per hearing (revocation rate) did not change – averaging 74.6 percent for all of 2013. As a result, the number of persons revoked to ADC for a violation increased significantly. (See Figure 2).

**Figure 2
PAROLE HEARINGS AND NUMBER OF REVOCATIONS AND WAIVERS
JAN. 2013 – MARCH 2014**



Quarter	Jan-Mar '13	Apr-Jun '13	Jul-Sep '13	Oct-Dec '13	Jan-Mar '14
Average Revocations per month	22	52	142	109	139
Average Waivers per month	162	90	340	397	248
Total Average Returns to ADC per month	184	142	482	506	387

Source: Arkansas Parole Board

2. An increase in new charge parole revocations and reintroduction of a large volume of technical violators returned to prison.

Starting in 2005, the Arkansas Board of Corrections set policy that any technical parole violator was eligible to enter the Department of Community Correction's (ACC) Technical Violator program as an alternative to re-incarceration to prison. The Technical Violator program (TVP) provided approximately 60 to 90 days of residential confinement followed by applied aftercare programming in a community setting. Within the TVP, the violator worked with counselors to identify factors contributing to his/her parole violations and develop strategies for achieving and maintaining compliance. Technical

violators would be able to continue to cycle through this system unless a new crime was committed or the Arkansas Board of Corrections chose to revoke the case to prison.

The TVP greatly reduced the number of technical violators returning to prison. According to The ACC Statewide Activity Report, between 2004 and 2005, the number of technical violators returned to prison decreased by 71.8 percent. Lower levels of technical violator returns to prison remained constant between 2005 and 2012.

Beginning in 2013, the low technical violator return to prison rate trend took a dramatic turn when, according to the ACC Statewide Activity Report, between 2012 and 2013 the number of technical violators revoked to the ADC increased by 457.0 percent. The reasons for this increase are two fold; (1) more technical violators were being revoked to ADC; and (2) several policy changes were enacted by the Arkansas Board of Corrections in 2013 (listed in the sentencing section of the main report) which required a larger number of offenders to remain in jail while awaiting a full revocation hearing. Further, the definition of a technical violator has narrowed to no longer include persons on supervision arrested for low level felony charges. These low level arrests are now being held in jail and revoked back to the ADC rather than being waived to the TVP.

As a result, total parole violation admissions to the ADC between 2012 and 2013 saw a particularly large increase-particularly among males in seriousness levels 1 through 6 (See Table 1) This level increased by 1,589 cases, or 144.1 percent, between 2012 and 2013. Of the 2,692 males in seriousness levels 1 through 6 admitted for a parole violation in 2013, 26.9 percent were violated for a technical violation and 70.5 percent were violated for a new charge.

The number of female parole violators in seriousness groups 1 through 6 increased by 193 cases, or 260.8 percent, between 2012 and 2013. Of the 267 females in security groups 1 through 6 admitted for a parole violation in 2013, 28.8 percent were violated for a technical violation and 67.8 percent were violated for a new charge.

Evidence of an increase in new crime parole violation returns can be demonstrated when it is assumed that all parole violators return to ADC in 2012 were for new crimes committed. In 2012, new crime parole violators numbered 1,639 cases. In 2013, the number of new crime parole violators numbered 2,845. This is a 73.6 percent increase most likely due to a more aggressive revocation practices by the Board of Corrections and a broadening of the level of new charges being considered ineligible for TVP diversion. In addition to a marked increase in new crime parole revocations, an additional 991 offenders were admitted for purely technical revocations. Previously these offenders would not have been admitted to ADC in large numbers. The Arkansas Parole Board estimates the length of stay for purely parole technical revocations to be 7 months.

The result of increased parole revocations, both for new crimes and technical violations, returned to ADC is estimated to be approximately 2,500 beds (see Table 2).

The increased bed-space impact is comprised of a large initial increase followed by stacking of incoming violators over the next five years.

The over-arching cause for all increased revocations is thought to be related to a significant event that occurred in 2013 concerning crimes committed by a person on parole supervision. Policy changes and increased revocations appear to be the systems response to this event.

**TABLE 1
PAROLE VIOLATORS (PV) ADMITTED TO ADC IN 2012 AND 2013**

Seriousness Level	2012 PV Admits (New charge)	2013 PV Admits (New charge)	2013 PV Admits (Technical)	2013 PV Admits (Other)	2013 PV Admits (Total)	Change in Total PV 2012-2013	2012 PV Avg. LOS (mos.)	2013 PV Avg. LOS (mos.)
Males	1,547	2,613	902	90	3,605	2,058	19.5	19.0
SC group 1-6	1,103	1,897	723	72	2,692	1,589	17.8	15.6
SC group 7-10	444	716	179	18	913	469	24.2	25.3
Females	92	232	89	11	332	240	17.0	13.9
SC group 1-6	74	181	77	9	267	193	16.2	13.2
SC group 7-10	18	51	12	2	65	47	18.5	16.2
Total	1,639	2,845	991	101	3,937	2,298	19.4	18.6

Source: ADC data extract admissions file 2013; Excludes lifers and 50 and 70%ers

**TABLE 2
PAROLE VIOLATOR BED SPACE IMPACT**

Violation Type/ Gender	Bed Space Impact
Male Technical	526
Male New Charge 1-6	842
Male New Charge 7-10	992
Female Technical	52
Female New Charge 1-6	109
Female New Charge 7-10	44
Total	2,565

3. Increase in new crime commitments to prison.

An increase in new commitment admissions has also contributed to the increase in the prison population in 2013. The number of new crime commitments increased by 712 admissions between 2012 and 2013 with seriousness levels 2, 3 and 6 having particularly steep increases – 156 increase in level 2, 313 in level 3 and 200 in level 6. When looking at specific crimes with the largest increases in new admissions between 2012 and 2013 in seriousness levels 2, 3 and 6, the following are significant:

<u>Crime</u>	<u>Percent Increase</u> <u>2012 – 2013 admissions</u>
Level 2	
Possession of firearm by certain person	80.0%
Terroristic threatening	90.9%
Theft by receiving \$1,000 <= \$5,000	200.2%
Theft of property \$1,000 < \$5,000	192.9%
Level 3	
Breaking and entering	130.3%
Domestic battering – 3 rd degree	55.3%
Forgery	63.4%
Possession controlled substance schedule I, II meth/cocaine < 2g	109.1%
Level 6	
Delivery meth/cocaine < 2g	216.7%
Possession drug paraphernalia to man. meth/cocaine	135.4%
Residential burglary	35.1%

Factoring in the average sentences for new commitments, JFA estimates that the rise in new commitment admissions has increased bed-space needs in the ADC by 812 beds. These impacts are detailed in Table 3.

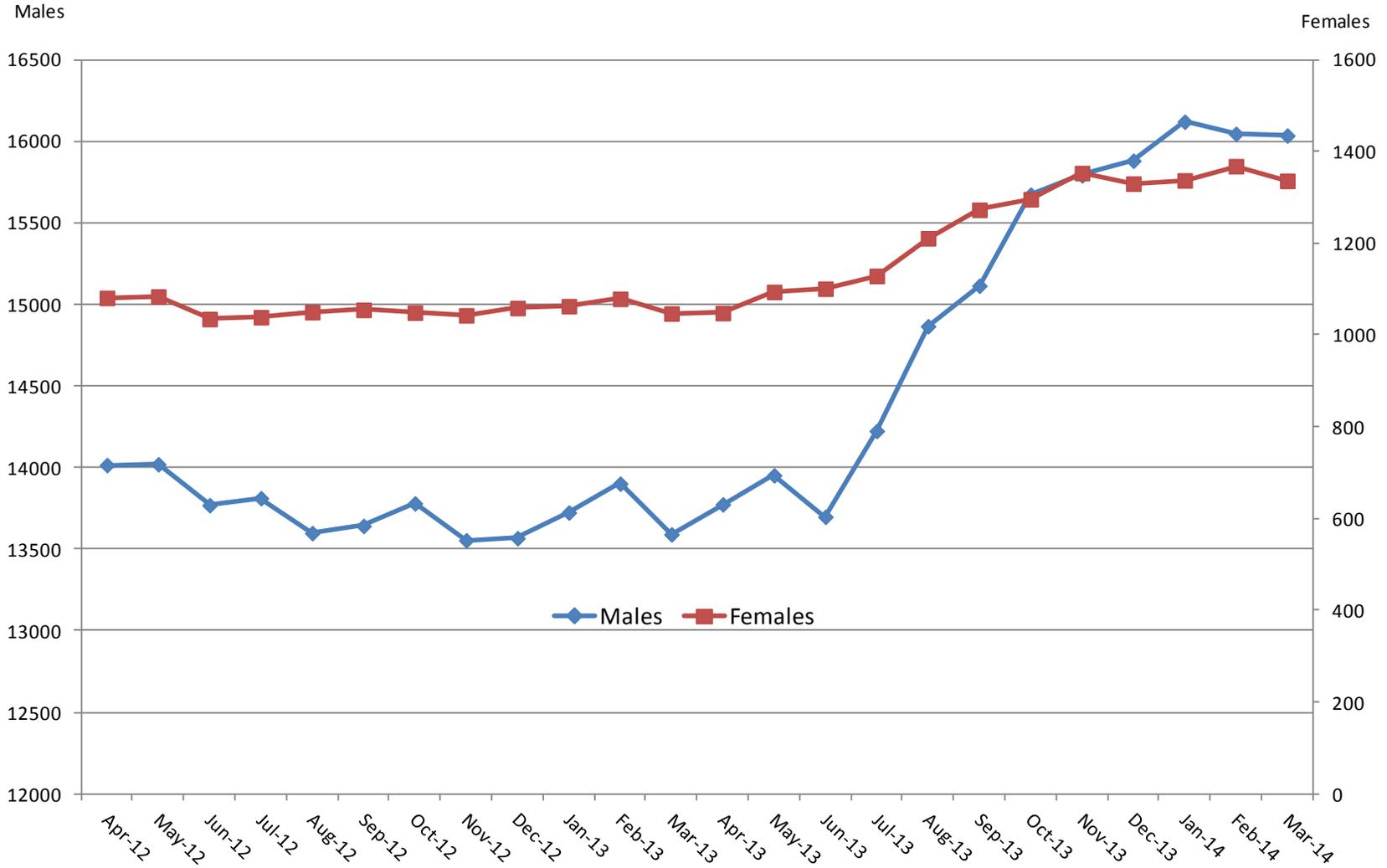
As with increased revocations, new crime commitments to the ADC appear to be the systems response to the significant event that occurred in 2013 concerning crimes committed by a person on parole supervision.

**TABLE 3
CHANGE IN NEW COMMITMENTS ADMITTED TO ADC IN 2012 AND 2013**

Seriousness Level	2012 New Commits	2013 New Commits	Change (Number of New Commitments) 2012-2013	2012 Avg. Sentence (mos.)	2013 Avg. Sentence (mos.)	Bed Space Impact
1	11	2	-9	32.4	31.5	-3
2	283	439	156	42.4	55.0	188
3	1,172	1,485	313	51.1	52.0	294
4	1,006	1,054	47	74.7	77.5	108
5	811	851	40	90.5	92.0	96
6	293	494	200	93.4	97.4	331
7	290	240	-50	116.8	101.3	-189
8	201	234	33	151.4	162.7	205
9	41	31	-10	313.0	275.0	-198
10	3	2	-1	460.0	462.0	-19
Total	4,111	4,832	721	80.6	79.6	812

Source: ADC data extract admissions file 2013; Excludes lifers and 50 and 70%er

Figure 3: Trends in Male & Female Inmate Population for the Last 24 Months



**ARKANSAS DEPARTMENT OF CORRECTION,
SENTENCING COMMISSION,
& DEPARTMENT OF COMMUNITY CORRECTION
TEN-YEAR ADULT SECURE POPULATION PROJECTION**

I. INTRODUCTION

The Arkansas Department of Correction (ADC), the Arkansas Sentencing Commission (ASC), and the Arkansas Department of Community Correction (ACC) requested assistance to produce a forecast of the state's inmate population to be completed in 2014. This forecast has been generated for eventual presentation to the Board of Correction as support for budget requests to the Governor and Legislature. This report represents a comprehensive analysis of all trends to include calendar year 2013 data.

Similar to past efforts, the current forecast was completed by analysis of current inmate population trends and analyzing computer extract files provided by the Department of Correction. This briefing document contains a summary of projections of male and female inmates through the year 2024, a summary of recent offender trends, and an explanation of the primary assumptions on which the projections are based. Additional figures are contained in the Appendix of this document.

II. THE SIMULATION MODEL AND SENTENCING POLICIES

The forecast of the correctional population in Arkansas was completed using Wizard projection software. This computerized simulation model mimics the flow of offenders through the state's prison system over a ten-year forecast horizon and produces monthly projections. Wizard is an enhanced version of Prophet Simulation software. The forecasts produced for this report were completed by updating the original simulation model constructed in 2001. Legislative bills that were passed since 2001 and will have an impact on future prison population levels have been incorporated into the model. Please refer to earlier full productions of this report for a complete description of the simulation model structure. Not included in the simulation model is the continued use of the Emergency Powers Act.

Because Wizard attempts to mimic the state's sentencing structure and the flow of prisoners to and from the ADC, it must look at a wide array of data that have both a direct and indirect impact on prison population growth.

These factors are graphically portrayed in the flow diagram shown on page 5. As the diagram shows, a variety of factors underpin a correctional system's long-term projection. These factors can be separated into two major categories – external and internal.

External factors reflect the interplay of demographic, socio-economic and crime trends that produce arrests, and offenders' initial entry into the criminal justice process. Criminologists have long noted that certain segments of the population have higher rates or chances of becoming involved in crime, being arrested and being incarcerated. This is known as the "at-risk" population, which generally consists of younger males. The high crime rate ages are between 15 and 25, while the high adult incarceration rate is between the ages of 18 and 35. When the at-risk population is expected to increase in a jurisdiction, one can also expect some additional pressure on criminal justice resources, all things being equal.

Internal factors reflect the various decision points within the criminal justice system that cumulatively determine prison admissions and length of stay (LOS). These decisions begin with police and end with correctional officials who, within the context of the court-imposed sentences, have the authority to release, recommit, give and restore a wide array of good time credits, and offer programs that may reduce recidivism.¹

For example, one of the most difficult numbers to estimate is the number of prison admissions for the next five years. As suggested by Figure 4, people come to prison for three basic reasons: 1) they have been directly sentenced by the courts to a prison term (new court commitments); 2) they have failed to complete their term of probation and are now being sentenced to prison for a violation or new crime; or, 3) they have failed their term of parole (or post-release supervision) and are being returned to prison for a new crime or a technical violation. Almost two-thirds of the estimated 600,000-plus people who are admitted to prison are those who have failed to complete probation or parole. A projection model thus should have a "feedback loop" that captures the relative rate of probation and parole failures.

Since each state has a unique sentencing structure, the model developed for each state must take into account that state's sentencing laws. In the simulation model, particular care was taken to characterize accurately the elements of the Arkansas Sentencing Standards, enacted on January 1, 1994, and of Acts 1326, 1135 and 1268. Further legislation taken into account include comprehensive corrections reforms enacted in 2011 under Act 570, emergency jail release mechanisms enacted in Acts 418 and 1721 and most recently Act 1029

On January 1, 1994, Arkansas put into effect a sentencing grid that uses a combination of the seriousness of the current offense and the offender's criminal history to arrive at a presumptive sentence. Guidelines in Arkansas are advisory and court use is voluntary. Courts may sentence within the entire statutory range of an offense.

¹ The amount of discretion correctional authorities have to release prisoners varies according to each state's sentencing structure. The majority of states have indeterminate sentencing, which offers the greatest amount of discretion by virtue of authority of parole boards which are authorized to release inmates once they have served their minimum sentence. But even most states with determinate sentencing also provide some level of discretion to release prisoners based on good-time and special program credits. Arkansas has determinate sentencing.

Felony crimes in Arkansas are categorized into ten levels of seriousness with 10 as the most serious. The offender's criminal history score is determined through allocation of points for any prior convictions/adjudications.

Offenders convicted of a crime in lower seriousness levels 1 through 6 are eligible for supervised release after serving one-third of their sentence minus goodtime. Offenders convicted of a crime in seriousness levels 7 through 10 are eligible after serving one-half of their sentences minus goodtime. The exceptions to these rules are directed at offenders convicted of the particular crimes enumerated in Acts 1326, 1135 and 1268 who must serve 70 percent of their sentences and are not eligible to earn goodtime. Act 1326 took effect on July 1, 1995 and includes the following crimes: Murder I, Rape, Kidnapping, Aggravated Robbery, and Causing a Catastrophe. Act 1135 took effect on August 1, 1997 and includes the crime of manufacturing methamphetamine. Act 1268 took effect on July 30, 1999 and added the use of paraphernalia to manufacture methamphetamine. In 2007, Act 1047 allowed persons convicted of methamphetamine related crimes to accrue goodtime and reduce their sentence up to 50 percent of maximum. Act 570 of 2011 went into effect on July 27, 2011 and amended the 70 percent parole eligibility statute to add trafficking methamphetamine to the list of 70 percent crimes. The act also removed possession of drug paraphernalia to manufacture methamphetamine, now codified at §5-64-443(b) from 70 percent parole eligibility. Offenders sentenced under the former §5-64-403(c)(5) are still subject to 70 percent parole eligibility.

In the simulation model, offenders convicted under Acts 1326, 1135 and 1268 are placed in their own Identification Group (ID Group), allowing the particular limitations on their release eligibility to be accurately modeled. Offenders sentenced to serve life in prison (defined as those with sentences over 340 years) also have their own ID Group. The remaining offenders are placed in ID Groups based on three factors: 1) gender, 2) admission type: new commitment or parole violator, and 3) seriousness level. Some seriousness levels are combined together, however seriousness levels 1 through 6 have been kept separate from those in seriousness levels 7 through 10 due to the difference in the proportion of time to be served before transfer eligibility.

In 1987, Emergency Powers Act 418 (EPA) was enacted. This act gave the Arkansas Board of Corrections the ability to effect policy whereby measures could be taken if the prison population exceeded 98 percent of capacity. Any offender is eligible for early release under the act if they are within 90 days of parole eligibility (with parole approval), transfer eligibility or discharge date(s). Act 1721, put into law in 2003, extended the Board of Correction's emergency powers to enact the same early release mechanisms if the county jail backlog exceeds 500 inmates. The provision allows offenders who have been convicted of certain non-violent offenses and who have served at least six months in the ADC to be eligible for release up to one year prior to their transfer eligibility (TE) date.

It came to the attention of Ms. Ware while constructing the April 2004 simulation model that EPA actions have occurred in Arkansas. This has marginally hampered the

ability of the simulation model to accurately forecast the inmate population by offsetting release trends. EPA releases are capacity driven and linked to an offender's transfer eligibility date or discharge date, arbitrarily decreasing their length of stay anywhere from 1 to 90 days. The simulation model's goal is to forecast the need for capacity and can only track the flow of offenders based on predicted trends. There are no means by which Arkansas can track EPA releases from admission to release as the emergency nature of the act predicts it will not be used should capacity not be exceeded. Therefore, EPA releases cannot be built into the simulation model even though they were used frequently in the past several years. For this reason, it is important to update the simulation model and reforecast the Arkansas prison population on an annual basis. EPA releases are watched very closely and tracked in this report in the 'Forecast Accuracy' section to more adequately gauge their impact.

In March 2011 Arkansas passed ACT 570, a comprehensive corrections reform bill aimed at curbing inmate population growth and providing more complete services to offenders in the community. ACT 570 focused on 8 main initiatives:

1. Merging of Sentencing Guidelines and Sentencing and Commitment Form
2. Parole Release Risk Assessment Instrument/Parole Release from Jail
3. Changes in Drug Statutes/Weights
4. Changes in Theft/Property Threshold Amounts
5. Earned Discharge From Parole and Probation
6. 120 day Electronic Monitoring Early Release for Non-Violent Offenders
7. Intermediate Sanction for Probation and Parole Violators
8. Performance Incentive Funding(PIF)/Hope Courts

Each of the initiatives, with the exception of PIF/Hope Courts, carries a projected bed space impact that is summarized in section IX of this report. Each of these initiatives and their respective impacts will be tracked over the coming years and reported on in future iterations of this report.

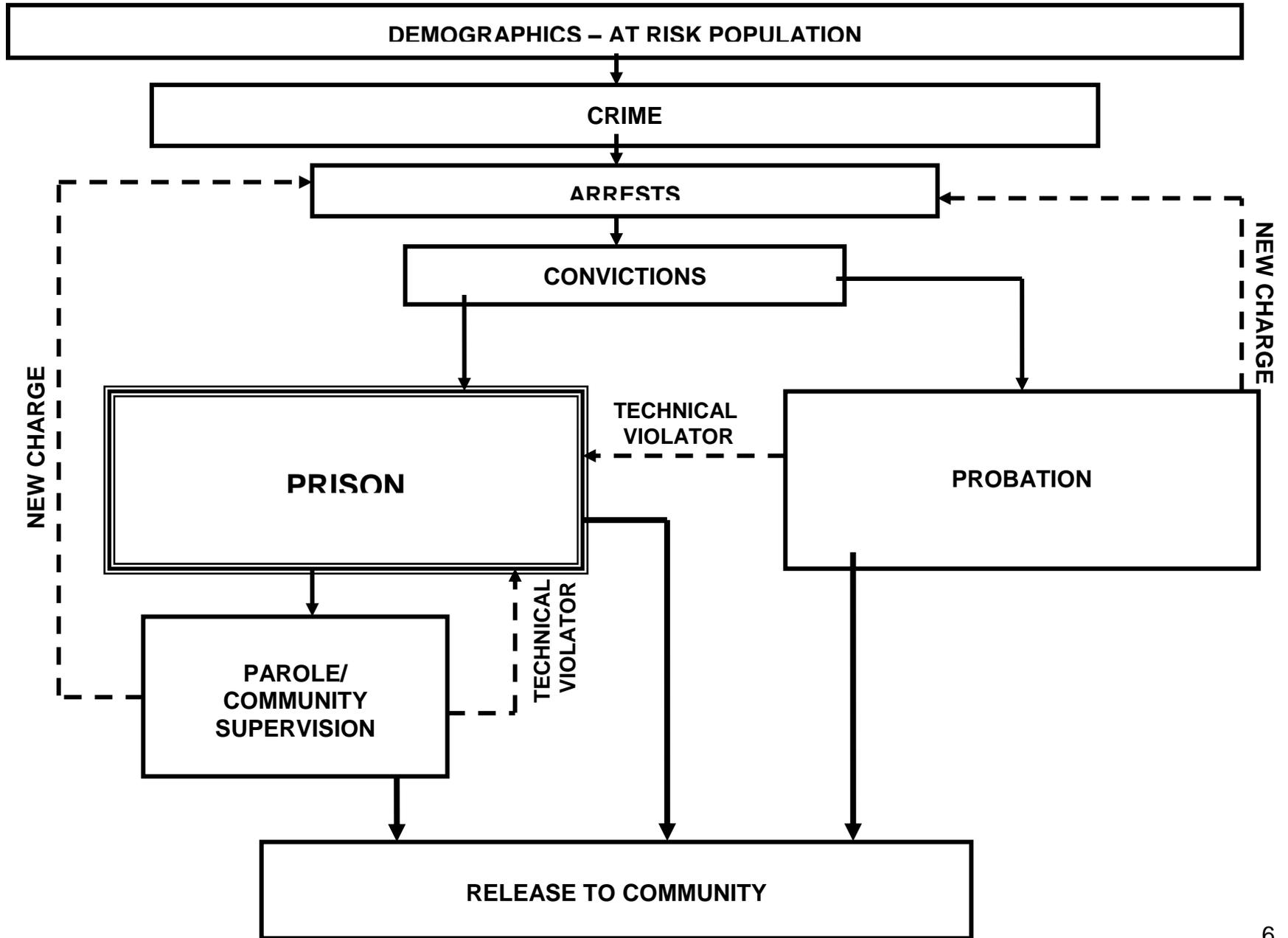
In 2013 numerous policy changes were enacted by the Arkansas Board of Corrections. They are listed here to augment the discussion in the executive summary concerning the increase in parole violator revocations in 2013.

Arkansas Board of Corrections Policy Changes 2013:

1. ACC will not release parole holds on individuals awaiting a revocation hearing pursuant to requests from jail personnel.
2. All requests for release of holds made by sheriffs or jail personnel must be in writing.
3. Parolees charged with a violent felony as defined by Act 1029 of 2013 or a violent or sex related misdemeanor will be jailed and a revocation hearing requested.
4. Parolees charged with any other felony will either be jailed or placed on GPS Monitoring and a revocation hearing requested.

5. Parolees who have absconded will be jailed and a revocation hearing requested. Absconding is defined as Evading Supervision for more than 180 days.
6. Parolees who have two prior violations for evading supervision for less than 180 days will be jailed and a revocation hearing requested upon a third (3) violation. A warrant for evading supervision is issued when a parolee fails to report and cannot be located for 30 days.
7. Parolees who have evaded supervision for more than 90 days that have a history of a violent felony as defined by Act 1029 of 2013 or a sex related misdemeanor will be jailed and a revocation hearing requested. All requests for revocations and denials thereof will be fully documented in the offender's case file. A parole hold will remain in effect on an ACT 3 Mental Evaluation until the hearing is completed.

Figure 4



III. TRENDS IN POPULATION AND CRIME IN ARKANSAS

Significant Finding: *The Arkansas resident population is projected to grow minimally over the next six years at an average rate of only 1.5 percent per year.*

Significant Finding: *Reported crime in Arkansas decreased by 2.5 percent between 2011 and 2012. Note: this is the most recent year of data available. Crime data by state has not yet been released by the FBI for 2013.*

Arkansas Resident Population

Since 2000, Arkansas's population has grown at a moderate pace. Between 2000 and 2004 the population grew by an average annual rate of 0.6 percent. Between 2005 and 2010 it grew an average annual rate of 1.0 percent. Using the new 2010 census as a base, the University of Arkansas Institute for Economic Advancement has projected the resident population of Arkansas will grow from 2,959,737 in 2013 to 3,107,353 in 2015 (an increase of 4.8 percent overall). Further growth projections from the 2013 estimated resident population are listed in Table 4.

Previous versions of this brief have included the projected growth of the state's at-risk population. The at-risk population is defined as the portion of the resident population most likely to be arrested and processed by the criminal justice system. This demographic group is historically defined as all males between the ages of 18 and 35. Unfortunately, the US Census Bureau has not updated these projections for the states using the 2010 census base date. As an alternative, this brief presents available historical estimates for 2007 through 2012 (the most recent five year period where estimates are available for). During this time period, the at-risk population has increased by 4.0 percent overall and by an average annual rate of 0.5 percent. Near future growth in this population will most likely mimic this trend.

The overall resident population growth between 2003 and 2013 of state's bordering Arkansas is presented in Table 5. Compared to other states in its region, Arkansas has shown mid-range average growth in its resident population. Reported crime rates in Arkansas between 2007 and 2012 in Arkansas have seen a decrease of 7.7 percent overall. While this decrease is strong, regionally Arkansas lags behind its neighbors. With a declining crime rate and only moderate growth in the resident population, the recent large increase in Arkansas's incarcerated population is most likely driven by policy choices within the state's criminal justice system.

**TABLE 4
ARKANSAS PROJECTED DEMOGRAPHIC TRENDS 2013-2020**

Year	Total Resident Population	Annual Percent Change
<i>Actual 2013</i>	2,959,373	
2014	3,042,351	2.8%
2015	3,107,353	2.1%
2016	3,141,259	1.1%
2017	3,176,134	1.1%
2018	3,212,008	1.1%
2019	3,248,897	1.1%
2020	3,286,838	1.2%
Avg. Annual Projected Change 2013-2020		1.5%

Source: University of Arkansas Institute for Economic Advancement

**TABLE 5
TRENDS IN THE POPULATION & CRIME OF ARKANSAS AND BORDER STATES SINCE 2007**

State	Percent Change Resident Population 2007-2013	Percent Change Males Ages 18-35 2007-2012	Percent Change in Total Reported Crime 2007-2012
US	8.9%	4.7%	-13.0%
Louisiana	3.4%	3.7%	-17.1%
Mississippi	4.4%	-0.4%	-12.0%
Missouri	5.8%	3.3%	-11.3%
Oklahoma	10.2%	6.7%	-3.8%
Arkansas	8.7%	4.0%	-7.7%
Tennessee	10.9%	3.7%	-17.1%
Texas	20.5%	9.7%	-18.6%

Source: US Census Bureau; www.FBI.gov

Crime in Arkansas

Note: Crime rates mentioned in this report are a reference to reported crime tracked by the FBI's UCR initiative. Although no statistical significance can be found between crime rates and prison admissions, observing these rates can provide some anecdotal evidence that allows some insight into state prison admission trends and some guidance in projecting future admissions to prison.

During the 1990s, the level of the most serious reported violent and property crimes (defined by the FBI's Uniform Crime Reports Part I Crime category) in Arkansas remained static the first part of the decade and subsequently, decreased significantly during the latter. From 1990 to 1995, the absolute number of UCR Part I crimes in Arkansas decreased at an average annual rate of 0.2 percent. From 1995 to 1999, the number of UCR Part I crimes fell at an average annual rate of -3.3 percent.

The crime index for CY 2004 showed that reported crime had increased by over 9.0 percent from the 2003 number. This is largely due to a change in Arkansas's reporting methods to the FBI. Arkansas assumed responsibility for reporting incidents of crime to the FBI in 1974. Until January 1, 2003, this information was collected from state agencies via summary reporting. After that date, Arkansas required all crime data to be reported based on incident. This change over required a state-wide software update at all reporting locations. With the release of new crime information for 2005, JFA began to track recent crime trends for Arkansas once again. As shown in Table 6, crime rates under the old reporting system continued to decline between 2000 and 2003. Under the new reporting system, the incidents of crimes reported increased by 1.1 percent between 2004 and 2005. Between 2004 and 2012 however, the reported crime index has fallen by an average annual rate of 1.1 percent.

In comparison to its border states, Arkansas stands in the mid-range in reference to violent crime and on the higher end of property crimes in 2012 (Table 7).

TABLE 6
CHANGES IN THE NUMBER OF UCR CRIMES REPORTED TO POLICE 1990-2012

Year	Total Reported Crime	Reported Violent Crime	Reported Property Crime
1990	4,866.9	532.2	4,334.7
1991	5,165.0	583.3	4,581.7
1992	4,761.7	576.5	4,185.2
1993	4,810.3	593.3	4,217.0
1994	4,798.7	595.1	4,203.6
1995	4,690.9	553.2	4,137.7
1996	4,699.2	524.3	4,174.9
1997	4,718.7	526.9	4,191.8
1998	4,283.4	490.2	3,793.2
1999	4,042.2	425.2	3,617.0
2000	4,115.3	445.3	3,670.0
2001	4,130.2	452.4	3,677.8
2002	4,163.0	425.0	3,738.0
2003	4,088.8	456.4	3,632.4
2004*	4,535.4	502.3	4,033.1
2005	4,596.4	528.5	4,067.9
2006	4,581.1	551.6	3,967.5
2007	4,472.5	529.4	3,953.1
2008	4,331.7	504.6	3,827.1
2009	4,290.8	515.8	3,775.0
2010	4,058.8	505.3	3,553.5
2011	4,235.0	480.9	3,754.1
2012	4,129.2	469.1	3,660.1
Avg. % Change 1990-1999	-1.9%	-2.3%	-1.9%
Avg. % Change 1990-2010	-0.8%	-0.1%	-0.9%
Avg. % Change 2004-2012	-1.1%	-0.8%	-1.2%

Source: www.FBI.gov; *AR UCR reporting methodology changed

TABLE 7
UCR CRIME RATES FOR ARKANSAS AND BORDER STATES – 2012

State	Violent Crime Rate	Property Crime Rate	Total Crime Rate
Arkansas	469.1	3,660.1	4,129.2
Louisiana	496.9	3,540.6	4,037.5
Missouri	450.9	3,314.4	3,765.3
Mississippi	260.8	2,811.0	3,071.8
Oklahoma	469.3	3,401.0	3,870.3
Tennessee	343.6	3,371.4	3,715.0
Texas	408.6	3,361.8	3,770.4

Source: www.FBI.gov

Comparison of Arkansas and the United States

In the discussion above, the population and crime data are observed in terms of changes over time within Arkansas. In Table 8 below, Arkansas's population and crime data are presented in comparison to the national levels and trends. Arkansas has had growth in residential population is on par with the nation over the past decade, growing by 8.7 percent compared to 8.9 percent for the US. Crime in the nation as a whole, decreased by 1.5 percent in 2012 while Arkansas saw a 2.5 percent decrease in reported crime.

In terms of state prison populations (using the most recent national data available: year-end 2012), Arkansas showed much larger overall growth as compared to the nation as a whole over the last ten years, 31.3 percent compared to only 5.9 percent, nationally (almost all of Arkansas' growth occurred within the past year). The one-year change in state prison population from 2012 to 2013 in Arkansas was 17.7 percent. This is in contrast to the United States as a whole which had a decrease of 2.2 percent (2012). In recent iterations of this report, Arkansas prison population growth had seen a decline, mirroring national trends. This trend was reversed in unprecedented fashion in 2013 as Arkansas experienced one of the largest increases in the number of prisoners in the nation.

According to the Bureau of Justice Statistics, Arkansas' incarceration rate in 2012, 494 state prisoners per 100,000 state residents, exceeds the national rate of 418. It is important to note the national incarceration rate used for this report is based on offenders held in state prisons only and does not include federal prisoners or persons held in jails. It is expected that the gap in incarceration rates between the US and Arkansas will increase significantly in 2013.

**TABLE 8
COMPARISON BETWEEN UNITED STATES AND ARKANSAS
ON KEY POPULATION AND CRIME DEMOGRAPHICS**

	United States	Arkansas
POPULATION²		
Total Population (7/1/13)	316,128,839	2,959,373
Change in Population		
1-year change (7/1/12 – 7/1/13)	0.7%	0.4%
10-year change (7/1/03 – 7/1/13)	8.9%	8.7%
CRIME RATE³ (Rate per 100,000 inhabitants)		
UCR Part I Reported Crime Rates (2012)		
Total	3,246.1	4,129.2
Violent	386.9	469.1
Property	2,859.2	3,660.1
Change in Total Reported Crime Rate		
1-year change (2011-2012)	-1.5%	-2.5%
10-year change (2002-2012)	-21.3%	-0.8%
PRISON POPULATION⁴		
Total Inmates (State Prisons Only) 2013	1,352,582	17,211
1-year change (2012-2013)	-2.2%	17.7%
10-year change (2003-2013)	5.9%	31.3%
Average annual change (2003-2013)	0.6%	2.9%
State Incarceration Rate (per 100,000 inhabitants) ⁵	418	494
PAROLE POPULATION (2012)^{6***}	740,419	22,224
Rate per 100,000 Adult Population	307	1,041
PROBATION POPULATION (2012)^{7***}	3,920,839	30,997
Rate per 100,000 Adult Population	1,624	1,341

***Year end 2012 is the latest count available for the US; ***US: States only, federal supervision excluded*

² U.S. Census Bureau, Population estimates for July 1, 2013.

³ Uniform Crime Reports, Crime in the United States – 2012, Federal Bureau of Investigation.

⁴ Prisoners in 2012 – Trends in Admissions and Releases 1991 - 2012, Bureau of Justice Statistics, Dec. 2013

⁵ Prisoners in 2012 – Advance Counts, July. 2013; US (excludes federal prisons) & AR data for sentenced prisoners only in 2012.

⁶ Probation and Parole in the United States, 2012 Bureau of Justice Statistics, Dec. 2013; AR: Statewide Field Operations Report 1/1/13-12/31/13

⁷ US: Probation and Parole in the United States, 2012 Bureau of Justice Statistics, Dec. 2013; AR: Statewide Field Operations Report 1/1/13-12/31/13 (includes drug court)

III. THE JUNE 2013 FORECAST – ACCURACY

The previous inmate population forecast for the Arkansas Department of Correction was released in June 2013.

Significant Finding: *For the last 15 months, the projections for male inmates were estimated to increase at a monthly average of 0.26 percent, an under-estimation of actual increases of 1.14 percent per month. The male population was under-forecasted by an average monthly difference of 5.7 percent.*

Significant Finding: *The Arkansas Department of Correction exercised the Emergency Powers Act in 2013, allowing early release for prisoners throughout the year when over-crowding conditions were at their peak. Although the overall average accuracy of the forecast is good by national standards, EPA releases may hamper the models ability to estimate the inmate population on a monthly basis by offsetting length of stay trends.*

Table 10 and Figure 7 present the June 2013 projections of male and female inmates from January 2013 to February 2014 along with the actual counts of male and female inmates for the same timeframe.

- Through the past 15 months, the projected female population averaged a -9.3 percent difference from actual totals. This is in contrast to the previous forecast which tracked a 2.0 percent difference from actual totals for its first 12 months. On average, the 2013 simulation model averaged 123 fewer female inmates per month than actual counts.
- For the June 2013 model, the forecasted counts of male inmates differed from the actual counts by a maximum over-estimation of 51 (Jan. 2013) and by a maximum underestimation of 2,070 (Jan. 2014).
- The forecasted counts of female inmates differed from the actual counts by a minimum of 6 (Jan. 2013) and by a maximum of -275 (Feb. 2014).
- The total prison population forecast was off by an average of -6.0 percent per month between January 2013 and March 2014.
- 2,873 inmates were released early under the EPA in calendar year 2013. Table 9 details EPA releases since 2004.

**TABLE 9
EPA RELEASES CY 2004-2013**

Year	Act 1721	Act 418	Total
2004	233	1,391	1,624
2005	106	1,540	1,646
2006	196	1,493	1,689
2007	294	1,806	2,100
2008	369	1,708	2,077
2009	512	1,756	2,268
2010	319	1,853	2,172
2011	319	2,023	2,297
2012	169	2,478	2,647
2013	201	2,672	2,873

Source: ADC data runs from EOMIS

**TABLE 10
ACCURACY OF THE JUNE 2013 FORECAST**

Month-Year	Male				Female				Total			
	Projected	Actual	Numeric Diff.	% Diff.	Projected	Actual	Numeric Diff.	% Diff.	Projected	Actual	Numeric Diff.	% Diff.
Jan-13	13,776	13,725	51	0.4%	1,069	1,063	6	0.6%	14,845	14,788	57	0.4%
Feb-13	13,772	13,902	-130	-0.9%	1,069	1,079	-10	-0.9%	14,841	14,981	-140	-0.9%
Mar-13	13,749	13,591	158	1.2%	1,067	1,047	20	1.9%	14,816	14,638	178	1.2%
Apr-13	13,738	13,775	-37	-0.3%	1,072	1,048	24	2.3%	14,810	14,823	-13	-0.1%
May-13	13,827	13,953	-126	-0.9%	1,081	1,094	-13	-1.2%	14,908	15,047	-139	-0.9%
Jun-13	13,819	13,699	120	0.9%	1,094	1,101	-7	-0.6%	14,913	14,800	113	0.8%
Jul-13	13,897	14,225	-328	-2.3%	1,076	1,129	-53	-4.7%	14,973	15,354	-381	-2.5%
Aug-13	13,943	14,867	-924	-6.2%	1,080	1,211	-131	-10.8%	15,023	16,078	-1,055	-6.6%
Sep-13	13,972	15,115	-1,143	-7.6%	1,082	1,273	-191	-15.0%	15,054	16,388	-1,334	-8.1%
Oct-13	13,991	15,673	-1,682	-10.7%	1,084	1,296	-212	-16.4%	15,075	16,969	-1,894	-11.2%
Nov-13	14,013	15,791	-1,778	-11.3%	1,085	1,353	-268	-19.8%	15,098	17,144	-2,046	-11.9%
Dec-13	14,037	15,881	-1,844	-11.6%	1,087	1,330	-243	-18.3%	15,124	17,211	-2,087	-12.1%
Jan-14	14,050	16,120	-2,070	-12.8%	1,090	1,337	-247	-18.4%	15,140	17,457	-2,317	-13.3%
Feb-14	14,079	16,046	-1,967	-12.3%	1,093	1,368	-275	-20.1%	15,172	17,414	-2,242	-12.9%
Mar-14	14,289	16,035	-1,746	-10.9%	1,093	1,336	-243	-18.2%	15,382	17,371	-1,989	-11.5%
Average Difference			-896	-5.7%			-123	-9.3%			-1,019	-6.0%

Source: Arkansas Sentencing Commission/JFA Associates' prison projections

IV. HISTORICAL INMATE POPULATION TRENDS

Significant Finding: From 2011 to 2012 admissions to prison in Arkansas fell by 12.1 percent. This was one of the largest decreases in admissions in the past 10 years. This trend was reversed dramatically in 2013 as admissions to prison increased by 49.6 percent.

Significant Finding: Male admissions to prison increased by 47.0 percent between 2012 and 2013.

Significant Finding: The prison population increased by 17.7 percent in 2013.

Table 11 and Figure 9 present the admissions to prisons in Arkansas from 2003 to 2013 for males and females. Table 13 and Figure 10 present the year-end inmate populations for inmates from 2003 to 2013. Table 14 lists releases for the past 10 years.

- The number of total admissions to prison in 2013 was the highest in the past ten years.
- Releases have remained static between 2003 and 2013 averaging an annual change of -0.8 percent. In recent years the slight decline in releases has been outpaced by declining admissions to prison, fueling a drop in the Arkansas prison population of 7.1 percent in 2011 and 2.7 percent in 2012. This trend was dramatically reversed in 2013 as releases remained static from 2012 numbers and admissions increased by 49.6 percent.
- The female prison population decreased by 2.6 percent between year-end 2011 and year-end 2012. In 2013, the female prison population increased by 73.2 percent from 616 at year end 2012 to 1,067 at year end 2013.
- As shown in Table 14, the increase in prison admissions in 2013 appears to be fueled somewhat by an increase in new commitments (up 13.6 percent for males and 46.7 percent for females) but primarily by an astounding 133.0 percent increase in male parole violator admissions and a 260.9 percent increase in female parole violator admissions.
- At year end 2013, the total Arkansas prison population was 17,211, which is 31.3 percent larger than the total prison population in 2003.

**TABLE 11
 ARKANSAS DEPARTMENT OF CORRECTION
 HISTORICAL ADMISSIONS TO PRISON BY GENDER: 2003-2013**

YEAR	MALES	FEMALES	TOTAL
2003	6,409	726	7,135
2004	6,810	714	7,524
2005	6,460	1,069	7,529
2006	5,711	862	6,573
2007	6,445	763	7,208
2008	6,267	750	7,017
2009	6,683	792	7,475
2010	6,854	813	7,667
2011	6,293	717	7,010
2012	5,547	616	6,163
2013*	8,152	1,067	9,219
Numeric Change 2003 – 2013	1,743	341	2,084
Percent Change 2003 – 2013	27.2%	47.0%	29.2%
Average Annual Percent Change 2003 – 2013	3.3%	8.1%	3.6%
Percent Change 2012 – 2013	47.0%	73.2%	49.6%

*Source: ADC Research & Planning Office; *2013 number is an estimate using ADC Research & Planning Office admissions to prison facilities in calendar year 2013 and the total county jail back-up population on December 31, 2013*

TABLE 12
ARKANSAS DEPARTMENT OF CORRECTION
HISTORICAL ADMISSIONS TO PRISON BY ADMISSION TYPE: 2009-2013

Year	New Commits		Parole Violator	
	Male	Female	Male	Female
2009	4,523	620	2,160	172
2010	4,370	606	2,484	207
2011	4,540	577	1,753	140
2012	4,000	524	1,547	92
2013	4,547	735	3,605	332
Average % Change 2009-2013	0.6%	6.0%	26.7%	53.6%
% Change 2012-2013	13.7%	40.3%	133.0%	260.9%

Source: ADC data extract admission file; New commit counts differ slightly from Table 16 as they include lifers, 50 & 70%ers and 'unknowns' (cases in extract file in which seriousness level cannot be clearly identified, this is less than 2.0% of admissions in any one year)

TABLE 13
ARKANSAS DEPARTMENT OF CORRECTION
TEN YEAR HISTORICAL END OF YEAR INMATE POPULATION
2003-2013

YEAR	MALE	FEMALE	TOTAL
2003	12,191	918	13,109
2004	12,486	984	13,470
2005	12,288	1,050	13,338
2006	12,659	1,039	13,698
2007	13,217	1,068	14,285
2008	13,627	1,059	14,686
2009	14,109	1,062	15,171
2010	15,013	1,163	16,176
2011	13,948	1,087	15,035
2012	13,568	1,059	14,627
2013	15,881	1,330	17,211
Numeric Change 2003 – 2013	3,690	412	4,102
Percent Change 2003 – 2013	30.3%	44.9%	31.3%
Average Annual Percent Change 2003 – 2012	2.9%	4.1%	2.9%
Percent Change 2012 – 2013	17.0%	25.6%	17.7%

Source: Arkansas Sentencing Commission ADC Population Monitoring Report

**TABLE 14
ARKANSAS DEPARTMENT OF CORRECTION
HISTORICAL RELEASES: 2003-2013**

Year	Males	Females	Total
2003	6,436	824	7,260
2004	6,165	1,003	7,168
2005	5,909	796	6,705
2006	6,074	774	6,848
2007	5,709	721	6,430
2008	6,273	801	7,074
2009	6,372	810	7,182
2010	5,952	712	6,664
2011	6,612	692	7,304
2012	5,647	652	6,299
2013	5,755	789	6,544
Numeric Change 2003-2013	-681	-35	-716
Percent Change 2003-2013	-10.6%	-4.2%	-9.9%
Average Percent Change 2003-2013	-0.8%	0.4%	-0.8%
Percent Change 2012-2013	1.9%	21.0%	3.9%

**2003-2009, 2011 Calculated by JFA Associates. 2010-2013 Source: ADC Research & Planning Office*

V. CURRENT INMATE POPULATION CHARACTERISTICS

A. 2013 Admissions Population

Significant Finding: *A large one year change in a prison population is usually driven by a change in admissions. In Arkansas, a 16.8 percent increase in new commitments and an even larger increase in parole violator returns have overwhelmed all established release mechanisms to fuel a large increase in the prison population.*

Significant Finding: *In 2012, male and female parole violators made up 26.6 percent of admissions to the ADC. In 2013, male and female parole violators comprised 42.7 percent of admissions.*

Significant Finding: *The average sentence applied to the entire admissions population (excluding lifers) in 2013 was 98.7 months compared with 98.2 months in 2012.*

Table 16 provides information about the population admitted to prison in 2013. First, in Table 16, the admissions population is divided into Identification (ID) groups based on a combination of seriousness level, admission type, gender, and offense type. Next, the table provides the counts, percentages and average sentences of people admitted in each ID-group. It's important to note that in constructing the ID-groups, separate categories for those people sentenced to life in prison and for those sentenced under Act 1326, 1135 and 1268, that are required to serve 50 to 70 percent of their sentences, were created. The remaining admissions are divided into New Commitment and Parole Violator categories and further categorized by gender and the seriousness level of their admitting offenses. These ID-groups mimic those used in the simulation model.

Figure 11 depicts the number of persons admitted in each of the ID-groups. Figure 12 illustrates the average sentences for each of those groups.

Admissions Counts

- In 2013, there was an unprecedented increase in the number of parole violators returned to prison in Arkansas. These numbered 3,937 in 2013, up 140.2 percent from the 2012 number of 1,639. This increase in violator returns is the primary reason for the increase in admissions to the ADC and for the 17.7 percent increase in the total prison population in 2013.
- The majority of parole violator admissions in 2013 were for seriousness levels 3 through 5 and seriousness level 7. The majority of these parole violator admissions had a felony class of B or C (see Table 17).

- In 2013, excluding lifers and persons sentenced for Act 1326, 1135 and 1268 offenses, 44.6 percent of admissions were males convicted of a new crime. 39.1 percent of admissions in 2013 were males revoked for a parole violation.
- In 2013, 3.0 percent of admissions had minimum serving time restrictions. 50% meth cases accounted for 61 admissions, up 13.0 percent from 2012. [Note: Act 363 of 2009 made goodtime retroactive to all 70% meth sentences. These cases are still 70% offenses but are now eligible for goodtime. Because of the restriction on the amount of reduction (no more than 50% of the original sentence) it is awarded on 12 days for 30 served on Class I; 8 for 30 on Class II; 4 for 30 on Class III and zero for Class IV.]
- The majority of the 70-percent offenders were admitted to the ADC due to a conviction related to a rape (30.9 percent) or aggravated robbery (27.3 percent) offense. Another 16.5 percent were convicted of 1st degree murder.

Sentence Lengths

- New commitment males had an average sentence of 83.0 months in 2013, static with the 2012 average of 83.5 months.
- New commitment males in seriousness levels 1 and 2 averaged a sentence of 57.0 months in 2013, up from 44.1 months in 2012.
- New commitment females averaged a sentence of 60.2 months in 2013.
- Average sentences were down among male, new commitments in seriousness levels 7 through 10 between 2013 and 2012.
- Male parole violators averaged a sentence of 117.0 months in 2013 while female parole violators averaged 91.3 months.
- Among those admitted under Act 1326/1135/1268 (excluding those who were sentenced to life in prison),
 - 50-percenters convicted of manufacturing methamphetamine in 2013 had an average sentence of 93.1 months, 25.2 percent shorter than the average of 124.4 months in 2012.
 - Those convicted of aggravated robbery and rape in 2013 had average sentences of 202.3 and 286.9 months, respectively.
 - The average sentence for the 46 inmates admitted for first degree murder in 2012 was 401.0 months, by far the most severely sanctioned group excluding lifers.

Table 15 shows the historical growth in the inmate population in reference to the impact that Acts 1326/1135/1268 has had on the year end population. While the

total number of 70-percenter inmates increased significantly from 2001 to 2005, this group's growth in the ADC year-end population has remained static between 2005 and 2013.

In 2013, new Acts 1326/1135/1268 admissions did not increase appreciable. Further the number of 50% meth inmates in the end of year prison population has decreased from 437 in 2010 to 349 in 2013.

TABLE 15
ARKANSAS DEPARTMENT OF CORRECTION
HISTORICAL ACT 1326/1135/1268 ADMISSIONS & YEAR END COUNT
2003-2013

Year	Total 70%ers Admitted	Total 50%ers Admitted	Avg. Sentence 50 & 70%ers (Mos.)	Total End of Year 70%er	Total End of Year 50%er
2003	485	-	218	2,298	-
2004	482	-	220	2,650	-
2005	354	-	197	2,709	-
2006	306	-	225	2,736	-
2007	249	-	225	2,762	-
2008	274	-	257	2,788	-
2009	232	109	263	2,561	406
2010	313	156	250	2,694	437
2011	185	91	236	n/a	n/a
2012	200	54	260	n/a	369
2013	211	61	236	2,675	349
Numeric Change 2003-2013	-274	-	18	377	-
Percent Change 2003-2013	-56.5%	-	8.3%	16.4%	-
Percent Change 2012-2013	5.5%	13.0%	-9.2%	-	-5.4%

Source: ADC data extract admission and stock files;

**TABLE 16
ARKANSAS DEPARTMENT OF CORRECTION
ADMISSIONS COUNTS AND AVERAGE SENTENCE BY ID GROUP IN 2013**

ID Group	Number Admitted 2013	% of Admitted 2013	Avg. Sent. (mos.) 2013	Number Admitted 2012	Avg. Sent. (mos.) 2012
Lifers	19	0.2%	Life	23	Life
Act 1326/1135/1268 Inmates	278	3.0%	264.2	254	260.3
1 st Degree Murder	46	0.5%	401.0	40	388.5
Rape	86	0.9%	286.9	75	319.2
Aggravated Robbery	76	0.8%	202.3	79	235.5
Kidnapping	6	0.1%	264.0	4	381.0
Drug – Methamphetamine 70%	3	0.0%	128.0	2	120.0
Drug – Methamphetamine 50%	61	0.7%	93.1	54	124.4
New Commitments – Males	4,109	44.6%	83.0	3,618	83.5
Seriousness levels 1-2	396	4.3%	57.0	265	44.1
Seriousness level 3	1,214	13.4%	55.2	1,017	52.9
Seriousness level 4	903	9.8%	81.4	887	80.7
Seriousness level 5	747	8.1%	95.9	740	94.5
Seriousness level 6	415	4.5%	103.5	265	97.1
Seriousness level 7	194	2.1%	107.6	234	122.7
Seriousness levels 8-10	240	2.6%	177.9	210	181.1
New Commitments – Females	723	7.8%	60.2	493	59.1
Seriousness levels 1-6	649	7.0%	55.3	401	49.4
Seriousness levels 7-10	74	0.8%	113.2	92	118.4
Parole Violators – Males	3,605	39.1%	117.0	1,547	124.9
Seriousness levels 1-6: Males	2,692	29.2%	106.9	1,103	114.3
Seriousness levels 7-10: Males	913	9.9%	146.9	444	151.2
Parole Violators – Females	332	3.6%	91.3	92	90.1
Seriousness levels 1-6: Females	267	2.9%	81.8	74	87.4
Seriousness levels 7-10: Females	65	0.7%	130.6	18	101.1
Unknown	153	1.7%	n/a	136	n/a
TOTAL	9,219	100.0%	98.7*	6,163	98.2*

**Average sentence for all admissions excluding lifers; Source: ADC data extract admissions file *2013 number is an estimate using ADC Research & Planning Office admissions to prison facilities in calendar year 2013 and the total county jail back-up population on December 31, 2013; 'unknowns' are cases in extract file in which seriousness level cannot be clearly identified, this is less than 2.0% of admissions in any one year*

TABLE 17
ARKANSAS DEPARTMENT OF CORRECTION
PAROLE VIOLATOR ADMISSIONS IN 2013

Characteristic	N=3,937	%
Gender		
Male	3,605	91.6%
Female	332	8.4%
Seriousness Level		
1.00	1	0.0%
2.00	106	2.7%
3.00	709	18.0%
4.00	986	25.0%
5.00	1,033	26.2%
6.00	124	3.1%
7.00	600	15.2%
8.00	347	8.8%
9.00	16	0.4%
10.00	15	0.4%
Felony Class		
A	252	6.4%
B	1,161	29.5%
C	1,398	35.5%
D	512	13.0%
Y	610	15.5%
U	4	0.1%

Source: ADC data extract admissions file

B. Sentence Length Comparison

Significant Finding: Average sentences in seriousness levels 1 and 2 saw the only appreciable increases between 2012 and 2013.

Significant Finding: Average sentences in seriousness levels 3-10 have remained relatively static between 2009 and 2013 with the exception of seriousness level 7 which has seen appreciable decreases.

Table 18 and Figure 13 depict average sentences for new commitments by seriousness level for 2009 thru 2013.

- Seriousness level 8 saw a decrease of 11.7 percent between 2011 and 2012 averages. This was the second consecutive year this level's average sentence decreased. In 2013, seriousness level 8 saw a 14.6 increase in its average sentences.
- New commitments in seriousness level 5 have seen no appreciable change in average sentence between 2009 and 2013.
- Sentences for new commitments in seriousness level 3 have also remained static over the last five years.

TABLE 18
ARKANSAS DEPARTMENT OF CORRECTION
AVERAGE SENTENCES OF NEW COMMITMENTS BY SERIOUSNESS LEVEL
CALENDAR YEARS 2009 - 2013

Seriousness Level	Average Sentence (mos.)				
	CY 09	CY 10	CY 11	CY 12	CY 13
Seriousness levels 1-2	47	43	45	42	55
Seriousness level 3	58	56	54	51	52
Seriousness level 4	83	82	69	75	78
Seriousness level 5	92	97	93	91	92
Seriousness level 6	131	139	103	93	97
Seriousness level 7	124	128	116	117	102
Seriousness level 8	169	182	171	151	173
Seriousness level 9	307	303	316	313	289
Seriousness level 10	409	420	425	460	394

Source: ADC data extract admissions file

C. 2013 Release Population

Significant Finding: *Male new commitments had served an average of 20.7 months upon release in 2012. In 2013, the average length of stay (LOS) for this group was 21.2 months.*

Significant Finding: *The majority of offenders in 2013 (90.4 percent) were released from prison via parole or supervised release, followed by 5.0 percent released via discharge and 3.6 percent released to boot-camp.*

Table 19 provides information about the population released from prisons in Arkansas in 2013. For each ID group, Table 19 presents the number of people released, the average time served in months, and the percent of releases by release type.

Average Time Served

- The average time served for male new commitments showed a direct correlation with seriousness level in 2012 with the exception of seriousness level 6. Average length of stay ranged from between 8.8 months for seriousness levels 1-2, to 68.1 months for seriousness levels 8-10 (combined).
- As mentioned above, the average length of stay (LOS) for male new commitments released from seriousness levels 1-2 was 8.8 months, down from 9.9 months in 2012.
- Total releases in 2013 had an average length of stay of 22.2 months. The average LOS of all releases from the ADC in 2012 was 22.7 months.
- The 70-percenters and 50-percenters that were released in 2013 averaged a length of stay of 83.0 months.

Releases by Release Mechanism 2013

- Boot camp releases accounted for 14.2 percent of male seriousness level 6 releases and 5.6 percent of male seriousness level 7 releases.
- Male new commitments were released via discharge at a rate of 4.6 percent. Female new commitments were released via discharge at a lower rate: 1.5 percent.

TABLE 19
ARKANSAS DEPARTMENT OF CORRECTION
AVERAGE TIME SERVED AND RELEASE TYPE BY ID-GROUP IN 2013

ID Group	Number of Releases	%	LOS (Mos.)	% by Release Mechanism			
				Parole	Discharge	Boot-camp	Other
Lifers	18	0.3%	233.9	0.0%	16.7%	0.0%	83.3%
Act 1326/1135/1268 Inmates	275	4.2%	83.0	83.3%	11.6%	0.0%	5.1%
New Commitments – Males	3,602	55.0%	21.2	88.9%	4.6%	6.0%	0.5%
Seriousness levels 1-2	268	4.1%	8.8	92.5%	4.1%	3.4%	0.0%
Seriousness level 3	943	14.4%	10.6	89.5%	6.3%	4.0%	0.2%
Seriousness level 4	785	12.0%	17.2	87.5%	3.3%	9.0%	0.1%
Seriousness level 5	702	10.7%	23.5	89.0%	6.0%	4.3%	0.7%
Seriousness level 6	288	4.4%	17.7	82.6%	2.1%	14.2%	1.0%
Seriousness level 7	390	6.0%	34.3	93.3%	0.5%	5.6%	0.5%
Seriousness level 8-10	226	3.5%	68.1	86.7%	8.4%	1.8%	3.1%
NC – Females	600	9.2%	14.5	95.7%	1.5%	2.9%	0.0%
Seriousness levels 1-6	506	7.7%	11.5	95.5%	1.6%	3.0%	0.0%
Seriousness levels 7-10	94	1.4%	30.9	96.8%	1.1%	2.1%	0.0%
Parole Violators – Males	1,741	26.6%	19.0	93.6%	5.9%	0.0%	0.5%
Seriousness levels 1-6	1,139	17.4%	15.6	91.5%	7.9%	0.0%	0.6%
Seriousness levels 7-10	602	9.2%	25.3	97.7%	2.2%	0.0%	0.2%
PV – Females	130	2.0%	13.9	91.6%	8.4%	0.0%	0.0%
Seriousness levels 1-6	98	1.5%	13.2	88.8%	11.2%	0.0%	0.0%
Seriousness levels 7-10	32	0.5%	16.2	100.0%	0.0%	0.0%	0.0%
Unknown	178	2.7%	9.3	n/a	n/a	n/a	n/a
TOTAL	6,544	100.0%	22.2	90.4%	5.0%	3.6%	0.9%

Source: ADC data extract release file

VI. KEY POPULATION PROJECTION ASSUMPTIONS (BASELINE & HIGH SCENERIO)

The inmate population projections contained in this report were completed using the Wizard simulation model. This model simulates the movements of inmates through the prison system based on known and assumed policies affecting both the volume of admissions into the system and the lengths of stay for inmates who are housed in prison. It simulates the movements of individual cases, by offense group, and projects each separately. Inmates sentenced under different sentencing policies, move through the system differently. JFA has made the following key assumptions that have a significant impact on the projection results.

A. Future parole grant rates for old law offenders and transfer eligibility rates for new offenders will reflect what was observed during 2013.

For the projections presented in this document, probabilities of parole release for old law offenders for each ID group are assumed to be the same as those presented for calendar year 2013: 70.3 percent of old law offenders were released via parole. The overall release probability for new law offenders to parole in 2013 was 90.7 percent showing the majority of offenders are released to parole. This release probability is assumed over the next ten years.

New law transfer rates will also remain constant at the rates observed during 2013 throughout the forecast horizon. Table 20 displays the number and rates at which new law offenders were not released at the transfer eligibility dates for 2012 and 2013. As can be seen in Table 20, approximately 44.2 percent of all new charge inmates released via discharge or parole are held beyond their transfer eligibility date and serve an average of 8.6 months before being released. The statistics, broken out by gender and type of crime, are assumed over the forecast horizon.

B. The sentence group composition of future annual new court commitments is assumed to be the same as the composition of admissions during 2013.

Projections in this report are based on admission and release data provided to JFA Associates by the Arkansas Department of Correction for 2013. Table 18 presented the sentencing profiles for newly committed inmates by seriousness level. Future admissions are assumed to “look like” these admissions in terms of the proportion of admitting charges, sentences received, good time credit awards, and serving times to parole eligibility.

C. Parole revocation rates will remain at the levels reported in 2013.

In 2013, it was determined that 3,836 offenders were returned for parole violations; this number is 134.0 percent higher than the 2012 count of 1,639. 2,845 of these violations were for a new crime and 991 were for technical violations. For the purposes of this baseline forecast, the assumption is made that future violation levels will remain at similar levels reported in 2013. The model estimates that parole violators with a new crime will serve an average length of stay of 19.0 months for males and 13.9 months for females. Technical violators are assumed to serve an average of approximately 7.0 months for both males and females.

D. Two admissions assumption scenarios are presented to reflect the generation of both a baseline and high admissions scenario forecast.

Under the baseline, new admissions and parole violator admissions are projected to remain flat at 2013 levels through 2024. Under the high scenario, new admissions are projected to increase 1.2% per year and parole violator, both new crime and technical revocation admissions are projected to increase 1.2% per year.

**TABLE 20
ARKANSAS DEPARTMENT OF CORRECTION
OFFENDERS (RELEASED VIA DISCHARGE OR PAROLE) HELD BEYOND TRANSFER
ELIGIBILITY DATE BY ID-GROUP IN 2012 & 2013**

ID-Group*	Total Released via Discharge/Parole	Total Held Beyond Transfer Eligibility Date	% Held Beyond Transfer Eligibility Date	For those held beyond TE Date, average # of months held over
2012				
New Commitments – Males	3,173	1,520	47.9%	7.5
New Commitments – Females	451	225	49.9%	3.5
TOTAL	3,624	1,745	48.2%	7.0
2013				
New Commitments – Males	3,421	1,503	43.9%	9.6
New Commitments – Females	592	270	45.6%	3.6
TOTAL	4,013	1,773	44.2%	8.6

**Excludes those with an offense date before 1/1/1994, lifers, parole violator returns, 50%ers and 70%ers.
Source: ADC extract data release files*

VII. PRISON POPULATION PROJECTION

This section contains the baseline and high scenario inmate population projections based on the assumptions set forth above. As of this forecast, Act 570 impacts are built directly into the baseline forecast. Assumptions for the Act 570 impacts are included in the Section IX of this document.

A. Projected Inmate Population

Tables 21 and 22 and Figure 5 display the historical and projected inmate populations for the period 2003 to 2024. The table includes the projections using the base model assumptions. A more detailed breakdown of the forecast by gender and by month is presented in the Appendix of this document.

- In December of 2024, 20,024 offenders are projected to be housed in the Arkansas Department of Correction using the baseline projections. Under the high scenario this number is projected to be 21,906.
- At the end of CY 2013, the inmate prison population was 17,211. Under the baseline projection, the population is projected to increase to 17,558 inmates at the end of 2014 and to 19,055 in 2019. The projected growth represents average annual increases of 1.3 percent per year through the year 2024.

- Under the high projection, the population is projected to increase to 17,791 inmates at the end of 2014 and to 20,162 in 2019. The projected growth represents average annual increases of 2.1 percent per year through the year 2024.
- Under the baseline projections, the male inmate population is projected to grow an average of 1.3 percent between 2014 and 2024 while the female inmate population is projected to grow by an average of 1.2 percent per year through 2024.
- Under the high scenario projections, the male inmate population is projected to grow an average of 2.1 percent between 2014 and 2024 while the female inmate population is projected to grow by an average of 1.9 percent per year through 2024.
- It should be noted that the projections for both the baseline and high scenario grow at a slower pace through the first seven months of 2014. This is for the release of a large portion of the technical parole violators admitted over a short period of time ((June – December) in 2013 who are assumed to serve an average of 7 months in prison.

TABLE 21
ARKANSAS DEPARTMENT OF CORRECTION
HISTORICAL AND PROJECTED INMATE POPULATION 2003-2024

Year	Historical	Base	High Scenario
2003	13,109		
2004	13,470		
2005	13,338		
2006	13,698		
2007	14,285		
2008	14,686		
2009	15,171		
2010	16,176		
2011	15,035		
2012	14,627		
2013	17,211	17,211	17,211
2014		17,558	17,791
2015		17,929	18,267
2016		18,277	18,845
2017		18,553	19,286
2018		18,819	19,757
2019		19,055	20,162
2020		19,357	20,460
2021		19,640	20,775
2022		19,754	21,202
2023		19,899	21,533
2024		20,024	21,906
Numeric Diff. 2003-2013	4,102		
% Diff. 2003-2013	31.3%		
Average % Diff. 2003-2013	2.9%		
Numeric Diff. 2014-2024		2,466	4,115
% Diff. 2014-2024		14.0%	23.1%
Average % Diff. 2014-2024		1.3%	2.1%

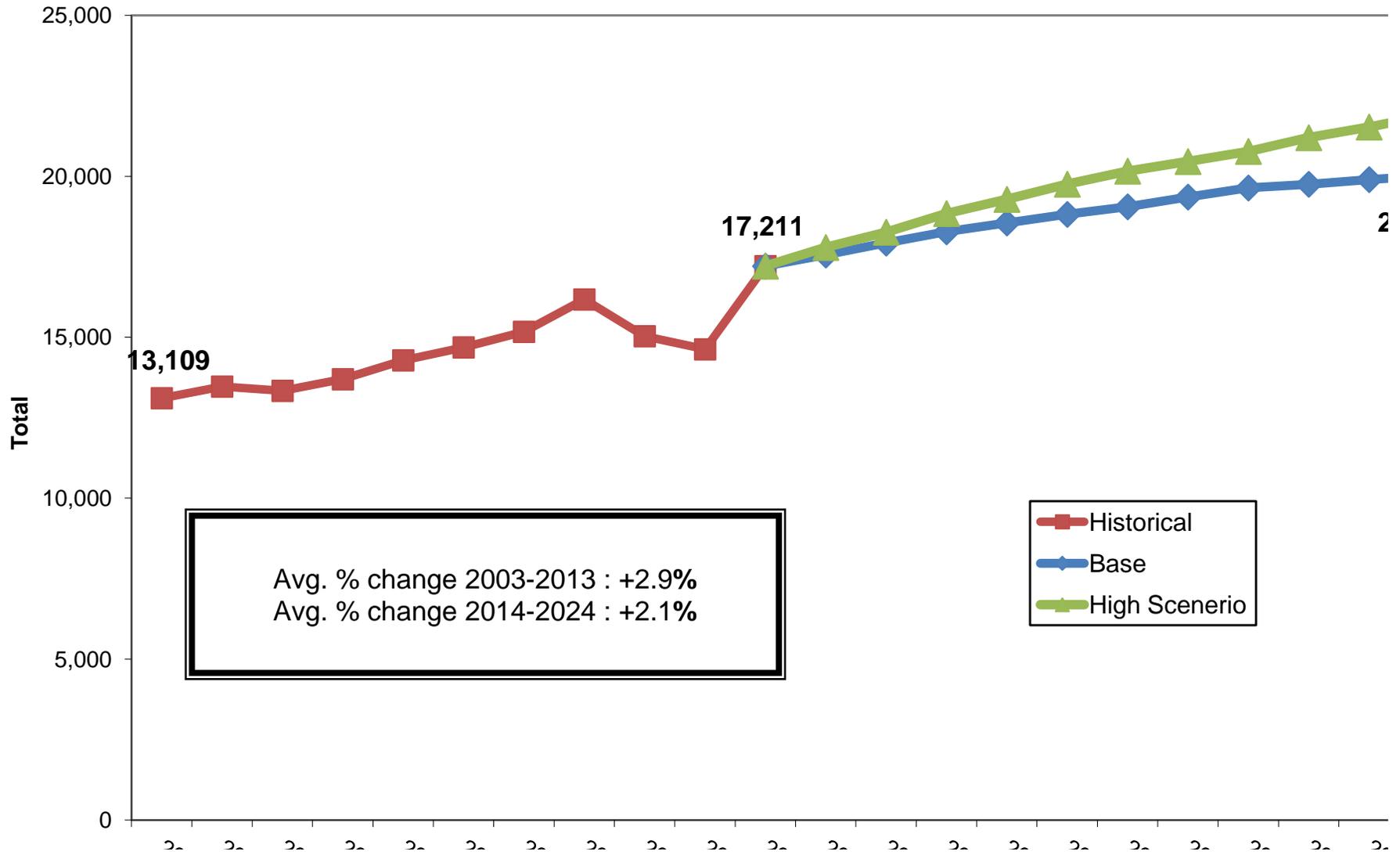
Source: JFA Simulation Model

TABLE 22
ARKANSAS DEPARTMENT OF CORRECTION
HISTORICAL AND PROJECTED INMATE POPULATION BY GENDER 2003-2024

Year	Historical Males	Historical Females	Baseline Projected Males	Baseline Projected Females	High Projected Males	High Projected Females
2003	12,191	918				
2004	12,486	984				
2005	12,288	1,050				
2006	12,659	1,039				
2007	13,217	1,068				
2008	13,627	1,059				
2009	14,109	1,062				
2010	15,013	1,163				
2011	13,948	1,087				
2012	13,568	1,059				
2013	15,881	1,330	15,881	1,330	15,881	1,330
2014			16,199	1,359	16,388	1,403
2015			16,563	1,366	16,840	1,427
2016			16,857	1,420	17,393	1,452
2017			17,123	1,430	17,801	1,485
2018			17,376	1,443	18,235	1,522
2019			17,602	1,453	18,602	1,560
2020			17,895	1,462	18,880	1,580
2021			18,171	1,469	19,175	1,600
2022			18,263	1,491	19,568	1,634
2023			18,382	1,517	19,869	1,664
2024			18,489	1,535	20,217	1,689
Numeric Diff. 2003-2013	3,690	412				
% Diff. 2003-2013	30.3%	44.9%				
Average % Diff. 2003-2013	2.9%	3.8%				
Numeric Diff. 2014-2024			2,290	176	3,829	286
% Diff. 2014-2024			14.1%	13.0%	23.4%	20.4%
Average % Diff. 2014-2024			1.3%	1.2%	2.1%	1.9%

Source: JFA Simulation Model

Figure 5: Historical & Projected ADC Population: 2003-2024



IX. ACT 570 IMPACT ASSUMPTIONS

This section contains a summary of initiatives passed in Act 570 that are assumed to affect the prison population, the original assumptions behind each reduction and a baseline CY2010 measurement for each initiative. We have tracked these assumptions through 2012 to determine the actual versus the assumed impacts.

All assumptions for ACT 570 have been built into both the baseline and high scenario forecasts.

A. Merging of Sentencing Guidelines and Sentencing and Commitment Report

Act 570 required the Arkansas Sentencing Commission to collaborate with the Administrative Office of the Courts (AOC) to develop and implement an integrated sentencing and commitment and departure form that will also include:

- Demographic information including the race and ethnicity of both the offender and the victim or victims;
- The placement decision;
- Sentence length;
- Any departure from the sentencing guidelines on placement and sentence length;
- The number of months above or below the presumptive sentence;
- Justification for the departure; and

The ASC began using the new form on January 1, 2012 and is required to produce annual reports regarding compliance with sentencing guidelines, including the application of voluntary presumptive standards, and departures from the standards. The report shall include:

- Data collected from each county; and
- Both a county-by-county and statewide accounting of the results including without limitation:
 - Sentences to the Department of Correction and Department of Community Correction;
 - The average sentence length for sentences by offense type and seriousness level according to the sentencing guidelines;
 - The percentage of sentences that are an upward departure from the sentencing guidelines; and
 - The average number of months above the recommended sentence.

The report will be filed each year after the initial year and shall include data from prior years (2012 forward). The Commission is also required to prepare and conduct annual continuing legal education seminars regarding the sentencing guidelines to be presented to judges, prosecuting attorneys and their deputies, and public defenders and their deputies, as so required. A first full report was issued in November 2013.

The above changes were assumed to reduce the overall net sentences for offenders in levels 1-5 by 20% (return to CY 2002 levels). No diversions are assumed in this impact.

Below is a summary of CY 2010 - CY 2013 new sentences for levels 1-5.

**TABLE 23
NEW CRIME AVERAGE SENTENCES TO ADC 2010 - 2013**

New Crime Seriousness Level	2002 Avg. Sentence (mos.)	2010 Avg. Sentence (mos.)	2011 Avg. Sentence (mos.)	2012 Avg. Sentence (mos.)	2013 Avg. Sentence (mos.)
Seriousness level 1	44	66.0	-	63.6	60.0
Seriousness level 2	44	43.0	43.1	39.7	54.6
Seriousness level 3	48	56.5	47.3	45.2	49.6
Seriousness level 4	61	81.7	71.6	93.6	86.2
Seriousness level 5	74	97.7	131.8	111.7	99.0

Source: ADC CY 2011 – 2013 admissions data extract file; Note: excludes parole and probation violators

B. Parole Release Risk Instrument/Expedited Parole Release from Jail

There are two main changes to parole board practices described in ACT 570. Beginning January 1, 2012, the Parole Board is required to conduct a risk assessment review of all parole applications and before ordering the release of any prisoner. He/she shall be interviewed by the board or a panel designated by the board. In addition, the Parole Board was required to work with ADC to create a procedure to release parole eligible offenders from jail.

**TABLE 24
ARKANSAS DEPARTMENT OF CORRECTION
OFFENDERS (RELEASED VIA DISCHARGE OR PAROLE) HELD BEYOND TRANSFER
ELIGIBILITY DATE IN 2010 - 2013**

ID-Group*	Total Released via Discharge/Parole	Total Held Beyond Transfer Eligibility Date	Percent Held Beyond Transfer Eligibility Date	For those held beyond TE Date, Average Number of months held over
2010				
New Commitments – Males	3,222	1,840	57.1%	6.7
New Commitments – Females	472	273	57.8%	2.9
TOTAL	3,694	2,113	57.2%	6.2
2011				
New Commitments – Males	3,378	1,806	53.5%	6.1
New Commitments – Females	529	219	41.4%	4.0
TOTAL	3,907	2,025	51.8%	5.8
2012				
New Commitments – Males	3,173	1,520	47.9%	7.5
New Commitments – Females	451	225	49.9%	3.5
TOTAL	3,624	1,745	48.2%	7.0
2013				
New Commitments – Males	3,421	1,503	43.9%	9.6
New Commitments – Females	592	270	45.6%	3.6
TOTAL	4,013	1,773	44.2%	8.6

*Excludes those with an offense date before 1/1/94, lifers, parole violator returns and 70%-ers.
Source: ADC extract data release files

In addition to revising parole release practices, beginning October 1, 2011, the Parole Board shall submit an annual report to the Chairpersons of the House and Senate Judiciary Committees, the Legislative Council, the Board of Corrections, the Governor and the Commission on Disparity in Sentencing showing the number of persons who make application for parole and those who are granted or denied parole during the previous month for each criminal offense classification.

The report shall include:

- a breakdown by race of all persons sentenced in each criminal offense classification;
- the reason for each denial of parole;
- the results of the risk-needs assessment; and
- the course of action that accompanies each denial.

The board is required to cooperate with and upon request make presentations and provide various reports, to the extent the board's budget will allow, to the Legislative Council concerning board policy and criteria on discretionary offender programs and services.

The combination of these efforts was assumed to decrease the number of offenders held beyond their transfer eligibility date to 25 percent. Offenders held beyond their transfer eligibility date were assumed to remain an additional 3 months before release.

C. Changes in Drug Statutes

A series of changes were made to controlled substance statutes.

The described drug status changes were assumed to have a projected impact on approximately 265 admissions and to save an average of 10 months in length of stay.

**TABLE 25
NEW CRIME 2010 - 2013 DRUG ADMISSIONS**

Drug Crime	N	Percent of New prison commits	Avg. Prison Sentence (mos.)	Number of Probation Admits	Avg. Prob. Term (mos.)
2010					
Drug paraphernalia	71	2.8%	62.1	458	46.4
Manuf/Deliv/possession controlled substance	1,351	28.3%	97.4	3,397	47.2
Total	1,488	31.1%	91.4	3,855	47.1
2011					
Drug paraphernalia	78	1.8%	48.3	459	46.9
Manuf/Deliv/possession controlled substance	1,262	29.1%	79.1	3,262	46.9
Total	1,340	30.9%	77.3	3,721	46.9
2012					
Drug paraphernalia	89	1.9%	41.3	267	45.7
Manuf/Deliv/possession controlled substance	1,249	26.6%	66.8	2,512	46.3
Total	1,338	28.5%	65.1	2,782	46.2
2013					
Drug paraphernalia	252	5.1%	53.8	349	44.7
Manuf/Deliv/possession controlled substance	1,181	23.7%	62.7	2,573	46.9
Total	1,433	28.7%	61.2	2,922	46.6

Source: ADC admissions data extract file; ACC probation admissions extract file

*Excludes lifers and 70% and 50%ers.

**TABLE 26
2013 DRUG ADMISSIONS BY STATUTE**

Statute	Statue Description	New		Old		Total	
		N	Avg. Sent. (mos.)	N	Avg. Sent. (mos.)	N	Avg. Sent. (mos.)
5-64-401	<i>Manufacture/delivery/possession</i>	15	18.7	537	66.5	552	65.2
5-64-402	Offenses relating to records	3	41.7	1	60.0	4	46.3
5-64-403	Controlled substances	8	19.4	44	51.8	52	46.8
5-64-419	Possession of controlled substance	241	37.7	0	-	241	37.7
5-64-420	Poss. meth/coke with intent to deliver	109	84.7	0	-	109	84.7
5-64-422	Delivery meth/coke	162	83.2	0	-	162	83.2
5-64-423	Man. meth/coke	14	83.0	0	-	14	83.0
5-64-424	Poss. Sched. I/II with purpose to deliver	10	55.7	0	-	10	55.7
5-64-426	Delivery of Sched. I/II (not meth/coke)	30	44.1	0	-	30	44.1
5-64-427	Man. of Sched. I/II (not meth/coke)	1	72.0	0	-	1	72.0
5-64-428	Poss. Sched. III with purpose to deliver	7	46.0	0	-	7	46.0
5-64-430	Delivery Sched. III	8	17.5	0	-	8	17.5
5-64-431	Man. Sched. III	0	-	0	-	0	-
5-64-432	Poss. Sched. IV/V with purpose to deliver	2	97.5	0	-	2	97.5
5-64-434	Delivery Sched. IV/V	1	12.0	0	-	1	12.0
5-64-435	Man. Sched. IV/V	0	-	0	-	0	-
5-64-436	Poss. Sched. VI with purpose to deliver	51	54.4	0	-	51	54.4
5-64-438	Delivery Sched. VI	31	38.3	0	-	31	38.3
5-64-439	Man. Sched. VI	6	67.5	0	-	6	67.5
5-64-440	Trafficking	3	120.0	0	-	3	120.0
5-64-441	Poss. Counterfeit substance	0	-	0	-	0	-
5-64-442	Del./Man. Counterfeit substance	8	46.1	0	-	8	46.1
5-64-443	Paraphernalia	132	56.1	0	-	132	56.1
5-64-444	Drug paraphernalia	0	-	0	-	0	-
5-64-445	Advertisement	0	-	0	-	0	-
5-64-802	Illegal drug paraphernalia business	10	4.1	1	2.0	11	3.9
5-64-1102	Poss. of ephedrine	3	54.0	1	24.0	4	46.5
Total		855	58.0	584	64.6	1,439	60.7

Source: ADC admissions data extract file

D. Changes in Theft/Property Threshold Amounts

A series of changes were made to update the theft/property threshold amounts.

The described theft/property status changes were assumed to have a projected impact of approximately 85 admissions and to save an average of 9 months in length of stay.

**TABLE 27
NEW CRIME 2010 - 2013 PROPERTY CRIME ADMISSIONS**

Statute	Statute Description	2010 Admissions				2011 Admissions			
		Number Prison Admits	Avg. Prison Sentence (mos.)	Number Probation Admits	Avg. Prob. Term (mos.)	Number Prison Admits	Avg. Prison Sentence (mos.)	Number Probation Admits	Avg. Prob. Term (mos.)
5-36-103	Theft of property	403	74.2	1,093	46.6	368	82.4	1,142	45.3
5-36-104	Theft of services	1	60.0	14	30.4	1	60.0	9	47.7
5-36-106	Theft by receiving	128	61.5	411	45.5	120	66.2	411	45.3
5-37-207	Fraudulent use of credit card	22	28.7	181	45.9	11	42.5	162	47.7
5-37-303	Theft of wireless services	0	-	0	-	0	-	0	-
5-37-305	Hot check	46	38.0	408	45.5	2	36.0	288	46.8
5-38-203	Criminal mischief I	25	35.1	182	38.9	25	54.5	167	39.6
5-38-204	Criminal mischief II	6	47.0	35	32.4	4	37.5	40	34.5
Total		631	65.6	2,324	45.2	531	76	2,219	45.0
Statute	Statute Description	2012 Admissions				2013 Admissions			
		Number Prison Admits	Avg. Prison Sentence (mos.)	Number Probation Admits	Avg. Prob. Term (mos.)	Number Prison Admits	Avg. Prison Sentence (mos.)	Number Probation Admits	Avg. Prob. Term (mos.)
5-36-103	Theft of property	381	66.5	989	47.8	435	65.7	1,103	49.8
5-36-104	Theft of services	1	36.0	9	40.5	0	-	29	49.7
5-36-106	Theft by receiving	115	55.3	291	45.6	135	51.6	317	47.2
5-37-207	Fraudulent use of credit card	13	39.1	74	44.4	26	56.1	60	44.0
5-37-303	Theft of wireless services	0	-	0	-	0	-	2	48.0
5-37-305	Hot check	5	43.2	114	39.7	2	84.0	132	55.7
5-38-203	Criminal mischief I	33	58.4	115	42.1	22	52.2	108	56.5
5-38-204	Criminal mischief II	4	9.2	22	45.8	5	40.8	33	37.9
Total		552	62.4	1,614	46.2	625	61.6	1,784	49.2

Source: ADC CY 2010 - 2012 admissions data extract file; ACC CY 2010 - 2012 probation admissions extract file

**TABLE 28
2013 PROPERTY CRIME ADMISSIONS BY STATUTE**

Statute	Statute Description	New		Old		Total	
		Number	Avg. Sent. (mos.)	Number	Avg. Sent. (mos.)	Number	Avg. Sent. (mos.)
5-36-103	Theft of property	122	59.2	313	68.2	435	65.7
5-36-104	Theft of services	0	-	0	-	0	-
5-36-106	Theft by receiving	55	45.4	80	55.8	135	51.6
5-37-207	Fraudulent use of credit card	4	63.0	22	54.8	26	56.1
5-37-303	Theft of wireless services	0	-	0	-	0	-
5-37-305	Hot check	0	-	2	84.0	2	84.0
5-38-203	Criminal mischief I	8	46.6	14	55.3	22	52.1
5-38-204	Criminal mischief II	2	48.0	3	36.0	5	40.8
Total		191	54.7	434	64.7	625	61.6

Source: ADC admissions data extract file

E. Earned Discharge from Parole and Probation

Section 82 of Act 570 created provisions for earned discharge and completion of sentence from parole and probation.

If a person is incarcerated for an eligible felony, whether by an immediate commitment or after his or her probation is revoked, and after he or she is moved to community supervision through parole or transfer by the Parole Board, or if he or she is placed on probation, he or she is immediately eligible to begin earning daily credits that shall count toward reducing the number of days he or she is otherwise required to serve until he or she has completed the sentence.

Credits equal to thirty (30) days per month for every month that the offender complies with court-ordered conditions and a set of predetermined criteria established by the ACC in consultation with judges, prosecuting attorneys, and defense counsel shall accrue while the person is on parole or probation.

The ACC shall calculate the number of days the person has remaining to serve on parole or probation before that person completes his or her sentence. The number of days shall be recalculated on a monthly basis to reflect the application of any credits earned under this subchapter. The department shall have sole discretion to forfeit any credits a person earns under this subchapter unless otherwise provided for in this section. The award or forfeiture of any credits earned under this subchapter is not subject to appeal or judicial review. A person convicted of another felony offense while on parole or probation may result in the forfeiture of any credits.

The following felony offenses shall be eligible for earned discharge and completion of the sentence under this subchapter: All Class D, Class C, and Class B felonies, except:

- An offense for which sex offender registration is required under the Sex Offender Registration Act of 1997;
- A felony involving violence under A.C.A. § 5-4-501(d)(2);
- Kidnapping, Manslaughter, or Driving while intoxicated;
- All Class A controlled substance offenses; and
- A Class Y felony.

Earned discharge from parole and probation is broken into 3 impacts: (1) prison savings, (2) parole inactive population savings and (3) probation inactive population savings. Prison impact savings are assumed to be based on a reduction in additional sentence time for new felony conviction parole violators returned to prison and a reduction in probation technical violators returned to prison.

It was assumed there would be approximately 66 admissions reduction in probation violators returned. It was also assumed approximately 29% of parole violators returned to prison will serve roughly 10 months less with earned goodtime on parole.

**TABLE 29
2012 & 2013 PAROLE REVOCATIONS TO ADC BY OFFENSE**

Offense Group	Number	% Total	Percent Prison Admissions	Avg. Sentence (mos.)	2012		2013	
					Number	% Total	Percent Prison Admissions	Avg. Sentence (mos.)
Murder	13	0.8%	0.2%	212.0	31	0.8%	0.3%	296.9
Assault	25	1.5%	0.4%	78.5	75	1.9%	0.8%	81.5
Sex crime	33	2.0%	0.5%	150.3	134	3.4%	1.5%	130.5
Robbery	118	7.2%	1.8%	164.7	287	7.3%	3.1%	138.7
Drug distribution	446	27.2%	6.8%	117.5	998	25.4%	10.8%	111.9
Other drug	48	2.9%	0.7%	90.4	79	2.0%	0.9%	83.9
Burglary	166	10.1%	2.5%	129.7	402	10.2%	4.4%	115.4
Battery	136	8.3%	2.1%	107.5	327	8.3%	3.5%	97.8
Theft	243	14.8%	3.7%	116.8	614	15.6%	6.7%	105.2
Fraud	13	0.8%	0.2%	123.4	20	0.5%	0.2%	117.6
Forgery	28	1.7%	0.4%	91.0	106	2.7%	1.2%	88.4
Weapons/explosives	75	4.6%	1.1%	122.2	260	6.6%	2.8%	143.4
DWI	5	0.3%	0.1%	55.0	1	0.0%	0.0%	36.0
Other violent	72	4.4%	1.1%	105.0	130	3.3%	1.4%	105.0
Other property	21	1.3%	0.3%	115.0	59	1.5%	0.6%	102.6
Other non-violent	95	5.8%	1.4%	129.1	177	4.5%	1.9%	91.3
Criminal attempt	49	3.0%	0.7%	165.3	142	3.6%	1.5%	148.6
Criminal conspiracy	38	2.3%	0.6%	124.5	94	2.4%	1.0%	124.3
Unknown	16	1.0%	0.2%	237.9	1	0.0%	0.0%	600.0
All	1,639	100.0%	24.9%	123.5	3,937	100.0%	42.7%	114.8

Source: ADC CY 2011 & 2012 admissions data extract file; 'unknowns' are cases in the data extract file for which the offense cannot be determined.

**TABLE 30
2010 - 2013 TOTAL PROBATION REVOCATIONS TO ADC**

Revocations	Number	Estimated Percent of Prison Admissions
2010 Prob. Revs.	1,296	16.9%
2011 Prob. Revs.	1,100	15.5%
2012 Prob. Revs.	1,370	22.2%
2013 Prob. Revs.	1,649	17.9%

Source: ACC CY 2010 probation release extract file; 2011-2013 ADC admissions extract file

F. 120 Day Early Release for Non-Violent Offenders

From section 105 of ACT 570, an inmate serving a sentence in the Department of Correction may be released from incarceration to electronic monitoring (EM) if the:

- Inmate has served one hundred twenty (120) days of his or her sentence;
- Sentence was not the result of a jury or bench verdict;
- Inmate has an approved parole plan;
- Inmate was sentenced from a cell in the sentencing guidelines that does not include incarceration in the presumptive range;
- Conviction is for a Class C or Class D felony;
- Conviction is not for a crime of violence, regardless of felony level;
- Conviction is not a sex offense, regardless of felony level;
- Conviction is not for manufacture of methamphetamine;
- Conviction is not for possession of drug paraphernalia with the purpose to manufacture methamphetamine, if the conviction is a Class C felony or higher;
- Conviction is not a crime involving the threat of violence or bodily harm;
- Conviction is not for a crime that resulted in a death; and
- Inmate has not previously failed drug court program.

The Director of ADC or the Director of ACC shall make the factors of consideration known to the Parole Board for consideration of electronic monitoring. The Board of Corrections shall promulgate rules that will establish policy and procedures for an electronic monitoring program. An inmate released from incarceration on parole under this section shall be supervised by the ACC using electronic monitoring until the inmate's transfer eligibility date or for at least ninety (90) days of full compliance by the inmate, whichever is sooner. The term of electronic monitoring shall not exceed the maximum number of years of imprisonment or supervision to which the inmate could be sentenced. The length of time the defendant participates on electronic monitoring program and any good-time credit awarded shall be credited against the defendant's sentence.

It was assumed that approximately 35% of all offenders meeting the early release electronic monitoring criteria will be released at 120 days.

**TABLE 31
NEW COMMITMENTS BY SENTENCING GUIDELINE QUALIFICATION 2013**

SC Group	Statistic	Criminal History Score							Total 2013
		0	1	2	3	4	5+	Unknown	
1	Number Admits	1	0	1	0	0	0	0	2
	Avg. Sent.	3.0	-	60.0	-	-	-	-	31.5
	Avg. LOS	-	-	3.3	-	-	-	-	3.3
2	Number Admits	114	111	91	40	11	7	65	439
	Avg. Sent.	48.0	59.7	58.0	63.4	131.0	59.1	36.3	55
	Avg. LOS	7.3	8.7	9.1	11.0	7.6	7.4	8.5	8.7
3	Number Admits	446	351	230	113	40	40	266	1,486
	Avg. Sent.	51.9	50.5	57.2	66.0	73.4	97.5	33.6	52
	Avg. LOS	10.1	9.6	11.1	8.9	13.1	10.3	10.6	10.3
4	Number Admits	429	201	136	70	27	19	172	1,054
	Avg. Sent.	82.5	79.1	81.7	94.5	84.4	71.6	52.2	77.5
	Avg. LOS	16.9	14.8	16.2	20.4	16.3	20.3	18.1	16.8
5	Number Admits	281	203	138	73	27	27	103	851
	Avg. Sent.	97.1	88.0	101.3	98.7	114.9	121.7	55.0	92.0
	Avg. LOS	25.7	17.2	19.8	19.4	23.2	32.8	26.7	22.5

Source: ADC CY 2013 admissions and release data extract files; Lifers, 50%ers and 70%ers excluded

G. Intermediate Sanctions for Probation Revocations

In accordance with new policies and procedures, it is assumed the creation and implementation of an intermediate sanctions grid will result in a 15% reduction in the number of probation violations returned to prison.

**TABLE 32
2012 & 2013 PROBATION REVOCATIONS TO ADC BY OFFENSE**

Offense Group	Number	Estimated Percent of Prison Admissions	Avg. Sent. (mos.)	Number	Estimated Percent of Prison Admissions	Avg. Sent. (mos.)
	2012			2013		
Murder	2	0.0%	156.0	1	0.0%	35.9
Assault	53	0.9%	50.2	51	0.6%	50.1
Sex crime	25	0.4%	89.7	54	0.6%	62.5
Robbery	23	0.4%	97.6	39	0.4%	83.1
Drug distribution	334	5.4%	62.6	349	3.8%	64.0
Drug possession	60	1.0%	55.6	92	1.0%	50.9
Burglary	194	3.1%	68.1	188	2.0%	68.9
Battery	112	1.8%	58.1	131	1.4%	58.5
Theft	263	4.3%	67.0	365	4.0%	63.8
Fraud	54	0.9%	47.5	17	0.2%	57.9
Forgery	42	0.7%	41.4	89	1.0%	57.2
Weapons/explosives	24	0.4%	68.7	37	0.4%	65.3
DWI	0	0.0%	-	0	0.0%	-
Other violent	93	1.5%	52.4	82	0.9%	65.1
Other property	25	0.4%	65.8	51	0.6%	63.9
Other non-violent	38	0.6%	76.3	61	0.7%	74.2
Criminal attempt	20	0.3%	96.0	26	0.3%	97.4
Criminal conspiracy	7	0.1%	61.7	13	0.1%	89.5
Unknown	1	0.0%	-	3	0.0%	29.0
All	1,370	22.2%	63.7	1,649	17.9%	64.0

Source: ADC CY 2012 & 2013 admissions data extract file; 'unknowns' are cases in the data extract file for which the offense cannot be determined.

H. Performance Incentive Funding/S-CAP Courts

According to ACT 570, 5 pilot sites were to be selected for justice reinvestment performance incentive funding initiatives. At the time of this report's issue, specifics on how the performance will be judged and funds allocated has not been established.

There was no projected bed space impact for these initiatives.

**APPENDIX A
ADDITIONAL TABLES AND FIGURES**

TABLE A
TOTAL BASELINE PROJECTED INMATE POPULATION

Year	January	February	March	April	May	June	July	August	September	October	November	December
2014	17,327	17,320	17,311	13,718	17,324	17,327	17,334	17,346	17,360	17,446	17,517	17,558
2015	17,549	17,569	17,613	17,639	17,651	17,673	17,678	17,776	17,822	17,846	17,907	17,929
2016	17,924	17,919	17,942	17,950	17,948	17,940	18,015	18,048	18,153	18,225	18,266	18,277
2017	18,312	18,373	18,356	18,391	18,398	18,408	18,451	18,493	18,501	18,523	18,525	18,553
2018	18,566	18,585	18,594	18,563	18,586	18,620	18,621	18,656	18,732	18,767	18,816	18,819
2019	18,847	18,832	18,874	18,851	18,835	18,860	18,879	18,889	18,973	19,007	19,025	19,055
2020	19,110	19,137	19,139	19,168	19,178	19,235	19,268	19,295	19,303	19,278	19,307	19,357
2021	19,354	19,400	19,403	19,464	19,474	19,502	19,511	19,538	19,547	19,553	19,619	19,640
2022	19,632	19,641	19,650	19,635	19,648	19,683	19,670	19,674	19,691	19,721	19,724	19,754
2023	19,792	19,773	19,778	19,788	19,844	19,795	19,817	19,882	19,867	19,882	19,930	19,899
2024	19,826	19,837	19,842	19,876	19,891	19,908	19,961	20,018	20,006	20,020	20,028	20,024

**TABLE B
FEMALE BASELINE PROJECTED INMATE POPULATION**

Year	January	February	March	April	May	June	July	August	September	October	November	December
2014	1,359	1,359	1,354	1,331	1,341	1,353	1,360	1,352	1,366	1,365	1,364	1,359
2015	1,373	1,372	1,374	1,365	1,349	1,356	1,349	1,363	1,382	1,360	1,368	1,366
2016	1,352	1,357	1,374	1,383	1,389	1,388	1,394	1,410	1,423	1,428	1,430	1,420
2017	1,422	1,420	1,411	1,410	1,406	1,392	1,396	1,406	1,414	1,417	1,429	1,430
2018	1,432	1,430	1,431	1,432	1,428	1,424	1,431	1,435	1,429	1,435	1,437	1,443
2019	1,445	1,447	1,450	1,453	1,458	1,458	1,459	1,450	1,452	1,451	1,451	1,453
2020	1,456	1,454	1,451	1,459	1,456	1,461	1,455	1,459	1,453	1,456	1,458	1,462
2021	1,465	1,459	1,462	1,457	1,460	1,462	1,463	1,465	1,462	1,467	1,462	1,469
2022	1,472	1,478	1,483	1,479	1,484	1,499	1,502	1,477	1,464	1,478	1,473	1,491
2023	1,495	1,494	1,499	1,493	1,495	1,491	1,496	1,516	1,515	1,520	1,521	1,517
2024	1,516	1,518	1,508	1,514	1,512	1,520	1,525	1,538	1,535	1,541	1,542	1,535

TABLE C
MALE BASELINE PROJECTED INMATE POPULATION

Year	January	February	March	April	May	June	July	August	September	October	November	December
2014	15,968	15,961	15,957	12,387	15,983	15,974	15,974	15,994	15,994	16,081	16,153	16,199
2015	16,176	16,197	16,239	16,274	16,302	16,317	16,329	16,413	16,440	16,486	16,539	16,563
2016	16,572	16,562	16,568	16,567	16,559	16,552	16,621	16,638	16,730	16,797	16,836	16,857
2017	16,890	16,953	16,945	16,981	16,992	17,016	17,055	17,087	17,087	17,106	17,096	17,123
2018	17,134	17,155	17,163	17,131	17,158	17,196	17,190	17,221	17,303	17,332	17,379	17,376
2019	17,402	17,385	17,424	17,398	17,377	17,402	17,420	17,439	17,521	17,556	17,574	17,602
2020	17,654	17,683	17,688	17,709	17,722	17,774	17,813	17,836	17,850	17,822	17,849	17,895
2021	17,889	17,941	17,941	18,007	18,014	18,040	18,048	18,073	18,085	18,086	18,157	18,171
2022	18,160	18,163	18,167	18,156	18,164	18,184	18,168	18,197	18,227	18,243	18,251	18,263
2023	18,297	18,279	18,279	18,295	18,349	18,304	18,321	18,366	18,352	18,362	18,409	18,382
2024	18,310	18,319	18,334	18,362	18,379	18,388	18,436	18,480	18,471	18,479	18,486	18,489

**TABLE D
TOTAL HIGH SCENARIO PROJECTED INMATE POPULATION**

Year	January	February	March	April	May	June	July	August	September	October	November	December
2014	17,329	17,377	17,358	17,402	17,427	17,434	17,493	17,552	17,604	17,690	17,736	17,791
2015	17,798	17,795	17,902	17,973	18,013	18,029	18,057	18,115	18,165	18,199	18,268	18,267
2016	18,294	18,309	18,352	18,421	18,491	18,572	18,608	18,648	18,722	18,770	18,820	18,845
2017	18,888	18,936	18,984	19,024	19,070	19,143	19,184	19,187	19,206	19,240	19,256	19,286
2018	19,327	19,328	19,361	19,411	19,453	19,544	19,553	19,661	19,655	19,679	19,703	19,757
2019	19,728	19,764	19,808	19,845	19,853	19,865	19,905	19,947	19,987	20,000	20,091	20,162
2020	20,208	20,207	20,226	20,263	20,266	20,274	20,323	20,305	20,350	20,381	20,414	20,460
2021	20,481	20,519	20,533	20,563	20,610	20,639	20,655	20,701	20,715	20,725	20,705	20,775
2022	20,800	20,839	20,880	20,931	20,971	21,007	21,017	21,034	21,135	21,149	21,202	21,202
2023	21,189	21,236	21,264	21,282	21,297	21,312	21,361	21,398	21,418	21,469	21,487	21,533
2024	21,577	21,614	21,685	21,733	21,715	21,752	21,810	21,840	21,896	21,870	21,881	21,906

**TABLE E
FEMALE HIGH SCENARIO PROJECTED INMATE POPULATION**

Year	January	February	March	April	May	June	July	August	September	October	November	December
2014	1,356	1,354	1,335	1,343	1,354	1,343	1,361	1,374	1,383	1,385	1,389	1,403
2015	1,389	1,382	1,392	1,399	1,397	1,398	1,391	1,397	1,415	1,413	1,426	1,427
2016	1,422	1,425	1,426	1,428	1,431	1,432	1,439	1,439	1,444	1,443	1,445	1,452
2017	1,452	1,456	1,453	1,454	1,459	1,461	1,469	1,468	1,471	1,483	1,482	1,485
2018	1,487	1,490	1,494	1,492	1,495	1,496	1,501	1,502	1,512	1,516	1,518	1,522
2019	1,522	1,524	1,528	1,531	1,535	1,539	1,542	1,543	1,550	1,551	1,558	1,560
2020	1,561	1,059	1,557	1,564	1,569	1,572	1,576	1,577	1,574	1,580	1,581	1,580
2021	1,585	1,582	1,577	1,581	1,583	1,586	1,594	1,599	1,598	1,600	1,601	1,600
2022	1,603	1,604	1,608	1,612	1,609	1,612	1,624	1,627	1,628	1,629	1,631	1,634
2023	1,632	1,631	1,633	1,638	1,639	1,641	1,647	1,654	1,660	1,663	1,659	1,664
2024	1,662	1,659	1,657	1,656	1,662	1,664	1,671	1,676	1,675	16,779	1,680	1,689

**TABLE F
MALE HIGH SCENARIO PROJECTED INMATE POPULATION**

Year	January	February	March	April	May	June	July	August	September	October	November	December
2014	15,973	16,023	16,023	16,059	16,073	16,091	16,132	16,178	16,221	16,305	16,347	16,388
2015	16,409	16,413	16,510	16,574	16,616	16,631	16,666	16,718	16,750	16,786	16,842	16,840
2016	16,872	16,884	16,926	16,993	17,060	17,140	17,169	17,209	17,278	17,327	17,375	17,393
2017	17,436	17,480	17,531	17,570	17,611	17,682	17,715	17,719	17,735	17,757	17,774	17,801
2018	17,840	17,838	17,867	17,919	17,958	18,048	18,052	18,159	18,143	18,163	18,185	18,235
2019	18,206	18,240	18,280	18,314	18,318	18,326	18,363	18,404	18,437	18,449	18,533	18,602
2020	18,647	19,148	18,669	18,699	18,697	18,702	18,747	18,728	18,776	18,801	18,833	18,880
2021	18,896	18,937	18,956	18,982	19,027	19,053	19,061	19,102	19,117	19,125	19,104	19,175
2022	19,197	19,235	19,272	19,319	19,362	19,395	19,393	19,407	19,507	19,520	19,571	19,568
2023	19,557	19,605	19,631	19,644	19,658	19,671	19,714	19,744	19,758	19,806	19,828	19,869
2024	19,915	19,955	20,028	20,077	20,053	20,088	20,139	20,164	20,221	5,091	20,201	20,217

**Figure 6: Comparison of State Population with Crime Index per 100,000 Residents
Arkansas 2003-2013**

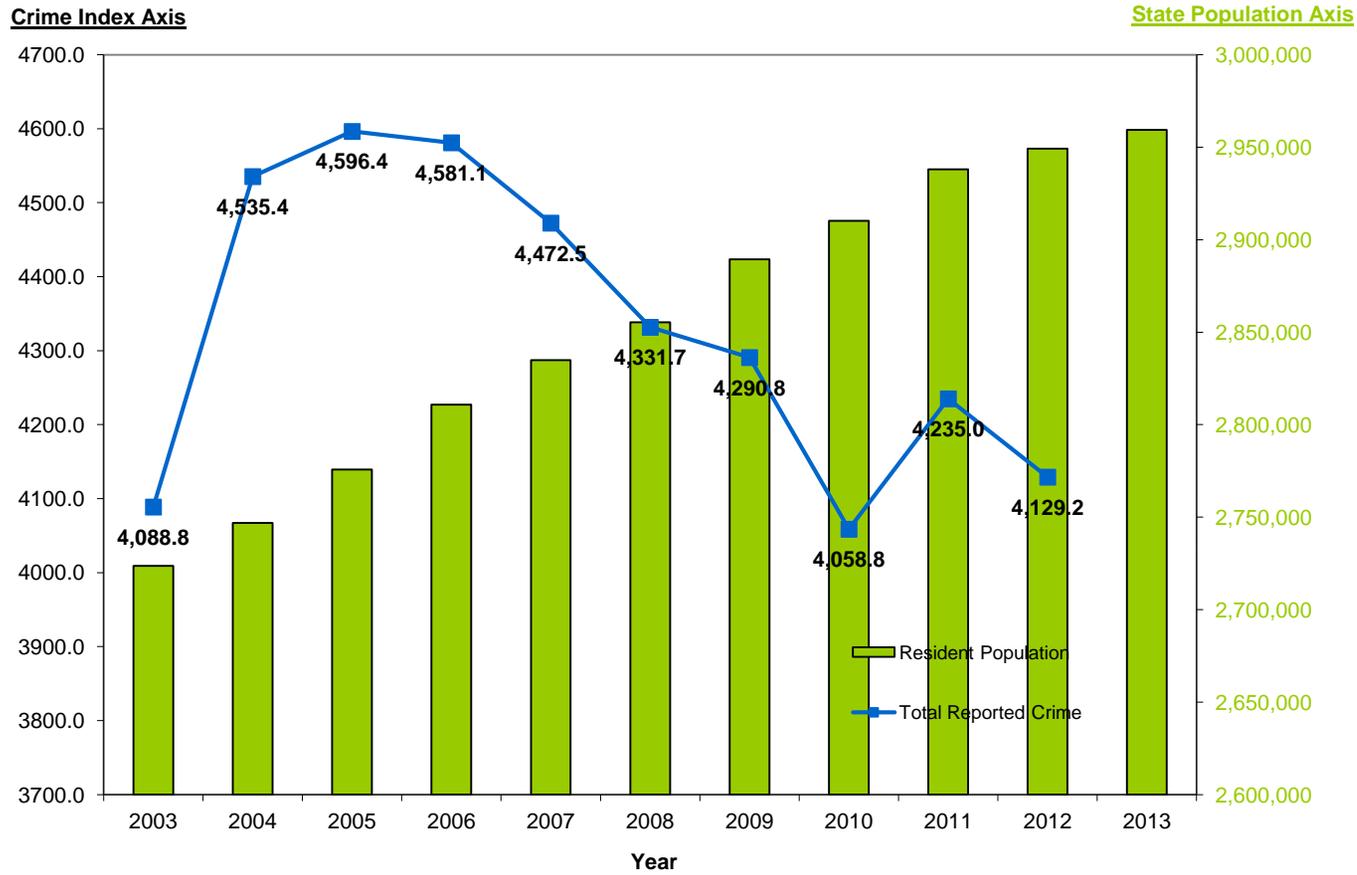


Figure 7: Accuracy of 2013 Male and Female Forecasts
Jan. 2012 thru March 2014

Male Axis

Female Axis

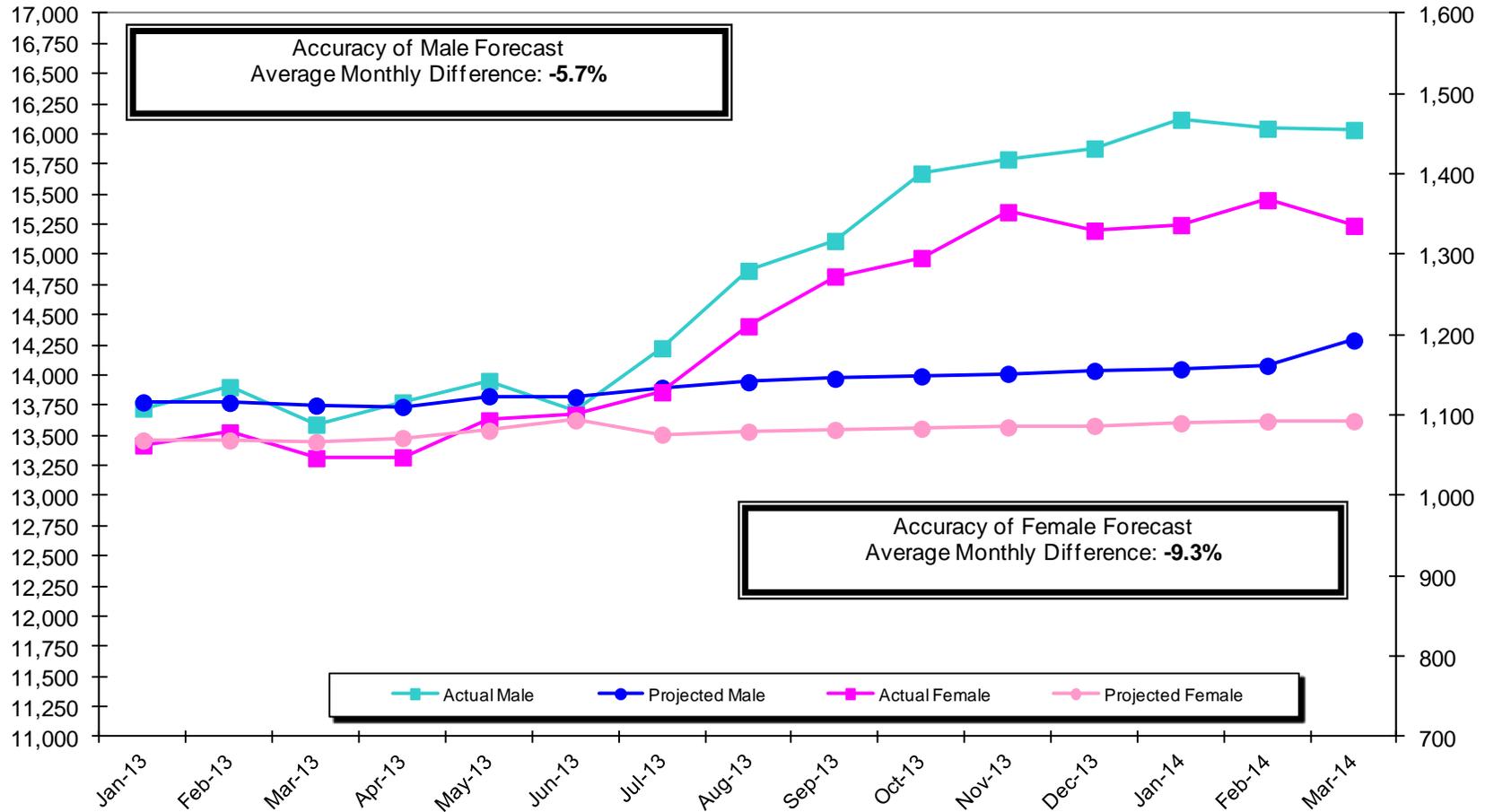
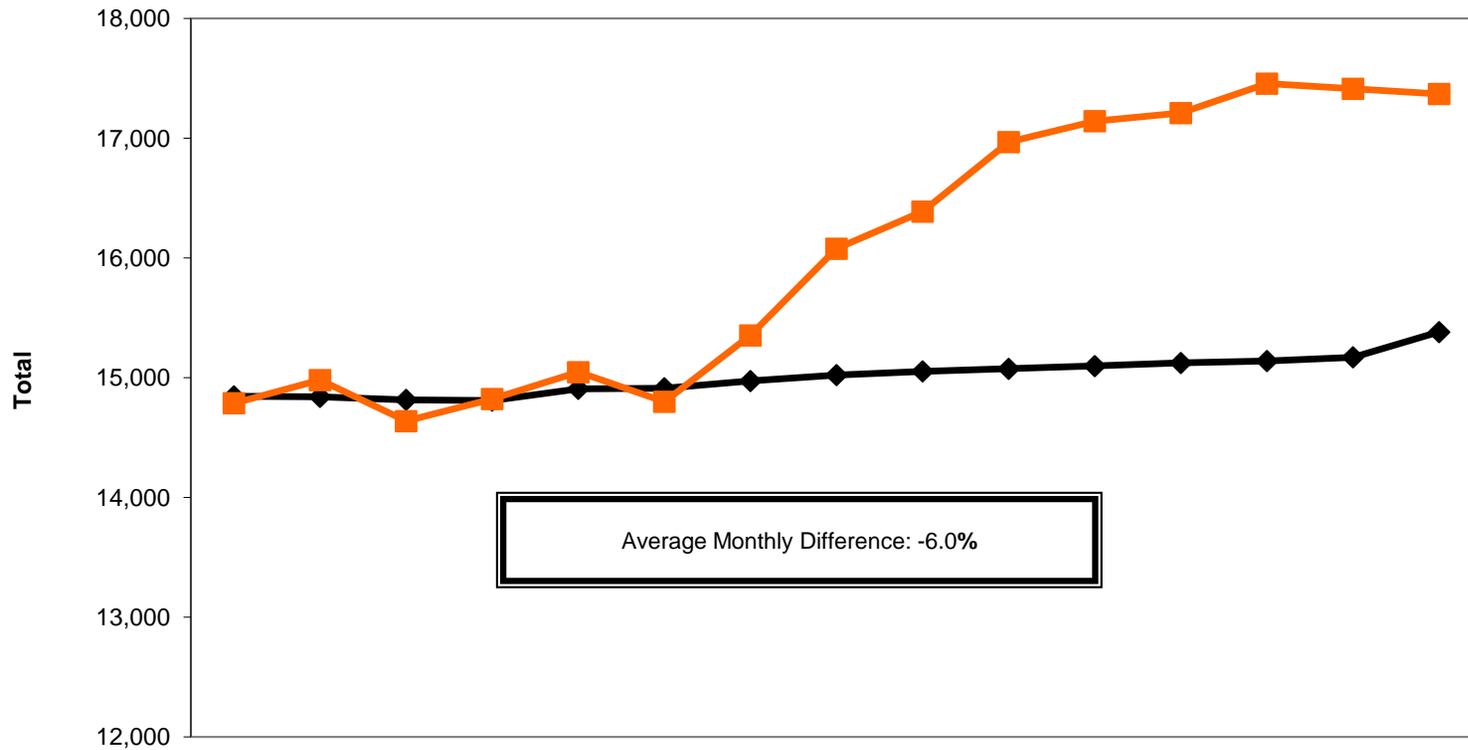


Figure 8: Accuracy of 2013 Forecast Total Incarcerated Population



	Jan-13	Feb-13	Mar-13	Apr-13	May-13	Jun-13	Jul-13	Aug-13	Sep-13	Oct-13	Nov-13	Dec-13	Jan-14	Feb-14	Mar-14
◆ Projected	14,845	14,841	14,816	14,810	14,908	14,913	14,973	15,023	15,054	15,075	15,098	15,124	15,140	15,172	15,382
■ Actual	14,788	14,981	14,638	14,823	15,047	14,800	15,354	16,078	16,388	16,969	17,144	17,211	17,457	17,414	17,371

Month/Year

Figure 9: Historical Admissions to Prison: 2003-2013

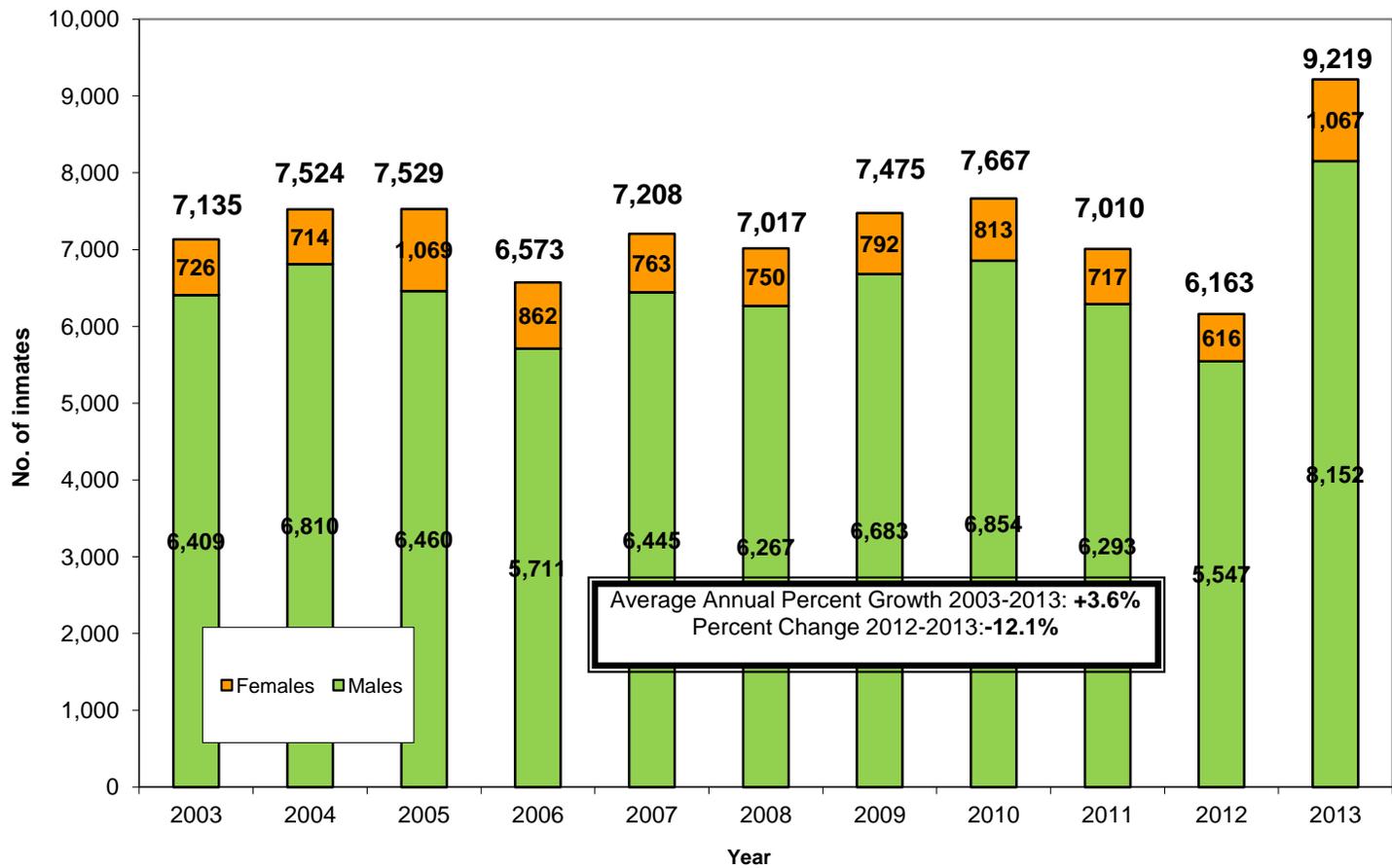


Figure 10: Historical Prison Population 2003-2013

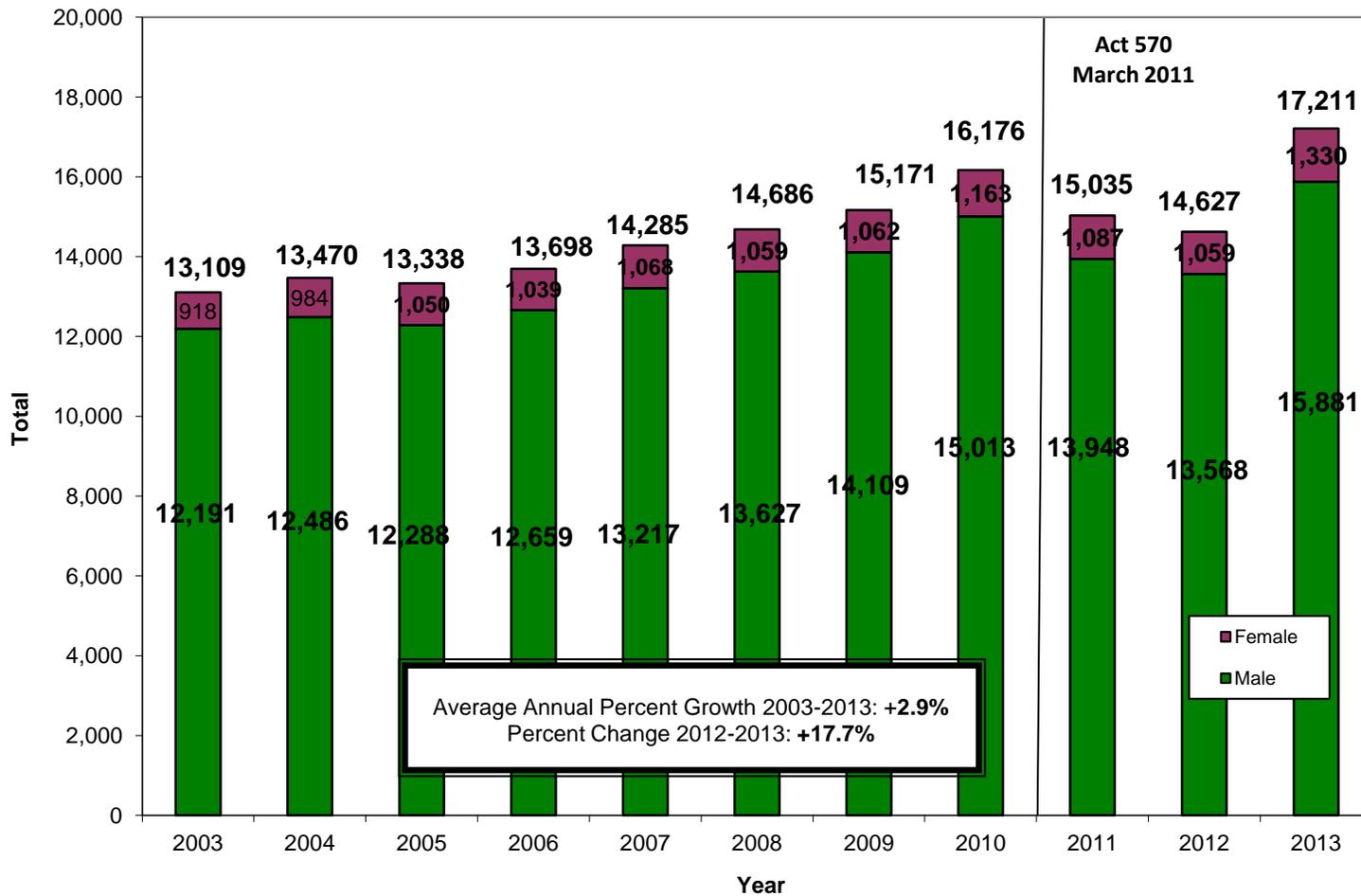


Figure 11: Number of People Admitted to Prison by Gender, Seriousness Level and Admission Type in 2013

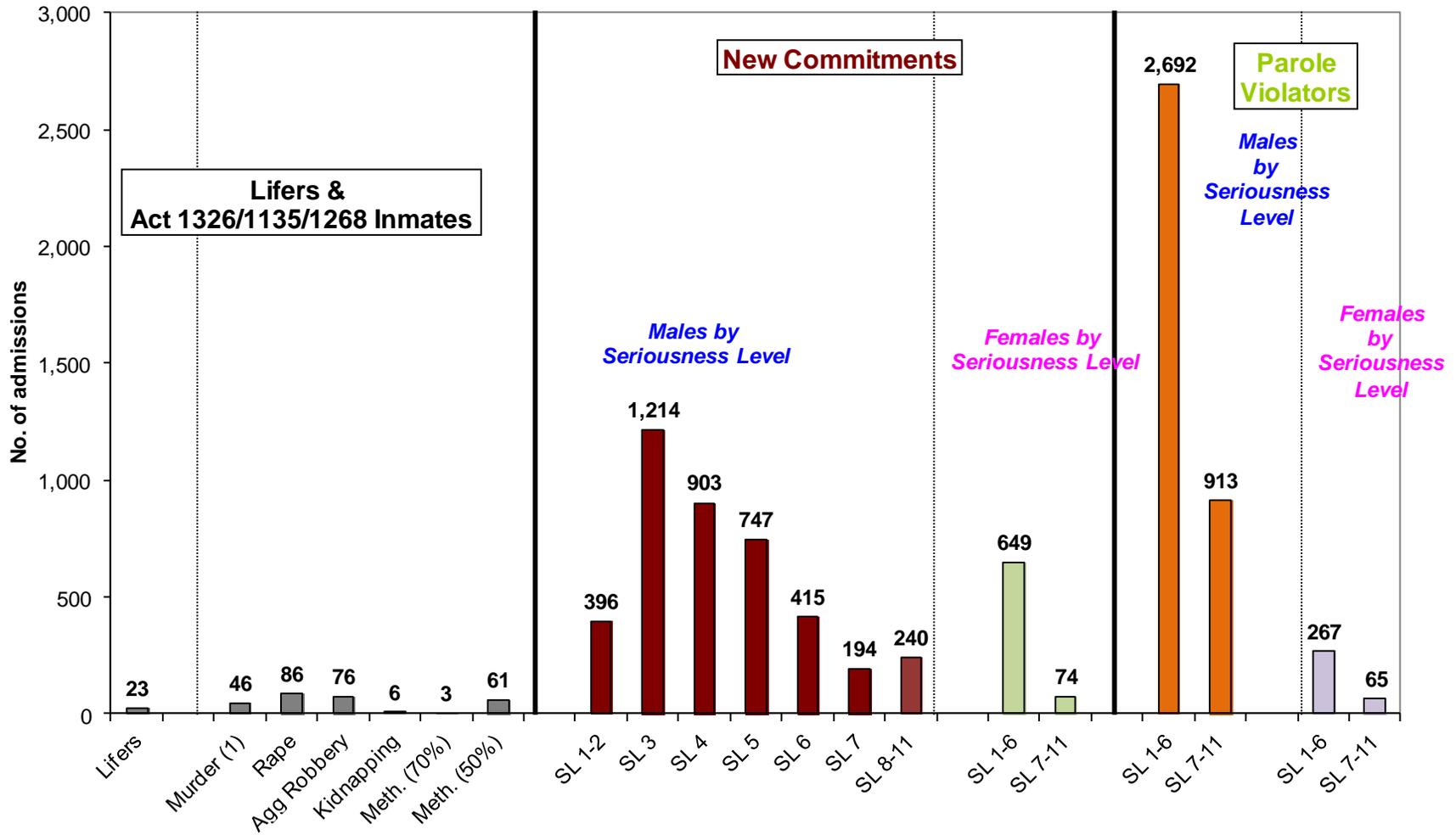
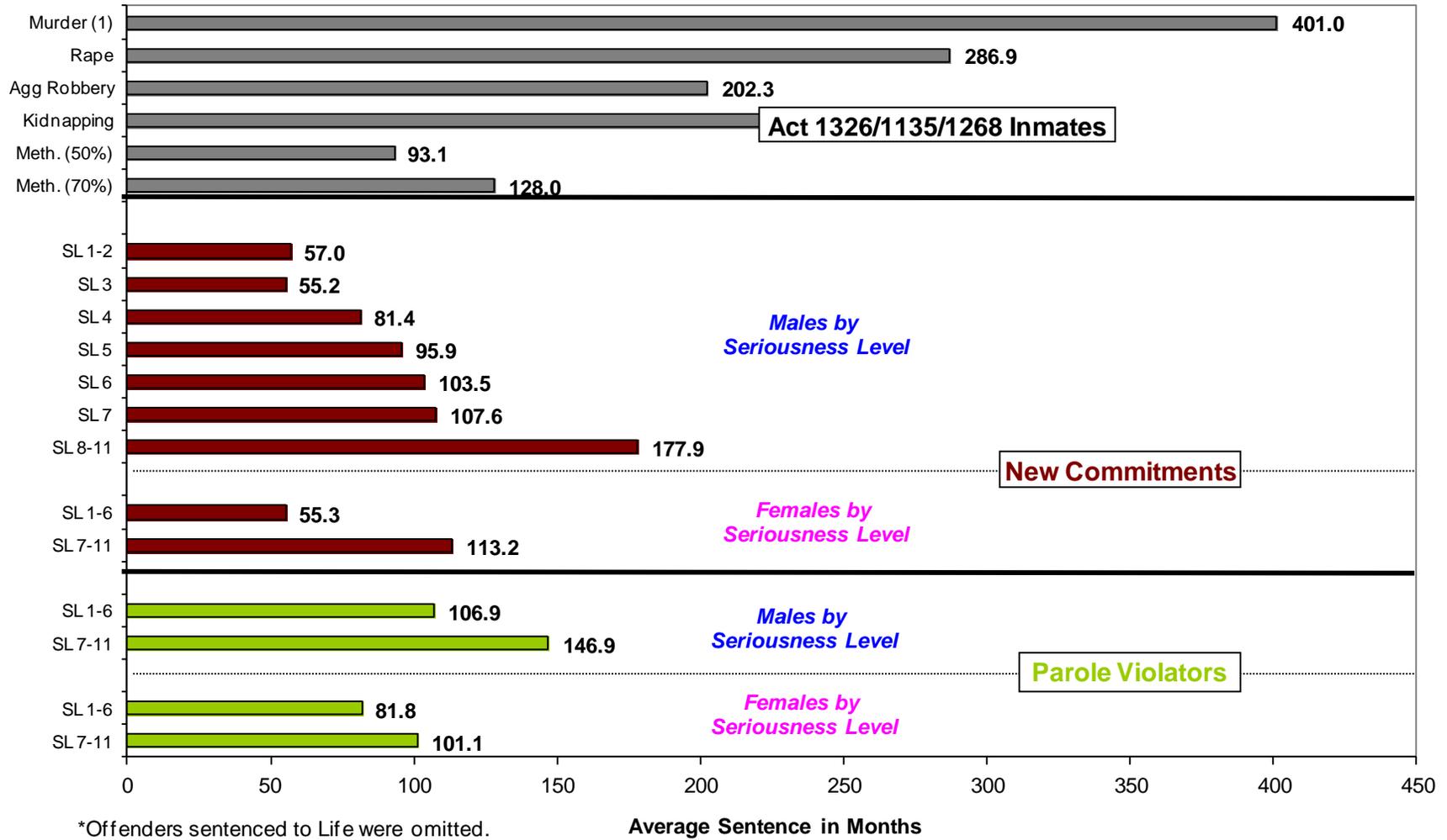


Figure 12: Average Sentences of People Admitted to Prison by Gender, Seriousness Level and Admission Type in 2013



**Figure 13: Comparison of Average Sentences for New Court Commitments
Admitted to Prison by Seriousness Level
Calendar Years 2009 Thru 2013**

