



The 91st. Arkansas General Assembly

There have been approximately 210 bills which directly or indirectly have to do with criminal justice, out of the 2,060 bills filed.

We have been proactive by monitoring and active participation in the current legislative session happening at the capitol in Little Rock.

The Arkansas General Assembly consist of the state Senate with 35 members and the House of Representatives with 100.

It convenes on the second Monday of every other year with sessions lasting around 60 days.

During this time, the assembly gathers to make and amend the laws of the state of Arkansas.

The Regular Session of the Arkansas 91st General Assembly convened on Monday, January 9, 2017. Bill filing began on November 15, 2016 and ended on March 6, more than 2,060 bills have been filed.

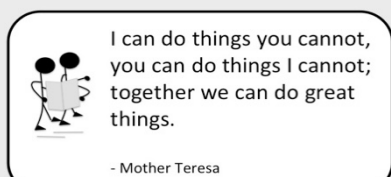
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This Issue Is Devoted to The Fact That We Are Stronger More Powerful and Much Wiser Together

After seeing and working with the same people, same 'doer's' with similar passionate appeals for decades.

Advocates for positive change in the Arkansas criminal justice system, have embraced our "Aha! Moment".

A point in time, event, or experience when an insight or realization materializes.



Throughout this Newsletter we will note various Arkansas groups or organizations.

Although we all maintain our 'Passion-Of-Choice', we are gathered as **ONE** to >>> Promote Educate Advocate for positive Change!

Arkansas CURE



Arkansas Citizens United for the Rehabilitation of Errants

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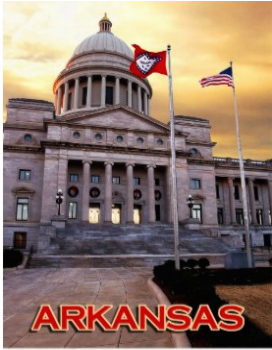
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The Legislative Session ended April 3, 2017. This Quarterly Newsletter was intentionally delayed to include final legislation that became law.

IT IS NOW A LAW



Act 423 Subtitle: To Create the Criminal Justice Efficiency and Safety Act of 2017.

To enable the state to avert more than \$300 million in corrections costs over the next six years, reinvest in better mental health services, and improve public safety by reducing recidivism with more effective supervision and treatment.

A more effective and less costly approach for sanctioning violations of supervision, creates crisis intervention training requirements for law enforcement agencies.

Opinion: The best part of this Act...

Establishes Crisis Stabilization Units throughout Arkansas to divert people with mental illnesses away from county jails to provide treatment at the local level.

Governor Hutchinson included in his proposed budget \$5 million for the establishment and operation of Crisis Stabilization Units.

Note: This fifty-five-page law may affect currently incarcerated parole violators; 1st. timers but depends on the specific circumstances of each individual.

Funding for an additional 68 supervision officers and treatment staff for Arkansas Community Correction.

Act 539 Subtitle: Concerning The Sentencing of a Person Under Eighteen Years of Age; And Establishing: The Fair Sentencing of Minors Act of 2017.

- o **Arkansas ranks sixth for sentencing the most youth to life without parole under the age of 18. It becomes the first state in the Deep South to abolish this inhumane sentence.**

It will make more than 100 people currently serving life sentences in Arkansas for juvenile offenses eligible for parole after 20 to 30 years, depending on their conviction.

The bill does not guarantee release to anyone currently serving a life sentence, but rather allows individuals who were convicted of crimes as children to be considered for parole based on demonstrated maturity and rehabilitation.

The law was prodded by U.S. Supreme Court decisions on sentencing of minors.

Opinion: Anyone who believes this Act may affect them should carefully read the criteria, age, type of conviction and date. Prior laws may affect the date a person may become eligible to seek parole.

Fact: The original bill included some language in which retroactive relief for those serving 'de facto life sentences' could have been sought. Due to opposition from the State's prosecutor association it was amended and removed from the bill.

Related: Act 362: Provides expenses relative to the resentencing of juveniles sentenced to mandatory life without parole to the Arkansas Public Defender Commission, \$2,496,584.

ACT 444 Subtitle: Permitting Act 309 Inmates In The Custody Of The Department Of Correction Who Are Housed In A County Jail To Work

For Local Nonprofit Organizations; Concerning Act 309 Inmates.

The person is within forty-five (45) months of their first parole eligibility date their first post prison transfer eligibility date (instead of previous thirty (30) months).

**Other changes may occur when the Board of Correction enacts specific rules to this Act.*

ACT 429 Subtitle: Concerning Criminal Victim Notification; And Concerning The Release Of A Person Who Committed A Criminal Act And Was Adjudicated To Have A Mental Disease Or Defect.

Addition to the current list of victim notifications for any events concerning the convicted defendant.

ACT 418 Subtitle: Prohibiting Improper Sexual Conduct Between A Probation or Parole Officer and A Person Being Supervised On Probation, Parole, Or Other Court-Ordered Reason.

Additional reporting requirements, employees; agencies concerning the elements of various sexual offenses.

ACT 367 Subtitle: Concerning The Offense Of Aggravated Assault Upon A Certified Law Enforcement Officer Or An Employee Of A Correctional Facility; To Provide A More Serious Penalty For Knowingly Discharging A Firearm At A Law Enforcement Officer.

Increased penalty and addition of offense when committed against certain law enforcement personnel.

Arkansas CURE
"An effort to provide information on criminal justice reform through education and advocacy"



IT IS NOW A LAW CONTINUED...

Act 267 Subtitle: Prohibiting Certain Sex Offenders from Entering Upon a Public School Campus Under Certain Circumstances.

Under certain conditions a level 3 or 4 person on the sex offender registry must notify the administration of the school in writing at least twenty-four (24) hours before the start of the school-sponsored event.

Note: The original bill would have required the person to hire a security guard as an escort.

Act 538 Subtitle: To Require Lifetime Registration On The Arkansas Sex Offender Registry or A Person Convicted of Rape When the Rape Involved the Use of Force.

Lifetime registration for a conviction of rape by forcible compulsion, § 5-14- 103(a)(1), or other substantially similar offense in another jurisdiction.

Note: The original bill was more severe; If you had been removed from the registry a person would have to be placed back on if another offense occurred.

Act 417 Subtitle: Concerning The Entry Under Cause of Death On A Person's Death Certificate When the Person Was Executed Due to A Sentence for A Capital Offense.

When the certificate of death is for a person executed for a capital offense. The examiner or their designee shall list on the certificate of death of a person executed for a capital offense the: Manner of death as "Pursuant to a judicial sentence of death — Execution"; and Cause of death as "electrocution" or "lethal injection", as applicable.

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HB2104 Subtitle: Amend the law concerning the rights of incarcerated parents and the termination of parental rights.

"Reasonable efforts" shall include efforts to involve an incarcerated parent and Involve an incarcerated parent in case planning by the Department of Human Services. Offer visitation in accordance with the policies of the Department of Correction if visitation is appropriate and in the best interest of the child. **Note: Awaiting Governor's signature**

Act 916 Subtitle: Concerning the registration of convicted sex offenders on the Arkansas sex offender registry; concerning required information on the Arkansas sex offender registry; and concerning in-person reporting.

Note: A screen name; A user identification; A user name." was successfully deleted from the original bill but in-person reporting survived.

Act 566 Subtitle: To create the helping our people excel (h.o.p.e.) act of 2017.

The State of Arkansas opts out of section Section 115 of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996, Pub. L. No. 104-193.

Note: Certain drug offenders could not receive SNAP benefits this restriction is now lifted.

Act 430 Subtitle: To protect citizens who are victims of judicial ethics violations; to create a cause of action against judges and justices who have been convicted of certain offenses; and to create an exception to judicial immunity.

Exception to judicial immunity. Made or influenced the adverse decision as a result of bribery.

**SAD NEWS BUT NOT GIVEN UP**

SB616 Concerning the interrogation of a juvenile by law enforcement; and concerning juvenile confessions. **Stalled in Committee**

SB237 Require the preparation of a racial impact statement for certain bills filed with the senate and house of representatives. **Passed out of the Senate but failed to pass out of the House**

HB1842 & HB1909 Concerning the fines and fees assessed to a person who is incarcerated (would be 'on hold' while imprisoned) **Stalled in Committee**

HB2112 Concerning a person who fails to appear or fails to pay a fine; concerning the offense of failure to appear; and concerning costs, fines, and fees assessed to a person who is incarcerated or in a hospital or inpatient facility.

Passed out of the House but stalled in Committee

HB1918 Concerning parole eligibility for a person serving a life sentence or a sentence in excess of forty-five years. **Stalled in Committee**

HB1798 Amending the burden of proof required during the sentencing phase of a trial when the state seeks the death penalty. **Stalled in Committee**

HB2170 Concerning the imposition of the death penalty on a defendant with a serious mental illness. **Stalled in Committee**

HB2103 Concerning the sentences available for a capital offense. **Stalled in Committee**

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SB177 Failed:

That would extend prison stays for serial offenders. Approved by the Senate, prompted Gov. Asa Hutchinson to issue a rare veto threat after it was determined the legislation would add thousands of prisoners at a cost of \$692 million over 10 years.

After completing a two-year study, lawmakers passed legislation earlier in the session to limit prison stays for probation and parole violators, while also approving funding aimed at aiding mentally ill offenders.

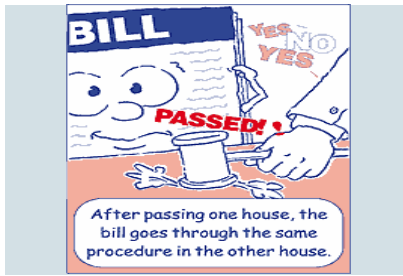
The Department of Correction had requested \$39.2 million to add 576 beds to the North Central Unit in Calico Rock, but the request wasn't included in the general revenue budget proposed by the governor and Legislature.

HB1713 Failed: The proposed bill would have added Murder in the second degree, to the list of offenses for which any person who is found guilty must serve seventy percent (70%) of his or her sentence.



Rizelle Aaron, President of the Arkansas State Conference of the NAACP has made the following request that: "Allegations of abuse, including sexual and other abuses in Arkansas Department of Corrections involving staff on incarcerated men and women. If you know of any instances of abuse that can be validated, please contact him."

Also, the NAACCP is working to organize prison branches. If interested use the same contact: NAACP P. O. Box 582, Jacksonville AR 72078



The 'Making' Of A Law

Equally important is that any Law made can be amended and revoked through the same process

- A concerned citizen contacts their Senator or Representative.
- After a bill is drafted, it can be introduced by any member of the House or Senate. More than one legislator can sponsor a bill. The bill is filed and assigned a bill number.
- The bill is introduced and read in the House or the Senate for the first and usually a second time (a bill must be read three times before final passage).
- After reading, the bill is assigned to the appropriate Committee.
- The Committee schedules the bill to be read at a public meeting where legislators and anyone interested can speak for or against the bill. The committee can also add amendments to a bill.
- The committee then votes on the bill. The committee can vote one of four ways: do pass, do pass as amended, do not pass, or without recommendation.
- If a bill is amended, the bill is engrossed to include the amendment.
- When a bill comes out of committee, it is placed on

the calendar for a third reading.

- Vote: Most bills are adopted by a simple majority.
- If the Bill fails, it dies on the floor.
- If the bill passes, it is sent to the opposite chamber and repeats the process that it followed in the previous chamber.
- When bills are passed by both houses, the enrolled bill is certified by each house and sent to the Governor.
- The Governor must sign, veto, or refer the bill back to its house of origin with his objections within 5 days. The bill may be passed over the Governor's veto by a simple majority vote of both houses. A bill not signed or returned within 5 days of session must be signed or vetoed by the Governor within 20 days of adjournment of the general assembly or it becomes law without his signature.
- All acts are given a number and filed with the Secretary of State.

CURE...
IS AN ALL-VOLUNTEER
MEMBERSHIP ORGANIZATION
NO SALARY, NO BIG OFFICE...
JUST COMMITMENT & PASSION

This is a Quarterly Newsletter. It is mailed to hundreds of men and women in Arkansas prisons. All members receive it regardless of ability to pay membership which is 80% of our mailing list. Stamps or any size donation to help with the cost of mailing is needed.



All mail is read. Due to limited volunteers to answer each one the most asked question is in this Mailbag Section

A Federal Case Over the Prices Inmates Pay for Phone Calls Turned 'Really Strange'

Law enforcement officials and private phone companies urged a federal appeals court in February to scrap limits on the high cost of phone calls for prison inmates and their families.

The question for the U.S. Court of Appeals for the D.C. Circuit is whether federal regulators have the authority to cap prices for inmate calls that have reached more than \$1 per minute. But the issue took on a new dimension in the wake of the presidential inauguration and a change in the balance of power at the Federal Communications Commission.

Since 2013 federal regulators had pressed to lower the phone call costs, but the FCC abruptly announced last week that it would no longer defend a major part of its own rules in court.

The new chairman, does not think that the FCC is on solid legal footing when it comes to regulating in-state prison phone calls. Those calls represent more than 80 percent of inmate calls.

With the FCC abandoning a key provision of the regulations,

Judge Silberman repeatedly asked why the court should not just put the case challenging the price limits on hold given that the FCC attorney in court wasn't speaking up for the FCC policy that capped in-state call rates.

"This case is really strange," Judge Silberman noted.

The FCC is saying that "you work it out".

Phone-service companies paid at least \$460 million in commissions to correctional facilities in 2013, according to a brief filed by a coalition of advocates for inmates and their families.

The attorney, who represented the phone services companies in court, said the FCC had "created something of a mess", "is trying to make it impossible to collect commissions," and the rate caps "will put us under water."

As it stands, the phone rate for in-state calls is **'On Hold'**.



REHABILITATION OVER PUNISHMENT

A new, first-of-its-kind national survey released by the Alliance for Safety and Justice (ASJ) bucks conventional wisdom regarding the views of crime victims on incarceration. Despite popular assumptions that victims support long sentences and prison expansion, the National Survey of

Victims' Views finds that victims would prefer the criminal justice system focus more on rehabilitation than punishment by a **2 to 1 margin**.

In fact, 61 percent of crime victims support shorter prison sentences and more spending on prevention and rehabilitation to long prison sentences. The vast majority of victims also prefer investments in education, mental health treatment, drug treatment, and job training to more spending on prisons and jails.

By a margin of nearly 3 to 1, crime victims believe that time in prison makes people more likely to commit another crime rather than less likely. **These views cut across demographic groups, with wide support across race, age, gender, and political party affiliation.**

"For too long when we talk about safety it's been a conversation about building prisons and increasing incarceration. What we know is that hasn't worked to help the communities most impacted by crime and violence," said Lenore Anderson, President, Alliance for Safety and Justice. "What we're hearing from crime survivors is that we need to invest in new safety priorities that stop the cycle of crime, such as programs for at-risk youth, mental health treatment, drug treatment, and rehabilitation."

Perhaps to the surprise of some, support for reform and a new approach to safety and justice policy is strong even among victims of violent crimes. The survey, which interviewed 800 crime survivors across the country, included both victims of non-violent crime and victims of violent crime including the most serious crimes of rape or murder of a family member.

DecARcerate Corner



We have volunteered to provide a DecARcerate space in our newsletter as a coalition partner, to further inform work being done in Arkansas.

DecARcerate is a grassroots community group focused on reducing the prison population in Arkansas through smart legislation and community action. Over a year ago, a number of advocates were seeing the jail and prison populations escalating with no end in site.

Since we are people of action we came together to form a strategy to combat what we were seeing. We unanimously chose 'Sentencing Reform' because it entails all aspects of the criminal justice system.

Thus DecARcerate was born.

Sign up for updates and meeting times on facebook@decarcerateAR. All are welcome you do not have to belong to an organization, just an interest in positive change.

Mailing Address: decARcerate POB
7708 Little Rock AR. 72217-7708

Decarcerate's working coalition partners include: Arkansas Coalition To Abolish The Death Penalty Little Rock, Compassion Works For All Little Rock, Criminal Justice Reform Clinic Mayflower, Inmate Justice Project Fayetteville Judicial Equality For Mental Illness, Fayetteville, Progressive Democrats In Action Of Northeast Arkansas Jonesboro Racial Disparities In The Criminal Justice System Research Project, Little Rock.

Each coalition partner is working on various issues to improve community safety and inclusivity while reducing the prison population.



The **Criminal Justice Reform Clinic** is non-profit charitable organization established to create a blueprint for justice that is equitable for all.

- Coax the rusted machinery of commutation back into motion
- Correct acts of injustice within the criminal justice system
- Channel the criminal justice system to work for all of us

If you want a hands-on experience with criminal law or want to engage elected officials and the general public with information and training designed to produce effective criminal justice public policy. We want to hear from you.

Become a CJRC Volunteer:

Volunteer Form. We will keep your information on file and add you to our volunteer list. When volunteer opportunities become available, we will contact you directly.

Name * First Last **Address *** Street City/State Zip Code **Email *** **Phone Number** **Which days can you volunteer?** Monday, Tues., Wed., Thurs., Fri., Sat., Sun. **Select a Choice:** Executive Clemency Program, Criminal Justice Program, Quality of Life Program, Other

Any comments or questions that you might have.

Check out our website

<https://www.criminaljusticereformclinic.com/>

Mailing Address:

POB 1054 Mayflower AR. 72106



Curbing The Extreme Growth in Arkansas' Prison Population Has Been Selected as a Long Term Priority by Arkansas Citizens First Congress.

What does this mean? It means that for the next several years this issue will be highlighted in Arkansas.

The Arkansas Citizens First Congress is a multi-issue and non-partisan coalition of organizations who work together for progressive changes in state policy.

Coalition members come from all corners of the state and work on many different issues. At the Arkansas Legislature, the coalition members lobby together on a common agenda.

They also watchdog the legislature, and lobby against threats to progressive policy. The Arkansas Citizens First Congress has lobbied lawmakers at the Arkansas Legislature since 1999.



Arkansas has the fastest growing prison population in the country

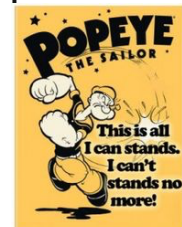
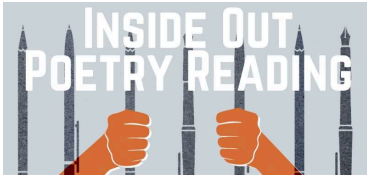


Photo montage of a few of the events in Arkansas that have recently taken place to curb mass incarceration and advocate for positive change...



Congratulations to these CURE members' whose poetry was selected for the 'Inside Out Poetry Reading'!

"Kidnapped" by Anthony Thrash
 "Help Me" by Francis Nolan Holland;
 "Tic Tic Tic Toc" by Robert L. Willford



Zachary Crow with *Pipeline*, a documentary film exploring "Arkansas's Cradle to Prison Pipeline." Introduces the night's event.

Late last year, incarcerated poets began submitting work highlighting their experiences from within Arkansas prisons. On March 29th, local poets gathered to read and honor their work.



ARKANSAS DAY OF EMPATHY
 Rally At the Capitol in Little Rock
 SPONSORED BY #CUT50

#cut50 Works to popularize bipartisan alternatives + practical solutions to safely and smartly cut the incarcerated population by 50% over next 10 years.



On-going meetings to discuss Arkansas criminal justice reform and TAKE ACTION.



Ending racial disparities in the Arkansas criminal justice system community strategy forum.



A Community Conversation - a chance for people who care about criminal justice reform to practice effectively engaging in conversation about justice issues with various stakeholders.



Town Hall: The Race to Execute #8in10 Days

Arkansas Townhall on Historic Mass Execution: The Wrong Side of History.

Upcoming Events to know about and plan to attend...



Arkansas Rally Against Historic Mass Execution

April 14, 2017 (GOOD FRIDAY)
 @ 12:30pm, Arkansas State Capitol Building Steps, 500 Woodlane St, Little Rock, AR 72201. Join us as we observe the execution of Jesus Christ and protest against the Mass Execution to begin the day after Easter.



Video Screening & Project Recap
 By the Clinton School students
 April 13 3:30-5:00 PM

Hillary Clintons Children's Library
 4800 W. 10th. St. Little Rock AR.

DecARcerate's New video debut
 No RSVP Needed

CURE...
IS AN ALL-VOLUNTEER
MEMBERSHIP ORGANIZATION

NO SALARY, NO BIG OFFICE...
JUST COMMITMENT & PASSION

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rehab4justice@yahoo.com

Find us on the Web:

www.arkansascure.org

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JOIN ARKANSAS CURE!

Want to stay informed about what's going on in Arkansas? Join today!

Please provide the following information:

Name _____ # (if in Prison) _____

Address _____

City _____ State _____ Zip _____

Annual Dues

Indigent Incarcerated Citizens: Fee waived.

Incarcerated Citizens: \$3.00 (stamps/stamped envelopes accepted)

Individual/Family: \$12.00

Individual Benefactor: No limit or set fee on donation amount.

Supporting Organization: No limit or set fee on donation amount.



THANK YOU FOR YOUR SUPPORT

Be sure and let us know of any change of address or if you no longer want to get the newsletter