



August 25, 2026

Representatives & Senators of the Judiciary Committee

RE: Aug 25, 2026 Judiciary Joint Committee - Policy choices, not crime driving prison beds

We are grateful and appreciative of the conversation being held surrounding the concerns of prison beds in the state of Arkansas. We bring forward for your consideration that the current prison bed situation is driven by policy decisions and not crime. We ask that the legislature and State of Arkansas consider policy changes and community investments instead of additional beds that will have a greater return on our taxpayer investment and make our communities safer.

Criminal charges have gone down -17% over the past 10 years, yet prison population has grown by 9%

- Policy considerations:
 - Inflated growth of those in prison due to lengthier sentences across all seriousness levels of criminal charges
 - Notably, the highest seriousness level and lowest seriousness level had the same growth of sentencing 20% from 2019 to 2023
 - Over 80% of individuals in prison are staying past their eligible release date despite being in good standing and meeting stated requirements
 - Release mechanisms have fallen off
 - Emergency Powers Act (EPA) was stopped in 2020 that released 2,300 people a year and did not reduce public safety

Safe substantial reductions in prison population are possible. Neighboring states similar to Arkansas have reduced their prison populations per capita ('14 to '23): Alabama -38%, Louisiana -24%, Oklahoma -22%, Tennessee -22%, Texas -18%.

The \$70 million that was originally set aside for prison expansion has been stated to be available for alternatives. Deeper study and investment should be pursued around the following:

- Diversions
 - Expansion of Specialty Courts
 - Alternative sentencing pathways before prison sentencing
 - Invest in housing & healthcare to reduce court involvement
 - If the state is paying over \$20,000 a year to house someone in ADC, a fraction of these monies put into supportive services can exit individuals from system involvement
- Programs in Prison
 - Plan for release/reentry from day one
 - Increase access to classes needed for parole release
 - Expand vocational and educational programs that build people up for success

Thank you for hearing our concerns and taking action on better solutions for Arkansans.

With gratitude,

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DecARcerate

Does Arkansas Need Another Prison?

Author: Josh G. Adler, on behalf of DecARcerate

The Answer in 5 Points

1. **Crime has gone down.** Between 2014 and 2024, reported offenses fell 20% per 100,000 Arkansans.¹ Crimes against persons stayed essentially flat, increasing only 1%.
2. **The prison population grew anyway.** Over the same decade, admissions fell 8%, while the prison population grew 9%. Arkansas has imprisoned more people than it did in 2014 while responding to less crime.
3. **Inflated growth is due to people being sentenced for notably longer.** For every 1,000 crimes reported, the same number of people are sent to prison as a decade ago. But the number confined in prison for every 1,000 crimes reported has risen 21%. The same number of people being admitted to prison, while still producing a larger prison population, can only mean lengthier stays.
4. **People are receiving longer sentences due to specific policy decisions—it is not a response to changes in crime.** Sentence lengths rose across all seriousness levels by a median of 14% between 2019-2023. Over the same period, parole approvals fell from 75% to 59%. Far more people are being held past their transfer eligibility date, and for longer, than they have in the past. Lastly, the Emergency Powers Act stopped being used, removing a critical tool that has helped reduce the prison population yearly.
5. **6 of 7 neighboring states cut imprisonment by 18% to 38%, while Arkansas cut it by 1%.**

The bed shortage is a product of policy, rather than changes in crime and public safety.

Section 1: The Prison Population Grew Because Fewer People Exited

A given prison population can increase because more people are being sent to prison or because less people are being release—each of which calls for a different policy response. From 2014 to 2024, fewer people were admitted to prison *and* fewer people were released. As a result, the prison population rose 9%. This brief seeks to addresses why.

Year	People Admitted	People Released	Net change	Share of prisoners released
2014	9,659	8,815	+844	51.2%
2015	10,606	10,760	-154	60.3%
2016	10,645	10,564	+81	59.7%
2017	10,445	10,052	+393	57.3%
2018	10,304	10,538	-234	58.3%
2019	10,321	10,362	-41	58.2%
2020	8,607	10,256	-1,649	57.8%
2021	9,030	8,052	+978	50.0%
2022	9,340	8,537	+803	50.2%
2023	9,082	7,895	+1,187	44.8%

¹ This analysis uses crime rates rather than counts. Raw offense counts are misleading over this period for two related reasons: Arkansas's population grew 4.1%, from 2,966,835 to 3,088,354, so a constant rate of offending would still produce more offenses. Further, the population covered by agencies that report to the Crime Information Center grew 12.2%, from 2,698,856 to 3,027,032, or from about 91% of the state to about 98%. More residents and more reporting agencies consequently inflate offense counts. Expressing offenses per 100,000 residents removes both distortions. The difference in using raw number versus offense rate per capita is rather large: reported offenses fell 10% as raw counts, but 20% as rates.

Year	People Admitted	People Released	Net change	Share of prisoners released
2024	8,932	8,129	+803	44.0%

Section Two: Crime Fell While Imprisonment Rose

Between 2014 and 2024, per 100,000 residents in Arkansas, all reported offenses declined 20%. The only offense category that saw a notable increase is crimes against society, which includes drug, weapon and vice charges. Importantly, there was not a similar rise in crimes against persons—the category most relevant to public safety concerns.

	Change
Crimes against persons	+1.2%
Crimes against property, Section A	-30.1%
Crimes against property, Section B	-39.0%
Crimes against society	+17.4%
All reported offenses	-19.9%
Imprisonment rate	+4.6%

The below rows measure different things. The first counts people entering prison during the year. The second counts everyone confined on a given day, which depends on how many arrive and how long each one stays.

For every 1,000 crimes reported	2014	2024	Change
People sent to prison that year	45	47	+3%
People in prison at any given moment	84	101	+21%

Relative to reported crime, Arkansas sent about the same number of people to prison in 2024 as in 2014. However, the number of people *in* prison rose by 21%. This can only be true if people are receiving longer sentences in prison and are being held longer. Year by year, the crime rate and the imprisonment rate moved in opposite directions: crime fell while imprisonment continued to climb. As a result, **crime rates are not the determinant of Arkansas's inflated prison population.**

Section Three: An Inflated Prison Population Due to Prolonged Sentences

If crime is not driving the growth of the prison population, what is? People are staying longer for three related reasons. People are receiving longer sentences, they are less likely to be released once they become eligible, and one release mechanism—the Emergency Powers Act—stopped being utilized entirely. A fourth change, the Protect Arkansas Act, took effect in January 2025 and will deepen all three issues. Yet, none are responses to changes in crime.

Arkansas sorts felonies into ten seriousness levels. Sentences rose at every level, by a median of 14%, in only four years between 2019 and 2023. Sentences have gotten longer for the same offenses, and releases have slowed. Because the figures are broken out by seriousness level, they compare people convicted of similarly serious offenses in 2019 and in 2023. The rise cannot be explained by more people convicted of more serious charges entering the system, but by all levels of seriousness receiving a longer sentence than previously recorded.

Seriousness level ²	2019	2023	Increase in time
1-2	41 months	49 months	+20%
3	46	49	+7%
4	71	76	+7%
5	72	82	+14%
6	98	120	+22%
7	128	133	+4%
8	161	197	+22%
9	321	365	+14%
10	415	496	+20%

Another illustration of this prolonged sentence mechanism is a group Arkansas DOC counts separately: people convicted of offenses that require serving at least 70% of the sentence before they can be considered for transfer. This is a statutory category of specified offenses, rather than a seriousness ranking, and is excluded from the seriousness-level table above.

	2014	2023	Change over time
Number admitted that year	314	334	+6%
Average sentence (months)	229	326	+42%
Number in prison at year end	2,995	4,050	+35%

Arkansas prisons admitted essentially the same number of people in this statutory category in 2023 as it did a decade ago. However, their sentences grew in length by 42%, and the number of these people sitting in prison at any moment grew by 35% because of these prolonged sentences. The rise is not more people with more serious charges entering the system, but the same offenses receiving longer sentences.

This specific group demonstrates how a small change in sentencing produces a large change in capacity and available beds. Those sentenced with mandatory serving-time restrictions—which includes the above group and people serving life and those required to serve 100%—**made up only about 4% of everyone admitted in 2024. Yet, they accounted for 28% of the people in prison at the end of 2024.** A small number of very long stays occupies an undue share of prison capacity, permanently.

Longer sentences are only a piece of this general issue. The date a person becomes eligible for transfer is calculated from their sentence. A longer sentence pushes that date further out. Whether someone is actually released once they reach that date is a separate decision by the state; increasingly the answer is no. Fewer people are being released when they reach their transfer eligibility date. The share of parole hearings resulting in parole approval fell consistently from 75% to 59% between 2015 and 2024. And those who are released are released later. From 2009 through 2017, about 52% of releases happened after the date the person became eligible for transfer. By 2023 it was 83%. The average time held past that date rose from 6.1 months to 10.1 months.

More so, releases from the Emergency Powers Act were ended. This mechanism released roughly 2,300 people a year through 2020, and now releases none—further inflating the prison population. The Protect Arkansas Act took effect on 1 January 2025. It raises the share of a sentence that must be served for a long list of felonies, to 85% or 100%, and removes parole eligibility entirely for the most serious offenses. Because it applies only to offenses committed on or after that date, its effect on the prison population is only beginning. People sentenced under it are just now entering the prison system,

² These seriousness levels *exclude* people with mandatory serving-time restrictions.

and they will serve far longer than those now exiting prison. The state's own forecaster projects it will add more than 2,800 beds, and notes that because some of the sentences are so long, the full effect will not appear even within its ten-year horizon.

Section Four: Neighboring States Decarcerated

Arkansas has faced conditions similar to its neighbors. Between 2014 and 2023, almost every comparable state reduced how many people it held in prison.

People in prison per 100,000 residents	2014	2023	Change
Alabama	633	394	−38%
Missouri	526	385	−27%
Louisiana	816	617	−24%
Oklahoma	700	545	−22%
Tennessee	437	341	−22%
Texas	584	477	−18%
Arkansas	599	596	−1%
Mississippi	597	652	+9%

Alabama cut its imprisonment rate by more than a third. Louisiana, which has for long notoriously held the highest incarcerated rate throughout the country, cut their rate by nearly a quarter. Tennessee, comparable in size, holds **341** people per 100,000 people against Arkansas's **596**. In the region, only two states did not follow a similar decarceration pattern: Arkansas, which has remained flat, and Mississippi—with the second highest incarceration rate throughout the country—has increased its rate.³

Conclusion

Arkansas is not running out of prison beds because Arkansans are committing more crime. Reported crime is down by a fifth when accounting for population growth, and admissions to prison are similarly down. What changed is how long people are being held once incarcerated; sentences grew longer, parole approvals have fallen, more people are held further past their eligibility dates, and one release crucial mechanism has stopped being used. Six neighboring states reduced imprisonment over the same decade, while Arkansas did not.

³ BJS has not yet published 2024 data, hence this analysis ending at 2023. ADC reports the prison population rose again in 2024, so the gap between Arkansas and its neighboring states may be wider than the table shows. Figures are people sentenced to prison under state jurisdiction per 100,000 residents.

Sources

Arkansas Crime Information Center, *Offense by Contributor*, state totals, 2014 through 2024.

Arkansas Post-Prison Transfer Board (2024b). *Annual Report: Fiscal Year 2023-2024*.

Bureau of Justice Statistics, *Prisoners* series, 2014 through 2023.

JFA Associates and CGL, *Ten-Year Adult Secure Population Projection 2025-2036*, prepared for the Arkansas Department of Corrections, November 2025.

Wendy Ware, CGL, *Long-Term Trends in the Arkansas Prison Population*, Handout C to the Arkansas General Assembly, August 2025.

US Census Bureau population estimates.

Parole in Arkansas: Baseline and Cross-State Lessons

Author: Josh G. Adler

Purpose and Scope

This is a synthesis of documents on Arkansas parole—including the Arkansas Post-Prison Transfer Board's (PPTB) governing rules, the AJRC Parole Navigation & Advocacy Toolkit, the Robina Institute's legal-framework profile, and Arkansas Department of Corrections (ADC) population data—alongside national research on parole systems. Most of the writing here is devoted to establishing a comprehensive baseline of how parole functions in the state today, then turns to what other states and national research organizations have identified as tangible, evidence-based fixes.

1. How Parole Works in Arkansas Today

Arkansas uses the term “*transfer*” in statute for what is commonly called parole; both describe release from prison before a sentence is fully served, subject to community supervision (AJRC, 2026). The Arkansas Post-Prison Transfer Board (PPTB) is comprised of seven full-time members appointed by the Governor and confirmed by the Senate to staggered seven-year terms. The PPTB holds sole authority over release and revocation decisions (PPTB, 2025a, 2025b; Watts et al., 2017). A release requires the affirmative vote of five of the seven members, but a quorum is only four; if a discretionary case fails to reach five votes, the person is automatically reconsidered a year later, and a non-discretionary case is deferred six months (PPTB, 2025a). This is regardless of whether the shortfall reflects the person's readiness or simply low Board attendance (AJRC, 2026).

Eligibility is bifurcated. “Transfer eligible” (i.e., non-discretionary) individuals are released at first eligibility unless the Board documents specific concerns. “Discretionary transfer eligible” alternatively covers a long and growing list of violent, sexual, and other “serious” offenses; these individuals can be denied release even after completing every recommended course of action, with no guarantee for release tied to compliance (AJRC, 2026; Watts et al., 2017). Historically, eligibility was reached after serving one-third to one-half of a sentence, with meritorious good time reducing that timeline by no more than one-sixth (Watts et al., 2017). This precedent has changed recently.

The Protect Arkansas Act (effective January 1, 2025)

The Protect Arkansas Act fundamentally reset this established framework for anyone convicted of a qualifying offense after January 1, 2025. Two changes matter most for our purposes: many offenses now require serving 85% or 100% of the sentence before any eligibility, and earned-release credits can no longer push a release date below that floor — meaning behavior, programming, and personal growth can no longer shorten the new mandatory minimum (AJRC, 2026). A list of roughly 20 offenses (e.g., capital murder, first-degree murder, rape, aggravated robbery, kidnapping, trafficking, and others) now requires the full sentence with no parole hearing at all. A second tier of “restricted release” felonies requires serving at least 85% of the sentence (AJRC, 2026; citing Ark. Code Ann. §16-93-1802). It is important to note that these new requirements apply only to offenses committed on or after January 1, 2025; anyone whose offense occurred before that date remains subject to the older, less restrictive eligibility rules, regardless of when they were sentenced or when their parole case is heard. As a result, Arkansas is currently operating two separate

eligibility systems at once; which eligibility system applies to a given person depends entirely on their offense date, rather than their sentencing date or parole hearing. As a result, “know your offense date” is a crucial, first-order piece of advocacy guidance for those seeking parole (AJRC, 2026).

Decision-making criteria

Once an individual is eligible, the Board is statutorily directed to weigh a number of factors when considering one’s readiness for parole: institutional adjustment, disciplinary history, program participation, prior criminal record, employment and reentry plans, results of a risk and needs assessment, and input from judges, prosecutors, sheriffs, and victims (PPTB, 2025a; Watts et al., 2017). In practice, advocates argue a number of issues with this process. Most notably, that the original nature of the crime can carry the most influence among all other consideration and that a number of peoples’ files are frequently “packaged” together and voted on with little individualized discussion (AJRC, 2026). This mirrors a pattern documented nationally: in all 35 states with discretionary parole, boards are required to weigh the seriousness of the original offense even though a sentencing judge has already accounted for that factor for one’s sentence. This effectively imposes what has been dubbed a “second sentence” (Wang, 2025).

Executive clemency is the sole pathway for excluded offenses

For the offenses barred entirely from parole under the Protect Arkansas Act's 100%-sentence tier, executive clemency is the only remaining path to earlier release. This release pathway runs through the Governor, rather than the Board. The PPTB screens applications, holds a hearing for the subset that proceed, and then forwards a non-binding recommendation to the Governor. Neither the Board's recommendation nor the Governor's ultimate decision can be appealed (PPTB, 2024). A person denied clemency “with prejudice” is barred from filing another application for as long as that Governor remains in office; a person denied “without prejudice” must wait out a statutory period, with an early waiver available only for new evidence, serious health decline, or other “meritorious circumstances” (PPTB, 2024). Because clemency decisions carry no published rationale and no review process, they inherit the same transparency gap documented in ordinary parole decisions in Arkansas. More so, national research notes that governors generally “shy away” from using clemency power at all because of political risk; thus, the sole avenue only to those convicted of 100%-tier offenses is also among the least likely to be used (PPTB, 2024; Wang, 2026)

2. Documented Problems in Arkansas’s Parole System

There are a number of structural issues with parole in Arkansas documented by an array of individuals and organizations:

- Overdue releases are the norm, rather than the exception, and are worsening. First, the share of releases occurring after a person's transfer-eligibility date has consistently risen sharply, from roughly 53% in 2009 to 83.1% by 2023. Second, among those overdue releases, people are now being held longer past eligibility before they are actually released: an average of 10.1 months beyond their eligibility date in 2023, up from 6.1 months in 2009—a roughly 66% increase (Ware, 2025). This is fundamentally related to prison expansion, as overdue releases over-inflate

the prison population. The Protect Arkansas Act's increased mandatory-minimum requirements are projected to require 1,500–2,000 additional prison beds through 2040 (Ware, 2025).

- There is no legally enforceable timeline for scheduling a parole hearing, no formal right for an incarcerated person or family member to review their case file, and no published rationale for individual parole denials. Arkansas is one of the many states that publishes bare decisions but never publishes the reasoning behind them (AJRC, 2026; Wang, 2025).
- In fiscal year 2015–2016 the Board approved 71% of the roughly 14,900 hearings and screenings it conducted (Watts et al., 2017), and Arkansas's own recent records confirm this rate has since declined substantially. This trend is detailed further below. Nationally, as well, nearly every state with discretionary parole is granting release to fewer people and holding fewer hearings than five years ago (Wang, 2025). Separately, admissions to Arkansas prisons are increasingly driven by parole and supervision violations rather than new crimes, accounting for roughly half of all admissions in several recent years (Ware, 2025). Together, a declining parole grant-rate and Arkansas's rising share of violation-driven admissions point toward a shrinking window for release.
- Black individuals are documented nationally to be paroled at lower rates and sentenced more harshly for comparable offenses. Arkansas-specific supervision and revocation data broken out by race are largely unpublished, which is a transparency failure in its own right (AJRC 2026, citing Aiyetoro, 2015).
- ADC's prison population grew 20.2% from 2010 to 2024 and is projected to keep growing roughly 2% a year through 2030, even with a “conservative” forecast. Arkansas's Emergency Powers Act (EPA) allowed the state to release people early when the prison population exceeded a set capacity threshold. This tool was used specifically to relieve overcrowding. At its peak, this mechanism accounted for nearly 3,000 releases in a single year. However, the Governor ended the use of EPA releases in March 2023, blocking that early-release mechanism moving forward (Ware, 2025).

Arkansas's own records bear out the third point above, regarding declining parole-grant rates. According to data published by the Arkansas PPTB (2024b), the share of hearings and screenings resulting in parole approval consistently fell from 75% to 59% between 2015 and 2024. However, these figures exclude hearings not resulting in a denial or approval, such as rescheduled or deferred outcomes. This exclusion is not minimal. In fiscal year 2016-2017 alone, 29% of **all** Board decisions were comprised of reconsiderations, deferrals, rescinds, and other non-final actions, whereas 71% resulted in approval or denial. Including deferral and rescheduled cases in the approved/denied count would make the approval rate substantially lower than PPTB's own reported numbers suggest. Even so, this 10-year retrospective is the most complete multi-year record of Arkansas's parole grant rate available, and its consistent downward trend is meaningful.

These patterns clearly illustrate a stark and alarming picture: Arkansas is holding more people, for longer, past their own eligibility dates, while simultaneously closing off the release mechanisms that once relieved high prison population. All this is driven by policy change, rather than notable differences in actual crime. Such issues exist simultaneously with no enforceable hearing timelines, no published reasoning for individual denials, and no public data on racial disparities in outcomes.

The consequence is not just a slow-moving, obfuscated parole process, but a prison population plainly designed to keep swelling and an increasingly-restrictive release system.

3. How Arkansas Compares Nationally

PPI's (2019) fifty-state grading system scores states' parole systems on a number of factors, like eligibility access, guideline clarity, transparency, and release rates. PPI gave Arkansas an **F** (Renaud, 2019). Arkansas was not an outlier in that review: only one state (Wyoming) earned a B-range grade, and the large majority scored D or below (Renaud, 2019). A 2025 follow-up analysis of 35 discretionary-parole states found that nearly every state is granting parole to fewer people each year and holding fewer hearings than five years ago, even as parole-eligible populations grow (Wang, 2025). There is a wide range in states' parole-granting rates; those with the lowest rates (e.g., South Carolina at 4% and California near 20%) sit in stark contrast to those with the highest rates (e.g., Wyoming at 76% and North Dakota at 71%) (Wang, 2025). PPI's analysis found that only 15 of 35 states publish individual decisions at all, and only four states explain their reasoning. Arkansas is among the majority that discloses parole outcomes, but not rationale for such outcomes (Wang, 2025).

The Prison Policy Initiative and the MacArthur Justice Center's National Parole Transformation Project jointly published 16 “Principles for Parole Reform” (2025) as a benchmark against which any state's system can be measured. The principles most directly relevant to Arkansas's documented gaps include:

- An enforceable presumption of release once eligibility is reached, with the burden on the Board (rather than the applicant) to justify denial;
- Mandatory, codified guidelines using “must” rather than “may” language;
- A prohibition on using the underlying crime of conviction as the basis for denial;
- Specific, actionable conditions attached to every denial, honored at the next hearing;
- Access to counsel before and during hearings;
- A diverse Board that includes people with lived experience and clinical training, rather than merely law-enforcement backgrounds;
- Public reporting of grant rates, denial reasons, and demographic breakdowns;
- A ban on returning people to prison for purely technical, non-criminal violations.

4. Lessons from Other States and What Has Worked

Mississippi: expanding eligibility without compromising safety

Mississippi's SB 2795 (2021) expanded parole eligibility from roughly one-third to two-thirds of the state's prison population. This resulted in many people convicted of violent offenses eligible after serving 50–60% of their sentence. Four years of DOC data show 97% of the more than 2,400 newly eligible people released did not return to prison on a new sentence within three years—a rate equal to or better than people who were already parole-eligible before the law (FWD.us, 2025). The reform saved an estimated \$159 million and 6,663 collective years of incarceration, uniquely benefited Black men, and was popular enough that the legislature reauthorized it with expanded

support in 2024 (FWD.us, 2025). Mississippi is one of only a handful of states using a form of presumptive parole, in which the Board can release someone without a hearing if statutory criteria are met (Wang, 2025).

New York: what fails when hearings, counsel, and transparency are absent

New York's parole system—which denies roughly 60% of applicants and holds interviews primarily by video—illustrates the toll of the issues Arkansas similarly has. Namely:

- Video-conducted hearings with technical glitches were found to be 12% points less likely to result in a grant;
- Lawyers are barred from the hearing room entirely;
- The Board is statutorily permitted to deny release whenever it determines that release would “deprecate the seriousness” of the crime, regardless of demonstrated growth;
- Individual decisions are published without any accompanying rationale (FWD.us, 2026).

Advocates in NY are currently pushing two specific bills, both of which aim squarely at the same static-factor and aging-population problems documented in Arkansas (see Ware, 2025). The first—Fair & Timely Parole—would reorient parole hearings on one’s present readiness rather than the unchangeable, original offense. And secondly, Elder Parole would expand eligibility to people 55 and older who have served at least 15 years (FWD.us, 2026).

Presumptive parole models

Ten states now use some form of presumptive parole, which shifts burden onto a Board to justify denial, rather than requiring the applicant to prove fitness for release (Wang, 2025). Some examples:

- Colorado requires release of anyone with an approved plan absent a full-Board majority vote to deny.
- Hawaii mandates release for anyone scored “low-risk” absent good cause.
- Georgia automatically considers every eligible person via administrative review without a hearing request.

None of these models has fully realized presumptive parole's potential. For example, Georgia's grant rate hit a record low of 28% in 2024, even with parole automatic review. However, such models still demonstrate that shifting the legal default toward release is a workable policy solution with statutory design, rather than just an abstract aspiration (Wang, 2025).

Reducing revocations for technical violations

In at least thirteen states, more than one in three people currently in prison are there because of a supervision violation rather than a new crime (Roche, 2025). Nationally, someone is sent back to prison for a supervision violation roughly every three minutes (Reform Alliance, n.d.). These patterns match Arkansas's own numbers, where those who have violated their parole regularly constitute close to half of prison admissions (Ware, 2025). States that have curbed this driver of prison admissions report measurable results. For example, Texas cut its parole revocation rate 25% after reform, and

Mississippi saw an associated 6% reduction in crime following its broader supervision reforms (Roche, 2025). REFORM Alliance's state campaigns have passed in Florida, Georgia, Virginia, and California in recent years and advocate for caps on supervision length, remote reporting infrastructure, and graduated sanctions in place of automatic reincarceration (Reform Alliance, n.d.).

What the “no-parole” states show about Arkansas's 100% tier

Arkansas has not eliminated discretionary parole statewide. However, the Protect Arkansas Act reclassifies roughly 20 offenses for no parole hearing at all—placing anyone convicted of one of these offenses in Arkansas in the same position as someone convicted in the 17 states and D.C. that have eliminated discretionary parole entirely (AJRC, 2026; Wang, 2026). Research comparing outcomes in those states without discretionary parole is not encouraging: people released to mandatory, non-discretionary supervision show higher re-arrest rates and lower rates of successfully completing supervision than people released through discretionary parole review. This is likely because mandatory release provides no individualized readiness assessment or reentry planning before someone exits prison and returns to their community (Wang, 2026). Even in the states that have eliminated broad discretionary parole, a narrow parole track usually remains and is typically limited to people whose crimes were committed before the law changed. One might expect this narrower group to see higher grant rates, since it is a smaller, more specific pool of applicants. Data say otherwise: grant rates in these narrow, date-of-crime-based group are strikingly low, ranging from just 1% in Virginia to 23% in Minnesota. By contrast, a dozen states that have retained broad discretionary parole for their full eligible population report grant rates above 50%. In other words, eliminating or narrowing parole does not produce a better-functioning parole system. More so, the states that restrict parole access also grant it far less frequently to the people who do remain eligible (Wang, 2026).

Two other findings from this body of research are directly relevant to gaps already documented in Arkansas. First, most states—whether or not they retain broad discretionary parole—have some kind of medical and geriatric parole. Yet, research describes these specific parole mechanisms as “everywhere and nowhere;” they exist on paper almost everywhere, but release such few people to be virtually nonexistent. This pattern echoes Arkansas's terminal-illness and age-55 pathways, as they are narrow and rarely used (Wang, 2026). Second, only 15 states have passed “second look” resentencing laws, which enable a judge to revisit an excessive sentence after a fixed number of years. This distinct, judicially driven sentence-review mechanism is entirely separate from parole. Arkansas does not currently have this kind of mechanism codified at all (Wang, 2026), even as its own prison population projections show continued growth through 2035 (Ware, 2025).

5. How Lessons From Other Jurisdictions Can Inform Arkansas's Documented Gaps

In conclusion, research on Arkansas, state-specific, and national trends illustrate a set of levers to help close the gap between how Arkansas's parole operates today and the practices shown elsewhere to produce release policies that are more effective fiscally and behaviorally:

- Publish denial rationale, not just outcomes. Arkansas already publishes searchable decisions; adding the Board's stated reasoning (as Massachusetts, Montana, Rhode Island, and Utah already do) would close a core transparency gaps at comparatively low cost and effort (Wang, 2025).

- Move toward a presumption of release for people who complete their course of action. Arkansas's current rule denies release even after full compliance with Board-recommended conditions; the Colorado and Hawaii models show a statutory alternative to already exist (Wang, 2025; Watts et al., 2017).
- Address the quorum/vote-threshold problem directly. Because a discretionary release requires five affirmative votes out of seven members, but a meeting can proceed with only four present (AJRC, 2026; PPTB, 2025a), Board attendance—and not an incarcerated individual's readiness—can unduly determine outcomes. Other states set quorum and vote thresholds that do not allow this gap.
- Reduce reincarceration for technical, non-criminal violations, following the graduated-sanctions approach several states have adopted and that have already demonstrated reduces both revocations and crime (Roche, 2025; Ware, 2025).
- Publish demographic breakdowns of hearings, grants, and denials by race and sex, as Massachusetts, Nevada, and New York already do, to make Arkansas's documented racial disparities measurable rather than anecdotal (AJRC, 2026; Wang, 2025).
- Track and report the same overdue-release metric the state already calculates (percent of releases occurring after eligibility, and months held beyond eligibility) as a standing public accountability measure, since ADC already collects this data internally (see Ware, 2025).
- Reconsider the 100%-sentence tier in light of the mandatory-release research. Because that tier removes any individualized readiness review, it mirrors the “no-parole” states that evidence higher re-arrest and lower supervision-completion rates than discretionary parole. A second-look or judicial sentence-review mechanism, which Arkansas currently lacks, is one way other states have addressed excessive sentences without expanding Board discretion (Wang, 2026).
- Apply the same rationale-disclosure and review principles to executive clemency, as it is currently the only release mechanism available to the 100%-sentence tier, yet carries no published reasoning and no appeal of either the Board's recommendation or the Governor's decision (MacArthur Justice/PPI, 2025; PPTB, 2024).

Arkansas's parole system operates with wide discretion and very little public accountability. However, none of these proposals requires eliminating the Board's discretion outright. Remedying that issue requires adopting practices that states across the political spectrum have already done so with successful outcomes; each policy and practice proposal is a targeted, evidence-backed solution. Varied evidence from across the country suggest that a more transparent, individualized parole process is not just fairer, but more fiscally and behaviorally sound. Such policies can help reduce unnecessary incarceration without compromising public safety, which is particularly important at a moment when Arkansas's own prison population is projected to keep growing while its release mechanisms keep narrowing.

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