Arkansas Justice Reinvestment Initiative

September 16, 2024
Legislative Recidivism Reduction Task Force Meeting

Overview

1	Summary of Task Force Meetings
2	Crime
3	Arrests
4	Project Updates

Summary of Task Force Meetings

1

Since August 2023, the Task Force has heard from a diverse range of experts.

DOC Leadership

- **Lindsay Wallace,** DOC Secretary

- **Dexter Payne,** Director of Division of Correction, DOC

- **Jim Cheek**, Director of Division of Community Correction, DOC

- **Tabrina Bratton,** Quality Improvement and Program Evaluation Administrator, DOC

- **Chad Brown,** Chief Financial Officer, DOC

- **Nicholas Stewart**, HR and Training Administrator, DOC

Data Systems Experts

- **Robin White,** eOMIS Project Manager, DOC

- **Robert McGough,** Chief Data Officer, AR Department of Transformation and Shared Services

Behavioral Health Programming

- **Aundrea Culclager,** Deputy Director for Health Services and Programs, DOC

- **Emma Hamer**, Rehabilitation Director, DOC

- **Jim Bell,** Prison Reentry Volunteer and Facility Owner, Re-Nu Life Center

Technical Assistance Providers

- **Nicole Jarrett,** Senior Policy Advisor, CSG Justice Center

- **Carl Reynolds**, Senior Legal and Policy Advisor, CSG Justice Center

- **Estrella Lopez**, Project Manager, CSG Justice Center

- **Michelle Rodriguez,** Deputy Program Director, CSG Justice Center

- **Michael Rushford**, President and CEO, Criminal Justice Legal Foundation

- **Elizabeth Berger,** Research Associate, Criminal Justice Legal Foundation

Several themes have emerged across presentations.

There is insufficient evidence-based programming available to meet the needs of individuals in the criminal justice system.

Without a mental health screening during intake, the current assessment is not sufficient or meaningful.

Staffing challenges, fueled by low pay, limit what DOC can do.

Data sharing can mitigate the silo effect between state agencies that serve overlapping populations.

Task force members have raised the following concerns.

The feasibility of funding better programming

Skepticism about risk assessments that rely on self-reporting

The need for more individualized and evidence-based approaches to sentencing, reentry, and supervision

How is this informing our work to find solutions?

CSG Justice Center staff are focused on the following:

- Evaluating program availability both in prisons and in the community to identify needs and gaps and help the task force develop effective solutions

- Analyzing the reentry process starting from intake to enhance support for people returning to the community, ultimately aiming to reduce recidivism and promote successful reintegration

- Conducting focus groups with correctional leadership, correctional officers, and probation and parole staff to gain insights into their needs and challenges

- Identifying opportunities to break down silos and foster better collaboration

We are conducting a review of the criminal justice system, examining it from end to end.
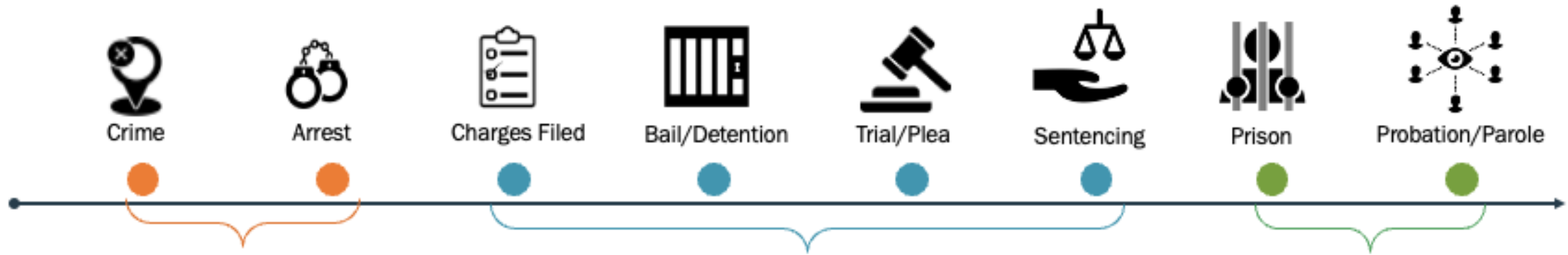
Crime · Arrest · Charges Filed · Bail/Detention · Trial/Plea · Sentencing · Prison · Probation/Parole

- What types of crimes are most common in Arkansas?
- What crimes are being cleared through arrests in Arkansas?
- Are people on supervision driving violent crime trends in the state?

- What has changed in the disposition trends for felony charges over the last 10 years?
- How have sentencing patterns changed, if at all?
- What proportion of felony cases sentenced involve people with prior felony convictions?

- What types of behaviors or criminal activities are driving recidivism in Arkansas?
- How much of Arkansas's recidivism is driven by new criminal activity, including violent crime?

Today, we will be looking at the front end of the system.

Timeline: Crime — Arrest — Charges Filed — Bail/Detention — Trial/Plea — Sentencing — Prison — Probation/Parole

- What types of crimes are most common in Arkansas?
- What crimes are being cleared through arrests in Arkansas?
- Are people on supervision driving violent crime trends in the state?

- What has changed in the disposition trends for felony charges over the last 10 years?
- How have sentencing patterns changed, if at all?
- What proportion of felony cases sentenced involve people with prior felony convictions?

- What types of behaviors and/or criminal activities are driving recidivism in Arkansas?
- How much of Arkansas's recidivism is driven by new criminal activity, including violent crime?

Here's a preview of how the data answers these questions.

Crime	Arrest	Charges Filed	Bail/Detention	Trial/Plea	Sentencing	Prison	Probation/Parole

- What types of crimes are most common in Arkansas?
- What crimes are being cleared through arrests in Arkansas?
- Are people on supervision driving violent crime trends in the state?
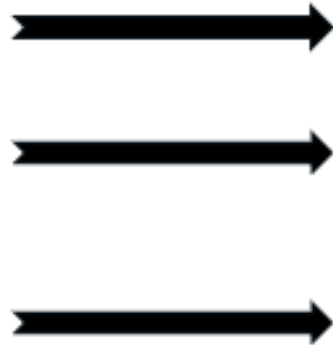
→ Theft, assaults, and drug offenses

→ Drug offenses are cleared at much higher rates than crimes against people or property.

→ People on supervision are responsible for a very small portion of violent crime.

Crime | 2

The data in this presentation came primarily from two sources.

**National Incident-Based Reporting System (NIBRS) –
10 years of data**

NIBRS is an incident-based reporting system used by law enforcement agencies for collecting and reporting data on crimes.
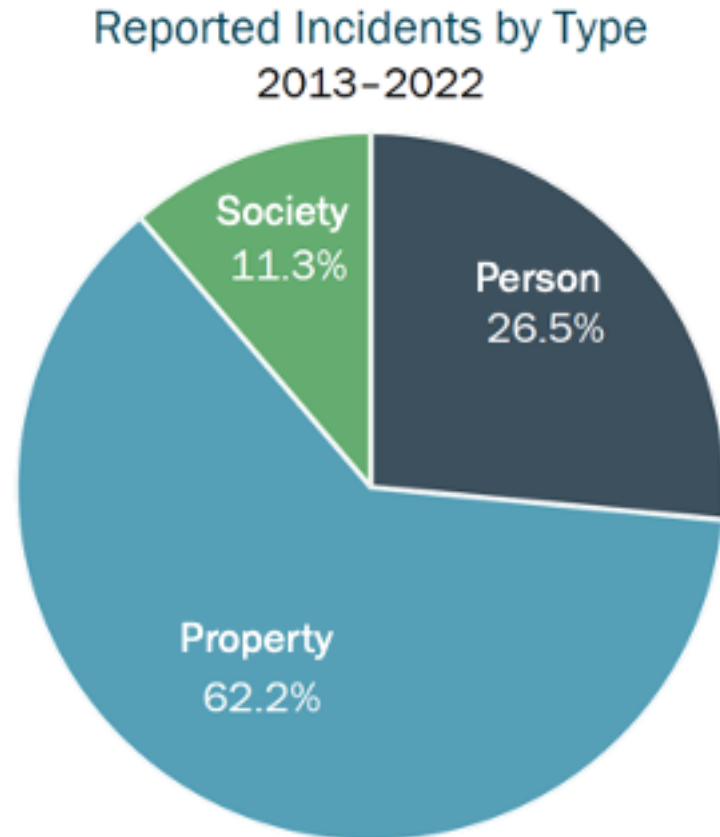
**Arkansas Crime Information Center (ACIC) –
one year of data (2022)**

ACIC is the state agency responsible for providing information technology services to law enforcement and other criminal justice agencies in Arkansas.

NIBRS reporting divides offenses into Groups A and B.

Group A Offenses	Group B Offenses
23 categories (52 specific crimes)	10 specific crimes + catchall

Categories

- Arson
- Assault Offenses
- Animal Cruelty
- Bribery
- Burglary/B&E
- Counterfeiting/Forgery
- Damage of Property
- Drug/Narcotic Offenses
- Embezzlement
- Extortion/Blackmail
- Fraud Offenses
- Gambling Offenses

- Homicide Offenses
- Human Trafficking
- Kidnapping/Abduction
- Larceny/Theft Offenses
- Motor Vehicle Theft
- Pornography
- Prostitution Offenses
- Robbery
- Sex Offenses
- Stolen Property Offenses
- Weapon Law Violations

*Includes **all incidents** committed within a law enforcement agency's jurisdiction*

Group B Offenses:

- Bad Checks
- Curfew/Loitering/Vagrancy
- Disorderly Conduct
- Driving under the Influence
- Public Drunkenness
- Nonviolent Family Offenses
- Liquor Law Violations
- Peeping Tom
- Runaway *
- Trespass of Real Property

* Runaway offenses are not technically crimes, and the FBI discontinued collecting data for runaways in 2011. However, some agencies still collect this information.

For arrests that don't fall under one of these listed offenses, there is a "Group B - All Other Offenses" option that captures the remaining law enforcement activity.

*Only includes **incidents with arrests***

Property crimes are almost twice as common as person and society crimes combined.

Reported Incidents by Type 2013–2022

Society 11.3%
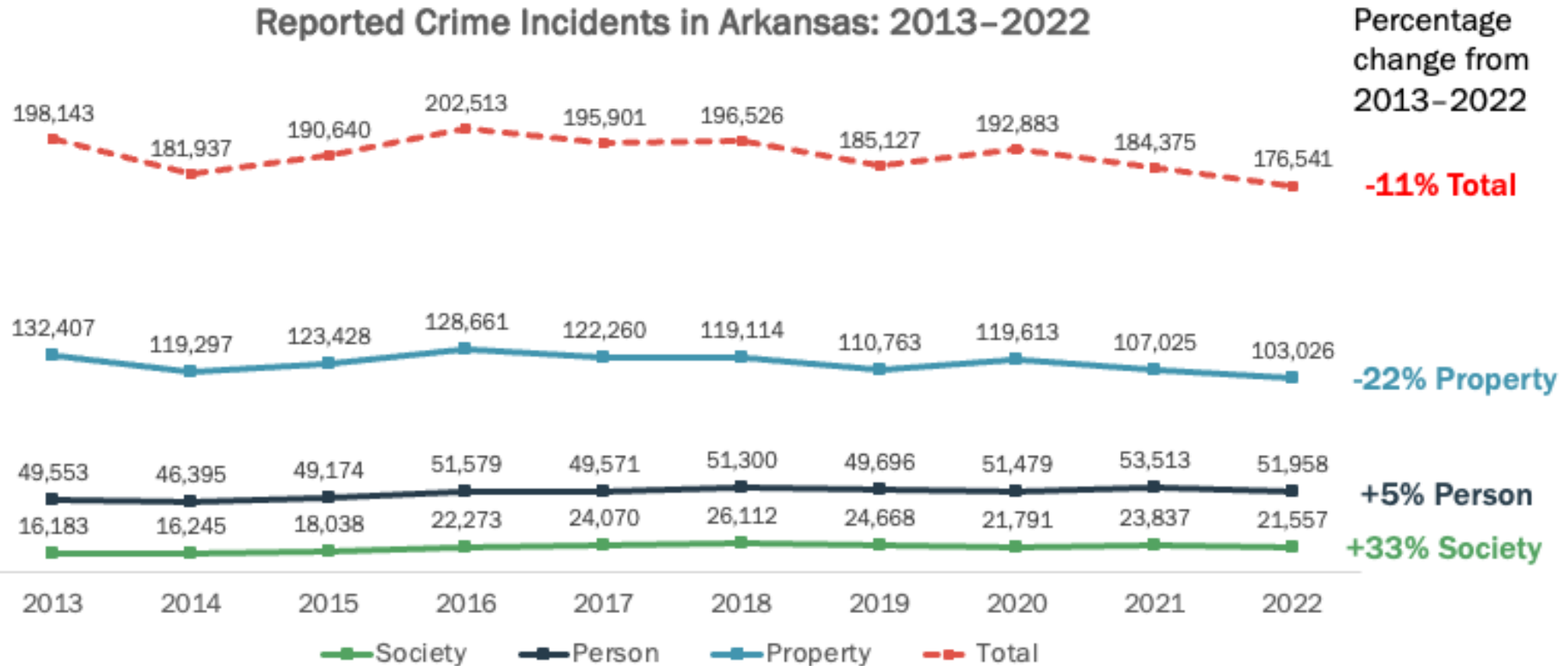Person 26.5%
Property 62.2%

Crimes against persons, e.g., murder, rape, and assault, are those whose **victims are always people.**

The object of **crimes against property**, e.g., robbery, bribery, and burglary, is to **obtain money, property, or some other benefit.**

Crimes against society, e.g., gambling, prostitution, and drug violations, **represent society's prohibition against engaging in certain types of activity**; they are typically victimless crimes in which property is not the object.
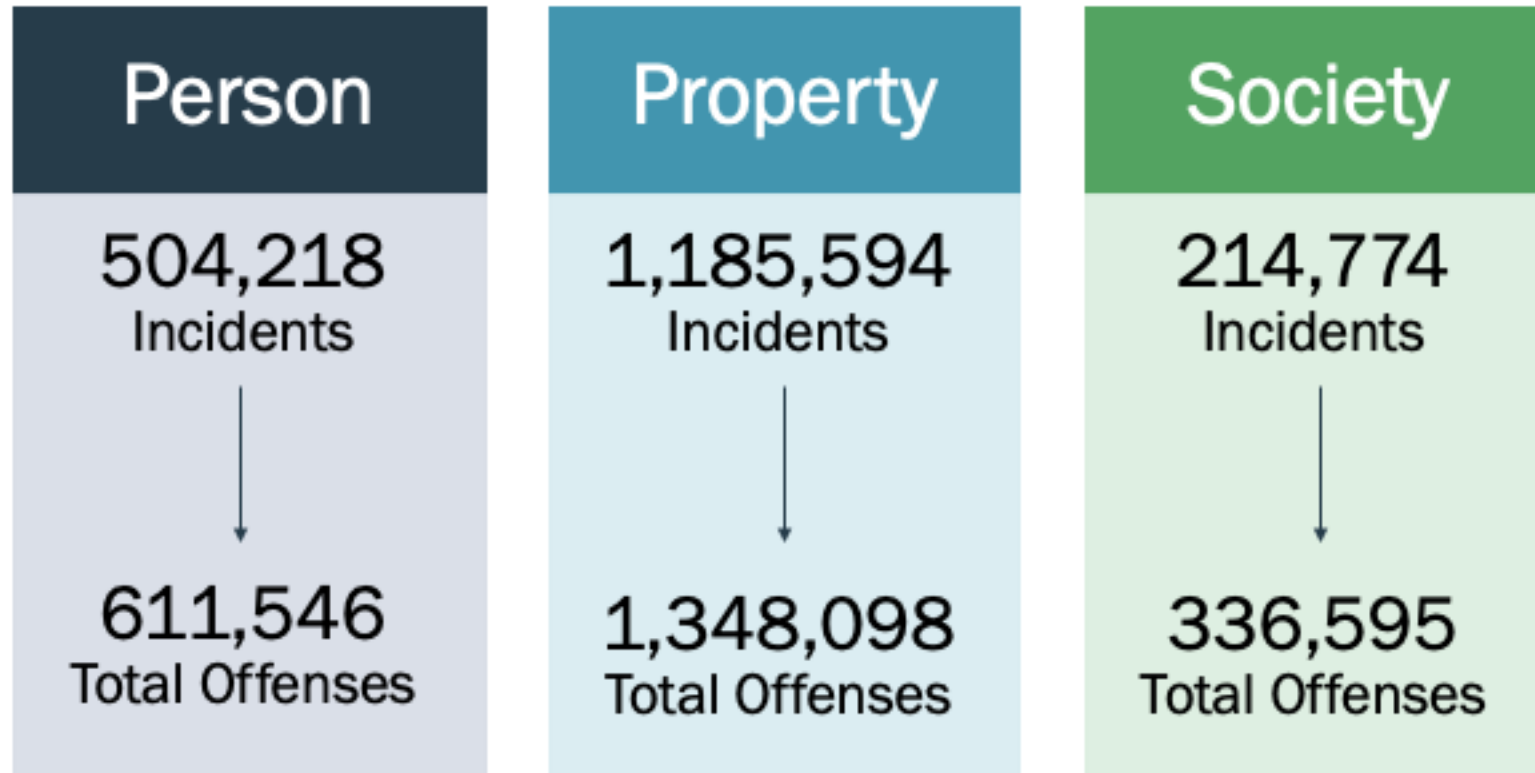
Crime has been declining over the past 10 years, driven by a drop in property crimes.
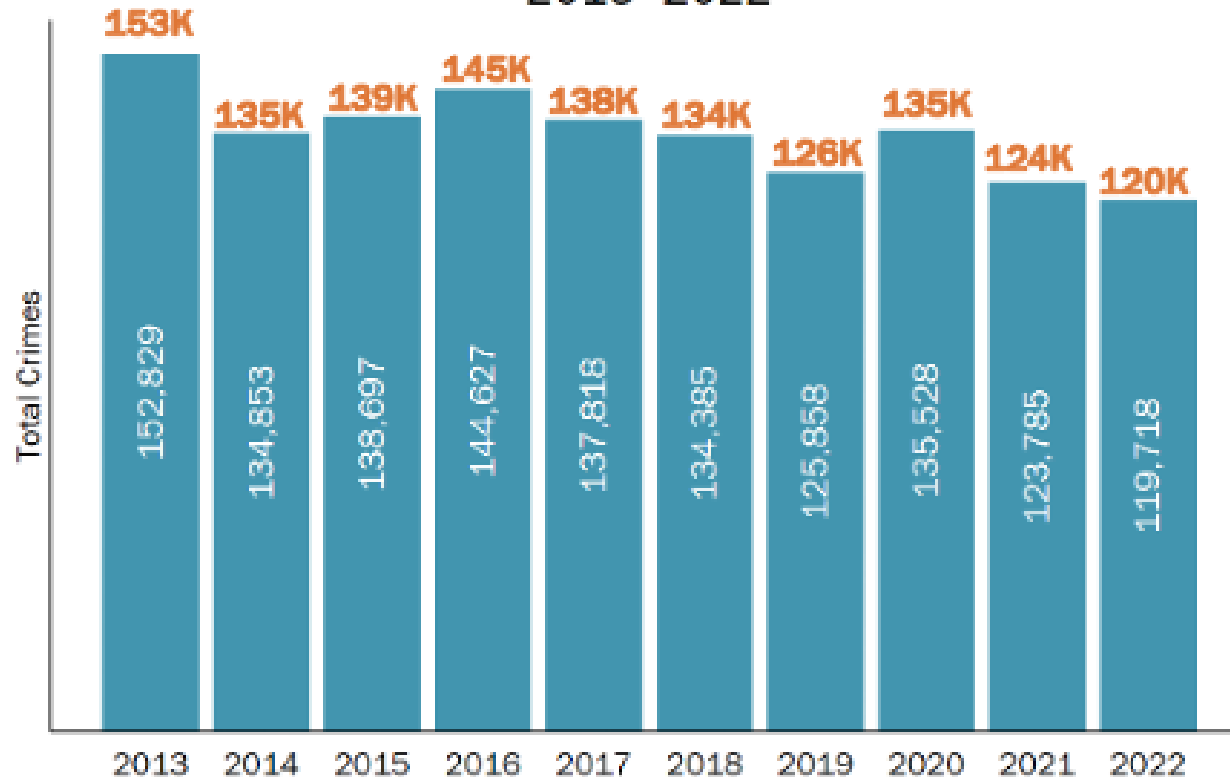
Reported Crime Incidents in Arkansas: 2013–2022

Percentage change from 2013–2022

Total: 198,143 → 181,937 → 190,640 → 202,513 → 195,901 → 196,526 → 185,127 → 192,883 → 184,375 → 176,541 — **-11% Total**

Property: 132,407 → 119,297 → 123,428 → 128,661 → 122,260 → 119,114 → 110,763 → 119,613 → 107,025 → 103,026 — **-22% Property**

Person: 49,553 → 46,395 → 49,174 → 51,579 → 49,571 → 51,300 → 49,696 → 51,479 → 53,513 → 51,958 — **+5% Person**

Society: 16,183 → 16,245 → 18,038 → 22,273 → 24,070 → 26,112 → 24,668 → 21,791 → 23,837 → 21,557 — **+33% Society**

Years: 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2020, 2021, 2022

Legend: Society · Person · Property · Total

NIBRS allows one or more offenses to be reported for each incident of crime, leading to higher offense counts.

Reported Crime Incidents and Offenses in Arkansas: 2013–2022

Person	Property	Society
504,218 Incidents	1,185,594 Incidents	214,774 Incidents
↓	↓	↓
611,546 Total Offenses	1,348,098 Total Offenses	336,595 Total Offenses

The frequency of property crimes, including burglary and robbery, has consistently fallen over the past 10 years.

Total Crimes against Property 2013–2022

2013	153K — 152,829
2014	135K — 134,853
2015	139K — 138,697
2016	145K — 144,627
2017	138K — 137,818
2018	134K — 134,385
2019	126K — 125,858
2020	135K — 135,528
2021	124K — 123,785
2022	120K — 119,718

Type of Offense	10-Year Total	Percent
Robbery	17,258	1.3%
Burglary	193,504	14.4%
Theft/Larceny	659,487	48.9%
Forgery/Fraud	147,097	10.9%
Motor Vehicle Thefts	67,358	5.0%
Other Property Crimes	258,285	19.2%
Arson	5,109	0.4%
Total	1,348,098	

CSG Justice Center analysis of National Incident Based Reporting system data, using Jacob Kaplan's Concatenated Files: National Incident-Based Reporting System (NIBRS) Data, 1991-2022. Ann Arbor, MI: Inter-university Consortium for Political and Social Research [distributor], 2023-10-28. http://doi.org/10.3886/E118281V9
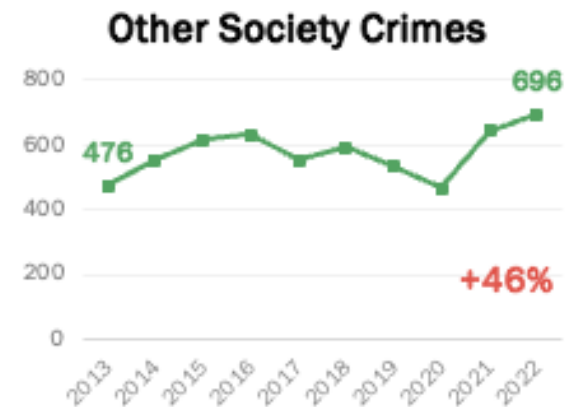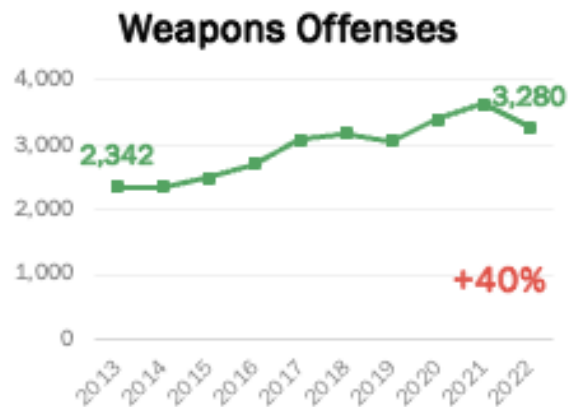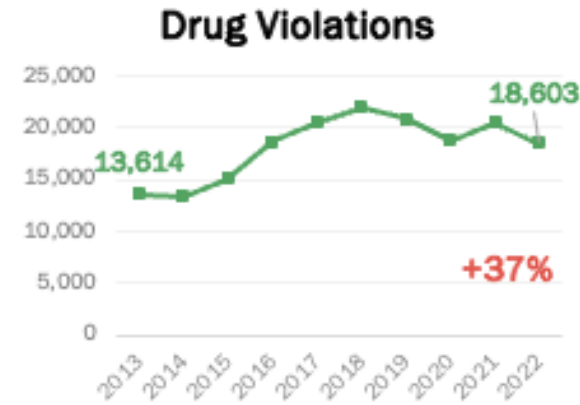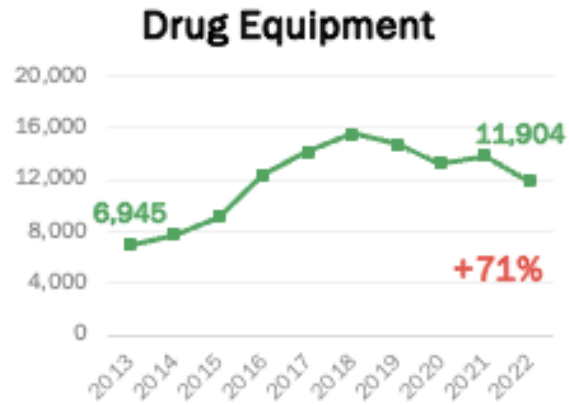
While individual trends have been mixed, overall property crimes are down, especially for robbery and burglary.
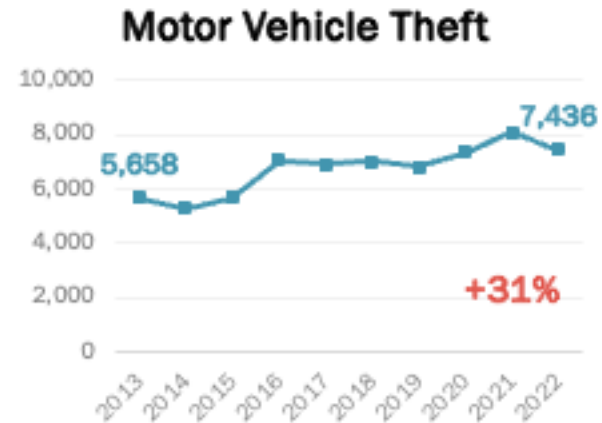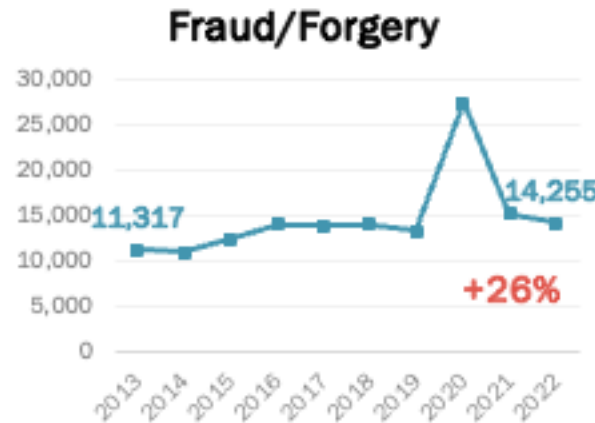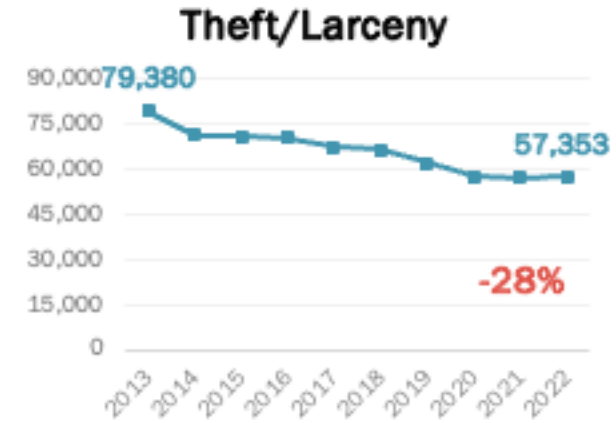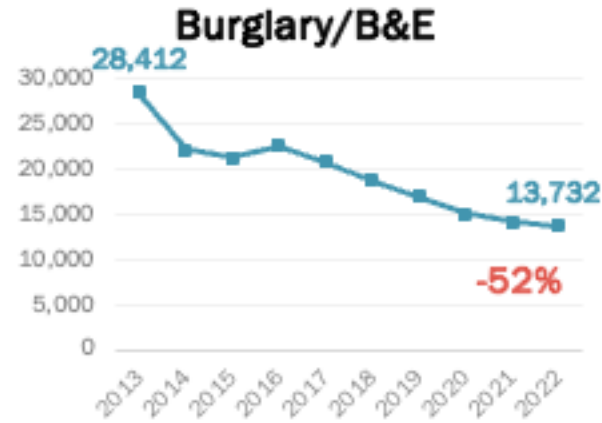
Robbery — 2,267 → 1,208 (-47%), 2013–2022

Burglary/B&E — 28,412 → 13,732 (-52%), 2013–2022

Theft/Larceny — 79,380 → 57,353 (-28%), 2013–2022

Fraud/Forgery — 11,317 → 14,255 (+26%), 2013–2022

Motor Vehicle Theft — 5,658 → 7,436 (+31%), 2013–2022

Other Property Crimes — 25,275 → 25,244 (0%), 2013–2022

Drug offenses comprise 90 percent of all crimes against society.

Total Crimes against Society 2013–2022

Year	Total Crimes
2013	23K — 23,377
2014	24K — 24,011
2015	27K — 27,294
2016	34K — 34,319
2017	38K — 38,256
2018	41K — 41,193
2019	39K — 39,210
2020	36K — 35,834
2021	39K — 38,618
2022	34K — 34,483
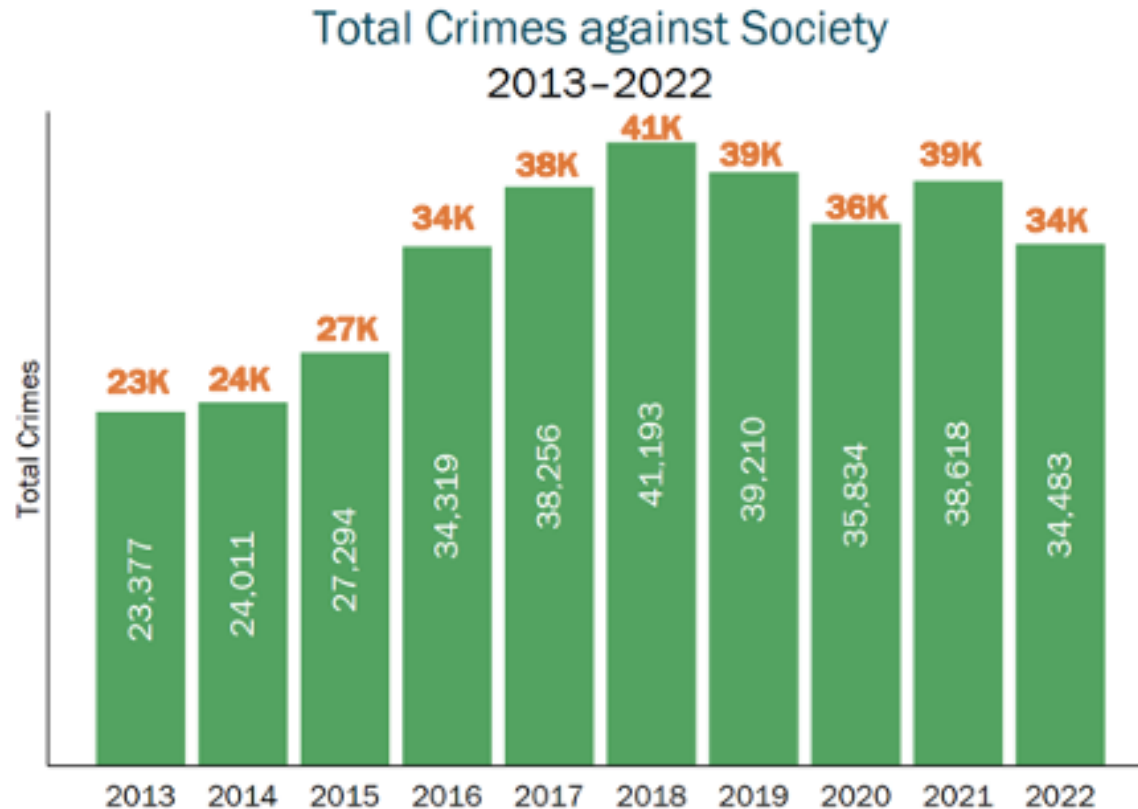
Type of Offense	10-Year Total	Percent
Drug Violation Offenses	181,883	54.0%
Drug Equipment Offense	119,449	35.5%
Weapons Offenses	29,504	8.8%
Other Society Offenses	5,759	1.7%
Total	336,595	

All reported offenses involving crimes against society have increased over the past 10 years.

Drug Equipment

6,945 → 11,904

+71%

Drug Violations

13,614 → 18,603

+37%

Weapons Offenses

2,342 → 3,280

+40%

Other Society Crimes

476 → 696

+46%

From 2013 to 2022, crimes against persons increased by approximately 9 percent, with the peak in 2021.
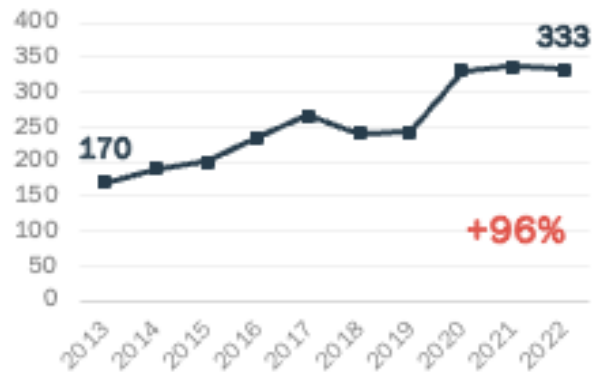
Total Crimes against Persons 2013-2022

Year	Total Crimes
2013	58,412 (58K)
2014	55,558 (56K)
2015	59,267 (59K)
2016	62,314 (62K)
2017	60,074 (60K)
2018	62,148 (62K)
2019	60,543 (61K)
2020	63,419 (63K)
2021	65,911 (66K)
2022	63,900 (64K)
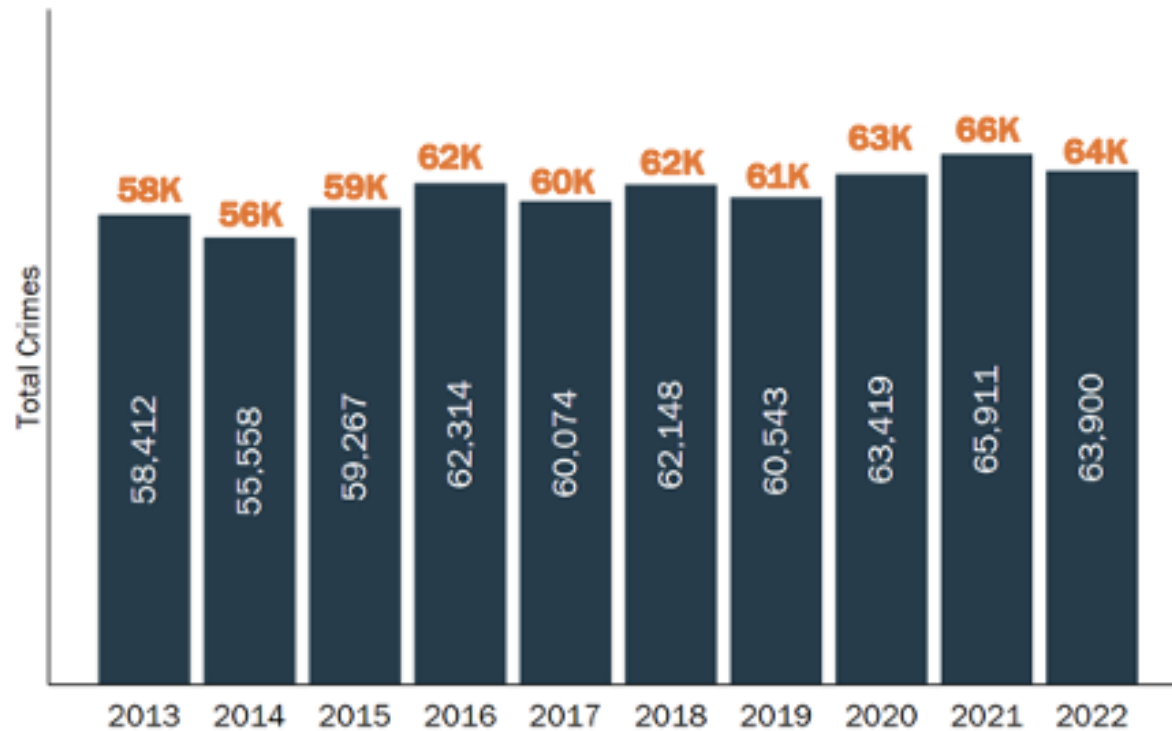
Type of Offense	10-Year Total	Percent
Homicides	2,541	0.4%
Sex Offenses	26,969	4.4%
Assaults – Aggravated	126,230	20.6%
Assaults – Simple	268,375	43.9%
Assaults – Intimidation	181,886	29.7%
Kidnapping	5,523	1.0%
Human Trafficking	22	0.0%
Total	611,546	

Simple assaults are the only type of person crime that decreased over the past decade, but they make up 44 percent of that category.
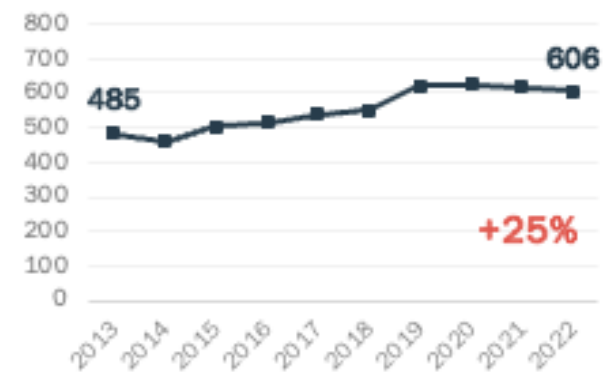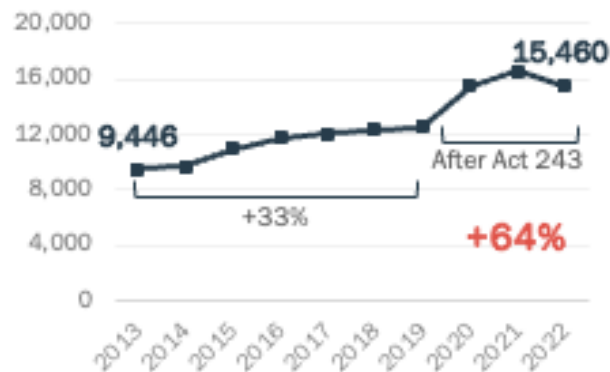

Homicides/Manslaughter
170
333
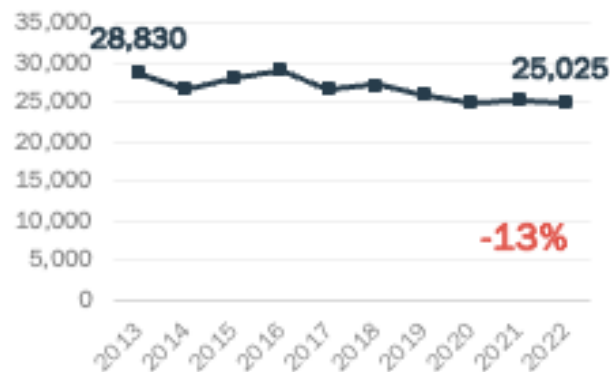+96%
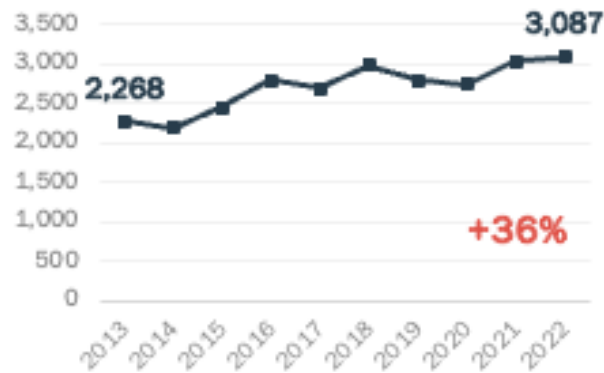
Sex Offenses
2,268
3,087
+36%

Kidnapping
485
606
+25%

Aggravated Assaults
9,446
15,460
After Act 243
+33%
+64%

Simple Assaults
28,830
25,025
-13%

Intimidation
17,213
19,381
+13%

CSG Justice Center analysis of National Incident Based Reporting system data, using Jacob Kaplan's Concatenated Files: National Incident-Based Reporting System (NIBRS) Data, 1991-2022. Ann Arbor, MI: Inter-university Consortium for Political and Social Research [distributor], 2023-10-28. http://doi.org/10.3886/E118281V9
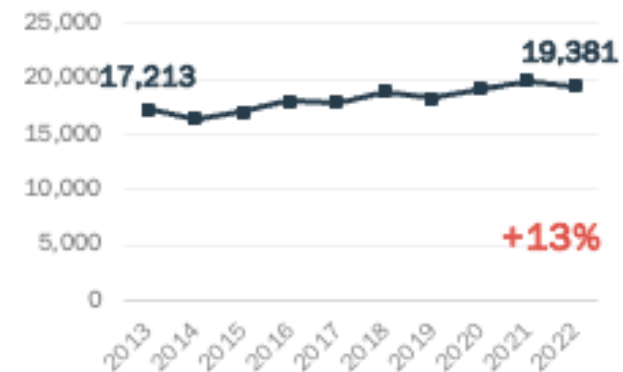
Theft is the most common type of crime reported in the state, followed by assault and drug offenses.

Offenses Reported in 2022

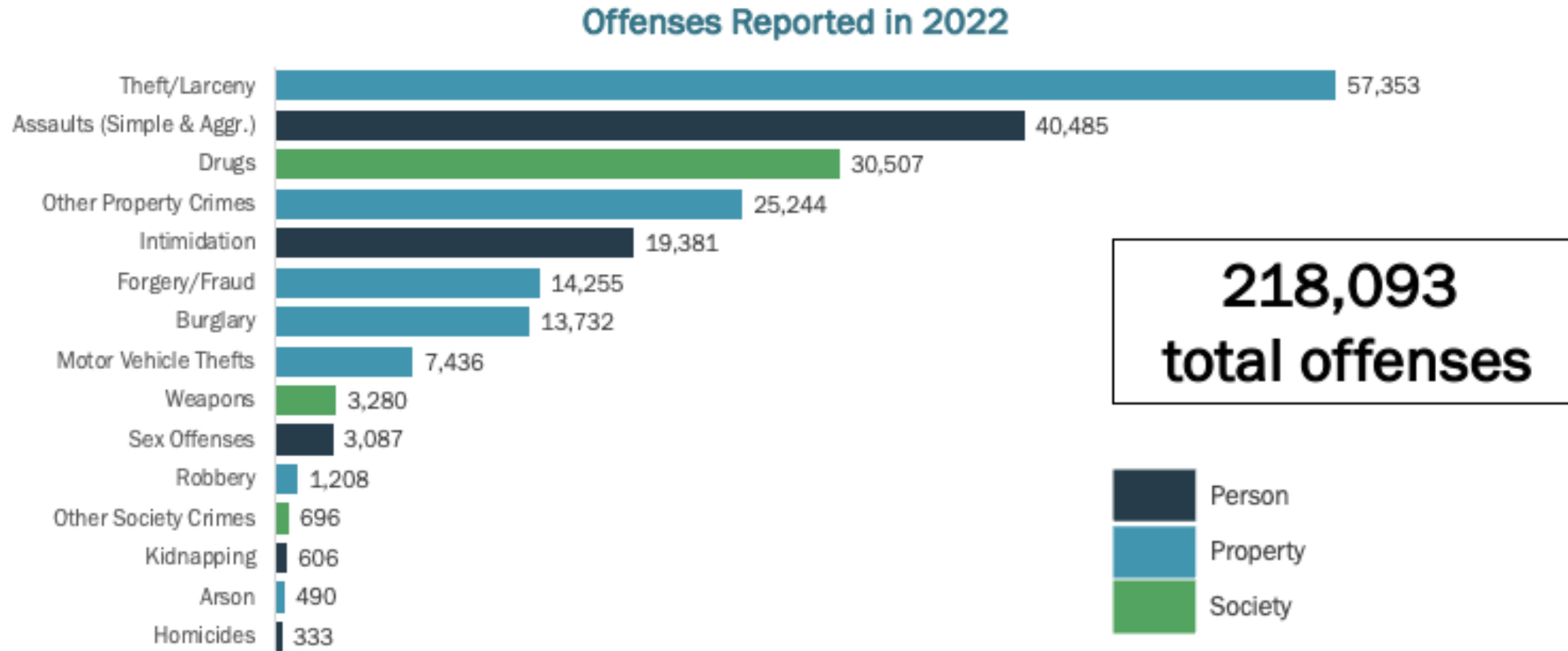| Offense	Count
Theft/Larceny	57,353
Assaults (Simple & Aggr.)	40,485
Drugs	30,507
Other Property Crimes	25,244
Intimidation	19,381
Forgery/Fraud	14,255
Burglary	13,732
Motor Vehicle Thefts	7,436
Weapons	3,280
Sex Offenses	3,087
Robbery	1,208
Other Society Crimes	696
Kidnapping	606
Arson	490
Homicides	333

218,093 total offenses

Legend:
- Person
- Property
- Society

CSG Justice Center analysis of National Incident Based Reporting system data, using Jacob Kaplan's Concatenated Files: National Incident-Based Reporting System (NIBRS) Data, 1991-2022. Ann Arbor, MI: Inter-university Consortium for Political and Social Research [distributor], 2023-10-28. http://doi.org/10.3886/E118281V9

Summary from Crime Data Analysis

Assaults make up **94%** of person crimes

Theft/Larceny make up **49%** of property crimes

Drug Offenses make up **90%** of society crimes

Overall *incidents* of crime have **decreased 11 percent** in the past 10 years driven by a 22 percent decline in property crimes.

Crimes against persons **increased 9 percent,** driven by an increase in all offense types in this category except simple assaults.

Crimes against society **increased 47 percent** although they make up the smallest volume of total incidents at 11 percent.
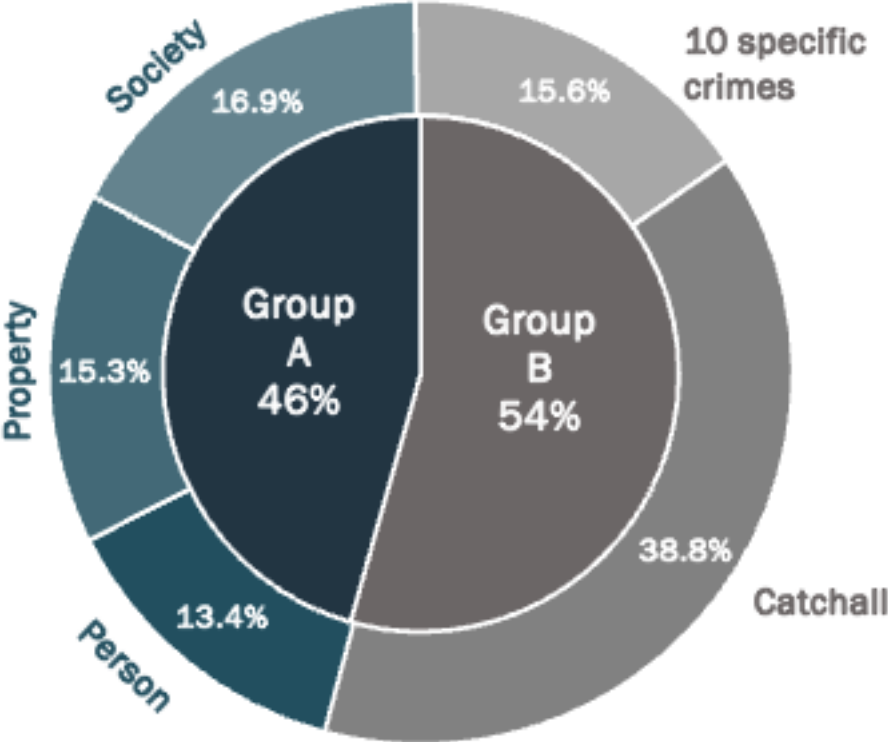
Arrests | 3

NIBRS reporting divides offenses into Groups A and B.

Group A Offenses		Group B Offenses	
23 categories (52 specific crimes)		**10 specific crimes + catchall**	

Group A Offenses — 23 categories (52 specific crimes)

Categories:
- Arson
- Assault Offenses
- Animal Cruelty
- Bribery
- Burglary/B&E
- Counterfeiting/Forgery
- Damage of Property
- Drug/Narcotic Offenses
- Embezzlement
- Extortion/Blackmail
- Fraud Offenses
- Gambling Offenses
- Homicide Offenses
- Human Trafficking
- Kidnapping/Abduction
- Larceny/Theft Offenses
- Motor Vehicle Theft
- Pornography
- Prostitution Offenses
- Robbery
- Sex Offenses
- Stolen Property Offenses
- Weapon Law Violations

*Includes **all incidents** committed within a law enforcement agency's jurisdiction*

Group B Offenses — 10 specific crimes + catchall

- Bad Checks
- Curfew/Loitering/Vagrancy
- Disorderly Conduct
- Driving under the Influence
- Public Drunkenness
- Nonviolent Family Offenses
- Liquor Law Violations
- Peeping Tom
- Runaway *
- Trespass of Real Property

* Runaway offenses are not technically crimes, and the FBI discontinued collecting data for runaways in 2011. However, some agencies still collect this information.

For arrests that don't fall under one of these listed offenses, there is a "Group B - All Other Offenses" option that captures the remaining law enforcement activity.

*Only includes **incidents with arrests***

National Incident-Based Reporting System, "Crimes Against Persons, Property, and Society", Accessed from https://ucr.fbi.gov/nibrs/2018/resource-pages/crimes_against_persons_property_and_society-2018.pdf

Over the past 10 years, just under half of arrests occurred for Group A person, property, or society incidents.

Individuals Arrested 2013–2022
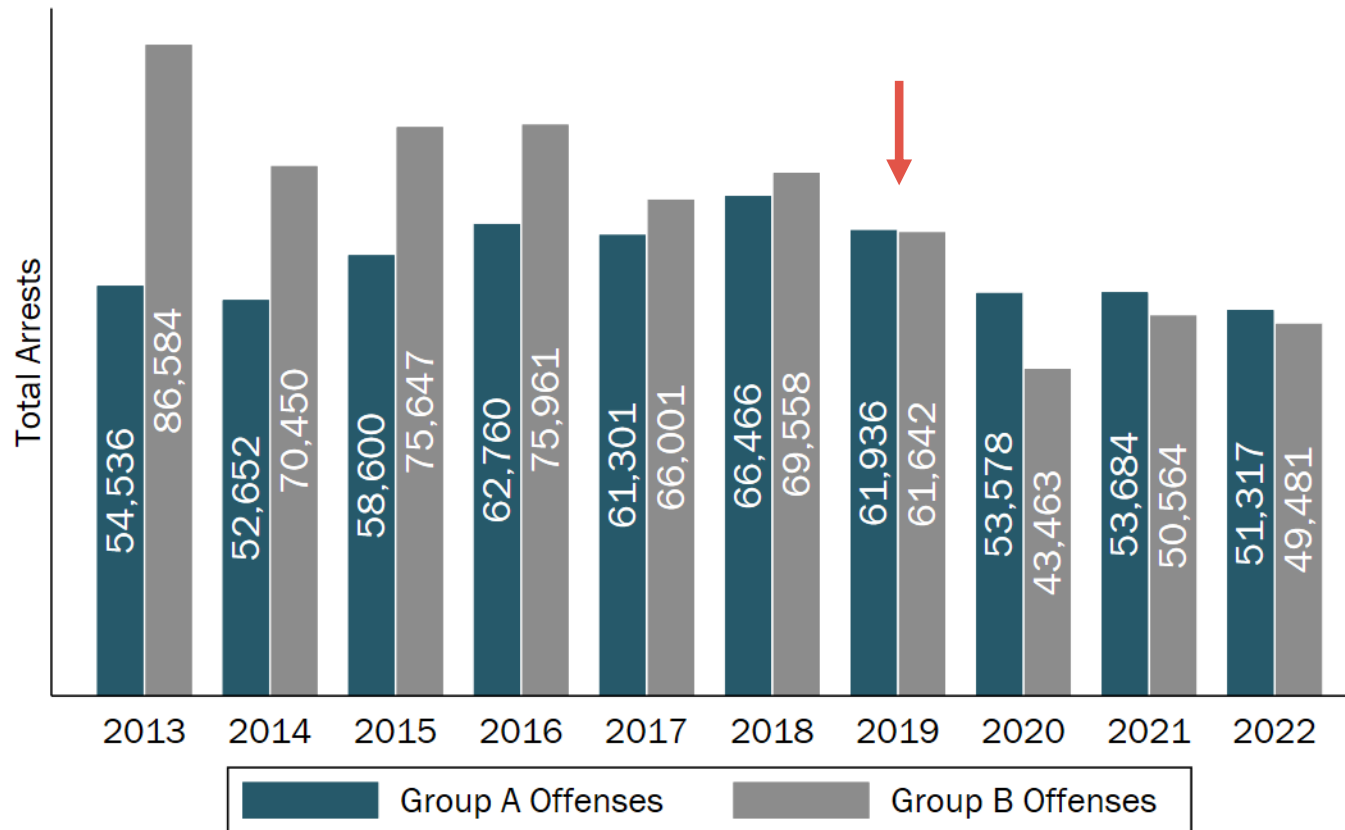By Group and Category of Offense

Society 16.9%
10 specific crimes 15.6%
Property 15.3%
Group A 46%
Group B 54%
Catchall 38.8%
Person 13.4%

Arrests for incidents of Group A offenses began to exceed arrests for incidents of Group B offenses beginning in 2019.

Individuals Arrested from 2013–2022
Group A and Group B Offenses

Year	Group A Offenses	Group B Offenses
2013	54,536	86,584
2014	52,652	70,450
2015	58,600	75,647
2016	62,760	75,961
2017	61,301	66,001
2018	66,466	69,558
2019	61,936	61,642
2020	53,578	43,463
2021	53,684	50,564
2022	51,317	49,481

CSG Justice Center analysis of National Incident Based Reporting system data, using Jacob Kaplan's Concatenated Files: National Incident-Based Reporting System (NIBRS) Data, 1991-2022. Ann Arbor, MI: Inter-university Consortium for Political and Social Research [distributor], 2023-10-28. http://doi.org/10.3886/E118281V9
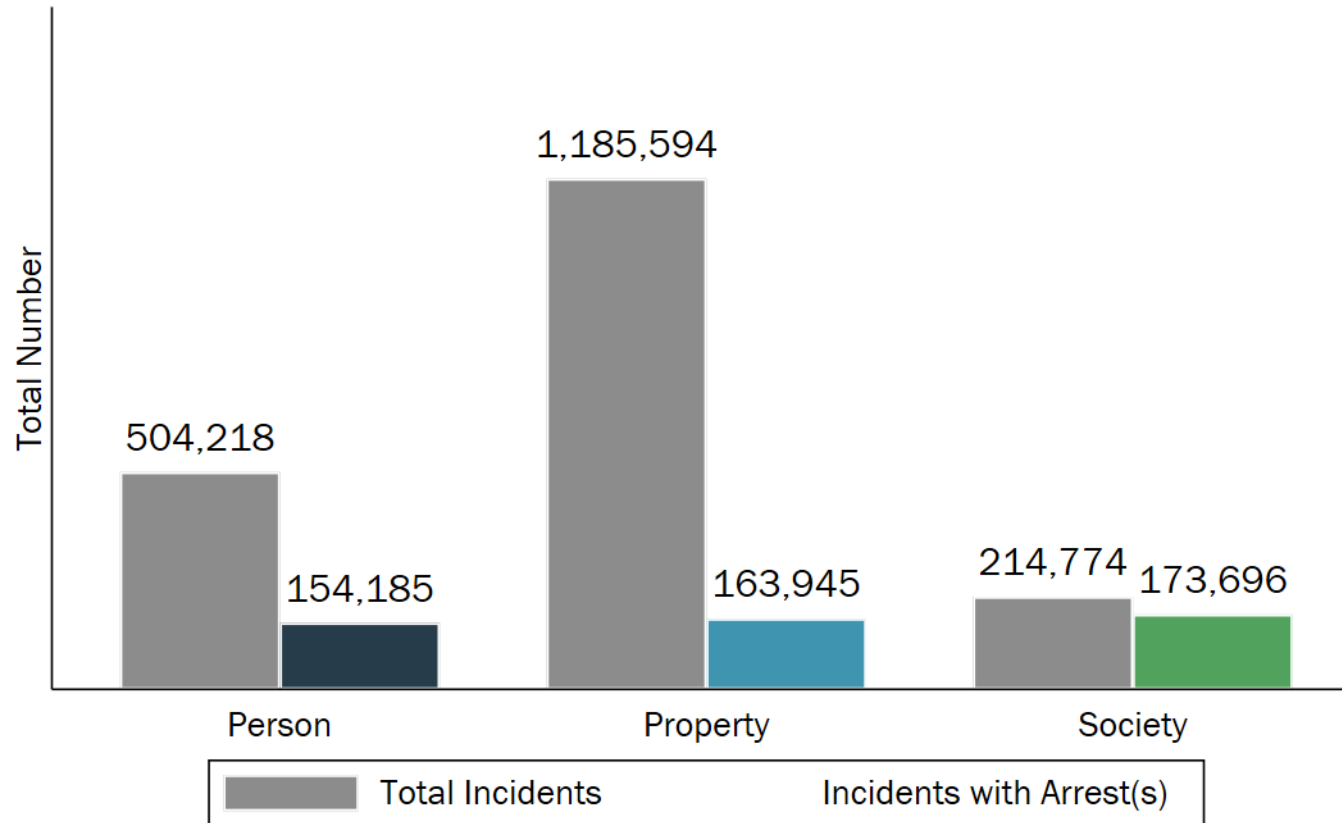
Overall, no arrest occurs in 74 percent of all reported Group A incidents of crime.

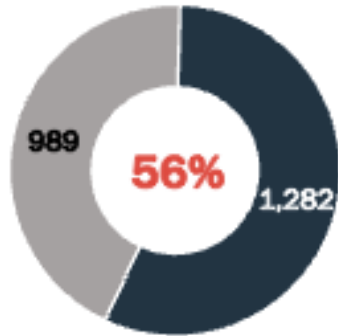## Incidents and Arrests for Group A Offenses
2013–2022

Total Number

- Person: Total Incidents 504,218 | Incidents with Arrest(s) 154,185
- Property: Total Incidents 1,185,594 | Incidents with Arrest(s) 163,945
- Society: Total Incidents 214,774 | Incidents with Arrest(s) 173,696

Legend:
- Total Incidents
- Incidents with Arrest(s)

Total Incidents with at least one person arrested, *by NIBRS Category*

- 30.6% Person
- 13.8% Property
- 80.9% Society

Arrests occur most frequently for crimes against society offenses, in terms of totals and proportionally.

CSG Justice Center analysis of National Incident Based Reporting system data, using Jacob Kaplan's Concatenated Files: National Incident-Based Reporting System (NIBRS) Data, 1991-2022. Ann Arbor, MI: Inter-university Consortium for Political and Social Research [distributor], 2023-10-28. http://doi.org/10.3886/E118281V9

From 2013 to 2022, an arrest occurred in only 31 percent of crimes against persons.

Homicides/Manslaughter — 56%, Arrest 1,282, No Arrest 989

Sex Offenses — 15%, Arrest 3,826, No Arrest 21,039

Kidnapping — 41%, Arrest 1,365, No Arrest 1,950
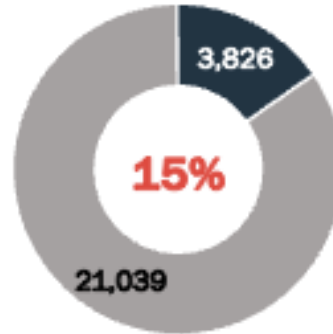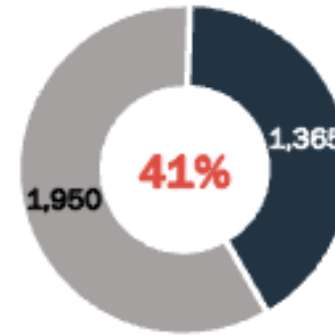
Percentage Cleared by Arrest — Arrest / No Arrest

Aggravated Assaults — 41%, Arrest 40,287, No Arrest 57,885

Simple Assaults — 35%, Arrest 78,503, No Arrest 146,020

Intimidation — 19%, Arrest 28,920, No Arrest 122,132
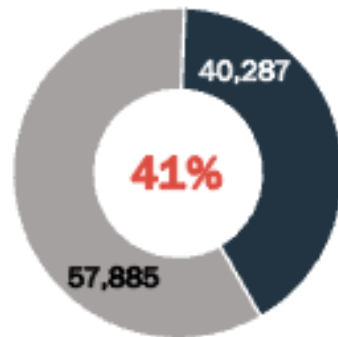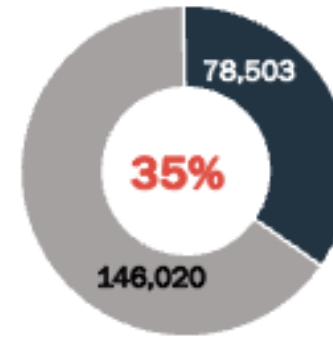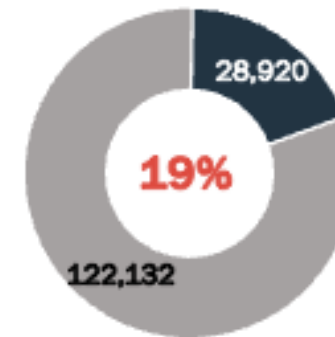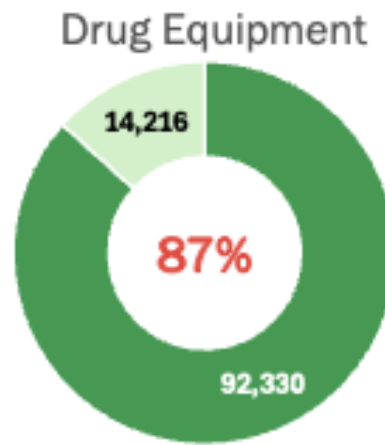
From 2013 to 2022, an arrest occurred in only 14 percent of property crimes.

Robbery
24%
16,947
3,916
12,410

Burglary/ B&E
9%
16,947
170,204

Theft/Larceny
18%
109,927
499,725

Percentage Cleared by Arrest
Arrest
No Arrest

Fraud/Forgery
10%
12,734
109,494

Motor Vehicle Theft
9%
5,534
55,067

Other Property Crimes
8%
14,354
170,444
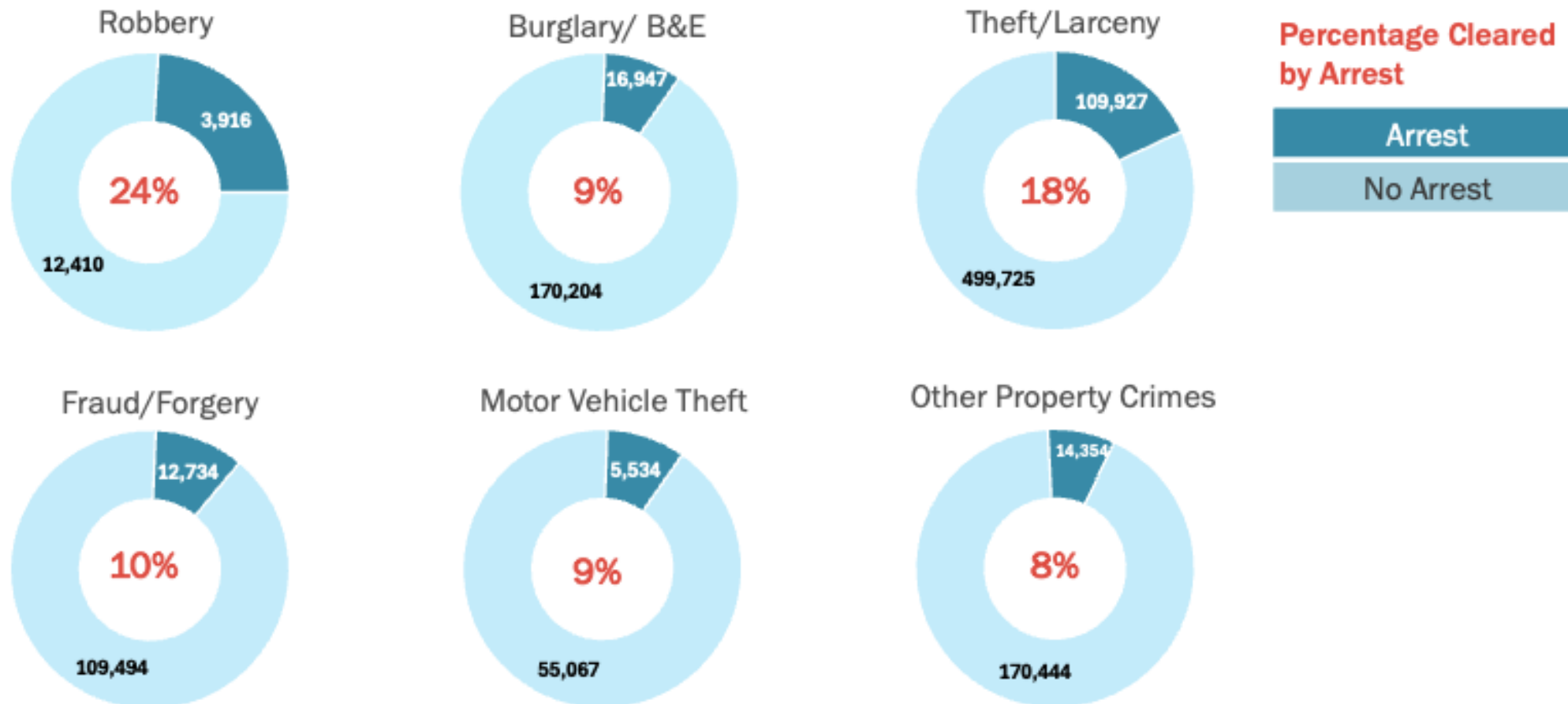
Crimes against society have the highest arrest rates, with 81 percent of incidents from 2013 to 2022 resulting in arrest.

Drug Violations

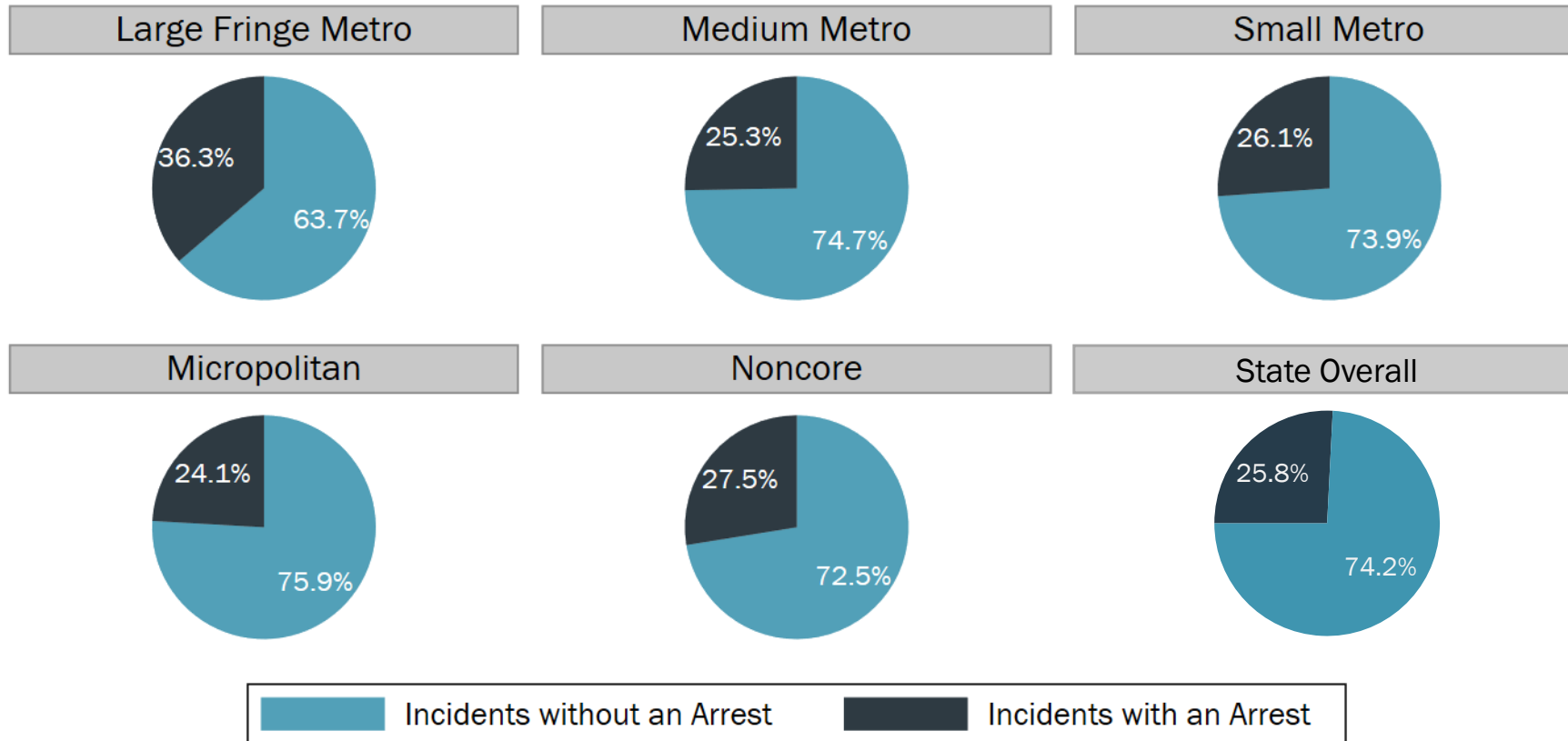20,562
78%
71,977

Drug Equipment

14,216
87%
92,330

Percentage Cleared by Arrest

| Arrest |
| No Arrest |

Weapons Violations

3,327
69%
7,579

Other Society Crimes

1,810
38%
2,973
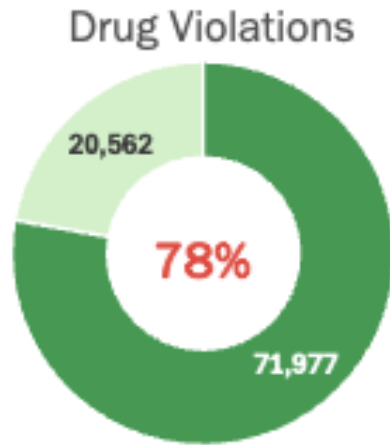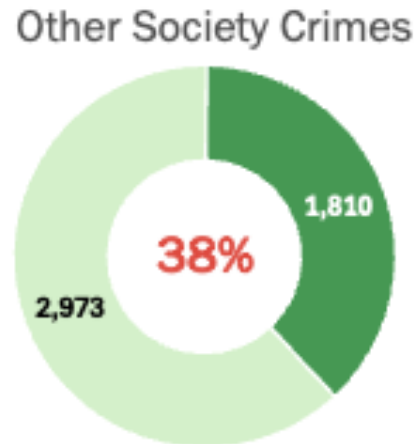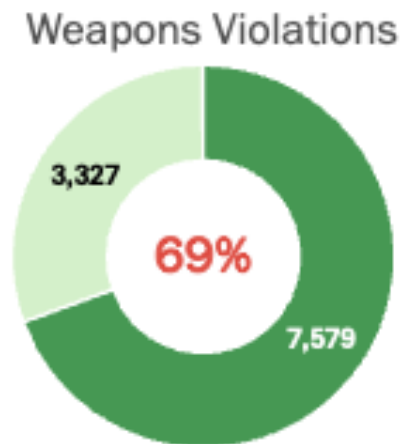
Large metro areas have a somewhat higher proportion of arrests compared to smaller communities

Incidents and Arrests by Pop. Size
2013–2022

Large Fringe Metro	Medium Metro	Small Metro
36.3% / 63.7%	25.3% / 74.7%	26.1% / 73.9%

Micropolitan	Noncore	State Overall
24.1% / 75.9%	27.5% / 72.5%	25.8% / 74.2%

Legend: Incidents without an Arrest | Incidents with an Arrest

- **Large Fringe Metro**: Counties in metropolitan statistical areas (MSAs) of 1 million or more people that do not qualify as large central metro counties. (e.g., Crittenden Co.)
- **Medium Metro**: Counties in MSAs of 250,000 to 999,999
- **Small Metro**: Counties in MSAs of populations less than 250,000
- **Micropolitan**: Counties with urban clusters of 2,500 to 49,999 people
- **Noncore**: Non-metropolitan counties that also do not qualify as micropolitan, which are largely rural due to population density
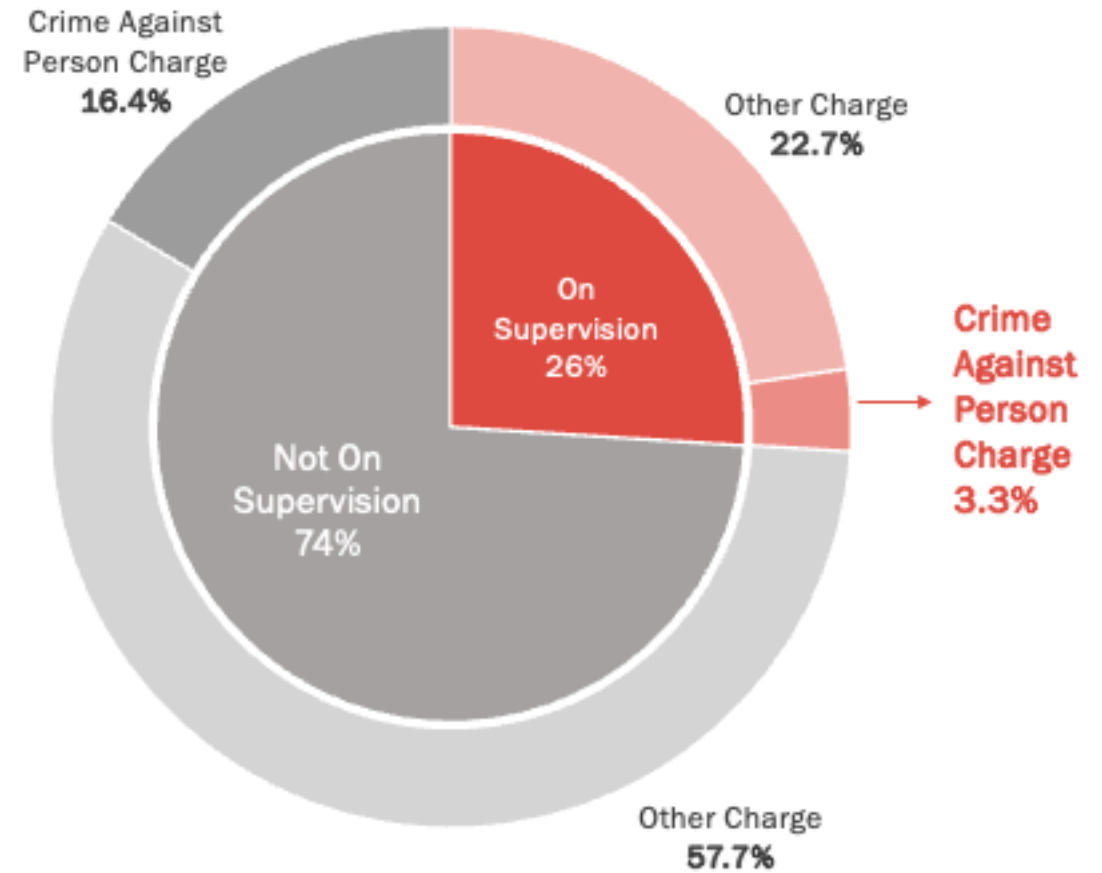
Nearly three-quarters of all people arrested in 2022 were not on felony supervision at the time of their arrest.

Most common offenses in ACIC arrest data:

- 16.4% Failure to appear

- 10.5% Possession of controlled substance

- 9.1% Aggravated assault, assault, battery

- 7.9% Possession of drug paraphernalia

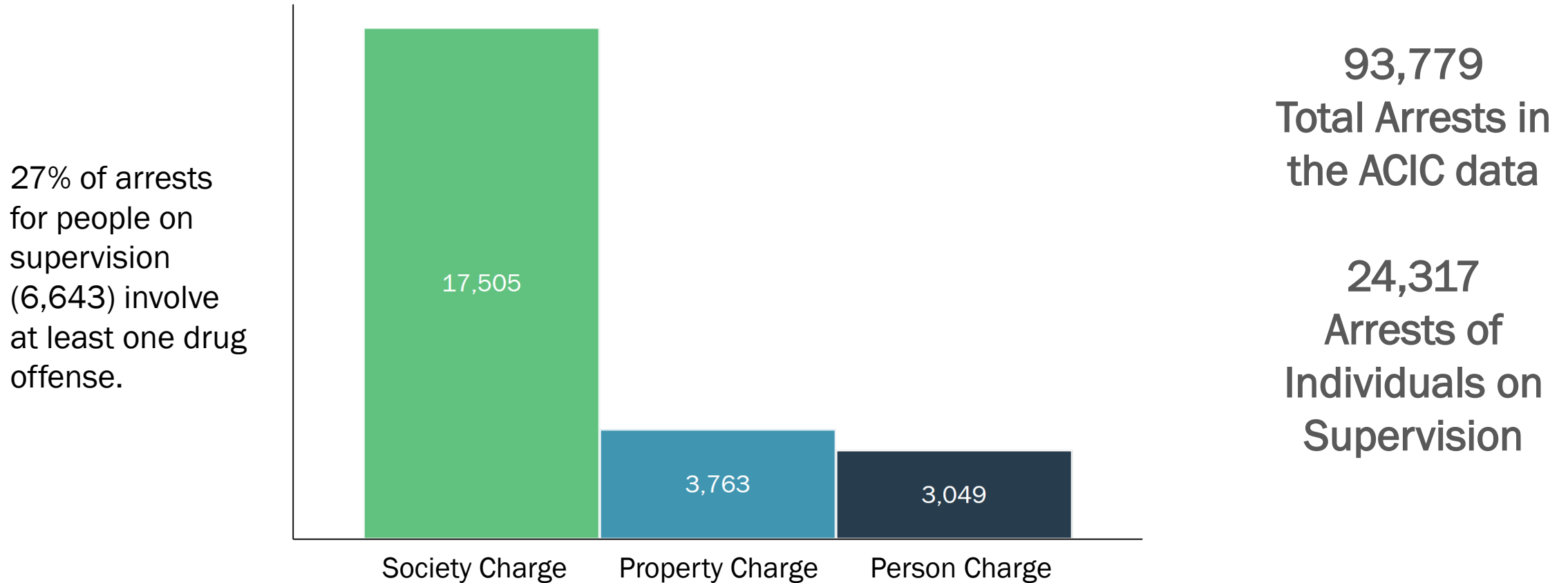- 6.6% Theft (various types)

- 4.5% Driving while intoxicated

Statewide Arrests:
Breakdown by Supervision Status and Type of Crime
(Person vs. Non-Person)

Crime Against Person Charge
16.4%

Other Charge
22.7%

On Supervision 26%

Crime Against Person Charge 3.3%

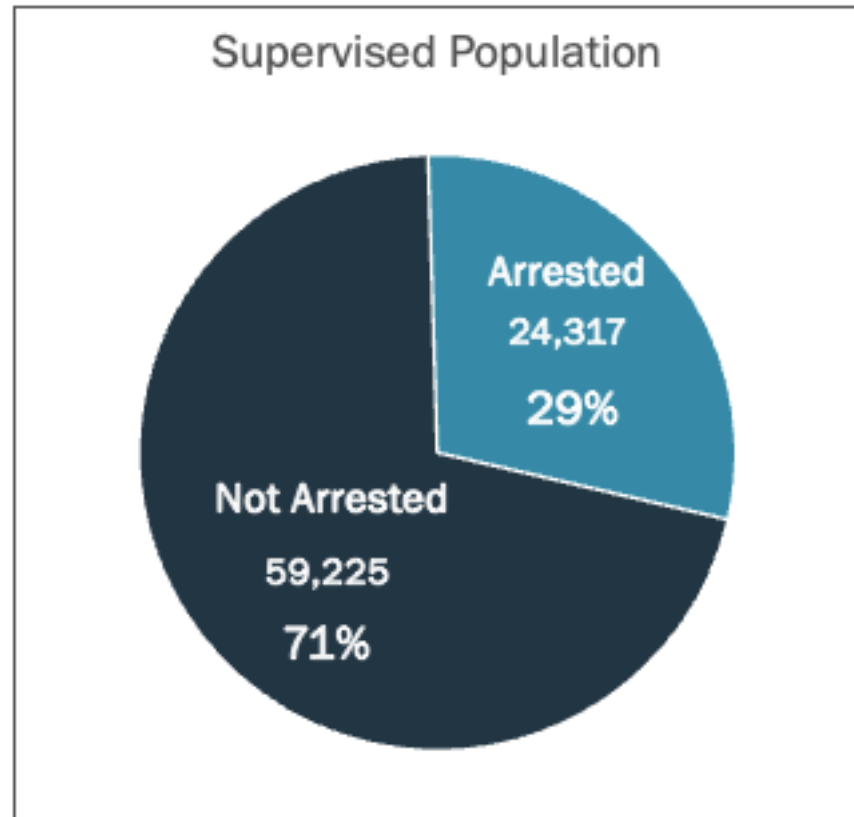Not On Supervision 74%

Other Charge
57.7%

People on supervision who were arrested in 2022 were most commonly arrested for crimes against society.

Arrests by Most Serious Charge for Individuals on Supervision

2022

27% of arrests for people on supervision (6,643) involve at least one drug offense.

Society Charge	Property Charge	Person Charge
17,505	3,763	3,049

93,779
Total Arrests in the ACIC data

24,317
Arrests of Individuals on Supervision

CSG Justice Center analysis of 2022 case level arrest data provided by the Arkansas Crime Information Center and of 2013-2022 case level supervision data provided by the Arkansas Department of Corrections.

In 2022, 71 percent of people on felony supervision remained arrest-free during the supervision period.

Supervised Population

Arrested
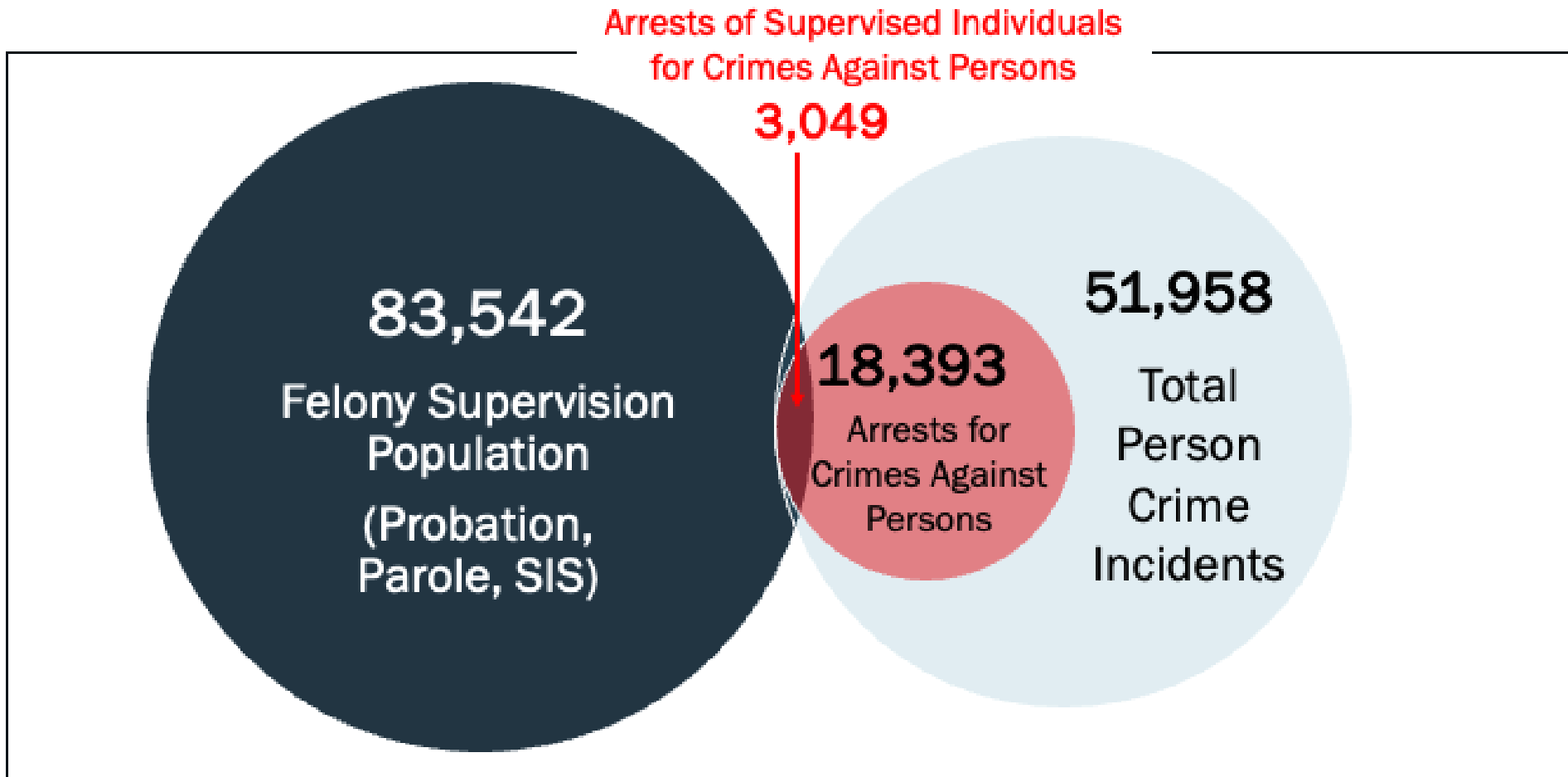24,317
29%

Not Arrested
59,225
71%

People under felony supervision in 2022:*

- 35,749 people on parole

- 41,190 people on probation

- 6,603 people on supervised imposition of sentence

- 83,542 total unique individuals under supervision at some point in 2022

Excludes people on pretrial supervision

CSG Justice Center analysis of 2022 case level arrest data provided by the Arkansas Crime Information Center and of 2013-2022 case level supervision data provided by the Arkansas Department of Corrections.

People arrested for person crimes while on supervision comprise 6 percent of arrests for reported person incidents in 2022.

Arrests of Supervised Individuals for Crimes Against Persons

3,049

83,542
Felony Supervision Population
(Probation, Parole, SIS)

18,393
Arrests for Crimes Against Persons

51,958
Total Person Crime Incidents

Summary of Arrest Data Analysis

Arrests happen in **31%** of person crimes

Arrests happen in **14%** of property crimes

Arrests happen in **81%** of society crimes

- People arrested for person crimes while on supervision comprised **6 percent** of reported person incidents in 2022.

- No arrest occurs in **74 percent** of all reported Group A incidents of crime.

- Only **46 percent** of arrests are for the most serious, Group A offense types, with arrest rates for sex offenses at 15 percent and 24 percent for robbery.

Key Takeaways from Today's Presentation

Increase in Crimes Against Persons: Crimes against persons rose by about 9 percent from 2013 to 2022, with simple assaults being the only category to decrease.

Arrest Patterns: The highest rate of arrest (81 percent) is for crimes against society (crimes without victims). Arrests for crimes against persons and property are less common.

Supervision Status: In 2022, 75 percent of people who were arrested were not on supervision, and those on supervision represented a small fraction of person crime arrests.

Project Updates

4

Our research team continues to analyze state data to provide insights into what is happening across the state.

Justice Reinvestment Data Requests

Data	Source	Status
Arrest and Disposition Information for Felonies and Misdemeanors	Arkansas Crime Information Center (ACIC)	Analysis complete
Court Case Dispositions	Administrative Office of the Courts (AOC)	Analysis underway
DOC/CCC Admissions and Releases; Probation, SIS, and Parole Supervision	Arkansas Department of Corrections (ADC)	Analysis underway

Summary of Meetings

Our team has had 121 meetings with 169 people from the below stakeholder communities including individual meetings with almost all task force members.
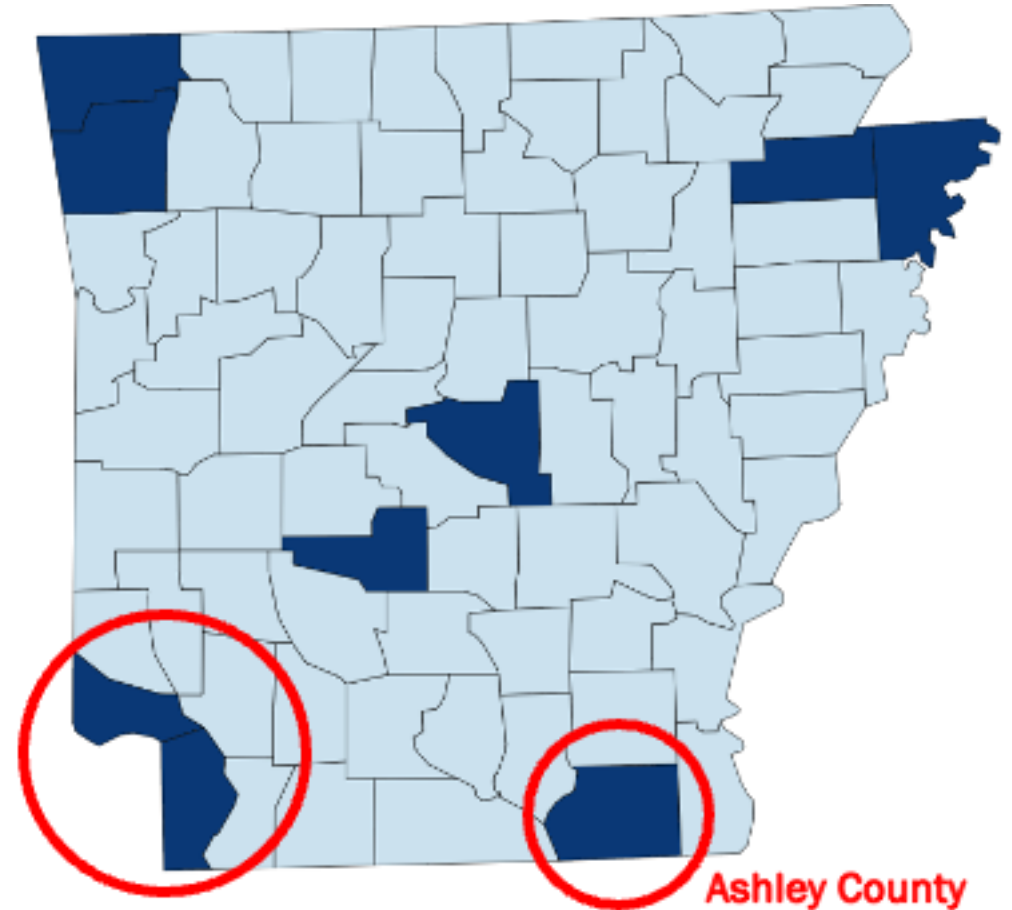
- Governor's Office
- DOC
- AOC
- ACIC
- BOC
- Counties
- Prosecuting attorneys

- Public defenders
- Attorney General's Office
- Prosecuting attorneys
- Public defenders
- Attorney General's Office
- Nonprofit groups
- Sheriffs

- Judiciary
- Department of Public Safety
- State legislators
- Probation and parole officers
- Corrections staff
- Individuals on supervision
- Incarcerated individuals

Frequent trips here have informed our work.

Since launching the project in August 2023, 9 members of the CSG Justice Center have visited Arkansas on 13 separate occasions.

Benton and Washington Counties

Craighead and Mississippi Counties

Pulaski County

Hot Spring County
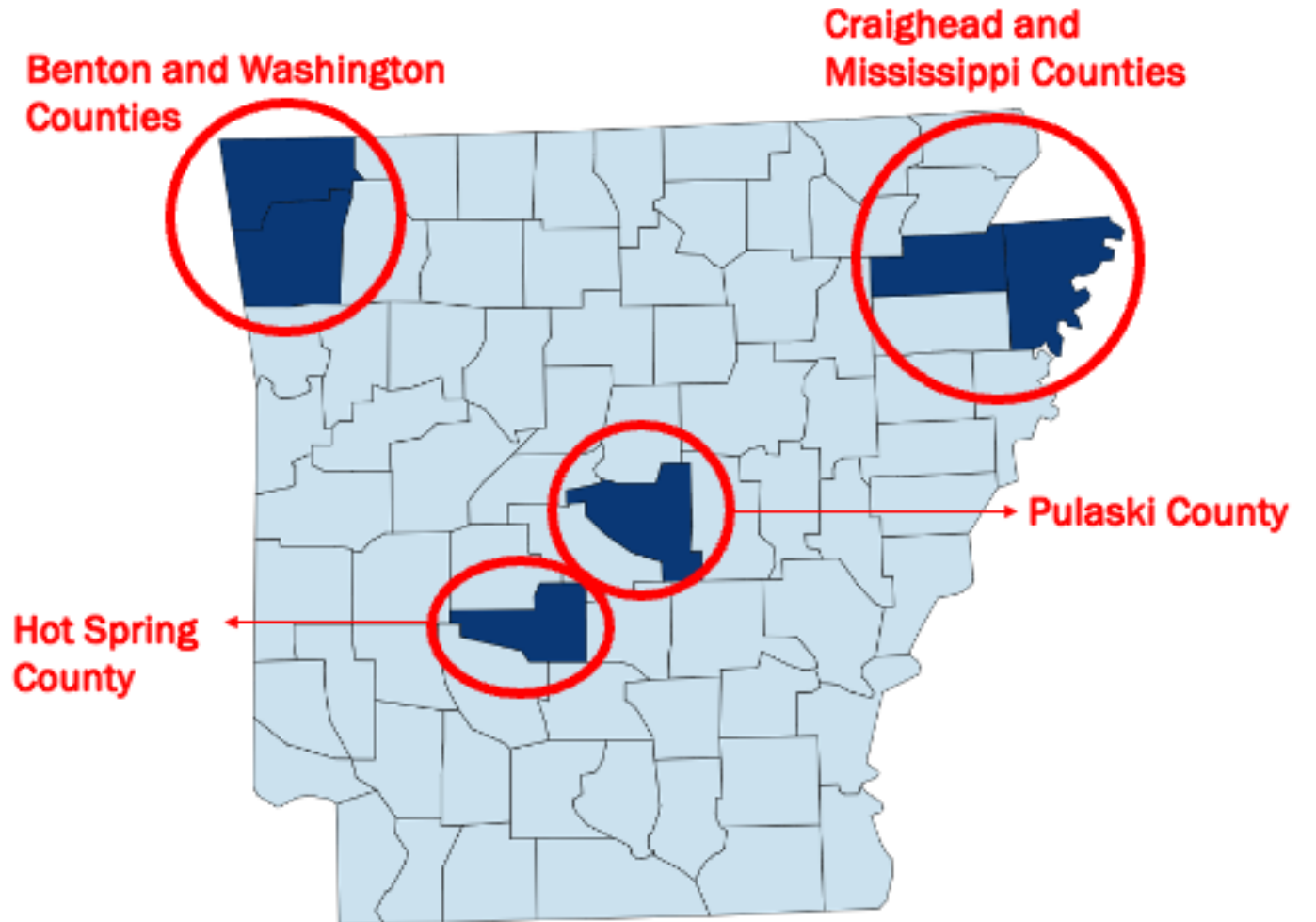
We plan on visiting the following additional areas of the state to continue this work.

Little River and Miller Counties

Ashley County

The CSG Justice Center team still plans to do the following.

Complete analysis of AOC and DOC data.

Speak with a cross-section of prosecuting attorneys.

Present AOC data in October.

Help the task force draft final recommendations.

Present DOC data in November.
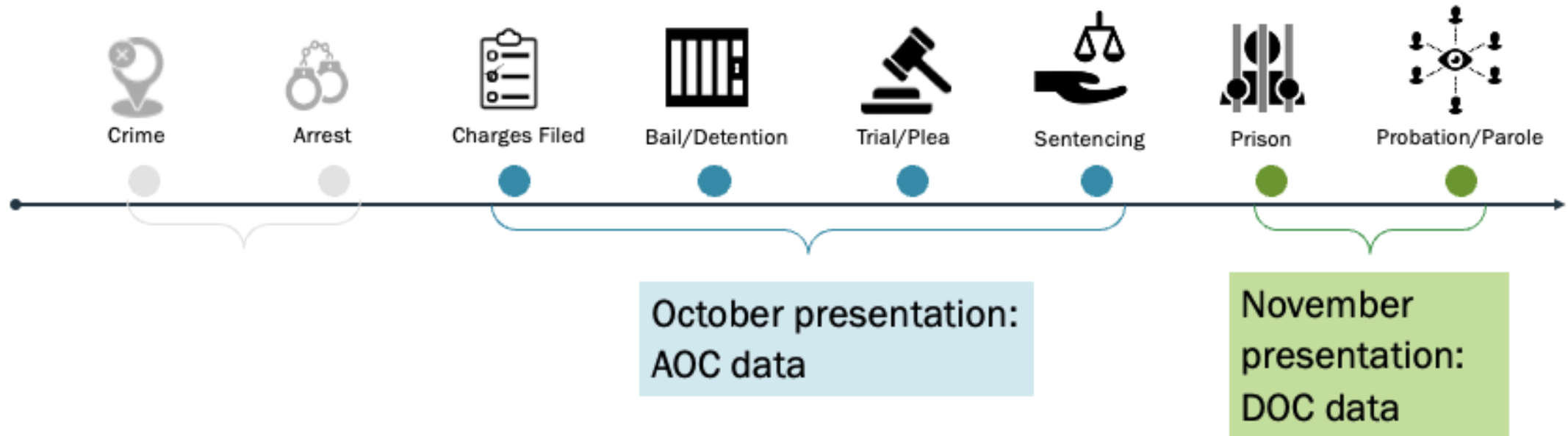
Make legislative recommendations.

Speak with a cross-section of public defenders.

Offer technical assistance and data monitoring to ensure the policy recommendations are successfully implemented.

Today we've only talked about crimes and arrest. In future presentations, we will cover the rest of the system.

Crime   Arrest   Charges Filed   Bail/Detention   Trial/Plea   Sentencing   Prison   Probation/Parole

October presentation: AOC data

November presentation: DOC data

Thank You!

Join our distribution list to receive updates and announcements:

https://csgjusticecenter.org/resources/newsletters/

For more information, please contact Estrella López at elopez@csg.org.

Cover photo credit: W.scott Mcgill