

By: Representative Walker

To: Penitentiary

HOUSE BILL NO. 944

1 AN ACT TO AMEND SECTION 47-7-9, MISSISSIPPI CODE OF 1972, TO
2 AUTHORIZE FIELD SUPERVISORS TO VISIT THE RESIDENCE OF AN OFFENDER
3 WHO IS ON PAROLE; AND FOR RELATED PURPOSES.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

5 SECTION 1. Section 47-7-9, Mississippi Code of 1972, is
6 amended as follows:

7 47-7-9. (1) The circuit judges and county judges in the
8 districts to which Division of Community Services personnel have
9 been assigned shall have the power to request of the department
10 transfer or removal of the division personnel from their court.

11 (2) (a) Division personnel shall investigate all cases
12 referred to them for investigation by the board, the division or
13 by any court in which they are authorized to serve. They shall
14 furnish to each person released under their supervision a written
15 statement of the conditions of probation, parole, earned-release
16 supervision, post-release supervision or suspension and shall
17 instruct him regarding the same. They shall keep informed
18 concerning the conduct and conditions of persons under their
19 supervision and use all suitable methods to aid and encourage them
20 and to bring about improvements in their conduct and condition.

21 Field supervisors may visit an offender's place of residence if
22 the supervisor deems home visitation necessary to aid an offender
23 in adjusting to the community and in becoming a productive
24 citizen. It is the intention of the Legislature to use the home
25 visitation as a possible means of reducing parole violations.

26 All division personnel shall keep detailed records of their work

27 and shall make such reports in writing as the court or the board
28 may require.

29 (b) The division personnel duly assigned to court
30 districts are hereby vested with all the powers of police officers
31 or sheriffs to make arrests or perform any other duties required
32 of policemen or sheriffs which may be incident to the division
33 personnel responsibilities. All probation and parole officers
34 hired on or after July 1, 1994, will be placed in the Law
35 Enforcement Officers' Training Program and will be required to
36 meet the standards outlined by that program.

37 (c) It is the intention of the Legislature that insofar
38 as practicable the case load of each division personnel
39 supervising offenders in the community (hereinafter field
40 supervisor) shall not exceed the number of cases that may be
41 adequately handled.

42 (3) (a) Division personnel shall be provided to perform
43 investigation for the court as provided in this subsection.
44 Division personnel shall conduct presentence investigations on all
45 persons convicted of a felony in any circuit court of the state,
46 before sentencing and at the request of the circuit court judge of
47 the court of conviction. The presentence evaluation report shall
48 consist of a complete record of the offender's criminal history,
49 educational level, employment history, psychological condition and
50 such other information as the department or judge may deem
51 necessary. Division personnel shall * * * prepare written victim
52 impact statements at the request of the sentencing judge as
53 provided in Section 99-19-157.

54 (b) In order that offenders in the custody of the
55 department on July 1, 1976, may benefit from the kind of
56 evaluations authorized in this section, an evaluation report to
57 consist of the information required hereinabove, supplemented by
58 an examination of an offender's record while in custody, shall be
59 compiled by the division upon all offenders in the custody of the

60 department on July 1, 1976. After a study of such reports by the
61 State Parole Board those cases which the board believes would
62 merit some type of executive clemency shall be submitted by the
63 board to the Governor with its recommendation for the appropriate
64 executive action.

65 (c) The department is authorized to accept gifts,
66 grants and subsidies to conduct this activity.

67 SECTION 2. This act shall take effect and be in force from
68 and after July 1, 1999.