

By: Senator(s) Smith (By Request)

To: Corrections

SENATE BILL NO. 2878

1 AN ACT TO AMEND SECTION 47-5-1111, MISSISSIPPI CODE OF 1972,
2 TO REMOVE THE REQUIREMENT THAT PRIVATE CORRECTIONAL OFFICERS TRAIN
3 AT PUBLIC TRAINING FACILITIES; AND FOR RELATED PURPOSES.

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

5 SECTION 1. Section 47-5-1111, Mississippi Code of 1972, is
6 amended as follows:

7 47-5-1111. (1) A contractor's employees serving as
8 "correctional officers" shall be allowed to use force only while
9 on the grounds of a facility, while transporting inmates, and
10 while pursuing escapees from a facility.

11 (2) A contractor shall be authorized to use only such
12 nondeadly force as the circumstances require in the following
13 situations: to prevent the commission of a felony or misdemeanor,
14 including escape; to defend oneself or others against physical
15 assault; to prevent serious damage to property; to enforce
16 institutional regulations and orders; and to prevent or quell a
17 riot.

18 (3) A contractor's employees, while performing their
19 officially assigned duties relating to the custody, control,
20 transportation, recapture or arrest of any escaped offender
21 assigned to a contract prison, shall be authorized to use force
22 and firearms as necessary to pursue and recapture escapees.

23 (4) Private correctional officers who have been
24 appropriately certified as determined by the contracting agency
25 and trained pursuant to the provisions of subsection (5) shall
26 have the right to carry and use firearms and shall exercise such
27 authority and use deadly force only as a last resort, and then

28 only to prevent an act that could result in death or serious
29 bodily injury to oneself or to another person.

30 (5) Private correctional officers shall be trained in the
31 use of force and the use of firearms, in accordance with ACA
32 Standards and shall be trained, at the contractor's expense * * *
33 for at least the minimum number of hours that public personnel are
34 currently trained.

35 SECTION 2. This act shall take effect and be in force from
36 and after its passage.