SENAE BILL NO. 2878

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

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

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

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

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

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

(4) Private correctional officers who have been appropriately certified as determined by the contracting agency and trained pursuant to the provisions of subsection (5) shall have the right to carry and use firearms and shall exercise such authority and use deadly force only as a last resort, and then
only to prevent an act that could result in death or serious
bodily injury to oneself or to another person.

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

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