MISSISSIPPI LEGISLATURE

REGULAR SESSION 2002

By: Senator(s) Smith

To: Corrections

COMMITTEE SUBSTITUTE
FOR
SENATE BILL NO. 2335

AN ACT TO AMEND SECTION 47-5-5, MISSISSIPPI CODE OF 1972, TO REQUIRE THE COMMISSIONER OF CORRECTIONS TO CONDUCT A STUDY ON THE FEASIBILITY OF CONSOLIDATING ALL THE ALCOHOL AND DRUG TREATMENT PROGRAMS OF THE DEPARTMENT OF CORRECTIONS; TO AUTHORIZE THE DEPARTMENT OF CORRECTIONS TO CONDUCT A PILOT PROGRAM FOR INTENSIVE AND COMPREHENSIVE ALCOHOL AND OTHER DRUG TREATMENT FOR INMATES AT THE BOLIVAR COUNTY REGIONAL FACILITY AND THE SPECIAL NEEDS FACILITY IN LAUDERDALE COUNTY; TO PLACE CERTAIN RESTRICTIONS ON THE PROGRAM; TO REQUIRE AFTER-CARE MONITORING, SERVICES AND TRANSITION PLAN FOR INMATES; TO REQUIRE RECIDIVISM REPORTS; TO PROVIDE FOR THE REPEAL OF THIS ACT; AND FOR RELATED PURPOSES.

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

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

47-5-5. The commissioner, as soon as possible after passage of this section, shall prepare a plan to bring about the limited centralization of facilities within the state correctional system grounds at Parchman, Mississippi. The commissioner is authorized and empowered to use any state funds appropriated for such purposes, together with any available federal funds appropriated by the United States Congress for improvement of correctional institutions to construct modern security facilities for housing of offenders to the end that the state correctional system achieves the greatest degree of security for said offenders. Provided, however, that no new facility to house offenders shall be constructed within two-fifths (2/5) of a mile of any other offender camp. The commissioner shall bring about centralization of food facilities, recreational activities, utility services and other related facilities and correctional services that are presently decentralized within the correctional system.
It is the intent of the Mississippi Legislature that the commissioner shall fully utilize existing knowledge, architectural plans and expertise currently available with the Federal Bureau of Prisons and the Law Enforcement Assistance Administration to the end that the State of Mississippi shall have an efficient, modern, and properly secure state correctional system.

The commissioner is authorized to receive and disburse private and public grants, gifts and bequests which may be available to this state for correctional facilities, offender rehabilitation purposes and related purposes, which said sum so received shall be subject to all of the laws applicable to the Department of Finance and Administration.

The commissioner is directed to study the feasibility of consolidating all alcohol and drug treatment programs within the department and designating one (1) correctional facility within the department to provide all alcohol and drug treatment programs and to house inmates participating in such programs. The commissioner shall file the report and recommendation with the Legislature on or before January 2, 2003.

SECTION 2. (1) (a) The Department of Corrections may establish a five-year pilot program at the Bolivar County Regional Facility to provide a two-hundred-bed unit dedicated to an intensive and comprehensive alcohol and other drug treatment program for inmates. The department shall establish guidelines for the program consistent with the mission of public safety. The program shall be a prison-based treatment program designed to reduce substance abuse by inmates, correct dysfunctional thinking and behavioral patterns, and prepare inmates to make a successful and crime-free readjustment to the community.

(b) The Department of Corrections may establish a five-year pilot program at the special-needs facility in Lauderdale County to provide a two-hundred-bed unit dedicated to an intensive and comprehensive alcohol and other drug treatment
program for inmates. The department shall establish guidelines for the program consistent with the mission of public safety. The program shall be a prison-based treatment program designed to reduce substance abuse by inmates, correct dysfunctional thinking and behavioral patterns, and prepare inmates to make a successful and crime-free readjustment to the community.

(2) (a) The department may contract with public, private or nonprofit organizations to develop, operate and administer the treatment program. If the department contracts for the private operation of the program, the department shall reimburse the private contractor at the per diem rate allowed regional facilities under Section 47-5-933.

   (b) An inmate who is within eighteen (18) months of his earned release date or parole date may be placed in the program.

(3) The program shall consist, but is not limited to, the following components:

   (a) An assessment and placement component using a recidivism needs assessment of the inmates;

   (b) An intensive and comprehensive treatment and rehabilitation component which addresses the specific drug or alcohol problem of the inmate. This component shall include relapse prevention strategies, anger management strategies and regimented discipline strategies.

   (c) An aftercare post-release component that has a specific transition plan for each inmate. The transition plan must address specific post-release needs such as employment, housing, medical care, relapse prevention and treatment. The plan shall require personnel to assist the inmate with these needs and to assist in finding community-based programs for the inmate. The plan shall require the inmate to be tracked in at least thirty-day intervals to measure compliance with his established transition plan.
(d) A monitoring assessment of recidivism containing post-release history of substance abuse, breaches of trust, arrests, convictions, employment, community functioning, and marital and family interaction.

(4) The department shall file a report annually on the program with specific data on recidivism of inmates including the data required in subsection (3)(d).

(5) The program authorized under this section may be renewed if it meets performance requirements as may be determined by the Legislature.

(6) This section shall repeal on January 1, 2008.

SECTION 3. This act shall take effect and be in force from and after July 1, 2002.