

By: Senator(s) Smith

To: Corrections

SENATE BILL NO. 2864

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

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

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

15 47-5-5. The commissioner, as soon as possible after passage
16 of this section, shall prepare a plan to bring about the limited
17 centralization of facilities within the state correctional system
18 grounds at Parchman, Mississippi. The commissioner is authorized
19 and empowered to use any state funds appropriated for such
20 purposes, together with any available federal funds appropriated
21 by the United States Congress for improvement of correctional
22 institutions to construct modern security facilities for housing
23 of offenders to the end that the state correctional system
24 achieves the greatest degree of security for said offenders.
25 Provided, however, that no new facility to house offenders shall
26 be constructed within two-fifths (2/5) of a mile of any other
27 offender camp. The commissioner shall bring about centralization
28 of food facilities, recreational activities, utility services and
29 other related facilities and correctional services that are
30 presently decentralized within the correctional system.



31 It is the intent of the Mississippi Legislature that the
32 commissioner shall fully utilize existing knowledge, architectural
33 plans and expertise currently available with the Federal Bureau of
34 Prisons and the Law Enforcement Assistance Administration to the
35 end that the State of Mississippi shall have an efficient, modern,
36 and properly secure state correctional system.

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

43 The commissioner is directed to study the feasibility of
44 consolidating all alcohol and drug treatment programs within the
45 department and designating one (1) correctional facility within
46 the department to provide all alcohol and drug treatment programs
47 and to house inmates participating in such programs. The
48 commissioner shall file the report and recommendation with the
49 Legislature on or before January 2, 2004.

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

60 (b) The Department of Corrections may establish a
61 five-year pilot program at the special-needs facility in
62 Lauderdale County to provide a two-hundred-bed unit dedicated to
63 an intensive and comprehensive alcohol and other drug treatment



64 program for inmates. The department shall establish guidelines
65 for the program consistent with the mission of public safety. The
66 program shall be a prison-based treatment program designed to
67 reduce substance abuse by inmates, correct dysfunctional thinking
68 and behavioral patterns, and prepare inmates to make a successful
69 and crime-free readjustment to the community.

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

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

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

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

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

87 (c) An aftercare post-release component that has a
88 specific transition plan for each inmate. The transition plan
89 must address specific post-release needs such as employment,
90 housing, medical care, relapse prevention and treatment. The plan
91 shall require personnel to assist the inmate with these needs and
92 to assist in finding community-based programs for the inmate. The
93 plan shall require the inmate to be tracked in at least thirty-day
94 intervals to measure compliance with his established transition
95 plan.



96 (d) A monitoring assessment of recidivism containing
97 post-release history of substance abuse, breaches of trust,
98 arrests, convictions, employment, community functioning, and
99 marital and family interaction.

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

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

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

107 **SECTION 3.** This act shall take effect and be in force from
108 and after July 1, 2003.

