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To: Corrections

HOUSE BILL NO. 772

1 AN ACT TO REQUIRE THE DEPARTMENT OF CORRECTIONS TO ESTABLISH
2 A STATEWIDE AUTOMATED VICTIM INFORMATION AND NOTIFICATION SYSTEM
3 TO INFORM CRIME VICTIMS REGARDING THE STATUS OF CRIMINAL
4 OFFENDERS; TO SPECIFY THE DATA TO BE STORED AND PROVIDED BY THE
5 SYSTEM; TO REQUIRE COOPERATION FROM LAW ENFORCEMENT; AND FOR
6 RELATED PURPOSES.

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

8 **SECTION 1.** The Department of Corrections shall establish a
9 statewide automated victim information and notification (SAVIN)
10 system that will do the following:

11 (a) Automatically notify a registered victim via their
12 choice of telephone, letter, or email when any of the following
13 events affect an offender housed in the Department of Corrections
14 or any county jail in the state:

15 (i) Is transferred or assigned to another
16 facility;

17 (ii) Is transferred to the custody of another
18 agency outside the state;

19 (iii) Is given a different security
20 classification;

21 (iv) Is released on temporary leave or otherwise;

22 (v) Is discharged;

23 (vi) Has escaped; or

24 (vii) Has been served with a protective order that
25 was requested by the victim.

26 (b) Automatically notify a registered victim via their
27 choice of telephone, letter, or email, when an offender has:

28 (i) An upcoming court event where the victim is
29 entitled to be present;

30 (ii) An upcoming parole or pardon hearing;
31 (iii) A change in status of their parole or
32 probation status including:
33 1. A change in their supervision status; or
34 2. A change in their address.

35 (c) Automatically notify a registered victim via their
36 choice of telephone, letter, or email when a sex offender has:
37 (i) Updated his profile information with the state
38 sex offender registry;
39 (ii) Become noncompliant with the state sex
40 offender registry.

41 (d) Permit a crime victim to receive the most recent
42 status report for an offender in the Department of Corrections,
43 county jail, or sex offender registry by calling the SAVIN system
44 on a toll free telephone number as well as by accessing the SAVIN
45 system via a public web site.

46 (e) All victims calling the SAVIN program will be given
47 the option to have live operator assistance to use the program on
48 a 24 hour, 365 day per year basis.

49 (f) Permit a crime victim to register or update the
50 victim's registration information for the SAVIN system by calling
51 a toll free telephone number or accessing a public web site.

52 **SECTION 2.** Participation in the SAVIN program and making
53 offender and case data available on a timely basis to the SAVIN
54 program will satisfy the Department of Corrections', sheriff's,
55 and prosecuting attorney's obligation to notify the crime victim
56 of an offender's custody status and the status of the offender's
57 upcoming court events.

58 **SECTION 3.** The Department of Corrections must ensure that
59 the offender information contained within the automated victim
60 notification system is updated frequently enough to timely notify
61 a crime victim that an offender has been released, has been
62 discharged, or has escaped. However, the failure of the automated

63 victim notification system to provide notice to the victim does
64 not establish a separate cause of action by the victim against the
65 state, local officials, or against the Department of Corrections.

66 **SECTION 4.** Law enforcement officers shall cooperate with the
67 Department of Corrections in establishing and maintaining the
68 automated victim notification system.

69 **SECTION 5.** The Department of Corrections shall administer
70 the automated victim notification system. The cost of
71 administering the system must be paid with appropriations made to
72 the department and from federal grants and contracts.

73 **SECTION 6.** This act shall take effect and be in force from
74 and after July 1, 2006.