

By: Representative Malone

To: Corrections

## HOUSE BILL NO. 405

1 AN ACT TO AMEND SECTION 47-5-940, MISSISSIPPI CODE OF 1972,  
2 WHICH AUTHORIZES THE DEPARTMENT OF CORRECTIONS TO CONTRACT WITH  
3 THE BOLIVAR COUNTY REGIONAL FACILITY FOR A PILOT PROGRAM FOR AN  
4 ALCOHOL AND DRUG TREATMENT PROGRAM, TO EXTEND THE DATE OF REPEAL  
5 ON THIS SECTION FROM JANUARY 1, 2008, TO JANUARY 1, 2009; AND FOR  
6 RELATED PURPOSES.

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

8 **SECTION 1.** Section 47-5-940, Mississippi Code of 1972, is  
9 amended as follows:

10 47-5-940. (1) (a) The Department of Corrections may  
11 contract with the Bolivar County Regional Facility for a five-year  
12 pilot program dedicated to an intensive and comprehensive alcohol  
13 and other drug treatment program for not more than two hundred  
14 fifty (250) inmates. The Bolivar County Regional Facility shall  
15 have the option of canceling the contract for the drug treatment  
16 program after giving the Department of Corrections thirty (30)  
17 days' notice of its intent to cancel. The program shall be a  
18 prison-based treatment program designed to reduce substance abuse  
19 by inmates, correct dysfunctional thinking and behavioral  
20 patterns, and prepare inmates to make a successful and crime-free  
21 readjustment to the community.

22 (b) The Department of Corrections shall reimburse the  
23 Bolivar County Regional Facility at the per diem rate allowed  
24 under Section 47-5-933.

25 (2) (a) An inmate who is within eighteen (18) months of his  
26 or her earned release date or parole date may be placed in the  
27 program.

28 (b) The Department of Corrections shall remove any  
29 inmate within seventy-two (72) hours after being notified by the

30 Bolivar County Regional Facility that the inmate is violent or  
31 refuses to participate in the drug treatment program.

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

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

36 (b) An intensive and comprehensive treatment and  
37 rehabilitation component which addresses the specific drug or  
38 alcohol problem of the inmate and this component shall include  
39 relapse prevention strategies, anger management strategies and  
40 regimented discipline strategies;

41 (c) An aftercare post-release component that has a  
42 specific transition plan for each inmate that must address  
43 specific post-release needs such as employment, housing, medical  
44 care, relapse prevention and treatment and requires personnel to  
45 assist the inmate with these needs and to assist in finding  
46 community-based programs for the inmate and requires the inmate to  
47 be tracked in at least thirty-day intervals to measure compliance  
48 with his or her established transition plan; and

49 (d) A monitoring assessment of recidivism containing  
50 post-release history of substance abuse, breaches of trust,  
51 arrests, convictions, employment, community functioning, and  
52 marital and family interaction.

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

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

59 (6) This section shall repeal on January 1, 2009.

60 **SECTION 2.** This act shall take effect and be in force from  
61 and after July 1, 2007.