

By: Representatives Snowden, Dixon

To: Corrections

HOUSE BILL NO. 1231
(As Sent to Governor)

1 AN ACT TO CREATE THE CORRECTIONS AND CRIMINAL JUSTICE TASK
2 FORCE TO STUDY THE DIVIDE BETWEEN THE STATE'S CORRECTIONS SYSTEM
3 AND CRIMINAL JUSTICE SYSTEM; TO PROVIDE FOR THE MEMBERSHIP OF THE
4 TASK FORCE; TO PRESCRIBE THE DUTIES OF THE TASK FORCE MEMBERS; AND
5 FOR RELATED PURPOSES.

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

7 **SECTION 1.** (1) There is hereby created the Corrections and
8 Criminal Justice Task Force to undertake a comprehensive review of
9 the state's corrections system and criminal justice system. The
10 task force shall be comprised of twenty-one (21) members, as
11 follows:

12 (a) The Chairpersons of the Corrections Committees of
13 the Senate and the House of Representatives or their designees;

14 (b) The Chairpersons of the Judiciary "B" Committees of
15 the Senate and the House of Representatives or their designees;

16 (c) The Lieutenant Governor or a designee;

17 (d) The Speaker of the House of Representatives or a
18 designee;

19 (e) The Commissioner of Corrections or a designee;



- 20 (f) The Attorney General or a designee;
- 21 (g) A state Supreme Court justice or Court of Appeals
22 judge, appointed by the Chief Justice of the Supreme Court of
23 Mississippi;
- 24 (h) A state circuit court judge who presides over a
25 certified drug court, appointed by the Chief Justice of the
26 Supreme Court of Mississippi;
- 27 (i) A state justice court judge, appointed by the Chief
28 Justice of the Supreme Court of Mississippi;
- 29 (j) A state county court judge, appointed by the Chief
30 Justice of the Supreme Court of Mississippi;
- 31 (k) A county public defender, appointed by the
32 Governor;
- 33 (l) The Director of the Capital Defense Counsel within
34 the Office of the State Public Defender or a designee;
- 35 (m) A member of the Mississippi Sheriffs' Association
36 appointed by its executive director;
- 37 (n) A district attorney or an assistant district
38 attorney, appointed by the Attorney General;
- 39 (o) A member of the Mississippi Association of
40 Supervisors, chosen by the Executive Director of the Mississippi
41 Association of Supervisors;
- 42 (p) A member representing the Southern Poverty Law
43 Center appointed by the Managing Attorney for Mississippi;



44 (q) A member of the Mississippi Association for Justice
45 appointed by its executive committee president;

46 (r) A member of the Mississippi Association of Chiefs
47 of Police appointed by its executive board president; and

48 (s) The President of the Mississippi Prosecutors
49 Association or a designee.

50 (2) The appointed members of the task force must be
51 appointed within thirty (30) days of the effective date of this
52 act. The members shall be a part of the task force for the life
53 of the task force. Any vacancy in the task force shall not affect
54 its powers, but shall be filled in the same manner prescribed
55 above. The task force shall hold its first meeting within sixty
56 (60) days of the effective date of this act, on the call of the
57 Commissioner of Corrections. At the first meeting, the task force
58 shall elect from among its membership a permanent chairperson and
59 any other officers, if any, determined to be necessary. A
60 majority of the membership of the task force shall constitute a
61 quorum, and shall meet at the call of the chairperson, or upon an
62 affirmative vote of a majority of the task force. All members
63 must be notified in writing of all meetings at least five (5) days
64 before the date on which a meeting of the task force is scheduled.

65 (3) The task force shall study and make recommendations for
66 improving the relationship between the corrections system and the
67 criminal justice system in Mississippi. In making those
68 recommendations, the task force shall:



69 (a) Undertake a comprehensive review of all areas of
70 the state's corrections system, including state, local and tribal
71 governments' corrections practices and policies regarding
72 sentencing guidelines;

73 (b) Review the total number of offender populations in
74 Mississippi correctional facilities to determine which offenders
75 receive or serve differing sentences for the same crimes,
76 enumerating any discrepancies in sentencing for conviction of the
77 same crimes and documenting the percentage of offenders whose
78 sentence was a result of mandatory minimum sentencing;

79 (c) Make findings regarding such review and
80 recommendations for changes in oversight, policies, practices and
81 laws designed to prevent, deter and reduce crime and violence,
82 reduce recidivism, improve cost-effectiveness and ensure the
83 interests of justice at every step of the criminal justice system;

84 (d) Identify critical problems in the criminal justice
85 system and assess the cost-effectiveness of the use of state and
86 local funds in the criminal justice system;

87 (e) Consult with state, local and tribal government and
88 nongovernmental leaders, including law enforcement officials,
89 legislators, judges, court administrators, prosecutors, defense
90 counsel, probation and parole officials, criminal justice
91 planners, criminologists, civil rights and liberties
92 organizations, formerly incarcerated individuals and corrections
93 officials; and



94 (f) Conduct a comprehensive review of the drug court
95 programs, intensive supervision programs and any other alternative
96 incarceration programs utilized in the state and provide detailed
97 recommendations regarding the appropriate funding to support those
98 programs.

99 The Mississippi Department of Corrections shall provide
100 appropriate staff support to assist the task force in carrying out
101 its duties. The Commissioner of Corrections shall designate an
102 appropriate employee to act as a point of contact for the
103 provision of staff support to the task force. In addition, the
104 task force may consult with employees of any state agency or
105 department necessary to accomplish the task force's
106 responsibilities under this section.

107 (4) The task force shall prepare and submit a final report
108 that contains a detailed statement of findings, conclusions and
109 recommendations of the task force to the Legislature, the Governor
110 and to local and tribal governments by December 31, 2013. It is
111 the intention of the Legislature that, given the importance of the
112 matters before the task force, the task force should work toward
113 unanimously supported findings and recommendations and the task
114 force shall state the vote total for each recommendation contained
115 in its report to the Legislature. The report submitted under this
116 subsection shall be made available to the public.

117 The recommendations for improving the relationship between
118 the corrections system and the criminal justice system in



119 Mississippi may include proposals for specific statutory changes
120 for improving the effectiveness of the criminal justice system and
121 methods to foster cooperation among state agencies and between the
122 state and local governments. The task force shall be abolished
123 upon submission of the report to the Governor and the Legislature.

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

