

By: Representative Dickson

To: Corrections; S.C.
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HOUSE BILL NO. 1564

1 AN ACT TO CREATE THE MISSISSIPPI CRIMINAL JUSTICE COMMISSION
2 TO REVIEW THE STATE'S CRIMINAL JUSTICE SYSTEM IN ORDER TO MAKE
3 RECOMMENDATIONS FOR REDUCING THE POPULATION OF INCARCERATED
4 PERSONS IN MISSISSIPPI; TO PROVIDE FOR THE MEMBERSHIP OF THE
5 COMMISSION; TO PRESCRIBE THE DUTIES OF THE COMMISSION MEMBERS; AND
6 FOR RELATED PURPOSES.

7 WHEREAS, the inmate population in Mississippi has increased
8 over two hundred fifty percent (250%) since 1992; and

9 WHEREAS, due to the increase in the number of incarcerated
10 persons, there has been a substantial increase in the operating
11 costs of Mississippi's prison system; and

12 WHEREAS, the cost of operating Mississippi's correctional
13 facilities has increased over four hundred percent (400%) since
14 1992; and

15 WHEREAS, in order to reduce the operating costs of
16 Mississippi's correctional facilities by reducing the number of
17 incarcerated persons, it is necessary to compile information
18 pertaining to adequate sentencing and appropriate methods of
19 rehabilitation in order to avoid recidivism:



20 NOW, THEREFORE, BE IT ENACTED BY THE LEGISLATURE OF THE STATE
21 OF MISSISSIPPI:

22 **SECTION 1.** (1) There is created the Mississippi Criminal
23 Justice Commission to undertake a comprehensive review of the
24 state's criminal justice system. The commission shall be
25 comprised of eight (8) members, as follows:

26 (a) The Chairpersons of the Corrections Committees of
27 the Senate and the House of Representatives;

28 (b) The Chairpersons of the Judiciary A and Judiciary B
29 Committees of the Senate and the House of Representatives;

30 (c) The Commissioner of Corrections;

31 (d) A family member, over the age of twenty-five (25),
32 of an inmate that has been incarcerated for more than fifteen (15)
33 years, appointed by the Commissioner of Corrections;

34 (e) The Executive Director of Mississippi CURE; and

35 (f) The President of the Mississippi Association for
36 Justice.

37 (2) The appointed member of the commission must be appointed
38 within thirty (30) days of the effective date of this act. The
39 members shall be a part of the commission for the life of the
40 commission. Any vacancy in the commission shall not affect its
41 powers, but shall be filled in the same manner prescribed above.
42 The commission shall hold its first meeting within sixty (60) days
43 of the effective date of this act, on the call of the Governor at
44 a place designated by him. At the first meeting, the commission



45 shall elect from among its membership a chairperson and other
46 officers, if any, determined to be necessary. A majority of the
47 membership of the commission shall constitute a quorum, and shall
48 meet at the call of the chairperson, or upon an affirmative vote
49 of a majority of the commission. All members must be notified in
50 writing of all meetings at least five (5) days before the date on
51 which a meeting of the commission is scheduled.

52 (4) The commission shall study and make recommendations for
53 reducing the population of incarcerated persons in Mississippi.
54 In making those recommendations, the commission shall:

55 (a) Undertake a comprehensive review of all areas of
56 the criminal justice system, including state, local and tribal
57 governments' criminal justice costs, practices and policies;

58 (b) Make findings regarding such review and
59 recommendations for changes in oversight, policies, practices and
60 laws designed to prevent, deter and reduce crime and violence,
61 reduce recidivism, improve cost-effectiveness and ensure the
62 interests of justice at every step of the criminal justice system;

63 (c) Take into consideration the work of prior relevant
64 commissions in conducting its review;

65 (d) Consider the financial and human resources of state
66 and local governments. Recommendations shall not infringe on the
67 legitimate rights of the citizens to determine their own criminal
68 laws or the enforcement of such laws;



69 (e) Conduct public hearings in various locations around
70 the state;

71 (f) (i) Closely consult with state, local and tribal
72 government and nongovernmental leaders, including state, local and
73 tribal law enforcement officials, legislators, public health
74 officials, judges, court administrators, prosecutors, defense
75 counsel, victims' rights organizations, probation and parole
76 officials, criminal justice planners, criminologists, civil rights
77 and liberties organizations, formerly incarcerated individuals and
78 corrections officials; and

79 (ii) Include in the final report required by
80 subsection (6) summaries of the input and recommendations of these
81 leaders.

82 The Mississippi Department of Corrections shall provide
83 appropriate staff support to assist the commission in carrying out
84 its duties. The Commissioner of Corrections shall designate an
85 appropriate employee to act as a point of contact for the
86 provision of staff support to the commission. In addition, the
87 commission may consult with employees of any state agency or
88 department necessary to accomplish the commission's
89 responsibilities under this section.

90 (5) Subject to the appropriation of funds specifically for
91 such purpose, members of the commission, other than the
92 legislative members, shall receive reimbursement for travel
93 expenses incurred while engaged in official business of the task



94 force in accordance with Section 25-3-41. Legislative members of
95 the commission shall receive the compensation authorized for
96 committee meetings when the Legislature is not in session.
97 Payment of these expenses may be made from funds made available
98 specifically for such purpose by the Legislature or from any other
99 public or private source.

100 (6) Not later than twelve (12) months after the first
101 meeting of the commission, the commission shall prepare and submit
102 a final report that contains a detailed statement of findings,
103 conclusions and recommendations of the commission to the
104 Legislature, the Governor, state, local and tribal governments.
105 It is the intention of the Legislature that, given the importance
106 of the matters before the commission, the commission should work
107 toward unanimously supported findings and recommendations and the
108 commission shall state the vote total for each recommendation
109 contained in its report to the Legislature. The report submitted
110 under this subsection shall be made available to the public.

111 The recommendations for reducing the population of
112 incarcerated persons in Mississippi may include proposals for
113 specific statutory changes and methods to foster cooperation among
114 state agencies and between the state and local governments. The
115 commission shall be abolished upon submission of the report to the
116 Governor and the Legislature.

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

