HOUSE BILL NO. 1564

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

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

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

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

WHEREAS, in order to reduce the operating costs of Mississippi's correctional facilities by reducing the number of incarcerated persons, it is necessary to compile information pertaining to adequate sentencing and appropriate methods of rehabilitation in order to avoid recidivism:
NOW, THEREFORE, BE IT ENACTED BY THE LEGISLATURE OF THE STATE
OF MISSISSIPPI:

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

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

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

(c) The Commissioner of Corrections;

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

(e) The Executive Director of Mississippi CURE; and

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

(2) The appointed member of the commission must be appointed
within thirty (30) days of the effective date of this act. The
members shall be a part of the commission for the life of the
commission. Any vacancy in the commission shall not affect its
powers, but shall be filled in the same manner prescribed above.
The commission shall hold its first meeting within sixty (60) days
of the effective date of this act, on the call of the Governor at
a place designated by him. At the first meeting, the commission
shall elect from among its membership a chairperson and other
officers, if any, determined to be necessary. A majority of the
membership of the commission shall constitute a quorum, and shall
meet at the call of the chairperson, or upon an affirmative vote
of a majority of the commission. All members must be notified in
writing of all meetings at least five (5) days before the date on
which a meeting of the commission is scheduled.

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

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

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

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

(d) Consider the financial and human resources of state
and local governments. Recommendations shall not infringe on the
legitimate rights of the citizens to determine their own criminal
laws or the enforcement of such laws;
(e) Conduct public hearings in various locations around the state;

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

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

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

(5) Subject to the appropriation of funds specifically for such purpose, members of the commission, other than the legislative members, shall receive reimbursement for travel expenses incurred while engaged in official business of the task
force in accordance with Section 25-3-41. Legislative members of the commission shall receive the compensation authorized for committee meetings when the Legislature is not in session. Payment of these expenses may be made from funds made available specifically for such purpose by the Legislature or from any other public or private source.

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

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

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