

By: Senator(s) Carmichael

To: Corrections; Judiciary,
Division A

SENATE BILL NO. 2223

1 AN ACT TO AMEND SECTION 9-21-3, MISSISSIPPI CODE OF 1972, TO
2 REQUIRE THE ADMINISTRATIVE OFFICE OF COURTS TO IMPLEMENT UNIFORM
3 REPORTING STANDARDS FOR JAIL CENSUS DATA BY COUNTY SHERIFF'S
4 DEPARTMENTS AND TO CREATE AND MAINTAIN A CENTRALIZED DATABASE FOR
5 STORING THIS DATA; TO AMEND SECTIONS 19-25-63 AND 47-1-21,
6 MISSISSIPPI CODE OF 1972, TO REQUIRE THAT JAIL DOCKETS KEPT BY
7 COUNTY SHERIFFS COMPLY WITH UNIFORM REPORTING STANDARDS IN ORDER
8 TO PROMOTE COMPLIANCE WITH RULE 8 OF THE MISSISSIPPI RULES OF
9 CRIMINAL PROCEDURE; TO AUTHORIZE THE CREATION OF AN ADVISORY
10 COMMITTEE TO PROMOTE TRANSPARENCY BY FACILITATING THE AVAILABILITY
11 OF COMPARABLE AND UNIFORM COUNTY JAIL CENSUS DATA; AND FOR RELATED
12 PURPOSES.

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

14 **SECTION 1.** Section 9-21-3, Mississippi Code of 1972, is
15 amended as follows:

16 9-21-3. (1) The Administrative Office of Courts shall be
17 specifically charged with the duty of assisting the Chief Justice
18 of the Supreme Court of Mississippi with his duties as the chief
19 administrative officer of all courts of this state, including,
20 without limitation, the task of insuring that the business of the
21 courts of the state is attended with proper dispatch, that the
22 dockets of such courts are not permitted to become congested and



that trials and appeals of cases, civil and criminal, are not delayed unreasonably.

(2) The office shall also perform the following duties:

(a) To work with the clerks of all youth courts and civil and criminal trial courts in the state to collect, obtain, compile, digest and publish information and statistics concerning the administration of justice in the state.

(b) To serve as an agency to apply for and receive any grants or other assistance and to coordinate and conduct studies and projects to improve the administration of justice by the courts of the state, and it may conduct such studies with or without the assistance of consultants.

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(* * * c) To promulgate standards, rules and regulations for computer and/or electronic filing and storage of all court records and court-related records maintained throughout the state in courts and in offices of circuit and chancery clerks.

(* * * d) To implement and maintain a publicly accessible centralized database for the storage and retrieval of jail census data and to promulgate uniform rules, regulations, and computer and electronic filing standards and definitions that must be used uniformly by every sheriff's department within the state.

(e) It shall perform such other duties relating to the improvement of the administration of justice as may be assigned by the Supreme Court of Mississippi.



48 **SECTION 2.** Section 19-25-63, Mississippi Code of 1972, is
49 amended as follows:

50 19-25-63. It shall be the duty of every sheriff to keep a
51 record, to be called the "Jail docket," in which he shall note
52 each warrant or mittimus by which any person shall be received
53 into or placed in the jail of his county, entering the nature of
54 the writ or warrant, by whom issued, the name of the prisoner,
55 when received, the date of the arrest and commitment, for what
56 crime or other cause the party is imprisoned, and on what
57 authority, how long the prisoner was so imprisoned, how released
58 or discharged, and the warrant therefor or the receipt of the
59 officer of the Penitentiary when sent there. All of said entries
60 shall comply with the uniform reporting standards of the
61 Administrative Office of Courts authorized under Section 9-21-3
62 and must be full and complete, so as to give a perfect history of
63 each case, and must use the uniform definitions promulgated by the
64 Administrative Office of Courts to increase clarity and
65 transparency. The record shall be kept as a public record, and
66 turned over to his successor.

67 **SECTION 3.** Section 47-1-21, Mississippi Code of 1972, is
68 amended as follows:

69 47-1-21. The sheriff of each county shall keep a well-bound
70 alphabetical jail docket that must comply with the uniform
71 reporting standards and definitions promulgated by the
72 Administrative Office of Courts under Section 9-21-3. In it he



73 shall promptly enter under the proper initial the name, age, color
74 and sex of each convict, the date of his or her commitment, each
75 day worked on the county farm, time required to be served and
76 amount of fine and costs and the jail fees charged against the
77 prisoner and the date of discharge.

78 The sheriff shall submit his docket to the board of
79 supervisors at each of their regular meetings, and the same shall
80 be examined carefully by the president of the board, and by any
81 other members who desire to examine the same, in the presence of
82 the board while in session.

83 **SECTION 4.** (1) There is hereby created an advisory
84 committee on jail census data collection to promote criminal
85 justice transparency by facilitating the availability of
86 comparable and uniform data. The duties of the task force are as
87 follows:

88 (a) Research the standards, format, and terminology
89 used by authorities in other states and by the federal government
90 to create uniform data-reporting regulations to be used for
91 recording data on offenders incarcerated throughout the state's
92 county jails and which will capture the following data:

93 (i) The number of individuals detained for a new
94 offense or delinquent act.

95 (ii) The number of individuals detained pending
96 trial.



(iii) The number of offenders detained for a revocation of supervision.

(iv) The average sentence length for new jail sentences by offense type.

(v) The average sentence length for offenders in jail for a probation revocation.

(vi) The average sentence length for offenders in jail for a parole revocation.

(vii) The percentage of sentences in each category offense type, including whether the offense was violent, property, drug, or public order. All drug offenses shall include the type of drug implicated in the offense, as well as type of offense, such as possession, sale or manufacture.

(viii) The average length of stay by offense type.

(ix) For individuals awaiting trial, the average length of stay from the time of arrest to the time of indictment, and from the time of indictment to trial.

(b) Research best practices for implementing a centralized database for reporting of the prescribed jail census data by each county authority and recommend a timeline for the submission of the data.

(c) Recommend computer equipment and acceptable electronic processes for transmission of the data by each county to the Administrative Office of Courts.



(d) The commission shall submit its report to the Legislature no later than December 1, 2019.

(e) The Director of the Roderick and Solange MacArthur Justice Center at the University of Mississippi School of Law shall serve as chairman of the committee and set its initial meeting date on or before July 15, 2019.

(2) The task force shall be composed of (5) members, as follows:

(a) The Director of the Roderick and Solange MacArthur Justice Center at the University of Mississippi School of Law;

(b) The State Public Defender or his designee;

(c) The President of the Mississippi Prosecutors Association or his designee;

(d) The Executive Director of the Mississippi Commission on Judicial Performance or his designee; and

(e) A circuit court judge appointed by the Executive Director of the Mississippi Commission on Judicial Performance.

SECTION 5. This act shall take effect and be in force from and after July 1, 2019.

