

By: Representatives Horan, Faulkner

To: Corrections

HOUSE BILL NO. 851

1 AN ACT TO AMEND SECTION 47-5-6, MISSISSIPPI CODE OF 1972, TO
2 REVISE THE COMPOSITION OF THE CORRECTIONS AND CRIMINAL JUSTICE
3 OVERSIGHT TASK FORCE BY ADDING AN ADDITIONAL MEMBER WHO IS
4 APPOINTED BY THE GOVERNOR AND IS AN ADVOCATE FOR OFFENDERS AND
5 FAMILIES WHO HAVE BEEN DIRECTLY AFFECTED BY THE PRISON JUSTICE
6 SYSTEM; AND FOR RELATED PURPOSES.

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

8 **SECTION 1.** Section 47-5-6, Mississippi Code of 1972, is
9 amended as follows:

10 47-5-6. (1) There is hereby established a committee to be
11 known as the Corrections and Criminal Justice Oversight Task
12 Force, hereinafter called the Oversight Task Force, which must
13 exercise the powers and fulfill the duties described in this
14 chapter.

15 (2) The Oversight Task Force shall be composed of the
16 following members:

17 (a) The Lieutenant Governor shall appoint two (2)
18 members;

19 (b) The Speaker of the House of Representatives shall
20 appoint two (2) members;



21 (c) The Commissioner of the Department of Corrections,
22 or his designee;

23 (d) The Chief Justice of the Mississippi Supreme Court
24 shall appoint one (1) member of the circuit court;

25 (e) The Governor shall appoint one (1) member from the
26 Parole Board;

27 (f) The Director of the Joint Legislative Committee on
28 Performance Evaluation and Expenditure Review, or his designee;

29 (g) The Attorney General shall appoint one (1) member
30 representing the victims' community;

31 (h) The Mississippi Association of Supervisors shall
32 appoint one (1) * * * member to represent the association;

33 (i) The President of the Mississippi Prosecutors'
34 Association;

35 (j) The President of the Mississippi Sheriffs'
36 Association, or his designee; * * *

37 (k) The Office of the State Public Defender shall
38 appoint one (1) * * * member to represent the public defender's
39 office * * *; and

40 (1) The Governor shall appoint one (1) advocate for
41 offenders and families who have been directly affected by the
42 prison justice system. The appointment made pursuant to this
43 paragraph (1) shall occur on July 1, 2020.

44 (3) The task force shall meet on or before July 15, 2015, at
45 the call of the Commissioner of the Department of Corrections and



46 organize itself by electing one (1) of its members as chair and
47 such other officers as the task force may consider necessary.
48 Thereafter, the task force shall meet at least biannually and at
49 the call of the chair or by a majority of the members. A quorum
50 consists of seven (7) members.

51 (4) The task force shall have the following powers and
52 duties:

53 (a) Track and assess outcomes from the recommendations
54 in the Corrections and Criminal Justice Task Force report of
55 December 2013;

56 (b) Prepare and submit an annual report no later than
57 the first day of the second full week of each regular session of
58 the Legislature on the outcome and performance measures to the
59 Legislature, Governor and Chief Justice. The report shall include
60 recommendations for improvements, recommendations on transfers of
61 funding based on the success or failure of implementation of the
62 recommendations, and a summary of savings. The report may also
63 present additional recommendations to the Legislature on future
64 legislation and policy options to enhance public safety and
65 control corrections costs;

66 (c) Monitor compliance with sentencing standards,
67 assess their impact on the correctional resources of the state and
68 determine if the standards advance the adopted sentencing policy
69 goals of the state;



70 (d) Review the classifications of crimes and sentences
71 and make recommendations for change when supported by information
72 that change is advisable to further the adopted sentencing policy
73 goals of the state;

74 (e) Develop a research and analysis system to determine
75 the feasibility, impact on resources, and budget consequences of
76 any proposed or existing legislation affecting sentence length;

77 (f) Request, review, and receive data and reports on
78 performance outcome measures as related to Chapter 457, Laws of
79 2014;

80 (g) To undertake such additional studies or evaluations
81 as the Oversight Task Force considers necessary to provide
82 sentencing reform information and analysis;

83 (h) Prepare and conduct annual continuing legal
84 education seminars regarding the sentencing guidelines to be
85 presented to judges, prosecuting attorneys and their deputies, and
86 public defenders and their deputies, as so required;

87 (i) The Oversight Task Force shall use clerical and
88 professional employees of the Department of Corrections for its
89 staff;

90 (j) The Oversight Task Force may employ or retain other
91 professional staff, upon the determination of the necessity for
92 other staff;

93 (k) The Oversight Task Force may employ consultants to
94 assist in the evaluations and, when necessary, the implementation



95 of the recommendations of the Corrections and Criminal Justice
96 Task Force report of December 2013;

97 (1) The Oversight Task Force is encouraged to apply for
98 and may expend grants, gifts, or federal funds it receives from
99 other sources to carry out its duties and responsibilities.

100 **SECTION 2.** This act shall take effect and be in force from
101 and after July 1, 2020.

