

By: Representative Bailey

To: Corrections

HOUSE BILL NO. 1261

1 AN ACT TO ESTABLISH THE INMATE EARLY RELEASE TASK FORCE; TO
2 PROVIDE THE COMPOSITION OF THE TASK FORCE; TO PRESCRIBE THE POWERS
3 AND DUTIES OF THE TASK FORCE; TO REQUIRE THE TASK FORCE TO SUBMIT
4 A CERTAIN ANNUAL REPORT CONCERNING SENTENCING GUIDELINES FOR A
5 CERTAIN CRIME COMMITTED; AND FOR RELATED PURPOSES.

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

7 **SECTION 1.** (1) There is hereby established a committee to
8 be known as the Inmate Early Release Task Force, hereinafter
9 called the Early Release Task Force, which must exercise the
10 powers and fulfill the duties described in this section.

11 (2) The Early Release Task Force shall be composed of the
12 following members:

13 (a) The Lieutenant Governor shall appoint two (2)
14 members;

15 (b) The Speaker of the House of Representatives shall
16 appoint two (2) members;

17 (c) The Commissioner of the Department of Corrections,
18 or his designee;



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

21 (e) The Governor shall appoint one (1) member from the
22 Parole Board;

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

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

27 (h) The Mississippi Association of Supervisors shall
28 appoint one (1) member to represent the association;

29 (i) The President of the Mississippi Prosecutors'
30 Association;

31 (j) The President of the Mississippi Sheriffs'
32 Association, or his designee; and

33 (k) The Office of the State Public Defender shall
34 appoint one (1) member to represent the public defender's office.

35 (3) The task force shall meet on or before December 31,
36 2020, at the call of the Commissioner of the Department of
37 Corrections and organize itself by electing one (1) of its members
38 as chair and such other officers as the task force may consider
39 necessary. Thereafter, the task force shall meet at least
40 biannually and at the call of the chair or by a majority of the
41 members. A quorum consists of seven (7) members.

42 (4) The task force shall have the following powers and
43 duties:



44 (a) Review all convictions of murder that occurred from
45 and after July 1, 2000, for those first time offenders who
46 committed the crime while aged 25 or younger, to determine if the
47 murder conviction took into consideration mitigating circumstances
48 such as the age of the offender and whether the inmate was a first
49 time offender;

50 (b) Prepare and submit an annual report no later than
51 the first day of the second full week of each regular session of
52 the Legislature on the outcome and performance measures to the
53 Legislature, Governor and Chief Justice. The report shall include
54 recommendations for improvements in sentencing for murder
55 convictions committed by first time offenders who were age 25
56 years of age or younger when convicted;

57 (e) Develop a research and analysis system to determine
58 the feasibility, impact on resources, and budget consequences of
59 any proposed or existing legislation affecting sentence length for
60 those convicted of murder while age 25 years of age or younger and
61 while being a first time offender;

62 (f) To undertake such additional studies or evaluations
63 as the Oversight Task Force considers necessary to provide
64 sentencing reform for those convicted of murder while aged 25 or
65 younger while being a first time offender;

66 (g) Prepare and conduct annual continuing legal
67 education seminars regarding the sentencing guidelines for first
68 time offenders who committed the crime while aged 25 or younger to



69 be presented to judges, prosecuting attorneys and their deputies,
70 and public defenders and their deputies, as so required;

71 (h) The Early Release Task Force shall use clerical and
72 professional employees of the Department of Corrections for its
73 staff;

74 (i) The Early Release Task Force may employ or retain
75 other professional staff, upon the determination of the necessity
76 for other staff; and

77 (k) The Early Release Task Force is encouraged to apply
78 for and may expend grants, gifts, or federal funds it receives
79 from other sources to carry out its duties and responsibilities.

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

