

By: Senator(s) Barnett, Simmons (12th),  
Thomas, Jackson (32nd), Simmons (13th)

To: Judiciary, Division B;  
Corrections

SENATE BILL NO. 2123  
(As Passed the Senate)

1 AN ACT ENTITLED THE "MISSISSIPPI CORRECTIONAL SAFETY AND  
2 REHABILITATION ACT OF 2020"; TO AMEND SECTION 47-7-3, MISSISSIPPI  
3 CODE OF 1972, TO PRESCRIBE CONDITIONS FOR PAROLE ELIGIBILITY AND  
4 TO PROVIDE LIMITATIONS ON INMATE ELIGIBILITY TO PETITION THE  
5 SENTENCING COURT FOR PAROLE ELIGIBILITY IF THE INMATE IS SERVING A  
6 SENTENCE FOR A CRIME OF VIOLENCE OR NONVIOLENCE; TO AMEND SECTION  
7 47-7-3.1, MISSISSIPPI CODE OF 1972, TO PRESCRIBE DATES FOR THE  
8 MISSISSIPPI DEPARTMENT OF CORRECTIONS TO COMPLETE CASE PLANS FOR  
9 PAROLE-ELIGIBLE INMATES TO ENSURE THAT THE PLAN IS ACHIEVABLE; TO  
10 AMEND SECTION 47-7-5, MISSISSIPPI CODE OF 1972, TO REQUIRE AN  
11 AFFIRMATIVE VOTE OF AT LEAST THREE MEMBERS OF THE MISSISSIPPI  
12 PAROLE BOARD TO GRANT PAROLE TO AN INMATE CONVICTED OF A CRIME OF  
13 VIOLENCE AFTER JUNE 30 1995; TO AMEND SECTION 47-7-13, MISSISSIPPI  
14 CODE OF 1972, TO REQUIRE AN AFFIRMATIVE VOTE OF AT LEAST FOUR  
15 MEMBERS OF THE MISSISSIPPI PAROLE BOARD TO GRANT PAROLE TO A SEX  
16 OFFENDER; TO AMEND SECTION 47-7-15, MISSISSIPPI CODE OF 1972, IN  
17 CONFORMITY; TO AMEND SECTION 47-7-17, MISSISSIPPI CODE OF 1972, TO  
18 PROVIDE THAT THE VICTIM OR DESIGNATED FAMILY MEMBER SHALL BE  
19 PROVIDED AN OPPORTUNITY TO BE HEARD BY THE PAROLE BOARD PRIOR TO A  
20 PAROLE DECISION; TO AMEND SECTION 47-7-18, MISSISSIPPI CODE OF  
21 1972, TO REQUIRE CERTAIN PAROLE HEARINGS FOR SEX OFFENDERS; TO  
22 BRING FORWARD SECTION 47-7-33.1, MISSISSIPPI CODE OF 1972,  
23 REGARDING DEPARTMENT DISCHARGE PLANS FOR RELEASED INMATES; TO  
24 REPEAL SECTION 47-7-3.2, MISSISSIPPI CODE OF 1972, WHICH PROVIDES  
25 A MINIMUM TIME OFFENDERS CONVICTED OF A CRIME OF VIOLENCE MUST  
26 SERVE BEFORE RELEASE AND A MINIMUM PERCENTAGE OF OTHER SENTENCES  
27 OTHER OFFENDERS MUST SERVE BEFORE RELEASE; AND FOR RELATED  
28 PURPOSES.

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

30 **SECTION 1.** This act shall be known and may be cited as the  
31 "Mississippi Correctional Safety and Rehabilitation Act of 2020."



32           **SECTION 2.** Section 47-7-3, Mississippi Code of 1972, is  
33 amended as follows:

34           47-7-3. (1) Every prisoner who has been convicted of any  
35 offense against the State of Mississippi, and is confined in the  
36 execution of a judgment of such conviction in the Mississippi  
37 Department of Corrections for a definite term or terms of one (1)  
38 year or over, or for the term of his or her natural life, whose  
39 record of conduct shows that such prisoner has observed the rules  
40 of the department, and who has served not less than one-fourth  
41 (1/4) of the total of such term or terms for which such prisoner  
42 was sentenced, or, \* \* \* if sentenced for the term of the natural  
43 life of such prisoner \* \* \* and has served not less than ten (10)  
44 years of such life sentence, may be released on parole as \* \* \*  
45 set forth herein:

46           (a) **Habitual offenders.** No prisoner \* \* \* sentenced as  
47 a confirmed and habitual criminal under the provisions of Sections  
48 99-19-81 through 99-19-87 shall be eligible for parole;

49           (b) **Sex offenders.** Any person who shall have been  
50 convicted of a sex crime shall not be released on parole except  
51 for a person under the age of nineteen (19) who has been convicted  
52 under Section 97-3-67;

53           \* \* \*

54           ( \* \* \* c) No person shall be eligible for parole who,  
55 on or after July 1, 1994, is \* \* \* sentenced to life imprisonment



56 without eligibility for parole under the provisions of Section  
57 99-19-101;

58 ( \* \* \* d) No person shall be eligible for parole who  
59 is \* \* \* convicted of an offense that specifically prohibits  
60 parole release;

61 \* \* \*

62 ( \* \* \* e) **Parole for violent, nonviolent offenses.**

63 (i) \* \* \* Except as provided in paragraphs (a) through (d) of  
64 this subsection, all persons who are convicted after June 30,  
65 1995, of a violent crime, as defined by Section 97-3-2, shall be  
66 eligible for parole after they have served fifty percent (50%) of  
67 the sentence or sentences imposed by the trial court. All persons  
68 convicted of any other offense \* \* \* after \* \* \* June 30,  
69 1995, \* \* \* shall be eligible for parole after they have  
70 served \* \* \* twenty-five percent (25%) of the sentence or  
71 sentences imposed by the trial court. All persons eligible for  
72 parole under this subsection who are serving a sentence or  
73 sentences pursuant to Section 97-3-2 shall be required to have a  
74 parole hearing before the board, pursuant to Section 47-7-17,  
75 prior to parole release.

76 (ii) **Geriatric parole.** \* \* \* A person serving a  
77 sentence who has reached the age of sixty (60) or older and who  
78 has served no less than ten (10) years of the sentence or  
79 sentences imposed by the trial court shall be eligible for parole.  
80 Any person eligible for parole under this subsection shall be



81 required to have a parole hearing before the board, pursuant to  
82 Section 47-7-17, prior to parole release. No inmate shall be  
83 eligible for parole under this subparagraph (ii) \* \* \* if:

84 \* \* \*

85 \* \* \*1. The inmate is sentenced \* \* \* to  
86 life imprisonment without eligibility for parole under the  
87 provisions of Section 99-19-101;

88 \* \* \*2. The inmate is sentenced for an  
89 offense that specifically prohibits parole release;

90 \* \* \*

91 \* \* \*3. The inmate is sentenced for a sex  
92 crime; or

93 \* \* \*4. The inmate has not served \* \* \*  
94 twenty-five percent (25%) of the sentence imposed by the court.

95 *(iii) Notwithstanding \* \* \* any other provision of*  
96 *law, an offender who has \* \* \* served twenty-five percent (25%) or*  
97 *more of \* \* \* the sentence or sentences imposed by the trial court*  
98 *or ten (10) years, whichever is less, may be paroled by the parole*  
99 *board if \* \* \* the offender has been authorized to be considered*  
100 *for parole by the sentencing judge or, if the sentencing judge is*  
101 *retired, disabled or incapacitated, the senior circuit*  
102 *judge \* \* \*; if the senior circuit judge must be recused, another*  
103 *circuit judge of the same district or a senior status judge may*  
104 *hear and decide the matter. An offender is not eligible to*  
105 *petition the sentencing court for parole eligibility under this*



106 subparagraph (iii) if the offender is serving a sentence for a  
107 crime of violence as defined in Section 97-3-2.

108 \* \* \*

109 (2) Notwithstanding any other provision of law, an inmate  
110 shall not be eligible to receive earned time, good time or any  
111 other administrative reduction of time which shall reduce the time  
112 necessary to be served for parole eligibility as provided in  
113 subsection (1) of this section.

114 (3) The State Parole Board shall, by rules and regulations,  
115 establish a method of determining a tentative parole hearing date  
116 for each eligible offender taken into the custody of the  
117 Department of Corrections. The tentative parole hearing date  
118 shall be determined within ninety (90) days after the department  
119 has assumed custody of the offender. Except as provided in  
120 Section 47-7-18, the parole hearing date shall occur when the  
121 offender is within thirty (30) days of the month of his parole  
122 eligibility date. The parole eligibility date shall not be  
123 earlier than one-fourth (1/4) of the prison sentence or sentences  
124 imposed by the court.

125 (4) Any inmate within twenty-four (24) months of his parole  
126 eligibility date and who meets the criteria established by the  
127 classification board shall receive priority for placement in any  
128 educational development and job training programs that are part of  
129 his or her parole case plan. Any inmate refusing to participate  
130 in an educational development or job training program that is part



131 of the case plan may be in jeopardy of noncompliance with the case  
132 plan and may be denied parole.

133 **SECTION 3.** Section 47-7-3.1, Mississippi Code of 1972, is  
134 amended as follows:

135 47-7-3.1. (1) In consultation with the Parole Board, the  
136 department shall develop a case plan for all parole-eligible  
137 inmates to guide an inmate's rehabilitation while in the  
138 department's custody and to reduce the likelihood of recidivism  
139 after release.

140 (2) \* \* \* The case plan shall include, but not be limited  
141 to:

142 (a) Programming and treatment requirements based on the  
143 results of a risk and needs assessment;

144 (b) Any programming or treatment requirements contained  
145 in the sentencing order; and

146 (c) General behavior requirements in accordance with  
147 the rules and policies of the department.

148 (3) With respect to parole-eligible inmates admitted to the  
149 department's custody on or after July 1, 2020, the department  
150 shall complete the case plan within ninety (90) days of admission.  
151 With respect to parole-eligible inmates admitted to the  
152 department's custody prior to July 1, 2020, the department shall  
153 complete the case plan by January 1, 2021.



154 ( \* \* \*4) The department shall provide the inmate with a  
155 written copy of the case plan and the inmate's caseworker shall  
156 explain the conditions set forth in the case plan.

157 (a) Within ninety (90) days of admission, the  
158 caseworker shall notify the inmate of their parole eligibility  
159 date as calculated in accordance with Section 47-7-3(3);

160 (b) At the time a parole-eligible inmate receives the  
161 case plan, the department shall send the case plan to the Parole  
162 Board for approval.

163 ( \* \* \*5) With respect to parole-eligible inmates admitted  
164 to the department's custody after July 1, 2020, the department  
165 shall ensure that the case plan is achievable prior to the  
166 inmate's parole eligibility date. With respect to parole-eligible  
167 inmates admitted to the department's custody prior to July 1,  
168 2020, the department shall, to the extent possible, ensure that  
169 the case plan is achievable prior to the inmate's parole  
170 eligibility date or next parole hearing date.

171 ( \* \* \*6) The caseworker shall meet with the inmate every  
172 eight (8) weeks from the date the offender received the case plan  
173 to review the inmate's case plan progress.

174 ( \* \* \*7) Every four (4) months the department shall  
175 electronically submit a progress report on each parole-eligible  
176 inmate's case plan to the Parole Board. The board may meet to  
177 review an inmate's case plan and may provide written input to the



178 caseworker on the inmate's progress toward completion of the case  
179 plan.

180 ( \* \* \*8) The Parole Board shall provide semiannually to the  
181 Oversight Task Force the number of parole hearings held, the  
182 number of prisoners released to parole without a hearing and the  
183 number of parolees released after a hearing.

184 **SECTION 4.** Section 47-7-5, Mississippi Code of 1972, is  
185 amended as follows:

186 47-7-5. (1) The State Parole Board, created under former  
187 Section 47-7-5, is hereby created, continued and reconstituted and  
188 shall be composed of five (5) members. The Governor shall appoint  
189 the members with the advice and consent of the Senate. All terms  
190 shall be at the will and pleasure of the Governor. Any vacancy  
191 shall be filled by the Governor, with the advice and consent of  
192 the Senate. The Governor shall appoint a chairman of the board.

193 (2) Any person who is appointed to serve on the board shall  
194 possess at least a bachelor's degree or a high school diploma and  
195 four (4) years' work experience. Each member shall devote his  
196 full time to the duties of his office and shall not engage in any  
197 other business or profession or hold any other public office. A  
198 member shall not receive compensation or per diem in addition to  
199 his salary as prohibited under Section 25-3-38. Each member shall  
200 keep such hours and workdays as required of full-time state  
201 employees under Section 25-1-98. Individuals shall be appointed  
202 to serve on the board without reference to their political





203 affiliations. Each board member, including the chairman, may be  
204 reimbursed for actual and necessary expenses as authorized by  
205 Section 25-3-41. Each member of the board shall complete annual  
206 training developed based on guidance from the National Institute  
207 of Corrections, the Association of Paroling Authorities  
208 International, or the American Probation and Parole Association.  
209 Each first-time appointee of the board shall, within sixty (60)  
210 days of appointment, or as soon as practical, complete training  
211 for first-time Parole Board members developed in consideration of  
212 information from the National Institute of Corrections, the  
213 Association of Paroling Authorities International, or the American  
214 Probation and Parole Association.

215 (3) The board shall have exclusive responsibility for the  
216 granting of parole as provided by Sections 47-7-3 and 47-7-17 and  
217 shall have exclusive authority for revocation of the same. The  
218 board shall have exclusive responsibility for investigating  
219 clemency recommendations upon request of the Governor.

220 (4) The board, its members and staff, shall be immune from  
221 civil liability for any official acts taken in good faith and in  
222 exercise of the board's legitimate governmental authority.

223 (5) The budget of the board shall be funded through a  
224 separate line item within the general appropriation bill for the  
225 support and maintenance of the department. Employees of the  
226 department which are employed by or assigned to the board shall  
227 work under the guidance and supervision of the board. There shall



228 be an executive secretary to the board who shall be responsible  
229 for all administrative and general accounting duties related to  
230 the board. The executive secretary shall keep and preserve all  
231 records and papers pertaining to the board.

232 (6) The board shall have no authority or responsibility for  
233 supervision of offenders granted a release for any reason,  
234 including, but not limited to, probation, parole or executive  
235 clemency or other offenders requiring the same through interstate  
236 compact agreements. The supervision shall be provided exclusively  
237 by the staff of the Division of Community Corrections of the  
238 department.

239 (7) (a) The Parole Board is authorized to select and place  
240 offenders in an electronic monitoring program under the conditions  
241 and criteria imposed by the Parole Board. The conditions,  
242 restrictions and requirements of Section 47-7-17 and Sections  
243 47-5-1001 through 47-5-1015 shall apply to the Parole Board and  
244 any offender placed in an electronic monitoring program by the  
245 Parole Board.

246 (b) Any offender placed in an electronic monitoring  
247 program under this subsection shall pay the program fee provided  
248 in Section 47-5-1013. The program fees shall be deposited in the  
249 special fund created in Section 47-5-1007.

250 (c) The department shall have absolute immunity from  
251 liability for any injury resulting from a determination by the



252 Parole Board that an offender be placed in an electronic  
253 monitoring program.

254 (8) (a) The Parole Board shall maintain a central registry  
255 of paroled inmates. The Parole Board shall place the following  
256 information on the registry: name, address, photograph, crime for  
257 which paroled, the date of the end of parole or flat-time date and  
258 other information deemed necessary. The Parole Board shall  
259 immediately remove information on a parolee at the end of his  
260 parole or flat-time date.

261 (b) When a person is placed on parole, the Parole Board  
262 shall inform the parolee of the duty to report to the parole  
263 officer any change in address ten (10) days before changing  
264 address.

265 (c) The Parole Board shall utilize an Internet website  
266 or other electronic means to release or publish the information.

267 (d) Records maintained on the registry shall be open to  
268 law enforcement agencies and the public and shall be available no  
269 later than July 1, 2003.

270 (9) An affirmative vote of at least four (4) members of the  
271 Parole Board shall be required to grant parole to an inmate  
272 convicted of capital murder or a sex \* \* \* offense, as defined by  
273 Section 45-33-23(h). An affirmative vote of at least three (3)  
274 members of the Parole Board shall be required to grant parole to  
275 an inmate convicted after June 30, 1995, of a crime of violence,  
276 as defined by Section 97-3-2.



277 (10) This section shall stand repealed on July 1, 2022.

278 **SECTION 5.** Section 47-7-13, Mississippi Code of 1972, is  
279 amended as follows:

280 47-7-13. A majority of the board shall constitute a quorum  
281 for the transaction of all business. \* \* \* An affirmative vote of  
282 at least four (4) members of the Parole Board shall be required to  
283 grant parole to an inmate convicted of capital murder or a sex  
284 offense, as defined by Section 45-33-23(h). An affirmative vote  
285 of at least three (3) members of the Parole Board shall be  
286 required to grant parole to an inmate convicted after June 30,  
287 1995, of a crime of violence, as defined by Section 97-3-2. The  
288 board shall maintain, in minute book form, a copy of each of its  
289 official actions with the reasons therefor. Suitable and  
290 sufficient office space and support resources and staff necessary  
291 to conducting Parole Board business shall be provided by the  
292 Department of Corrections. \* \* \*

293 **SECTION 6.** Section 47-7-15, Mississippi Code of 1972, is  
294 amended as follows:

295 47-7-15. The board shall adopt an official seal of which the  
296 courts shall take judicial notice. Decisions of the board shall  
297 be made by majority vote, except as provided in Sections 47-7-5(9)  
298 and 47-7-13.

299 The board shall keep a record of its acts and shall notify  
300 each institution of its decisions relating to the persons who are  
301 or have been confined therein. At the close of each fiscal year



302 the board shall submit to the Governor and to the Legislature a  
303 report with statistical and other data of its work.

304 **SECTION 7.** Section 47-7-17, Mississippi Code of 1972, is  
305 amended as follows:

306 47-7-17. Within one (1) year after his admission and at such  
307 intervals thereafter as it may determine, the board shall secure  
308 and consider all pertinent information regarding each offender,  
309 except any under sentence of death or otherwise ineligible for  
310 parole, including the circumstances of his offense, his previous  
311 social history, his previous criminal record, including any  
312 records of law enforcement agencies or of a youth court regarding  
313 that offender's juvenile criminal history, his conduct, employment  
314 and attitude while in the custody of the department, the case plan  
315 created to prepare the offender for parole, and the reports of  
316 such physical and mental examinations as have been made. The  
317 Parole Board may also order a psychiatric or psychological  
318 examination when it determines such examination is necessary to  
319 making a parole decision. The board shall furnish at least three  
320 (3) months' written notice to each such offender of the date on  
321 which he is eligible for parole.

322 \* \* \* Except as provided in Section 47-7-18, the board \* \* \*  
323 shall require a parole-eligible offender to have a hearing as  
324 required in this chapter before the board and to be interviewed.  
325 The hearing shall be held no later than thirty (30) days prior to  
326 the month of eligibility. No application for parole of a person



327 convicted of a capital offense shall be considered by the board  
328 unless and until notice of the filing of such application shall  
329 have been published at least once a week for two (2) weeks in a  
330 newspaper published in or having general circulation in the county  
331 in which the crime was committed. The board shall, within thirty  
332 (30) days prior to the scheduled hearing, also give notice of the  
333 filing of the application for parole to the victim of the offense  
334 for which the prisoner is incarcerated and being considered for  
335 parole or, in case the offense be homicide, a designee of the  
336 immediate family of the victim, provided the victim or designated  
337 family member has furnished in writing a current address to the  
338 board for such purpose. The victim or designated family member  
339 shall be provided an opportunity to be heard by the board before  
340 the board makes a decision regarding release on parole. Parole  
341 release shall, at the hearing, be ordered only for the best  
342 interest of society, not as an award of clemency; it shall not be  
343 considered to be a reduction of sentence or pardon. An offender  
344 shall be placed on parole only when arrangements have been made  
345 for his proper employment or for his maintenance and care, and  
346 when the board believes that he is able and willing to fulfill the  
347 obligations of a law-abiding citizen. When the board determines  
348 that the offender will need transitional housing upon release in  
349 order to improve the likelihood of \* \* \* the offender becoming a  
350 law-abiding citizen, the board may parole the offender with the  
351 condition that the inmate spends no more than six (6) months in a



352 transitional reentry center. At least fifteen (15) days prior to  
353 the release of an offender on parole, the director of records of  
354 the department shall give the written notice which is required  
355 pursuant to Section 47-5-177. Every offender while on parole  
356 shall remain in the legal custody of the department from which he  
357 was released and shall be amenable to the orders of the board.  
358 Upon determination by the board that an offender is eligible for  
359 release by parole, notice shall also be given within at least  
360 fifteen (15) days before release, by the board to the victim of  
361 the offense or the victim's family member, as indicated above,  
362 regarding the date when the offender's release shall occur,  
363 provided a current address of the victim or the victim's family  
364 member has been furnished in writing to the board for such  
365 purpose.

366 Failure to provide notice to the victim or the victim's  
367 family member of the filing of the application for parole or of  
368 any decision made by the board regarding parole shall not  
369 constitute grounds for vacating an otherwise lawful parole  
370 determination nor shall it create any right or liability, civilly  
371 or criminally, against the board or any member thereof.

372 A letter of protest against granting an offender parole shall  
373 not be treated as the conclusive and only reason for not granting  
374 parole.

375 The board may adopt such other rules not inconsistent with  
376 law as it may deem proper or necessary with respect to the



377 eligibility of offenders for parole, the conduct of parole  
378 hearings, or conditions to be imposed upon parolees, including a  
379 condition that the parolee submit, as provided in Section 47-5-601  
380 to any type of breath, saliva or urine chemical analysis test, the  
381 purpose of which is to detect the possible presence of alcohol or  
382 a substance prohibited or controlled by any law of the State of  
383 Mississippi or the United States. The board shall have the  
384 authority to adopt rules related to the placement of certain  
385 offenders on unsupervised parole and for the operation of  
386 transitional reentry centers. However, in no case shall an  
387 offender be placed on unsupervised parole before he has served a  
388 minimum of fifty percent (50%) of the period of supervised parole.

389 **SECTION 8.** Section 47-7-18, Mississippi Code of 1972, is  
390 amended as follows:

391 47-7-18 (1) No inmate convicted of a sex offense, as  
392 defined by Section 45-33-23(h), and/or a crime of violence, as  
393 defined by Section 97-3-2, shall be released on parole without a  
394 hearing before the Parole Board as required by Section  
395 47-7-17. \* \* \* All other inmates eligible for parole, pursuant to  
396 Section 47-7-3, shall be released from incarceration to parole  
397 supervision on the inmate's parole eligibility date, without a  
398 hearing before the board, if:

399 (a) The inmate has met the requirements of the parole  
400 case plan established pursuant to Section 47-7-3.1;





401 (b) A victim of the offense has not requested the board  
402 conduct a hearing;

403 (c) The inmate has not received a serious or major  
404 violation report within the past six (6) months;

405 (d) The inmate has agreed to the conditions of  
406 supervision; and

407 (e) The inmate has a discharge plan approved by the  
408 board.

409 (2) At least thirty (30) days prior to an inmate's parole  
410 eligibility date, the department shall notify the board in writing  
411 of the inmate's compliance or noncompliance with the case plan.  
412 If an inmate fails to meet a requirement of the case plan, prior  
413 to the parole eligibility date, he or she shall have a hearing  
414 before the board to determine if completion of the case plan can  
415 occur while in the community.

416 (3) Any inmate for whom there is insufficient information  
417 for the department to determine compliance with the case plan  
418 shall have a hearing with the board.

419 (4) A hearing shall be held with the board if requested by  
420 the victim following notification of the inmate's parole release  
421 date pursuant to Section 47-7-17.

422 (5) A hearing shall be held by the board if a law  
423 enforcement official from the community to which the inmate will  
424 return contacts the board or the department and requests a hearing  
425 to consider information relevant to public safety risks posed by



426 the inmate if paroled at the initial parole eligibility date. The  
427 law enforcement official shall submit an explanation documenting  
428 these concerns for the board to consider.

429 (6) If a parole hearing is held, the board may determine the  
430 inmate has sufficiently complied with the case plan or that the  
431 incomplete case plan is not the fault of the inmate and that  
432 granting parole is not incompatible with public safety, the board  
433 may then parole the inmate with appropriate conditions. If the  
434 board determines that the inmate has sufficiently complied with  
435 the case plan but the discharge plan indicates that the inmate  
436 does not have appropriate housing immediately upon release, the  
437 board may parole the inmate to a transitional reentry center with  
438 the condition that the inmate spends no more than six (6) months  
439 in the center. If the board determines that the inmate has not  
440 substantively complied with the requirement(s) of the case plan it  
441 may deny parole. If the board denies parole, the board may  
442 schedule a subsequent parole hearing and, if a new date is  
443 scheduled, the board shall identify the corrective action the  
444 inmate will need to take in order to be granted parole. Any  
445 inmate not released at the time of the inmate's initial parole  
446 date shall have a parole hearing at least every year.

447 **SECTION 9.** Section 47-7-33.1, Mississippi Code of 1972, is  
448 brought forward as follows:

449 47-7-33.1. (1) The department shall create a discharge plan  
450 for any offender returning to the community, regardless of whether



451 the person will discharge from the custody of the department, or  
452 is released on parole, pardon, or otherwise. At least ninety (90)  
453 days prior to an offender's earliest release date, the  
454 commissioner shall conduct a pre-release assessment and complete a  
455 written discharge plan based on the assessment results. The  
456 discharge plan for parole eligible offenders shall be sent to the  
457 Parole Board at least thirty (30) days prior to the offender's  
458 parole eligibility date for approval. The board may suggest  
459 changes to the plan that it deems necessary to ensure a successful  
460 transition.

461 (2) The pre-release assessment shall identify whether an  
462 inmate requires assistance obtaining the following basic needs  
463 upon release: transportation, clothing and food, financial  
464 resources, identification documents, housing, employment,  
465 education, health care and support systems. The discharge plan  
466 shall include information necessary to address these needs and the  
467 steps being taken by the department to assist in this process.

468 Based on the findings of the assessment, the commissioner shall:

469 (a) Arrange transportation for inmates from the  
470 correctional facility to their release destination;

471 (b) Ensure inmates have clean, seasonally appropriate  
472 clothing, and provide inmates with a list of food providers and  
473 other basic resources immediately accessible upon release;



474 (c) Ensure inmates have a driver's license or a  
475 state-issued identification card that is not a Department of  
476 Corrections identification card;

477 (d) Assist inmates in identifying safe, affordable  
478 housing upon release. If accommodations are not available,  
479 determine whether temporary housing is available for at least ten  
480 (10) days after release. If temporary housing is not available,  
481 the discharge plan shall reflect that satisfactory housing has not  
482 been established and the person may be a candidate for  
483 transitional reentry center placement;

484 (e) Refer inmates without secured employment to  
485 employment opportunities;

486 (f) Provide inmates with contact information of a  
487 health care facility/provider in the community in which they plan  
488 to reside;

489 (g) Notify family members of the release date and  
490 release plan, if inmate agrees; and

491 (h) Refer inmates to a community or a faith-based  
492 organization that can offer support within the first twenty-four  
493 (24) hours of release;

494 (3) A written discharge plan shall be provided to the  
495 offender and supervising probation officer or parole officer, if  
496 applicable.

497 (4) A discharge plan created for a parole-eligible offender  
498 shall also include supervision conditions and the intensity of



499 supervision based on the assessed risk to recidivate and whether  
500 there is a need for transitional housing. The board shall approve  
501 discharge plans before an offender is released on parole pursuant  
502 to this chapter.

503         **SECTION 10.** Section 47-7-3.2, Mississippi Code of 1972,  
504 which provides a minimum time offenders convicted of a crime of  
505 violence must serve before release and a minimum percentage of  
506 other sentences other offenders must serve before release, is  
507 repealed.

508         **SECTION 11.** This act shall take effect and be in force from  
509 and after July 1, 2020, and shall stand repealed on June 30, 2020.

