

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

To: Judiciary, Division B;  
Corrections

SENATE BILL NO. 2123  
(As Sent to Governor)

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 REENACT AND  
7 AMEND SECTION 47-7-3.1, MISSISSIPPI CODE OF 1972, TO PROVIDE FOR  
8 INMATE CASE PLANNING AND TO PRESCRIBE DATES FOR THE MISSISSIPPI  
9 DEPARTMENT OF CORRECTIONS TO COMPLETE CASE PLANS FOR  
10 PAROLE-ELIGIBLE INMATES TO ENSURE THAT THE PLAN IS ACHIEVABLE; TO  
11 REENACT AND AMEND SECTION 47-7-3.2, MISSISSIPPI CODE OF 1972, TO  
12 PROVIDE A MINIMUM TIME OFFENDERS CONVICTED OF A CRIME OF VIOLENCE  
13 MUST SERVE BEFORE RELEASE AND A MINIMUM PERCENTAGE OF OTHER  
14 SENTENCES OTHER OFFENDERS MUST SERVE BEFORE RELEASE; TO AMEND  
15 SECTION 47-7-5, MISSISSIPPI CODE OF 1972, TO REQUIRE AN  
16 AFFIRMATIVE VOTE OF AT LEAST THREE MEMBERS OF THE MISSISSIPPI  
17 PAROLE BOARD TO GRANT PAROLE TO AN INMATE CONVICTED OF A CRIME OF  
18 VIOLENCE AFTER JUNE 30 1995; TO AMEND SECTION 47-7-13, MISSISSIPPI  
19 CODE OF 1972, TO REQUIRE AN AFFIRMATIVE VOTE OF AT LEAST FOUR  
20 MEMBERS OF THE MISSISSIPPI PAROLE BOARD TO GRANT PAROLE TO A SEX  
21 OFFENDER; TO AMEND SECTION 47-7-15, MISSISSIPPI CODE OF 1972, IN  
22 CONFORMITY; TO AMEND SECTION 47-7-17, MISSISSIPPI CODE OF 1972, TO  
23 PROVIDE THAT THE VICTIM OR DESIGNATED FAMILY MEMBER SHALL BE  
24 PROVIDED AN OPPORTUNITY TO BE HEARD BY THE PAROLE BOARD PRIOR TO A  
25 PAROLE DECISION; TO AMEND SECTION 47-7-18, MISSISSIPPI CODE OF  
26 1972, TO REQUIRE CERTAIN PAROLE HEARINGS FOR SEX OFFENDERS; AND  
27 FOR RELATED PURPOSES.

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

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



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

33           47-7-3. (1) Every prisoner who has been convicted of any  
34 offense against the State of Mississippi, and is confined in the  
35 execution of a judgment of such conviction in the Mississippi  
36 Department of Corrections for a definite term or terms of one (1)  
37 year or over, or for the term of his or her natural life, whose  
38 record of conduct shows that such prisoner has observed the rules  
39 of the department, and who has served not less than one-fourth  
40 (1/4) of the total of such term or terms for which such prisoner  
41 was sentenced, or, \* \* \* if sentenced for the term of the natural  
42 life of such prisoner \* \* \* and has served not less than ten (10)  
43 years of such life sentence, may be released on parole as \* \* \*  
44 set forth herein:

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

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

52           \* \* \*

53           ( \* \* \* c) **Sentences of life imprisonment without**  
54 **eligibility for parole.** No person shall be eligible for parole  
55 who, on or after July 1, 1994, is \* \* \* sentenced to life



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

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

62 \* \* \*

63 ( \* \* \*e) Parole. (i) \* \* \* Violent, nonviolent  
64 offenses. All persons eligible for parole under this subparagraph  
65 (i) who are serving a sentence or sentences for a crime of  
66 violence as defined in Section 97-3-2 shall be required to have a  
67 parole hearing before the board under Section 47-7-17 before  
68 parole release. Except as provided in paragraphs (a) through (d)  
69 of this subsection:

70 1. A person who is sentenced after June 30,  
71 1995, and before July 1, 2014, of a violent crime, as defined by  
72 Section 97-3-2, shall be eligible for parole only after having  
73 served fifty percent (50%) or twenty (20) years, whichever is  
74 less, of the sentence or sentences imposed by the trial court;

75 2. A person who is sentenced on or after July  
76 1, 2014, of a violent crime, as defined by Section 97-3-2, shall  
77 be eligible for parole only after having served fifty percent  
78 (50%) or thirty (30) years, whichever is less, of the sentence or  
79 sentences imposed by the trial court; and



80                   3. All persons \* \* \* sentenced for any other  
81 offense \* \* \* after \* \* \* June 30, 1995, \* \* \* shall be eligible  
82 for parole only after they have served \* \* \* twenty-five percent  
83 (25%) of the sentence or sentences imposed by the trial court.

84                   (ii) \* \* \* **Geriatric parole.** A person serving a  
85 sentence who has reached the age of \* \* \* sixty-five (65) years or  
86 older and who has served no less than ten (10) years of the  
87 sentence or sentences imposed by the trial court shall be eligible  
88 for parole. Any person eligible for parole under this \* \* \*  
89 subparagraph (ii) shall be required to have a parole hearing  
90 before the board \* \* \* under Section 47-7-17 before parole  
91 release. No inmate shall be eligible for parole under this  
92 subparagraph \* \* \* (ii) if:

93       \* \* \*

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

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

99       \* \* \*

100                   \* \* \*3. The inmate is sentenced for a sex  
101 crime; or

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



104 (iii) Parole as authorized by trial court.  
105 Notwithstanding \* \* \* any other provision of law, an offender who  
106 has \* \* \* served twenty-five percent (25%) or more of \* \* \* the  
107 sentence or sentences imposed by the trial court, or ten (10)  
108 years, whichever is less, may be paroled by the Parole Board  
109 if \* \* \* the offender has been authorized to be considered for  
110 parole by the sentencing judge or, if the sentencing judge is  
111 retired, disabled or incapacitated, the senior circuit  
112 judge \* \* \* ; if the senior circuit judge must be recused, another  
113 circuit judge of the same district or a senior status judge may  
114 hear and decide the matter. An offender is not eligible to  
115 petition the sentencing court for parole eligibility under this  
116 subparagraph (iii) if the offender is serving a sentence for a  
117 crime of violence as defined in Section 97-3-2.

118 \* \* \*

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

124 (3) The State Parole Board shall, by rules and regulations,  
125 establish a method of determining a tentative parole hearing date  
126 for each eligible offender taken into the custody of the  
127 Department of Corrections. The tentative parole hearing date  
128 shall be determined within ninety (90) days after the department



129 has assumed custody of the offender. Except as provided in  
130 Section 47-7-18, the parole hearing date shall occur when the  
131 offender is within thirty (30) days of the month of his parole  
132 eligibility date. The parole eligibility date shall not be  
133 earlier than one-fourth (1/4) of the prison sentence or sentences  
134 imposed by the court.

135 (4) Any inmate within twenty-four (24) months of his parole  
136 eligibility date and who meets the criteria established by the  
137 classification board shall receive priority for placement in any  
138 educational development and job training programs that are part of  
139 his or her parole case plan. Any inmate refusing to participate  
140 in an educational development or job training program that is part  
141 of the case plan may be in jeopardy of noncompliance with the case  
142 plan and may be denied parole.

143 **SECTION 3.** Section 47-7-3.1, Mississippi Code of 1972, is  
144 reenacted and amended as follows:

145 47-7-3.1. (1) In consultation with the Parole Board, the  
146 department shall develop a case plan for all parole-eligible  
147 inmates to guide an inmate's rehabilitation while in the  
148 department's custody and to reduce the likelihood of recidivism  
149 after release.

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

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



154 (b) Any programming or treatment requirements contained  
155 in the sentencing order; and

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

158 (3) With respect to parole-eligible inmates admitted to the  
159 department's custody on or after July 1, 2020, the department  
160 shall complete the case plan within ninety (90) days of admission.  
161 With respect to parole-eligible inmates admitted to the  
162 department's custody before July 1, 2020, the department shall  
163 complete the case plan by January 1, 2021.

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

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

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

173 ( \* \* \*5) With respect to parole-eligible inmates admitted  
174 to the department's custody after July 1, 2020, the department  
175 shall ensure that the case plan is achievable prior to the  
176 inmate's parole eligibility date. With respect to parole-eligible  
177 inmates admitted to the department's custody before July 1, 2020,  
178 the department shall, to the extent possible, ensure that the case



179 plan is achievable prior to the inmate's parole eligibility date  
180 or next parole hearing date.

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

184 ( \* \* \*7) Every four (4) months the department shall  
185 electronically submit a progress report on each parole-eligible  
186 inmate's case plan to the Parole Board. The board may meet to  
187 review an inmate's case plan and may provide written input to the  
188 caseworker on the inmate's progress toward completion of the case  
189 plan.

190 ( \* \* \*8) The Parole Board shall provide semiannually to the  
191 Oversight Task Force the number of parole hearings held, the  
192 number of prisoners released to parole without a hearing and the  
193 number of parolees released after a hearing.

194 **SECTION 4.** Section 47-7-3.2, Mississippi Code of 1972, is  
195 reenacted and amended as follows:

196 47-7-3.2. (1) Notwithstanding Sections 47-5-138, 47-5-139,  
197 47-5-138.1 or 47-5-142, no person convicted of a criminal offense  
198 on or after July 1, 2014, shall be released by the department  
199 until he or she has served no less than fifty percent (50%) or  
200 thirty (30) years, whichever is less, of a sentence or sentences  
201 for \* \* \* any crime of violence \* \* \* as defined in Section 97-3-2  
202 or twenty-five percent (25%) of any other sentence or sentences  
203 imposed by the court.





204           (2) This section shall not apply to:  
205                 (a) Offenders sentenced to life imprisonment;  
206                 (b) Offenders convicted as habitual offenders pursuant  
207 to Sections 99-19-81 through 99-19-87;  
208                 (c) Offenders serving a sentence for a sex offense; or  
209                 (d) Offenders serving a sentence for trafficking  
210 pursuant to Section 41-29-139(f).

211           **SECTION 5.** Section 47-7-5, Mississippi Code of 1972, is  
212 amended as follows:

213           47-7-5. (1) The State Parole Board, created under former  
214 Section 47-7-5, is hereby created, continued and reconstituted and  
215 shall be composed of five (5) members. The Governor shall appoint  
216 the members with the advice and consent of the Senate. All terms  
217 shall be at the will and pleasure of the Governor. Any vacancy  
218 shall be filled by the Governor, with the advice and consent of  
219 the Senate. The Governor shall appoint a chairman of the board.

220           (2) Any person who is appointed to serve on the board shall  
221 possess at least a bachelor's degree or a high school diploma and  
222 four (4) years' work experience. Each member shall devote his  
223 full time to the duties of his office and shall not engage in any  
224 other business or profession or hold any other public office. A  
225 member shall not receive compensation or per diem in addition to  
226 his salary as prohibited under Section 25-3-38. Each member shall  
227 keep such hours and workdays as required of full-time state  
228 employees under Section 25-1-98. Individuals shall be appointed



229 to serve on the board without reference to their political  
230 affiliations. Each board member, including the chairman, may be  
231 reimbursed for actual and necessary expenses as authorized by  
232 Section 25-3-41. Each member of the board shall complete annual  
233 training developed based on guidance from the National Institute  
234 of Corrections, the Association of Paroling Authorities  
235 International, or the American Probation and Parole Association.  
236 Each first-time appointee of the board shall, within sixty (60)  
237 days of appointment, or as soon as practical, complete training  
238 for first-time Parole Board members developed in consideration of  
239 information from the National Institute of Corrections, the  
240 Association of Paroling Authorities International, or the American  
241 Probation and Parole Association.

242 (3) The board shall have exclusive responsibility for the  
243 granting of parole as provided by Sections 47-7-3 and 47-7-17 and  
244 shall have exclusive authority for revocation of the same. The  
245 board shall have exclusive responsibility for investigating  
246 clemency recommendations upon request of the Governor.

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

250 (5) The budget of the board shall be funded through a  
251 separate line item within the general appropriation bill for the  
252 support and maintenance of the department. Employees of the  
253 department which are employed by or assigned to the board shall



254 work under the guidance and supervision of the board. There shall  
255 be an executive secretary to the board who shall be responsible  
256 for all administrative and general accounting duties related to  
257 the board. The executive secretary shall keep and preserve all  
258 records and papers pertaining to the board.

259 (6) The board shall have no authority or responsibility for  
260 supervision of offenders granted a release for any reason,  
261 including, but not limited to, probation, parole or executive  
262 clemency or other offenders requiring the same through interstate  
263 compact agreements. The supervision shall be provided exclusively  
264 by the staff of the Division of Community Corrections of the  
265 department.

266 (7) (a) The Parole Board is authorized to select and place  
267 offenders in an electronic monitoring program under the conditions  
268 and criteria imposed by the Parole Board. The conditions,  
269 restrictions and requirements of Section 47-7-17 and Sections  
270 47-5-1001 through 47-5-1015 shall apply to the Parole Board and  
271 any offender placed in an electronic monitoring program by the  
272 Parole Board.

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

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



279 Parole Board that an offender be placed in an electronic  
280 monitoring program.

281 (8) (a) The Parole Board shall maintain a central registry  
282 of paroled inmates. The Parole Board shall place the following  
283 information on the registry: name, address, photograph, crime for  
284 which paroled, the date of the end of parole or flat-time date and  
285 other information deemed necessary. The Parole Board shall  
286 immediately remove information on a parolee at the end of his  
287 parole or flat-time date.

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

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

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

297 (9) An affirmative vote of at least four (4) members of the  
298 Parole Board shall be required to grant parole to an inmate  
299 convicted of capital murder or a sex \* \* \* offense, as defined by  
300 Section 45-33-23(h).

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

302 **SECTION 6.** Section 47-7-13, Mississippi Code of 1972, is  
303 amended as follows:



304 47-7-13. A majority of the board shall constitute a quorum  
305 for the transaction of all business. \* \* \* The board shall  
306 maintain, in minute book form, a copy of each of its official  
307 actions with the reasons therefor. Suitable and sufficient office  
308 space and support resources and staff necessary to conducting  
309 Parole Board business shall be provided by the Department of  
310 Corrections. \* \* \*

311 **SECTION 7.** Section 47-7-15, Mississippi Code of 1972, is  
312 amended as follows:

313 47-7-15. The board shall adopt an official seal of which the  
314 courts shall take judicial notice. Decisions of the board shall  
315 be made by majority vote, except as provided in Section 47-7-5(9).

316 The board shall keep a record of its acts and shall notify  
317 each institution of its decisions relating to the persons who are  
318 or have been confined therein. At the close of each fiscal year  
319 the board shall submit to the Governor and to the Legislature a  
320 report with statistical and other data of its work.

321 **SECTION 8.** Section 47-7-17, Mississippi Code of 1972, is  
322 amended as follows:

323 47-7-17. (1) Within one (1) year after his admission and at  
324 such intervals thereafter as it may determine, the board shall  
325 secure and consider all pertinent information regarding each  
326 offender, except any under sentence of death or otherwise  
327 ineligible for parole, including the circumstances of his offense,  
328 his previous social history, his previous criminal record,



329 including any records of law enforcement agencies or of a youth  
330 court regarding that offender's juvenile criminal history, his  
331 conduct, employment and attitude while in the custody of the  
332 department, the case plan created to prepare the offender for  
333 parole, and the reports of such physical and mental examinations  
334 as have been made. The board shall furnish at least three (3)  
335 months' written notice to each such offender of the date on which  
336 he is eligible for parole.

337 \* \* \* (2) Except as provided in Section 47-7-18, the  
338 board \* \* \* shall require a parole-eligible offender to have a  
339 hearing as required in this chapter before the board and to be  
340 interviewed. The hearing shall be held no later than thirty (30)  
341 days prior to the month of eligibility. No application for parole  
342 of a person convicted of a capital offense shall be considered by  
343 the board unless and until notice of the filing of such  
344 application shall have been published at least once a week for two  
345 (2) weeks in a newspaper published in or having general  
346 circulation in the county in which the crime was committed. The  
347 board shall, within thirty (30) days prior to the scheduled  
348 hearing, also give notice of the filing of the application for  
349 parole to the victim of the offense for which the prisoner is  
350 incarcerated and being considered for parole or, in case the  
351 offense be homicide, a designee of the immediate family of the  
352 victim, provided the victim or designated family member has  
353 furnished in writing a current address to the board for such



354 purpose. The victim or designated family member shall be provided  
355 an opportunity to be heard by the board before the board makes a  
356 decision regarding release on parole. The board shall consider  
357 whether any restitution ordered has been paid in full. Parole  
358 release shall, at the hearing, be ordered only for the best  
359 interest of society, not as an award of clemency; it shall not be  
360 considered to be a reduction of sentence or pardon. An offender  
361 shall be placed on parole only when arrangements have been made  
362 for his proper employment or for his maintenance and care, and  
363 when the board believes that he is able and willing to fulfill the  
364 obligations of a law-abiding citizen. When the board determines  
365 that the offender will need transitional housing upon release in  
366 order to improve the likelihood of \* \* \* the offender becoming a  
367 law-abiding citizen, the board may parole the offender with the  
368 condition that the inmate spends no more than six (6) months in a  
369 transitional reentry center. At least fifteen (15) days prior to  
370 the release of an offender on parole, the director of records of  
371 the department shall give the written notice which is required  
372 pursuant to Section 47-5-177. Every offender while on parole  
373 shall remain in the legal custody of the department from which he  
374 was released and shall be amenable to the orders of the board.  
375 Upon determination by the board that an offender is eligible for  
376 release by parole, notice shall also be given within at least  
377 fifteen (15) days before release, by the board to the victim of  
378 the offense or the victim's family member, as indicated above,



379 regarding the date when the offender's release shall occur,  
380 provided a current address of the victim or the victim's family  
381 member has been furnished in writing to the board for such  
382 purpose.

383 (3) Failure to provide notice to the victim or the victim's  
384 family member of the filing of the application for parole or of  
385 any decision made by the board regarding parole shall not  
386 constitute grounds for vacating an otherwise lawful parole  
387 determination nor shall it create any right or liability, civilly  
388 or criminally, against the board or any member thereof.

389 (4) A letter of protest against granting an offender parole  
390 shall not be treated as the conclusive and only reason for not  
391 granting parole.

392 (5) The board may adopt such other rules not inconsistent  
393 with law as it may deem proper or necessary with respect to the  
394 eligibility of offenders for parole, the conduct of parole  
395 hearings, or conditions to be imposed upon parolees, including a  
396 condition that the parolee submit, as provided in Section 47-5-601  
397 to any type of breath, saliva or urine chemical analysis test, the  
398 purpose of which is to detect the possible presence of alcohol or  
399 a substance prohibited or controlled by any law of the State of  
400 Mississippi or the United States. The board shall have the  
401 authority to adopt rules related to the placement of certain  
402 offenders on unsupervised parole and for the operation of  
403 transitional reentry centers. However, in no case shall an





404 offender be placed on unsupervised parole before he has served a  
405 minimum of fifty percent (50%) of the period of supervised parole.

406 **SECTION 9.** Section 47-7-18, Mississippi Code of 1972, is  
407 amended as follows:

408 47-7-18 (1) No inmate convicted of a sex offense as defined  
409 by Section 45-33-23(h), a crime of violence as defined by Section  
410 97-3-2, or both, shall be released on parole without a hearing  
411 before the Parole Board as required by Section 47-7-17. \* \* \* All  
412 other inmates eligible for parole pursuant to Section 47-7-3 \* \* \*  
413 shall be released from incarceration to parole supervision on the  
414 inmate's parole eligibility date, without a hearing before the  
415 board, if:

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

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

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

422 (d) The inmate has agreed to the conditions of  
423 supervision; and

424 (e) The inmate has a discharge plan approved by the  
425 board.

426 (2) At least thirty (30) days prior to an inmate's parole  
427 eligibility date, the department shall notify the board in writing  
428 of the inmate's compliance or noncompliance with the case plan.



429 If an inmate fails to meet a requirement of the case plan, prior  
430 to the parole eligibility date, he or she shall have a hearing  
431 before the board to determine if completion of the case plan can  
432 occur while in the community.

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

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

439 (5) A hearing shall be held by the board if a law  
440 enforcement official from the community to which the inmate will  
441 return contacts the board or the department and requests a hearing  
442 to consider information relevant to public safety risks posed by  
443 the inmate if paroled at the initial parole eligibility date. The  
444 law enforcement official shall submit an explanation documenting  
445 these concerns for the board to consider.

446 (6) If a parole hearing is held, the board may determine the  
447 inmate has sufficiently complied with the case plan or that the  
448 incomplete case plan is not the fault of the inmate and that  
449 granting parole is not incompatible with public safety, the board  
450 may then parole the inmate with appropriate conditions. If the  
451 board determines that the inmate has sufficiently complied with  
452 the case plan but the discharge plan indicates that the inmate  
453 does not have appropriate housing immediately upon release, the



454 board may parole the inmate to a transitional reentry center with  
455 the condition that the inmate spends no more than six (6) months  
456 in the center. If the board determines that the inmate has not  
457 substantively complied with the requirement(s) of the case plan it  
458 may deny parole. If the board denies parole, the board may  
459 schedule a subsequent parole hearing and, if a new date is  
460 scheduled, the board shall identify the corrective action the  
461 inmate will need to take in order to be granted parole. Any  
462 inmate not released at the time of the inmate's initial parole  
463 date shall have a parole hearing at least every year.

464         **SECTION 10.** This act shall take effect and be in force from  
465 and after July 1, 2020.

