

By: Representative Banks

To: Corrections; Judiciary B

HOUSE BILL NO. 448

1 AN ACT TO AMEND SECTION 47-7-3.1, MISSISSIPPI CODE OF 1972,
2 TO PROVIDE THAT THE CASE PLANS OF INMATES WHO HAVE COMMITTED
3 CAPITAL OFFENSES SHALL CONTAIN CERTAIN PROGRAMS FOR REHABILITATIVE
4 PURPOSES; AND FOR RELATED PURPOSES.

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

6 **SECTION 1.** Section 47-7-3.1, Mississippi Code of 1972, is
7 amended as follows:

8 47-7-3.1. (1) In consultation with the Parole Board, the
9 department shall develop a case plan for all parole eligible
10 inmates to guide an inmate's rehabilitation while in the
11 department's custody and to reduce the likelihood of recidivism
12 after release.

13 (2) (a) Within ninety (90) days of admission, the
14 department shall complete a case plan on all inmates which shall
15 include, but not limited to:

16 (* * *i) Programming and treatment requirements
17 based on the results of a risk and needs assessment;

18 (* * *ii) Any programming or treatment
19 requirements contained in the sentencing order; and



(* * *iii) General behavior requirements in accordance with the rules and policies of the department.

(b) (i) In addition to the requirements in paragraph (a) of this subsection, within ninety (90) days of admission, the department shall complete a case plan on all inmates who have committed a capital offense that shall consist of at least two (2) of the following program related areas:

1. Criminal thinking;
2. Alcohol and drugs;
3. Life skills; and
4. Behavioral health.

(ii) Within ninety (90) days of admission, the department shall also complete a case plan that requires screening for physiological and/or social issues on inmates who have committed capital offenses. Such case plans shall consist of programs such as 70 X 7 and Love Your Neighbor or other programs that focus on why the inmate committed the crime and how to prevent future crimes from being committed. The case plans shall also contain programs that enable such inmates to coexist with society.

(3) The department shall provide the inmate with a written copy of the case plan and the inmate's caseworker shall explain the conditions set forth in the case plan.



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

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

49 (4) The department shall ensure that the case plan is
50 achievable prior to inmate's parole eligibility date.

51 (5) The caseworker shall meet with the inmate every eight
52 (8) weeks from the date the offender received the case plan to
53 review the inmate's case plan progress.

54 (6) Every four (4) months the department shall
55 electronically submit a progress report on each parole-eligible
56 inmate's case plan to the Parole Board. The board may meet to
57 review an inmate's case plan and may provide written input to the
58 caseworker on the inmate's progress toward completion of the case
59 plan.

60 (7) The Parole Board shall provide semiannually to the
61 Oversight Task Force the number of parole hearings held, the
62 number of prisoners released to parole without a hearing and the
63 number of parolees released after a hearing.

64 **SECTION 2.** This act shall take effect and be in force from
65 and after July 1, 2021.

