

By: Representative Rosebud

To: Corrections;  
Appropriations

## HOUSE BILL NO. 523

1 AN ACT TO ESTABLISH THE STATE CORRECTIONAL FACILITIES  
2 MONITORING UNIT; TO PROVIDE THAT THE MONITORING UNIT SHALL BE  
3 WITHIN THE DEPARTMENT OF PUBLIC SAFETY; TO PROVIDE THAT THE  
4 MONITORING UNIT SHALL PROVIDE CERTAIN INVESTIGATION AND EVALUATION  
5 OF THE STATE CORRECTIONAL FACILITIES AS WELL AS ANY PRIVATE  
6 CORRECTIONAL FACILITIES THAT ARE UTILIZED BY THE STATE TO HOUSE  
7 STATE OFFENDERS; TO REQUIRE THE MONITORING UNIT TO MAKE AVAILABLE  
8 CERTAIN REPORTS PERTAINING TO ITS MONITORING OF THE STATE  
9 CORRECTIONAL FACILITIES; TO REQUIRE THE DEPARTMENT OF PUBLIC  
10 SAFETY TO CONTRACT WITH A CORRECTIONAL FACILITY EXPERT WHO SHALL  
11 PROVIDE CERTAIN TRAINING FOR THE MONITORS; AND FOR RELATED  
12 PURPOSES.

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

14 **SECTION 1.** (1) There is established the State Correctional  
15 Facilities Monitoring Unit within the Department of Public Safety.  
16 The unit shall be responsible for investigating and evaluating  
17 state correctional facilities, which includes private correctional  
18 facilities, that are utilized by the state to house state  
19 offenders to ensure that the facilities operate in compliance with  
20 national best practices, state and federal law. All monitors  
21 shall be employees of the Department of Public Safety. The  
22 inspections by the unit shall encompass the following:



23 (a) To review and evaluate (i) all procedures set by  
24 correctional facilities and (ii) all records containing  
25 information related to the operations of the correctional  
26 facilities;

27 (b) To review and investigate all complaints filed with  
28 the monitoring unit concerning inmate's treatment in correctional  
29 facilities;

30 (c) To conduct quarterly monitoring visits of all  
31 correctional facilities. The monitor shall have access to an  
32 entire correctional facility and shall conduct confidential  
33 interviews with inmates and facility staff;

34 (d) To advise a correctional facility on how to meet  
35 the needs of inmates who require immediate attention;

36 (e) To provide technical assistance and advice to  
37 correctional facilities that will assist the facilities in  
38 complying with state and federal law.

39 To carry out the duties in this subsection (1) a monitor may  
40 consult with any administrator, employee, inmate, expert or other  
41 individual in the course of monitoring or investigating. In  
42 addition, the monitor may review court documents and other  
43 confidential records as necessary to fulfill these duties.

44 (2) Additional duties of the monitoring unit are as follows:

45 (a) To make available on a quarterly basis to the  
46 Governor, Lieutenant Governor and each member of the Legislature  
47 a report that describes:



(i) The work of the monitoring unit;

(ii) The results of any review or investigation undertaken by the monitoring unit;

(iii) Any allegations of abuse or injury of an inmate; and

(iv) Any problems concerning the administration of a correctional facility.

The reports described in this subsection shall keep the names of all inmates and employees confidential.

(b) To promote awareness among the public and the inmates held in a correctional facility by providing the following:

(i) How the monitoring unit may be contacted;

(ii) The purpose of the monitoring unit; and

(iii) The services that the monitoring unit provides.

(3) The records of a monitor shall be confidential. Any inmate, staff member or other interested individual may communicate to a monitor in person, by mail, by phone, or any other means. The identity of reporters shall remain confidential.

**SECTION 2.** The Department of Public Safety shall contract with a correctional facility expert who has substantial experience in the administration of constitutionally compliant correctional facilities and significant experience monitoring correctional facilities for a local jurisdiction, state, or as a



73 court-appointed monitor. The contractor shall provide training to  
74 all of the State Correctional Facilities Monitoring Unit employees  
75 within six (6) months of the effective date of this act. All  
76 employees of the monitoring unit must successfully complete the  
77 training as determined by the correctional facility expert through  
78 the use of a pretest and posttest, facility tour, or any other  
79 criteria the expert selects. The training shall include  
80 interviewing skills, report writing, and information regarding  
81 standard practices in correctional facilities. In addition to the  
82 training for the State Correctional Facilities Monitoring Unit,  
83 the Department of Public Safety shall arrange for at least eight  
84 (8) hours of training with the correctional facility expert for  
85 the administrators of the state correctional facilities, including  
86 administrators of private correctional facilities that are  
87 utilized by the state to house state offenders. The Department of  
88 Public Safety shall ensure that its contract with the correctional  
89 facility expert includes a provision for technical assistance to  
90 the staff of the State Correctional Facilities Monitoring Unit for  
91 at least six (6) months after the completion of the training.

92 **SECTION 3.** The Department of Public Safety is authorized to  
93 establish a State Correctional Facilities Monitoring Unit pursuant  
94 to Sections 1 and 2 of this act.

95 **SECTION 4.** Section 3 of this act shall be codified in  
96 Chapter 1, Title 45, Mississippi Code of 1972.



97           **SECTION 5.** This act shall take effect and be in force from  
98 and after its passage.

