

By: Representatives Newman, Powell, Shanks, To: Corrections
Wallace, Weathersby, Yancey, Williamson,
Miles, Brown (70th), Anthony

HOUSE BILL NO. 747
(As Sent to Governor)

1 AN ACT TO AUTHORIZE THE SHERIFF OF RANKIN COUNTY TO ESTABLISH
2 A PILOT WORK RELEASE PROGRAM IN RANKIN COUNTY; TO AUTHORIZE THE
3 SHERIFF OF RANKIN COUNTY TO ASSIGN A NONVIOLENT CONVICTED OFFENDER
4 TO A WORK RELEASE PROGRAM, IF THE OFFENDER IS CONFINED IN JAIL; TO
5 PROVIDE THAT THE OFFENDER ASSIGNED TO THE PROGRAM SHALL BE UNDER
6 THE SUPERVISION OF THE SHERIFF; TO PROVIDE THAT THE OFFENDER MAY
7 BE REMOVED FROM THE PROGRAM IF RULES ARE VIOLATED; TO PROVIDE THAT
8 WAGES EARNED BY THE OFFENDER MAY, UPON ORDER OF THE COURT, BE PAID
9 TO THE DIRECTOR OR ADMINISTRATOR OF THE PROGRAM AFTER STANDARD
10 PAYROLL DEDUCTIONS ARE PAID; TO PROVIDE THAT THE OFFENDER, IF
11 APPROVED, MAY MAINTAIN A BANK ACCOUNT AS LONG AS A PHYSICAL
12 ACCOUNTING IS PROVIDED TO THE SHERIFF; TO PROVIDE THAT THE
13 OFFENDER'S WAGES MAY BE DISTRIBUTED TO PAY CERTAIN TRAVEL EXPENSES
14 RELATED TO HIS OR HER EMPLOYMENT, TO PAY CHILD SUPPORT, FINES,
15 RESTITUTION OR COSTS, INCLUDING FEES FOR OBTAINING A DRIVER'S
16 LICENSE UPON RELEASE; AND FOR RELATED PURPOSES.

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

18 **SECTION 1.** (1) The Sheriff of Rankin County is authorized
19 to establish a Pilot Work Release Program. No person sentenced
20 for a crime listed in Section 97-3-2 shall be eligible for
21 participation in the program established under this act. During
22 the pilot phase of the program, there shall be a limit of
23 twenty-five (25) people in the program at a time.

24 (2) The sheriff shall collect and maintain data which shall
25 be shared semiannually with the Joint Legislative Committee on



26 Performance Evaluation and Expenditure Review (PEER) and the
27 Corrections and Criminal Justice Oversight Task Force in sortable
28 electronic format. The first report shall be made before January
29 15, 2022, and in six-month intervals thereafter. The data shall
30 include:

31 (a) Total number of participants at the beginning of
32 each month by race, gender, and offenses charged;

33 (b) Total number of participants at the end of each
34 month by race, gender, and offenses charged;

35 (c) Total number of participants who began the program
36 in each month by race, gender, and offenses charged;

37 (d) Total number of participants who successfully
38 completed the program in each month by race, gender, and offenses
39 charged;

40 (e) Total number of participants who left the program
41 in each month and reason for leaving by race, gender, and offenses
42 charged;

43 (f) Total number of participants who were arrested for
44 a new criminal offense while in the program in each month by race,
45 gender, and offenses charged;

46 (g) Total number of participants who were convicted of
47 a new crime while in the program in each month by race, gender,
48 and offenses charged;



(h) Total number of participants who completed the program and were convicted of a new crime within three (3) years of completing the program;

(i) Total amount earned by participants and how the earnings were distributed in each month;

(j) Results of any initial risk and needs assessments conducted on each participant by race, gender, and offenses charged; and

(k) Any other data or information as requested by the task force.

(3) Any person who has been sentenced to confinement in jail or who has been sentenced for a felony conviction but is confined in a jail may request assignment to the work release program established under this act. Admission to the program shall be in the discretion of the sheriff. The sheriff may further authorize the offender to participate in educational or other rehabilitative programs designed to supplement his work release employment or to prepare the person for successful reentry. No offender shall be eligible for this program if he has more than one (1) year remaining on their sentence.

(4) The sheriff shall adopt and publish rules and regulations prior to accepting inmates. These rules and regulations shall at a minimum include all requirements for work release programs established pursuant to Sections 47-5-451 through 47-5-471. Participating employers shall pay no less than the



74 prevailing wage for the position and shall under no circumstance
75 pay less than the federal minimum wage.

76 (5) Any offender assigned to such a program by the sheriff
77 who, without proper authority or just cause, leaves the area to
78 which he has been assigned to work or attend educational or other
79 rehabilitative programs, or leaves the vehicle or route of travel
80 involved in his or her going to or returning from such place, will
81 be guilty of escape as provided in Section 97-9-49. An offender
82 who is found guilty under this section shall be ineligible for
83 further participation in a work release program during his or her
84 current term of confinement.

85 (6) The offender shall maintain an account through a local
86 financial institution and shall provide a copy of a check stub to
87 the sheriff. The offender may be required to pay up to
88 twenty-five percent (25%) of his wages after mandatory deductions
89 for the following purposes:

90 (a) To pay support of dependents or to the Mississippi
91 Department of Human Services on behalf of dependents as may be
92 ordered by a judge of competent jurisdiction; and

93 (b) To pay any fines, restitution, or costs as ordered
94 by the court to include any fines and fees associated with
95 obtaining a valid driver's license upon release.

96 (7) The inmate shall have access to his account to purchase
97 incidental expenses.



(8) The Joint Legislative Committee on Performance Evaluation and Expenditure Review (PEER) shall conduct a review of the work release program established under this act and produce a report to the Legislature on their effectiveness by December 1, 2022. The PEER Committee shall seek the assistance of the Corrections and Criminal Justice Task Force and may seek assistance from any other criminal justice experts it deems necessary during its review.

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

SECTION 2. This act shall take effect and be in force from and after its passage.

