

By: Representative Newman

To: Corrections

HOUSE BILL NO. 586
(As Sent to Governor)

1 AN ACT TO AMEND SECTION 1, CHAPTER 429, LAWS OF 2021, TO
2 AUTHORIZE HARRISON COUNTY TO ESTABLISH A PILOT WORK RELEASE
3 PROGRAM; TO EXTEND THE DATE OF REPEAL ON THE PROVISION OF LAW THAT
4 ESTABLISHES THE PILOT WORK RELEASE PROGRAM; AND FOR RELATED
5 PURPOSES.

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

7 **SECTION 1.** Section 1, Chapter 429, Laws of 2021, is amended
8 as follows:

9 Section 1. (1) The Sheriffs of Rankin County, Harrison
10 County and Lee County * * * are authorized to establish a Pilot
11 Work Release Program. No person sentenced for a crime listed in
12 Section 97-3-2 shall be eligible for participation in the program
13 established under this act. During the pilot phase of the
14 program, there shall be a limit of twenty-five (25) people in the
15 program at a time.

16 (2) The sheriff shall collect and maintain data which shall
17 be shared semiannually with the Joint Legislative Committee on
18 Performance Evaluation and Expenditure Review (PEER) and the
19 Corrections and Criminal Justice Oversight Task Force in sortable



20 electronic format. The first report shall be made before January
21 15, 2022, and in six-month intervals thereafter. The data shall
22 include:

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

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

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

29 (d) Total number of participants who successfully
30 completed the program in each month by race, gender, and offenses
31 charged;

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

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

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

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



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

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

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

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

61 (4) The sheriff shall adopt and publish rules and
62 regulations prior to accepting inmates. These rules and
63 regulations shall at a minimum include all requirements for work
64 release programs established pursuant to Sections 47-5-451 through
65 47-5-471. Participating employers shall pay no less than the
66 prevailing wage for the position and shall under no circumstance
67 pay less than the federal minimum wage.



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

77 (6) The offender shall maintain an account through a local
78 financial institution and shall provide a copy of a check stub to
79 the sheriff. The offender may be required to pay up to
80 twenty-five percent (25%) of his or her wages after mandatory
81 deductions for the following purposes:

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

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

88 (7) The inmate shall have access to his account to purchase
89 incidental expenses.

90 (8) The Joint Legislative Committee on Performance
91 Evaluation and Expenditure Review (PEER) shall conduct a review of
92 the work release program established under this act and produce a



93 report to the Legislature on their effectiveness by December 1,
94 2022. The PEER Committee shall seek the assistance of the
95 Corrections and Criminal Justice Task Force and may seek
96 assistance from any other criminal justice experts it deems
97 necessary during its review.

98 (9) This section shall stand repealed on July 1, * * * 2024.

99 **SECTION 2.** Section 1 of this act shall be codified in
100 Chapter 5, Title 47, Mississippi Code of 1972, and the
101 corresponding Editor's Note shall be deleted.

102 **SECTION 3.** This act shall take effect and be in force from
103 and after July 1, 2022.

