

By: Senator(s) Sparks

To: Corrections; Judiciary,  
Division B

SENATE BILL NO. 2582

1 AN ACT TO AUTHORIZE THE COMMISSIONER OF THE DEPARTMENT OF  
 2 CORRECTIONS TO ESTABLISH A WORK RELEASE PROGRAM IN COOPERATION  
 3 WITH ANY SHERIFF; TO PROVIDE THAT PARTICIPANTS SHALL BE HOUSED BY  
 4 THE SHERIFF; TO PROHIBIT PARTICIPATION OF ANY INMATE SENTENCED FOR  
 5 A SEX CRIME; TO STATE THE GOALS OF THE WORK RELEASE PROGRAM; TO  
 6 REQUIRE THE COMMISSIONER TO COLLECT DATA AND TRANSMIT THE DATA TO  
 7 THE PEER COMMITTEE; TO SET FORTH ELIGIBILITY REQUIREMENTS; TO  
 8 ESTABLISH A PROCEDURE FOR THE WORK RELEASE PROGRAM; TO REQUIRE  
 9 PEER TO REVIEW THE WORK RELEASE PROGRAMS CREATED UNDER THIS ACT  
 10 AND TO FILE A REPORT WITH THE LEGISLATURE; AND FOR RELATED  
 11 PURPOSES.

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

13 **SECTION 1.** (1) The Commissioner of the Department of  
 14 Corrections is authorized to establish a work release program in  
 15 cooperation with any sheriff. Participants in the program shall  
 16 be housed at a suitable facility under the supervision of the  
 17 sheriff but separate from county or state inmates not in the work  
 18 release program. No person sentenced for a sex crime shall be  
 19 eligible for participation in a program established under this  
 20 act.

21 (2) The primary goals of the work release program are to  
 22 improve public safety by reducing recidivism and to avoid



23 unnecessary costs to taxpayers. The work release program is  
24 intended to enable participants to acquire some monetary savings  
25 prior to release from prison, improve job skills to make  
26 participants more employable, and to help participants  
27 re-establish ties with their families and communities.

28 (3) The department shall collect and maintain data which  
29 shall be shared with the Joint Legislative Committee on  
30 Performance Evaluation and Expenditure Review and Corrections and  
31 Criminal Justice Oversight Task Force semiannually in sortable  
32 electronic format. The first report shall be made by January 15,  
33 2023, and in six-month intervals thereafter. The data shall  
34 include:

35 (a) Total number of participants at the beginning of  
36 each month by race, gender, offenses charged;

37 (b) Total number of participants at the end of each  
38 month by race, gender, offenses charged;

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

41 (d) Total number of participants who successfully  
42 completed the program in each month by race, gender, offenses  
43 charged;

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



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

50 (g) Total number of participants who were convicted of  
51 a new crime while in the program in each month by race, gender,  
52 offenses charged;

53 (h) Total number of participants who completed the  
54 program and were released from confinement who were subsequently  
55 returned to inmate status within three years of completing the  
56 program and length of time between release and subsequent  
57 incarceration;

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

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

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

65 (4) Any person who has been sentenced to confinement in the  
66 department may request assignment to the work release program  
67 established under this act. Admission to the program shall be at  
68 the discretion of the department. The department may further  
69 authorize the offender to participate in educational or other  
70 rehabilitative programs designed to supplement his or her work  
71 release employment or to prepare the person for successful



72 reentry. No offender shall be eligible for this program if they  
73 are more than two (2) years from their earliest release date.

74 (5) The department shall adopt and publish rules and  
75 regulations prior to accepting inmates. These rules and  
76 regulations shall at a minimum include all requirements for work  
77 release programs established pursuant Section 47-5-451 through  
78 47-5-471. Employers participating shall pay no less than the  
79 prevailing wage for the position and under no circumstance pay  
80 less than the federal minimum wage. Employers shall provide  
81 employee benefits, including, but not limited to, workers  
82 compensation coverage and health insurance that are provided to  
83 non-participant employees of the employer. If employment does not  
84 include health care benefits the health care expenses of the  
85 participant shall be covered by the Department of Corrections.

86 (6) Any participant assigned to such a program who, without  
87 proper authority or just cause, leaves the area to which he or she  
88 has been assigned to work or attend educational or other  
89 rehabilitative programs, or leaves the vehicle or route of travel  
90 involved in his or her going to or returning from such place, will  
91 be guilty of escape as provided in Section 97-9-49. A participant  
92 who is found guilty under this section shall be ineligible for  
93 further participation in a work release program during his or her  
94 current term of confinement.

95 (7) The participant shall, maintain an account through a  
96 local financial institution. All earnings, after mandatory



97 deductions, shall be deposited to the account and participant  
98 shall provide an accounting to the sheriff and/or department. The  
99 participant shall have access to the account to purchase  
100 incidental expenses. The participant may be required to make  
101 payments towards actual cost of housing, transportation and other  
102 expenses made necessary by operation of the program, not to exceed  
103 the lesser of the cost of the program or fifty percent (50%) of  
104 wages after mandatory deductions.

105 (8) The Joint Legislative Committee on Performance  
106 Evaluation and Expenditure Review shall conduct a review of all  
107 work release programs established under this act after two (2)  
108 years and produce a report to the Legislature. The PEER Committee  
109 shall seek the assistance of the Corrections and Criminal Justice  
110 Task Force and may seek assistance from any other criminal justice  
111 experts it deems necessary during its review.

112 (9) This section shall stand repealed on July 1, 2027.

113 **SECTION 2.** This act shall take effect and be in force from  
114 and after July 1, 2022.

