

## Senate Amendments to House Bill No. 586

TO THE CLERK OF THE HOUSE:

THIS IS TO INFORM YOU THAT THE SENATE HAS ADOPTED THE AMENDMENTS SET OUT BELOW:

### AMENDMENT NO. 1

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

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

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

15           (2) The sheriff shall collect and maintain data which shall  
16 be shared semiannually with the Joint Legislative Committee on  
17 Performance Evaluation and Expenditure Review (PEER) and the  
18 Corrections and Criminal Justice Oversight Task Force in sortable  
19 electronic format. The first report shall be made before January  
20 15, 2022, and in six-month intervals thereafter. The data shall  
21 include:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

89 (8) The Joint Legislative Committee on Performance  
90 Evaluation and Expenditure Review (PEER) shall conduct a review of  
91 the work release program established under this act and produce a  
92 report to the Legislature on their effectiveness by December 1,  
93 2022. The PEER Committee shall seek the assistance of the  
94 Corrections and Criminal Justice Task Force and may seek  
95 assistance from any other criminal justice experts it deems  
96 necessary during its review.

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

98 **SECTION 2.** This act shall take effect and be in force from  
99 and after July 1, 2022, and shall be repealed from and after June  
100 30, 2022.

**Further, amend by striking the title in its entirety and  
inserting in lieu thereof the following:**

1           AN ACT TO AMEND SECTION 1, CHAPTER 429, LAWS OF 2021, TO  
2 EXTEND THE REPEALER ON THE PROVISION OF LAW THAT AUTHORIZES THE  
3 SHERIFF OF RANKIN COUNTY TO ESTABLISH A PILOT WORK RELEASE PROGRAM  
4 FOR NONVIOLENT OFFENDERS CONFINED IN JAIL; AND FOR RELATED  
5 PURPOSES.

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Eugene S. Clarke  
Secretary of the Senate