

By: Senator(s) Hill

To: Corrections; Judiciary,
Division B

SENATE BILL NO. 2356

1 AN ACT TO AMEND SECTION 47-7-9, MISSISSIPPI CODE OF 1972, TO
2 PROVIDE THAT A PROBATION AND PAROLE OFFICER SHALL NOT HANDLE MORE
3 THAN 50 CASES AT ONE TIME; AND FOR RELATED PURPOSES.

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

5 **SECTION 1.** Section 47-7-9, Mississippi Code of 1972, is
6 amended as follows:

7 47-7-9. (1) The circuit judges and county judges in the
8 districts to which Division of Community Corrections personnel
9 have been assigned shall have the power to request of the
10 department transfer or removal of the division personnel from
11 their court.

12 (2) (a) Division personnel shall investigate all cases
13 referred to them for investigation by the board, the division or
14 by any court in which they are authorized to serve. They shall
15 furnish to each person released under their supervision a written
16 statement of the conditions of probation, parole, earned-release
17 supervision, post-release supervision or suspension and shall
18 instruct the person regarding the same. They shall administer a



19 risk and needs assessment on each person under their supervision
20 to measure criminal risk factors and individual needs. They shall
21 use the results of the risk and needs assessment to guide
22 supervision responses consistent with evidence-based practices as
23 to the level of supervision and the practices used to reduce
24 recidivism. They shall develop a supervision plan for each person
25 assessed as moderate to high risk to reoffend. They shall keep
26 informed concerning the conduct and conditions of persons under
27 their supervision and use all suitable methods that are consistent
28 with evidence-based practices to aid and encourage them and to
29 bring about improvements in their conduct and condition and to
30 reduce the risk of recidivism. They shall keep detailed records
31 of their work and shall make such reports in writing as the court
32 or the board may require.

33 (b) Division personnel shall complete annual training
34 on evidence-based practices and criminal risk factors, as well as
35 instructions on how to target these factors to reduce recidivism.

36 (c) The division personnel duly assigned to court
37 districts are hereby vested with all the powers of police officers
38 or sheriffs to make arrests or perform any other duties required
39 of policemen or sheriffs which may be incident to the division
40 personnel responsibilities. All probation and parole officers
41 hired on or after July 1, 1994, will be placed in the Law
42 Enforcement Officers Training Program and will be required to meet
43 the standards outlined by that program.



44 (d) It is the intention of the Legislature that * * *
45 the case load ratio of each probation and parole officer, field
46 supervisor or such other division personnel supervising offenders
47 in the community * * * shall not exceed * * * fifty (50) cases to
48 one (1) officer or supervisor at any given time. If the case load
49 ratio of an officer or supervisor exceeds an average of
50 fifty-to-one over a period of three (3) months, the Division of
51 Community Corrections shall be assessed a civil penalty of Seven
52 Thousand Five Hundred Dollars (\$7,500.00), one-half (1/2) of which
53 shall be paid directly to such officer or supervisor and one-half
54 (1/2) of which shall be paid into the State General Fund.

55 (3) (a) Division personnel shall be provided to perform
56 investigation for the court as provided in this subsection.
57 Division personnel shall conduct presentence investigations on all
58 persons convicted of a felony in any circuit court of the state,
59 prior to sentencing and at the request of the circuit court judge
60 of the court of conviction. The presentence evaluation report
61 shall consist of a complete record of the offender's criminal
62 history, educational level, employment history, psychological
63 condition and such other information as the department or judge
64 may deem necessary. Division personnel shall also prepare written
65 victim impact statements at the request of the sentencing judge as
66 provided in Section 99-19-157.

67 (b) In order that offenders in the custody of the
68 department on July 1, 1976, may benefit from the kind of



69 evaluations authorized in this section, an evaluation report to
70 consist of the information required hereinabove, supplemented by
71 an examination of an offender's record while in custody, shall be
72 compiled by the division upon all offenders in the custody of the
73 department on July 1, 1976. After a study of such reports by the
74 State Parole Board those cases which the board believes would
75 merit some type of executive clemency shall be submitted by the
76 board to the Governor with its recommendation for the appropriate
77 executive action.

78 (c) The department is authorized to accept gifts,
79 grants and subsidies to conduct this activity.

80 **SECTION 2.** This act shall take effect and be in force from
81 and after July 1, 2023.

