

By: Representative Banks

To: Corrections

HOUSE BILL NO. 395

1 AN ACT TO AMEND SECTION 47-7-3.1, MISSISSIPPI CODE OF 1972,
2 TO PROVIDE THAT THE CASE PLANS OF INMATES WHO HAVE COMMITTED
3 NONVIOLENT OFFENSES SHALL CONTAIN CERTAIN PROGRAMS FOR
4 REHABILITATIVE PURPOSES; AND FOR RELATED PURPOSES.

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

6 **SECTION 1.** Section 47-7-3.1, Mississippi Code of 1972, is
7 amended as follows:

8 47-7-3.1. (1) In consultation with the Parole Board, the
9 department shall develop a case plan for all parole-eligible
10 inmates to guide an inmate's rehabilitation while in the
11 department's custody and to reduce the likelihood of recidivism
12 after release.

13 (2) (a) The case plan shall include, but not be limited to:

14 (* * *i) Programming and treatment requirements
15 based on the results of a risk and needs assessment;

16 (* * *ii) Any programming or treatment
17 requirements contained in the sentencing order; and

18 (* * *iii) General behavior requirements in
19 accordance with the rules and policies of the department.



20 (b) In addition to the requirements in paragraph (a) of
21 this subsection, within ninety (90) days of admission, the
22 department shall complete a case plan on all nonviolent inmates
23 that shall consist of at least two (2) of the following program
24 related areas:

- 25 (i) Criminal thinking;
26 (ii) Alcohol and drugs;
27 (iii) Life skills; and
28 (iv) Behavioral health.

29 (3) With respect to parole-eligible inmates admitted to the
30 department's custody on or after July 1, 2021, the department
31 shall complete the case plan within ninety (90) days of admission.
32 With respect to parole-eligible inmates admitted to the
33 department's custody before July 1, 2021, the department shall
34 complete the case plan by January 1, 2022.

35 (4) The department shall provide the inmate with a written
36 copy of the case plan and the inmate's caseworker shall explain
37 the conditions set forth in the case plan.

38 (a) Within ninety (90) days of admission, the
39 caseworker shall notify the inmate of their parole eligibility
40 date as calculated in accordance with Section 47-7-3(3);

41 (b) At the time a parole-eligible inmate receives the
42 case plan, the department shall send the case plan to the Parole
43 Board for approval.



44 (5) With respect to parole-eligible inmates admitted to the
45 department's custody after July 1, 2021, the department shall
46 ensure that the case plan is achievable prior to the inmate's
47 parole eligibility date. With respect to parole-eligible inmates
48 admitted to the department's custody before July 1, 2021, the
49 department shall, to the extent possible, ensure that the case
50 plan is achievable prior to the inmate's parole eligibility date
51 or next parole hearing date, or date of release, whichever is
52 sooner.

53 (6) The caseworker shall meet with the inmate every eight
54 (8) weeks from the date the offender received the case plan to
55 review the inmate's case plan progress.

56 (7) Every four (4) months the department shall
57 electronically submit a progress report on each parole-eligible
58 inmate's case plan to the Parole Board. The board may meet to
59 review an inmate's case plan and may provide written input to the
60 caseworker on the inmate's progress toward completion of the case
61 plan.

62 (8) The Parole Board shall provide semiannually to the
63 Oversight Task Force the number of parole hearings held, the
64 number of prisoners released to parole without a hearing and the
65 number of parolees released after a hearing.

66 (9) If the Department of Corrections fails to adequately
67 provide opportunity and access for the completion of such case
68 plans, the Department of Corrections shall, to the extent



69 possible, contract with regional jail facilities that offer
70 educational development and job-training programs to facilitate
71 the fulfillment of the case plans of parole-eligible inmates.

72 **SECTION 2.** This act shall take effect and be in force from
73 and after July 1, 2024.

