

By: Representative Shanks

To: Corrections

HOUSE BILL NO. 758

1 AN ACT TO AMEND SECTION 47-5-579, MISSISSIPPI CODE OF 1972,
2 TO EXTEND THE DATE OF THE REPEALER ON THE CENTRAL MISSISSIPPI
3 CORRECTIONAL FACILITY PILOT WORK INITIATIVE UNDER WHICH CERTAIN
4 INMATES MAY BE ALLOWED TO PARTICIPATE IN WORK, EDUCATIONAL AND
5 REHABILITATIVE PROGRAMS WHILE SERVING THEIR SENTENCE; AND FOR
6 RELATED PURPOSES.

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

8 **SECTION 1.** Section 47-5-579, Mississippi Code of 1972, is
9 amended as follows:

10 47-5-579. (1) (a) The corporation is authorized to create
11 a Pilot Work Initiative at the Central Mississippi Correctional
12 Facility. The initiative shall be limited to no more than
13 twenty-five (25) inmates in the program at any given time.

14 (b) The department shall:

15 (i) Have the ultimate authority for oversight of
16 the administration of the initiative;

17 (ii) Delegate the administration of the initiative
18 to the corporation; and

19 (iii) Oversee the selection of inmates for
20 admission to the initiative.



21 (2) (a) An inmate is eligible for participation in the
22 initiative if the inmate has:

23 (i) No more than two (2) years remaining on the
24 inmate's sentence;

25 (ii) Not been convicted under Section 97-9-49
26 within the last five (5) years; and

27 (iii) Not been sentenced for a sex offense as
28 defined in Section 45-33-23(h).

29 (b) Any inmate that meets the eligibility requirements
30 of paragraph (a) may request assignment to the work initiative
31 established under this section.

32 (3) (a) The commissioner shall select inmates for admission
33 to the program.

34 (b) An inmate currently participating in vocational
35 training or a soft skills training program with the department
36 shall have priority in admission to the program.

37 (4) (a) The chief executive officer may authorize the
38 inmate to participate in educational or other rehabilitative
39 programs designed to supplement his work initiative employment or
40 to prepare the person for successful reentry.

41 (b) Before accepting any participants to the program,
42 the corporation, in consultation with the department, shall adopt
43 and publish rules and regulations to effectuate this section no
44 later than six (6) months after the effective date of this
45 section. These rules and regulations shall include all protection



46 requirements for work release programs established pursuant to
47 Sections 47-5-451 through 47-5-471. Participating employers shall
48 pay no less than the prevailing wage for the position and shall
49 under no circumstance pay less than the federal minimum wage.

50 (5) Any inmate assigned to the initiative who, without
51 proper authority or just cause, leaves the area to which he has
52 been assigned to work or attend educational or other
53 rehabilitative programs, or leaves the vehicle or route of travel
54 involved in his or her going to or returning from such place, will
55 be guilty of escape as provided in Section 97-9-49. An offender
56 who is convicted under Section 97-9-49 shall be ineligible for
57 further participation in the work initiative during his or her
58 current term of confinement.

59 (6) (a) The inmate shall maintain an account through a
60 local financial institution and shall provide a copy of a check
61 stub to the chief executive officer.

62 (b) The inmate shall be required:

63 (i) To pay twenty-five percent (25%) of the
64 inmate's wages after mandatory deductions for the following
65 purposes:

66 1. To pay support of dependents or to the
67 Mississippi Department of Human Services on behalf of dependents
68 as may be ordered by a judge of competent jurisdiction; and



69 2. To pay any fines, restitution, or costs,
70 as ordered by the court, * * * including any fines and fees
71 associated with obtaining a valid driver's license upon release.

72 (ii) To pay ten percent (10%) of the inmate's
73 wages to the corporation for administrative expenses to include
74 transportation costs.

75 (iii) To save fifty percent (50%) of the inmate's
76 wages in the account required under paragraph (a) of this
77 subsection. Monies under this sub-item shall be made available to
78 the inmate upon parole or release.

79 (c) The inmate shall have access to the remaining
80 fifteen percent (15%) of the monies in the inmate's account to
81 purchase incidental expenses.

82 (7) The chief executive officer of the corporation shall
83 collect and maintain data which shall be shared semiannually with
84 the Joint Legislative Committee on Performance Evaluation and
85 Expenditure Review (PEER) and the Corrections and Criminal Justice
86 Oversight Task Force in sortable electronic format. The first
87 report shall be made on January 15, 2023, and in six-month
88 intervals thereafter unless PEER establishes a different schedule.
89 The data shall include:

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

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



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

96 (d) Total number of participants who successfully
97 completed the program in each month by race, gender, and offenses
98 charged;

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

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

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

108 (h) Total number of participants who completed the
109 program and were convicted of a new crime within three (3) years
110 of completing the program;

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

113 (j) Results of any initial risk and needs assessments
114 conducted on each participant by race, gender, and offenses
115 charged;

116 (k) Total list of participating employers;

117 (l) Total list of jobs acquired by participants;



- 118 (m) Total list the hourly wage paid to each
119 participant;
- 120 (n) Total accounting of the manner and use of the ten
121 percent (10%) of the wages paid to the corporation by the inmate
122 for administrative expenses;
- 123 (o) Total costs associated with program operations;
- 124 (p) Total list of participating financial institutions;
- 125 (q) The number of accounts opened by participants at
126 financial institutions;
- 127 (r) The average hourly wage earned in the program; and
- 128 (s) Any other data or information as requested by the
129 task force.

130 (8) The Joint Legislative Committee on Performance
131 Evaluation and Expenditure Review (PEER) shall conduct a review of
132 the initiative established under this section and produce a report
133 to the Legislature on * * * its effectiveness by January 1, 2024.
134 The PEER Committee shall seek the assistance of the Corrections
135 and Criminal Justice Task Force and may seek assistance from any
136 other criminal justice experts it deems necessary during its
137 review.

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

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

