

By: Representative Currie

To: Corrections;
Appropriations A

HOUSE BILL NO. 1599

1 AN ACT TO AMEND SECTION 47-5-11, MISSISSIPPI CODE OF 1972, TO
2 REQUIRE THE MISSISSIPPI DEPARTMENT OF CORRECTIONS TO PROCURE A
3 DATA COLLECTION AND REPORTING SYSTEM THAT ALLOWS THE DEPARTMENT TO
4 COLLECT AND KEEP CERTAIN CURRENT INFORMATION RELATED TO EACH
5 INMATE; TO PROVIDE THAT SUCH SYSTEM SHALL ALSO HAVE INFORMATION
6 RELATED TO PERSONS SUPERVISED BY THE DEPARTMENT WHO ARE ON
7 PROBATION OR PAROLE; TO PROVIDE THAT SUCH SYSTEM SHALL ALSO
8 CONTAIN CERTAIN INFORMATION RELATED TO PRISON FACILITIES; AND FOR
9 RELATED PURPOSES.

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

11 **SECTION 1.** Section 47-5-11, Mississippi Code of 1972, is
12 amended as follows:

13 47-5-11. (1) The Mississippi Department of Corrections
14 shall procure a data collection and reporting system that allows
15 the department to collect and keep current the following
16 information:

17 (a) Information related to each inmate, including:

18 (i) Identifying information, including name, date
19 of birth, race, ethnicity, immigration status, gender, highest
20 education level, case number, and identification number assigned
21 by the department.



22 (ii) Information related to each offense for which
23 the person was convicted, including, but not limited to:

24 1. Description of each offense, including the
25 statute or statutes violated.

26 2. Drug type for each drug charge, if known.

27 3. Indication by data flag or other means, of
28 the following:

29 a. The person was involved in or
30 associated with a criminal gang at the time of the offense.

31 b. The offense resulted in the person
32 being sentenced as a habitual offender under Section 99-19-81.

33 c. The offense resulted in the person
34 being sentenced as a habitual offender under Section 99-19-83.

35 d. The offense was committed after the
36 person served time for a conviction in a state or federal prison
37 in Mississippi or another state.

38 e. The offense resulted in the person
39 being required to register as a sex offender.

40 f. Any other characteristic of the
41 offense designated by the department.

42 4. Date that a court entered the sentence.

43 5. Sentence imposed by the court.

44 6. Amount of time served in custody by the
45 defendant related to each charge prior to sentencing that is



46 credited at the time of disposition of the charge to reduce the
47 imposed length of time the defendant will be incarcerated.

48 7. Total amount of court costs imposed by the
49 court at the disposition of the case.

50 8. Total amount of fines imposed by the court
51 at the disposition of the case.

52 9. Restitution amount ordered at sentencing.

53 10. The sentencing judge and court.

54 (iii) Date the inmate was admitted to the custody
55 of the department for his or her current incarceration.

56 (iv) Current institution placement and the
57 security level assigned to the institution.

58 (v) Custody level assignment.

59 (vi) Whether the reason for admission to the
60 department is for a new conviction or a violation of probation or
61 parole. For an admission for a probation or parole violation, the
62 department shall report whether the violation was technical or was
63 based on one or more arrests for one or more new violations of law
64 for which the person has not yet been convicted.

65 (vii) Length of sentence served.

66 (viii) Length of concurrent or consecutive
67 sentences served.

68 (ix) Release date if the person were to serve the
69 entire sentence incarcerated, and the tentative release date based



70 on eligibility for parole and for other reductions in time to be
71 served.

72 (x) Actual release date and reason for release,
73 including whether the person completed their sentence, or were
74 released due to parole, earned time, or other reason, which is to
75 be specified; if granted parole, an indication of whether the
76 person was granted presumptive parole.

77 (xi) Earned time granted.

78 (xii) Trusty status.

79 (xiii) Prior incarceration within the state.

80 (xiv) Disciplinary violation or violations while
81 in custody and the disciplinary action or actions taken in
82 response to the violation.

83 (xv) Disciplinary violation or violations after
84 release, including any technical violation or arrest for a new
85 crime committed, and the disciplinary action or actions taken in
86 response to the violation.

87 (xvi) The inmate's case plan, including updated
88 versions and status of progress, including a description of
89 rehabilitative and educational programs which the inmate has
90 completed while in custody, including, but not limited to high
91 school equivalency, post-secondary degrees, occupational
92 certifications and similar credentials, addiction treatment,
93 mental health treatment, and re-entry preparation courses.

94 (xvii) Any detainers the department is aware of.



95 (b) Information related to persons supervised by the
96 department on probation or parole, including, but not limited to:

97 (i) Identifying information for each person
98 supervised by the department on probation or parole, including
99 name, date of birth, race, ethnicity, immigration status, gender,
100 highest education level, case number, and identification number
101 assigned by the department.

102 (ii) Length of probation sentence imposed and
103 amount of time that has been served on such sentence.

104 (iii) Projected termination date for probation or
105 parole.

106 (iv) The post-release case plan and status of
107 progress in meeting its requirements or recommendations.

108 (v) Revocation of probation or parole due to a
109 violation, including whether the revocation is due to a technical
110 violation of the conditions of supervision or from the commission
111 of a new felony.

112 (c) Information related to prisons, including, but not
113 limited to:

114 (i) Daily prison population of all inmates
115 incarcerated in a state correctional institution or facility.

116 (ii) Daily number of correctional officers for
117 each state correctional institution or facility and the number of
118 vacancies in those positions.



119 (iii) Average daily cost per inmate at each state
120 correctional institution or facility.

121 (iv) Per diem rates paid to each facility housing
122 state inmates, including regional facilities, community work
123 centers, and local jails.

124 (d) The department shall maintain the data described in
125 this subsection and any other data the department deems
126 appropriate in a format that allows it to be aggregated in real
127 time and the aggregated data published in real time in dashboard
128 format on the department's website. The department shall also
129 make the aggregated data available on the department's website in
130 a modern, open, electronic format that is machine-readable and
131 readily accessible by the public. Data for which real-time
132 aggregating and posting is not feasible shall be aggregated and
133 posted on the department's website as quickly as feasible but no
134 less often than monthly. The department may use the reporting
135 requirements in subsection (2) of this section to guide its
136 development relevant portions of the dashboard.

137 (2) The Department of Corrections shall semiannually report
138 information described in this subsection (2) to the Oversight Task
139 Force, and upon request, shall report the information to the PEER
140 Committee as follows:

141 (a) Prison data, which shall include:

142 (i) The number of offenders entering prison on a
143 new offense;



144 (ii) The number of offenders entering prison as a
145 result of revocation of supervision;

146 (iii) The average sentence length for new prison
147 sentences by offense type;

148 (iv) The average sentence length for offenders
149 entering prison for a probation revocation;

150 (v) The average sentence length for offenders
151 entering prison for a parole revocation;

152 (vi) The average percentage of prison sentence
153 served in prison by offense type;

154 (vii) The average length of stay by offense type;

155 * * *

156 (* * *viii) Total prison population by offense
157 type and type of admission into prison;

158 * * *

159 (ix) The number of rehabilitative and educational
160 milestones described in subsection (1)(a)(xvi) of this section
161 which have been achieved by the current population under
162 department custody or supervision, listed by milestone, including,
163 but not limited to, specific certifications earned.

164 (x) The number of inmates who are working in
165 Prison Agricultural Enterprises and other job programs inside the
166 prison, listed by program.

167 (xi) The number of inmates who are participating
168 in work release programs, listed by facility.



169 (b) Probation data, which shall include:
170 (i) The number of offenders supervised on
171 probation;
172 (ii) The number of offenders placed on probation;
173 (iii) The number of probationers revoked for a
174 technical violation and sentenced to a term of imprisonment in a
175 technical violation center;
176 (iv) The average length of time served in a
177 technical violation center;
178 (* * * v) The number of probationers revoked for a
179 technical violation and sentenced to a term of imprisonment
180 in * * * a facility other than a technical violation center;
181 (* * * vi) The number of probationers who are
182 convicted of a new felony offense and sentenced to a term of
183 imprisonment;
184 (* * * vii) The number of probationers held * * *
185 in a county jail awaiting a revocation hearing; and
186 (* * * viii) The average length of stay in a
187 county jail for probationers awaiting a revocation hearing.
188 (c) Post-release supervision data, which shall include:
189 (i) The number of offenders supervised on
190 post-release supervision, by the type of supervision;
191 (ii) The number of offenders placed on
192 post-release supervision;



193 (iii) The number of post-release probationers
194 revoked for * * * one or more technical violations and sentenced
195 to a term of imprisonment in a technical violation center;

196 (iv) The number of post-release probationers
197 revoked for * * * one or more technical violations and sentenced
198 to a term of imprisonment in another type of department of
199 correction facility;

200 (v) The number of post-release probationers and
201 the number of parolees who are convicted of a new felony offense
202 and sentenced to a term of imprisonment;

203 (vi) The number of post-release probationers held
204 on a violation in a county jail awaiting a revocation hearing; and

205 (vii) The average length of stay in a county jail
206 for post-release probationers awaiting a revocation hearing.

207 (viii) Recidivism rates by offense type and risk
208 level, reported by the number of years since release. For the
209 purposes of this report, "recidivism" means the commission of
210 criminal acts that result in rearrest, reconviction or return to
211 prison with or without a new sentence. The department shall
212 report recidivism rates for one (1), three (3), and five (5) years
213 following release from prison.

214 (ix) The number of people who have been paroled
215 due to a designation as medically frail.

216 (x) The number of people who have been granted
217 presumptive parole.



218 * * *

219 (3) As used under this section, the term "technical
220 violation" means an act or omission by a person on probation,
221 parole, or post-release supervision that violates a condition or
222 conditions of supervision placed on the offender by the sentencing
223 judge, the department, or the parole board, other than an arrest
224 or conviction for a new crime. An arrest for a new crime is not a
225 technical violation.

226 (4) Information collected under this section which is
227 confidential and exempt upon collection remains confidential and
228 exempt when reported by the Department of Corrections under this
229 section.

230 (5) The data collection and reporting system required in
231 subsection (1) of this section shall allow appropriate access for
232 agencies to query underlying data that is not public but is
233 intrinsic to their work.

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

