

**Pending  
AMENDMENT NO 1 PROPOSED TO**

**Senate Bill No. 2359**

**BY: Senator(s) Sparks**

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

6           **SECTION 1.** Section 47-7-2, Mississippi Code of 1972, is  
7 amended as follows:

8           47-7-2. For purposes of this chapter, the following words  
9 shall have the meaning ascribed herein unless the context shall  
10 otherwise require:

11           (a) "Adult" means a person who is seventeen (17) years  
12 of age or older, or any person convicted of any crime not subject  
13 to the provisions of the youth court law, or any person  
14 "certified" to be tried as an adult by any youth court in the  
15 state.



16 (b) "Board" means the State Parole Board.

17 (c) "Parole case plan" means an individualized, written  
18 accountability and behavior change strategy developed by the  
19 department in collaboration with the parole board to prepare  
20 offenders for release on parole at the parole eligibility date.  
21 The case plan shall focus on the offender's criminal risk factors  
22 that, if addressed, reduce the likelihood of reoffending.

23 (d) "Commissioner" means the Commissioner of  
24 Corrections.

25 (e) "Correctional system" means the facilities,  
26 institutions, programs and personnel of the department utilized  
27 for adult offenders who are committed to the custody of the  
28 department.

29 (f) "Criminal risk factors" means characteristics that  
30 increase a person's likelihood of reoffending. These  
31 characteristics include: antisocial behavior; antisocial  
32 personality; criminal thinking; criminal associates; dysfunctional  
33 family; low levels of employment or education; poor use of leisure  
34 and recreation; and substance abuse.

35 (g) "Department" means the Mississippi Department of  
36 Corrections.

37 (h) "Detention" means the temporary care of juveniles  
38 and adults who require secure custody for their own or the  
39 community's protection in a physically restricting facility prior  
40 to adjudication, or retention in a physically restricting facility



41 upon being taken into custody after an alleged parole or probation  
42 violation.

43 (i) "Discharge plan" means an individualized written  
44 document that provides information to support the offender in  
45 meeting the basic needs identified in the pre-release assessment.  
46 This information shall include, but is not limited to: contact  
47 names, phone numbers, and addresses of referrals and resources.

48 (j) "Evidence-based practices" means supervision  
49 policies, procedures, and practices that scientific research  
50 demonstrates reduce recidivism.

51 (k) "Facility" or "institution" means any facility for  
52 the custody, care, treatment and study of offenders which is under  
53 the supervision and control of the department.

54 (l) "Juvenile," "minor" or "youthful" means a person  
55 less than seventeen (17) years of age.

56 (m) "Offender" means any person convicted of a crime or  
57 offense under the laws and ordinances of the state and its  
58 political subdivisions.

59 (n) "Pre-release assessment" means a determination of  
60 an offender's ability to attend to basic needs, including, but not  
61 limited to, transportation, clothing and food, financial  
62 resources, personal identification documents, housing, employment,  
63 education, and health care, following release.



64 (o) "Special meetings" means those meetings called by  
65 the chairman with at least twenty-four (24) hours' notice or a  
66 unanimous waiver of notice.

67 (p) "Supervision plan" means a plan developed by the  
68 community corrections department to manage offenders on probation  
69 and parole in a way that reduces the likelihood they will commit a  
70 new criminal offense or violate the terms of supervision and that  
71 increases the likelihood of obtaining stable housing, employment  
72 and skills necessary to sustain positive conduct.

73 (q) "Technical violation" means an act or omission by  
74 the probationer that violates a condition or conditions of  
75 probation placed on the probationer by the court or the probation  
76 officer, but shall not include a plea or sentence in an  
77 intervention court provided under Chapter 23, 25 or 27 of Title 9,  
78 Mississippi Code of 1972.

79 (r) "Transitional reentry center" means a  
80 state-operated or state-contracted facility used to house  
81 offenders leaving the physical custody of the Department of  
82 Corrections on parole, probation or post-release supervision who  
83 are in need of temporary housing and services that reduce their  
84 risk to reoffend.

85 (s) "Unit of local government" means a county, city,  
86 town, village or other general purpose political subdivision of  
87 the state.



88                   (t) "Risk and needs assessment" means the determination  
89 of a person's risk to reoffend using an actuarial assessment tool  
90 validated on Mississippi corrections populations and the needs  
91 that, when addressed, reduce the risk to reoffend.

92                   **SECTION 2.** This act shall take effect and be in force from  
93 and after July 1, 2025.

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

1                   AN ACT TO AMEND SECTION 47-7-2, MISSISSIPPI CODE OF 1972, TO  
2 PROVIDE THAT THE TERM "TECHNICAL VIOLATION" RELATED TO PAROLE  
3 SUPERVISION SHALL NOT INCLUDE A PLEA OR SENTENCE IN AN  
4 INTERVENTION COURT; AND FOR RELATED PURPOSES.

