MISSISSIPPI LEGISLATURE REGULAR SESSION 2007

By: Representative Malone To: Corrections

HOUSE BILL NO. 405

AN ACT TO AMEND SECTION 47-5-940, MISSISSIPPI CODE OF 1972, WHICH AUTHORIZES THE DEPARTMENT OF CORRECTIONS TO CONTRACT WITH THE BOLIVAR COUNTY REGIONAL FACILITY FOR A PILOT PROGRAM FOR AN ALCOHOL AND DRUG TREATMENT PROGRAM, TO EXTEND THE DATE OF REPEAL ON THIS SECTION FROM JANUARY 1, 2008, TO JANUARY 1, 2009; AND FOR RELATED PURPOSES.

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

SECTION 1. Section 47-5-940, Mississippi Code of 1972, is amended as follows:

47-5-940. (1) (a) The Department of Corrections may contract with the Bolivar County Regional Facility for a five-year pilot program dedicated to an intensive and comprehensive alcohol and other drug treatment program for not more than two hundred fifty (250) inmates. The Bolivar County Regional Facility shall have the option of canceling the contract for the drug treatment program after giving the Department of Corrections thirty (30) days' notice of its intent to cancel. The program shall be a prison-based treatment program designed to reduce substance abuse by inmates, correct dysfunctional thinking and behavioral patterns, and prepare inmates to make a successful and crime-free readjustment to the community.

(b) The Department of Corrections shall reimburse the Bolivar County Regional Facility at the per diem rate allowed under Section 47-5-933.

(2) (a) An inmate who is within eighteen (18) months of his or her earned release date or parole date may be placed in the program.

(b) The Department of Corrections shall remove any inmate within seventy-two (72) hours after being notified by the

Bolivar County Regional Facility that the inmate is violent or refuses to participate in the drug treatment program.

(3) The program shall consist, but is not limited to, the following components:

(a) An assessment and placement component using a recidivism needs assessment of the inmates;

(b) An intensive and comprehensive treatment and rehabilitation component which addresses the specific drug or alcohol problem of the inmate and this component shall include relapse prevention strategies, anger management strategies and regimented discipline strategies;

(c) An aftercare post-release component that has a specific transition plan for each inmate that must address specific post-release needs such as employment, housing, medical care, relapse prevention and treatment and requires personnel to assist the inmate with these needs and to assist in finding community-based programs for the inmate and requires the inmate to be tracked in at least thirty-day intervals to measure compliance with his or her established transition plan; and

(d) A monitoring assessment of recidivism containing post-release history of substance abuse, breaches of trust, arrests, convictions, employment, community functioning, and marital and family interaction.

(4) The department shall file a report annually on the program with specific data on recidivism of inmates including the data required in subsection (3)(d).

(5) The program authorized under this section may be renewed if it meets performance requirements as may be determined by the Legislature.

(6) This section shall repeal on January 1, 2009.

SECTION 2. This act shall take effect and be in force from and after July 1, 2007.