

By: Senator(s) Hill, Seymour

To: Judiciary, Division B;  
Appropriations

SENATE BILL NO. 2080

1 AN ACT TO AMEND SECTION 47-7-9, MISSISSIPPI CODE OF 1972, TO  
2 LIMIT TO 100 THE NUMBER OF CASES THAT A PROBATION AND PAROLE  
3 OFFICER MAY HANDLE AT ONE TIME; AND FOR RELATED PURPOSES.

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

5 **SECTION 1.** Section 47-7-9, Mississippi Code of 1972, is  
6 amended as follows:

7 47-7-9. (1) The circuit judges and county judges in the  
8 districts to which Division of Community Corrections personnel  
9 have been assigned shall have the power to request of the  
10 department transfer or removal of the division personnel from  
11 their court.

12 (2) (a) Division personnel shall investigate all cases  
13 referred to them for investigation by the board, the division or  
14 by any court in which they are authorized to serve. They shall  
15 furnish to each person released under their supervision a written  
16 statement of the conditions of probation, parole, earned-release  
17 supervision, post-release supervision or suspension and shall  
18 instruct the person regarding the same. They shall administer a



19 risk and needs assessment on each person under their supervision  
20 to measure criminal risk factors and individual needs. They shall  
21 use the results of the risk and needs assessment to guide  
22 supervision responses consistent with evidence-based practices as  
23 to the level of supervision and the practices used to reduce  
24 recidivism. They shall develop a supervision plan for each person  
25 assessed as moderate to high risk to reoffend. They shall keep  
26 informed concerning the conduct and conditions of persons under  
27 their supervision and use all suitable methods that are consistent  
28 with evidence-based practices to aid and encourage them and to  
29 bring about improvements in their conduct and condition and to  
30 reduce the risk of recidivism. They shall keep detailed records  
31 of their work and shall make such reports in writing as the court  
32 or the board may require.

33 (b) Division personnel shall complete annual training  
34 on evidence-based practices and criminal risk factors, as well as  
35 instructions on how to target these factors to reduce recidivism.

36 (c) The division personnel duly assigned to court  
37 districts are hereby vested with all the powers of police officers  
38 or sheriffs to make arrests or perform any other duties required  
39 of policemen or sheriffs which may be incident to the division  
40 personnel responsibilities. All probation and parole officers  
41 hired on or after July 1, 1994, will be placed in the Law  
42 Enforcement Officers Training Program and will be required to meet  
43 the standards outlined by that program.



44 (d) It is the intention of the Legislature that \* \* \*  
45 the case load of each probation and parole officer, field  
46 supervisor or such other division personnel supervising offenders  
47 in the community \* \* \* shall not exceed \* \* \* one hundred (100)  
48 cases at any given time.

49 (3) (a) Division personnel shall be provided to perform  
50 investigation for the court as provided in this subsection.  
51 Division personnel shall conduct presentence investigations on all  
52 persons convicted of a felony in any circuit court of the state,  
53 prior to sentencing and at the request of the circuit court judge  
54 of the court of conviction. The presentence evaluation report  
55 shall consist of a complete record of the offender's criminal  
56 history, educational level, employment history, psychological  
57 condition and such other information as the department or judge  
58 may deem necessary. Division personnel shall also prepare written  
59 victim impact statements at the request of the sentencing judge as  
60 provided in Section 99-19-157.

61 (b) In order that offenders in the custody of the  
62 department on July 1, 1976, may benefit from the kind of  
63 evaluations authorized in this section, an evaluation report to  
64 consist of the information required hereinabove, supplemented by  
65 an examination of an offender's record while in custody, shall be  
66 compiled by the division upon all offenders in the custody of the  
67 department on July 1, 1976. After a study of such reports by the  
68 State Parole Board those cases which the board believes would



69 merit some type of executive clemency shall be submitted by the  
70 board to the Governor with its recommendation for the appropriate  
71 executive action.

72 (c) The department is authorized to accept gifts,  
73 grants and subsidies to conduct this activity.

74 **SECTION 2.** This act shall take effect and be in force from  
75 and after July 1, 2020.

