

## REPORT OF CONFERENCE COMMITTEE

**MR. SPEAKER AND MR. PRESIDENT:**

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 844: State Parole Board; require to solicit recommendations from and provide notification to certain individuals before parole hearing.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.
2. That the House and Senate adopt the following amendment:

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

9           **SECTION 1.** Section 47-7-17, Mississippi Code of 1972, is  
10 amended as follows:  
11           47-7-17. (1) Within one (1) year after his admission and at  
12 such intervals thereafter as it may determine, the board shall  
13 secure and consider all pertinent information regarding each  
14 offender, except any under sentence of death or otherwise  
15 ineligible for parole, including the circumstances of his offense,  
16 his previous social history, his previous criminal record,  
17 including any records of law enforcement agencies or of a youth  
18 court regarding that offender's juvenile criminal history, his  
19 conduct, employment and attitude while in the custody of the  
20 department, the case plan created to prepare the offender for  
21 parole, and the reports of such physical and mental examinations



22 as have been made. The board shall furnish at least three (3)  
23 months' written notice to each such offender of the date on which  
24 he is eligible for parole.

25 (2) Except as provided in Section 47-7-18, the board shall  
26 require a parole-eligible offender to have a hearing as required  
27 in this chapter before the board and to be interviewed. The  
28 hearing shall be held no later than thirty (30) days prior to the  
29 month of eligibility. No application for parole of a person  
30 convicted of a capital offense shall be considered by the board  
31 unless and until notice of the filing of such application shall  
32 have been published at least once a week for two (2) weeks in a  
33 newspaper published in or having general circulation in the county  
34 in which the crime was committed. The board shall, within thirty  
35 (30) days prior to the scheduled hearing, also give notice of the  
36 filing of the application for parole to the victim of the offense  
37 for which the prisoner is incarcerated and being considered for  
38 parole or, in case the offense be homicide, a designee of the  
39 immediate family of the victim, provided the victim or designated  
40 family member has furnished in writing a current address to the  
41 board for such purpose. The victim or designated family member  
42 shall be provided an opportunity to be heard by the board before  
43 the board makes a decision regarding release on parole. The board  
44 shall consider whether any restitution ordered has been paid in  
45 full. Parole release shall, at the hearing, be ordered only for  
46 the best interest of society, not as an award of clemency; it



47 shall not be considered to be a reduction of sentence or pardon.  
48 An offender shall be placed on parole only when arrangements have  
49 been made for his proper employment or for his maintenance and  
50 care, and when the board believes that he is able and willing to  
51 fulfill the obligations of a law-abiding citizen. When the board  
52 determines that the offender will need transitional housing upon  
53 release in order to improve the likelihood of the offender  
54 becoming a law-abiding citizen, the board may parole the offender  
55 with the condition that the inmate spends no more than six (6)  
56 months in a transitional reentry center. At least fifteen (15)  
57 days prior to the release of an offender on parole, the director  
58 of records of the department shall give the written notice which  
59 is required pursuant to Section 47-5-177. Every offender while on  
60 parole shall remain in the legal custody of the department from  
61 which he was released and shall be amenable to the orders of the  
62 board. Upon determination by the board that an offender is  
63 eligible for release by parole, notice shall also be given within  
64 at least fifteen (15) days before release, by the board to the  
65 victim of the offense or the victim's family member, as indicated  
66 above, regarding the date when the offender's release shall occur,  
67 provided a current address of the victim or the victim's family  
68 member has been furnished in writing to the board for such  
69 purpose.

70 (3) For any hearing where an offender has been convicted of  
71 a crime of violence, as set out under Section 97-3-2 or any



72 offense set out under Section 47-7-3(1)(a) through (g), the board  
73 shall, within thirty (30) days prior to the scheduled hearing,  
74 solicit the written or oral recommendations of the Attorney  
75 General, the attorney who prosecuted the case, the judge who  
76 presided over the case, the chief of police of the municipality  
77 where the offender was convicted and the sheriff of the county  
78 where the offender was convicted.

79 (4) The board shall, within thirty (30) days prior to the  
80 scheduled hearing, also give written or electronic notice of the  
81 filing of the application for parole to the attorney who  
82 prosecuted the case, the judge who presided over the case, the  
83 chief of police of the municipality where the offender was  
84 convicted and the sheriff of the county where the offender was  
85 convicted.

86 (5) If the attorney who prosecuted the case or the judge who  
87 presided over the case is not living or serving, solicitation for  
88 recommendations under subsection (3) and notice under subsection  
89 (4) shall be given to the district attorney and one of the judges  
90 of the court in which the offender was convicted.

91 ( \* \* \*6) Failure to provide notice to the victim or the  
92 victim's family member of the filing of the application for parole  
93 or of any decision made by the board regarding parole shall not  
94 constitute grounds for vacating an otherwise lawful parole  
95 determination nor shall it create any right or liability, civilly  
96 or criminally, against the board or any member thereof.



97 ( \* \* \*7) A letter of protest against granting an offender  
98 parole shall not be treated as the conclusive and only reason for  
99 not granting parole.

100 ( \* \* \*8) The board may adopt such other rules not  
101 inconsistent with law as it may deem proper or necessary with  
102 respect to the eligibility of offenders for parole, the conduct of  
103 parole hearings, or conditions to be imposed upon parolees,  
104 including a condition that the parolee submit, as provided in  
105 Section 47-5-601 to any type of breath, saliva or urine chemical  
106 analysis test, the purpose of which is to detect the possible  
107 presence of alcohol or a substance prohibited or controlled by any  
108 law of the State of Mississippi or the United States. The board  
109 shall have the authority to adopt rules related to the placement  
110 of certain offenders on unsupervised parole and for the operation  
111 of transitional reentry centers. However, in no case shall an  
112 offender be placed on unsupervised parole before he has served a  
113 minimum of fifty percent (50%) of the period of supervised parole.

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

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

1 AN ACT TO AMEND SECTION 47-7-17, MISSISSIPPI CODE OF 1972, TO  
2 REQUIRE THE MISSISSIPPI STATE PAROLE BOARD TO SOLICIT  
3 RECOMMENDATIONS FROM CERTAIN INDIVIDUALS BEFORE A PAROLE HEARING  
4 WHENEVER SUCH HEARING IS FOR ANY OFFENDER WHO HAS BEEN CONVICTED  
5 OF CERTAIN CRIMES OF VIOLENCE; TO REQUIRE THE MISSISSIPPI STATE



6 PAROLE BOARD TO NOTIFY CERTAIN INDIVIDUALS WITHIN A SET PERIOD OF  
7 TIME BEFORE A PAROLE HEARING; AND FOR RELATED PURPOSES.

CONFEREES FOR THE HOUSE

X (SIGNED)  
Becky Currie

X (SIGNED)  
Kevin Horan

X (SIGNED)  
Randy Rushing

CONFEREES FOR THE SENATE

X (SIGNED)  
Juan Barnett

X (SIGNED)  
Daniel H. Sparks

X (SIGNED)  
Jason Barrett

