

By: Senator(s) Sparks, Suber

To: Corrections

SENATE BILL NO. 2359
(As Passed the Senate)

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.

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

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



meeting the basic needs identified in the pre-release assessment.
This information shall include, but is not limited to: contact
names, phone numbers, and addresses of referrals and resources.

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

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

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

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

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

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

(p) "Supervision plan" means a plan developed by the
community corrections department to manage offenders on probation
and parole in a way that reduces the likelihood they will commit a



new criminal offense or violate the terms of supervision and that increases the likelihood of obtaining stable housing, employment and skills necessary to sustain positive conduct.

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

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

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

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

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

