

By: Senator(s) Barnett

To: Corrections;  
Appropriations

## SENATE BILL NO. 2035

1 AN ACT TO AMEND SECTION 47-5-11, MISSISSIPPI CODE OF 1972, TO  
2 PRESCRIBE SPECIFIC DATA TO BE COLLECTED BY THE MISSISSIPPI  
3 DEPARTMENT OF CORRECTIONS RELATIVE TO INMATE OFFENSE, INMATE  
4 SENTENCING, CORRECTIONAL FACILITY INMATE POPULATION AND STAFFING,  
5 AND PROBATION AND PAROLEE IDENTIFICATION; TO DIRECT THE DEPARTMENT  
6 TO PUBLISH DATASETS ON A CONFIDENTIAL BASIS; AND FOR RELATED  
7 PURPOSES.

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

9 **SECTION 1.** Section 47-5-11, Mississippi Code of 1972, is  
10 amended as follows:

11 47-5-11. (1) Subject to appropriation, the Mississippi  
12 Department of Corrections shall procure a data collection and  
13 reporting system that allows the department to collect and keep  
14 current the following information:

15 (a) Information related to each inmate, including:

16 (i) Identifying information, including name, date  
17 of birth, race, ethnicity, gender, highest education level,  
18 immigration status, case number, identification number assigned by  
19 the department, and any other information designated by the  
20 department;



(ii) Information related to each offense for which the person was convicted, including, but not limited to:

1. Description of each offense, including the statute or statutes violated;

2. Drug type for each drug charge, if known;  
or

3. Indication by data flag or other means, of the following:

a. The person was involved in or associated with a criminal gang at the time of the offense;

b. The offense resulted in the person being sentenced as a habitual offender under Section 99-19-81;

c. The offense resulted in the person being sentenced as a habitual offender under Section 99-19-83;

d. The offense was committed after the person served time for a conviction in a state or federal prison in Mississippi or another state;

e. The offense resulted in the person being required to register as a sex offender; or

f. Any other characteristic of the offense designated by the department.

4. Date that a court entered the sentence;

5. Sentence imposed by the court;

6. Amount of time served in custody by the defendant related to each charge prior to sentencing that is



credited at the time of disposition of the charge to reduce the  
imposed length of time the defendant will be incarcerated;

7. Total amount of court costs imposed by the  
court at the disposition of the case;

8. Total amount of fines imposed by the court  
at the disposition of the case;

9. Restitution amount ordered at sentencing;  
or

10. The sentencing judge and court.

(iii) Date the inmate was admitted to the custody  
of the Department of Corrections for his or her current  
incarceration;

(iv) Whether the reason for the current admission  
to the department is for a new conviction or for a violation of  
probation or parole. For an admission for a probation or parole  
violation, the department shall report whether the violation was  
technical or was due to the commission of a new criminal act;

(v) Prior incarceration within the state;

(vi) Any detainers the department is aware of;

(vii) The inmate's case plan, including:

1. The results of the inmate's criminogenic  
risk-needs assessment at admission and in preparation for release  
from incarceration;

2. Updated versions of the case plan;



70                   3. The status of progress, including a  
71 description of rehabilitative and educational programs which the  
72 inmate has completed while in custody, including, but not limited  
73 to, high school equivalency, post-secondary degrees, occupational  
74 certifications and similar credentials, addiction treatment,  
75 mental health treatment, and re-entry preparation courses.

76                   (viii) Whether the department has possession of  
77 the inmate's:

- 78                   1. Social security card;  
79                   2. Birth certificate; or  
80                   3. Driver's license if the inmate possesses a  
81 driver's license at the time of admission to the department;  
82                   4. Provisional driver's license to be  
83 provided upon release, as provided for in Section 63-1-301 et  
84 seq.;

85                   (ix) Institution placement and the security level  
86 assigned to the institution. If the inmate is located in more  
87 than one (1) institution during the inmate's incarceration, all  
88 such institutions are to be listed with the date the inmate was  
89 placed at each location;

90                   (x) Custody level assignment. If the inmate is  
91 assigned more than one (1) custody level during the inmate's  
92 incarceration, all such assignments are to be listed with the date  
93 each assignment was issued;



94                    (xi) Trusty status, including the date trusty  
95 status was granted and the date it was revoked, if applicable;

96                    (xii) Disciplinary violation or violations while  
97 in custody and the disciplinary action or actions taken in  
98 response to the violation;

99                    (xiii) Release date if the person were to serve  
100 the entire sentence incarcerated, and the tentative release date  
101 based on eligibility for parole and for other reductions in time  
102 to be served;

103                    (xiv) Actual release date and reason for release,  
104 including whether the person completed his sentence, or was  
105 released due to parole, earned time, or other reason, which is to  
106 be specified; if granted parole, an indication of whether the  
107 person was granted presumptive parole;

108                    (xv) Earned time granted;

109                    (xvi) Length of sentence served;

110                    (xvii) Length of concurrent or consecutive  
111 sentences served;

112                    (xviii) Disciplinary violation or violations after  
113 release and the disciplinary action or actions taken in response  
114 to the violation; and

115                    (xix) Any other information necessary to produce  
116 the reports required in subsection (2) of this section.



(b) Information related to persons supervised by the department on probation or post-release supervision, including, but not limited to:

(i) Identifying information, including name, date of birth, race, ethnicity, gender, highest education level, immigration status, case number, and identification number assigned by the department;

(ii) Length of probation sentence imposed and amount of time that has been served on such sentence;

(iii) Projected termination date for probation;

(iv) The post-release case plan and status of progress in meeting its requirements or recommendations;

(v) Revocation of probation or parole due to a violation, including whether the revocation is due to a technical violation of the conditions of supervision or the commission of a new felony; and

(vi) Any other information necessary to produce the reports required in subsection (2) of this section.

(c) Information related to prisons, including, but not limited to:

(i) Daily prison population of all inmates incarcerated in a state correctional institution or facility;

(ii) Daily number of correctional officers for each state correctional institution or facility and the number of vacancies in those positions;



142                    (iii) Average daily cost per inmate at each state  
143 correctional institution or facility;

144                    (iv) Per diem rates paid to each facility housing  
145 state inmates, including regional facilities, community work  
146 centers, and local jails; and

147                    (v) Any other information necessary to produce the  
148 reports required in subsection (2) of this section.

149                    (d) The department shall maintain the data described in  
150 this subsection and any other data the department deems  
151 appropriate in a format that allows it to be aggregated in real  
152 time and the aggregated data published in real time in dashboard  
153 format on the department's website. The department shall also  
154 make the aggregated data available on the department's website in  
155 a modern, open, electronic format that is machine-readable and  
156 readily accessible by the public. Data for which real-time  
157 aggregating and posting is not feasible shall be aggregated and  
158 posted on the department's website as quickly as feasible but no  
159 less often than monthly. The department may use the reporting  
160 requirements in subsection (2) of this section to guide its  
161 development of relevant portions of the dashboard.

162                    (2) The Department of Corrections shall semiannually report  
163 information required in this subsection (2) to the Oversight Task  
164 Force, and upon request, shall report the information to the PEER  
165 Committee as follows:

166                    (a) Prison data, which shall include:



167 (i) The number of offenders entering prison on a  
168 new offense;

169 (ii) The number of offenders entering prison as a  
170 result of revocation of supervision;

171 (iii) The average sentence length for new prison  
172 sentences by offense type;

173 (iv) The average remaining sentence length for  
174 offenders entering prison for a probation revocation;

175 (v) The average remaining sentence length for  
176 offenders entering prison for a parole revocation;

177 (vi) The average percentage of prison sentence  
178 served in prison by offense type;

179 (vii) The average length of stay by offense type;

180 \* \* \* ~~\_\_\_\_\_ (viii) Recidivism rates. For the purposes of~~  
181 ~~this report, "recidivism" means conviction of a new felony offense~~  
182 ~~within three (3) years of release from prison;~~

183 ~~\_\_\_\_\_ 1. Recidivism rates by offense type;~~  
184 ~~\_\_\_\_\_ 2. Recidivism rates by risk level;~~

185 ( \* \* \* ~~ix~~ viii) Total prison population by offense  
186 type and type of admission into prison;

187 \* \* \* ~~\_\_\_\_\_ 1. By offense type;~~  
188 ~~\_\_\_\_\_ 2. By type of admission into prison.~~

189 (ix) The number of rehabilitative and educational  
190 milestones described in subsection (1)(a)(xvi) of this section  
191 which have been achieved by the current population under





department custody or supervision, listed by milestone, including,  
but not limited to, specific certifications earned;

(x) The number of inmates who are working in  
Prison Agricultural Enterprises and other job programs inside the  
prison, listed by program; and

(xi) The number of inmates who are participating  
in work-release programs, listed by facility.

(b) Probation data, which shall include:

(i) The number of offenders supervised on  
probation;

(ii) The number of offenders placed on probation;

(iii) The number of probationers revoked for a  
technical violation and sentenced to a term of imprisonment in a  
technical violation center and the average length of time served  
in a technical violation center;

(iv) The number of probationers revoked for a  
technical violation and sentenced to a term of imprisonment  
in ~~\* \* \*~~ another type of department of correction a facility other  
than a technical violation center and the average length of time  
served in such facilities;

(v) The number of probationers who are convicted  
of a new felony offense and sentenced to a term of imprisonment;

(vi) The number of probationers held ~~\* \* \*~~ ~~on a~~  
~~violation~~ in a county jail awaiting a revocation hearing; and



(vii) The average length of stay in a county jail for probationers awaiting a revocation hearing.

(c) Post-release supervision data, which shall include:

(i) The number of offenders supervised on post-release supervision, by the type of supervision;

(ii) The number of offenders placed on post-release supervision;

(iii) The number of offenders on post-release ~~\*\*\*probationers~~ supervision revoked for ~~\*\*\*a~~ technical violation and sentenced to a term of imprisonment in a technical violation center, and the average length of time served in a technical violation center;

(iv) The number of offenders on post-release ~~\*\*\*~~ ~~probationers~~ supervision revoked for a technical violation and sentenced to a term of imprisonment in ~~\*\*\*another type of~~ ~~department of correction facility~~ a facility other than a technical violation center, and the average length of time served in such facilities;

(v) The number of offenders on post-release ~~\*\*\*~~ ~~probationers~~ supervision who are convicted of a new felony offense and sentenced to a term of imprisonment;

(vi) The number of offenders on post-release ~~\*\*\*~~ ~~probationers~~ supervision held ~~\*\*\*on a violation~~ in a county jail awaiting a revocation hearing, and average length of stay in a county jail awaiting a revocation hearing; \*\*\*and



(vii) \* \* \* ~~The average length of stay in a county jail for post-release probationers awaiting a revocation hearing.~~ Recidivism rates by offense type and risk level, reported by the number of years since release. For the purposes of this report, "recidivism" means the commission of a crime after the person has been convicted of a previous crime, whether the person is under supervision of the department or not. The department shall report recidivism rates for one (1), three (3), and five (5) years following release from prison;

(viii) The number of people who have been paroled due to a designation as medically frail; and

(ix) The number of people who have been granted presumptive parole.

\* \* \* ~~(2) The Department of Corrections shall semiannually report information required in subsection (1) of this section to the Oversight Task Force, and upon request, shall report the information to the PEER Committee.~~

(3) As used in this section, the term "technical violation" means an act or omission by a person on probation or post-release supervision that violates a condition or conditions of supervision placed on the offender by the sentencing judge, the department, or the Parole Board, other than for the commission of a new crime. Commission of a new crime is not a technical violation.

(4) Information collected under this section which is confidential and exempt upon collection remains confidential and



266 exempt when reported by the Department of Corrections under this  
267 section.

268 (5) The data collection and reporting system required in  
269 subsection (2) of this section shall allow appropriate access for  
270 agencies to query underlying data that is not public but is  
271 intrinsic to their work.

272 **SECTION 2.** This act shall take effect and be in force from  
273 and after July 1, 2026.

