MISSISSIPPI LEGISLATURE REGULAR SESSION 2021

By: Representative Banks

To: Corrections; Judiciary B

HOUSE BILL NO. 398

AN ACT TO AMEND SECTION 47-7-3.1, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE CASE PLANS OF INMATES WHO HAVE COMMITTED VIOLENT OFFENSES SHALL CONTAIN CERTAIN PROGRAMS FOR REHABILITATIVE PURPOSES; AND FOR RELATED PURPOSES.

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

SECTION 1. Section 47-7-3.1, Mississippi Code of 1972, is amended as follows:

47-7-3.1. (1) In consultation with the Parole Board, the department shall develop a case plan for all parole eligible inmates to guide an inmate's rehabilitation while in the department's custody and to reduce the likelihood of recidivism after release.

(2) (a) Within ninety (90) days of admission, the department shall complete a case plan on all inmates which shall include, but not limited to:

(* * *i) Programming and treatment requirements based on the results of a risk and needs assessment;

(* * *ii) Any programming or treatment requirements contained in the sentencing order; and

(* * *iii) General behavior requirements in accordance with the rules and policies of the department.

(b) In addition to the requirements in paragraph (a) of this subsection, within ninety (90) days of admission, the department shall complete a case plan that requires screening for physiological and/or social issues on inmates who committed violent offenses. Additionally, such case plans shall consist of programs such as 70 X 7 and Love Your Neighbor or other programs that focus on why the inmate committed the crime and how to prevent future crimes from being committed. The case plans shall also contain programs that enable such inmates to coexist with society.

(3) The department shall provide the inmate with a written copy of the case plan and the inmate's caseworker shall explain the conditions set forth in the case plan.

(a) Within ninety (90) days of admission, the caseworker shall notify the inmate of their parole eligibility date as calculated in accordance with Section 47-7-3(3);

(b) At the time a parole-eligible inmate receives the case plan, the department shall send the case plan to the Parole Board for approval.

(4) The department shall ensure that the case plan is achievable prior to inmate's parole eligibility date.

(5) The caseworker shall meet with the inmate every eight (8) weeks from the date the offender received the case plan to review the inmate's case plan progress.

(6) Every four (4) months the department shall electronically submit a progress report on each parole-eligible inmate's case plan to the Parole Board. The board may meet to review an inmate's case plan and may provide written input to the caseworker on the inmate's progress toward completion of the case plan.

(7) The Parole Board shall provide semiannually to the Oversight Task Force the number of parole hearings held, the number of prisoners released to parole without a hearing and the number of parolees released after a hearing.

SECTION 2. This act shall take effect and be in force from and after July 1, 2021.