

Reply Id : eK38

Reply to comments by "Social Justice is Biblically Based" :

Thank you so much for your comments and for urging other readers to post comments on BTB blogs. Like you, I do think that people are reading BTB posts ; many just don't know what to say to a stranger - especially one in prison.

As for the closure of Parchman, the State has NOT signaled a willingness to go that far. Unit 29 - Parchman's largest and most notorious unit - is closing as some of my posts have covered recently. But the politicians do not have any desire or will to close the remainder of that prison at this time.

That being said, there is legislation (Senate Bill 2123) that recently passed the Senate which would make thousands of prisoners - including myself - immediately eligible for parole. If this bill also passes the House of Representatives and becomes law, it would lead to a significant reduction in the State's prison population ; and that reduction very well could result in the eventual closure of additional units or even some prisons.

I'm including a copy of Senate Bill 2123 below :



MS SB2123 | 2020 | Regular Session

Mississippi Senate Bill 2123

Status

Spectrum: Partisan Bill (Democrat 5-0)
Status: Engrossed on March 12 2020 - 50% progression
Action: 2020-03-12 - Passed As Amended
Text: Latest bill text (Comm Sub) [HTML]

Summary

An Act Entitled The "Mississippi Correctional Safety And Rehabilitation Act Of 2020"; To Make Certain Legislative Findings Relative To Mississippi Corrections Policy; To Amend Section 47-7-3, Mississippi Code Of 1972, To Prescribe Conditions For Parole Eligibility And To Provide That No Inmate Shall Be Eligible To Petition The Sentencing Court For Parole Eligibility If The Inmate Is Serving A Sentence For A Crime Of Violence; To Amend Section 47-7-3.1, Mississippi Code Of 1972, To Prescribe Dates For The Mississippi Department Of Corrections To Complete Case Plans For Parole-eligible Inmates To Ensure That The Plan Is Achievable; To Amend Section 47-7-3.2, Mississippi Code Of 1972, To Clarify Certain Exemptions From Minimum Sentencing Requirements For Inmates; To Amend Section 47-7-5, Mississippi Code Of 1972, To Require An Affirmative Vote Of At Least Three Members Of The Mississippi Parole Board To Grant Parole To An Inmate Convicted Of A Crime Of Violence After June 30 1995; To Amend Section 47-7-13, Mississippi Code Of 1972, To Require An Affirmative Vote Of At Least Four Members Of The Mississippi Parole Board To Grant Parole To A Sex Offender; To Amend Section 47-7-15, Mississippi Code Of 1972, In Conformity; To Amend Section 47-7-17, Mississippi Code Of 1972, To Provide That The Victim Or Designated Family Member Shall Be Provided An Opportunity To Be Heard By The Parole Board Prior To A Parole Decision; To Amend Section 47-7-18, Mississippi Code Of 1972, To Require Certain Parole Hearings For Sex Offenders; To Bring Forward Section 47-7-33.1, Mississippi Code Of 1972, Regarding Department Discharge Plans For Released Inmates; And For Related Purposes.

Title

"Mississippi Correctional Safety and Rehabilitation Act of 2020"; enact.

Sponsors

Sen. Juan Barnett [D]	Sen. Derrick Simmons [D]	Sen. Joseph Thomas [D]	Sen. Sampson Jackson [D]
Sen. Willie Simmons [D]			

History

Date	Chamber	Action
2020-03-12	Senate	Passed As Amended
2020-03-12	Senate	Amended
2020-03-12	Senate	Committee Substitute Adopted
2020-02-25	Senate	Title Suff Do Pass Comm Sub
2020-02-25	Senate	DR - TSDPCS: JB To CR
2020-01-23	Senate	Referred To Judiciary, Division B;Corrections

Mississippi State Sources

Type	Source
Summary	http://billstatus.ls.state.ms.us/2020/pdf/history/SB/SB2123.xml
Text	http://billstatus.ls.state.ms.us/documents/2020/html/SB/2100-2199/SB2123IN.htm
Text	http://billstatus.ls.state.ms.us/documents/2020/html/SB/2100-2199/SB2123CS.htm
Amendment	http://billstatus.ls.state.ms.us/documents/2020/html/sam/SB2123_S_(Cmte_Sub)_Amend_01.htm

Type	Source
Amendment	http://billstatus.ls.state.ms.us/documents/2020/html/sam/SB2123_S_(Cmte_Sub)_Amend_02.htm

Bill Comments



Bill Text: MS SB2123 | 2020 | Regular Session | Comm Sub

Mississippi Senate Bill 2123

Bill Title: "Mississippi Correctional Safety and Rehabilitation Act of 2020"; enact.

Spectrum: Partisan Bill (Democrat 5-0)

Status: (Engrossed) 2020-03-12 - Passed As Amended [SB2123 Detail]

Download: Mississippi-2020-SB2123-Comm_Sub.html

MISSISSIPPI LEGISLATURE

2020 Regular Session

To: Judiciary, Division B; Corrections

By: Senator(s) Barnett, Simmons (12th), Thomas, Jackson (32nd), Simmons (13th)

Senate Bill 2123

(COMMITTEE SUBSTITUTE)

AN ACT ENTITLED THE "MISSISSIPPI CORRECTIONAL SAFETY AND REHABILITATION ACT OF 2020"; TO AMEND SECTION 47-7-3, MISSISSIPPI CODE OF 1972, TO PRESCRIBE CONDITIONS FOR PAROLE ELIGIBILITY AND TO PROVIDE LIMITATIONS ON INMATE ELIGIBILITY TO PETITION THE SENTENCING COURT FOR PAROLE ELIGIBILITY IF THE INMATE IS SERVING A SENTENCE FOR A CRIME OF VIOLENCE OR NONVIOLENCE; TO AMEND SECTION 47-7-3.1, MISSISSIPPI CODE OF 1972, TO PRESCRIBE DATES FOR THE MISSISSIPPI DEPARTMENT OF CORRECTIONS TO COMPLETE CASE PLANS FOR PAROLE-ELIGIBLE INMATES TO ENSURE THAT THE PLAN IS ACHIEVABLE; TO AMEND SECTION 47-7-5, MISSISSIPPI CODE OF 1972, TO REQUIRE AN AFFIRMATIVE VOTE OF AT LEAST THREE MEMBERS OF THE MISSISSIPPI PAROLE BOARD TO GRANT PAROLE TO AN INMATE CONVICTED OF A CRIME OF VIOLENCE AFTER JUNE 30 1995; TO AMEND SECTION 47-7-13, MISSISSIPPI CODE OF 1972, TO REQUIRE AN AFFIRMATIVE VOTE OF AT LEAST FOUR MEMBERS OF THE MISSISSIPPI PAROLE BOARD TO GRANT PAROLE TO A SEX OFFENDER; TO AMEND SECTION 47-7-15, MISSISSIPPI CODE OF 1972, IN CONFORMITY; TO AMEND SECTION 47-7-17, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE VICTIM OR DESIGNATED FAMILY MEMBER SHALL BE PROVIDED AN OPPORTUNITY TO BE HEARD BY THE PAROLE BOARD PRIOR TO A PAROLE DECISION; TO AMEND SECTION 47-7-18, MISSISSIPPI CODE OF 1972, TO REQUIRE CERTAIN PAROLE HEARINGS FOR SEX OFFENDERS; TO BRING FORWARD SECTION 47-7-33.1, MISSISSIPPI CODE OF 1972, REGARDING DEPARTMENT DISCHARGE PLANS FOR RELEASED INMATES; TO REPEAL SECTION 47-7-3.2, MISSISSIPPI CODE OF 1972, WHICH PROVIDES A MINIMUM TIME OFFENDERS CONVICTED OF A CRIME OF VIOLENCE MUST SERVE BEFORE RELEASE AND A MINIMUM PERCENTAGE OF OTHER SENTENCES OTHER OFFENDERS MUST SERVE BEFORE RELEASE; AND FOR RELATED PURPOSES.

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

SECTION 1. This act shall be known and may be cited as the "Mississippi Correctional Safety and Rehabilitation Act of 2020."

SECTION 2. Section 47-7-3, Mississippi Code of 1972, is amended as follows:

47-7-3. (1) Every prisoner who has been convicted of any offense against the State of Mississippi, and is confined in the execution of a judgment of such conviction in the Mississippi Department of Corrections for a definite term or terms of one (1) year or over, or for the term of his or her natural life, whose record of conduct shows that such prisoner has observed the rules of the department, and who has served not less than one-fourth (1/4) of the total of such term or terms for which such prisoner was sentenced, or, * * * if sentenced for the term of the natural life of such prisoner * * * and has served not less than ten (10) years of such life sentence, may be released on parole as * * * set forth herein:

(a) Habitual offenders. No prisoner * * * sentenced as a confirmed and habitual criminal under the provisions of Sections 99-19-81 through 99-19-87 shall be eligible for parole;

(b) Sex offenders. Any person who shall have been convicted of a sex crime shall not be released on parole except for a person under the age of nineteen (19) who has been convicted under Section 97-3-67;

* * *

(* * * c) No person shall be eligible for parole who, on or after July 1, 1994, is * * * sentenced to life imprisonment without eligibility for parole under the provisions of Section 99-19-101;

(* * * d) No person shall be eligible for parole who is * * * convicted of an offense that specifically prohibits parole release;

* * *

(* * * e) Parole for violent, nonviolent offenses. (i) * * * Except as provided in paragraphs (a) through (d) of this subsection, all persons who are convicted after June 30, 1995, of a violent crime, as defined by Section 97-3-2, shall be eligible for parole after they have served fifty percent (50%) of the sentence or sentences imposed by the trial court. All persons convicted of any other offense * * * after * * * June 30, 1995, * * * shall be eligible for parole after they have served * * * twenty-five percent (25%) of the sentence or sentences imposed by the trial court. All persons eligible for parole under this subsection who are serving a sentence or sentences pursuant to Section 97-3-2 shall be required to have a parole hearing before the board, pursuant to Section 47-7-17, prior to parole release.

(ii) Geriatric parole. * * * A person serving a sentence who has reached the age of sixty (60) or older and who has served no less than ten (10) years of the sentence or sentences imposed by the trial court shall be eligible for parole. Any person eligible for parole under this subsection shall be required to have a parole hearing before the board, pursuant to Section 47-7-17, prior to parole release. No inmate shall be eligible for parole under this subparagraph (ii) * * * if:

* * *

* * * 1. The inmate is sentenced * * * to life imprisonment without eligibility for parole under the provisions of Section 99-19-101;

* * * 2. The inmate is sentenced for an offense that specifically prohibits parole release;

* * *

* * * 3. The inmate is sentenced for a sex crime; or

* * * 4. The inmate has not served * * * twenty-five percent (25%) of the sentence imposed by the court.

* * *

(2) Notwithstanding any other provision of law, an inmate shall not be eligible to receive earned time, good time or any other administrative reduction of time which shall reduce the time necessary to be served for parole eligibility as provided in subsection (1) of this section.

(3) The State Parole Board shall, by rules and regulations, establish a method of determining a tentative parole hearing date for each eligible offender taken into the custody of the Department

of Corrections. The tentative parole hearing date shall be determined within ninety (90) days after the department has assumed custody of the offender. Except as provided in Section 47-7-18, the parole hearing date shall occur when the offender is within thirty (30) days of the month of his parole eligibility date. The parole eligibility date shall not be earlier than one-fourth (1/4) of the prison sentence or sentences imposed by the court.

(4) Any inmate within twenty-four (24) months of his parole eligibility date and who meets the criteria established by the classification board shall receive priority for placement in any educational development and job training programs that are part of his or her parole case plan. Any inmate refusing to participate in an educational development or job training program that is part of the case plan may be in jeopardy of noncompliance with the case plan and may be denied parole.

SECTION 3. 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) * * * The case plan shall include, but not be limited to:

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

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

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

(3) With respect to parole-eligible inmates admitted to the department's custody on or after July 1, 2020, the department shall complete the case plan within ninety (90) days of admission. With respect to parole-eligible inmates admitted to the department's custody prior to July 1, 2020, the department shall complete the case plan by January 1, 2021.

(* * *4) 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.

(* * *5) With respect to parole-eligible inmates admitted to the department's custody after July 1, 2020, the department shall ensure that the case plan is achievable prior to the inmate's parole eligibility date. With respect to parole-eligible inmates admitted to the department's custody prior to July 1, 2020, the department shall, to the extent possible, ensure that the case plan is achievable prior to the inmate's parole eligibility date or next parole hearing date.

(* * *6) 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.

(* * *7) 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.

(* * *8) 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 4. Section 47-7-5, Mississippi Code of 1972, is amended as follows:

47-7-5. (1) The State Parole Board, created under former Section 47-7-5, is hereby created, continued and reconstituted and shall be composed of five (5) members. The Governor shall appoint the members with the advice and consent of the Senate. All terms shall be at the will and pleasure of the Governor. Any vacancy shall be filled by the Governor, with the advice and consent of the Senate. The Governor shall appoint a chairman of the board.

(2) Any person who is appointed to serve on the board shall possess at least a bachelor's degree or a high school diploma and four (4) years' work experience. Each member shall devote his full time to the duties of his office and shall not engage in any other business or profession or hold any other public office. A member shall not receive compensation or per diem in addition to his salary as prohibited under Section 25-3-38. Each member shall keep such hours and workdays as required of full-time state employees under Section 25-1-98. Individuals shall be appointed to serve on the board without reference to their political affiliations. Each board member, including the chairman, may be reimbursed for actual and necessary expenses as authorized by Section 25-3-41. Each member of the board shall complete annual training developed based on guidance from the National Institute of Corrections, the Association of Paroling Authorities International, or the American Probation and Parole Association. Each first-time appointee of the board shall, within sixty (60) days of appointment, or as soon as practical, complete training for first-time Parole Board members developed in consideration of information from the National Institute of Corrections, the Association of Paroling Authorities International, or the American Probation and Parole Association.

(3) The board shall have exclusive responsibility for the granting of parole as provided by Sections 47-7-3 and 47-7-17 and shall have exclusive authority for revocation of the same. The board shall have exclusive responsibility for investigating clemency recommendations upon request of the Governor.

(4) The board, its members and staff, shall be immune from civil liability for any official acts taken in good faith and in exercise of the board's legitimate governmental authority.

(5) The budget of the board shall be funded through a separate line item within the general appropriation bill for the support and maintenance of the department. Employees of the department which are employed by or assigned to the board shall work under the guidance and supervision of the board. There shall be an executive secretary to the board who shall be responsible for all administrative and general accounting duties related to the board. The executive secretary shall keep and preserve all records and papers pertaining to the board.

(6) The board shall have no authority or responsibility for supervision of offenders granted a release for any reason, including, but not limited to, probation, parole or executive clemency or

other offenders requiring the same through interstate compact agreements. The supervision shall be provided exclusively by the staff of the Division of Community Corrections of the department.

(7) (a) The Parole Board is authorized to select and place offenders in an electronic monitoring program under the conditions and criteria imposed by the Parole Board. The conditions, restrictions and requirements of Section 47-7-17 and Sections 47-5-1001 through 47-5-1015 shall apply to the Parole Board and any offender placed in an electronic monitoring program by the Parole Board.

(b) Any offender placed in an electronic monitoring program under this subsection shall pay the program fee provided in Section 47-5-1013. The program fees shall be deposited in the special fund created in Section 47-5-1007.

(c) The department shall have absolute immunity from liability for any injury resulting from a determination by the Parole Board that an offender be placed in an electronic monitoring program.

(8) (a) The Parole Board shall maintain a central registry of paroled inmates. The Parole Board shall place the following information on the registry: name, address, photograph, crime for which paroled, the date of the end of parole or flat-time date and other information deemed necessary. The Parole Board shall immediately remove information on a parolee at the end of his parole or flat-time date.

(b) When a person is placed on parole, the Parole Board shall inform the parolee of the duty to report to the parole officer any change in address ten (10) days before changing address.

(c) The Parole Board shall utilize an Internet website or other electronic means to release or publish the information.

(d) Records maintained on the registry shall be open to law enforcement agencies and the public and shall be available no later than July 1, 2003.

(9) An affirmative vote of at least four (4) members of the Parole Board shall be required to grant parole to an inmate convicted of capital murder or a sex * * * offense, as defined by Section 45-33-23(h). An affirmative vote of at least three (3) members of the Parole Board shall be required to grant parole to an inmate convicted after June 30, 1995, of a crime of violence, as defined by Section 97-3-2.

(10) This section shall stand repealed on July 1, 2022.

SECTION 5. Section 47-7-13, Mississippi Code of 1972, is amended as follows:

47-7-13. A majority of the board shall constitute a quorum for the transaction of all business. * * * An affirmative vote of at least four (4) members of the Parole Board shall be required to grant parole to an inmate convicted of capital murder or a sex offense, as defined by Section 45-33-23(h). An affirmative vote of at least three (3) members of the Parole Board shall be required to grant parole to an inmate convicted after June 30, 1995, of a crime of violence, as defined by Section 97-3-2. The board shall maintain, in minute book form, a copy of each of its official actions with the reasons therefor. Suitable and sufficient office space and support resources and staff necessary to conducting Parole Board business shall be provided by the Department of Corrections. * * *

SECTION 6. Section 47-7-15, Mississippi Code of 1972, is amended as follows:

47-7-15. The board shall adopt an official seal of which the courts shall take judicial notice. Decisions of the board shall be made by majority vote, except as provided in Sections 47-7-5(9) and 47-7-13.

The board shall keep a record of its acts and shall notify each institution of its decisions relating to the persons who are or have been confined therein. At the close of each fiscal year the board shall submit to the Governor and to the Legislature a report with statistical and other data of its work.

SECTION 7. Section 47-7-17, Mississippi Code of 1972, is amended as follows:

47-7-17. Within one (1) year after his admission and at such intervals thereafter as it may determine, the board shall secure and consider all pertinent information regarding each offender, except any under sentence of death or otherwise ineligible for parole, including the circumstances of his offense, his previous social history, his previous criminal record, including any records of law enforcement agencies or of a youth court regarding that offender's juvenile criminal history, his conduct, employment and attitude while in the custody of the department, the case plan created to prepare the offender for parole, and the reports of such physical and mental examinations as have been made. The Parole Board may also order a psychiatric or psychological examination when it determines such examination is necessary to making a parole decision. The board shall furnish at least three (3) months' written notice to each such offender of the date on which he is eligible for parole.

* * * Except as provided in Section 47-7-18, the board * * * shall require a parole-eligible offender to have a hearing as required in this chapter before the board and to be interviewed. The hearing shall be held no later than thirty (30) days prior to the month of eligibility. No application for parole of a person convicted of a capital offense shall be considered by the board unless and until notice of the filing of such application shall have been published at least once a week for two (2) weeks in a newspaper published in or having general circulation in the county in which the crime was committed. The board shall, within thirty (30) days prior to the scheduled hearing, also give notice of the filing of the application for parole to the victim of the offense for which the prisoner is incarcerated and being considered for parole or, in case the offense be homicide, a designee of the immediate family of the victim, provided the victim or designated family member has furnished in writing a current address to the board for such purpose. The victim or designated family member shall be provided an opportunity to be heard by the board before the board makes a decision regarding release on parole. Parole release shall, at the hearing, be ordered only for the best interest of society, not as an award of clemency; it shall not be considered to be a reduction of sentence or pardon. An offender shall be placed on parole only when arrangements have been made for his proper employment or for his maintenance and care, and when the board believes that he is able and willing to fulfill the obligations of a law-abiding citizen. When the board determines that the offender will need transitional housing upon release in order to improve the likelihood of * * * he or * * * she becoming a law-abiding citizen, the board may parole the offender with the condition that the inmate spends no more than six (6) months in a transitional reentry

center. At least fifteen (15) days prior to the release of an offender on parole, the director of records of the department shall give the written notice which is required pursuant to Section 47-5-177. Every offender while on parole shall remain in the legal custody of the department from which he was released and shall be amenable to the orders of the board. Upon determination by the board that an offender is eligible for release by parole, notice shall also be given within at least fifteen (15) days before release, by the board to the victim of the offense or the victim's family member, as indicated above, regarding the date when the offender's release shall occur, provided a current address of the victim or the victim's family member has been furnished in writing to the board for such purpose.

Failure to provide notice to the victim or the victim's family member of the filing of the application for parole or of any decision made by the board regarding parole shall not constitute grounds for vacating an otherwise lawful parole determination nor shall it create any right or liability, civilly or criminally, against the board or any member thereof.

A letter of protest against granting an offender parole shall not be treated as the conclusive and only reason for not granting parole.

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

SECTION 8. Section 47-7-18, Mississippi Code of 1972, is amended as follows:

47-7-18 (1) No inmate convicted of a sex offense, as defined by Section 45-33-23(h), and/or a crime of violence, as defined by Section 97-3-2, shall be released on parole without a hearing before the Parole Board as required by Section 47-7-17. * * * All other inmates eligible for parole, pursuant to Section 47-7-3, shall be released from incarceration to parole supervision on the inmate's parole eligibility date, without a hearing before the board, if:

(a) The inmate has met the requirements of the parole case plan established pursuant to Section 47-7-3.1;

(b) A victim of the offense has not requested the board conduct a hearing;

(c) The inmate has not received a serious or major violation report within the past six (6) months;

(d) The inmate has agreed to the conditions of supervision; and

(e) The inmate has a discharge plan approved by the board.

(2) At least thirty (30) days prior to an inmate's parole eligibility date, the department shall notify the board in writing of the inmate's compliance or noncompliance with the case plan.

If an inmate fails to meet a requirement of the case plan, prior to the parole eligibility date, he or she shall have a hearing before the board to determine if completion of the case plan can occur while in the community.

(3) Any inmate for whom there is insufficient information for the department to determine compliance with the case plan shall have a hearing with the board.

(4) A hearing shall be held with the board if requested by the victim following notification of the inmate's parole release date pursuant to Section 47-7-17.

(5) A hearing shall be held by the board if a law enforcement official from the community to which the inmate will return contacts the board or the department and requests a hearing to consider information relevant to public safety risks posed by the inmate if paroled at the initial parole eligibility date. The law enforcement official shall submit an explanation documenting these concerns for the board to consider.

(6) If a parole hearing is held, the board may determine the inmate has sufficiently complied with the case plan or that the incomplete case plan is not the fault of the inmate and that granting parole is not incompatible with public safety, the board may then parole the inmate with appropriate conditions. If the board determines that the inmate has sufficiently complied with the case plan but the discharge plan indicates that the inmate does not have appropriate housing immediately upon release, the board may parole the inmate to a transitional reentry center with the condition that the inmate spends no more than six (6) months in the center. If the board determines that the inmate has not substantively complied with the requirement(s) of the case plan it may deny parole. If the board denies parole, the board may schedule a subsequent parole hearing and, if a new date is scheduled, the board shall identify the corrective action the inmate will need to take in order to be granted parole. Any inmate not released at the time of the inmate's initial parole date shall have a parole hearing at least every year.

SECTION 9. Section 47-7-33.1, Mississippi Code of 1972, is brought forward as follows:

47-7-33.1. (1) The department shall create a discharge plan for any offender returning to the community, regardless of whether the person will discharge from the custody of the department, or is released on parole, pardon, or otherwise. At least ninety (90) days prior to an offender's earliest release date, the commissioner shall conduct a pre-release assessment and complete a written discharge plan based on the assessment results. The discharge plan for parole eligible offenders shall be sent to the Parole Board at least thirty (30) days prior to the offender's parole eligibility date for approval. The board may suggest changes to the plan that it deems necessary to ensure a successful transition.

(2) The pre-release assessment shall identify whether an inmate requires assistance obtaining the following basic needs upon release: transportation, clothing and food, financial resources, identification documents, housing, employment, education, health care and support systems. The discharge plan shall include information necessary to address these needs and the steps being taken by the department to assist in this process. Based on the findings of the assessment, the commissioner shall:

- (a) Arrange transportation for inmates from the correctional facility to their release destination;
- (b) Ensure inmates have clean, seasonally appropriate clothing, and provide inmates with a list of food providers and other basic resources immediately accessible upon release;
- (c) Ensure inmates have a driver's license or a state-issued identification card that is not a Department of Corrections identification card;
- (d) Assist inmates in identifying safe, affordable housing upon release. If accommodations are not available, determine whether temporary housing is available for at least ten (10) days after release. If temporary housing is not available, the discharge plan shall reflect that satisfactory housing has not been established and the person may be a candidate for transitional reentry center placement;
- (e) Refer inmates without secured employment to employment opportunities;
- (f) Provide inmates with contact information of a health care facility/provider in the community in which they plan to reside;
- (g) Notify family members of the release date and release plan, if inmate agrees; and
- (h) Refer inmates to a community or a faith-based organization that can offer support within the first twenty-four (24) hours of release;

(3) A written discharge plan shall be provided to the offender and supervising probation officer or parole officer, if applicable.

(4) A discharge plan created for a parole-eligible offender shall also include supervision conditions and the intensity of supervision based on the assessed risk to recidivate and whether there is a need for transitional housing. The board shall approve discharge plans before an offender is released on parole pursuant to this chapter.

SECTION 10. Section 47-7-3.2, Mississippi Code of 1972, which provides a minimum time offenders convicted of a crime of violence must serve before release and a minimum percentage of other sentences other offenders must serve before release, is repealed.

SECTION 11. This act shall take effect and be in force from and after July 1, 2020, and shall stand repealed from and after June 30, 2020.
