

2023 FINAL REPORT

CORRECTIONS AND CRIMINAL JUSTICE OVERSIGHT TASK FORCE

January 2024



Authority

The oversight Task Force is charged with the following responsibilities related to the implementation of H.B. 585, Regular Session 2014 (MISS. CODE ANN. § 47-5-6 [1972]):

- track and assess outcomes from the recommendations in the Corrections and Criminal Justice Task Force report of December 2013;
- prepare and submit to the Legislature, Governor, and Chief Justice, no later than the first day of the second full week of each regular session of the Legislature, an annual report on outcome and performance measures and recommendations for improvements; recommendations on transfers of funding based on the success or failure of implementation of the recommendations and a summary of savings; and any additional recommendations to the Legislature on future legislation and policy options to enhance public safety and control corrections costs;
- monitor compliance with sentencing standards, assess their impact on the correctional resources of the state, and determine if the standards advance the adopted sentencing policy goals of the state;
- review the classifications of crimes and sentences and make recommendations for change when supported by information that change is advisable to further the adopted sentencing policy goals of the state;
- develop a research and analysis system to determine the feasibility, impact on resources, and budget consequences of any proposed or existing legislation affecting sentence length;
- request, review, and receive data and reports on performance outcome measures as related to this act;
- undertake such additional studies or evaluations as the Oversight Task Force considers necessary to provide sentencing reform information and analysis;
- prepare and conduct annual continuing legal education seminars regarding the sentencing guidelines to be presented to judges, prosecuting attorneys and their deputies, and public defenders and their deputies, as so required;
- additionally, the Oversight Task Force is empowered to:
 - use clerical and professional employees of the Department of Corrections for its staff;
 - employ or retain other professional staff upon the determination of the necessity for other staff;
 - employ consultants to assist in the evaluations, and when necessary, the implementation of the recommendations of the *2013 Final Report* by the Corrections and Criminal Justice Oversight Task Force Final Report; and,
 - apply for and expend grants, gifts, or federal funds it receives from other sources to carry out its duties and responsibilities.

Membership

Section 68, H.B. 585, Regular Session 2014, established a committee to be known as the Corrections and Criminal Justice Oversight Task Force, hereinafter referred to as “Oversight Task Force” and “Task Force,” to review and monitor the implementation of H.B. 585. The Oversight Task Force is composed of the following members:

- Hon. Prentiss G. Harrell, Circuit Judge, 15th Circuit Court District, Chair;
- Jeffery Belk, Chair, State Parole Board;
- Hon. Burl Cain, Commissioner Mississippi Department of Corrections (MDOC);
- Hon. Lindsay Cranford, Director of Public Integrity, Attorney General’s Office;
- Hon. André de Gruy, State Defender, Office of State Public Defender;
- Mr. Matthew Dry, Joint Committee on Performance Evaluation and Expenditure Review;¹
- Sheriff Travis Patten, Adams County Sheriff, Mississippi Sheriff’s Association;

¹ The representative of PEER took no part in the adoption of findings and recommendations found in this report.

- Sheriff Troy Peterson, Harrison County Sheriff;
- Rev. Eddie Charles Spencer, Pastor of Alta Woods United Methodist Church in Jackson, and Mt. Salem Methodist Church in Terry, advocate for offender and families who have been directly affected by the prison justice system;
- Hon. John Weddle, District Attorney, First Circuit Court District;
- Mississippi State Representative Nick Bain²;
- Member of the Mississippi Association of Chiefs of Police (No member designated for 2023);
- Member of the Mississippi Prosecutors Association (no member designated for 2023); and,
- Member representing the Mississippi Association of Supervisors (no members designated for 2023).

Methods and Procedures

In the year since the release of the 2023 report, the Oversight Task Force was briefed on legislative actions related to Criminal Justice and received data from the following sources:

- Audrey McAfee, Deputy Administrator of Technology and Program Information (MDOC) discussed upgrading the current MDOC database, OffenderTrak, to a new database. Ms. McAfee also presented updated corrections and parole data relevant to the efforts of H.B. 585;
- Jeffery Belk, Chair, Mississippi State Parole Board, presented an overview of the actions of the Parole Board to implement presumptive parole in the State and collaboration with MDOC pre-release programs;
- Burl Cain, Commissioner of the Mississippi Department of Corrections, presented an overview of MDOC’s efforts expanding the use of transitional housing, work release programs, and other department activities supporting re-entry;
- Jeworski Mallet, Deputy Commissioner of Institutions (MDOC), presented an overview of potential legislation for the 2024 Mississippi Legislature Regular Session;
- Nathan Blevins, Deputy Commissioner of Community Corrections (MDOC), presented an overview of MDOC re-entry actions to date and the expanded use of Technical Violation Centers, Community Work Centers, and Restitution Centers;
- Kelley Christopher, Deputy Commissioner of Programs, Education, and Re-Entry (MDOC), presented an overview of MDOC’s newly established MDOC Reentry Academy and efforts to implement presumptive parole; and
- Bradley Lum, Deputy Commissioner of Workforce Development and CEO of MDOC Works, presented an overview of the 2023 farm operations, expansion of work initiatives certification programs, and future re-entry programs efforts.

Summary of Efforts to Date

Since the passage of H.B. 585 during its 2014 Regular Session, the Legislature has passed several pieces of legislation that address recommendations made by the Task Force. In 2018, the Legislature passed H.B. 387, which ended “debtor’s prisons” for failure to pay fines and clarified that people sentenced with enhancements prior to July 1, 2014 were eligible for parole. The bill also provided discretion to judges to deviate from the mandatory minimum sentences for non-violent habitual convictions. Furthermore, the bill created the Mississippi Sentencing Disparity Task Force for the purpose of studying and reporting on possible disparity in sentencing in order to promote the interest of uniform justice throughout Mississippi.

During its 2019 Regular Session, the Legislature enacted H.B. 1352, known as the Criminal Justice Reform Act. The bill’s primary focus was to rename drug courts, mental health courts, and veterans’ courts as “intervention courts,” to be under the oversight of the Administrative Office of Courts. Additionally, H.B. 1352 made some technical changes to the administration of intervention courts, such as requiring better data collection, and reconstituted the Drug Court Commission into the Intervention Court Advisory Commission.

² Rep. Bain is one of two appointees allocated to the Speaker of the House of Representatives. The other post is currently vacant.

During the 2020 Regular Session, the Legislature passed H.B. 851, which added two additional members to the Task Force: an advocate for offenders and families who have been directly affected by the criminal justice system (appointed by the Governor), and a member to be appointed by the Mississippi Association of Chiefs of Police.

During the 2021 Regular Session, the Legislature passed S.B. 2795, which expanded parole eligibility for certain violent crimes. Approximately 6,300 offenders either gained a parole eligibility date or received a reduced eligibility date under the new statute.

During the 2021 Regular Session, the Legislature passed H.B. 747, which authorized the Rankin County Sheriff's Department to create a pilot work release program to help qualified inmates learn skills and make employment connections before release.

During the 2022 Regular Session, the Legislature passed H.B. 586, which authorized Harrison and Lee counties to develop similar pilot work release programs. Additionally, S.B. 2437 established a pilot work-release program, limited to 25 participants, operating from Central Mississippi Correctional Facility.

Mississippi Department of Corrections Status Report

Data sources were provided by the Office of the State Public Defender, the State Parole Board, and the Mississippi Department of Corrections (MDOC), which provided the following status report:

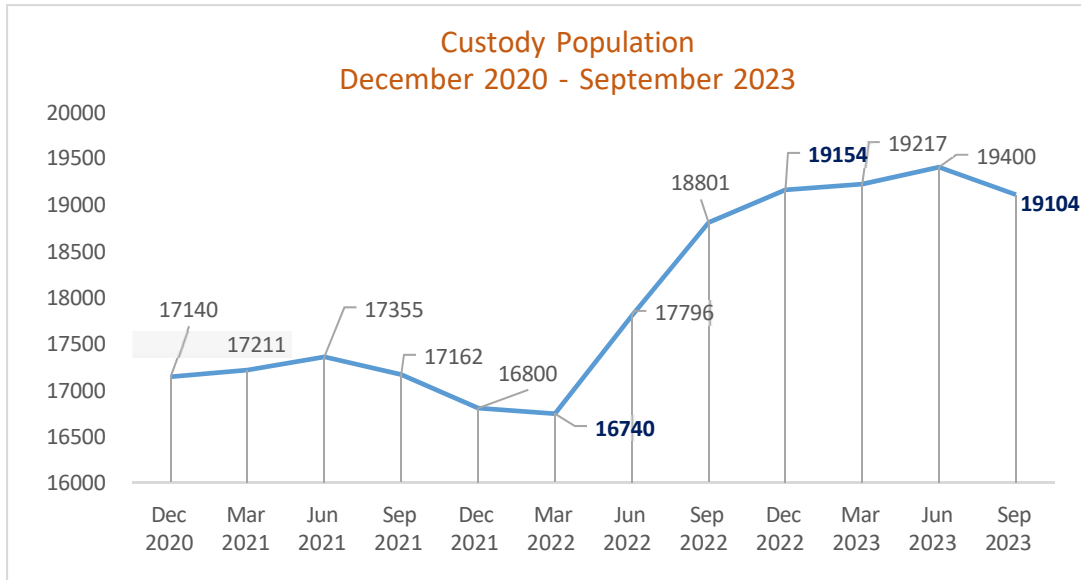
Summary

- No appreciable growth in the custody population for the past nine months (slightly above 19,000);
- A decline in population (by approximately 300) was observed in the third quarter of 2023;
- Releases to parole have increased and are consistent with previous report periods;
- Revocations to prison, particularly parole revocations, are down by 47%;
- Admissions returned to pre-pandemic levels by June 2022, averaging around 1,800 per quarter;
- Admissions by offense type remained consistent, with drug convictions at 34%, non-violent offenses at 36%, and violent offenses at 30%; and,
- Violent and sex offenders continued to make up the majority of the custody population, with a 1% decrease in drug and non-violent offenders since the last report.

Review of Custody Population:

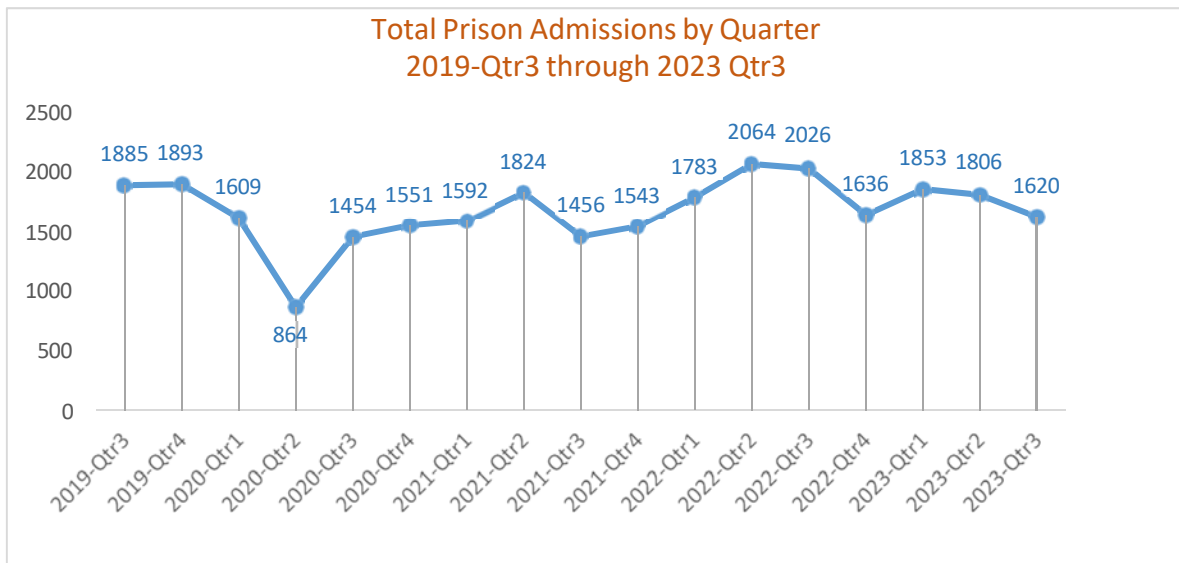
On December 31, 2019, the custody population was 18,353. The inmate population trended downward over the following 27 months, reaching its lowest point in March 2022. Since March, the population has increased by more than 2,300 inmates, climbing to 19,056 as of November 1. The chart below shows the changes over time from December 2019 to present.

Population containment over a nine-month period, as seen since December 2022, is not a commonly observed statistic. A closer review of admissions and releases during this period timeframe was conducted to provide context and plausible explanations for the occurrence noted.



Review of Prison Admissions by Admissions Type:

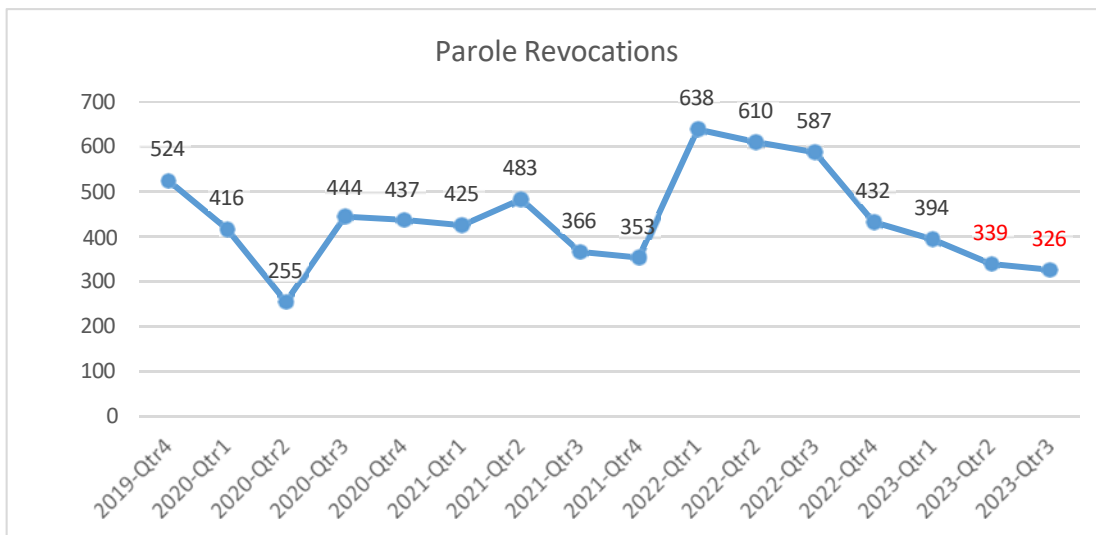
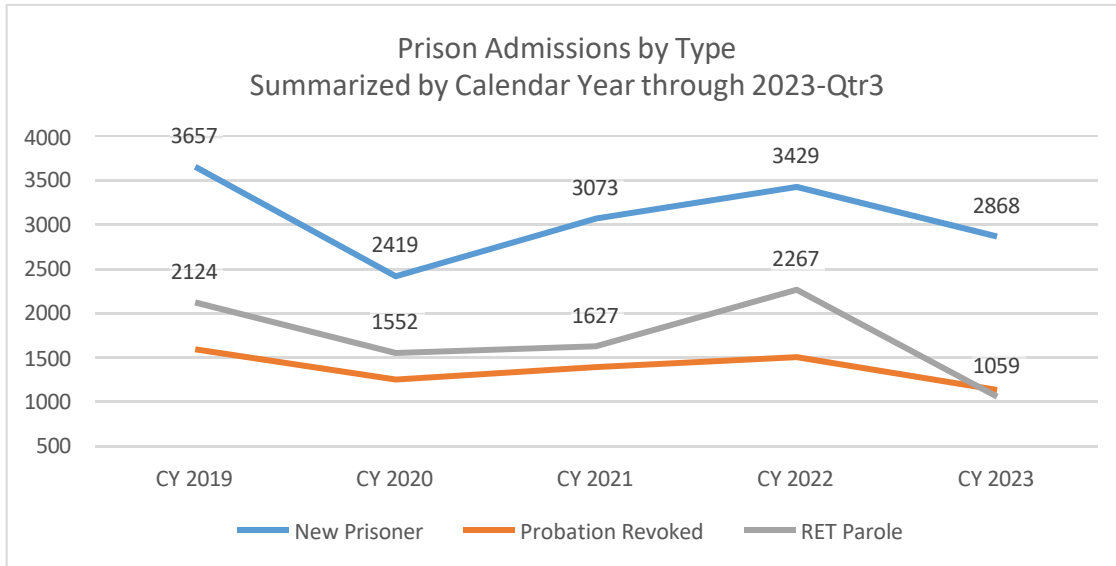
The chart below represents the total admissions per quarter from 2019-Qtr3 to 2023-Qtr3. It shows overall prison admissions returned to pre-pandemic levels by the end of 2022-Qtr2, averaging around 1800 per quarter.



A more in-depth analysis of admissions by admission type shows that new prisoner commitments and probation violators have both seen reductions of 8% and 18% respectively over the past nine months. Also, there has been a 47% drop in parole violators returning to incarceration during the same period.

Admission Type	2020-Qtr2	2021-Qtr2	2022-Qtr2	2023-Qtr2	2023-Qtr3	% Change
NEW PRISONER	314	858	972	972	896	-8%
OTHER	10	19	15	21	19	
PROB REVOKED	264	372	389	418	341	-18%
RET ERS	10	34	14	9	10	

Admission Type	2020-Qtr2	2021- Qtr2	2022- Qtr2	2023- Qtr2	2023- Qtr3	% Change
RET HA	11	58	64	47	28	
RET PAROLE	255	483	610	339	326	-47%
Total	864	1824	2064	1806	1620	

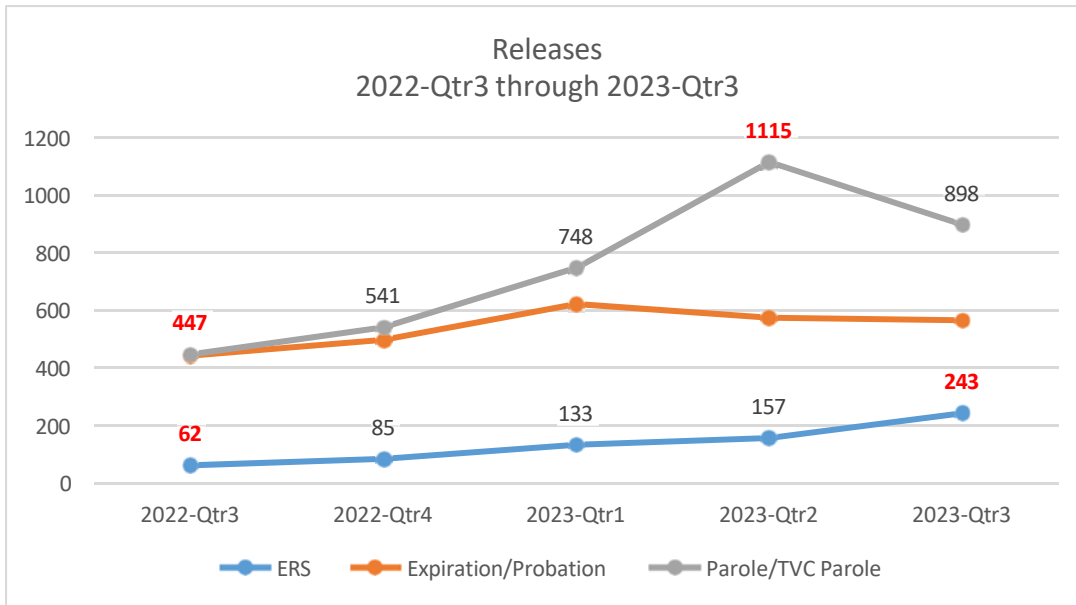


Review of Admissions by Offense Type:

Admissions by offense type continue to remain about the same for each quarter, with drug convictions making up 34%, non-violent 36%, and violent offenses 30%. There has been no surge or decline in the types of offenders being admitted to prison.

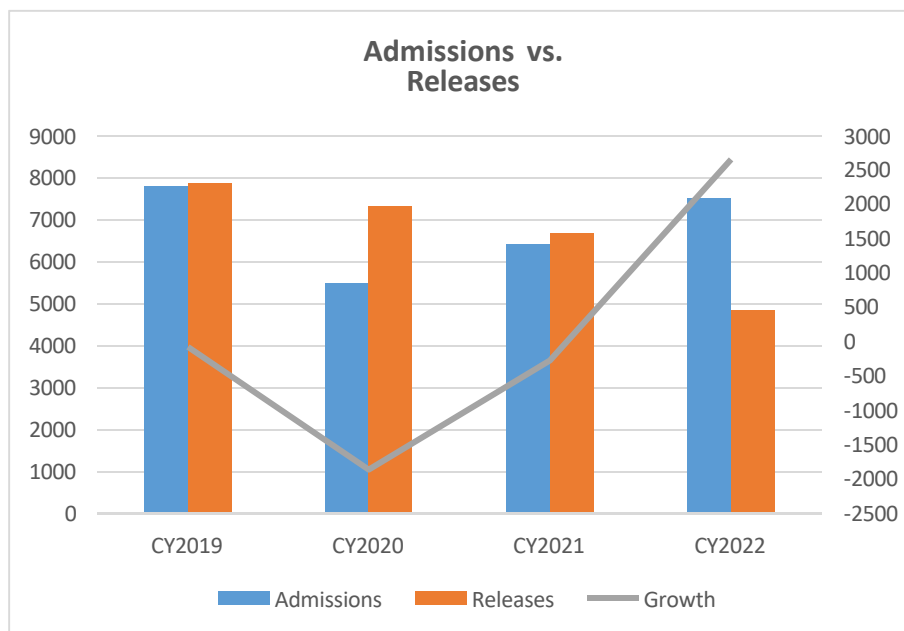
Review of Releases by Release Type:

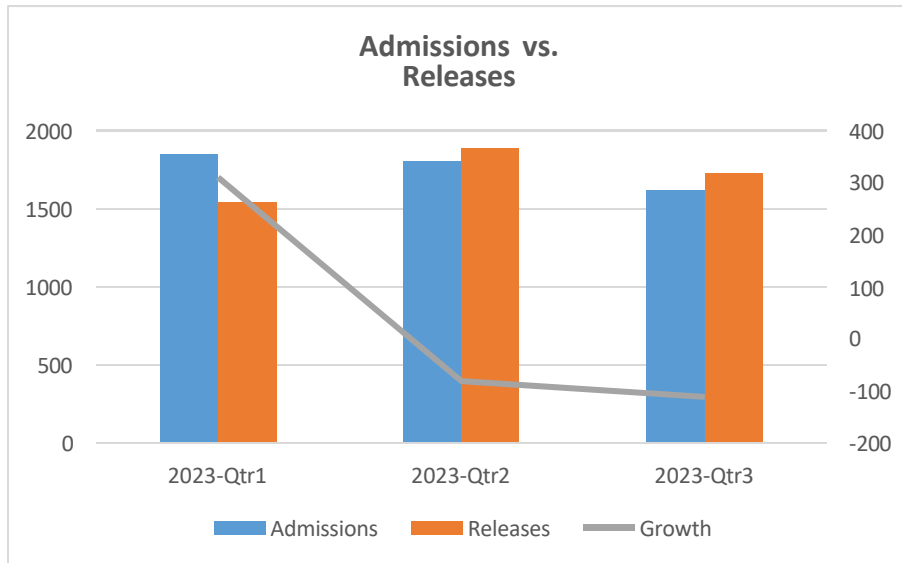
The chart below shows that after unprecedented growth during the first three quarters of 2022, releases have increased. The most significant changes were observed in the number of parole releases and ERS releases.



Releases	2022-Qtr3	2022-Qtr4	2023-Qtr1	2023-Qtr2	2023-Qtr3
ERS	62	85	133	157	243
Other	35	43	39	41	24
Expiration/Probation	443	498	622	574	566
Parole/TVC Parole	447	541	748	1115	898
Total	987	1167	1542	1887	1731

Taken together, the decline in admissions and the increase in releases substantiate the curtailed growth in the prison population. The graph and data chart which follow depict the changes and their impact on mitigating the growth.

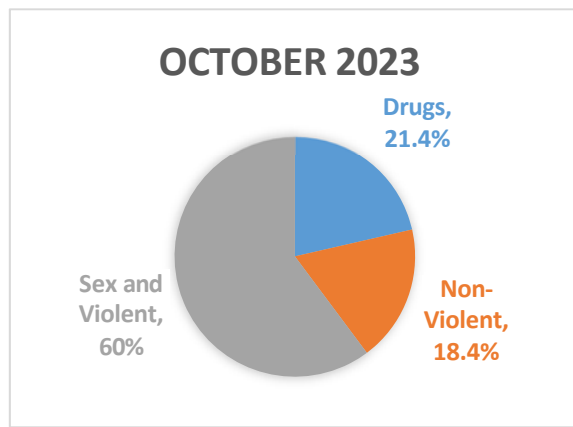
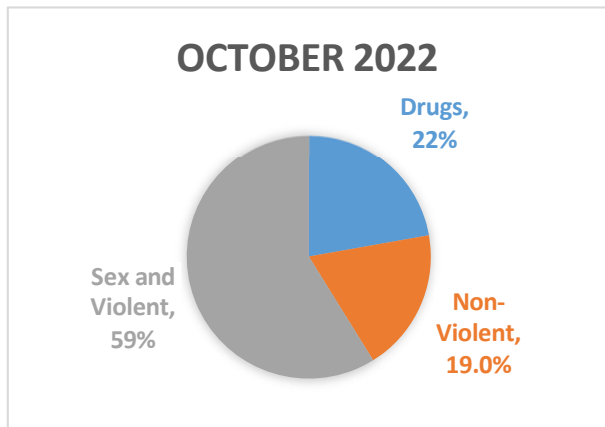




Custody population by offense type:

In comparing the incarcerated population from October 2022 to October 2023 by offense type, it remains evident that violent and sex offenders continue to make up the majority of the custody population. During the last report period, there was a slight increase in drug and non-violent offenders. However, over the past year, growth in this category has stabilized, indicating a positive shift towards favorable parole considerations for drug and other non-violent offenders.

The percentage of incarceration for drug offenses and other non-violent offenses make up 40% of the custody population, down by 1%. Correspondingly, sex and violent offenders make up 60% of the incarcerated population.



Length of Sentence for New Commitments:

Tracking the length of sentence for new commitments to incarceration is one of the measures required by H.B. 585. The data indicates the average term of sentence imposed by offense type for new commitments has remained consistent. Closer examination of the data shows that elevated average terms for a report period are attributable to imposition of lengthy sentences for a small number of offenders rather than being indicative of a change in sentencing patterns.

Offense Type	2022-Qtr1	2022-Qtr2	2022-Qtr3	2022-Qtr4	2023-Qtr1	2023-Qtr2	2023-Qtr3
DRUG	77.66	81.93	84.8	87.0	82.7	81.8	85.4
NON-VIOLENT	54.63	58.79	57.8	55.5	56.9	62.7	55.3
VIOLENT	168.68	181.02	164.9	164.7	167.8	166.7	165.3
Average*	102.8	110	102.5	102.4	102.5	103.8	102.0

*Average calculation represents a larger population than shown in chart.

Percent of time served for new court commitments:

As reflected in the chart below, release practices for 2022-Qtr2 and the most recent quarter are similar. By comparison, the percent of term served for drug and non-violent offenses released during the current quarter is approximately 2% greater. The values indicates that more offenders are being paroled and are serving about the same time as in earlier report periods. Violent offenders are being released on parole, although not as frequently as releases at the commencement of Senate Bill 2795.

Period and Offense Type	Average Term of Sentence	Average Term Served	% Term Served
2022-Qtr1	126.60	72.28	55.5%
DRUG	87.85	30.76	38.8%
NON-VIOLENT	66.74	26.08	42.9%
SEX	128.67	103.80	95.9%
VIOLENT	167.61	105.72	64.0%
2022-Qtr2	109.17	61.60	55.6%
DRUG	70.32	29.69	49.4%
NON-VIOLENT	61.48	23.13	43.3%
SEX	116.00	90.22	89.2%
VIOLENT	165.84	103.19	61.3%
2022-Qtr3	104.14	59.94	59.8%
DRUG	82.61	27.92	42.6%
NON-VIOLENT	51.36	22.49	52.7%
SEX	118.91	109.29	97.0%
VIOLENT	161.77	92.22	59.4%
2022-Qtr4	91.91	48.92	54.7%
DRUG	67.50	25.96	45.9%
NON-VIOLENT	52.75	23.45	50.3%
SEX	202.00	143.24	89.1%
VIOLENT	133.31	77.35	60.0%
2023-Qtr1	85.87	45.28	55.3%
DRUG	76.20	29.15	44.8%
NON-VIOLENT	51.60	21.12	49.9%
SEX	114.07	110.65	97.9%
VIOLENT	129.87	72.21	59.9%
2023-Qtr2	85.19	43.28	52.5%
DRUG	72.80	27.34	43.1%
NON-VIOLENT	54.15	22.43	47.8%
SEX	118.33	114.52	98.2%
VIOLENT	139.92	77.77	60.6%
2023-Qtr3	81.47	44.50	56.6%
DRUG	66.71	27.26	47.9%
NON-VIOLENT	49.89	23.88	52.2%
SEX	100.61	93.45	98.0%
VIOLENT	135.87	78.91	61.2%

* Term of Sentence and Term Served are in Months

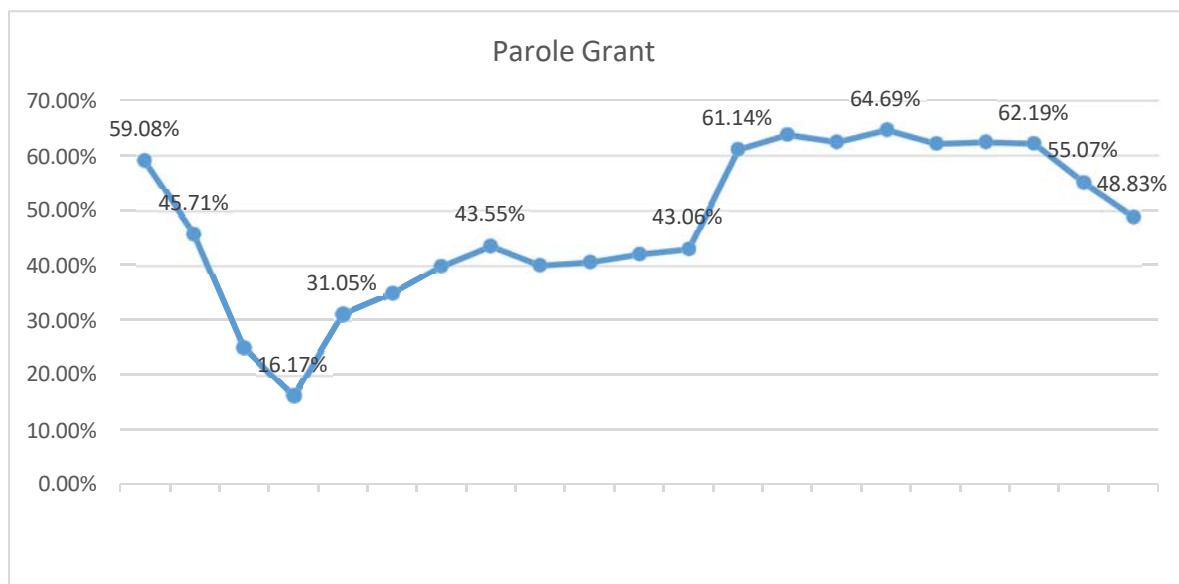
Parole Revocations:

The chart below shows the number of revocations to prison from an unsuccessful parole supervision. The data reflects a consistent decline in parole revocations since 2022-Qtr.

Parole Revocations	Number	Average Months on Parole
2022-Qtr3	582	18.3
REVOKED-ADDTL SENTENCE	92	12.6
REVOKED-NEW SENTENCE	83	20.1
REVOKED-OTHER VIOLATION	407	19.2
2022-Qtr4	424	19.9
REVOKED-ADDTL SENTENCE	65	14.9
REVOKED-NEW SENTENCE	47	19.2
REVOKED-OTHER VIOLATION	312	21.1
2023-Qtr1	385	21.3
REVOKED-ADDTL SENTENCE	56	14.5
REVOKED-NEW SENTENCE	34	24.0
REVOKED-OTHER VIOLATION	295	22.3
2023-Qtr2	330	18.5
REVOKED-ADDTL SENTENCE	40	13.5
REVOKED-NEW SENTENCE	21	32.0
REVOKED-OTHER VIOLATION	269	18.2
2023-Qtr3	319	18.6
REVOKED-ADDTL SENTENCE	37	14.9
REVOKED-NEW SENTENCE	20	31.5
REVOKED-OTHER VIOLATION	262	18.2
<i>REVOKED - ADDTL SENTENCE - Sentence was imposed after release on parole, but was committed prior to release; includes sentences resulting from detainers</i>		
<i>REVOKED - NEW SENTENCE - Sentence imposed for offense committed while on parole supervision</i>		
<i>REVOKED - OTHER VIOLATION - Revocation to incarceration for reasons other than a new Mississippi felony conviction</i>		

Parole Board Grant Rate:

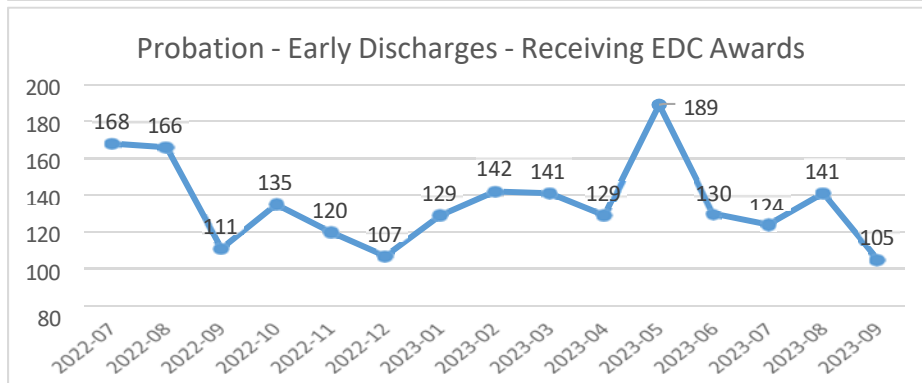
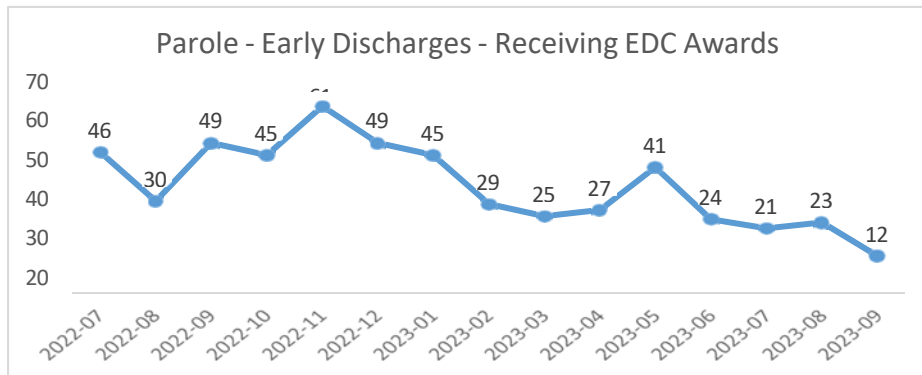
The parole grant rate was 38.2% for calendar 2022. The average grant rate for calendar year 2023 is 60.3%. As reflected in the chart below, since the low points during 2022, the grant rate has returned to levels consistent with those observed during previous report periods.



Earned Discharge Credit Awards:

Earned Discharge Credits (EDC) may be awarded to persons on parole and probation for compliance with supervision requirements. The charts and graphs below show the number of awards since 2022 and the number of early discharges from supervision attributable to EDC awards.

Credits Earned	Probationers Receiving EDC Credits	Parolees Receiving EDC Credits
2022-01	2534	1676
2022-02	2628	1898
2022-03	2772	1988
2022-04	2688	1927
2022-05	2635	1862
2022-06	2569	1603
2022-07	2536	1703
2022-08	2469	1530
2022-09	2495	1492
2022-10	2429	1387
2022-11	2635	1426
2022-12	2617	1406
2023-01	2512	1327
2023-02	2515	1354
2023-03	2419	1340
2023-04	2486	1345
2023-05	2570	1282
2023-06	2500	1191
2023-07	2584	1421
2023-08	2380	1228



Recidivism Statistics:

FY2020 Releases (Overall)	Released	Returned	36-Month Recidivism
Total	7792	2693	34.6%
Non-Violent Offenses	5545	1959	35.3%
Violent/Sex Offenses	2247	734	32.7%

FY2020 Releases (Parole)	Released	Returned	36-Month Recidivism
Total	4556	1772	38.9%
Non-Violent Offenses	4017	1471	36.6%
Violent/Sex Offenses	539	301	55.8%

FY2020 Releases (Expiration)	Released	Returned	36-Month Recidivism
Total	2073	490	23.6%
Non-Violent Offenses	1030	271	26.3%
Violent/Sex Offenses	1043	219	21.0%

FY2020 Releases (Other)	Released	Returned	36-Month Recidivism
Total	1163	431	37.1%
Non-Violent Offenses	498	217	43.6%
Violent/Sex Offenses	665	214	32.2%

Impact of Senate Bill 2795:

Senate Bill 2795, effective July 1, 2021, expanded parole eligibility for certain violent offenders and introduced mandatory minimums. In the initial two quarters following its enactment, over 40% of all parole releases were violent offenders. Since that time, the number of violent offenders released on parole average 17% of the total parole releases.

Paroled	Non-Violent	Violent	Total	Violent as a Percent of Total Paroled
2019-Qtr1	896	117	1013	12%
2019-Qtr2	991	104	1095	9%
2019-Qtr3	1012	92	1104	8%
2019-Qtr4	986	134	1120	12%
2020-Qtr1	1072	118	1190	10%
2020-Qtr2	1109	114	1223	9%
2020-Qtr3	837	94	931	10%
2020-Qtr4	769	108	877	12%
2021-Qtr1	719	115	834	14%
2021-Qtr2	812	107	919	12%
2021-Qtr3	763	147	910	16%

**S.B. 2795
Outcome
Measures: July 1,
2021 through October 2023**

2021-Qtr4	807	582	1389	42%
2022-Qtr1	739	615	1354	45%
2022-Qtr2	323	151	474	32%
2022-Qtr3	303	121	424	29%
2022-Qtr4	371	79	450	18%
2023-Qtr1	537	121	658	18%
2023-Qtr2	856	166	1022	16%
2023-Qtr3	711	138	849	16%

Eligible Under S.B. 2795	8,125
Eligible for Hearing	3,923
Received a Hearing	3,585
Granted Parole	2,108
Denied Parole	1,477
Released on Parole	2,014

Recidivism Statistics for S.B. 2795 for July 1, 2021, through October 31, 2023:

Number Released	Number Returned	Returned Within 12 Months	Returned 12-24 Months	Revoked New Sentence	Revoked Other Violation
2014	381	276	105	56	325
Recidivism	18.9%	13.7%	5.2%	-	-

Issues Discussed During 2023

During the 2023 term, the Oversight Task Force reviewed and discussed issues relating to MDOC’s efforts to improve offender management, educate and prepare offenders for release, and re-directing funds for needed offender programs. These discussions are summarized below.

MDOC Efforts to Date

Representatives of MDOC made several presentations regarding MDOC actions to increase efficiency of the Department and to expand offender skill development programs. These actions include:

- regionalizing offender intake procedures to increase efficiency and save on transportation costs. MDOC now transports offenders convicted in DeSoto County to Mississippi State Penitentiary (MSP) rather than to Central Mississippi Correctional Facility (CMCF), and southern counties will be administered through South Mississippi Correctional Institution (SMCI);
- county jail population reduction;
- MDOC farm operations are now profitable, and MDOC intends to utilize these increased revenues to fund expansion of re-entry programs;
- a new cosmetology school for women has opened at Delta Correctional Facility;

- presumptive parole for short-term inmates is increasing;
- MDOC plans to expand transitional housing opportunities;
- 31 community corrections program coordinators, divided among three regions, are teaming with MDOC Works Workforce Development group to help offenders on supervision (i.e., parole, Earned Release Supervision (ERS), and probation) get a head start on re-entry. The individuals who will be released can meet with the coordinators to be assessed for housing needs, substance abuse, and job skills before they leave prison;
- George County will be opening by the end of the year as another Technical Violation Center (TVC)/Community Work Center (CWC). The MDOC has merged its CWCs and TVCs into TVC/CWCs. Agents also are checking jail rosters to ensure individuals sentenced to TVCs are found quicker to begin serving their sentences;
- the Pascagoula Restitution Center is reopening;
- MDOC will allow gang members to participate in programs;
- MDOC will use 1,000 beds in a 30-day alcohol and drug treatment program;
- inmates must go to school or will get a Rules Violation Report for refusing to go;
- CMCF has been successful in hiring correctional officers. It now has 40 vacancies. The number of Correctional Officers agency-wide should be 1,900 rather than the current number of 1,300;
- the women's prison in Rankin County has a new leader;
- the church-building project is ongoing, with MSP's soon to be completed. The goal is to have a church at each of the prisons in the next two years;
- MDOC needs the Task Force's help in getting a new offender information/OffenderTrak system;
- MDOC is exploring how to provide health insurance for all inmates leaving MDOC custody for six months at no cost, but offenders must be employed;
- MDOC requested and received an Attorney General Opinion regarding medical parole's application to habitual offenders;
- nearly 3,000 inmates are in educational programs;
- all prisons are ramping up clubs and other organizations;
- MDOC is in discussions with Mississippi College to start two classes at the women's prison with plans for the program to evolve into a four-year degree program. Additionally, MDOC is discussing a partnership with the Mississippi College School of Law to allow law students to assist offenders in their legal work; and,
- the case management system is being rebuilt.

MDOC staff also presented updates on corrections and parole data as required under H.B. 585. This update included such highlights as:

- the prison population has remained steady over the previous nine months, a first since data reporting for the Task Force;
- parole and Earned Release Supervision (ERS) releases have increased;
- revocations, especially regarding parole violators, are down;
- new offender admissions are stable; and,
- there are more violent offenders than nonviolent offenders incarcerated, which was the intent of H.B. 585.

Additionally, MDOC staff noted that contrary to perception, there has not been a surge in people coming to prison, that admissions are back at pre-pandemic levels, and that there are no significant changes in sentencing practices.

Criminal Justice Data Management

The Task Force discussed the importance of high-quality data collection, reporting, and sharing to produce an effective criminal justice system. From arrest through the judicial process, the incarceration or supervision stages and beyond, even for efforts to prevent crime before it happens, need to be accurate, and properly accessible data is essential. Otherwise, efforts to reduce crime, which are expensive for taxpayers, are based on ideas which might sound constructive but can't be properly evaluated for their effectiveness and efficiency due to a lack of reliable data.

This is not simply an academic debate; it directly affects public safety. For instance, a violent criminal who is

already wanted in one jurisdiction may be released in another jurisdiction after an arrest for a minor offense because those two jurisdictions do not have access to a common database. Lack of reliable data could also complicate parole issues, potentially resulting in a person who is paroled but should not be or a person not granted parole who should be because of incomplete information provided by MDOC to the parole board.

Some data issues require better training and supervision of employees who input the data, but many of the problems (and many of the opportunities to improve the effectiveness of the criminal justice system) can be addressed by upgrading or updating hardware and software which in some cases is decades old.

There has been some movement in this direction. The Mississippi Electronic Courts (MEC) system provides electronic means of filing and managing court documents, although not all courts participate.

Equally as important as collecting and storing accurate information is the ability to retrieve and analyze that information. Of course, some information should only be available to certain users due to privacy and security concerns, but the vast amount of non-personally-identifiable statistics and information should be accessible in real time to anyone.

This access is not only for research and analysis. In order to do their jobs properly, a growing number of entities need various kinds of data related to people who are or have been involved in the criminal justice system. In addition to the obvious benefit to law enforcement agencies and to the judicial and corrections systems, dissemination of correctional data to the public at-large could be beneficial to:

- State and local policymakers and administrators should have real-time access to prison, jail, and parole statistics (among others) which now require public record requests or are only available in a public format on a periodic basis. This will allow the monitoring and evaluation of changes in law or policies, or even the effect of certain events, such as the pandemic, local unrest, etc. Other states have accomplished this, and the technology is widely available to maintain public dashboards of important statistics;
- Private and public employers, the Mississippi Department of Employment Security, and others could refer to a MDOC dashboard to see the number of people who have been trained in certain occupations and are expected to be released soon. This would also allow those entities the ability to let MDOC know of other high-demand occupations for which MDOC could provide training. Obtaining a job soon after release is one of the keys in reducing recidivism; and,
- It has long been known substance abuse or substance use disorder (SUD) is closely associated with crime. There is a rapidly growing acknowledgement that mental health issues are frequently present among people who commit crimes. To provide proper help to address the underlying issues rather than placing them in jail, there is a need for properly-secured information to be shared among appropriate law enforcement, judicial, and/or SUD or mental health treatment agencies or organizations.

Agencies and organizations that use, or could use, data related to the criminal justice system are, among others:

Law Enforcement and Corrections:

- Department of Public Safety
- Local law enforcement agencies
- Child Protection Services
- Department of Corrections
- Parole Board

Service Providers or Payors:

- Transitional housing providers
- Ministries to people who are released
- Department of Health
- Department of Human Services
- Medicaid

Employment & Education:

- Private employers
- MDOC Works (formerly Prison Industries)
- Department of Employment Security
- Department of Rehabilitation Services
- Accelerate Mississippi
- IHL and Community College Boards

Judicial System:

- Courts at all levels
- Attorney General and District Attorneys
- Public Defenders
- Administrative Office of the Courts
- Local and district court clerks

Mental Health and Substance Use Treatment:

Department of Mental Health
Regional mental health organizations
Health providers, including hospitals

Research and Evaluation:

PEER Committee
State Auditor
Private and public researchers

Transitional Housing

During its meetings, the Task Force heard from several representatives of MDOC discussing the need for expanded use of transitional housing. MDOC stated transitional housing has not been a high priority for the agency historically given their focus on funding long-term employment programs, but that MDOC is now working with private partners to expand transitional housing options for offenders and has begun internal reviews and preparation for ways to increase offender use of transitional housing. New transitional housing partners include Sober Living in Meridian and New Way of Mississippi in Jackson.

Work Release

Throughout the 2023 term, the Task Force received several updates from MDOC and MDOC Works, formerly MAGCOR, regarding the expansion and accomplishments of work release programs in the state. This included an overview of the recently established CMCF Pilot Work Initiative. MDOC also suggested work release programs such as these be expanded statewide, but current funding levels for such programs are cost prohibitive. MDOC noted that, of the three counties with pilot work programs (Harrison, Lee, and Rankin counties), only Rankin County's program is currently operational.

MDOC stated it has re-opened its TVCs and CWCs across the state (Madison County, Forrest County, and Pascagoula), and is utilizing \$1 million from the Inmate Welfare Fund to hire new teachers, establishing clubs to teach entrepreneurship and reduce gang activity, and expand technical vocation education such as welding and forklift operations. Additionally, about \$1 million in equipment was purchased and online credentialing is being provided at regional facilities and CWCs. A new training program directed at preparing gate technicians for Southwest Airlines has also been initiated.

To reduce the stigma of prison uniforms, the Task Force discussed the feasibility of altering state inmate uniform legislation to allow inmates participating in work release programs to dress in uniforms which resemble their free world counterpart, but still designate them as incarcerated persons. This change would apply to offenders in MDOC rehabilitative initiatives and programs or those offenders who have the most opportunity to be involved with the public. This would include offenders held participating in work release programs and work centers. In total, MDOC estimates that this could impact about 5,500 minimum custody inmates (29% of total prison population). The uniforms would be provided to MDOC through a partnership with MDOC Works and phased into practice in order to minimize the fiscal impact on all entities that which MDOC offenders.

Parole

The Parole Board updated the Task Force on efforts to implement presumptive parole in the state. The Parole Board stated it can identify offenders eligible for presumptive parole due to increased data sharing with MDOC. As a result of this increased data sharing, the Parole Board is now examining actions taken by offenders to set themselves up for success, should the offender be released. However, the issues of complete and accurate discharge plans (i.e. approved address, social security documents, and drivers' licenses) still limit the number of inmates who are eligible for presumptive parole being released. The Parole Board stated around 390 offenders per year are delayed or denied parole due to discharge plan issues.

The Parole Board reported its policies and procedures are updated, and the approved meeting minutes for 2023 & 2024 are complete and in book form. The 2022 will be complete and in book form by the end of first quarter 2024. This was made possible by the Parole Board hiring a paralegal to assist.

Additionally, the Parole Board is working with MDOC's Reentry Academy and the newly hired Deputy Commissioner of Programs, Education, and Re-Entry to better prepare offenders for release. The Reentry Academy, launched September 5, 2023, is a 200-hour educational program that includes academics in the first phase, vocational programs in the second phase, and re-entry programs in the final stage. The final exam is the re-entry simulation, wherein inmates have 15 minutes to go through real-life situations successfully. They have two chances to navigate the simulated real-life situation without going to jail or violating the terms of their release. If they fail, they do not complete the Academy. The first class graduated in December 2023 at the Marshall County Correctional Facility.

The Parole Board also highlighted statutes that currently hinder the release of offenders on parole. These

statutes include:

- parole eligibility language which is ambiguous;
- quorum requirements for release of sex offenders;
- required location(s) of parole hearings; and,
- offender presence at parole hearing (file review versus in-person and teleconferences).

Standardization of Records

Due to ambiguous and confusing language found in some commitment, revocation, and sentencing orders from the many judicial districts of the state, the Task Force discussed possible standardization efforts to produce clearer judicial orders. Most often, confusion about judicial orders occurs when a judge orders an offender to participate in a specific educational, work, or drug and alcohol program while in MDOC custody. Problems arise when those orders fail to consider that MDOC may not offer ordered programs at certain facilities or the facility lacks space for the offender to participate in the court-ordered program during the offender's incarceration period. While directing specific program participation by court order is well-meaning, if offenders are not able to participate in these programs as ordered, complications arise when the offender is eligible for and appears before the Parole Board.

Given the breadth and complexity surrounding the issue of standardizing judicial orders, the Task Force decided the subject required further examination and review with input from the Administrative Office of the Courts, the judicial college, and the rules committee of the Supreme Court. This issue will be taken up in the 2024 Task Force term.

Reinvestment

MDOC presented information indicating an estimated \$40 million in savings has been realized through the use of re-entry programs by the department. However, none of these cost savings have been returned to MDOC to bolster those re-entry programs.

The Task Force also discussed the recurring issue of MDOC Prison Agricultural Enterprises having their budget capped at certain funding levels, regardless of farm production or revenue. Currently, MDOC is in the process of expanding farming/horticulture operations at all facilities for the purpose of offender rehabilitation and education. However, funding for farm operations has been stagnant and revenues generated from farming operations do not return to the farming programs. In order to continue expansion of rehabilitative farming programs at MDOC, funds generated from farm operations should be allowed to remain within that program or be allowed to be transferred to the farming operations fund.

Recommendations

1. The Legislature should fund a data system upgrade for MDOC. Furthermore, Governor Reeves should appoint a special, short-term working group to identify the types of data which are needed in and from the criminal justice system. This would include identifying the data elements, or the types of data MDOC needs to provide, so those requirements may be made a part of the RFP for a new system. In addition, it is recommended the data management RFP include real-time dashboards or other user-friendly presentations of MDOC data and appropriate access for agencies (e.g., the Parole Board) to query underlying data which is not public but is intrinsic to their work;
2. The Legislature should extend the repealer for MISS. CODE ANN. § 47-7-3 (1972) (parole of prisoners) another three years.
3. The Legislature should extend the repealer for MISS. CODE ANN. § 47-5-531 through 47-5-579 (1972).
4. The Legislature should draft legislation allowing MDOC's Prison Agricultural Enterprises or some other MDOC fund to retain all revenue generated from MDOC farm operations.
5. The Legislature should amend MISS. CODE ANN. § 47-5-124 (1972) (uniform designations for offenders) to allow MDOC to determine the appropriate uniform for inmates in their custody, care, and control, based upon available funds.

Adoption

After due consideration, the Oversight Task Force adopts this report on January 11, 2024, and directs its chair to sign and deliver copies of the report to the Legislature, the Governor, and the Chief Justice.



Prentiss G. Harrell, Circuit Judge, Chair