

Background

Beginning in Calendar Year 2024, MISS. CODE ANN. § 47-5-579 (1972) requires the PEER Committee to annually review the effectiveness of work initiative programs operated by MAGCOR and provide a report to the Legislature by January 1st of each year. The statute provides specific requirements that programs must comply with, including providing data to PEER in six-month intervals.

The first and only work release program operating under MISS. CODE ANN. § 47-5-579 was established by MAGCOR in September 2022 at the Central Mississippi Correctional Facility.

Definition of a Work Release Program

A work release program is a reentry program for adult offenders that allows low-risk offenders nearing the end of their sentences (i.e., less than two years) to work regular jobs in the community and earn wages to help pay restitution, court costs, child support, and help to offset costs of incarceration.

Program Participation

From September 2022 through September 2024, there have been a cumulative total of 79 offenders that have previously or are currently participating in the work initiative program. Of these 79 participants, all were male. Further, the majority of program participants were convicted on charges related to controlled substances (i.e., possession, sale/distribution, and controlled substance violations).

The average duration that an offender participates in the work initiative program prior to completion is 245 days or roughly 8.2 months.

Statutory Requirements Not Met	Non-compliance
Expand the work initiative to include SMCI, MSP, and MCIW.	X
Provide PEER work initiative data semiannually.	X
Not have more than two years remaining on his or her sentence.	Data not provided

MAGCOR's Compliance with State Law

While MAGCOR complies with many of the statutory requirements, it has not expanded the work initiative program to include the South Mississippi Correctional Institution (SMCI), the Mississippi State Penitentiary (MSP), and the Mississippi Correctional Institute for Women (MCIW).

Summary of Recommendations

The Legislature should amend MISS. CODE ANN. § 47-5-579 to:

- report data for each work initiative participant on the total amounts of any dependent support payments, fines, restitutions, fees, or costs as ordered by the court;
- report data for each work initiative participant on the remaining length of his or her sentence; and,
- reflect the current administrative fee deduction of 15% (currently stated as 10% in statute).

MAGCOR should:

- ensure it complies with all requirements established by MISS. CODE ANN. § 47-5-579; and,
- update its policies and procedures manual to:
 - reflect current statutory requirements;
 - specify and establish a formal process for how any participant earnings can be transferred or utilized while in the program and upon graduation; and,
 - incorporate all newly adopted program goals, objectives, and performance measures.