


# Mississippians Will Benefit from Parole Reform

## Landscape of the 2020 Legislative Session

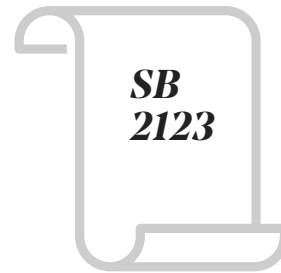
Nearly two-thirds of people in Mississippi prisons are not eligible for parole, because of “tough-on-crime” laws passed during the 1990s long debunked for their inefficacy in improving public safety. This year, the Mississippi legislature has taken up two bills, SB 2123 and HB 1377, to expand and improve Mississippi’s system of parole release. These bills would extend parole eligibility to many who have long been denied that opportunity, reduce Mississippi’s dangerously high prison population, and preserve scarce taxpayer resources during a time of economic hardship. However, both bills have been significantly watered down during the legislative process. If provisions from the original bills were restored, they would have a meaningful impact on Mississippi’s families and taxpayers.



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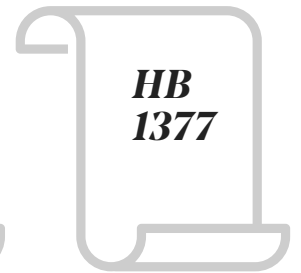
## Impact of Parole Expansion Bills

SB 2123 and HB 1377 are very similar pieces of legislation with a few key differences. Both bills, in their current form, expand parole eligibility to people convicted of violent offenses, which many states including Texas and Louisiana already allow. SB 2123 requires people to serve 50% of their sentence before being considered for release, while HB 1377 allows people to be considered for parole release after serving 50% of their sentence or 20 years, whichever is less. In both bills, the Parole Board maintains the discretion to grant or deny release to eligible people as they see fit. Earlier versions of both bills included parole eligibility for people convicted of sex offenses, but that provision was removed from the bills during the committee hearing process.



**SB  
2123**

**Must serve 50%  
of sentence**



**HB  
1377**

**50% of sentence  
or 20 years,  
whichever is less**

These bills would dramatically improve upon Mississippi’s current parole laws. Under current law, some people convicted of parole ineligible offenses are able to earn time off of their sentences for things like participating in educational programs or working in prison, but many must serve every day of their sentences behind bars. These bills would have the largest impact on this population of people who have no other opportunities to earn release from prison.

For that reason, we have analyzed a dataset provided by the Mississippi Department of Corrections with demographic, offense, and sentence information for every person serving a “day-for-day” sentence (meaning they have to serve every day of their sentence in prison with no opportunity for early release) in MDOC custody.<sup>1</sup> We used this data to estimate the impact of each bill on this group, as well as the impact of improving and expanding these bills. When estimating the impact, we assumed significantly lower than average parole grant rates<sup>2</sup> for those who would be newly parole eligible to ensure that this estimate is conservative and does not over-estimate the potential impact. In addition, because this estimate only includes the impact of the bills on the subset of the population with “day-for-day” sentences, **these estimates should be considered a lower bound of the total impact of the legislation.**

1. The MacArthur Justice Project submitted Mississippi Public Records Act requests to the Mississippi Department of Corrections for the demographic, offense, and sentence information for everyone serving a “day-for-day” sentence in MDOC custody. This data was generated by MDOC in March 2017. For the purposes of this report, we have assumed that the number and characteristics of people serving “day-for-day” sentences has remained stable between 2017 and 2020. We tailored the data to include only individuals who would be impacted by the provisions in SB 2123/HB 1377 (people convicted of armed robbery and sex offenses). We also assumed that the number of people admitted to prison for these offenses has remained stable over time.

2. We assumed a grant rate of 30% for violent offenses and 15% for sex offenses, far lower than the Parole Board’s 2019 average grant rate of 71.5% as reported to the Corrections and Criminal Justice Oversight Task Force. .

# HB 1377

If passed in its current form, HB 1377 would reduce Mississippi's prison population by roughly 3,100 by allowing currently incarcerated Mississippians to be released on parole, saving the state over \$45 million in reduced prison spending. The bill would also apply to people sentenced to prison in the future. Over time, we expect this bill to save roughly 220 additional prison beds related to future admissions, which equates to \$3.2 million in reduced prison costs annually.

When it was introduced, HB 1377 expanded parole eligibility to people convicted of both violent and sex offenses. People convicted of these offenses are more likely to have extreme sentences that force them to grow old, and often die, behind bars, a particularly senseless practice. Studies show that people over the age of 50, regardless of the type of offenses they have been convicted of, report the lowest recidivism rates among all age demographics<sup>3</sup>. By excluding people convicted of certain types of offenses from consideration for parole, Mississippi denies opportunities for redemption, prevents families from being with their loved ones, and saddles taxpayers with the high medical costs of caring for an aging prison population.

If these provisions from the original bill were restored, HB 1377 could positively impact more imprisoned people and their families and save tens of millions of additional taxpayer dollars. Applying the improved bill's provisions retroactively would lead to a short-term prison population decrease of nearly 5,000 and savings of over \$72 million, a 59% increase in impact. When accounting for people sentenced to prison in the future, the expanded bill would reduce the prison population by an additional 325 beds, saving \$4.7 million annually.

# SB 2123

SB 2123 has many of the same provisions as HB 1377, and it would also be dramatically improved by restoring the original language that expanded parole eligibility to people convicted of a wider range of offenses. However there are some key differences between the bills. Unlike HB 1377, SB 2123 does not allow people with very long sentences to go in front of the parole board after 20 years; instead it mandates that people serve 50% of their sentence before their first parole hearing. This provision will exclude many people from reaching parole eligibility in their lifetimes. For example, a 30 year old person sentenced to 150 years in prison is not likely to live to their parole eligibility date if it is 75 years in the future. This bill denies opportunities for hope and incentives for those serving the most extreme sentences. Because of this provision, the impact of SB 2123 is smaller than that of HB 1377.

The majority of those who would be impacted by both of these bills are Black individuals, a group that has been disproportionately imprisoned in Mississippi for decades.

# Summary of Impact and Opportunities for Improvement

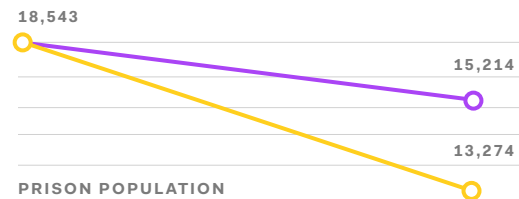
Both SB 2123 and HB 1377 would dramatically improve Mississippi's restrictive parole laws. However, HB 1377 provides opportunities for people with the most extreme sentences to present their case for release to the Parole Board in their lifetime, a clear improvement over SB 2123. To maximize impact and opportunities for redemption, HB1377 should be expanded to include parole eligibility for people convicted of a broader swath of offenses. With these amendments, Mississippi legislators have the opportunity to pass legislation that would reunite thousands of families, reduce Mississippi's second-in-the nation imprisonment rate, and save nearly \$77 million in taxpayer dollars.

IF PASSED IN ITS  
CURRENT FORM

**HB 1377 would reduce prison population by roughly 3,000, saving the state over \$45 million in reduced prison spending.**

IF RESTORED TO ITS  
ORIGINAL STATE

**HB 1377, would lead to a prison population decrease of nearly 5,000, and \$72 million in savings.**



3. Laura D. Cross, Va. Dep't of Corr., Recidivism in Virginia: Tracking the 1999 Release Cohort 13-14 tbl.5 (2005), available at [www.vadoc.state.va.us/about/facts/research/recidivism/recidivism05.doc](http://www.vadoc.state.va.us/about/facts/research/recidivism/recidivism05.doc); Ariz. Dep't of Corr., Arizona Inmate Recidivism Study 6 (2005), available at [http://www.azcorrections.gov/ad/reports/recidivism\\_2005.pdf](http://www.azcorrections.gov/ad/reports/recidivism_2005.pdf).