

# **Mississippi Parole Pro Se Preparation Guide**

Winter 2023



# Table of Contents

<b>Introduction and Overview</b>	<b>3</b>
<b>Chapter 1: What is Parole?</b>	<b>3</b>
Defining Parole	3
Parole Eligibility	3
Overview of the Parole Process in Mississippi	4
Factors Considered by the Parole Board	5
<b>Chapter 2: Preparing for Parole Review</b>	<b>7</b>
Addressing the Factors You can Control	7
Case Plans	9
Discharge Plans	10
<b>Chapter 3: Preparing Your Parole Packet</b>	<b>12</b>
Purpose of a Parole Packet	12
Preparing to Create a Parole Packet.	12
What to Include in a Parole Packet	13
How to Deliver a Parole Packet to the Board	14
Sample Materials	16
<b>Chapter 4: What to Expect During a Video Parole Hearing</b>	<b>18</b>
Overview of a Video Parole Hearing	18
Tips for Your Video Parole Hearing	18
Possible Questions During the Video Parole Hearing	19
<b>Chapter 5: How to Prepare for the Outcome</b>	<b>20</b>
What if I am Granted Parole	20
What if Parole is Denied	20
<b>Chapter 6: Frequently Asked Questions</b>	<b>22</b>
<b>Chapter 7: Additional Resources</b>	<b>24</b>
Parole Interstate Compact	24
Reentry Resources	24
<b>Appendix</b>	<b>25</b>

Acknowledgments: This guide is a project of the University of Mississippi School of Law's Clinical Program, and the MacArthur Justice Center, with support from FWD.us. Thank you to the students, advocates, and directly impacted people who contributed to this guide.

# **Introduction and Overview**

The purpose of this guide is to help parole-eligible people and their supporters prepare for review by the Mississippi Parole Board. Chapters 1-4 of this guide provide an overview of the parole process and the different forms of parole review. Chapters 5-7 discuss what to do after your parole review, frequently asked questions, and additional resources.

The information and suggested strategies in this guide should not be considered legal advice. Because every case and situation is different, individuals should consider contacting an attorney to receive legal advice that is specific to their situation. The information in this guide is based on research about practices in Mississippi and elsewhere and is focused on providing you with information so you can make your own decisions about what is right for you.

## **Chapter 1: What is Parole?**

### **Defining Parole**

Parole is a type of conditional release from prison. When a person is released on parole, they serve the remainder of their sentence in the community under the supervision of a parole officer. Parole release comes with conditions. Common conditions include, but are not limited to, obeying the law, regularly reporting to a parole officer, maintaining employment, not drinking alcohol, or using drugs, not leaving the state without permission, and not possessing a firearm or other deadly weapon. A person on parole may also have a curfew and be required to comply with occasional home visits, searches, and drug tests. If a person violates one or more of the conditions of their parole, their parole may be revoked, and they may be sent back to prison. See, e.g., Miss. Code Ann. § 47-7-27.

### **Parole Eligibility**

In Mississippi, whether a person is eligible to be released on parole depends on the crime(s) for which they were convicted and the date the crime(s) were committed. Parole eligibility is defined in Miss. Code Ann. § 47-7-3. For a list of offenses that are eligible for parole as of July 1, 2021, please see the statute in Appendix A. Keep in mind that the parole statute is sometimes amended, and that Appendix A may not be the most recent version of the statute, but you can request a copy from the ILAP clerk at your prison.

Your parole eligibility date is listed on your time sheet, which you should be able to get from your case manager. Parole eligibility calculations can be complicated if you have multiple sentences, especially if one or more of those sentences is not eligible for parole. If you believe that MDOC has miscalculated your parole eligibility date, you might want to consult with an attorney.

It is important to keep in mind that being eligible for parole does not guarantee that you will be released on parole. Generally speaking, release on parole is a privilege, not a right.<sup>1</sup>

## **Overview of the Parole Process in Mississippi<sup>2</sup>**

The Mississippi Parole Board is made up of five individuals appointed by the Governor. See Miss. Code Ann. § 47-7-5(1). The board has “exclusive responsibility” for deciding whether or not an eligible person will be released on parole. Miss. Code Ann. § 47-7-5(3).

Generally speaking, the parole board will review a person’s case for parole approximately two months prior to their parole eligibility date or “set off” date.<sup>3</sup> The law requires “[t]he hearing shall be held no later than thirty (30) days prior to the month of eligibility.” Miss. Code Ann. § 47-7-17(2). In most cases, the board will conduct a file review rather than an actual “hearing.” In those cases, the person will not have an opportunity to speak directly to the board. In a limited number of cases, the board will conduct a brief video parole hearing with the person. Video hearings are discussed in Chapter 3.

Regardless of whether the board simply reviews your file or also meets with you for a brief video hearing, it is unlikely they will have all the information you want them to have. One way to make sure the board gets a complete understanding of why you are a good candidate for parole is to prepare and submit a “parole packet.” Chapter 2 provides suggestions for preparing a “parole packet.”

---

<sup>1</sup> See Miss. Code Ann. § 47-718(1) (providing that when certain conditions are met, some people “shall be released from incarceration to parole supervision on ... [their] parole eligibility date, without a hearing before the board”).

<sup>2</sup> This guide does not address the presumptive parole procedure provided in Miss. Code Ann. § 47-7-18.

<sup>3</sup> A “set-off” date is the date the parole board will reconsider a person’s case if they have previously been denied parole.

## ***Factors Considered by the Parole Board***

There are many factors the parole board considers when deciding whether or not to grant parole. According to the board's website, these factors include, but are not limited to, the following:

- Severity of the offense
- Number of offenses committed
- Psychological and/or psychiatric history<sup>4</sup>
- Community support or opposition<sup>5</sup>
- Amount of time served
- Prior misdemeanor or felony conviction(s)
- Juvenile record
- History of drug or alcohol abuse
- History of violence
- Crimes committed while incarcerated
- Escape history
- Participation in educational and rehabilitative programs
- Arrangements for employment and/or residence
- Whether the person served in the United States Armed Forces and received an honorable discharge<sup>6</sup>

The law also requires the board to consider a person's "conduct, employment and attitude while in the custody of the department," "the case plan created to prepare the [person] for parole," Miss. Code Ann. § 47-7-17(1), and the person's "discharge plan,"

Miss. Code Ann. § 47-7-33.1(1).<sup>7</sup> Furthermore, the board is required to "consider whether any restitution ordered [by the sentencing court] has been paid in full."

---

<sup>4</sup> In some cases, the board requires a psychological evaluation, even if the person has no record of mental health treatment. If a psychological evaluation is conducted, it is especially important to be honest about your crime(s) and prison record (e.g. RVRs). It is also important to accept responsibility and express remorse for your crime(s) and misconduct.

<sup>5</sup> As discussed below, this may include opposition from a victim or a victim's family member. It might also include opposition from a judge, prosecutor, or law enforcement officer.

<sup>6</sup> This list can be found at <https://www.mdoc.ms.gov/Community-Corrections/Pages/Parole.aspx> (last visited July 16, 2022).

<sup>7</sup> Case plans and discharge plans are discussed in Chapter 2.

Miss. Code Ann. § 47-7-17(2). As a general matter, the board will also consider whether a person has accepted responsibility and demonstrated remorse for their crime(s).

Ultimately, the board is obligated by law to determine whether a person “is able and willing to fulfill the obligations of a law abiding citizen.” Miss. Code Ann. § 47-7-17(2). However, the board will also consider whether, in the opinion of the board, the person has served enough time. Moreover, the law requires that a “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,” Miss. Code Ann. § 47-7-17(2). The board often gives significant weight to a victim’s opposition to parole.

## **Chapter 2: Preparing for Parole Review**

### ***Addressing the Factors You can Control***

There are some factors considered by the parole board that you cannot change or control, like the number of offenses committed, community and victim opposition, the amount of time served, and your prior criminal and juvenile record. However, there are many factors you can control. And you may be able to improve your chances of being granted parole by focusing on these factors throughout your incarceration.

1. **Conduct while incarcerated.** The board takes seriously whether you have complied with prison rules and avoided rule violation reports (RVRs).
2. **Participation in educational and rehabilitative programs.** Although there may be few educational and rehabilitative programs available where you are incarcerated, it can be helpful to complete as many such programs as possible. With respect to educational programs, earning a G.E.D., vocational skill certificate, or college degree will make it easier for you to find employment upon release and thus completion of such programs may ease potential concerns about you returning to criminal activity. With respect to rehabilitative programs, it may be especially helpful to focus on programs related to your conviction(s). For example, if you were convicted of a drug crime (or a crime related to drug activity), it may be helpful to complete alcohol and drug treatment programs.<sup>8</sup> If you were convicted of a violent crime, it may be helpful to complete anger management and similar programs. Once you complete a program, try to save any certificates or other documentation to send with a parole packet. You can map out your educational and rehabilitative plan—and potentially increase your ability to access certain programs—by working to create an effective case plan. See, e.g., Miss. Code Ann. § 47-7-3(4) (“Any [person] within forty-eight (48) 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 or job-training programs that are part of his or her parole case plan.”) Case plans are discussed in the next section of this chapter.

---

<sup>8</sup> As noted above, a “history of drug or alcohol abuse” is one of the factors considered by the board. If you have struggled with abusing drugs and/or alcohol in the past, it may be very helpful to use your time in prison to attempt to address those issues



3. **Employment while incarcerated.** Obtaining and maintaining employment while incarcerated can help to demonstrate to the board that you have the attitude and work ethic to be successful on parole and in society. It can also help you to develop new skills and demonstrate the skills you have already developed. Moreover, you may be able to get letters of recommendation from your supervisors.
4. **Whether restitution has been paid in full.** It may be extraordinarily difficult for a person to pay any restitution ordered by the court while they are incarcerated, but this is a factor the board is required to consider. Even small payments may be helpful.
5. **Arrangements for housing.** One of the most important factors for the parole board is whether you have made plans for appropriate housing when you are released. Prior to a parole hearing, you will be required to provide your case manager with an address (or list of potential addresses) where you plan to live if you are released on parole. A parole officer will likely inspect the address(es) before you are released on parole. An address may be rejected by the parole board for a number of reasons, including, but not limited to, the presence of firearms, drugs, alcohol, people with felony convictions, or because it is located in what they perceive to be a high crime area. The board may also be opposed to a person returning to the home, neighborhood, or town where they were living when they committed their crime(s). People who have more than one place they can live should take all of these things into consideration when deciding which addresses to submit to the parole board. The board also has the option of paroling a person to “a transitional reentry center.” Miss. Code Ann. § 47-7-17(2). This may be the only option for people who do not have family or friends who are willing to house them. As discussed in the section titled “Discharge Plans” below, however, MDOC is required by law to “[a]ssist [people] in identifying safe, affordable housing upon release.” Miss. Code Ann. § 47-7-33.1(2)(d).
6. **Arrangements for employment.** If able, try to find employment prior to your parole hearing. This can be very difficult for an incarcerated person and often requires the assistance of family and friends. If you have not secured employment prior to your parole hearing, be prepared to explain how you plan to find a job once you are released and any skills or training that will help you get a job. You should also be prepared to explain who will be supporting you until you are able to support yourself.

## Case Plans

According to Mississippi law, MDOC is required to help you create a “case plan” before your parole review. A good case plan—and achieving the goals of that case plan—can be a helpful tool for convincing the board that you have earned the privilege of being released on parole. In practice, however, it will likely be up to you to ensure that (a) you receive a case plan, and (b) that it sets programming goals that are best for, and achievable by, you. If you have not received a case plan, you should discuss this with your case manager. If you still do not receive a case plan, you may need to consider raising this issue through the Administrative Remedy Program (“ARP”). Keep in mind, however, that developing a good working relationship with your case manager is often the best way to get a case plan to meet your needs.

Below you will find the specific language regarding MDOC’s legal requirement to help you create a case plan—

“In consultation with the Parole Board, the department shall develop a case plan for all parole-eligible [people] to guide [a person]’s rehabilitation while in the department’s custody and to reduce the likelihood of recidivism after release.” Miss. Code Ann. § 47-7-3.1(1). “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.” Miss. Code Ann. § 47-7-3.1(2).

“With respect to parole-eligible [people] admitted to the department’s custody on or after July 1, 2021, the department shall complete the case plan within ninety (90) days of admission. With respect to parole-eligible [people] admitted to the department’s custody before July 1, 2021, the department shall complete the case plan by January 1, 2022.” Miss. Code Ann. § 47-7-3.1(3). “The department shall provide the [person] with a written copy of the case plan and the [person]’s caseworker shall explain the conditions set forth in the case plan.” Miss. Code Ann. § 47-7-3.1(4). Moreover, “[t]he caseworker shall meet with the [person] every eight (8) weeks from the date the [person] received the case plan to review the [person]’s case plan progress.” Miss. Code Ann. § 47-7-3.1(6).

“With respect to parole-eligible [people] admitted to the department’s custody after July 1, 2021, the department shall ensure that the case plan is achievable prior to the [person]’s

parole eligibility date. With respect to parole-eligible [people] admitted to the department's custody before July 1, 2021, the department shall, to the extent possible, ensure that the case plan is achievable prior to the [person]'s parole eligibility date or next parole hearing date, or date of release, whichever is sooner.” Miss. Code Ann. § 47-7-3.1(5). “If the Department of Corrections fails to adequately provide opportunity and access for the completion of such case plans, the Department of Corrections shall, to the extent possible, contract with regional jail facilities that offer educational development and job-training programs to facilitate the fulfillment of the case plans of parole-eligible [people].” Miss. Code Ann. § 47-7-3.1(9).

## **Discharge Plans**

Mississippi law also requires MDOC to create a discharge plan. A discharge plan can help you plan for your return to your community. Just as the case plan requirement can help you to achieve educational and rehabilitative goals, the discharge plan requirement can be used to help you find opportunities—like housing and employment—that you may need to be granted parole and to be successful on parole. However, you may need to take steps to make certain MDOC is following the discharge plan requirement in your case. Below you will find the specific language about MDOC’s legal requirement to help you create a discharge plan.

The law requires the department to create “a discharge plan for any [person] 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.” Miss. Code Ann. § 47-7-33.1(1). “At least ninety (90) days prior to [a person’s] earliest release date, the commissioner shall conduct a pre-release assessment and complete a written discharge plan based on the assessment results.” Miss. Code Ann. § 47-7-33.1(1). “The discharge plan for parole eligible [people] shall be sent to the parole board at least thirty (30) days prior to the [person]'s parole eligibility date for approval.” Miss. Code Ann. § 47-7-33.1(1). “The board may suggest changes to the plan that it deems necessary to ensure a successful transition.” Miss. Code Ann. § 47-7-33.1(1). By law, the board must “approve discharge plans before [a person] is released on parole.” Miss. Code Ann. § 47-7-33.1(4).

The pre-release assessment conducted to create the discharge plan should “identify whether [a person] 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.” Miss. Code Ann. §

47-7-33.1(2). Moreover, “[t]he discharge plan shall include information necessary to address these needs and the steps being taken by the department to assist in this process.” Miss. Code Ann. § 47-7-33.1(2). Furthermore, the law requires MDOC to:

- (a) Arrange transportation for [people] from the correctional facility to their release destination;
- (b) Ensure [people] have clean, seasonally appropriate clothing, and provide [people] with a list of food providers and other basic resources immediately accessible upon release;
- (c) Ensure [people] have a provisional driver's license issued pursuant to Title 63, Chapter 1, Article 7, Mississippi Code of 1972, a regular driver's license if eligible, or a state-issued identification card that is not a Department of Corrections identification card;
- (d) Assist [people] 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 [people] without secured employment to employment opportunities;
- (f) Provide [people] 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 the [person] agrees; and
- (h) Refer [people] to a community or a faith-based organization that can offer support within the first twenty-four (24) hours of release.

Miss. Code Ann. § 47-7-33.1(2)(a)-(h). For the complete statute, see Appendix B. The case plan statute can be found in Appendix F.

# **Chapter 3: Preparing Your Parole Packet**

## **Purpose of a Parole Packet**

As discussed in Chapter 1, most parole “hearings” are done as a file review. In those cases, the parole board does not meet with you, but instead reviews your file and decides whether or not to grant parole. Unfortunately, your file may not include important information, like the programs you’ve completed and certificates you’ve earned. It also will not include letters from people who support you and may not include detailed information about your plans if you are released on parole (including any job offers or educational plans you might have). Also, your file likely will not include any information from you about your remorse and acceptance of responsibility, or how you have changed during your time in prison. Therefore, it can be helpful for you to prepare and submit a “parole packet” that includes this kind of important information. Parole packets can be helpful even if you are one of the few people who will get a chance to speak with the board at a video hearing.

## **Preparing to Create a Parole Packet**

Preparing a parole packet will take time. You may want to start preparing your packet six months from your eligibility date so you’ll have time to work at a reasonable pace and get the packet to the board before they review your case. Some of the documents you might want to include may take time to get, such as employment verification letters, letters of support, certificates, transcripts, etc. If you have a support system outside of the prison, it is important to ask them for help getting some of these important documents. Before you begin working on your parole packet, think about the factors that will be considered by the board (see Chapter 1) and how you can demonstrate that those factors weigh in favor of granting you parole. It might be helpful to reflect on some of the questions below.

- How do you feel about what you did? For example: sad, regretful, etc.
- What have you learned in prison? For example: how to manage your emotions better, the importance of making better decisions, the benefits of mental health treatment, etc.
- What steps have you taken to improve yourself in prison? These might include vocational and educational programs, drug and alcohol treatment, anger management, faith-based programs, mentoring, etc.
- How will you try to continue to improve yourself if you are released on parole?
- Why should the parole board grant you parole?
- Which people or organizations can help support you if you are paroled?

## What to Include in a Parole Packet

During your file review, the parole board will be looking at the factors outlined in Chapter 1 to make its decision about whether to grant parole. Because you will not have an opportunity to speak directly to the board, you can use your parole packet to show the board you understand any harm you may have caused, your growth while incarcerated, and that you have the tools to make good decisions and avoid harming your community if released.

Below is a list of documents that might be included in a parole packet. Every case is different, so some of the documents may not apply to you. But every parole packet should include a cover letter from you. Also, keep in mind you can include other information that is not on this list if you think it would be helpful to the board.

- **Cover letter**

- This is an introduction to the packet. It summarizes the information and documents in the packet. It also gives you an opportunity to tell your story to the board. It can be an opportunity for you to demonstrate you have accepted responsibility, express remorse, discuss how you have changed during incarceration, provide your plans if you are released, and otherwise explain why you should be granted parole. A sample cover letter is included at the end of this chapter.
- Generally speaking, it is not helpful to make excuses for the crime, but some discussion of factors that led to the offense may help give the board context.
- Try to keep your cover letter relatively short and simple (under three pages) and write it clearly so the board can read it.

- **Letters of support**

- These are letters from people who support your release on parole. Letters of support can come from family members, friends, teachers, faith leaders, employers, advocates, defense attorneys, and other community members who believe you deserve a second chance. Letters can also come from future employers, housing providers, and others who can provide you support if you are released. Moreover, letters can come from sympathetic Department of Corrections employees or instructors. Although such letters

can be hard to get, having someone from MDOC discuss your positive behavior and growth can have a powerful impact on the board.

- These letters might include information about how you have accepted responsibility, changed while incarcerated, or positive characteristics that will help you be successful. These letters might also include a promise that the person will help you when you are released by providing support, such as housing, employment, or mentorship.
- The person writing a letter of support should include their name, relationship to you, and contact information. A sample letter of support is included at the end of the chapter.
- Certificates and awards for good behavior and completing programs in prison. Include any transcripts, diplomas, or proof of attendance from G.E.D., vocational, college, or other educational programs. (As noted above, don't assume that these materials will be in your parole file.)
- Proof that you have paid any restitution ordered by the court.

## **How to Deliver a Parole Packet to the Board**

The best way to ensure the board receives the parole packet is to have a family member, friend, or other advocate hand-deliver the packet to the board's office at 660 North Street, Suite 100A, Jackson, MS 38732. If possible, five copies of the packet (one for each member of the board) should be delivered. The board may also be willing to schedule a meeting with an incarcerated person's family member, friend, or other (non-lawyer) advocate. To attempt to schedule a meeting, call the board's office at (601) 576-3520.

Alternatively, the packet may be mailed to the board (or each individual member) at 660 North Street, Suite 100A, Jackson, MS 38732. It is also possible for a friend, family member, or other advocate to scan the packet and email it to the members of the board. As of summer 2022, the current board members' email addresses are:

- Chairman Jeffrey Belk– [jbelk@mdoc.state.ms.us](mailto:jbelk@mdoc.state.ms.us)
- Anthony Smith– [ALSmith@mdoc.state.ms.us](mailto:ALSmith@mdoc.state.ms.us)
- James R. Cooper– [JRCooper@mdoc.state.ms.us](mailto:JRCooper@mdoc.state.ms.us)

- Marlow Stewart– [mstewart@mdoc.state.ms.us](mailto:mstewart@mdoc.state.ms.us)
- Julia M. Norman – [Julia.Norman@mdoc.state.ms.us](mailto:Julia.Norman@mdoc.state.ms.us)

Keep in mind that the board's membership changes over time. The current names and email addresses of the members can be found at:

<https://www.mdoc.ms.gov/Community-Corrections/Pages/Parole-Board-Contact.aspx>. If you don't have a friend or family member that can check the website for you, you can ask your case manager or ILAP for the right names to mail your packet.

Ideally, the packet should be delivered to the board within one week of your parole hearing or review. (If you deliver it too early, it may get misplaced.) You should also keep a copy of the parole packet for your own records.



## ***Sample Materials***

Below are some examples of documents that you can include in your packet. **The language in the example letters should not be copied exactly. Instead, use the examples as a guide for your own story.**

### **Sample Cover Letter**

Your Name and MDOC number

Address

Dear Parole Board,

I am writing to ask that you grant my request for parole. In (X year), I was convicted of (X crime(s)). I am deeply sorry for what I did. Over the last (X) years, I have worked hard to learn from my mistakes and become a better person.

I have tried to engage in positive activities in prison such as [list programs you have completed and reference the certificates included in your packet; spend a little time discussing the programs and activities that have had the greatest impact on you].

If I am paroled, I plan to [include any job opportunities you may have or plans to apply for specific jobs, where you will live, community or treatment programs that can help you, and any church you plan to attend]. I have attached letters from [briefly discuss the letters of support you have included in your packet].

My actions [X number of years ago] were wrong. I have truly learned from my mistakes. I have used my time in prison to grow as a person. If I am granted parole, I will not let you down. Thank you for reading my letter and considering me for parole.

Sincerely,

Your Name

## Sample Letter of Support

RE: [Insert name and MDOC number of parole applicant]

Dear Parole Board,

My name is Jane Doe and I am the cousin of (insert name) who is up for parole this month. I am writing this letter in support of (name's) request for parole. I am a school teacher at Jackson Public Schools and have worked for the school system for 25 years. I have known (name) for X years and was close with him before he was incarcerated.

When I learned of (name)'s crime, I and the rest of our family were shocked and saddened. Since he has been incarcerated, I have visited him often. Over the last X years, we have seen (name) transform and mature. He is remorseful and takes full responsibility for his actions. While incarcerated, (name) began attending counseling sessions and joined a church group that meets every week. I see major improvements in (name's) attitude.

If (name) is released on parole, my husband and I have a guest room where (name) is welcome to stay for as long as he needs. Our church (church name) has a program that helps to support formerly incarcerated people. The church has a spot for (name) when he is released. We are prepared and excited to offer (name) a stable and loving home. Please give him another chance.

Sincerely,  
Jane Doe  
222 W. Jackson St.  
Jackson, MS 39208  
662-555-1213

## **Chapter 4: What to Expect During a Video Parole Hearing**

### **Overview of a Video Parole Hearing**

As discussed in Chapter 2, most parole “hearings” are done via file review. However, in a small number of cases, the board will conduct a video parole hearing. Like file reviews, video parole hearings generally take place approximately two months prior to a person’s parole-eligibility date or “set-off” date. Your case manager may be able to tell you if and when you will have a video parole hearing.

### **Tips for Your Video Parole Hearing**

Below you will find some tips to help you prepare for a video parole hearing.

#### **Before your video review:**

- **Practice.** If you have prepared and delivered a parole packet, take some time to review it and reflect on how you will talk about your packet without reading it to the board. Also, try practicing what you will say to the board and how you will answer their questions; it might be helpful to write out your answers and then practice. Decide what are the most important things you want the board to understand about you and why you are ready for release and think about how you want to talk about them to the board.

#### **During your video review:**

- **Answer the board’s questions.** Try to answer the board’s questions completely and truthfully. You might be asked to describe the offense which led to your incarceration. Remember that the board will have a description of the event and if your description does not match the one the board has, they might believe you are being dishonest.
- **Advocate for yourself.** Take the opportunity to say why you should have the opportunity to be paroled. The board might not ask you why you think you should be paroled, so be prepared to talk about what you will do if granted parole.
- **Maintain a respectful tone.** You may hear something during your hearing that is unpleasant or even untrue about your case. However, remember that any display of

anger or agitation may cause the board to conclude that you are not ready to be released from prison.

- **Speak clearly.** What you have to say is important for the board to hear. Speak loudly enough for them to hear you over the camera's microphone. Try not to speak too quickly. Also, try not to use any slang (street or prison slang the board may not understand) in your answers.
- **Maintain eye (or camera) contact as much as possible.**

## **Possible Questions During the Video Parole Hearing**

It is impossible to predict which questions the board might ask, but some possible questions are provided below. Try writing down your answers to these questions and practicing how you would answer. Parts of your parole packet might be useful in answering these questions.

- Tell us about the crime.
- Why did you do it?
- Do you accept responsibility for what happened?
- What would you say to your victim(s) if you could send them a message?
- Where (and with whom) do you plan to live if you are granted parole?
- What do you intend to do (as in a job or employment) in order to support yourself should you be granted parole?
- Why should we grant you parole?

## **Chapter 5: How to Prepare for the Outcome**

### **What if I am Granted Parole**

Generally speaking, even if you have a video hearing the board will not tell you their decision at the hearing. Instead, your case manager will likely inform you of the board's decision in the days or weeks following your hearing or file review. You might also receive an "action sheet" from the board. A sample "action sheet" is included as Appendix C.

If you are granted parole, it may be several weeks before you are released. Among other things, "fifteen (15) days prior" to your release, MDOC must provide notice of your release to "the sheriff of the county and the chief of police of the municipality where [you were] convicted," and, if you are paroled to another county, "to the sheriff, district attorney and circuit judge of the county and to the chief of police of the municipality" where you will be paroled. Miss. Code Ann. § 47-5-177.

If someone is going to pick you up, you should provide that person's name and phone number to your case manager (unless you are given different instructions at your facility). In most cases, the case manager will call that person to inform them of the date and time you can be picked up. If no one is coming to pick you up, you will be provided with a bus ticket to your approved city or county of parole.

Prior to your release, you should receive a "Certificate of Parole." The back of the certificate should include a "Statement of Conditions Under Which this Parole is Granted," which states the conditions of your parole. The statement should also inform you when and where you are required to report to your parole officer. A sample "Statement of Conditions" is included in Appendix D.

### **What if Parole is Denied**

The parole board may deny your request for parole and instead give you a "set-off date" which is the next date they will consider you for parole. If you were convicted on or after July 1, 2014, you should "have a parole hearing at least every year." Miss. Code Ann. § 47-7-18(6). Unfortunately, Mississippi's appellate courts have concluded that this requirement does not apply to people convicted prior to July 1, 2014. See, e.g., *Barnes v. State*, 226 So.3d 130, 132 (Miss. Ct. App. 2017). Thus, people convicted prior to July 1, 2014, may be set off for more than a year.

If you are denied parole, you should receive an “action sheet” form that lists the board’s “reasons for denial.” The “action sheet” may also include “special instructions” of the things you need to do before your next hearing. For example, it might say “[a]t the next hearing, come before the Board with a clean record,” “prior to next hearing, provide proof of employment/residence plans,” “participate in alcohol & drug program, GED, ABE, or vocational school,” or provide other instructions. See Sample Action Sheet, Appendix C. However, you may be denied simply because of things you cannot change, like the nature of your crime, the number of crimes committed, or the board’s opinion that you have not served sufficient time.

Having parole denied can be devastating, and, understandably, you might feel a lot of negative emotions, including anger, sadness, or hopelessness. It can be especially upsetting if you are denied parole because the board does not believe you have served enough time. You will hopefully be given another chance of early release in the future and so complying with MDOC rules and participating in any available programs and trying to avoid any conduct that would negatively impact your record can give you a better chance for a future parole hearing or other early release program.

# **Chapter 6: Frequently Asked Questions**

## **1. What is parole?**

- Parole is a type of conditional release from prison. Parole allows you to serve the remainder of your sentence outside of prison while being supervised. Parole release comes with conditions, such as following the rules laid out by your parole officer. Not following these rules may result in you being sent back to prison.

## **2. How can I find out when I am eligible for parole?**

- You can ask your case manager if you are eligible for parole. If you are eligible for parole, you do not need to apply for a parole review date. The law requires MDOC to calculate the minimum amount of time you must be incarcerated before you are eligible for parole, and they must determine your parole eligibility date.

## **3. How much voice does the victim have in the parole process?**

- During the parole process, a crime victim or a designated family member has the opportunity to provide information to the Parole Board. If the victim or their family opposes your release, the parole board might decide to deny you parole.

## **4. How can family or friends help me during my parole process**

- There are many ways for your loved ones to help you during your parole process, especially as you are working to put together your parole packet. Your loved ones can help you by: writing a letter to the parole board, helping you gather information, transcripts, or letters that you need to include in your packet, or making sure the parole board receives your parole packet by hand delivering the packet or sending it via email or mail.

## **5. What should I do if I do not have a support system?**

- If you do not have family or friends outside that can help you, you can try and get assistance from prison staff. There may be a teacher, counselor, case manager, or the ILAP clerk who could help you put your packet together. If there is someone that you feel comfortable and safe with, feel free to ask for their help.

## **6. Who can I talk to if I have questions about parole?**

- Your case manager or the ILAP clerk should be able to answer your questions. You can request a copy of any statutes from the ILAP clerk.

## **7. What should I do if I do not have an address to be released to?**

- Unfortunately, the Parole Board will not grant parole if you do not have an approved address on file. With the help of your case manager, or family and friends, you should identify housing as soon as possible to be submitted for approval.

## **8. How can I mentally prepare for my parole review?**

- Before, during, and after your review, you might feel many different emotions including excitement, nervousness, hope, frustration, etc. It might help to have a support system—either inside or outside—that can help you stay encouraged and stay focused. If you have a video review, try thinking about ways you will respond to questions that might frustrate or upset you during your review.



## **Chapter 7: Additional Resources**

### **Parole Interstate Compact**

If you want to live out of state when you are paroled, you must have an approved parole interstate compact agreement. This is an agreement between Mississippi and the state where you will live that the other state will supervise you until the end of your sentence. The facility you are staying at has a designated person that handles paperwork for an Interstate Compact Agreement application. There is also a \$50 application fee that must be paid before the application is approved. See Miss. Code Ann. § 47-7-81.

### **Reentry Resources**

Once you are released, you can visit [www.msreentryguide.com](http://www.msreentryguide.com) to find some reentry resources throughout the state. Please check often for updates.

If you do not have a copy of your birth certificate, you can obtain one from Mississippi Department of Health, Vital Records. You can request a copy in person by visiting their office at 222 Marketridge Drive, Ridgeland, Mississippi. Their customer service window is open from 8:00 a.m. – 4:00 p.m., Monday through Friday. You can also request a copy online, by mail, or by phone. For additional information please call (601) 206-8200 or email [VRInfo@HealthyMS.com](mailto:VRInfo@HealthyMS.com).

For a copy of your social security card, you can request one in person or online. To find the Social Security Office closest to you, enter your zip code using the office locator on the Social Security Administration's website: <https://secure.ssa.gov/#officeResults>. To request a copy online, submit your request here: <https://www.ssa.gov/ssnumber/>.

As discussed above in the section on Discharge Plans, MDOC is required by law to provide you with a provisional driver's license, regular driver's license or state issued identification, not an MDOC card.<sup>9</sup> If you have questions about this, you can ask your case manager. If you receive a state issued I.D. card but would like to obtain a driver's license, you must go through the Mississippi Department of Public Safety's Driver License Bureau. The Department of Public Safety's website has a complete list of what you will need to obtain a Mississippi Driver's License.<sup>10</sup>

---

<sup>9</sup> See Miss. Code Ann. § 47-7-33.1(2)(c)

<sup>10</sup> <https://www.driverservicebureau.dps.ms.gov/node/303>

# **Appendix**

## ***Appendix A: Miss. Code Ann. § 47-7-3 (Parole Eligibility Statute)***

**(1)** Every [incarcerated person] 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 [incarcerated person] has observed the rules of the department, and who has served the minimum required time for parole eligibility, may be released on parole as set forth herein:

**(a) [People incarcerated for] Habitual offenses.** Except as provided by Sections 99-19-81 through 99-19-87, no person sentenced as a confirmed and habitual criminal shall be eligible for parole;

**(b) [People incarcerated for] Sex offenses.** Any person who has been sentenced for a sex offense as defined in Section 45-33-23(h) 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) [People convicted of Capital crimes].** No person sentenced for the following offenses shall be eligible for parole:

**(i)** Capital murder committed on or after July 1, 1994, as defined in Section 97-3-19(2);

**(ii)** Any offense to which a [person] is sentenced to life imprisonment under the provisions of Section 99-19-101; or

**(iii)** Any offense to which a [person] is sentenced to life imprisonment without eligibility for parole under the provisions of Section 99-19-101, whose crime was committed on or after July 1, 1994;

**(d) Murder.** No person sentenced for murder in the first degree, whose crime was committed on or after June 30, 1995, or murder in the second degree, as defined in Section 97-3-19, shall be eligible for parole;

**(e) Human trafficking.** No person sentenced for human trafficking, as defined in Section 97-3-54.1, whose crime was committed on or after July 1, 2014, shall be eligible for parole;

**(f) Drug trafficking.** No person sentenced for trafficking and aggravated trafficking, as defined in Section 41-29-139(f) through (g), shall be eligible for parole;

**(g) Offenses specifically prohibiting parole release.** No person shall be eligible for parole who is convicted of any offense that specifically prohibits parole release;

(h)

**(i)[Incarcerated people] eligible for parole consideration for offenses committed after June 30, 1995.** Except as provided in paragraphs (a) through (g) of this subsection,[incarcerated people] may be considered eligible for parole release as follows:

**1. Nonviolent crimes.** All persons sentenced for a nonviolent offense shall be eligible for parole only after they have served twenty-five percent (25%) or ten (10) years, whichever is less, of the sentence or sentences imposed by the trial court. For purposes of this paragraph, “nonviolent crime” means a felony not designated as a crime of violence in Section 97-3-2.

**2. Violent crimes.** A person who is sentenced for a violent offense as defined in Section 97-3-2, except robbery with a deadly weapon as defined in Section 97-3-79, drive-by shooting as defined in Section 97-3-109, and carjacking as defined in Section 97-3-117, shall be eligible for parole only after having served fifty percent (50%) or twenty (20) years, whichever is less, of the sentence or sentences imposed by the trial court. Those persons sentenced for robbery with a deadly weapon as defined in Section 97-3-79, drive-by shooting as defined in Section 97-3-109, and carjacking as defined in Section 97-3-117, shall be eligible for parole only after having served sixty percent (60%) or twenty-five (25) years, whichever is less, of the sentence or sentences imposed by the trial court.

**3. Nonviolent and nonhabitual drug offenses.** A person who has been sentenced to a drug offense pursuant to Section 41-29-139(a) through (d), whose crime was committed after June 30, 1995, shall be eligible for parole only after he has served twenty-five percent (25%) or ten (10) years, whichever is less, of the sentence or sentences imposed.

**(ii) Parole hearing required.** All persons eligible for parole under subparagraph (i) of this paragraph (h) who are serving a sentence or sentences for a crime of violence, as defined in Section 97-3-2, shall be required to have a parole hearing before the Parole Board pursuant to Section 47-7-17, prior to parole release.

**(iii) Geriatric parole.** Notwithstanding the provisions in subparagraph (i) of this paragraph (h), 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 subparagraph (iii) shall be required to have a parole hearing before the board prior to parole release. No [person] shall be eligible for parole under this subparagraph (iii) of this paragraph (h) if:

1. The [person] is sentenced as a habitual offender under Sections 99-19-81 through 99-19-87;
2. The [person] is sentenced for a crime of violence under Section 97-3-2;
3. The [person] is sentenced for an offense that specifically prohibits parole release;
4. The [person] is sentenced for trafficking in controlled substances under Section 41-29-139(f);
5. The [person] is sentenced for a sex crime; or
6. The [person] has not served one-fourth (1/4) of the sentence imposed by the court.

**(iv) Parole consideration as authorized by the trial court.** Notwithstanding the provisions of paragraph (a) of this subsection, any incarcerated person who has not committed a crime of violence under Section 97-3-2 and has served twenty-five percent (25%) or more of his sentence may be paroled by the State Parole Board if, after the sentencing judge or if the sentencing judge is retired, disabled or incapacitated, the senior circuit judge authorizes the [incarcerated person] to be eligible for parole consideration; or if the senior circuit judge must be recused, another circuit judge of the same district or a senior status judge may hear and decide the matter. A petition for parole eligibility consideration pursuant to this subparagraph (iv) shall be filed in the original criminal cause or causes, and the [incarcerated person] shall serve an executed copy of the petition on the District Attorney. The court may, in its discretion, require the District Attorney to respond to the petition.

**(2)** The State Parole Board shall, by rules and regulations, establish a method of determining a tentative parole hearing date for each eligible [incarcerated person] 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 [incarcerated person]. Except as provided in Section 47-7-18, the parole hearing date shall occur when the [incarcerated person] is within thirty (30) days of the month of his parole eligibility date. Any parole eligibility date shall not be earlier than as required in this section.

**(3)** Notwithstanding any other provision of law, an [person] 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.

**(4)** Any [person] within forty-eight (48) 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 [person] refusing to participate in an educational development or job-training program, including, but not limited to, programs required as part of the case plan, shall be in jeopardy of noncompliance with the case plan and may be denied parole.

**(5)** In addition to other requirements, if an [incarcerated person] is convicted of a drug or driving under the influence felony, the [incarcerated person] must complete a drug and alcohol rehabilitation program prior to parole, or the [incarcerated person] shall be required to complete a post release drug and alcohol program as a condition of parole.

**(6)** Except as provided in subsection (1)(a) through (h) of this section, all other persons shall be eligible for parole after serving twenty-five percent (25%) of the sentence or sentences imposed by the trial court, or, if sentenced to thirty (30) years or more, after serving ten (10) years of the sentence or sentences imposed by the trial court.

**(7)** The Corrections and Criminal Justice Oversight Task Force established in Section 47-5-6 shall develop and submit recommendations to the Governor and to the Legislature annually on or before December 1st concerning issues relating to juvenile and habitual offender parole reform and to review and monitor the implementation of Chapter 479, Laws of 2021.

**(8)** The amendments contained in Chapter 479, Laws of 2021, shall apply retroactively from and after July 1, 1995.

**(9)** Notwithstanding provisions to the contrary in this section, a person who was sentenced before July 1, 2021, may be considered for parole if the person's sentence would have been parole eligible before July 1, 2021.

**(10)** This section shall stand repealed on July 1, 2024.

<https://www.mdoc.ms.gov/Community-Corrections/Documents/47-7-3.pdf>

**Appendix B:** Miss. Code Ann. § 47-7-33 (Pre-release assessment and written discharge plan)

**(1)** The department shall create a discharge plan for any [incarcerated person] 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 [incarcerated person]'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 [incarcerated people] shall be sent to the parole board at least thirty (30) days prior to the [incarcerated person]'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 [incarcerated person] 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, including an up-to-date version of the information described in Section 63-1-309(4). Based on the findings of the assessment, the commissioner shall:

**(a)** Arrange transportation for [incarcerated people] from the correctional facility to their release destination;

**(b)** Ensure [incarcerated people] have clean, seasonally appropriate clothing, and provide [incarcerated people] with a list of food providers and other basic resources immediately accessible upon release;

**(c)** Ensure [incarcerated people] have a provisional driver's license issued pursuant to Title 63, Chapter 1, Article 7, Mississippi Code of 1972, a regular driver's license if eligible, or a state-issued identification card that is not a Department of Corrections identification card;

**(d)** Assist [incarcerated people] 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 [incarcerated people] without secured employment to employment opportunities;

**(f)** Provide [incarcerated people] 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 the [incarcerated person] agrees; and
- (h)** Refer [incarcerated people] 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 [incarcerated person] and supervising probation officer or parole officer, if applicable.
- (4)** A discharge plan created for a parole-eligible [incarcerated person] 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 [incarcerated person] is released on parole pursuant to this chapter.





- ☐ Has employment or adequate provisions for maintenance and care.
- ☐ The board believes (he/she) is able and willing to fulfill the obligation of a law-abiding citizen.
- ☐ Psychiatric/psychological evaluation indicates reasonable chances of success on parole.
- ☐ Mitigating circumstances surrounding crime.
- ☐ Participating in rehabilitative programs.
- ☐ \_\_\_\_\_

**Reasons For Denial**

- ☒ Serious nature of offense
- ☒ Number of offenses committed
- ☐ Police and/or juvenile record
- ☐ Prior felony conviction(s)
- ☐ Additional charges pending/detainer
- ☐ Prior misdemeanor conviction(s)
- ☐ Probation unsatisfactory/violated
- ☐ Parole unsatisfactory/violated
- ☐ Other conditional release unsatisfactory/violated \_\_\_\_\_
- ☐ History of violence
- ☐ History of drug or alcohol abuse
- ☐ Psychological and/or psychiatric history
- ☐ Crimes committed while incarcerated
- ☐ Escape
- ☐ Institutional disciplinary reports
- ☐ Recent/pending disciplinary reports
- ☐ Unsatisfactory work rating
- ☐ Failure to participate in or complete rehabilitative programs
- ☐ Poor risk assessment
- ☐ Poor prognosis according to psychological/psychiatric evaluation
- ☐ Community opposition
- ☐ Failure to comply with board's instruction
- ☐ Further investigation required
- ☐ Insufficient time served
- ☐ You requested not to be paroled
- ☐ Inadequate arrangements for employment and/or residence
- ☐ We are of the opinion that the social, mental or educational resources are lacking which are necessary to function successfully on parole
- ☒ The Board believes the ability the ability or willingness to fulfill the obligations of a law-abiding citizen is lacking, pursuant to Section 47-7-17 of the Mississippi Code Annotated as amended

**FOR BOARD USE ONLY**

Offense Details \_\_\_\_\_

Social History \_\_\_\_\_

Criminal History \_\_\_\_\_

Conduct/Employ \_\_\_\_\_

Medical Info \_\_\_\_\_

Psy Report \_\_\_\_\_

Victim's Input \_\_\_\_\_

Elig. Det./Records \_\_\_\_\_  
Risk Matrix \_\_\_\_\_  
If sex offender; psy. within one year \_\_\_\_\_  
If capital offense; legal advertise \_\_\_\_\_  
Other \_\_\_\_\_

VOTE:

For parole \_\_\_\_\_

Against parole \_\_\_\_\_

NOTES

☐ SPECIAL INSTRUCTIONS TO OFFENDER:

☐ At next hearing, come before the Board with a clean record.

☐ At/prior to next hearing, provide proof of EMPLOYMENT?RESIDENCE plans.

☐ Participate in ALCOHOL & DRUG PROGRAM, GED, ABE, VOCATIONAL SCHOOL.

☐ \_\_\_\_\_

Rev. 06-2001

Recorded By

\_\_\_\_\_

## Appendix D: Example of Statement of Conditions

### STATEMENT OF CONDITIONS UNDER WHICH THIS PAROLE IS GRANTED

This Certificate of Parole shall not become operative until the following conditions are agreed to by the prisoner

1. FIRST REPORT: I will report to my field officer within 24 hours of my actual release, unless otherwise directed.

**HINDS COUNTY P&P 421 W. PASCAGOULA ST, JACKSON, MS 39205 (601) 933-2887**

Field	Officer	Address
-------	---------	---------

2. REGULAR REPORTS: I will, until my final discharge, report to my Field Officer at the times and places I am instructed to report. If at any time it becomes necessary to communicate with my Field Officer and he is not accessible, I will direct my communication to the Department of Community Services, Mississippi Department of Corrections, Jackson, MS (601/359-5600).

3. EMPLOYMENT: I will work diligently at a lawful occupation and support my legal dependents, if any, to the best of my ability. I will not quit my job without getting permission from my Field Officer.

4. RESIDENCE: I will not change my residence without first getting permission from my Field Officer. I will not abscond (leave) from parole supervision. I will allow my Field Officer to visit my residence.

5. LEAVING STATE: I will not leave my State of residence, even briefly, or any other State to which I am released or transferred without written permission from my Field Officer.

6. ILLEGAL DRUGS AND ALCOHOL: I will not possess or use any illegal drugs, narcotics, mood altering substances, or any substances controlled by law which are not prescribed for me by a physician. I will not drink alcoholic or intoxicating beverages and will not go into, or frequent places where they are the chief item of sale. Driving under the influence (DUI), public intoxication shall be sufficient proof of consumption. I will abide by the laws relative to test utilized for the purpose of monitoring alcohol or drug usage.

7. PERSONS AND PLACES OF BAD REPUTATION: I will not knowingly associate with any former inmate of a penal institution, any person who has been convicted of a felony, or any person of bad reputation. I will not visit places of bad reputation where disorderly conduct is likely to occur or which is frequented by persons of ill repute (bars, lounges, night clubs, gambling houses, etc.).

8. WEAPONS: I will not possess or have under my control any firearm or other deadly weapon.

9. LAW AND IMMEDIATE NOTIFICATION: I will not violate any city, county, State or Federal Laws. I will, within 48 hours, notify my Field Officer if I am arrested for any offense, including a traffic offense or receive a citation or if there is any change in my residence or termination of employment or if my name changes as a result of marriage or divorce.

10. SEX OFFENDER: Must Register with Local Authorities

11. CURFEW: I will not be away from my residence between the hours of 12:00 midnight and 6:00 a.m. unless required to do so in connection with my employment, and with field officer's permission.

12. QUESTIONS AND INSTRUCTIONS: I will promptly and truthfully answer questions from my Field Officer, the Parole Board and its authorized representatives and carry out all instructions from them.

13. SUPERVISION FEE AND COURT-ORDERED PAYMENTS: In accordance with my instructions issued to me by my Field Officer, I will pay a monthly parole supervision fee as established by Section 47-7-49 of the Mississippi Code. In accordance with instructions from my Field Officer, I will pay any court-ordered penalties or restitution specified in my sentence(s).

14. VISIT TO CORRECTIONAL FACILITY: I will not return to a facility of the Mississippi Department of Corrections on a visit without the joint approval of my Field Officer and the Administrator of the Correctional Facility.

15. EXTRADITION: I do hereby waive extradition to the State of Mississippi from any state, territory or District of the United States and from any territory or country outside the United States.

16. AGREEMENTS: I will not enter into any agreement to act as an "informer" or special agent for any law enforcement agency that will put me in violation of my parole conditions.

17. DETAINER: If I am released to a detainer and the detainer is cleared or satisfied, I will, within 48 hours of my release from the custody of that jurisdiction, contact in person or by telephone, the Department of Community Corrections Division, Mississippi Department of Corrections, Jackson, MS at 601/359-5600 for reporting instructions.

18. SPECIAL CONDITIONS: I further agree to abide by the following special requirements.

## **Appendix E:** Miss. Code Ann. § 47-7-18 (Presumptive Parole)

Presumptive parole allows incarcerated people to be paroled without a hearing or review as long as certain requirements are met. See the statute below for more information and eligibility requirements—

**(1)** No [incarcerated person] convicted of a sex offense as defined by Section 45-33-23(h), a crime of violence as defined by Section 97-3-2, or both, nor an [incarcerated person] who is eligible for geriatric parole shall be released on parole without a hearing before the Parole Board as required by Section 47-7-17. All other [incarcerated people] eligible for parole pursuant to Section 47-7-3 shall be released from incarceration to parole supervision on the [incarcerated person]’s parole eligibility date, without a hearing before the board, if:

- (a)** The [incarcerated person] 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 [incarcerated person] has not received a serious or major violation report within the past six (6) months;
- (d)** The [incarcerated person] has agreed to the conditions of supervision; and
- (e)** The [incarcerated person] has a discharge plan approved by the board.

**(2)** At least thirty (30) days prior to an [incarcerated person]’s parole eligibility date, the department shall notify the board in writing of the [incarcerated person]’s compliance or noncompliance with the case plan. If an [incarcerated person] 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 [incarcerated person] 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 [incarcerated person]’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 [incarcerated person] will return contacts the board or the department and requests a hearing to consider information relevant to public safety risks posed by the [incarcerated person] 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 [incarcerated person] has sufficiently complied with the case plan or that the incomplete case plan is not the fault of the [incarcerated person] and that granting parole is not incompatible with public safety, the board may then parole the [incarcerated person] with appropriate conditions. If the board determines that the [incarcerated person] has sufficiently complied with the case plan but the discharge plan indicates that the [incarcerated person] does not have appropriate housing immediately upon release, the board may parole the [incarcerated person] to a transitional reentry center with the condition that the [incarcerated person] spends no more than six (6) months in the center. If the board determines

that the [incarcerated person] 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 [incarcerated person] will need to take in order to be granted parole. Any [incarcerated person] not released at the time of the [incarcerated person]'s initial parole date shall have a parole hearing at least every year.

## **Appendix F:** Miss. Code Ann. § 47-7-3.1 (Case Plan Statute)

- (1)** In consultation with the Parole Board, the department shall develop a case plan for all parole eligible [incarcerated people] to guide an [incarcerated person]'s rehabilitation while in the department's custody and to reduce the likelihood of recidivism after release.
- (2)** Within ninety (90) days of admission, the department shall complete a case plan on all [incarcerated people] which shall include, but not 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)** The department shall provide the [incarcerated person] with a written copy of the case plan and the [incarcerated person]'s caseworker shall explain the conditions set forth in the case plan.
  - (a)** Within ninety (90) days of admission, the caseworker shall notify the [incarcerated person] of their parole eligibility date as calculated in accordance with Section 47-7-3(3);
  - (b)** At the time a parole-eligible [incarcerated person] 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 [incarcerated person]'s parole eligibility date.
- (5)** The caseworker shall meet with the [incarcerated person] every eight (8) weeks from the date the offender received the case plan to review the [incarcerated person]'s case plan progress.
- (6)** Every four (4) months the department shall electronically submit a progress report on each parole-eligible [incarcerated person]'s case plan to the Parole Board. The board may meet to review an [incarcerated person]'s case plan and may provide written input to the caseworker on the [incarcerated person]'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.