

By: Representatives Currie, Bennett,
Calhoun, Ladner, Watson

To: County Affairs;
Corrections

HOUSE BILL NO. 1114

1 AN ACT TO AMEND SECTION 9-21-3, MISSISSIPPI CODE OF 1972, TO
2 REQUIRE THE ADMINISTRATIVE OFFICE OF COURTS TO IMPLEMENT UNIFORM
3 REPORTING STANDARDS FOR JAIL CENSUS DATA BY COUNTY SHERIFF'S
4 DEPARTMENTS AND TO CREATE AND MAINTAIN A CENTRALIZED DATABASE FOR
5 STORING THIS DATA; TO AMEND SECTIONS 19-25-63 AND 47-1-21,
6 MISSISSIPPI CODE OF 1972, TO REQUIRE THAT JAIL DOCKETS KEPT BY
7 COUNTY SHERIFFS COMPLY WITH UNIFORM REPORTING STANDARDS IN ORDER
8 TO PROMOTE COMPLIANCE WITH RULE 8 OF THE MISSISSIPPI RULES OF
9 CRIMINAL PROCEDURE; TO AUTHORIZE THE CREATION OF AN ADVISORY
10 COMMITTEE TO PROMOTE TRANSPARENCY BY FACILITATING THE AVAILABILITY
11 OF COMPARABLE AND UNIFORM COUNTY JAIL CENSUS DATA; AND FOR RELATED
12 PURPOSES.

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

14 **SECTION 1.** Section 9-21-3, Mississippi Code of 1972, is
15 amended as follows:

16 9-21-3. (1) The Administrative Office of Courts shall be
17 specifically charged with the duty of assisting the Chief Justice
18 of the Supreme Court of Mississippi with his duties as the chief
19 administrative officer of all courts of this state, including
20 without limitation the task of insuring that the business of the
21 courts of the state is attended with proper dispatch, that the
22 dockets of such courts are not permitted to become congested and



23 that trials and appeals of cases, civil and criminal, are not
24 delayed unreasonably.

25 (2) The office shall also perform the following duties:

26 (a) To work with the clerks of all youth courts and
27 civil and criminal trial courts in the state to collect, obtain,
28 compile, digest and publish information and statistics concerning
29 the administration of justice in the state.

30 (b) To serve as an agency to apply for and receive any
31 grants or other assistance and to coordinate and conduct studies
32 and projects to improve the administration of justice by the
33 courts of the state, and it may conduct such studies with or
34 without the assistance of consultants.

35 (c) To supply such support to the Judicial Advisory
36 Study Committee necessary to accomplish the purposes of this
37 chapter, including without limitation, research and clerical
38 assistance.

39 (d) To promulgate standards, rules and regulations for
40 computer and/or electronic filing and storage of all court records
41 and court-related records maintained throughout the state in
42 courts and in offices of circuit and chancery clerks.

43 (e) To implement and maintain a publicly accessible
44 centralized database for the storage and retrieval of jail census
45 data and to promulgate uniform rules, regulations, and computer
46 and electronic filing standards and definitions that must be used
47 uniformly by every sheriff's department within the state.



48 (* * *f) It shall perform such other duties relating
49 to the improvement of the administration of justice as may be
50 assigned by the Supreme Court of Mississippi.

51 **SECTION 2.** Section 19-25-63, Mississippi Code of 1972, is
52 amended as follows:

53 19-25-63. It shall be the duty of every sheriff to keep a
54 record, to be called the "Jail docket," in which he shall note
55 each warrant or mittimus by which any person shall be received
56 into or placed in the jail of his county, entering the nature of
57 the writ or warrant, by whom issued, the name of the prisoner,
58 when received, the date of the arrest and commitment, for what
59 crime or other cause the party is imprisoned, and on what
60 authority, how long the prisoner was so imprisoned, how released
61 or discharged, and the warrant therefor or the receipt of the
62 officer of the Penitentiary when sent there. All of * * * the
63 entries shall comply with the uniform reporting standards of the
64 Administrative Office of Courts authorized under Section 9-21-3
65 and must be full and complete, so as to give a perfect history of
66 each case, and must use the uniform definitions promulgated by the
67 Administrative Office of Courts to increase clarity and
68 transparency. The record shall be kept as a public record, and
69 turned over to his successor.

70 **SECTION 3.** Section 47-1-21, Mississippi Code of 1972, is
71 amended as follows:



72 47-1-21. The sheriff of each county shall keep a well-bound
73 alphabetical jail docket that must comply with the uniform
74 reporting standards and definitions promulgated by the
75 Administrative Office of Courts under Section 9-21-3. In it he
76 shall promptly enter under the proper initial the name, age, color
77 and sex of each convict, the date of his or her commitment, each
78 day worked on the county farm, time required to be served and
79 amount of fine and costs and the jail fees charged against the
80 prisoner and the date of discharge.

81 The sheriff shall submit his docket to the board of
82 supervisors at each of their regular meetings, and the same shall
83 be examined carefully by the president of the board, and by any
84 other members who desire to examine the same, in the presence of
85 the board while in session.

86 **SECTION 4.** (1) There is hereby created an advisory
87 committee on jail census data collection to promote criminal
88 justice transparency by facilitating the availability of
89 comparable and uniform data. The duties of the task force are as
90 follows:

91 (a) Research the standards, format, and terminology
92 used by authorities in other states and by the federal government
93 to create uniform data-reporting regulations to be used for
94 recording data on offenders incarcerated throughout the state's
95 county jails and which will capture the following data:



96 (i) The number of individuals detained for a new
97 offense or delinquent act.

98 (ii) The number of individuals detained pending
99 trial.

100 (iii) The number of offenders detained for a
101 revocation of supervision.

102 (iv) The average sentence length for new jail
103 sentences by offense type.

104 (v) The average sentence length for offenders in
105 jail for a probation revocation.

106 (vi) The average sentence length for offenders in
107 jail for a parole revocation.

108 (vii) The percentage of sentences in each category
109 offense type, including whether the offense was violent, property,
110 drug, or public order. All drug offenses shall include the type
111 of drug implicated in the offense, as well as type of offense,
112 such as possession, sale or manufacture.

113 (viii) The average length of stay by offense type.

114 (ix) For individuals awaiting trial, the average
115 length of stay from the time of arrest to the time of indictment,
116 and from the time of indictment to trial.

117 (b) Research best practices for implementing a
118 centralized database for reporting of the prescribed jail census
119 data by each county authority and recommend a timeline for the
120 submission of the data.



121 (c) Recommend computer equipment and acceptable
122 electronic processes for transmission of the data by each county
123 to the Administrative Office of Courts.

124 (d) The commission shall submit its report to the
125 Legislature no later than December 1, 2019.

126 (e) The Director of the Roderick and Solange MacArthur
127 Justice Center at the University of Mississippi School of Law
128 shall serve as chairman of the committee and set its initial
129 meeting date on or before July 15, 2019.

130 (2) The task force shall be composed of five (5) members, as
131 follows:

132 (a) The Director of the Roderick and Solange MacArthur
133 Justice Center at the University of Mississippi School of Law;

134 (b) The State Public Defender or his designee;

135 (c) The President of the Mississippi Prosecutors
136 Association or his designee;

137 (d) The Executive Director of the Mississippi
138 Commission on Judicial Performance or his designee; and

139 (e) A circuit court judge appointed by the Executive
140 Director of the Mississippi Commission on Judicial Performance.

141 **SECTION 5.** This act shall take effect and be in force from
142 and after July 1, 2019.

