

The Honorable Kevin Horan
Chair, Committee on Corrections
Mississippi House of Representatives
Room 400-F, PO Box 1018
Jackson, MS 39215

The Honorable Juan Barnett
Chair, Committee on Corrections
Mississippi Senate
Room 405, PO Box 1018
Jackson, MS 39215

June 2, 2020

Dear Chairs Horan and Barnett:

We write to thank you for your leadership on criminal justice reform this year and to encourage you and your colleagues in the Mississippi House and Senate to advance and pass important criminal justice reforms in the coming weeks. We support the sentencing and parole reforms included in HB 1377, SB 2123, and HB 1024, and we also encourage you to add to those reforms the creation of an independent prison oversight ombudsman, as set forth in SB 2743 and SB 2756. Combined, these reforms will reduce corrections costs, save taxpayers money, make sentences fairer without endangering public safety, and ensure that Mississippi's troubled prison system has proper transparency, oversight, and accountability.

Mississippi's prison system was in crisis before the recent COVID-19 outbreak, and that outbreak has further revealed the importance and urgency of passing cost-saving criminal justice reforms in Mississippi this year. These reforms simply cannot wait. Mississippi's prisons are overcrowded, understaffed, falling apart, and under federal investigation for dangerous and unhealthy conditions and inadequate medical and mental health care. Before the COVID-19 outbreak, Governor Reeves announced that fixing prisons was a top priority. During the COVID-19 outbreak, there has been a disturbing lack of coronavirus testing of incarcerated people and corrections staff in prisons, virtually no transparency about the spread of the disease inside facilities, and extremely limited protections for staff and prisoners alike. In short, COVID-19 took Mississippi prisons from bad to worse.

Independent prison oversight is imperative for ensuring that the state can weather the COVID-19 storm, reform its prisons, and bring conditions of confinement up to constitutional standards. The reforms in SB 2743 and SB 2756 create a fully independent ombudsman's office with the power to inspect prisons, speak with staff and incarcerated people, investigate complaints, collect and report data, recommend improvements, and monitor the Department of Corrections' follow-through on those recommendations. Independent oversight would become an important tool and source of information to help the new incoming corrections head, Burl Cain, turn the Mississippi prison system around, as we hope he will.

COVID-19 would not have posed such a threat to Mississippi prisons if those prisons weren't overcrowded and filled with a large number of elderly and ill people serving excessive sentences. The sentencing reforms in HB 1024 would focus lengthy habitual offender penalties on people with more serious and violent records and eliminate the use of certain older prior convictions to enhance sentences. This overdue reform should be made retroactive so that some people currently serving habitual offender sentences may be considered for parole. Similarly, HB 1377 and SB 2123 would save money by reforming parole so that people receive parole consideration

after serving 25 or 50 percent of their sentences, depending on their crimes of conviction. If Mississippi ever hopes to fix its prison system, it must stop incarcerating so many people past the point at which they pose a danger to others, at enormous cost to taxpayers.

We also anticipate that the state will experience significant budget deficits this year, as well as a lengthy fiscal recovery from the impact of COVID-19 over the coming years. Every dollar of the budget is at stake, and sentencing and parole reform and prison oversight will undeniably generate cost savings that matter now more than ever. The legislature's decision to prioritize and pass meaningful criminal justice reforms now is also a decision to preserve and protect funding in the future for public safety, education, health care, and relief to taxpayers, small businesses, counties, and local governments.

The legislature should not miss this opportunity to pass cost-saving sentencing, parole, and prison reforms that will both improve the criminal justice system and aid Mississippi's recovery from the COVID-19 crisis.

Thank you for considering our views, and please contact our organizations if we can be of assistance to you.

Sincerely,

Clergy for Prison Reform
Empower Mississippi
FAMM
Mississippi Dreams Prisoner Advocacy

EMPOWER
MISSISSIPPI

