



**MISSISSIPPI DEPARTMENT
OF
CORRECTIONS**

**POLICY NUMBER
02-10**

AGENCY WIDE

CANTEEN OPERATIONS

**INITIAL DATE
12-01-1982**

**ACA STANDARDS: 2-CO-1B-12, 2-CO-1B-13, 5-ACI-1B-18, 5-ACI-1B-19,
4-ACRS-7D-29**

**EFFECTIVE DATE
08-01-2020**

STATUTES: 47-5-58, 47-5-109

NON-RESTRICTED

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POLICY:

It is the policy of the Mississippi Department of Corrections (MDOC) to provide canteen services to eligible inmates.

DEFINITIONS:

Inmate Welfare Fund – A fund established and maintained for the benefit and welfare of inmates.

Canteen Committee – Select MDOC staff members appointed for the purpose of providing an agency wide management consensus on canteen operations and procedures.

PRECEPTS:

Administration of Correctional Agencies (Central Office): **Written policy provides for the operation of commissary or canteen service within the agency facilities [2-CO-1B-12].**

MDOC will provide commissary or canteen services and the operation will be governed by an agency wide Canteen Committee consisting of representatives from the following correctional divisions:

- State Institutions
- Private Prisons
- County Regional Prisons
- Community Work Centers

The Canteen Committee will:

- Determine what items canteens will sell
- Approve prices
- Set canteen policy and procedures

All actions of the Canteen Committee will be subject to the review and approval of the Deputy Commissioner of Institutions.

Canteen Operations

Adult Correctional Institutions: **An inmate commissary or canteen is available where inmates can purchase approved items that are not furnished by the facility. The canteen/commissary's operations are strictly controlled using standard accounting procedures [5-ACI-1B-18].**

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43 *Adult Correctional Institutions:* Commissary/canteen funds are audited independently
44 following standard accounting procedures, and an annual financial status report is
45 available as a public document [5-ACI-1B-19].
46

47 *Adult Community Residential Services:* Commissary/canteen funds are audited
48 independently following standard accounting procedures, and an annual financial status
49 report is available as a public document [4-ACRS-7D-29].
50

51 The MDOC Canteen Manager will develop a canteen management manual that addresses, at a
52 minimum, the following:
53

- 54 • Selling process
- 55 • Visitation Center process
- 56 • Bagging process
- 57 • Receipt of merchandise from vendors
- 58 • Price lists
- 59 • Profit margins
- 60 • Accounting procedures
- 61 • Financial statements

62
63 The canteen manual will be subject to the approval of the Deputy Commissioner of
64 Administration and Finance and other applicable authorities.
65

66 Offender Access
67

68 Canteen space/services will be made available to offenders for the purchase of pre-approved
69 items.
70

71 Each custody level will be provided with a list of approved canteen items specific to their
72 custody status.
73

74 Canteen Inventory Prohibitions
75

- 76 • Caustic substances
- 77 • Toxic substances
- 78 • Metal items or containers
- 79 • Glass items or containers

80
81 All items and containers will be made of plastic.
82

83 Maximum Canteen Expenditures by Custody/Status
84

- 85 • Minimum Custody – One hundred dollars (\$200) per week
- 86 • Medium Custody – One hundred dollars (\$125) per week
- 87 • Close Custody – One hundred dollars (\$125) every two weeks
- 88 • Death Row – One hundred dollars (\$125) per week

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- 89 • Administrative Segregation – Fifty dollars (\$100) per month for personal hygiene items and
90 stamps
91 • RID Inmates – As designated by RID Administration and approved by the Deputy
92 Commissioner of Institutions.
93

94 The Warden or designee will establish the frequency of canteen calls for their areas except
95 where specified by policy or procedure.
96

97 Canteen Forms
98

99 Unit Administrators or designees will be responsible for ensuring inmates receive Central
100 Canteen order forms.
101

102 Unit Administrators will also be responsible for ensuring the completed order forms are available
103 for pickup by the canteen staff on the designated day.
104

105 Inmate Identification
106

107 Inmates must show their valid MDOC identification card before receiving items from any MDOC
108 canteen.
109

110 MDOC staff who are responsible for canteen operations will ensure that this procedure is strictly
111 enforced.
112

113 Cashless System
114

115 Canteens for all MDOC facilities and private prisons will operate on a cashless system. Inmate
116 canteen workers will not be permitted to access or operate the inmate accounting system,
117 operate computers or cash registers, or handle money while working in the canteen.
118

119 Inmate Welfare Fund
120

121 Canteens for MDOC facilities and private prisons will operate as profit-making centers with all
122 profits going to the Inmate Welfare Fund.
123

124 Accounting Protocols
125

126 *Administration of Correctional Agencies (Central Office):* **Written agency policy provides that**
127 **commissary/canteen funds are audited independently following standard accounting**
128 **procedures and an annual financial report is available [2-CO-1B-13].**
129

130 The Accounting protocols for canteens will include the following:
131

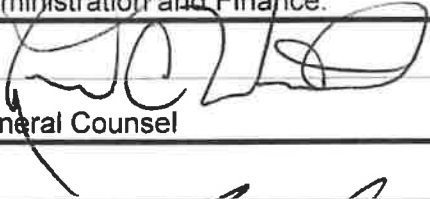

- 132 • Canteen's operations will be subject to strict standard accounting procedures
133 • Canteen funds will be independently audited in accordance with procedures
134 • Annual financial status report will be made available for public access.
135 • Canteen staff will inventory all canteens on a quarterly basis
136
137

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138 **DOCUMENTS REQUIRED:**

139

140 As required by this policy and through the chain of command.

ENFORCEMENT AUTHORITY	
All standard operating procedures (SOPs) and/or other directive documents related to the implementation and enforcement of this policy will bear the signature of and be issued under the authority of the Deputy Commissioner of Administration and Finance.	
Reviewed and Approved for Issuance	 General Counsel 7/17/20 Date
	 Commissioner 7/22/2020 Date



**MISSISSIPPI DEPARTMENT
OF
CORRECTIONS**

**POLICY NUMBER
02-12**

AGENCY WIDE

INMATE ACCOUNT FUNDS

**INITIAL DATE
06-13-1983**

ACA STANDARDS: 5-ACI-1B-21, 5-ACI-1B-22, 5-ACI-1B-23, 4-ACRS-7D-30

**EFFECTIVE DATE
11-01-2020**

STATUTES:

NON-RESTRICTED

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POLICY:

It is the policy of the Mississippi Department of Corrections (MDOC) to maintain an individual account for an inmate's personal funds.

DEFINITIONS:

Inmate Funds – Inmate personal funds received from any and all sources and credited to the inmate's account under the direction of the Director of Inmate Accounts.

Acceptable Monetary Instruments – Western Union, Cybersuite or exceptions approved by the Director of Inmate Accounts.

PRECEPTS:

Inmate Personal Funds

Adult Correctional Institutions: Inmates' personal funds held by the institution are controlled by accepted accounting procedures [5-ACI-1B-21].

The MDOC Comptroller will establish procedures to ensure that the following are implemented and maintained:

All MDOC institutions and private facilities will operate on a cashless system. All inmate deposits and withdrawals will be made electronically by individuals authorized to access the inmate's account.

Community Work Center (CWC) inmates may receive a specified funds withdrawal from their inmate account on a regular basis.

The MDOC Comptroller will establish procedures to ensure the Director of Inmate Accounts is responsible for the deposits and disbursements of the inmate account funds. The Director of Inmate Accounts or designee is responsible for notifying the inmate of deposits and/or adjustments to his account.

Return of Cash, Checks, or Money Orders

The MDOC Comptroller will establish procedures addressing the return of any cash, checks, or money orders that do not conform to MDOC rules and regulations.

Interest- Bearing Accounts

Adult Correctional Institutions: Written policy, procedure, and practice provide that inmates

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44 **can deposit personal funds in interest-bearing accounts and accrue the interest earned**
45 **on those accounts [5-ACI-1B-22].**

46
47 The MDOC Comptroller will establish procedures to ensure inmates are allowed to deposit
48 personal funds in interest-bearing accounts.

49
50 Inmate Disbursement of Personal Funds

51
52 Inmates may use funds in their personal account to purchase items from the Inmate Canteen
53 provided they meet certain requirements (See policy on Canteen Operations).

54
55 Inmates may send funds to outside sources if appropriate paperwork is completed and
56 approved by designated personnel. The Commissioner or designee will establish a set amount
57 of funds that may be withdrawn within a specified period of time to be sent to an outside source.
58 The Commissioner or designee may approve any exceptions. The Corrections Investigation
59 Division will approve all disbursements to family and friends in addition to any disbursements
60 that exceed the inmate weekly spend limit.

61
62 *Adult Correctional Institutions:* **Written policy, procedure, and practice provide that any**
63 **financial transactions permitted between inmates must be approved by staff [5-ACI-1B-23].**

64
65 *Adult Community Residential Services:* **Any financial transactions permitted between**
66 **offenders, offenders and staff, or offenders and volunteers must be approved by the**
67 **facility administrator [4-ACRS-7D-30].**

68
69 Any financial transactions permitted between offenders must be approved by the Superintendent
70 or the facility's controlling authority.

71
72 Administrative Disbursement of Funds in Inmate Accounts

73
74 The Director of Inmate Accounts or designee will establish procedures for withdrawals from an
75 inmate's account established by state statute and MDOC policy.

76
77 Inmates in Community Work Centers and Restitution Centers

78
79 The Commissioner or designee will establish the amount of cash money inmates in CWCs and
80 Restitution Centers are allowed to have in their possession. Any cash in excess of this amount
81 may be confiscated.

82
83 Release of Inmates


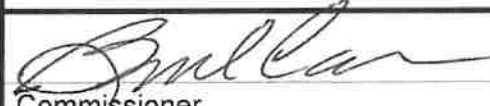
84
85 The MDOC Records Department and Parole Office will submit a monthly list of inmates to be
86 released to the Inmate Accounts Department. Each list will contain the name of the inmate to
87 be released, the MDOC number, and the date of release.

88
89 The MDOC Comptroller will establish procedures to ensure inmates are provided with an Inmate
90 Banking Closeout Data Sheet.

91
92

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93 Funds Due To Deceased Inmates
94
95 If the inmate should die with personal funds owed to him or her from the Mississippi Department
96 of Corrections, payment thereof is not authorized except to a legal representative of the estate
97 or in accordance with the laws of descent and distribution of the state of Mississippi.
98
99 Such claims will be settled when presented by a legal representative of the estate, or by
100 relatives of the deceased inmate, showing their relationship and other necessary proof that such
101 arrears of compensation are properly payable to them as listed on the Authorization for
102 Disposition of Funds form.
103
104 **DOCUMENTS REQUIRED:**
105
106 As required by this policy and through the chain of command.

ENFORCEMENT AUTHORITY		
All standard operating procedures (SOPs) and/or other directive documents related to the implementation and enforcement of this policy will bear the signature of and be issued under the authority of the Deputy Commissioner of Administration and Finance.		
Reviewed and Approved for Issuance		10/19/2020 Date
	General Counsel	
		10/22/2020 Date
	Commissioner	



**MISSISSIPPI DEPARTMENT
OF
CORRECTIONS**

**SOP NUMBER
41-01-09**

**COMMUNITY
CORRECTIONS
RESTITUTION CENTERS**

**ACCOUNTING PROCEDURES FOR RESTITUTION CENTER
RESIDENT FUNDS**

**INITIAL DATE
03-01-1999**

**ACA STANDARDS: 4-ACRS-6D-02, 4-ACRS-7D-32, 4-ACRS-7D-31,
4-ACRS-7D-33**

**EFFECTIVE DATE
01-15-2020**

**STATUTES: 47-7-47, 47-7-2, 47-7-37, 47-5-11
99-20-1, 99-20-3, 99-20-5 , 99-37-19, 99-37-21**

NON-RESTRICTED

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APPLICABILITY:

This procedure applies to all Mississippi Department of Corrections (MDOC) staff assigned to the Division of Community Corrections; involved in the custody, care and control of offenders.

POLICY STATEMENT:

It is the policy of the Mississippi Department of Corrections (MDOC) to provide residential facilities in selected communities to house non-violent offenders who are participating in the MDOC Restitution Program.

DEFINITIONS:

Restitution – Full or partial reimbursement of financial damages to a crime victim.

PROCEDURES:

Each restitution center administrator will establish and ensure that there is a consistent system for the collection of any court ordered monies received from residents; and procedures for the weekly collection or disbursement of monies earned by residents through paid employment.

Bookkeeping Methods

Adult Community Residential Services: The facility provides services and opportunities that encourage offenders to make restitution to the victims of their crimes(s) and/or to the community [4-ACRS-6D-02].

Adult Community Residential Services: There are provisions for emergency financial assistance and, when appropriate, a weekly allowance [4-ACRS-7D-31].

Adult Community Residential Services: Procedures specify how the amount of the fee to the offender will be determined, and when and how it will be collected and recorded. If the program is provided by a contractor, the contractor will provide the contracting agency, at least monthly, with an accounting of fees received, including the amount paid and the payer [4-ACRS-7D-33].

Each Circuit Court may have a different method of setting court costs, fines, and restitution, which the Department of Corrections has no control over. However, payment of court costs, fines and restitution will be made in accordance with each court order. When the Court Order

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40 contains no such instructions; some court costs and restitution may be paid while at the
41 restitution center, and the total amount earned while in the program will be disbursed when the
42 resident leaves the program.

43

44 **Collection of Resident Monies**

45

46 All wages and monies (checks, money orders, pay card check stub, direct deposit or cash) will
47 be submitted to the officer on duty at the security tower in the restitution center.

48

49 The officer on duty will issue a pre-printed numbered receipt to the resident showing the
50 following information (See Form):

51

- 52 • Date of receipt
- 53 • Name of Resident
- 54 •
- 55 • Facility name (as identified on the pre-printed receipt by region and the facility initial)
- 56 • Amount received
- 57 • Type of payment (payroll, tips)
- 58 • Name of employer
- 59 • Type of monies received (cash, check, pay card, money order or direct deposit)
- 60 • If \$50.00 or 100.00 bills are received, staff should write the last 4 digits of the bill on the
61 receipt.
- 62 • Check or money order number, as applicable
- 63 • Resident signature
- 64 • Staff signature

65

66 **Check and Money Order Endorsement Method:**

67

68 The officer on duty will stamp the check or money order with the stamp provided by Premier
69 Services denoting the bank name, account number and other pertinent information.

70

71 **Outside Funds Received**

72

73 NO funds will be accepted through the US Mail or during visitation.

74

75 Any money in the possession of a new resident at the time of intake will be taken and the
76 money deposited into Restitution Banking in the resident's account. Staff will issue a receipt
77 and will record receipt information on a Shift Receipt form (See Form). All cash and checks
78 received will be sealed in an envelope with information concerning the transaction recorded on
79 the envelope. The envelope will then be placed in the secured lock box.

80

81 The Restitution Administrator or designee will retrieve the money from the secured locked box
82 along with the Shift Receipt forms when Premier Services employees arrive for the weekly pick
83 up. Premier staff along with the Administrator or designee will verify the weekly collections and
84 reconcile both the money and the Shift Receipt forms prior to the money leaving the facility.

85 The total money collected should balance with money recorded on the *Shift Receipt* form.

86

TITLE: ACCOUNTING PROCEDURES FOR RESTITUTION CENTERS RESIDENT FUNDS		SOP NUMBER 41-01-09
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- 87 • Premier Services will complete the Money Receipt Form and will sign along with the
88 Administrator indicating the amount received and counted for each resident. A copy of the
89 Money Receipt Form is provided to the facility administrator by the Premier Services staff.
90
- 91 • In the event that a payroll check does not have a check stub attached, the Administrator or
92 designee will make a copy of the payroll check and the copy will become a permanent part
93 of the resident's file.
94
- 95 • If paid in cash, the Administrator or designee will verify the amount paid and work hours with
96 the employer. Procedures for receipt of cash as outlined will be followed.
97

98 The Restitution Center Administrator should discourage cash payments whenever possible and
99 alternatives such as money orders, checks or bank drafts should be used.
100

101 Funds Allocation & Disbursement

102
103 Funds should be allocated in the following manner in the priority categories listed below.
104

105 When the allocation process has been completed, all monies will be accounted for with a \$0
106 (zero) balance remaining in the resident's account.
107

108 MDOC staff will access Premier Services Banking to provide a Balance Sheet to each resident
109 on a monthly basis or more frequently as needed.
110

111 *Adult Community Residential Services: Offenders pay for program services rendered at a*
112 **reasonable rate as determined by the authority having jurisdiction. Provisions are made**
113 **for those who are unable to pay program costs [4-ACRS-7D-32].**
114

115 Room and Board

116 Residents are required to pay room and board in the amount of \$11.00 per day. A room and
117 board exemption may be granted by the Restitution Center Administrator with the approval of
118 the Residential Facility Warden. Exemptions may include: temporary job loss through no fault of
119 the resident such as lay-off, temporary medical problem, or job ended. Exemptions to Room
120 and Board must be submitted by the 10th of the month for the previous month.
121

122
123 Room and Board deductions are sent to Premier Services on the 15th of the month for the
124 previous month.
125

126 Room and Board payments will be deducted from the resident's account prior to any other
127 deductions.
128

129 Commissary Purchases

130 Residents may purchase a maximum of \$25.00 per week when eligible for commissary
131 privileges.

130 Restitution

131

TITLE: ACCOUNTING PROCEDURES FOR RESTITUTION CENTERS RESIDENT FUNDS		SOP NUMBER 41-01-09
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132○ The amount allocated for restitution is determined by the court ordered amount assessed to the
133 resident at the time of sentencing.

134

135 Court Costs and Fines

136○ The amount allocated for court cost and fines is determined by the court ordered amount
137 assessed to the resident at the time of sentencing.

138

139 Willful Damage to State Property

140

141 Residents who willfully damage or destroy state property must pay the repair or replacement
142 cost from the funds in their account if a disciplinary hearing finds them guilty. A hearing on the
143 merits in which the due process rights of the resident are protected by giving them notice of the
144 allegations, an opportunity to present evidence, a judgment that contains detailed findings as
145 well as the punishment, and an opportunity to appeal through the Administrative Remedy
146 Program (ARP) will be provided.

147

148 Family Support

149

150○ The amount allocated for Family Support is at the discretion of the Restitution Center
151 Administrator and will be dispersed monthly.

152○

153○ Program Completion/Termination

154

155 Upon program completion or removal from the program, the Case Manager or Probation/Parole
156 Agent will prepare the disbursement sheet for approval by the Restitution Center Administrator
157 based on the money in the resident's account and the amount of his/her financial obligation.
158 The Administrator will approve the request and forward to Premier Services for disbursements.

159

160 Any outstanding payroll checks will be retrieved by the appropriate restitution center staff from
161 the employer and properly receipted and disbursed.

162

163 Restitution Center Audits

164

165 Audits will be performed as directed by the Deputy Commissioner of Administration and Finance
166 on a random and routine basis to ensure there is optimal financial integrity at the center. Audits
167 may also be requested by the resident or the court if there is a reasonable cause.

168

169 Audit findings will be submitted to the Deputy Commissioner of Administration and Finance and
170 the Deputy Commissioner of Community Corrections or designee, the Restitution Center
171 Administrator and the relevant Court if appropriate.

172

173 DOCUMENTS REQUIRED:

174 Receipt (Payroll) Example


175 Cash Receipt Envelope

176 Shift Receipt Form

177 As required by this procedure and through the chain of command.

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ENFORCEMENT AUTHORITY	
Reviewed and Approved for Issuance	 Deputy Commissioner of Community Corrections
	01/15/2020 Date

	MISSISSIPPI DEPARTMENT OF CORRECTIONS		SOP NUMBER 27-03-01
			AGENCY WIDE
RELEASE OF OFFENDERS		INITIAL DATE 12-01-1982	
ACA STANDARDS: 5-ACI-5F-05, 5-ACI-5F-05, 4-ACRS-6A-13,		EFFECTIVE DATE 05-15-2020	
STATUTES: 45-33-21 thru 45-33-57, 47-5-177, 47-5-183, 47-7-5, 47-7-9, 47-7-31, 47-7-34, 99- 43-41	NON-RESTRICTED	PAGE 1 of 12	

1 **APPLICABILITY:**

2
3 This procedure applies to all employees involved in the release of offenders from the Mississippi
4 Department of Corrections.

5
6 **POLICY STATEMENT:**

7
8 It is the policy of the Mississippi Department of Corrections (MDOC) to ensure that all offenders
9 are released from MDOC in accordance with applicable state and federal laws.

10
11 **DEFINITIONS:**

12
13 Court Order – Judicial mandate authorizing MDOC to either transport offenders to court
14 proceedings, to non-MDOC detention facilities for confinement pending their appearances in
15 court, or to alternative court ordered programs and/or venues.

16
17 Detainer – A writ authorizing the continued detention of a prisoner due to the existence of an
18 additional arrest warrant (Capias) or indictment emanating from a separate law enforcement
19 jurisdiction.

20
21 Earned Release Supervision (ERS) – A program whereby offenders eligible under state code
22 criteria may earn conditional release to community supervision by the accrual of predetermined
23 good conduct and performance credits.

24
25 Intensive Supervision Program (ISP) – A community based incarceration program reserved for
26 those offenders who would otherwise remain in or be subject to institutional incarceration if not
27 for the accelerated levels of supervision provided by the surveillance capabilities of electronic
28 monitoring equipment.

29
30 Pardon – An executive action that mitigates or sets aside punishment for a criminal offense.

31
32 Parole – The act of releasing offenders to MDOC community supervision prior to their expiration
33 of sentence and pursuant to predetermined conditions as specified by the releasing authority
34 that must be continuously met and maintained by offenders on a scheduled basis.

35
36 Post Release Supervision (PRS) – MDOC community supervision of offenders beginning at
37 expiration of the incarcerated portion of offender's sentence and pursuant to the jurisdictional
38 authorities of their respective sentencing courts.

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39 Probation – A discretionary sentence pursuant to the jurisdictional authority of the sentencing
40 court whereby upon conviction, an offender is released to a probation officer's community
41 supervision in lieu of incarceration and/or upon release from incarceration.

42
43 Release – The termination of an offender's MDOC incarceration or transference of an offender's
44 custody from MDOC incarceration to another form of supervision and/or law enforcement or
45 judicial authority.

46
47 Release To Discharge – A separation from MDOC custody and/or all contiguous jurisdictional
48 authorities and/or a separation from MDOC custody to additional and/or pending charges under
49 the sentencing court or with another law enforcement entity.

50
51 **PROCEDURES:**

52
53 **Categories of Release from MDOC Custody**

- 54
55 • Discharged free and clear of any custodial restraints or limitations
56 • Discharge with probation to follow
57 • Discharge to PRS
58 • Discharge to a detainer for extradition
59 • Discharge to a detainer for extradition with probation to follow
60 • Released to ERS
61 • Released to ISP
62 • Released to parole
63 • Released from Court Ordered Program

64
65 *Adult Correctional Institutions:* **Written procedures for releasing inmates at the end of their**
66 **term include, but are not limited to, the following:**

- 67
68 • **verification of identity**
69 • **verification of release papers**
70 • **completion of release arrangements, including notification of the parole**
71 **authorities in the jurisdiction of release, if required**
72 • **return of personal effects or contraband**
73 • **check to see that no facility property leaves the facility**
74 • **arrangements for completion of any pending action, such as grievances or claims**
75 **for damages or lost possessions**
76 • **medical screening and arrangements for community follow-up where needed**
77 • **instructions on forwarding of mail [5-ACI-5F-05].**

78
79 **Release/Discharge**

80
81 *Adult Community Residential Services:* **Release practices are defined [4-ACRS-6A-13].**

82
83 All offenders will be subject to the following checklist:

- 84
85 • Verification of eligible releases
86 • Verification of identity
87 • Verification of release papers

TITLE: RELEASE OF OFFENDERS		SOP NUMBER 27-03-01
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- 88 • Release arrangements (i.e., mail forwarding, medical follow-up, return of offender property,
89 pending actions, inventorying facility property)
- 90 • Calculation of separation pay
- 91 • Victim notification
- 92 • Notification of release
- 93 • Final screening prior to discharge
- 94 • Securing DNA sample from all convicted felons
- 95 • Completion of Federal Bureau of Investigation (FBI) Final Disposition forms
- 96 • Released/Discharged with applicable certificates

97

98 **Verification of Eligible Releases**

99

100 Under normal circumstance, potential release lists will be pulled **three (3) months** in advance
101 and reviewed/audited weekly by designated **Correctional Records Technicians**.

102

103 Copies of the release lists will be distributed to **Correctional Records Technicians** and if
104 applicable, **the appropriate Classification Authority** to verify and/or detect missing:

- 105
- 106 • Executive Earned Time
- 107 • Meritorious Earned Time (MET)
- 108 • Trusty Status additions and removals
- 109 • Rule Violation Reports (RVRs) not posted to the record
- 110 • Restoration of Earned Time

111

112 If detected by the Classification Authority, they will electronically forward the documentation to
113 the Records Office for cross-referencing **no later than twenty-four (24) hours after receipt**.

114

115 The Records Department will be accountable for posting all MET, Trusty Status and RVR
116 documentation with corresponding time adjustments as soon as possible, but no later than **two**
117 **(2) days after receipt**.

118

119 **Verification of Identity**

120

121 After a computer search and verification of release eligible offenders, the Records Office will
122 prepare transfer release forms authorizing the offender's release/discharge.

123

124 The transfers will be delivered to the release/discharge authority at each facility.

125

126 The release/discharge authority at each facility will be responsible for verifying the identifications
127 of the offenders being released/discharged.

128

129 **Verification of Release Papers**

130

131 The records of offenders being released from a facility will be audited to Records staff who will
132 run a National Crime Information Center (NCIC) inquiry for outstanding wants.

133

134 After NCIC screening, all records will again be rechecked for completeness, time computation
135 accuracy and possible outstanding charges.

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136 **Records will ensure that each offender's FBI number (NCIC) is entered on their computer**
137 **records.**

138
139 The files will be given to a Records Technician for the purpose of typing either Discharge
140 Certificates affixed with a gold seal or Certificates of Release.

141
142 The records will then be segregated pending final release.

143
144 Discharge lists containing offender names and locations will be prepared.

145
146 The offender's location will be verified in Offendertrak.

147
148 **Release Arrangements**

149
150 When applicable, Offender Services personnel will be informed of pending discharges.

151
152 If an offender requires a bus ticket, Records staff is responsible for contacting the local bus
153 station for ticket information and confirmation number.

154
155 Unit Administrators will be responsible for checking offenders prior to release to see that no
156 property is taken by the offender.

157
158 Arrangements for the completion of **any pending action** (i.e., grievances or claims for
159 damages) will be processed by the Administrative Remedy Program.

160
161 The medical staff will be accountable for any necessary medical screening and/or community
162 follow-up arrangements.

163
164 The Records Department will coordinate with the Parole Board to ensure that up-to-date master
165 files (Legato) are available for review at board meetings.

166
167 **Separation Pay**

168
169 Separation pay for each potential discharge will be calculated in accordance with the following
170 criteria:

- 171
- 172 • Offender Discharge – A request form for separation pay (**cash**) will be forwarded to Inmate
173 Banking.
 - 174
 - 175 • Offender discharged to a detainer – A request form for separation pay (**check**) will be
176 forwarded to Inmate Banking.
 - 177
 - 178 • Offenders who have continuously served their sentence of one (1) year or less flat time, will
179 be given \$15.
 - 180
 - 181 • Offenders who have continuously served sentences of more than one (1) year, but less than
182 ten (10) years, will be given \$25.
 - 183
 - 184 • Offenders who have continuously served sentences of ten (10) years or more will be given
185 \$75.

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- 186 • Offenders who have continuously served sentences of 20 years or more will be given \$100.

187

188 **Final Screening Prior to Release/Discharge**

189

190 An updated computer generated list will be reviewed by the Records Department **two (2) weeks**
191 prior to the beginning of the discharge month. This computer generated list will be compared to
192 the first discharge list for additional potential discharges.

193

194 All additions or deletions from the discharge list will be immediately referred to the Discharge
195 Supervisor. Changes in the list usually are caused by some type of jail time or earned time
196 addition or removal. These are handled immediately.

197

198 After updating, the release list will be distributed to the following as applicable:

199

- 200 • Area Wardens
- 201 • MDOC I.D. Office
- 202 • Inmate Banking
- 203 • All MDOC Case Manager Supervisors
- 204 • Offender Services
- 205 • Alcohol and Drug Rehabilitation
- 206 • Pre-Release
- 207 • Parole Office
- 208 • Central Mississippi Correctional Facility
- 209 • South Mississippi Correctional Institution
- 210 • Mississippi State Penitentiary Library
- 211 • Department of Psychiatry
- 212 • All Unit Administrators
- 213 • Private Prisons
- 214 • Emergency Operations Center (EOC)
- 215 • Regional Facilities

216

217 **Probation reporting Form**

218

219 In all cases, when an offender discharges his/her sentence, whether from an institution, from
220 ERS, or Parole, and has Court Ordered Probation or Post Release Supervision (PRS) to follow,
221 the releasing official will ensure that the offender signs the Probation Reporting Form, 27-01-01-
222 F1 (see CE Documents). The original will be filed by the supervising Agent with the sentencing
223 Circuit Court, a copy will be filed with MDOC Records, a copy will be provided to the offender,
224 and a copy will be maintained in the offender's file in CE Documents.

225

226 **Victim Notification**

227

228 *Adult Correctional Institutions:* **Written policy, procedure, and practice provide that**
229 **consistent with the law and legal practices within the jurisdiction, there is a system for**
230 **providing notification and information to the registered victim(s) regarding the offenders**
231 **in the victim's case. [5-ACI-5F-06].**

232

233 At least **fifteen (15) days** prior to release of an offender, the Director of Records or designee
234 will send a written notice to the registered crime victim of the offender's pending release.

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235 When circumstances or changes in the record dictate that an offender is to be released
236 immediately due to a computation deduction specific to pre-trial jail time, MET, Trusty Time, or a
237 re-sentence based on a Supreme Court mandate, every effort will be made by the Director of
238 Victim Services to call the registered victim.

239
240 When applicable, if notified by the Director of Victim Services, Records staff will promptly
241 forward an amended written notification.

242 In order to notify a victim of an offender's death, expected release date, and/or escape, it will be
243 the victim's responsibility to have previously registered by submitting a written request for
244 notification to the Director of Victim Services or designee. Said request will be forwarded to
245 MSP Records Department and placed in the offender's master file.

246
247 Upon notification of an offender's escape, the Director of Victim Services or designee **will**
248 **immediately notify** the registered victim. Follow-up notification to victims will occur when the
249 escapee is returned to custody.

250
251 The Director of Victim Services will provide notification to registered victims within **fifteen (15)**
252 **days** following an offender's death.

253
254 **Unable To Notify**

255
256 In the event the registered victim cannot be located via the address/information on file, the
257 MDOC Victim Services Director will submit an Unable to Notify (Victim) form to the Records
258 Department to remove the victim's name from the notification request list.

259
260 **Notification of Release**

261
262 Pursuant to §47-5-177, Mississippi Code of 1972 Annotated, and within **at least (15) days** of an
263 offender's discharge or release date, the Notification of Release Document that contains all
264 required information will be sent to the officials of the sentencing county and/or city listed below:

- 265 .
- 266 • District Attorney
 - 267 • Sheriff
 - 268 • Circuit Judge
 - 269 • Chief of Police
 - 270 • Circuit Clerk (Policy of MDOC)

271
272 The Notification of Release Document can be sent via postal mail, fax, and/or email.

273
274 While preparing and reviewing the release checklist, if appropriate, records technicians will call
275 the official's office to obtain a correct fax number or email address for the notification.

276
277 Once they have received the correct fax number or email address, they will send the release
278 notification at least 15 days prior to actual release. Any email sent will be flagged to show sent,
279 delivery and read receipt.

280
281 A copy of the release notification and email or fax confirmation will be attached to the certificate
282 for the Director of Records or designee's signature.

283

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284 Once the certificate is signed, the confirmation fax or email, release notification and certificate
285 will be scanned into the offender's file within 72 hours.

286
287 The release certificate will be sent to the facility.

288
289 The notification will indicate:

- 290
291 • Offender's present or past arson charges, if any
292 • Whether or not the offender was ordered to PRS
293 • Verification of any pending charges

294
295 **Non-Adjudicated Releases**

296
297 A 15-day notification is not required for non-adjudicated offenders ordered to complete RID,
298 A&D, etc.

299
300 Non-Adjudicated offenders can be released immediately upon completion of the court ordered
301 program. These files will be closed following the offender's release from MDOC custody unless
302 the sentencing order specifically says the offender has probation to follow and is to be
303 supervised by MDOC.

304
305 **Securing DNA Sample from All Convicted Felons**

306
307 MDOC will be authorized, pending adequate funds, to secure a biological sample for the
308 purposes of DNA identification from **every offender** prior to release to the custody of another
309 law enforcement jurisdiction.

310
311 **Federal Bureau of Investigation (FBI) Final Disposition Forms**

312
313 Forms will be completed specific to each offender and distributed to the following:

- 314
315 • Original to FBI
316 • Copy to Records Department
317 • Copy to Mississippi Highway Patrol

318
319 **Release to Discharge Checklist**

- 320
321 • Verification of eligible releases
322 • Verification of identity
323 • Verification of release papers
324 • Release arrangements (i.e., mail forwarding, medical follow-up, return of offender property,
325 pending actions, inventorying facility property)
326 • Calculation of separation pay from MDOC custody
327 • Victim notification
328 • Notification of release
329 • Final screening prior to discharge
330 • Securing DNA sample from all convicted felons
331 • Completion of Federal Bureau of Investigation (FBI) Final Disposition Forms
332 • Rendering of Discharge Certificate
333

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334 **Documentation**

335
336 The following documentation will be forwarded to the Director of Records or designee for
337 signature:

- 338
339 • Discharge Certificate
340
341 • Notice to Report form if the offender is being discharged to probation or PRS

342 • Any personal documents that may be present in the discharging offender's file (i.e., driver's
343 license, birth certificate, and social security card).
344
345 • If this is impossible due to a change in the discharge date, the certificate will be faxed to the
346 offender's location with instructions to provide the Records Department a corrected mailing
347 address to where the original certificate and discharge check can be mailed to the offender,
348 if applicable.
349

350 **Discharge of Offenders to Detainers/Extradition**

351
352 When formal extradition is required, the requesting agency will be given at least **sixty (60) days**
353 advance notice whenever possible.
354

355 Offenders with detainers will be identified and their records segregated pending extradition
356 procedures and/or notification to the requesting agency.
357

358 Extradition waivers will be prepared and forwarded to affected offenders thereby providing them
359 with an opportunity either to sign or refuse to sign the waiver.
360

361 When an offender signs a Waiver of Extradition, the requesting agency will be notified to take
362 custody on the projected release date.
363

364 When an offender refuses to sign a waiver, the requesting agency (i.e., in state or federal) will
365 be instructed in writing or via NCIC to immediately begin formal extradition proceedings
366 pursuant to the offender's scheduled release date.
367

368 MDOC will hold an offender past his/her tentative release date for a maximum of 48 hours.
369

370 If an agency does not want to remove a detainer or pick the offender up within 14 days or the
371 date indicated on the detainer deposition form, the offender will be released from MDOC
372 custody. Offenders with detainers will be placed in a facility's holding cell and/or area pending
373 arrival of the official representative of the detainer.
374

375 The representative will sign the body receipt and will be provided the offender's release
376 information and documentation. Following an offender's release, the records will undergo final
377 processing, to include computer updating.
378

379 **Discharge of Offenders to Detainers/Extradition with Probation to Follow**

380
381 An offender may be discharged from MDOC to a detainer(s) for completion of sentence(s) under
382 other jurisdictional entities. After completion of a detainer sentence, the inmate will be subject
383 to MDOC detainer for return to MDOC custody with probation to follow.

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384 Discharge to a detainer and extradition will indicate a return to MDOC custody with probation to
385 follow.

386
387 When an offender discharges his/her sentence to a detainer and has Court Ordered Probation
388 or Post Release Supervision (PRS) to follow, the releasing official will ensure that the offender
389 signs the Probation Reporting Form, 27-01-01-F1 (see CE documents). The original will be filed
390 by the supervising Agent with the sentencing Circuit Court, a copy will be filed with MDOC
391 Records, a copy will be provided to the offender, and a copy will be maintained in the offender's
392 file in CE Documents.

393
394 **Issuing MDOC Detainers/Holds for Inmates Released to Detainers with Supervision to**
395 **Follow**

396
397 In those instances in which an offender in the custody of the Mississippi Department of
398 Corrections is released to another jurisdiction and that offender owes time remaining on the
399 prison part of his or her sentence, a MDOC detainer/hold will be placed on the offender using
400 the following:

- 401
402 • A letter to the holding agency which includes the offender's name, MDOC number, the
403 appropriate supervising staff or region, appropriate MDOC release dates, changes and
404
405 • Indication of the request for a MDOC detainer/hold on the Body Receipt to the effect "the
406 Records Department will be notified prior to the offender's release"

407
408 In those cases when only a notification is required in order to assume/resume supervision, the
409 Records Department will send a letter advising the receiving jurisdiction to notify MDOC upon
410 the offender's release from custody from the holding agency.

411
412 **Discharge of Offenders with Probation to Follow**

413
414 Recidivism Reduction Program (RRP), Alcohol and Drug, and Earned Probation master files will
415 be segregated until the program's completion or until further orders from the judge are received.

416
417 Upon completion of the respective program, the following steps will be taken (Refer to SOP 27-
418 03-03, Court Ordered Alcohol and Drug Release Procedures):

- 419
420 • Detainers checked
421 • Pending charges verified
422 • Release dates and locations of offenders verified by checking computer and master files
423 • NCIC checked for warrants
424 • Field Officers called for reporting instructions
425 • Body receipts, transfers, form letters, and roster for exit pay forms prepared
426 • Offender release ensured by designated staff, as stated by court order

427
428 **Discharge of Offenders to PRS (Sentencing County)**

429
430 The same procedures will apply to offenders being released to PRS as those offenders who are
431 discharged with no PRS or other form of supervision.

432
433
434

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435 **Checklist for Release of Offenders to ERS, ISP and Parole**

- 436
- 437 • Verification of eligible releases
- 438 • Verification of identity
- 439 • Verification of release papers
- 440 • Release arrangements (i.e., mail forwarding, medical follow-up, return of offender property,
- 441 pending actions, inventorying facility property)
- 442 • Calculation for separation pay
- 443 • Victim notification
- 444 • Notification of release
- 445 • Final screening prior to release
- 446 • Securing DNA sample from all convicted felons
- 447 • Completion of Federal Bureau of Investigation (FBI) Final Disposition Forms
- 448 • Rendering of Certificate of Release
- 449 • Signed Acknowledgement of Repercussions of Parole/ERS Revocation

450 **Documentation**

451

452 Once an inmate has been granted ERS, ISP or parole, the Case Manager and/or designated

453 staff will be responsible for completing the Inmate Release form, which will include verification

454 of:

- 455
- 456 • Release date and time
- 457 • Offender's residential address
- 458 • Mode of transportation
- 459 • Mode of transportation other than by bus - Ensuring identity of individual meeting and
- 460 transporting offender, and verification that said person is already on the offender's approved
- 461 visitation list
- 462 • Signed Acknowledgement that states *Pursuant to Mississippi Code Annotated Sections 47-*
- 463 *5-138 and 47-7-27, if an inmate that has been released on Earned Release Supervision*
- 464 *(ERS) or parole is revoked, any and all time that the inmate was out on ERS or parole*
- 465 *before revocation will be applied to and will reduce the remainder of the sentence.*

466

467 The Records Department staff person processing an offender for ERS is responsible for

468 ensuring that such offender's custody status is changed from INMATE to ERS.

469

470 Except those offenders being released to Transition or Restitution Centers, if an offender being

471 processed for ERS is in Trusty status, the offender is to be removed from Trusty status by the

472 Records Department staff immediately upon release.

473

474 **Offenders Continued on Parole**

475

476 Time will be restored when offenders are continued on parole.

477

478 Offenders will be paroled and released on the same date.

479

480 The Parole staff will ensure the offender is issued:

- 481
- 482 • A copy of the parole action form
- 483 • Notice To Report Form with reporting instructions

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- 484 • Instructions to never have a firearm in their possession
485

486 **Checklist for Offenders Discharged from Community Work Centers and County Jails**

- 487 • Verification of eligible releases
488 • Verification of identity
489 • Verification of release papers
490 • Release arrangements (i.e., mail forwarding, medical follow-up, return of offender property,
491 pending actions, inventorying facility property)
492 • Calculation of separation pay
493 • Victim notification
494 • Notification of release
495 • Final screening prior to discharge
496 • Securing DNA Sample from all convicted felons
497 • Completion of Federal Bureau of Investigation (FBI) Final Disposition Forms
498 • Rendering of Discharge Certificate
499

500 **Release of Sex Offenders**

501
502 If such information is requested, the victim must provide a current address to the Director of
503 Records or designee (see policy and procedure, Release of Sex Offenders).
504

505 The Director of Records or designee will notify the county sheriff with appropriate information of
506 any convicted sex offender being released to the sheriff's jurisdiction (see policy and procedure,
507 Release of Sex Offenders).
508

509 **Release of Offenders to Court Order**

510
511 Upon receipt of a certified court order, the Director of Records or designee will contact proper
512 security staff/personnel to ensure that offenders are transported to court on the date and time
513 requested. All transport orders should be sent to the MSP Records Office. The superintendent
514 /warden or designee is responsible for transporting the offender to court on the date and time
515 indicated on the court order.
516

517 The Director of Records or designee will ensure sentencing orders are loaded in a timely
518 manner and will notify the Director of Offender Services of any specifics relating to changes in
519 time served for any offenders returning from a court order when the time to serve has been
520 altered.
521

522 Reclassification of an offender will be in accordance with normal classification procedures.
523

524 **Pardons**

525
526 The Director of Records or designee will ensure that all master files are made available to the
527 Parole Board for processing of pardons.
528

529 **DOCUMENTS REQUIRED:**

530
531 As required by this procedure and through the chain of command.

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ENFORCEMENT AUTHORITY		
Reviewed and Approved for Issuance	 Deputy Commissioner of Institutions	<u>5.13.2020</u> Date