

Delbert Hosemann
Office of the Secretary of State
401 Mississippi Street
Jackson, MS 39201

Dear Mr. Hosemann,

I would like to submit the language below as an amendment to the Mississippi constitution.

Be it Enacted by the People of the State of Mississippi:

Article 14 of the Mississippi Constitution of 1890 is hereby amended by the ADDITION OF A NEW SECTION to read:

“Section 261 A. The Mental Illness Social Enhancement improves the outcome of people with Mental Illness or Disability during and after interactions with law enforcement. This is a Pre-trial diversion and program given to inmates when they are put on parole or probation with Mental Illness or Disability. This statute is only for criminals what have committed a crime that does not include any form of physical contact. (Ex. Murder, Rape, Armed Robbery, Kidnapping, and Manslaughter.) This program reduces the rate of reconviction rate of people with mental illness or disability in the community. This law applies to people with Mental Illness or Disability that are Hi-Functioning. The program begins with the Department of Mental Health and all law enforcement agencies in the State of Mississippi communicating about different persons during the arrest warrant issuing and arrest process.

Section 1. Title

This shall be titled
Mental Illness Social Enhancement or M.I.S.E.

Section 2. Definitions

In this act unless the context otherwise required

Mental Illness: A wide range of conditions that affect mood thinking and behavior.

Disability: A physical or mental condition that limits a person's movements, senses, or activity, synonyms: disorder, condition, dysfunction, affliction, ailment, complaint, illness, malady, disease, disablement, incapacity, infirmity, special needs; learning difficulties, learning disability.

Social Enhancement: (Personal Enhancement): Taking charge of one's life and career, while aligning personal goals with organizational goals. **(Social)**: Relating to society or its organization.

(Enhancement): To increase or improve the quality or value.

The People [TP] by this law the Mental Illness Social Enhancement voters with M.I.S.E. process to conjoin law enforcement and The Department of Mental Health. This improves the overall outcome of Mentally Ill and, or Disabled during and after any interaction with law enforcement.



Section 3: Miss Code Ann § 23-17-11 {1972}

Mississippi Legislature must improve the interactions with law enforcement, and people that are suffering from mental illness or disability. Mississippi Legislature must add on to the current Mississippi Pre – Trial Diversion law. This is to ensure that the State of Mississippi is not losing money on people with mental illness by putting them behind bars, or placing persons into the state hospitals unless it has been proven that the M.I.S.E. cannot rehabilitate the person. Mississippi’s Mental Illness Social Enhancement is pre- trial diversion program (Social Enhancement Pre- Trial Diversion) allows people with mental illness to receive treatment, resources in the community improving the overall outcome of the person’s life while completing probation. The person’s in the program are contributing in fight improving outcomes of people with mental, and law enforcement interactions. The additional fines that the person must pay before the exit of their parole or probations bringing between twenty- thousand and one- hundred thousand per year to improve interaction with law enforcement and mental health programs in the State of Mississippi. No funding is need because state uses people, agencies and resources that are already in place.

Section 4: Rules Making

Social Enhancement Pre- trial Diversion [S.E.P.D.]

The Department of Mental Health provides all of the names of people that has received any form of service The Department of Mental Health provides.) Any school the person has attended provides any and all I. E. P.’s on the person upon request of law enforcement or person (representative of person). Law enforcement contacts Department of Mental Health (via email or phone call) during arrest warrant issuing (Before pickup of person), or when arrest made on the street. After law enforcement has identified if the person in question has a mental illness and or disability, the process begins and goes in this order. This process takes between seventy- two hours. Depending, on the current status of the person with the Department of Mental Health. The person is picked up, questioned and released within a timely fashion. The person is then notified that they need to take their medications as needed, and given resources to help them improve factors in their lives. The person is informed that they must work on contributing to society. This is documented to keep a record of the different people that have been in contact with law enforcement and how many times. However, if this is the person’s first or second offenses, interaction with law enforcement is documented, and the person is referred to Mississippi Mental Health Task force will not be charged with a crime. Individual must pay a fine up to two- thousand dollars. The funds go to the Social Enhancement Pre- Trial Diversion Fund .The person (First or Second offender) has one year maximum to pay the fine, and they are released within seventy- two hours. This is including weekends. For example, if the person is brought in on Thursday by Sunday the person must be released. Unless, it is proven that the person is a threat to society. The code S.E.P.D. is put on the bottom of the page of the paperwork by both Behavioral Health Services and law enforcement.

How to Process Person’s

A. Is the person in question getting treatment? Where are they getting treatment? What is the current status of the person with Department of Mental Health (Behavioral Health Services)? Is the first time the person has had any interaction with law enforcement?

If the answers is “Yes, the person is going to treatment regularly, and are not a current threat. “The person is referred to the Mental Health Task force. The fine amount is given. The amount does not exceed two- thousand dollars. Behavioral Health Services are notified to ensure that the person therapist, and psychiatrist know about current status with law enforcement addressing issues during treatment. The person is informed that they must work on contributing to society.

Personal Enhancement is documented each visit with behavioral health services.

B. If the person is currently receiving treatment and has not done anything else to break the law since treatment began?

Ex. Did person in question need medication or additional medication at the time of the incident? How many times the person has come into contact with law enforcement? When the answers to these questions are "Yes and twice", or a very serious crime with no physical contact has been committed the instructions are as followed.

The person is given an appointment for Pre-Trial Diversion for the Social Enhancement program. (Given a probation officer)

Appointment date is given within seventy- two hours of being picked up, and family member or caregiver need to be notified. The person is released from custody, and appointment is given within one month time frame. When the person goes to this appointment, the probation or parole terms are given. Current pre-trial diversion of Mississippi files regular paperwork write code S.E.P.D. at bottom of paperwork.

1. Keeping up with treatment

The person must make sure that they are keeping up treatment this includes going to behavioral health appointments and taking medications. The parole or probation officer checks with Behavioral Health center for updates on the person's treatment. (Via call or email) Behavioral Health services are notified. This ensures that the person therapist and psychiatrist know about current issues and are addressing problems during treatment. Personal Enhancement is documented each visit with behavioral health services.

2. Productive Member in Society

The person must start working to improve their productivity in society. The person must enroll in school, get a job, or do some form of regular community service. Check stubs, report cards, college transcripts, or a letter from place in is during community service must be current, and given to parole or probation officer upon request.

3. Resources in the community

When the person is receiving there terms for their probation or parole, a list of resources in the community is given out. Example: Food, Clothes, Shelter, Current Job Fairs, Training classes (getting into school), and places that they can receive health care on a sliding scale.

Section 5. Social Enhancement Pre- Trail Diversion Fund

Once the person has shown improvement or going out into the community, an additional fine must be paid to the state of Mississippi to fund further improvements of mental health programs and interactions with law enforcement in the state. The fine must be between one- thousand and five – thousand dollars. This must be paid before the end to the probation or parole period Additional payments are given to parole or probation officer, and the payment options are quarterly or monthly. Fine must be given within ninety days of parole or probation. However, if the person is continuing to show hardship the fine is reduced to one- thousand dollars.

Section 6. Punishment for not following the terms of the probation or parole

If the person does not follow the rules of the probation or parole a warrant is issued for arrest and he or she will

A. Get longer Probation

The person must serve two more years of probation

B. Be committed to state hospital (allowed to go a Support Residential Services if accepted)

Only in severe situations.

C. Receive larger amount to pay to the Social Enhancement Pre – Trial Diversion Fund

At this point the amount of the fine is increased up to four thousand additional dollars.

D. Prison Time

This is up to five years.

However, if the person was released on parole they must comply with the terms of their parole.

Traffic violations do not count against the person (unless others are at risk).

Section 7. Amount and Source of Revenue

There shall be no revenue required to implement the initiative measure prepared. The initiative does not require a reduction in any source of government revenue.

Section 8. Clauses

I. M.I.S.E. VOTER’S RIGHT CLAUSE

We the people of the State of Mississippi as added by this “Law” no one including employers should not be able discrimination against any individual supporting or on the program.

II.M.IS.E. SERVERABILITY CLAUSE

We the people of the State of as added by this “Law” MISE Severability clause for the entire “Law” mandated by the Mississippi MISE voters this “Law” severability. If any part, word, or provision of this “Law” is found invalid shall not prevent this “Law” from going into effect immediately.

III. M.I.S.E. ACT ERRORS AND OMITANCE CLAUSE

We the people of the State of Mississippi as added by this “Law” MISE Errors and Omissions Clause to protect this “Law” entire written words. Error could be present and maybe corrected as of this date: “



Sponsor Signature

Mary Bee

Print Sponsor Name

MISE act 2020@gmail.com

Email Address