

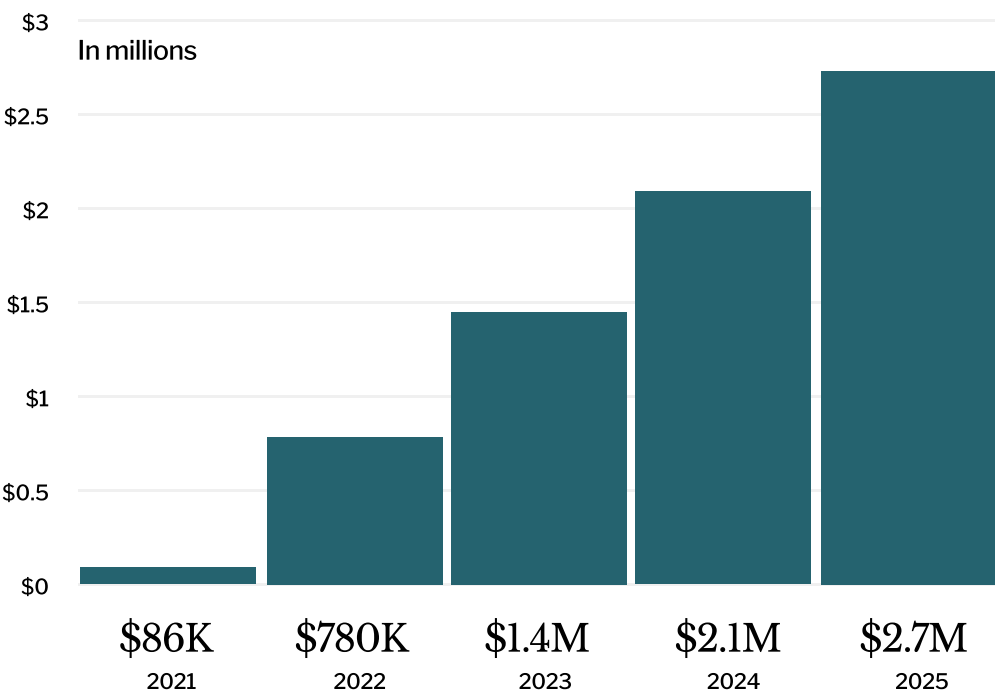
# Restricting Life Sentences through Habitual Sentencing in Mississippi

## 5-year impact in Mississippi

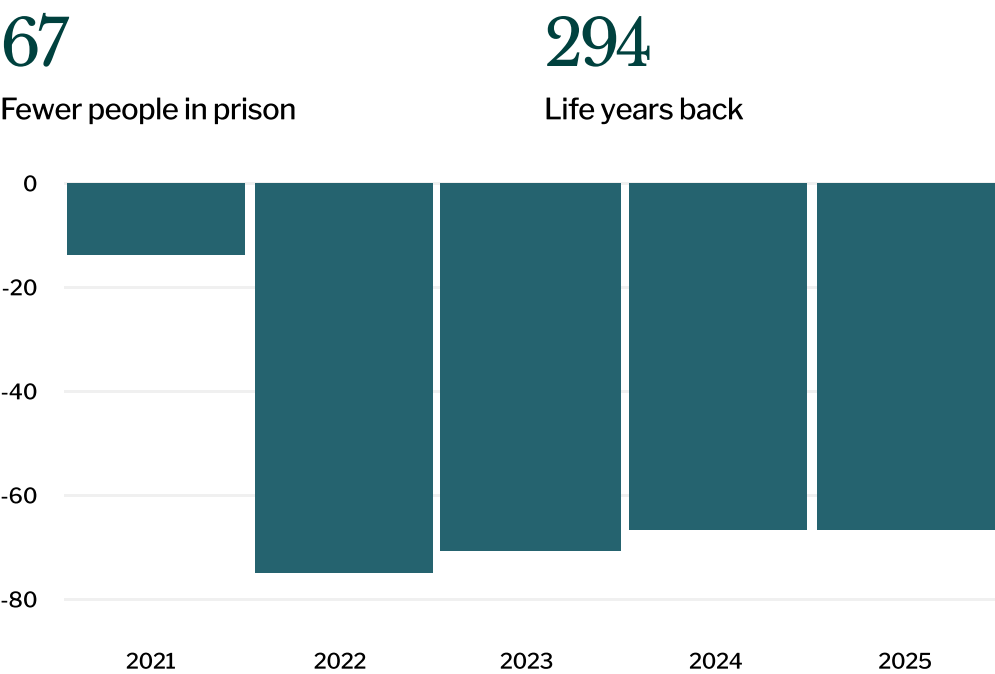
By prohibiting life without parole for individuals whose current offense is nonviolent, and instead sentencing them under the general habitual offender guidelines (using the maximum term for the current offense), Mississippi could avoid spending 2.7M in cumulative incarceration costs, reduce the prison population by 67, and give 294 life years back from prison over the next five years.

Cost avoidance is calculated using the marginal cost of incarceration of \$5,977 per year.

Incarceration cost avoidance (cumulative)



Projected population impact



### The opportunity

In March 2020, Mississippi surpassed Oklahoma for the second-highest state imprisonment rate in the country, imprisoning 652 per 100,000 Mississippians and costing the state more than \$300M each year. Mississippi's use of habitual offender penalties – laws used to increase prison sentences for subsequent offenses – are major contributors to the state's high levels of incarceration. Currently, the state's habitual offender penalty applies to any prior felony regardless of the severity of the previous offense or length of time between offenses. As 1 in 13 Mississippians has a felony conviction on their record, these habitual offender penalties can apply to a large portion of the population.

Due in part to these habitual offender penalties, individuals in Mississippi face much longer sentences than the national average – the average length of stay in Mississippi prisons is 80 months, almost 60% higher than the national average of 51 months. Furthermore, habitual offender penalties have disparate impacts on the Black community. In 2019, Black men made up just 13% of Mississippi's population, but accounted for over 75% of the people in prison with 20+ year habitual sentences.

**\$300M / year**

Spent to incarcerate individuals in prisons across the state

**1 in 13**

Mississippians has a felony conviction on their record

Since 2014, the US's prison population has decreased by over 8%; in contrast, Mississippi's prison population has increased by over 5% in that same time. Restricting habitual offender penalties in Mississippi can help curb this increase and reduce racial disparities within the prison system.

### Similar policies in other states

➤ **Kentucky**

In 2011, HB 463 revised Kentucky's Penal Code and Controlled Substances Act to remove sentence enhancements for individuals convicted of a second or subsequent drug offense. This came in a broader package of reforms expected to save Kentucky \$422 million over 10 years, allowing for reinvestment in mental health and drug rehabilitation programs.