

Hinds County Board of Supervisors
P. O. Box 686
Jackson, MS 39205

Dear Supervisors:

Please find this letter as the undersigned municipalities' response to Supervisor Graham's September 30, 2024 letter regarding a per diem charge for inmates at the Hinds County Detention Center. The letter purports to institute the daily charge effective October 1, 2024, to be billed starting January 1, 2025. As you may be aware, it would be illegal for any municipality to make a payment of this nature without a valid contract or interlocal agreement, properly ratified and approved by the appropriate governing authority, and spread upon the minutes thereof. Miss. Code Ann. § 47-1-39, which governs contracts of this nature, specifically requires a contract between the governing authorities of the municipality and the board of supervisors.¹ While the municipalities are willing to entertain good faith negotiations regarding a contract, the opacity of the process thus far is disturbing. There was no communication whatsoever with the municipalities prior to the Board attempting to take this action. Further, the letter to the municipalities is dated one day before municipal budgets take effect. It is patently unreasonable to expect municipalities to absorb a cost of this magnitude, which for some affected cities may be hundreds of thousands or even millions of dollars, without sufficient notice to plan and budget.

If the County wishes to continue this process there is information the municipalities require and issues that must be addressed before negotiations could substantively take place. Please provide responses to the following:

1. A list of all agencies the county intends to require to pay a daily charge for inmates.
 - a. Will all agencies have the same rate?
 - b. Have any yet agreed? If so, please provide a copy of the contract between the county and the agency.

2. What are the procedures and processes in place, in detail, as to how this program will be accounted for and the amounts purportedly owed tabulated.
 - a. For example, is a full day charged as soon as an inmate is booked, even if they are only there a short time? When does the next day start? How do we account for people not being released in a timely manner? There is a large amount of information needed here to adequately assess how the program will be accounted for.

¹ 2008 WL 4560058 (Miss. A.G. Sept. 5, 2008)

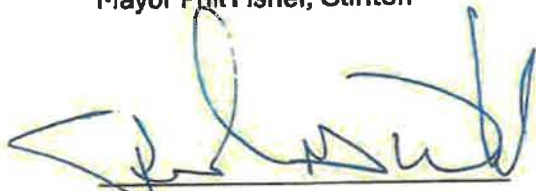
- b. Has the federal receiver been apprised of the intended daily charge and has there been any involvement by the receiver in the process to this point? They will presumably be largely responsible for creating and implementing the above procedures, so their participation in the negotiations will likely be necessary. It also makes sense to me to suspend implementing the daily charge until the receiver is up and running.
3. How the Board of Supervisors intend to account for a very slow Hinds prosecutorial/judicial system that will needlessly inflate the costs for cities.
4. Please provide copies of the most current audits and budgets for the county and the jail.
5. Please provide any contracts or agreements between Hinds County and the Tallahatchie County Corrections Facility regarding the housing of Hinds County inmates.

After receipt and review of the above identified information, the Mayors of the undersigned municipalities would like to schedule a meeting with the Board of Supervisors to begin discussion of the issue. Please do not hesitate to reach out if you need any additional information or clarification.

Sincerely,


Mayor Phil Fisher, Clinton


Mayor LeKentric Caston, Edwards


Mayor Richard White, Byram


Mayor Lawrence Butler, Bolton


Mayor Isla Tullon, Raymond


Mayor Chokwe Lumumba, Jackson