



PRESS RELEASE

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Mississippi Department of Corrections Notifies Private Prisons of Contract Terminations Due to Lack of Funding

Jackson—The Mississippi Department of Corrections (MDOC) has sent letters to each of the five private prisons in the state that their contracts are being terminated due to a lack of funding for FY 2003. During the 2002 Legislative Session, Governor Musgrove vetoed the \$54,726,714 for private prisons and the veto was not addressed on either floor of the House and Senate.

“Public safety in no way will be compromised as a result of this action,” said MDOC Commissioner Robert L. Johnson. “MDOC’s mission is to protect public safety and that is what we will do.”

The MDOC is making plans to have department management teams in place to operate the private facilities. The agency is also working to ensure that the appropriate staff is in place at each of the five private prisons to continue to provide care, custody, control and treatment of the inmates housed in each facility and ensure public safety.

In a letter to the five private prisons, MDOC Commissioner Robert L. Johnson states, “It is MDOC’s opinion that since no action was taken regarding the veto, it is valid. In that regard, there is no money available to continue payments to private prison operators after July 1, 2002.”

There is a section in the Inmate Housing Agreements between MDOC and each of the five private prisons that addresses the lack of an appropriation. That section reads as follows:

Section 8.6: Termination Due to Unavailability of Funds. *The payment of money by the Department under any provisions hereof is contingent upon the availability of funds appropriated by the Legislature of the State to pay the amounts owed pursuant to this Agreement. In the event funds for this Agreement become unavailable due to non-appropriations, the State shall have the right to terminate the Agreement without penalty or obligation, except for the obligation to pay for services already provided.*

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