

HOW MUCH TIME WILL I HAVE TO SERVE?

Typically, if you have been sentenced to serve one year or more, you may be eligible for parole after you have served 25% of your sentence, if your record of conduct shows that you have observed the rules of the Mississippi Department of Corrections.

However, parole is not guaranteed and is within the discretion of the Mississippi State Parole Board.

Who is not eligible for parole?

- Those who have been convicted and sentenced as a habitual offender (see below);
- If you have been convicted of a sex crime, you are not eligible for parole, unless, you were under the age of 19 and were convicted under Mississippi Code Annotated § 97-3-67.
- Homicide (murder or capital murder);
- Robbery (including armed robbery and armed carjacking);
- Drive-By Shooting;
- Manslaughter;
- Arson;
- Burglary of an Occupied Dwelling;
- Aggravated Assault (including Aggravated Domestic Violence);
- Kidnapping;
- Felonious Abuse of a Vulnerable Adult;
- Felony with Enhanced Penalty (but for sale or manufacture of controlled substance, eligible for parole? **Check**);
- Drug Trafficking;
- Felony Child Abuse;
- Felony Child Endangerment;
- Felony Child Neglect;
- Aggravated DUI or DUI Involving Death;
- Sale, Possession or Use of a Controlled Substance within a Correctional Facility;
- Accessory Before the Fact or Attempt to Commit any of the above crimes also makes the offender ineligible for parole.

Habitual Offender: If you have been convicted of two prior felonies or federal crimes, separately brought and arising out of separate incidents at different times, and were sentenced to separate terms of 1 year or more (regardless of whether you served the full sentence), you are at risk of being indicted and sentenced as a habitual offender under Mississippi law. Habitual Offenders are not eligible for parole or probation and thus, must serve day-for-day time on their sentence.

Life Habitual Offender: If you have been convicted of two prior felonies or federal crimes, separately brought and arising out of separate incidents at different times, and were sentenced to separate terms of 1 year or more (regardless of whether you served the full sentence), and where one of the prior felonies is considered a crime of violence, you are at risk of being indicted and sentenced as a life habitual offender. Life habitual offenders can be sentenced to life imprisonment, without the possibility of parole or probation, regardless of what the underlying charge is.