

COUNTY JAIL COSTS VS THE \$25 CAP

Why \$25 Cap Fails Counties

March 2026

On behalf of the Mississippi Association of Supervisors (MAS), in partnership with the Mississippi Sheriffs' Association (MSA), we sincerely appreciate the Legislature's continued attention to the **challenges and rising costs associated** with housing municipal inmates in county jails. Senate Bill 2432 addresses a simple but urgent problem: the current \$25 per-day cap is far below counties' actual documented cost of housing municipal inmates.

We are especially **grateful for the strong, bipartisan support** Senate Bill 2432 has received—passing the Senate 52 to 0 and the House 82 to 33—reflecting a shared recognition that this issue requires a thoughtful and workable solution. Our goal remains to preserve strong, collaborative relationships between counties and municipalities while ensuring county resources are not disproportionately strained. Senate Bill 2432 helps achieve that balance.

Under current law, municipalities are capped at paying **\$25 per inmate per day for municipal inmates held in county jails**, regardless of counties' actual, documented costs. This cap has not kept pace with the real and rising costs counties incur—especially for fixed expenses like **personnel** and **medical care**. The result is a structural funding gap that shifts municipal inmate costs onto county taxpayers and strains county–municipal partnerships.

Senate Bill 2432 is not about counties profiting; it is about ending a forced subsidy and restoring the ability for counties and municipalities to negotiate a fair rate based on **actual documented costs and local conditions**. Counties are simply seeking to **stop operating at a loss**—many are willing to help municipalities, but cannot continue to do so under a \$25 cap. In contrast, § 21-23-7 allows municipalities to recoup **\$35 per inmate** from defendants through municipal court—yet counties that house those inmates receive none of those municipal court cost collections and still receive only a **\$25 reimbursement** from the municipality.

MAS respectfully requests adoption of a final version that retains **\$25/day as a floor** and restores the ability of counties and municipalities to negotiate mutually workable, transparent, cost-supported rates based on documented expenses and local needs, helping counties move toward break-even.

PEER FY2024 CERTIFIED BASELINE COST

PEER Report #711 (Dec. 2024) reports a **certified cost benchmark (baseline)** of **\$65.35** per inmate day; this cost benchmark is CPA-certified every two years pursuant to § 47-5-1211.

Cost Component	Daily Cost	% of Total
Security Personnel	\$31.37	48.0%
Medical Services	\$16.04	24.5%
Non-Security Personnel	\$6.96	10.7%
All Other Costs	\$5.95	9.1%
Food	\$2.86	4.4%
Utilities	\$2.07	3.2%
Parole Board	\$0.10	0.2%
TOTAL	\$65.35	100%

Security and medical account for **72.5%** of total cost (**\$47.41/day**)—meaning the **\$25 cap** doesn't cover personnel alone. Total costs also rose **10.3%**, from **\$59.24** (FY2022) to **\$65.35** (FY2024). Conversations often focus on “bed space” or meals, but member feedback shows jail costs are much broader than that.

ANNUAL LOSS TO COUNTIES

Metric	Value
PEER FY2024 Certified Benchmark	\$65.35
Daily Funding Gap (Avg Cost – \$25 Cap)	\$40.35
Annual Funding Gap per Inmate/year	\$14,727.75
Counties Reporting \$25 is Insufficient	100%

MAS MEMBER FEEDBACK RESULTS

Counties reported their actual costs—and the minimum they would need. The average actual cost was \$62.76 per inmate/day and the average minimum cap requested was \$57.73, illustrating counties wish to at least break even, **not profit**.

Member Feedback Results	Value
Average Actual Cost per Inmate/Day	\$62.76
Average Minimum Cap Requested	\$57.73
Daily Funding Gap (Avg Cost – \$25 Cap)	\$37.76
Counties Reporting \$25 is Insufficient	100%
Counties Needing \$55+/Day to Break Even	81.4%

MAS surveyed counties in March 2026

MEMBER FEEDBACK: DESOTO COUNTY

550 total prisoners; 289 are municipal inmates (52.5%) from Olive Branch, Hernando, Southaven, Horn Lake, and Walls. Actual cost: \$70.56/day. Loss per municipal inmate: \$45.56/day.

Time Period	Loss Amount
Daily Loss	\$13,167
Weekly Loss	\$92,168
Monthly Loss	\$395,005
Quarterly Loss	\$1,185, 016
Semi-Annual Loss	\$2,370,031
ANNUAL LOSS	\$4,805,897

MEMBER FEEDBACK: JONES COUNTY

Approximately 205 total prisoners (average daily population); about 92 are municipal inmates (45%). Actual cost: \$61.50/day. Loss per municipal inmate: \$36.50/day.

Time Period	Loss Amount
Daily Loss	\$3,358
Weekly Loss	\$23,506
Monthly Loss	\$100,740
Quarterly Loss	\$302,220
Semi-Annual Loss	\$604,440
ANNUAL LOSS	\$1,225,670

WHAT CONTINUED UNDERFUNDING MEANS FOR COUNTIES

Counties are currently absorbing substantial costs—especially healthcare, staffing, and liability—that the existing \$25 per-day rate does not cover. The cap forces an impossible choice: continue housing municipal inmates at a \$40.35 per-day loss (about **\$14,727** per inmate per year), or limit acceptance of municipal inmates to protect county taxpayers and other county-funded services.

Senate Bill 2432 does not create this risk—the \$25 cap does.

By restoring negotiation authority, SB 2432 allows counties and municipalities to set mutually agreed-upon rates that reflect actual costs and keep interlocal partnerships workable.

With more than 5,000 inmates in local jails statewide, counties absorb an estimated \$73+ million in unreimbursed costs each year.

Until the Attorney General's 2025 opinion, counties and municipalities generally operated on the shared understanding that interlocal jail rates could be negotiated; during those years, **counties did not abuse interlocal agreements** or frequently increase rates. SB 2432 restores that local authority—so counties and municipalities can **negotiate fair, mutually agreed-upon rates** that reflect **local needs and conditions**, preserving the option for local governments to **continue resolving rates through interlocal agreements**.

COUNTY COMMENT: Monroe County reported that it had a negotiated agreement with a municipality; after the 2025 Attorney General opinion, the municipality voided the contract, ceased payments, and voted to sue:

"I'm not sure if a cap is going to help or hurt the process. In my experience, every jurisdiction is different, and the counties and municipalities need to be able to sit down and negotiate a fair rate.

We had increased from \$25 to \$30 this year and were going to increase to \$35 within the next two years so that it didn't hit the municipalities all at once. One municipality had saved \$30,000 under our \$30 per day contract in comparison to the \$25 one we had in place before, because we found ways to work with them. Even though the municipality saved \$30,000, as soon as the new AG's opinion came out, they quit paying us, voided the contract and their aldermen voted 4 to 1 to sue us.

It needs to be considered that Counties are not going to put up with municipalities like that and lose money at a \$25 rate. Those municipalities will soon be having to spend hundreds of thousands yearly to build and staff their own jails."

— Monroe County (member feedback)

MAS MEMBER FEEDBACK

County	County Voice
Wilkinson County	"Actual cost \$65/day, requested only \$35. We are willing to help local municipalities at a lower rate."
Choctaw County	"The current rate has not taken into account for how the cost has gone up significantly in the last decade. Not trying to make money—just break even."
Jones County	"\$25.00 a day does not cover the cost of housing a prisoner. We are going upside down. On average, we have about 5–7 incidents a year where employees are injured by inmates."
Tate County	"Average cost reported at \$66.06/day, with a six-figure deficit tied to municipal inmate housing."
Simpson County	Actual cost \$60/day. "We have had individuals in the jail for over a year who were never even presented to the grand jury by the city."
Tishomingo County	Food \$9/day, Clothing/Bedding/Hygiene \$19/day, Medical \$15/day. "Totals do not account for accidents or medical emergencies."
Union County	Actual cost \$43/day without medical. "Counties should at least break even if we are to continue providing this service."

MAS' POSITION

As this legislation moves into conference, MAS respectfully requests the adoption of a final bill that keeps **\$25 per day as a floor**, while restoring the flexibility for counties and municipalities to negotiate rates that reflect **actual local costs**. Counties vary significantly in size, capacity, and operational costs, and a one-size-fits-all approach may not adequately account for the true financial burden associated with housing municipal inmates. If there is strong legislative sentiment to establish a numerical ceiling in law, MAS respectfully requests that it be grounded in documented actual cost—high enough to let counties approach break-even and structured for counties of all sizes. County revenues fund many competing priorities, and jail operations are just one line item.

One model to consider is MDOC's private prison framework which relies on CPA-certified cost calculations and then sets contract terms relative to that benchmark (including the requirement in § 47-5-1211(3)(a) that any private contract achieve at least 10% savings below the PEER-certified cost).

Our goal remains to preserve strong, collaborative county–municipal partnerships without disproportionately straining county resources. Counties cannot continue absorbing **\$14,000+ per inmate annually** without harming other county services. **A low statutory cap** would lock in today's inequity and function as an **unfunded mandate shifting municipal responsibilities and costs** onto county taxpayers who **did not create those costs**.

MAS supports SB 2432 to keep **\$25/day as a floor** and restore **home rule/local authority** so counties and municipalities can **negotiate rates** based on **actual costs and local conditions**.

We appreciate the Legislature's thoughtful consideration and continued leadership on this issue. MAS stands ready to work alongside you to ensure a final outcome that is equitable, sustainable, and in the best interest of all Mississippi.

What THE \$25 CAP MISSES

The public conversation can sometimes drift toward meals alone or simple bed space. The county feedback shows that modern incarceration cost is broader than that, items that are difficult to capture in a per-diem number.

Cost area	What the \$25 cap misses
Personnel & benefits	PEER attributes the FY2024 increase in cost per inmate day primarily to security personnel, non-security personnel, and medical service contract costs.
Medical care & medication	County responses repeatedly cite nursing, prescriptions, emergency-room trips, hospital confinement, and specialty care as major cost drivers.
Mental health & substance use	Detox, crisis stabilization, suicide watch, transport and supervision needs, and continuity of medications and treatment.
Safety & compliance	Training, supervision, reporting, required policies, and compliance obligations that increase staffing and operational requirements.
Maintenance & aging infrastructure	Repairs, deferred maintenance, capital replacement, facility wear-and-tear, and utilities that scale with occupancy and security needs.
Insurance & liability	Workers' compensation, liability coverage, property exposure, and claim defense costs that rise with inmate volume and risk.
Administrative support	Booking, classification, records, transport coordination, procurement, HR/payroll, and general overhead required to run a secure facility.

County examples below illustrate how these “hidden” cost drivers show up in real budgets and why a single statewide cap can’t reflect local conditions.

ADDITIONAL MEMBER FEEDBACK

Additional comments from MAS members regarding Senate Bill 2432 and municipal inmate housing costs:

County	County Voice
Winston County	“Meals cost average is \$12.32 a day. I have a Sgt and a correctional officer assigned to to that section of the facility. Do note I have a regional facility housing. 280 state inmates. With that being said, I have additional staff if there is a problem on the section of the facility. I have to have repairs and up keep to the 26 year old facility. The facility has to repair more to that side of the facility due to the prisoners I hold and the insurance is high cost due to drunk or drug individuals to have to hold. I have 2 nurses on staff at \$37 dollars an hour and they see these inmates every day. I would under estimate the cost when broken down to at least \$37 dollars a day. If the cost to house municipal inmates don't increase we are losing a lot of funds to operate the facility and if continues the City of Louisville is going to have to find somewhere else to house their prisoners.”
Prentiss County	“All Sheriff's that operate a jail have not only a financial burden but also a liability that you can't put a price on. We only want a fair compensation for the housing of inmates from other municipalities and the responsibilities that it involves.”
Lafayette County	“Miss. Code 21-23-7(11), municipal courts have the authority to charge up to \$35.00 a day for housing/jail costs on misdemeanors. Until recently, City of Oxford was paying \$55 a day for housing inmates in Lafayette County Detention Center. There has never been a contract or interlocal agreement entered between City and County. Our operating costs for the jail (including staff, supplies, food, medical and indirect costs) is approximately \$5.7 million. We are currently in need of a \$10 million renovation of the jail due to age and infrastructure needs, additional cells for female population and mental holds, etc.”
Walthall County	“We average 4 to 5 municipal inmates per day. It costs me \$45.92 per inmate for staff. Food is \$15 per day per inmate. We take inmates to doctor appointments, dentist appointments, emergency room visits, and cover medicine and hospital confinement for days, etc. We went before the city board in late 2024 requesting them to pay what half a jailer's salary is now, rather than the salary in 1975.”
Clay County	“With the increasing costs associated with providing jail services for municipal prisoners, the current minimum per day is just not sufficient. Our recommended daily rate would allow the County to simply break-even. The recommended rate does not include costs associated with jail medical staff and other indirectly related costs associated with jail services.”