

Mississippi



The letter grades reflect Polaris' evaluation of existing laws designed to provide survivors of human trafficking with a realistic pathway to clear their criminal records. For more information on the criteria graded, please read [here](#) and examples of model legislation for each criteria can be found [here](#). If you have any questions or issues, please contact policy@polarisproject.org.

GOOD FOR SURVIVORS:

Legal Effect:

In Mississippi, the law returns the survivor to pre-record status. This means that for all practical purposes, once the process is complete, it is as if the offense never happened. For example, a statute receiving the highest ranking indicates that the conviction is vacated "on the merits" - meaning the charges never should have been brought in the first place. The highest-ranking statutes also include the automatic destruction of the records so they cannot be used against the survivor in the future.

Time Limitations and Wait Times:

Mississippi has no time limit, restriction, or wait time for survivors to clear their criminal records.

Official Documentation Creates Presumption of Victim Status:

Official documentation is not required for criminal record relief; however, if a survivor provides official documentation, the presumption of victimization prevents them from sharing their experience repeatedly in different settings, which is emotionally challenging and can re-traumatize the survivor. Mississippi's statute includes this provision and is beneficial for survivors.

NEEDS IMPROVEMENT:

Satisfaction of Restitution Paid:

Mississippi requires that a survivor pays in full the restitution ordered for any offense before they can apply for relief to clear that offense from their record. This condition ignores that the conviction should not have happened in the first place.

Court Can Take Other Factors Into Account:

The statute allows the courts to make decisions on whether the survivor may obtain criminal record relief by judging the survivor on factors like their rehabilitation efforts, the relationship the survivor had with their trafficker, etc. This places the onus of responsibility and judgment on the survivor, even though the original conviction was tied to their own victimization.

Offenses Covered:

The narrow scope of offenses currently covered by the criminal record relief statute in Mississippi is inadequate because relief only applies to specific low-level offenses - yet the range of offenses for which survivors are arrested and prosecuted is much broader. Ideally, legislators in Mississippi would expand the statute to include all offenses so more survivors are eligible for relief.



Statute: [Miss. Code Ann. § 97-3-54.6](#).