

1 HB424
2 127772-1
3 By Representatives Beckman and Jones
4 RFD: Public Safety and Homeland Security
5 First Read: 31-MAR-11

8 SYNOPSIS: Existing law provides for notification of
9 the Governor when a convict escapes.

10 This bill would provide for notification of
11 other state and local agencies and the news media
12 when a convict escapes.

13
14 A BILL
15 TO BE ENTITLED
16 AN ACT

17
18 To amend Section 14-3-58, Code of Alabama 1975,
19 relating to the escape of convicts; to provide for
20 notification of certain state and local agencies and the news
21 media when a convict escapes.

22 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

23 Section 1. Section 14-3-58, Code of Alabama 1975, is
24 amended to read as follows:

25 "§14-3-58.

26 "(a) This act shall be known as the "Joel Willmore
27 Act."

1 "(b) Whenever any convict escapes, it shall be the
2 duty of the ~~Board~~ Department of Corrections to take all proper
3 measures for his or her apprehension, and for that purpose, it
4 must ~~forthwith~~ notify the following within 12 hours of the
5 escape:

6 "(1) ~~communicate to the Governor the fact of such~~
7 ~~escape,~~ The Governor.

8 "(2) The Department of Public Safety.

9 "(3) The sheriff of the county where the escape
10 occurred.

11 "(4) The chief of police where the escape occurred,
12 if the escape occurred within a municipality.

13 "(5) The sheriff of the county where the last
14 conviction of the escapee occurred.

15 "(6) The chief of police where the last conviction
16 of the escapee occurred, if the conviction occurred within a
17 municipality.

18 "(7) The sheriff of the county where the convict's
19 home of record is located.

20 "(8) The chief of police where the convict's home of
21 record is located, if such location is within a municipality.

22 "(9) All electronic media outlets broadcasting from
23 within a radius of 75 miles from where the escape occurred,
24 including all radio and television stations.

25 "(c) The notification required in subsection (b)
26 shall include the time when and the circumstances under which
27 it the escape was effected, together with a particular

1 description of the convict, including a copy of the convict's
2 most recent mug shot, and in what county convicted and for
3 what offense and when~~7.~~

4 "(d) In addition to the requirements set forth in
5 subsections (b) and (c), the department shall post a
6 notification on its website of the escape. The notification
7 shall include the time when and the circumstances under which
8 the escape was effected, together with a particular
9 description of the convict, including a copy of the convict's
10 most recent mug shot, and in what county convicted and for
11 what offense and when.

12 "(e) The Director of Central Records of the
13 department shall enter the convict into the National Crime
14 Information Center within 12 hours of the convicts's escape.

15 "(f) The Department of Corrections ~~and the board~~
16 shall offer a reward, not exceeding ~~\$400.00~~ four hundred
17 dollars (\$400), for the apprehension of ~~such~~ the state
18 convict, to be paid out of the proceeds of the labor of
19 convicts in the State Treasury. But no warrant shall be issued
20 for the payment of any such reward unless there is filed in
21 the office of the Department of Finance the certificate of the
22 ~~board~~ Department of Corrections that ~~such~~ the convict has been
23 recaptured and restored to custody."

24 Section 2. This act shall become effective on the
25 first day of the third month following its passage and
26 approval by the Governor, or its otherwise becoming law.