

1 HB106
2 208096-2
3 By Representative England
4 RFD: Judiciary
5 First Read: 02-FEB-21
6 PFD: 01/26/2021

1 (2) A report containing statistical data that would
2 allow the Legislature to assess the general status of
3 correctional officer staffing levels, including new hires and
4 retention between reporting periods.

5 (3) A report containing statistical data, by sex, of
6 inmate participation in educational, vocational, religious, or
7 reentry programs.

8 (4) A list of all litigation filed during the
9 quarter involving the department, or any of its employees that
10 relates to performance of his or her employment, to include
11 the case style, case number, court, date of filing, and the
12 amount of money paid by the department to defend such
13 litigation.

14 (5)a. A report containing statistical data of all
15 occurrences of sexual abuse and sexual victimization of
16 inmates in a correctional facility that are reported to the
17 department. For each incident, the department shall designate
18 whether the investigation is pending or complete. If the
19 investigation is complete, the department shall provide
20 whether the incident was found to be substantiated,
21 unsubstantiated, or unfounded.

22 b. Reports shall include the date, facility, nature
23 of the incident, and the number of inmates, correctional
24 staff, or contractors involved in the incident.

25 (6)a. A report containing statistical data on the
26 number, manner, and cause of inmate deaths occurring in a

1 correctional facility, including the results of any autopsy
2 provided to the department by a third party.

3 b. Reports shall include the date, facility, nature
4 of the incident, and the number of inmates, correctional
5 staff, or contractors involved in the incident.

6 (7)a. A report containing statistical data of cell
7 phones or other electronic devices, weapons, and controlled
8 substances recovered within a correctional facility.

9 b. Reports shall include the date, facility, nature
10 of the incident, and the number of inmates, correctional
11 staff, or contractors involved in the incident.

12 (b) Nothing in this section shall require the
13 department to disclose sensitive security information,
14 information from open criminal investigative files, material
15 protected by attorney-client privilege, executive privilege,
16 work product doctrine or that reveals legal strategy in
17 pending litigation, information prepared for or filed under
18 seal in any court proceeding, or information otherwise
19 protected from disclosure by law.

20 (c) This report shall be made publicly available on
21 the department's website within 10 days of its delivery to the
22 joint oversight committee at which time a digital notice of
23 posting shall be sent to each member of the Legislature.

24 Section 2. Section 29-2-20.1 is added to the Code of
25 Alabama 1975, to read as follows:

26 §29-2-20.1.

1 The Joint Legislative Prison Oversight Committee,
2 created in Section 29-2-20, shall meet quarterly to perform
3 its duties, including review and discussion of reports
4 submitted to the committee. At least one meeting each year
5 shall include an opportunity for public testimony.

6 Section 3. Section 14-3-13, Code of Alabama 1975, is
7 amended to read as follows:

8 "§14-3-13.

9 "Every correctional officer ~~and guard shall~~, before
10 ~~entering on~~ performing the duties of his or her office, shall
11 take and subscribe before ~~some~~ an officer authorized to
12 administer oaths, the following oath:

13 ""I, _____, do solemnly swear (or affirm, as the
14 case may be) that I will support the Constitution of the
15 United States and the Constitution of the State of Alabama, so
16 long as I remain a citizen thereof; that I will faithfully
17 execute and discharge all the duties required of me as _____
18 (designating the office), and observe all the ~~rules and~~
19 regulations ~~prescribed of the department~~ for the ~~government~~
20 care and rehabilitation of convicts prisoners, so far as
21 concerns my office; and will, in no case, ill treat or abuse
22 any ~~convict~~ prisoner under my charge or control, nor inflict
23 upon him or her any other or greater punishment than may be
24 prescribed by ~~said rules and~~ the law or the regulations of the
25 department. So help me God."

26 Section 4. ~~Section 1~~ Sections 1 and 2 of this act
27 shall become effective on the first day of the third month

1 following its passage and approval by the Governor, or its
2 otherwise becoming law; Section ~~2~~ 3 of this act shall become
3 effective immediately following its passage and approval by
4 the Governor, or its otherwise becoming law.

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House of Representatives

Read for the first time and re-
ferred to the House of Representa-
tives committee on Judiciary 02-FEB-21

Read for the second time and placed
on the calendar..... 04-FEB-21

Read for the third time and passed
as amended..... 09-MAR-21

Yeas 101, Nays 0, Abstains 0

Jeff Woodard
Clerk