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SYNOPSIS:

Under existing law, the position of Deputy Commissioner for Prisoner Rehabilitation is responsible for the development, implementation, and improvement of programs designed to reduce recidivism.

This bill would rename the Deputy Commissioner for Prisoner Rehabilitation as the Deputy Commissioner for Inmate Rehabilitation.

Under existing law, the Commissioner of the Department of Corrections may appoint no more than three deputy commissioners.

This bill would authorize the Commissioner of the Department of Corrections to appoint no more than five deputy commissioners.

This bill would require the Commissioner of the Department of Corrections to appoint 14 administrators, who are exempt employees under the state Merit System, to carry out the operations and management of correctional facilities. This provision will be repealed on September 30, 2028.

This bill would require the Commissioner of the Department of Corrections to appoint 15 employees, who are exempt employees under the state Merit System, to study and address services provided by the department to constituents and families of inmates. This provision



29 will be repealed on September 30, 2028.

30 Under existing law, the Joint Prison Oversight
31 Committee exists to examine Alabama's present and long-
32 term correctional needs.

33 Under existing law, the committee is required to
34 report its findings to the Legislature annually.

35 This bill would require the committee to report
36 its findings to the Legislature upon request of the
37 chair or by a majority vote of the members of
38 committee.

39 This would require the Joint Prison Oversight
40 Committee to study and address issues related to
41 services provided by the Department of Corrections to
42 constituents and families of inmates.

43 This bill would require the Department of
44 Examiners of Public Accounts, in consultation with the
45 Joint Prison Oversight Committee, to employ an
46 individual to assist with the operations of the
47 committee.

48 This bill would also establish the Families of
49 the Incarcerated Advisory Board and provide for its
50 membership and duties.

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A BILL
TO BE ENTITLED
AN ACT



57 Relating to the Department of Corrections; to amend
58 Sections 14-1-1.5 and 14-1-4, Code of Alabama 1975, to rename
59 the position of Deputy Commissioner for Prisoner
60 Rehabilitation; to increase the number of deputy commissioners
61 that may be appointed; to add Section 14-1-1.7 to the Code of
62 Alabama 1975, to require the Commissioner of the Department of
63 Corrections to appoint exempt employees necessary to carry out
64 the operations of the department and for constituent services,
65 and to establish a sunset date; and to amend Section 29-2-20,
66 Code of Alabama 1975, to further provide for the
67 responsibilities of the Joint Prison Oversight Committee; to
68 require the Department of Examiners of Public Accounts, in
69 consultation with the Joint Prison Oversight Committee, to
70 employ an individual to assist the committee in its
71 operations; and to create the Families of the Incarcerated
72 Advisory Board within the committee and provide for its
73 membership and duties.

74 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

75 Section 1. Sections 14-1-1.5 and 14-1-4, Code of
76 Alabama 1975, are amended to read as follows:

77 "§14-1-1.5

78 (a) The commissioner may appoint no more than ~~three~~
79 five deputy commissioners, who shall serve at his or her
80 pleasure, and the commissioner shall define their duties. The
81 deputy commissioners shall be individuals of good character,
82 with good business, educational, or administrative experience,
83 shall have no financial interest in any partnership,
84 corporation, or association with which the department has any



85 financial dealings, shall devote their full time to their
86 official position, and shall have no other lucrative position
87 while employed. Their salaries shall be set by the
88 commissioner, but shall not exceed the salary paid the
89 commissioner.

90 (b) One deputy commissioner shall be known as the
91 Deputy Commissioner for ~~Prisoner~~Inmate Rehabilitation. The
92 Deputy Commissioner for ~~Prisoner~~Inmate Rehabilitation shall
93 be responsible for the development, implementation, and
94 improvement of programs designed to reduce recidivism."

95 "§14-1-4

96 (a) The department may appoint officers and employees
97 as it may require for the performance of its duties and shall
98 fix and determine their qualifications, duties, and authority.
99 The employees of the department, except the ~~Commissioner of~~
100 ~~Corrections and~~commissioner, the deputy commissioners ~~of~~
101 ~~corrections, not to exceed three,~~ appointed administrators,
102 and other exempt positions allowed by law shall be subject to
103 the law with respect to the method, selection, classification,
104 and compensation of state employees on a basis of merit.

105 (b) The ~~Department of Corrections~~department shall not
106 rescind any employee position with the classification of
107 "correctional officer" and replace them with an employee of a
108 lower classification or pay.

109 (c) The rules and regulations of the State Personnel
110 Department shall not be applicable to the appointment, tenure,
111 or compensation of physicians, surgeons, psychiatrists,
112 psychologists, dentists, or allied professional supportive



113 personnel employed by the department.

114 (d) The deputy commissioners and all other appointed
115 personnel shall serve at the pleasure of the ~~Commissioner of~~
116 ~~the Department of Corrections~~commissioner."

117 Section 2. Section 14-1-1.7 is added to the Code of
118 Alabama 1975, to read as follows:

119 (a) (1) The Commissioner of the Department of
120 Corrections shall appoint 14 administrators to carry out the
121 operations and management of correctional facilities,
122 including facilities defined in Section 14-2-1, who: (i) shall
123 serve at his or her pleasure; (ii) shall be deemed exempt
124 employees under Section 36-26-10; and (iii) shall not be
125 required to be certified as either a corrections officer or a
126 law enforcement officer by the Alabama Peace Officers'
127 Standards and Training Commission.

128 (2) The commissioner, as the appointing authority,
129 shall establish the positions, set the qualification
130 requirements, define duties and personnel policies, and set
131 salaries not to exceed the salary of the commissioner.

132 (b) (1) By March 1, 2025, the commissioner shall appoint
133 15 employees for constituent services, who: (i) shall serve at
134 his or her pleasure; (ii) shall be deemed exempt employees
135 under Section 36-26-10; and (iii) shall not be required to be
136 certified as either a corrections officer or a law enforcement
137 officer by the Alabama Peace Officers' Standards and Training
138 Commission.

139 (2) One employee shall oversee departmental constituent
140 services and shall serve as a liaison to the Joint Prison



141 Oversight Committee, created by Section 29-2-20, for the
142 purposes of studying and addressing services provided by the
143 department to constituents and the families of inmates.

144 (3) The other 14 employees shall oversee constituent
145 services for all department facilities.

146 (4) The commissioner, as the appointing authority,
147 shall consider information from the Joint Prison Oversight
148 Committee and the Families of the Incarcerated Advisory Board
149 through the Joint Prison Oversight Committee, created pursuant
150 to Section 29-2-20, in establishing qualification requirements
151 and duties of the employees. The commissioner shall also set
152 salaries not to exceed the salary of the commissioner.

153 (5) At a minimum, employees appointed in constituent
154 services shall:

155 a. Create a standardized form to be used by the
156 department for inquiries and complaints received by
157 constituents and families of incarcerated individuals. The
158 form shall contain a central physical address and email
159 address to be used for submittal of the form;

160 b. Provide the electronic form on the department's
161 website;

162 c. Review inquiries and complaints received by the
163 department via the electronic form. Every inquiry and
164 complaint form shall be assigned to a constituent services
165 employee and shall be provided to the Joint Prison Oversight
166 Committee's liaison; and

167 d. Respond to every inquiry and complaint form,
168 following the department's procedures, and provide the



169 responses to the Joint Prison Oversight Committee's liaison.

170 (c) This section shall be repealed on September 30,
171 2028.

172 Section 3. Section 29-2-20, Code of Alabama 1975, is
173 amended to read as follows:

174 "§29-2-20

175 (a) A permanent legislative committee, to be known as
176 the Joint Legislative Prison Oversight Committee, which shall
177 be composed of eight members, two of whom shall be ex officio
178 members and six of whom shall be appointed members, three each
179 to be appointed by the President of the Senate and Speaker of
180 the House, who shall both serve as the ex officio members,
181 shall be formed to examine all aspects of the operations of
182 the Department of Corrections. The chair of the committee
183 shall be selected by and from among the membership.

184 (b) The committee shall examine Alabama's present and
185 ~~long term prison long-term correctional~~ needs ~~and they~~. Upon
186 request of the chair, or by a majority vote of the members,
187 the committee shall ~~file reports of their~~ report its findings
188 and recommendations to the Legislature ~~not later than the~~
189 ~~fifteenth legislative day of each regular session~~.

190 (c) The committee shall study and address mental health
191 issues for ~~prisoners~~ inmates reentering the community after a
192 term of imprisonment in order to streamline the sharing of
193 critical mental health information and in order to address
194 barriers to accessing mental health treatment for
195 ~~prisoners~~ inmates. ~~The~~ Upon request of the chair, or by a
196 majority vote of the members, the committee shall report ~~the~~



197 its findings to the Legislature ~~not later than the fifteenth~~
198 ~~legislative day of each regular session,~~ and shall work in
199 conjunction with all of the following in studying and
200 addressing the issues:

- 201 (1) Department of Corrections.
- 202 (2) Board of Pardons and Paroles.
- 203 (3) Department of Mental Health.
- 204 (4) Administrative Office of Courts.
- 205 (5) Office of Prosecution Services.
- 206 (6) Office of the Attorney General.
- 207 (7) Alabama State Law Enforcement Agency.
- 208 (8) Association of County Commissions of Alabama.
- 209 (9) Alabama Probate Judges Association.
- 210 (10) Alabama Sheriffs⁺ Association.
- 211 (11) Alabama Criminal Defense Lawyers Association.
- 212 (12) Alabama Circuit Judges' Association.
- 213 (13) Department of Public Health.
- 214 (14) Office of the Governor.
- 215 (15) Alabama District Attorneys Association.
- 216 (16) Alabama Drug Abuse Task Force.
- 217 (17) Alabama Department of Senior Services.
- 218 ~~(17)~~ (18) Any other advocacy groups as determined by the
219 committee.

220 (d) The committee shall study and address issues
221 related to felony restitution collection in order to improve
222 rates of collection for restitution obligations in felony
223 cases and establish best practices relating to a defendant's
224 ability to pay obligations owed. ~~The~~ Upon request of the



225 chair, or by a majority vote of the members, the committee
226 shall report ~~the~~ its findings to the Legislature ~~not later~~
227 ~~than the fifteenth legislative day of each regular session,~~
228 and shall work in conjunction with all of the following in
229 studying and addressing the issues:

- 230 (1) Department of Corrections.
- 231 (2) Board of Pardons and Paroles.
- 232 (3) Administrative Office of Courts.
- 233 (4) Office of Prosecution Services.
- 234 (5) Office of the Attorney General.
- 235 (6) Alabama State Law Enforcement Agency.
- 236 (7) Alabama Criminal Defense Lawyers Association.
- 237 (8) Alabama Circuit Judges' Association.
- 238 (9) Association of County Commissions of Alabama.
- 239 (10) Alabama Sheriffs' Association.
- 240 (11) Alabama Crime Victims Compensation Commission.
- 241 (12) The Alabama Circuit Clerk's Association.
- 242 (13) Two crime victims' rights advocates designated by
243 the Attorney General.
- 244 (14) Two members from the Alabama District Attorneys
245 Association, of which one shall be from a largely populated
246 metropolitan judicial circuit and the other shall be from a
247 small, rurally populated judicial circuit.
- 248 (15) Any other advocacy groups as determined by the
249 committee.
- 250 (e) The committee shall study and address capacity
251 issues within the Department of Corrections to include, but
252 not be limited to, the issue of design capacity and



253 operational or functional capacity, as well as the
254 construction of new ~~prison~~ correctional facilities and the
255 renovation of current correctional facilities as they relate
256 to ~~prison~~ overcrowding and public safety. ~~The~~ Upon request of
257 the chair, or by a majority vote of the members, the committee
258 shall report ~~the~~ its findings to the Legislature ~~not later~~
259 ~~than the fifteenth legislative day of each regular session,~~
260 and shall work in conjunction with the following in studying
261 and addressing the issues:

- 262 (1) Department of Corrections.
- 263 (2) Board of Pardons and Paroles.
- 264 (3) Department of Mental Health.
- 265 (4) Department of Public Health.
- 266 (5) Administrative Office of Courts.
- 267 (6) Office of Prosecution Services.
- 268 (7) Office of the Attorney General.
- 269 (8) Alabama State Law Enforcement Agency.
- 270 (9) Alabama Drug Abuse Task Force.
- 271 (10) Alabama Criminal Defense Lawyers Association.
- 272 (11) Alabama Circuit Judges' Association.
- 273 (12) Association of County Commissions of Alabama.
- 274 (13) Two members from the Alabama Sheriffs⁺
275 Association, of which one shall be from a largely populated
276 metropolitan judicial circuit and the other shall be from a
277 small, rurally populated judicial circuit.
- 278 (14) Two members from the Alabama District Attorneys
279 Association, of which one shall be from a largely populated
280 metropolitan judicial circuit and the other shall be from a



281 small, rurally populated judicial circuit.

282 (f) The committee shall study and address issues
283 related to services provided by the Department of Corrections
284 to constituents and the families of inmates. Upon request of
285 the chair, or by a majority vote of the members, the committee
286 may report its findings to the Legislature and may work in
287 conjunction with all of the following in studying and
288 addressing the issues:

289 (1) Department of Corrections.

290 (2) Board of Pardons and Paroles.

291 (3) Department of Mental Health.

292 (4) Alabama Criminal Defense Lawyers Association.

293 (g) By September 1, 2024, the Department of Examiners
294 of Public Accounts, in consultation with the committee, shall
295 employ an individual to assist in the operations of the
296 committee, including, but not limited to, overseeing the
297 Families of the Incarcerated Advisory Board, established
298 pursuant to subsection (h), and serve as a liaison between the
299 committee and the Department of Corrections.

300 (h) (1) By September 1, 2024, the Families of the
301 Incarcerated Advisory Board shall be established within the
302 committee.

303 (2) The board shall consist of all of the following,
304 who shall be appointed by the membership of the committee:

305 a. Two individuals who are a spouse, child, parent,
306 grandparent, or sibling of an individual who is, at the time
307 of the appointment, incarcerated in the Department of
308 Corrections.



309 b. Two individuals who are a spouse, child, parent,
310 grandparent, or sibling of a deceased individual who died
311 while in the department's custody.

312 c. An individual who was formerly incarcerated in the
313 department.

314 d. A physician who holds, or previously held, a license
315 to practice medicine in this state, who is or was board
316 certified in family medicine or internal medicine.

317 e. A mental health or behavioral health professional
318 who holds, or previously held, a license in mental health
319 counseling, and who has a background of providing mental
320 health services or counseling to incarcerated individuals.

321 f. A representative of a nonprofit prison advocacy
322 organization.

323 g. A member of the clergy.

324 (3) The board shall advise the committee on ways in
325 which the department may improve communication with
326 incarcerated individuals' emergency contacts. The members of
327 the board may not advocate for a specific incarcerated
328 individual in custody.

329 (4)a. The members shall be appointed to four-year terms
330 and may be reappointed one time.

331 b. Vacancies on the board shall be filled in the same
332 manner as initial appointments.

333 (5) The first meeting of the board shall be held no
334 later than October 1, 2024, at which time the board shall
335 elect a chair and vice chair. The chair and vice chair shall
336 be elected annually in October. The vice chair shall serve in



337 the chair's absence. The board shall then meet quarterly to
338 conduct business.

339 (6) The members of the board shall serve without
340 compensation.

341 (7) The board shall submit a report of its findings,
342 conclusions, and recommendations to the committee one month
343 prior to each committee meeting.

344 ~~(f)~~ (i) The studies and collaborating partners provided
345 for in this section shall reflect the racial, gender,
346 geographic, ~~urban/rural~~ urban, rural, and economic diversity of
347 the state."

348 Section 4. This act shall become effective on June 1,
349 2024.