

HB86 INTRODUCED



1 HB86
2 XDIR6E7-1
3 By Representative England
4 RFD: Public Safety and Homeland Security
5 First Read: 13-Jan-26
6 PFD: 17-Dec-25



SYNOPSIS:

Under existing law, the Board of Pardons and Paroles is required to consider certain factors in determining whether to grant an individual parole.

This bill would revise the criteria for parole consideration, requiring the Board of Pardons and Paroles to give positive consideration to certain factors.

A BILL
TO BE ENTITLED
AN ACT

Relating to parole; to amend Section 15-22-26, Code of Alabama 1975, to further provide for parole consideration.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Section 15-22-26, Code of Alabama 1975, is amended to read as follows:

"§15-22-26

(a) No ~~prisoner~~inmate shall be released on parole merely as a reward for good conduct or efficient performance of duties assigned in prison, but only if the Board of Pardons and Paroles is of the opinion that the ~~prisoner~~inmate meets criteria and guidelines established by the board to determine



HB86 INTRODUCED

~~a prisoner's~~an inmate's fitness for parole and to ensure public safety. The guidelines shall serve as an aid in the parole process and shall promote the use of prison space for the most violent and greatest risk offenders, while recognizing that the board's paramount duty is to protect public safety. The guidelines shall be structured, actuarially based, reviewed every three years by the board, after a specified open comment period determined by the board, and posted on the website of the board and include, but not be limited to, the following:

(1) The ~~prisoner's~~inmate's risk to reoffend, based upon a validated risk and needs assessment, as defined in Section 12-25-32.

(2) Progress by the ~~prisoner and inmate in complying with~~ the Alabama Department of ~~Corrections to Corrections'~~ plan for reentry.

(3) Input from the victim or victims, the family of the victim or victims, prosecutors, and law enforcement entities.

(4) Participation in risk-reduction programs while incarcerated.

(5) Institutional behavior of the ~~prisoner~~inmate while incarcerated.

(6) Severity of the underlying offense for which the ~~prisoner~~inmate was sentenced to incarceration.

(7) The inmate's employment while incarcerated.

(8) Any education the inmate gained while incarcerated.

(b) (1) The Board of Pardons and Paroles must give positive consideration to:



HB86 INTRODUCED

a. The inmate's low risk to reoffend, as established through the validated risk and needs assessment, as set forth in subsection (a)(1);

b. The inmate's employment while incarcerated, as set forth in subsection (a)(7); and

c. The education completed by the inmate while incarcerated, as set forth in subsection (a)(8).

(2) The Board of Pardons and Paroles may give positive consideration to any other factors contained in the guidelines.

~~(b)~~ (c) Except as provided in Section 15-22-37, if the board grants ~~a prisoner~~ an inmate parole, the ~~prisoner inmate~~ shall be released from prison upon the terms and conditions set by the board, and while released on parole, shall remain in the legal custody of the warden of the prison from which he or she is paroled until the expiration of the maximum term specified in his or her sentence or until he or she is fully pardoned.

~~(e)~~ (d) The board shall clearly articulate its reasons for approval or denial of parole for each ~~prisoner inmate~~, based on its established guidelines, and shall provide the reasons for approval or denial to the ~~prisoner inmate~~, the victim or victims, the Department of Corrections, or any other interested party upon written request submitted to the board. The use of established guidelines for parole consideration shall not create a right or expectation by ~~a prisoner an inmate~~ to parole release. Additionally, the articulated reasons for denial of parole release shall not create a right



HB86 INTRODUCED

85 or expectation for parole release. The guidelines shall serve
86 as an aid in the parole decisionmaking process, and the
87 decision concerning parole release shall be at the complete
88 discretion of the board."

89 Section 2. This act shall become effective on October
90 1, 2026.