

1 HB25  
2 207821-1  
3 By Representative Simpson  
4 RFD: Judiciary  
5 First Read: 02-FEB-21  
6 PFD: 10/29/2020

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8 SYNOPSIS: Under existing law, the Department of  
9 Corrections may classify certain inmates in the  
10 state prison system as a minimum security risk and  
11 allow them to participate in a work release  
12 program.

13 Under existing law, inmates eligible for  
14 work release may leave a correctional institution  
15 unaccompanied by a custodial agent.

16 This bill would define work release and  
17 provide that certain inmates convicted of a violent  
18 offense who participate in work release are subject  
19 to electronic monitoring.

20 This bill would also make nonsubstantive,  
21 technical revisions to update the existing code  
22 language to current style.

23  
24 A BILL  
25 TO BE ENTITLED  
26 AN ACT  
27

1           Relating to supervision of violent offenders; to  
2 amend Sections 14-8-1 and 14-8-2, Code of Alabama 1975, to  
3 require electronic monitoring for certain inmates  
4 participating in work release; and to make nonsubstantive,  
5 technical revisions to update the existing code language to  
6 current style.

7 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

8           Section 1. Sections 14-18-1 and 14-8-2, Code of  
9 Alabama 1975, are amended to read as follows:

10           "§14-8-1.

11           "For the purposes of this article, the following  
12 terms shall have the meanings respectively ascribed to them by  
13 this section.

14           "(1) ~~BOARD~~ DEPARTMENT. The ~~Board~~ Department of  
15 Corrections.

16           "(2) COMMISSIONER. The Commissioner of the ~~Board~~  
17 Department of Corrections.

18           "(3) STATE CORRECTIONAL INSTITUTIONS. ~~Such term~~  
19 ~~shall mean and include Draper Correctional Center in Elmore;~~  
20 ~~Frank Lee Youth Center in Deatsville; Atmore State Prison Farm~~  
21 ~~in Atmore; the State Cattle Ranch in Greensboro; Julia~~  
22 ~~Tutwiler Prison for Women in Wetumpka and all road camps~~ Any  
23 correctional institution under the jurisdiction of the  
24 department.

25           "(4) INMATE. A person ~~either male or female,~~  
26 convicted of a felony and sentenced to a term of confinement

1 and treatment in a state correctional institution under the  
2 jurisdiction of the ~~board~~ department.

3 "(5) WORK RELEASE. Participation by an inmate in  
4 paid or unpaid employment away from the confines of a state  
5 correctional institution accompanied or unaccompanied by a  
6 correctional officer.

7 "§14-8-2.

8 "(a) ~~The board is authorized to~~ department may adopt  
9 ~~regulations and policies~~ rules permitting the commissioner to  
10 ~~extend the limits of the place of confinement of an inmate, as~~  
11 ~~to whom there is reasonable cause to believe he will know his~~  
12 ~~trust, by authorizing him, under prescribed conditions, to~~  
13 ~~leave the confines of that place unaccompanied by a custodial~~  
14 ~~agent for a prescribed period of time to work at paid~~  
15 ~~employment while continuing as an inmate of the institution or~~  
16 ~~facility in which he shall be confined except during the hours~~  
17 ~~of his employment or seeking of employment and traveling~~  
18 ~~thereto and therefrom~~ to allow an inmate to participate in  
19 work release. Inmates ~~shall~~ may participate in ~~paid employment~~  
20 work release at the discretion of the ~~board~~ department.

21 "(b) The ~~board~~ department may adopt ~~regulations as~~  
22 ~~to~~ rules regarding the eligibility of ~~those~~ inmates who are  
23 classified as minimum security risks for the extension of  
24 confinement ~~or the entering~~ and may enter into ~~agreement~~  
25 ~~between the board and~~ agreements with any city, county, or  
26 federal agency for the housing of these inmates in a local  
27 place of confinement. The ~~board shall~~ department, as the need

1 becomes evident, shall designate and adapt facilities in the  
2 state prison system to accomplish the purpose of this article.

3 "(c) (1) As a condition of release pursuant to  
4 subsection (a), an inmate serving a sentence for a conviction  
5 of a violent offense, as provided in Section 12-25-32, in  
6 which death, serious physical injury, as provided in Section  
7 13A-1-2, or forcible compulsion, as provided in Section  
8 13A-6-60, was an element of the crime, shall be subject to  
9 electronic monitoring.

10 "(2) The department shall be responsible for the  
11 costs of the electronic monitoring."

12 Section 2. This act shall become effective on  
13 October 1, 2021, following its passage and approval by the  
14 Governor, or its otherwise becoming law.