

1 HB14
2 148042-6
3 By Representative Beckman
4 RFD: Public Safety and Homeland Security
5 First Read: 05-FEB-13
6 PFD: 12/07/2012

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

ENROLLED, An Act,

To amend Section 14-3-58, Code of Alabama 1975, relating to the escape of inmates; to require notification of certain state and local agencies and the news media when an inmate escapes.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

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

"§14-3-58.

"(a) This section shall be known as the "Joel Willmore Act."

"(b) Whenever ~~any convict~~ an inmate escapes from a penal facility, of the Department of Corrections as defined in subdivision (3) of subsection (b) of Section 13A-10-30, it shall be the duty of the ~~Board of Corrections~~ department or other agency having custody of a prisoner to take all proper measures for his or her apprehension, and for that purpose, it ~~must forthwith~~ shall notify the following as soon as possible, but not later than 12 hours after the escape:

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

"(2) The Department of Public Safety.

"(3) The sheriff and district attorney of the county where the escape occurred.

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

3 "(5) The sheriff and district attorney of the county
4 where the last conviction of the escapee occurred, if known.

5 "(6) The chief of police where the last conviction
6 of the escapee occurred, if the conviction occurred within a
7 municipality and if known.

8 "(7) The sheriff of the county where the convict's
9 home of record is located, if known.

10 "(8) The chief of police where the convict's home of
11 record is located, if the location is within a municipality
12 and if known.

13 "(9) All electronic media outlets broadcasting which
14 are known by the department or agency, which have expressed an
15 interest in being notified of the escape, and which broadcast
16 within a radius of 75 miles from where the escape occurred,
17 including all radio and television stations.

18 "(c) The notification required in subsection (b)
19 shall include the time when and the circumstances under which
20 it the escape was effected, together with a particular
21 description of the convict inmate, including a copy of the
22 inmate's most recent mug shot, and in what county convicted
23 and for what offense and when.

24 "(d) In addition to the requirements set forth in
25 subsections (b) and (c), the department or other agency shall

1 post a notification on its website, if a website is available,
2 within a reasonable time of the escape. The notification shall
3 include the time when and the circumstances under which the
4 escape was effected, together with a particular description of
5 the inmate, including a copy of the inmate's most recent mug
6 shot, and in what county convicted and for what offense and
7 when.

8 "(e) The department or other agency shall enter the
9 inmate into the National Crime Information Center within 12
10 hours of the inmate's escape.

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

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

