

1 SB318  
2 149994-1  
3 By Senator Taylor  
4 RFD: Judiciary  
5 First Read: 12-MAR-13

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8 SYNOPSIS: Existing law provides for notification of  
9 the Governor when an inmate escapes from the  
10 custody of the Department of Corrections.

11 This bill would require the notification of  
12 other state and local agencies and the news media  
13 when an inmate escapes.

14  
15 A BILL  
16 TO BE ENTITLED  
17 AN ACT

18  
19 To amend Section 14-3-58, Code of Alabama 1975,  
20 relating to the escape of inmates; to require notification of  
21 certain state and local agencies and the news media when an  
22 inmate escapes.

23 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

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

26 "§14-3-58.

1           ~~"Whenever any convict escapes, it shall be the duty~~  
2 ~~of the Board of Corrections to take all proper measures for~~  
3 ~~his apprehension, and for that purpose, it must forthwith~~  
4 ~~communicate to the Governor the fact of such escape, the time~~  
5 ~~when and the circumstances under which it was effected,~~  
6 ~~together with a particular description of the convict, in what~~  
7 ~~county convicted and for what offense and when; and the board~~  
8 ~~shall offer a reward, not exceeding \$400.00, for the~~  
9 ~~apprehension of such state convict, to be paid out of the~~  
10 ~~proceeds of the labor of convicts in the State Treasury. But~~  
11 ~~no warrant shall be issued for the payment of any such reward~~  
12 ~~unless there is filed in the office of the Department of~~  
13 ~~Finance the certificate of the board that such convict has~~  
14 ~~been recaptured and restored to custody.~~

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

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

24           "(1) The Governor.

25           "(2) The Department of Public Safety.

26           "(3) The sheriff and district attorney of the county  
27 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 the escape was effected, together with a particular  
21 description of the inmate, including a copy of the inmate's  
22 most recent mug shot, and in what county convicted and for  
23 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  
26 post a notification on its website, if a website is available,  
27 within a reasonable time of the escape. The notification shall

1 include the time when and the circumstances under which the  
2 escape was effected, together with a particular description of  
3 the inmate, including a copy of the inmate's most recent mug  
4 shot, and in what county convicted and for what offense and  
5 when.

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

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

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