

**SB316 INTRODUCED**



1 SB316

2 NRVQ1T8-1

3 By Senators Stutts, Figures, Beasley, Smitherman, Singleton,  
4 Woods, Kitchens, Coleman-Madison

5 RFD: Judiciary

6 First Read: 19-Feb-26



1  
2  
3

4       SYNOPSIS:

5               This bill would establish the position of Prison  
6               Oversight Coordinator in the Alabama Department of  
7               Examiners of Public Accounts to monitor and inspect the  
8               activities and treatment of inmates in correctional  
9               facilities of the Department of Corrections.

10              This bill would prohibit discrimination or  
11              retaliation against any person for cooperating with the  
12              prison oversight coordinator.

13              This bill would provide for the investigation  
14              and special prosecution of criminal activity in  
15              correctional facilities.

16              This bill would also establish the Corrections  
17              Oversight Board and would provide for its appointment,  
18              powers, and duties.

19  
20

21                   A BILL

22                   TO BE ENTITLED

23                   AN ACT

24

25              Relating to prisons; to establish the position of  
26              Prison Oversight Coordinator in the Alabama Department of  
27              Examiners of Public Accounts; to establish the powers and  
28              duties of the prison oversight coordinator; to require the

## SB316 INTRODUCED



29 prison oversight coordinator to inspect correctional  
30 facilities of the Department of Corrections; to prohibit  
31 discrimination or retaliation; to establish the Corrections  
32 Oversight Board and provide for its powers and duties; and to  
33 provide for the criminal investigation and prosecution of  
34 criminal cases arising in correctional facilities.

35 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

36         Section 1. For purposes of this act, the following  
37 terms have the following meanings:

38             (1) FACILITY. A criminal correctional and detention  
39 facility.

40             (2) INMATE. An individual convicted of a crime and  
41 sentenced to a term of confinement of more than a one-year  
42 duration.

43             (3) OVERSIGHT BOARD. The Corrections Oversight Board  
44 created by the Legislature to oversee the prison oversight  
45 coordinator.

46             (4) PERMANENTLY INCAPACITATED INMATE. A state inmate  
47 who possesses a permanent, irreversible physical or mental  
48 health condition that prevents him or her from being able to  
49 perpetrate a violent physical action upon another person or  
50 self or initiate or participate in a criminal act. The medical  
51 or mental health treatment or need for assistance of such  
52 individual requires daily assistance from a caretaker or a  
53 long-term skilled medical or rehabilitation center to perform  
54 or assist with activities of daily living, such as ambulation,  
55 dressing, and bathing, or requires medications or treatments,  
56 such as hemodialysis, to sustain life which require regular

## SB316 INTRODUCED



57 diagnostic tests to monitor therapeutic effectiveness.

58 (5) PRISON OVERSIGHT COORDINATOR. The individual  
59 employed within the Department of Examiners of Public Accounts  
60 to assist in the coordination of the operations of the Joint  
61 Prison Oversight Committee and its staff.

62 Section 2. (a) The Office of Prison Oversight  
63 Coordinator is created within the Alabama Department of  
64 Examiners of Public Accounts to assist the Joint Prison  
65 Oversight Committee. The office shall be under the supervision  
66 of the Prison Oversight Coordinator who shall be appointed by  
67 the Chief Examiner of the Department of Public Accounts. The  
68 chief examiner may employ up to two additional employees to  
69 assist performing the duties of the office.

70 (b) The Office of Prison Oversight Coordinator shall do  
71 all of the following:

72 (1) Monitor the occurrence of systemic issues within  
73 the Department of Corrections which negatively impact the  
74 health, safety, welfare, and rehabilitation of individuals in  
75 the custody of the department.

76 (2) Monitor the safety and retention of correctional  
77 officers and staff.

78 (3) Provide recommendations to effectively reduce the  
79 department's risk of exposure to litigation.

80 (4) Report all findings to the Corrections Oversight  
81 Board and the Joint Legislative Prison Oversight Committee  
82 along with recommendations for improved outcomes.

83 (c) The Alabama Department of Examiners of Public  
84 Accounts shall designate permanent office space for the use of

## SB316 INTRODUCED



85 the office of prison oversight coordinator. The permanent  
86 office space shall not be located within the Department of  
87 Corrections.

88 (d) The warden or other administrator of each  
89 correctional facility of the Department of Corrections shall  
90 designate suitable temporary workspace within the facility for  
91 the prison oversight coordinator to freely conduct work or  
92 meet with staff and inmates.

93 Section 3. (a) The prison oversight coordinator shall  
94 conduct an initial inspection of all close and medium  
95 correctional facilities of the department within 18 months of  
96 the effective date of this act and all other correctional  
97 facilities of the department within 24 months of the effective  
98 date of this act. The prison oversight coordinator shall  
99 conduct subsequent inspections of each such correctional  
100 facility on a staggered basis as determined by the  
101 correctional facility's safety and compliance classification  
102 to assess all of the following:

103 (1) A summary of and compliance indicators for all  
104 current facility policies and procedures governing inmate  
105 care.

106 (2) Conditions of confinement.

107 (3) Availability of educational, rehabilitative and  
108 reentry programming, drug and mental health treatment, and  
109 inmate job and vocational training.

110 (4) All inmate visitation policies and procedures.

111 (5) All facilities designated to provide medical care  
112 and the medical procedures and policies.



## SB316 INTRODUCED

113 (6) All current facility lockdown procedures and data,  
114 and during initial assessment, the lockdown procedures and  
115 data covering the previous three years.

116 (7) All the facility staffing plans, including, but not  
117 limited to, the total number of jobs assigned to each  
118 correctional staff, the ratio of staff to inmates at the  
119 facility, the post charts for each facility, and the total  
120 number of staff vacancies.

121 (8) All data for physical assaults, sexual assaults,  
122 and use of force by correctional officers.

123 (9) All data for criminal charges or civil lawsuits  
124 against correctional officers and staff, disciplinary action,  
125 and any subsequent actions taken by the department, local  
126 district attorney, and any other relevant party.

127 (10) During initial assessment, inmate and staff deaths  
128 which occurred during the previous three years.

129 (11) The number of inmates who qualify as permanently  
130 incapacitated.

131 (12) The number of submissions received by the  
132 department's Constituent Services Unit from the facility and  
133 how many were resolved.

134 (13) Any other facility operations the prison oversight  
135 coordinator deems necessary.

136 (b) Within 90 days of completion of an inspection, the  
137 prison oversight coordinator shall assign the facility a  
138 safety and compliance classification. This classification  
139 shall be divided into three tiers as follows:

140 (1) Tier 1 requires a subsequent inspection within 12

## SB316 INTRODUCED



141 months and is used to classify maximum security facilities and  
142 facilities that present clear violations of rights, risks to  
143 the safety of inmates or staff, or severe lack of quality  
144 programming for the successful rehabilitation of inmates.

145 (2) Tier 2 requires a subsequent inspection within 18  
146 to 24 months and is used to classify facilities that may have  
147 violations of rights, substandard conditions of confinement,  
148 or substandard programming options.

149 (3) Tier 3 requires a subsequent inspection within 18  
150 to 36 months and is used to classify facilities that have  
151 adequate confinement conditions and appropriate programming  
152 options.

153 (c) Within 90 days after the completion of an  
154 inspection and designation of a safety and compliance  
155 classification for a correctional facility, the prison  
156 oversight coordinator shall produce a report to the Governor,  
157 Corrections Oversight Board, and Joint Prison Oversight  
158 Committee accurately describing inspection findings, the  
159 safety and compliance classification designation, and  
160 recommendations for remedial actions. The prison oversight  
161 coordinator shall also provide a copy of the report to the  
162 Commissioner of the Department of Corrections, Attorney  
163 General, Senate Judiciary Committee, and House Judiciary  
164 Committee. The prison oversight coordinator shall make the  
165 report public by posting it on the publicly accessible website  
166 of the Department of Examiners of Public Accounts after  
167 redacting all personally identifiable information.

168 (d) The prison oversight coordinator's report shall

## SB316 INTRODUCED



169 include all of the following with respect to the correctional  
170 facility:

171 (1) A summary of and a compliance indicator for each  
172 facility's inmate care policies and procedures.

173 (2) A description of conditions of confinement.

174 (3) A catalog of available education and rehabilitative  
175 programming, drug and mental health treatment, and inmate jobs  
176 and vocational training.

177 (4) A summary of lockdown data.

178 (5) A summary of visitation policies and procedures.

179 (6) A list of available medical facilities and a  
180 summary of the policies and procedures for each.

181 (7) The number of available staff for each facility and  
182 a summary of existing policies regarding staff recruitment,  
183 training, supervision, and discipline.

184 (8) A summary of physical assaults, sexual assaults,  
185 and use of force incidents reviewed by the office.

186 (9) A summary of inmate and staff deaths that occurred  
187 at the facility.

188 (10) The number of the population of permanently  
189 incapacitated inmates pursuant to the Alabama Medical Furlough  
190 Act, Section 14-14-2.

191 (11) A summary of any State Bureau of Investigations  
192 (SBI) investigations of the facility.

193 (12) Recommendations for the improvement of safety and  
194 facility conditions, rehabilitative and educational programs  
195 and services, or ability of inmates to communicate with their  
196 families.



## SB316 INTRODUCED

197 (13) The recommended safety and compliance  
198 classification for the facility and a timeline for the next  
199 inspection.

200 (e) The Department of Corrections shall respond in  
201 writing to each report issued by the prison oversight  
202 coordinator within 30 days of issuance of the report, and the  
203 response shall include a corrective action plan. The prison  
204 oversight coordinator may conduct subsequent monitoring visits  
205 as necessary.

206 (f) The Commissioner of the Department of Corrections  
207 shall take any necessary actions to ensure the prison  
208 oversight coordinator has access to enter any correctional  
209 facility at any reasonable time to perform official duties  
210 pursuant to this act. For purposes of this subsection, the  
211 commissioner shall ensure the prison oversight coordinator may  
212 do all of the following:

213 (1) Enter any correctional facility and confidentially  
214 interview any inmate, department employee, department  
215 contractor, or employees of other organizations or groups who  
216 visit the facilities or conduct business at the facilities.

217 (2)a. Have the opportunity to regularly meet and  
218 communicate privately and confidentially with inmates and  
219 staff, including by private and confidential calls and mail.

220                   b. The prison oversight coordinator shall have the sole  
221                   discretion to determine the appropriate method of  
222                   communication with inmates.

223 (3) Have reasonable access to all correctional  
224 facilities of the department, including, but not limited to,



225 all areas used by inmates, all areas accessible to inmates,  
226 and inmate program areas at reasonable times, which at a  
227 minimum must include normal business hours and visiting hours.

228 (4) Inform inmates of their rights and provide them  
229 with information available through the office of prison  
230 oversight coordinator.

231 (5) Monitor compliance with state and federal laws  
232 governing the rights and safety of inmates.

233 (6)a. Inspect, view, photograph, and video record all  
234 areas of the facility which are used by inmates or are  
235 accessible to inmates.

236 b. All photographs taken and video recordings made by  
237 the prison oversight coordinator which contain information  
238 that identifies an incarcerated individual shall be treated as  
239 confidential and exempt from public disclosure.

240 (7)a. Access, inspect, and copy all relevant  
241 information, records, and documents in the possession and  
242 control of the department.

243 b. The department shall assist in obtaining the  
244 necessary releases for restricted confidential or privileged  
245 documents. Upon receipt of a written request for access or  
246 copies of department records, the department must provide the  
247 access to or copies of the requested documentation by no later  
248 than 10 business days from receipt of the request. For any  
249 requested record regarding an inmate's death, threats of  
250 bodily harm, including, but not limited to, sexual or physical  
251 assaults or the denial of necessary medical treatment, the  
252 department shall produce the records within three days unless

## SB316 INTRODUCED



253 the position consents to an extension of time.

254 (g) When taking any action authorized pursuant to  
255 subsection (f), the prison oversight coordinator shall  
256 collaborate with the department to minimize disruptions to the  
257 operations of the department and shall comply with the  
258 department's security clearance protocols to the extent those  
259 protocols do not unreasonably impede the activities outlined  
260 in this section.

261 (h) The prison oversight coordinator shall consult with  
262 the Alabama Department of Examiners of Public Accounts to  
263 assist in the interpretation of the financial records of the  
264 Department of Corrections. The prison oversight coordinator  
265 may also request the Alabama Department of Examiners of Public  
266 Accounts to perform an audit of the Department of Corrections  
267 upon a reasonable belief that financial waste, fraud, or  
268 impropriety has occurred.

269 (i) All correspondence and communication to or from the  
270 prison oversight coordinator shall be deemed confidential and  
271 shall be provided the same protection as privileged and legal  
272 correspondence or communication.

273 (j) Members of the Legislature may consult with the  
274 office of prison oversight coordinator regarding  
275 communications received from constituents about conditions  
276 within correctional facilities.

277 (1) The office of prison oversight coordinator shall  
278 establish confidentiality rules and procedures for all  
279 information received and maintained.

280 (2) The office of prison oversight coordinator shall

## SB316 INTRODUCED



281 treat all matters under review, including identities of  
282 recipients of monitor services, complaints, and identities of  
283 individuals from whom information is acquired, as  
284 confidential, except to the extent disclosure may be necessary  
285 to facilitate the performance of the prison oversight  
286 coordinator's duties.

287 (3) Upon receipt of confidential or privileged  
288 information protected from disclosure by state or federal law,  
289 the office of prison oversight coordinator shall maintain the  
290 confidentiality of the information and shall not further  
291 disclose or disseminate the information except as authorized  
292 by law. All records exchanged and communications between the  
293 office of prison oversight coordinator and the Department of  
294 Corrections are confidential and exempt from public  
295 disclosure.

296 (4) Notwithstanding any provision of law to the  
297 contrary, the prison oversight coordinator reasonably may  
298 disclose to the appropriate department official confidential  
299 information if necessary, and only to the extent required, to  
300 reduce, stop, or prevent imminent danger or harm to an inmate,  
301 staff member, or third party.

302 Section 4. (a) The prison oversight coordinator may  
303 initiate and attempt to resolve an investigation upon its own  
304 initiative, or upon receipt of a complaint from an  
305 incarcerated person, a family member, a representative of an  
306 incarcerated person, a Department of Corrections employee or  
307 contractor, or others, regarding any of the following that may  
308 adversely affect the health, safety, welfare, and rights of

## SB316 INTRODUCED



309 incarcerated people or correctional staff:

310 (1) Abuse or neglect.

311 (2) Conditions of confinement.

312 (3) Department of Corrections decisions or  
313 administrative actions.

314 (4) Department of Corrections inactions or omissions.

315 (5) Department of Corrections policies, rules, or  
316 procedures.

317 (6) Alleged violations of law by Department of  
318 Corrections employees or contractors that may adversely affect  
319 the health, safety, welfare, and rights of incarcerated  
320 people.

321 (b) The prison oversight coordinator shall have  
322 discretion whether to investigate or decline to investigate  
323 any complaint. If the prison oversight coordinator does not  
324 investigate a complaint, the prison oversight coordinator  
325 shall notify the complainant in writing of the decision not to  
326 investigate the reasons for the decision.

327 (c) The prison oversight coordinator may not  
328 investigate any complaints relating to an inmate's underlying  
329 criminal conviction.

330 (d) The prison oversight coordinator may not  
331 investigate a complaint from a Department of Corrections  
332 employee or contractor that relates to the employee or  
333 contractor's employment relationship with the department  
334 unless the complaint is related to the health, safety,  
335 welfare, and rehabilitation of inmates or correctional staff.

336 (e) The prison oversight coordinator may refer a

## SB316 INTRODUCED



337 complaint to the appropriate resources or state agencies.

338 (f) The prison oversight coordinator may not levy any  
339 fees for the submission or investigation of complaints.

340 (g) At the conclusion of an investigation of a  
341 complaint, the prison oversight coordinator shall render a  
342 public decision on the merits of the complaint, except that  
343 the documents supporting the decision are subject to the  
344 confidentiality provision of this section. The prison  
345 oversight coordinator must communicate the decision to the  
346 complainant, if any, and to the Department of Corrections. The  
347 prison oversight coordinator must state its recommendations  
348 and provide reasoning if, in the prison oversight  
349 coordinator's opinion, the department or any employee or  
350 contractor thereof should do any of the following:

351 (1) Consider the matter further.

352 (2) Modify or cancel any action.

353 (3) Alter a rule, practice, or ruling.

354 (4) Explain in detail the administrative action in  
355 question.

356 (5) Rectify an omission.

357 (h) If the prison oversight coordinator so requests,  
358 the department must, within the time specified, inform the  
359 prison oversight coordinator in writing about any action taken  
360 on the recommendations or the reasons for not complying with  
361 the recommendations.

362 (i) If the prison oversight coordinator believes, based  
363 on the investigation, that there has been or continues to be a  
364 significant health, safety, welfare, or rehabilitative issue,

## SB316 INTRODUCED



365 the prison oversight coordinator must report the finding to  
366 the Governor, the Attorney General, the Joint Prison Oversight  
367 Committee, and the Commissioner of the Department of  
368 Corrections.

369 (j) In the event that the department conducts an  
370 internal disciplinary investigation and review of one or more  
371 of its staff members as a result of an office investigation,  
372 the department's disciplinary review may be subject to  
373 additional review and investigation by the prison oversight  
374 coordinator to ensure a fair and objective process.

375 (k) Before announcing a conclusion or recommendation  
376 that directly or indirectly criticizes an individual or the  
377 department, the prison oversight coordinator shall consult  
378 with that individual or the department. The prison oversight  
379 coordinator may request to be notified by the department,  
380 within a specified time, of any action taken on any  
381 recommendation presented.

382 (l) The department and its employees and contractors  
383 shall not discharge, retaliate against, or in any manner  
384 discriminate against any individual because the individual has  
385 filed any complaint or instituted or caused to be instituted  
386 any proceeding under or related to this subsection.

387 (1) Any alleged discharge, retaliation against, or  
388 discrimination against a complainant may be considered by the  
389 prison oversight coordinator as an appropriate subject of an  
390 investigation.

391 (2) Any department employee or contractor who believes  
392 that he or she has been discharged or otherwise discriminated



393 against by any individual in violation of this subsection,  
394 within 30 days after the violation occurs, shall be eligible  
395 to file a wrongful termination action in the circuit court.

396         Section 5. (a) An employee or contractor of the  
397 department shall not discriminate or retaliate in any manner  
398 against any agency, institution, employee, subcontractor,  
399 inmate or inmate's family member, volunteer, or other  
400 individual who provides information in good faith to the  
401 prison oversight coordinator or willfully interfere with the  
402 prison oversight coordinator in the performance of its  
403 official duties.

404         (b) The department, an agency, or an individual may not  
405 bring a civil action against the prison oversight coordinator  
406 or any employee of the office of prison oversight coordinator  
407 for the good faith performance of responsibilities under this  
408 section.

409         (c) This section shall not affect the rights of the  
410 department to supervise, discipline, or terminate an employee  
411 for other justifiable reasons.

412         Section 6. (a) Not later than 180 days from the  
413 effective date of this act, the Corrections Oversight Board  
414 shall be established, consisting of the following members:

415             (1) Two members of the Senate, one of whom shall be  
416 appointed by the President Pro Tempore of the Senate, and one  
417 of whom shall be appointed by the Minority Leader of the  
418 Senate. The President Pro Tempore shall select one of these  
419 members to serve as co-chair.

420             (2) Two members of the House of Representatives one of

## SB316 INTRODUCED



421 whom shall be appointed by the Speaker of the House of  
422 Representatives, and one of whom shall be appointed by the  
423 Minority Leader of the House of Representatives. The Speaker  
424 of the House of Representatives shall select one of these  
425 members to serve as co-chair.

426 (3) The following members appointed by the Legislative  
427 Prison Oversight Committee:

428 a. One representative of an inmate advocacy  
429 organization.

430 b. One representative of an organization that provides  
431 training or rehabilitation programs for incarcerated inmates.

432 c. One representative of a victim advocacy  
433 organization.

434 d. One male who was formerly incarcerated in the  
435 Department of Corrections.

436 e. One female who was formerly incarcerated in the  
437 Department of Corrections.

438 f. One physician currently or previously holding a  
439 license to practice medicine in the state.

440 g. One mental health or behavioral health professional  
441 currently or previously holding a license in mental health  
442 counseling, and has a background of providing mental health  
443 services or counseling to incarcerated adults.

444 h. One individual who is a parent, grandparent, child,  
445 sibling, or spouse of a currently incarcerated inmate of the  
446 department.

447 (b) Members appointed pursuant to this section shall  
448 serve three-year terms.



## SB316 INTRODUCED

449 (c) The appointing authorities shall coordinate their  
450 appointments to assure the oversight board's membership is  
451 inclusive and reflects the racial, gender, geographic, urban,  
452 rural, and economic diversity of the state.

453 (d) Members appointed pursuant to this subsection shall  
454 not be current employees or contractors of the department;  
455 shall not have parents, children, spouses, or domestic  
456 partners who are current employees or contractors of the  
457 department; and shall not have been an employee or contractor  
458 of the department at any time during the 10 years prior to  
459 their appointment to the board.

460 (e) The board shall convene upon any of the following  
461 occurring:

462 (1) A majority of the members call for a meeting.

463 (2) One of the co-chairs call for a meeting.

464 (3) The board has an annual public hearing.

465 (f) Board members shall not be entitled to compensation  
466 but shall be entitled to reimbursement of actual expenses  
467 incurred that are directly related to the duties of serving as  
468 a member of the board.

469 (g) The board shall hold at least one annual public  
470 hearing each year to present, review, and discuss the office  
471 of prison oversight coordinator's inspections, findings,  
472 reports, and recommendations set forth in reports and shall  
473 hold quarterly public hearings to present, review, and discuss  
474 any other data, reports, or findings of the position the  
475 oversight board deems relevant. There shall be made available  
476 to the public an online comment submission form and

**SB316 INTRODUCED**



477 opportunity to testify at any quarterly public hearings held  
478 by the board.

479                   Section 7. Employees of the Department of Corrections  
480 shall report all violations of the law relating to prisons,  
481 correctional facilities, and employees and inmates of the  
482 Department of Corrections to the State Bureau of  
483 Investigations. The bureau shall investigate all reported and  
484 discovered violations and, where applicable, refer the  
485 violations to the appropriate district attorney. All  
486 indictments for violations shall be tried in the circuit court  
487 of the county where the offense was committed.

488                   Section 8. Each district attorney's office with a close  
489 or medium security correctional facility in its circuit shall  
490 be provided one special prosecutor to investigate and  
491 prosecute criminal cases directed to the office.

492                   Section 9. This act shall become effective on October  
493 1, 2026.