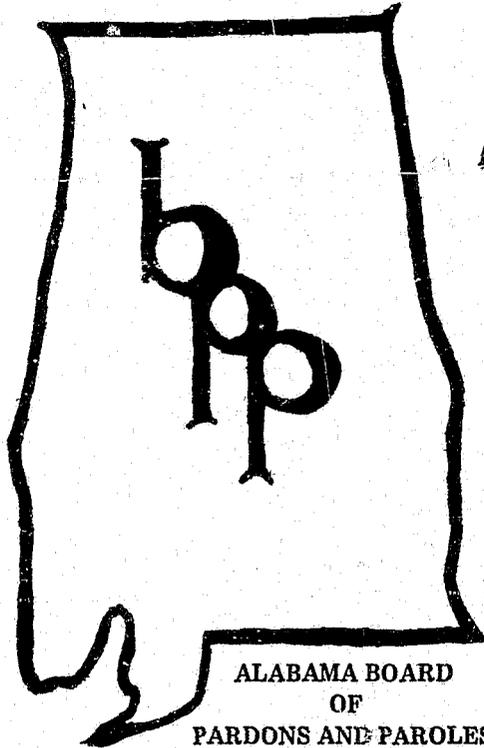


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ACQUISITIONS



ALABAMA BOARD
OF
PARDONS AND PAROLES

654 State Administrative Building
Montgomery, Alabama 36130
(205) 832-6285

Sara C. Sellers
Chairman

William R. Robinson
Member

John T. Porter
Member

David H. Williams
Executive Director

LETTER OF TRANSMITTAL

November 15, 1977

Honorable George C. Wallace
Governor of the State of Alabama
Montgomery, Alabama

Dear Sir:

In compliance with statutory provisions, we are transmitting herewith the Thirty-Eighth Annual Report of this Board covering the fiscal year October 1, 1976 to September 30, 1977.

Copies of this report are being filed in the offices of the Secretary of State, Department of Archives and History, and the Bureau of Publicity and Information.

Respectfully submitted,

STATE BOARD OF PARDONS AND PAROLES

Sara C. Sellers
Chairman

William R. Robinson
Member

John T. Porter
Member

CODE OF ETHICS

The Board and its staff subscribes to the following Code of Ethics in the performance of their duties.

TO SERVE WITH HUMILITY

TO UPHOLD THE LAW WITH DIGNITY

**TO BE OBJECTIVE IN THE PERFORMANCE
OF MY DUTIES**

**TO RESPECT THE INALIENABLE RIGHTS
OF ALL PERSONS**

**TO HOLD INVIOLEATE THOSE CONFIDENCES
RESPONDED IN ME**

**TO COOPERATE WITH FELLOW WORKERS
AND RELATED AGENCIES**

**TO BE AWARE OF MY RESPONSIBILITIES TO THE
INDIVIDUAL AND TO THE COMMUNITY**

**TO IMPROVE MY PROFESSIONAL STANDARDS
THROUGH CONTINUOUSLY SEEKING
KNOWLEDGE AND UNDERSTANDING**

PAROLE AND COMMUNITY PROTECTION

This Board believes that its primary business is community protection. With or without parole, approximately 95 percent of incarcerated offenders will walk the streets again. The real question then is not whether offenders should be released; but rather ---

WHEN SHOULD OFFENDERS BE RELEASED? and, WHAT ARE THE BEST CIRCUMSTANCES FOR THEIR RELEASE?

The Board's philosophy - implemented by its procedures - is that these questions can only be answered intelligently after a careful study of each inmate's ---

- Criminal History
- Family Background
- Prison Progress
- Parole Resources

When these factors add up to a minimal risk to the community, the Board believes that it is in the community's interest to release an inmate. The Board believes that it is best to release an inmate --

- Before he is prison hardened
- While family ties are still intact
- When he is guaranteed employment
- While he will have the control and support of a trained parole supervisor.

Parole is not leniency; it does not end or shorten a sentence.

Parole provides the opportunity for changing the offenders habits and life patterns -- for making him an asset to the community. The Board believes that the surest guarantee of community safety, is a reformed life.

The Board recognizes, of course, that with present knowledge and controls, some cannot be changed -- that some represent such a threat to the public that they may never be a safe risk on parole. The Board strives to use all information available and to exercise the best judgement possible in identifying these cases and being sure that these offenders remain in prison.

An offender who can be safely paroled is released subject to specific conditions. If he violates any of these conditions, he may be promptly returned to prison to continue serving his time. The Board believes, and statistics support the belief, that parole is an effective and economical means of bridging the gap between the regimentation of prison and the freedom of community living. Carefully administered parole protects YOU.

HISTORY OF THE DEPARTMENT

Alabama's first parole law was passed in 1897. It authorized the Governor to discharge an inmate and suspend a sentence without granting a pardon. He was authorized to prescribe the terms upon which an inmate so paroled shall have a sentence suspended, and to secure the rearrest and reimprisonment of any parolee who failed to observe the conditions of his parole. Prior to this law the only legal means of releasing a prisoner, before the expiration of the sentence, was by pardons granted by the Governor.

The Constitution of 1901 gave the Governor the power to grant paroles. It also provided for the establishment of a Board of Pardons composed of the Attorney General, State Auditor, and Secretary of State, to advise the Governor on parole and clemency matters.

In 1919, an act was passed providing for the imposition of indeterminate sentences upon certain persons convicted of felonies and for the parole of such persons at the expiration of the minimum sentence by the Board of Pardons without the approval of the Governor. This act was repealed in 1939, and now only definite sentences are authorized.

In 1935, the Governor created by executive order the Alabama Parole Bureau to make an independent study of prisoners confined in the prisons of Alabama and to recommend to the Governor those worthy of test paroles. The bureau was composed of a chairman, an associate member, and a secretary. Only one parole officer was provided for the investigation and supervision of prisoners.

On July 11, 1939, a constitutional amendment was adopted, providing for the removal of the pardoning and paroling authority from the Governor and placing it in the hands of the legislature. The legislature passed an enabling act in August, 1939, providing for the creating of a three-member State Board of Pardons and Paroles, with complete and final authority in matters of pardons, paroles, restoration of civil and political rights, and remissions of fines and forfeitures. This act was substantially amended in 1951. (Title 42, Code of Alabama, 1940 as amended). The three original members of the Board were Judge Alex Smith, Chairman; Mrs. Edwina Mitchell, Associate Member; Judge Robert M. Hill, Associate Member. They were appointed on September 1, 1939, for staggered terms of two (2), four (4), and six (6) years. All subsequent terms are for six years. The Board appointed thirteen probation and parole supervisors on October 1, 1939.

PROBATION IN ALABAMA

Adult probation in Alabama began on August 24, 1939, when the Governor approved an enabling act, giving the legislature power to authorize adult probation. (Title 42, Code of Alabama, 1940).

Prior to this time it had been held that the Alabama courts did not have inherent power to suspend sentences. The courts action in suspending sentences was held to be an encroachment on the executive power to pardon, commute, and reprieve. In 1931 the legislature passed a law giving the judges power to suspend the execution of sentences and place offenders on probation. This act was declared unconstitutional in 1935. Had it been constitutional it would have done little more than authorize suspended sentences since, in most cases, there was no provision for investigation and supervision.

Under the present adult probation law Alabama has a statewide uniform administration of probation. Probation Officers are appointed by the State Board of Pardons and Paroles, subject to the Merit System, and are supervised by the Board. Probation Officers act in a dual capacity in that they serve the courts in probation matters and the Board in parole matters.

DUTIES OF THE BOARD

The Board determines which prisoners serving in the jails and prisons of this state shall be paroled. (The Jefferson County Parole Board exercises jurisdiction over jail inmates in that county.) The Board prescribes the conditions of parole and determines whether a parolee who has violated any of these conditions should be revoked or continued on parole.

The Board provides probation services for those courts having probationary powers. Investigative and supervision services provided to these courts are similar in kind and identical in quality to those provided the Board in parole cases.

The Board grants pardons and/or restoration of civil and political rights to those persons who have shown evidence of rehabilitation and who have demonstrated the ability to live as good citizens.

The Board remits fines and bond forfeitures.

The Board develops policies and procedures and maintains the necessary staff to implement the performance of these duties.

In the performance of its duties, the Board is primarily concerned with changing behavior in such a way that the offender will be enabled to conform with the laws and with minimal standards of conduct of his community. To further this goal of providing community protection by improving the client's behavior, the Board strives to upgrade its staff by providing in-service training and other opportunities for learning experiences.

The Board can work more effectively when the public is informed about and interested in the work and accomplishments of the department. Public relations is, therefore, an integral part of the daily job for the Board and its staff.

A monthly public hearing provides an opportunity for anyone who has an interest in a case to appear before the Board without prior appointment.

BOARD OF PARDONS AND PAROLES
PERSONNEL

Board Members	3
Executive Director	1
Administrative Assistant	1
Parole and Probation Supervisor IV	5
Parole and Probation Supervisor III	12
Probation and Parole Supervisor II	77
Probation and Parole Supervisor I	26
Clerical Staff, Main Office	17
Field Offices	64
Accountants	4
Account Clerk	1
Group Home Parents	12
Clerk Messenger	1
Work Release Employee	<u>1</u>
Total	225

COST OF OPERATION

Salaries	Board Members	\$ 64,895
	Other Salaries	2,508,183
 Services Purchased:		
	Repairs Office Furniture & Equipment	5,002
	Rentals & Leases Premises:	16,058
	Equipment:	2,650
	Communications	25,767
	Professional Services	6,708
	Travel & Subsistence	130,868
	Bonds & Insurance Premiums	386
	Printing	1,805
	Utilities	9,683
	Other	3,795
	Supplies for Care & Aid of Persons	17,007
 Products Purchases		
	Automotive Supplies	11,588
	Office Supplies	9,601
	Other	1,701
 Capital Outlays		
	Office Furniture & Equipment ...	1,560
	Auto Equipment	15,927
 Interfund Expenditures		<u>222,945</u>
Grand Total		<u>\$3,056,129</u>

Source of Funds:

General Fund	1,860,800.00
Federal Funds	1,034,541.00
Probationers UpKeep Fund	<u>160,788.00</u>
Total	3,056,129.00

SELECTING AND SCHEDULING CASES FOR PAROLE

In order to make an informed decision, the Board causes a file to be prepared on all prisoners shortly after they are received in the correctional system. When completed, the file is reviewed and all cases are scheduled for a progress review hearing upon completion of one-third of the inmate's sentence or ten years (whichever is the lesser). The time may be reduced by application of Incentive Good Time credit.

Each case scheduled for progress review is placed on an automatic docket. The progress review includes a study of the prisoner's conduct and work record while in prison; his general progress, attitude, and prison official's reports and recommendations.

Parole is granted

- If the inmate's prison adjustment is good
- If there are no valid protests to parole
- If the inmate's release appears to be compatible with society's welfare
- If the Board believes the inmate has served a sufficient portion of his sentence
- If a satisfactory parole plan is available

If parole is denied

- The inmate may be required to serve the remainder of his sentence up to 3 years
- He may be given a new progress review date within a minimum of 6 months and a maximum of 3 years

INTERSTATE CASES

The department is responsible for all Alabama parole and probation cases being transferred to other states for supervision and for providing investigation and supervision when a parolee or probationer from another state requests a transfer to Alabama. In interstate matters the department is guided by the provisions of the Interstate Compact. The compact is an agreement between all fifty states, Puerto Rico, and the Virgin Islands, to serve as agents for each other in parole and probation matters. For instance, if an inmate in Alabama wants to live in Georgia after his release, the Georgia authorities will act as the Alabama agent, investigating inmate's home and work plan, providing parole supervision and informing us of the parolee's progress and conduct.

The Compact also allows for the return of serious parole violators without costly and time consuming extradition proceedings. In all cases of out-of-state parole, the paroling state retains control of the parolee but the parolee is also bound by the rules and regulations of the state to which he has been paroled.

PAROLE STATISTICS

October 1, 1976 to
September 30, 1977

Considered	2,146
Denied	873
Granted	1,273

September 15, 1939 to
September 30, 1977

90,326
58,263
32,063

October 1, 1976 to
September 30, 1977

Declared Delinquent	556
Revoked	352
Reinstated or Delinquency Voided	99

During the past thirty-eight years 9,019 parolees have been revoked.

Investigations Completed:

Preliminary	1,340
Other Parole	4,483
Miscellaneous	<u>1,664</u>
Total	7,487

PAROLES GRANTED & REVOKED BY COUNTIES

COUNTIES	GRANTED	REVOKED
Autauga	3	1
Baldwin	13	5
Barbour	8	1
Bibb	3	0
Blount	6	1
Bullock	6	1
Butler	11	1
Calhoun	21	4
Chambers	4	3
Cherokee	8	4
Chilton	5	6
Choctaw	7	3
Clarke	10	1
Clay	10	1
Cleburne	8	0
Coffee	8	1
Colbert	25	3
Conecuh	4	1
Coosa	3	1
Covington	9	5
Crenshaw	6	1
Cullman	28	7
Dale	6	1
Dallas	13	5
DeKalb	11	2
Elmore	8	3
Escambia	13	3
Etowah	26	6
Fayette	3	0
Franklin	9	1
Geneva	4	0
Greene	6	0
Hale	4	2
Henry	9	0
Houston	63	14
Jackson	14	5
Jefferson	241	63
Lamar	2	0
Lauderdale	18	11
Lawrence	6	1
Lee	43	15
Limestone	13	2

PAROLES GRANTED & REVOKED BY COUNTIES (Continued)

COUNTIES	GRANTED	REVOKED
Lowndes	3	1
Macon	1	0
Madison	61	19
Marengo	13	3
Marion	8	3
Marshall	33	2
Mobile	104	49
Monroe	3	1
Montgomery	89	26
Morgan	37	8
Perry	1	0
Pickens	0	0
Pike	13	5
Randolph	5	0
Russell	23	5
Shelby	3	8
St. Clair	17	2
Sumter	8	2
Talladega	40	4
Tallapoosa	4	3
Tuscaloosa	63	15
Walker	14	4
Washington	6	5
Wilcox	2	2
Winston	4	0
Total	<u>1,273</u>	<u>352</u>

PROBATION

Probation Granted	4,301
Probation Revoked	612
Pre-Sentence Investigations Made	3,176
Youthful Offender Investigations Made	2,954
Other Probation Investigations Made	4,819
Total Placed on Probation During Thirty-seven year Period of Administration	82,809
Total Revoked During Thirty-seven Year Period of Administration	12,120

PROBATIONS GRANTED AND REVOKED BY COUNTIES

Counties	Probations Granted	Probations Revoked
Autauga	9	4
Baldwin	52	3
Barbour	20	3
Bibb	41	4
Blount	23	11
Bullock	11	0
Butler	26	2
Calhoun	63	6
Chambers	30	0
Cherokee	35	2
Chilton	14	4
Choctaw	19	2
Clarke	49	4
Clay	17	0
Cleburne	12	0
Coffee	24	8
Colbert	44	10
Conecuh	7	0
Coosa	19	1
Covington	64	10
Crenshaw	32	6
Cullman	87	21
Dale	56	6
Dallas	67	16
DeKalb	46	4
Elmore	41	10
Escambia	48	10
Etowah	184	5
Fayette	21	1
Franklin	8	4
Geneva	7	2
Greene	22	5
Hale	13	0
Henry	21	1
Houston	110	19
Jackson	45	3
Jefferson	722	137
Lamar	8	1
Lauderdale	58	21
Lawrence	64	14
Lee	69	17
Limestone	36	1

PROBATIONS GRANTED AND REVOKED BY COUNTIES (Continued)

Counties	Probations Granted	Probations Revoked
Lowndes	4	3
Macon	7	0
Madison	149	25
Marengo	45	4
Marion	30	3
Marshall	91	12
Mobile	380	30
Monroe	21	4
Montgomery	184	29
Morgan	101	16
Perry	13	2
Pickens	51	1
Pike	14	8
Randolph	14	2
Russell	44	5
Shelby	15	4
St. Clair	67	5
Sumter	40	1
Talladega	101	15
Tallapoosa	27	2
Tuscaloosa	455	49
Walker	43	6
Washington	31	2
Wilcox	11	2
Winston	19	4
Total	<u>4,301</u>	<u>612</u>

PARDONS & RESTORATIONS

Pardons granted	55
Restoration of civil and political rights granted	645

CLIENTS UNDER SUPERVISION AS OF:

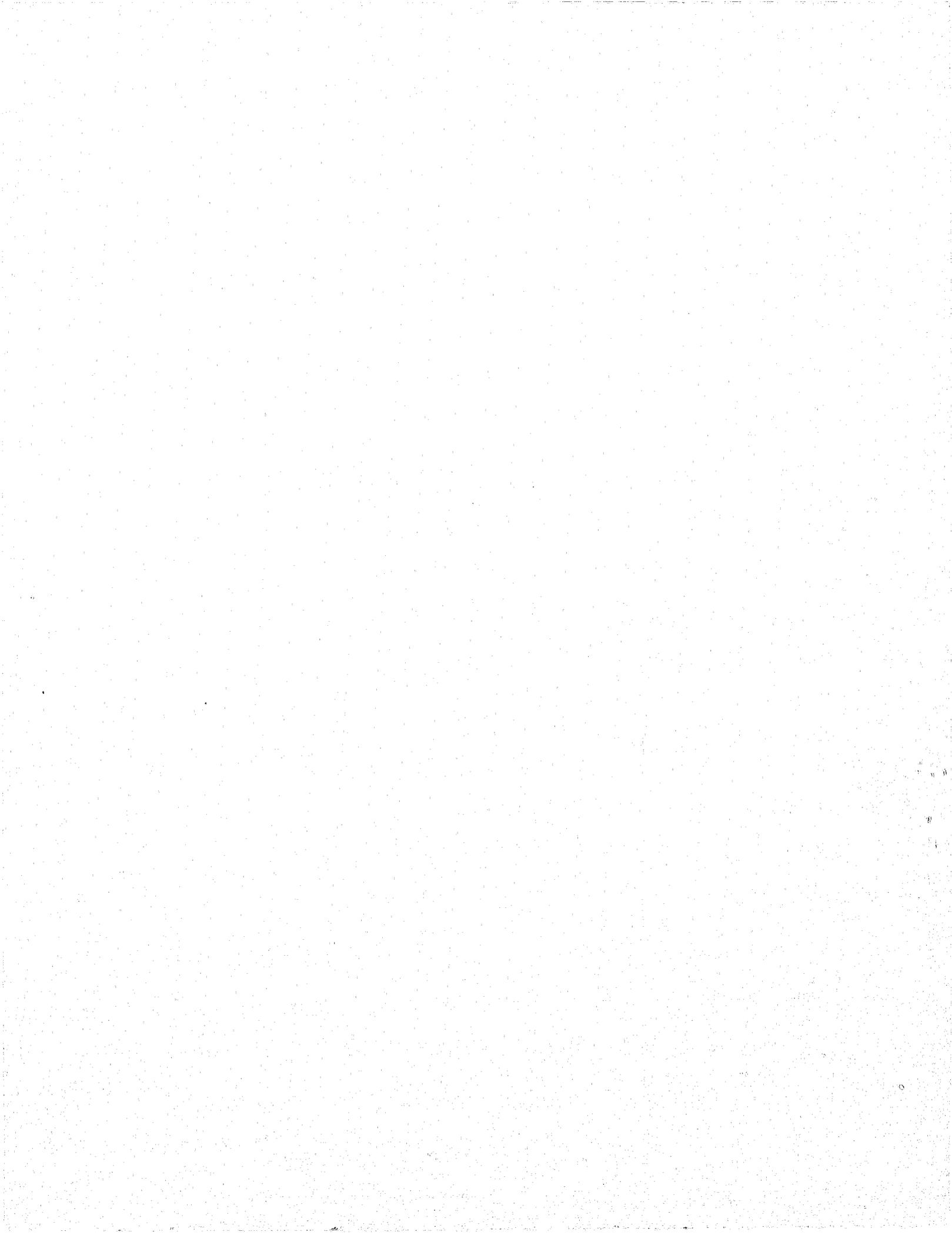
	September 30, 1977	September 30, 1970
Supervised for other states	934	411
Parole Supervision	1,628	2,512
Probation Supervision	9,971	4,833
Grand Total	12,533	7,756

REMISSIONS OF FINES AND FORFEITURES

Petitions for remission of forfeiture Granted — Complete Relief	3
Amount Remitted	\$2,000 & costs
Petitions for remission of fines	0
Amount remitted	0

INTERSTATE RELATIONS

Cases Investigated for Other States	1,104
Cases Investigated by Other States	907
Parolees and Probationers received for supervision from other states	575
Alabama probationers and Parolees accepted for supervision by other states	471



END