

**BOARD OF
PARDONS and PAROLES**



ANNUAL REPORT

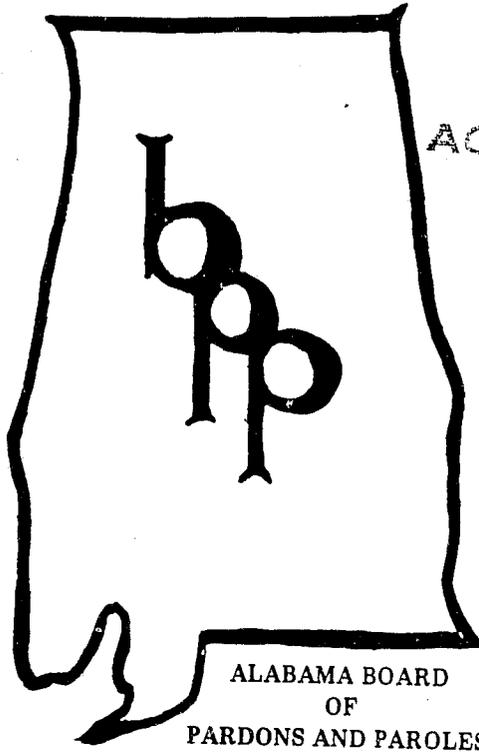
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ACQUISITIONS



ALABAMA BOARD
OF
PARDONS AND PAROLES

Suite 312
750 Washington Avenue
Montgomery, Alabama 36130
(205) 832-3070

Sara C. Sellers
Chairman

William R. Robinson
Member

John T. Porter
Member

David H. Williams
Executive Director

LETTER OF TRANSMITTAL

November 15, 1978

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-Ninth Annual Report of this Board covering the fiscal year October 1, 1977 to September 30, 1978.

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 of the Board

John T. Porter
Member of the Board

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 INVIOATE 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 prisoner 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 intergral 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	13
Parole and Probation Supervisor II	80
Parole and Probation Supervisor I	9
Clerical Staff, Main Office	19
Field Offices	59
Accountants	3
Account Clerk	1
Group Home Parents	12
Clerk Messenger	1
CETA Contract Employees	
Parole and Probation Supervisor I	8
Clerical Employees	<u>7</u>
TOTAL	222

COST OF OPERATION

Salaries	Board Members	\$ 105,000	
	Other Salaries	<u>2,717,209</u>	2,822,209
Employee Benefits:			
	FICA	56,422	
	Group Health Insurance	23,338	
	Retirement Contributions	53,187	
	Unemployment Contributions St Share ..	<u>1,552</u>	135,499
Services Purchased:			
	Repairs Buildings & Grounds	1,654	
	Repairs Office Equipment & Furniture ..	5,014	
	Repairs Auto Equipment	1,603	
	Rental & Leases Premises	36,966	
	Equipment	15,339	
	Automotive Equipment	406	
	Communications	62,536	
	Professional Services	5,424	
	Travel & Subsistence	120,286	
	Bonds & Insurance Premiums	371	
	Printing	8,807	
	Utilities	9,725	
	Other	<u>5,141</u>	273,272
Products Purchased:			
	Automotive Supplies	16,974	
	Office Supplies	10,833	
	Other	3,412	
	Buildings & Grounds Supplies	4,196	
	Supplies for Care and Aid of Persons	<u>26,196</u>	61,611
Grants and Benefits			433
Capital Outlays Office Furniture & Equipment			52,441
	Other Equipment	<u>1,027</u>	53,468
Non Expenditure Disbursement			<u>17,842</u>
Grand Total			<u><u>3,364,334</u></u>
Source of Funds:			
	General Fund	\$2,098,877	
	Federal Funds	716,098	
	Probationers Upkeep Fund .	<u>549,359</u>	
	Total	<u><u>\$3,364,334</u></u>	

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, 1978 to
September 30, 1978

September 15, 1939 to
September 30, 1978

Considered	2,876	93,202
Denied	1,187	59,450
Granted	1,689	33,752

October 1, 1977 to
September 30, 1978

Declared Delinquent	357
Revoaked	251

During the past thirty-nine years, 9,270 parolees have been revoked.

PAROLES GRANTED AND REVOKED BY COUNTIES

COUNTIES	GRANTED	REVOKED
Autauga	10	1
Baldwin	25	2
Barbour	8	3
Bibb	8	0
Blount	12	1
Bullock	3	1
Butler	9	1
Calhoun	38	1
Chambers	8	0
Cherokee	6	2
Chilton	17	2
Choctaw	10	0
Clarke	15	1
Clay	4	0
Cleburne	2	0
Coffee	11	2
Colbert	30	4
Conecuh	3	0
Coosa	7	1
Covington	19	1
Crenshaw	5	1
Cullman	33	4
Dale	17	1
Dallas	18	2
DeKalb	9	0
Elmore	26	2
Escambia	13	1
Etowah	43	5
Fayette	2	1
Franklin	12	2
Geneva	5	2
Green	3	0
Hale	3	0
Henry	5	1
Houston	88	6
Jackson	33	2
Jefferson	341	67
Lamar	5	1
Lauderdale	21	4
Lawrence	11	1
Lee	61	11
Limestone	7	0

PAROLES GRANTED AND REVOKED BY COUNTIES (Cont.)

COUNTIES	GRANTED	REVOKED
Lowndes	2	0
Macon	0	0
Madison	67	13
Marengo	8	0
Marion	9	4
Marshall	23	1
Mobile	151	25
Monroe	1	0
Montgomery	123	23
Morgan	32	6
Perry	5	0
Pickens	3	0
Pike	20	4
Randolph	6	0
Russell	35	7
Shelby	15	3
St. Clair	8	1
Sumter	6	1
Talladega	32	6
Tallapoosa	12	5
Tuscaloosa	83	7
Walker	23	7
Washington	10	0
Wilcox	2	0
Winston	7	1
TOTAL	1,689	251

PROBATION

Probation Granted	4,758
Probation Revoked	640
Total Placed on Probation During Thirty-ninth year Period of Administration	87,567
Total Revoked During Thirty-ninth Year Period of Administration	12,760

PROBATIONS GRANTED AND REVOKED BY COUNTIES

COUNTIES	GRANTED	REVOKED
Autauga	8	4
Baldwin	68	8
Barbour	13	1
Bibb	60	5
Blount	34	8
Bullock	9	5
Butler	14	0
Calhoun	127	8
Chambers	18	0
Cherokee	23	2
Chilton	5	4
Choctaw	10	1
Clarke	51	4
Clay	15	4
Cleburne	12	0
Coffee	34	5
Colbert	28	10
Conecuh	7	1
Coosa	13	2
Covington	60	16
Crenshaw	5	5
Cullman	69	14
Dale	42	9
Dallas	94	11
DeKalb	84	7
Elmore	31	10
Escambia	26	3
Etowah	152	10
Fayette	27	2
Franklin	25	5
Geneva	15	1
Greene	23	2
Hale	7	1
Henry	17	3
Houston	100	24
Jackson	29	7
Jefferson	886	127
Lamar	27	2
Lauderdale	90	15
Lawrence	100	13
Lee	73	7
Limestone	42	6

PROBATIONS GRANTED AND REVOKED BY COUNTIES (Cont.)

COUNTIES	GRANTED	REVOKED
Lowndes	11	0
Macon	8	0
Madison	188	30
Marengo	32	4
Marion	10	3
Marshall	75	4
Mobile	463	68
Monroe	23	3
Montgomery	262	38
Morgan	168	9
Perry	18	2
Pickens	48	0
Pike	33	6
Randolph	4	1
Russell	53	7
Shelby	45	3
St. Clair	56	3
Sumter	24	2
Talladega	79	12
Tallapoosa	23	1
Tuscaloosa	478	60
Walker	37	7
Washington	24	2
Wilcox	4	1
Winston	19	2
TOTAL	4,758	640

PARDONS AND RESTORATIONS

Pardons granted	16
Restoration of civil and political rights Granted	640

CLIENTS UNDER SUPERVISION AS OF:

	September 30, 1978	September 30, 1970
Supervised for other states	957	411
Parole Supervision	1,834	2,512
Probation Supervision	10,064	4,833
GRAND TOTAL	12,855	7,756

CASES SUPERVISED DURING THE YEAR

Supervised for other states	1,669
Parole Supervision	3,317
Probation Supervision	14,729
GRAND TOTAL	19,715

INVESTIGATIONS COMPLETED DURING THE YEAR

	OUT OF STATE	ALABAMA
Probation	1,103	9,652
Parole	625	6,569
Miscellaneous	450	3,471
Total	2,178	19,692
GRAND TOTAL	21,870	

REMISSIONS OF FINES AND FORFEITURES

Petitions for remission of forfeiture Granted -- Complete Relief	2
Amount Remitted	\$9,900 and costs
Petitions for remission of fines	0
Amount remitted	0

INTERSTATE RELATIONS

Cases Investigated for Other States	1,708
Cases Investigated by Other States	981
Parolees and Probationers received for supervision from other states	735
Alabama probationers and parolees accepted for supervision by other states	572

END