

**STATE OF ALABAMA  
BOARD OF PARDONS AND PAROLES**

**BOARD ORDER**

The Board of Pardons and Paroles met on this 20<sup>th</sup> day of Feb 2019, in open public meeting, at which time the following Board Members were present: Lyn Head Chairman, Cliff Walker, Associate Member, and Dwayne Spurlock, Associate Member.

The Board hereby votes to adopt the attached revised "Article Two" of the Board Operating Rules, and to further adopt the attached new Review Committee Action Sheet. These revisions are pursuant to Executive Order # 716.

Ordered this 20<sup>th</sup> day of Feb 2019.

**APPROVED**

  
\_\_\_\_\_  
Lyn Head  
CHAIRMAN

  
\_\_\_\_\_  
Cliff Walker  
ASSOCIATE MEMBER

  
\_\_\_\_\_  
Dwayne Spurlock  
ASSOCIATE MEMBER

**DISAPPROVED**

\_\_\_\_\_  
Lyn Head  
CHAIRMAN

\_\_\_\_\_  
Cliff Walker  
ASSOCIATE MEMBER

\_\_\_\_\_  
Dwayne Spurlock  
ASSOCIATE MEMBER

## Article Two

### Rescheduling of Consideration

1. An inmate or his/her representative may request a review in writing once per calendar year after all the following conditions have been met:
  - a. Served a minimum of five (5) years.
  - b. Program completion as evidenced by a certificate of completion;
  - c. Letters of support from at least one or more of the following: the office that prosecuted the inmate's case, the victim or that victim's representative, the Attorney General's Office, the sentencing judge or successor, or a law enforcement official from the county of conviction;
  - d. A positive report from a Department of Corrections' staff member;
  - e. No disciplinaries within the last three years; and
  - f. No violent disciplinaries during the present incarceration.
2. If, after appropriate inquiry or investigation, the officer or agent is persuaded that earlier consideration may be proper, he/she may refer the matter to the Review Committee for consideration. He/she shall enter in the file the facts supporting his/her recommendation.
3. Geriatric, permanently incapacitated, and terminally ill inmates as defined by Act 2017-355 are exempt from the Review Committee process established by this Article. Scheduling of parole consideration for such inmates will follow the protocol established by Article 1, Sections 13 through 17 of these rules, whether for initial parole consideration or following the Board's denial or revocation of parole.
4. The Review Committee shall consist of no fewer than five (5) members designated by the Executive Director. Three (3) members constitute a panel. The members shall be Probation and Parole Senior Officer, or higher classification. One member must be a Board Operations Senior Officer or higher classification, with at least five (5) years' experience.

5. The Review Committee may review any cases referred to them for early parole consideration and determine whether it appears to be consistent with society's interest to schedule early parole consideration. If at least three (3) committee members reviewing a case concur in the action, they may reschedule parole consideration earlier than the parole consideration date previously set, not to exceed (3) three years. They shall enter into the file a written statement of the action taken and shall indicate the names of the members who favored or declined to favor the action. All recommendations for early parole consideration will require a legal review conducted by a deputy or assistant attorney general. The reviewing attorney will have the authority to reverse the decision. The inmate will be notified only if a change is made in the parole consideration date.
  
6. If the Board has denied or revoked parole, the Review Committee may consider earlier scheduling, but such review shall not begin earlier than eighteen (18) months after the Board has denied or revoked parole. These inmates must meet the following criteria:
  - a. Program completion as evidenced by a certificate of completion, ;
  - b. Letter of support from at least one of the following: the office that prosecuted the inmate's case, the victim or that victim's representative, the Attorney General's Office, the sentencing judge or successor, or a law enforcement official from the county of conviction.
  - c. A positive report from a Department of Corrections' staff member,
  - d. No disciplinaries within the last three years and no violent disciplinaries during the present incarceration.
  
7. No inmate may receive more than a three-year reduction in his/her guideline setting.

**STATE BOARD OF PARDONS AND PAROLES  
MONTGOMERY, ALABAMA  
BOARD OF PARDONS AND PAROLES REVIEW COMMITTEE ACTION SHEET**

NAME \_\_\_\_\_ AIS # \_\_\_\_\_ Set Date: \_\_\_\_\_

The Senior Staff Review Committee has reviewed this file and voted to change the parole consideration date from \_\_\_\_\_ to \_\_\_\_\_.

**MY REASONS FOR FAVORING A REDUCTION IN THE PAROLE CONSIDERATION DATE ARE AS FOLLOWS:**

- PARTICIPATION IN PROGRAMMING
- ORAS LEVEL AT LAST HEARING OR AT TIME OF SENTENCING IS LOW TO MODERATE
- SEVERITY OF PRESENT OFFENSE IS LOW TO MEDIUM
- EARLIER PAROLE CONSIDERATION WILL NOT DEPRECIATE THE SERIOUSNESS OF OFFENSE/PROMOTE DISRESPECT FOR LAW

MEMBER \_\_\_\_\_  
SIGNATURE PRINTED NAME

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MEMBER \_\_\_\_\_  
SIGNATURE PRINTED NAME

**THE COMMITTEE VOTED FOR NO CHANGE IN THE REDUCTION OF A PAROLE CONSIDERATION:**

MEMBER \_\_\_\_\_  
SIGNATURE PRINTED NAME

MEMBER \_\_\_\_\_  
SIGNATURE PRINTED NAME

MEMBER \_\_\_\_\_  
SIGNATURE PRINTED NAME