



LYN HEAD  
Chairman of the Board

CLIFF WALKER  
Associate Member

DWAYNE SPURLOCK  
Associate Member

STATE OF ALABAMA  
BOARD OF PARDONS AND PAROLES  
Justice Center  
301 South Ripley, Building D  
P. O. Box 302405  
Montgomery, Alabama 36130-2405  
(334) 242-8700 FAX: (334) 353-1157  
www.pardoles.state.al.us



EDDIE COOK, JR.  
Executive Director

DARRELL MORGAN  
Assistant Executive Director

SARAH STILL  
Assistant Executive Director

CHRISTOPHER NORMAN  
Assistant Executive Director

February 20, 2019

*Via hand delivery*

*Via e-mail*

The Honorable Kay Ivey, Governor  
State of Alabama  
State Capitol  
Montgomery, AL

**RE: January Progress Report  
Corrective Action Plan**

Dear Governor Ivey:

Thank you very much for the opportunity to provide you with monthly progress reports concerning the status of our Corrective Action Plan, as amended December 28, 2018.

In compliance with your November 29th instructions, our agency Personnel Director Belinda Johnson requested advice from Amanda Mercado, of the Alabama State Personnel Department (SPD) concerning performance appraisals with respect to all unclassified employees, which, include the executive director, general counsel, and the executive assistant to the board. She advised that the immediate supervisor should conduct evaluations relative to the executive director, general counsel and executive assistant in the same manner as appraisals are completed for

classified employees, without their submission to SPD. This would be performed by the board members, and we have already obtained the necessary forms for evaluation of each of these three employees and will meet to evaluate each employee this week, anticipating that the chairman will deliver the appraisals to each employee.

Leadership Training has been completed for executive management and is continuing with Troy State University in Montgomery with all Division Directors, Managers, and senior class supervisors for the agency on January 7, 8, 14 and 15, February 5, 6, 11, 12, and February 19 and 20. All who have attended the training have reported that it has been very helpful to their duties involving supervising other employees and their own personal leadership development.

Training of the Docket Unit with respect to set date calculations and final review (each case double-checked by a special unit to ensure statutory and policy compliance prior to hearing date) has continued on November 6 and 19, December 13, and January 23 and 24. In addition, Executive Director Cook, IT Director Shaw, and Board Operations Asst. Executive Director Still and other affected personnel met with the Georgia Parole Board IT director, who developed and operates that board's electronic system for management of eligibility calculations, parole dockets, and board actions, and received extensive information regarding electronic record-keeping. This meeting occurred on January 9, 2019. Executive Director Cook attended a follow-up meeting with Alabama OIT Director Jim Purcell on February 4, 2019 in order to explore development and implementation of electronic management of our cases, dockets, and board actions.

In addition, Board Chairman has consulted with the Kansas Board Chairman regarding the Structured Decision-Making model, additional validated risk and needs assessments for use in parole hearings of special categories of offenders, and resources for best-practice operations and procedures in hearing processes and supervision of offenders. Board Chairman Jonathan Ogletree, who also is an instructor with National

Institute of Corrections sent a follow-up email containing information on additional resources. **See attached email.**

The Executive Leadership Team and other directors and managers have continued to meet to further implement all items contained in the Corrective Action Plan on November 28, December 27, January 23, February 7 and February 12. Specifically, the new policy for Review Committee Objective Criteria has been adopted by the board and will be posted to the agency website on February 19. This new policy was drafted following the consultation of SPD, as instructed on November 29. **See attached letter.** As you can see, these suggestions have been implemented in the new policy, which is effective as of February 19 2019. **See attached board order and policy.**

Referrals to Review Committee by board members, general counsel, and executive director are simply approved mechanisms through which a case is sent to the Review Committee for consideration, **using the objective criteria** adopted by the new policy. It was *never* contemplated that these referrals would be directly to a parole docket *around* Review Committee and these requirements. **All cases docketed for early consideration (NO MATTER WHO REFERS THEM) must meet these objective criteria, as verified by General Counsel (in his capacity as deputy attorney general).**

The victim unit is scheduled to receive the Victims' Perspective Training on February 25, 2019. This training will be directed by an actual victim or victims, who have been identified through VOCAL and AG VSO(s), who will also participate in this training with our victim unit.

The board, following approval by SPD, has created a new position of Manager for the victim unit. This manager has been hired from qualified senior sworn officers, and began work with the unit two weeks ago. Currently, this manager is observing parole hearings and procedures being followed with respect to victim and victim representatives throughout this process. Further, Officer Jackson is becoming acquainted with VOCAL

representatives and AG VSOs and other advocates who appear regularly on behalf of them at parole and pardon hearings.

Board members have continued visiting field offices to determine, as much as possible, the needs of officers for greatest efficiency, and to assess employee morale and organizational structure improvement needs.

As instructed on November 29, an Advisory Council has been established, with its first meeting scheduled on February 28, after all efforts at an available date-in-common in January were exhausted. The Advisory Council consists of: Attorney General VSO Sarah Green, Inmate Advocate Deon Wright, VOCAL Director Janette Grantham, DA Tom Anderson (current association president), EJI (Equal Justice Initiative) Staff Attorney Charlotte Morrison, and Sheriff Heath Taylor (current association president). Board Chairman has already begun to have some informal conversations with members regarding perceived needs. For example, VOCAL Director Grantham has provided information about an award-winning victim services program in the Tennessee Board of Parole, which will be shared with our Victim Unit Manager. Sheriff Heath Taylor has proposed provision of officers with additional or better equipment for greater efficiency, in light of our inability to hire a sufficient number of officers. One of these suggestions involves obtaining GPS monitoring equipment for offenders needing intensive supervision.

At our budget meeting last month with the Finance Director, the executive director renewed the request for approval of the expenditure necessary for GPS-monitoring equipment, which was requested over one year ago. To date, this expenditure has not been approved through State Purchasing. I am hoping that your office might be able to expedite this item through purchasing, as electronic monitoring of offenders is a high priority, for enhancement of officer efficiency and for greater security in public safety.

In October and November 2017, the board ordered that RFPs be sought for a caseload study consultant and for human resource

assessments regarding employee morale, performance of management, and organizational structure. Upon reading your inquiry in the November 29 letter regarding whether we had considered external consultants, I inquired as to the status of those requests and learned that they had never been drafted. The board requested, therefore that they be drafted in light of needs that the board identified over one year ago, based on the internal atmosphere and extensive workload increase of field officers as the result of JRI. Concerns that had been highlighted in Executive Order 716 and its follow-up correspondence were also incorporated into the RFPs. We have received several proposals with respect to both RFPs and they are being examined by a committee that includes expertise in contracts such as these and our CFO.

The National Institute of Corrections (NIC) and Association of Paroling Authorities International (APAI) are the professional organizations that provide referrals for consulting services to agencies such as ours. These organizations routinely recommend outside consulting experts for needs such as these, rather than local State Personnel Departments.

While we have sought such recommendations from NIC and APAI, our agency management has not been made aware that our State Personnel Board possesses the expertise needed to fulfill these requests, based on the nature of this unique agency of law enforcement, with officers who not only conduct investigations for pre-sentence needs for the courts, but also in preparation for parole hearings. In addition, our officers are required to assess and address educational, vocational, social, mental and physical health needs of offenders in their caseloads. It is therefore respectfully requested that you reserve judgment on whether the proposed consulting best meets the agency needs, and that you work with us on these matters, after you have received more complete information relative to the circumstances that led to the initial board orders and information about the proposals received in response to the RFPs.

We have consulted with State Personnel to determine whether that department might provide us assistance with these concerns, as well. **See attached letter.**

The Offender Automated Supervision Investigation System (OASIS) is being adjusted, as field officers, officers in charge, and managers identify needed improvements. A sub-committee, which consists of officers in these categories with high levels of experience in supervision, has been formed to perform this identification and to assist with further implementation of OASIS developments.

OASIS has already been improved to enhance oversight of officers' supervision, by providing mechanisms through which field supervisors may verify that necessary parolee contacts have been made. OASIS requires documentation of each required parolee contact, in order to eliminate an officer's ability to miss a required parolee contact. Another improvement area identified involves increasing efficiency in the issuance of warrants by ADOC upon an expedited board declaration that a parolee has been delinquent. In addition, further collaboration with the U.S. Attorney's Office, ADOC, and The Alabama Fusion Center is being developed concerning notices to supervising parole officers of parolee contact with law enforcement.

In an effort to improve communication to stakeholders and the public concerning board operations and procedures, our agency's website manager began work on updating the agency website in May 2018. The target date for the improved website to go online is March 31st. In addition, our website has recently been updated to include daily updates as to any hearings that have been cancelled.

Each board member, together with every executive, director, manager, officer, specialist, and assistant in the Board of Pardons & Paroles is dedicated, with renewed commitment, to provide you and all Alabama citizens with the best of service toward the enhancement of public safety, through informed investigations and board decisions, and evidence-

based rehabilitation of offenders, to reach the goal of recidivism reduction. We will continue to strive to meet this goal, to the best of our abilities, on a daily basis, and to report our progress to you every month.

Thank you for the honor and opportunity to serve Alabama and this agency in the capacity as its board chairman. I look forward to further collaboration with you and your office and our stakeholders to restore and maintain the public trust in this agency.

Sincerely,

A handwritten signature in blue ink, appearing to read "Lyn Head", with a large, stylized flourish extending from the end of the signature.

Lyn Head, Chairman

**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

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

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

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