

BOARD OF  
PARDONS AND PAROLES



ANNUAL REPORT

1991 - 1992





Alabama Board of Pardons and Paroles  
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Montgomery, Alabama 36130  
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**Mailing Address:**

Alabama Board of Pardons and Paroles  
P. O. Box 302405  
Montgomery, Alabama 36130-2405

Joel W. Barfoot  
Chairman

John S. Nettles  
Member

Judith C. O'Connor  
Member

William C. Young  
Director

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**U.S. Department of Justice  
National Institute of Justice**

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Alabama Board of Pardons and Paroles

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LETTER OF TRANSMITTAL

June 23, 1993

Honorable Jim Folsom, Jr.  
Governor of the State of Alabama  
Montgomery, Alabama 36104

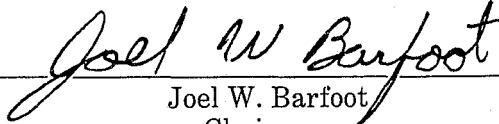
Dear Sir:

In compliance with statutory provisions, we are transmitting herewith the Fifty-third Annual Report covering the fiscal year October 1, 1991 to September 30, 1992.

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

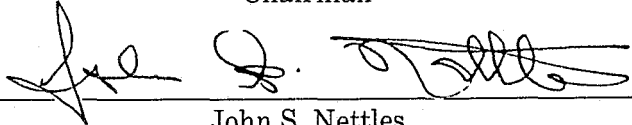
Respectfully submitted,

STATE BOARD OF PARDONS AND PAROLES



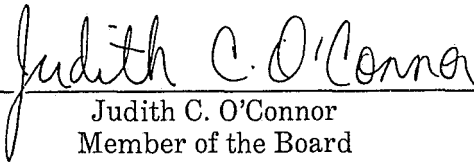
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Joel W. Barfoot  
Chairman



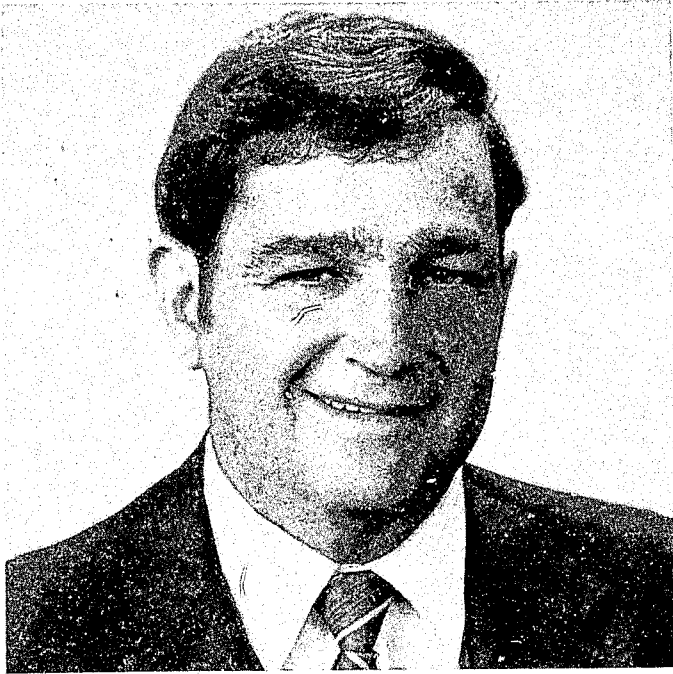
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John S. Nettles  
Member of the Board



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Judith C. O'Connor  
Member of the Board



**JOEL W. BARFOOT  
CHAIRMAN**

Chairman of the Board, Joel W. Barfoot, serves from the 3rd Congressional District. He is a native of Montgomery County, Alabama. He graduated from Troy State University in 1973 with a Bachelor of Science Degree in Criminal Justice and an Associate of Science Degree in Law Enforcement. Mr. Barfoot has completed training required by the Peace Officers Standards and Training Act. From 1969 to 1979, he served with the Montgomery Police Department obtaining the rank of Lieutenant. In 1980, he won a seat on the Montgomery County Commission and was re-elected in 1987 and served as Chairman of the County Commission. He was appointed to the Board by Governor Guy Hunt, and on August 4, 1987, was sworn in as Chairman. He is a member of the Civitan Club. He has a private real estate interest. He is married to the former Sherry Teal Sims, and they have one son.



**JOHN S. NETTLES  
ASSOCIATE MEMBER**

John S. Nettles serves from the 4th Congressional District. He is a native of Darlington, South Carolina. He is an educational product of Kittrell College, North Carolina; Bluefield State College, Bluefield, West Virginia; Morehouse School of Religion, Interdenominational Theological Center, Atlanta, Georgia. Rev. Nettles has pastored Mount Olive Baptist Church in Anniston, Alabama, for the past 18 years. He is the director of Project PAY (Producing Ambitious Youth), the director and founder of Education Par Excellence, the former commissioner of Anniston Housing Authority, trustee of Federated Women's Organization, National vice president and State president of Southern Christian Leadership Conference, a member of NAACP and the author of several publications. He was appointed to the Board on August 2, 1989, by Governor Guy Hunt. He is married to the former Gertrude Kidd and is the father of a daughter and two sons.



**JUDITH C. O'CONNOR**  
**ASSOCIATE MEMBER**

Judith C. O'Connor serves from the 7th Congressional District. She attended A. G. Parrish High School in Selma, graduated from Birmingham Southern College with a BA in Psychology in 1972, and attended Troy State University on the Master's level in Counseling and Human Development. Mrs. O'Connor has been employed with the Board since December 1973 beginning as a Probation and Parole Officer I. She is a Certified Law Enforcement Firearm Instructor and a Certified Basic Pistol Instructor. She served with the Board previously as district supervisor of the Birmingham district. She also has experience as a social worker and in counseling. She was appointed to the Board by Governor Guy Hunt on July 19, 1991. She is married to Robert William O'Connor, Jr., and they have two children. Mrs. O'Connor is a member of the Church of Christ.



**WILLIAM C. YOUNG  
DIRECTOR**

William C. Young was appointed Executive Director of the Board of Pardons and Paroles January 1992. He is a native of Pike County, Alabama. He has a Bachelor of Science degree from Troy State University and a Master of Education from the University of Georgia. He began work with the Board as a Probation and Parole Officer in 1959, assigned to Russell, Barbour, and Bullock Counties. He was promoted to Assistant Director of Field Services in 1986 in the Board's Central Office and later promoted to Director of Field Services. He has served as an officer in the Civitan Club, Sertoma, March of Dimes, Heart Fund and Boys Club. He has served as president of the Alabama Council on Crime and Delinquency and of the Southern States Correctional Association. He attends services at the Landmark Church of Christ. He is the father of two children, Billy and Stefanie.



## 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  
REPOSED 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

— And the impact of the crime upon the victim.

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 inmates —

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

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 judgment possible in identifying these cases and making sure that these offenders remain in prison.

An offender who can be safely paroled is released subject to specific conditions, including restitution to the victim when appropriate. There is regular surveillance of their activities; and, if they violate any of these conditions, they may be promptly returned to prison to continue serving their 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, the State Auditor, and the 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 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 present statutory authority is Title 15, Code of Alabama 1975, 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 officers 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.

Prior to this act, 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 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. They are sworn law enforcement officers with arrest powers and must meet the training requirements of the Peace Officers Minimum Standards and Training Act.

## 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 weekly 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
Assistant Executive Director .....	1
Accountants III .....	1
Accountants I .....	1
Accounting Technician I .....	1
Account Clerk II .....	2
Account Clerk I .....	2
Administrative Assistant .....	1
Clerical Staff, Main Office .....	34
Field Offices .....	102
Clerical Aides (Temporary) .....	5
Deputy Interstate Compact Director .....	1
General Counsel .....	1
Baliff .....	1
Laborer .....	4
Office Systems Administrator II .....	1
Probation and Parole Officer V .....	4
Probation and Parole Officer IV .....	11
Probation and Parole Officer III .....	52
Probation and Parole Officer II .....	139
Probation and Parole Officer I .....	5
Total .....	373

## COST OF OPERATIONS

### ADMINISTRATION OF PARDONS AND PAROLES

Agency Administration Activity .....	1,632,980
Financial Services Activity .....	249,953
Interstate Services Activity .....	164,819
Field Services Activity .....	11,993,769
Personnel Services Activity .....	183,509
<b>TOTAL EXPENDITURES:</b>	14,225,030

### BOARD OF PARDONS AND PAROLES SUMMARY:

Personnel Costs .....	10,413,530
Employee Benefits .....	2,252,788
Travel In-State .....	78,812
Travel Out-of-State .....	5,397
Repairs and Maintenance .....	30,109
Rentals and Leases .....	553,074
Utilities and Communications .....	309,032
Professional Services .....	175,818
Supplies, Materials and Operating Expenses .....	175,729
Transportation Equipment Operations .....	123,237
Grants and Benefits .....	0
Capital Outlay .....	0
Transportation Equipment Purchases .....	58,200
Other Equipment Purchases .....	49,304
Miscellaneous .....	0
<b>TOTAL EXPENDITURES:</b>	14,225,030

Total Number of Employees: .....	370.40
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### SOURCE OF FUNDS:

State General Fund Appropriation .....	11,339,511
Probationers Upkeep Fund .....	2,800,761
Prior Year Refund .....	100
Montgomery County Commission .....	74,008
Confiscated Prop - U.S. Marshal .....	1,431
Insurance Claim .....	3,270
FEMA .....	5,095
Sale of equipment and paper .....	854
<b>TOTAL FUNDS:</b>	14,225,030

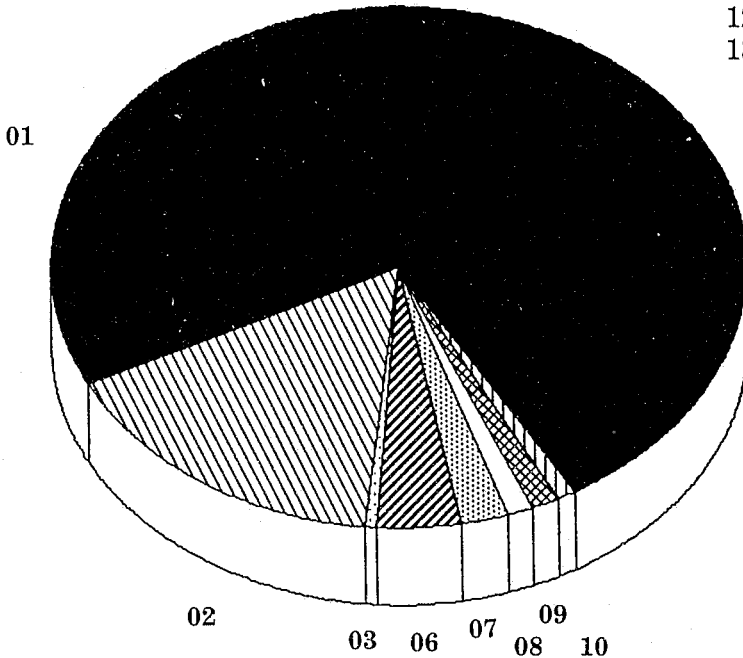


**ACTUAL EXPENDITURES 1991 - 1992  
BOARD OF PARDONS AND PAROLES**

**Total Expenditures - \$14,225,030**

NOT SHOWN:

04 14  
05 15  
11  
12  
13



01 - Personnel Costs	\$10,413,530	10 - Transportation	
02 - Employee Benefits	\$2,252,788	Equipment	
03 - Travel In-State	\$78,812	Operations	\$123,237
04 - Travel Out-of-State	\$5,397	11 - Grants & Benefits	\$0
05 - Repairs & Maintenance	\$30,109	12 - Capital Outlay	\$0
06 - Rentals & Leases	\$553,074	13 - Transportation	
07 - Utilities & Communications	\$309,032	Equipment	
08 - Professional Services	\$175,818	Purchases	\$58,200
09 - Supplies, Materials & Operating Expenses	\$175,729	14 - Other Equipment	
		Purchases	\$49,304
		15 - Miscellaneous	\$0

## 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 an initial parole consideration date scheduled. Those prisoners who committed crimes prior to May 19, 1980, are scheduled for initial consideration upon completion of one-third of their term or ten years (whichever is less). By law, the time may be reduced by application of Incentive Good Time credit. Most other prisoners (except those legally barred from parole and those whose sentence includes a mandatory fixed term prior to parole) are scheduled under consideration guidelines.

Under the guidelines, prisoners serving sentences of ten (10) years or more and who have a high potential for violence will not be considered until they have served one-half of their term or fifteen years, whichever is less. Career criminals will be considered after serving from one-third to one-half of their term.

Other guideline cases will be scheduled for initial parole consideration on or before service of one-third of their total term. Factors used in determining the consideration date are: past criminal record, pattern and severity of the present offense, community attitude toward the offender.

Each case scheduled for progress review is placed on an automatic calendar. 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 if less than 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 agents 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/she has been paroled.

## VICTIM RIGHTS

### Right to Notification

During recent years the public has expressed its concerns that offender rights should be balanced by Victim Rights. This has been demonstrated by passage of a number of laws on behalf of victims which impact upon this Department. Victims of violent crimes and families of children who have been abused are notified prior to an inmate's being considered for parole by the Board. The Victim's right to be present at the Parole Hearing and to express their concerns in person and in writing to the Board is provided by law.

## **Victim Information**

In September 1985, a Victim Impact category was added to all reports of investigation completed by the Department's Probation and Parole officers. This was done to ensure that the courts and the Parole Board understood the impact of the crime upon the victim when making decisions regarding probation and parole of offenders.

A victim impact report form is sent to the victim by mail. If the victim wishes, he/she may return the completed report to the Probation and Parole office to be included with the report of investigation. That report provides the decision-makers with the victim's personal input.

## **Restitution**

When the courts order restitution upon sentencing, this Department, through its probation officers, enforce that order while the offender is on probation. The Parole Board further requires court-ordered restitution to be a part of the conditions of any release on parole.

## PAROLE STATISTICS\*

	October 1, 1991 to September 30, 1992	September 15, 1989 to September 30, 1992
Considered	5,423	146,770
Denied	2,750	85,109
**Paroled	2,287	60,739

	October 1, 1991 to September 30, 1992
Declared	
Delinquent	1,503
Revoked	883

A three-year study of cases paroled between October 1, 1989 and September 30, 1992, revealed the following revocation rates:

- 29.5% of cases paroled during this period were revoked
- .37% of cases paroled during this period were revoked for commission of a crime of violence

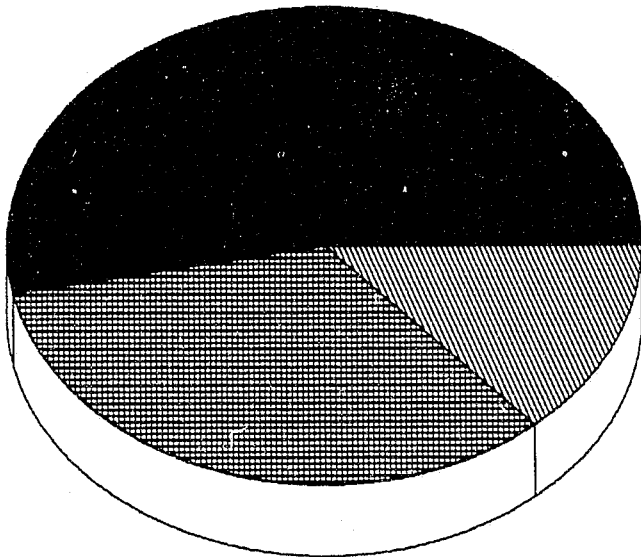
\*Includes inmates serving county jail sentences.

\*\*Includes conditional transfers to other jurisdictions.

ALABAMA FELONY ADULT  
OFFENDER POPULATION

PROBATION — PAROLE — PRISON

PROBATION  
27,425



PAROLE  
6,983

PRISON  
17,221

\*INCLUDES ALABAMA CASES TRANSFERRED TO OTHER STATES

SEPTEMBER 1992 CASES

# STATE INMATES PAROLED AND REVOKED BY COUNTIES

COUNTIES	PAROLED	REVOKED
Autauga	8	4
Baldwin	51	10
Barbour	15	5
Bibb	11	4
Blount	9	6
Bullock	12	4
Butler	12	2
Calhoun	58	19
Chambers	18	10
Cherokee	8	0
Chilton	13	5
Choctaw	7	2
Clarke	12	7
Clay	4	3
Cleburne	1	1
Coffee	21	3
Colbert	31	7
Conecuh	11	0
Coosa	4	1
Covington	33	14
Crenshaw	5	1
Cullman	15	8
Dale	21	7
Dallas	34	19
DeKalb	17	8
Elmore	14	7
Escambia	11	5
Etowah	87	26
Fayette	6	2
Franklin	13	5
Geneva	9	7
Greene	5	3
Hale	3	1
Henry	8	5
Houston	106	33
Jackson	17	1
Jefferson	359	191
Lamar	10	1
Lauderdale	45	12
Lawrence	9	4
Lee	85	30
Limestone	13	5

# STATE INMATES PAROLED AND REVOKED BY COUNTIES

COUNTIES	PAROLED	REVOKED
Lowndes	7	0
Macon	3	3
Madison	155	66
Marengo	13	2
Marion	14	2
Marshall	37	7
Mobile	228	98
Monroe	13	2
Montgomery	163	70
Morgan	36	27
Perry	2	3
Pickens	1	2
Pike	29	5
Randolph	8	3
Russell	49	12
Shelby	18	9
St. Clair	11	8
Sumter	3	3
Talladega	67	27
Tallapoosa	27	9
Tuscaloosa	86	28
Walker	25	6
Washington	3	0
Wilcox	7	1
Winston	5	2
<b>TOTAL</b>	<b>2,241</b>	<b>883</b>



## PROBATION

Probation Granted	9,672
Probation Revoked	1,552
Total Placed on Probation During Fifty-three Year Period Of Administration	175,225
Total Revoked During Fifty-three Year Period of Administration	25,030

During the fifty-three-year period of administration, 14% of the probations granted have been revoked.

## PROBATIONS GRANTED AND REVOKED BY COUNTIES

COUNTIES	GRANTED	REVOKED
Autauga	93	9
Baldwin	204	21
Barbour	66	9
Bibb	44	8
Blount	65	12
Bullock	14	2
Butler	55	14
Calhoun	313	64
Chambers	93	13
Cherokee	128	19
Chilton	79	13
Choctaw	100	4
Clarke	96	22
Clay	32	5
Cleburne	24	4
Coffee	113	25
Colbert	54	14
Conecuh	43	11
Coosa	9	3
Covington	78	14
Crenshaw	22	6
Cullman	39	5
Dale	103	8
Dallas	155	22
DeKalb	109	11
Elmore	91	13
Escambia	109	26
Etowah	325	80
Fayette	30	2
Franklin	48	15
Geneva	57	4
Greene	22	3
Hale	11	3
Henry	34	3
Houston	249	59
Jackson	65	19
Jefferson	1,609	268
Lamar	32	1
Lauderdale	122	29
Lawrence	96	7
Lee	248	39
Limestone	81	25

## PROBATIONS GRANTED AND REVOKED BY COUNTIES

COUNTIES	GRANTED	REVOKED
Lowndes	20	3
Macon	34	7
Madison	594	67
Marengo	70	3
Marion	67	17
Marshall	220	11
Mobile	839	121
Monroe	70	14
Montgomery	669	120
Morgan	215	21
Perry	34	1
Pickens	49	2
Pike	97	16
Randolph	60	12
Russell	114	16
Shelby	138	14
St. Clair	121	16
Sumter	37	2
Talladega	95	36
Tallapoosa	76	29
Tuscaloosa	441	40
Walker	171	38
Washington	36	5
Wilcox	13	1
Winston	32	6
TOTAL	9,672	1,552

## PARDONS AND RESTORATIONS

Pardons with Restoration of Civil  
and Political Rights Granted ..... 576

### PROBATION AND PAROLE CLIENTS AS OF:

	September 30, 1992	September 30, 1980
Parole Supervision	6,983	2,547
Probation Supervision	27,425	10,765
<b>GRAND TOTAL</b>	<b>34,408*</b>	<b>13,312</b>

### CASES SUPERVISED DURING THE YEAR

Supervised for other states	3,369
Parole Supervision	8,559
Probation Supervision	31,558
<b>GRAND TOTAL</b>	<b>43,486</b>

### INVESTIGATIONS COMPLETED DURING THE YEAR

	OUT OF STATE	ALABAMA
Probation	1,700	13,163
Parole	790	11,444
Miscellaneous	2,507	10,216
<b>Total</b>	<b>4,997</b>	<b>34,823</b>
<b>GRAND TOTAL</b>	<b>39,820</b>	

\*Includes Alabama Cases transferred to other states.

## INTERSTATE RELATIONS

Parolees and Probationers received for supervision from other states .....	1,404
Alabama probationers and parolees accepted for supervision by other states .....	757

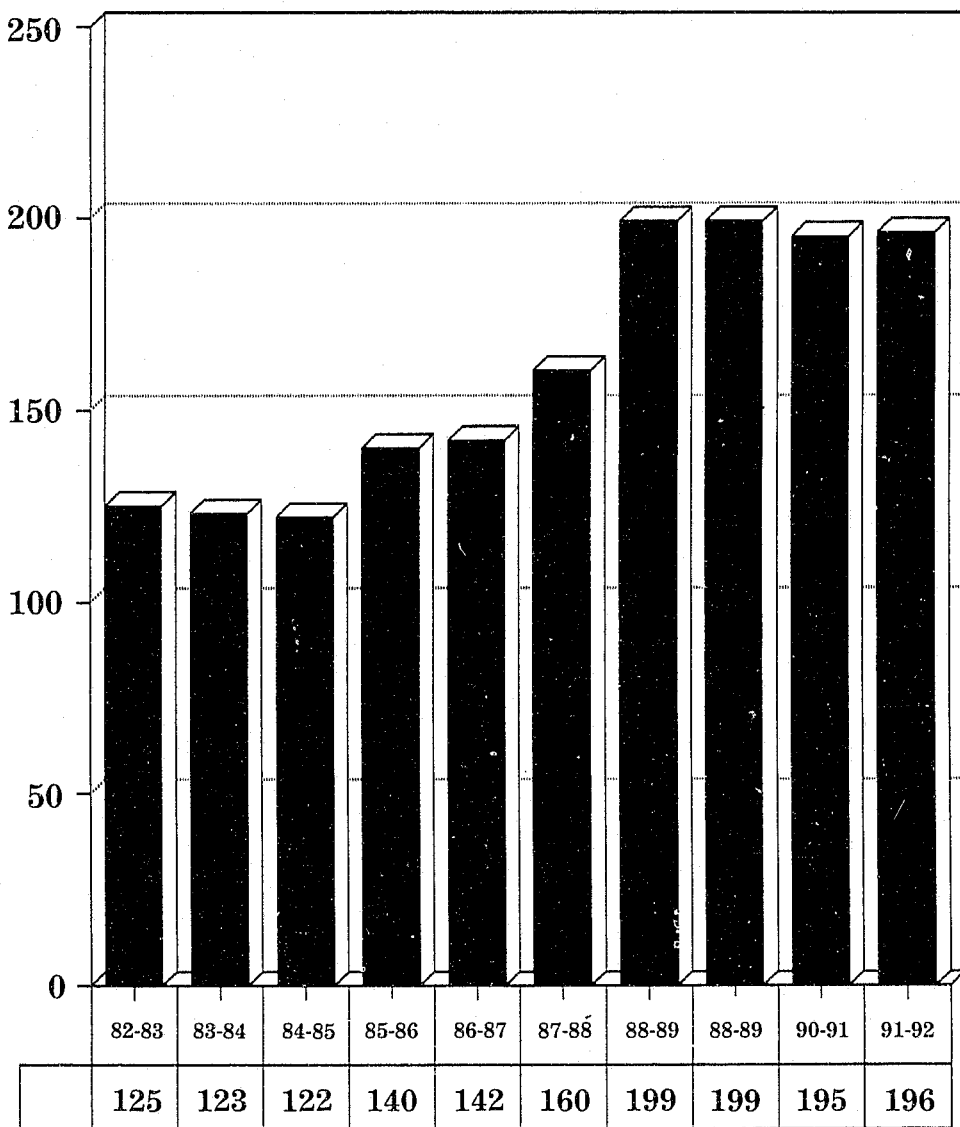
## DRUG SCREENS

19,760 drug tests were conducted by and for this agency for FY 91-92.

# PROBATION AND PAROLE OFFICERS

FY 82-83 THROUGH FY 91-92

HUNDREDS

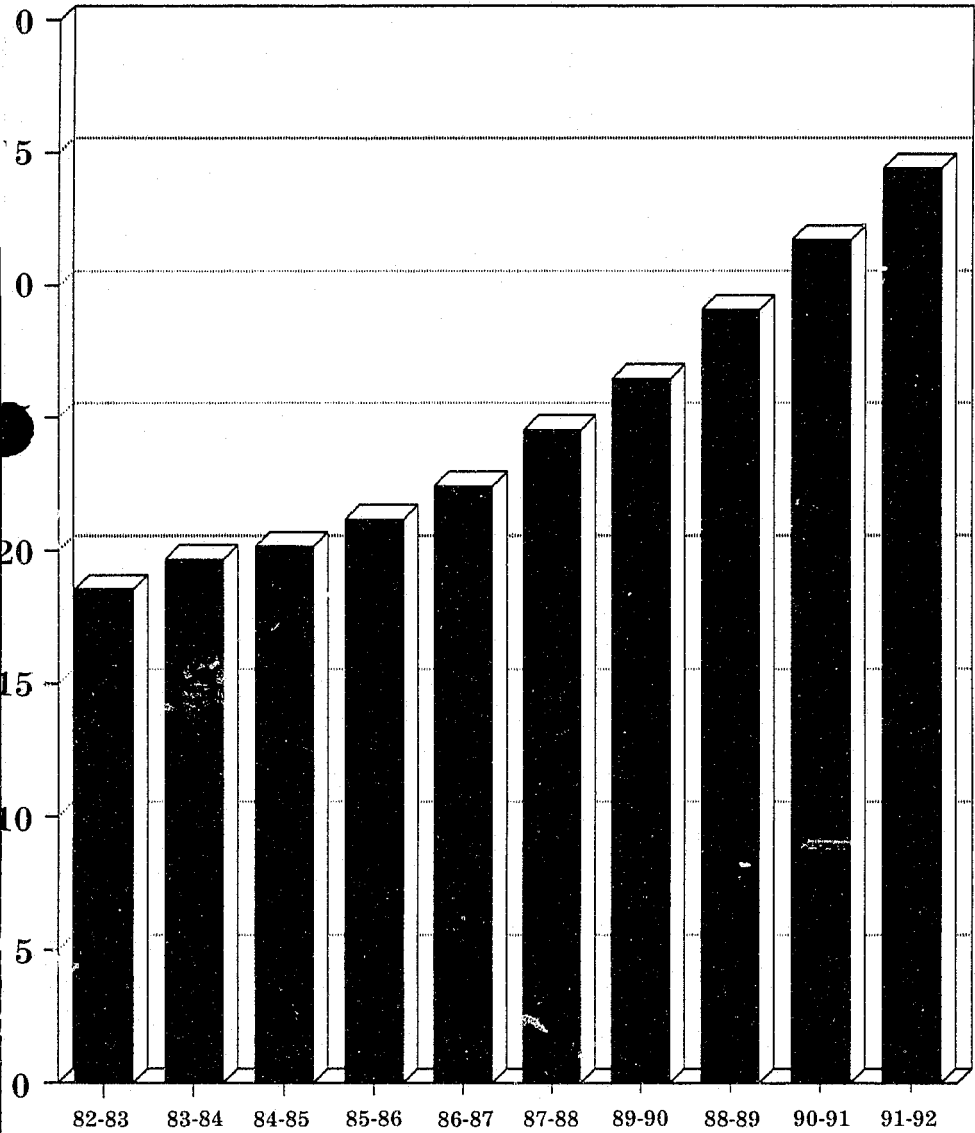


\* TOTALS DO NOT INCLUDE ADMINISTRATIVE STAFF

# TOTAL NUMBER OF PROBATIONERS & PAROLEES

FY 82-83 THROUGH FY 91-92

THOUSANDS



## SEPTEMBER TOTALS

\*INCLUDES ALABAMA CASES TRANSFERRED TO OTHER STATES

GROWTH OF PROBATION AND PAROLE SUPERVISION  
 FY 82-83 THROUGH FY 91-92

