

1 SB92
2 197152-2
3 By Senators Chambliss and Holley
4 RFD: Governmental Affairs
5 First Read: 19-MAR-19

1 SB92

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4 ENROLLED, An Act,

5 Relating to inmate escapes; to expand the
6 notification requirement under existing law to require the
7 Department of Corrections or other agency having custody of a
8 probationer or parolee who has absconded from a residential
9 facility, and has a prior conviction for a Class A felony or a
10 crime in which the victim was a child less than 12 years of
11 age, or is serving a life sentence, to notify the Governor,
12 certain law enforcement officials and agencies, and certain
13 electronic media outlets.

14 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

15 Section 1. Section 14-3-58, Code of Alabama 1975, is
16 amended to read as follows:

17 "§14-3-58.

18 "(a) This section shall be known as the "Joel
19 Willmore Act."

20 "(b) Whenever an inmate escapes from a penal
21 facility, as defined in subdivision (3) of subsection (b) of
22 Section 13A-10-30, or when a probationer or parolee, who has a
23 prior conviction for a Class A felony or a crime in which the
24 victim was a child less than 12 years of age, or is serving a
25 life sentence, absconds from a residential facility, it shall

1 be the duty of the department or other agency having custody
2 of the prisoner to take all proper measures for his or her
3 apprehension, and for that purpose, it shall notify the
4 following as soon as possible, but not later than 12 hours
5 after the escape:

6 "(1) The Governor.

7 "(2) The ~~Department of Public Safety~~ Alabama State
8 Law Enforcement Agency.

9 "(3) The sheriff and district attorney of the county
10 where the escape occurred.

11 "(4) The chief of police where the escape occurred,
12 if the escape occurred within a municipality.

13 "(5) The sheriff and district attorney of the county
14 where the last conviction of the escapee occurred, if known.

15 "(6) The chief of police where the last conviction
16 of the escapee occurred, if the conviction occurred within a
17 municipality and if known.

18 "(7) The sheriff of the county where the convict's
19 home of record is located, if known.

20 "(8) The chief of police where the convict's home of
21 record is located, if the location is within a municipality
22 and if known.

23 "(9) All electronic media outlets broadcasting which
24 are known by the department or agency, which have expressed an
25 interest in being notified of the escape, and which broadcast

1 within a radius of 75 miles from where the escape occurred,
2 including all radio and television stations.

3 "(c) The notification required in subsection (b)
4 shall include the time when and the circumstances under which
5 the escape was effected, together with a particular
6 description of the inmate, including a copy of the inmate's
7 most recent mug shot, and in what county convicted and for
8 what offense and when.

9 "(d) In addition to the requirements set forth in
10 subsections (b) and (c), the department or other agency shall
11 post a notification on its website, if a website is available,
12 within a reasonable time of the escape. The notification shall
13 include the time when and the circumstances under which the
14 escape or absconding was effected, together with a particular
15 description of the inmate, including a copy of the inmate's
16 most recent mug shot, and in what county convicted and for
17 what offense and when.

18 "(e) The department or other agency shall enter the
19 inmate, probationer, or parolee into the National Crime
20 Information Center within 12 hours of the inmate's escape.

21 "(f) The Department of Corrections shall offer a
22 reward, not exceeding four hundred dollars (\$400), for the
23 apprehension of the state inmate, to be paid out of the
24 proceeds of the labor of inmates in the State Treasury. But no
25 warrant shall be issued for the payment of any such reward

1 unless there is filed in the office of the Department of
2 Finance the certificate of the Department of Corrections that
3 the inmate has been recaptured and restored to custody."

4 Section 2. This act shall become effective on the
5 first day of the third month following its passage and
6 approval by the Governor, or its otherwise becoming law.

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President and Presiding Officer of the Senate

Speaker of the House of Representatives

SB92
Senate 02-MAY-19
I hereby certify that the within Act originated in and passed
the Senate.

Patrick Harris,
Secretary.

House of Representatives
Passed: 30-MAY-19

By: Senator Chambliss