

VOCAL's 2025 LEGISLATIVE WRAP-UP

During each legislative session, victim advocates help educate lawmakers on the realities of the criminal justice system and impact on crime victims, while also trying to mitigate the harmful effects of some ill-conceived bills. Senators and representatives make decisions on a wide range of topics – and they often rely on “special interests” for vital information. We truly appreciate VOCAL members and supporters who help us engage with lawmakers to assure they’re hearing the perspectives of crime victims too.

Going into this session, Gov. Ivey and legislative leaders indicated their top priority was enhancing public safety. However, there was very little emphasis directed toward crime victims or bills that would assist victims. Nonetheless, some good public safety measures were enacted this spring.

Unfortunately, peculiar dynamics and a couple disgruntled lawmakers hindered some good legislation from getting over the finish line. Following is information on the bills we had particular interest in this session – the good, the bad, and the ugly. (More info can be found at <https://alison.legislature.state.al.us/>)

OUR BIGGEST DISAPPOINTMENTS GOOD BILLS NOT PASSED three commissioners (appointed by the Governor) have some discretion to extend this dead

HB355, Victim Compensation Application Extension -

We were disappointed this bill didn’t get on the Senate calendar/agenda the final days of the session. It passed unanimously in the House (99-0) and had no opposition when the Senate Fiscal Responsibility Committee approved it. The Alabama Crime Victims Compensation Commission was established as a state agency in 1984 to reimburse innocent victims for funeral, medical, counseling, and other expenses directly related to crime. Alabama law gives the victim/claimant ONE year after the crime to submit their application, but victims may not realize ACVCC funds are available– not to mention the trauma and other turmoil they are experiencing. ACVCC’s three commissioners (appointed by the Governor) have some discretion to extend this deadline, but this extra step adds months to the process and the victim must understand and follow through on the “appeals process.” In late February, the 3 ACVCC commissioners voted to pursue legislation that would extend the application period to TWO years. This change could potentially help hundreds of victims recoup the crime-related expenses they’re now forced to absorb. We are grateful to Rep. Russell Bedsole (Bibb, Chilton & Shelby) and Sen. Lance Bell (Shelby, St. Clair & Talladega) for their assistance with this effort.

Watch for this bill to gain momentum early next year.

HB146, Murderers Not Tried as Youthful Offenders –

This was a tough loss, especially since we got so close. In Alabama, a defendant under age 21 who is charged with murder (or any other violent or non-violent crime) can be granted Youthful Offender status and spend ***no more than 3 years in prison*** – or may be given probation instead of prison time – and the crime is essentially wiped from their record. This bill, sponsored by Rep. Phillip Pettus (Lauderdale), would have excluded “intentional” and “capital” murder defendants from being granted Youthful Offender status. HB146 was named “Jolee’s Law” for 18-year-old Jolee Callan, who was murdered in 2015; the killer was initially granted Youthful Offender status, but the judge reversed his own decision and eventually sentenced the killer to 52 years in prison. This legislation would prevent this injustice in the future. The bill passed the full House and received a UNANIMOUS vote from the Senate Judiciary Committee, but it unfortunately didn’t get a vote on the Senate floor before the session ended. Nearly all defendants under 21 apply for Youthful Offender, which can create an excruciating delay for victims, and this extra step further clogs an already overwhelmed justice system. We would have liked to exclude additional crimes from YO status in this bill, but the House approved an amendment limiting HB146 to the 2 specific murder charges noted above. ***Watch for this bill again next year.***

HB423, Murderers Prohibited from Work Release –

Sponsored by Rep. Allen Treadaway (Jefferson), this bill would prevent any inmate convicted of murder from being eligible for temporary release programs in prison, such as Work Release. We have documented stories where killers were placed on Work Release and the victim’s family was living and working near to where the inmate was assigned. Aside from the obvious public safety concerns, these offenders should be held accountable and not allowed these privileges, plus the granting of Work Release can cause great anguish to the victim’s family. The bill received a “favorable” report from the House Judiciary Committee but was never placed on the House calendar. ***Watch for this bill to be back next year.***

ENACTED, BUT WE’RE STILL CONCERNED

HB43, Split Sentences Expanded –

Under existing law, a criminal convicted of a Class A, B or C felony can receive a Split Sentence of up to 20 years, but only serve 3 to 5 years in prison, with additional years on probation – all at the discretion of the judge. Over the years, we’ve frequently heard of serious crimes where dangerous offenders take a plea for a Split Sentence and only serve 5 years in prison (for murder or other violent offenses). HB43 was sponsored by Rep. Jim Hill, chairman of the House Judiciary Committee and a former Circuit Judge from St. Clair County, and it has been signed by the Governor. This new law allows offenders who receive a sentence of 20 to 30 years (for a Class A, B or C felony) to merely serve 10 years in prison, with the balance on probation – at the local judge’s discretion (the judge can even shorten the probationary period). Those convicted of a sex offense against a child are excluded from receiving a Split Sentence. And offenders

receiving Split Sentences cannot be considered for Parole or Good Time (unless they're ordered back to prison to serve their full sentence). Even though the bill passed, we are extremely grateful to the 44 House Reps who voted NO on this bill – a stalwart group that includes many current/former law enforcement officers and those committed to public safety. ***We remain very concerned about lenient Split Sentences, in general, and are strategizing about how to improve the system to assure victims are aware of what's happening in these cases, and that violent offenders are truly being held accountable.***

GOOD LAWS THAT PASSED

HB307, Speedy Trial Act –

Spearheaded by the Attorney General's office and sponsored by Rep. Jim Hill (St. Clair) and Sen. Will Barfoot (Crenshaw, Elmore & Montgomery), this new law is expected to reduce court backlogs and expedite trials, especially where there have been substantial delays. "This legislation is another step towards making Alabama safer by holding violent offenders accountable and ensuring that more victims receive timely justice," according to AG Steve Marshall. Under existing law, the state Supreme Court has the authority to appoint special judges, but a formal process didn't exist for prosecutors to request additional judicial resources to address the backlog of violent crime cases. HB307 clarifies such a process and establishes a Speedy Trial Fund to assist with the expense of court personnel.

SB118, Aniah's Law Expansion (Denying Bail) –

Sen. Will Barfoot sponsored this bill, which expands the current list of violent crimes for which judges may deny bail, which will now include shooting into a home or car, and the solicitation, attempt or conspiracy to commit murder. This measure requires ratification by voters; therefore, it will appear as a Constitutional Amendment on the primary election ballot in May 2026.

Funding bills –

For the third year now, the General Fund has included a line item of more than \$1 million to assist the Alabama Crime Victims Compensation Commission reimburse innocent victims for crime-related expenses and cover the cost of more than 1,000 Sexual Assault Forensic Exams. Funded for more than 30 years mostly by criminal fines and a modest federal grant, ACVCC's financial resources had been decreasing for 12+ years, but this new funding has been vital to hiring the staff needed to efficiently serve Alabama's victims and compensate nearly 1,400 survivors annually.

Also, the General Fund Budget allocates \$3 million for the state's Metro Area Crime Suppression Unit, which includes ALEA, the AG's office, federal agencies and local law enforcement – working together to reduce crime. This program has been relatively successful in Montgomery in recent months and can potentially expand to other cities now.

Additionally, a few specific bills that passed this spring will provide financial resources for prosecutor's offices to improve recruitment and retention, as additional attorneys and support staff are always needed in DA's offices across the state to reduce delays as victims seek justice in their cases.

HB27, Prohibiting Sex Offenders from Being First Responders –

Sponsored by Rep. Kerry Underwood (Colbert & Lauderdale), this new law expands the current list where sex offenders are not allowed to work or volunteer (related to the care of children).

HB199, Electronic Monitoring of Juvenile Delinquents –

With juvenile crime becoming increasingly more violent, this new law – sponsored by Rep. Travis Hendrix (Jefferson) – allows the Bureau of Pardons & Paroles (or other state agencies) to electronically monitor juvenile delinquents who are released while awaiting court hearings and/or after conviction.

SB35, Sextortion –

Sponsored by Sen. Gerald Allen (Pickens & Tuscaloosa), this new law expands the definition of sexual extortion to include knowingly threatening to release or transmit sexually explicit images or recordings to compel a victim to act or refrain from acting against their will.

SB88, Expungements –

In Alabama, in very narrow circumstances, a person charged with a crime can request an expungement (to remove an offense from their record). Currently, if the prosecutor and/or victim doesn't file an objection to the expungement, the judge doesn't have a hearing before deciding whether to grant the expungement. SB88, sponsored by Sen. Author Orr (Limestone, Madison & Morgan), has been signed by the Governor. It allows a judge to set a hearing for an expungement even if the prosecutor and/or victim hasn't filed an objection, it changes when a hearing shall be set (from 14+ days to 30+ days after the objection is filed) and requires that the court notify the victim and prosecutor of the hearing date.

THE PAROLE BOARD CRITIQUE CONTINUES

For many months now, a handful of lawmakers have expressed frustration with the Parole Board, which prompted various legislative proposals this year. If enacted, these bills could have significantly altered how the Parole Board operates. It appears that some lawmakers misunderstand how the Parole Board functions. We are working to shine some light on these issues. Following are measures considered this year specifically related to the Parole Board:

SB324, Increasing Size of Parole Board & Internal Selection of Chair –

Sponsored by Sen. Clyde Chambliss (Autauga, Chilton, Coosa, Elmore & Tallapoosa), this legislation would have increased the number of Parole Board members from 3 to 5 and allow

the members of the Board to select their own chair (which is now appointed by the Governor). The bill was introduced late in the Session but moved rapidly through the Senate and received a favorable report (barely) from the House Judiciary Committee, but along with District Attorney's and the Attorney General's Office, **WE FOUGHT SB324, and it did NOT get to the House Floor.** We don't see the need for additional Board members and are adamant that the Chair's appointment should be the Governor's decision, as the state's chief executive primarily responsible for public safety. As anyone who has attended a Parole Hearing has witnessed, the Parole Board Chair sets the tone for these important hearings and takes the lead on establishing its rules. The bill also would have altered the nominee's confirmation process and the setting of subsequent hearing dates, and the Parole Guidelines were addressed in this legislation. **Fortunately, the bill died but may come back next year.**

SB157, Virtual Parole Hearings –

Sponsored by Sen. Will Barfoot, this bill was reintroduced with the amendments that victim advocates offered last year. When first introduced last year, the bill was not favorable to victims, but now with the changes we've made, we believe the legislation could actually benefit victims (allowing them and law enforcement and prosecutors to participate in hearings virtually, if they choose). However, we're not optimistic the state agencies involved can make the logistics work anytime soon; this bill didn't make much progress this year.

HB40, Parole Oversight & Appeals –

A variation of this bill, sponsored by Rep. Chris England (Tuscaloosa), seems to get re-introduced each year. ***We are adamantly opposed to this legislation.*** It would create a Criminal Justice Council that would essentially oversee the Parole Board and mandate the use of parole release guidelines. Further, it would create an appeal system "for inmates who are negatively affected" by the Board's decision. Fortunately, the bill didn't gain traction this year.

HB523, Equal Time at Parole Hearings –

This bill, cosponsored by 17 House reps, was introduced relatively late in the session, and would have required equal time be given to proponents and opponents of an inmate's parole. Most of the elements of this legislation is already occurring at Parole Hearings, but the agency's rules can be more flexible, when necessary, rather than having these details set in statute. When we attended the Committee Hearing in the House for this bill, it was rather clear that none of the lawmakers had previously attended a Parole Hearing and were oblivious to how the hearings occur and what the issues are. Legislators appear to be getting anecdotal complaints from inmate supporters and their solutions are new ill-conceived bills, which is why our senators and reps need to be hearing from us too. We're still baffled that HB523 was approved by the House Committee, but it didn't move beyond that.

Parole Guidelines are being updated and adopted, in order for the Parole Board & Bureau to access their annual budget – due to an amendment by Sen. Clyde Chambliss to the State's

General Fund budget. The Parole Board was already working on an update of their Parole Guidelines (synonymous with a 2-page “score sheet” used for each inmate being considered); the Guidelines have been in use since shortly after “Prison Reform” legislation passed in 2015, as some out-of-state “experts” actually thought a violent offender, and whether they should be released early on parole, could be assessed on the front/back of a sheet of paper. For instance, an inmate gets “points” depending on the severity of the crime, any disciplinary problems in the past year, the completion of re-entry programs, the inmate’s risk assessment and “life plan” if released, plus input from the victim/community. Depending on their total score, the Guidelines urge the Parole Board to either release the inmate or deny parole. All along, Alabama law has stated that the Parole Board still retains discretion to make decisions about paroles, but the Parole Board’s rare agreement with the current scoring scheme has been heavily criticized in recent years, with critics questioning why the Parole Board’s release decisions typically don’t align with an inmate’s scoresheet. To force the Parole Board to update their current guidelines/scoresheet, lawmakers opted to tie the agency’s annual budget to the revision of this foolish scoring process. In mid-May, the Parole Board posted their revised/proposed Guidelines, and an “open comment” period extends until July 4. ***Expect to hear more on this subject in the months to come.***

OTHER KEY BILLS WE WERE TRACKING

SB156, Second Chance Act –

This is probably the third year this bill has been proposed, and it was even mentioned in Gov. Ivey’s speech in February as a bill she wanted to see enacted. This legislation would pave the way for about 150 inmates to have a resentencing hearing – inmates who’ve been incarcerated 25+years, sentenced to Life Without Parole under the Habitual Offender Act, and who did not physically harm any victim. Seeing the momentum behind this bill, we spent quite a bit of time helping to amend the legislation, so the impact on victims and on public safety would be lessened. We offered many amendments, which were all accepted by the bill sponsor, Sen. Will Barfoot, including provisions for the victim to be notified and heard at any resentencing hearing, as well as providing notice to the AG’s office (in addition to the DA). While some prominent advocacy groups spoke in support of this bill, many overlooked a gaping hole in the introduced version. However, VOCAL drafted an amendment to patch that gap, to hopefully prevent future unintended consequences. The bill passed the Senate and the House Judiciary Committee but never made it to the House floor.

HB524, Juvenile Killer bill –

Introduced late in session and sponsored by 11 House reps, this bill would offer parole after 10 years to offenders who committed CAPITAL murder before the age of 18. Because of a series of US Supreme Court decisions many years ago, Alabama was prompted to amend its Capital Murder statute for juveniles, and victim advocates fought for a tough law that actually holds these dangerous felons accountable. Now, a handful of lawmakers believe a much lighter

sentence is more appropriate. **Fortunately, HB524 didn't get to committee, but it's probably a sign of what to expect next year.**

Feel free to share your thoughts on any of these bills or other matters. Email us at vocal@vocalonline.org