

# Southern Center for Human Rights

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## **Parole – Alabama**

The Southern Center for Human Rights represents prisoners in *class action* suits that challenge unconstitutional and other illegal practices and policies in prisons and jails. Unfortunately, we have extremely limited resources (three attorneys for several Southern states) to help improve conditions in prisons and jails throughout the South, so we are not able to take on as many cases as we would like to. We are only able to take cases where we receive numerous complaints about a particular problem, and generally limit our cases to class actions and impact litigation. At the present time, we are extremely limited in our ability to take new cases at all. Unfortunately, we are therefore unable to do any investigation into the problems you described.

The Alabama Board of Pardons and Paroles has a controversial history which most recently has resulted in a public backlash causing scheduled parole hearings to be delayed for over one year. There was a period in the 1990's when the rate of prison growth slowed because the number of offenders being released equaled the number of offenders coming into prison. The Parole Board was accused of being soft on crime which caused the gubernatorial administration to become tougher on crime instituting mandatory minimums for habitual offenders and ensuring that violent offender serve 85% or more of their sentences. Additionally, the Board of Pardons and Paroles has developed and implemented a victim services unit in the past few years which has substantially slowed the rate at which parole hearings are held. The fact that the parole board is responsible for finding victims and informing them of upcoming hearings has set hearings for violent offenders back as much as one year.

If you are extremely ill and the Department of Corrections fails to provide you with adequate care, you and your family can advocate for an early medical parole. The best way to do this is by repeatedly writing and calling the parole board, sending them specific and detailed information about your condition and how it affects you. Carolyn Flack, who works at the parole board, is a good person to target as she is one of the primary people who work on medical paroles. She can be reached at (334) 242-8700. It would be especially helpful to have medical records of places where you were treated or a doctor's letter describing your condition sent to the board.

Although you are not allowed to attend your parole hearing, your family and friends are encouraged to go on your behalf. Parole hearings tend to be under 10 minutes. Two people are allowed to speak on your behalf for 5 minutes each. They will be asked to tell the parole board several things: 1) Why you should be released from prison now as opposed to later? 2) What positive things have you done to improve yourself since coming to prison? 3) What have you changed to fix the problem that got you to prison in the first place? The parole board requests that people speaking on your behalf answer these questions and do not discuss the emotional reasons why you should be released. For instance, if you have a parent who is elderly and sick or if you have young children the parole board does not want to hear about it. But, they do want to know if you will be returning to a stable and supportive home environment and a job. They are also resistant to hearing about inadequate representation from court-appointed attorneys. This does not mean that if you were inadequately represented by a court appointed attorney your family can't talk about it, but they need to have a very precise plan of exactly what they are going to say in the brief time provide.

It is to your benefit to provide as much information as possible to the parole board before your hearing. They review offender's files before and during the hearing. After testimony is heard at the hearing a decision is made within a few minutes, the more information you provide to the parole board, the better equipped they are to make a decision in your favor. If you have completed classes and earned certificates while in prison you should make sure copies of these are sent to the parole board. Although these items might be reflected in your institutional file, it is worthwhile for you to remind the parole board of your achievements in prison. Also, if you have counselors,

ministers or family members who you have been in contact with while in prison it would be worthwhile to have them write letters to the parole board on your behalf, before your hearing, describing the ways in which they have seen you change while in prison and why you are better prepared to be released now.

If you have received any disciplinary rules violations while in prison be sure that whoever represents you at your hearing knows about these, as the parole board will ask them if they know that you received the disciplinary and if they know what the offense was for. It is worthwhile for you to take the time to describe to your loved ones exactly what happened and how you got the disciplinary. Often times the only thing that shows up is the rules violation code number which designates violations like: Failure to follow a direct order or creating a health and security hazard, as opposed to detailing the actual incident. If your loved ones understand what happened they will be better able to convince the parole board that you should be released.

Some people do hire attorneys to represent them at their parole hearings. Having an attorney at your parole hearing does not guarantee your release. Your best chance at parole is if you have people who can answer the questions listed above, if you have submitted certificates of your accomplishments in prisons, people have written letters on your behalf and you have a plan for what you are going to do when you get released and where you are going to live. The parole board is more interested in hearing somebody who is going to be a part of your support system once you are released as opposed to somebody who is paid to represent your interests.

If you are paroled, but the Department of Corrections fails to release you, your family should call the parole board at (334) 242-8700, and ask why you have not been released.

We hope this information is helpful.