



# State of Alabama

## Department of Corrections



Alabama Criminal Justice Center  
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May 20, 2020

From: Steve Watson, Associate Commissioner  
ADOC Plans and Programs

To: ADOC staff members and inmates

RE: Mandatory Release automation

Automation of the following was placed into production on May 19, 2020:

Pursuant Code of Alabama §15-22-26.2, **certain** inmates with an **offense date** of January 30, 2016 or later who have not been paroled shall be released from Alabama Department of Corrections (ADOC) custody to the supervision of Alabama Bureau of Pardons and Parole (ABPP) using a **range** based on the length of sentence. Inmates released in this manner shall be subject to “intensive” supervision under the authority of ABPP. Exclusions are listed below, and there are other factors which potentially impact the calculation of a mandatory release date.

The statutory mandatory release range for sentences:

<b><u>Sentence</u></b>	<b><u>Window for release prior to End of Sentence (EOS)</u></b>
5 years or less	3-5 months
>5 years but < less than 10 years	6-9 months
>10 years	12-24 months

Mandatory Release shall not apply to:

- A defendant convicted of any sex offense involving a child, as defined by §15-20A-4.
- Inmates serving a life sentence.
- Inmates serving a sentence pursuant Alabama Code § 15-18-8, the Alabama Split Sentence Act.

Placement on Mandatory Release does not imply that the inmate's sentence is complete. The inmate is being released to continue serving their sentence under the supervision of the ABPP until their minimum release date (EOS).

To ensure intent of the statute is carried out in the interest of public safety, no inmate will be released until ABPP has communicated to Central Records Division that the home plan/supervision is approved, and that victim notification has been made consistent with the Mandatory Release statute.

Normal release procedures shall apply, utilizing Form C-80, "Release of Inmate", which shall only be provided by ADOC Central Records Division.

Attachments: Alabama Code Title 15. Criminal Procedure § 15-22-26.2  
Current utilization of date windows for Mandatory Release

Cc: Jefferson S. Dunn, Commissioner

Anne A. Hill, Chief of Staff

Carrie McCollum, General Counsel

Jeffery Williams, Deputy Commissioner Governmental Relations

Alcornelia Terry, Director- Central Records

Alabama Code Title 15. Criminal Procedure § 15-22-26.2

(a) A convicted defendant sentenced to a period of confinement under the supervision of the Department of Corrections shall be subject to the following provisions, unless the defendant is released to a term of probation or released on parole under the provisions of Chapter 22 of Title 15:

(1) If the defendant is sentenced to a period of five years or less, he or she shall be released to supervision by the Board of Pardons and Paroles no less than three months and no more than five months prior to the defendant's release date;

(2) If the defendant is sentenced to a period of more than five years but less than 10 years, he or she shall be released to supervision by the Board of Pardons and Paroles no less than six months and no more than nine months prior to the defendant's release date; or

(3) If the defendant is sentenced to a period of 10 years or more, he or she shall be released to supervision by the Board of Pardons and Paroles no less than 12 months and no more than 24 months prior to the defendant's release date.

(b) The provisions of this section shall not apply to a defendant convicted of any sex offense involving a child, as defined in [Section 15-20A-4](#) .

(c) Prior to the defendant's release to supervision pursuant to this section, notice of such release shall be provided to the victim and interested parties through the victim notification system established pursuant to [Section 15-22-36.2](#) and under the provisions of [Section 15-22-36](#) .

(d) Release of an offender to supervision pursuant to this section shall be release to an intensive program under the supervision of the Board of Pardons and Paroles.

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1		3-5M	5M
2		3-5M	5M
3		3-5M	5M
4		3-5M	5M
5		3-5M	5M
6		6-9M	6M
7		6-9M	7M
8		6-9M	9M
9		6-9M	9M
10		12-24M	12M
11		12-24M	12M
12		12-24M	12M
13		12-24M	12M
14		12-24M	12M
15		12-24M	12M
16		12-24M	13M
17		12-24M	14M
18		12-24M	15M
19		12-24M	16M
20		12-24M	17M
21		12-24M	18M
22		12-24M	19M
23		12-24M	20M
24		12-24M	21M
25		12-24M	22M
26		12-24M	23M
27		12-24M	24M

\*FOR SENTENCE BETWEEN YEARS ROUND DOWN.

\*\*ALL SENTENCES OVER 27 YEARS WILL USE THE MAXIMUM 24 MONTHS TO DETERMINE THE MANDATORY RELEASE DATE.

