

**ALABAMA'S CRIMINAL JUSTICE SYSTEM UPDATE**

**SUBMITTED BY**

ALLEN L. TAPLEY, EXECUTIVE DIRECTOR  
THE SENTENCING INSTITUTE

LYNDA FLYNT, EXECUTIVE DIRECTOR  
ALABAMA SENTENCING COMMISSION

ROSA DAVIS, CHIEF ASSISTANT ATTORNEY GENERAL  
MEMBER, ALABAMA SENTENCING COMMISSION

BECKI R. GOGGINS, RESEARCH SPECIALIST  
THE SENTENCING INSTITUTE

## BACKGROUND

From September 30, 1991 to September 30, 2001, Alabama's adult prison population soared from 17,220 inmates to 26,728 inmates – an increase of over 55 percent (or 9,508 inmates)<sup>1</sup>. During the same time period, the general fund appropriation for Alabama's Department of Corrections (DOC) increased from approximately \$136 million to over \$197 million – an increase of around 45 percent. This reflects an average \$6.1 million increase annually to operate the state's prison system. This period of unprecedented growth was fueled by numerous mandatory sentencing laws passed as “tough on crime” measures during the 1980's and 1990's, coupled with an increased reliance on incarceration as a punishment option within the state.

Since 1991 only one new prison has been constructed – the Bibb County facility designed for 900 inmates which now houses 1,800 inmates. Despite the efforts of the Department of Corrections to keep pace with the growth, the Alabama prison system – which was designed to house approximately 14,000 inmates – now holds an in-house population of 23,887 inmates. (This excludes those inmates assigned to work release, work camps and those housed in county jails.) According to DOC's Monthly Statistical Reports, the number of correctional officers has grown from 2,479 to 2,487 over the last ten years – an increase of only eight officers despite the addition of over 9,500 inmates. This lack of correctional staff has very often prevented DOC from opening additional space once it is completed. Without substantial changes to the state's sentencing practices and procedures combined with the development of community-based punishment and substance abuse treatment options and meaningful offender re-entry programs, significant additional funding to construct additional facilities and hire new correctional officers will continue to be needed. Otherwise, the state's prisons and jails will likely continue the present cycle of overcrowding for the foreseeable future.

In a move to address many of the lingering challenges which have continuously confronted the state's criminal justice system over the last several decades, during the 2000 Regular Session, the Alabama Legislature established the Alabama Sentencing Commission which is charged with recommending changes to Alabama's criminal laws, rules and procedures to the Legislature. The goals of the Sentencing Commission include making recommendations designed to: 1) promote greater truth in sentencing, 2) decrease sentencing disparity and 3) establish a sentencing structure designed to prioritize prison resources to ensure that scarce prison bedspace is reserved for the most violent and predatory offenders. As a part of their work, the Sentencing Commission plans to develop the capability to more accurately predict the consequences of new laws on the state's corrections system to improve resource planning and management with the goal of averting further prison crises in the future.

Until the Sentencing Commission and Alabama Legislature can act to help resolve many of the challenges confronting Alabama's criminal justice system, short-term and intermediate measures must be taken to address the problem of jail and prison overcrowding. There are

---

<sup>1</sup> Source: Alabama Department of Corrections. Division of Research, Monitoring and Evaluation. Monthly Statistical Reports.

presently over 14,000 offenders sentenced to the state's prison system for nonviolent offenses. Last year alone, 7,500 nonviolent offenders<sup>2</sup> were committed to the Alabama Department of Corrections statewide at a cost to taxpayers of approximately \$10,000 per year per inmate. It is believed that strategies designed to safely remove some of these offenders from DOC custody into intensive supervision within the community – coupled with the development of community-based punishment and treatment options designed to divert nonviolent offenders from the state's prison system – could help alleviate some of the burden placed on county jails and Department of Corrections until additional reforms can be achieved.

#### **HISTORY OF BARBOUR COUNTY ET AL. V. COMMISSIONER OF CORRECTIONS ET AL.**

In February 1992, the Plaintiff Class of Sheriffs and Counties sought a preliminary injunction requiring the Commissioner of the Alabama Department of Corrections, Morris Thigpen, to accept from county jails those state-sentenced inmates belonging to the state prison system pursuant to *Code of Alabama*, Section 14-3-30(a). The Court granted the preliminary injunction on February 25, 1992. The injunction, while enforcing the dictates of Section 14-3-30(a), granted the Commissioner a grace period of thirty days to accept inmates once the Department receives the judgment entry and sentence providing for imprisonment in the state penitentiary. On August 6, 1992, the Court entered an order finding the Commissioner in contempt of court. The Court further ordered the Commissioner “to purge [him]self of said contempt immediately.”

The Department of Corrections' failure to comply with this injunction and Section 14-3-30(a) forced the Plaintiff Class to return to court in 1997 to seek contempt against the Commissioner once again. This time the controversy ended on September 9, 1998 when the court issued an order approving and adopting a settlement agreement entered into by the parties, wherein the Commissioner agreed to “between October 1 and October 15, 1998...accept all state inmates whose transcripts have been received by the Department for thirty (30) days or longer” and to “thereafter accept state inmates in compliance with the Order on Preliminary Injunction.” The court-approved and adopted Settlement Agreement essentially transformed the original preliminary injunction into a permanent injunction by consent of the parties.

During the time period between October 1998 and May 2001, the total number of state-sentenced inmates increased by 4,005. Meanwhile, the number of state sentenced inmates in county jails grew from 1,310 to 3,380 inmates – nearly 2,000 of whom were past the court-imposed thirty day time limit according to DOC's records. On May 18, 2001 the Court ordered the Commissioner to transfer all state-ready inmates into DOC by June 18, 2001, and a show cause hearing was scheduled for June 28, 2001, to determine whether the Commissioner should be held in contempt of the Consent Order, the current Court order and the 1992 Preliminary Injunction.

---

<sup>2</sup> This includes all inmates admitted to DOC where the controlling offense was property, drug, traffic, public order offense. All inmates convicted of a crime against the person or where the offense was listed **as-listed** as “other” were excluded.

Recognizing the seriousness of this continued problem, on May 14, 2001, Governor Siegelman convened a task force headed by his legal advisor to develop short and mid-range solutions to address this persistent situation. Representatives from numerous state agencies – DOC, Administrative Office of Courts, Alabama Board of Pardons and Paroles, The Sentencing Institute, Department of Human Resources, Department of Mental Health, Department of Industrial Relations and others – were instructed to work together to identify all available local, state and federal resources that could be utilized to help resolve this immediate crisis affecting counties throughout the state. Task force members were instructed to think outside of traditional agency lines to determine how best to use funds and other agency resources to serve the felony population to help reserve prison bedspace for violent offenders. Thanks to the hard work of this group, a plan for reducing jail and prison overcrowding was released to the public on June 14, 2001 – two weeks prior to the show cause hearing scheduled for June 28, 2001. By the date of the hearing, preliminary progress toward implementing the plan had been achieved, and since that time significant gains have been made in this area.

### **SUMMARY OF PROGRESS IN IMPLEMENTATION OF THE TASK FORCE PLAN**

#### **Maintaining Correctional Officers –**

Historically, one of the primary reasons for the delay in transferring state sentenced inmates from county jails has been the lack of correctional officers within the Department of Corrections. This not only has resulted in large overtime expenditures (requiring substantial annual increases to DOC's budget requirements), but has also delayed opening new beds within DOC once they have been constructed. Because of these findings, the task force recommended that the state continue its efforts to recruit and retain correctional officers.

To help improve correctional officer recruitment and retention efforts within DOC, there have been several recent wage increases for correctional officers. When Governor Siegelman took office, the starting salary for a corrections officer was \$19,200. Shortly after taking office, the Governor raised it to \$22,300. As of October 2001, the starting salary had been raised to \$23,200 – a level that exceeds the average of other southeastern states.

In November 2000, the Alabama Department of Corrections graduated the largest ever correctional officer academy class in the history of the Department – 102 new officers. In May 2001, DOC exceeded its own record and graduated a class of 119 new officers, and with the increase in pay and additional emphasis on recruiting DOC is having good success in recruiting new correctional officer candidates. Another large recruiting class graduated in December 2001. While DOC remains short-staffed, continued progress in this important area should begin to help alleviate this problem over the course of the next several years.

#### **DOC Should Open New Beds –**

Because of the immediate need to help reduce the heavy financial and staffing burden placed on county jails as a result of having to house state sentenced inmates in their facilities, the task force recommended that DOC renovate existing facilities to expand capacity and pay for

additional overtime for correctional officers to staff the newly created beds to the extent possible, given existing resources. This goal has been completed, with the addition of over 200 beds since June 2001. As more correctional officers become available, DOC plans to continue its efforts to renovate existing facilities to increase its capacity level.

It should also be noted that given the new emphasis on expediting the parole process for nonviolent offenders – coupled with the increased number of inmates being placed in —? supervised Intensive Restitution (SIR) , reentry and community corrections programs – the DOC population profile is rapidly changing. As more offenders are diverted from prison while many others are released to newly created transitional programs, the overall “in-house” DOC population is comprised of more risk-prone inmates. This has led to an increased demand for medium (as opposed to minimum) security beds in recent months, and DOC is presently developing plans to convert beds originally designed for low-risk offenders into more secure facilities. Once this is completed, DOC should be able to continue to receive state sentenced inmates in a timely fashion without compromising public safety.

### **DOC Work Camp –**

The task force recommended that DOC should develop plans to reopen the East Thomas Work Release facility to allow inmates to be transferred to the facility where inmates can perform right of way and clean up work for the Alabama Department of Transportation. While this project has not been completed due to the poor condition of the abandoned facility, plans are underway to have this facility renovated and occupied in the near future.

### **Regional Substance Abuse Beds –**

Since substance abuse and chemical addiction are underlying factors in criminal activity in an estimated 85 percent of criminal cases, the task force determined that it is imperative that the state’s criminal justice system place a greater emphasis on the continued development of mechanisms designed to address addiction problems before, during and after an offender goes to prison. The task force also noted that it would be a good idea to identify and employ an experienced and knowledgeable staff person to coordinate all proposals contained within this report related to alcohol and substance abuse intervention, education, treatment and aftercare.

In response to this recommendation, The Sentencing Institute has employed Sheldon L. Rosenzweig as the state’s new Interagency Coordinator for Substance Abuse, and he has been spearheading this effort since September 2001. Since the establishment of this position, many important activities in this area have occurred. These include, but are not limited to the following:

- Existing funds from a number of federal programs have been identified and earmarked for the purpose of increasing access to care among the state’s felony population.
- All substance abuse programs authorized to receive reimbursement for providing drug treatment, testing and counseling services through the Alabama Department of Mental Health have been contacted to solicit proposals on how to expand existing

programs and facilities to increase the state's ability to provide substance abuse services to felony offenders.

- Several sites for new substance abuse treatment facilities have been identified and are in the process of being evaluated for the establishment of new programs. Cities where sites are being evaluated include: Birmingham, Mobile, Montgomery and Tuscaloosa.
- In Montgomery, better lines of communication have been established between the Alabama Board of Pardons and Paroles and local substance abuse treatment providers, and plans are underway to facilitate similar dialogue throughout the state.
- Numerous judges and district attorneys have participated in regional meetings to discuss plans and ideas for how best to alleviate jail and prison overcrowding by providing more comprehensive treatment services for offenders. As of the end of 2001, meetings had been conducted in Auburn, Birmingham, Florence, Gadsden and Montgomery, and additional meetings are scheduled for Mobile and Tuscaloosa in early 2002.

### **Sample Regional Substance Abuse Proposal**

The first program, to be opened in Birmingham, will be a 60 bed facility funded through a combination of offender fees and federal RSAT (Residential Substance Abuse Treatment) block grant funds. This will be a six month program designed to:

- 1) Provide long-term residential treatment to offenders previously assigned to community corrections programs who have repeatedly failed less intensive substance abuse treatment efforts; and
- 2) Allow for the transfer of inmates awaiting treatment within DOC who have been clinically diagnosed as appropriate candidates for a six month residential treatment program who could be safely transferred to one of these facilities to receive services.

To implement this program, officials from Aletheia House in Birmingham are working with the Alabama Department of Corrections and community corrections providers to develop referral procedures for the program to ensure that those referred to the program are offenders who otherwise would have been sentenced to the Department of Corrections.

The Birmingham program will be at least six months in length and will be designed to provide a combination of counseling, job readiness training, job placement assistance, GED/adult basic education, case management including linkages to other social services, twelve step groups such as Alcoholics Anonymous and Narcotics Anonymous and transportation.

## **Supervised Re-Entry Program –**

The task force recommended the creation of the “Supervised Reentry Program” by the Alabama Board of Pardons and Paroles to provide a transitional program to allow split sentenced inmates nearing the end of their sentences to be released into the community early under the intensive supervision of probation and parole staff. In the short term, this program is designed to assist in decreasing jail and prison overcrowding by providing a mechanism to bring to attention of local court officials those offenders with good institutional adjustment – who were sentenced to DOC under the split sentence act – for early release consideration. In the long term, it is believed that reentry services, coupled with offender-specific sentence plans and improved case management, will help dramatically reduce the number of re-admissions into Alabama’s prison system.

As a part of the pilot program, the reentry case managers have been asked to assist probation and parole officers in developing home plans for offenders who are released and to aid in monitoring compliance with these plans upon an offender’s reentry into society. Specifically, the reentry case managers’ duties include, but are not limited to: 1) assisting offenders in locating and maintaining employment; 2) assisting offenders to locate suitable housing; 3) locating substance abuse aftercare programs for offenders and verifying their continued participation in these treatment programs; 4) monitoring offenders’ participation in job training/adult basic education programs, 5) monitoring offenders to determine their compliance with other court-ordered sanctions (such as making fines, fees, restitution and child support payments); and 6) making periodic reports to the sentencing judge and TSI and the Alabama Board of Pardons and Paroles regarding offenders’ progress and behavior while on probation.

As of December 2001, nine individuals had been employed by the Alabama Board of Pardons and Paroles to help provide intensive supervision and case management services to offenders released as a result of this program. Pilot sites where the program has been implemented include the following – 6<sup>th</sup> Judicial Circuit (Tuscaloosa County); 12<sup>th</sup> Judicial Circuit (Coffee and Pike Counties); 15<sup>th</sup> Judicial Circuit (Montgomery County); 21<sup>st</sup> Judicial Circuit (Escambia County); and 23<sup>rd</sup> Judicial Circuit (Madison County).

## **Increase Efficiency of Parole Board (Thursday Parole Dockets) –**

The task force recommended that, given the current prison and jail overcrowding crisis, the Alabama Board of Pardons and Paroles develop a system to make nonviolent offenders a priority population for parole consideration. In order to accomplish this task, the Board has established a special Thursday docket solely for nonviolent offenders and senior staff within the department have been reviewing the records of all inmates to determine which inmates should be recommended to the board for parole consideration at these special hearings. In order to qualify for parole under this expedited program, an extensive background check must first show that an inmate has no criminal history of violent behavior, and the inmate must also have a good disciplinary record while incarcerated. Additionally, the department has developed a risk assessment instrument designed to predict an offender’s likelihood of future criminal behavior, and only those inmates who are determined to be at low risk for recidivating will be considered.

If all of these conditions are met, then an inmate will be recommended for consideration on the special Thursday dockets.

To further enhance the program's likelihood of success, nine of the probation and parole department's most experienced officers have been assigned to monitor offenders exiting prison as a result of the special Thursday dockets. Additionally, officers assigned to monitoring these offenders are required to maintain lowered caseloads to allow for stricter supervision and monitoring of this population.

Since the program's inception in September 2001, the number of paroles granted by the parole board each month has increased from approximately 50 to 200 inmates. This increased efficiency in paroling has allowed DOC to free up more beds which can be used to help further reduce the number of state-sentenced inmates in county jails who are awaiting transfer to the state prison system.

### **SIR Program –**

The task force recommended that the Alabama Department of Corrections (DOC) reinstate the Supervised Intensive Restitution Program, which allows for community placement of low-risk offenders who are within four years of their expected release date. While in the program, offenders are to remain under the control of DOC under the supervision of SIR officers employed by the Department. Inmates allowed to participate in the program are required to: reside in an environment approved by DOC; maintain employment; pay all court ordered fines, fees and restitution; remain drug-free; obey curfew requirements; and otherwise comply with any restrictions on activities as deemed appropriate by the supervising SIR officer.

As of January 2002, there were nearly 400 inmates in the SIR program – up from just 50 in June 2001.

### **Community Corrections**

For many years, community corrections providers have worked with the Alabama Department of Corrections to develop programs suitable for offenders in lieu of prison. These providers have been quite successful in providing such “diversions” over the last several years, and in recent months these providers have begun working in earnest with DOC to identify offenders in prison who could be safely transferred into community corrections facilities. As a result of their efforts, as of February 4, 2002 almost 100 inmates had been returned to the community to participate in these programs.

### **Accurate Counting of State-Sentenced Inmates in County Jails**

One of the most surprising findings of the task force on jail and prison overcrowding was the lack of information concerning the exact number of state sentenced inmates in county jails. As members of the task force began working closely with county sheriffs to determine the location of all individual inmates, it was found that the number of inmates believed to be in county jails awaiting transfer to DOC was greatly overestimated. Out of approximately 2000



inmates reported to be housed in county jails past the 30 day mark, at least 300 to 400 were not where DOC thought they would be. Many inmates had simply ended their sentence prior to being transferred into state custody and were released by local sheriffs. Other inmates had been transferred out of state or were being held within different jurisdictions awaiting trial and/or sentencing for additional offenses. In short, the implementation of better reporting policies and procedures helped a great deal in terms of reducing the number of inmates listed as past 30 days from nearly 2,000 to under 400 inmates by the end of 2001.

## **Drug Courts**

Drug courts, which began in the early 1990's, are designed to reduce drug use by ensuring that drug abusing offenders remain in treatment. Presently, there are 15 drug court programs underway in Alabama located in Baldwin, Butler, Colbert, Cullman, DeKalb, Etowah, Franklin, Jefferson, Marshall, Mobile, Montgomery, Shelby and Tuscaloosa Counties<sup>3</sup>. The other drug courts are operated by the Bessemer Division of the 10<sup>th</sup> Judicial Circuit (Jefferson County) and the Poarch Band of Creek Indians. As of October 1998, there were 323 of these programs operating throughout the country (up from just 12 in 1994), and the Drug Courts Program Office within the United States Department of Justice continues to encourage the development of drug courts through grant support and technical assistance.

Typically, drug courts are designed as a "pre-sentence" diversion program. However, in order to participate in a drug court program, offenders must first plead guilty to a drug (or drug-related) offense. Once the plea is taken by the judge, the defendant is then placed into the drug court program and the court will explain the conditions of the drug court program. If the defendant ~~in is~~ unwilling to comply with the program, the court can allow the plea to be entered and sentence the offender to an appropriate term of incarceration.

Conditions imposed by the drug court usually include some or all of the following: 1) remaining free of drugs and participating in outpatient substance abuse counseling; 2) submitting to random drug screening; 3) periodically reporting to the drug court where the judge will evaluate the defendant's progress in the program; 4) paying fines, fees and restitution; 6) participating in educational or vocational training; and 7) avoiding people, places and activities that may cause the defendant to return to an offending lifestyle.

Upon entry into the program, the defendant is given dates for his next scheduled court appearances. One of the most important features of the drug court is that the defendant must continue to appear before the judge throughout the duration of the program. Each time the defendant is back in court, the judge will evaluate the defendant's progress in complying with the conditions imposed by the court. For instance, a judge may order an on-the-spot urinalysis test for drugs if he or she believes the defendant is using drugs again. If the test results are positive, the court may impose additional conditions and restrictions on the defendant, or the defendant may have his or her drug court status revoked and be sent to prison. (Sometimes a judge may order a temporary jail stay without permanently revoking the defendant's status.) On the other hand, if a defendant is doing well in the program – remaining drug-free, maintaining

---

<sup>3</sup> Source: Deitz, Callie. "State of Alabama Drug Court's Statistics - February 1, 2002." Alabama Administrative Office of Courts.

employment, attending classes, etc. – the judge may lift some of the restrictions placed on the defendant. The focus of the program is on accountability and recovery – not just punishment without a meaningful purpose.

The drug court program in Birmingham, Alabama (10<sup>th</sup> Judicial Circuit/Jefferson County) illustrates how these courts can be far tougher than traditional probationary programs. In the program, offenders who test positive for drugs will face time in the county jail. While the time imposed as a result of a dirty urine screen may vary from several days to several weeks, all offenders who break this rule will be incarcerated. There are no exceptions from this rule. Repeated violations of the court’s “no drug” policy will cause a defendant to be dismissed from the program which means he or she will be sentenced just as he or she would have when the guilty plea was first entered. The defendant will also lose the opportunity to complete a punishment program with no criminal record.

Upon successful completion of the program, drug court cases are typically dismissed (or “not pressed”) by the court allowing the defendant to avoid a criminal record. This gives defendants a strong incentive to fully participate in the treatment aspects of the program – meeting the primary goal of the program which is to keep offenders off drugs. In other areas, drug courts may be used as an alternative to incarceration. In these programs, offenders face the prospect of prison or jail time if they fail to remain free from drugs. These types of incentives help guarantee that the defendant will comply with the other court-ordered conditions of participation – paying restitution, court costs, attorneys’ fees, etc.

According to the Office of National Drug Control Policy, of the 100,000 defendants who had participated in drug courts as of 1998, over 70 percent had graduated or were still active within a drug court program. This success rate is over twice that of other community drug treatment programs. Because of the close supervision (and emphasis on ensuring that offenders remain drug-free) associated with drug courts, it is likely that these programs will continue to reduce the levels of addiction and crime for many years to come.

As of January 31, 2002, there were 15 drug courts operating in Alabama. The state should consider funding three to six additional drug court programs. The estimated annual cost per program would be approximately \$150,000 to handle 30 offenders (assuming adequate treatment resources exist within the community). The cost of funding three programs would be around \$900,000 for two years.

**THE ALABAMA SENTENCING COMMISSION:  
PLANS FOR LONG RANGE IMPROVEMENT IN ALABAMA’S  
CRIMINAL JUSTICE SYSTEM**

**The Path to Reform**

Joining the ranks of other states that acknowledge sentencing reform deserves priority status on the agenda of state government, Alabama has a permanent sentencing commission

operating as a separate state agency under the Alabama Supreme Court.<sup>4</sup> The Alabama Sentencing Commission has now completed its first year of work toward developing a comprehensive sentencing plan for felony offenders that will:

- ***Secure the public safety*** of the state by providing a ***swift and sure response to the commission of crime***.
- ***Establish an effective, fair and efficient sentencing system*** for Alabama adult and juvenile criminal offenders that ***provides certainty in sentencing, maintains judicial discretion***, and ***avoids unwarranted sentencing disparities*** among defendants with like criminal records who have been found guilty of similar criminal conduct.
- ***Promote truth in sentencing*** to ensure that parties involved in a criminal case and the criminal justice process are aware of the nature and length of the sentence and its basis.
- ***Prevent prison overcrowding and the premature release of prisoners***.
- ***Provide judges with flexibility in sentencing options and meaningful discretion*** in the imposition of sentences.
- ***Enhance the availability and use of a wider array of sentencing options*** in appropriate cases; and
- ***Limit the discretion of district attorneys in determining the charge or crime***.

As the first step toward achieving these goals, the Alabama Sentencing Commission devoted the first year of operation to reviewing sentencing laws and reform efforts in other states, examining the state's existing criminal laws and procedures and compiling a comprehensive database for an accurate analysis of Alabama's current sentencing practices. Due to time constraints, lack of accurate data and inadequate resources, the initial report to the Legislature submitted January 7, 2002, did not include a comprehensive reform package. The report explained the progress that had been made thus far and requested assistance from the Legislature to enable the Commission to continue its work.

The Sentencing Commission has identified the methodology that must be applied to overcome the obstacles it is facing and to build and maintain a sure foundation for sentencing reform in Alabama:

- ***The First Step – Gathering Information for a Reliable Picture of Current Policies and Practices***

---

<sup>4</sup> § 12-25-2, *Code of Alabama* 1975.

- The Second Step – Analyzing the Picture to Evaluate Current Policies and Practices and Develop Recommendations for Necessary Changes
- The Third Step – Projecting the Impact of Proposed Changes in Policies and Practices – Building a Simulation Model

### **Overcoming the Obstacles to Building a Sure Foundation**

One of the primary challenges confronting the Alabama Sentencing Commission is that there is no single source of comprehensive information. Alabama has a number of excellent automated systems that gather information on crimes, offenders, and victim impact, but there is no single source of comprehensive information on criminal justice matters. There are four separate agencies in Alabama that gather various pieces of the essential information – the Administrative Office of Courts, the Alabama Department of Corrections, Alabama Criminal Justice Information Center, and the Alabama Board of Pardons & Paroles. The Sentencing Commission is now in the process of obtaining automated data from these agencies and, through consultants, merging information from the separate agencies to form a sentencing database of felony offenders.

### **Planning for the Future**

With accurate data, the Commission will be able to make recommendations for changes in sentencing policies and practices that will be based on reliable information and specifically designed to accomplish the goals of sentencing in Alabama. Alabama's new Sentencing Commission has experienced the same problems encountered by other states during their first year of operation - struggling with such basic issues as lack of funding and lack of data. These obstacles, while frustrating and a hindrance, will be overcome because, in an unusual demonstration of nonpartisan support, the Legislature, the Governor, the Attorney General, and Alabama's Chief Justice have united to improve Alabama's Criminal Justice System.

### **CONCLUSION**

The criminal justice system challenges confronting us today have evolved over the course of decades. Systemic change takes time, effort and a comprehensive approach to problem solving, and there is much work to be done.

Presently, there are dedicated people actively involved in taking a fresh look at the tough issues of crime and punishment in our state. Currently, there is a bipartisan effort to solve the immediate prison overcrowding crisis and provide long-term solutions designed to head off this type of problem in the future. Judges, district attorneys, legislators, defense attorneys, victims' advocates, agency heads and others all continue to work diligently with the Governor's Task Force and the Alabama Sentencing Commission toward building a criminal justice system that will inspire confidence in its ability to protect and serve the citizens of Alabama. With this

leadership and commitment, Alabama is poised to make great strides of progress in the coming years.