

Equal Justice Initiative

Criminal Justice Issues and Prisoners' Rights

<https://eji.org/news/alabama-reforms-probation-to-reduce-prison-crowding/>

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On April 30, 2010, Alabama Governor Bob Riley signed a new law that limits incarceration in Alabamas overcrowded prisons for people on probation who commit no new offense but technically violate the terms of their probation. The new law gives judges more non-incarceration options for addressing technical probation violations.

The new probation law is an important first step in addressing Alabamas prison overcrowding crisis. The state has more than 30,000 inmates in prisons designed to hold around 12,000 inmates. State corrections officials have described the system as a time bomb waiting to explode.

Parole and probation revocation cases account for nearly one in four new admissions to prison in Alabama. Nearly half of these revocations were for minor technical violations that did not result in a new offense. Technical violations include missing appointments, unpaid fines, changing residence without permission, and loss of employment.

During fiscal year 2006-2007, 1337 people had their probation revoked for a technical violation and were sent to prison, at a cost to Alabama taxpayers of more than \$19 million. Non-incarceration alternatives would have saved the state \$18 million.

The new law provides for non-incarceration alternatives to revocation of probation and limits to 90 days the period of incarceration for technical violators whose probation is revoked for something other than a new offense.

States across the country are reforming parole and probation, as technological innovations such as GPS monitors have made it possible to protect the public safety and save money. Alabama has not yet addressed the need for similar changes in its parole system, which regularly sends parolees back to prison for the remainder of their sentences after committing a technical violation, at a cost upwards of \$5 million per year.

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