

Equal Justice Initiative

Criminal Justice Issues and Prisoners' Rights

<https://eji.org/news/alabama-sheriffs-to-stop-keeping-jail-food-money/>

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07.12.18

The Etowah County Sheriffs office served this paltry breakfast to people in jail. (Connor Sheets, al.com)

Alabama Governor Kay Ivey issued a memorandum to the state comptroller yesterday ordering that state funds for jail food must be paid to county general funds or official accounts rather than to sheriffs personally.

Sheriffs have long relied on a Depression-era statute to pocket likely millions of taxpayer dollars designated for feeding people in county jails. For example, AL.com [reports](#) that Etowah County Sheriff Todd Entrekin released tax forms showing he made a profit of \$672,392 from the jail kitchen in 2015 and 2016. The Alabama Media Group [reported](#) earlier this year that the sheriff had purchased a beach house for \$740,000, and he was defeated in last months primary. In 2009, a federal judge [held](#) Morgan County Sheriff Greg Bartlett, who made \$212,000 over three years off excess food funds, in contempt of court for failing to feed inmates properly.

The practice, unique to Alabama, has been criticized for creating an incentive for sheriffs to starve people in jails.

In 2008, then-Attorney General Troy King [ruled](#) that a sheriff may retain any surplus from the food service allowance as personal income and wrote that most of the sheriffs in the state have retained the food and service allowances for personal income for years. Mr. King is running for Attorney General again and faces a primary runoff on Tuesday.

In 2011, the Attorney Generals office under Luther Strange issued an opinion that neither the sheriff nor the county may use the surplus for any purpose other than future expenses in feeding prisoners. The governors office [told](#) reporters it was unclear why sheriffs continued to pocket jail food money after that ruling.

AL.com [reports](#) that the state currently deposits \$1.75 per incarcerated person per day into sheriffs official county accounts or accounts managed by the county government and pays a food service allowance a lower daily fee between 5 cents and \$1 per person per day into sheriffs personal financial accounts. The directive issued this week covers only the food service allowance.

The governor has asked the state legislature to change the wording of the statute. A bill designed to address the issue was introduced this year and [did not pass](#).

Advocates have [expressed](#) concern that the directive will not stop sheriffs from keeping funds allocated to feed people in county jails.

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