

# **Sex Offender Notification Amendments**

**HB 332 by Rep. Galliher**

**SB 110 by Sen. Penn**

One of the main components of Alabama's current sex offender notification statute is that an offender being released from prison must provide authorities with the address where he or she will reside upon release. Since there are restrictions on where a convicted sex offender can reside following release, the address provided is reviewed by authorities to determine whether the address is a permissible location. If it is determined that the address provided is not in an approved location (i.e., that it is too close to a school or church), the offender is "re-arrested" at the time of his or her release from the state correctional facility, and held at the county jail in which the correctional facility is located, facing new felony charges of violating the sex offender notification statute.

The current procedure has created enormous problems in the county jails located in the counties with state correctional facilities – adding to the overcrowding problems, and in a few instances, generating enormous medical costs where the newly arrested inmate has entered the jail with significant health problems. Additionally, since in many instances, the offender has been incarcerated for many years, her or she is unaware that the address given is not in a location where he or she is permitted to live.

This bill proposes minor changes to the current law to address these problems by providing a better opportunity for the offender to locate an appropriate post-incarceration residence before release from prison – and as such, reduce the burden on the local county jail. In essence, the bill does the following:

- Alters the time frames for providing the address to allow authorities time to research the location and notify the offender before release if the address is "bad"
- Allows the offender an opportunity to submit a different address upon notification the original address submitted is "bad", which new address is then researched to determine whether it is a permissible location for the offender to live following release
- Removes any "good time" credit the offender has received if he or she does not provide an appropriate address upon notice that the first address is not approved
- Provides that, in the event the offender is to be re-arrested at the end of sentence, he or she will be taken to the county jail where the original crime leading to incarceration took place, which will lessen the burden on jails located in counties with state correctional facilities

The Attorney General's Office and the Department of Corrections have reviewed this legislation and provided valuable comments and suggestions during bill drafting.