



BOB RILEY  
GOVERNOR

# State of Alabama Alabama Department of Corrections

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COMMISSIONER

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ADMINISTRATIVE REGULATION  
NUMBER 428

OPR: CLASSIFICATION/CENTRAL RECORDS

## NOTIFICATION TO THE COURT – SPLIT SENTENCE (ACT 754)

### I. GENERAL

This Alabama Department of Corrections (ADOC) Administrative Regulation (AR) establishes responsibilities, policies, and procedures for notifying the sentencing court when individuals, who are serving a split-sentence in an ADOC institution, receive punishment for violation of prison rules or are convicted in a court of law for additional offense(s).

### II. POLICY

It is the policy of the ADOC to notify the sentencing court, in writing, when an individual who is serving a “split-sentence” has been found guilty of the following:

- A. Violating prison rules under the provisions of AR 403, *Disciplinary Hearing Procedures for Major Rule Violations*, or AR 414, *Behavior Citation Procedures for Informal Disciplinary Actions*.
- B. When official notification is received by the ADOC that said individual has been convicted in court for any offense while incarcerated in an ADOC institution.

### III. DEFINITION(S) AND ACRONYM(S)

- A. AIS: Alabama Inmate Serial Number
- B. EOS: End of Sentence

### IV. RESPONSIBILITIES

- A. The Warden is responsible for:
  - 1. Developing their institutional Standard Operating Procedures (SOPs) as necessary for the implementation of AR 428, *Notification to the Court – Split Sentence (ACT 754)*.

2. Notifying the sentencing court in writing no later than five (5) days following approval of the disciplinary of an inmate, serving a split-sentence that has violated institution rules under provisions of AR 403 or AR 414.
  3. Advising the court of any changes in the information furnished by the ADOC as a result of withdrawal, modification, expungement, or other changes in the disciplinary.
- B. The Director of Central Records is responsible for processing court-ordered changes to inmate sentences, and adjusting release dates, as appropriate.
- C. The Institutional Classification Supervisor is responsible for scheduling a progress review to consider any changes needed in security level or program as a result of sentence revision.

**V. PROCEDURES**

- A. The Warden having custody of the inmate at the time the citation disciplinary occurs will notify the sentencing court(s), in writing, of such disciplinary within five (5) working days following the approval of the disciplinary.
- B. As a minimum, written notification to the sentencing courts will contain:
1. Inmate's name, AIS number, and current location.
  2. Sentencing Judge on split-sentence, if name is available.
  3. Case number(s) of split-sentence.
  4. Charge on which convicted split-sentence.
  5. Other conviction(s) and length of sentence(s).
  6. Earliest release date.
  7. Reason for disciplinary to include date, place of violation(s), charge(s), sanctions imposed, and other significant information.
  8. A request to the Judge, should an inmate's sentence be revised as a result of this letter, and notification be forwarded in writing to the Director of Central Records, 301 S. Ripley, Montgomery, AL, 36130.
  9. A copy of the underlying incident report and/or disciplinary action and/or behavior citation will be forwarded with the above notification letter.
- C. The original of the typed letter (required in the preceding paragraph) will be addressed to the court where the inmate was sentenced to a split-sentence. Separate letters will be typed for each sentencing court, when the individual has more than one split-sentence.

1. A copy of the letter will be sent to the Director of Central Records for filing in the inmate's central file.
  2. One copy of the letter will be placed in the inmate's institutional file.
- D. When written information is received from the court, the Director of Central Records will ensure that timely action is taken to adjust the inmate's file and compute new release dates, if necessary. When appropriate, a revised time sheet should be furnished within five (5) days after receipt of documents from the courts.

**VI. DISPOSITION**

Any forms used will be disposed of and retained according to the Departmental Records Disposition Authority (RDA).

**VII. FORMS**

There are no forms prescribed by this regulation.

**VIII. SUPERCEDES**

This regulation supercedes Administrative Regulation 428, dated November 15, 2000.

**IX. PERFORMANCE**

Code of Alabama 1975, Section 15-18-8.

  
Richard F. Allen, Commissioner