

**CERTIFICATION OF ADMINISTRATIVE RULES
FILED WITH THE LEGISLATIVE SERVICES AGENCY
OTHNI LATHRAM, DIRECTOR**

(Pursuant to Code of Alabama 1975, §41-22-6, as amended).

I certify that the attached is/are correct copy/copies of rule/s as promulgated and adopted on Wednesday, July 15, 2026, and filed with the agency secretary on Wednesday, July 15, 2026.

AGENCY NAME: Alabama Board of Pardons and Paroles

INTENDED ACTION: New

RULE NO.: 640-X-9-.07
(If amended rule, give specific paragraph, subparagraphs, etc., being amended)

RULE TITLE: Revocation Reconsideration Procedures

ACTION TAKEN: State whether the rule was adopted with or without changes from the proposal due to written or oral comments:

Adopted with changes. The following is a concise statement of the comments received: (1) Revise section 2 of the proposed rule to prevent the automatic denial of a request that does not use the proper form if the requester did not have access to the form, (2) Revise section 2 of the proposed rule to extend the deadline to submit a request from two months to six months, and (3) Revise section 5 of the proposed rule to clarify that a requester does not need to meet every criteria subject to legal review. The agency's responses (including suggestions adopted) can be found at <https://paroles.alabama.gov/resources/administrative-rules/>.

NOTICE OF INTENDED ACTION PUBLISHED IN VOLUME XLIV, ISSUE NO. 8, AAM,
DATED FRIDAY, MAY 29, 2026.

REC'D & FILED
LEGISLATIVE SVC AGENCY
STATUTORY RULEMAKING AUTHORITY:

JUL 15, 2026

LEGISLATIVE SVC AGENCY
(Date Filed)
(For LRS Use Only)

Code of Ala. 1975, §§ 15-22-21,
15-22-37, 41-22-3

Cam Ward

Cam Ward

Certifying Officer or his or her
Deputy

APA-3

(NOTE: In accordance with §41-22-6(b), as amended, a proposed rule is required to be certified within 90 days after completion of the notice.)

Revocation Reconsideration Procedures.

(1) Following revocation of parole or mandatory supervision, the person supervised may request reconsideration by the board.

(2) Persons seeking revocation reconsideration may ~~only~~ do so by submitting an ABPP-7 within either ~~two~~six months of:

(a) the board's order revoking supervision; or

(b) an acquittal, dismissal (with prejudice), or nolle prosequi (with prejudice and without conditions) of all criminal charges relied upon by the Board to revoke parole.

(3) Reconsideration requests submitted pursuant to section (2) (b) must include a copy of the relevant court order.

(4) Bureau staff will screen submitted applications for completeness before forwarding to the Legal Division for legal review. Staff may summarily reject incomplete or procedurally improper requests without obtaining legal review.

(5) At minimum, legal review will consist of determining if:

(a) ~~the lawfulness of~~ the sanction imposed by the board was lawful,

(b) the revocation ~~proceeding's compliance~~proceedings complied with due process requirements,

(c) ~~whether there is~~ clear and convincing evidence of innocence ~~exists~~,

(d) ~~whether~~ the parole court record contains non-hearsay evidence supporting the hearing officer's findings, and

(e) ~~whether~~ the terms of the court order and circumstances of its issuance justify reconsideration for requests submitted pursuant to (2) (b) above.

(6) The Legal Division will forward appropriate requests passing legal review together with any recommendations to the board.

(7) The board may deny or grant reconsideration requests and, when granted, order any relief it deems appropriate.

(8) Appropriate bureau staff will inform the requestor by mail of any procedural rejection or final merits decision made on the request.

(9) Nothing in this rule shall create a right, expectation, or liberty interest in having the revocation of supervision reconsidered by the board.

Author: Eric Anderson, Gary Willford, Jr., James Walters.

Statutory Authority: Code of Alabama 1975, §§ 15-22-21, 15-22-32, 15-22-37.

History: New Rule: Published ~~_____~~ July 31, 2026; effective ~~_____~~ September 14, 2026, operative October 1, 2026.