

SB70 INTRODUCED



1 HJRS88-1
2 By Senator Jones (N & P)
3 RFD: Local Legislation
4 First Read: 21-Mar-23
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A BILL
TO BE ENTITLED
AN ACT

Relating to Etowah County; to provide that the director and employees of The Etowah County Punishment and Corrections Authority have arrest powers and may make arrests in certain circumstances.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. (a) The Director of The Etowah County Punishment and Corrections Authority and employees of the authority shall be considered law enforcement officers of this state with power to make arrests and serve arrest and search warrants while performing their official duties to the same extent as deputy sheriffs are authorized in their counties as long as they hold current certification from the Alabama Peace Officers' Standards and Training Commission. The powers of arrest under this section shall be limited to investigations and arrests of criminal acts committed at the authority's program facilities and acts committed by persons under the authority's supervision that are a violation of supervision or are a criminal offense.

(b) The authority director or corrections employee with law enforcement authority may arrest any person under his or her



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29 supervision without a warrant if he or she has probable cause
30 to believe the person has committed a criminal offense or
31 violated the conditions of supervision. In case of a
32 warrantless arrest, the director or employee shall prepare a
33 written warrant stating that the offender, in his or her
34 judgment, has committed a criminal offense or violated a
35 condition of supervision, and the warrant shall suffice to
36 immediately bring the offender before the court to determine
37 probable cause for the act described in the warrant. The court
38 may order detention of the offender pending further hearing,
39 after which the court may revoke probation or participation in
40 the authority's community corrections program, or both,
41 pursuant to subdivision (d) (3) of Section 15-18-175, Code of
42 Alabama 1975.

43 (c) The director and employees of the authority given
44 powers of arrest by this section shall be required to comply
45 with the minimum standards for state law enforcement officers
46 as certified by the Alabama Peace Officers' Standards and
47 Training Commission.

48 Section 2. This act shall become effective on the first
49 day of the third month following its passage and approval by
50 the Governor, or its otherwise becoming law.