



TAKING A LIFE

With life sentences, the State of Alabama controls thousands of rehabilitated individuals long past the point of danger, until death. But why?





Alabama Appleseed Center for Law and Justice is a non-profit, non-partisan 501(c)(3) organization founded in 1999 whose mission is to confront unjust systems through research, bridge building, and advocacy to create an Alabama that prioritizes justice and opportunity. Alabama Appleseed is a member of the national Appleseed Network, which includes 19 Appleseed Centers across the U.S. and in Mexico City. Appleseed is also a member of the Second Look Network and the Second Chance Working Group.

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TABLE OF CONTENTS

<i>Key Findings.</i>	<i>2</i>
<i>Note from the Executive Director.</i>	<i>3</i>
No New Convictions Since 1965	
<i>Executive Summary.</i>	<i>5</i>
One of Five Incarcerated Alabamians is Serving a Life Sentence	
<i>CHAPTER ONE.</i>	<i>10</i>
The Heavy Cost of Life Sentences and Lifetime Parole	
<i>By the Numbers.</i>	<i>20</i>
<i>CHAPTER TWO</i>	<i>22</i>
The Wide Range of Behavior that is Subject to a Life Sentence	
<i>CHAPTER THREE.</i>	<i>30</i>
A Death Sentence is Safer Than a Life Sentence	
<i>CHAPTER FOUR.</i>	<i>37</i>
Life in Prison, and Sometimes Death in Prison, for Marijuana	
<i>CHAPTER FIVE.</i>	<i>40</i>
Life for Children	
<i>CHAPTER SIX.</i>	<i>47</i>
Not Truly Free: The High Barriers to a Pardon	
<i>CHAPTER SEVEN.</i>	<i>54</i>
The Back Story: Origins of Life Sentencing in America	
<i>Recommendations</i>	<i>59</i>

Key Findings

- Approximately 6,520 individuals are serving sentences of life with parole, life without parole, or virtual life in Alabama's prisons. Most will never get released from prison.
- Spending by the Alabama Department of Corrections has soared as the safety inside prisons has plummeted. As a result, more people serving sentences of life with parole have died in prison recently (115) than have gotten released on parole (75).
- The costs of permanent incarceration for such large numbers of people is growing. Five years of spending on the state prison system, including construction for a new megaprison in Elmore County, comes to \$5 billion. By comparison, the combined General Fund allocations for agencies providing preventative services, the Department of Human Resources, Department of Mental Health, and Department of Public Health, for 5 years are \$2.3 billion.
- The Elmore County megaprison, known as the Governor Kay Ivey Correctional Facility, will cost \$300,000 per bed, more than the average cost of an Alabama home, which is \$235,066.
- Life-sentenced individuals fortunate enough to earn parole can face a lifetime of expensive state supervision. Technical violations, such as missing meetings with a parole officer or falling behind on \$40-monthly supervision fees, can result in revocations back to prison - even after decades of productive employment and faithful reporting.
- Life-sentenced individuals with good jobs and safe homes are sent back to prison upon arrest for a new offense, even a misdemeanor and even if the charges don't hold up in court. The Parole Board's revocation decisions are based on different facts than those used by courts to determine guilt.
- Incarcerated people over age 50, the demographic least likely to engage in criminal behavior, are most impacted by lengthy sentences. That's because people sentenced before the state's adoption of Sentencing Standards in 2006 were more frequently sentenced to life and life-equivalent sentences. They are aging out of criminality, yet still under correctional supervision.

Note from the Executive Director

A couple years ago, Appleseed received a letter from a family member of a 77-year-old man who was on parole in Alabama. Nothing unusual about that fact alone. Our criminal justice system's embrace of extreme sentences and permanent punishment results in thousands of people in prison and on parole who are AARP eligible.

But Earlie Whitaker had not been in trouble since the Lyndon B. Johnson Administration. His conviction was in 1965. He earned parole in 1981. But because he'd been sentenced to life in prison, he remained on parole after 44 years of dutifully reporting, avoiding new convictions, and handing over \$40 per month in parole supervision fees.

This seemed to us an inefficient use of resources. Someone at the Bureau of Pardons and Parole had to keep track of Mr. Whitaker. Someone else had to process his payments. And he had to abide by various controls over his movement, then part with a chunk of his Social Security check every month. Did we really need to deploy this much bureaucracy to ensure a senior citizen who had not committed a crime since before the first moon landing stayed out of trouble? Probably not.

While Alabama has a mechanism for people who have done well on parole after a minimum of three years and paid all their court debt to receive a pardon, which ends parole supervision, somehow, despite decades of eligibility, Mr. Whitaker has not been pardoned.

And he has plenty of company. Through public records requests, we learned that 72 Alabamians, originally sentenced to life with parole, have been on parole more than 30 years. Nearly 400 have been on parole 15 years or more. Though not all of them must report monthly, most do.

Through correspondence with people incarcerated on life sentences, we learned of others who had been successful on parole for a decade or longer. Then, following arrest on charges that did not hold up in court, parole was revoked and they were back in Alabama's overcrowded, dangerous prisons, now in their 50s and 60s.

Appleseed is enormously indebted to Earlie Whitaker and the hundreds of justice-involved people who write to us about their experiences. From these letters, along with subsequent conversations conducted during legal visits in prisons across the state, we developed an understanding of the vast, often detrimental, and at times downright absurd implications of a corrections system that incarcerates more



Earlie Whitaker, 77, has been on parole since 1981.

than 6,500 people under sentences of life without parole, life with parole, or life-equivalent, plus another 1,100 life-sentenced individuals on parole, forever.

With this report, we share their stories, their struggles, and, thankfully, some of their successes, which prove that in many cases, lifetime correctional control is completely unnecessary.

Earlie Whitaker was convicted of a serious offense in 1965, attempted murder, after he shot a woman while stealing her car. He spent 16 years in prison for his crime. And that was enough, as he never reoffended. He learned from his mistake. And he deserves his life back before it's too late.

- Carla Crowder

EXECUTIVE SUMMARY

One of Five Incarcerated Alabamians is Serving a Life Sentence

When the Alabama Department of Corrections begins filling up the most expensive prison ever built in the United States, a sprawling \$1.2 billion complex in Elmore County, the prison will not come close to housing only the prisoners serving life sentences. This mega prison will have a capacity of 4,000. Yet, more than 6,520 individuals are serving sentences of life with parole, life without parole, or virtual life.¹ Lifers alone could fill the new prison to overflowing, and approximately 15,500 people would remain housed in the violent, dilapidated, understaffed prisons that have the state spending tens of millions in legal fees fighting multiple federal lawsuits while six years of unconstitutional brutality persists.² In the words of House Pro Tem Chris Pringle (R-Mobile): “It’s insane what’s going on in our prison system.”³

Alabama relies on long sentences at a higher rate than most of the United States with nearly one in five prisoners serving life sentences. Nationwide, the average is one in seven, which is a higher rate than anywhere else in the world.⁴ Yet, a growing body of research shows that incarcerating people for these kinds of extreme sentences is “generally unnecessary for public safety,”⁵ because it ignores the irrefutable truth that most people age out of criminality.

Incarcerating older people, many of whom are too feeble to do harm, drains resources that could be devoted to crime prevention or solving crimes, yet laws and parole practices in Alabama have failed to adjust accordingly, as this report will show.

Exacerbating the problem, sharp declines in parole grants mean the clear statutory distinction between life without parole and life with parole has blurred. Appleaseed’s Condemned Report examined the excesses of life without parole (LWOP) sentences imposed under the Habitual Felony Offender Act, profiling numerous cases where people are condemned to die in prison for offenses involving no physical injury to a victim.⁶ Approximately 1,480 individuals are serving LWOP - unquestionably a significant number, but only 5% of the ADOC population. By contrast, life with parole and its equivalent are so common that 5,040 people serve these sentences, an amount

equal to the total state prison population in 1976 – the last time the federal courts took over Alabama’s prisons.⁷

Some have been convicted of nonviolent drug or property offenses. Others have violent convictions and despite working diligently in prison to transform their lives they are denied parole based on the one factor beyond their control: the facts of a decades-old crime. These repeated denials reject the notion that prison provides a pathway to redemption and transformation. Even individuals fortunate enough to earn parole while serving a life sentence face government surveillance for life, frequently moving in and out of the parole system and back to prison for minor transgressions. Punishment and revenge have become the predominant forces driving public safety policy, leading to limitless spending on a brutal, corrupt and dysfunctional system.

Who is sentenced to Life?

Through correspondence with hundreds of incarcerated people, Appleseed has developed profiles of individuals serving life sentences for a wide range of offenses. Some remain incarcerated. Others were successful for years, even decades, while on parole but a small misstep sent them back. Still others were considered violent offenders and now live and work peacefully, contributing to their communities. By profiling these Alabamians, we hope to show the impacts - on Alabama families, on the state’s workforce, and on Alabama’s engorged prison system.

A majority of people sentenced to life with parole did not take a life, according to Sentencing Commission data. By law, their offenses were not severe enough to warrant a sentence of death or the next harshest alternative, life without parole. They entered prison understanding that a parole hearing was in their future, sometime between 10 and 20 years away depending on their crime of conviction, and there was a decent chance they would experience freedom again. That’s the promise of a life with parole sentence .

This report also provides historical context for habitual offender sentencing and extreme sentences, which were not always a feature of American justice. A sentence of life in prison was much harder to get before the passage of the Habitual Felony Offender Act (HFOA) in 1977. This law permits life sentences for low-level felony cases, such as theft and escape, if someone has any prior convictions whatsoever. Wisely, passage of Sentencing Guidelines in 2006 somewhat limited the use of the HFOA, but the law establishing those guidelines was not retroactive.⁸ Therefore, anyone sentenced to life in prison between 1977 and 2006 receives no benefit from the reforms created by these Guidelines. ADOC data shows that 34% of people serving life sentences were sentenced under the HFOA. That comes down to 1,267 people, enough to fill one of the larger major prisons in the state, such as Fountain or Kilby.

Death before Parole

Here in Alabama, dangerous conditions of confinement and poor medical care within prisons add to the injustice of unnecessary extreme sentences. More people serving life with parole never got released and instead died in prison in 2023 than were released on parole. That year, the Alabama Board of Pardons and Parole granted parole to 25 people serving life sentences while 64 people serving life sentences died without the “with parole” part of their sentence being realized.⁹ One was Leo Watson, who died at age 61 while serving a life sentence for a first-degree theft conviction dating back to 2002; he was denied parole in 2022. Parole grant rates improved in 2024, and 50 people with life sentences earned parole, although 51 others died in prison. Among the dead are numerous Alabamians serving sentences for crimes where no one was physically injured.

As a result, there is virtually no difference now in Alabama between Life Without Parole sentences and Life sentences.

A Quarter of the State General Fund Supports Prisons

Beyond the cruel harshness of sentences promising a chance at freedom that never comes is how this large and immutable number of incarcerated people drives Alabama’s perpetual and wildly expensive prison crisis. The Alabama Legislature appropriated \$826 million to the Alabama Department of Corrections (ADOC) for fiscal 2026, a quarter of the General Fund. Lawmakers previously approved separate funding in the form of a \$1.3 billion prison expansion package designated for the construction of two new mega prisons. With the complex in Elmore County consuming more than \$1.1 billion, it’s unknown where funding for the second prison in Escambia County will come from or even how much it will cost. “It’s going to be a lot more than we originally thought,” Sen. Greg Albritton, the Senate General Fund committee chair has acknowledged.¹⁰ He sponsored a bill in the 2025 legislative session that added another \$500 million to the state’s bonding capacity to pay for more prison space.

By way of comparison, each bed in the Elmore prison, officially named the Governor Kay Ivey Correctional Facility, comes at a cost of \$300,000, significantly more than the average price of a home in Alabama, which was \$235,066 as of July of 2025.¹¹

Expensive sentencing practices embraced in the 1980s and 1990s are not keeping Alabamians safer¹². It’s important to acknowledge here that 63 percent of violent crime is not solved in Alabama, according to the Council of State Governments. Decades of evidence shows that it’s the certainty of being caught and punished quickly that deters crime, not long sentences. Instead of increasing penalties for the 37% of people who are already apprehended, the state should focus more effort on the swiftness

2026 Alabama General Fund Budget at Five Major State Agencies

Agency	Tax Dollars Allocated	Percent of Budget
CORRECTIONS	\$827 million	24.49%
MENTAL HEALTH	\$244 million	7.97%
HUMAN RESOURCES	\$149 million	3.96%
PUBLIC HEALTH	\$159 million	2.91%
PARDONS AND PAROLES	\$85 million	3.15%

and certainty of apprehending the other 63 percent.¹³ Unfortunately, tough talk and draconian sentencing make for good soundbites, much of which is simply political posturing with promises of increased safety that never comes.

Meanwhile, the individuals ensnared in Alabama’s unconstitutionally violent prisons due to these antiquated laws are now in their 50s, 60s, and 70s, often living in honor dorms and leading Bible studies and educational programs, yet their geriatric incarceration swallows resources that could be devoted to solving crimes and to mental health care, substance use treatment, workforce programs, child abuse and neglect interventions, and other forms of crime prevention rather than caging people who have aged out of criminality. That’s why multiple research and legal organizations endorse “look back” laws that allow judges to review old cases after 10 to 15 years and determine whether additional punishment is warranted.¹⁴ Multiple case studies reinforce research showing that people convicted of crimes, even violent crimes, who are resentenced and released have recidivism rates lower than 3 percent.¹⁵ Appleseed has worked to pass such laws for years. With this new research, we provide additional recommendations for how to unwind the harm of permanent punishment for 6,500 Alabamians.

This report takes a comprehensive look at the multiple implications of Alabama’s overreliance on life sentences, both within the prison walls and across Alabama communities. It examines the wide range of offenses that can draw a life sentence, the impact on prison costs and conditions of permanent incarceration for thousands

of people, and the crippling effects of a lifetime of sanctions and government supervision on individuals who have paid their debt and are striving to put their pasts behind them. It also shares success stories - people sentenced to life who would still be incarcerated had their cases not come across the radar of the right people at the right time. But government decisions about justice and public safety should not be so capricious.

Nationally, “a key factor driving mass incarceration is the substantial increase in the duration of imprisonment, especially the rise in life sentences.”¹⁶ Every state-by-state comparison of extreme sentences places Alabama in the top five. Our elected officials have an abundance of tools to keep people behind bars for a long, long time. Decisions to do so have not made Alabama safer. Quite the opposite - Alabama’s imprisonment rate actually declined from 2013 to 2022. Simultaneously, crime dropped 43 percent.¹⁷ As researchers in the Journal of Criminal Justice note: “Persisting with extreme sentences is inconsistent with evidence showing that prolonged incarceration offers minimal deterrent effects, tends to incapacitate older individuals who pose a diminished public safety threat, and is a significant financial strain¹⁸ further diverting resources from more efficacious public safety strategies.”¹⁹ The public safety outcomes that result from keeping older people locked up and under parole control for a lifetime are not satisfactory; we need different tools.



Imagine living with so little space for 20 years or more. Long prison sentences have resulted in severe overcrowding and conditions that are far from rehabilitative across Alabama's prison system.

CHAPTER ONE

The Heavy Cost of Life Sentences and Lifetime Parole

The stranglehold on people serving life with parole sentences has not always been so tight. As a result of eras with more generous parole grant rates, more than 1,100 Alabamians with life sentences are actually on parole. Though a vast improvement from incarceration, lifetime parole brings its own challenges and costs. People on parole must pay the state \$40 per month. Their movement is limited, often to within the state, and they must submit to surveillance by the government. One slip up, even a misdemeanor offense that carries no prison time, can result in parole being revoked and a return to prison for the full life sentence. That's what happened to John Meadows, 55, of Opelika, who was working 60 hours per week on an automotive assembly line when police pulled him over for a broken tail light and found a miniscule amount of marijuana in his car. The Alabama parole board sent him back to prison to serve out a life sentence in his 1992 attempted murder case.²⁰ Worse, state law permits parole revocations for arrests only. Appleseed has documented numerous cases of people such as Archie Hamlett, 53, and Vinson French, 59, who did well on parole for many years, but were mandatorily revoked for flimsy charges that did not hold up in court. Now, they are back behind bars. Here are their stories.

Archie Hamlett: Permanent Parole. And now revocation, for a 1995 Marijuana Conviction

Hazel Green, AL – In 1995, Archie Hamlett was sentenced to spend the rest of his life in prison for a marijuana trafficking conviction. His life without parole sentence, imposed under Alabama's Habitual Felony Offender Act, was mandatory because he had been convicted of nonviolent, property offenses at age 16.²¹

Now 53, Mr. Hamlett would go on to serve more than 22 years in Donaldson Correctional Facility before a combination of changes to the law, extraordinary legal advocacy, and, finally, a parole grant in 2017 allowed him to walk free. Or so he thought.



Archie Hamlett earned a CDL and established a successful trucking company in Madison County. He was once sentenced to life imprisonment without parole.

Revocation

Archie Hamlett, 53

- Owner of Hamlett Logistics, a commercial trucking company
- Life sentence under HFOA for marijuana trafficking
- Years on parole before revocation: 8
- Reason for return to prison: misdemeanor arrest, case dismissed

His life since then had been marked by a steady series of achievements - earning a Commercial Drivers License, starting his trucking business, renovating a house, restoring vintage vehicles,

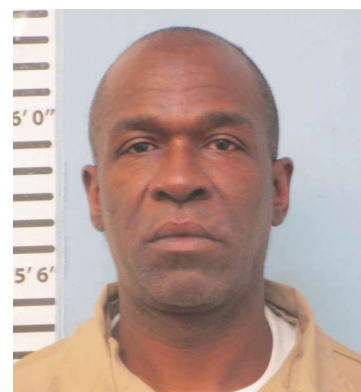
and making plans to develop 17 acres of beautiful land he purchased in booming Madison County. “When I went to prison with life without parole, I engulfed myself in learning the law so I could find my way home,” Mr. Hamlett said.

A traffic stop on a cold night in January of 2025 interrupted this life. Madison County Sheriff's deputies checked his record, learned of his history, and detained him. Experiencing nausea and suffering from a documented medical condition involving frequent urination, Mr. Hamlett requested access to his truck for a portable urinal. The deputies refused this request. He faced the choice of urinating on himself outside on a 35-degree night or discreetly relieving himself in the dark. Mr. Hamlett, who has an immaculate record of compliance with no violations, infractions, or arrests of any sort during more than seven years on parole, chose not to humiliate himself by urinating in his pants on a frigid night. For that decision, he was charged with public lewdness,

a misdemeanor, and booked into the Madison County Jail. His arrest triggered additional involvement by the Alabama Bureau of Pardons and Parole.

On March 4, 2025, Mr. Hamlett appeared in front of a Pardons and Parole hearing officer and did not dispute that he urinated outside. Explaining what happened, he stated: “I wasn’t trying to be disrespectful. I had to use the bathroom. I have a medical problem and I had to use the bathroom bad. I had a medical urinal, but they wouldn’t let me use it. I used the bathroom outside.” The officer recommended 45 days of confinement. The Parole Board fully revoked his parole, sending him back to prison to serve out the full life term, unless he is granted parole again.²²

In May, a Madison County judge agreed to dismiss the public lewdness case, when Huntsville attorney Richard Jensen explained the circumstances and provided medical records. Archie Hamlett remains housed in Kilby Correctional Facility, an antiquated prison



Archie Hamlett purchased a home and land after his release. He planned to develop homes for senior citizens, until his parole was revoked for a charge that was later dropped.

designed for 440 with a current population of more than 1,300.

Until his revocation, home was a spotlessly renovated three-bedroom house in Hazel Green with a cherry-red 1968 Cutlass in the driveway, one of many vintage finds from Mr. Hamlett’s backroads adventures. He used to scout the North Alabama countryside for old vehicles in need of rescue while running loads in his 26-foot box truck, Hamlett Logistics painted on the side. He even figured out how to make extra money by taking on “hotshot” jobs: “Everything I’m running is already late so they pay more.”

He was a business owner, homeowner, entrepreneur with a flawless record reporting to his parole officer²³ and staying clear of any legal trouble. Since 2017, he had been required to report in-person once a month to his parole officer, then check in by phone every two weeks. He paid \$40 per month in “supervision” fees, totaling more than \$4,000 over the course of his parole. Yet, Mr. Hamlett was still not completely free, as the traffic stop and subsequent revocation proved.



All of this government control of his movements was based upon the fact that Mr. Hamlett was convicted of trafficking in marijuana in 1995 then sentenced to life imprisonment based on nonviolent offenses committed when he was a child. In some ways, Mr. Hamlett is fortunate, given that he was originally supposed to die in prison. Birmingham attorney Richard Storm represented Mr. Hamlett in post-conviction proceedings, securing a reduced sentence to life with parole by arguing this original sentence was “grossly disproportionate” to the nature of the crime and no longer mandatory.²⁴ Mr. Storm then represented Mr. Hamlett before the Alabama Board of Pardons and Paroles, securing his release on parole at the first hearing, a rarity for someone serving a life sentence.

But Alabama’s justice system, which created mechanisms to remedy the most draconian excesses of the original 1977 Habitual Felony Offender Act, retains features that are grossly out-of-step with public safety. Few people better illustrate this reality than Mr. Hamlett, a business owner who remains under government supervision and surveillance based on a decades-old conviction for marijuana. Before his 2025 revocation, he was making plans to grow his business and longing for the day when he could freely run a truckload of auto parts up to Ohio, or even Canada, without jumping through a bunch of unnecessary hurdles.

Alabama’s Criminal Code does contain mechanisms to loosen the grip of parole



Vinson French

supervision. However, parolees may not be reviewed for discharge until they have “satisfied all financial obligations owed to the court, including restitution.”²⁵ Mr. Hamlett was ordered to pay \$25,000 in restitution, an amount that grew to \$34,000 because of automatic interest added when people cannot immediately pay the full amount upon release from incarceration. Although he complied with his monthly payments - until his revocation - he could not afford to quickly pay off that exorbitant amount while continuing to invest in his business and support himself.

His entrepreneurial spirit remains undeterred by the government’s grip on his freedom. He hopes to develop his land into a tiny home community for veterans or seniors. There is a pond where older folks could fish. Pine trees for shade. And all those vintage vehicles to remind them of their glory days. His next parole consideration date is March of 2026.

Vinson French: At 59 years old, he’s still being punished for drug convictions 35 years ago

Frank Lee Community Work Center, Deatsville, AL – Like many others in the late 1980s and early 1990s, Vinson French was caught in the crack cocaine epidemic that swept the country. Poor communities across America were ravaged by the impact of the cycle of addiction and the war on drugs which was waged in response. As a teenager, Mr. French was drawn into Montgomery’s gang culture that placed him on the wrong side of that war. At 24, he was arrested for distribution of crack cocaine after he sold two crack rocks to an undercover detective. Due to two prior convictions, a marijuana case and receiving stolen property, he was given a life sentence.²⁶

Despite the dysfunction of our prison system, Mr. French is an example of someone for whom a short term in prison provided rehabilitation

and motivation to change his life. While serving his life sentence, Mr. French made the decision to break out of the cycle that led him to prison. He was granted parole after five years and was determined to never come back.

After he was released, Mr. French worked construction and other jobs as he could find them. Employment is difficult as a convicted felon, but Mr. French valued his freedom and worked hard. After 10, 15 or even 20 successful years on parole, Mr. French would have been an excellent candidate for a pardon. Unfortunately, no one told him that he could apply for one.

After 25 years on parole, Mr. French went from an example of a success story to one of tragic injustice. While at work in November of 2020, Mr. French was sitting in a truck when the police pulled up to investigate a report of a stolen trailer filled with scaffolding. Despite the fact he was merely sitting in a truck near the trailer in question, Mr. French was arrested and charged with first-degree theft.²⁷ He was released on bond, but as soon as his parole officer was aware of the new charges, Mr. French was automatically revoked from parole because he was arrested on a new charge.²⁸

Mr. French was not scheduled to come back up for parole for three years in 2023, but he was determined to clear his name so that he could regain his freedom as soon as possible. He demanded a preliminary hearing which was held in January of 2021. After hearing the State's evidence, Montgomery County District Court Judge Monet Gaines found there was no probable cause to support the allegation. She quickly dismissed the case. In all caps, she ordered that Mr. French be released immediately. Unfortunately, his parole had already been revoked, which is required for an arrest even *without a conviction*,²⁹ so he was transported directly to prison.

Under Alabama Law, when a case is dismissed by a judge for lack of probable cause in District

Court, the State still has the option to present evidence to a Grand Jury to seek an indictment. They did so in this case and Mr. French was indicted in September of 2021. Somehow, the case languished for 8 months before it was assigned to a Circuit Judge in August of 2022.

Mr. French's parole hearing was set for June of 2023 so there were ten months left by the time it reached a Circuit Court to resolve his case so that the parole board could consider the outcome and reinstate his parole if it had been dismissed. The case was set for a status hearing in December of 2022 and trial in February of 2023. The trial did not take place and the case was reset for a status hearing in late June of 2023. Mr. French's parole hearing happened in June and he was denied based on the pending charge. A month later, in July of 2023, the State filed a motion to dismiss the charges. Mr. French was fully exonerated.³⁰

Mr. French's next parole hearing is scheduled for February 1, 2028. He will have served over seven years due to a theft charge that was dismissed less than six weeks after it was first filed by a District Judge and again by the State of Alabama three and half years later when it was finally

Revocation

Vinson French, 59

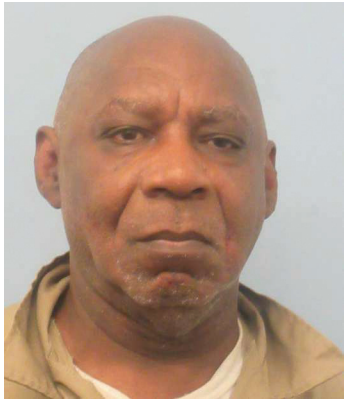
- Construction worker
- Life sentence under HFOA for drug distribution
- Years on parole before revocation: 25
- Reason for return to prison: theft charge, case dismissed

set for trial. While slow, the criminal justice system worked, as Mr. French was exonerated. Yet, a life sentence with lifetime parole erases justice in Mr. French's case as he will remain incarcerated for years to come. Mr. French's case illustrates why reforms are desperately needed which would remove the requirement that anyone be automatically revoked due to a new arrest, even if the charges are quickly dismissed. There should also be a mechanism by which the Parole Board automatically reconsiders a case where a charge is dismissed after they have denied someone for parole on the basis of that charge. No person should lose their freedom due to a baseless charge, much less the seven years that are being unjustly torn away from Vinson French.

Walter Frazier: A Brother's Accusation Sends a 67-Year-Old Dialysis Patient Back to Prison

St. Clair Correctional Facility, Springville, AL – Walter Frazier spent decades in prison for a series of property crimes decades ago. But he earned parole and was living peacefully with a cousin in rural Lee County when a family squabble over a broken washing machine and a used automobile transmission in 2023 ended his freedom.

For Mr. Frazier, whose sentencing history includes two life sentences, any minor transgression can result in revocation of parole



Walter Frazier

and a return to the Alabama Department of Corrections. The washing machine theft case remains pending with no conviction after two years; Yet Mr. Frazier was returned to St. Clair prison as a 67-year-old dialysis patient. "I'm not a threat to nobody. I ain't ever shot nobody, I ain't ever stabbed nobody, I ain't ever hurt nobody," he told us during a legal visit.

The Alabama Board of Pardons and Paroles voted to revoke his parole pursuant to its authority in Section 15-22-32(a)(2) of the Code of Alabama which provides: "If the parole violation was for being arrested or convicted of a new offense or absconding, the board may revoke parole and require the parolee to serve the balance of the term for which he or she was originally sentenced, or any portion thereof, in a state prison facility." (emphasis added)

Though Mr. Frazier learned his lesson and stayed out of trouble after being granted parole, his situation is a case study in how someone remains at risk for losing their freedom following a dubious accusation and without being convicted of any new crime.

As a young man, Mr. Frazier accumulated multiple convictions while struggling with poverty and substance use. His first life sentence was handed down 36 years ago following conviction for a second-degree burglary.³¹ While on parole in 2000, he got a second life sentence for third-degree burglary.³² Another case illustrates both the era of his criminality and the pettiness, a third-degree burglary conviction where he stole a VCR and a Tae-bo videotape.³³ He spent much of his adulthood churning through the Alabama prison system.

Along the way, he reported his progress to the Court in hopes of getting his sentence reduced or a transfer to a work release facility: "Defendant Frazier offers to this honorable court that he has served seven years and eight months during which time he has made several accomplishments in his efforts of rehabilitation such as: crime bill program (six months) which

addressed the abuse of alcohol and drugs, aftercare dorm residency (six months), and ongoing programs pertaining to an aftercare treatment plan such as reality therapy, values clarification, stress management, anger management, and countless counseling sessions, seminars and classes,” he submitted in 2009.³⁴

In 2011, Mr. Frazier finally made parole, but he struggled to navigate the parole system. He was assigned to a halfway house in Birmingham. After breaking a rule, he was kicked out and with no other place to go, he went home to Lee County without changing his supervision address with his parole officer. From 2011 to 2021, Mr. Frazier lived and worked in Lee County with a warrant for his arrest for not reporting to parole. In 2021, he was stopped for a traffic violation and revoked to prison. While back in prison, his kidneys failed and he was put on dialysis. In 2022, the Department of Corrections placed him on medical furlough and 6 months later, he was granted parole.

During this time, he lived with his cousin, Willie Frazier, in Lee County. Willie Frazier took on the role as caregiver, taking Walter to his dialysis and other doctor’s appointments. Walter’s estranged brother, Samuel Frazier, lives on the adjacent property and was not happy that Willie agreed to let Walter live there. In September of 2023, Walter Frazier was helping Willie clear some of the land around his house. Weeds had grown up around a broken washing machine in Walter’s yard that Samuel had discarded the previous winter. Willie told Walter he could take the washing machine to the scrap yard.

Later, Walter and Samuel had an argument over ownership of some land. On February 24, 2024, Willie observed Samuel with a car transmission in a wheelbarrow in his yard. Willie left home with Walter to take him to dialysis and they were gone for most of the day.³⁵ The next month, Samuel went before the Lee County Magistrate and swore out a warrant against Walter accusing

him of stealing the washing machine and transmission.³⁶

Walter was arrested and charged with third-degree theft.³⁷ Due to being on dialysis which was unavailable in the Lee County jail, he was transferred back to the only prison with dialysis treatment available, St. Clair Correctional Facility, one of the highest security prisons in Alabama. Willie contacted the Lee County Sheriff’s Office to refute the allegations made by Samuel, but in his affidavit he states no one would take his statement.³⁸

Over the next 7 months, Mr. Frazier was transferred back and forth to the Lee County jail for court dates. In June, he filed a handwritten motion from jail demanding a preliminary hearing so that the Judge could see there was no evidence to support the allegations.³⁹ After Mr. Frazier was unable to be transported for the hearing in September due to medical treatment he was receiving at the prison, the case was continued to October⁴⁰. No order was entered to transport him to Court for the next court date and Samuel also failed to appear. The Court noted that no one was present for

Revocation

Walter Frazier, 67

- Dialysis patient
- Life sentence for burglary convictions
- Years on parole before revocation: 12
- Reason for return to prison: falsely accused of stealing a broken washing machine

the preliminary hearing so the case was instead forwarded to the grand jury.⁴¹

Willie Frazier signed an affidavit in July of 2024 outlining the situation and confirming Walter Frazier had his permission to take the washing machine from his property and that no transmission was stolen by him. Despite all of this, the charges were not dropped. This affidavit was included in a motion for speedy trial filed in June of 2025, demanding that his case either be prosecuted or dismissed.⁴² The washing machine theft case is still pending before the Lee County grand jury and Mr. Frazier has no hope of a resolution to that case until it is either indicted and assigned to a Circuit Court or dismissed by the District Attorney.

Finally, in August of 2025, ADOC determined Mr. Frazier was eligible for a medical parole, which was granted on August 13, over protests by the Alabama Attorney General’s office, which argued that Walter’s convictions for multiple offenses should preclude parole.

His case illustrates how a person on lifetime parole is trapped in a precarious position for the rest of their life. When someone is on parole, anyone can falsely accuse them of a crime and take away their freedom. Even in a case like this where the accusation was a trivial theft supported by flimsy evidence that was easily refuted. The bogus case took two years of his life, trapped in St. Clair prison.

And one important part of Walter Frazier’s story that none of the officials who worked to keep him behind bars likely ever knew: as an 11-year-old boy, Walter watched his mother and stepfather die after being electrocuted by a barbed wire fence charged with electricity from a fallen power line. It was Easter, 1971. “I came around the corner of the house and saw Mama start to touch the fence. ‘No! No! No! Mama!’ I hollered. She turned around and her back touched the wire and she fell over,” the young Walter told the Birmingham News.⁴³

John Meadows: Revoked for a marijuana joint, released as a Journeyman Plumber

Opelika, AL - In the Spring of 2021, John Meadows was employed full time, underwent regular drug tests as a condition of parole, and paid monthly supervision fees when police in Lee County pulled him over for a broken taillight and found a small amount of marijuana in his car. Mr. Meadows was 51 years old and had not committed a felony since 1992. But the life sentence imposed for a crime three decades earlier controlled his fate.

Following the traffic stop, the Alabama Board of Pardons and Parole revoked Mr. Meadows’ parole and he was sent to Staton Correctional Facility. At the time, Staton’s population was at 259% of its capacity. It was one of the most violent prisons in Alabama with 600 reported assaults over the previous few months. Into the chaos Mr. Meadows went, as the State continued



John Meadows enjoys his freedom in Opelika, where he works as a plumber while on lifetime parole. Photo by Stacey Fuller

to punish him for a single attempted murder conviction that he'd already served time on.

That's how life sentences work. Even after someone is fortunate enough to make parole and return home, the threat of revocation – for a single joint, for a traffic ticket, for failure to pay monthly parole fees – is always there.

Now 55-years old, Mr. Meadows is once again trying to overcome his past, a life that began in the public housing projects of Opelika. “The corner of the street was my role model. All these guys shooting drugs, drinking beer, smoking weed, that was my influence,” he said.

Swept into those streets, he was convicted on state charges of attempted murder, plus a federal conspiracy case in his mid-twenties. Due to his extraordinary accomplishments and behavioral record in prison, both his state and federal sentences have resulted in early release. First, he earned parole on the state case, then was transferred to federal prison to serve out that sentence. In 2019, he earned early supervised release in his federal case and landed a job at Hyundai in Montgomery, while still under federal supervision. A few months later, he earned approval to return home to Opelika, where his wife lived, and he secured another manufacturing job at Arkal Automotive.

During the height of COVID, Mr. Meadows worked 60-hour weeks, then handed over \$40 a month in parole fees and another \$40 for fines in his criminal case to the State of Alabama. Meanwhile, his federal parole officer visited his work site once a month to drug test him. “I was just determined to do the right thing,” he said.

Unfortunately, the month of his revocation in 2021, Mr. Meadows was dealing with unresolved grief about his mother's passing—not being able to properly say goodbye because he was in prison when she died, and he turned to marijuana. The quantity was so small he was charged with a

minor misdemeanor, but one joint was all it took for a revocation in Alabama. Despite his state parole being revoked—his federal supervised release was not. Because he had been regularly drug tested at his work site to comply with the conditions of federal parole and passed those tests with no issues, the marijuana use was clearly an anomaly.

Back in prison, Mr. Meadows continued to do the right thing.

He completed drug treatment and aftercare, earned a spot in the honor dorm, and completed more than two years of plumbing classes through J.F. Ingram Technical College. He became a student aide in the program and passed his Journeyman Plumbers exam. Finally, in July 2024, he came up for parole again, which was granted by a 2-1 vote.

One of Mr. Meadows' biggest regrets is being incarcerated for the last years of his mother's life through the time of her death. He remembers his mother's commitment to education, how she earned her college degree at Southern Union even while raising five children as a single

Revocation

John Meadows, 55

- Plumber and factory worker
- Life sentence for attempted murder
- Years on parole before revocation: 2
- Reason for return to prison: misdemeanor marijuana arrest

mother. She then worked as a Head Start teacher. He hopes she is proud of the person he is now, especially now that he's putting the education he received at Staton to good use.

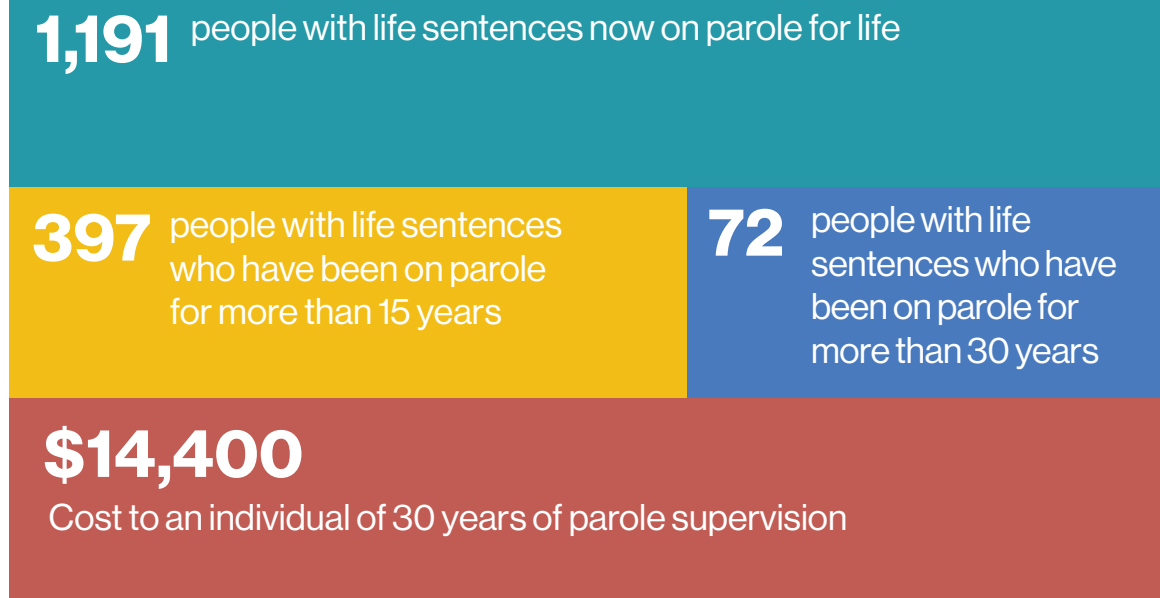
Recently, Mr. Meadows approached a plumbing company about employment. The employer

assumed he was applying as a helper, until he pulled out his Journeyman Plumber license. “She said, ‘Oh, that's a game changer,’” he told us. A few days later, he was out on a job, managing a crew – despite 31 years of his life spent behind bars.



John Meadows and his wife, Latwanika Meadows, at their home in Opelika. Photo by Stacey Fuller

On Parole¹



More than twice as many people serving life with parole sentences died in prison than were granted parole in 2023

64 people serving life with parole sentences died in ADOC before being paroled

25 people serving life with parole sentences were granted parole

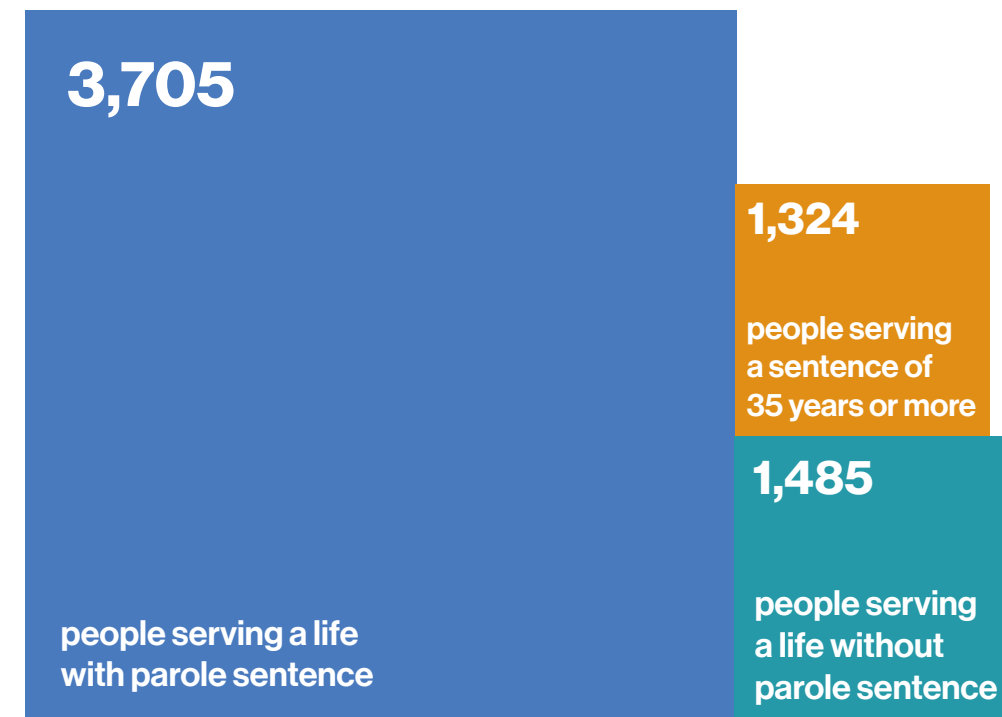
Courts are handing down life sentences at nearly seven times the rate as lifers are being parolled.

New life sentences handed down 2019-2024 = **1243²**

People with life sentences who were parolled 2019-2024 = **172**

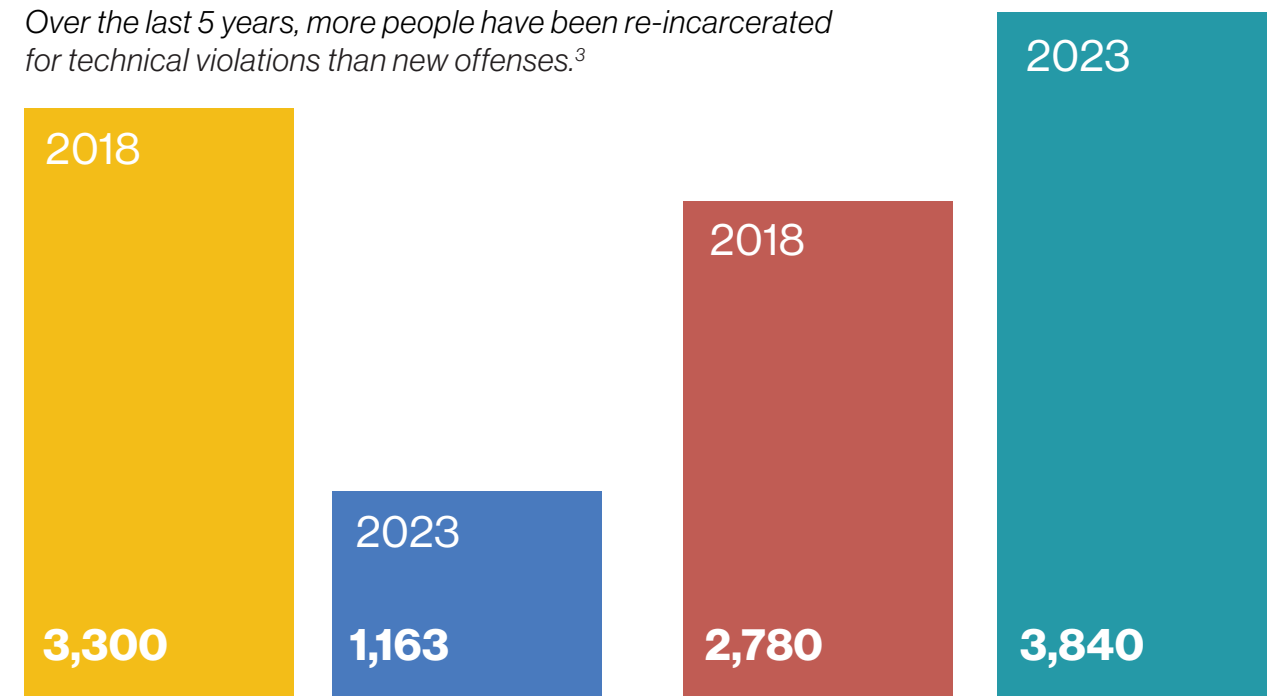
1-Source: Alabama Board of Pardons and Paroles response to Appleseed FOIA request, Aug. 28, 2023.
2-Alabama Department of Corrections Monthly Statistical Reports, September 2019, September 2020, September 2021, September 2022, September 2023, September 2024, at <https://doc.alabama.gov/StatReports.aspx>.

Life in Prison



Parole violations:

Over the last 5 years, more people have been re-incarcerated for technical violations than new offenses.³



New offense violation admissions were **down by 65%** between 2018 and 2023.

Technical violation admissions were **up by 38%** between 2018 and 2023.

3- Council on State Governments, Supervision Violations and Their Impact on Incarceration, July 29, 2025, at <https://projects.csjusticecenter.org/supervision-violations-impact-on-incarceration/key-findings/>. (The prison admissions for supervision violations in the data tool include individuals serving short incarceration stays in state-funded custody.)

CHAPTER TWO

The Wide Range of Behavior that is Subject to a Life Sentence

One might assume that for a judge to sentence someone to potentially serve the remainder of their life incarcerated - and even if released, on lifetime parole supervision - the individual would have committed a serious, violent act. Not necessarily. Murder, theft, distribution of a controlled substance, forgery, escape, and 61 other felonies in between have resulted in life sentences in Alabama. In fact, approximately 1,030 people are serving life sentences for crimes with no physical injury as an element required for conviction. There's actually one person serving life on a marijuana possession case, according to data provided by the Alabama Sentencing Commission.

Appleseed clients Charles Craig and Steve Scott are among those saddled with life sentences for crimes with no identifiable victims. Here are their stories:

Steve Scott: At age 20 he walked away from a minimum-security prison in 1993. He's still being punished for that.

Birmingham, AL - Anyone with a passing interest in our legal system has heard of cases that highlight the ways in which justice is in short supply for those charged with crimes. Countless examples exist of young people who were caught up in the system with cases that derailed the rest of their lives. There are ample examples of people who committed relatively minor offenses which resulted in disproportionately harsh sentences. Many involve poor people who were unable to afford an attorney and received inadequate legal counsel from their court appointed attorney. You would be hard pressed to find any single case that illustrates all of these issues in a more egregious way than that of Appleseed client, Steve Scott, who walked away from Frank Lee Youth Center at age 20 and will be punished for that offense for the rest of his life.

Born in Montgomery, he never met his father, and his mother was unable to care for him as a child. He lived with his grandmother until she died when he was 8-years old, then he went to live with his aunt. Unsurprisingly, this lack of stability led Steve



Steve Scott, Appleseed case manager Kathleen Henderson (left) and Steve's daughter, Skyler Scott, celebrate his release from Elmore prison.

to struggle with behavioral issues from a young age. He was arrested for the first time at 11 years old and placed on juvenile probation. After repeatedly running away from his aunt's home, he was committed to the Alabama Department of Youth Services (DYS). By the age of 16, he was sent to the DYS Mt. Meigs facility. When he was 17 years old, he ran away from Mt. Meigs and was charged with Escape 3rd Degree.⁴⁴

While out on bond for the escape charge, Mr. Scott's low-level criminal behavior continued as he broke into two gas stations to steal beer and cigarettes. He was charged with burglary and theft⁴⁵ then advised by his attorney to plead guilty to three felonies and accept a two-year prison sentence. While serving his sentence, at the age of 20, Mr. Scott walked away from an unsecured recreation area. He was apprehended the following morning and charged with first-degree escape, a Class B Felony.⁴⁶

Mr. Scott was appointed an attorney who warned him that he was facing a sentence of life

without parole which could only be avoided if he plead guilty and accepted a life sentence which would leave him eligible for parole. Given that a life without parole sentence would have been illegal as a life sentence was the maximum possible under the law, the only charitable way to describe this attorney's efforts here is gross incompetence. Charged with a crime involving no allegation of violence at only 20 years old with a relatively short criminal history, Mr. Scott should have been sentenced to far less than the statutory maximum possible sentence. Instead, on the advice of his attorney, Steve accepted the plea offer for the statutory maximum punishment of life in prison.

The hopeless nature of receiving a life sentence at the age of 20 could have led Mr. Scott to make further mistakes and fall into a life of violence and drugs inside prison. Instead, Mr. Scott somehow found direction. He stayed out of trouble and took classes to learn job skills. By 1997 at the age of 26, his institutional record led to a parole grant as soon as he became eligible. With a lack of formal education and felonies on his record, Mr. Scott's career options were limited, but he set about learning how to paint and work construction. In 2000, his parole officer saw fit to place him on an annual reporting program and approved him to move

Revocation

Steve Scott, 53

- Life sentence for Escape
- Years on parole before revocation: 22
- Reason for return to prison: Missed payments on supervision fees

“In fact, approximately 1,030 people are serving life sentences for crimes with no physical injury as an element required for conviction.”

to West Virginia where his mother and brother were living. After having limited contact with his mother growing up, he was finally able to build a relationship with her. Over the next eight years, he got married, had a child and found stability in his life for the first time. In 2008, Mr. Scott was told that the program was being discontinued and he would no longer be allowed to live out of state. His life turned upside down, he moved back to Alabama and attempted to start over.

From that point forward, Mr. Scott struggled to find consistent work. Despite his financial difficulties, he never resorted to crime after leaving prison. He reported consistently to parole for two decades, but as time went on and his financial struggles deepened, he failed to report in 2019 which led him to be revoked to



Steve Scott and his daughter, Skyler, embrace as her husband looks on.

jail for 45 days. After he was released, he had lost his job and depression over his situation made finding another one difficult. In 2022, he once again did not have the money to pay his supervision fees and missed a monthly report to his parole officer. This time, due to a change in the law, Mr. Scott was automatically revoked to prison to resume serving his life sentence on the escape conviction from decades earlier.



Steve Scott obtained employment following his release.

He tried, and failed, to get a judge's attention on his own:

“I, Steve Scott, #168598 am currently being held at Childersburg Work Release. Since being incarcerated I have completed SAP program and Life Skills at ATEF in Columbiana, Alabama. ... I was out in the world for a total of 26 years on parole before the violation I am being held for now. I am asking that the Court reconsider my sentence and allow me to return to society to become a productive citizen and taxpayer.” Despite having not committed a felony since

“I, Steve Scott, #168598 am currently being held at Childersburg Work Release. Since being incarcerated I have completed SAP program and Life Skills at ATEF in Columbiana, Alabama. ... I was out in the world for a total of 26 years on parole before the violation I am being held for now. I am asking that the Court reconsider my sentence and allow me to return to society to become a productive citizen and taxpayer.”

1992, Mr. Scott spent the next three years back in prison missing out on the things the rest of us take for granted. He lost his brother and was unable to attend the funeral. He missed three of his granddaughter's birthdays. Somehow, he managed to avoid losing hope and focused on taking classes and working to prove he did not belong in prison. In January of 2025, Appleseed attorney Scott Fuqua represented Mr. Scott in front of the parole board. By a vote of 2-1, he was granted parole and regained his freedom. Today, he works hard at a truck-washing business and at trying to rebuild his life.

Judge: “I have no discretion but to give you a life sentence. And that is something the legislature needs to look at.”

Birmingham, AL – Charles Craig made a mistake: he borrowed a vehicle from someone he didn't know well in order to run a brief errand. The vehicle matched a Be-On-the-Lookout alert the police dispatched; he was pulled over in Trussville and the car was searched. Police found drug paraphernalia in the glove box and a pill bottle with the car owner's name on it in the console. The bottle contained water with what was later determined to be a minuscule amount of heroin. Despite the mere trace of heroin Mr. Craig was charged with drug trafficking. A jury found him guilty.⁴⁷ It was 2006 and he was 56 years old.

Because of mandatory sentencing schemes and an error by the Alabama Department of Corrections, this episode resulted in a life sentence and 19 years of incarceration. Mr. Craig joined more than 150 Alabamians

212 people are serving life for drug crimes
319 people are serving life for property crimes
499 people are serving life for robbery
10 people are serving life for escape

-- Source, Alabama Sentencing Commission



A trace of heroin sent Charles Craig to prison on a life sentence.

incarcerated under life sentences for non-violent drug trafficking cases.

In his case, the judge had no option but to impose an extreme sentence she disagreed with because Mr. Craig had 2 prior convictions for minor offenses and the prosecutor invoked Alabama's Habitual Felony Offender Act (HFOA). "Mr. Craig, based on the fact I have absolutely no discretion in this case but to sentence you to life in prison, I do sentence you to life in prison," then-Jefferson County Circuit Court Judge Teresa Pulliam said at Mr. Craig's sentencing hearing. "I have absolutely no alternative, Mr. Craig, and that pains me that I didn't, because I will state for the record publicly if you did not have two prior felonies, I would give you probation in this case. But I have no discretion but to give you a life sentence. And that is something the legislature needs to look at."⁴⁸

While Mr. Craig was sentenced under the HFOA to life with parole, the Alabama Department of Corrections incorrectly classified him under Alabama's drug trafficking statute, determining

he would need to serve 25 years before he was eligible for parole. He would have to wait until 2031 for the parole board to review his sentence. He would be 81 years old. Had Mr. Craig been properly classified, he would have been eligible for parole after 10 years; instead he was forced to serve two sentences simultaneously for a victimless crime he arguably did not commit.

Throughout his incarceration, Mr. Craig proved his sentencing judge right, that he did not need to be in prison. He lived in the Faith and Character Honor Dorm, worked in the law library for nearly 14 years, and received numerous positive reports from the correctional officers who supervised his work. Remarkably he never received any disciplinary infractions. After over a decade in Alabama's harsh prison system his health began to decline. He was diagnosed with prostate cancer. He was born with only one kidney and it began to fail. He was moved to the notoriously dangerous St. Clair Correctional Facility as it is the only one in ADOC with medical facilities equipped to provide dialysis. Yet he continued to work, this time cleaning the prison dorms.

In 2024, Mr. Craig reached out to Alabama Appleseed. After meeting with Mr. Craig and learning more about his life sentence and poor treatment by ADOC we were determined to correct this injustice. Even though he was technically eligible for parole - albeit in 2031 - his poor health meant he would very likely die in prison.

Appleseed filed a Rule 32 Petition on Mr. Craig's behalf to restore his freedom. Jefferson County District Attorney Danny Carr reviewed his case and supported the effort. Mr. Craig was resentenced to time served.⁴⁹ After 19 years, Mr. Craig walked out of prison a free man. For Mr. Craig, this ordeal was a reminder that, "Your life can be changed in the blink of an eye," he said. Given the facts of his case and mistakes that

prevented his parole eligibility, no one would blame him if he was bitter and angry. Instead, Mr. Craig's greatest feeling is relief and joy to be back with his loved ones, including children and grandchildren. At age 74, he is thoughtfully seeking out the health care he missed out on during nearly two decades in prison and trying to envision a future.



After years in prison for minor offenses, Steve Scott (left) and Charles Craig (center) are being assisted by Appleseed's reentry program. Here, they enjoy a picnic at Railroad Park, alongside social worker Ingrid Patrick.

How to get a life sentence in Alabama

The Alabama Criminal Code provides two distinct paths to a life sentence. The first falls under the Habitual Felony Offender Act (HFOA).⁵⁰

>>> Under the HFOA, someone with any prior felony conviction who is convicted of a Class A felony is subject to a sentence of 15 to 99 years or life with parole.⁵¹ That means someone with a low-level, non-violent drug conviction who is later convicted of first-degree robbery in which a victim was threatened with a weapon but not injured could be sentenced to life in prison.

>>> Also under the HFOA, someone with any two prior felony convictions who is then convicted of Class B felony is subject to a sentence of 15 to 99 years or life with parole.⁵² Among the most common Class B felonies leading to life sentences are first-degree theft and distribution of a controlled substance, Sentencing Commission data shows. Theft of a motor vehicle or theft of property valued at \$2,500 or more qualifies.⁵³

>>> With three priors, someone convicted of a class C felony is subject to a sentence of 15 to 99 years or life with parole. In this way, people with a conviction for Receiving Stolen Property, where the property is between \$1,500 and \$2,500 in value, have been sentenced to life.⁵⁴

The HFOA has been used less frequently beginning in 2006 with the adoption of Sentencing Guidelines that sought to standardize sentences and reduce wide variations between jurisdictions for similar offenses.⁵⁵ **However, those Guidelines are not retroactive. Thus, thousands of individuals sentenced prior to Alabama’s adoption of Guidelines sentencing are saddled with life sentences that would not be imposed under current law and practice.**

Aside from the HFOA, there are specific types of felony convictions where the law requires the imposition of a life sentence.

>>> For a Class A felony, a sentence of life imprisonment, or a sentence of 10 to 99 years is possible.⁵⁶ Class A felonies include offenses such as murder, attempted murder, and rape, which involve physical injury or death, but also offenses such as robbery, drug trafficking and burglary, which do not require physical contact at all.

>>> If an adult is convicted of Capital Murder, the only possible sentences are life without the possibility of parole or death.⁵⁷

>>> If someone under the age of 18 is convicted of Capital Murder, the possible sentences are life without parole or life with the possibility of parole. However, the individual must serve a minimum of thirty years before even being considered for parole.

>>> For someone convicted for drug trafficking where the weight exceeds a certain threshold set for each substance carries a mandatory life with the possibility of parole sentence.⁵⁸

How Alabama Compares to Other Southern States in Life Sentencing

Prior to sentencing reforms passed in 2006 and 2013, courts imposed life sentences under Alabama’s Habitual Felony Offender Act for a wide range of lesser felonies, while other Southern states’ recidivist statutes impose determinate, term-of-years sentences for similar convictions. Below are hypothetical examples of convictions that would result in a life sentence in Alabama – but not in most other southern states:

Burglary 3

In Alabama, three prior nonviolent felony convictions such as Theft of Property, Possession of a Stolen Credit Card, and Possession of a Controlled Substance followed by a conviction for third-degree Burglary, a Class C felony, could result in a life sentence. The same offenses with the same prior convictions would be punished as follows in:

Tennessee - four to eight years
Georgia - five years
Florida - five years maximum
Kentucky - 10 to 20 years
Mississippi - 25 years

Escape I

In Alabama, two prior felony convictions followed by a conviction for first-degrees escape, a Class B felony, makes someone eligible for a life sentence. The same offenses with the same prior convictions would be punished as follows in:

Tennessee - two to four years
Louisiana - 2.5 to 20 years
Kentucky - 10-20 years
Florida - 30 years maximum

Assault I

In Alabama, two prior nonviolent felony convictions followed by a conviction for first-degree assault, makes someone eligible for a life sentence. Not so in Tennessee, Mississippi, Louisiana or Florida. Sentences in the other states would be:

Tennessee - six to 10 years
Florida - 30 years maximum
Mississippi - 20 years without parole
Louisiana - 10 to 30 years

CHAPTER THREE

A Death Sentence is Safer Than a Life Sentence

In the last 18 months, more people serving sentences of life with parole have died while incarcerated than the total number of people executed by the State since 1976,⁵⁹ the modern era of the death penalty. In 2023, it was statistically safer to be condemned to death than to be serving a life sentence in an Alabama prison. Sixty-four people serving sentences of life with parole died while incarcerated in 2023, either by homicide, suicide, overdose, medical neglect, or natural causes, often related to old age.⁶⁰ Two people, in a Death Row population of 169, were killed by the State.

The extent to which the prison system fails at the most basic safety measure, keeping individuals in state custody alive, demonstrates a stunning disregard for human life. It's only getting worse. In 2018, there were 136 deaths of individuals in ADOC custody. One year later, the United States Department of Justice released findings of its years-long investigation into Alabama prison conditions, putting elected officials on vivid notice that conditions were unconstitutionally dangerous. At the time, Alabama had the highest prison homicide and overcrowding rates in the nation. The DOJ warned "there is reasonable cause to believe the Alabama Department of Corrections (ADOC) continues to violate the United States Constitution by failing to protect incarcerated people from widespread violence and sexual abuse and by failing to provide safe conditions of confinement."⁶¹ Assaults, rapes, excessive force by officers and the availability of deadly drugs to desperate people are such common features of prison life that the Justice Department found: "Alabama is incarcerating prisoners under conditions that pose a substantial risk of serious harm."⁶² Despite this 56-page report meticulously describing these risks and calling for immediate remedial action, the Alabama prison death toll climbed. Deaths increased 139% in the five years following the DOJ's warning, to a record 335 in 2023, including 14 homicides and 101 drug overdose deaths.⁶³

These deadly conditions blur the distinction between life and death sentences. They tarnish the bedrock principle that criminal sentencing should be guided by proportionality, fairness, and consistency.⁶⁴ A majority of people sentenced to life with parole did not take a life, according to Sentencing Commission data. By law, they could

not be sentenced to death or the next harshest alternative, life without parole. By contrast, death sentences statutorily are reserved for convictions for murder under one of 14 aggravating circumstances, such as murder of a law enforcement officer⁶⁵ and only after a jury has made specific findings that those circumstances exist. This limitation is based on United States Supreme Court precedent requiring that death sentences be imposed only for the worst kinds of murder.⁶⁶ The U.S. Supreme Court has consistently made clear "death is different," and that the "qualitative difference between death and other penalties calls for a greater degree of reliability when the death sentence is imposed."⁶⁷

Life sentences, however, have routinely been handed down for offenses ranging from nonviolent drug offenses to property crimes to escape to homicide. None of the protections required by the "death is different" jurisprudence are in place for individuals facing life sentences. Largely, their crimes were less serious and their access to vigorous, well-funded defense at trial, appellate, and post-conviction proceedings was not guaranteed, as it is for people facing death sentences.

Yet they are dying at a higher rate than people on Death Row, where more strenuous security and single-cell housing tends to keep prisoners safer.

Unsafe prisons are one contributor. A drastic reduction in parole grants is another. Parole grants dropped from 53 percent in 2018 to 8 percent in 2023.⁶⁸ This steep decline occurred following a change in leadership at the Board of Pardons and Parole, and legislation passed in 2019 that changed board control and operations. The overhaul was in response to the case of Jimmy Oneal Spencer, a man paroled by the previous Board, who "fell through the cracks" and was convicted of killing three people in Marshall County.⁶⁹ Yes, Jimmy Oneal Spencer exists, but there are hundreds or more

individuals such as Vinson French and Archie Hamlett who are being punished for his crimes, and others whose life sentences have turned into death sentences.

Again, the data bears this out.

In 2023, only 25 people serving sentences of life with parole were paroled, while 64 people with this sentence never got paroled and, instead, died in prison. Here are three of their stories.

Brian Rigsby paid dearly for his crimes. But there was no accountability for those who harmed him.

The irreparable harm of life sentences in deadly prisons reaches families across Alabama. Inside courtrooms, they are led to believe that a sentence of life with parole represents hope that their family will be together again someday.

Pam Moser believed as much when her son, Brian Rigsby accepted responsibility for a 2003 robbery at a pharmacy in Walker County, pleading guilty to the crime in which no one was physically harmed. Prior to the robbery, he had been diagnosed with bi-polar disorder, psychotic disorder, opiate/polysubstance dependence and suicidal ideation.⁷⁰



From left, Mr. Rigsby's mother, Pamela Moser; sister, Elizabeth Rigsby; Brian Rigsby; father, Mitchell Rigsby. The family has fought reform after his death in ADOC custody.

As a child, Brian was “smart, funny, artistic. He played basketball and baseball,” his mother recalled. Then came a diagnosis of bi-polar disorder as a teenager.

He self-medicated, and drugs consumed much of Brian’s adult life. When he was sent to prison he found himself surrounded by drugs at every turn, drugs most often brought in by correctional officers and prison staff.⁷¹ The mental health care he needed was not available. Alabama’s failure to properly treat and keep safe from harm incarcerated people with mental illnesses is the centerpiece of a long-running lawsuit that seeks to force ADOC to make improvements. U.S. District Judge Myron Thompson in 2017 found that Alabama’s treatment of mentally ill prisoners was “horrendously inadequate” and that prisons were woefully understaffed, which exacerbated the mistreatment.⁷²

“Prisoners do not receive adequate treatment and out-of-cell time because of insufficient security staff,” Judge Thompson again found in a 2021 order. “They are robbed of opportunities for confidential counseling sessions because there are too few staff to escort them to treatment, forcing providers to hold sessions



Brian Rigsby and his sister, Elizabeth.

cell-side. They decompensate, unmonitored, in restrictive housing units, and they are left to fend for themselves in the culture of violence, easy access to drugs, and extortion that has taken root in [DOC] facilities in the absence of an adequate security presence.”⁷³

Pam Moser and Brian’s father, Mitchell Rigsby, refused to let Brian fend for himself during his many years of incarceration in these hostile conditions. In July of 2023, he was turned down for parole, and his best chance for safety and survival evaporated.

His parents visited regularly and contacted prison officials when Brian showed up to the visitation yard at Bullock Correctional Facility seriously injured. “The side of Brian’s face was swollen and discolored. He had an open stab wound on his left calf. I counted five lacerations, approximately one-inch long on his head,” Ms. Moser said, describing the Aug. 19, 2023 visit. Several days and many phone calls later, he finally received medical care at an outside hospital where he was diagnosed with a skull fracture, facial fracture, rib fractures, stab wounds, and missing teeth.

Over the next month, ADOC would go on to shuffle Brian around to multiple prisons and outside hospitals, as Ms. Moser and her family scrambled to apply for a medical furlough for him that never came. At one point, they were

“I am learning to live with the loss of my dear child. I am having trouble, however, with the fact that someone could be hurt so badly and just not receive care. Brian paid dearly for his crimes, so it seems there should be some accountability for those who brutalized him.”

allowed to visit him in a hospital, but because he was still a prisoner they were forbidden from bringing in food, music, books, or photos. “Finally he did get a Bible, which he asked his father to read to him,” Ms. Moser said.

A few days later, Brian Rigsby died at Staton Correctional Facility’s infirmary. Ms. Moser, a nurse trained in hospice care, begged prison staff for contact with her son as he was dying. “We called daily to tell him we loved him and were trying to get a visit and get him out on medical furlough. We don’t know if he got any of those messages,” she said.

An autopsy found that Brian died from liver damage. Ms. Moser believes the beatings likely hastened his death. In her grief, Ms. Moser has been a champion for prison reform, pushing

elected officials to understand the humanity of people behind bars and the suffering that extends past prison walls and into communities across the state. In July 2024, she spoke through tears before the Legislative Joint Prison Oversight Committee:

“It has been just over 9 months since my son, Brian Rigsby, died at Staton Correctional Facility. You have heard Brian’s story, how he was savagely beaten and did not receive care. An investigation was completed. His autopsy was presented to the grand jury who determined, ‘No further action was required.’ At this point, I have not been able to find out what that investigation showed. I just can’t believe someone doesn’t know what happened.

“I am learning to live with the loss of my dear child. I am having trouble, however, with the fact that someone could be hurt so badly and just not receive care. Brian paid dearly for his crimes, so it seems there should be some accountability for those who brutalized him.”

Died in Prison

Brian Rigsby

- Died in prison at age 46
- Life sentence under HFOA for robbery
- Years incarcerated before death: 20
- Parole denied July 2023. Died October 2023.

Died in Prison

Leo Watson

- Died in prison at age 59
- Life sentence under HFOA for theft
- Years incarcerated before death: 20
- Parole denied in October 2022. Died March 2023.

A jury acquitted Leo Watson. The Parole Board retried him and his life sentence became a death sentence.

Montgomery, AL – Leo Watson was 58 years old the last time he went up for parole. He had served 20 years of a life sentence for a theft conviction out of Greene County and worked his way into a minimum-custody placement at the

Alabama Therapeutic Education Facility (ATEF). Mr. Watson had a folder full of certificates for classes he had taken, and he had avoided any disciplinary infractions for nearly five years. Like hundreds of people serving enhanced sentences under Alabama's Habitual Felony Offender Act, Mr. Watson's convictions did not involve physical injury to another person. There was a strong-armed robbery and burglary of an empty house in the 1980s when he was living in California. His only priors in Alabama were for receiving stolen property.

Twenty years was not long enough, in the judgment of the Alabama Board of Pardons and Parole, which denied parole for Mr. Watson in October of 2022. Shortly thereafter, Mr. Watson was diagnosed with cancer and passed away in ADOC custody. "I'm sleeping in the infirmary ward here at Ventress Corr. (sic) the reason being that I have been diagnosed with cancer," he wrote to Appleseed on March 23, 2023. "This was over a year ago and they have not done anything for me, which I have proof of. I was



Navy veteran John Ray, Sr., was repeatedly beaten in prison while serving a life sentence for drugs. Photo by Stacey Fuller

supposed to go see an outside doctor but for some reason they haven't taken me."

Mr. Watson was one of 64 Alabamians serving sentences of life with parole, who never got paroled, and instead died in prison in 2023. In Mr. Watson's case, he remained trapped in prison not because of his actual convictions, but because of accusations heard and dismissed by a jury at his trial. Mr. Watson is a Black man. The victim in his case was a white woman and from a prominent family in Eutaw, Alabama. He was originally charged with rape and robbery, but maintained his innocence, claiming he and the woman were using drugs together and had consensual sex before he took her car to go buy more drugs. Prosecutors originally offered him a 15-year sentence in exchange for a guilty plea, but he refused to plead guilty. The case went to trial, and he was convicted of first-degree theft of property based on the victim's missing Pontiac Sunbird. The jury returned a verdict of "not guilty" on the more serious rape and robbery charges.⁷⁴

Nevertheless, 20 years later, the woman appeared before the parole board arguing that he should remain in prison based on accusations that did not hold up at his trial. Not only did the board allow her to speak at length, and with no accompanying documentation or evidence, about offenses of which he is legally innocent, the board permitted her to suggest that had her teenage sister been present that night that her sister, too, would have been victimized.⁷⁵

Parole was denied based on offenses for which a jury acquitted him turning his life sentence into a death sentence.

John Ray, Sr. A Life Sentence for Drug Cases Nearly Turned into a Death Sentence. Then A Devoted Son Intervened.

Birmingham, AL - John Ray, Sr. entered prison as a Navy veteran convicted of a nonviolent drug offense, trafficking in methamphetamines. In 2006, he was sentenced to life with parole eligibility. When he came up for parole, like so many Alabamians with parole-eligible life sentences, he was denied.

"I didn't want to live any more for a part of my time there," Mr. Ray said. "I just felt like I was never going to get out. They kept setting me off and setting me off." He would barely survive the five years awaiting another parole hearing. If not for his son, he probably would not have survived.

Over the course of 19 years in the Alabama Department of Corrections (ADOC), Mr. Ray suffered a broken jaw, broken femur, fractured shoulder, and numerous head injuries as a result of assaults. The head trauma caused him to develop a seizure disorder that made continued incarceration in prisons that are riddled with drugs even more dangerous; correctional staff mistook his seizures for the side-effects of drug use and treated him with additional punishment rather than medical care.

Mr. Ray's most ardent advocate has always been his son, John Ray Jr., who goes by J.C. Ray. A 29-year-old husband and father who lives in Auburn, J.C. spent the last few years of his father's incarceration caring for his own young family and desperately trying to keep his father alive. The initial parole denial was devastating, as his father's precarious health only got worse.

"My dad was in the hospital for 11 days, 7 of those on a ventilator, and this evening around 5 p.m. he was taken back to Bullock and placed in a dorm. My dad was severely beaten up by inmates and guards, this was the reason he was taken to the hospital," J.C. explained in a March, 2024 email, one of numerous emails he sent to ADOC staff, pleading for someone to help his father. Another 2024 email: "My dad is only 11 months from parole and his family dearly wants

him to come home. He has a 4 year old grandson he has never got to meet. Over the past 8 to 10 years my dad has had 3 broken jaws, broken ribs, a hernia that was the size of a cantaloupe, a broken femur that a guard at Bullock did to him about a year and a half ago, and now him being on and off a ventilator and put right back into prison population. All of these times he was taken from the prison to an outside hospital. I am willing to share any information I have. He is in severe danger and needs help."

His concerns were not unfounded. Since 2022, 19 people have died from drug overdoses at Bullock County Correctional Facility. During a single week in April, three incarcerated men, all younger than 50, were found dead in their cells. There were 125 recorded assaults at the prison in fiscal 2024, according to the ADOC monthly statistical report for September 2024. Through it all, J.C. continued to visit his father and urge him to participate in ADOC's most intensive drug treatment program, known as "Crime Bill," which took a full year to complete. Eventually, the younger Mr. Ray contacted Alabama Appleseed, who provided parole representation for his father. Finally, Mr. Ray Sr. was granted parole and released from prison on June 16.

His ordeal, from hardworking veteran to someone who barely survived a life sentence for drug crimes then returned home with major health problems, illustrates Alabama's dangerously broken criminal punishment bureaucracy. While Mr. Ray completed every drug treatment program offered while he was in prison, access to treatment should not have come with regular beatings and a lifetime of related health struggles.

While still a teenager, Mr. Ray joined the Navy Reserves right after high school, then transitioned to active duty and was assigned to the U.S.S. George Washington, an aircraft carrier. After four years in the U.S. Navy, he

returned home to Alabama and fell into drug use. In 1999, he was convicted of Criminal Possession of a Forged Instrument and Possession of a Controlled Substance, both low-level felonies. He served five years in prison. Upon release, he secured employment installing telephone poles. The work was grueling and drug use was rampant among his co-workers. By 2006, he was using again and convicted of this third felony, which resulted in a life sentence under Alabama's Habitual Felony Offender Act. "I used to do a lot of bad stuff, but I am not the same person," Mr. Ray explained during a legal visit with us at Bullock County Correctional Facility in preparation for his parole hearing.

Since earning parole, Mr. Ray has settled into transitional housing at Three Hots and a Cot, a Birmingham-area nonprofit that serves veterans. Given his injuries, taking care of his health is a priority. Fortunately, he was accepted into the

Birmingham Reentry Alliance. Case manager Stacey Fuller, a veteran herself who overcame substance use disorder, helps him access an array of services in the Birmingham area, provides the transportation he needs to access care and the encouragement he deserves to overcome years of abusive conditions. "This has been awesome because I'm in here with a bunch of vets and we've all got something in common," Mr. Ray said.

"I've rarely seen someone so motivated to be successful," Stacey remarked, as she ticked off a list of VA-provided programs that Mr. Ray is engaged with. "He's got such an innate sweetness and a desire to do everything he needs to do to overcome his past." During the last years of his incarceration, he experienced seizures every two to three days. Since his release from the stresses of prison, his seizures have declined.



John Ray, Sr. embraces his son John Ray, Jr., as he leaves prison after 19 years

CHAPTER FOUR

Life in prison, and sometimes death in prison, for marijuana

With hemp and cannabis products legally available and medical marijuana approved by the Legislature, Alabama would appear to be evolving in its treatment of cannabis within the criminal justice system. Given the costs of incarceration and the fact that marijuana is now legal in states where half of Americans live, not even traditional, "law and order" public officials are pushing for a return to the days of lengthy prison sentences in marijuana cases. No one can argue that our prisons are full of marijuana offenders.⁷⁶ But evolved thinking and more sensible current sentencing practices have not remedied the extreme punishments of past eras, some of which are not that far in the past.

Appleseed has found cases in which people continue to serve life or life-equivalent sentences exclusively for crimes involving marijuana. Because lawmakers are reluctant to approve of reforms that are retroactive, these relics of a bygone era create ongoing, unnecessary costs to the courts, the prison system, and related state systems for the punishment and supervision of these individuals. The heaviest costs, including injury and death within state prisons, are borne by the individuals themselves.

Marvin Pines: Death in prison for marijuana that he did not even want to sell. But a government informant would not take no for an answer.

Montgomery, AL - Marvin Pines was eleven years into a life sentence for a marijuana conviction when he died in prison at age 38, one of more than 275 people to die while incarcerated by the State of Alabama in 2024.

That his criminal history, and resulting carceral death, revolves around a substance that is legal in numerous states should alone raise concerns about our state's priorities. But it's worse.

In 2012, a Montgomery jury convicted Mr. Pines of trafficking in illegal drugs following an interaction with a police informant with a long criminal record. The man was working

with the Montgomery Police Department to avoid being charged himself with another crime and likely getting his probation revoked.

Years later, the circumstances of Mr. Pines' arrest and conviction were questionable enough to three Alabama Supreme Court justices who determined that Mr. Pines was entrapped by the government.⁷⁷ The trio strongly disagreed with the Court's majority decision not to overturn his conviction and issued a rare 14-page dissent, authored by then-Chief Justice Roy Moore. The dissenting opinion tells a story of a young man with a history of minor marijuana cases who was living in poverty, and in no way seeking out new criminal activity.

By comparison, Larry Wells, the informant deployed by police, had a criminal past including convictions for robbery, burglary, and theft. He was on probation for drug convictions in 2011 when he contacted Marvin Pines, initiating the exchange that would ultimately lead to Mr. Pines' incarceration and death in prison. Below is a summary of Moore's dissent in the case:

On September 15, 2011, Larry Wells made 4-5 phone calls to Marvin Pines asking Pines to sell him 3 pounds of marijuana; Pines refused each time. Pines refused again over the phone on the morning of September 16th, 2011. Wells called Pines yet again with the same request a couple hours later and this time, deciding to take an opportunity to make some extra money, Marvin Pines agreed. He contacted a friend who helped him to acquire the marijuana and agreed to meet Wells. What Pines didn't know was that Wells was working with Montgomery Police as an informant, to avoid being charged himself with distribution of marijuana. When Pines arrived at the meeting location, police arrested him for trafficking in cannabis.⁷⁸

At trial, Pines argued that he should be acquitted because the police entrapped him, meaning that

the police (with Wells' help) had persuaded Pines to sell the marijuana so that they could arrest him for trafficking in cannabis. The judge denied Pines' motions to acquit. The jury was instructed that it could acquit Pines if it believed he had been entrapped, but it too refused to acquit. Pines was found guilty, and, because he had prior drug-related convictions, the judge was permitted under the Habitual Felony Offender Act to sentence Pines to life imprisonment, which she did.

Marvin Pines' attorney withdrew from his case, leaving Pines to represent himself through the complicated appeal process in the Alabama Court of Criminal Appeals. Ultimately, Pines took his case to the Alabama Supreme Court.

In his petition to the Court, Pines argued that under the Alabama Court of Criminal Appeals case of Davis v. State,⁷⁹ his conviction should be overturned. In that case, defendant Ricky Davis' was acquitted of his unlawful distribution charges because the Court held that Davis had been entrapped by police. The circumstances of Davis' case were very similar to Pines' case. In Davis' case, a government informant called Davis multiple times, asking him to sell drugs to a third party. Like Pines, Davis refused multiple times over the phone to sell the drugs. Finally, Davis agreed, and he, like Pines, was quickly arrested at the scene of the transaction and convicted of unlawful distribution. Because the idea to commit the crime of unlawful distribution originated with the government agent, and because, without the informant's persuasion, Davis was unlikely to have committed the crime (as shown by his initial, repeated refusals), the Alabama Supreme Court decided that Davis had been entrapped.

Committing the crime of trafficking cannabis was not Marvin Pines' idea; it was the brainchild of government informant Larry Wells. Pines likely would not have committed the crime

without Wells' persistent requests—he actually refused to do so several times before giving in. “In my opinion, it is impossible to prove that a defendant is “ready and willing” to commit the offense of trafficking in cannabis, which involves selling at least 2.2 pounds of marijuana, §13A-12-231(1)(a), Ala. Code 1975, if the defendant cannot locate the amount of marijuana necessary to complete the offense and makes that known to the government agent,” the dissent found. The facts of Pines' case are nearly identical to the facts of Davis v. State, a case where a defendant was acquitted because he was entrapped by a government agent. But none of those factors persuaded the Supreme Court of Alabama; the Court refused to hear his case.

Marvin Pines' conviction and life sentence, for a crime he was essentially tricked and trapped into committing, was thus upheld—and he died in prison at the age of 38.



A recent aerial photo of the Governor Kay Ivey Correctional Complex in Elmore County. The complex contains 54 buildings with space to incarcerate 4,000 people. Cost of the project has doubled to \$1.2 billion. Thousands of people with cases and stories similar to the ones in this report will be locked up there.

CHAPTER FIVE

Life for Children

Miller v. Alabama and Montgomery v. Louisiana: 1,000 lifers safely released across the U.S.

Miller v. Alabama,⁸⁰ a 2012 decision by the United States Supreme Court, declared mandatory sentences of life imprisonment without parole unconstitutional for youth under the age of 18. Four years later, Montgomery v. Louisiana,⁸¹ made that decision apply retroactively to more than 2900 incarcerated individuals serving life without parole across the U.S. for offenses committed as juveniles. As a result, more than 1,000 individuals originally sentenced to mandatory life imprisonment without parole for serious, violent offenses committed as youth have been released to astonishing success.⁸² Recidivism is about one percent. Formerly incarcerated people who benefitted from the Miller decision have gone on to lead advocacy organizations, mentor others, and give back to communities throughout the country. Criminologists point to the major shifts in this population, “considered by society to be the most dangerous persons and deemed unsuitable to ever reenter the community,” as a “de facto test case,” for empirical research related to life and long sentences.⁸³

The Miller-eligible population in Alabama has largely not benefitted from these decisions. Not even a handful of the 84 Miller-eligible individuals have been released from prison.⁸⁴

One recently denied parole was Richard Kinder, who has spent 42 years incarcerated for a capital murder conviction at age 17. Mr. Kinder’s adult co-defendant admitted the plan to kill the victim was his alone and multiple judges, after considering extensive evidence of Mr. Kinder’s difficult childhood, lack of role models, and susceptibility to negative influences, determined he had a minor role in the homicide.⁸⁵ Among the court findings: “The circumstances of the childhood and adolescence of this Defendant certainly led to an unstable family life. Until the age of 13, the Defendant traveled across the country, living in tents with his mother, six older siblings and a stepfather, who worked for a carnival. The Defendant never knew



Birmingham attorney Richard Jaffe represented 17-year-old Richard Kinder at his trial in 1983. Mr. Kinder remains imprisoned despite multiple judges determining he had a minor role in the crime.

his real father or had a male role model in his life. His mother was an inconsistent source of discipline and guidance.”⁸⁶

In 1983, while still a teenager, Mr. Kinder found work at a Mrs. Winner’s Chicken, and for the first time in his life felt useful and appreciated, according to a letter he wrote in advance of his 2016 resentencing. “I spent as much time as possible on my job site putting in a lot of overtime hours because I really loved working there. Everyone there approved of me and actually liked me. The head manager was actually talking to me about going through the management training program and becoming a manager. I felt like I could be someone. Mrs. Winner’s was my future.”⁸⁷

Through work contacts, Mr. Kinder met his 21-year-old co-defendant, David Duren, who was executed in 2000 for his role in the robbery-homicide. Throughout the investigation and prosecution in 1983, Mr. Kinder’s minor role was obvious to everyone from his probation

officer to the judge. Among the Court’s notable findings was a statement from his probation officer: ‘She called him “one of the more passive young men she has ever known” and couldn’t ever “visualize him ever willingly harming anybody.”’⁸⁸

Despite a decades-long extraordinary record of rehabilitation including college courses, residing in the faith-based honor dorm, and an affidavit from an instructor stating, “I am 1000% convinced that if Richard Kinder were released, he will not violate the law and will become a productive member of our society,” the parole board denied his parole request and set his next hearing off for five years.⁸⁹ He will be 63.

Tyrik Treadwell: A sixty-five year sentence for a 14-year-old honor student

Limestone Correctional Facility, Harvest, AL - Tyrik Treadwell’s incarceration can be traced to the basketball courts at a recreation center in Roanoke, Alabama. He was 14 and loved to shoot hoops. So did Charles Brown. At 29, Brown had already been convicted of two felonies, placed on probation, then had probation revoked after an attack on a woman. Following a short prison stint, he was back home and found his way to the rec center.

“He would tell me, ‘Come chill with me later on.’ We’d go by his house. I felt accepted by this person, to do what I wanted around them, versus going home and abiding by the rules,”

“I am 1000% convinced that if Richard Kinder were released, he will not violate the law and will become a productive member of our society.”



Tyrik Treadwell with his mother, Tonya Treadwell, shortly before he was arrested for a homicide involving older co-defendants.

Tyrik shared during a visit with Appleseed at Limestone Correctional Facility.

At home, Tyrik's mother had high expectations. She made sure he was an honor roll student. Tyrik comes from a family of community leaders. His grandmother, Tammi Treadwell Holley, was a longtime town council member in Roanoke; his late grandfather a decorated Air Force veteran. And his great grandfather served in the Fire Department in the small East Alabama community. "My mother's side is really strict," Tyrik acknowledged.

More than a decade into a prison sentence that was unfathomable to his ninth grade self, shooting hoops and trying to impress older guys at the rec center, Tyrik wishes he had not rebelled against his mother's strict rules. He knew he was vulnerable because his own father was in and out of his life, serving prison time. Charles Brown and his crowd, "They claimed to be inspiring. They were telling me things like, 'You need to finish school,' as they were handing me a beer."

January 12, 2013, they set in motion events that delivered a young teenager with high hopes

into the prison system. That's when 14-year-old Tyrik, enamored with his new older friends, graduated from basketball and beer to be lured into a simmering feud among adults in the community. All had backgrounds in drugs and/or felony criminal records. Except, of course, Tyrik. Two young women, both adults, also came along. That night, Rodriguez Staples, 30, who had just been released on bond for a pending theft case, following drug convictions,⁹⁰ suffered multiple gunshot wounds and died at a Traveler's Inn. Tyrik and Brown were charged with capital murder.

Tyrik's attorneys filed a motion with the trial court requesting he be tried under Alabama's Youthful Offender Act, a special status granted at the court's discretion in criminal proceedings where the accused was under 21 years of age at the time of the offense. If granted the court records would be sealed and the case would be handled separately from adult criminal proceedings. The motion was denied by the court nearly five years later, on the first day of his trial when he was 19 years old.⁹¹ The court allowed Tyrik's grandmother, Tammi Holley, to sit with him at the defense table for support.⁹² Tyrik was tried before an all-white jury in a county where 20% of residents are Black. The

Imprisoned as a child

Tyrik Treadwell

- 14 at time of offense
- Ages of co-defendants: 29, 19 and 19
- 65-year sentence for murder conviction
- Eligible for parole at age 30

State relied on testimony from the two white women, Samantha Golden and Amber "Nikki" Elsea, both 19-years old, who were arrested in the victim's car the morning after he was killed.⁹³

Ms. Golden and Ms. Elsea each gave a statement under oath to the Roanoke police on January 13, 2013 describing the events of January 12. Due to the long time between when those statements were given and when Ms. Golden was called to testify at Tyrik's trial she had forgotten details and reviewed her sworn statement to refresh her memory.⁹⁴ Her testimony was consistent with her statement. Ms. Elsea's was not.

In Ms. Elsea's statement given January 13, 2013 she stated Mr. Brown asked her to set up a meeting with Mr. Staples. She describes Mr. Brown bragging about shooting him and laughing as he mimicked the way Mr. Staples went limp after he shot him.⁹⁵ At Tyrik's trial, she gave markedly different testimony: Tyrik told her to set up the meeting,⁹⁶ Tyrik told her he shot Mr. Staples three times in the back,⁹⁷ and Tyrik mimicked and laughed about Mr. Staples going limp⁹⁸. Although the autopsy determined Staples was not shot in the back,⁹⁹ and neither woman, nor any other witness, witnessed the actual shooting, the jury took only 13 minutes to find Tyrik guilty of murder.¹⁰⁰ A review of the transcript and full circumstances of the offense makes clear that adults directed this crime.

The judge sentenced Tyrik to 65 years in prison, a sentence that ends in 2078. He will be nearly 80 years old. Limestone Correctional Facility, where he serves this sentence, is awash with the drugs that pervade Alabama's prisons and the hardest part of Tyrik's time there is when he runs across people he knows from Randolph County who get high and come around. It takes determination to avoid drugs and violence at Limestone. In the last 12 months, at least five people have been killed there. Limestone's last warden was arrested on charges of possessing and manufacturing controlled substances. His predecessors were also fired for misconduct.¹⁰¹

Earlier this year, Charles Brown died at age 40 while serving a 50-year sentence at Ventress Correctional Facility: He was in the Health Care Unit for evaluation of leg pain when he began having trouble breathing, according to the Department of Corrections. His death is under investigation.

Now 27, Tyrik is back to being the conscientious, diligent student he was before getting pulled into the world of Charles Brown, Rodriguez Staples and the Traveler's Inn. He's earned his GED and is working toward an Associate's Degree. He's thrown himself into two programs in particular, horticulture and restorative justice; horticulture allows him to create beauty and life amongst the grim walls and cell blocks in prison while restorative justice guides him toward accountability for the harm he caused. His disciplinary record in prison is immaculate, owed in part to being housed in a structured dorm with strict rules and program requirements.



Tyrik Treadwell at graduation from one of the many positive programs he's completed at Limestone prison.

His mother, Tonya Treadwell, is once again proud of her smart, determined son. “It has been incredibly painful to see him in this situation, and I am doing everything I can to support him and advocate for his future. Tyrik is a bright and caring young man who made mistakes early in life, but I truly believe he deserves a second chance. While in prison, he has been working hard to better himself through having a perfect 4.0 GPA at J.F. Ingram State Technical College with multiple certificates and awards.”

Next January, he will be eligible for work release, and is hoping to be approved so he can apply what he’s learned in prison to employment in a community setting. In 2028, he will be eligible for parole for the first time, at age 30. By then, he will have spent more than half his life behind bars.

Delvecchio Baylor: The Parole Board said “No.” It did not have the last word. Now the man they denied is completing a college degree.



Delvecchio Baylor, surrounded by family, after being resentenced from life to time-served in 2023. Photo by Bernard Troncale

Bessemer, AL - Delvecchio Baylor goes to work at 6 am every morning at Blox Construction in Bessemer. After his shift, he often swings by the home he shares with his 79-year-old mother, who has dinner ready for him. Then it’s off to classes at Lawson State Community College, where he is earning an HVAC degree.

At 43, Del radiates a steady, quiet confidence and a determination to achieve his goals and never cut corners. “Del is a leader in the classroom,” said Adam Rayford, an HVAC instructor at Lawson. “He came in here determined to figure this out. There was no stopping him.” Rayford has lost count of how many of his classes Del has taken, at least seven or eight. He now relies on Del as a peer tutor to provide one-on-one help to other students. “I wish I had more like him.”

The Alabama Board of Pardons and Paroles knew little about Delvecchio Baylor when they denied his parole application on Nov. 2, 2021. The board set him off for another five years, almost ensuring he would remain incarcerated indefinitely despite having served 23 years for an offense that occurred when he was just 16. Then a tenth grader at Jess Lanier High School, he hopped into a car one night in 1998 with an older friend, a decision that ended with him sentenced to life in prison on a murder conviction. His adult co-defendant was offered a plea deal for testifying against him.¹⁰² His attorney at the time encouraged him to take the plea, insisting that with good behavior he would someday be released, an incentive that was repeated by then-Jefferson County Circuit Court Judge Mac Parsons, who presided in the case. With no trial, Delvecchio was sentenced to life despite no evidence proving he fired a weapon.

However, almost no one with a murder conviction is paroled in Alabama. Over the last four years, the Alabama Board of Pardons and Parole has granted parole in .21% of murder cases. Out of 956 cases considered, only two were granted.¹⁰³ Denials are practically automatic.

At the time of his parole hearing, Delvecchio had an outstanding institutional record and had served more than 20 years behind bars for an offense that occurred when he was not even old enough to vote. He’d earned a barbering certificate and was trusted enough to cut fellow prisoners’ hair, as well as corrections staff, and their children. Alabama Department of Corrections Captain Johnny McNeal supported Delvecchio’s efforts at parole with a letter stating that Delvecchio has “earned every letter in the word REHABILITATED.”

After the parole denial, Alabama Applesseed attorneys filed a post-conviction petition on Delvecchio Baylor’s behalf, arguing that “drastic changes in policy made unilaterally by the Alabama Board of Pardons and Paroles have effectively enhanced Baylor’s sentence into a de facto life without parole sentence,” in violation of the United States Supreme Court decision in Miller v. Alabama.¹⁰⁴ Jefferson County Circuit



Delvecchio Baylor and his mother, Ada Baylor. After his release from a life sentence, Delvecchio returned to his mother’s home, where he lives while finishing college. Photo by Bernard Troncale

Imprisoned as a child

Delvecchio Baylor

- 16 at time of offense
- Life sentence for murder conviction
- Released in 2023, completing HVAC degree at Lawson State while employed at Blox Construction

Judge David Carpenter, the presiding judge for the Bessemer Division, granted the petition and resentenced Delvecchio to time served.

The order reads: “Based on the facts and circumstances of the underlying case, the

change in the law since the Defendant was originally sentenced, the change in how the Board of Pardons and Paroles considers paroles, the recommendation of correctional officers who are familiar with the Defendant, and the Defendant's record while incarcerated, the Court hereby GRANTS Defendant's request for re-sentencing.”¹⁰⁵

If not for the reasonable positions - though politically risky in Alabama - taken by elected officials in Bessemer, Delvecchio would still be unnecessarily warehoused in an Alabama prison

rather than contributing to the workforce in Bessemer and providing company for his elderly mother, Ada Bayler.

When asked how he overcame such a long prison sentence, he shared: “I’ve never been mentally locked up. I never got caught up with the stuff going on in there.”

And yet, the Alabama Board of Pardons and Paroles overlooked his potential, his gifts in the classroom and in the workforce, and the State of Alabama swallowed 25 years of his life.



Delvecchio Baylor (far left) with his mother, Ada Baylor, enjoys his freedom and his family after 25 years in prison. Appleseed attorney Scott Fuqua handled his case, and social worker Ingrid Patrick assisted with his reentry.

CHAPTER SIX

Not Truly Free: The High Barrier to a Pardon

Even for lifers with immaculate behavior while on parole, a life sentence can mean law enforcement control on your movement, money, and opportunities for the rest of your life. More than 1,100 Alabamians originally sentenced to life are currently on lifetime parole, according to data provided by the Alabama Bureau of Pardons and Parole in response to a records request. Seventy-two of these individuals have been on parole for longer than 30 years, including people whose last criminal offense was in the 1970s. Although a process known as a pardon, which relieves individuals of parole requirements when granted, is available, many parolees have no knowledge of how that process works, nor access to legal assistance for help. Still others have applied for a pardon and been denied. Albert Pugh earned parole in 2011. After 28 years in prison, he is now an ordained minister, devoted husband, homeowner, and founder of a Cullman County faith-based reentry program.¹⁰⁶ Despite no violations of any kind in more than a decade on parole, his pardon application was denied in 2022. Finally, he was pardoned in 2024 after being represented by an attorney and bringing more than a dozen supporters from his church to the hearing.

Albert Pugh: The Road to a Pardon is Long, Even When You’re Serving Others Along the Way

Cullman, AL - Albert Pugh was once sentenced to spend the rest of his life in Alabama prisons. Instead, he’s spending his remaining years helping others who, like him, find themselves outside prison fences and in a world full of pitfalls for the formerly incarcerated. As founder and director of the Cullman Re-Entry Addiction Assistance (CREAA) Mr. Pugh helps men navigate sobriety, to find work and to recognize they’re worthy of the love that he and his team give them.

“What amazes me the most is that he is able to look at each individual, each individual situation, and seemingly make the right call every time,” said CREAA board member Bob Burgess. That ability, he explained, comes not from ego or emotion, but something

deeper—“he has God’s vision into those guys.” For the men living at the Brian Clay House—a transitional home for those reentering society after prison—Mr. Pugh’s consistency, insight, and spiritual compass have created more than a place to stay; he’s built a path to transformation. “He has no ulterior motive other than to do what he has determined is right for the guys, and for the house,” Mr. Burgess said. “I don’t think anyone else is capable of doing what he does.”

While Mr. Pugh is modest to the core—quick to deflect credit and never one to brag—those around him say the proof is in the men whose lives have been turned around by his guidance. And in a world quick to discard people with records, Mr. Pugh’s unwavering belief in redemption is a rare and radical act of service.

“I’m a guy who’s been there.”

Albert Pugh was just six when his father died, leaving his mother, Margaret, to care for him and his siblings. The family home burned the same month of his father’s death. In the years following he’d drop out of high school, become involved in petty crimes and fall into drug and alcohol addiction that would ultimately shackle him in a cycle of incarceration.

By age 28, Mr. Pugh was sentenced to die in prison following a robbery conviction under Alabama’s Habitual Felony Offender Act.¹⁰⁷ It was 1983 and he would go on to spend 29 years incarcerated. In 2010, a judge granted Mr. Pugh’s petition for a sentence reduction, noting conflicting testimony on whether Mr. Pugh intended to fire a weapon when fleeing sheriff’s deputies after the robbery. As he fled, he dropped his weapon, causing it to discharge. Law enforcement didn’t object to his petition, and he was resentenced to life with the possibility of parole.¹⁰⁸ A year later, he was granted parole. But it was not until November 2024 - after 13 years on parole and an immaculate parole

record - that the 62-year-old Mr. Pugh was granted a pardon, marking an end to a chapter in his life that tells only a part of his story, a life that includes years of service helping others overcome addiction and re-enter their communities after prison.

“A lot of guys don’t have a place to go after treatment. A lot of guys don’t have a place to go after prison,” Mr. Pugh said. His facility gives them a safe place to call home while they work to put their lives back together. “I’m a guy who’s been there and been through a lot of the same things these guys have been through, and I know that I’ve been able to make changes through the grace of God, and I want them to be able to see that there’s absolutely a better way and a better life.”



Albert Pugh, who founded a successful treatment and recovery center, remained on parole for 13 years before receiving a pardon.

Mr. Pugh credits his faith for helping set his life straight, a faith he came to while incarcerated. In 1984 he became a Christian at a prison revival event held by the international prison ministry group, Kairos. “When I came to prison, I was angry and lost. I stayed in trouble for fighting and was always looking for a way to escape,” Mr. Pugh wrote in a 2021 op-ed. “That changed in November of 1984, when I attended a weekend event sponsored by Kairos prison ministry. It marked the first time I experienced the love of God and I began to change for the better. I learned to forgive myself and slowly built up a positive record in prison, taking each and every opportunity available to better myself.”

He wrote the op-ed telling his story in hopes that lawmakers might see what he sees, that there remain hundreds of people inside Alabama prisons who deserve a second chance. “I think about them often, growing older in the crowded prisons, locked away from their families and communities, forever viewed by the system as the people they used to be. I urge lawmakers to consider the lives being wasted in these hopeless sentences and crowded prisons,” Mr. Pugh wrote.

Permanent parole

Albert Pugh, 62

- Founder and director of the Cullman Re-Entry Addiction Assistance
- Life sentence under HFOA for robbery conviction in 1983
- Earned parole in 2011
- Years on parole before pardon: 13

For those like Mr. Pugh, who may find themselves on parole for decades after release, their ability to travel is left to the whim of individual parole officers. A previous parole officer allowed him to travel, but when he received a new officer several years ago, that ended.

“I had been going to Texas, Tennessee, Florida. Everywhere. Then I got a new parole officer and he told me, you can’t leave the state. I’ll never approve your pass to leave the state. He said, “You’re a violent offender, and I won’t take a chance on you,” Mr Pugh said. He challenged the decision with the officer’s supervisor, but got nowhere.

“My wife wants to go on a cruise,” Mr. Pugh told Appleseed, but as someone on lifetime parole - a fact of life for everyone paroled on a life sentence - Mr. Pugh couldn’t travel outside of Alabama. With his pardon, he can now apply for a passport and the couple can now find a cruise they’ve wanted to go on for some time. No more having to check in with his probation officer and pay the \$40 monthly fee.

For Mr. Burgess, the work Mr. Pugh and his team do at the Brian Clay House is more than just for the men who come through those doors. They’re providing a community service for the places that those men will some day return to. They’re creating a safer and more just Alabama. “I know there are hundreds of others who remain in prison, and just like me, they have changed during their incarceration to become better people,” Mr. Pugh said. He plans to spend the remainder of his working life making sure they get the chance to prove they’ve changed.

Bennie Haggins saves lives and heals the wounds of addiction. For 33 years, the State considered him a felon in need of supervision.

Birmingham, AL - Bennie Haggins gets emotional when he talks about his longtime Alcoholics Anonymous sponsor who passed away years ago, a man whom he said helped save him from a life of addiction. Even after his death, Mr. Haggins continued going to recovery meetings, because that's what his sponsor would have wanted. "I made a promise that when he died I'd try and help as many people as I can. I've been clean for 27 years. I've helped a lot of people get clean and stay clean, too," Mr. Haggins said.

After a decade in prison, Mr. Haggins was released on parole on June 3, 1991. Now 71, he remained on parole 33 years before finally earning a pardon on October 8, 2025. Only about 30 living Alabamians spent longer on parole than Mr. Haggins, parole records show.

The state maintained control over his movements, despite his decades of selfless, live-saving work. These days, Mr. Haggins works at the Downtown Jimmie Hale Mission, which houses "warming stations" open to the unhoused



Bennie Haggins at his desk at the Jimmie Hale Mission. Photo by Stacey Fuller

Permanent parole

Bennie Haggins, 71

- Intake coordinator at Jimmie Hale Mission
- Life sentence under HFOA for robbery conviction in 1983
- Earned parole in 1991
- Years on parole before pardon: 33

on freezing nights. Knowing there are so many people whose struggle with mental illness or addiction prevents them from seeking shelter, Mr. Haggins drives the Mission van and seeks out anyone he can save. Countless unhoused Alabamians have lost consciousness on the streets in danger of dying from hypothermia only to be awoken by headlights and Mr. Haggins' helping hand. Perryn Carroll, executive director at Jimmie Hale, had nothing but praise for his dedication. "He tells me, 'don't you worry, Ms. Perryn, I'll find them all and bring them in.'"

And yet, Mr. Haggins remained on parole, handing over \$40 monthly for state "supervision" based on the 1983 conviction. "I was high and drunk," Mr. Haggins said of the convenience store robbery 41 years ago that ultimately sent him to prison on a life sentence, a sentence enhanced through the Habitual Felony Offender Act. No one was injured in the robbery that netted him just a few dollars, he said. Previous criminal cases against Mr. Haggins are so old that Alabama's online court database doesn't contain documents connected to those charges. Such documents detail what he was alleged to have done and the outcome of each case. Online court records instead only show entries that note



On cold nights Bennie Haggins drives the Mission van to collect unhoused people at risk of freezing.

his charges. Those entries show he was charged with first-degree robbery in 1983. He had a grand larceny charge in 1977, a separate burglary and grand larceny charge that same year, and another grand larceny charge in 1978. He was charged with theft of property two years later.

Mr. Haggins described his life back then as mired in drugs, surrounded by people who he thought were friends, but who he now knows were not. He'd come to learn he had to distance himself from them if he were to remain drug free and out of prison.

Since his release, Mr. Haggins had just one misstep, early on in his parole, when he failed to check in with his parole officer. That resulted in 90 days of incarceration. Otherwise, his record shows just three minor traffic tickets. "I went to meetings. I got a sponsor. I had to change my life because I didn't want to go back to my previous normal. I didn't want to go back to prison, so I just started and kept going," Mr. Haggins said. Initially, Mr. Haggins worked at Sterilite

Corporation in Birmingham, and remained there until his retirement in 2012. Not content to sit at home, he volunteered at the Salvation Army in Birmingham, where he found he had a gift for working with people who, like him, struggled with addiction. He could speak to them about their problems from a place of understanding and experience, and it made all the difference for them. Eventually, he joined the Salvation Army's Emergency Disaster Services team that sent him to areas impacted by weather events and natural disasters. "The most important thing was to see the faces of the people when they realized that people cared about them," Mr. Haggins said.

He spent a decade working at the Salvation Army before taking a job at the Jimmie Hale Mission in 2022 as an intake coordinator, where he continues to help people in need, especially those scooped up on frigid nights. "I always tell them about my life. I've found that the more that I say about me, the more you open up about you," Mr. Haggins said. "They said, if you can do it I can do it too."

Mr. Haggins wanted a pardon to free him from the need to check in with his parole officer each month, pay \$40 monthly in parole fees to the state and restrict his travel without first getting trips approved, but first he had to rectify a case in California that happened when he was in his 20s. An attorney looked into the matter and discovered that a judge in California had signed an order many years ago clearing Mr. Haggins in that matter, but the order was never filed, Mr. Haggins said. It's since been cleared up, he said. For those who cannot afford access to an attorney, clearing up old matters like that would be next to impossible, almost guaranteeing no likelihood of a pardon.

The process for applying for a pardon in Alabama can be difficult to navigate as well. Mr. Haggins had help, and thought his application had been sent to the proper place and was awaiting Gov. Kay Ivey's signature for final

approval, but the Alabama Bureau of Pardons and Paroles told Appleseed there was no pardon application for him on file. Mr. Haggins worked to rectify his application.

On Oct. 8, 2025, represented by Appleseed attorney Scott Fuqua and supported by Ms. Carroll, Mr. Haggins was finally granted his pardon. He was overwhelmed. “When I look back, I destroyed my whole life, but God blessed me with the opportunity to get it back. I took full advantage of it and tried to help as many people as I could help, and I haven’t stopped.”

Curtis Sandifer: Pardon denied despite flawless nine years on parole

Huntsville, AL - Curtis Sandifer had been out of prison for more than nine years. He was married, owned a home, ran a small trucking company, had complied with every condition of parole required of him - including handing over \$40 per month to the State of Alabama in parole supervision fees.

In late 2023, he applied for a pardon, filling out a short form and submitting it to the Alabama Board of Pardons and Paroles. A pardon would allow him to freely travel out of state, to secure government contracts with dedicated routes for his trucking business. It would mean he could avoid the monthly in-person visits with his parole officer and the nearly \$500 per year he paid in fees.

Like many others seeking pardons, Mr. Sandifer, who is 63, and whose last criminal case was in 1987, did not seek the assistance of an attorney. “I didn’t really think I needed one because I haven’t been in any trouble, never a technical violation, nothing.” Yet the Board said “No.”

Mr. Sandifer was originally sentenced to life imprisonment without parole following convictions for a series of robberies in Morgan

and Madison counties. Despite a seemingly hopeless sentence, he was determined to be productive behind bars. And he earned a second chance. “Defendant has maintained an outstanding prison record making a good adjustment toward rehabilitation, having availed himself of programs and opportunities available while incarcerated. He has lived and participated in the W. E. Donaldson Honor Community, received certificates of achievement and recognition including his work for over 10 years as a tutor and teacher’s aide helping many inmates attain their GED goals,” according to a motion to amend his sentence filed in Morgan County Circuit Court.¹⁰⁹

Eventually, his life without parole sentence was reduced to life with parole, after findings by multiple courts that Mr. Sandifer was a “non-violent convicted offender” and eligible for a reduced sentence under Kirby v. State, an Alabama Supreme Court decision in place at the time. Parole was granted shortly thereafter, and Mr. Sandifer started a new life in his hometown of Huntsville. He married his wife, Gladys Sandifer, who works as a supervisor in the child nutrition program at Lee High School. They have their own home near Alabama A & M University.

Permanent parole

Curtis Sandifer, 63

- Commercial truck driver
- Life sentence under HFOA for robbery convictions in 1987
- Earned parole in 2015
- Years on parole: 11, pardon application denied

A highlight of his release was that he was able to spend time with his elderly mother before she passed away. Additionally, he has been able to obtain excellent medical care for a heart condition that required multiple hospitalizations and 10 stents during his incarceration. “Getting out of there saved my life,” he said.

But life could be even better with a pardon. And if nine years of dutifully reporting for his parole check-ins, paying more than \$4,500 in supervision fees, maintaining steady employment, and steering clear of all criminal activity is not enough for the Board of Pardons and Paroles, he has no idea what is.



Curtis Sandifer, center, flanked by his wife, Gladys, and lawyer Richard Storm.

CHAPTER SEVEN

The Back Story: Historical Factors Impacting Life Sentencing in the United States

Not only is lifetime correctional control and extreme sentencing often unnecessary, unfair, and costly for both the State and those convicted, but studies over the last decade have shown little correlation between public safety and lengthy prison sentences. People driven to criminal activity are rarely deterred by the specter of long-term imprisonment. Still, the number of prisoners sentenced to and serving life sentences continues to be remarkably high.¹¹⁰

Part of the answer as to why life sentencing continues to be so utilized (and often unquestioned) has roots in the development and deployment of life sentencing. Although that history is complex and involves diverse factors, two historical and philosophical trends underlie the development of life sentencing and increasing dependence on it over time. These are the so-called “War on Drugs” with its built-in implicit racial biases and, interestingly, the late 18th and early 19th century eugenics movements. Understanding that these flawed approaches are closely tied to habitual offender and long-term sentencing can help untangle, acknowledge, and dismantle the problematic ideas that drive these policies.

Racial Biases and the War on Drugs

One pre “War on Drugs” policy change that accelerated the acceptance and use of whole-life sentencing was the temporary ban on the death penalty, in place from 1972 to 1976.¹¹¹ Prior to this, only seven states had life without parole statutes, and they were rarely used. The “upward creep” in life sentences accelerated, partially due to the “tough on crime” political posturing that began in the eighties and continues today. The use of life sentences was broadened from exclusively a way to avoid putting to death those who committed serious crimes to a justified and deserving sentence for those committing more minor crimes, especially in cases of multiple convictions. In other words, life sentences, although originally limited to those who committed the most serious of crimes, and for whom the alternative might be the death penalty, broadened considerably to include a greater range including homicide, assault, sex-

related crimes, drug offenses, and some property offenses.¹¹² At times, even lesser offenses could trigger life sentences, as vividly illustrated by the stories contained in this report.

Cultural acceptance of these harsh policies was aided by the rhetoric surrounding drug use and violence succinctly captured by the phrase “War on Drugs.” Baseball metaphors such as “three strikes” became catchphrases of this era and later, indicating that once someone had erred three times, they would be put “out” of society. This was exacerbated by implicit biases concerning race that resulted in the mass incarceration of Black men across the United States. Researchers have documented that Black people convicted of crimes are more likely to receive life sentences.¹¹³ Among those serving life sentences currently, over two thirds are people of color.¹¹⁴

Early rhetoric concerning crack cocaine illustrates these biases. Crack, a smokeable version of powder cocaine was initially associated with poor, violent, Black communities.¹¹⁵ Terms such as “crackhead,” “crack baby,” and other derogatory terms came to “dominate the American imagination in the 1980s and 1990s.”¹¹⁶ Much of these were based in pure mythology and capitalized on by politicians and the media. For example, the idea of babies who were developmentally harmed because of (poor, Black) women who smoked crack helped sustain a moral panic that was undeniably racist. The idea that crack (a drug used largely by Black people) is more harmful to fetuses than powder cocaine (a drug used largely by white people) is incorrect.

A decades-long research project that ended in 2015 concluded that there are no developmental differences between children exposed to crack versus powder cocaine in the womb.¹¹⁷ Other studies determined that the effects of using cocaine (in any form) during pregnancy are

comparable to that of tobacco usage and less detrimental than that of alcohol.¹¹⁸ But in many ways the damage was done: the idea of crack babies—“a ticking time bomb of violence and expense created because Black mothers cared too little about themselves and their offspring”¹¹⁹—becoming adults who were a drain or a threat to society was cemented. “Crack babies” were widely reported as being born (depending on the news report) deviant, physically and/or mentally incapacitated, and a drain on taxpayer-funded social service programs, of which they would most assuredly need.”¹²⁰

Based in part on this rhetoric, Congress passed federal sentencing legislation in 1986 and 1988 that included mandatory sentencing based on the premise that crack cocaine was 50 times more addictive than powder cocaine. Thus, for example federal sentences for crack were constructed to relate to sentences for powder cocaine in a 100:1 ration. The result is that while a conviction for the sale of 500 grams of powder cocaine triggers a 5-year mandatory sentence, only 5 grams of crack cocaine are required to trigger the same 5-year mandatory sentence.”¹²¹ This scales upward: 5,000 grams of powder calls for a 10-year sentence, while 50 grams of crack has the same. Although premised on the supposed worse effects of smoking crack, this notion has since been dismantled by multiple studies, showing that the “physiological and psychotropic effects of crack and powder are the same.”¹²² Crack was generally not more dangerous than cocaine; however, the people buying and selling it were more easily found and punished.

The Eugenics Movement

A more alarming influence in the history of extreme sentencing laws is the eugenics movement. While it is commonly understood that habitual offender laws originated in the

1980s and '90s, in fact these laws greatly predate that time period. Instead, similar laws grew out of the philosophy of the eugenics movement, which spanned from the 1880s to the 1920s. A recent report from The Sentencing Project explores the way “three strikes” laws are rooted in eugenics and ideas that condoned sterilization of people who were considered to be undesirable. This included habitual criminals believed to be morally deficient and thus unredeemable. The problem, in these views, was genetic; people who supported eugenics also promoted “habitual criminal” laws because they believed that certain people who committed crimes were genetically pre-destined to criminal conduct and could spread their criminality to their children.

For example, Supreme Court Justice Oliver Wendell Holmes wrote in 1897, “If the typical criminal is a degenerate, bound to swindle or murder by as deep seated an organic necessity as that which makes the rattlesnake bite... he cannot be improved.”¹²³ Later, in *Buck v. Bell*, a 1927 U.S. Supreme Court case that upheld the constitutionality of Virginia’s sterilization law for those considered unfit by the state, Justice Holmes wrote: “...is better for all the world, if instead of waiting to execute degenerate offspring for crime, or to let them starve for their imbecility, society can prevent those who are manifestly unfit from continuing their kind.”¹²⁴

Colorado passed its first habitual offender law in 1927 after failing three times to pass sterilization laws. The last attempt to pass a sterilization bill had come in 1927, but the Governor vetoed it, stating that the goal of sterilization could be reached by carefully supervising inmates. The Sentencing Project Report states that the governor “had no qualms with the goal of barring physical reproduction of people deemed ‘habitual criminals,’ He just thought that an option better than sterilization would be long-term sentences.”¹²⁵ Two years later, Representative Annah G. Pettee, who strongly

supported the 1927 sterilization bill, advocated instead for a habitual offender sentencing bill, which was passed.¹²⁶ According to eugenicists, one of the best ways to stop crime was to prevent certain individuals who had been convicted of crimes from reproducing, if not via sterilization then by other means. This set of beliefs originally underpinned the country’s “habitual offender” laws.¹²⁷

By the early 1900s, habitual offender laws based upon eugenic theories were passed across the United States. By mid-century, 42 states had adopted versions of these laws, including California in 1923, Colorado in 1929, and Vermont in 1927. For example, Vermont’s law read:

“A person who, after having been three times convicted within this state, of felonies or attempts to commit felonies, or under the law of any other state, government or country, of crimes which if committed within this state would be felonious, commits a felony other than murder within this state, shall be sentenced upon conviction of such fourth, or subsequent offense to imprisonment in the state prison for the term of his natural life.”¹²⁸

This approach went either hand-in-hand with sterilization or was seen as an acceptable (or less controversial) substitution for sterilization. Such legislation was motivated by:

“crude theories of human heredity that posited the wholesale inheritance of traits associated with a panoply of feared conditions such as criminality, feeble-mindedness, and sexual deviance. Many sterilization advocates viewed reproductive surgery as a necessary public health intervention that would protect society from deleterious genes and the social

and economic costs of managing ‘degenerate stock.’”¹²⁹

Others, such as the Colorado governor, believed that a better option to prevent reproduction was long-term sentences.¹³⁰

After WWII, Germany, whose Nazi party had adopted a “habitual offender” law almost identical to US versions, repealed its law, presumably recognizing the problematic underpinnings. The same did not happen in the United States. Although eugenics fell out of favor as theory and many programs overtly associated with eugenics were “repealed, repudiated, and even apologized for, habitual criminal laws have endured throughout the United States... Today, despite being a legacy of the eugenics movement, ‘habitual offender’ laws are in force in 49 states.”¹³¹

Alabama Eugenics

While this ideology was present in Alabama, ultimately the state Legislature failed to pass expansive sterilization laws, despite multiple attempts. In 1901, at the meeting of the Medical Association of the State of Alabama (MASA), several physicians made statements about characteristics such as morality and criminal tendencies, as well as physical and mental ailments, being hereditary and suggesting that sterilization would benefit “the race.”¹³² For the next decade, MASA was urged by people and organizations, such as Birmingham’s medical society, to draft a bill to legalize sterilization of the unfit. The effort was fruitless until 1914, when MASA finally created a committee of doctors to compile data on “defective children.” This culminated in MASA collectively supporting eugenic sterilization and, in 1919, helped create and pass a bill to create the Alabama Home for the Feeble Minded in Tuscaloosa (later renamed the William D. Partlow Developmental Center). Also contained

within the bill was a clause that granted permission to the superintendent of the Home to sterilize its patients.¹³³

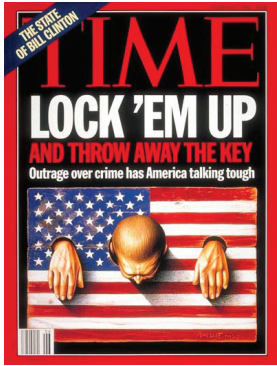
William Partlow, the first superintendent and a driving force in support of sterilization, tried for a number of years to have legislation passed that, among other things, would allow county public health committees to sterilize anyone in a state or local custodial institution.¹³⁴ The bill was introduced several times, but never passed. In one draft of the 1919 bill, the superintendent of the Home would be able to sterilize any inmate, which included “any person confined in a poor house, jail, an orphanage, or a boarding school in the State.”¹³⁵ This version did not pass. Similar bills expanding the use of sterilization were introduced in the 1930s. The only sterilization law passed in Alabama was the 1919 law which gave the superintendent of the Alabama Home the ability to sterilize all patients there.¹³⁶ In Alabama, from a period of 1919-1935, 224 people were sterilized, approximately 58% were male and all were considered “mentally deficient.”¹³⁷ It wasn’t until 1977, though, that Alabama introduced the Habitual Felony Offender Act, which mandated a life sentence for certain repeat offenders.

Conclusion

The historical developments that influenced and supported the creation and continuation of life sentencing laws in the U.S. reflect changing attitudes and theories concerning criminality and the resulting appropriate punishment. And there is no doubt that society—media, lawmakers, the general public—have made some serious misjudgments when it comes to perpetual punishment. Many of the ideas and philosophies that underlie our assumptions about who deserves to be imprisoned and for how long have startling histories, including racism and eugenics. But because punishment has never been about one particular thing, ideas

about punishment can and have changed. Policies and theories surrounding criminal justice have changed over time, particularly as policy makers have used evidence and data to make informed decisions. These histories and changing theoretical backgrounds show us that there always were and continue to be possibilities in the ways in which we think about, sentence, punish, contain, and rehabilitate those caught in the justice system.

The French philosopher Michel Foucault, together with other activists, was a member of the Prison Information Group (Groupe d'Information sur les Prisons), whose aim was to disseminate information about the French prison system. In 1971 they released a manifesto, which contained the lines: “They tell us that the system of justice is overwhelmed. We can see that. But what if it is the police that have overwhelmed it? They tell us that prisons are over-populated. But what if it was the population that was being over-imprisoned?”¹³⁸ It is worth exploring the idea that much of our population, too, is being over-imprisoned—like the people featured in this report—and that, collectively, we have the power and responsibility to change this.



A small sampling of the fear tactics that some politicians and media deployed to justify the country's embrace of life sentences in the 1990s.

Recommendations

End parole revocations for arrests with no new convictions.

Our research turned up frequent cases where individuals who had excelled for many years while on parole were sent back to prison following a subsequent arrest, either a misdemeanor or felony charge, that was later dropped. If a new charge cannot hold up in court, it should not result in the loss of someone’s freedom for years. Revocations should be tied to convictions. At a minimum, there should be a provision in place for the Parole Board to immediately reconsider parole when the new charge has been dismissed in court.

End automatic parole revocations for technical violations, no matter what the underlying offense is.

Individuals who have done well on parole for years, then fail to report to their parole officer or travel out-of-state without permission can have their parole revoked indefinitely, yet they have committed no new crime. That’s because Alabama law currently mandates parole revocation for anyone with a conviction for a crime defined as violent and classified as a Class A if the individual commits a technical violation. These individuals have paid their debt and generally served long prison sentences, as a life sentence requires at least 15 years before parole is considered. Returning them to prison without a new offense serves no public safety function.

End \$40 monthly parole supervision fees. Longtime incarceration and a felony conviction makes securing good-paying employment difficult. People on parole are additionally saddled with \$40 monthly supervision fees. Our research found people who were sent back to prison after losing employment and being unable to pay these fees. We also found people on parole for decades who have paid tens of thousands of dollars for long-term supervision. Shifting the cost of often-unnecessary supervision to people who have paid their debt in prison is wrong.

Increase opportunities for people with life sentences and lifetime parole to apply for pardons.

While Alabama has a pardon statute¹³⁹ that allows individuals on parole to apply for a pardon which, if granted, ends their period of parole supervision and restores other rights, there is no clear, consistent mechanism for people on parole to get informed of this option. Our research revealed an arbitrary system in which some individuals learn about the avenue from a lawyer, friend, or parole officer, but others never do. The Bureau of Pardons and Paroles should develop and implement a standardized procedure so that communication about pardons is mandatory and detailed. Additionally, the Bureau should add staff who could assist individuals in clearing out-of-state warrants and other bureaucratic hurdles that interfere with pardon eligibility. The decision to pardon someone with a life sentence may be a difficult decision, given that it ends a sentence handed down by a judge, but greater attention to the success of people such as Albert Pugh, profiled above, could increase public understanding of the necessity of pardons.

Add basic due process protections to the parole process.

Decisions governing parole consideration and parole revocation carry enormous consequences for people, potentially taking away their freedom or lengthening their prison sentences by years. The state provides no legal representation to individuals either at their parole hearings or revocation hearings. While that is not likely to change, at a minimum individuals impacted by these processes should be provided with all of the files and materials that state parole officials rely on for their decisions.

Increase transparency about the costs of mass incarceration, prison violence, and prison construction.

Alabama taxpayers foot the bill for the state's bloated and broken prison system. But it's not always clear precisely how much of our money goes toward maintaining extreme sentences and mass incarceration. The State General Fund budget tells us that ADOC was funded at \$827 million¹⁴⁰ for fiscal 2026. Debt service for construction of the new mega prison in Elmore County is another \$35 million annually.¹⁴¹ And ADOC legal spending alone has risen to \$57 million over the last four years, a total only revealed through investigative reporting.¹⁴² The new prison was supposed to cost less than \$800 million, but that figure ballooned to \$1.2 billion with little explanation as to why, other than "inflation." Meanwhile, the 2021 legislation authorizing prison construction requires that a second new prison be built, and the Legislature in 2025 voted to allow that state to borrow another \$500 million for this prison, increasing the state's borrowing power for prisons to \$1.28 billion.¹⁴³ Confused about the millions and billions? So are we. Expenditures have soared as prison conditions have gotten only worse. Alabama taxpayers deserve to understand why.

Create a pathway to establish Medicaid coverage before people are released from prison so that older and infirm people can be safely released.

Alabama could use the Medicaid 1115 Waiver to provide, at the least, a way for individuals to apply and receive Medicaid coverage and case management 60-90 days prior to release.¹⁴⁴ Use of the waiver could create a seamless pathway for elderly incarcerated individuals who qualify for skilled nursing care as Alabama's existing Medicaid program "will cover the cost of long-term care in a nursing home for financially limited Alabama residents who require a Nursing Facility Level of Care. Coverage includes payment for room and board, as well as all necessary medical and non-medical goods and services." Without the waiver and without sufficient, dedicated case managers who can access this coverage for elderly, incarcerated Alabamians, it has proven nearly impossible for individuals, their families, and even advocacy organizations to access the Medicaid coverage for which these individuals are eligible. Thus, healthcare costs that could be absorbed by the federal government are increasingly borne by the state, and prison space that could house dangerous individuals is taken up by the elderly and infirm. Arkansas, Louisiana, West Virginia, North Carolina, and Kentucky all use this program.

Endnotes

Executive Summary

1 Alabama Department of Corrections Monthly Statistical Report, June 2025, p. 9, at <https://doc.alabama.gov/docs/MonthlyRpts/June%202025.pdf>. For the purposes of this report, "virtual" life sentences are sentences of at least 35 years, which are tracked separately in the ADOC monthly reports.

2 Beth Shelburne, *The costs of Alabama prison litigation are rising. Private attorneys are reaping the rewards*, Alabama Reflector, May 22, 2025, <https://alabamareflector.com/2025/05/22/where-does-settlement-money-for-excessive-force-cases-go-mostly-to-lawyers-for-accused-officers/>.

3 Ralph Chapaco, *Alabama Approves Two Legal Contracts to Represent DOC in Deaths in Prison*, Alabama Reflector, June 11, 2024, Rep. Pringle added: "I know I have said this before, but you know, I have gotten another call from another constituent where the son was beat up because the gangs are running our prisons, and the prison guards are bringing the drugs to the gang members, and the cell phones," said Rep. Chris Pringle, R-Mobile. "These people call me, and they are crying their eyes out because they got a videotape of their son who had just been raped or beaten up." at <https://alabamareflector.com/2024/06/11/8161/>.

4 J.Z. Bennett, Daphne M. Brydon, Jeffrey T. Ward, Dylan B. Jackson, Leah Ouellet, Rebecca Turner, Laura S. Abrams, *In the wake of Miller and Montgomery: A national view of people sentenced to juvenile life without parole*, Journal of Criminal Justice, June 4, 2024.

5 *Id.*, citing Bersani, B.E. & Doherty, E.E., (2018). Desistance from Offending in the Twenty-First Century, *Annual Review of Criminology*, 1, 311-334.

6 Alabama Appleseed, *Condemned: Hundreds of Men are Sentenced to Die in Prison for Crimes With No Physical Injury. They Haven't Given Up On Life. Why Has Alabama Given Up On Them?* <https://alabamaappleseed.org/condemned/>.

7 *Pugh v. Locke*, 406 F. Supp 318 (M.D. Ala. 1976) (finding Alabama prisons violated the U.S. Constitution's protections against cruel and unusual punishment because of conditions that were violent, unsanitary, overcrowded and "wholly unfit for human habitation.")

8 *See* AL Code § 12-25-34.1,2 (2024) (describing presumptive and voluntary sentencing standards).

9 Data provided by the Alabama Bureau of Pardons and Paroles in response to Appleseed FOIA request.

10 Mary Sell, *Funding New Prison in Escambia: It Will Be a Challenge*, Alabama Daily News, Feb. 13, 2024, <https://aldailynews.com/funding-new-prison-in-escambia-it-will-be-a-challenge/>, quoting legislative leaders who acknowledging the Escambia prison costs will be "considerable," and more than originally budgeted.)

11 Homes Values for July 2025, Zillow, at <https://www.zillow.com/home-values/4/al/>.

12 The 2023 homicide rate in Alabama was 14.8 per 100,000 people, the 3rd highest

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13 Council of State Governments, Tools for States to Address Crime, at <https://projects.csgjusticecenter.org/tools-for-states-to-address-crime/50-state-crime-data/?state=AL>.

14 See Amanda Robert, *ABA Provides Ten Principles for Ending Mass Incarceration and Lengthy Prison Sentences*, ABA Journal, Aug. 8, 2022, at <https://www.abajournal.com/web/article/resolutions-604-and-502-aba-provides-guidance-on-ending-mass-incarceration-and-lengthy-prison-sentences>.

15 See FAMM, *The Older You Get: Why Incarcerating the Elderly Makes Us Less Safe* (October 2022), documenting dramatic declines in criminality and recidivism for older people. “One study found that of those convicted of violent crimes, only 4% released between ages 45 and 54 and 1% released at 55 or older were reincarcerated for new crimes within three years. Among people previously convicted of murder, those rates fell to 1.5% and 0.4%, respectively.” <https://famm.org/our-work/policy-resource-library/>.

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17 Nazgol Ghandnoosh, Ph.D. and Kristen M. Budd, Ph.D., The Sentencing Project, *Incarceration and Crime: A Weak Relationship*, June 13, 2024 at 9, <https://www.sentencingproject.org/app/uploads/2024/06/Incarceration-Crime-A-Weak-Relationship.pdf>.

18 Journal of Criminal Justice, citing National Research Council 2014, at 9.

19 Id.

Chapter One

20 State v. Meadows, Lee County Circuit Court Case No. 1992-00955.

21 Hamlett v. State, Madison County Circuit Court Case No: CC-1995-000639.62 (Rule 32 Petition for Relief from Conviction or Sentence) June 7, 2016.

22 See AL Code § 15-22-32 (2024)(a) and (b) requiring revocations under the following conditions: “(1) a. If the underlying offense was a violent offense as defined in Section 12-25-32 and classified as a Class A felony, a sex offense pursuant to Section 15-20A-5, or aggravated theft by deception pursuant to Section 13A-8-2.1, the board shall revoke parole and require the parolee to serve the balance of the term for which he or she was originally sentenced, or any portion thereof, in a state prison facility, calculated from the date of his or her rearrest as a delinquent parolee.”

23 Robert Keefauver, Report of Board Supervision Violation, Alabama Bureau of Pardons and Parole, January 22, 2025, noting Mr. Hamlett had been on parole supervision since Nov. 20, 2017 without any violations. He has reported on time and was “current on all supervision fees and court-order monies” at the time of his revocation.

24 Hamlett v. State, at 6. “With the exception of death by execution, life without parole is the most extreme and severe punishment imposed in the United States. It is a terminal sentence which requires death in prison. The severity of the sentence is marked by both its mandatory nature and the requirement that the person sentenced spend life in prison until he is dead. The penalty is grossly disproportionate to the offenses committed, all but one of which were committed by a child.”

25 See Code of Alabama § 15-22-37(b)(6).

26 State v. French, Montgomery County Circuit Court Case No. 1990-002421 (transcript).

27 State v. French, Montgomery County District Court Case No.2020-002422 (Order) Jan. 7, 2021.

28 AL Code § 15-22-32(b)(1) (2020)(Unless the underlying offense is a violent offense as defined in Section 12-25-32 and classified as a Class A felony, when a parolee under supervision of the Board of Pardons and Paroles has violated a condition of parole, other than being *arrested* or convicted of a new offense or absconding, the parole court may recommend and the board may impose a period of confinement of no more than 45 consecutive days to be served in the custody population of the Department of Corrections.)(emphasis added).

29 Id.

30 See State v. French, Montgomery County Circuit Court Case No. 2022-000894

31 State v. Frazier, Lee County Circuit Court Case No. cc-1989-00153 (case action summary April 4, 1989.)

32 State v. Frazier, Russell County Circuit Court Case No. cc-1999-000538.00.

33 State v. Frazier, Lee County Circuit Court Case No. cc-2000-697.00.

34 Id. Motion for Sentence Reconsideration, July 8, 2009.

35 Id. Affidavit of Willie Frazier

36 Complaint filed by Samuel Frazier, DC-2024-900656

37 State v Frazier, Lee County District Court Case No: DC-2024-900656

38 Affidavit of Willie Frazier

39 Motion for Preliminary Hearing, DC-2024-900656

40 Motion to Continue Preliminary Hearing, DC-2024-900656

41 Court Order of October 15, 2025 DC-2024-900656

42 Motion for Speed Trial, DC-2024-900656

43 Boone Aiken, *Man, Wife Killed by ‘Charged’ Fence*, Birmingham News, April 12, 1971.

Chapter Two

44 State v. Scott, Montgomery County Circuit Court, Case No. CC-1990-001761.00.

45 State v. Scott, Montgomery County Circuit Court Case Nos. CC-1992-000624, 625.00 (indictments).

46 State v. Scott, Montgomery County Circuit Court Case No. CC-1993-000002.00.

47 State v. Craig, Jefferson County Circuit Court Case No. CC-2004-002230.00

48 State v. Craig, Jefferson County Circuit Court Case No. CC-2004-002230.00 (sentencing transcript).

49 State v. Craig, Jefferson County Circuit Court Case No. 2004-2230.62 (Order granting petition) July 22, 2024.

How to Get A Life Sentence

50 Code of Alabama § 13A-5-9

51 Code of Alabama § 13A-5-9(a)(3)

52 Code of Alabama § 13A-5-9(b)(2)

53 Code of Alabama § 13A-8-3(a) and (b)
54 Code of Alabama § 13A-8-18
55 Code of Alabama § 12-25-34.2
56 Code of Alabama § 13A-5-6
57 Code of Alabama § 13A-5-40, requiring mandatory sentences for life without parole, at a minimum, for offenses such as murder of a law enforcement officer (Ala. Code §13A-5-40(a)(5)); murder of two or more persons (Ala. Code §13A-5-40(a)(10)); murder of a child under age 14 (Ala. Code §13A-5-40(a)(15)).
58 Code of Alabama § 13A-12-231 (2024) (setting forth weights and sentences for drug trafficking convictions).

Chapter Three

59 The Death Penalty Information Center, at <https://deathpenaltyinfo.org/state-and-federal-info/state-by-state/alabama>.
60 Data compiled by Alabama Appleseed from response to FOIA request for ADOC records.
61 Similarly violent conditions existed in Alabama prisons in the 1970s, when federal courts took control. See Howell Raines, *Governor Ends Alabama's Rift With Judge*, New York Times, February 12, 1979. (“Further the court concludes from the evidence that robbery, rape and assault remain everyday occurrences among the general prison population in Alabama,” Judge [Frank] Johnson wrote of conditions that he characterized as approaching anarchy.”)
62 United States Department of Justice: Investigation of Alabama’s State Prisons for Men, April 2, 2019.
63 Eddie Burkhalter, *Record Loss of Life in 2023 Pushes ADOC’s Death Total Over 1,000 Since DOJ Put State on Notice*, Alabama Appleseed, January 29, 2024, at <https://alabamaappleseed.org/author/eddie-burkhalter/record-loss-of-life-in-2023-pushes-adocs-death-total-over-1000-since-doj-put-state-on-notice/>.
64 Graham v. Florida, 560 U.S. 48, 59 (2009) (“The concept of proportionality is central to the Eighth Amendment. Embodied in the Constitution’s ban on cruel and unusual punishments is the ‘precept of justice that punishment for crime should be graduated and proportioned to [the] offense.’” quoting *Weems v. United States*, 217 U.S. 349, 367 (1910)).
65 Code of Alabama § 13A-5-49 (2021)
66 Coker v. Georgia, 433 U.S. 584 (1977) (finding death sentence for the rape of an adult woman “grossly disproportionate” and “excessive punishment.”)
67 Lockett v. Ohio, 438.U.S.586 (1978)
68 Ivana Hrynkiw, *Alabama has stopped nearly all paroles: Explaining the Leigh Gwathney effect*, al.com, Jan. 23, 2024, <https://www.al.com/news/montgomery/2024/01/alabama-has-stopped-nearly-all-paroles-explaining-the-leigh-gwathney-effect.html>.
69 *Id.* (“He went on a crime spree, but wasn’t picked up for violating parole. No one seems to know why he remained free, but everyone can agree he fell through the cracks.”)
70 State v. Riggsby, Walker County Circuit Court Case No. 64-CC-2004-00172.00 (Motion for Psychiatric or Psychological Examination, April 6, 2006).
71 Eddie Burkhalter, *Fentanyl is Killing People Inside Alabama’s Largest, Most Expensive Law Enforcement Agency*, the Alabama Department of Corrections, Aug. 14, 2024, at <https://alabamaappleseed.org/author/eddie-burkhalter/fentanyl-is-killing-people-inside-alabamas-largest-most-expensive-law-enforcement-agency-the-alabama-department-of-corrections/>; EJI, Supervisor

Arrested for Drug Trafficking After Overdoses at Alabama Prison, Aug. 8, 2025, at <https://eji.org/news/supervisor-arrested-for-drug-trafficking-after-overdoses-at-alabama-prison/>.

72 See Braggs v. Dunn, 257 F. Supp. 3d 1171, 1267 (M.D. Ala. 2017).
73 *Id.*
74 State of Alabama v. Leo Watson, Greene County case nos. cc-1997-00063.00, cc-1997-00064.00. (Notation in case action summary available in Alacourt: “Jury Verdict, We the jury, find the defendant, Leo Watson not guilty, Tommy Armour/foreman,” June 26, 2002.)
75 Mr. Watson was represented by Alabama Appleseed at his Oct. 2022, parole hearing; staff present at the hearing recorded what transpired.

Chapter Four

76 Annual Report, Alabama Sentencing Commission, Who is in our prisons, at 1, showing marijuana possession is not among the 25 top offenses of conviction for the ADOC custody population, at <https://sentencingcommission.alacourt.gov/media/1152/2025-annual-report.pdf>.
77 Ex parte Marvin Earl Pines, Case No. 1130871 (Ala. 2015)(writ quashed, no opinion) C.J. Moore dissenting).
78 *Id.* at 4-5.
79 Davis v. State, 570 So. 2d 791 (Ala. Crim. App. 1990)

Chapter Five

80 Miller v. Alabama, 567 U.S. 460 (2012)
81 Montgomery v. Louisiana, 577, U.S. 190 (2016)
82 3 Sentencing Children to Life Without Parole: National Numbers, CAMPAIGN FOR FAIR SENT’G OF YOUTH, <https://cfsy.org/sentencing-children-to-life-without-parole-national-numbers/> (Feb. 23, 2024); See A Study of Michigan Suggests Released ‘Juvenile Lifers’ Rarely Reoffend, IMPRINT (Aug. 23, 2021 11:44 AM), <https://imprintnews.org/news-briefs/michigan-released-juvenile-lifers-rarely-reoffend/58122> (citing Susan Samples, Target 8, Crime by ‘Juvenile Lifers’ After Prison ‘Very Rare,’ State Says, WOODTV8 (Aug. 9, 2021), <https://www.woodtv.com/news/target-8/crime-by-juvenile-lifers-after-prison-very-rare-state-says/>).
83 Journal of Criminal Justice, at 3
84 Journal of Criminal Justice, at 10 (showing 4% of Alabama’s 84 JLWOPs have been released).
85 Alabama v. Kinder, CC-1983-003916.00, Jefferson County Circuit Court, Order of Judge Teresa Pulliam, July 31, 2017.
86 *Id.*, at 6.
87 Letter from Richard Kinder, July 13, 2016, attached as Exhibit E in *Alabama v. Kinder*.
88 *Id.*, at 6
89 Lauren Gill, *In Alabama, an “Out of Control Board” Cuts Chances for Parole*, Bolts Magazine, Nov. 28, 2023. <https://boltsmag.org/alabama-parole-board/>.
90 State v. Staples, Randolph County Circuit Court Case No. CC-2010-00114; CC-2011-00026. At the time, Staples was on probation for multiple drug-related felonies, including promoting prison contraband after being found with narcotics while being held at the Randolph County Jail.
91 State v. Treadwell, Randolph County Circuit Court Case No. CC-2014-116 (Trial Transcript) at 93:23-25.
92 *Id.* at 99: 2-4; hereafter T.T.

93 After cooperating with prosecutors, Golden and Elsea were offered plea deals. Each pleaded guilty to conspiracy to commit robbery and hindering prosecution and were sentenced to 20 years in prison with three years to serve, followed by probation. At the time the Police Chief said there was no evidence the murder was drug related. <https://www.therandolphleader.com/2013/12/30/two-sentenced-in-murder-case/>

94 State v. Treadwell, T.T. at 425:2-21. (T.T. refers to the Trial Transcript).

95 T.T. 476:1-14.

96 T.T. 525:12.

97 T.T. 552:16-19.

98 T.T. 547:20-22.

99 T.T. 578: 11-12.

100 T. T. 654:17-23.

101 Equal Justice Initiative, *Limestone Prison Records Fifth Homicide in a Year*, <https://ejl.org/news/limestone-prison-records-fifth-homicide-in-a-year-montavius-banks/>

102 Delvecchio Baylor v. Alabama, Jefferson County Circuit Court Case No. CC-1998-1207 (Petition for Relief from Judgment Pursuit to Rule 32 of the Alabama Rules of Criminal Procedure)

103 Cayce Moore v. Alabama, St. Clair County Circuit Court Case No. CC-1986-00003.64 (Affidavit of Lacey Keller, whose company MK Analytics analyzed parole data from 2019-2023).

104 Delvecchio Baylor v. Alabama, at 10, citing *Miller v. Alabama*, 567 U.S. 460 (2021)(holding that Eighth Amendment to the US Constitution forbade the sentence of life imprisonment without parole for juveniles without consideration of the unique characteristics of youth.)

105 Id., Order on Rule 32 Petition for Relief, Aug. 29, 2023.

Chapter Six

106 Albert Pugh, “*I was a habitual offender, but I am much more than my past*,” *Montgomery Advertiser*, March 1, 2021, <https://www.montgomeryadvertiser.com/story/opinion/2021/02/23/habitual-offender-but-am-much-more-than-my-past/4557870001/>.

107 State v. Pugh, Cullman County Circuit Court Case No. 1983-00061.00

108 Id. (Order) Sept. 10, 2010

109 State v. Sandifer, Morgan County Circuit Court Case No. 1987-00131.

Chapter Seven

110 Cole, D. 2011. “Turning the Corner on Mass Incarceration?” *Ohio State Journal of Criminal Law* 9 (1): 27-51. See also Ashley Nellis, “No End in Sight: America’s Enduring Reliance on Life Sentences” The Sentencing Project, (2021). <https://www.sentencingproject.org/reports/no-end-in-sight-americas-enduring-reliance-on-life-sentences/>

111 Ashley Nellis, “Life Goes On: The Historic Rise of Life Sentences in America,” The Sentencing Project (2013), 3. <https://www.sentencingproject.org/app/uploads/2022/08/Life-Goes-On.pdf>. The Supreme Court ruled that the death penalty was unconstitutional in the case *Furman v. Georgia*, but would clarify the ruling in 1976, effectively reinstating the death penalty.

112 Nellis, “Life Goes On,” 7.

113 Among a number of studies, see Brian D. Johnson, Cassia Spohn, and Anat Kimchi, “Life lessons: Examining sources of racial and ethnic disparity in federal life without parole sentences” in *Criminology* 59:4 (2021).

114 Nellis, “No End in Sight,” 4.

115 This is partially due to the way in which crack versus cocaine was sold. “Most criminal justice analysts argue that racial disparities in arrest and imprisonment relate to demographics. Crack is usually sold in small quantities in open-air markets. Powder is more expensive and is usually sold in larger quantities behind closed doors in locations that are inherently private. In urban areas the “fronts” of crack use and sales are large metropolitan centers which gather the greater emphasis of law enforcement. Since minorities and lower income persons are most likely to inhabit these areas, they are therefore at greater risk of arrest for crack cocaine possession than are white and higher income powder offenders.” See Michael Coyle, “Race and Crack Penalties in Crack Cocaine Sentencing,” The Sentencing Project, (n.d.). <https://www.prisonpolicy.org/scans/sp/RaceandClass.Sentencing.pdf>; 8. See also Donald X. Ramsey, *When Crack Was King: A People’s History of a Misunderstood Era*, New York: One World, 6-7.

116 Ramsey, *When Crack Was King*, 10.

117 Ramsey, *When Crack Was King*, 10.

118 Ramsey, *When Crack Was King*, 8.

119 Ramsey, *When Crack Was King*, 11.

120 Ramsey, *When Crack Was King*, 8-9.

121 Coyle, “Race and Class Penalties.” See also Nicole D. Porter and Valerie Wright, “Cracked Justice,” The Sentencing Project, (2011), passim. <https://www.prisonpolicy.org/scans/sp/Cracked-Justice.pdf>

122 Ibid.

123 Daniel Loehr, “The Eugenic Origin of the Three Strikes Law: How “Habitual Offender” Sentencing Laws Were Used as a Means of Sterilization,” The Sentencing Project, (2025), 6. 124 Loehr, “The Eugenic Origin,” 4-5.

125 Loehr, “The Eugenic Origin,” 9.

126 Loehr, “The Eugenic Origin,” 9.

127 Loehr, “The Eugenic Origin,”), passim. The law remains in force today with only minor changes.

128 Loehr, “The Eugenic Origin,” 9. The law remains in force today with only minor changes.

129 Alexandra Stern, “When California Sterilized 20,000 of Its Citizens: The Golden State Was the Most Aggressive in the Country in Deeming the ‘Feebleminded’ and ‘Deviant’ Unfit to Reproduce,” <https://www.zocalopublicsquare.org/when-california-sterilized-20000-of-its-citizens/>. These ideas were rife across disciplines such as medicine, law, psychology, and others.

130 Loher, Loehr, “The Eugenic Origin,” 8-9.

131 Loher, Loehr, “The Eugenic Origin,” 3.

132 Lutz Kaelber, “Alabama” in *Eugenics: Compulsory Sterilization in 50 American States*, website. <https://www.uvm.edu/~lkaelber/eugenics/AL/AL.html>

133 Ibid. Partlow did sterilize all patients.

134 Ibid.
135 Ibid.
136 The lack of applied eugenics to blacks in institutions like the convict lease system and the chain gang does not mean that the men promoting such theories were not racist; instead, nonwhites were not seen fit to improve and the funds for medical treatment for nonwhites could not be spared from Alabama’s meagre coffers. See Gregory Michael Dorr, “Defective or Disabled?: Race, Medicine, and Eugenics in Progressive Era Virginia and Alabama, in *The Journal of the Gilded Age and Progressive Era* 5:4 (2006): 359-392, pp 388-389.
137 Kaelber, “Alabama.”
138 <http://www.critical-theory.com/43-years-ago-today-foucaults-statement-on-french-prisons/>

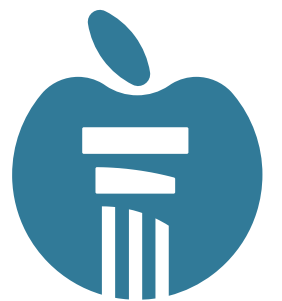
Recommendations

139 Code of Alabama § 15-22-36 (providing authority to grant pardons and remit fines and fees to the Board of Pardons and Paroles.)
140 Executive Budget Office, State General Fund, FY2026 Spreadsheet as Passed Final Act, at <https://budget.alabama.gov/wp-content/uploads/2025/05/HB186-Spreadsheet-as-Passed-Final-Act-2025-251.pdf>
141 *Id*
142 Beth Shelburne, *Blood Money: Alabama Department of Corrections pays to settle lawsuits alleging excessive force*, Alabama Reflector, May 19, 2025. (“The cost of defending lawsuits against individual officers and larger, class-action cases against the entire department has pushed ADOC’s legal spending over \$57 million since 2020. In the last five years, the department has spent over \$17 million on the legal defense of accused officers and lawsuit settlements, along with over \$39 million litigating a handful of complex cases against ADOC, including a lawsuit filed by the U.S. Department of Justice over prison conditions.”)
143 See SB 60, Sponsored by Sen. Greg Albritton
144 Centers for Medicare and Medicaid Services, <https://www.medicaid.gov/federal-policy-guidance/downloads/smd23003.pdf>, 2023, page 8, noting that Medicaid does allow federal funds to pay for qualifying inpatient stays in facilities such as hospitals, nursing homes, and psychiatric residential treatment facilities for durations longer than 24 hours.

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