



KAY IVEY  
GOVERNOR

# State of Alabama Department of Corrections

Alabama Criminal Justice Center  
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JOHN Q. HAMM  
COMMISSIONER

June 30, 2023

ADMINISTRATIVE REGULATION  
NUMBER 413

OPR: CENTRAL RECORDS

## INMATE CENTRAL RECORDS FILE

### I. GENERAL

This Alabama Department of Corrections (ADOC) Administrative Regulation (AR) establishes responsibilities, policies, and procedures for governing the basic contents of inmate files maintained by Central Records Division.

### II. POLICY

It is the policy of the ADOC to maintain and update the central records file on all active and inactive inmates.

### III. DEFINITIONS AND ACRONYMS

- A. **Central Records Office (CRO)**: ADOC division responsible for maintenance of inmate records and files.
- B. **End of Sentence (EOS)**: The date of completion of an inmate's sentence.
- C. **Inmate Central Records File (ICRF)**: Electronic/paper file of inmate records maintained by the Central Records Office (CRO).
- D. **Interstate Agreement on Detainers (IAD)**: Agreement between states whereby inmates are transferred to the temporary custody of another state for the purpose of facing pending criminal charges.
- E. **Digital Repository**: Electronic storage for documents maintained in an inmate's record.
- F. **National Criminal Information Center (NCIC)**: Computerized database of criminal justice information.

**IV. RESPONSIBILITIES**

The Director of Central Records is responsible for:

- A. The overall responsibility for inmate central record files and contents therein.
- B. Establishing guidelines for administratively processing all documentation received for active or inactive inmate central records files.
- C. Authorizing employees/officials to review inmate central records files.

**V. PROCEDURES**

- A. The following are the steps for filing documents:
  - 1. All documentation received will be sorted, alphabetized, and filed in the appropriate inmate central records file or Digital Repository.
  - 2. All documentation filed will be reviewed for items such as authorized signatures, release date, and data entry stamp, when necessary.
  - 3. Types of documentation filed in the inmates central records file or Digital Repository are contained in Annex A.
- B. The following employees/officials are authorized to review inmate central records file:
  - 1. Authorized employees of the ADOC.
  - 2. The following officials in performance of their duties:
    - a. Officials and Designated Employees of the Courts;
    - b. State Legislators;
    - c. Probation and Paroles Officers and Board Members of the Alabama Board of Pardons and Paroles;
    - d. Federal Probation and Parole Officers;
    - e. Officials of the Alabama Attorney General's Office;
    - f. Governor and/or Designee;
    - g. Public Law Enforcement Officers.

**VI. DISPOSITION**

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

**VII. ANNEXES AND FORMS**

- A. Annex A to AR 413, *Types of Documentation filed by Central Records Office*
- B. Annex B to AR 413, Attorney General's Opinion, dated June 11, 1979, Titled "*Prison and Prisoners – Confidentiality of Inmates' Files*"

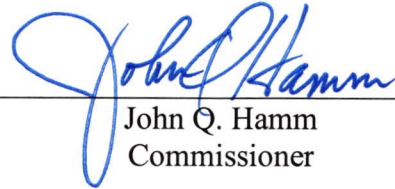
There are no forms prescribed in this AR.

**VIII. SUPERSEDES**

This Administrative Regulation supersedes AR 413, *Inmate Central Records File*, dated December 3, 2003, and any changes.

**IX. PERFORMANCE**

Attorney General's Opinion, dated June 11, 1979, Titled "*Prison and Prisoners – Confidentiality of Inmates' Files*"



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John Q. Hamm  
Commissioner

## TYPES OF DOCUMENTATION IN THE INMATE CENTRAL RECORDS FILE

FORMS	ADMIN. REGULATION
<b>DATA ENTRY SECTION:</b>	
Microfilm Section Request	
Legal Document Delivery Form	AR 419, Annex A
<b>RELEASE SECTIONS FORMS:</b>	
Checklist for Inmates to be Released	Annex A to AR 411
Release Letter to County Jail Personnel	Annex B to AR 411
Receipt of Released Convict Form C-80	Annex C to AR 411
Release Letter to Federal or Out of State Personnel	Annex D to AR 411
Release Letter to Pardon & Parole Board	
Release Letter to Probation Office	
Letter of Transmittal (2-sided document)	Annex F to AR 411
Sex Offender Release Notification	
Waiver of Extradition	Annex D to AR 415
Do you wish to exercise Detainer at Inmate's EOS or Probation	
<b>PAROLES:</b>	
Parole to DOC Letter from Parole Board	
Parole to DOC Letter from us Central Records to location of Inmate	
Parole cover letter for County, Federal & Out of State Paroles	
Parole letter to US Marshall	
Receipt of Released Convict Form (C-80)	
Fax Cover Sheet used for Parole Reinstatements released from county jails	
Letter from Parole Board to reinstate from Institutions or County Jails	
<b>COMMUNICATIONS SECTION:</b>	
(Detainers, Warrants, NCIC, and IAD)	
Form Letter - Concurrent Sentence – Federal	Annex A to AR 416
Form Letter - Place a Detainer	Annex C to AR 416
Form Letter - Concurrent Sentence – State	Annex B to AR 416
Letter to Warden Form	Annex A to AR 415
Information of Rights Form	Annex B to AR 415
Waiver of Extradition; C & I Form	Annex D to AR 415
Form Letter – Placement of Detainer	Annex C to AR 415 & Annex A to AR 417
Legal Document Serve & Return Form – Disposition	Annex C to AR 419
Detainer Info for Classifications	
Form Letter – Cancellation of Detainer	Annex B to AR 417
Escape List	
Fugitive Warrant	
Legal Document Serve and Return Form	Annex B to AR 419
Letter to Inmate not member of IAD	
Letter to Prosecutor that Form II sent and no response	
Letter to Classification crime cannot be resolved by IAD	

Letter to Prosecutor that Form II sent and no response	
Letter to Classification crime cannot be resolved by IAD	
Escape Report	
AL Dept. of Corrections Recapture Report	
Escape Report Submitted to Terminals	
Fugitive Warrant to cover Escape	
Code Sheet for Escapees	
Escape Locate to Terminals Form	
Fugitive Warrant to Cover Parole Violators	
Code Sheet for Parole Violators	
Out of State Transfer Form	
Prisoner Transport Order Form	
Pick up Confirmation Letter	
Request to Receive Information (arrest reports)	
Completion of Sentence cover letter	
Completion of Sentence Warrant	
Extradition Package (5 pages of documents)	
Warrant Check for Classification	
Blank NCIC Card (replacements)	
Fax Cover Sheet	
Extradition Package (2 pages of documents)	
Form I	AR 424
Governor's Warrant from another state (pkg. of 8 documents)	
IAD form letter (enclosing Forms III, IV & V-a)	
IAD form letter (enclosing Form II, III & IV)	
Governor's Letter for inmate to be sent for disposition in another state	
Letter to another state that we are in receipt of their request for temporary custody	
Form to elect or not elect to file a Writ of Habeas Corpus	
Form V-a, Prisoner's Agreement to Temp. Transfer of Custody	AR 424
Form IV, Offer to Deliver Temporary Custody	AR 424
Form III, Certificate of Inmate Status	AR 424
Form V, Request for Temporary Custody	AR 424
Form VI, Evidence of Agent's Authority to Act for Receiving State	AR 424
Form VII, Prosecutor's Acceptance of Temp. Custody in Connection with Inmate's Request for Disposition	AR 424
Form VIII, Prosecutor's Acceptance of Temp. Custody in Connection with another prosecutors	AR 424
Form, IX, Prosecutor's Report on Disposition of Charges	AR 424
Form Letter unable to Serve Warrant as Inmate is on Escape	
Form Letter Inquiry as to if Detainer is still Active	
Form Letter Inmate Available for Release to Your Custody	
<b>INITIAL ADMISSIONS:</b>	
Fingerprint Cards	
R-84 Final Disposition Report	

<b>MAIL ROOM:</b>	
Time Sheets	
Prior Incarceration Sheets	
<b>DIRECTOR'S SECRETARY:</b>	
Affidavits	
Pen Packet Certification Letter	
Pen Packet Exemplified Certification Letter	
Jail Credit Inquiry Letter	
International Treaty Correspondence (several letters)	
Interstate Corrections Compact Correspondence (several letters)	
Responses to Inmates and Other Inquiries (several letters)	

# OFFICE OF THE ATTORNEY GENERAL

MM



CHARLES A. GRADDICK  
ATTORNEY GENERAL  
STATE OF ALABAMA

JUN 11 1979

LEE L. HALE  
DEPUTY ATTORNEY GENERAL  
WILLIAM M. BEHURS, JR.  
EXECUTIVE ASSISTANT  
WALTER S. TURNER  
CHIEF ASSISTANT ATTORNEY GENERAL  
JANIE NOBLES  
ADMINISTRATIVE ASSISTANT

JUN 30  
6:30 AM

ADMINISTRATIVE BUILDING  
64 NORTH UNION STREET  
MONTGOMERY, ALABAMA 36133  
AREA (205) 834-9130

Mr. R.G. Britton  
Commissioner  
State of Alabama Board of Corrections  
Montgomery, Alabama 36130

RE: Prison and Prisoners –Confidentiality of Inmates' Files

1. Information other than that of conviction should not be released to members of the inmate's family:
2. In the absence of a court order, persons, or agencies other than criminal justice types should receive only conviction information from inmate's files.
3. The Privacy Act of 1974 is not applicable to state correctional institutions and state prisoners therein.

An attorney having the inmate's permission should also have a court order before reviewing the inmate's file.

Dear Mr. Britton:

I have received your request for an opinion from this office, dated May 1, 1979, which reads, verbatim, as follows:

**I. Release of information from an inmate's file:**

Question #1: Should we release other than convictions information to members of the inmate's family?

Questions #2: Should persons or agencies, other than criminal justice types, who request data other than conviction date be allowed to review the files and/or receive data from Central Records Staff, or can we continue to deny the request without a court order?

II. **Review of inmate's file:**

“Question #1: Should we grant the requests of inmates who are requesting to review their file or have copies made of their entire file using the Federal Privacy and Security Act of 1974 [sic] as their legal authority?”

“Question #2: Can we require an attorney, who has the inmate's permission, to obtain a court order before allowing him access to the inmate's file?”

In answer to the first question presented in the first part (I) of your request, it is my opinion that members of the inmate's family obtain no special status by virtue of the familial relationship. They should be regarded as any other third party, or as a member of the general public. Hence, in the absence of a court order directing access, the case of *Tarlton v. United States*, 430 F.2d 1351 (5<sup>th</sup> Cir. 1970) directly applies:

**“As the District Court held, prison records of inmates are confidential and are not subject to inspection by the public nor the inmate concerned. *Cook v. Willingham*, 10 Cir. 1968, 400 F.2d 885.”**

It should be noted that prison files/records are those which are kept in the normal course of prison business and are used primarily for the benefit of the prison system. Accordingly, such files/records would normally not be available to the inmate unless it is determined through proper discovery methods that the inmate's need outweighs any benefit which would inure to the prison system for keeping them confidential. *Bogard v. Cook*, 60 F.R.D. 508 (N.D. Miss. 1973).

In answer to the second question presented in the second part (I) of your request, it is my opinion that the preceding answer applies:

In answer to the first question presented in the second part (II) of your request, it is my opinion that the Privacy Act of 1974 is not applicable. The Legislative History of the Privacy Act of 1974 reads as follows:

**“PURPOSE...It is designated to prevent the kind of illegal, unwise, overbroad, investigation and record surveillance of law-abiding citizens produced in recent years from actions of some overzealous investigators, and the curiosity of some government administrators, or the wrongful disclosure and use, in some cases, of personal files held by Federal agencies.” [Emphasis added]**




**Thus, the Privacy Act of 1974, applies to Federal agencies and does not apply to a state correctional institution housing state prisoners.**

In answer to the second question presented in the second part (II) of your request, it is my opinion that the preceding answers for the questions in part one (I) above also apply here. An inmate's attorney acts for and in the place of the inmate and acquires no special status by virtue of that attorney/client relationship. Hence, the attorney nor his client (the inmate) may act in derogation of Tarlton, supra, and Bogard, supra.

Sincerely,

CHARLES A. GRADDICK  
ATTORNEY GENERAL

By-



MILTON E. BELCHER  
ASSISTANT ATTORNEY GENERAL