# ALABAMA BOARD OF PARDONS AND PAROLES ADMINISTRATIVE CODE

## CHAPTER 640-X-7 PARDONS

## TABLE OF CONTENTS

**640-X-7-.01 Pardons**
**640-X-7-.02 Certificate Of Eligibility To Register To Vote**
**640-X-7-.03 Certificate of Employability**

### 640-X-7-.01 Pardons.

(1) An individual applying for a pardon with or without restoration of civil and political rights may appear at any Bureau office to complete and/or submit an application (Form ABPP-3) or may submit an application by mail or electronically to the Bureau. Except as authorized by the Rosa Parks Act (Code of Ala. 1975, Sections 15-22-90 through 92) and the Scottsboro Boys Act (Code of Ala. 1975, Sections 15-22-110 through 115), no pardon investigation will be completed except at the request of the person whose conviction is at issue. Applications submitted under the Rosa Parks Act or the Scottsboro Boys Act shall comply with the requirements put forth for such applications by Alabama law. The Board will consider pardons for convictions in the courts of the State of Alabama for violations of state law. The Board will also consider pardons for convictions in the courts of the United States or of other states if the petitioner is, at the time of application and consideration, an Alabama resident.

(2) To be considered for a pardon, an applicant must have either completed his or her sentence or have successfully served at least three (3) years on parole for the sentence for which the applicant seeks a pardon.

(3) Notwithstanding the foregoing, a pardon based on innocence may be granted upon the unanimous affirmative vote of the Board following receipt and filing of clear proof of his or her innocence of the crime for which he or she was convicted and the written approval of the judge who tried his or her case or district attorney or with the written approval of a circuit judge in the circuit where he or she was convicted if the judge who tried his or her case is no longer serving.

(4) Pardon applicants must fully cooperate with investigation of his or her criminal history, personal and social history, and the circumstances of the crime.

(5) When the pardon application and investigation is complete, the case will be docketed for consideration by the Board subject to notification as required by law.

(6) If the Board votes to grant a pardon, the Board will also decide whether to restore any or all civil and political rights lost as a result of the conviction. As required by law, Board Members shall provide the reasons supporting their decision to grant a pardon in the file. The Board's order granting a pardon will be made a matter of public record. All other portions of the file shall remain subject to statutory privilege.

(7) If the Board declines to grant a pardon and/or to restore any or all civil and political rights, the applicant may not re-apply until at least two (2) years have passed from the date of Board action, unless otherwise expressly ordered by the Board.
**Author:** Meridith H. Barnes, Laura B. Mest, Greg Locklier
**Statutory Authority:** Code of Ala. 1975, §§15-22-21, 15-22-36, 15-22-37.
**History: New Rule:** Filed April 9, 2002; effective May 14, 2002.
**Repealed and New Rule:** Published January 31, 2020; effective March 16, 2020.

**640-X-7-.02 Certificate Of Eligibility To Register To Vote.**

(1) An individual seeking a Certificate of Eligibility to Register to Vote ("CERV") shall file an application on a form approved by the agency (Form ABPP-4). All pardon procedures established by Rule 640-X-7-.01 shall generally apply to CERV except that a CERV shall be granted within forty-four (44) days to an applicant who meets all of the following requirements as verified by the Code of Ala. 1975, Section 15-22-36.1 investigation and reporting process:

(2) The person has lost his or her right to vote by reason of conviction in a state or federal court except for a conviction for any of the following offenses: impeachment, murder, rape in any degree, sodomy in any degree, sexual abuse in any degree, incest, sexual torture, enticing a child to enter a vehicle for immoral purposes, soliciting a child by computer, production of obscene matter involving a minor, production of obscene matter, parents or guardians permitting children to engage in obscene matter, possession of obscene matter, possession with intent to distribute child pornography, or treason.

1. The person has no criminal felony charges pending against him or her in any state or federal court.

2. The person has paid all fines, court costs, fees, and victim restitution ordered by the sentencing court at the time of sentencing on disqualifying convictions.

3. Any of the following are true in the disqualifying convictions:

(a) The person has been released upon completion of sentence.

(b) The person has been pardoned.

(c) The person has successfully completed probation or parole and has been released from compliance by the ordering entity.

(3) Application for CERV shall not affect the right of any person to apply for a pardon with or without restoration of civil or political rights or remission of fine or forfeiture pursuant to Code of Ala. 1975, Section 15-22-36 or Rule 640-X-7-.01 of this Chapter.

**Author:** Eric Anderson, Meridith H. Barnes, Laura B. Mest, Greg Locklier

**Statutory Authority:** Code of Ala. 1975, §§15-22-21, 15-22-36.1, 15-22-37.

**History: New Rule:** January 31, 2020; effective March 16, 2020. **Amended:** Published July 31, 2026; effective September 14, 2026, operative October 1, 2026.

**640-X-7-.03 Certificate of Employability.**

(1) The agency shall issue a Certificate of Employability to individuals released on parole or mandatory supervised release who meet the eligibility criteria set forth below. The certificate recognizes the individual's efforts toward successful workforce reentry and their demonstrated ability to obtain and maintain employment.

(2) To qualify for a Certificate of Employability, an inmate must meet all of the following criteria:

(a) No violent disciplinary infractions during the current term of incarceration.

(b) No disciplinary infractions of any kind within the preceding 12 months of incarceration.

(c) While in custody of ADOC, successfully completed GED, higher education, or trade school.

(d) Have an ADOC custody level of Min-Community or Min-Out and the employment must be verified as current.

(3) The following individuals are not eligible to receive a Certificate of Employability:

(a) Any individual required to register as a sex offender pursuant to Code of Ala. 1975, Chapter 20A of Title 15.

(b) Any individual convicted of a violent offense as defined in Code of Ala. 1975, Section 12-25-32.

(4) When the agency provides notice of an inmate's parole eligibility date, the agency shall include information regarding the opportunity to obtain a Certificate of Employability and the criteria required for eligibility.

(5) Prior to the board's decision on parole, or release by the Alabama Department of Corrections to mandatory supervision, the agency shall conduct an Employability Review to determine whether the inmate meets the criteria for a Certificate of Employability.

(a) If parole is granted and all criteria are satisfied, the agency shall issue the Certificate of Employability, and the issuance shall be recorded in the board's minutes.

(b) When an inmate is within one week of the eligibility date for mandatory supervised release, as determined by the Alabama Department of Corrections, and all eligibility criteria are satisfied, the board shall be notified, and such notification shall be recorded in the board's minutes.

(c) The certificate shall be provided to the individual upon reporting to the assigned parole officer immediately following release.

(d) If the board rescinds a grant of parole prior to release, any determination to issue a Certificate of Employability shall be void.

(e) If an otherwise eligible inmate becomes ineligible prior to release—due to a disciplinary infraction, conviction of a new felony offense, or other disqualifying event—the Certificate of Employability shall be void.

(6) Upon notification that a recipient of a Certificate of Employability has been convicted of a felony offense in any jurisdiction within the United States:

(a) The board shall be notified; the Certificate of Employability shall be revoked and entered into the board's minutes.

(b) The agency shall update its records, including any public listing on its website, to reflect the revocation.

**Author:** Eric Anderson, Scott Perkins, James Walters.
**Statutory Authority:** Code of Alabama 1975, §§ 15-22-21, 15-22-24.1, 15-22-37.

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