

APA-1

TRANSMITTAL SHEET FOR NOTICE  
OF INTENDED ACTION

Control: 265

Department or Agency: Alabama Justice Information Commission

Rule No.: Chapter 265-X-10

Rule Title: Crime Victims Compensation Commission Access

Intended Action New

Would the absence of the proposed rule significantly harm or endanger the public health, welfare, or safety? No

Is there a reasonable relationship between the state's police power and the protection of the public health, safety, or welfare? Yes

Is there another, less restrictive method of regulation available that could adequately protect the public? No

Does the proposed rule have the effect of directly or indirectly increasing the costs of any goods or services involved? No

To what degree?: N/A

Is the increase in cost more harmful to the public than the harm that might result from the absence of the proposed rule? NA

Are all facets of the rule-making process designed solely for the purpose of, and so they have, as their primary effect, the protection of the public? Yes

Does the proposed action relate to or affect in any manner any litigation which the agency is a party to concerning the subject matter of the proposed rule? No

.....

Does the proposed rule have an economic impact? No

If the proposed rule has an economic impact, the proposed rule is required to be accompanied by a fiscal note prepared in accordance with subsection (f) of Section 41-22-23, Code of Alabama 1975.

.....

Certification of Authorized Official

I certify that the attached proposed rule has been proposed in full compliance with the requirements of Chapter 22, Title 41, Code of Alabama 1975, and that it conforms to all applicable filing requirements of the Administrative Procedure Division of the Legislative Services Agency.

Signature of certifying officer

Chris Howell  
Chris Howell

Date

Friday, November 15, 2024

**REC'D & FILED**  
**NOV 18, 2024**  
**LEGISLATIVE SVC AGENCY**

ALABAMA JUSTICE INFORMATION COMMISSION

NOTICE OF INTENDED ACTION

AGENCY NAME: Alabama Justice Information Center

RULE NO. & TITLE: Chapter 265-X-10 Crime Victims Compensation  
Commission Access

INTENDED ACTION: New

SUBSTANCE OF PROPOSED ACTION:

The purpose of this Rule is to provide the terms of access to and the use of state Incident Offense Reports (IO Reports) to the Alabama Crime Victims Compensation Commission (ACVCC).

TIME, PLACE AND MANNER OF PRESENTING VIEWS:

January 16, 2025, Alabama Justice Information Commission meeting.

FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE:

Thursday, January 16, 2025

CONTACT PERSON AT AGENCY:

Maury Mitchell

*Chris Howell*

---

Chris Howell

(Signature of officer authorized  
to promulgate and adopt  
rules or his or her deputy)

**ALABAMA JUSTICE INFORMATION COMMISSION  
ADMINISTRATIVE CODE**

**CHAPTER 265-X-10  
CRIME VICTIMS COMPENSATION COMMISSION ACCESS**

**TABLE OF CONTENTS**

**265-X-10-.01      Purpose**  
**265-X-10-.02      Access**

**265-X-10-.01      Purpose.**

1) The purpose of this Rule is to provide the terms of access to and the use of state Incident Offense Reports (IO Reports) to the Alabama Crime Victims Compensation Commission (ACVCC).

**Author:** Maury Mitchell

**Statutory Authority:** Section 41-9-594 of the Code of Alabama

**History: New Rule:** Published \_\_\_\_; effective \_\_\_\_.

**265-X-10-.02      Access.**

1) The ACVCC is authorized to access and receive an IO Report from any municipal, county or state law enforcement agency for the limited purpose of determining applicants' eligibility for crime victims' compensation benefits.

2) IO Reports or the information from an IO Report obtained by the ACVCC may only be viewed by staff of the Commission and may not be disseminated to the victim or any other entity.

3) A law enforcement agency may deny access to a complete IO Report or provide a report that redacts sensitive information when one or more of the following reasons apply:

a. When disclosure of the information would compromise criminal investigations, resulting in potential harm to innocent persons or infringe upon the constitutional rights of the any person.

b. When keeping all or a portion of a report confidential is necessary to protect witnesses and/or victims.

c. To protect the identities of law enforcement officers currently working undercover.

d. When disclosure would reveal the identity of informants.

e. When disclosure of the information would impede an agency's enforcement or detection efforts.

f. When disclosure would reveal investigatory techniques.

g. When disclosure would deprive a person of a right to a fair trial or an impartial adjudication.

4) IO Reports obtained by the ACVCC may only be released to a grand jury subpoena pursuant to §15-23-5(4).

5) ALEA may provide ACVCC with state IO report information from the state IO repository upon signing an Agency Access Agreement. All information provided to ACVCC is subject to audit by the ALEA CJIS Division. Misuse of this information may be subject to administrative sanctions and criminal prosecution under §41-9-601 and §41-9-602.

**Author:** Maury Mitchell

**Statutory Authority:** Section 41-9-594 of the Code of Alabama

**History: New Rule:** Published \_\_\_\_\_; effective \_\_\_\_\_.