

APA-1

TRANSMITTAL SHEET FOR NOTICE OF INTENDED ACTION

Control: 640
Department or Agency: Alabama Board of Pardons and Paroles Administrative Code
Rule No.: 640-X-A-7
Rule Title: Form ABPP-7: Application for Reconsidering Revocation of Supervised Release
Intended Action: New

Would the absence of the proposed rule significantly harm or endanger the public health, welfare, or safety? Yes

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

Cam Ward
Cam Ward

Date

Tuesday, May 19, 2026

REC'D & FILED
MAY 20, 2026
LEGISLATIVE SVC AGENCY

ALABAMA BOARD OF PARDONS AND PAROLES
ADMINISTRATIVE CODE

NOTICE OF INTENDED ACTION

AGENCY NAME: Alabama Board of Pardons and Paroles

RULE NO. & TITLE: 640-X-A-7 Form ABPP-7: Application for Reconsidering
Revocation of Supervised Release

INTENDED ACTION: New

SUBSTANCE OF PROPOSED ACTION:

To add a new form for submitting a request to reconsider a decision revoking parole or revoking release to mandatory supervision.

TIME, PLACE AND MANNER OF PRESENTING VIEWS:

Written comments may be directed to Alatia R. Midkiff, Alabama Bureau of Pardons and Paroles, 301 South Ripley Street, Montgomery, AL 36104.

FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE:

Monday, July 6, 2026

CONTACT PERSON AT AGENCY:

Alatia R. Midkiff
Attn: Legal Department
301 South Ripley Street
Montgomery, AL 36104

Cam Ward

Cam Ward

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

ALABAMA BUREAU OF PARDONS AND PAROLES

INSTRUCTIONS ON APPLYING FOR REVOCATION RECONSIDERATION

BEFORE COMPLETING THIS APPLICATION, READ AND REVIEW THE RULES IN ALABAMA ADMINISTRATIVE CODE R. 640-X-9-.07, WHICH CAN BE FOUND ON THE AGENCY'S WEBSITE (PAROLES.ALABAMA.GOV), AND THE INSTRUCTIONS BELOW.

- 1) All requests for reconsideration must be submitted on the Alabama Bureau of Pardons and Paroles's Application for Reconsidering Revocation of Supervised Release form (ABPP-7). **The agency will not accept requests submitted any other way.**
- 2) Fill out the form completely. If you do not recall the exact date of the revocation order, you may provide an approximate date. Incomplete applications will be rejected.
State compelling reasons and, if applicable, provide documentary evidence justifying your reconsideration request. If additional space is needed, you may attach ten additional pages (not including any documentary evidence) to this application. The following are examples of reasons and evidence that do not warrant relief:
 - Arguments that witnesses lied at the parole court hearing.
 - Mitigation arguments regarding an applicant's good behavior while incarcerated or while previously under supervision.
 - Disagreement with a sanction imposed if within the board's discretion.
 - Disagreement with the hearing officer's factual findings where testimony or other evidence is contradictory.
- 3) If you wish for the board to consider any documentary evidence, you must attach a copy to, and submitted it with, the application. Describe, but do not attach, any non-documentary evidence (e.g., a video) **in your possession** that you can provide later if requested.
- 4) If seeking reconsideration based upon an acquittal, dismissal (with prejudice), or nolle prosequi (with prejudice and without conditions) of all criminal charges relied upon by the board in its revocation order, **you must attach a copy of the order from the court that disposed of the charges.** Charges dismissed as a result of a plea bargain in which you pled guilty to one or more reduced or different charges **do not** justify reconsideration.
- 5) Sign and date the application. **Unsigned and/or undated applications will be rejected.**
- 6) Mail the completed application and all attachments to:

Alabama Board of Pardons and Paroles
Attn: Board Operations
301 South Ripley Street
Montgomery, AL 36104

To receive consideration, applications must be postmarked ***within two months*** of:

- the date of the board order revoking parole or mandatory supervision; or
- the date of the court order of acquittal, dismissal (with prejudice), or nolle prosequi (with prejudice and without conditions).

Applications rejected for being incomplete, unsigned, missing required information, or failing to comply with the Board's administrative rules, may be resubmitted as a corrected application if postmarked within the applicable 2-month time period above.

Author: Alabama Bureau of Pardons and Paroles

Statutory Authority: Code of Alabama 1975, §§ 15-22-21,
15-22-32, 15-22-37.

History: New Rule: Published _____; effective _____.