



KAY IVEY  
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BUREAU OF PARDONS AND PAROLES

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CHARLES A. GRADDICK  
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June 24, 2020

Leigh Gwathney  
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Alabama Board of Pardons and Paroles  
100 Capitol Commerce Blvd  
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**VIA HAND DELIVERY AND ELECTRONIC TRANSMISSION (EMAIL)**

RE: Board Hearing Schedule

Dear Chair Gwathney,

I am in receipt of your response regarding the hearing schedule proposed by the Bureau to mitigate current parole and pardon backlogs. Thank you for expressing your general agreeability and commitment to increasing the Board's overall hearing numbers and reinstating pardon hearings.

Based on the feedback relayed from you on behalf of the Board, Board Operations will plan to immediately schedule hearings at a rate of 60 cases per day for three days a week, beginning the first week of August 2020. The 60 hearings per day will include pardons hearings, which should be docketed at a rate of no less than 10 per day.

Depending on how things go, we may need to consider expanding Board hearings to a fourth day each week. This may especially be the case once public hearings resume and measures must be taken during the process to mitigate COVID-19 concerns.

Please contact me if further discussion is needed on this issue. Also, please feel free to contact me in the event the Board has feedback on any matter or requires assistance from the Bureau.

Sincerely,

Charles A. Graddick  
Director



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CHARLES A. GRADDICK  
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June 22, 2020

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**VIA HAND DELIVERY AND ELECTRONIC TRANSMISSION (EMAIL)**

RE: Board Hearing Schedule

Dear Chair Gwathney,

I am writing to request the Board's cooperation. As you likely know by now, the Board's overall hearing numbers for this fiscal year are on pace to be the lowest on record. To mitigate the backlog, the Bureau will immediately increase hearings to four days a week, Monday through Thursday, at a rate of 40-60 parole hearings per day, along with scheduling ten pardon hearings per day. Fridays will remain open for the Board to prepare for the following week's hearings.

I understand that the Board requested pardon hearings pause during the agency's COVID-19 response because the Board prefers to interact with pardon applicants in person. However, such is not a requirement. While the Board's request was initially accommodated, hearings must be restarted to address the agency's tremendous pardon backlog. For many, the pardon process is the only way for them to get a job or the right to vote. It would be remiss of me to indefinitely allow the Board not to hold pardon hearings because of the pandemic.

Please let me know if there are any questions or concerns about this request as soon as possible. Otherwise, Board Operations will immediately move forward.

Sincerely,

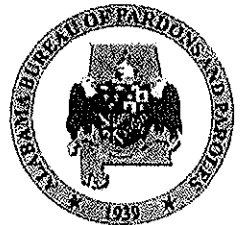
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CHARLES A. GRADDICK  
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June 23, 2020

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**VIA HAND DELIVERY AND ELECTRONIC TRANSMISSION (EMAIL)**

RE: BOARD HEARING SCHEDULE

Judge Graddick,

Thank you for reaching out to the Board of Pardons and Paroles regarding the scheduling of pardon and parole hearings. As you are aware, this Board operates full time. The Board works five days a week and conducts hearings on three of those five days. As you are also aware, the number of hearings that this Board hears each week is determined by the staff of the Bureau of Pardons and Paroles, not the Board of Pardons and Paroles. The Board has had no input into the number of cases set on any docket since the time that I have been the Chair. The number of pardon and parole cases heard by the Board is solely determined by the administration of the Bureau of Pardons and Paroles.

The Board is sensitive and responsive to the Bureau's desire to increase the number of cases heard by the Board. We would ask that more cases be set on the Board's docket. Your correspondence indicates an intention to set forty to sixty parole hearing cases per day, with an additional ten pardon hearing cases set per day. The Board is currently hearing approximately forty cases per day. On June 22, 2020, I made an electronic inquiry to General Counsel Meredith Barnes asking for a more narrow expectation of the Bureau's projected weekly docketing than the two-hundred (200) to two-hundred and eighty (280) cases indicated in your correspondence. Mrs. Barnes correspondence to me did not provide a more precise number, and the reason cited was that it depends on "whether board operations is able to get enough cases located/notified, especially at first". It appears that the Bureau staff is uncertain at this time of how many cases its staff can prepare for the Board to hear.

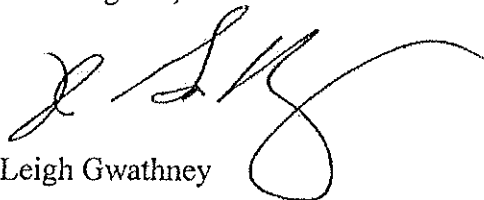
Thus, the Board is asking that, from the date of this letter, the Bureau begin setting sixty (60) cases on Tuesdays, Wednesdays and Thursdays respectively. We would ask that fifty (50) of those cases be parole cases, and ten (10) of those cases be pardon cases. Should the Bureau find that it is able to set more than one-hundred and eighty (180) cases per week, the Board will then begin hearing cases on Mondays in addition to its regular duties as Board members. Should the

Bureau be able to set more than two-hundred and forty (240) cases per week, the Board will then begin hearing cases on Fridays in addition to its regular duties as Board members.

Additionally, in your correspondence, you addressed pardon hearings. More specifically you stated, "I understand that the Board requested that pardon hearings pause during the Agency's COVID-19 response because the Board prefers to interact with pardon applicants in person". You further stated that the Board was initially "accommodated". During these unique times, I think that it is important to be very clear about why certain hearings were postponed. On April 14, 2020, Mrs. Effie Hawthorne communicated with me via text message that the Bureau staff had agreed to "continue to postpone pardon hearings". She stated, at that time, that if the Board was in agreement, the Bureau would delay scheduled pardon hearings until in person hearings resumed. In response to the Bureau's position, I communicated my agreement, on behalf of the Board, to Mrs. Hawthorne. The Board has no issues moving forward with the resuming of pardon hearings if that is the position of the Bureau at this time.

Thank you in advance for your willingness to begin setting more cases for the Board of Pardons and Paroles to hear in the coming days. This will allow us to better serve the citizens of the State of Alabama. I look forward to hearing from you as to how we may all move forward to this goal.

Best Regards,

A handwritten signature in black ink, appearing to read "L. Gwathney", with a large, stylized flourish extending to the right.

Leigh Gwathney

Chair