

**Alabama Collateral Consequences Act**  
**Alabama Law Institute**  
**SB- \_\_\_\_\_; HB- \_\_\_\_\_**

A felony conviction imposes a status that not only makes felons vulnerable to future sanction, but also affects their economic opportunities. Record numbers of individuals with a felony record are exiting prisons and returning to communities across the state of Alabama. These individuals must confront a wide range of collateral consequences stemming from their convictions, including ineligibility for federal welfare benefits, public housing, student loans, and employment opportunities, as well as various forms of civic exclusion, such as ineligibility for jury service and disenfranchisement which has resulted in a wide range of social, economic and political privileges being unattainable.

The Law Institute's Collateral Consequences committee has developed a bill that would allow those convicted of crimes facing collateral consequences automatically barring them from employment in a given field to seek judicial relief. Inspired by similar Uniform Law Commission work in the field, this bill focuses on creating an individualized assessment, so that blanket bans do not act to prohibit consideration of applications for licensure or employment-related permissions when public safety is not seriously implicated. Individuals who face such restrictions could apply to the circuit court, where a petition and hearing process would allow them to present their situation to the judge. Upon considering the collateral consequences in question and the individual's record and history, the court could act to relieve the petitioner from certain collateral consequences, allowing them to pursue employment without being banned by an otherwise mandatory collateral consequence.