

## Alabama's justice system should focus on rehabilitation, not cruelty

By Dev Wakeley, worker policy advocate ([dev@alarise.org](mailto:dev@alarise.org)) | January 2026

Alabama's criminal justice system too often prioritizes punishment over evidence-based interventions. This cruel orientation has fueled heavy-handed sentencing policies and a broken parole system. And it has led to a death penalty system where state officials continue to kill prisoners against the recommendation of the juries that convicted them.

In 2021, lawmakers spent \$400 million of federal COVID-19 aid money on prison construction instead of building systems that address overcrowding and reduce the number of prison cells needed. This type of punitive focus, at the expense of rehabilitation, enables widespread exploitation of people who are incarcerated. It also failed to address the longstanding abuses in Alabama's prisons and jails, as the harrowing HBO documentary *The Alabama Solution* recently showed the world.

Alabama Arise supports efforts to improve all parts of the state's justice system. Policies we will support in the 2026 legislative session include:

- **Make Alabama's judicial override ban retroactive.** A 2017 state law barred judges from sentencing defendants in capital murder cases to death if a jury recommends a sentence of life imprisonment without parole. But the ban did not apply to people sentenced to death before the law's enactment. More than two dozen people

sent to death row under this now-illegal practice remain there today.

- **Reform the Habitual Felony Offender Act (HFOA).** Lawmakers should modernize sentencing practices to ensure the state does not impose prison sentences that are wildly disproportionate to the offense. The HFOA, a relic of long-discredited oversentencing practices, keeps people locked up long after they are ready for release. That practice contributes to overcrowding and violence in prisons. It also facilitates abuses similar to those under the state's old convict leasing system, a racist practice implemented after Reconstruction ended.
- **Repair the state's broken Board of Pardons and Paroles.** The board modified release guidelines in 2025 to try to insulate itself from criticism for its persistent failure to release people who are ready to rejoin society. Previously, the board released fewer than 30% of petitioners who its own guidelines recommended for release.

Arise will continue advocating for the Legislature to reject shortsighted policies that enable human rights abuses. We will urge lawmakers to work instead to build a more sensible justice system for Alabama that protects public safety and respects human rights.