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## **Attorney General Steve Marshall Announces Recent Court Actions Clarifying Alabama Law Enforcement Officers May Serve Search Warrants Outside of Their Territorial Jurisdictions**

(MONTGOMERY) – Attorney General Steve Marshall announced that recent actions by the Alabama Court of Criminal Appeals and the Alabama Supreme Court have clarified that Alabama law allows law enforcement officers in the state to serve search warrants outside of their territorial jurisdiction as long as a judge within the jurisdiction of service approves the warrant.

The clarification of the law stems from an ongoing Lauderdale County criminal case in which attorneys for defendant Jeffrey Dale Hunt, who was indicted in May 2018 for over 6,500 counts for possession and production of child pornography, sought to suppress evidence gathered by a Florence police detective at Hunt’s workplace in neighboring Colbert County. The Florence police detective had secured the warrant from a Colbert County judge prior to serving it.

In May 2019, Hunt’s attorneys argued that evidence obtained from Hunt’s personal devices in Colbert County was inadmissible because the detective was neither a sheriff, nor a constable from Colbert County. In June 2019, a Lauderdale County circuit court judge granted Hunt’s motion to suppress the evidence and subsequently Lauderdale County District Attorney Chris Connolly appealed that decision to the Alabama Court of Criminal Appeals.

In handling the appeal, the Attorney General argued that the circuit court had erred in granting the motion to suppress evidence collected from Hunt’s electronic devices at his workplace and that the Alabama Rules of Criminal Procedure allow Alabama law enforcement officers to serve locally-approved warrants outside of their territorial jurisdictions. In its March 13, 2020, [opinion](#), the Alabama Court of Criminal Appeals agreed. Hunt then appealed the court’s ruling to the Alabama Supreme Court and on July 10, 2020, the court [denied](#) Hunt’s petition for certiorari review.

The combined court actions not only allow the suppressed evidence in Hunt’s case to be readmitted, but they also serve to clarify for the first time in Alabama criminal case law that search warrants can be served by law enforcement officers outside their territorial jurisdictions provided a local judge within the jurisdiction of service approves the warrant.

“The influence of the internet in the spread of criminal activity across jurisdictions has highlighted the need for timely collection of evidence critical to stopping crimes and securing convictions,” said Attorney General Marshall. “These court actions remove any doubt that law enforcement has the authority to gather vital evidence across jurisdictions. I’m pleased the Attorney General’s Office played a role in this effort.”



With the successful resolution of the pre-trial appeal, the Lauderdale County District Attorney's prosecution of the Hunt case may now proceed.

Attorney General Marshall thanked Assistant Attorney General Kristi Wilkerson, Solicitor General Edmund LaCour and Deputy Solicitor General Barrett Bowdre for their efforts in working this important pre-trial appeal case. The Attorney General also expressed appreciation to the Lauderdale County District Attorney's Office for its close cooperation in the successful appeal.