



Attorney General Steve Marshall Announces Alabama Supreme Court Upholds Increased Punishment for Work-Release Escapees

(MONTGOMERY) – Attorney General Steve Marshall announced that the Alabama Supreme Court issued an opinion Friday clarifying that prisoner escape from work-release programs is a felony and not a misdemeanor.

Whitney Jones, 54, of Mobile County, was an inmate in the Mobile County Metro Jail and a participant in the jail’s work-release program. In January 2018, Jones was working at a business in Creola, Alabama, when she and another inmate left the business but did not return to the work-release barracks. In October 2018, Jones was charged with second-degree escape and was subsequently convicted. Jones contended both at trial and on appeal that she only could have been guilty of a misdemeanor due to a provision in Alabama’s work-release escape statute. The Alabama Supreme Court rejected that claim and firmly established for the first time that Alabama’s felony escape statutes apply not only to escapes from correctional facilities, but also escapes from work-release programs.

Attorney General Steve Marshall praised the Supreme Court’s decision and noted that it will provide law enforcement, as well as prosecutors, tools with which to ensure the safety and efficacy of work release and community corrections programs.

“Escaping from a work release or community corrections program is a felony under Alabama law and it will be treated as such from this point forward,” said Attorney General Marshall. “Community corrections and work-release programs are intended to provide a second opportunity for less serious offenders. Those who escape from these programs have forfeited that opportunity and will now be held fully accountable for their actions.”

Mobile County District Attorney Ashley Rich’s office successfully prosecuted this case and obtained a guilty verdict. Jones sought to have her conviction reversed on appeal.

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The Attorney General's Criminal Appeals Division handled the case during the appeals process, arguing for both the Alabama Court of Criminal Appeals and the Alabama Supreme Court to affirm Jones' felony conviction. The Supreme Court did so in a decision issued on September 16, 2022.

Attorney General Marshall commended Assistant Attorney General Steve Dodd for his successful work on this case at the appellate level, and thanked District Attorney Ashley Rich and her staff for their efforts in the prosecution of the case in Mobile County Circuit Court.