

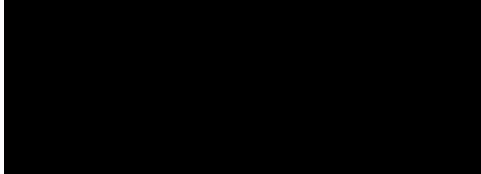
2018-001

STATE OF ALABAMA
OFFICE OF THE ATTORNEY GENERAL

STEVEN T. MARSHALL
ATTORNEY GENERAL

501 WASHINGTON AVENUE
P.O. BOX 300152
MONTGOMERY, AL 36130-0152
(334) 242-7300
WWW.AGO.ALABAMA.GOV

October 13, 2017



Re: City of Huntsville - Von Braun Center



On August 21, 2017, I received your petition regarding a possible violation of Ala. Code §13A-11-61.3 by the City of Huntsville – Von Braun Center. Specifically, you request reconsideration of AGO Firearms Determination 2017-023, and you allege that the Huntsville Police Department's Bike Unit is only used for storage.

As to your request for reconsideration, your petition alleges no new facts for reconsideration and there is no mechanism for reconsideration provided under Ala. Code § 13A-11-61.3. It should be noted that your assertion that the Mark C. Smith Concert Hall is an autonomous building separated from the Von Braun Center is incorrect. The photograph that you submitted along with your petition shows that the buildings are connected.

My Office's investigation determined that the Huntsville Police Department's Bike Unit does operate out of the Von Braun Center. Ala Code § 13A-11-61.2(a)(1) allows a "building of a police, sheriff, or highway patrol station" to prohibit firearms in the entire building. Ala. Code § 13A-11-61.2(a)(1) does not require specific hours of operation or require a minimum number of employees to be present. My Office's investigation determined that the bike unit is located in a one-room, two-level facility and that the bike unit's officers primarily patrol downtown Huntsville's "entertainment districts" Thursday through Sunday. When bikes are not used for patrolling downtown, they are parked at the bike unit. The bike unit's space also includes an office area with a desk,

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computer, filing cabinet, and a whiteboard with assignments and directions posted.

Because the Von Braun Center is compliant with Alabama law, I have determined that there is no further action required under Ala. Code § 13A-11-61.3.

A redacted copy of this letter will be posted to my Office's website, in compliance with the statutory requirements under Ala. Code § 13A-11-61.3(f)(3).

Sincerely,

A handwritten signature in black ink that reads "Steve Marshall". The signature is written in a cursive, flowing style.

Steve Marshall
Attorney General

SM/RWS/as
2395514/182001