



2018-003

STEVEN T. MARSHALL
ATTORNEY GENERAL

STATE OF ALABAMA
OFFICE OF THE ATTORNEY GENERAL

October 27, 2017

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Re: Town of Southside – Southside Community Center

On August 30, 2017, my Office received your petition regarding a possible violation of Ala. Code §13A-11-61.3 by the Town of Southside – Southside Community Center. Specifically, you alleged that the Town of Southside posted a sign that unlawfully prohibited firearms at the Southside Community Center while it served as a polling place.

This Office previously determined that the Southside Community Center could post a sign prohibiting firearms, but did not address the sign to the extent the Southside Community Center is used as a polling center. AGO Firearms Determination 2016-041. Firearms at polling places were, however, previously addressed in Opinion 2014-074. My Office's investigation determined that the sign prohibiting firearms remained posted at the Southside Community Center while it served as a polling place.

I asked the Town of Southside to explain its legal justification for prohibiting firearms at the Southside Community Center while it served as a polling place. After reviewing a redacted copy of your petition and the relevant portions of Alabama law, the Town of Southside stated that during preparations for the August 15, 2017, special called Alabama Senate Election, it mistakenly failed to obscure from the public view the sign prohibiting firearms. Once the oversight was brought to the attention of the poll workers, immediate measures were taken to obscure the sign from the public view. To prevent a similar oversight in the future, the Town of Southside will amend the sign to note that firearms are not prohibited when the Southside Community Center is used as a polling place. It should be noted that the remedies (declarative and injunctive

relief) afforded to the Attorney General's Office by the Alabama firearms law cannot be used to fine or otherwise punish the Town of Southside for its past conduct in this matter.

Because the Town of Southside is compliant with Alabama law going forward, 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 furtherance of 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
2406494/182001