

**CIRCUIT COURT OF JEFFERSON COUNTY
ADMINISTRATIVE ORDER 2009-20**

On September 28, 2009, the duly elected Sheriff of Jefferson County, Mike Hale, appeared before this Court and applied for relief seeking to transfer prisoners currently held in the Jefferson County Bessemer jail to the Jefferson County Birmingham jail. Sheriff Hale testified that prisoners held in the Jefferson County Bessemer jail needed to be transferred due to the fact that said prisoners cannot be safely and securely held in the Jefferson County Bessemer jail. This Court received testimony that, under the current budget allocation provided to the Jefferson County Sheriff's Office by the Jefferson County Commission for fiscal year 2010, which begins October 1, 2009, the Jefferson County Sheriff's Office will be unable to provide sufficient sworn personnel to ensure the security and safety of two jails within Jefferson County or to ensure the safekeeping of prisoners in two jails within Jefferson County. The Court further received testimony that the Jefferson County Sheriff's Office can sufficiently and safely house in the Jefferson County Birmingham jail all prisoners currently housed in the Jefferson County Bessemer jail and can do so without jeopardizing the safety and security of the Jefferson County Birmingham jail.

Under the authority of Ala. Code § 14-6-7, this Court hereby grants Sheriff Hale's request to remove any prisoners currently housed in the Jefferson County Bessemer jail to the nearest sufficient jail, which the Court finds to be the Jefferson County Birmingham jail in a manner determined by the Jefferson County Sheriff's Office to be the most expedient. This removal is ordered to ensure the security of the jail within which prisoners are housed, to ensure the safety of the prisoners housed therein, and to ensure sufficient staffing of the jail within which prisoners are housed.

This 28th day of Sept., 2009.

J. Scott Vowell

J. SCOTT VOWELL, PRESIDING JUDGE