



ALABAMA HOUSE MAJORITY CAUCUS

ALABAMA STATE HOUSE

MONTGOMERY, ALABAMA 36130

NATHANIEL LEDBETTER
MAJORITY LEADER

To: Alabama House Republican Caucus Members

From: Majority Leader Nathaniel Ledbetter

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HOUSE REPUBLICAN CAUCUS TALKING POINTS MEMO FOR THE WEEK OF FEBRUARY 22 - 26

Aniah's Law

- The Alabama House on Tuesday approved a bill by State Rep. Chip Brown (R - Mobile) that allows prosecutors and judges broader discretion in requesting and denying bail to those accused of committing violent crimes.
 - Section 16 of the 1901 Constitution of Alabama currently requires that "all persons shall, before conviction, be bailable by sufficient sureties, except for capital offenses, when the proof is evident or the presumption great; and that excessive bail shall not in any case be required."
 - Brown's legislation amends the 1901 Alabama Constitution to allow bail to be denied to those who place the public at risk with their release, and it enumerates a laundry list of First Degree felonies that would qualify.
 - If passed by the Senate, Brown's measure, and a companion amendment, will go on the statewide ballot in a referendum election.
 - Brown noted that Ibraheed Yazeed, who is currently charged with capital murder in the death of 19-year-old college student Aniah Blanchard, was out on bond for several violent offenses including kidnapping and attempted murder at the time of the alleged incident.
 - He was awarded bail despite more than a dozen priors, which included drug and robbery arrests.
 - In September of 2019, Tuscaloosa police officer Dornell Cousette was killed by a suspect who was on bail for robbery and assault charges.

SEXUAL ASSAULT SURVIVORS BILLS OF RIGHTS

- The Alabama House on Tuesday also passed another bill by Rep. Brown that creates a “Sexual Assault Survivors Bill of Rights” and provides fundamental protections and guarantees to those who have suffered from certain violent crimes.
 - Under the provisions of Brown’s legislation, individuals who report they suffered non-consensual sexual acts must be informed in writing that they qualify for the “Sexual Assault Survivors Bill of Rights” and are afforded the following under state law:
 - To not be prevented or charged for receiving a medical forensic examination
 - To have the sexual assault evidence collection kit preserved without charge for at least 20 years or, if the assault occurred while a minor, until age 40
 - To be informed by law enforcement of test results, such as DNA profile matches, from the examination kit if such information does not comprise or impede an investigation
 - To receive notification from a law enforcement agency at least 60 days before a sexual assault evidence kit is disposed or destroyed
 - To be granted preservation of an evidence kit for an additional 20 years if the survivor requests.
 - The legislation also requires the Alabama attorney general to create written notification, which will be distributed by law enforcement agencies, that notifies sexual abuse survivors of the aforementioned rights and provides information about:
 - The availability and information of a sexual assault advocate
 - The availability of protection orders and the process of securing them
 - The policies regarding the preservation, storage, and disposal of a sexual assault evidence kit

- The process to request test results from an evidence kit or request its preservation
- The availability of state or federal compensation funds to cover medical costs, costs related to the case, or victim compensation and restitution payments.
- Another provision within the measure instructs the attorney general to create a Sexual Assault Task Force, which will be comprised of law enforcement representatives, elected officials, victims' advocates, medical professionals and others.
 - The panel will be responsible for developing and implementing best practices regarding the care and treatment of sexual assault survivors and the preservation of evidence kits.
 - The task force will be required to consult with various stakeholder groups and individuals and must issue its final report and findings within two years of enactment of Brown's legislation.

“TRANSGENDER” ISSUES

- The House Education Policy Committee on Wednesday gave a favorable report to legislation by Rep. Scott Stadthagen (R - Hartselle) that prohibits biological males from competing against females in K-12 school-sponsored sports. Likewise, those born female may not compete against males.
 - The bill specifically prohibits public schools from competing in events conducted under the authority of any athletic association that allows students to compete in events as anything other than the sex “indicated on a birth certificate.”
 - The prohibition applies only to sports, events, and competitions that are exclusively reserved for one sex or another, so participation in co-ed sports would be allowed.
 - Although the Alabama High School Sports Association already has a similar policy in place, passage of Stadthagen's measure would ensure the policy does not change in the future.

- Among the first executive orders issued by Joe Biden after entering office was one that claims students should be allowed to compete in sports based upon their so-called “gender identity,” but that order does not carry the authority of law and simply reflects a continuing culture war being waged by those on the left.
- The House Judiciary Committee gave a favorable report to a bill by State Rep. Wes Allen (R - Troy) that would make it a felony for doctors to administer hormonal therapy and puberty blockers to so-called “transgender” youth seeking to complete a “transition.”
 - The measure, similar to those being proposed in seven other states, would prohibit the use of puberty-blocking drugs, hormonal therapy, and “gender-reassignment” surgery on minors.
 - If passed, violation of the law could carry a prison sentence of up to 10 years.

BORN ALIVE BILL

- The House Judiciary Committee on Wednesday also advanced legislation by State Rep. Ginny Shaver (R - Leesburg) that requires doctors to work to save the lives of babies who are born alive after an attempted abortion.
 - Committee Chairman Jim Hill (R - Moody) added an amendment requiring doctors who violate the law to be charged with a Class A felony, which carries a prison sentence of 10 to 99 years..
 - Women seeking an abortion would not be liable.
 - Because hospitals are regulated under different parameters, the bill applies only to abortion clinics.