

## **Montgomery County Sheriff's Office Record Group**

**Repository:** Montgomery County Archives, Courthouse Annex III, Montgomery, Alabama, 36104, (334)-832-7173

**Collection:** Montgomery County Sheriff's Office Record Group

**Reference Code:** 2016.010

**Collection Dates:** ca. 1878-1985

**Collection Size:** 76.41 Linear Feet

**Collection Creator:** Montgomery County, Alabama Sheriff's Office

**Scope and Content:** This record group consists of records created by the Montgomery County Sheriff's Office during the course of conducting normal business. This large collection primarily contains two types of records: inmate mugshots and logs documenting the processing of persons accused of committing various crimes. Inmate mugshots include those who took part in the 1953 Montgomery Bus Boycott, including Jo Ann Robinson and Rosa Parks. Inmate mugshots also include photographs of 1961 Freedom Riders arrested in Montgomery, Alabama. The logs documenting the intake of persons accused of a crime generally include the individual's name, race, age, sex, offense accused of, etc. The records listed under **Administering Internal Operations-Managing the Agency;** (9.03) Historical and Publicity Files; Box 1, folders 1-3, may serve as evidence of early convict-leasing in Montgomery County, Alabama. The folders' titles, composed by another archivist, map a connection between the Montgomery County Alabama Sheriff's Office, Dr. Robert Barber, and inmate labor in 1870 related to the Freeman's Bend Plantation. Robert Barber served as the secretary of the 1868 convention to rewrite Alabama's constitution. Further research is needed to uncover more information regarding Barber, as well as Freeman's Bend Plantation.

**System of Arrangement:** The Alabama Department of Archives and History (ADAH) creates manuals called records disposition authorities (RDA) to help those responsible for state and local records in Alabama manage the records under their control. The RDAs evaluate records produced by various government entities, such as the Montgomery County Sheriff's Office, and determines what, and how long, archives have to keep various records. In the course of doing so, the RDAs group records based on their various functions. Accordingly, this finding has organized the records in the Montgomery County Commission Record Group based on the function they helped serve, or that which created them.

**Conditions Governing Access:** Collection is open for use. In 2004 Terry L. Davis, Chief of Police in Boaz, Alabama inquired to Alabama Attorney General Troy King if his office considered mugshots public records bail bonding companies could access. King's office answered in the affirmative. Furthermore, in relation to the potential violation of privacy rights

by allowing public access to criminal records under Alabama's open records law, the Attorney General's office cited *Stone v. Consolidated Publishing Co.* (404 So. 2d 678 [Ala. 1981]) in which the Alabama Supreme Court ruled some exceptions to disclosure do exist: 1) recorded information received by a police officer in confidence 2) sensitive personal records 3) pending criminal investigations 4) records the disclosure of which would be detrimental to the best interests of the public. The records this collection currently do not match any of these exceptions. Furthermore the Attorney General's office wrote in response to Davis' query "This office has long recognized that the front side of an arrest report, not containing investigatory information, is a public record. Lastly, the Attorney General's office also wrote that the Alabama Supreme Court liberally interprets statute 36-12-40 of the Code of Alabama, which provides for public access to public records. In *Chambers v. Birmingham News Co.*, 552 So. 2d 854, 856 (Ala. 1989) the Alabama Supreme Court wrote "[i]t is clear from the wording of S 36-12-40 that the legislature intended that the statute be liberally construed. In addition, statutes intended for the public benefit are to be construed in favor of the public." <sup>1</sup>

**Conditions Governing Reproduction and Use:** It is presumed corporate and individual copyrights have been retained by copyright owners. Copyright restrictions apply. Users of materials should seek necessary permissions from the copyright holders to comply with U.S. copyright laws.

**Accruals:** Future accruals expected.

**Languages and Scripts:** The entire collection is recorded in English.

[For institutional use only]\_ **Vault and Bay Number:** 116, 11A

### **Detaining and Booking Offenders**

- Records Documenting Arrest and Booking
  - (5.01c) Mug Shots

Box 1 of 12: ca.1964-56; 1960-1961; Booking photographs associated with the Montgomery Improvement Association (MIA), the Montgomery Bus Boycott, and the 1961 Freedom Rides. Contains mugshots of African-American and Caucasian females; mugshots # (AA 6833-25411) (W 6837-25391)

Box 2 of 12: ca. 1957-1961; African-American Males #5635-11930

Box 3 of 12: ca. 1958-1966; White Males #6793-16513

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<sup>1</sup> Troy King, by way of Carol Jean Smith (Chief, Alabama Attorney General's Office Opinions Division), to Terry L. Davis, April 1, 2004, pg 2, 1-2, Opinion 2004-108, accessed January 27, 2016, <http://www.ago.state.al.us/Opinions.aspx> (search "mugshots").

Box 4 of 12: ca. 1961-1969; African-American Males #11933-18998

Box 5 of 12: ca. 1968-1975; White Males #16514-25441

Box 6 of 12: ca. 1970-1974; African-American Males #18999-25371; water has partially damaged the records in this box.

Box 7 of 12: ca. 1977-1985; African-American Males; Requires future processing

Box 8 of 12: ca. 1979-1981; Requires future processing

Box 9 of 12: ca. 1981; African-American Males; Requires future processing

Box 10 of 12: ca. 1981-1983; African-American females, Requires future processing

Box 11 of 12: ca. 1982-1984; #38076-43001; Requires future processing

Box 12 of 12: ca. 1985; Requires future processing

- (5.01d) Indices to Fingerprints and Mugshots

Box 1 of 2:

Folder 1: “Xerox Master Copies of Jail Log.” This functions as an index to the Montgomery Bus Boycott mugshots, and perhaps the Freedom Ride mugshots as well.

Folder 2: “Montgomery County (Alabama) Jail Registers—Civil Rights Workers, 1948-1965.”

Box 2 of 2: Contains one index book labelled “Picture Index #5635-23618 (actually starts in sequence with 6800).”

## **Incarcerating Offenders**

- (7.06) Records of Incarceration (Inmate Files)

Box 1 of 1: Contains one unlabeled book appearing to be a list of individuals convicted of committing various petty crimes and paying the costs associated with their convictions. However, future analysis—made difficult by the fact the very poor condition of the record—is required to more definitively ascertain the book’s character. The box also contains one folder labelled “Montgomery County (ALA.). Law Enforcement Record of Incarceration, 1890-1893.” This folder and the material

inside it likely came from the ADAH, based on the fact the right-hand corner has the marking “LG5485 Folder 1.”

Montgomery County Jail Record—44 books (some of these books have different names, like “Sheriff’s Jail Record,” or “Register of State-County and U. S. Prisoners), ca. 1878-1931. [2015 RDA created by ADAH to manage the records of local law enforcement agencies says these records only have to be preserved five years after the term of incarceration. However, given the ADAH’s general rule of keeping all government records dated 1900 or before, the Montgomery County Archives has chosen to preserve these records.)

### **Administering Internal Operations-Managing the Agency**

- (9.03) Historical and Publicity Files  
Box 1 of 1  
Folder 1 of 3: “Montgomery Sheriff’s Office (Plantation Account) Barber, Robert Dr. Records, Vouchers, Jail Accounts, Inmate Labor, 1870.”  
Folder 2 of 3: “Montgomery Sheriff’s Office (Plantation Account) Barber, Robert Dr. Records, Vouchers, Jail Accounts, Inmate Labor, 1870.”  
Folder 3 of 3: “Montgomery Sheriff’s Office (Plantation Account) Barber, Robert Dr. Records, Vouchers, Jail Accounts, Inmate Labor, 1870.”