

Update: Re-Introduced Alabama Bill Aims to Toughen Penalties for School Bus Trespassing

Written by Sylvia Arroyo

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A bill that would strengthen penalties for trespassing on school buses in Alabama received a favorable report out of a senate committee on the first day of the state legislature's regular session.

As a result, the bill, [SB15](#), is now expected to be scheduled for a senate vote, said Joe Lightsey, director of transportation at the Alabama Department of Education. If passed, the measure would make it a crime for an unauthorized adult to board a school bus as well as to vandalize a bus or to enter a bus with the intention of causing damage. It also would establish a misdemeanor punishable by county jail time.

The state judiciary committee, chaired by Sen. Cam Ward of Alabaster, issued the favorable report. Ward sponsored the senate version of the bill, while Rep. Alan Baker sponsored the house version bill, HB105. So far no action has been made there.

Before the report, the bill's misdemeanor charge was [amended](#) from a Class B to a Class A. This change increases the maximum penalty fine from \$3,000 to \$6,000 as well as the maximum county jail time served from six months to one year, said Lightsey.

Supporters contend that the bill is not intended to be the ultimate solution to school violence, but it would stop incidents from turning worse by establishing a first line of defense against harming students on the bus.

Lightsey said it's difficult to say if the misdemeanor class change was due to the recent Midland City, Ala., hostage standoff between law enforcement agencies and Jimmy Lee Dykes. Dykes was killed on Monday after an FBI team stormed an underground shelter, where Dykes had been holed up with 5-year-old "Ethan." Dykes had kidnapped Ethan from the school bus on Jan. 29 after illegally boarding the bus and shooting and killing bus driver Charles Poland, Jr. Alabama already has a law dealing with criminal trespassing in the first, second and third degree, but it is not specific to school buses.

"When I was in Dale County in Midland City last week, some of the talks among school officials were, 'Why isn't [trespassing on school buses] a felony?'" Lightsey explained. "I understand that

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if you put the penalty too high, it won't pass the legislature. You get push back there.”

Another amendment was a result of the hostage event. The bill was named in honor of Poland. The Senate began its session by passing a resolution memorializing him.

Ward pre-filed SB15 in early January after he proposed an identical bill last September. That bill died because, apparently, it was filed too late to receive final passage. The pre-filing came in reaction to the Connecticut school shootings in December.

The Alabama bill was mentioned in a January meeting at the Alabama Statehouse of legislators, educators and law enforcement officials to discuss the shootings. At that time, a list compiled by Lightsey showed at least two-dozen incidents in the state where unauthorized people had boarded school buses. Several of those cases involved parents.