

NEWS RELEASE

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AG STRANGE ANNOUNCES PRECEDENT-SETTING DECISION REGARDING INDICTMENTS CHARGING THEFT OF PROPERTY OFFENSES

(MONTGOMERY) – Attorney General Luther Strange announced that the Alabama Supreme Court today issued a precedent-setting decision in *James R. Hall v. State of Alabama* regarding indictments charging theft of property offenses.

“This is an important case that changes previous holdings which would have resulted in criminals being set free because of an insignificant technicality in the language of an indictment,” said Attorney General Strange. “This means that criminals will be held to account for their theft, whether it be of currency, a check, or other medium of monetary exchange.”

Hall, a former commander of the Houston County chapter of Disabled American Veterans, issued a \$1,500 check from a DAV account to himself and refused to reimburse the money when other DAV board members disputed the transaction. He was convicted by the Houston County Circuit Court for second-degree theft of property and sentenced to serve two years in prison on February 9, 2015.

On appeal, Hall claimed that his conviction should be reversed because the indictment charged him with theft of currency but the evidence showed that he actually stole a \$1500 check. The Court of Criminal Appeals affirmed Hall’s conviction.

Today’s Alabama Supreme Court decision overruled cases relying on antiquated methods for valuating currency. For example, in long past years, five silver coins would have been worth less than five gold coins, so the value of what was stolen depended on its particular nature. Today’s Alabama Supreme Court decision modernized the law to reflect modern financial practices, which recognize that the value of currency is standardized and is not dependent on whether the medium of exchange is currency, check, debit card, or credit card.

Attorney General Strange commended Assistant Attorney General Kristi Wilkerson for her outstanding work on this case.

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