

Alabama Rules of Criminal Procedure

Rule 4. Arrest and initial appearance.

Rule 4.2. Telephone call after arrest.

Any person under arrest shall be afforded an opportunity to make a telephone call to any person that he or she may choose, without undue delay.

Committee Comment

The rule gives official sanction to an existing practice in most areas of the state. Fundamental fairness dictates that a person who has been taken into custody be allowed to communicate to another that he is being held by the police and charged with a crime. The rule is similar to Rule 242, Unif.R.Crim.P., as well as the ALI, Model Code of Pre-Arrestment Procedure § 140.7 (Temp.Draft. # 6, 1974).