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Alabama Court of Criminal Appeals

OCTOBER TERM, 2025-2026

CR-2026-0212

James D. Hatfield

v.

State of Alabama

Appeal from Elmore Circuit Court
(CC-23-567.70)

KELLUM, Judge.

The appellant, James D. Hatfield, appeals from the Elmore Circuit Court's revocation of his probation.

The limited record before us indicates that Hatfield was on unsupervised probation when he was arrested on new criminal charges

of felony leaving the scene of an accident and assault in the first degree on February 10, 2026. Following Hatfield's arrest, the State moved to revoke Hatfield's probation based on the new criminal charges.

On February 26, 2026, the circuit court conducted a probation-revocation hearing at which Hatfield was present and represented by counsel. At the hearing, the State presented the testimony of one witness, Senior Trooper Thomas Nash with the Alabama Law Enforcement Agency. Trooper Nash was not working on the day of the traffic accident but later took over the investigation at the request of his supervisor. In describing the accident, Trooper Nash testified that a "black Chevy Silverado [pickup truck] crossed over the center line into the opposite lane and hit head on with a Hyundai Elantra." (R. 6.) According to Trooper Nash, the truck was registered to Hatfield, but Trooper Nash testified that he was not at the scene of the accident and did not know if the registration information was known at the time of the accident. Trooper Nash testified that, "as far as [he was] aware," the female driver of the Hyundai Elantra suffered "severe bodily injuries," including two broken femurs, broken ribs, a broken pelvis, and a

collapsed lung. (R. 6.) The victim remained in the hospital for a couple of months before she was transferred to a rehabilitation facility.

Trooper Nash testified that, two days after the accident, Hatfield went to the Elmore County Sheriff's Office. Trooper Nash was not present when Hatfield went to the sheriff's office, but he learned from a witness who was present that day that Hatfield had inquired about the location of his truck and had asked if there were any warrants out for his arrest. Hatfield "had several scratches and bruises" and "looked like he had been injured." (R. 9.) Trooper Nash testified that there was a witness at the scene of the accident who "told the on scene trooper that he observed a male, doesn't know what race, but a male [got] out of the vehicle, grab[bed] something out of the truck, out of the tool box, and then took off [into the woods]." (R. 9.)

After the accident, law-enforcement officers secured a search warrant for the truck and a "Berla download," which, according to Trooper Nash, "is the info center where you plug your car in the like Apple car play, Android auto, things like that where we can download information where like contacts, what phone was connected to the truck. It gives you kind of time stamps." (R. 10.) Trooper Nash testified that a

lieutenant with the State Bureau of Investigations ("the SBI") performed the Berla download. While conducting a search of the truck, Trooper Nash observed a bottle of vodka and a firearm inside the truck. The airbags had been deployed, but law-enforcement officers were unable to locate any blood on the airbags.

Trooper Nash testified that, "according to the SBI lieutenant" who had extracted the data from the Berla download,

"an Apple iPhone with a specific serial number was connected to the truck at approximately 2:50. But it's universal standard time, so you have to convert it. When you convert that time, it marks it as 8:57 p.m. The crash happened at approximately -- it's always approximate. They have it down on the crash report at 8:55."

(R. 11.) Further, Trooper Nash testified:

"It says in here, the contact record with the serial number shows the name of Dillon Hatfield with a registered number of, and it gives the phone number, and e-mail address. The number is registered to James Hatfield, who is James Dillon Hatfield, the registered owner of the vehicle."

(R. 12.) Based on the SBI lieutenant's report, Trooper Nash testified that Hatfield's cellular telephone was connected to the truck "two minutes, give or take, around the crash." (R. 12.)

Thereafter, Trooper Nash continued his investigation and "spoke[] to several witnesses who [came] forward and [gave him] sworn

statements and also recorded statements." (R. 12.) According to Trooper Nash, "[o]ne witness advised that [Hatfield] had -- when asked why -- you know, why have we not picked [Hatfield] up yet because he almost killed the girl on that wreck the other day." (R. 12.) Trooper Nash testified that that witness spoke to another law-enforcement officer who then contacted Trooper Nash. Trooper Nash testified that he had not spoken to anyone who had direct contact with Hatfield.

Trooper Nash secured a warrant for Hatfield's arrest and a search warrant for Hatfield's cellular telephone. Trooper Nash testified that the cellular telephone had been turned over to the SBI but, at the time of the revocation hearing, the SBI had not been able to gain access to the cellular telephone and that no connection had been established between Hatfield's cellular telephone and the one that was connected to the Berla system in the truck at the time of the accident.

On cross-examination, Trooper Nash testified that he did not see the accident, was not present at the scene following the accident, and he admitted that his testimony was "based off of what other people [had] told [him]." (R. 15.) Specifically, Trooper Nash based his testimony on an accident report produced by another trooper who had responded to the

accident scene, a signed written statement by a witness, and an investigation of the Berla system an SBI lieutenant conducted. Trooper Nash testified that he had driven by the scene of the accident and that the accident site was approximately 1.7 to 1.8 miles from Hatfield's house.

At the conclusion of the revocation hearing, defense counsel argued that the evidence presented in support of the revocation of Hatfield's probation was solely hearsay. The circuit court disagreed, and, on March 3, 2026, the circuit court entered an order revoking Hatfield's probation. This appeal followed.

Hatfield's sole contention on appeal is that the circuit court erred when it revoked his probation based solely on hearsay evidence. The State concedes that the circuit court relied on hearsay evidence alone to revoke Hatfield's probation. We agree.

"It is well settled that hearsay evidence may not form the sole basis for revoking an individual's probation. See Clayton v. State, 669 So. 2d 220, 222 (Ala. Cr. App. 1995); Chasteen v. State, 652 So. 2d 319, 320 (Ala. Cr. App. 1994); and Mallette v. State, 572 So. 2d 1316, 1317 (Ala. Cr. App. 1990). 'The use of hearsay as the sole means of proving a violation of a condition of probation denies a probationer the right to confront and to cross-examine the persons originating the information that forms the basis of the revocation.' Clayton, 669 So. 2d at 222."

Goodgain v. State, 755 So. 2d 591, 592 (Ala. Crim. App. 1999).

However, "hearsay evidence is admissible in a revocation proceeding," Beckham v. State, 872 So. 2d 208, 211 (Ala. Crim. App. 2003), and a combination of both hearsay and nonhearsay evidence may be sufficient to warrant revocation. See, e.g., Askew v. State, 197 So. 3d 547, 548-49 (Ala. Crim. App. 2015). "[W]hen the State presents a mixture of hearsay and nonhearsay evidence to show that a defendant violated his probation by committing a new offense, the circuit court cannot revoke a defendant's probation for that violation unless the nonhearsay evidence connects the defendant to the alleged offense." Walker v. State, 294 So. 3d 825, 832 (Ala. Crim. App. 2019).

In this case, the State presented only hearsay evidence to support a finding that Hatfield had violated the terms and conditions of his probation by committing two new criminal offenses. At the revocation hearing, the State presented the testimony of one witness, Trooper Nash, who had no firsthand, personal knowledge of Hatfield's alleged violations. Indeed, Trooper Nash stated at the revocation hearing that his testimony was "based off of what other people [had] told [him]." (R. 15.) Specifically, Trooper Nash based his testimony on an accident report

prepared by another law-enforcement officer, statements given by witnesses to other law-enforcement officers during the investigation, and data an SBI officer collected from a Berla download. Trooper Nash was not present at the scene of the crash and did not speak directly to any witnesses. The State's nonhearsay evidence -- Trooper Nash's testimony regarding the victim's injuries, the contents of Hatfield's truck, and the distance between Hatfield's house and the accident scene -- merely connected Hatfield to the scene of the crime but did not connect Hatfield to the crime itself. That evidence was insufficient to sustain the circuit court's revocation of Hatfield's probation. See Washington v. State, 369 So. 3d 686, 690 (Ala. Crim. App. 2022) (nonhearsay evidence from officer regarding surveillance footage and the contents of Washington's statement to officer connected Washington to scene of the robbery but was insufficient to connect him to the robbery itself); see also Wright v. State, 292 So. 3d 1136, 1139 (Ala. Crim. App. 2019) (nonhearsay evidence indicating Wright was merely present at a party at the time a shooting occurred did not sufficiently connect him to alleged murder).

Because the State did not present sufficient nonhearsay evidence indicating that Hatfield had committed new criminal offenses, the circuit

court erred in revoking Hatfield's probation. Accordingly, we reverse the circuit court's order revoking Hatfield's probation and remand this case to the circuit court for further proceedings consistent with this opinion.

REVERSED AND REMANDED.

Windom, P.J., and Cole, Minor, and Anderson, JJ., concur.