

Ala. Code 1975, § 13A-10-152

Terrorism

The defendant is charged with terrorism.

A person commits the crime of terrorism if, with intent to intimidate or coerce a civilian population, influence the policy of a unit of government by intimidation or coercion, or affect the conduct of a unit of government by murder, assassination, or kidnapping, he/she commits **[name specified offense]**.

To convict, the State must prove beyond a reasonable doubt each of the following elements:

- (1) The defendant committed **[name specified offense]**; **(AND)**
- (2) The defendant did so with intent to **[read as appropriate]**:
 - (a) Intimidate or coerce a civilian population;
 - (b) Influence the policy of a unit of government by intimidation or coercion; **(OR)**
 - (c) Affect the conduct of a unit of government by **[read as appropriate]**: murder, assassination, or kidnapping.

[Insert instructions for specified offense]

[Read as appropriate]: [Insert instruction for Attempt 13A-4-2 or Conspiracy 13A-4-3.]

[Read as appropriate]: An *act of terrorism* is an act or acts constituting **[name specified offense]** for which a person may be convicted in the criminal courts of this state, or an act or acts constituting an offense in any other jurisdiction within or outside the territorial boundaries of the United States which contains all of the essential elements of a specified offense, that is intended to do the following:

- a. Intimidate or coerce a civilian population;
- b. Influence the policy of a unit of government by intimidation or coercion; **(OR)**
- c. Affect the conduct of a unit of government by murder, assassination, or kidnapping. [13A-10-151(1)]

[Read as appropriate]: [Insert instructions for murder, assassination, or kidnapping.]

A person acts *intentionally* with respect to a result or to conduct described by a statute defining an offense when his/her purpose is to cause that result or to engage in that conduct. [13A-2-2(1)]

If you find from the evidence that the State has proved beyond a reasonable doubt each of the above elements of terrorism, then you shall find the defendant guilty of terrorism.

If you find that the State has failed to prove any one or more of the elements of terrorism, then you cannot find the defendant guilty of terrorism.

[If lesser-included offenses are included, the Court should instruct on those offenses at this point.]

Use Notes

A *specified offense* is a Class A felony, manslaughter, kidnapping in the second degree, assault in the first or second degree, stalking, intimidating a witness, criminal tampering, endangering the food supply, endangering the water supply or any attempt or conspiracy to commit any of these offenses. [13A-10-151(4)]

[Approved 06-17-16.]