

Ala. Code 1975, § 15-20A-25

Providing False Information for Relief from Employment Restriction

The defendant is charged with providing false information for relief from employment restriction.

A person commits the crime of providing false information for relief from employment restriction if he/she provides false or misleading information regarding a petition for relief from the employment restriction.

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

- (1) The defendant provided false or misleading information regarding a petition for relief from the sex offender employment restriction pursuant to 15-20A-13(b) providing that no adult sex offender shall apply for, accept, or maintain employment or volunteer for any employment or vocation within 2,000 feet of the property on which any school or childcare facility is located by **[Insert Information]; (AND)**
- (2) The defendant did so knowingly.

A *sex offender* includes any adult sex offender, any youthful offender sex offender, and any juvenile sex offender. [15-20A-4(25)]

An *adult sex offender* is a person convicted of a sex offense. [15-20A-4(1)]

A *sex offense* includes any of the following offenses: **[Insert all appropriate from 15-20A-5]**.

A *conviction* is a verdict or finding of guilt as the result of a trial, a plea of guilty, a plea of nolo contendere, or an *Alford* plea regardless of whether adjudication was withheld. Conviction includes, but is not limited to, a conviction in a United States territory, a conviction in a federal or military tribunal, including a court martial conducted by the Armed Forces of the United States, a conviction for an offense committed on an Indian reservation or other federal property, a conviction in any state of the United States or a conviction in a foreign country if the foreign country's judicial system is such that it satisfies minimum due process set forth in the guidelines under Section 111(5)(B) of Public Law 109-248. Cases on appeal are deemed convictions until reversed or overturned. [15-20A-4(4)]

A person acts *knowingly* with respect to conduct or to a circumstance described by a statute defining an offense he/she is aware that his/her conduct is of that nature or that the circumstance exists. [13A-2-2(2)]

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

If you find that the State has failed to prove beyond a reasonable doubt any one or more of the elements of the offense, then you cannot find the defendant guilty of this offense.

Use Notes

See 15-20A-35 for treatment of youthful offender.

[Approved 9-8-15.]