

Ala. Code 1975, § 15-20A-30(a)

**Failing to Register Required Registration Information upon Release
(Juvenile)**

The defendant is charged with failing to register required registration information upon release of a juvenile sex offender.

A person commits the crime of failing to register required registration information upon release of a juvenile sex offender if he/she is the juvenile sex offender or the parent, custodian, or guardian and, immediately upon release or immediately upon adjudication of delinquency, if the juvenile sex offender is not committed, fails to register all required registration information with local law enforcement in each county in which the juvenile sex offender resides or intends to reside.

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

- (1) The defendant was a juvenile sex offender or the parent, custodian, or guardian;
- (2) The defendant, immediately upon release or immediately upon adjudication of delinquency, if the juvenile sex offender is not committed, failed to register all required registration information with local law enforcement in each county in which the juvenile sex offender resided or in- tended to reside:

[Read all appropriate]:

- a. Name, including any aliases, nicknames, ethnic, or tribal names;
- b. Date of birth;
- c. Social Security number;
- d. Address of each residence;
- e. Name and address of any school he/she attends or will attend;
- f. Name and address of any employer where he/she works or will work, including any transient or day laborer information;
- g. The license plate number, registration number or identifier, description, and permanent or frequent location where all vehicles are kept for any vehicle used for work or personal use, including land vehicles, aircraft, and watercraft;
- h. Any telephone number used, including land line and cell phone numbers;
- i. Any email addresses or instant message address or identifiers used, including any designations or monikers used for self-identification in Internet communications or postings;
- j. A current photograph;

- k. A physical description including physical appearance, physical characteristics, and identifying marks such as scars and tattoos;
- l. Fingerprints and palm prints;
- m. A DNA sample;
- n. A photocopy of the valid driver license or identification card;
- o. A photocopy of any and all passport and immigration documents;
- p. Any professional licensing information that authorizes him/her to engage in an occupation or carry out a trade or business;
- q. A full criminal history, including dates of all arrests and convictions, status of parole, probation, or supervised release, registration status, and outstanding arrest warrants;
- r. A list of any and all Internet service providers used by the sex offender; **(OR)**
- s. Any other information deemed necessary by the Secretary of the Alabama State Law Enforcement Agency; **(AND)**

(3) The defendant did so knowingly.

A juvenile sex offender is an individual who has not attained the age of 18 at the time of the offense and who is adjudicated delinquent of a sex offense. [15-20A-4(12)]

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

Immediately is within three business days. [15-20A-4(10)]

Release means release from a state prison, county jail, municipal jail, mental health facility, release or discharge from the custody of the Department of Youth Services or other juvenile detention, or placement on an appeal bond, probation, parole, or aftercare, placement into any facility or treatment program that allows the sex offender to have unsupervised access to the public, or release from any other facility, custodial or noncustodial, where the sex offender is sentenced or made a ward of that facility by a circuit, district, or juvenile judge. [15-20A-4(18)]

Required registration information is any information required pursuant to 15-20A-7. [15-20A-4(19)]

Local law enforcement is the sheriff of the county and the chief of police if the location subject to registration is within the corporate limits of any municipality. [15-20A-4(13)]

A residence is each fixed residence or other place where a person resides, sleeps, or habitually lives or will reside, sleep, or habitually live. If a person does not reside, sleep, or habitually live in a fixed residence, residence means a description of the locations where the person is stationed regularly, day or night, including any mobile or transitory living quarters or locations that have no specific mailing or street address. Residence

shall be construed to refer to the places where a person resides, sleeps, habitually lives, or is stationed with regularity, regardless of whether the person declares or characterizes such place as a residence. [15-20A-4(20)]

A *fixed residence* is a building or structure, having a physical address or street number, that adequately provides shelter at which a person resides. [15-20A-4(6)]

Habitually lives is where a person lives with some regularity on an intermittent or temporary basis. [15-20A-4(7)]

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

It is a defense for the parent, guardian, or custodian of the juvenile sex offender if the juvenile sex offender was the age of majority at the required registration time. When a juvenile sex offender becomes the age of majority, the parent, guardian, or custodian of the juvenile sex offender shall no longer be subject to this section and the juvenile sex offender shall instead be solely responsible for all of the requirements pursuant to this section. [15-20A-29(b)]

The age of majority is 19. [26-1-1]

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

[Approved 9-8-15.]