

**Ala. Code 1975, § 15-20A-7**

**Failing to Provide Registration Information**

The defendant is charged with failing to provide registration information as a sex offender.

A person commits the crime of failing to provide registration information as a sex offender if he/she is a sex offender and fails to provide, to the appropriate registering agency, the required registration information and any other information deemed necessary by the Director of the Department of Public Safety.

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

- (1) The defendant was a sex offender;
- (2) The defendant, when registering with the appropriate registering agency **[Read all appropriate]**, failed to provide the following required registration information **(OR)** provided the following false information:

**[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 *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 *youthful offender sex offender* is an individual adjudicated as a youthful offender for a sex offense who has not attained the age of 21 at the time of the offense. [15-20A-4(31)]

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]**.

*Registering agency* is any agency with whom the sex offender registers required registration information. [15-20A-4(17)]

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

**[Read as appropriate]:** 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)]

**[Read as appropriate]:** A *school* includes an educational institution, public or private, including a secondary school, a trade or professional school, or an institution of higher education. [15-20A-7(a)(5)]

**[Read as appropriate]:** *Employment* is full-time, part-time, self-employment, or employment as an independent contractor or day laborer for any period, whether financially compensated, volunteered, or for the purpose of government or educational benefit. [15-20A-4(5)]

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 circumstances 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, 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.]