

Ala. Code 1975, § 15-20A-32(b)

**Failing to Provide Certified Copy of Adjudication
(Juvenile)**

The defendant is charged with failing to provide a certified copy of his/her sex offense adjudication as a juvenile sex offender or youthful sex offender within 30 days of initial registration.

A person commits the crime of failing to provide a certified copy of his/her sex offense adjudication as an juvenile sex offender or youthful sex offender within 30 days of initial registration if he/she is a juvenile sex offender or youthful offender sex offender and fails to provide each registering agency with a certified copy of his/her sex offense adjudication within 30 days of initial registration.

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

- (1) The defendant was a juvenile sex offender or youthful offender sex offender;
- (2) The defendant failed to provide each registering agency with a certified copy of his/her sex offense adjudication within 30 days of initial registration;
(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 *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 *sex offense* includes any of the following offenses: **[Insert all appropriate from 15-20A-5].**

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)]

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 *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)]

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

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

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

The defendant is exempt from this requirement if the court of adjudication seals the records and refuses to provide a certified copy or the records have been destroyed by the court. [15-20A-32(b)]

[Approved 9-8-15.]