

**Ala. Code 1975, § 13A-10-125**

**Bribing a Juror**

The defendant is charged with bribing a juror.

A person commits the crime of bribing a juror if he/she offers, confers or agrees to confer any pecuniary benefit upon a juror with the intent that the juror's vote, opinion, decision or other action as a juror will thereby be corruptly influenced.

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

- (1) The defendant offered, conferred or agreed to confer a pecuniary benefit **[describe]**, upon a juror **[name]**; **(AND)**
- (2) The defendant did so with the intent that the juror's vote, opinion, decision or other action as a juror would thereby be corruptly influenced.

A *pecuniary benefit* is a benefit in the form of money, property, commercial interests or anything else the primary significance of which is economic gain. Expenses associated with social occasions afforded public servants and party officers shall not be deemed a pecuniary benefit. [13A-10-60(b)(2)]

A *benefit* is any gain or advantage to the beneficiary, including any gain or advantage to a third person pursuant to the desire or consent of the beneficiary. [13A-10-60(b)(1)]

A *juror* is a person who is a member of any jury, including a grand jury, impaneled by any court of this state or by any public servant authorized by law to impanel a jury. The term juror also includes any person who has been summoned or whose name has been drawn to attend as a prospective juror. [13A-10-120(b)(1)]

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 bribing a juror, then you shall find the defendant guilty of bribing a juror.

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

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

[Approved 6-17-16.]