

Ala. Code 1975, § 13A-10-127

Intimidating a Juror

The defendant is charged with intimidating a juror.

A person commits the crime of intimidating a juror if he/she attempts, by the use of a threat, to influence a juror's vote, opinion, decision or other action as a juror.

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

- (1) The defendant directed a threat [**describe**], to a juror [**name**];
- (2) The defendant, by the use of the threat, attempted to influence a juror's vote, opinion, decision or other action as a juror; (**AND**)
- (3) The defendant did so intentionally.

Threat means, without legal authority, to threaten to confine, restrain or to cause physical injury to the threatened person or another, or to damage the property or reputation of the threatened person or another with intent thereby to induce the threatened person or another against his/her will to do an unlawful act or refrain from doing a lawful act. [13A-10-123(b) & 13A-6-25]

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

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

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

[Approved 6-17-16.]