

Ala. Code 1975, § 13A-11-11
Falsely Reporting an Incident
(Involving Bomb, Explosion or Hazardous
or Dangerous Substance)

The defendant is charged with falsely reporting an incident involving **[Read as appropriate]**: a bomb, explosion, or hazardous or dangerous substance].

A person commits the crime of falsely reporting an incident involving **[Read as appropriate]**: a bomb, explosion, or hazardous or dangerous substance] if, with knowledge that the information reported, conveyed, or circulated is false, he/she initiates or circulates a false report or warning of an alleged occurrence or impending occurrence of **[Read as appropriate]**: a bomb or explosion or the alleged release or impending release of a hazardous or dangerous substance, including, but not limited to, chemical, biological, or bacteriological substance or any nerve agent; under circumstances in which it is likely to cause evacuation of a building, place of assembly, or transportation facility, or to cause public inconvenience or alarm.

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

- (1) The defendant initiated or circulated a false report or warning of an alleged occurrence or impending occurrence of **[Read as appropriate]**: a bomb or explosion or the alleged release or impending release of a hazardous or dangerous substance, including, but not limited to, chemical, biological, or bacteriological substance or any nerve agent; by **[describe the act]**;
- (2) The Defendant did so under circumstances in which it was likely to cause evacuation of a building, place of assembly, or transportation facility, or to cause public inconvenience or alarm;
- (3) The defendant did so with knowledge that the information reported, conveyed or circulated was false.

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 falsely reporting an incident involving **[Read as appropriate]**: a bomb, explosion, or hazardous or dangerous substance], then you shall find the defendant guilty of falsely reporting an incident involving **[Read as appropriate]**: a bomb, explosion, or hazardous or dangerous substance].

If you find that the State has failed to prove beyond a reasonable doubt any

one or more of the elements of falsely reporting an incident involving **[Read as appropriate]:** a bomb, explosion, or hazardous or dangerous substance], then you cannot find the defendant guilty of falsely reporting an incident involving **[Read as appropriate]:** a bomb, explosion, or hazardous or dangerous substance].

[Read as appropriate]: If you find the defendant guilty of falsely reporting an incident involving **[Read as appropriate]:** a bomb, explosion, or hazardous or dangerous substance], then it shall be your duty to determine whether the State has proved beyond a reasonable doubt that the objective or target was to interfere with the attendance, operation, activities, or other business conducted at a public or private school, university, college, or other educational institution in this state. You shall enter your verdict on a special verdict form which I will provide you.

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

[Approved 09-13-19.]