

**Ala. Code 1975, § 15-20A-18(d)**

**Failing to Relinquish Identification**  
**(Adult)**

The defendant is charged with failing to relinquish a driver license or identification card upon obtaining a driver license or identification card as an adult sex offender bearing a designation that enables law enforcement officers to identify the licensee as a sex offender.

A person commits the crime of failing to relinquish a driver license or identification card upon obtaining a driver license or identification card as an adult sex offender bearing a designation that enables law enforcement officers to identify the licensee as a sex offender if he/she is an adult sex offender and, upon obtaining or renewing a driver license or identification card bearing a designation that enables law enforcement officers to identify the licensee as a sex offender, he/she fails to relinquish to the Alabama State Law Enforcement Agency any driver license or identification card previously issued to him/her which does not bear any designation enabling law enforcement officers to identify the licensee as a sex offender.

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

- (1) The defendant was an adult sex offender;
- (2) The defendant, upon obtaining or renewing a driver license or identification card bearing a designation that enables law enforcement officers to identify the licensee as a sex offender, fails to relinquish to the Alabama State Law Enforcement Agency any driver license or identification card previously issued to him/her which does not bear any designation enabling law enforcement officers to identify the licensee as a sex offender; **(AND)**
- (3) The defendant did so knowingly.

An *adult sex offender* is a person convicted of a sex offense. [15-20A-4(1)]

A *sex offense* includes any of the following offenses: **[Insert all appropriate from 15-20A-5].**

A *conviction* is a verdict or finding of guilt as the result of a trial, a plea of guilty, a plea of nolo contendere, or an *Alford* plea regardless of whether adjudication was withheld. Conviction includes, but is not limited to, a conviction in a United States territory, a conviction in a federal or military tribunal, including a court martial conducted by the Armed Forces of the United States, a conviction for an offense committed on an Indian reservation or other federal property, a conviction in any state of the United States or a conviction in a foreign country if the foreign country's judicial system is such that it

satisfies minimum due process set forth in the guidelines under Section 111(5)(B) of Public Law 109-248. Cases on appeal are deemed convictions until reversed or overturned. [15-20A-4(4)]

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**

See 15-20A-35 for treatment of youthful offender.

[Approved 9-8-15.]