

Ala. Code 1975, § 15-20A-31

Employment Serving Children
(Juvenile)

The defendant is charged with applying for, accepting, or maintaining employment or vocation, or volunteering for employment or vocation at a school, childcare facility, or any other business or organization that provides services primarily to children as a juvenile sex offender.

A person commits the crime of applying for, accepting, or maintaining employment or vocation, or volunteering for employment or vocation at a school, childcare facility, or any other business or organization that provides services primarily to children as a juvenile sex offender if he/she is a juvenile sex offender and, during the time he/she is subject to registration requirements, he/she applies for, accepts, or maintains employment or vocation, or volunteers for employment or vocation at any school, childcare facility, or any other business or organization that provides services primarily to children.

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

- (1) The defendant was a juvenile sex offender;
- (2) The defendant, during the time he/she was subject to registration requirements, applied for, accepted, or maintained employment or vocation, or volunteered for employment or vocation at a school, childcare facility, or other business or organization that provided services primarily to children;
(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 *sex offense* includes any of the following offenses: **[Insert all appropriate from 15-20A-5]**.

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* is a licensed or accredited public, private, or church school that offers instruction in grades K-12. The definition does not include a private residence in which students are taught by parents or tutors or any facility dedicated exclusively to the education of adults unless that facility has a childcare facility. [15-20A-4(23)]

A *childcare facility* is a licensed child daycare center, a licensed childcare facility, or any other childcare service that is exempt from licensing pursuant to Section 38-7-3, provided that the licensed child daycare center, licensed childcare facility, or any other childcare service and location are public record or have been provided to local law enforcement. [15-20A-4(3)]

A *child* is a person who has not attained the age of 12. [15-20A-4(2)]

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-28 for the time a juvenile sex offender is subject to registration requirements.

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

[Approved 9-8-15.]