

Ala. Code 1975, § 15-20A-32(e)

**Failing to Register upon Entering State Without Residence
(Juvenile)**

The defendant is charged with failing to register all required information as a juvenile sex offender or youthful offender sex offender who enters the state without an established residence.

A person commits the crime of failing to register all required information as a juvenile sex offender or youthful offender sex offender who enters the state without an established residence if he/she is a juvenile sex offender or youthful offender sex offender who enters the state to accept employment or begin school attendance but not to establish a residence and he/she fails to immediately appear in person and register subsequent changes to the required registration information with local law enforcement in each county where he/she is required to register.

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

- (1) The defendant was a juvenile sex offender or youthful offender sex offender;
- (2) The defendant entered this state to accept employment or begin school attendance, but not to establish a residence;
- (3) The defendant failed to immediately appear in person and register subsequent changes to the required registration information with local law enforcement in each county where he/she is required to register:

[Read all appropriate]:

- a. Name, including any aliases, nicknames, ethnic, or tribal names;
- b. Date of birth;
- c. Social Security number;
- d. Address of each residence;
- e. Name and address of any school he/she attends or will attend;
- f. Name and address of any employer where he/she works or will work, including any transient or day laborer information;
- g. The license plate number, registration number or identifier, description, and permanent or frequent location where all vehicles are kept for any vehicle used for work or personal use, including land vehicles, aircraft, and watercraft;
- h. Any telephone number used, including land line and cell phone numbers;

- i. Any email addresses or instant message address or identifiers used, including any designations or monikers used for self-identification in Internet communications or postings;
- j. A current photograph;
- k. A physical description including physical appearance, physical characteristics, and identifying marks such as scars and tattoos;
- l. Fingerprints and palm prints;
- m. A DNA sample;
- n. A photocopy of the valid driver license or identification card;
- o. A photocopy of any and all passport and immigration documents;
- p. Any professional licensing information that authorizes him/her to engage in an occupation or carry out a trade or business;
- q. A full criminal history, including dates of all arrests and convictions, status of parole, probation, or supervised release, registration status, and outstanding arrest warrants;
- r. A list of any and all Internet service providers used by the sex offender; **(OR)**
- s. Any other information deemed necessary by the Secretary of the Alabama State Law Enforcement Agency; **(AND)**

(4) 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 *youthful offender sex offender* is an individual adjudicated as a youthful offender for a sex offense who has not attained the age of 21 at the time of the offense. [15-20A-4(31)]

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* includes an educational institution, public or private, including a secondary school, a trade or professional school, or an institution of higher education. [15-20A-7(a)(5)]

A *residence* is each fixed residence or other place where a person resides, sleeps, or habitually lives or will reside, sleep, or habitually live. If a person does not reside, sleep, or habitually live in a fixed residence, residence means a description of the locations where the person is stationed regularly, day or night, including any mobile or transitory living quarters or locations that have no specific mailing or street address. Residence shall be construed to refer to the places where a person resides, sleeps, habitually lives,

or is stationed with regularity, regardless of whether the person declares or characterizes such place as a residence. [15-20A-4(20)]

A *fixed residence* is a building or structure, having a physical address or street number, that adequately provides shelter at which a person resides. [15-20A-4(6)]

Habitually lives is where a person lives with some regularity on an intermittent or temporary basis. [15-20A-4(7)]

Immediately is within three business days. [15-20A-4(10)]

Required registration information is any information required pursuant to 15-20A-7. [15-20A-4(19)]

Local law enforcement is the sheriff of the county and the chief of police if the location subject to registration is within the corporate limits of any municipality. [15-20A-4(13)]

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.

[Approved 9-8-15.]