

Ala. Code 1975, § 15-20A-37

Failing To Register

The defendant is charged with failing to register as a sex offender.

A person commits the crime of failing to register as a sex offender if he/she is a sex offender and knowingly fails to appear for registration after declaring his/her intent to reside, be employed, or attend school in a county without notifying local law enforcement in that county that he/she will no longer establish a residence, maintain employment, or attend school.

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

- (1) The defendant was a sex offender;
- (2) The defendant failed to appear for registration after declaring his/her intent to reside, be employed, or attend school in a county without notifying local law enforcement in that county that he/she would no longer establish a residence, maintain employment, or attend school; **(AND)**
- (3) The defendant did so knowingly.

A *sex offender* includes any adult sex offender, any youthful offender sex offender, and any juvenile sex offender. [15-20A-4(25)]

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

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 *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].**

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.]