

## Ala. Code 1975, §31-13-14(a)

### Dealing in False Identification Documents

The defendant is charged with dealing in false identification papers.

A person commits the crime of dealing in false identification papers if he/she knowingly reproduces, manufactures, sells, or offers for sale any identification document which does both of the following:

- (1) Simulates, purports to be, or is designed so as to cause others reasonably to believe it to be an identification document.
- (2) Bears a fictitious name or other false information.

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

1. The defendant reproduced, manufactured, sold, or offered for sale any identification document **[Insert name of document]**;
2. The document both:
  - A. Simulated, purported to be, or was designed so as to cause others reasonably to believe it to be an identification document, and
  - B. Bore a fictitious name or other false information; **(AND)**
2. The defendant acted knowingly.

*Identification document* means any card, certificate, or document or banking instrument, including, but not limited to, a credit or debit card, which identifies or purports to identify the bearer of such document, whether or not intended for use as identification, and includes, but is not limited to, documents purporting to be drivers' licenses, non-driver identification cards, certified copies of birth, death, marriage, and divorce certificates, Social Security cards, and employee identification cards.[31-13-14(e)]

A person acts *knowingly* with respect to conduct or to a circumstance described by a statute defining an offense when he is aware that his 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 above elements of dealing in false identification papers, then you shall find the defendant guilty of the offense of dealing in false identification papers.

If you find that the State has failed to prove beyond a reasonable doubt any one or more of the elements of dealing in false identification papers, then you cannot

find the defendant guilty of dealing in false identification papers.

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

**Use Notes**

This section shall not apply to any of the following:

- (1) A person less than 21 years of age who uses the identification document of another person to acquire an alcoholic beverage.
- (2) A person less than 19 years of age who uses the identification documents of another person to acquire any of the following:
  - a. Cigarettes or tobacco products.
  - b. A periodical, videotape, or other communication medium that contains or depicts nudity.
  - c. Admittance to a performance, live or film, that prohibits the attendance of the person based on age.
  - d. An item that is prohibited by law for use or consumption by such person.

If any apply, a charge should be given setting out the listed defense or defenses followed by the phrase: "is a defense to a prosecution for this offense."

[31-13-14(d)]

This section shall be stayed when the defendant is a victim or critical witness, etc., under certain circumstances. [31-13-20]

[Approved April 26, 2024]