

OFFICE OF THE ATTORNEY GENERAL

97-00230



BILL PRYOR
ATTORNEY GENERAL
STATE OF ALABAMA

THIS OPINION HAS BEEN
OVERRULED BY ACT NO.
98-489.

JUL 22 1997

ALABAMA STATE HOUSE
11 SOUTH UNION STREET
MONTGOMERY, ALABAMA 36130
AREA (334) 242-7300

Honorable L. N. Hagan, Director
Alabama Department of Public Safety
P. O. Box 1511
Montgomery, AL 36102-1511

Community Notification Act
- Juveniles - Youthful
Offenders - Sex Offenders

Persons adjudicated as delin-
quent in juvenile court for
a sexual offense, or persons
granted youthful offender sta-
tus with respect to a sexual
offense, are not subject to
the notification requirements
of the Community Notification
Act.

Dear Colonel Hagan:

This opinion of the Attorney General is issued in
response to your request.

QUESTION

Whether the notification requirements
of Section 15-20-22 include persons adjudi-
cated of a sexual offense in juvenile court
or persons granted youthful offender treat-
ment.

FACTS AND ANALYSIS

The language of the Community Notification Act speaks in terms of persons convicted of criminal sexual offenses. ALA. CODE §§ 15-20-20 through 15-20-24 (1975). Under Alabama law, neither an order or disposition under the juvenile law nor a disposition under the Youthful Offender Act is considered a conviction. See ALA. CODE §§ 12-15-72 and 15-19-7 (1975). Thus, persons found delinquent under the state juvenile law or granted youthful offender status are not subject to the notification requirements of the Community Notification Act.


CONCLUSION

Persons adjudicated as delinquent in juvenile court for a sexual offense, or persons granted youthful offender status with respect to a sexual offense, are not subject to the notification requirements of the Community Notification Act.

I hope this opinion answers your question. If this Office can be of further assistance, please contact James R. Solomon, Jr., of my staff.

Sincerely,

BILL PRYOR
Attorney General
By:


JAMES R. SOLOMON, JR.
Chief, Opinions Division

BP/JC/jho
H7.97/OP