

State of Alabama Title 13a

Laws and Penalties for Title IX related crimes

Crime	Description	Criminal Penalties	Employee Penalties	College Penalties for Students	College Penalties for person(s) other than students and employees
Harassment (13A11-8)	<p>(a)(1) HARASSMENT. A person commits the crime of harassment if, with intent to harass, annoy, or alarm another person, he or she either: a. Strikes, shoves, kicks, or otherwise touches a person or subjects him or her to physical contact.</p> <p>b. Directs abusive or obscene language or makes an obscene gesture towards another person.</p> <p>(2) For purposes of this section, harassment shall include a threat, verbal or nonverbal, made with the intent to carry out the threat, that would cause a reasonable person who is the target of the threat to fear for his or her safety.</p> <p>(3) Harassment is a Class C misdemeanor.</p> <p>(b)(1) HARASSING COMMUNICATIONS. A person commits the crime of harassing communications if, with intent to harass or alarm another person, he or she does any of the following:</p> <p>a. Communicates with a person, anonymously or otherwise, by telephone, telegraph, mail, or any other form of written or electronic</p>	<p>Fines Not more than \$500</p> <p>Jail -not more than three months in city or county jail</p>	<p>Training</p> <p>Referral to Counseling</p> <p>Reprimand</p> <p>Loss of Privileges</p> <p>Suspension</p> <p>Expulsion</p> <p>Other penalties set forth by the College</p>	<p>Training</p> <p>Referral to Counseling</p> <p>Reprimand</p> <p>Loss of Privileges</p> <p>Suspension</p> <p>Expulsion</p> <p>Other penalties set forth by the College</p>	<p>Trespass from Campus</p> <p>Termination of contractual agreements</p>

	<p>communication, in a manner likely to harass or cause alarm.</p> <p>b. Makes a telephone call, whether or not a conversation ensues, with no purpose of legitimate communication.</p> <p>c. Telephones another person and addresses to or about such other person any lewd or obscene words or language.</p> <p>Nothing in this section shall apply to legitimate business telephone communications.</p> <p>(2) Harassing communications is a Class C misdemeanor.</p>				
<p>Assault 1st degree (13a-6-20)</p>	<p>Physical injury with a deadly weapon (gun knife) or dangerous instrument (baseball bat); with intent to disfigure seriously and permanently or to destroy, amputate, disable permanently a member or organ of another causes such injury; circumstances manifesting extreme indifference to the value of human life, recklessly engages in conduct which creates grave risk of death and causes serious physical injury to any person; in the course of, in furtherance of commission (or attempt) arson 1st, burglary 1st or 2nd, escape 1st, kidnapping 1st, rape 1st, robbery any degree, sodomy 1st or any other felony clearly dangerous to human life or immediate flight therefrom, causes serious physical injury to another; DUI (alcohol, controlled or combined) serious physical injury with vehicle or vessel.</p>	<p>Class B Felony: not more than 20 years in prison, or less than 2 years; Not more than \$30,000.</p>	<p>Termination of employment</p>	<p>Suspension 1-3 Semesters Mental Health Counseling</p>	<p>Trespass from all school property Termination of contractual agreements</p>
<p>Assault 2nd (13a-6-21)</p>	<p>With intent to cause serious physical injury they cause serious physical injury; deadly weapon or dangerous instrument; recklessly causes serious physical injury by deadly weapon or dangerous</p>	<p>Class C Felony: not more than 10 years or less than 1 year and</p>	<p>Termination of employment</p>	<p>Suspension 1-3 Semesters</p>	<p>Trespass from all school property</p>

	inst.; with intent to prevent a peace officer (36-21-60), detention/correctional officer (municipal, county, state), ems personnel, utility worker, fire fighter from performing a lawful duties intends to cause physical injury, and causes physical injury to any person; teachers or employees of a public ed institution; health care workers (nurse, physician, tech or person employed by or practicing at a hospital (22-21-20), county or district health dept, long term care facility, physician's office, clinic outpatient treatment facility during the course of or as a result of the performance of their duties causes physical injury to any person.***impaired patients or home health care workers at private res. Not included***; for purposes other than lawful med or therapeutic treatment they intentionally cause stupor, unconsciousness, or other physical or mental impairment or injury to another without consent, a drug or substance or preparations capable of producing intended harm.	1 day (366 days); not more than \$15,000.		Mental Health Counseling	Termination of contractual agreements
Assault 3 rd (13a-6-22)	Intent to cause physical injury he causes physical injury to any person; recklessly causes physical injury to another person; crim negligence causes physical injury to another by DW or DI; prevent peace officer from lawful duty causes physical injury to any person.	Class A misdemeanor: not more than 1 year in the county jail; not less than \$6,000	Termination of employment	Suspension 1-2 Semesters Mental Health Counseling	Trespass from all school property Termination of contractual agreements

Menacing (13a-6-23)	By physical action intentionally places or attempts to place another in fear of imminent physical injury.	Class B misdemeanor: not more than 6 months; not less than \$3,000	Termination of employment	Suspension 1-2 Semesters Mental Health Counseling	Trespass from all school property Termination of contractual agreements
Reckless Endangerment (13a-6-24)	Recklessly engages in conduct that creates a substantial risk off serious physical injury to another	Class A misdemeanor: not more than 1 year in the county jail; not less than \$6,000	Termination of employment	Suspension 1-2 Semesters Mental Health Counseling	Trespass from all school property Termination of contractual agreements
Criminal Coercion (13a-6-25)	w/o legal auth threatens to confine, restrain, cause physical injury to threatened person or another; damage property, reputation of threatened person or another to induce the other against their will to do an unlawful act or refrain from a lawful act.	Class A misdemeanor: not more than 1 year in the county jail; not less than \$6,000	Termination of employment	Suspension 1-2 Semesters Mental Health Counseling	Trespass from all school property Termination of contractual agreements
Unlawful Imprisonment 1st (13a-6-41)	Restrains another person under circs which expose the later to a risk of serious physical injury	Class A misdemeanor: not more than 1 year in the county jail; not more than \$6,000.	Termination of employment	Suspension 1-2 Semesters Mental Health Counseling	Trespass from all school property Termination of contractual agreements

Unlawful Imprisonment 2nd (13a-6-42)	Restrains another person****no crime if child in under 18, actor is relative of child, assume lawful control of child****	Class C misdemeanor: not more than 6 months in county jail; not less than \$500	Termination of employment	Suspension 1-2 Semesters Mental Health Counseling	Trespass from all school property Termination of contractual agreements
Kidnapping 1st (13a-6-43)	Abducts with intent to hold for ransom or reward; use as a shield or hostage; accomplish/aid in the commission of any felony or flight therefrom; inflict physical injury, violate or sexually abuse; terrorize him or a 3 rd person; interference with the performance of any gov or political function ****no crim committed if person released vol, victim is alive and not suffering any serious physical injury, in a safe place prior to apprehension***	Class A felony: life or not more than 99 years or less than 10 years; not more than \$60,000	Termination of employment	Suspension 1-3 Semesters Mental Health Counseling	Trespass from all school property Termination of contractual agreements
Kidnapping 2 nd (13a-6-44)	Abducts another person ***no intent to use or threat of deadly force, actor is a relative, assuming lawful control***	Class B Felony: not more than 20 years or less than 2 years; not more than \$30,000	Termination of employment	Suspension 1-3 Semesters Mental Health Counseling	Trespass from all school property Termination of contractual agreements
Interference with Custody (13a-6-45)	Knowingly takes or entices, child under 18 from lawful custody of parent, guardian, or lawful custodian; any committed person (anyone committed under judicial warrant, neglected, dependent, or delinquent child; mentally defective, insane person or incompetent person entrusted to another's custody by law. ***to assume lawful control no crime exists***	Class C Felony: not more than 10 years or less than 1 year and 1 day (366 days); not more than \$15,000.	Termination of employment	Suspension 1-3 Semesters Mental Health Counseling	Trespass from all school property Termination of contractual agreements

Rape 1 st (13a-6-61)	Engages in sexual intercourse with a member of the opposite sex by forcible compulsion; incapable of consent by being physically helpless or mentally incapacitated; by being 16 years or older, engages in intercourse with member of opposite sex who is less than 12 years of age	Class A Felony: life or not more than 99 years or less than 10 years; not more than \$60,000	Termination of employment	Suspension 1-3 Semesters Mental Health Counseling	Trespass from all school property Termination of contractual agreements
Rape 2 nd (13a-6-62)	16 years or older, engages in sexual intercourse with a member of the opposite sex less than 16 and more than 12; provided that the actor is at least 2 years older than the other; incapable of consent due to mental defect	Class B Felony: Not more than 20 years or less than 2 years; not more than \$30,000	Termination of employment	Suspension 1-3 Semesters Mental Health Counseling	Trespass from all school property Termination of contractual agreements
Sodomy 1 st (13a-6-63)	Deviate sexual intercourse by forcible compulsion; physically helpless or mentally incapacitated; 16 years old or older, with a person less than 12	Class A Felony: life or not more than 99 years or less than 10 years; not more than \$60,000	Termination of employment	Suspension 1-3 Semesters Mental Health Counseling	Trespass from all school property Termination of contractual agreements
Sodomy 2 nd (13a-6-64)	16 years or older with a person less than 16 and more than 12; person mentally defective	Class B Felony: Not more than 20 years or less than 2 years; not more than \$30,000	Termination of employment	Suspension 1-3 Semesters Mental Health Counseling	Trespass from all school property Termination of contractual agreements

Sexual Misconduct (13a-6-65)	Male engages in sexual intercourse with a female without her consent, under circumstances other than covered in 13a-6-63 and 64; consent was obtained by the use of fraud or artifice; female engages in intercourse with a male without his consent; deviate sexual intercourse with another under circumstances other than those in 13a-6-63 and 64	Class A misdemeanor: not more than 1 year in the county jail; not less than \$6,000	Termination of employment	Suspension 1-2 Semesters Mental Health Counseling	Trespass from all school property Termination of contractual agreements
Sexual torture (13a-6-65.1)	By penetrating the vagina, anus or mouth of another with an inanimate object by forcible compulsion with intent to sexually torture or abuse; penetration of the vagina, anus or mouth of a person who is incapable to consent by physical helplessness and mental incapacity; person less than 12 years by someone 16 or older.	Class A Felony: life or not more than 99 years or less than 10 years; not more than \$60,000	Termination of employment	Suspension 1-3 Semesters Mental Health Counseling	Trespass from all school property Termination of contractual agreements
Sexual abuse 1 st (13a-6-66)	Subjects another to sexual contact by forcible compulsion; incapable of consent by reason of physical helplessness or mentally incapacitated	Class C Felony: not more than 10 years or less than 1 year and 1 day (366 days); not more than \$15,000.	Termination of employment	Suspension 1-3 Semesters Mental Health Counseling	Trespass from all school property Termination of contractual agreements
Sexual abuse 2 nd (13a-6-67)	Subjects another person to sexual contact who is incapable of consent by reason of some factor other than being less than 16 years old; being 19 or older subject another who is less than 16 years old but more than 12.	Class A Misdemeanor: not more than 1 year in the county jail; not less than \$6,000	Termination of employment	Suspension 1-2 Semesters Mental Health Counseling	Trespass from all school property Termination of contractual agreements

		(2 nd offense within 1 year=class c felony; not more than 10 years not less than 1 year; not less than \$15,000)			
Indecent Exposure (13a-6-68)	With intent to arouse or gratify sexual desire of himself or any person other than his spouse, he exposes his genitals under circumstances in which he knows his conduct is likely to cause affront or alarm in any public place or on the private premises of another or so near thereto as to be seen from such private premises.	Class A misdemeanor: not more than 1 year in the county jail; not more than \$6,000. (3 rd or subsequent conviction is Class C Felony; not more than 10 years or less than 1 year; not less than \$15,000)	Termination of employment	Suspension 1-2 Semesters Mental Health Counseling	Trespass from all school property Termination of contractual agreements
School employee engaging in sex act with student under 19 years (13a-6-81)	He or she is a school employee and engages in sexual intercourse (13a-6-60(1)) or deviate sexual intercourse (13a-6-60(2)) with a student regardless of sex of student. Consent is no defense.	Class B Felony: Not more than 20 years or less than 2 years; not more than \$30,000	Termination of employment	Suspension 1-3 Semesters Mental Health Counseling	Trespass from all school property Termination of contractual agreements

School employee having sexual contact with a student under 19 (13a-6-82(a))	He or she is a school employee and engages in sexual contact defined in 13a-6-60(3) with a student regardless of sex.	Class C Felony: not more than 10 years or less than 1 year and 1 day (366 days); not more than \$15,000.	Termination of employment	Suspension 1-3 Semesters Mental Health Counseling	Trespass from all school property Termination of contractual agreements
School employee soliciting sex act with student under 19 (13a-6-82(b))	A school employee solicits, persuades, encourages, harasses, or entices a student under 19 to engage in a sex act including but not limited to intercourse (13a-6-60(1)), deviate intercourse (13a-6-60(2)), sexual contact (13a-6-60(3))	Class A misdemeanor: not more than 1 year in the county jail; not more than \$6,000.	Termination of employment	Suspension 1-2 Semesters Mental Health Counseling	Trespass from all school property Termination of contractual agreements
School employee distributing obscene material to a student (13a-6-82.1)	School employee distributes or transmits by any means obscene matter that depicts sexual intercourse, sexual excitement, masturbation, breast or genital nudity, or sexual conduct to a student.	Class A misdemeanor: not more than 1 year in the county jail; not more than \$6,000.	Termination of employment	Suspension 1-2 Semesters Mental Health Counseling	Trespass from all school property Termination of contractual agreements
Stalking 1st (13a-6-90)	Person intentionally and repeatedly follows or harasses another person and who makes a threat either expressed or implied with intent to place that person in reasonable fear of death or serious bodily harm	Class C Felony: not more than 10 years or less than 1 year and 1 day (366 days); not more than \$15,000.	Termination of employment	Suspension 1-3 Semesters Mental Health Counseling	Trespass from all school property Termination of contractual agreements

Stalking 2 nd (13a-6-90.1)	Acting with improper purpose, intentionally and repeatedly follows, harasses, telephones or initiates contact verbally, electronically or otherwise, with another person, any member of that persons immediate family or a 3 rd party with whom the other is acquainted and causes mental harm to the mental or emotional health of the other, causes fear that employment, business, or career is threatened and the perpetrator was previously told to cease conduct	Class B Misdemeanor: not more than 6 months; not more than \$3,000.	Termination of employment	Suspension 1-2 Semesters Mental Health Counseling	Trespass from all school property Termination of contractual agreements
Aggravated stalking 1 st (13a-6-91)	Person who violates (13a-6-90(a)) and whose conduct violates any court order or injunction	Class B Felony: Not more than 20 years or less than 2 years; not more than \$30,000	Termination of employment	Suspension 1-3 Semesters Mental Health Counseling	Trespass from all school property Termination of contractual agreements
Aggravated Stalking 2 nd (13a-6-91.1)	Person who violates (13a-6-90.1) and whose conduct also violates any court order or injunction.	Class C Felony: not more than 10 years or less than 1 year and 1 day (366 days); not more than \$15,000.	Termination of employment	Suspension 1-3 Semesters Mental Health Counseling	Trespass from all school property Termination of contractual agreements
Domestic Violence 1st (13a-61-130)	Person commits Assault 1 st (13a-6-20), or aggravated stalking 1 st (13a-6-91) victim is a current/former spouse, parent, child, any person with whom the def has a child in common and a present or former household member, a person with a current/former dating relationship (defined 13a-6-139.1) with the defendant.	Class A Felony: life or not more than 99 years or less than 10 years; not more than \$60,000	Termination of employment	Suspension 1-3 Semesters Mental Health Counseling	Trespass from all school property Termination of contractual agreements

Domestic Violence 2 nd (13a-6-131)	Assault 2 nd (13a-6-21), intimidating a witness (13a-10-123), stalking (13a-6-90), Burglary 2 nd or 3 rd (13a-7-6, 13a-7-7), criminal mischief 1 st (13a-7-21), victim is a spouse (current/former), parent, child any person with whom the def has a child in common, a household member (current/former) or the person who has or had a dating relationship with the defendant.	Class B Felony: Not more than 20 years or less than 2 years; not more than \$30,000.	Termination of employment	Suspension 1-3 Semesters Mental Health Counseling	Trespass from all school property Termination of contractual agreements
Domestic Violence 3 rd (13a-6-132)	Assault 3 rd (13a-6-22), menacing (13a-6-23), reckless endangerment (13a-6-24), criminal coercion (13a-6-25), harassment (13a-11-8(a)), criminal surveillance (13a-11-32), harassing communications (13a-11-8(b)), criminal trespass 3 rd (13a-7-4), criminal mischief 1 st or 2 nd (13a-7-22 or 23), arson 3 rd (13a-7-43), victim is current or former spouse, parent, child, with any person whom the defendant has a child in common, household member (current/former), person who had or has a dating relationship	Class A misdemeanor: not more than 1 year in the county jail; not more than \$6,000.	Termination of employment	Suspension 1-3 Semesters Mental Health Counseling	Trespass from all school property Termination of contractual agreements
Interference with a domestic violence emergency call (13a-6-137)	Intentionally hindering, obstructing, disconnecting, or preventing the victim from calling for assistance.	Class B Misdemeanor: not more than 6 months; not more than \$3,000.	Termination of employment	Suspension 1-3 Semesters Mental Health Counseling	Trespass from all school property Termination of contractual agreements
Violation of a Domestic Violence Protection order (13a-6-142)	Violation of any order issued pursuant to Protection from Abuse Act (30-5-1 to 30-5-11) The knowing commission of any act prohibited by a domestic violence protection order or any willful failure to abide by its terms.	Class A misdemeanor: not more than 1 year in the county jail; not	Termination of employment	Suspension 1-3 Semesters	Trespass from all school property Termination of contractual agreements

	<p>*** can be from circuit, district, municipal, juvenile, or domestic relations court ***in state or out of state varies only by showing a history that violence or abuse exists</p>	<p>more than \$6,000. (Min sentence: 30 days imprisonment (may not be suspended). 3rd or subsequent conviction in addition to any other penalty or fine shall be punishable by min sentence of 120 days (may not be suspended))</p>		Mental Health Counseling	
Human Trafficking 1 st (13a-6-152)	<p>Knowingly subjects another to labor or sexual servitude; obtains, recruits, entices, solicits, induces, threatens, isolates, harbors, holds, restrains, transports, provides, or maintains any minor for the purpose of causing a minor to engage in sexual servitude; gives monetary consideration or any thing of value to engage in any sexual conduct with a minor or an individual who is believed to be a minor***not required that def have knowledge of minor's age***</p>	<p>Class A felony: life or not more than 99 years or less than 10 years; not more than \$60,000</p>	Termination of employment	Suspension 1-3 Semesters Mental Health Counseling	Trespass from all school property Termination of contractual agreements
Human Trafficking 2 nd (13a-6-153)	<p>Knowingly benefits, financially or by receiving anything of value from participation in a venture or engagement for the purpose of sexual or labor servitude; recruits, entices,</p>	<p>Class B Felony: Not more than 20 years or less than 2 years;</p>	Termination of employment	Suspension 1-3 Semesters	Trespass from all school property

	solicits, induced, harbors, transports, holds restrains, provides maintains, subjects or obtains by any other means another person for the purpose of labor or sexual servitude	not more than \$30,000.		Mental Health Counseling	Termination of contractual agreements
Distributing a Private Image (13a-6-240)	Knowingly posts, emails, texts, transmits or otherwise distributes a private image with the intent to harass, threaten, coerce, or intimidate the person depicted when the depicted person had a reasonable expectation of privacy against transmission of the private image.***photograph, digital image, video, film, or other recording of a person identifiable from the recording itself or the circumstances of its transmission and who is engaged in sadomasochistic abuse, sexual intercourse, sexual excitement, masturbation, breast or genital nudity or other sexual conduct. Edited or altered does not matter***	Class A misdemeanor: not more than 1 year in the county jail; not more than \$6,000. (subsequent adjudication or conviction is a class C Felony: not more than 10 years or less than 1 year and 1 day (366 days); not more than \$15,000 in fines.)	Termination of employment	Suspension 1-3 Semesters Mental Health Counseling	Trespass from all school property Termination of contractual agreements
Sexual Extortion (13a-6-241)	Knowingly causes another person to engage in sexual intercourse, deviate sexual intercourse, sexual contact, or in a sexual act or to produce any photograph, digital image, video, film, or other recording or any other person recognizable or not, engaged in any act of sadomasochistic abuse, sexual intercourse, deviate sexual intercourse, sexual excitement, masturbation, breast or genital nudity or other sexual conduct by transmitting any communication containing any threat to injure	Class B Felony: Not more than 20 years or less than 2 years; not more than \$30,000	Termination of employment	Suspension 1 to 3 semesters	Trespass from all school property Termination of contractual agreements

	the body, property, or reputation of any person.				
Directing a child to engage in sexual intercourse (13a-6-243)	<p>Knowingly entices, allures, persuades, induces, or directs any person under the age of 12 to engage in sexual intercourse or deviate sexual intercourse with another person under the age of 12.</p> <p>Knowingly entices, allures, persuades, induces, or directs any person under the age of 12 to engage in sexual contact with another person under the age of 12.</p>	<p>Class A Felony: life or not more than 99 years or less than 10 years; not more than \$60,000</p> <p>Class C Felony: not more than 10 years or less than 1 year and 1 day (366 days); not more than \$15,000.</p>	Termination of employment	Suspension 1 to 3 semesters	Trespass from all school property Termination of contractual agreements