

Agenda

Sentencing Subgroup – December 1st, 2015

- 1. Introductions**
- 2. Review of drivers of Alaska's sentenced population**
 - a. Increasing felony length of stay
 - i. Average felony length of stay up across nonviolent offense categories – up 13% for property offenders; up 16% for drug offenders; up 57% for alcohol offenders; and up 91% for public order offenders
 - ii. Average felony length of stay up across violent offense categories – up 17% for person offenders; and up 84% for sex offenders
 - b. High number of nonviolent misdemeanor admissions
 - i. 82% of prison admissions are misdemeanants; 60% of prison admissions are nonviolent misdemeanants
 - ii. Limited use of prison alternatives outside of probation
- 3. Preliminary impact summary**
 - a. Bed reductions needed to meet legislative and gubernatorial goalposts
 - b. Preliminary impacts from sentencing, community supervision, and pretrial subgroups
- 4. Areas of policy consensus w/ outstanding questions**
 - a. Misdemeanor driving under the influence (DUI) offenses
 - b. Misdemeanor B offenses
 - c. Driving while license suspended (DWLS) offenses
 - d. Shoplifting offenses under \$250
 - e. Felony theft offenses
 - f. Felony drug offenses
 - g. Specialty parole option for the oldest cohort of offenders
 - h. Earn time program for sex offenders contingent on treatment completion
 - i. Expansion of discretionary parole eligibility
- 5. Areas of further discussion**
 - a. Presumptive sentencing for non-sex felons
 - b. Presumptive sentencing for Felony C and B sex offenders
 - c. Nonviolent misdemeanor A offenders
- 6. Public comment**

*** Discussion draft – not for distribution ***

Preliminary Impact Summary

Bed impacts needed to meet legislative and gubernatorial goalposts.—

- To avert all future prison growth: **Avert 1,416 beds.**
- To avert all future prison growth and reduce the current prison population by 15 percent: **Avert 2,180 beds.**
- To avert all future prison growth and reduce the current prison population by 25 percent: **Avert 2,689 beds.**

Preliminary impacts from sentencing, pretrial, and community supervision subgroups.—

Policy	Project Bed Impacts
Consensus Policy Options (with associated impacts)	
Pretrial	
1. Creating a presumption for the issuing of citations (versus arrest).	Estimated to avert 74 beds.
2. Providing statutory guidance for a release decision-making grid based on risk.	Estimated to avert 393 beds.
3. Reclassifying penalties for failure to appear and violation of release conditions.	Estimated to avert 22 beds.
Sentencing	
4. Diverting 1 st -time misdemeanor DUI offenders to electronic monitoring.	Estimated to avert 80 beds.
5. Reclassifying misdemeanor B offenses as violations.	Estimated to avert 64 beds.
6. Rendering first- and second-time shoplifting under \$250 offenses as non-jailable offenses.	Estimated to avert 21 beds.
7. Reclassifying non-DUI related DWLS offenses as violations.	Estimated to avert 31 beds.
8. Raising the felony theft threshold to \$2000.	Estimated to avert 31 beds.
9. Aligning presumptive ranges with prior presumptive terms (lowest reduction).	Estimated to avert 130 beds.
10. Creating an earn-time program for sex offenders contingent on treatment.	Estimated to avert 150 beds.
11. Reclassifying felony drug offenses; diverting 1 st - and 2 nd -time possession offenders.	Estimated to avert 209 beds.
12. Expanding discretionary parole eligibility for non-sex felons.	Estimated to avert 259 beds.
13. Expanding discretionary parole eligibility for sex felons.	Estimated to avert 33 beds.
Community Supervision.	
14. Implementing revocation caps.	Estimated to avert 581 beds.
15. Diverting all pretrial technical violator time.	Estimated to avert 474 beds.
Total (before accounting for overlap): 2,552	
Additional Policies to be Forwarded to the Legislature	
16. Diverting 1 st and 2 nd -time misdemeanor DUI to electronic monitoring and CRCs. (Variation on policy option #4 – above).	Estimated to avert an additional 53 beds.
17. Bringing presumptive ranges under the prior presumptive terms. (Variation on policy option #9 – above).	Estimated to avert an additional 137 beds.
Total w/consensus policy options (before accounting for overlap): 2,662	
Policies Under Discussion Today	
18. Reducing sentencing ranges and maximums for Felony C and B sex offenders.	Estimated to avert up to 30 beds.
19. Reducing the maximum sentence for nonviolent misdemeanor A offenses to 1 month active time and 5 months suspended time	Estimated to avert up to 105 beds.
20. Expanding the felony theft threshold policy to pertain to all property crimes with a related dollar amount.	Estimated to avert an additional 7 beds.

Areas of Policy Consensus

1. Misdemeanor DUI Offenses

- a. Version A (part of consensus recommendations)
 - i. Mandate that first-time misdemeanor DUI offenders serve their active imprisonment sentences on surveillance under remote monitoring technologies.
 1. If remote monitoring technologies are not available, the DOC may have first-time DUI offenders serve their active imprisonment sentence on supervised probation.
 - ii. This policy would not affect the calculation of priors for the DUI recidivist statute.
- b. Version B (to be forwarded as an additional recommendation to the legislature that received majority support)
 - i. Mandate that first-time misdemeanor DUI offenders serve their active imprisonment sentences on surveillance under remote monitoring technologies
 1. If remote monitoring technologies are not available, the DOC may divert first-time DUI offenders to supervised probation for the duration of the imprisonment sentence.
 - ii. Mandate that second or subsequent misdemeanor DUI offenders serve their active imprisonment sentences on surveillance under remote monitoring or a community residential center.
 - iii. Allow the DOC to divert first-time felony DUI offenders to surveillance under remote monitoring technologies or community residential centers depending on the offender's risk level.
 - iv. This policy would not affect the calculation of priors for the DUI recidivist statute.
- c. **Question for group consideration: Should this policy (both versions) be extended to offenders convicted of refusing to submit to a chemical test and for DUI's related to driving a commercial vehicles?**

2. Misdemeanor B Offenses

- a. Reclassify state misdemeanor B offenses as violations (excepting shoplifting offenses under \$250), punishable by a fine up to \$1000.
- b. Restrict municipalities from incarcerating past these limits for similar municipal offenses.
- c. Ensure that commitment of a misdemeanor B qualifies as a violation of probation or parole.
- a. **Question for group consideration: Should the \$250 dollar threshold that applies to a number of misdemeanor B offenses be indexed to inflation moving forward?**

3. Driving while license suspended (DWLS) offenses

- a. Reclassify DWLS offenses when the suspended license was not due to a DUI or refusal to submit to a chemical test offense as violations, punishable by a fine up to \$1000.
- b. Ensure that commitment of a DWLS violation qualifies as a violation of probation or parole.
- c. Eliminate the mandatory minimum for a first DUI-related or refusal-related DWLS offense.
- d. Reduce the mandatory minimum for a second or subsequent DUI or refusal-related DWLS offense to 10 days (from 30 days currently).

4. Shoplifting offenses under \$250

- a. Reclassify first- and second-time shoplifting offenses under \$250 as non-jailable misdemeanors, punishable by a fine up to \$2000.

- b. Reduce the maximum sentence for a third or subsequent shoplifting under \$250 to 5 days suspended with a maximum 6-month probation term and a fine up to \$2000.
- c. Questions for group consideration:
 - i. Should the carve-out for shoplifting offenses under \$250 be expanded to include all theft-related offenses?
 - ii. Should the \$250 threshold that applies to a number of misdemeanor B offenses be indexed to inflation moving forward?

5. Felony theft offenses

- a. Raise the felony theft threshold to \$2000 for the following theft crimes:
 - i. Theft 3;
 - ii. Concealing merchandise, \$250 - \$750; and
 - iii. Removal of identification marks, \$250 - \$750;
 - iv. Issuing a bad check, \$250 - \$750.
- b. Require the Department of Labor to set in regulation an inflation-adjusted felony theft threshold every 5 years, rounded up to the nearest \$50 increment.
- c. Question for group consideration: Should the raised felony theft threshold pertain to the following additional property crimes?
 - i. Vehicle theft 1;
 - ii. Criminal mischief 3;
 - iii. Unlawful possession 1; and
 - iv. Misapplication of property 1.

6. Felony drug offenses

- a. Reclassify possession of IA and IIA controlled substances as a misdemeanor; render first-and second-time possession of IA and IIA controlled substances as non-jailable misdemeanors.
- b. Bring penalties for IA controlled substances into alignment with penalties for IIA controlled substances.
- c. Create a tiered commercial drug statute whereby sale of less than 5g of IA and IIA is a felony c; and sale of more than 5g of IA and IIA is a felony b.
- d. Questions for group consideration:
 - i. Should judges be able to impose periods of suspended time for first- and second-time possession offenders to incentivize completion of treatment programs?
 - ii. Should a stipulation be included in the recommendation that statutory changes be made to ensure that residential treatment provided for in a sentence of probation *can* exceed the maximum amount of jail time that can be imposed?

7. Specialty parole option for the oldest cohort of inmates

- a. Provide for automatic parole hearings for offenders who are over a certain age and have served a set number of years in prison.
- b. Ensure that when evaluating inmates under this policy, the Parole Board considers the inmate's likelihood of re-offense in light of his age, as well as criminal history, behavior in prison, participation in treatment, and plans pending release.

- c. Question for group consideration: What is the appropriate age and minimum number of years served to be eligible for this specialty parole provision?

8. Earn time program for sex offenders contingent upon treatment completion

- a. Enable felony sex offenders who are currently ineligible for mandatory parole (Class C and B sex offenders with prior offenses, as well as Class A and Unclassified sex offenders) to earn up to a third off their sentence for complying with their treatment requirements (including but not limited to sex offender treatment) mandated by the courts and/or the Department of Corrections.

9. Expansion of discretionary parole eligibility

- a. Expand eligibility for discretionary parole to all felony offenders excepting Class A or Unclassified sex offenders with prior felony convictions
- b. *(From the community supervision subgroup)*. Streamline parole decision-making for lower-level felonies (first time Felony C and B offenders) by limiting hearings to only those offenders who have failed to comply with their Individual Case Plan or who have been disciplined for failure to obey institutional rules, or in cases where the victim has requested a parole hearing. Otherwise, these inmates will be paroled at their earliest eligibility date.
- c. Require that any other offender who is eligible for parole receives a hearing at least 90 days before his or her first eligibility date, with the presumption that the offender will be granted parole if he or she has complied with the Individual Case Plan and followed institutional rules. The presumption of parole could be overcome with a finding on the record that release would jeopardize public safety.
- d. Question for group consideration: Should the parole eligibility expansion be retroactively extended to offenders who are currently in prison?

Presumptive Sentencing for Non-Sex Felons

Review of last discussion.—

- Interest in bringing current presumptive ranges into line with presumptive terms in 2005.
- Interest in further discussing presumptive sentencing reform options that would provide for greater judicial discretion in sentencing below the current range.

Effects of sentencing range changes in last decade.—

From 2004 to 2014, average length of stay for:

- Class A felonies grew 67 percent;
- Class B felonies grew 19 percent; and
- Class C felonies grew 20 percent.

Felony Class	Pre-Implementation average LOS			2005 Change	Post-Implementation average LOS		
	2002	2003	2004		2012	2013	2014
Class A Felony	11 months	14 months	27 months		33 months	35 months	45 months
Class B Felony	7 months	8 months	11 months		13 months	12 months	13 months
Class C Felony	4 months	5 months	6 months		6 months	6 months	7 months

Presumptive Sentencing for Non-Sex Felons Policy Options

Option 1: Bring presumptive ranges under the ceiling of 2005 presumptive terms.

Option 2: Align presumptive ranges with 2005 presumptive terms.

Option 3 (new option): Align presumptive ranges with 2005 presumptive terms; expand judicial discretion in sentencing below the current range

Felony Class	Presumptive Term (2005)	Alaska Current	Option 1	Option 2	Option 3
Class A					
First	[5] – 20	[5 – 8] – 20	[2 – 5] – 20	[3 – 6] – 20	[0 – 6] – 20
First/Enhanced	[7] – 20	[7 – 11] – 20	[3 – 7] – 20	[5 – 9] – 20	[3 – 9] – 20
Second	[10] – 20	[10 – 14] – 20	[6 – 10] – 20	[8 – 12] – 20	[6 – 12] – 20
Third	[15] – 20	15 – 20	[10 – 15] – 20	13 – 20	10 – 20
Class B					
First	[n/a] – 10	[1 – 3] – 10	[0 – 2] – 10	[0 – 2] – 10	[0 – 2] – 10
First/Enhanced	[n/a] – 10	[2 – 4] – 10	[0 – 3] – 10	[1 – 3] – 10	[0 – 3] – 10
Second	[4] – 10	[4 – 7] – 10	[1 – 4] – 10	[2 – 5] – 10	[1 – 5] – 10
Third	[6] – 10	6 – 10	[2 – 6] – 10	4 – 10	3 – 10
Class C					
First	[n/a] – 5	[0 – 2] – 5	Presumptive Probation	Presumptive Probation	Presumptive Probation
Second	[2] – 5	[2 – 4] – 5	Presumptive Probation	[1 – 3] – 5	Presumptive Probation
Third	[3] – 5	3 – 5	[1 – 3] – 5	2 – 5	1 – 5
Estimated bed impact:			267 beds	130 beds	185 beds

Presumptive Sentencing for Class C and B Sex Felons

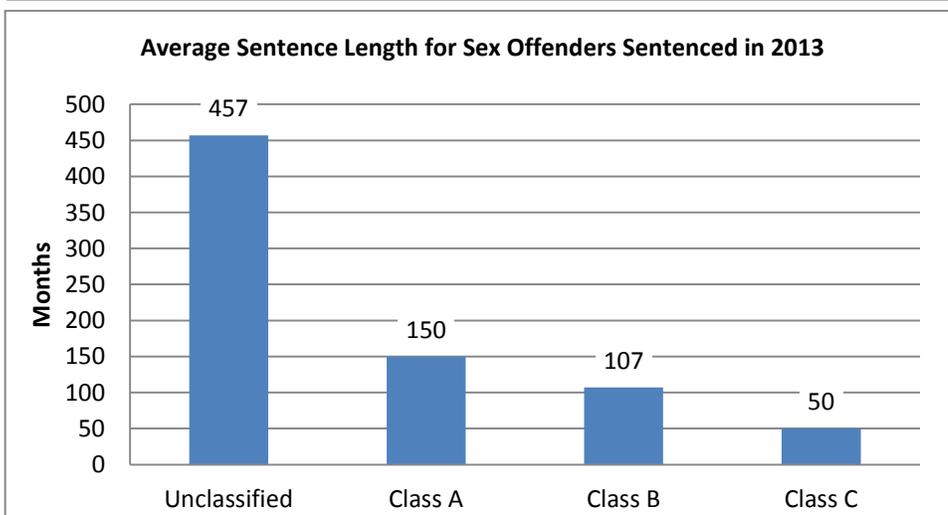
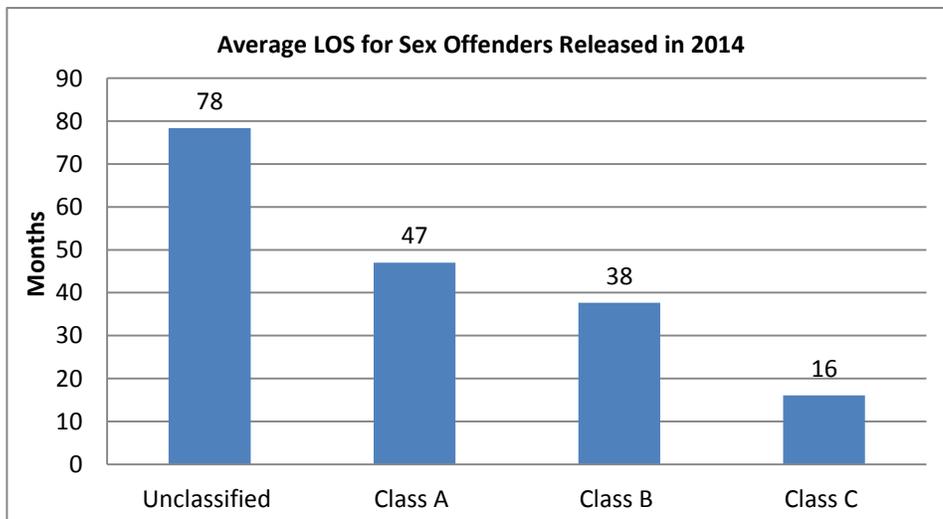
Review of last month's discussion.—

- Interest in discussing modest sentencing reforms for Alaska's Class C and B sex felons.

What we know about Alaska's sex offender population.—

- In July 2014, there were 581 people in prison on sex offenses; all but 10 of them were in for felony offenses.
- Length of stay in the last 10 years has grown by 86%, contributing to a 38% growth of the sex offender population in prison. In the last 10 years –
 - Length of stay for Unclassified sex offenses has grown by 123%.
 - Length of stay for Class A sex offenses has grown by 42%.
 - Length of stay for Class B sex offenses has grown by 124%.
 - Length of stay for Class C sex offenses has grown by 45%.

Current LOS likely not representative.---



Presumptive Sentencing for Class C and B Sex Felons Policy Options

Option 1: Return presumptive ranges and statutory maximums for Felony C and B sex offenders to 2006 levels.

Option 2: Return statutory maximums to 2006 levels; moderate presumptive ranges for all Felony C and B sex offenders.

Option 3: Maintain statutory maximums for all Felony C and B sex offenders; moderate presumptive ranges for first- and second-time Felony C and B sex offenders only.

Felony Class	2005 Levels	Alaska Current	Option 1	Option 2	Option 3
Sex - Class B					
First	[2 – 4] – 20 years	[5 – 15] – 99 years	[2 – 4] – 20 years	[4 – 8] – 20 years	[4 – 8] – 99 years
Second	[5 – 8] – 20 years	[10 – 25] – 99 years	[5 – 8] – 20 years	[10 – 16] – 20 years	[10 – 25] – 99 years
Third	[10 – 14] – 20 years	[20 – 35] – 99 years	[10 – 14] – 20 years	16 – 20 years	[20 - 35] – 99 years
Sex – Class C					
First	[1 – 2] – 10 years	[2 – 12] – 99 years	[1 – 2] – 10 years	[2 – 4] – 10 years	[2 – 4] – 99 years
Second	[2 – 5] – 10 years	[8 – 15] – 99 years	[2 – 5] – 10 years	[4 - 7] – 10 years	[8 – 15] – 99 years
Third	[3 – 6] – 10 years	[15 – 25] – 99 years	[3 – 6] – 10 years	6 – 10 years	[15 – 25] – 99 years
Estimated bed impact:			30 beds	22 beds	TBD

Nonviolent Misdemeanor A Offenses

Review of last month's discussion.—

- Interest in discussing reducing the maximum sentence for some nonviolent misdemeanor A's to 30 days of active time and 180 days of suspended time.

What we know about Alaska's nonviolent misdemeanor A population (excludes DUI, DWLS and violent crimes).—

- **In 2014, 1,354 offenders entered prison post-conviction for a nonviolent misdemeanor A** (definition utilized here excludes assault 4, reckless endangerment, and stalking 2).
- **Drivers of the misdemeanor A population include:**
 - **Theft 3:** 554 offenders admitted in 2014
 - **Violate DV protective order:** 147 offenders admitted in 2014
 - **Criminal trespass 1:** 118 offenders admitted in 2014
 - **Filing a false report:** 107 offenders admitted in 2014
 - **Criminal mischief 4:** 68 offenders admitted in 2014
 - **Forgery 3:** 43 offenders admitted in 2014
 - **Escape 4:** 39 offenders admitted in 2014

Nonviolent Misdemeanor A Offense Options

Option 1: Nonviolent misdemeanor A's are presumptively sentenced to a 0 – 30 day active imprisonment and a 0 – 180 day suspended imprisonment term, except that the maximum term can be exceeded if it can be proved that aggravating factors exist.

Estimated impact: TBD

Option 2: Reduce statutory maximum for all nonviolent A misdemeanors to 30 days active time and 180 days suspended time, excluding DUI and DWLS offenses.

Estimated bed impact: 105 beds

Option 3: Reduce statutory maximums for all nonviolent A misdemeanors to 30 days active time and 180 days suspended time, excluding DUI and DWLS offenses, as well as sex offenses, and certain public order, property, and severe property crimes. (See complete list of carve-outs on next page).

Estimated bed impact: TBD

List of potential carve-out crimes for option 3

1. Resisting or interfering with arrest.
2. Violate DV protective order.
3. Interfere with report of DV crime.
4. Unlawful contact 1.
5. Harassment 1.
6. Failure to register a sex offender 2.
7. Indecent exposure 2.
8. Sexual abuse of a minor 4.
9. Sexual assault 4.
10. Sex trafficking 4.
11. Criminal trespass 1
12. Removal of identification marks
13. Theft 3 (and related)
14. Forgery 3
15. Removal of identification marks
16. Interfere with report of DV crime
17. Criminal nonsupport
18. Endangering the welfare of a child 1
19. Failure to report an accident

Nonviolent Misdemeanor As

Note: This is not a complete list. This list comprises all the offenses that have appeared in the data within the last 10 years. Offenses that do not have admissions or LOS figures for 2014 appeared sometime within the prior 10 years, but had no offenders in prison under those offense titles in 2014.

Offense	Description	Statute AS:	2014	
			Adms	LOS
Drug				
Misconduct involving controlled substances 5	Person possesses: <ul style="list-style-type: none"> • <25 doses of IIIA or IVA • Aggregate weight of <3 g IIIA or IVA; >6 but <12 g synthetic cannabinoids applied to a medium; <500 mg of cathinone and analogs • <50 doses of VA • Aggregate weight of <6 g VA • Aggregate weight of ≥1 oz. VIA 	11.71.050	31	28 days
Property				
Theft 3	Person commits theft of ≥\$250 but <\$750; or person commits theft of <\$250; and has 2 or more prior thefts within preceding 5 years.	11.46.140	554	53 days
Criminal trespass 1	Person enters or remains unlawfully on land with intent to commit a crime on the land; or person enters or remains unlawfully in a dwelling.	11.46.330	118	40 days
Vehicle theft 2	<ul style="list-style-type: none"> • Person takes the propelled vehicle of another, other than a vehicle described in AS 11.46.360(a)(1) • Having custody of a propelled vehicle under a written agreement with the owner that includes an agreement to return the vehicle, the person retains possession for an extended period of time 	11.46.365	22	60 days
Criminal mischief 4	Damages property ≥\$250 but <\$750 or: <ul style="list-style-type: none"> • Tampers with a fire protection device in public building • Knowingly accesses a computer system without right to do so • Uses a device to descramble an electronic signal that has been scrambled to prevent viewing of the signal • Knowingly damages an official traffic control device 	11.46.484	68	72 days
Forgery 3	With intent to defraud, person falsely makes, possesses, or utters an instrument.	11.46.510(a)	43	47 days
Criminally negligent burning 2	Person damages property of another by fire or explosion with criminal negligence.	11.46.430	-	-
Criminal impersonation 2	Person assumes a false identify and does an act with intent to defraud, commit a crime, or obtain a benefit.	11.46.570	-	-
Possession of burglary tools	Person possesses a burglary tool with intent to use the tool for burglary or theft.	11.46.315	-	-
Concealment of merchandise	Person knowingly conceals merchandise of less than \$750 but more than \$250 with intent to steal the merchandise.	11.46.220	-	-

Removal of identification marks	Person erases, defaces, or otherwise alters any serial number or identification mark on merchandise worth less than \$750 but more than \$250 with intent to steal the merchandise.	11.46.260	-	-
Issuing a bad check	Person issues a bad check knowing that it will not be honored in an amount less than \$750 but more than \$250.	11.46.280	-	-
Fraudulent use of an access device	Person uses an access device to obtain property valued at less than \$750 knowing that the access device has been stolen, forged, or cancelled.	11.46.285	-	-
Failure to control or report a dangerous fire	Person knows that a fire is endangering life or substantial amount of property and fails to take reasonable measures to control the fire.	11.46.450	-	-
Obtaining signature by deception	Person causes another to sign a document by deception.	11.46.540	-	-
Offering a false instrument for recording 2	Person presents a lien to the recorder for registration, filing, or recording with reckless disregard that the lien is not provided for in statute or was not authorized under state or federal law.	11.46.560	-	-
Deceptive business practices	Person, in the course of engaging in a business, occupation, or profession, makes a false statement in an advertisement, among other acts.	11.46.710	-	-
Misrepresentation of use of propelled vehicle	Person sells or leases a propelled vehicle knowing that a usage registering device on the vehicle has been disconnected or replaced so as to misrepresent the distance traveled by the vehicle or the hours of engine use.	11.46.720	-	-
Alcohol				
Misdemeanor DUI	<i>Addressed in a separate policy (impacts not included).</i>			
Furnish alcohol to person under 21	Furnishing or delivering alcoholic beverage to person under 21 (This does not prohibit furnishing alcohol (1) by a parent to a child; (2) by a guardian to the guardian's ward; and (3) by one spouse to another.)	04.16.051	19	34 days
Drunk person on licensed premises	Drunken person knowingly enters or remains on alcohol-licensed premises.	04.16.040	9	7 days
Alcohol restricted persons – in licensed areas	Person who is restricted from purchasing alcohol knowingly enters or remains in alcohol-licensed premises.	04.16.047	2	5 days
Sell alcohol without license – wet area	Knowingly manufacturing, selling etc. an alcoholic beverage without a license or permit. (Mandatory minimum – 10 days).	04.11.010; 04.16.200	3	173 days
Importation of alcoholic beverages into local option area	Person who brings, sends, or transports alcohol beverages into area that has elected to be dry If less than 10.5 liters of distilled spirits, 24 liters of wine, or 12 gallons of malt beverages.	04.11.499	-	-
Purchase alcohol in dry area	Person knowingly purchases alcohol in a designated dry area.	04.16.200(f)	-	-
Public Order				
Escape 4	Person removes oneself from official detention for a misdemeanor; or person removes oneself from a restraint after being placed under a restraint by a peace officer; or person removes an EM device or leaving one's residence against EM restrictions.	11.56.330	39	60 days

Unlawful evasion 2	Person fails to return to official detention within the time authorized following temporary leave; or while on furlough, person fails to return to the place of confinement.	11.56.340	6	37 days
Promoting contraband 2	Person takes contraband into a correctional facility. Person makes or possesses contraband while under official detention in a correctional facility.	11.56.380	5	53 days
Tampering with a witness 2	Person knowingly induces a witness to be absent from an official judicial proceeding.	11.56.545	-	-
Resisting or interfering with arrest	Person resists or interferes with an arrest by (1) force; (2) committing any degree of criminal mischief; or (3) any means that creates a substantial risk of physical injury to any person.	11.56.700	74	44 days
Violate DV protective order	Person commits or attempts to commit an act that violates a DV protective order.	11.56.745	147	42 days
Interfere with report of DV crime	Person interferes with another person who is reporting a crime involving domestic violence.	11.56.745	-	-
Harm police dog 2	Person intentionally causes physical injury to or torments a police dog.	11.56.710	-	-
Unlawful contact 1	Person is arrested for a crime involving domestic violence; and, before the initial appearance before a judge, person attempts to communicate with the alleged victim.	11.56.750	20	58 days
False report	Person gives false information to a peace officer; makes a false report or gives a false alarm etc.	11.56.800	107	72 days
Tamper with public records 2	Person knowingly makes a false entry in or falsely alters a public record.	11.56.820	-	-
Unsworn falsification 2	Person, with intent to mislead, submits a false written or recorded statement.	11.56.210	-	-
Impersonate public servant 2	Person pretends to be a public servant and purports to exercise the authority of a public servant in relation to another person.	11.56.830	-	-
Harassment 1	Person subjects someone to offensive physical contact and the contact is contact with human or animal blood, saliva and other bodily fluids; or person subjects someone to offensive physical contact through touching another person's genitals, buttocks, or female breast.	11.61.118	2	45 days
Contributing to delinquency of a minor	Person over 19 years of age who aids or induces a child under 18 years of age to do any act prohibited by state law, among other acts.	11.51.130	-	-
Tampering with public records 2	Person knowingly makes a false entry in or falsely alters a public record, among other acts.	11.56.820	-	-
Unlawful possession of traffic preemption device	Person possesses or uses a traffic preemption device and that person is not, at the time of the possession or use, operating an emergency vehicle.	11.56.825	-	-
Recruiting a gang member 2	Adult person, without force or the threat of force, encourages or recruits a person who is under 18 years of age and at least three years younger to participate in a criminal street gang.	11.61.165	-	-
Misconduct involving a corpse	Person intentionally disinters, removes, mutilates a corpse; or engages in sexual penetration of a corpse; or detains a corpse for a debt.	11.61.130	-	-
Promoting gambling 2	Person promotes or profits from unlawful gambling.	11.66.220	-	-

Possession of gambling records 2	Person, with knowledge of its contents or character, possesses a gambling record.	11.66.240	-	-
Possession of gambling device	Person manufactures, sells, or possesses a gambling device knowing that the device is used or is to be used in unlawful gambling.	11.66.260	-	-
Minors present at adult entertainment business	An agent of the owner of a business that offers adult entertainment allows a person under the age of 18 years to enter and remain within premises where adult entertainment is offered with criminal negligence.	11.66.30	-	-
Cruelty to animals	<i>Some forms are a felony.</i>	11.61.140	-	-
Official misconduct	A public servant performs an act relating to the public servant's office but constituting an unauthorized exercise of the public servant's official functions, knowing that that act is unauthorized, among other acts.	11.56.850	-	-
Misuse of confidential information	A public servant who learns confidential information through employment as a public servant; and uses the confidential information for personal gain, among other acts.	11.56.860	-	-
Custodial interference 2	A relative of a child under 18 years of age takes, entices, or keeps that child from a lawful custodian for a protracted period, among other acts.	11.41.330	-	-
Endangering welfare of child 1	Only if no serious physical injury or sexual contact A parent or guardian intentionally deserts the child in a place under circumstances creating a substantial risk of physical injury to the child, among other acts.	11.51.100	-	-
Criminal nonsupport	Personally legally charged with the support of a child the person knowingly fails, without lawful excuse, to provide support for the child.	11.51.120	-	-
Aiding nonpayment of child support 2	Person who knows that an obligor has a duty for periodic payment of child support and being a person with a statutory duty to disclose information to a child support enforcement agency, intentionally withholds the information when it is requested by a child support enforcement agency, among other acts.	11.51.122	-	-
Violation of custodian's duty (felony)	Person fails, when acting as a custodian appointed by the court, to report immediately that the person has violated a condition of release.	11.56.758	-	-
Violating condition of release (felony)	<i>Addressed in a separate policy (impacts not included).</i>			
Transportation Offenses				
Leave scene of accident	Person involved in an accident who does not shall immediately stop the vehicle and remain at the scene until they have rendered assistance and provided information	28.25.050	31	159 days
Accident report – provide false info or fail to report	Person involved in an accident who does not give his name, address, and license number to the person stuck or injured, and provide assistance if necessary.	28.25.060(-	-
Drive without valid operator's license	Person who drives and does not have in their possession a valid Alaska driver's license.	28.15.011	1	7 days
Drive without valid CMV license	Person who drives a commercial motor vehicle without being licensed or privileged to drive a commercial motor vehicle.	28.33.150	1	7 days

Unlawful use of license	Person who displays a canceled, suspended, or revoked license; or displays a license not issued to the person; or lends the person's license to another person, among other acts.	28.15.281	1	2 days
Drive with license suspended	<i>Addressed in a separate policy (impacts not included).</i>			
Weapons Offenses				
Misconduct involving weapons 4	Person possesses on the person, or in the interior of a vehicle in which the person is present, a firearm when the person's physical or mental condition is impaired as a result of the intoxicating liquor or a controlled substance, among other acts.	11.61.210	-	-
Non-Registrable Sex Offenses				
Failure to register as a sex offender 2	Person who is required to register as a sex offender and fails to register or file written notice of change of residence, change of mailing address, among other acts.	11.56.840	45	119 days
Indecent exposure 2	Person knowingly exposes the offender's genitals in the presence of another person with reckless disregard for the offense effect if witness is under 16.	11.41.460	6	42 days
Sexual abuse of a minor 4	Person who is under 16 years of age engages in sexual contact with a person who is under 13 years of age and at least three years younger than the offender.	11.41.440	-	-
Sex trafficking 4	Person engages in conduct that institutes, aids, or facilitates prostitution under circumstances not proscribed under AS 11.66.130(a)(4).	11.66.135	-	-
Fish and Game Offenses				
Airborne hunting	Person who shoots or assists in shooting a free-ranging wolf or wolverine the same day that a person has been airborne.	16.05.783	-	-
Fishway and hatchery violations	A person who violates AS 16.05.871 - 16.05.896.	16.05.901	-	-
Unlawful taking or sale of prohibited fish	A person may not possess, purchase, sell, or offer to sell migratory fish or migratory shellfish taken on the high seas knowing that they were taken in violation of regulations.	16.10.220	-	-