

# LEGAL SERVICES

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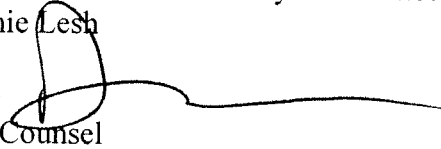
State Capitol  
Juneau, Alaska 99801-1182  
Deliveries to: 129 6th St., Rm. 329

## MEMORANDUM

April 12, 2012

**SUBJECT:** Crimes against children. (HCS CSSB 210(JUD);  
Work Order No. 27-LS1362\U)

**TO:** Representative Steve Thompson  
Vice-Chair of the House Judiciary Committee  
Attn: Melanie Lesh

**FROM:** Dan Wayne   
Legislative Counsel

Enclosed is the draft blank committee substitute bill you requested. Please note that sec. 2 of the bill creates an offense, "nonsexual abuse of a minor," that overlaps with the bill's proposed new definition of "serious physical injury," and has elements very similar to those of existing crimes, including felony assault under AS 11.41.220(a). When two offenses have elements that are very similar the offenses can merge at trial or sentencing in some cases, causing prosecution or sentencing of the defendant to be limited to the lesser offense.

DCW:plm  
12-227.plm

Enclosure