

# ALASKA STATE LEGISLATURE



## SENATOR FRED DYSON SENATE DISTRICT F

### The Seriousness of a Class A Misdemeanor Offense

I believe it is tremendously important that we do consider drug abuse a serious crime. Those of you who have worked with me know that I care deeply about Alaska's youth, and I think always about how our policies affect them. A Class A Misdemeanor is an unambiguous message. It is a very serious charge—the highest level of misdemeanor—and can carry with it up to a year in prison and a \$10,000 fine. I suspect that if any of you told your son or daughter that their behavior could lead to a year in jail and a \$10,000 fine, they would not view that behavior as being condoned by our laws – *Senator Dyson, Response to Questions from March 18, 2013 Senate Finance Hearing- SB56*

#### CLASS A Misdemeanor Offenses

#### Penalty up to 1 year in jail & up to a \$10,000 fine

**Assault in the Fourth Degree (AS 11.41.230)**, wherein an offender “recklessly causes physical injury to another person” or “with criminal negligence... causes physical injury to another person by means of a dangerous instrument.” This can include domestic violence, as defined in AS 18.66.990.

**A second Driving Under the Influence (DUI) charge, as well as a first DUI (AS 28.35.030).**

**Endangering the Welfare of a Child in the First Degree (AS 11.51.100 (b))**, when the charge relates to operating a vehicle while under the influence of alcohol or another substance (as defined in AS 28.35.030).

**Endangering the Welfare of a Vulnerable Adult in the Second Degree (AS 11.51.210)** wherein an offender “fails without lawful excuse to provide support for the vulnerable adult and the vulnerable adult is in the person’s care (1) by contract or authority of law; or (w) in a facility or program that is required by law to be licensed by the state.”

**Resisting or Interfering with Arrest (AS 11.56.700(a))**, wherein a person knowing a peace officer is making an arrest, and with intent to prevent the arrest, resists the arrest of himself or interferes with the arrest of another by force.

**Official Misconduct (AS 11.56.850(a))**, wherein a public servant knowingly, and with intent to obtain a benefit or to injure or deprive another of a benefit, performs an unauthorized exercise of his official function; or refrains from performing a duty of his office.

**Sexual Abuse of a Minor in the Fourth Degree (AS 11.41.440)**, wherein either “(1) being under 16 years of age, the offender engages in sexual contact with a person who is under 13 years of age and at least three years younger than the offender; or (2) being 18 years of age or older, the offender engages in sexual contact with a person who is 16 or 17 years of age and at least three years younger than the offender, and the offender occupies a position of authority in relation to the victim.”