



LAWS OF ALASKA

1971

Source
SB 123

Chapter No.
111

AN ACT

Relating to detention of suspected shoplifters; and providing for an effective date.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

* Section 1. AS 11.20 is amended by adding a new section to read:

Sec. 11.20.277. REASONABLE DETENTION AS DEFENSE.

(a) In a civil or criminal action brought by a person having been detained on or in the immediate vicinity of the premises of a mercantile establishment for the purpose of investigation or questioning as to the ownership of merchandise, it shall be a defense that the person was detained in a reasonable manner and for not more than a reasonable time to permit investigation or questioning by a peace officer or by the owner of the mercantile establishment, his authorized employee or agent, and that the peace officer, owner, employee or agent had reasonable grounds to believe that the person detained was committing or attempting to commit a crime as defined in sec. 275 of this chapter.

(b) In this section reasonable grounds includes knowledge that a person has concealed upon or about his person unpurchased merchandise of the mercantile establishment, and reasonable time means the time necessary to permit the person detained to make a statement or to refuse to make a statement, and also the time necessary to examine employees and records of the mercantile establishment relative to the ownership of the merchandise.

* Sec. 2. This Act takes effect on the day after its passage and approval or on the day it becomes law without approval.

Approved by governor: May 26, 1971
Actual effective date: May 27, 1971