



LAWS OF ALASKA

1991

Source

HB 142

Chapter No.

91

AN ACT

Relating to the crime of escape and the definition of "official detention" for the purposes of the criminal code and provisions governing prison facilities and prisoners.

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

THE ACT FOLLOWS ON PAGE 1

Approved by the Governor: July 2, 1991
Actual Effective Date: September 30, 1991

AN ACT

1 Relating to the crime of escape and the definition of "official detention" for the purposes
2 of the criminal code and provisions governing prison facilities and prisoners.
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6 * Section 1. PURPOSE. It is the purpose of this Act to reverse the effect of the decisions of the
7 Alaska Court of Appeals in *Jacobson v. State*, 786 P.2d 388 (Alaska App. 1990), and *Hubbard v. State*,
8 800 P.2d 952 (Alaska App. 1990).

9 * Sec. 2. AS 11.56.330(a) is amended to read:

10 (a) One commits the crime of escape in the fourth degree if, without lawful authority,
11 one

12 (1) removes oneself from official detention for a misdemeanor; or

13 (2) having been placed under actual restraint by a peace officer before arrest,
14 removes oneself from the restraint.

15 * Sec. 3. AS 11.81.900(b)(34) is amended to read:

16 (34) "official detention" means custody, arrest, surrender in lieu of arrest, or
17 actual or constructive restraint [CONFINEMENT] under an order of a court in a criminal or
18 juvenile proceeding, other than an order of conditional bail release;