

**CS FOR SPONSOR SUBSTITUTE FOR SENATE BILL NO. 5(JUD)**

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-FIRST LEGISLATURE - FIRST SESSION

BY THE SENATE JUDICIARY COMMITTEE

Offered: 3/5/99  
Referred: Finance

Sponsor(s): SENATOR PEARCE

**A BILL**

**FOR AN ACT ENTITLED**

1 **"An Act relating to the crime of misprision of felony."**

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

3 \* **Section 1.** AS 11.56 is amended by adding a new section to read:

4 **Sec. 11.56.765. Misprision of felony.** (a) A person, other than the victim,  
5 commits the crime of misprision of felony if the person witnesses the commission by  
6 another of murder in the first degree, murder in the second degree, kidnapping, sexual  
7 assault in the first degree, sexual abuse of a minor in the first degree, or arson in the  
8 first degree or has knowledge of the actual commission by another of murder in the  
9 first degree, murder in the second degree, kidnapping, sexual assault in the first degree,  
10 sexual abuse of a minor in the first degree, or arson in the first degree and does not  
11 in a timely manner report that crime to a peace officer or law enforcement agency.

12 (b) In a prosecution under this section,

13 (1) it is an affirmative defense that the defendant did not report in a  
14 timely manner because the defendant reasonably believed that doing so would have  
15 exposed the defendant to a substantial risk of physical injury;

- 1 (2) the state does not have to prove that the defendant knew the degree  
2 of the crime not reported.  
3 (c) Misprision of felony is a class A misdemeanor.