

HOUSE BILL NO. 202

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-THIRD LEGISLATURE - FIRST SESSION

BY REPRESENTATIVE MCGUIRE

Introduced: 3/19/03

Referred: State Affairs, Judiciary

A BILL

FOR AN ACT ENTITLED

1 **"An Act relating to false information or report."**

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

3 * **Section 1.** AS 11.56.800(a) is amended to read:

4 (a) A person commits the crime of false information or report if the person
5 knowingly

6 (1) gives false information to a peace officer

7 (A) with the intent of implicating another in an offense; or

8 (B) concerning the person's identity while the person is

9 (i) under arrest, detention, or investigation for a crime;

10 or

11 (ii) being served with an arrest warrant or being issued a
12 citation;

13 (2) makes a false report to a peace officer that a crime has occurred or
14 is about to occur;

15 (3) makes a false report or gives a false alarm, under circumstances not

1 amounting to terroristic threatening in the second degree under AS 11.56.810, that a
2 fire or other incident dangerous to life or property calling for an emergency response
3 has occurred or is about to occur; [OR]

4 (4) makes a false report to the Department of Natural Resources under
5 AS 46.17 concerning the condition of a dam or reservoir;

6 **(5) makes a false allegation of misconduct by a peace officer; or**

7 **(6) files a false civil action or process against a peace officer with**
8 **the intent to harass or discourage the officer from performing the officer's**
9 **official duties.**

10 * **Sec. 2.** AS 12.80 is amended by adding a new section to read:

11 **Sec. 12.80.070. Allegations against peace officers.** (a) A law enforcement
12 agency that receives an allegation of misconduct concerning a peace officer shall
13 require the person making the allegation to read and sign an advisory in substantially
14 the following form:

15 YOU HAVE THE RIGHT TO MAKE A COMPLAINT AGAINST A
16 POLICE OFFICER FOR ANY IMPROPER POLICE CONDUCT.
17 THIS AGENCY MAY FIND AFTER INVESTIGATION THAT
18 THERE IS NOT ENOUGH EVIDENCE TO WARRANT ACTION
19 ON YOUR COMPLAINT; EVEN IF THAT IS THE CASE, YOU
20 HAVE THE RIGHT TO MAKE THE COMPLAINT AND HAVE IT
21 INVESTIGATED IF YOU BELIEVE AN OFFICER BEHAVED
22 IMPROPERLY. IT IS AGAINST THE LAW TO MAKE A
23 COMPLAINT THAT YOU KNOW TO BE FALSE. IF YOU MAKE
24 A COMPLAINT AGAINST AN OFFICER KNOWING THAT IT IS
25 FALSE, YOU CAN BE PROSECUTED FOR A CLASS A
26 MISDEMEANOR.

27 I have read and understood the above statement.

28 _____
29 Complainant

30 (b) Each law enforcement agency shall make the advisory in (a) of this section
31 available in multiple languages.