

Introduced: 2/13/76
Referred: Judiciary

1 IN THE HOUSE

BY COTTEN AND GARDINER

2 *CS* HOUSE BILL NO. 775 *(Rules) am S*
3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 NINTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to criminal escapes from custody or
7 confinement."

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

9 * Section 1. AS 11.30.090 is amended to read:

10 Sec. 11.30.090. ESCAPE FROM CUSTODY OR CONFINEMENT. A person who
11 escapes or attempts to escape from the custody of a peace officer under
12 a lawful arrest or from a jail or institution in which he is detained by
13 a peace officer or confined by direction of a court in this state or
14 from custody under process issued by a court in this state is punish-
15 able,

16 (1) if the custody or confinement is by an arrest on a charge
17 of a felony, [OR CONVICTION OF A FELONY,] by a fine of not more than
18 \$5,000, or by imprisonment for not less than one year nor more than
19 three years, or by both; [OR]

20 (2) if the custody or confinement is for extradition, or by
21 an arrest, or charge of, or conviction of a misdemeanor, by a fine of
22 not more than \$1,000, or imprisonment for not more than one year, or by
23 both;

24 (3) if the custody or confinement is by a conviction of a
25 felony, by imprisonment for not less than one year nor more than three
26 years. Imposition or execution of sentence shall not be suspended and
27 probation or parole shall not be granted until the minimum imprisonment
28 provided in this paragraph is served; or

29 (4) if the escape is by a prisoner exercising privileges

1 under AS 33.30.150, 33.30.250 or 33.30.260, by imprisonment for not less
2 than one year nor more than three years. Imposition or execution of
3 sentence shall not be suspended and probation or parole shall not be
4 granted until the minimum imprisonment provided in this paragraph is
5 served.

6 * Sec. 2. AS 33.30.150 is amended to read:

7 Sec. 33.30.150. VISITATION PRIVILEGES. An honor prisoner with
8 good behavior serving a sentence of one year or more may be permitted as
9 a privilege and not as a right to visit with his family at a place other
10 than his place of confinement and at his own expense for a period not
11 exceeding one week nor more frequently than once each six months under
12 rules and regulations adopted by the commissioner and in his sole dis-
13 cretion. The wilful failure of a prisoner to return to the place of
14 confinement not later than the expiration of a period during which he is
15 authorized to be away from the place of confinement under this section,
16 is an escape from the place of confinement and is punishable under the
17 laws relating to escape.