

Original sponsor: Cotten and Gardiner

Offered: 3/15/76
Referred: Rules

1 IN THE HOUSE

BY THE JUDICIARY COMMITTEE

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CS FOR HOUSE BILL NO. 775

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

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NINTH LEGISLATURE - SECOND SESSION

5

A BILL

6

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

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

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* Section 1. AS 11.30.090 is amended to read:

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Sec. 11.30.090. ESCAPE FROM CUSTODY OR CONFINEMENT. (a) A person

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who escapes or attempts to escape from the custody of a peace officer

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under a lawful arrest or from a jail or institution in which he is

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detained by a peace officer or confined by direction of a court in this

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state or from custody under process issued by a court in this state is

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punishable,

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(1) if the custody or confinement is by an arrest on a charge

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of a felony, [OR CONVICTION OF A FELONY,] by a fine of not more than

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\$5,000, or by imprisonment for not less than one year nor more than

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three years, or by both; [OR]

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(2) if the custody or confinement is for extradition, or by

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an arrest, or charge of, or conviction of a misdemeanor, by a fine of

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not more than \$1,000, or imprisonment for not more than one year, or by

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both;

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(3) if the custody or confinement is by a conviction of a

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felony, by imprisonment for not less than one year nor more than five

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years; or

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

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under AS 33.30.150, 33.30.250 or 33.30.260, by imprisonment for not less

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than six months nor more than two years.

1 (b) For terms of imprisonment required under (a)(3) and (4) of
2 this section,

3 (1) imprisonment may not be suspended under AS 12.55.080 and
4 probation or parole may not be granted;

5 (2) imposition of sentence may not be suspended under AS 12.-
6 55.085;

7 (3) terms of imprisonment may not be reduced under AS 11.-
8 05.150.

9 (c) Terms of imprisonment required under (a)(3) and (4) of this
10 section are to be consecutive to sentences then existing.

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

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