

HOUSE BILL NO. 142  
IN THE LEGISLATURE OF THE STATE OF ALASKA  
SEVENTEENTH LEGISLATURE - FIRST SESSION

BY THE HOUSE JUDICIARY COMMITTEE

Introduced: 2/19/91  
Referred: Judiciary, Finance

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to the crime of escape and the definition of 'official detention' for the  
2 purposes of the criminal code and provisions governing prison facilities and prisoners."

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

4 \* Section 1. PURPOSE. It is the purpose of this Act to reverse the effect of the decisions of the  
5 Alaska Court of Appeals in Jacobson v. State, 786 P.2d 388 (Alaska App. 1990), and Hubbard v. State,  
6 800 P.2d 952 (Alaska App. 1990).

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

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

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

11 (2) having been placed under actual restraint by a peace officer before arrest,

12 removes oneself from the restraint.

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

14 (34) "official detention" means custody, arrest, surrender in lieu of arrest, or

- 1 actual or constructive restraint [CONFINEMENT] under an order of a court in a criminal or
- 2 juvenile proceeding, other than an order of conditional bail release;