

HB

157

STATE OF ALASKA

DEPARTMENT OF LAW

OFFICE OF THE ATTORNEY GENERAL

WILLIAM A. EGAN, GOVERNOR

POUCH K - STATE CAPITOL
JUNEAU 99801

March 4, 1975

Honorable Terry Gardiner
House Judiciary Committee
Room 100
State Capitol Building
Juneau, Alaska 99811

Dear Representative Gardiner:

It has come to my attention through Thomas Turnbull, that your committee is considering the Administration's proposed amendment to the unauthorized entry prohibition--HB-157.

The reasons for the amendment are fairly narrow and restrictive in nature, but are ones the Administration feels are important. The present state of the law in Alaska provides for no prohibition against anyone entering a motor vehicle of another person or otherwise tampering with the motor vehicle. This gives rise, on occasion, to cases where someone is caught rifling through another person's motor vehicle at a stage before anything is stolen from the vehicle, thus providing no opportunity to charge the person with larceny. In addition, the same situation arises when someone is caught before the motor vehicle is taken thus providing no opportunity to charge that person with joy-riding.

It is felt that private property as valuable as motor vehicles, should be protected from situations such as those mentioned above. It is further felt that the best way to address the problem is to amend the unauthorized entry statute, AS 11.20.135.

If the Department of Law can be of any further service to you please do not hesitate to call.

Sincerely yours,

AVRUM M. GROSS
ATTORNEY GENERAL

By: *Michael Stark*
Michael J. Stark
Assistant Attorney General

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