

S B

352

Senator Rick Halford



Senate District 1
Chugiak, Eagle River, East Anchorage, Fort Richardson

Senate Finance Committee
Co-Chairman

February 17, 1988

MEMORANDUM

To: Senate Judiciary Committee Members
From: Senator Rick Halford, Co-Chairman
Senate Finance Committee
Subject: SB 352 - Attempted Murder Bill

Under present law, an individual who attempts to commit murder, an unclassified felony, can be found guilty of only a class A felony. If it is the defendant's first felony conviction, he will be subject to a presumptive term of either five or seven years imprisonment, depending upon the facts of the offense.

Therefore, given Alaska's good time statute, an individual who commits a deliberate, intentional attempt to kill another person could be free from jail in three and a half years.

This bill raises the criminal penalties for the crime of attempted murder in the first degree by adding it to the list of unclassified felonies.

Section 1 of the bill amends AS 11.31.100(d) in order to establish the crime of attempted murder in the first degree as an unclassified felony.

Section 2 amends AS 11.81.250(a) to add attempted murder in the first degree to the list of unclassified felonies for purposes of sentencing.

Section 3 amends AS 11.81.250(b) in order to add the crime to the list of unclassified felonies.

Section 4 amends AS 12.55.035(b) to change the fine applicable to the crime of attempted murder in the first degree and make it consistent with the maximum fine imposable on other crimes defined as unclassified felonies.

Section 5 amends AS 12.55.125(a) to set a definite term of imprisonment for the crime of attempted murder in the first degree.

FISCAL NOTE

REQUEST

Revision Date: _____
Title: "An Act relating to attempted murder in the first degree."
Sponsor: Senator Halford
Requestor: Senate Judiciary

Agency Affected: Department of Law
BRU: Prosecution
Components: All

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 88	FY 89	FY 90	FY 91	FY 92	FY 93
PERSONNEL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	-0-	-0-	-0-	-0-	-0-	-0-
CAPITAL						
REVENUE						

FUNDING: (Thousands of Dollars)

GENERAL FUND	-0-	-0-	-0-	-0-	-0-	-0-
FEDERAL FUNDS						
OTHER						
TOTAL						

POSITIONS:

FULL-TIME	-0-	-0-	-0-	-0-	-0-	-0-
PART-TIME						
TEMPORARY						

ANALYSIS : (Attach a separate page if necessary)

Please see attached analysis.

Prepared by: Richard I. Pegues, Director Phone: 465-3672
Division: Administrative Services Date: February 17, 1988
Approved by Commissioner: Richard I. Pegues /-GR/ Date: February 17, 1988
Agency: Department of Law

Distribution (by preparer):
Legislative Finance
Legislative Sponsor
Requester
Office of Management and Budget
Impacted Agency(ies)

CONTINUATION of FISCAL NOTE ANALYSIS

For Bill/Resolution No. SB 352

This bill amends existing statutes by raising the criminal penalty for attempted murder in the first degree, from a class A felony to an unclassified felony. This change in the sentencing law will not have a fiscal impact on the Department of Law because there are not many of these offenses, and because these offenses are already being prosecuted.

JAN 10 1985
DEPT. OF LEGAL COUNSEL

BILL SHEFFIELD, GOVERNOR

DEPARTMENT OF LAW

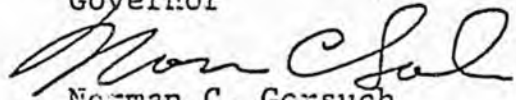
POUCH K - STATE CAPITOL
JUNEAU, ALASKA 99811
PHONE: (907) 465-3600

OFFICE OF THE ATTORNEY GENERAL

January 8, 1985

M E M O R A N D U M

TO: Honorable Bill Sheffield
Governor

FROM: 
Norman C. Gorsuch
Attorney General

RE: Attached bill relating to
criminal sentences
Our file no. 377-129-85

Attached is a bill, requested by the criminal division of the Department of Law, which raises the criminal penalties for attempted murder, solicitation to comm. murder, manslaughter, and criminally negligent homicide, and makes some badly needed "housekeeping" amendments to present sentencing laws.

As originally proposed, the focus of this bill was to raise the crimes of attempted murder and solicitation to commit murder to the "unclassified" level. This proposal was approved by John Shively on September 4, 1984. As the bill was being drafted, however, its scope was expanded to allow the correction of several other significant problems that exist in our present sentencing laws. Under current law, for example, a person convicted of manslaughter is subject to a presumptive term that is two years less than that imposed upon a person who assaults his victim, but does not kill him.

Although the bill is somewhat broader than originally planned, the amendments it contains are valuable ones that should receive legislative attention.

A draft transmittal letter to the legislature, containing a detailed explanation of the bill, is attached.

NCG:GAH:so

cc w/enc.: Hon. Robert Sundberg, Commissioner
Dept. of Public Safety

Daniel W. Hickey, Chief Prosecutor
Dept. of Law

D R A F T

Under the authority of art. III, sec. 18, of the Alaska Constitution, I am transmitting a bill that will increase the penalties for the crimes of attempted murder, solicitation to commit murder, manslaughter, and criminally negligent homicide. The bill also makes some badly needed "housekeeping" changes to existing sentencing laws.

Under present law, a person who attempts to commit or solicits another to commit murder, an unclassified felony, is guilty of only a class A felony. If it is the defendant's first felony conviction, he will be subject to a presumptive term of either five or seven years imprisonment, depending upon the facts of the offense. (AS 12.-55.125(c)(1), (c)(2).)

A deliberate, intentional attempt to kill another person, or the deliberate, intentional solicitation of someone else to commit a murder, are among the most heinous crimes that a person can commit. Only the completed murder itself could be more serious. The penalties prescribed under existing law do not reflect the seriousness of this conduct. Under present law, for example, a parent who improperly touches his eight-year-old child's genitals receives a more severe sentence than that imposed upon a person who deliberately, but unsuccessfully, attempted to kill the child. Sections 1 -- 4 and 10 of this bill cure

this anomaly by raising the crimes of attempted murder and solicitation to commit murder to the "unclassified" level. The crimes will carry a presumptive sentence equal to that now provided for the unclassified felonies of sexual assault in the first degree or sexual abuse of a minor in the first degree. (See AS 12.55.125(i).)

Manslaughter is a class A felony. Under current law, a person convicted of a first offense class A felony faces a presumptive term of seven years if the person knowingly directed his conduct to a uniformed police officer, possessed a firearm, used a dangerous instrument, or caused serious physical injury during the crime, unless the conviction was for manslaughter. AS 12.55.125(c)(2). A defendant convicted of manslaughter is subject to a presumptive term of only five years.

This sentencing "exception" for manslaughter has created an incredible anomaly in existing law. For example, an intoxicated driver who causes a traffic accident in which another person is seriously injured has committed assault in the first degree under AS 11.41.200(a)(1), a class A felony. The drunk driver, if convicted for the assault, faces a presumptive term of seven years. If, however, the victim dies, and the drunk driver is convicted of manslaughter, the defendant's presumptive sentence decreases to five years. This result is one that is difficult to

understand, and even more difficult to explain to a deceased victim's family. Section 8 of this bill removes this "exception", and treats manslaughter the same as any other class A felony.

Section 5 of the bill reclassifies the crime of criminally negligent homicide from a class C to a class B felony level. This raises the maximum possible penalty from five years to 10. (Before the new criminal code took effect in 1980, negligent homicide was considered a form of manslaughter, and carried a penalty of up to 20 years imprisonment). Under present law, the disparity between manslaughter (a class A felony with a maximum term of 20 years) and criminally negligent homicide (a C felony, five year maximum) is too great. The difference between the two crimes is the defendant's mental state at the time of the killing -- "reckless" for manslaughter, "criminally negligent" for criminally negligent homicide. These mental states are defined in AS 11.81.900(a), and the difference between them is not great. Criminally negligent homicide is the unlawful killing of another. Reclassification of this crime to the B felony level will bring the penalty level in line with the seriousness of the offense. In appropriate cases a sentencing court could decide not to impose any jail sentence at all, as a first offense B felony conviction does not carry a presumptive term.

Sections 6 and 7 make some badly needed "housekeeping" amendments to the sentencing laws. When the present criminal code was enacted in 1978, there were only three "unclassified" offenses: murder in the first degree, murder in the second degree, and kidnapping. These three crimes were originally listed, by name, in several places in the code as exceptions to the general classification and sentencing scheme. In the intervening years, other crimes have been raised to the unclassified level, including sexual assault in the first degree, sexual abuse of a minor in the first degree, and misconduct involving a controlled substance in the first degree. In addition, this bill raises attempted murder and solicitation to commit murder to the unclassified level.

It has become increasingly impractical to list all unclassified offenses by name whenever the statutory reference is to the group of offenses. The present system presents the danger that necessary conforming amendments will inadvertently be overlooked when a new crime is added to the unclassified group. This is exactly what happened when the legislature amended the criminal code in 1983 to strengthen the laws against sexual abuse of children. A new unclassified crime, sexual abuse of a minor in the first degree, was created (AS 11.41.434). Through a drafting oversight, however, a reference to this crime was not added to AS 12.55.035, the general provision that

specifies the fines authorized for given offenses. Thus, although a person convicted of sexual abuse in the first degree faces a presumptive term of eight years in prison under AS 12.55.125(i), existing penalty provisions do not include a fine for this offense.

To remedy this oversight, and to ensure that similar errors do not occur in the future, this bill substitutes a reference to unclassified crimes as a group wherever the offenses in this group are now specifically listed by name in the statutes.

The amendments contained in secs. 9, 11, 13, and 15 of the bill are needed for a similar reason. Presumptive terms under the new criminal code were originally imposed under a few subsections of AS 12.55.125. These few subsections were specifically cited in many general provisions that dealt with some aspect of presumptive sentencing (in, for example, the list of aggravating or mitigating factors and the section creating the three-judge sentencing panel). As the criminal code has been amended over the years, however, and presumptive penalties have been added or changed, necessary conforming amendments were not always made, or were not always made completely. This bill cures past discrepancies, and eliminates the problem for the future, by simply substituting a general reference to "presumptive terms" in statutes that now refer to specific

subsections under which a presumptive sentence is imposed.

In 1982 the language of AS 12.55.145(a) was amended to provide that a criminal conviction in another jurisdiction would be considered a "prior conviction" for presumptive sentencing purposes in this state if the out-of-state offense had elements "similar to" those of a crime defined as a felony in Alaska. As the result of a drafting oversight, the language of a companion subsection dealing with procedural matters was not amended. Section 12 of this bill cures this discrepancy by amending AS 12.55.145(c).

The amendments included in this bill are needed to improve existing sentencing laws, and to recognize the seriousness of taking a human life.

Sincerely,

Bill Sheffield
Governor

Introduced: 1/25/85
Referred: Health, Education & Social Services
Judiciary

ad.ition

§ 14
(15 12.55. 155(e))

BY THE RULES COMMITTEE BY
REQUEST OF THE GOVERNOR

1 IN THE SENATE

2 SENATE BILL NO. 102

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 FOURTEENTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to criminal sentences."

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

8 * Section 1. AS 11.31.100(d) is amended to read:

9 (d) Unless otherwise provided, an [AN] attempt is a

10 (1) class A felony if the crime attempted is an unclas-
11 sified felony;

12 (2) class B felony if the crime attempted is a class A
13 felony;

14 (3) class C felony if the crime attempted is a class B
15 felony;

16 (4) class A misdemeanor if the crime attempted is a class C
17 felony;

18 (5) class B misdemeanor if the crime attempted is a class A
19 or class B misdemeanor.

20 * Sec. 2. AS 11.31.100 is amended by adding a new subsection to read:

21 (e) An attempt to commit murder in the first degree is an un-
22 classified felony and is punishable as provided in AS 12.55.

23 * Sec. 3. AS 11.31.110(c) is amended to read:

24 (c) Unless otherwise provided, solicitation [SOLICITATION] is a

25 (1) class A felony if the crime solicited is an unclas-
26 sified felony;

27 (2) class B felony if the crime solicited is a class A
28 felony;

29 (3) class C felony if the crime solicited is a class B

1 felony;

2 (4) class A misdemeanor if the crime solicited is a class C
3 felony;

4 (5) class B misdemeanor if the crime solicited is a class A
5 or class B misdemeanor.

6 * Sec. 4. AS 11.31.110 is amended by adding a new subsection to read:

7 (e) Solicitation to commit murder in the first or second degree
8 is an unclassified felony and is punishable as provided in AS 12.55.

9 * Sec. 5. AS 11.41.130(b) is amended to read:

10 (b) Criminally negligent homicide is a class B [C] felony.

11 * Sec. 6. AS 11.81.250 is amended to read:

12 Sec. 11.81.250. CLASSIFICATION OF OFFENSES. (a) For purposes
13 of sentencing under AS 12.55, all offenses defined in this title,
14 except unclassified offenses [MURDER IN THE FIRST AND SECOND DEGREE,
15 SEXUAL ASSAULT IN THE FIRST DEGREE, AND KIDNAPPING], are classified on
16 the basis of their seriousness, according to the type of injury char-
17 acteristically caused or risked by commission of the offense and the
18 culpability of the offender. Except for unclassified offenses [MURDER
19 IN THE FIRST AND SECOND DEGREE, SEXUAL ASSAULT IN THE FIRST DEGREE,
20 AND KIDNAPPING], the offenses in this title are classified into the
21 following categories:

22 (1) class A felonies, which characteristically involve
23 conduct resulting in serious physical injury or a substantial risk of
24 serious physical injury to a person;

25 (2) class B felonies, which characteristically involve
26 conduct resulting in less severe violence against a person than class
27 A felonies, aggravated offenses against property interests, or ag-
28 gravated offenses against public administration or order;

29 (3) class C felonies, which characteristically involve

1 conduct serious enough to deserve felony classification but not seri-
2 ous enough to be classified as A or B felonies;

3 (4) class A misdemeanors, which characteristically involve
4 less severe violence against a person, less serious offenses against
5 property interests, less serious offenses against public adminis-
6 tration or order, or less serious offenses against public health and
7 decency than felonies;

8 (5) class B misdemeanors, which characteristically involve
9 a minor risk or physical injury to a person, minor offenses against
10 property interests, minor offenses against public administration or
11 order, or minor offenses against public health and decency;

12 (6) violations, which characteristically involve conduct
13 inappropriate to an orderly society but which do not denote criminal-
14 ity in their commission.

15 (b) The classification of each felony defined in this title,
16 except unclassified offenses [MURDER IN THE FIRST AND SECOND DEGREE,
17 SEXUAL ASSAULT IN THE FIRST DEGREE, AND KIDNAPPING], is designated in
18 the section defining it. A felony under Alaska law defined outside
19 this title for which no penalty is specifically provided is a class C
20 felony.

21 (c) The classification of each misdemeanor defined in this title
22 is designated in the section defining it. A misdemeanor under Alaska
23 law defined outside this title for which no penalty is provided is a
24 class A misdemeanor.

25 * Sec. 7. AS 12.55.035(b) is amended to read:

26 (b) Upon conviction of an offense, a defendant who is not an
27 organization may be sentenced to pay, unless otherwise specified in
28 the provision of law defining the offense, a fine of no more than

29 (1) \$75,000 for an unclassified felony [MURDER IN THE FIRST

1 OR SECOND DEGREE, SEXUAL ASSAULT IN THE FIRST DEGREE, KIDNAPPING, OR
2 MISCONDUCT INVOLVING A CONTROLLED SUBSTANCE IN THE FIRST DEGREE];

3 (2) \$50,000 for a class A, B, or C felony;

4 (3) \$5,000 for a class A misdemeanor;

5 (4) \$1,000 for a class B misdemeanor;

6 (5) \$300 for a violation.

7 * Sec. 8. AS 12.55.125(c) is amended to read:

8 (c) A defendant convicted of a class A felony may be sentenced
9 to a definite term of imprisonment of not more than 20 years, and must
10 [SHALL] be sentenced to the following presumptive terms, subject to
11 adjustment as provided in AS 12.55.155 -- 12.55.175:

12 (1) if the offense is a first felony conviction and does
13 not involve circumstances described in (2) of this subsection, five
14 years;

15 (2) if the offense is a first felony conviction, [OTHER
16 THAN FOR MANSLAUGHTER,] and the defendant possessed a firearm, used a
17 dangerous instrument, or caused serious physical injury during the
18 commission of the offense, or knowingly directed the conduct con-
19 stituting the offense at a uniformed or otherwise clearly identified
20 peace officer, fire fighter, correctional officer, emergency medical
21 technician, paramedic, ambulance attendant, or other emergency
22 responder who was engaged in the performance of official duties at the
23 time of the offense, seven years;

24 (3) if the offense is a second felony conviction, 10 years;

25 (4) if the offense is a third felony conviction, 15 years.

26 * Sec. 9. AS 12.55.125(g) is amended to read:

27 (g) If a defendant is sentenced to a presumptive term under
28 [(c), (d)(1), (d)(2), (e)(1), (e)(2), OR (i) OF] this section, except
29 to the extent permitted under AS 12.55.155 -- 12.55.175,

- 1 (1) imprisonment may not be suspended under AS 12.55.080;
2 (2) imposition of sentence may not be suspended under
3 AS 12.55.085;
4 (3) terms of imprisonment may not be otherwise reduced.

5 * Sec. 10. AS 12.55.125 is amended by adding a new subsection to read:

6 (j) A defendant convicted of attempted murder or solicitation to
7 commit murder may be sentenced to a definite term of imprisonment of
8 not more than 30 years, and must be sentenced to the following pre-
9 sumptive terms, subject to adjustment as provided in AS 12.55.155 --
10 12.55.175:

11 (1) if the offense is a first felony conviction and does
12 not involve circumstances described in (2) of this subsection, eight
13 years;

14 (2) if the offense is a first felony conviction, and the
15 defendant possessed a firearm, used a dangerous instrument, or caused
16 serious physical injury during the commission of the offense, 10
17 years;

18 (3) if the offense is a second felony conviction, 15 years;

19 (4) if the offense is a third felony conviction, 25 years.

20 * Sec. 11. AS 12.55.145(a) is amended to read:

21 (a) For purposes of considering prior convictions in imposing
22 sentence under AS 12.55.125 [12.55.125(c), (d)(1), (d)(2), (e)(1),
23 (e)(2), OR (i)]

24 (1) a prior conviction may not be considered if a period of
25 10 or more years has elapsed between the date of the defendant's
26 unconditional discharge on the immediately preceding offense and
27 commission of the present offense unless the prior conviction was for
28 an unclassified or class A felony;

29 (2) a conviction in this or another jurisdiction of an

1 offense having elements similar to those of a felony defined as such
2 under Alaska law at the time the offense was committed is considered a
3 prior felony conviction;

4 (3) two or more convictions arising out of a single, con-
5 tinuous criminal episode during which there was no substantial change
6 in the nature of the criminal objective are considered a single con-
7 viction unless the defendant was sentenced to consecutive sentences
8 for the crimes; offenses committed while attempting to escape or avoid
9 detection or apprehension after the commission of another offense are
10 not part of the same criminal episode or objective.

11 * Sec. 12. AS 12.55.145(c) is amended to read:

12 (c) If the defendant denies the authenticity of a prior judgment
13 of conviction, that the defendant is the person named in the judgment,
14 that the elements of a prior offense committed in another jurisdiction
15 are similar [SUBSTANTIALLY IDENTICAL] to those of a felony defined as
16 such under Alaska law, or that a prior conviction occurred within the
17 period specified in (a)(1) of this section or if the defendant alleges
18 that two or more purportedly separate prior convictions should be
19 considered a single conviction under (a)(3) of this section, the
20 defendant shall file with the court and serve on the prosecuting
21 attorney notice of denial no later than 10 days before the date set
22 for imposition of sentence. The notice of denial must [SHALL] include
23 a concise statement of the grounds relied upon and may be supported by
24 affidavit or other documentary evidence.

25 * Sec. 13. AS 12.55.155(a) is amended to read:

26 (a) If a defendant is convicted of an offense and is subject to
27 a presumptive term [SENTENCING] under AS 12.55.125 [12.55.125(c),
28 (d)(1), (d)(2), (e)(1), (e)(2), CR (i)] and

29 (1) the presumptive term is four years or less, the court

AS 12.55.165(2)
(amended)

1 may decrease the presumptive term by an amount as great as the pre-
2 sumptive term for factors in mitigation or may increase the presump-
3 tive term up to the maximum term of imprisonment for factors in aggra-
4 vation;

5 (2) the presumptive term of imprisonment is more than four
6 years, the court may decrease the presumptive term by an amount as
7 great as 50 percent of the presumptive term for factors in mitigation
8 or may increase the presumptive term up to the maximum term of impris-
9 onment for factors in aggravation.

10 * Sec. 14. AS 12.55.165 is amended to read:

11 Sec. 12.55.165. EXTRAORDINARY CIRCUMSTANCES. If the defendant
12 is subject to a presumptive term [SENTENCING] under AS 12.55.125
13 [12.55.125(c), (d)(1), (d)(2), (e)(1), (e)(2), OR (i)] and the court
14 finds by clear and convincing evidence that manifest injustice would
15 result from failure to consider relevant aggravating or mitigating
16 factors not specifically included in AS 12.55.155 or from imposition
17 of the presumptive term, whether or not adjusted for aggravating or
18 mitigating factors, the court shall enter findings and conclusions and
19 cause a record of the proceedings to be transmitted to a three-judge
20 panel for sentencing under AS 12.55.175.

TERMS OF IMPRISONMENT AND AUTHORIZED FINES IN REVISED CRIMINAL CODE

	FIRST FELONY	SECOND FELONY	THIRD FELONY
Sexual Assault in the First Degree; Sexual Abuse of a Minor in the First Degree	4-[8]-30 5-[10]*-30	7½-[15]-30	12½-[25]-30
"A" Felony	2½-[5]-20 3½-[7]**-20	5-[10]-20	7½-[15]-20
"B" Felony	0-10***	0-[4]-10	3-[6]-10
"C" Felony	0-5***	0-[2]-5	0-[3]-5

MAXIMUM FINES - PERSONS

Murder, Kidnapping, Sexual Assault I, Misconduct Invol- ving Controlled Substance I	- \$75,000
A, B, or C Felony	- \$50,000
A misdemeanor	- \$ 5,000
B misdemeanor	- \$ 1,000
Violation	- \$ 300

MAXIMUM FINES - ORGANIZATIONS

All offenses - \$100,000 or
3 X pecuniary gain -
whichever is greater

MAXIMUM TERM OF IMPRISONMENT
FOR MISDEMEANORS

A misdemeanor - 1 year
B misdemeanor - 90 days

SENTENCES FOR
UNCLASSIFIED FELONIES

Murder I: 20-99 years
Murder II, Kidnapping,
Misconduct Invol-
ving Controlled
Substance I: 5-99 years

KEY

Number in bracket is presumptive sentence. Number to left is lowest mitigated sentence. Number to right is highest aggravated sentence.

- * Ten year presumptive term applies if defendant possessed a firearm, used a dangerous instrument or caused serious physical injury.
- ** Seven year presumptive term applies if first A felony conviction, other than manslaughter, and defendant possessed a firearm, used a dangerous instrument or caused serious physical injury or directed offense at peace officer or other emergency responder.
- *** Presumptive sentencing may apply if offense directed at peace officer or other emergency responder.

CLASSIFICATION OF OFFENSES IN REVISED CRIMINAL CODE

UNCLASSIFIED FELONIES

Murder in the First Degree
AS 11.41.100
20-99 years

Murder in the Second Degree
AS 11.41.110
5-99 years

Sexual Assault I
AS 11.41.410
Maximum of 30 years

Kidnapping
AS 11.41.300
5-99 years

Sexual Abuse of a Minor I
AS 11.41.434
Maximum of 30 years

Misconduct Involving a
Controlled Substance I
AS 11.71.010
5-99 years

CLASSIFIED FELONIES

5-2

A	B	C
Attempted Unclassified Felony AS 11.31.100(d) (1)	Attempted A Felony AS 11.31.100(d) (2)	Attempted B Felony AS 11.31.100(d) (3)
Solicitation of Unclassified Felony AS 11.31.110(c) (1)	Solicitation of A Felony AS 11.31.110(c) (2)	Solicitation of B Felony AS 11.31.110(c) (3)
Manslaughter AS 11.41.120	Assault II AS 11.41.210	Criminally Negligent Homicide AS 11.41.130
Assault I AS 11.41.200	Sexual Assault II AS 11.41.420	Assault III AS 11.41.220
	Sexual Abuse of a Minor II AS 11.41.436	Custodial Interference I AS 11.41.320
Robbery I AS 11.41.500	Unlawful Exploitation of a Minor AS 11.41.420	Sexual Abuse of a Minor III AS 11.41.220

	Sexual Abuse of a Minor II AS 11.41.436	AS 11.41.320
Robbery I AS 11.41.500	Unlawful Exploitation of a Minor AS 11.41.436	Sexual Abuse of a Minor III AS 11.41.220
Arson I AS 11.46.400	Robbery II AS 11.41.510	Incest AS 11.41.450
Escape I AS 11.56.300	Extortion AS 11.41.520	Coercion AS 11.41.530
Promoting Prostitution I AS 11.66.110(a) (2)	Theft I AS 11.46.120	Theft II AS 11.46.130
Criminal Possession of Explosives with Intent to Commit Murder or Kidnapping AS 11.61.240(b) (1)	Issuing a Bad Check, \$25,000 or more AS 11.46.280(d) (1)	Concealment of Merchandise, \$500 or more AS 11.46.220(c) (1)
Misconduct Involving Con- trolled Substance II AS 11.71.020	Burglary I AS 11.46.300	Removal of Identification Marks, \$500 or more AS 11.46.260(b) (1)
	Arson II AS 11.46.410	Unlawful Possession (of Altered Property), \$500 or more AS 11.46.270(b) (1)
	Criminal Mischief I AS 11.46.480	Issuing a Bad Check, \$500 or more AS 11.46.280(d) (2)
	Forgery I AS 11.46.500	Fraudulent Use of a Credit Card, \$500 or more AS 11.46.285(b) (1)
	Scheme to Defraud AS 11.46.600	Obtaining a Credit Card by Fraudulent Means AS 11.46.290(a) (1), (2)
	Defrauding Creditors, \$25,000 or more AS 11.46.730(c) (1)	Burglary II AS 11.46.310
	Bribery AS 11.56.100	Criminal Mischief II AS 11.46.482

	<p>Criminal Mischief I AS 11.46.480</p> <p>Forgery I AS 11.46.500</p>	<p>AS 11.46.270(b) (1)</p> <p>Issuing a Bad Check, \$500 or more AS 11.46.280(d) (2)</p> <p>Fraudulent Use of a Credit Card, \$500 or more AS 11.46.285(b) (1)</p>
	<p>Scheme to Defraud AS 11.46.600</p> <p>Defrauding Creditors, \$25,000 or more AS 11.46.730(c) (1)</p> <p>Bribery AS 11.56.100</p> <p>Receiving a Bribe AS 11.56.110</p> <p>Perjury AS 11.56.200</p> <p>Escape II AS 11.56.310</p> <p>Interference with Official Proceedings AS 11.56.510</p> <p>Receiving a Bribe by a Witness or Juror AS 11.56.520</p> <p>Criminal Possession of Explosives with Intent to Commit a Felony AS 11.61.240(b) (2)</p> <p>Promoting Prostitution I AS 11.66.110(a) (1) and (3)</p>	<p>Obtaining a Credit Card by Fraudulent Means AS 11.46.290(a) (1), (2)</p> <p>Burglary II AS 11.46.310</p> <p>Criminal Mischief II AS 11.46.482</p> <p>Forgery II AS 11.46.505</p> <p>Criminal Possession of Forgery Device AS 11.46.520</p> <p>Criminal Simulation \$500 or more AS 11.46.530(b) (1)</p> <p>Tampering with a Witness I AS 11.56.540</p> <p>Offering a False Instrument for Recording AS 11.46.550</p> <p>Misapplication of Property \$500 or more AS 11.46.620</p> <p>Falsifying Business Records AS 11.46.630</p>

Escape II
AS 11.56.310

Interference with Official
Proceedings
AS 11.56.510

Receiving a Bribe by a
Witness or Juror
AS 11.56.520

Criminal Possession of
Explosives with Intent
to Commit a Felony
AS 11.61.240(b)(2)

Promoting Prostitution I
AS 11.66.110(a)(1) and (3)

Misconduct Involving Con-
trolled Substance III
AS 11.71.030

Criminal Simulation \$500
or more
AS 11.46.530(b)(1)

Tampering with a Witness I
AS 11.56.540

Offering a False Instrument
for Recording
AS 11.46.550

Misapplication of Property
\$500 or more
AS 11.46.620

Falsifying Business Records
AS 11.46.630

Commercial Bribe Receiving
AS 11.46.660

Commercial Bribery
AS 11.46.670

Defrauding Creditors, \$500-
\$25,000
AS 11.46.730(c)(2)

Criminal Use of a Computer
AS 11.46.740

Endangering Welfare of Minor
AS 11.51.100

Perjury by Inconsistent
Statements
AS 11.56.230

Escape III
AS 11.56.320

Promoting Contraband I
AS 11.56.375

Jury Tampering
AS 11.56.590

Endangering ...
AS 11.51.100

Perjury by Inconsistent
Statements
AS 11.56.230

Escape III
AS 11.56.320

Promoting Contraband I
AS 11.56.375

Jury Tampering
AS 11.56.590

Misconduct by a Juror
AS 11.56.600

Tampering with Physical
Evidence
AS 11.56.610

Harming a Police Dog I
AS 11.56.705

Hindering Prosecution I
AS 11.56.770

False Accusation
AS 11.56.805

Terroristic Threatening
AS 11.56.810

Riot
AS 11.61.100

Distribution of Child
Pornography
AS 11.61.125(a)(1), (2)

Promoting or Exhibition of
Fighting Animals
AS 11.61.145

Misconduct Involving Weapons I
AS 11.61.200

Promoting or Exhibition of
Fighting Animals
AS 11.61.145

Misconduct Involving Weapons I
AS 11.61.200

Criminal Possession of
Explosives with Intent to
Commit B Felony
AS 11.61.240(b)(3)

Unlawful Furnishing of
Explosives
AS 11.61.250

Promoting Prostitution II
AS 11.66.120

Promoting Gambling I
AS 11.66.210

Possession of Gambling
Records I
AS 11.66.230

Misconduct Involving Controlled
Substance IV
AS 11.71.040

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FISCAL NOTE

REQUEST

Revision Date: _____
Title: "An Act relating to attempted murder
in the 1st degree"
Sponsor: Sen. Halford, etc.
Requestor: Senate Judiciary

Agency Affected: Public Safety
BRU: Alaska State Troopers
Components: Criminal Investigation
Bureau

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY88	FY89	FY90	FY91	FY92	FY93
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	0	0	0	0	0	0

CAPITAL						
---------	--	--	--	--	--	--

REVENUE						
---------	--	--	--	--	--	--

FUNDING: (Thousands of Dollars)

GENERAL FUNDS						
FEDERAL FUNDS						
OTHER						
TOTAL	0	0	0	0	0	0

POSITIONS:

FULL-TIME	0	0	0	0	0	0
PART-TIME						
TEMPORARY						

ANALYSIS: (Attach a separate page if necessary)

No fiscal impact is anticipated.

*JWR
2/18/88*

Prepared by: Francis C. Allan
Division: Alaska State Troopers

Phone: 269-5691
Date: 2/17/88

Approved by Commissioner: Wayle G. Hootaki
Agency: Public Safety *Dep. Comm.*

Date: 2-18-88

Distribution: (by preparer):
Legislative Finance
Legislative Sponsor
Requestor
Office of Management and Budget
Impacted Agency(ies)

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TOTAL OPERATING	0	0	0	0	0	0

CAPITAL						
---------	--	--	--	--	--	--

REVENUE						
---------	--	--	--	--	--	--

FUNDING: (Thousands of Dollars)

GENERAL FUNDS						
FEDERAL FUNDS						
OTHER						
TOTAL	0	0	0	0	0	0

POSITIONS:

FULL-TIME	0	0	0	0	0	0
PART-TIME						
TEMPORARY						

ANALYSIS: (Attach a separate page if necessary)

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