

ALASKA SEX OFFENDER REGISTRATION REQUIREMENTS (2013/14)

ALASKA STATE 12.63.010 THROUGH 12.63.100 TOC

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TITLE 12. CODE OF CRIMINAL PROCEDURE
CHAPTER 63. REGISTRATION OF SEX OFFENDERS

Go to the Alaska Code Archive Directory*Alaska Stat. § 12.63.010 (2014)*

Sec. 12.63.010. Registration of sex offenders and related requirements

(a) A sex offender or child kidnapper who is physically present in the state shall register as provided in this section. The sex offender or child kidnapper shall register

- (1) within the 30-day period before release from an in-state correctional facility;
- (2) by the next working day following conviction for a sex offense or child kidnapping if the sex offender is not incarcerated at the time of conviction; or

(3) by the next working day of becoming physically present in the state.

(b) A sex offender or child kidnapper required to register under (a) of this section shall register with the Department of Corrections if the sex offender or child kidnapper is incarcerated or in person at the Alaska state trooper post or municipal police department located nearest to where the sex offender or child kidnapper resides at the time of registration. To fulfill the registration requirement, the sex offender or child kidnapper shall

- (1) complete a registration form that includes, at a minimum,
 - (A) the sex offender's or child kidnapper's name, address, place of employment, and date of birth;
 - (B) each conviction for a sex offense or child kidnapping for which the duty to register has not terminated under *AS 12.63.020*, the date of the sex offense or child kidnapping convictions, the place and court of the sex offense or child kidnapping convictions, and whether the sex offender or child kidnapper has been unconditionally discharged from the conviction for a sex offense or child kidnapping and the date of the unconditional discharge; if the sex offender or child kidnapper asserts that the offender or kidnapper has been unconditionally discharged, the offender or kidnapper shall supply proof of that discharge acceptable to the department;
 - (C) all aliases used;
 - (D) the sex offender's or child kidnapper's driver's license number;

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(E) the description, license numbers, and vehicle identification numbers of motor vehicles the sex offender or child kidnapper has access to, regardless of whether that access is regular or not;

(F) any identifying features of the sex offender or child kidnapper;

(G) anticipated changes of address;

(H) a statement concerning whether the offender or kidnapper has had treatment for a mental abnormality or personality disorder since the date of conviction for an offense requiring registration under this chapter; and

(I) each electronic mail address, instant messaging address, and other Internet communication identifier used by the sex offender or child kidnapper;

(2) allow the Alaska state troopers, Department of Corrections, or municipal police to take a complete set of the sex offender's or child kidnapper's fingerprints and to take the sex offender's or child kidnapper's photograph.

(c) If a sex offender or child kidnapper **changes residence** after having registered under (a) of this section, the sex offender or child kidnapper shall **provide written notice of the change by the next working day** following the change to the Alaska state trooper post or municipal police department located nearest to the new residence or, if the residence change is out of state, to the central registry. If a sex offender or child kidnapper establishes or changes an electronic mail address, instant messaging address, or other Internet communication identifier, the sex offender or child kidnapper shall, by the next working day, notify the department in writing of the changed or new address or identifier.

(d) A sex offender or child kidnapper required to register

(1) for **15 years** under (a) of this section and *AS 12.63.020(a)(2)* shall, **annually**, during the term of a duty to register under *AS 12.63.020*, on a date set by the department at the time of the sex offender's or child kidnapper's initial registration, provide written verification to the department, in the manner required by the department, of the sex offender's or child kidnapper's address and notice of any changes to the information previously provided under (b)(1) of this section;

(2) **for life** under (a) of this section and *AS 12.63.020(a)(1)* shall, **not less than quarterly**, on a date set by the department, provide written verification to the department, in the manner required by the department, of the sex offender's or child kidnapper's address and any changes to the information previously provided under (b)(1) of this section.

(e) The registration form required to be submitted under (b) of this section and the annual or quarterly verifications must be sworn to by the offender or kidnapper and contain an admonition that a false statement shall subject the offender or kidnapper to prosecution for perjury.

(f) In this section, "correctional facility" has the meaning given in *AS 33.30.901*.

HISTORY: (§ 4 ch 41 SLA 1994; am §§ 7 -- 11 ch 106 SLA 1998; am §§ 3, 4 ch 42 SLA 2008)

Alaska Stat. § 12.63.020 (2014)

Sec. 12.63.020. Duration of sex offender or child kidnapper duty to register

(a) The duty of a sex offender or child kidnapper to comply with the requirements of *AS 12.63.010* for each sex offense or child kidnapping

(1) continues for the lifetime of a sex offender or child kidnapper convicted of

(A) one aggravated sex offense; or

(B) two or more sex offenses, two or more child kidnappings, or one sex offense and one child kidnapping; for purposes of this section, a person convicted of indecent exposure before a person under 16 years of age under *AS 11.41.460* more than two times has been convicted of two or more sex offenses;

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(2) **ends 15 years following** the sex offender's or child kidnapper's unconditional discharge from a conviction for a single sex offense that is not an aggravated sex offense or for a single child kidnapping if the sex offender or child kidnapper has supplied proof that is acceptable to the department of the unconditional discharge; the registration period under this paragraph

(A) is tolled for each year that a sex offender or child kidnapper

(i) fails to comply with the requirements of this chapter;

(ii) is incarcerated for the offense or kidnapping for which the offender or kidnapper is required to register or for any other offense;

(B) may include the time a sex offender or child kidnapper was absent from this state if the sex offender or child kidnapper has complied with any sex offender or child kidnapper registration requirements of the jurisdiction in which the offender or kidnapper was located and if the sex offender or child kidnapper provides the department with proof of the compliance while the sex offender or child kidnapper was absent from this state; and

(C) continues for a sex offender or child kidnapper who has not supplied proof acceptable to the department of the offender's or kidnapper's unconditional discharge for the sex offense or child kidnapping requiring registration.

(b) The department shall adopt, by regulation, procedures to notify a sex offender or child kidnapper who, on the registration form under *AS 12.63.010*, lists a conviction for a sex offense or child kidnapping that is a violation of a former law of this state or a law of another jurisdiction, of the duration of the offender's or kidnapper's duty under (a) of this section for that sex offense or child kidnapping. As a part of the regulations, the department shall require the offender or kidnapper to supply proof acceptable to the department of unconditional discharge and the date it occurred.

HISTORY: (§ 4 ch 41 SLA 1994; am § 15 ch 81 SLA 1998; am § 12 ch 106 SLA 1998)

Alaska Stat. § 12.63.030 (2014)

Sec. 12.63.030. Notification of other jurisdictions

(a) If a sex offender or child kidnapper notifies the department that the sex offender or child kidnapper is moving from the state, the department shall notify the Federal Bureau of Investigation and the state where the sex offender or child kidnapper is moving of the sex offender's or child kidnapper's intended address.

(b) If a sex offender or child kidnapper fails to register or to verify the sex offender's or child kidnapper's address and registration under this chapter, or the department does not know the location of a sex offender or child kidnapper required to register under this chapter, the department shall immediately notify the Federal Bureau of Investigation.

HISTORY: (§ 13 ch 106 SLA 1998)

Alaska Stat. § 12.63.100 (2014)

Sec. 12.63.100. Definitions

In this chapter,

(1) "aggravated sex offense" means

(A) a crime under *AS 11.41.100(a)(3)*, or a similar law of another jurisdiction, in which the person committed or attempted to commit a sexual offense, or a similar offense under the laws of the other jurisdiction; in this subparagraph, "sexual offense" has the meaning given in *AS 11.41.100(a)(3)*;

(B) a crime under *AS 11.41.110(a)(3)*, or a similar law of another jurisdiction, in which the person committed or attempted to commit one of the following crimes, or a similar law of another jurisdiction:

(i) sexual assault in the first degree;

(ii) sexual assault in the second degree;

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(iii) sexual abuse of a minor in the first degree; or

(iv) sexual abuse of a minor in the second degree; or

(C) a crime, or an attempt, solicitation, or conspiracy to commit a crime, under *AS 11.41.410*, *11.41.434*, or a similar law of another jurisdiction or a similar provision under a former law of this state;

(2) "child kidnapping" means

(A) a crime under *AS 11.41.100(a)(3)*, or a similar law of another jurisdiction, in which the person committed or attempted to commit kidnapping;

(B) a crime under *AS 11.41.110(a)(3)*, or a similar law of another jurisdiction, in which the person committed or attempted to commit kidnapping if the victim was under 18 years of age at the time of the offense; or

(C) a crime, or an attempt, solicitation, or conspiracy to commit a crime, under *AS 11.41.300*, or a similar law of another jurisdiction or a similar provision under a former law of this state, if the victim was under 18 years of age at the time of the offense;

(3) "conviction" means that an adult, or a juvenile charged as an adult under *AS 47.12* or a similar procedure in another jurisdiction, has entered a plea of guilty, guilty but mentally ill, or nolo contendere, or has been found guilty or guilty but mentally ill by a court or jury, of a sex offense or child kidnapping regardless of whether the judgment was set aside under *AS 12.55.085* or a similar procedure in another jurisdiction or was the subject of a pardon or other executive clemency; "conviction" does not include a judgment that has been reversed or vacated by a court;

(4) "department" means the Department of Public Safety;

(5) "sex offender or child kidnapper" means a person convicted of a sex offense or child kidnapping in this state or another jurisdiction regardless of whether the conviction occurred before, after, or on January 1, 1999;

(6) "sex offense" means

(A) a crime under *AS 11.41.100(a)(3)*, or a similar law of another jurisdiction, in which the person committed or attempted to commit a sexual offense, or a similar offense under the laws of the other jurisdiction; in this subparagraph, "sexual offense" has the meaning given in *AS 11.41.100(a)(3)*;

(B) a crime under *AS 11.41.110(a)(3)*, or a similar law of another jurisdiction, in which the person committed or attempted to commit one of the following crimes, or a similar law of another jurisdiction:

(i) sexual assault in the first degree;

(ii) sexual assault in the second degree;

(iii) sexual abuse of a minor in the first degree; or

(iv) sexual abuse of a minor in the second degree; or

(C) a crime, or an attempt, solicitation, or conspiracy to commit a crime, under the following statutes or a similar law of another jurisdiction:

(i) *AS 11.41.410 -- 11.41.438*;

(ii) *AS 11.41.440(a)(2)*;

(iii) *AS 11.41.450 -- 11.41.458*;

(iv) *AS 11.41.460* if the indecent exposure is before a person under 16 years of age and the offender has a previous conviction for that offense;

(v) *AS 11.61.125 -- 11.61.128*;

(vi) *AS 11.66.110* or *11.66.130(a)(2)* if the person who was induced or caused to engage in prostitution was

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under 20 years of age at the time of the offense;

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(vii) former AS 11.15.120, former 11.15.134, or assault with the intent to commit rape under former AS 11.15.160, former AS 11.40.110, or former 11.40.200;

(viii) *AS 11.61.118(a)(2)* if the offender has a previous conviction for that offense; or

(ix) *AS 11.66.100(a)(2)* if the offender is subject to punishment under *AS 11.66.100(c)*;

(7) "unconditional discharge" has the meaning given in *AS 12.55.185*.

HISTORY: (§ 4 ch 41 SLA 1994; am § 16 ch 81 SLA 1998; am §§ 14 -- 16 ch 106 SLA 1998; am §§ 12 -- 15 ch 54 SLA 1999; am §§ 8, 9 ch 14 SLA 2006; am § 24 ch 24 SLA 2007; am § 18 ch 18 SLA 2010; am § 25 ch 43 SLA 2013)

TITLE 18. HEALTH, SAFETY, HOUSING, HUMAN RIGHTS, AND PUBLIC DEFENDER
CHAPTER 65. POLICE PROTECTION
ARTICLE 1. STATE TROOPERS

Alaska Stat. § **18.65.087** (2013)

Sec. **18.65.087**. Central registry of sex offenders

(a) The Department of Public Safety shall maintain a central registry of sex offenders and child kidnappers and shall adopt regulations necessary to carry out the purposes of this section and [AS 12.63](#). A post of the Alaska state troopers or a municipal police department that receives registration or change of address information under [AS 12.63.010](#) shall forward the information within five working days of receipt to the central registry of sex offenders and child kidnappers. Unless the sex offender or child kidnapper provides proof satisfactory to the department that the sex offender or child kidnapper is not physically present in the state or that the time limits described in [AS 12.63.010](#) have passed, the Department of Public Safety may enter and maintain in the registry information described in [AS 12.63.010](#) about a sex offender or child kidnapper that the department obtains from

(1) the sex offender or child kidnapper under [AS 12.63](#);

(2) a post of the Alaska state troopers or a municipal police department under this subsection;

(3) a court judgment under [AS 12.55.148](#);

(4) the Department of Corrections under [AS 33.30.012](#) or [33.30.035](#);

(5) the Federal Bureau of Investigation or another sex offender registration agency outside this state if the information indicates that a sex offender or child kidnapper is believed to be residing or planning to reside in the state or cannot be located;

(6) a criminal justice agency in the state or another jurisdiction;

(7) the department's central repository under [AS 12.62](#); information entered in the registry from the repository is not subject to the requirements of [AS 12.62.160\(c\)\(3\)](#) or (4); or

(8) another reliable source as defined in regulations adopted by the department.

(b) Information about a sex offender or child kidnapper that is contained in the central registry, including sets of fingerprints, is confidential and not subject to public disclosure except as to the sex offender's or child kidnapper's name, aliases, address, photograph, physical description, description of motor vehicles, license numbers of motor vehicles, and vehicle identification

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numbers of motor vehicles, place of employment, date of birth, crime for which convicted, date of conviction, place and court of conviction, length and conditions of sentence, and a statement as to whether the offender or kidnapper is in compliance with requirements of [AS 12.63](#) or cannot be located.

(c) Notwithstanding (b) of this section, if a sex offender has been convicted in this state or another jurisdiction of a sex offense identified as "incest," that offense may be disclosed under (b) of this section only as a "felony sexual abuse of a minor" conviction.

(d) The Department of Public Safety

(1) shall adopt regulations to

(A) allow a sex offender or child kidnapper to review sex offender or child kidnapper registration information that refers to that sex offender or child kidnapper, and if the sex offender or child kidnapper believes the information is inaccurate or incomplete, to request the department to correct the information; if the department finds the information is inaccurate or incomplete, the department shall correct or supplement the information;

(B) ensure the appropriate circulation to law enforcement agencies of information contained in the central registry;

(C) ensure the anonymity of members of the public who request information under this section;

(2) shall provide to the Department of Corrections and municipal police departments the forms and directions necessary to allow sex offenders and child kidnappers to comply with [AS 12.63.010](#);

(3) may adopt regulations to establish fees to be charged for registration under [AS 12.63.010](#) and for information requests; the fee for registration shall be based upon the actual costs of performing the registration and maintaining the central registry but may not be set at a level whereby registration is discouraged; the fee for an information request may not be greater than \$ 10;

(4) shall remove from the central registry of sex offenders and child kidnappers under this section information about a sex offender or child kidnapper required to register under [AS 12.63.020\(a\)\(2\)](#) at the end of the sex offender's or child kidnapper's duty to register if the offender or kidnapper has not been convicted of another sex offense or child kidnapping and the offender or kidnapper has supplied proof of unconditional discharge acceptable to the department; in this paragraph, "sex offense" and "child kidnapping" have the meanings given in [AS 12.63.100](#).

(e) The name, address, and other identifying information of a member of the public who makes an information request under this section is not a public record under [AS 40.25.100](#) -- [40.25.295](#).

(f) When a sex offender or child kidnapper registers under [AS 12.63](#), the Department of Public Safety shall make reasonable attempts to verify that the sex offender or child kidnapper is residing at the registered address. Reasonable attempts at verifying an address include sending certified mail, return receipt requested, to the offender or kidnapper at the registered address. The department shall make reasonable efforts to locate an offender or kidnapper who cannot be located at the registered address.

(g) The department, at least quarterly, shall compile a list of those persons with a duty to register under [AS 12.63.010](#) who have failed to register, whose addresses cannot be verified under (f) of this section, or who otherwise cannot be located. The department shall post this list on the Internet and request the public's assistance in locating these persons.

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(h) The Department of Public Safety shall provide on the Internet website that the department maintains for the central registry of sex offenders and child kidnappers information as to how members of the public using the website may access or compile the information relating to sex offenders or child kidnappers for a particular geographic area on a map. The information may direct members to mapping programs available on the Internet and to Internet websites where information contained in the registry has already been converted to a map or geographic format.

(i) Notwithstanding (b) of this section, the department may provide a method for, or may participate in a federal program that allows, the public to submit an electronic or messaging address or Internet identifier and receive a confirmation of whether the address or identifier has been registered by a registered sex offender or child kidnapper.

HISTORY: (§ 5 [ch 41 SLA 1994](#); am §§ 17 -- 20 [ch 106 SLA 1998](#); am § 12 [ch 14 SLA 2006](#); am § 5 [ch 42 SLA 2008](#); am § 14 [ch 58 SLA 2010](#))

TITLE 28. MOTOR VEHICLES
CHAPTER 05. ADMINISTRATION

ARTICLE 1. POWERS AND DUTIES OF DEPARTMENTS OF PUBLIC SAFETY AND ADMINISTRATION

Alaska Stat. § **28.05.048** (2013)

Sec. **28.05.048**. Sex offender registration

The department shall display notice of the registration requirements of [AS 12.63.010](#) at a place where the public may apply for a driver's license, identification card, or vehicle registration.

HISTORY: (§ 6 [ch 41 SLA 1994](#))

Temporary Presence in Alaska – Visitors and Non Residents

Registered sex offenders from other jurisdictions who temporarily travel to Alaska are required to notify the Alaska Sex Offender Registry office of their presence in the state.

- The offender must be registered and in compliance with the requirements where they live.
- The plans to travel in Alaska **must be for less than 30 days**.
- The traveler must submit a Temporary Presence Form.
- The offender is also responsible to comply with any requirements where he or she is registered to report a temporary absence.

The Temporary Presence Form is in the “View and Print Registration Forms” section [here](#). The completed form may be mailed, faxed, or emailed before arriving or within three days after arriving in Alaska.

A sex offender or child kidnapper who is moving to Alaska or plans to be in Alaska for more than 30 days for any reason is not eligible to use the temporary presence notification. Offenders who move to Alaska or who expect to be in the state for more than 30 days must complete a full registration by the next working day of becoming physically present in the state.

The temporary visitor offender must notify the Alaska Sex Offender/Child Kidnapper Central Registry office of changes in itinerary or departure date.

Offenders who did not plan to be in Alaska for more than 30 days but end up being in Alaska for more than 30 days must complete a full registration by the next working day after the 30 days is reached.

Sex Offender/Child Kidnapper Registry

Alaska Supreme Court Ruling (March 15, 2013)

The Alaska Supreme Court ruled that quarterly registration applies ONLY to persons who committed their crime(s) after January 1, 1999.

For offenses that occurred before January 1, 1999:

- A person with a single conviction for a sex offense is required to register annually for 15 years after the date of unconditional discharge.
- A person convicted of two or more convictions is required to register annually for life.
- For 15 year registrants, proof of unconditional discharge must be submitted to the department for determination of a final registration date. It is the responsibility of the registrant to complete the unconditional discharge paperwork.
- Offenders must continue registering until the department has provided notification of a final registration date and are subject to criminal charges for Failure to Register if they fail to do so.
- A person with an offense after January 1, 1999, is subject to the verification schedule currently specified in AS 12.63.

[AS 18.65.087](#) authorizes the [Department of Public Safety](#) to maintain a public central registry of persons required to register as sex offenders and child kidnappers under [AS 12.63.010](#). This registry includes offenders who have been convicted of sex offenses specified under [AS 12.63.100](#) who have registered and those who are required to register but may not be in compliance.

Offenders who have been convicted after August 10, 1994 of crimes that are defined as a “sex offense” in AS 12.63 are required to register with the Alaska Sex Offender Registry.

Online registry contains 3148 entries.

Sex Offender Registration – Alaska Statute 12.63.010 and 12.63.100.

A sex offender or child kidnapper who lives in Alaska must register:

- By the next working day following conviction for a sex offense or child kidnapping, if not incarcerated at the time of the conviction.
- Before release from an in state correctional facility, if incarcerated for a sex offense or child kidnapping.

Alaska Statute 12.63.100 defines the offenses that require registration. Registration is the personal responsibility of the convicted person.

A sex offender or child kidnapper who moves to Alaska from another jurisdiction must register:

- By the next working day of becoming physically present in the state

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- In accordance with the requirements of Alaska Statute 12.63. Registration requirements are specific to each state or jurisdiction, and a person who moves to Alaska must comply with the Alaska requirements.

Alaska Supreme Court Ruling (July 25, 2008)

The Alaska Supreme Court ruled that requirements to register under the Alaska Sex Offender Registration Act apply to persons who committed their crimes after August 10, 1994. Persons convicted of child kidnapping and sex offenses that were committed in Alaska, or equivalent offenses in other states, after August 10, 1994 are subject to registration in Alaska. Because sex offender laws in other states are different from Alaska's, some sex offenders who are not required to register in Alaska may be required to register or may have restrictions on where they can live, work or go to school in another state.

Duration of Registration – see AS 12.63.020 and AS 12.63.100 for specific requirements

The type and the number of the criminal convictions that the sex offender has in his or her history determine the duration for which the offender must continue to register.

A sex offender or child kidnapper convicted of an aggravated offense, or two or more non-aggravated offenses, is required to register for life and must verify reported information every quarter.

A sex offender or child kidnapper convicted of a single non-aggravated offense is required to register for 15 years after the date of unconditional discharge for the offense and must verify reported information annually.

The Sex Offender Registration office reviews the conviction information of each offender and determines the duration that is appropriate to the offender's history. The offender will be notified in writing of their individual reporting requirements and the schedule for reporting verifications.

Registration forms:

The Sex Offender Registry office provides forms to communicate all registration actions. Forms are available online, but may not be submitted online. All registration related forms except the Temporary Presence Form must be signed and the form with the original signature delivered to the Sex Offender Registration office or to a local law enforcement registration agency. Faxes or scans of signed copies are not acceptable.

Initial registration must be completed in person at a registration agency.

After initial registration, verification forms may be mailed or delivered to the registry office or to a local law enforcement registration agency. Verification forms must be delivered or postmarked in the month designated by the registration office.

Reporting Changes to Registry Information:

Address changes including residence, mailing, electronic mail, instant messaging or other Internet communication identifiers such as names used in chat rooms and on social networking websites **must be reported by the next working day** after being set up or changed. Changes must be reported to the Registration Office or a registration agency.

Penalties for Failing to Register or Report Changes AS 11.56.840, AS 11.56.835, AS 43.23.021

Alaska Stat. § 12.63.100

Failure to register as a sex offender or report changes to an email address, instant messaging address, or any other Internet communication identifier or address used by a sex offender/child kidnapper may be prosecuted as a Class A misdemeanor under Alaska Statute 11.56.840, or as a Class C felony under Alaska Statute 11.56.835.

Payment of the Alaska Permanent Fund Dividend (PFD) may be delayed for a sex offender or child kidnapper who is not compliant with registration requirements.

The last updates are derived from <http://dps.alaska.gov/Sorweb/sorweb.aspx>).

