

Sex Crimes: Definitions and Penalties

Alaska

Last Updated: December 2017

Sexual Assault in the First Degree

Question	Answer
How is it defined?	<p>An offender commits sexual assault in the first degree if:</p> <ul style="list-style-type: none">• The offender engages in sexual penetration with another person without that person's consent;• The offender attempts to engage in sexual penetration with another person without that person's consent and causes serious physical injury to that person;• The offender engages in sexual penetration with another person (a) who the offender knows is mentally incapable, and (b) is in the offender's care by either authority of law or in a state-licensed facility or program; or• The offender engages in sexual penetration with a person who the offender knows is unaware that a sexual act is being committed and (a) the offender is a health care worker, and (b) the offense takes place during the course of professional treatment of the victim.
What are the punishments for this crime?	<p>Sexual assault in the first degree is an unclassified felony and is punishable by up to 99 years imprisonment, in accordance with the following presumptive ranges:</p> <ul style="list-style-type: none">• For a first felony conviction, presumptive ranges are as follows<ul style="list-style-type: none">• If the victim is less than 13 years of age, the offender is subject to 25 to 35 years imprisonment;• If the victim is 13 years old or older, the offender is subject to 20 to 30 years imprisonment;• If the offender used a dangerous instrument, a firearm, or caused serious physical injury during commission of the offense, the offender is subject to 25 to 35 years imprisonment.• For a second felony conviction (where the first felony was something other than a sexual felony), an offender is subject to 30 to 40 years imprisonment• For a second felony conviction (where the first felony was a sexual felony), an offender is subject to 35 to 45 years imprisonment• For a third felony conviction (where the first two felonies are not sexual felonies or other serious felonies) an offender is subject to 40 to 60 years imprisonment• For a third felony conviction (where the first two felonies are either sexual felonies or other serious felonies) an offender is subject to 99 years imprisonment <p>Further, sexual assault in the first degree carries a fine not exceeding \$500,000.</p> <p>(§12.55.125 ; §12.55.035)</p>

<p>Anything else I should know?</p>	<p>The following definitions are relevant, and apply, to this crime:</p> <ul style="list-style-type: none"> • Without consent: means that a person either: (A) with or without resisting, is coerced by the use of force against a person or property, or by the express or implied threat of death, imminent physical injury, or kidnapping to be inflicted on anyone; or (B) is incapacitated as a result of an act of the defendant. (Alaska Stat. Ann. § 11.41.470) • Mentally incapable: means suffering from a mental disease or defect that renders the person incapable of understanding the nature or consequences of the person's conduct, including the potential for harm to that person. (§ 11.41.470) • Health care worker: includes a person who is or purports to be an acupuncturist, advanced practice registered nurse, anesthesiologist, certified direct-entry midwife, chiropractor, dentist, health aide, hypnotist, massage therapist, mental health counselor, midwife, nurse, osteopath, naturopath, physical therapist, physical therapy assistant, physician, physician assistant, psychiatrist, psychological associate, psychologist, radiologist, religious healing practitioner, surgeon, x-ray technician, or a substantially similar position. (§ 11.41.470) • Sexual act: means sexual penetration or sexual contact. • Sexual contact: (A) means either the defendant (i) knowingly touching, directly or through clothing, the victim's genitals, anus, or female breast; or (ii) knowingly causing the victim to touch, directly or through clothing, the offender's or victim's genitals, anus, or female breast. (B) However "sexual contact" does not include: (i) acts that may reasonably be construed to be normal caretaker responsibilities for a child, interactions with a child, or affection for a child; (ii) acts that are performed for the purpose of administering a recognized and lawful form of treatment that is reasonably adapted to promoting the physical or mental health of the person being treated; or (iii) acts that are a necessary part of a search of a person committed to the custody of the Department of Corrections or the Department of Health and Social Services. (§ 11.81.900) • Sexual penetration: (A) means genital intercourse, cunnilingus, fellatio, anal intercourse, or an intrusion, however slight, of an object or any part of a person's body into the genital or anal opening of another person's body; each party to any of the acts described in this subparagraph is considered to be engaged in sexual penetration. (B) However, "sexual penetration" does not include acts (i) performed for the purpose of administering a recognized and lawful form of treatment that is reasonably adapted to promoting the physical health of the person being treated; or (ii) that are a necessary part of a search of a person committed to the custody of the Department of Corrections or the Department of Health and Social Services. (§11.91.900) • Incapacitated: means temporarily incapable of appraising the nature of one's own conduct or physically unable to express unwillingness to act. (§ 11.41.470)
<p>Statutory Citation(s)</p>	<p>Alaska Stat. Ann. §§ 11.41.410, 11.41.470, 12.55.035, and 12.55.125</p>

Sexual Assault in the Second Degree

Question	Answer
How is it defined?	<p>An offender commits sexual assault in the second degree if:</p> <ul style="list-style-type: none"> • The offender engages in sexual contact with another person without that person's consent; • The offender engages in sexual contact with a person (a) who the offender knows is mentally incapable, and (b) is in the offender's care by either authority of law or in a state-licensed facility or program; or • The offender engages in sexual penetration with a person who the offender knows is a person who the offender knows is (a) mentally incapable; (b) incapacitated; or (c) unaware that a sexual act is being committed • The offender engages in sexual contact with a person who the offender knows is unaware that a sexual act is being committed and (a) the offender is a health care worker, and (b) the offense takes place during the course of professional treatment of the victim.
What are the punishments for this crime?	<p>Sexual assault in the second degree is a class B felony and is punishable by up to 99 years imprisonment, in accordance with the following presumptive ranges:</p> <ul style="list-style-type: none"> • For a first felony conviction, an offender is subject to 5 to 15 years imprisonment; • For a second felony conviction (where the first felony was something other than a sexual felony), an offender is subject to 10 to 25 years imprisonment • For a second felony conviction (where the first felony was a sexual felony), an offender is subject to 15 to 30 years imprisonment • For a third felony conviction (where the first two felonies are not sexual felonies) an offender is subject to 20 to 35 years imprisonment • For a third felony conviction (where the first two felonies are sexual felonies) an offender is subject to 99 years imprisonment. <p>Further, sexual assault in the second degree carries a fine not exceeding \$100,000. (§12.55.125 ; §12.55.035)</p>
Anything else I should know?	<p>The following definitions are relevant, and apply, to this crime:</p> <ul style="list-style-type: none"> • Without consent: means that a person either: (A) with or without resisting, is coerced by the use of force against a person or property, or by the express or implied threat of death, imminent physical injury, or kidnapping to be inflicted on anyone; or (B) is incapacitated as a result of an act of the defendant. (Alaska Stat. Ann. § 11.41.470) • Mentally incapable: means suffering from a mental disease or defect that renders the person incapable of

	<p>understanding the nature or consequences of the person's conduct, including the potential for harm to that person. (§ 11.41.470)</p> <ul style="list-style-type: none"> • Health care worker: includes a person who is or purports to be an acupuncturist, advanced practice registered nurse, anesthesiologist, certified direct-entry midwife, chiropractor, dentist, health aide, hypnotist, massage therapist, mental health counselor, midwife, nurse, osteopath, naturopath, physical therapist, physical therapy assistant, physician, physician assistant, psychiatrist, psychological associate, psychologist, radiologist, religious healing practitioner, surgeon, x-ray technician, or a substantially similar position. (§ 11.41.470) • Sexual act: means sexual penetration or sexual contact. • Sexual contact: (A) means either the defendant (i) knowingly touching, directly or through clothing, the victim's genitals, anus, or female breast; or (ii) knowingly causing the victim to touch, directly or through clothing, the offender's or victim's genitals, anus, or female breast. (B) However "sexual contact" does not include: (i) acts that may reasonably be construed to be normal caretaker responsibilities for a child, interactions with a child, or affection for a child; (ii) acts that are performed for the purpose of administering a recognized and lawful form of treatment that is reasonably adapted to promoting the physical or mental health of the person being treated; or (iii) acts that are a necessary part of a search of a person committed to the custody of the Department of Corrections or the Department of Health and Social Services. (§ 11.81.900) • Sexual penetration: (A) means genital intercourse, cunnilingus, fellatio, anal intercourse, or an intrusion, however slight, of an object or any part of a person's body into the genital or anal opening of another person's body; each party to any of the acts described in this subparagraph is considered to be engaged in sexual penetration. (B) However, "sexual penetration" does not include acts (i) performed for the purpose of administering a recognized and lawful form of treatment that is reasonably adapted to promoting the physical health of the person being treated; or (ii) that are a necessary part of a search of a person committed to the custody of the Department of Corrections or the Department of Health and Social Services. (§11.91.900) • Incapacitated: means temporarily incapable of appraising the nature of one's own conduct or physically unable to express unwillingness to act. (§ 11.41.470)
Statutory citation(s)	Alaska Stat. Ann. §§ 11.41.420, 11.41.470, 12.55.035, and 12.55.125

Sexual Assault in the Third Degree

Question	Answer
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<p>How is it defined?</p>	<p>An offender commits sexual assault in the third degree if:</p> <ul style="list-style-type: none"> • The offender engages in sexual contact with a person who the offender knows is a person who the offender knows is (a) mentally incapable; (b) incapacitated; or (c) unaware that a sexual act is being committed • The offender, while employed in a state correctional facility or other corrections facility caring for prisoners, engages in sexual penetration with a person who the offender knows is committed to the custody of the Department of Corrections to serve a term of imprisonment or period of temporary commitment; • The offender engages in sexual penetration with a person who is 18 or 19 years of age, who the offender knows is committed to the custody of the Department of Health and Social Services, and the offender is the legal guardian of the person • The offender, while employed by the state as a peace officer or while acting as a peace officer in the state, engages in sexual penetration with a person with reckless disregard that the person is in the custody or the apparent custody of the offender, or is committed to the custody of a law enforcement agency; • The offender, while employed by the state or a municipality of the state as a probation or parole officer, or while acting as such, the offender engages in sexual penetration with a person with reckless disregard that the person is on probation or parole; or • The offender, while employed as a juvenile probation officer or facility staff member, engages in sexual penetration with a person 18 or 19 years of age with reckless disregard that the victim is committed to the custody or probationary supervision of the Department of Health and Social Services.
<p>What are the punishments for this crime?</p>	<p>Sexual assault in the third degree is a Class C felony and is punishable by up to 99 years imprisonment, in accordance with the following presumptive ranges:</p> <ul style="list-style-type: none"> • For a first felony conviction, an offender is subject to 2 to 12 years imprisonment; • For a second felony conviction (where the first felony was something other than a sexual felony), an offender is subject to 8 to 15 years imprisonment • For a second felony conviction (where the first felony was a sexual felony), an offender is subject to 12 to 20 years imprisonment • For a third felony conviction (where the first two felonies are not sexual felonies) an offender is subject to 15 to 25 years imprisonment • For a third felony conviction (where the first two felonies are sexual felonies) an offender is subject to 99 years imprisonment. <p>Further, sexual assault in the second degree carries a fine not exceeding \$50,000.</p>
<p>Anything else I should know?</p>	<p>The following definitions are relevant, and apply, to this crime:</p> <ul style="list-style-type: none"> • Juvenile facility staff: means a person employed in a juvenile detention or treatment facility. (§ 11.41.425) • Juvenile probation officer: means a person assigned to supervise another person 18 or 19 years of age who is committed to the probationary supervision of the Department of Health and Social Services. (§ 11.41.425) • Parole officer: means a person appointed by the commissioner of corrections or employed by a

correctional facility in this state to perform the duties of supervising the parole of prisoners. (§ 11.41.425)

- **Peace officer:** means (a) an officer of the state troopers; (b) a member of the police force of a municipality; (c) a village public safety officer; (d) a regional public safety officer; (e) a United States marshal or deputy marshal; and (f) an officer whose duty it is to enforce and preserve the public peace. (§ 11.41.425)
- **Probation officer:** includes (a) a person appointed by the commissioner of corrections or employed by a correctional facility in this state to perform the duties of a probation officer under AS 33.05 (AS 18.65.290); or (b) a person who supervises a participant in a specialty court, including a therapeutic or wellness court addressing alcohol or drug use, a court addressing the needs of veterans, an adult or juvenile mental health court, a fetal alcohol spectrum disorder court, or a family care or preservation court. (§ 11.41.425)
- **Mentally incapable:** means suffering from a mental disease or defect that renders the person incapable of understanding the nature or consequences of the person's conduct, including the potential for harm to that person. (§ 11.41.470)
- **Health care worker:** includes a person who is or purports to be an acupuncturist, advanced practice registered nurse, anesthesiologist, certified direct-entry midwife, chiropractor, dentist, health aide, hypnotist, massage therapist, mental health counselor, midwife, nurse, osteopath, naturopath, physical therapist, physical therapy assistant, physician, physician assistant, psychiatrist, psychological associate, psychologist, radiologist, religious healing practitioner, surgeon, x-ray technician, or a substantially similar position. (§ 11.41.470)
- **Sexual act:** means sexual penetration or sexual contact.
- **Sexual contact:** (A) means either the defendant (i) knowingly touching, directly or through clothing, the victim's genitals, anus, or female breast; or (ii) knowingly causing the victim to touch, directly or through clothing, the offender's or victim's genitals, anus, or female breast. (B) However "sexual contact" **does not include:** (i) acts that may reasonably be construed to be normal caretaker responsibilities for a child, interactions with a child, or affection for a child; (ii) acts that are performed for the purpose of administering a recognized and lawful form of treatment that is reasonably adapted to promoting the physical or mental health of the person being treated; or (iii) acts that are a necessary part of a search of a person committed to the custody of the Department of Corrections or the Department of Health and Social Services. (§ 11.81.900)
- **Sexual penetration:** (A) means genital intercourse, cunnilingus, fellatio, anal intercourse, or an intrusion, however slight, of an object or any part of a person's body into the genital or anal opening of another person's body; each party to any of the acts described in this subparagraph is considered to be engaged in sexual penetration. (B) However, "sexual penetration" **does not include** acts (i) performed for the purpose of administering a recognized and lawful form of treatment that is reasonably adapted to promoting the physical health of the person being treated; or (ii) that are a necessary part of a search of a person committed to the custody of the Department of Corrections or the Department of Health and Social Services. (§11.91.900)
- **Incapacitated:** means temporarily incapable of appraising the nature of one's own conduct or physically unable to express unwillingness to act. (§ 11.41.470)

Statutory citation(s)	Alaska Stat. Ann. §§ 11.41.425, 11.41.470, 12.55.035, and 12.55.125
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Sexual Assault in the Fourth Degree

Question	Answer
How is it defined?	<p>An offender commits sexual assault in the fourth degree if:</p> <ul style="list-style-type: none"> • The offender, while employed in a state correctional facility or other corrections facility caring for prisoners, engages in sexual contact with a person who the offender knows is committed to the custody of the Department of Corrections to serve a term of imprisonment or period of temporary commitment; • The offender engages in sexual contact with a person who is 18 or 19 years of age, who the offender knows is committed to the custody of the Department of Health and Social Services, and the offender is the legal guardian of the person • The offender, while employed by the state as a peace officer or while acting as a peace officer in the state, engages in sexual contact with a person with reckless disregard that the person is in the custody or the apparent custody of the offender, or is committed to the custody of a law enforcement agency; • The offender, while employed by the state or a municipality of the state as a probation or parole officer, or while acting as such, the offender engages in sexual contact with a person with reckless disregard that the person is on probation or parole; or • The offender, while employed as a juvenile probation officer or facility staff member, engages in sexual contact with a person 18 or 19 years of age with reckless disregard that the victim is committed to the custody or probationary supervision of the Department of Health and Social Services.
What are the punishments for this crime?	Sexual assault in the fourth degree is a Class A misdemeanor and is punishable by up to one year imprisonment and a fine of up to \$25,000.
Anything else I should know?	<p>The following definitions are relevant, and apply, to this crime:</p> <ul style="list-style-type: none"> • Juvenile facility staff: means a person employed in a juvenile detention or treatment facility. (§ 11.41.425) • Juvenile probation officer: means a person assigned to supervise another person 18 or 19 years of age who is committed to the probationary supervision of the Department of Health and Social Services. (§ 11.41.425) • Parole officer: means a person appointed by the commissioner of corrections or employed by a correctional facility in this state to perform the duties of supervising the parole of prisoners. (§ 11.41.425) • Peace officer: means (a) an officer of the state troopers; (b) a member of the police force of a municipality; (c) a village public safety officer; (d) a regional public safety officer; (e) a United States

marshal or deputy marshal; and (f) an officer whose duty it is to enforce and preserve the public peace. (§ 11.41.425)

- **Probation officer:** includes (a) a person appointed by the commissioner of corrections or employed by a correctional facility in this state to perform the duties of a probation officer under AS 33.05 (AS 18.65.290); or (b) a person who supervises a participant in a specialty court, including a therapeutic or wellness court addressing alcohol or drug use, a court addressing the needs of veterans, an adult or juvenile mental health court, a fetal alcohol spectrum disorder court, or a family care or preservation court. (§ 11.41.425)
- **Mentally incapable:** means suffering from a mental disease or defect that renders the person incapable of understanding the nature or consequences of the person's conduct, including the potential for harm to that person. (§ 11.41.470)
- **Health care worker:** includes a person who is or purports to be an acupuncturist, advanced practice registered nurse, anesthesiologist, certified direct-entry midwife, chiropractor, dentist, health aide, hypnotist, massage therapist, mental health counselor, midwife, nurse, osteopath, naturopath, physical therapist, physical therapy assistant, physician, physician assistant, psychiatrist, psychological associate, psychologist, radiologist, religious healing practitioner, surgeon, x-ray technician, or a substantially similar position. (§ 11.41.470)
- **Sexual act:** means sexual penetration or sexual contact.
- **Sexual contact:** (A) means either the defendant (i) knowingly touching, directly or through clothing, the victim's genitals, anus, or female breast; or (ii) knowingly causing the victim to touch, directly or through clothing, the offender's or victim's genitals, anus, or female breast. (B) However "sexual contact" **does not include:** (i) acts that may reasonably be construed to be normal caretaker responsibilities for a child, interactions with a child, or affection for a child; (ii) acts that are performed for the purpose of administering a recognized and lawful form of treatment that is reasonably adapted to promoting the physical or mental health of the person being treated; or (iii) acts that are a necessary part of a search of a person committed to the custody of the Department of Corrections or the Department of Health and Social Services. (§ 11.81.900)
- **Sexual penetration:** (A) means genital intercourse, cunnilingus, fellatio, anal intercourse, or an intrusion, however slight, of an object or any part of a person's body into the genital or anal opening of another person's body; each party to any of the acts described in this subparagraph is considered to be engaged in sexual penetration. (B) However, "sexual penetration" **does not include** acts (i) performed for the purpose of administering a recognized and lawful form of treatment that is reasonably adapted to promoting the physical health of the person being treated; or (ii) that are a necessary part of a search of a person committed to the custody of the Department of Corrections or the Department of Health and Social Services. (§11.91.900)
- **Incapacitated:** means temporarily incapable of appraising the nature of one's own conduct or physically unable to express unwillingness to act. (§ 11.41.470)

Statutory
citation(s)

Alaska Stat. Ann. §§ 11.41.425, 11.41.470, 12.55.035, and 12.55.125

Statutory Rape

Question	Answer
How is it defined?	<p data-bbox="359 388 1959 488">“Statutory rape” is commonly used to refer to sexual penetration that is illegal because it involves a youth and consent is immaterial. While Alaska does not expressly penalize “statutory rape,” the offenses of sexual abuse target this conduct.</p> <p data-bbox="359 509 1020 545">Sexual Abuse of a Minor in the First Degree</p> <p data-bbox="359 566 1959 634">An offender commits sexual abuse of a minor in the first degree by engaging in sexual penetration with a victim if:</p> <ul data-bbox="428 656 1959 932" style="list-style-type: none"><li data-bbox="428 656 1959 756">• The offender is 16 years old or older and the victim is under 13 years old, or the offender aids, induces, causes, or encourages a person who is under 13 years of age to engage in sexual penetration with another person;<li data-bbox="428 761 1959 829">• The offender is 18 years old or older, the victim is under 18 years old, and the offender is the victim’s natural parent, stepparent, adopted parent, or legal guardian; or<li data-bbox="428 834 1959 932">• The offender is 18 years old or older, the victim is under 16 years old, and either (A) the victim is residing in the same household as the offender and the offender has authority over the victim or (B) the offender occupies a position of authority in relation to the victim. <p data-bbox="359 1013 1058 1049">Sexual Abuse of a Minor in the Second Degree</p> <p data-bbox="359 1070 1356 1105">An offender commits sexual abuse of a minor in the second degree if:</p> <ul data-bbox="428 1127 1959 1497" style="list-style-type: none"><li data-bbox="428 1127 1959 1260">• The offender is 17 years old or older and engages in sexual penetration with a victim who is 13, 14, or 15 years old and at least 4 years younger than the offender, or the offender aids, induces, causes, or encourages a person who is 13, 14, or 15 years old and at least 4 years younger than the offender to engage in sexual penetration with another person;<li data-bbox="428 1265 1959 1365">• The offender is 16 years old or older and engages in sexual contact with the victim who is under 13 years of age, or the offender aids, induces, causes, or encourages a person under 13 years of age to engage in sexual contact with another person;<li data-bbox="428 1370 1959 1438">• The offender is 18 years old or older and engages in sexual contact with a victim under 18 years old, and the offender is the victim’s natural parent, stepparent, adopted parent, or legal guardian;<li data-bbox="428 1443 1959 1497">• The offender is 16 years old or older and aids, induces, causes, or encourages a victim under 16 years old to engage in child pornography;

	<ul style="list-style-type: none"> • The offender is 18 years old or older and engages in sexual conduct with a victim under 16 years old, and either (A) the victim is residing in the same household as the offender and the offender has authority over the victim or (B) the offender occupies a position of authority in relation to the victim; • The offender is 18 years old or older and engages in sexual penetration with a victim who is 16 or 17 years old and at least 3 years younger than the offender, and the offender occupies a position of authority in relation to the victim; or • The offender is under 16 years old and engages in sexual penetration with a victim under 13 years old and at least 3 years younger than the offender. <p>Sexual Abuse of a Minor in the Third Degree</p> <p>An offender commits sexual abuse of a minor in the third degree if the offender, being 17 years old or older, engages in sexual contact with a person who is 13, 14, or 15 years old and at least 4 years younger than the offender.</p> <p>Sexual Abuse of a Minor in the Fourth Degree</p> <p>An offender commits sexual abuse of a minor in the fourth degree by engaging in sexual contact with a person if:</p> <ul style="list-style-type: none"> • The offender is under 16 years old, the victim is under 13 years old, and the victim is at least 3 years younger than the offender; or • The offender is 18 years old or older, the victim is 16 or 17 years old, the victim is at least 3 years younger than the offender, and the offender occupies a position of authority in relation to the victim.
<p>What are the punishments for this crime?</p>	<ul style="list-style-type: none"> • Sexual abuse of a minor in the first degree is an unclassified felony. Prison sentences vary from 20 years to 99 years depending on the victim’s age, the offender’s conviction history and whether a weapon was used. Offenders face a fine of up to \$500,000. • Sexual abuse of a minor in the second degree is a Class B felony. Prison sentences from 5 years to 99 years depending on the offender’s conviction history. Offenders face a fine of up to \$100,000 fine. • Sexual abuse of a minor in the third degree is a Class C felony punishable by up to five years imprisonment and a fine of up to \$50,000. • Sexual abuse of a minor in the fourth degree is a Class A misdemeanor and is punishable by up to one year imprisonment and a fine of up to \$25,000. <p>(§12.55.135; §12.55.035)</p>
<p>Anything else I should know?</p>	<p>The following definitions are relevant, and apply, to this crime:</p> <ul style="list-style-type: none"> • Without consent: means that a person either: (A) with or without resisting, is coerced by the use of force against a person or property, or by the express or implied threat of death, imminent physical injury, or kidnapping to be inflicted on anyone; or (B) is incapacitated as a result of an act of the defendant. (Alaska Stat. Ann. § 11.41.470) • Position of authority: means an employer, youth leader, scout leader, coach, teacher, counselor, school administrator, religious leader, doctor, nurse, psychologist, guardian ad litem, babysitter, or a

	<p>substantially similar position, and a police officer or probation officer other than when the officer is exercising custodial control over a minor. (§ 11.41.470)</p> <ul style="list-style-type: none"> • Legal guardian: means a person who is under a duty to exercise general supervision over a minor or other person committed to the custody of the Department of Health and Social Services as a result of a court order, statute, or regulation, and includes Department of Health and Social Services employees, foster parents, and staff members and other employees of group homes or youth facilities where the minor or other person is placed as a result of a court order or the action of the Department of Health and Social Services, and police officers, probation officers, and social workers when those persons are exercising custodial control over a minor or other person. (§ 11.41.470) • Sexual act: means sexual penetration or sexual contact. • Sexual contact: (A) means either the defendant (i) knowingly touching, directly or through clothing, the victim's genitals, anus, or female breast; or (ii) knowingly causing the victim to touch, directly or through clothing, the offender's or victim's genitals, anus, or female breast. (B) However "sexual contact" does not include: (i) acts that may reasonably be construed to be normal caretaker responsibilities for a child, interactions with a child, or affection for a child; (ii) acts that are performed for the purpose of administering a recognized and lawful form of treatment that is reasonably adapted to promoting the physical or mental health of the person being treated; or (iii) acts that are a necessary part of a search of a person committed to the custody of the Department of Corrections or the Department of Health and Social Services. (§ 11.81.900) • Sexual penetration: (A) means genital intercourse, cunnilingus, fellatio, anal intercourse, or an intrusion, however slight, of an object or any part of a person's body into the genital or anal opening of another person's body; each party to any of the acts described in this subparagraph is considered to be engaged in sexual penetration. (B) However, "sexual penetration" does not include acts (i) performed for the purpose of administering a recognized and lawful form of treatment that is reasonably adapted to promoting the physical health of the person being treated; or (ii) that are a necessary part of a search of a person committed to the custody of the Department of Corrections or the Department of Health and Social Services. (§11.91.900)
Statutory citation(s)	AS §§ 11.41.434,11.41.436,11.41.438, 11.41.440

Sodomy

Question	Answer
How is it defined?	<ul style="list-style-type: none"> • Alaska does not outright prohibit sodomy • Any state laws that outright prohibit sodomy are unconstitutional under <i>Lawrence v. Texas</i>, 539 U.S. 588 (2003).

How is it defined?	<ul style="list-style-type: none">• Arizona does not appear to criminalize sodomy. <p>Any state laws that outright prohibit sodomy are unconstitutional under <i>Lawrence v. Texas</i>, 539 U.S. 588 (2003).</p>
What are the punishments for this crime?	N/A
What are the punishments for this crime?	N/A
Anything else I should know?	N/A
Anything else I should know?	N/A
Statutory citation(s):	N/A
Statutory Citation(s):	N/A