

# Criminal Statutes of Limitations Alaska

*Last Updated: March 2020*

## **Sexual assault, first degree**

Question	Answer
What is the statute of limitations for this crime?	This crime is an unclassified felony.  1. No time limit.
Statutory citation(s):	1. Citation for the crime: Alaska Stat. § 11.41.410. 2. Citation for the statute of limitations: Alaska Stat. § 12.10.010.

## **Sexual assault, second degree**

Question	Answer
What is the statute of limitations for this crime?	This crime is a Class B felony.  1. No time limit.
Statutory citation(s):	1. Citation for the crime: Alaska Stat. § 11.41.420. 2. Citation for the statute of limitations: Alaska Stat. § 12.10.010.

## **Sexual assault, third degree**

Question	Answer
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<p>What is the statute of limitations for this crime?</p>	<p>This crime is a Class C felony.</p> <ol style="list-style-type: none"> <li>1. No time limit for prosecution of this crime if it is committed against a victim under 18; or</li> <li>2. No time limit for prosecution of crime if offender, an employee of the state correctional facility or of other placement designated by the commissioner of corrections for the custody and care of prisoners, engages in sexual penetration with victim, who offender knows is committed to the custody of the Department of Corrections to serve a term of imprisonment or period of temporary commitment (§ 11.41.425(a)(2)); or</li> <li>3. No time limit for prosecution of crime if offender is the legal guardian of victim and engages in sexual penetration with a person 18 or 19 years of age who the offender knows is committed to the custody of the Department of Health and Social Services under AS 47.10 or AS 47.12 (§ 11.41.425(a)(3)); or</li> <li>4. No time limit for prosecution of crime if offender, while employed in the state by a law enforcement agency as a peace officer, or 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 (§ 11.41.425(a)(4)); or</li> <li>5. Within ten years after commission of the offense when offender engages in sexual contact with a victim who the offender knows is mentally incapable, incapacitated, or unaware that a sexual act is being committed (§ 11.41.425(a)(1)); or</li> <li>6. Within ten years after commission of the offense when a probation or parole officer, while employed by the state or a municipality of the state, engages in sexual penetration with a person with reckless disregard that the person is on probation or parole (§ 11.41.425(a)(5)); or</li> <li>7. Within ten years after commission of the offense when a juvenile probation officer or juvenile facility staff engages in sexual penetration with a person 18 or 19 years of age with reckless disregard that the person is committed to the custody or probationary supervision of the Department of Health and Social Services (§ 11.41.425(a)(6)).</li> </ol>
<p>Statutory citation(s):</p>	<ol style="list-style-type: none"> <li>1. Citation for the crime: Alaska Stat. § 11.41.425.</li> <li>2. Citation for the statute of limitations: Alaska Stat. § 12.10.010.</li> </ol>

## Sexual assault, fourth degree

Question	Answer
<p>What is the statute of limitations for this crime?</p>	<p>This crime is a Class A misdemeanor.</p> <ol style="list-style-type: none"> <li>1. No time limit for prosecution of this crime if it is committed against a victim under 18; or</li> <li>2. Within five years after commission of the offense.</li> </ol>

Statutory citation(s):	1. Citation for the crime: Alaska Stat. § 11.41.427. 2. Citation for the statute of limitations: Alaska Stat. § 12.10.010.
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### **Sexual abuse of a minor, first degree**

Question	Answer
What is the statute of limitations for this crime?	This crime is an unclassified felony.  1. No time limit.
Statutory citation(s):	1. Citation for the crime: Alaska Stat. § 11.41.434. 2. Citation for the statute of limitations: Alaska Stat. § 12.10.010.

### **Sexual abuse of a minor, second degree**

Question	Answer
What is the statute of limitations for this crime?	This crime is Class B felony.  1. No time limit.
Statutory citation(s):	1. Citation for the crime: Alaska Stat. § 11.41.436. 2. Citation for the statute of limitations: Alaska Stat. § 12.10.010.

### **Sexual abuse of a minor, third degree**

Question	Answer
What is the statute of limitations for this crime?	This crime is a Class C felony.  1. No time limit.

Statutory citation(s):	1. Citation for the crime: Alaska Stat. § 11.41.438. 2. Citation for the statute of limitations: Alaska Stat. § 12.10.010.
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### **Sexual abuse of a minor, fourth degree**

Question	Answer
What is the statute of limitations for this crime?	This crime is a Class A misdemeanor.  1. Within five years after commission of the offense.
Statutory citation(s):	1. Citation for the crime: Alaska Stat. § 11.41.440. 2. Citation for the statute of limitations: Alaska Stat. § 12.10.010.

### **Incest**

Question	Answer
What is the statute of limitations for this crime?	This crime is a Class C felony.  1. No time limit for prosecution when the offense is committed against a victim under 18; or 2. Within ten years after commission of the offense.
Statutory citation(s):	1. Citation for the crime: Alaska Stat. § 11.41.450. 2. Citation for the statute of limitations: Alaska Stat. § 12.10.010.

### **Online enticement of a minor**

Question	Answer
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What is the statute of limitations for this crime?	This crime is a Class B felony unless the defendant at the time of the offense was required to register as a sex offender or child kidnapper, in which case this crime is a Class A felony.  1. No time limit.
Statutory citation(s):	1. Citation for the crime: Alaska Stat. § 11.41.452. 2. Citation for the statute of limitations: Alaska Stat. § 12.10.010.

### **Unlawful exploitation of a minor**

Question	Answer
What is the statute of limitations for this crime?	This crime is a Class B felony, unless the defendant has previously been convicted of this crime in Alaska or a similar crime in Alaska or another jurisdiction, in which case it is a Class A felony.  1. No time limit.
Statutory citation(s):	1. Citation for the crime: Alaska Stat. § 11.41.455. 2. Citation for the statute of limitations: Alaska Stat. § 12.10.010.

### **Indecent exposure in the first degree**

Question	Answer
What is the statute of limitations for this crime?	This crime is a Class C felony.  1. No time limit for prosecution when the offense is committed against a victim under 18; or 2. Within ten years after commission of the offense.
Statutory citation(s):	1. Citation for the crime: Alaska Stat. § 11.41.458. 2. Citation for the statute of limitations: Alaska Stat. § 12.10.010.

## Indecent exposure in the second degree

Question	Answer
What is the statute of limitations for this crime?	This crime is a Class B misdemeanor unless the victim was under 16, in which case this crime is a Class A misdemeanor.  1. Within five years after commission of the offense.
Statutory citation(s):	1. Citation for the crime: Alaska Stat. § 11.41.460. 2. Citation for the statute of limitations: Alaska Stat. § 12.10.010.

## Are there any exceptions to the statute of limitations laws?

Question	Answer
Exceptions	None specified.

## Anything else I should know?

Question	Answer
Anything else I should know?	<ul style="list-style-type: none"><li>• <i>State v. Creekpau</i>, 753 P.2d 1139 (Alaska 1988)</li><li>• Extension of statute of limitations for crime of sexual assault on a minor before the original period of limitation had run on defendant's alleged offense was not an unconstitutional ex post facto law.</li></ul>