

Criminal Statutes of Limitations Alaska

Last Updated: April 2023

Sexual assault, first degree

Question	Answer
What is the statute of limitations for this crime?	This crime is an unclassified felony, except if the offender impersonates someone known to the victim for the purpose of obtaining consent, in which case it is a Class A felony. 1. No time limit.
Statutory citation(s):	1. Citation for the crime: Alaska Stat. § 11.41.410. 2. Citation for the statute of limitations: Alaska Stat. § 12.10.010(a)(4).

Sexual assault, second degree

Question	Answer
What is the statute of limitations for this crime?	This crime is a Class B felony. No time limit.
Statutory citation(s):	1. Citation for the statute of limitations: Alaska Stat. § 12.10.010(a)(4). 2. Citation for the crime: Alaska Stat. § 11.41.420.

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"> 1. No time limit for prosecution of crime if it is committed against a victim under 18 (at the time of the offense); 2. No time limit for prosecution of crime if offender, an employee of a state correctional facility or other placement designated by the commissioner of corrections for the custody and care of prisoners, engages in sexual penetration with the 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)); 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)); 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)); 5. Within ten years after commission of the offense when offender engages in sexual contact with a victim who is mentally incapable, incapacitated, or unaware that a sexual act is being committed (§ 11.41.425(a)(1)); 6. Within ten years after commission of the offense if the offender is employed by the state or a municipality of the state as a probation or parole officer or is acting as a probation or parole officer in the state and engages in sexual penetration with a person with reckless disregard that the person is on probation or parole (§ 11.41.425(a)(5)); 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)); or 8. Within five years after commission of the offense if the offender engages in sexual contact with another person without that person's consent (unless the conduct would otherwise be considered sexual assault in the second degree) ((§ 11.41.425(a)(7)).
<p>Statutory citation(s):</p>	<ol style="list-style-type: none"> 1. Citation for the crime: Alaska Stat. § 11.41.425. 2. Citation for the statute of limitations: Alaska Stat. § 12.10.010.

Sexual assault, fourth degree

Question	Answer
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What is the statute of limitations for this crime?	This crime is a Class A misdemeanor. <ol style="list-style-type: none"> 1. No time limit for prosecution of this crime if it is committed against a victim under 18 (at the time of the offense); or 2. Within five years after commission of the offense.
Statutory citation(s):	<ol style="list-style-type: none"> 1. Citation for the crime: Alaska Stat. § 11.41.427. 2. Citation for the statute of limitations: Alaska Stat. § 12.10.010.

Sexual abuse of a minor, first degree

Question	Answer
What is the statute of limitations for this crime?	This crime is an unclassified felony. <ol style="list-style-type: none"> 1. No time limit.
Statutory citation(s):	<ol style="list-style-type: none"> 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. <ol style="list-style-type: none"> 1. No time limit.
Statutory citation(s):	<ol style="list-style-type: none"> 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.

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 (at the time of the offense); 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
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 A felony, unless the defendant has previously been convicted of this crime in Alaska or a similar crime in Alaska or another jurisdiction or the victim was under 13 years of age at the time of the offense, in which case it is an unclassified 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 B felony if the offense occurs within the observation of a person under 16 years of age; otherwise, it is a Class C felony. 1. No time limit for prosecution when the offense is committed against a victim under 18 (at the time of the offense); 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 years of age, 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	<ul style="list-style-type: none">• <i>Padie v. State</i>, 594 P.2d 50 (Alaska 1979)<ul style="list-style-type: none">• A statute of limitations can be waived if the trial court determines that the waiver is knowing, intelligent and voluntary, that it is made for the defendant's benefit and after consultation with counsel, and that defendant's waiver does not handicap his defense or contravene any other public policy reasons motivating enactment of the statute• Alaska Stat. § 12.10.040<ul style="list-style-type: none">• (a) The period of limitation does not run during any time when the accused, with a purpose to avoid detection, apprehension, or prosecution, is outside the state or is absent from the accused's usual place of abode within the state, but in no case shall this provision extend the period of limitation otherwise applicable by more than three years.• (b) The period of limitation does not run during any time when a prosecution against the accused for the same conduct is pending in this state.

Anything else I should know?

Question	Answer
Anything else I should know?	<ul style="list-style-type: none">• <i>State v. Creekpau</i>, 753 P.2d 1139 (Alaska 1988)• 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.