BARRIER CRIMES MATRIX FOR THE BARRIER CRIMES LISTED IN 7 AAC 10.905
January 5, 2007

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BARRIER CRIME [*See notes at end of table for conditions that increase some barrier times*]	A Barrier Within the Following Time Periods					See 7 AAC 10.905 at:
	PERMANENT	10 Years	5 Years	3 Years	1 Year	
ATTEMPT, SOLICITATION, AND CONSPIRACY						
AS 11.31.100 (attempt to commit a crime)						
Unclassified felony if the crime attempted is murder in the first degree	X					(b)(1)
Class A felony if the crime attempted is an unclassified felony other than murder in the first degree	X					(b)(1)
Class B felony if the crime attempted is a class A felony	Same barrier as the class A felony attempted					
Class C felony if the crime attempted is a class B felony	Same barrier as the class B felony attempted					
Class A misdemeanor if the crime attempted is a class C felony and is a barrier crime	Same barrier as the class C felony attempted					
Class B misdemeanor if the crime attempted is a class A or class B misdemeanor and is a barrier crime	Same barrier as the misdemeanor attempted					
AS 11.31.110 (solicitation to commit a crime)						
Unclassified felony if the crime solicited is murder in the first degree	X					(b)(1)
Class A felony if the crime solicited is an unclassified felony other than murder in the first degree	X					(b)(1)
Class B felony if the crime solicited is a class A felony	Same barrier as the class A felony solicited					
Class C felony if the crime solicited is a class B felony	Same barrier as the class B felony solicited					
Class A misdemeanor if the crime solicited is a class C felony and is a barrier crime	Same barrier as the class C felony solicited					
Class B misdemeanor if the crime solicited is a class A or class B misdemeanor and is a barrier crime	Same barrier as the misdemeanor solicited					
AS 11.31.120 (conspiracy to commit a crime)						
Unclassified felony if the object of the conspiracy is murder in the first degree	X					(b)(1)
Class A felony if the object of the conspiracy is a crime punishable as an unclassified felony other than murder in the first degree	X					(b)(1)
Class B felony if the object of the conspiracy is a crime punishable as a class A felony	Same barrier as the class A felony involved in the conspiracy					
Class C felony if the object of the conspiracy is a crime punishable as a class B felony	Same barrier as the class B felony involved in the conspiracy					
OFFENSES AGAINST THE PERSON						
AS 11.41.100 (murder in the first degree) *Unclassified Felony*	X					(b)(1)
AS 11.41.110 (murder in the second degree) *Unclassified Felony*	X					(b)(1)
AS 11.41.120 (manslaughter) *Class A Felony*	X					(b)(1)
AS 11.41.130 (criminally negligent homicide) *Class B Felony*	X					(b)(1)
AS 11.41.200 (assault in the first degree) *Class A Felony*	X					(b)(1)
AS 11.41.210 (assault in the second degree) *Class B Felony*	X					(b)(1)
AS 11.41.220 (assault in the third degree) *Class C Felony*	X					(b)(4)
AS 11.41.230 (assault in the fourth degree) *Class A Misdemeanor*			X			(d)(1)(A)
AS 11.41.250 (reckless endangerment) *Class A Misdemeanor*			X			(d)(1)(B)

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	PERMANENT	10 Years	5 Years	3 Years	1 Year	
AS 11.41.260 (stalking in the first degree) *Class C Felony*		X				(c)(1)
AS 11.41.270 (stalking in the second degree) *Class A Misdemeanor*			X			(d)(1)(C)
AS 11.41.300 (kidnapping)						
Unclassified Felony	X					(b)(1)
Class A Felony (victim released without serious injury . . .)	X					(b)(1)
AS 11.41.320 (custodial interference in the first degree) *Class C Felony* ("*crime involving domestic violence*")	X					(b)(2)
AS 11.41.330 (custodial interference in the second degree) *Class A Misdemeanor*			X			(d)(1)(D)
AS 11.41.410 (sexual assault in the first degree) *Unclassified Felony* *("sex offense")*	X					(b)(1)
AS 11.41.420 (sexual assault in the second degree) *Class B Felony* *("sex offense")*	X					(b)(1)
AS 11.41.425 (sexual assault in the third degree) *Class C Felony* *("sex offense")*	X					(b)(11)
AS 11.41.427 (sexual assault in the fourth degree) *Class A Misdemeanor* *("sex offense")*	X					(b)(11)
AS 11.41.434 (sexual abuse of a minor in the first degree) *Unclassified Felony* *("sex offense")*	X					(b)(1)
AS 11.41.436 (sexual abuse of a minor in the second degree) *Class B Felony* *("sex offense")*	X					(b)(1)
AS 11.41.438 (sexual abuse of a minor in the third degree) *Class C Felony* *("sex offense")*	X					(b)(11)
AS 11.41.440 (sexual abuse of a minor in the fourth degree) *Class A Misdemeanor* *("sex offense")*	X					(b)(11)
AS 11.41.450 (incest) *Class C Felony* *("sex offense")*	X					(b)(11)
AS 11.41.452 (online enticement of a minor)						
Class B Felony if the defendant was required to register as a sex offender or child kidnapper *("sex offense")*	X					(b)(1) and (b)(3)
Class C Felony if not required to register as a sex offender or child kidnapper	X					(b)(3)
AS 11.41.455 (unlawful exploitation of a minor) *Class B Felony* *("sex offense")*	X					(b)(1)
AS 11.41.458 (indecent exposure in the first degree) *Class C Felony* *("sex offense")*	X					(b)(11)
AS 11.41.460 (indecent exposure in the second degree) ***("sex offense")***						(b)(11)
Class A misdemeanor if before a person under 16 years of age;	X					(b)(5)
Class B misdemeanor if before a person 16 years of age or older	X					(b)(5)
AS 11.41.500 (robbery in the first degree) *Class A Felony*	X					(b)(1)
AS 11.41.510 (robbery in the second degree) *Class B Felony*	X					(b)(1)
AS 11.41.520 (extortion) *Class B Felony*	X					(b)(1)
AS 11.41.530 (coercion) *Class C Felony*			X			(d)(1)(E)
OFFENSES AGAINST PROPERTY						
AS 11.46.120 (theft in the first degree) *Class B Felony*		X				(c)(2)(A)
AS 11.46.130 (theft in the second degree) *Class C Felony*			X			(d)(2)
AS 11.46.140 (theft in the third degree) *Class A Misdemeanor*				X		(e)(1)(A)
AS 11.46.220 (concealment of merchandise) if a Class C Felony			X			(d)(2)

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	PERMANENT	10 Years	5 Years	3 Years	1 Year	
AS 11.46.260 (removal of identification marks) if a Class C Felony			X			(d)(2)
AS 11.46.270 (unlawful possession) if a Class C Felony			X			(d)(2)
AS 11.46.280 (issuing a bad check)						
If Class B Felony		X				(c)(2)(B)
If Class C Felony			X			(d)(2)
AS 11.46.285 (fraudulent use of an access device)						
If Class B Felony		X				(c)(2)(C)
If Class C Felony			X			(d)(2)
AS 11.46.290 (obtaining an access device or identification document by fraudulent means) *Class C Felony*			X			(d)(2)
AS 11.46.300 (burglary in the first degree) *Class B Felony*		X				(c)(2)(D)
AS 11.46.310 (burglary in the second degree) *Class C Felony*			X			(d)(2)
AS 11.46.320 (criminal trespass in the first degree) *Class A Misdemeanor [if domestic violence crime]*				X		(e)(1)(B)
AS 11.46.360 (vehicle theft in the first degree) *Class C Felony*			X			(d)(2)
AS 11.46.400 (arson in the first degree) *Class A Felony*	X					(b)(6)
AS 11.46.410 (arson in the second degree) *Class B Felony*	X					(b)(6)
AS 11.46.430 (criminally negligent burning) *Class A Misdemeanor [if domestic violence crime]*				X		(e)(1)(C)
AS 11.46.475 (criminal mischief in the first degree) *Class A Felony*		X				(c)(2)(E)
AS 11.46.480 (criminal mischief in the second degree) *Class B Felony*		X				(c)(2)(F)
AS 11.46.482 (criminal mischief in the third degree) *Class C Felony*			X			(d)(2)
AS 11.46.484 (criminal mischief in the fourth degree) *Class A Misdemeanor[if domestic violence crime]*				X		(e)(1)(D)
AS 11.46.486 (criminal mischief in the fifth degree) *Class B Misdemeanor[if domestic violence crime]*					X	(f)(1)
AS 11.46.500 (forgery in the first degree) *Class B Felony*		X				(c)(2)(G)
AS 11.46.505 (forgery in the second degree) *Class C Felony*			X			(d)(2)
AS 11.46.510 (forgery in the third degree) *Class A Misdemeanor*				X		(e)(1)(E)
AS 11.46.520 (criminal possession of a forgery device) *Class C Felony*			X			(d)(2)
AS 11.46.530 (criminal simulation) If a Class C Felony			X			(d)(2)
AS 11.46.550 (offering a false instrument for recording in the first degree) *Class C Felony*			X			(d)(2)
AS 11.46.565 (criminal impersonation in the first degree) *Class B Felony*		X				(c)(2)(H)
AS 11.46.600 (scheme to defraud) *Class B Felony*		X				(c)(2)(I)
AS 11.46.620 (misapplication of property) If a Class C Felony			X			(d)(2)
AS 11.46.630 (falsifying business records) *Class C Felony*			X			(d)(2)
AS 11.46.660 (commercial bribe receiving) *Class C Felony*			X			(d)(2)
AS 11.46.670 (commercial bribery) *Class C Felony*			X			(d)(2)

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BARRIER CRIME [***See notes at end of table for conditions that increase some barrier times***]	**A Barrier Within the Following Time Periods**					**See 7 AAC 10.905 at:**
	PERMANENT	**10 Years**	**5 Years**	**3 Years**	**1 Year**	
AS 11.46.710 (deceptive business practices)						
Class C Felony			X			(d)(2)
Class A misdemeanor				X		(e)(1)(F)
AS 11.46.730 (defrauding creditors)						
If Class B Felony		X				(c)(2)(J)
If Class C Felony			X			(d)(2)
AS 11.46.740 (criminal use of computer) *Class C Felony*			X			(d)(2)
OFFENSES AGAINST THE FAMILY AND VULNERABLE ADULTS						
AS 11.51.100 (endangering the welfare of a child in the first degree)						
If Class B Felony (if child dies)	X					(b)(7)(A)
If Class C Felony (if the child suffers sexual contact, sexual penetration, or serious physical injury)	X					(b)(7)(A)
If Class A misdemeanor (if the child suffers physical injury)	X					(b)(7)(A)
AS 11.51.110 (endangering the welfare of a child in the second degree) *Violation*			X			(d)(3)(A)
AS 11.51.120 (criminal nonsupport)						
Class C Felony			X			(d)(3)(B)
Class A misdemeanor				X		(e)(2)
AS 11.51.121 (aiding the nonpayment of child support in the first degree) *Class C Felony*			X			(d)(3)(C)
AS 11.51.130 (contributing to the delinquency of a minor) *Class A Misdemeanor*			X			(d)(3)(D)
AS 11.51.200 (endangering the welfare of a vulnerable adult in the first degree) *Class C Felony*	X					(b)(7)(B)
AS 11.51.210 (endangering the welfare of a vulnerable adult in the second degree) *Class A Misdemeanor*	X					(b)(7)(C)
OFFENSES AGAINST PUBLIC ADMINISTRATION						
AS 11.56.740 (violating a protective order) *Class A Misdemeanor [if domestic violence crime]*				X		(e)(3)(A)
AS 11.56.745 (interfering with a report of a crime involving domestic violence) *Class A Misdemeanor*				X		(e)(3)(B)
AS 11.56.750 (unlawful contact in the first degree) *Class A Misdemeanor*					X	(f)(2)
AS 11.56.755 (unlawful contact in the second degree) *Class B Misdemeanor or Violation*					X	(f)(2)
AS 11.56.765 (failure to report a violent crime committed against a child) *Class A Misdemeanor*			X			(d)(4)(A)
AS 11.56.807 (terroristic threatening in the first degree) *Class B Felony [if domestic violence crime]*		X				(c)(3)
AS 11.56.810 (terroristic threatening in the second degree) *Class C Felony [if domestic violence crime]*			X			(d)(4)(B)
AS 11.56.815 (tampering with public records in the first degree) *Class C Felony*			X			(d)(4)(C)
AS 11.56.835 (failure to register as a sex offender or child kidnapper in the first degree) *Class C Felony*	X					(b)(8)(A)
AS 11.56.840 (failure to register as a sex offender or child kidnapper in the second degree) *Class A Misdemeanor*	X					(b)(8)(B)

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	PERMANENT	10 Years	5 Years	3 Years	1 Year	
OFFENSES AGAINST PUBLIC ORDER						
AS 11.61.120 (harassment) *Class B Misdemeanor [if domestic violence crime]*					X	(f)(3)
AS 11.61.123 (indecent viewing or photography)						
Class C Felony	X					(b)(9)(A)
Class A misdemeanor	X					(b)(9)(A)
AS 11.61.125 (distribution of child pornography) *("sex offense")*						
Class A Felony	X					(b)(9)(B)
Class B Felony	X					(b)(9)(B)
AS 11.61.127 (possession of child pornography) *Class C Felony ("sex offense")*	X					(b)(9)(B)
AS 11.61.128 (electronic distribution of indecent material to a minor)						
Class B Felony if the defendant was required to register as a sex offender or child kidnapper	X					(b)(3)
Class C Felony if not required to register as a sex offender or child kidnapper	X					(b)(3)
AS 11.61.130 (misconduct involving a corpse) *Class A Misdemeanor*			X			(d)(5)(A)
AS 11.61.140 (cruelty to animals) *Class A Misdemeanor*			X			(d)(5)(B)
AS 11.61.145 (promoting an exhibition of fighting animals, if Class C Felony)			X			(d)(5)(C)
AS 11.61.190 (misconduct involving weapons in the first degree) *Class A Felony*		X				(c)(4)(A)
AS 11.61.195 (misconduct involving weapons in the second degree) *Class B Felony*		X				(c)(4)(B)
AS 11.61.200 (misconduct involving weapons in the third degree) *Class C Felony*			X			(d)(5)(D)
AS 11.61.240 (criminal possession of explosives)						
Class A Felony		X				(c)(4)(C)
Class B Felony		X				(c)(4)(C)
Class C Felony			X			(d)(5)(E)
Class A misdemeanor				X		(e)(4)
AS 11.61.250 (unlawful furnishing of explosives) *Class C Felony*			X			(d)(5)(F)
OFFENSES AGAINST PUBLIC HEALTH AND DECENCY						
AS 11.66.110 (promoting prostitution in the first degree)						
Class A Felony - If the person who was induced or caused to engage in prostitution was under 16 years of age	X					(b)(10)(A)
Class B Felony						
If the person who was induced or caused to engage in prostitution was 16 or 17 years of age at the time of the offense *("sex offense")*	X					(b)(10)(A)
If the person who was induced or caused to engage in prostitution was 18 years of age or older at the time of the offense		X				(c)(5)

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	PERMANENT	10 Years	5 Years	3 Years	1 Year	
AS 11.66.120 (promoting prostitution in the second degree) *Class C Felony*						
If the person who was induced or caused to engage in prostitution was under 16 years of age	X					(b)(10)(B)
If the person who was induced or caused to engage in prostitution was 16 or 17 years of age at the time of the offense *("sex offense")*	X					(b)(10)(B)
If the person who was induced or caused to engage in prostitution was 18 years of age or older at the time of the offense			X			(d)(6)
AS 11.66.130 (promoting prostitution in the third degree) *Class A Misdemeanor*						
If the person who was induced or caused to engage in prostitution was under 16 years of age	X					(b)(10)(C)
If the person who was induced or caused to engage in prostitution was 16 or 17 years of age at the time of the offense *("sex offense")*	X					(b)(10)(C)
CONTROLLED SUBSTANCES						
AS 11.71.010 (misconduct involving a controlled substance in the first degree) *Unclassified Felony*		X				(c)(6)
AS 11.71.020 (misconduct involving a controlled substance in the second degree) *Class A Felony*		X				(c)(6)
AS 11.71.030 (misconduct involving a controlled substance in the third degree) *Class B Felony*		X				(c)(6)
AS 11.71.040(a)(1), (a)(2), (a)(5), (a)(6), (a)(7), (a)(8), or (a)(10) (misconduct involving a controlled substance in the fourth degree) *Class C Felony*			X			(d)(7)
IMITATION CONTROLLED SUBSTANCES						
AS 11.73.010 (manufacture or delivery of an imitation controlled substance) *Class C Felony*			X			(d)(8)
AS 11.73.020 (possession of substance with intent to manufacture) *Class C Felony*			X			(d)(8)
AS 11.73.030 (delivery of an imitation controlled substance to a minor) *Class B Felony*		X				(c)(7)
AS 11.73.040 (advertisement to promote the delivery of an imitation controlled substance) *Class C Felony*			X			(d)(8)
OTHER CRIMES						
AS 21.36.360 (fraudulent or criminal insurance acts)						
Class B Felony		X				(c)(8)
Class C Felony			X			(d)(10)
AS 28.35.030 (operating a vehicle, aircraft or watercraft while intoxicated)						
(n) – A Class C Felony (if the person convicted has been previously convicted two or more times since January 1, 1996, and within 10 years preceding the date of the present offense)		X				(c)(9)

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	PERMANENT	10 Years	5 Years	3 Years	1 Year	
AS 28.35.032 (refusal to submit to chemical test)						
(p) – A Class C Felony (if the person is convicted under this section and either has been previously convicted two or more times since January 1, 1996, and within the 10 years preceding the date of the present offense, or punishment under AS 28.35.030(n) or 28.35.032(b) was previously imposed within the last 10 years)		X				(c)(10)
AS 47.30.815 (limitation of liability; bad faith application a felony [willful initiation of an involuntary civil commitment procedure without good cause] *Felony*			X			(d)(11)

IMPORTANT NOTES

(1) Under AS 12.62.900(23) "serious offense" means a conviction for a violation or for an attempt, solicitation, or conspiracy to commit a violation of any of the following laws, or of the laws of another jurisdiction with substantially similar elements: (A) a felony offense; (B) a crime involving domestic violence; (C) AS 11.41.410 - 11.41.470; (D) AS 11.51.130 or 11.51.200 - 11.56.210; (E) AS 11.61.110(a)(7) or 11.61.125; (F) AS 11.66.100 - 11.66.130; (G) former AS 11.15.120, former 11.15.134, or assault with the intent to commit rape under former AS 11.15.160; or (H) former AS 11.40.080, 11.40.110, 11.40.130, or 11.40.200 - 11.40.420, if committed before January 1, 1980.

(2) Under AS 12.63.100(6) "sex offense" means (A) a crime under AS 11.41.100(a)(3) [murder in the first degree], 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; (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 or 11.61.127; (vi) AS 11.66.110 or 11.66.130(a)(2) if the person who was induced or caused to engage in prostitution was 16 or 17 years of age at the time of the offense; or (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.

(3) Under AS 18.66.990(3) "domestic violence" and "crime involving domestic violence" mean one or more of the following offenses or an offense under a law or ordinance of another jurisdiction having elements similar to these offenses, or an attempt to commit the offense, by a household member against another household member:
(A) a crime against the person under AS 11.41; (B) burglary under AS 11.46.300 - 11.46.310; (C) criminal trespass under AS 11.46.320 - 11.46.330; (D) arson or criminally negligent burning under AS 11.46.400 - 11.46.430; (E) criminal mischief under AS 11.46.475 - 11.46.486; (F) terrorist threatening under AS 11.56.807 or 11.56.810;
(G) violating a protective order under AS 11.56.740(a)(1); or (H) harassment under AS 11.61.120(a)(2) - (4).

(4) Regardless of the barrier crimes listed above – or the barrier times shown above -- the following is a permanent barrier under 7 AAC 10.905(b)(3): a crime that is a felony and involves a victim who was a child under 18 years of age at the time of the conduct, including a crime where the perpetrator was a person responsible for the child's welfare; in this paragraph, "person responsible for the child's welfare" has the meaning given in AS 47.17.290.

(5) Even though some class B felonies are not classified as permanent barriers, if there is a conviction for two or more those felonies, that constitutes a permanent barrier under 7 AAC 10.905(b)(12).

(6) AS 47.05.310(c) provides: The department may not issue or renew a license or certification for an entity if an individual is applying for a license, license renewal, certification, or certification renewal for the entity and that (1) individual has been found by a court or agency of this or another jurisdiction to have neglected, abused, or exploited a child or vulnerable adult under AS 47.10, AS 47.24, or AS 47.62 or a substantially similar provision in another jurisdiction, or to have committed medical assistance fraud under AS 47.05.210 or a substantially similar provision in another jurisdiction; or (2) individual's name appears on the centralized registry established under AS 47.05.330 or a similar registry of this state or another jurisdiction.