

Stop Street Harassment

Alaska

A variety of forms of street harassment are illegal in Alaska, including verbal harassment, up-skirt photos, indecent exposure, following, and groping. Here are the laws and reporting procedures you need to know.

Verbal Harassment

Alaska has four laws that address various types of verbal street harassment.

Assault in the Fourth Degree

[Alaska Stat. §11.41.230](#)

In Alaska, an incident of street harassment may constitute assault if the harasser does or says something that places you in fear of imminent physical injury or death.

If a harasser threatens you, either by word or action, to the degree that you feel your immediate safety is in danger, you can sue him or her for assault in the fourth degree.

Penalty: Assault in the fourth degree is a Class A misdemeanor and punishable by a fine of up to \$10,000 and/or up to a year in jail.

Disorderly Conduct

[Alaska Stat. §11.61.110](#)

Alaska's disorderly conduct law prohibits a variety of activities applicable to street harassment.

1. Unreasonably loud noise after being informed that such noise is disturbing others *or* if s/he has "the intent to disturb the peace and privacy of another." Noise is considered unreasonably loud when it involves "a gross deviation from the standard of conduct that a reasonable person would follow in the same situation."

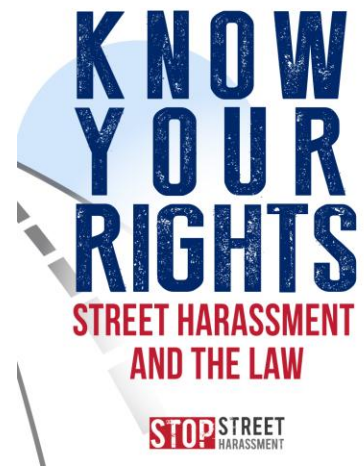
If a street harasser continuously yells or shouts at you or otherwise makes unreasonably loud noise, especially after you have asked him or her to stop talking to you, you may be able to report that person for disorderly conduct.

2. Recklessly creating "a hazardous condition for others by an act which has no legal justification or excuse."

Some forms of street harassment may qualify. If, for example, someone is blocking your path on the sidewalk or several people are harassing you in a way that threatens your safety, this may be considered disorderly conduct.

3. Challenging another person to a fight or engaging in fighting other than for self defense.

This law may be most relevant if the harassment is based on race or sexual orientation (as street harassment based on sex rarely results in fighting). If a street harasser challenges you to a fight, you can report him or her for disorderly conduct.



Stop Street Harassment

4. Exposing one's buttocks or anus; this is discussed further below under indecent exposure.

Penalty: Disorderly conduct is a Class B misdemeanor, punishable by a fine of up to \$2,000 and/or up to 10 days in jail.

Harassment in the Second Degree

[Alaska Stat. §11.61.120](#)

The statute that prohibits harassment generally in Alaska includes some forms of verbal street harassment.

If a street harasser exhibits the intent to harass or annoy you or insults, taunts, or challenges you "in a manner likely to provoke an immediate violent response," you can report him/her.

"A manner likely to provoke an immediate violent response" part makes it a "[fighting words](#)" law. Since street harassment rarely results in the harassed person fighting back, these laws usually have not been used to address street harassment. But you can still try using it, and if enough people make a case for why it should be used, then it might be applied more often.

Penalty: Harassment in the second degree is a Class B misdemeanor, punishable by a fine of up to \$2,000 and/or up to 60 days in jail.

Prostitution

[Alaska Stat. §11.66.100](#)

Soliciting someone for the purposes of prostitution is illegal in Alaska.

If a street harasser solicits sexual activity from you, you can report him/her. You can also make the case that harassers who yell, "How much?!" or offer you money, or anything else, for sex, even in jest, are soliciting prostitution.

Stop Street Harassment doesn't oppose consensual sex work, but we do think it's inappropriate for a street harasser to make assumptions about your sexual availability and make you feel uncomfortable.

Penalty: Prostitution, or soliciting for prostitution, is a Class B misdemeanor, punishable by a fine of up to \$2,000 and/or up to 60 days in jail.

Unlawful Filming/Photographing

Indecent Viewing or Photography

[Alaska Stat. §11.61.123](#)

It is illegal in Alaska for someone to knowingly view or produce a picture of your genitals, buttocks, or breasts (if you're female) without your knowledge or consent under circumstances in which you would reasonably believe you would not be photographed.

If a street harasser takes an up-skirt or down-blouse photo of you, or otherwise observes or photographs you in an inappropriate way, such as in a private place like a restroom, locker room, or fitting room, you can report him or her for indecent viewing or photography.

Stop Street Harassment

Penalty: Indecent viewing or photography is a Class A misdemeanor if the person photographed is an adult, punishable by a fine of up to \$10,000 and/or up to a year in jail. Indecent viewing or photography is a class C felony if the person photographed is a minor, punishable by a fine of up to \$50,000 and/or up to 2 years in prison.

Following

If you think someone is following you, you can call 911 right away, the first time it happens. You do not have to wait for that person to commit a crime.

Stalking in the Second Degree

[Alaska Stat. §11.41.270](#)

Stalking is illegal in Alaska. Stalking is defined as being when someone engages in repeated acts of nonconsensual contact that makes the person s/he is stalking fearful of physical injury or death.

If the same person, on more than one occasion, follows you or harasses you and causes you to be fearful, s/he may be found guilty of stalking.

Penalty: Stalking in the second degree is a Class A misdemeanor, punishable by a fine of up to \$10,000 and/or up to a year in jail.

Indecent Exposure

Disorderly Conduct

[Alaska Stat. §11.61.110](#)

It is illegal for a harasser to intentionally expose his or her "buttocks or anus to another with reckless disregard for the offensive or insulting effect the act may have on that person."

If a harasser exposes his/her butt to you, including through the prank "mooning," you can report that person for disorderly conduct.

Penalty: Disorderly conduct is a Class B misdemeanor in Alaska, punishable by a fine of up to \$2,000 and/or up to 10 days in jail.

Indecent Exposure

[Alaska Stat. §11.41.458-460](#)

It is illegal in Alaska for anyone to knowingly expose his or her genitals "in the presence of another person with reckless disregard for the offensive, insulting, or frightening effect the act may have."

If a harasser exposes him or herself to you or flashes you in a public place, such as a park, on public transportation, or in a store, you can report him or her for indecent exposure.

Penalty: Simply exposing oneself is indecent exposure in the second degree, a Class B misdemeanor, punishable by a fine of up to \$2,000 and/or up to 10 days in jail. If someone under 16 years old was present at the time of the incident, it is a Class A misdemeanor and punishable by a fine of up to

Stop Street Harassment

\$10,000 and/or up to a year in jail. If the harasser knowingly masturbates while exposing him or herself to you, the charge and penalty rises.

Groping

Harassment in the First and Second Degree

[Alaska Stat. §11.61.118 & 120](#)

There are two degrees of the harassment law that apply to groping.

1. The statute harassment in **the first degree** prohibits anyone from touching your genitals, breasts, or buttocks through clothing or causing you to come in contact with "human or animal blood, mucus, saliva, semen, urine, vomitus, or feces."

If a street harasser touches you in an offensive way or causes you to come in contact with any bodily fluid, you can report him/her.

2. Alaska's statute against harassment in **the second degree** prohibits subjecting "another person to offensive physical contact."

If a street harasser makes any offensive physical contact with you, such as grabbing you by the arm, you can report him/her.

Penalty: Harassment in the second degree is a Class B misdemeanor, punishable by a fine of up to \$2,000 and/or up to 10 days in jail. Harassment in the first degree is a Class A misdemeanor and punishable by a fine of up to \$10,000 and/or up to a year in jail.

Sexual Abuse of a Minor in the Third Degree

[Alaska Stat. §11.41.438](#)

It is illegal for someone who is 17 years or older to have sexual contact with a person who is 13-15 years old and at least four years younger than the perpetrator. Sexual contact is defined as someone knowingly touching your genitals, anus, or breasts, either under or over your clothing, or causing you to come in contact with his or her genitals, anus, or breasts.

If you or someone you know or care for is under 17 years old and an older person touches or grabs your crotch, buttocks, or breasts, or forces you to touch them, such as by rubbing up against you or putting your hand in his or her lap, you can report that person.

Penalty: Sexual abuse of a minor in the third degree is a Class C felony, punishable by a fine of up to \$50,000 and/or up to 5 years in prison.

Sexual Assault in the Second Degree

[Alaska Stat. §11.41.420](#)

Alaska's laws against sexual assault in the second degree prohibit nonconsensual sexual contact. Sexual contact is defined as someone knowingly touching your genitals, anus, or breasts, either under or over your clothing, or causing you to come in contact with his or her genitals, anus, or breasts.

Stop Street Harassment

If someone inappropriately touches or grabs your crotch, buttocks, or breasts, or forces you to touch them, such as by rubbing up against you or putting your hand in his or her lap, you can report that person for sexual assault.

Penalty: Sexual assault in the second degree range in degrees and penalties based on the severity of the incident and the age of the victim and the perpetrator. Fines may range from up to \$10,000 (a Class A misdemeanor) to up to \$100,000 (a Class B felony, usually if the assaulted person is under 18 years old). Prison sentences can range from 1 to 15 years, depending on the particular offense.

Reporting Crimes to the Police

- Call 911 for help if:
 - The crime is in progress
 - You or someone else is physically hurt or have been threatened with physical violence
 - You can provide information about who may have committed a crime.
- Call the local police office's non-emergency number to submit a report afterward. For example, in Juneau, this number is (907) 586-0600 and in Anchorage it is (907) 786-8500. In Fairbanks, it is (907) 450-6500 and in Sitka, it is (907) 747-8980. Be prepared to provide them with:
 - When it happened (date and time).
 - Where it happened (street location, store location, bus line or bus stop, park name, etc).
 - Who is reporting (your name and contact information).
 - A description of what happened.
 - The name and contact information of any witnesses, if you spoke to any.
 - It can be helpful to include the law the crime falls under, such as Harassment in the Second Degree under [AS Law 11.61.120](#). If you're not sure which law you should use to report an incident of street harassment, just tell the police what happened and s/he or the district attorney's office can determine the appropriate charges.
 - A description of the harasser/s.
- Many police departments also have online reporting forms. The Juneau Police Department, for example, has an [Online Tip Form](#) where you can report crimes like harassing phone calls, but not crimes against a person like assault or abuse.
- Some police departments also allow you to anonymously send a tip about a non-emergency incident, for example if you see a group of people routinely harassing passersby at the same location. Visit your local police department website.
- Once you've reported a crime, if you've provided your contact information, you should receive a call with a police report case number within a few days, and you may have to answer follow-up questions. Save a copy of the police report for your records.

If someone tries to tell you that street harassment "isn't a big deal," or isn't illegal, don't buy it. You always have the right to be free from sexual harassment and assault in public.