Duty To Warn

Policy

The Department will warn the community in which an offender will reside if the offender committed either a crime against a person or arson. The Department will take reasonable action to warn individuals who have been threatened by an offender, while the offender has been in the custody of the department.

Procedures

A. Written Warning. A probation officer shall issue a written notification of warning to the community in which an offender will reside, when the offender committed a crime against a person, arson or any other crime as deemed appropriate, in accordance with the following:

1. If the offender will be an urban supervision case, the notification will be sent to the local law enforcement agencies.

2. If the offender will be a rural supervision case, the notification will be sent to the local law enforcement agencies and/or to the nearest council or body of government.

3. If a threat has been made regarding a specific person, notification will be sent to that individual. This notification is in addition to the victim notification procedures established in Policy and Procedure 901.06.

4. The notification of warning will include the following information:
   a. Name of the person released;
   b. A description of that person’s adult criminal history which will be taken from the current PSI report;
   c. A copy of the conditions of supervision;
   d. Place and date of release from confinement; and
   e. The contact telephone number and address of the probation officer.

5. Copies of the notification(s) of warning and documentation to support the distribution will be retained in the case file.

Date: October 15, 1993

Margaret M. Pugn, Commissioner
Department of Corrections

Authority: AS 44 28.030
AS 33.05.020
AS 33.16.180
AS 33.30.021

Forms applicable to this policy: 20-902.04A