

Sex, Drugs, and Rock n' Roll



Photo by [Kimson Doan](#) on [Unsplash](#)

- Sex
 - Sexual Relationships:
 - -Birth control
 - -Same-sex relationships
 - Sexual crimes:
 - -Rape or sexual assault
 - -Statutory rape; age of consent
 - -Sexting
 - Pregnancy:
 - -Abortion, parental consent, and judicial bypass of parental consent requirement
 - -Adoption
 - -Establishing paternity
 - -Child support
- Drugs
 - Alcohol:
 - -Penalties for drinking or possessing alcohol
 - -DUI
 - -Other alcohol-related crimes in Alaska

- Tobacco
 - -E-cigs (coming soon)
- Narcotics and drugs:
 - -Marijuana
 - -Synthetic drugs
 - -Seeking medical help for overdose
- Rock ‘n Roll – Tattoos, body piercing, and tanning

Sex

Sexual Relationships



Photo by [Timo Stern](#) on [Unsplash](#)

Relationships with others are very important in your teen-age years and throughout life. Sexual relationships, including same-sex relationships, require responsible behavior, including using birth control, and avoiding illegal and abusive sexual relationships. Some things you should know about sexual relationships are discussed in this section.

Birth control

Do I need my parent’s permission to get birth control?

No. The U. S. Supreme Court has ruled that the right to privacy includes an interest in making certain kinds of important decisions – including those related to birth control and whether or not to have a baby.

A minor (a person under the age of 18) does not need to notify parents or have permission to get a prescription for birth control. When you visit a medical clinic, you have a right to keep your medical records private and confidential, and your parents will not be informed of your visit. However, if a doctor suspects a minor patient is a victim of abuse or neglect, the doctor is legally required to report these findings to the police. Some insurance companies may also have differing confidentiality rules. If you are covered by your parent's health insurance, be sure to ask the clinic and your insurance company about their specific parental notification and nondisclosure policies.

What kinds of birth control can I get?

There are a variety of methods of birth control (for example, the Pill, NuvaRing, or an Intrauterine Device (IUD)). A medical professional can help you decide the best type of birth control for you. Using a barrier method (like a condom) and a back up form of birth control can help prevent unplanned pregnancies and protect your health. There are no age restrictions on the sale of condoms in Alaska. Condoms are available at grocery stores, from your local medical clinic, school nurse, or even online. Some types of birth control are also approved by the FDA to serve as emergency contraception (IUD, the Pill). You may want to talk to your doctor about this option.

I had unprotected sex and I'm not on birth control. Can I get emergency contraceptives without my parent's permission?

Yes. Emergency contraceptives can help prevent pregnancy up to five days (120 hours) after unprotected sex. They work better the sooner they are taken. You may receive emergency contraceptives from a pharmacy without a prescription (be sure to bring an ID). Again, if you go to a health center seeking emergency contraceptives, your medical records will be private and confidential, and your parents will not be informed of your visit. However, if you purchase the prescription with your parent's insurance, be sure to ask about the insurance company's privacy policy.

Same-Sex Relationships



Photo by [Ian Schneider](#) on [Unsplash](#)

I am in a gay/lesbian (LGBT) relationship. Is that against the law?

No. In Alaska, your right to choose who you live with and have a relationship with is protected. But you do not have the same legal protections that married people have, like the right to file tax returns together, and the right to inherit property from each other without a will.

Can I get married to my same-sex partner?

Yes. The United States Supreme Court decided in 2015 that same sex marriages are legal throughout the country. This means both that same sex couples can get married in Alaska and that same sex couples who are married in another state will have their marriage recognized in Alaska. Indeed, there is reason to believe that with this change in the law certain “partner benefits” previously provided by the State of Alaska or local governments to same sex couples will no longer be available unless the couple is married. You should check with the appropriate government agency to determine what its policy is with regard to benefits for unmarried couples, regardless of whether you are in a same sex or opposite sex relationship.

Can I get any benefits of marriage in Alaska?

Alaska does not recognize same-sex marriages, but courts have held that the State of Alaska must treat domestic partners like married people for state benefits. For example, state employees must get the same benefits, such as health insurance, for their partners that married employees get. Other state benefits, like tax exemptions and dependent benefits, may also be guaranteed to domestic partners. This area of the law is also changing quickly. You should check first before you assume that you or your partner cannot get a benefit.

Can I do anything to give my partner rights or power that a spouse would have?

Yes, but you have to take action yourself. You and your partner can give each other a power of attorney to make decisions if one of you is disabled or unavailable. You can find a form and instructions for a Power of Attorney online. [View the form.](#)

You can also find a form to allow your partner to make medical decisions for you if you are unable to do it for yourself. [View the form.](#)

You may also be able to find forms online for a will, but these general forms may not do exactly what you want. If you need a will, you should talk to a lawyer. It is important not to fill out and sign any legal document you do not understand. Information about your legal rights in general can be found at www.nclrights.org.

Can I be fired if my employer finds out I am gay, lesbian, or transgender?

Unfortunately, your employer might be able to fire you. There is no clear protection in Alaska from employment discrimination against gays, lesbians, and transgenders. However, existing laws may protect you if you are fired because of the way you look (like too feminine or too masculine) or because you do not fit the stereotype of the person they want in the job. And local governments can enact laws prohibiting discrimination on the basis of sexual orientation, even if there is no state law doing so. You can contact the State Human Rights Commission if you think your rights have been violated <http://humanrights.alaska.gov/>

Can people at my school harass or bully me for being gay, lesbian, or transgender?



Photo by [Elijah Henderson](#) on [Unsplash](#)

The law is supposed to protect you from bullying at school. In addition, many school districts have specific policies that protect gay, lesbian, and transgender students from being harassed or bullied. Unfortunately, bullying and harassing often happen anyway. Tell responsible adults about what is happening, and keep telling people until you find someone who will act to protect you. [View helpful information about safety at school.](#)

Can I get legal help if my relationship breaks up?

Yes. The Alaska courts will hear cases about the break-up of relationships even if a couple is not married. These relationships are called “domestic partnerships” and can apply to both same sex and opposite sex relationships. You may need to talk to a lawyer to find out what to do, because there are no court forms for domestic partnerships. However, if you have children together, you can use the court’s forms for child custody cases. [View the forms.](#)

You can also find help at the Alaska Court System [Family Law Self-Help Center](#).

Can I get legal help if I am the victim of domestic violence?

Whatever sex you are, you can get court protection from a partner who hits you or threatens you, or commits other acts of domestic violence. See Section 5 of this Guide for more information on domestic violence. To ask for court protection, you can find forms and instructions online. <http://courts.alaska.gov/shcdv.htm#0b>

You can also contact the following organizations at the phone numbers below or online.

- [STAR \(Standing Together Against Rape\)](#) Anchorage
Crisis Line: 907-276-7273 Statewide
Crisis Line: 1-800-478-8999
- [AWAIC \(Abused Women's Aid in Crisis\)](#) 24-hour crisis line - 907-272-7244

Sexual Crimes



Photo by [Volkan Olmez](#) on [Unsplash](#)

Rape or Sexual Assault

What is rape or sexual assault?

Rape is:

- having sex with a person who does not want to have sex with you
- forcing someone to have sex with you
- threatening to injure someone to make them have sex with you
- having sex with a person who is unconscious
- having sex with a person who is affected by drugs or alcohol and may not be able

to say no. Having sex with someone in these kinds of situations is also called sexual assault.

Someone had sex with me while I was drunk (or high or unconscious). Was that rape?

Sexual assault occurs when: “the offender engages in sexual penetration with another person without consent of that person.” To determine if consent has occurred, the court looks at “whether the victim was temporarily incapable of understanding that they were engaged in sexual penetration with the defendant.” If an individual was drunk, high, or unconscious when the sexual act occurred, it is more likely the court will find that that individual was unable to provide consent and a sexual assault occurred.

Rape is never the fault of the victim. However, you can take common sense measures to make it less likely you will be the victim of a sexual assault. Do not walk alone at night, always tell someone where you are going, be aware of your surroundings, and do not wear headphones. When going to a party, keep an eye out for your friends and make sure they know where you are. Do not leave your drink unattended.

Statutory rape; age of consent

Photo by [andrew welch](#) on [Unsplash](#)



What is statutory rape?

Having sex with a person who is under the age of consent is a crime called statutory rape. It is statutory rape even if the person seemed willing to have sex with you. The law is very specific about what ages are illegal. This crime is also called sexual abuse of a minor.

What does the “age of consent” mean?

“Age of consent” means the minimum age a person must be before the law considers that person old enough to agree to have sex. In part, this depends on the age of the other person. Having sex with someone under the age of consent is a very serious crime. If you are sexually active, be very sure about the age of the other person before having sex.

What is the age of consent in Alaska?

Two people who are both 16 or older can agree to have sex with each other. When a person involved in sex is under the age of 16, Alaska law looks at the difference in ages to decide whether that person is legally able to agree to sex.

- No one over 16 can have sex with someone who is 13 or younger.
- No teenager can have sex with someone who is 4 or more years younger.

The law also makes it a crime for a person in a position of authority over a younger person (such as a teacher or minister) to have sex with the younger person.

Does it matter if the person I have sex with is my girlfriend or boyfriend, or if the person told me he or she was older?

Generally, it is still against the law to have sex with a person who is too young, even if you are dating or if the person lied about his or her age. You may not be guilty of illegal sexual activity if you can show that you tried to find out the person's age and really believed he or she was old enough to agree. But it's hard to prove those things. It is better to avoid illegal sexual relationships than to try and get out of being charged with illegal sexual conduct.

Are there different rules for males and females?

No, both males and females have to be old enough to have sex. Punishment is the same for males and females if they are found guilty of illegal sexual conduct. It does not matter if the person accused of illegal sexual conduct is male or female or the victim is male or female.

What is the punishment for having sex with someone under the age of consent?

Punishment for having sex with someone who is too young under the law is very serious. Depending on the situation, the punishment could be as much as 5 to 8 years in prison for a first offense. Also, a person convicted of any sexual crime may have to register with the police as a sex offender.

Sexting



Photo by [John Schnobrich](#) on [Unsplash](#)

What is sexting?

Sexting means producing and distributing sexually explicit images or messages. What can seem as harmless flirting may have far reaching consequences. Naked photos can easily be copied and distributed on the internet, and personal messages can be repeated across Facebook and Twitter. Once a picture or text is on the internet, it is virtually impossible to erase. Currently, Alaskan law does not protect you if your naked picture ends up on the internet. Be careful what you share and with whom you share it.

Sexting can also have significant legal consequences. The production and distribution of indecent images of a minor is called child pornography. Possession of child pornography can result in very serious charges and significant time in prison (no less than five years for your first offense, and up to 15). You could also end up listed on a sex offender registry. Even if you are under 18, if you take or pass along a photo of another teen, you can still be charged with a crime. In Alaska, you must be 16 to consent to sexual activity, but you must be 18 to take or possess naked pictures. Because of the relatively new technology, the law is still evolving on this issue and may change.

Pregnancy

Photo by [Mon Petit Chou Photography](#) on [Unsplash](#)



Photo by [Mon Petit Chou Photography](#) on [Unsplash](#)

I think I'm pregnant. Now what do I do?

An unplanned pregnancy can be a frightening and confusing experience. A trusted adult, parent, teacher, or school nurse can help direct you to local medical providers who will assist you in determining if you are pregnant and help you decide how to proceed. Three options you may want to consider are terminating the pregnancy (abortion), adoption, or keeping and raising the baby yourself. Some clinics (commonly referred to as “crisis pregnancy centers” or “pregnancy resource centers”) will not provide information regarding abortion or provide birth control. They may also discourage you from pursuing an abortion. If you would like information regarding these options, contact a licensed community health center, Planned Parenthood of the Great Northwest, or a Tribal clinic. [View the list that provides information on health care providers throughout the state.](#)

Abortion, parental consent, and judicial bypass of parental consent requirement

Is it legal for me to get an abortion in Alaska?

Yes. The United States Supreme Court ruled that a woman has a right to an abortion in the United States. But the states are allowed to adopt some rules related to getting an abortion. Alaska law now requires an unemancipated minor who is pregnant to notify a parent or have parental consent before having an abortion.

If I want to get an abortion, do I need my parents' consent?

If you are under 18, unmarried and unemancipated, a doctor licensed in Alaska is prohibited by law from performing an abortion unless

- one of your parents, or your guardian or custodian, has been notified or has agreed in writing to allow you to have an abortion; or
- you have a court order giving you permission to have an abortion without notice to or the agreement of a parent, guardian or custodian; or
- five days have passed without court action after you file a legal form (called a petition or complaint) asking the court to give you permission to have an abortion without notice to, or consent of, a parent, guardian or custodian.

What do I have to do to get court approval for an abortion?

If you are under 18, and not married or emancipated, you can apply for a court order allowing you to have an abortion without notice to or consent of your parent, guardian or custodian. This process is known as "judicial bypass." You must turn in a form (also called filing a complaint) to the superior court asking for this approval. You can get the form and instructions about how to fill it out and turn it in either online or from the superior court. The completed form can be sent to the court by fax or e-mail. There is no charge for submitting this form.

If you cannot hire a lawyer to help you, the court must appoint one for you.

Where can I get the forms I need to file for court approval?

In Anchorage you can get the Judicial Bypass Packet at the Probate/Children's Division of the Superior Court, located at the Boney Courthouse, 303 K Street, Second Floor, Anchorage, Alaska 99501. The phone number in Anchorage is (907) 264-0433. In other parts of Alaska, the forms and instructions are available at the Alaska court office nearest to you.

You can also find the forms and instructions online. [View the Alaska Court System Judicial Bypass forms site.](#)

You can find the 3 forms that you need at this site. The 3 forms are:

- Form P-500 explains your rights;

- Form P-501 has detailed instructions and gives court locations and phone numbers;
- Form P-505 is the complaint form.

Print out the forms and fill them out. You can call 1-855-724-0615 for assistance in filing by fax or e-mail.

Adoption



Photo by [Daiga Ellaby](#) on [Unsplash](#)

What does it mean legally if I give up my child for adoption?

If you are a biological or other legal parent, and you give up a child for adoption, all your legal rights and responsibilities as a parent come to an end. The judicial process of adoption creates a new parent-child relationship with the adopting parent or parents. The adopting parents then have all legal, financial, and other responsibilities for the child. An adoption creates the same permanent parent-child relationship as if the adopter and adoptee were biological parent and child. This means there is no legal difference between an adopted child and a biological child of the adopting parent.

Who can adopt?

A husband and wife, an unmarried adult, and the unmarried parent of the person to be adopted can adopt. Under certain circumstances, a married person can even adopt without the other spouse. In Alaska, the most common adoptions are by other relatives, including step-parents who adopt step-children, or grandparents who adopt grandchildren.

Is adoption only for children?

No. An adult can adopt another adult as long as the person to be adopted is not married to the adopter.

Who must consent (agree) to an adoption?

Persons who must agree to an adoption include:

- the mother;
- any person lawfully entitled to custody;
- the spouse of a minor to be adopted;
- the father if he was married to the mother at conception or any time after conception, if he previously adopted the child, or if he said that the child is his;
- the spouse of a married adult to be adopted;
- the guardian or conservator of an incapacitated person to be adopted;
- the person to be adopted if he or she is ten years of age or older.

All agreements to be adopted must be in writing and must be witnessed and stamped to prove the documents are valid.

When are consents not required for an adoption?

An adoption can be completed without a parent's agreement if the parent

- has abandoned the child for at least six months;
- has failed to keep in touch with the child for one year; or
- has failed to provide for the child's care and support for one year.

If my girlfriend had a baby but I didn't marry her or say the child is mine, is my consent to an adoption required?

No, your consent is not required.

If I agree to the adoption of my child, can I change my mind later and take back my agreement to an adoption?

You have ten days after agreeing to an adoption to change your mind and withdraw or take back your agreement. If you change your mind, you must say this in writing.

After the ten day period is over, you can only take back your agreement to an adoption with a

judge's permission after a court hearing. You will have to persuade the judge that withdrawing your consent to adoption is in the best interests of the child or other person to be adopted. This RARELY happens.

If I give up my child for adoption, will anyone investigate to see if the adopting parents are qualified?

There will be an investigation unless the adoption is by other family members, or is the adoption of an adult, or is an adoption in which the Alaska Department of Social Services has been involved. The court will appoint the person to do the investigation. Either the Department of Social Services or a specially trained person can do the investigation. When there is an investigation, the adoption will not be final until the investigation is completed.

If I agree to my child being adopted, do I have any rights to see my child?

Under Alaska law, visits between an adopted child and his or her biological parent are possible. But if your child's adoptive parents agree that you can visit with your child, this agreement is valid only if it is mentioned in the adoption petition, the consent you sign, and the adoption decree.

Are adoption proceedings confidential?

Yes. The process is private. The proceedings are held in a closed courtroom and the court file is not available to the public.

Is the law different if the child to be adopted is Alaska Native?

Yes. For the adoption of a Alaska Native or a member of an Indian tribe, a federal law called the Indian Child Welfare Act (ICWA) must be followed. For an ICWA adoption, it is best to consult with an attorney experienced in ICWA issues.

Establishing paternity



Photo by [Picsea](#) on [Unsplash](#)

What does “establishing paternity” mean?

“Establishing paternity” means determining who is the legal father of the child. There are a number of situations in which it is necessary to identify the father and determine legal responsibility for a child. For example:

- when the state intervenes in a family and takes custody of a child, that child’s legal parents have a right to be notified;
- for a child to be adopted, both legal parents must consent to the adoption or have their rights terminated by a court;
- if a man is ordered to pay child support for a child that the man does not believe is his biological child, the man can contest the child support order by attempting to prove that he is not the father.

How does the law determine if a man is the legal father of a child?

A man will be legally considered the father of a child, and have complete rights and responsibilities of a parent toward that child if:

- the man is married to the mother of the child at the time the child is born;

- the man is not married to the mother at the time the child is born, but is believed to be the father and later marries the mother (unless another man has said he is the father). In this situation, the parents should request a substitute birth certificate from the Alaska Bureau of Vital Statistics;
- a mother who is unmarried at the time the child is born and a man both sign a legal document which says the man is the father and file the document with the Alaska Bureau of Vital Statistics; this document is called an *affidavit of paternity*;
- a court determines that a man is the father of a child and issues a *judgment of paternity*.

Can a state child support agency also determine paternity?

The Alaska Child Support Services Division (CSSD) can establish paternity for a child of unmarried parents. CSSD will notify the man who might be the child's father and ask him to admit that the child is his, or to take a paternity test.

If the man receives the notice, but does not respond and does not deny paternity, CSSD can enter a default order with the court stating that the man is the father of the child. With a default order, CSSD can begin to charge that man for child support.

If the man does not admit paternity but a paternity test shows a 95% or greater chance that the man is the child's father, CSSD will set a date for a conference with that man to discuss parental rights and responsibilities including child support obligations. If follow-up tests confirm that man is the father, CSSD will enter an order with the court establishing paternity and charging the man for child support.

Is there a way for a man who is considered the father to show that he is not?

If a man has been caring for a child but has never admitted he is the father of the child, he may not be the legal parent. Within certain time limits and under certain conditions, a state court or the CSSD may determine that a man is not the legal father of a child. This is called *disestablishing* a man's paternity of a child. If a state-approved paternity test shows that a man has less than a 95% chance of being the child's father, the results of that test can be offered to the court to support an order that the man who was believed to be the child's father is in fact not that child's father.

If a man's legal fatherhood is disestablished, the man no longer has future legal rights or responsibilities toward the child. However, the man may still owe child support from the past period when he did have legal responsibilities toward the child.

When would it be necessary to disestablish paternity?

In situations in which the legal parent must be identified, it may be necessary to disestablish the paternity of a man who has been thought to be the parent. The state Office of Children's Services (OCS) can ask a court to disestablish paternity if, based on the results of a paternity test, the man who was presumed or believed to be the child's father is in fact not the biological father of that

child. Usually, OCS asks a court to disestablish paternity so that OCS can search for the child's biological father or free the child for adoption.

How is paternity disestablished?

The CSSD can disestablish paternity by an administrative process. If a court never entered an order establishing paternity, the man never admitted he was the father, and genetic tests never confirmed the man's paternity, then that man can ask CSSD to disestablish his paternity. But there is a three year time limit. If a man has reason to know he is thought to be the child's father, and he doesn't ask CSSD to disestablish his paternity within three years, then he can't ask to be disestablished later on.

Child Support



Photo by [Bastien Jaillot](#) on [Unsplash](#)

If I have a child, am I legally required to support that child?

Yes. The law says that parents must support their child from the time the child is born until the child turns 18. If you have a child--even if you didn't know about a child that you fathered--you can be required to pay child support from the time of the child's birth. Even if the mother deliberately kept you from knowing about the child, you could be sued for past and current child support at any time up to two years after your child turns eighteen.

How long does my responsibility to support my child last?

In Alaska, the obligation to support your child typically lasts until the child turns 18 years of age. But if your child is still in high school, or in an equivalent vocational school when he or

she turns 18, your child support responsibility continues until your child graduates or turns 19 years old – whichever comes first. Your child support obligation ends if your child dies or is emancipated.

If I become a parent before I graduate from high school or turn eighteen, do I have to support my child?

Even though you are a minor, you must support your child. You are responsible for paying for food, clothes, a place to live, education, medical care, and other necessary things until the child turns 18.

But I don't have a job because I'm still in high school, so how can I pay?

Most Alaska teenagers receive an Alaskan Permanent Fund Dividend. Some Alaskans also receive monetary benefits from their Native corporations. These funds would be used to figure out how much your child support payment should be. If both parents are minors, the grandparents may be ordered to pay child support for their grandchild.

Who determines the amount of child support?

The Alaska Superior Court or the Child Support Services Division (CSSD) can determine the amount of child support that a parent must pay. A court rule called Alaska Rule of Civil Procedure 90.3 explains how the amount of child support is calculated. You can read more about how child support is determined in Section 5 of this Guide.

Is there is a mandatory minimum for child support?

In Alaska, the mandatory minimum child support is \$50.00 per month or \$600.00 per year. A parent may also be responsible to pay for health care expenses not covered by insurance or a government benefit program.

DRUGS

Alcohol



Photo by [Matthieu Joannon](#) on [Unsplash](#)

How old do I have to be to drink or possess alcohol in Alaska?

In Alaska, it is generally against the law for anyone under the age of 21 to buy, possess, drink, or serve any alcoholic beverage. There are serious and long-term consequences for drinking while underage or being caught with alcohol in your possession.

If I am over 21, are there any limits on my right to buy alcohol?

Alcohol is a heavily regulated product in Alaska. Bars and liquor stores are not allowed to serve you if you are drunk. If you are drunk, it is against the law to go into a place with a liquor license, such as a bar or restaurant.

There are some places in Alaska, such as “dry” villages, that prohibit drinking or possessing alcohol altogether.

Are there any exceptions to the drinking age of 21 years?

Not many. If you are under 21, your parent, guardian, or spouse who is 21 or older may give you a drink as long as you are not at a place that has a liquor license (like a bar or restaurant

that serves alcohol). For example, your parent can give you a beer at home for you to drink yourself, but cannot legally let you take a drink from his or her glass of wine or beer at a restaurant.

Another exception is that a licensed nurse or doctor may legally furnish an alcoholic beverage as part of medical treatment.

If someone gave me alcohol legally, can I give it to someone else?

No. If you have alcohol that a parent, guardian, or spouse over age 21 legally gave to you, it is still against the law for you to sell, give, or serve it to any other person under 21. So even if your parents gave you a case of beer, you may not legally share it with underage friends.

If I am not old enough, can I get someone else over 21 to buy alcohol for me?

It is generally a crime to give alcohol to anyone under 21 years old. So if you ask a person over 21 to buy alcohol for you, you are asking that person to commit a crime. Except when a parent, guardian, or spouse over 21 legally gives alcohol to you, it is against the law for any person who knows you are under 21 to give alcohol to you, even in that person's own home. The penalties for providing alcohol to an underage person can be very stiff.

What happens if I drink at a school event?

It is against the law for anyone to drink at the site of a school event during the event, regardless of where the alcohol comes from or the age of the person who sells or drinks the alcohol.

If I am under 21, can I go into a restaurant or bar that serves alcohol just to eat?

Generally, if you are under 21, you must be with your parent, guardian, or spouse who is at least 21 years old to enter or remain at any business that sells or serves alcohol.

However, if you are 16 or older but under 21, you can legally go into a business that is licensed as a "restaurant," even though it serves alcohol, if you go in only to eat. If you are under 16 years old, you can go into a business that is licensed as a "restaurant," even though it serves alcohol, if you go in only to eat, if someone over the age of 21 goes with you, and if you have the consent of your parent or guardian.

Restaurants have the right to, and often will, add their own restrictions about allowing persons under 21 to enter. They may designate special areas for underage diners.

If I am under 21, can I work in a restaurant or other place that serves alcohol?

- If you are under 21, you cannot work in a bar.

- If you are under 21, but over 17, you can work in a hotel, restaurant, or other eating place that has a license to sell alcohol, but only if your job does not involve serving, mixing, delivering, or dispensing any alcohol.
- If you are 16 or 17, you can work in a restaurant, hotel, or other eating place that serves alcohol, but you must have written consent from your parent or guardian, and an exemption granted by the Department of Labor and Workforce Development.

Penalties for drinking or possessing alcohol



Photo by [Samantha Gades](#) on [Unsplash](#)

What are the penalties if I drink or possess alcohol while I am under 21?

Penalties for a first offense may include probation with conditions set by a community diversion program such as Youth Court. (See the discussion of Youth Court in Section 7 of this Guide). Conditions during probation could include going to counseling, taking alcohol education courses, going into alcohol treatment, doing community work service, and paying certain fees.

The penalties get worse for repeat offenses. For a second offense, the minimum penalties increase to a mandatory \$1,000 fine (\$500 could be forgiven if you follow all other conditions), 48 hours of community work service, losing your driving privileges or license for three months, and other conditions.

For a third offense, the minimum penalty can include jail time, fines, and or probation until age 21; 96 hours of community work service; and losing your driving privileges for 6 months. The court may require you to pay for and successfully complete alcohol treatment. The court may tell you that you cannot drink any alcohol or use inhalants while on probation, and may order other conditions.

DUI

What does DUI (Driving Under the Influence) mean?

DUI (driving under the influence) means operating a vehicle, including a boat or an aircraft, while you are *impaired by* (that means your behavior is affected by) alcohol, any illegal drug, a legal drug taken without a prescription, or an inhalant (anything that is “huffed.”) You are “operating a vehicle” if you are in control of the vehicle, even if you are not driving it. For example, you could be convicted of this crime if you are sitting in the driver’s seat with the keys between the seats.

Even if you do not feel impaired, you can be guilty of this crime if your blood alcohol measures more than .08 percent (80 milligrams or more of alcohol per 100 milliliters of blood, or .08 grams or more of alcohol per 210 liters of breath). The level of alcohol in your blood can be determined by a chemical test of your breath test or your blood, but police can charge you with DUI even without a test.

What will happen if I am charged with DUI?

Driving while under the influence of alcohol or drugs is a serious matter, with severe penalties. If you are stopped and charged with DUI, you will be treated as an adult *even if you are under 18*. You will be subject to the same penalties as an adult. Even for a first offense, you will definitely be sentenced to some jail time. You will also have to pay a fine, and your license will be taken away or you will not be allowed to drive for a period of time. The penalties get even tougher for repeat offenses.

The good news is that you also have all the rights and privileges of an adult offender, including the right to a court-appointed attorney if you cannot afford to pay an attorney. Often it is in your best interest to ask for a lawyer right away and wait until you have met with your lawyer before you say or admit to anything.

Section 1 of this guide describes your rights if you are stopped, searched, or arrested by a police officer for any kind of crime. That advice also applies if you are stopped, searched, or arrested for DUI, so check that part of this guide for very important information. Also check the suggestions below in this section.

Other alcohol-related crimes in Alaska

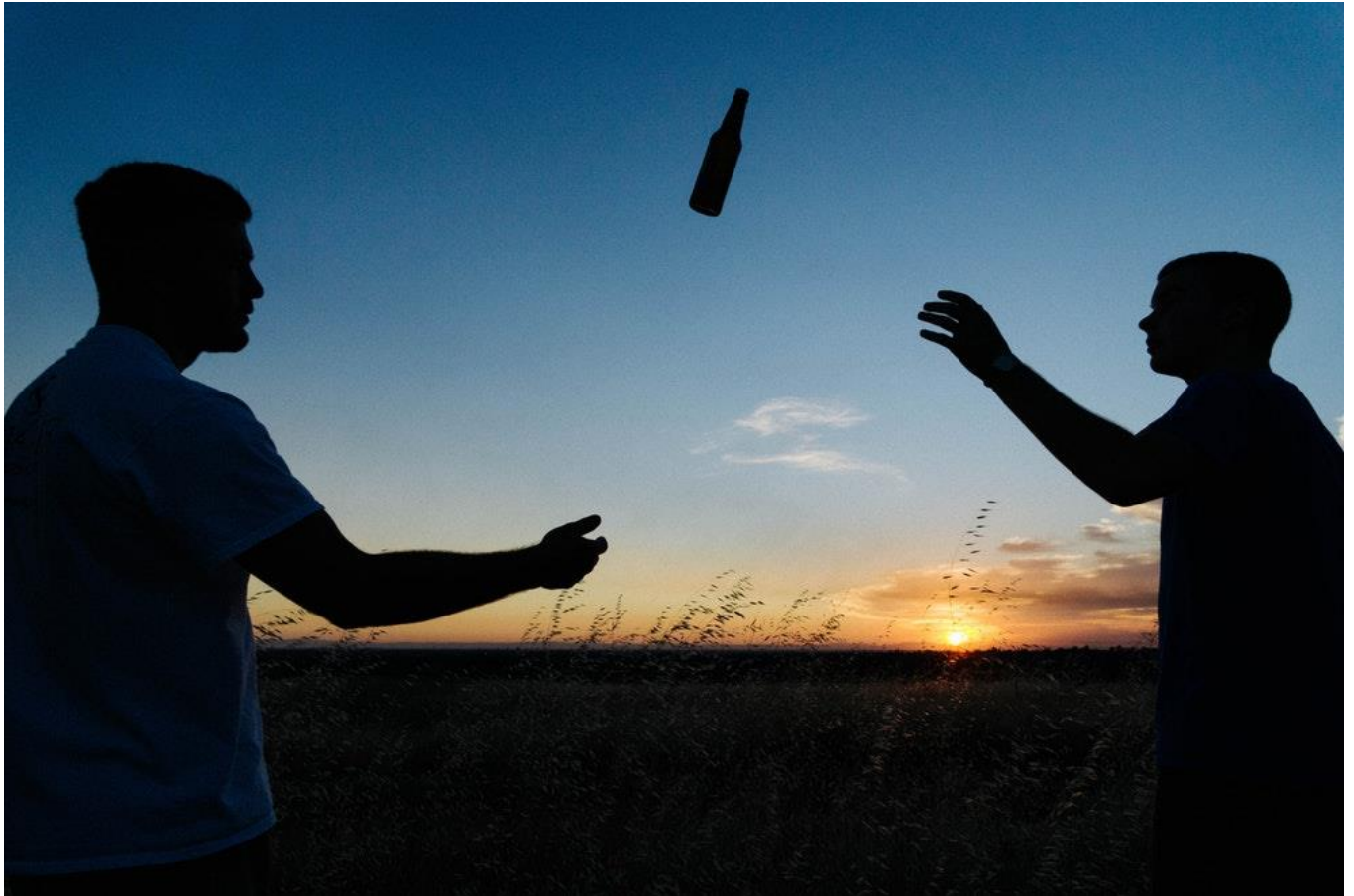


Photo by [Wil Stewart](#) on [Unsplash](#)

Are there other crimes related to alcohol in Alaska?

Yes. Some other alcohol-related crimes are described here. Most of these crimes are Class A misdemeanors. A misdemeanor is a less serious crime than a felony, but a Class A misdemeanor is the most serious kind of misdemeanor. For more information about classes of crimes and the range of penalties, See the definitions in Section 8 of this guide.

- **Contributing to the delinquency of a minor.** If you are 19 years old or older and you encourage or help anyone under age 18 to do any act that is against state law, such as drinking alcohol, you may be charged with contributing to the delinquency of a minor. Even if you are younger than 19, but you are emancipated or otherwise legally entitled to be treated as an adult, you could be charged with this crime.
- **Furnishing alcohol.** If you give or deliver an alcoholic beverage to a person under 21, you may be charged with this offense.
- **Minor in possession; minor consuming.** If you are under 21, and you drink or possess alcohol, you may be charged with this offense. If you have previous convictions, the charge may be more serious.

- **Purchasing or delivering to a person under age of 21.** If you are under 21, you have broken the law if you:
 - buy alcohol for yourself or for someone else;
 - ask another person to buy alcohol for you or someone else;
 - influence another person to give alcohol to an underage person by falsely stating that person is 21 or older;
 - buy or receive alcohol for the purpose of delivering it to someone under 21;
 - give false information about your age to obtain alcohol.

The penalty for breaking this law varies. But in addition to any criminal penalty, you may have to pay a civil penalty of \$1,500 plus costs and attorney fees to any establishment where you got the alcohol illegally. You are entitled to be told in advance in writing if anyone is asking the court to order you to pay this penalty.

- **Refusal to Submit to an Alcohol Test after Arrest.** If you are arrested for DUI, you will be asked to take a test to analyze the amount of alcohol in your system. Under Alaska law, if you have a driver's license, you have already agreed to take a test for intoxicants if you are arrested for DUI. Therefore, you must give a sample of your breath or blood for alcohol testing. Refusing to give a sample is as serious an offense as the DUI itself. It has similar mandatory penalties. In fact, you can be convicted of both DUI and refusal to take a test. You could then get two sentences, one added to the other.
- **Open container.** A person may not drive when there is an open bottle or can or other vessel containing alcoholic beverage in the passenger compartment.
- **Local option violations.** Selling alcohol without a license is a class A misdemeanor with a ten-day mandatory minimum sentence. Alaska law also lets communities decide if they want to limit alcohol sale and possession. If you bring alcohol into a community that has elected to limit alcohol, and you plan to distribute the alcohol to others, you may be charged with a felony. The penalties increase depending on the amount of alcohol involved.

What should I do if I am charged with an alcohol offense?



Photo by [Francisco Moreno](#) on [Unsplash](#)

Section 1 of this Guide describes your rights if you are stopped, searched, or arrested by a police officer for any kind of crime. Here is a summary of what to do if you are stopped, searched, or arrested for an alcohol-related crime.

- Be polite and respectful to the police officer but don't provide evidence against yourself by trying to explain or provide excuses. The police are there to collect evidence of crimes, and they may not be sympathetic to you at all.
- Don't make matters worse by hiding evidence, lying, resisting arrest, or trying to get anyone else to change their story to help you out. These actions are additional, separate crimes of tampering with evidence, providing false information to the police, resisting arrest, assault, or witness tampering.
- Listen carefully to warnings you are given. If you are arrested, you should be warned that anything that you say can and will be used against you in a court of law. You should be informed that you do not have to answer questions until a lawyer is present and you can have a lawyer appointed for free if you cannot afford one. Protect your rights by telling the officer clearly that you want your rights – this is called “invoking your rights.” Remain silent until you talk to an attorney.

- Even if you aren't warned, know your rights. You do not have to talk to the police except to give your name and identifying information. Ask for a lawyer. Ask to make a phone call so that you can call someone to help you to set up bail so you can get out of jail.
- Consult a lawyer as soon as you can. Even if you decide not to keep the lawyer, you are better off knowing what exactly is charged, what possible legal defenses exist to help your case, what evidence has been collected, whether you can get a good deal from the prosecutor, and if you are better off going to trial or taking a deal. A lawyer can tell you whether it is possible to keep evidence from being presented in court that might otherwise cause you to be convicted.
- If the police release you (let you go), carefully follow your release conditions. If you don't follow all the conditions of your release (which may include not leaving town, or other conditions), you are committing the additional crime of violating conditions of release.

What if I tried to commit an alcohol offense but didn't succeed?

If you try to commit a crime such as purchasing alcohol when you are underage, but don't succeed, you have committed an offense anyway. An attempt to commit an offense is also an offense. It is usually one step below the seriousness of a completed crime.

If you are charged with trying to commit an alcohol-related crime, the prosecutor would have to prove that you intended to commit the crime, and took a substantial step towards committing the crime; in other words, that you definitely tried to commit the crime. If you are under 21, and you tell police that you tried to buy a bottle of gin but the store would not sell it to you, you have confessed to an attempt to possess alcohol. Your statement would be a confession that the prosecutor can use to prove your guilt at a trial. The clerk at the store could also testify that he or she refused to sell you a bottle because you looked too young. The police could find out your age from your license, or birth records, or your parents. This evidence together is likely to be accepted as proof beyond a reasonable doubt that you attempted to possess alcohol while underage in violation of the law.

Tobacco



Photo by [Daniele Levis Pelusi](#) on [Unsplash](#)

How old do I have to be to smoke in Alaska?

In Alaska, you have to be 19 years old to smoke legally. If you are under 19, it is against the law to knowingly possess a cigar, cigarette, tobacco, or any product containing tobacco.

What does “tobacco” mean?

“Tobacco” includes any product that has tobacco in it. If you have a clove cigarette or bidi cigarette, or any other product that contains tobacco, it’s tobacco.

Can I get in trouble for giving someone else a cigarette or tobacco product if I don’t smoke it myself?

If you are 19 years old or older, and you *negligently* sell, give, or exchange a cigarette, cigar, or a product containing tobacco to someone under 19, you have broken the law. Generally, this means you have to make a careful effort to find out if a person is old enough before you sell or give tobacco to that person.

Can I maintain a vending machine that sells tobacco if I don’t use any of the products?

Alaska law does not allow vending machines that sell tobacco in most places. There are a few exceptions. A liquor store or a business that has a liquor license may have a vending machine that sells cigarettes or tobacco products if the machine is as far as possible from the entrance and is always watched. A vending machine in a break room or controlled area of a private work place may sell cigarettes or tobacco products if a sign posted nearby warns that the law prohibits anyone under 19 from possessing tobacco.

Narcotics and Drugs



Photo by [Scott Webb](#) on [Unsplash](#)

Is it against the law in Alaska to have drugs?

Generally speaking, it is against the law to *distribute* drugs (to give or sell drugs to others) in Alaska unless you are a medical provider or licensed to dispense drugs. It is against the law to possess drugs unless you are authorized to distribute them, or have a prescription for any drug that you have. You can be charged with *misconduct involving a controlled substance* if you possess certain drugs. For example, oxycodone is only legal when a person has a legal prescription. Some drugs, such as methamphetamine, heroin, and cocaine, are against the law for anyone to possess.

Where can I find the list of drugs that are illegal to possess or distribute?

Illegal drugs, called *controlled substances*, are divided into categories according to how dangerous they are. You can find the list of controlled substances in Alaska Statutes at AS 11.71.140 – AS

11.71.190. Schedule IA lists the most dangerous drugs; Schedule VIA (which lists marijuana) lists the least dangerous.

Can I give someone a pill from my prescription if that person needs help with medical symptoms like mine?

If your prescription is a controlled substance, it is a crime to share even a single dose of it with someone else.

What if someone sells a drug that turns out to be a fake? Is it illegal to sell it? To possess it?

It is illegal to make, deliver, or possess an imitation controlled substance. To do so is a Class C felony.

How serious is a drug offense?

In Alaska, drug offenses range from simple violations to the most serious level offense, punishable by up to 99 years in jail. Any drug crime will probably have serious consequences. Under Alaska law, some drug offenses carry a sentence of five years in jail for a first offense. The more dangerous the drug and the greater the amount a person has, the more severe the penalties will be. If the person intends to sell drugs to others, the penalties will be more severe than if the drug is for a person's own use. The penalties are more severe for selling or giving drugs to a person under age 18, or for dealing drugs near a school. Possession of some types of drugs such as heroin or methamphetamine for purposes of distribution is punishable by up to 99 years in jail.

If I am charged with a drug offense in state court, can I also be charged in federal court?

If you commit a drug offense in Alaska, you have probably violated both state and federal law. Both federal and state law make use, possession, and trafficking in drugs illegal. You can be convicted under both federal and state law, and get two separate punishments, which could be added together. The penalties under federal law can be much more severe than for a drug offense under state law.

Usually, however, the federal and state prosecutors will talk to each other about a bust and decide which office will handle the case. Most often the federal authorities will take the more serious cases.

Marijuana

Can I legally smoke or possess marijuana anywhere now?

No. Although *state* law has changed to allow personal use of marijuana under certain conditions, *federal* law regarding marijuana has not. It is still a federal crime, for example, to possess and use even small amounts of marijuana. It is up to federal law enforcement whether or not to prosecute these crimes.

There are also a variety of federal regulations specifically prohibiting marijuana use or possession near schools and other places. These laws designed to protect children or certain other groups of people may be more likely to be enforced.

In addition, property owners may prohibit the use or possession of marijuana on their properties. So if you are renting an apartment, the property owner may prohibit you from having marijuana there. And employers may prohibit marijuana on their property.

Also, remember that marijuana use or possession is still a crime under many state laws, so if you are travelling out of state with marijuana you could be arrested or fined in a different state.



Photo by [Jacob Stone](#) on [Unsplash](#)

When is marijuana use not a crime under Alaska state law?

If you are 21 or older, state law allows you to use and possess up to one ounce of marijuana, unless the use is prohibited by a property owner or other specific rule.

Can I use marijuana in public?

No. It is against the law to use marijuana in public. In addition, marijuana plants may not be visible to the public and they must be kept in a secure place to protect those who are not authorized under state law to use marijuana.

Does Alaska state law allow me to sell or give marijuana to others?

No persons under 21 may sell, give, or possess marijuana. Even if you are over 21 you may not sell marijuana unless you have a business properly registered with the state and authorized to sell marijuana. However, you may give small amounts of marijuana, up to an ounce and six immature plants, as a gift to someone over 21. The state is in the process of developing regulations that will clarify the rules on using, buying, and selling marijuana.

Can I drive after using marijuana?

Not while you are under the influence of marijuana. Driving under the influence of marijuana remains illegal.

Can my employer prohibit me from using marijuana?

Yes. Testing positive for marijuana may be a violation of workplace policies or regulations, so you could be fired from a job for using marijuana. This could happen even if the use was outside of workplace hours and did not otherwise violate state law.

Synthetic Drugs



Photo by [JANNIK SELZ](#) on [Unsplash](#)

Synthetic means that something is artificially created, or not naturally occurring.

A synthetic drug is a drug created to have the same effects as a drug listed by the State as a controlled substance, but is not itself listed as a controlled substance by the State. These can come in many forms. It may be powder or crystals, as a tablet, in a capsule, or loose. It may also be plant material which is powdered, loose leaf, liquid, or a food additive.

How do I know if I have or see an *illicit* synthetic drug?

If something is considered illicit, it is unlawful or illegal. Whether a synthetic drug is illicit depends on its labeling and whether it is like a drug in certain ways.

The first question is whether a label is "false or misleading;" does not list the ingredients; or does not have the name and location of the manufacturer, packer, or distributor on it.

If you answered yes to any of the above, you must look at the product itself.

A product may be considered spice if it has one of the above labeling problems and is drug-like in some way. If you can answer yes to two or more of these, it is probably an illicit synthetic drug:

- The images or words on the label say or hint that using it will somehow get you high, or that it can act like a drug by causing effects like relaxation, hallucinations, or mood alteration.
- Other products advertised for the same or similar purpose cost noticeably less than this product.
- There is a warning label saying or implying that the product meets State controlled substances law.
- The products looks like a drug, whether it is on a microscopic level or eye level.
- The product is advertised for a particular purpose, but one of the ingredients seems completely unrelated to this purpose.

If someone I know, or I, get caught with spice, can we get in trouble?

Yes. You may be convicted of violating the law and be fined up to \$500 if you have, offer, display, market, advertise, or sell an illicit synthetic drug.

Seeking Medical Help for an Overdose



Photo by [rawpixel.com](https://unsplash.com/photos/7K8q8q8q8q8) on [Unsplash](https://unsplash.com/)

If I try to get medical help or help from the police for a friend suffering a drug overdose, could I be charged with a drug crime if the police find out I've been using illegal drugs?

No, not if evidence of your drug use is discovered only because you tried in good faith to get help for the person overdosing. Good faith means that the reason you called medical providers or the police was to get help for someone else, and not to avoid criminal charges for your own drug use. Overdose means someone is suffering a life-threatening emergency caused by illegal use of a drug. However, these immunity protections only apply to charges of possession of controlled substances. They do not apply to charges of manufacturing or distribution. In addition, the protections only apply to evidence obtained by the police as a result of the person seeking medical or law enforcement assistance.

In order to avoid being charged with a drug crime in this situation, you must:

- (1) remain with the person suffering an overdose until medical help or the police arrive, and
- (2) cooperate with the police or medical personnel who arrive, and
- (3) provide your identification.

If I suffer an overdose while using illegal drugs and try to get medical help, could I be charged with a drug crime?

No, not if evidence of your drug use is discovered only because you tried to get medical help. In this situation, overdose means that you are suffering a life-threatening emergency caused by illegal use of a drug. Again however, these immunity protections only apply to charges of possession of controlled substances. They do not apply to charges of manufacturing or distribution. And again, the protections only apply to charges based on evidence obtained by the police as a result of your efforts to get medical or law enforcement assistance.

Getting or Giving a Drug Overdose Prevention Medicine

Is there medication I can get to help myself or someone else recover from a Heroin or other opioid drug overdose?

Can a pharmacist give me medication that I can use to reverse an overdose?

Yes. In Alaska, pharmacists who have the proper training may prescribe a drug to reverse opioid drug overdoses to someone who is at risk of suffering an opioid overdose. They can also prescribe it for a family member, friend, caregiver, or other person who may be in a position to help a person at risk of opioid overdose.

Can I be sued if I give a medication to someone else to stop an overdose and they become more ill or die?

No, as long as you are reasonable in thinking that the person is experiencing an overdose emergency from the use of heroin or other opioid drugs and needs the medication, *and* you are reasonably careful in giving them the drug you will not be held responsible. You can only be sued if you intended to harm the person or acted with gross negligence or recklessness. Gross negligence or reckless would be acting in a way that is extremely different from how an ordinarily careful person would behave. An ordinary mistake would not make you responsible.

What drugs are considered opioids?

Opioids are opium and drugs made from opium, such as Heroin.

Rock 'n Roll – Tattoos, Body Piercing, and Tanning



Photo by [Matheus Ferrero](#) on [Unsplash](#)

If I am under 18, can I get a tattoo?

No. It is illegal for a tattoo artist to perform a tattoo on a minor, even if his or her parent gives permission.

If I am under 18, can I get a piercing?

Ask your parents. Teens may only get a body piercing if they have written permission from their parent or legal guardian before the piercing. The parent or legal guardian must also be present during the body piercing procedure.

If I am under 18, can I go to a tanning salon?

Maybe. Alaska currently has no law barring minors from tanning. However, some other states have laws that restrict minors from tanning salons. Alaska law may change to reflect growing concerns about the harmful effects of ultraviolet lights. Many tanning salons do have age restrictions for clients, so you should call in advance to learn about a particular salon's rules.