

Table 2. Occupational / Enterprise Disabilities

A criminal conviction carries with it a significant limitation on the kinds of employment subsequently available to the offender. In Alaska, as in most states, these occupational limitations generally fall into one of three categories: those that require evidence of "good character" as a prerequisite to employment, those that prohibit employment following conviction of a crime of "moral turpitude," and those that prohibit employment following conviction of a crime (including misdemeanors) arising from behavior deemed incompatible with the requirements of a given profession. Some of these regulatory prohibitions are limited to relatively recent offenses; others encompass criminal conduct no matter how dated. Some flow inevitably from the conviction, others are subject to provisions allowing for a variance or exemption.

This table demonstrates the wide range of employment and occupations to which these restrictions attach. It is a partial list only; for a more complete list of the range of employment opportunities potentially affected by a criminal conviction please see <http://justice.uaa.alaska.edu/workingpapers/>. The laws listed are summarized in general terms, but the list is not intended to serve as a complete description of the measures' legal effect or scope. Readers are cautioned to review the entire text of any authority on which they intend to rely. In addition, please note that the laws listed were current as of October 2007. Changes published since that time will not be reflected here.

State employees generally	Application forms require applicants to report misdemeanor convictions within the preceding five years, and felony convictions regardless of date. The conviction may disqualify the applicant; factors include the seriousness and date of the offense and requirements of the position.	2 AAC 07.086; 2 AAC 07.091. See also 2 AAC 07.416 (employee who violates federal or state law may be subject to disciplinary action, including dismissal, if there is a clear nexus between the offense and the employee's duties or the violation impairs the employee's ability to perform; employees must report citations requiring court appearance and arrests or convictions for misdemeanor or felony).
Individuals seeking licensure, certification, approval, employment or eligibility to receive payment from the Department of Health and Social Services	The Department of Health and Social Services has identified a series of "barrier crimes," offenses deemed inconsistent with departmental licensure and certification standards; the barrier to employment may be permanent or for a ten-year, five-year, three-year or one-year period depending on the nature of the offense. A variance may be available.	7 AAC 10.905. See also 7 AAC 10.900 (scope and statement of purpose; barrier extends to employees of providers); 7 AAC 10.925 (monitoring and notification requirements); 7 AAC 10.955 (creating centralized registry); 7 AAC 10.930 (available variances); 7 AAC 10.935 (evaluation of variance requests); 7 AAC 10.990 (definitions).
Social workers	"Good moral character" is a prerequisite for licensing; a felony conviction or conviction of a misdemeanor reflecting on the ability to practice is grounds for disciplinary sanctions.	AS 08.95.110; AS 08.95.050. See also 12 AAC 18.140 (history of felony or misdemeanor convictions may be grounds for denial of license; persons convicted of certain felonies against the person in preceding ten years are ineligible for licensure); 12 AAC 18.100 (application disclosure requirements); 12 AAC 18.990 (definitions).
Bankers, trust companies and financial institutions	Prior conviction will bar employment in a variety of capacities associated with finance. For example, a felony conviction or conviction for crime involving moral turpitude or breach of trust will bar work as director of a trust company unless the Department of Commerce and Economic Development consents in writing.	AS 06.26.510. See also AS 06.05.344 (state bank officers must be of good character); AS 06.05.435 (state bank director may be removed on indictment for felony or other crime involving moral turpitude or breach of trust); AS 06.50.310 (disclosure requirement for deferred deposit advances licensees); AS 06.15.040 (mutual savings bank incorporators must be of good character).
Insurance	An individual who has been convicted of a felony involving dishonesty or breach of trust may not participate in the business of insurance without prior written consent of the director of the Division of Insurance.	AS 21.36.355. See also AS 21.27.410 (revocation or denial of license for conviction of felony); AS 21.09.100 (good character required of management personnel); AS 21.09.150 (officer or director convicted of felony involving fraud, dishonesty or moral turpitude).
Teachers and school personnel	A teacher's certification may be revoked or suspended for crimes involving moral turpitude and noncompliance with school laws; initial certificates may not be issued to persons who have been convicted of a crime or attempted crime involving a minor. Notice of a certificate's suspension or revocation for a crime of moral turpitude is sent to all other states.	AS 14.20.030; AS 14.20.020; 4 AAC 12.425. See also AS 14.20.170 (crime involving moral turpitude or noncompliance with school laws as grounds for dismissal); AS 14.20.175 (nonretention); 4 AAC 12.300(j) (certificate may be denied or renewal refused for crime involving moral turpitude or noncompliance with school laws); 20 AAC 10.035 (defining moral turpitude).
Police, probation, parole and correctional officers / Village Police Officers	Public safety officers must generally be free of recent criminal convictions. Good moral character is considered in the application process.	AS 18.65.240 (standards for police officers). See also 13 AAC 85.010 (person convicted of various crimes, including domestic violence by a civilian court, may not be hired as police officer); 13 AAC 85.210 (standards for probation, parole and correctional officers require good character, absence of domestic violence conviction, absence of conviction for various offenses within preceding ten years.); 13 AAC 85.900 (good character may be deemed to include absence of illegal conduct); 13 AAC 89.010 (standards for village police officers).
Morticians	Conviction of a felony involving moral turpitude is grounds for suspension, revocation or refusal to issue license.	AS 08.42.090(13).
Accountants	License may be suspended or revoked for conviction of a felony or conviction of any crime of dishonesty or fraud.	AS 08.04.450(5),(6). See also 12 AAC 04.520.
Department of Fish and Game Fisheries Onboard Observer	An observer may not have been convicted of a misdemeanor or felony involving fraud or dishonesty, an offense against the person, arson or a fish and game misdemeanor in the seven years preceding application.	5 AAC 39.142.