***Proceed with the MAP only if you have had contact with the victim. If you have not had contact with the victim, close the case without a finding (see closed without finding policy and protocol)***

AS 47.17 Maltreatment Described By AS 47.10.011(6), (10) *Allegation of Physical Abuse*

**B. Substantial impact on the child involving any of the following:**\_\_B1. Substantial physical harm\*

**\_\_**B2. Substantial risk for substantial physical harm, given the degree of force used and the physical environment in which the acts occurred. (Examples of substantial risk of physical harm include but are not limited to a weapon thrown at a child that did not come in contact, a person assaulting another person holding a child; the person responsible for a baby’s care has committed violent acts on other children that resulted in removal)

­­­­**\_\_**B3. Substantial fear reaction.\*

**\_\_A1. The non-accidental use or threat of physical force on the part of a person responsible for the child’s care (6)** (Examples of physical force include, but are not limited to, spanking with hand; dropping; pushing; shoving; slapping; grabbing; poking; hair pulling; scratching; pinching; restraining; shaking; throwing; biting; kicking; hitting with fist; hitting with a stick, strap, or other object; scalding; burning; poisoning; stabbing; applying force to throat; cutting off air supply; holding under water; using a weapon)

**\_\_A2. Failure of the person responsible for the child’s care to protect and/or supervise the child adequately from known physical force, threat of physical force, or exposure to dangerous conditions (6 or 10)** (Inattention to child’s safety by exposing child to physical dangers including, but not limited to: non-secured loaded guns in home; illegal drugs in home; dangerous pets; asking child to perform dangerous activities; driving while intoxicated with child in vehicle)

 (A1 or A2 )+ (B1 or B2 or B3) = Substantiate Maltreatment

|  |  |
| --- | --- |
| *\** ***Substantial fear reaction includes but is not limited to:****(a) Fear (verbalized or displayed) of**bodily injury to self or others, and**(b) At least one of the following signs of fear or anxiety lasting at least 48 hours:**1. Persistent intrusive recollections of the incident* *2. Marked negative reactions to cues related to incident, as evidenced by (a) avoidance of cues, (b) subjective or overt distress to cues, or (c) physiological hyper-arousal to cues* | *3. Acting or feeling as if incident is**recurring**4. Marked symptoms of anxiety (any of the following):**• Difficulty falling or staying asleep**• Irritability or outbursts of anger**• Difficulty concentrating**• Hypervigilance (i.e., acting**overly sensitive to sounds and**sights in the environment; scanning the environment expecting danger; feeling keyed up and on edge)**• Exaggerated startle response*  |

*\** ***Substantial Physical Harm (B1) includes but is not limited to an injury involving any of the following:***

*• Any injury to the face or head*

*• Any injury to a child younger than age 2 years*

*• More than superficial bruise(s) or cut(s)*

*• Bleeding or welts*

*• Loss of consciousness*

*• Loss of functioning (including but not limited to sprains, broken bones, detached retina, loose or chipped teeth)*

*• Damage to internal organs*

*• Disfigurement (including but not limited to scarring)*

*• Swelling lasting at least 24 hours*

*• Pain felt (a) in the course of normal activities and (b) at least 24 hours after the physical injury was suffered.*

*• an act described in AS 11.41.410 - .455*

*• an act described in AS 11.51.100.*

*NOTE: At times, the victim is (a) unable to report verbally about pain and In may meet criteria when the nature of the injuries would typically result in pain as defined above.*

***Considerations: Acts committed to protect self from imminent physical harm, as evidenced by all three of the following:***

*1. Act occurred while* *child was in the act of using physical force. “In the act” begins with the initiation of behavior that typically would result in an act of physical force (e.g., charging at the parent to hit him or her) and ends when the use of force is no longer imminent.*

*2. Sole function of act was to stop child’s use of physical force.*

*3. Act used minimally sufficient force to stop child’s use of physical force.*

*\*Acts committed during developmentally appropriate physical play (including, but not limited to, horseplay, wrestling, tackle football).*

*\*Acts committed to protect child from imminent physical harm (including, but not limited to, grabbing child to prevent her from being hit by a car).*

***NOTE:*** *A parent’s subsequent actions that were not directly protective (e.g., whipping the child with a switch for running into the street) would not be considered an act to protect self or child from physical harm.*

***Reasonable Parental Discipline:*** *Imposed to control, correct and educate their child. The force used by the parent should be appropriate to the age, sex, physical and mental state of the child.*

AS 47.17 Maltreatment Described by AS 47.10.011(1), (2), (3), (4), (9), (10), (11), (12) *Allegation of Neglect*

**B. Substantial impact on the child involving any of the following:**

\_\_B1. Substantial physical harm

\_\_B2. Psychological harm, involving either

\_\_a. Child’s *substantial fear reaction*

\_\_b. Substantial psychological distress (Diagnosed by a mental health professional) related to, or exacerbated by, the act(s) or omission(s)

\_\_B3. *Stress-related somatic symptoms* (related to or exacerbated by the acts) that substantially interfere with normal functioning

\_\_B4. Reasonable potential for substantial physical harm given the act(s) and/or omission(s) and child’s physical environment

\_\_B5. Reasonable potential for psychological harm involving either

\_\_a. Reasonable potential for the development of a psychiatric disorder (at or near diagnostic thresholds). The child’s level of functioning and the risk and resilience factors present should be taken into consideration

\_\_b. Reasonable potential for Substantial disruption of the child’s physical, psychological, cognitive, or social development

**A.The failure on the part of the person responsible for the child’s welfare to provide the child necessary food, care, clothing, shelter, medical attention, or other care and control necessary for the child’s physical and mental health and development.**

\_\_A1. Abandonment (1, 2, or 3): The person responsible for the child’s care is absent and does not intend to return or is away from the home without having arranged for an appropriate surrogate caregiver; including conduct described in AS 47.10.011(1), (2), (3), or AS 47.10.013. NO IMPACT (“B”) CRITERION IS NECESSARY FOR ABANDONMENT TO BE DEEMED NEGLECT.

\_\_A2. Medical neglect (4): Refusal or failure to provide appropriate, medically indicated health care (including, but not limited to, failure to obtain appropriate medical, mental health, dental care) when the caregiver was financially able to do so or was offered other means to do so. It includes withholding of medically indicated treatment for a child with life threatening conditions

\_\_A3. Neglect (9): includes deprivation of necessities, educational neglect, failure to provide the child with medical attention, and failure to provide the child with other care and control necessary for the child’s physical and mental health and development.

\_\_A4. Substance Abuse (10): ability to parent is substantially impaired by the addictive or habitual use of an intoxicant.

\_\_A5. Mental illness (11): mental illness, serious emotional disturbance or mental deficiency of significant nature and duration.

\_\_A6. Illegal act (12): illegal act committed by child as a result of pressure, guidance or approval or caregiver. NO IMPACT (“B”) CRITERION IS NECESSARY FOR COMMISSION OF ILLEGAL ACT.

A1 or A6 (no impact needed) = Substantiate Maltreatment

 (A2 or A3 or A4 or A5) *+ (*B1 or B2 or B3 or B4 or B5) = Substantiate Maltreatment

***Guidance on Neglect Due to Others’ Acts and/or Omissions***

*Lack of Supervision (LOS) and/or Exposure to Physical Hazards: If another person, not parent or guardian, is directly responsible for the LOS or exposure, then the supervisor must conclude that a reasonable person responsible for the child’s care would have suspected the LOS or exposure. Examples include but are not limited to:*

* *Child is left in care of the grandmother, who has moderately advanced Alzheimer’s disease. (Meets criterion A)*
* *Child is left in care of 17-year-old babysitter, who leaves toddler alone in house while babysitter sits in a car in front of the house talking to a friend. The babysitter had been recommended highly. (Does not meet Criterion A)*
* *Child is left in the care of a friend, whom the parent knows has an active drug problem. The friend smokes crack with the child present. (Meets Criterion A)*
* *The mother’s boyfriend leaves a loaded gun on the nightstand. When mother discovers this, she tells him he must secure it properly or remove it from the house. (Does not meet Criterion A).*

 AS 47.17 Maltreatment Described by AS 47.10.011(7) *Allegation of Sexual Abuse*

**\_\_A1. Noncontact exploitation**: Allowing, permitting, encouraging, engaging, forcing, tricking, enticing, threatening or pressuring a child to participate in acts for anyone’s sexual gratification without direct physical contact between child and offender. Acts include, but are not limited to, exposing child’s or offender’s genitals, anus, or breasts; having child masturbate or watch masturbation; having child participate in sexual activity with a third person (including child prostitution); having child pose, undress, or perform in a sexual fashion (including child pornography); exposing child to pornography or live sexual performance; “peeping” or other prurient watching (i.e., voyeurism).

**\_\_A2. Rape**: Use of physical force, emotional manipulation, or a child’s youth or naïveté to engage in penis-vulva or penis-anus penetration (of child, perpetrator, or both), however slight; including activity prohibited by AS 11.41.410 - .440.

**\_\_A3. Other sexual assault** — Physical contact, or attempted physical contact, of a sexual nature between child and perpetrator not involving penis-vulva or penis-anus penetration, including, but not limited to:

• Oral-genital or oral-anal contact

• Non-penile penetration of vulva or rectum (e.g., with hands, fingers, or objects)

• Attempted penetration of the vulva or rectum

• Groping, rubbing, fondling, stroking, or similar behavior — directly or through clothing

• Criminal conduct under AS 11.41.410 – 11.41.458: Sexual assault in the first, second, third, or fourth degree; sexual abuse of a minor in the first, second, third, or fourth degree; incest; online enticement of a minor; unlawful exploitation of a minor; and indecent exposure in the first degree.

**\_\_A4. Substantial risk of sexual abuse** – due to any of the following:

* Conduct by the person responsible for the child’s care
* Conditions created by the person responsible for the child’s care
* The failure of the person responsible for the child’s care to adequately supervise the child
* NOTE: If the person responsible for the child’s welfare has actual notice a person has been convicted of a sex offense against a minor within the past 15 years, is registered or required to register as a sex offender, or is under investigation for a sex offense against a minor, and the caregiver subsequently allows a child to be left with that person, this conduct constitutes prima facie evidence the child is at substantial risk of being sexually abused.

A1 or A2 or A3 or A4 (No impact needed)= Substantiate Maltreatment

***Sexual gratification****: Providing sexual arousal or pleasure or appealing to prurient interest. Does not require overt evidence of arousal (e.g., erection, vaginal lubrication, ejaculation, orgasm)*

***Without direct physical contact between child and offender****: Noncontact exploitation involves no physical contact between offender and child. Thus, some forms involve sexual gratification from activities in which*

*no one touches the child sexually, whereas other forms involve the offender forcing, tricking, enticing, threatening or reassuring the child to engage in direct sexual contact with someone other than the*

*offender.*

***Child prostitution:*** *An act of engaging or offering the services of a child to a person to perform sexual acts for money or other compensation with that person or any other person. Includes acts prohibited by AS 11.66.100 -.150. AS 47.17.290(16).*

***Child pornography:*** *Media (e.g., visual, audio, written) containing the prurient depiction of a child engaged in explicit sexual conduct, real or simulated, or the lewd exhibition of the genitals intended for the sexual gratification of a user. Includes activities prohibited by AS 11.41.455(a). AS 47.17.290(16).*

**\_\_A1. Non-accidental act or acts (excluding physical and sexual abusive acts) such as those listed below.** *Acts not listed, but of similar severity, are also eligible*.

• Berating, disparaging, humiliating child (or other similar behavior)

• *Threatening* child (including, but not limited to, indicating and/or implying future physical harm, abandonment, sexual assault)

• Harming/abandoning, or indicating that alleged offender will harm or desert people or things that the child cares about, such as pets, property, loved ones

• Confining child (a means of punishment involving restriction of movement, as by tying a child’s arms or legs together or binding a child to a chair, bed, or other object, or confining a child to an enclosed area [such as a closet])

• *Egregious* scape-goating of child

• Coercing the child to inflict pain on himself or herself (e.g., ordering child to kneel on split peas for long periods)

• Disciplining child (through physical or nonphysical means) excessively (i.e., extremely high frequency or duration, though not meeting physical abuse criteria)

• A pattern of rejecting, terrorizing, ignoring, isolating, or corrupting behavior

**\_\_A2.** Exposure to conduct by a household member, as defined in [AS 18.66.990](http://web2.westlaw.com/find/default.wl?mt=2&db=1000003&docname=AKSTS18.66.990&rp=%2ffind%2fdefault.wl&findtype=L&ordoc=9452621&tc=-1&vr=2.0&fn=_top&sv=Split&tf=-1&pbc=64F76522&rs=WLW13.04) (Domestic Violence), against another household member, that is a crime, or similar to a crime under [AS 11.41.100](http://web2.westlaw.com/find/default.wl?mt=2&db=1000003&docname=AKSTS11.41.100&rp=%2ffind%2fdefault.wl&findtype=L&ordoc=9452621&tc=-1&vr=2.0&fn=_top&sv=Split&tf=-1&pbc=64F76522&rs=WLW13.04)--[11.41.220](http://web2.westlaw.com/find/default.wl?mt=2&db=1000003&docname=AKSTS11.41.220&rp=%2ffind%2fdefault.wl&findtype=L&ordoc=9452621&tc=-1&vr=2.0&fn=_top&sv=Split&tf=-1&pbc=64F76522&rs=WLW13.04), [11.41.230(a)(1) or (2)](http://web2.westlaw.com/find/default.wl?mt=2&db=1000003&docname=AKSTS11.41.230&rp=%2ffind%2fdefault.wl&findtype=L&ordoc=9452621&tc=-1&vr=2.0&fn=_top&sv=Split&tf=-1&referencepositiontype=T&pbc=64F76522&referenceposition=SP%3b7b9b000044381&rs=WLW13.04), or [11.41.410](http://web2.westlaw.com/find/default.wl?mt=2&db=1000003&docname=AKSTS11.41.410&rp=%2ffind%2fdefault.wl&findtype=L&ordoc=9452621&tc=-1&vr=2.0&fn=_top&sv=Split&tf=-1&pbc=64F76522&rs=WLW13.04)--[11.41.432](http://web2.westlaw.com/find/default.wl?mt=2&db=1000003&docname=AKSTS11.41.432&rp=%2ffind%2fdefault.wl&findtype=L&ordoc=9452621&tc=-1&vr=2.0&fn=_top&sv=Split&tf=-1&pbc=64F76522&rs=WLW13.04) (murder, manslaughter, assault, sexual assault, and sexual abuse of a minor); or an attempt to commit an offense that is a crime or has similar elements of a crime under [AS 11.41.100](http://web2.westlaw.com/find/default.wl?mt=2&db=1000003&docname=AKSTS11.41.100&rp=%2ffind%2fdefault.wl&findtype=L&ordoc=9452621&tc=-1&vr=2.0&fn=_top&sv=Split&tf=-1&pbc=64F76522&rs=WLW13.04)--[11.41.220](http://web2.westlaw.com/find/default.wl?mt=2&db=1000003&docname=AKSTS11.41.220&rp=%2ffind%2fdefault.wl&findtype=L&ordoc=9452621&tc=-1&vr=2.0&fn=_top&sv=Split&tf=-1&pbc=64F76522&rs=WLW13.04) or [11.41.410](http://web2.westlaw.com/find/default.wl?mt=2&db=1000003&docname=AKSTS11.41.410&rp=%2ffind%2fdefault.wl&findtype=L&ordoc=9452621&tc=-1&vr=2.0&fn=_top&sv=Split&tf=-1&pbc=64F76522&rs=WLW13.04)--[11.41.432](http://web2.westlaw.com/find/default.wl?mt=2&db=1000003&docname=AKSTS11.41.432&rp=%2ffind%2fdefault.wl&findtype=L&ordoc=9452621&tc=-1&vr=2.0&fn=_top&sv=Split&tf=-1&pbc=64F76522&rs=WLW13.04)

**\_\_A3.** Repeated exposure to conduct by a household member, as defined in [AS 18.66.990](http://web2.westlaw.com/find/default.wl?mt=2&db=1000003&docname=AKSTS18.66.990&rp=%2ffind%2fdefault.wl&findtype=L&ordoc=9452621&tc=-1&vr=2.0&fn=_top&sv=Split&tf=-1&pbc=64F76522&rs=WLW13.04) (domestic violence), against another household member that is a crime or has elements similar to a crime under [AS 11.41.230(a)(3)](http://web2.westlaw.com/find/default.wl?mt=2&db=1000003&docname=AKSTS11.41.230&rp=%2ffind%2fdefault.wl&findtype=L&ordoc=9452621&tc=-1&vr=2.0&fn=_top&sv=Split&tf=-1&referencepositiontype=T&pbc=64F76522&referenceposition=SP%3b28cc0000ccca6&rs=WLW13.04) or [11.41.250](http://web2.westlaw.com/find/default.wl?mt=2&db=1000003&docname=AKSTS11.41.250&rp=%2ffind%2fdefault.wl&findtype=L&ordoc=9452621&tc=-1&vr=2.0&fn=_top&sv=Split&tf=-1&pbc=64F76522&rs=WLW13.04)--[11.41.270](http://web2.westlaw.com/find/default.wl?mt=2&db=1000003&docname=AKSTS11.41.270&rp=%2ffind%2fdefault.wl&findtype=L&ordoc=9452621&tc=-1&vr=2.0&fn=_top&sv=Split&tf=-1&pbc=64F76522&rs=WLW13.04) (assault in the fourth degree, reckless endangerment, and stalking).

AS 47.17 Maltreatment Described by AS 47.10.011(8) *Allegation of Mental Injury*

**B. Substantial impact on the child involving any of the following:**

**\_\_B1.** An injury to the emotional well-being, or intellectual or psychological capacity of a child, as evidenced by an observable and substantial impairment in the child’s ability to function. AS 47.17.290(2). Examples include but are not limited to:

\_\_a. Substantial fear reaction\*

\_\_b. Substantial psychological distress (major depressive disorder, posttraumatic stress disorder, acute stress disorder, or other psychiatric disorders, at or near diagnostic thresholds) related to the act(s)

**\_\_B2**. A serious injury to the child as evidenced by an observable and substantial impairment in the child’s ability to function in a developmentally appropriate manner and the existence of that impairment is supported by the opinion of a qualified expert witness (AS 47.17.290(9)). Examples include but are not limited to: Substantial psychological distress; Psychiatric disorders; Substantial impairment; or Stress-related somatic symptoms\*

**\_\_B3.** Substantial risk of mental injury. Examples include but are not limited to:

\_\_a. The act (or pattern of acts) creates reasonable potential for the development of a psychiatric disorder (at or near diagnostic thresholds) related to, or exacerbated by, the act(s). The child’s level of functioning and the risk and resilience factors present should be taken into consideration

\_\_b. The act (or pattern of acts) carries a reasonable potential for substantial impairment of the child’s physical, psychological, cognitive, or social development

\_\_c. Stress-related somatic symptoms (related to or exacerbated by the acts) that substantially interfere with normal functioning

(A1 or A2 or A3) + (B1 or B2 or B3) = Substantiate Maltreatment

|  |  |
| --- | --- |
| ***\*Substantial fear reaction includes but is not limited to:****(a) Fear (verbalized or displayed) of**bodily injury to self or others, and**(b) At least one of the following signs of fear or anxiety lasting at least 48 hours:**1. Persistent intrusive recollections of the incident* *2. Marked negative reactions to cues related to incident, as evidenced by (a) avoidance of cues, (b) subjective or overt distress to cues, or (c) physiological hyper-arousal to cues* | *3. Acting or feeling as if incident is recurring**4. Marked symptoms of anxiety (any of the following):**• Difficulty falling or staying asleep**• Irritability or outbursts of anger**• Difficulty concentrating**• Hypervigilance (i.e., acting**overly sensitive to sounds and**sights in the environment; scanning the environment expecting danger; feeling keyed up and on edge)**• Exaggerated startle response*  |

**Glossary**

***Disability:*** *Impairment resulting in some restriction or lack of ability to perform an action or activity in the manner or within the range considered normal.*

**Educational neglect**: Knowingly allowing the child to have extended or frequent absences from school, neglecting to enroll the child in some type of education, or preventing the child from attending school for other than justifiable reasons (when education is compulsory by law).

***Egregious acts or omissions:*** *Show striking disregard for child’s well-being. As such, they are not merely examples of inadvisable or deficient parenting but must clearly fall below the lower bounds of normal parenting.*

***Harm:*** *Physical or mental injury, an act or instance of injury, or a material and tangible detriment or loss to a person.*

***Physical injury:*** *Physical pain or an impairment of physical condition as defined in AS 11.81.900(b)(46) and relied on by AS 47.10.990(26).*

***Psychiatric disorders****: Mental disorders as defined by the latest edition of the Diagnostic and Statistical Manual of Mental Disorders.*

***Stress-related somatic symptoms:*** *Some victims show impact through physical, rather than psychological, symptoms. Stress-related somatic symptoms are physical problems that are caused by or worsened by stressful incidents. Such somatic symptoms can include, but are not limited to, aches and pains, migraine, gastrointestinal problems, or other stress-related physical ailments.*

***Substantial Impairment:*** *Given child’s developmental level and trajectory evident before alleged maltreatment, child’s current development is substantially worse than would have been expected.*

***Substantial Risk:*** *Reasonable potential for substantial harm.*

**AS 47.17.290(9) as Described by AS 47.10.011(1-12)**

**Child abuse and neglect** means the maltreatment of a child under the age of 18 by a person under circumstances that indicate that the child's health or welfare is harmed or threatened thereby. **"maltreatment"** means an act or omission that results in circumstances in which there is reasonable cause to suspect that a child may be a child in need of aid, as described in [AS 47.10.011](http://www.legis.state.ak.us/basis/folioproxy.asp?url=http://wwwjnu01.legis.state.ak.us/cgi-bin/folioisa.dll/stattx11/query=%5bJUMP:'AS4710011'%5d/doc/%7b@1%7d?firsthit), except that, for purposes of this chapter, the act or omission need not have been committed by the child's parent, custodian, or guardian; Subject to [AS 47.10.019](http://www.legis.state.ak.us/basis/folioproxy.asp?url=http://wwwjnu01.legis.state.ak.us/cgi-bin/folioisa.dll/stattx11/query=%5bJUMP:'AS4710019'%5d/doc/%7b@1%7d?firsthit) , the court may find a child to be a child in need of aid if it finds by a preponderance of the evidence that the child has been subjected to any of the following:

**(1)** a parent or guardian has abandoned the child as described in AS 47.10.013, and the other parent is absent or has committed conduct or created conditions that cause the child to be a child in need of aid under this chapter (conscious disregard of parental responsibilities toward the child by failing to provide reasonable support, maintain regular contact, or provide normal supervision, considering the child's age and need for care by an adult.);

**(2)** a parent, guardian, or custodian is incarcerated, the other parent is absent or has committed conduct or created conditions that cause the child to be a child in need of aid under this chapter, and the incarcerated parent has not made adequate arrangements for the child;

**(3)** a custodian with whom the child has been left is unwilling or unable to provide care, supervision, or support for the child, and the whereabouts of the parent or guardian is unknown;

**(4)** the child is in need of medical treatment to cure, alleviate, or prevent substantial physical harm or is in need of treatment for mental injury and the child's parent, guardian, or custodian has knowingly failed to provide the treatment;

 (5) the child is habitually absent from home or refuses to accept available care and the child's conduct places the child at substantial risk of physical or mental injury\*;

**(6)** the child has suffered substantial physical harm, or there is a substantial risk that the child will suffer substantial physical harm, as a result of conduct by or conditions created by the child's parent, guardian, or custodian or by the failure of the parent, guardian, or custodian to supervise the child adequately;

**(7)** the child has suffered sexual abuse, or there is a substantial risk that the child will suffer sexual abuse, as a result of conduct by or conditions created by the child's parent, guardian, or custodian or by the failure of the parent, guardian, or custodian to adequately supervise the child; if a parent, guardian, or custodian has actual notice that a person has been convicted of a sex offense against a minor within the past 15 years, is registered or required to register as a sex offender under AS 12.63, or is under investigation for a sex offense against a minor, and the parent, guardian, or custodian subsequently allows a child to be left with that person, this conduct constitutes prima facie evidence that the child is at substantial risk of being sexually abused;

**(8)** conduct by or conditions created by the parent, guardian, or custodian have

(A) resulted in mental injury to the child; or

(B) placed the child at substantial risk of mental injury as a result of

(i) a pattern of rejecting, terrorizing, ignoring, isolating, or corrupting behavior that would, if continued, result in mental injury; or

(ii) exposure to conduct by a household member, as defined in AS 18.66.990, against another household member that is a crime under AS 11.41.100 - 11.41.220, 11.41.230(a)(1) or (2), or 11.41.410 - 11.41.432, an offense under a law or ordinance of another jurisdiction having elements similar to a crime under [AS 11.41.100](http://www.legis.state.ak.us/basis/folioproxy.asp?url=http://wwwjnu01.legis.state.ak.us/cgi-bin/folioisa.dll/stattx11/query=%5bJUMP:'AS1141100'%5d/doc/%7b@1%7d?firsthit) - 11.41.220, 11.41.230(a)(1) or (2), or 11.41.410 - 11.41.432, an attempt to commit an offense that is a crime under [AS 11.41.100](http://www.legis.state.ak.us/basis/folioproxy.asp?url=http://wwwjnu01.legis.state.ak.us/cgi-bin/folioisa.dll/stattx11/query=%5bJUMP:'AS1141100'%5d/doc/%7b@1%7d?firsthit) - 11.41.220 or 11.41.410 - 11.41.432, or an attempt to commit an offense under a law or ordinance of another jurisdiction having elements similar to a crime under [AS 11.41.100](http://www.legis.state.ak.us/basis/folioproxy.asp?url=http://wwwjnu01.legis.state.ak.us/cgi-bin/folioisa.dll/stattx11/query=%5bJUMP:'AS1141100'%5d/doc/%7b@1%7d?firsthit) - 11.41.220 or 11.41.410 - 11.41.432; or

(iii) repeated exposure to conduct by a household member, as defined in [AS 18.66.990](http://www.legis.state.ak.us/basis/folioproxy.asp?url=http://wwwjnu01.legis.state.ak.us/cgi-bin/folioisa.dll/stattx11/query=%5bJUMP:'AS1866990'%5d/doc/%7b@1%7d?firsthit) , against another household member that is a crime under [AS 11.41.230](http://www.legis.state.ak.us/basis/folioproxy.asp?url=http://wwwjnu01.legis.state.ak.us/cgi-bin/folioisa.dll/stattx11/query=%5bJUMP:'AS1141230'%5d/doc/%7b@1%7d?firsthit) (a)(3) or 11.41.250 - 11.41.270 or an offense under a law or ordinance of another jurisdiction having elements similar to a crime under [AS 11.41.230](http://www.legis.state.ak.us/basis/folioproxy.asp?url=http://wwwjnu01.legis.state.ak.us/cgi-bin/folioisa.dll/stattx11/query=%5bJUMP:'AS1141230'%5d/doc/%7b@1%7d?firsthit) (a)(3) or 11.41.250 - 11.41.270;

**(9)** conduct by or conditions created by the parent, guardian, or custodian have subjected the child or another child in the same household to neglect

**(10)** the parent, guardian, or custodian's ability to parent has been substantially impaired by the addictive or habitual use of an intoxicant, and the addictive or habitual use of the intoxicant has resulted in a substantial risk of harm to the child; if a court has previously found that a child is a child in need of aid under this paragraph, the resumption of use of an intoxicant by a parent, guardian, or custodian within one year after rehabilitation is prima facie evidence that the ability to parent is substantially impaired and the addictive or habitual use of the intoxicant has resulted in a substantial risk of harm to the child as described in this paragraph;

**(11)** the parent, guardian, or custodian has a mental illness, serious emotional disturbance, or mental deficiency of a nature and duration that places the child at substantial risk of physical harm or mental injury;

**(12)** the child has committed an illegal act as a result of pressure, guidance, or approval from the child’s parent, guardian, or custodian

\**Subsection (5) would not result in a substantiated finding*