



Representative Lindsey Holmes

House Bill 307 Sponsor Statement "An Act relating to sexual assault protective orders."

AS 18.65.850 authorizes the courts to grant protective orders in cases of stalking and sexual assault. This statute has been amended twice in recent sessions. In 2003, HB 1 extended protections to victims of stalking by persons other than their domestic partner. In 2006, SB 54 added sexual assault to the statute. While the clear intent of SB 54 was to exactly duplicate the effects of HB 1, namely, to grant jurisdiction to magistrate and district court judges to issue these orders, SB 54 did not explicitly amend AS 20.15.100 to achieve this.

Consequently, certain magistrate and district court judges have read the statute to mean that they do not have jurisdiction to issue protective orders in cases of sexual assault. This mirrors the situation prior to HB 1, in which claimants brought petitions that clearly required a protective order, but judges were unable to offer assistance.

This bill would amend AS 20.15.100 to explicitly grant magistrate and district court judges jurisdiction to grant protective orders in cases of sexual assault, in addition to stalking. This change is especially important given that many rural communities in Alaska only have access to magistrate or district courts.

Please join me in repairing this small gap in the statute and ensuring that all victims of sexual assault in our state are able to gain protection from their attackers.