

ALASKA STATE LEGISLATURE

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SPONSOR STATEMENT

HB 258

House Bill 258, also known as Jackson's Law, is going to ensure that parents who lose their unborn child through the unlawful or improper actions of another person have a path to justice.

Right now there is no legal recourse for Alaskan parents to pursue when their unborn baby dies due to negligent or malevolent conduct. It is a perverse oversight that a child can die in the womb with no consequences for the responsible party; they can get off scot-free simply because the child they injured died as a result of those injuries. Jackson's Law would rectify this.

Specifically, Jackson's Law would make Alaskan civil law consistent with the criminal law passed by this body in 2006 in regards to the criminal liability for the death of an unborn child. That law established that the unborn can be victims of murder, manslaughter and criminally negligent homicide in a criminal court. This law would mirror that and establish that a person could be held liable in civil court for the wrongful death of a child. Jackson's Law would extend the current statutes so that someone who causes the death of the unborn can be held to account. Simply put, the same actions that can lead to criminal charges could now also lead to civil charges.

Alaska is one of only ten states that do not allow the parents of an unborn victim to seek accountability or damages from the guilty party. This has to change. Expanding Alaska's wrongful death statutes to cover the state's unborn children is a moral imperative, an easy fix, and just common sense. Jackson's Law protects parents and provides a path toward healing.

On the behalf of the parents who never got to meet their children, I urge you to support HB 258.