



Alaska State Legislature

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House Bill 112 Sponsor Statement

An act to expand sexual assault protection.

House Bill 112 adds specific language to AS 11.41.425 and AS 11.41.427 criminalizing sexual penetration and sexual contact with victims, witnesses, or defendants under active investigation by a law enforcement officer, effectively clearing up a gray area in the law. Current law criminalizes police sexual misconduct through two mechanisms: 1. coercion— it is considered sexual assault if an individual is coerced into sexual contact or intercourse by threat of arrest, or, 2. in custody—it is considered sexual assault for law enforcement to have sexual contact with a person who is in their custody or apparent custody. Neither of these instances addresses the use of sexual contact as an investigative tool. There have been reports of law enforcement officers engaging in sexual contact prior to arrest, especially in instance of undercover operations, without repercussion.

A research study at the University of Alaska Fairbanks surveyed a diverse group 40 people who had worked in Alaska's sex trade. Of those individuals, 26% said they had been sexually assaulted by a law enforcement officer. 60% of those who had been coerced or manipulated, and 50% of those who had been forced had been sexually assaulted by an officer.

The public has shown overwhelming support for passing this bill; over 67,000 people have signed a Care2 petition asking for this legislation. In addition, a Hays Research Group survey of 900 Alaskans showed that 92.9% were unaware that police were allowed to have sex during prostitution stings and 90.2% felt that it should be against the law for law enforcement to have sexual contact with people they are investigating.

The goal in passing House Bill 112 is clarifying a gray area regarding misconduct to protect law enforcement and the public alike. This bill serves to protect potential victims of sexual assault, and provide clear guidelines to law enforcement to ensure integrity and public confidence.