



Brian Mazurek | Peninsula Clarion Tammie Willis speaks at the LGTBQ Town Hall at the Soldotna Public Library in Soldotna on Jan. 4.

Legislator proposes adding LGBTQ protections to state hate crime laws

Following attacks on Sterling woman, Anchorage lawmaker takes action

By Peter Segall

Tuesday, January 14, 2020 10:05pm | NEWS LGBTQ STATE NEWS

Following an attack on a Sterling woman allegedly for her sexuality, three state lawmakers are proposing legislation that would add sexual orientation and gender identity to Alaska's hate crime laws.

Rep. Andy Josephson, D-Anchorage, said he is sponsoring the bill after hearing reports of the attack on Tammie Willis in her home on Dec. 9.

"So far, without any effort," Josephson said Monday, "I have one Democrat and one Republican co-sponsor."

Fairbanks Democrat Grier Hopkins and Kenai Republican Gary Knopp have offered to support the bill. Knopp represents Soldotna, whose police force is investigating the crime.

Staff for both Hopkins and Knopp said those representatives were not currently available to comment.

But even with initial bipartisan support, Josephson said he's not confident the bill will pass.

"I don't know how my colleagues will react to the bill, people fall prey to the assorted problems with hate crime legislation," Josephson said. "People think it turns the government into the Thought Police, which it doesn't do. You can think whatever you want, it's when you act on those thoughts."

Josephson said that a person's intent has always factored into the law.



Michael Penn | Juneau Empire File Andy Josephson, D-Anchorage, speaks to the media in this file photo from 2017.

"The criminal code for centuries has taken into account 'mens rea,'" Josephson said, using a Latin term for criminal intent. "That's why we have manslaughter and murder in the first degree, both of which result in a homicide."

Under the proposed legislation, the state would have to prove a crime was committed because of bias against LGBTQ people, just like with other hate crimes. The burden of proof in those cases is on the state, Josephson said, meaning a defendant would not have to prove a lack of bias.

Alaska currently has laws for crimes based on “race, sex, color, creed, physical or mental disability, ancestry, or national origin,” according to state statute. At least 46 states and Washington, D.C., have some form of hate crime law, according to the Department of Justice. Alaska has hate crime laws but does not require the collection of data on hate crimes, according to DOJ.

According to a list compiled by the NAACP, 31 states have hate crime laws protections for sexual orientation and 17 for gender identity.

Willis, who lives with her wife in Sterling, was assaulted in her home during a power outage on the morning of Dec. 9, the Peninsula Clarion reported. In the weeks leading up to the assault, Willis found a note containing homophobic slurs left on her truck and then a week later found the vehicle’s windshield smashed.

An assailant has not been identified, and Soldotna police and Alaska State Troopers are currently investigating the incidents, KTUU reported. Willis told the Clarion she had been in contact with the FBI about the possibility of the incident being considered a federal hate crime.

The Southeast Alaska LGBTQ+ Alliance based in Juneau said in a statement they support the proposed legislation, and thanked the legislators sponsoring it.

“As recent events have shown here and around the country, the LGBTQ+ community is a frequent target of attacks clearly based on their gender identity and sexual orientation,” SEAGLA said in an email.

There may be some people who view the legislation as promoting special interests, Josephson said, and some legislators representing conservative constituents may not back the bill.

If the bill was passed by the Legislature, it would have to be signed by Gov. Mike Dunleavy to become law. It's possible the governor could support the bill, Josephson said, but he said that unclear at this time. The governor's office did not respond to repeated requests for comment if he would support the bill.

"Even if I could get my colleagues in the Legislature to pass it, I don't know what the governor would do with it," Josephson said.



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