



January 31, 2022

Representative Matt Claman
Chairman, House Judiciary Committee
State Capitol – Room 118
Juneau, Alaska 99801

Re: Opposition to HB 51

Dear Representative Claman:

Alaska Family Action urges you to oppose House Bill 51: “An Act relating to aggravating factors considered at sentencing.”

HB 51 undermines the principle that justice should be blind. It proposes that certain crimes should carry heavier sentences based solely on the fact that the victim belongs to a particular group, and that the perpetrator “knowingly directed the conduct constituting the offense” because of the victim’s inclusion in this specified group. This implicitly suggests that crimes committed against persons who are not part of one of the enumerated groups in statute are somehow less important in the eyes of the law. Instead, our justice system should treat all citizens equally, rather than suggesting that certain groups have more or less value than other groups.

The fact that HB 51 singles out the thoughts of the criminal defendant as warranting extra punishment sets a worrisome precedent. Our criminal law should punish bad behavior, not bad thoughts. It is a short leap from HB 51 to seeing legislation that defines “thought crimes” as offenses to be punished in and of themselves, even if not linked with bad behavior. Sadly, this is not a theoretical concern. In Finland, a member of that country’s Parliament and a Lutheran bishop are currently being prosecuted for alleged “hate crimes” merely for publishing a booklet that explains traditional Christian beliefs on human sexuality and marriage.

In fairness, some of the problems we discern with HB 51 are also found in the underlying statute it seeks to amend. Nevertheless, HB 51 does not move the law in a positive direction. Alaska Family Action believes that all violent crimes are “hate crimes” in that they violate the sacred dignity of the human person. This holds true regardless of a victim’s inclusion in any group. We are all equal in the eyes of God and we *should* be seen as equal in the eyes of the law as well.

Sincerely,

A handwritten signature in black ink, appearing to read "Jim Minnery". The signature is written in a cursive style with a long horizontal line extending from the end.

Jim Minnery, President
Alaska Family Action