
From: Joyce Song [REDACTED]
Sent: Wednesday, May 11, 2022 5:19 AM
To: Rep. Kelly Merrick; Rep. Sara Rasmussen; Rep. Daniel Ortiz; Rep. Neal Foster; House Finance
Subject: House Bill 5

Hello esteemed members of the House Finance Committee,

House Bill 5 is finally in House Judiciary after 16 hearings. This bill is a critical overhaul of Alaska's deficient statutes on sexual assault and consent, and must be moved out of committee quickly.

This bill will allow for the efficient processing of rape kits within 6 months, provide a modern definition of consent to be freely-given and reversible, and criminalize "rape by fraud," a glaring legal loophole that has allowed assault to go unaddressed.

This bill may have a large fiscal impact, but given the crisis levels of domestic violence and sexual assault we find in this state, it will be funding that is well worth the cost. Especially when the price of oil is booming, it is critical that we spend that windfall for services that make Alaskans safer in the long run.

Thank you for hearing this bill in House Finance, and please support and move this bill to the floor as soon as possible!

Best,
Joyce Song



HOPE

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To: House Finance Committee- Representatives Merrick, Foster, Ortiz, Johnson, Josephson, Rasmussen, Carpenter, LeBon, Thompson, Wool, and Edgmon

From: Tiffany Mills, HOPE Executive Director

Re: HB 5

HOPE appreciates all of the hard work the House Finance Committee has put into this legislative session and your efforts in welcoming testimony from constituents on HB 5 Consent.

Our agency supports Section 5 of the bill that defines “consent” as meaning “freely given” and reversible specific to the conduct at issue. We also believe that shortening the processing time for testing of sexual assault kits from one year to six months is critical in helping victims move forward in their healing journeys. Many victims deal with community backlash when reporting sexual assault crimes to law enforcement and moving forward kit testing. The faster a victim can move through the kit testing process the faster they can begin to heal.

We strongly object to the portion of the House Judiciary bill that would reduce the level of crime and penalties attached to certain sexual assault crimes. In our view this change would weaken Alaska’s response to sexual assault. We need tougher laws, and we need tougher penalties for those who violate others so traumatically. Please consider retaining the current classification of unclassified felony for those who cause incapacitation of another to commit sexual assault and those who threaten use of force against a person or property to commit sexual assault. We want to see stiffer penalties and more jail time for these criminals, not lighter consequences for their actions.

Respectfully,

Tiffany Mills
Executive Director



CENTRAL COUNCIL
Tlingit and Haida Indian Tribes of Alaska
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CENTRAL COUNCIL OF TLINGIT & HAIDA INDIAN TRIBES OF ALASKA
Eighty-Seventh Annual Tribal Assembly
April 20-22, 2022
Juneau, Alaska

Resolution TA 22-03

Title: Support Improvements in Criminal Laws and Practices Regarding Sex Crimes

By: Anchorage Delegate Tasha Hotch

WHEREAS, the Central Council of Tlingit & Haida Indian Tribes of Alaska (Tlingit & Haida) is a federally recognized tribe with more than 34,000 citizens; and

WHEREAS, we support our tribal values of respect for self and others and we have a history of taking a stance against violence and sexual assault; and

WHEREAS, there are currently barriers in Alaska regulation that make it challenging for victims of sexual crimes to receive justice, including: (1) the definition of consent (2) rape by fraud (3) time frame for rape kit testing; and

WHEREAS, an affirmative definition of consent stands in contrast to Alaska's existing definition of "without consent," and the proposed new language provided for in Alaska House Bill 5, Defining Sexual Consent, would clarify in law that consent cannot be obtained from a person who is incompetent or unconscious, extracted by threat, force, deception or fraud, or assumed on the basis of a past or present relationship, including marriage; and

WHEREAS, Alaska currently has a backlog of rape kits waiting to be tested, and such backlog delays justice from moving forward in a timely manner; and

WHEREAS, Tlingit & Haida supports requiring kits to be tested within 6 months of collection; and

WHEREAS, currently HB 5 includes provisions that Tlingit & Haida supports; and

NOW THEREFORE BE IT RESOLVED, that the Eighty-Seventh Tribal Assembly of the Central Council of Tlingit & Haida Indian Tribes of Alaska delegation convened April 20-22, 2022, hereby supports improvements in criminal laws and practices regarding sex crimes and requests the Alaska State legislature pass legislation that provides such relief, including adding Affirmative Consent to the definition of consent, addressing the backlog of rape kits, and addressing rape by fraud; and

BE IT FURTHER RESOLVED, Tlingit & Haida will send a copy of this resolution of support to the bill sponsor(s).

ADOPTED this 20th day of April, 2022, by the Eighty-Seventh Tribal Assembly of the Central Council of Tlingit & Haida Indian Tribes of Alaska.

CERTIFY



President Richard J. Peterson

ATTEST



Tribal Secretary Jacqueline L. Pata