

34TH ALASKA STATE LEGISLATURE

Session

State Capitol, Rm. 118
Juneau, AK 99801
(907) 465-4940

Interim

1500 W. Benson Blvd
Anchorage, AK 99503
(907) 269-0123



House Judiciary Committee, Chair

Joint Armed Services Committee,
Co-chair

House Military and Veterans'
Affairs Committee

House Health and Social Services
Committee

Rep.Andrew.Gray@akleg.gov

REPRESENTATIVE ANDREW GRAY

House Bill 384 ver. N Sponsor Statement

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Alaska law provides robust confidentiality protections for communications between victims of domestic violence and sexual assault and a victim counselor or advocate. These protections are vital. Survivors must be able to seek care and counseling without fear their communications will later be disclosed in a subsequent civil or criminal trial. As the U.S. Department of Justice's Office for Victims of Crime has found, when "services are not confidential, victims are clearly hesitant to seek the help they need and deserve."¹

These protections apply only to victims served by organizations that qualify as a "victim counseling center" under state statute.² The definition was drafted to include the organizations providing counseling and advocacy services at the time of enactment. As the landscape of service providers has expanded, it has become necessary to update the statute accordingly. The legislature last recognized this changing landscape in 2013, when confidentiality protections were extended to include organizations operated or contracted by a branch of the armed forces.³

More recently, tribal governments have become essential frontline providers of victim services in Alaska. With expanded federal support, tribal governments now offer counseling and advocacy services to victims of domestic violence and sexual assault across the state. But our current statutes do not honor or reflect the broad victim services work and assistance provided by tribal governments. Tribal governments are not included in the definition of "victim counseling center," meaning victims who receive care from a tribal counseling center lack the same confidentiality protection afforded those served by a nonprofit, local government, or military-affiliated organization. HB 384 remedies this failure with the addition of two words—"or tribal"—to AS 18.66.250, ensuring equal confidentiality protections for all victims of sexual assault and domestic violence in Alaska.

¹ Joanne Zannoni, *Strengthening Sexual Assault Victims' Right to Privacy*, U.S. Department of Justice, Office of Justice Programs, Office for Victims of Crime, <https://ovc.ojp.gov/sites/g/files/xyckuh226/files/publications/infores/VictimsRightToPrivacy/pfv.html>.

² AS 18.66.250.

³ § 28 ch 43 SLA 2013.