



## Obstruction of Access to Public Places Highlights

- **Protects Alaska from unlawful obstruction activities:**
  - Increases penalties for existing crimes.
  - Creates a new crime of criminal obstruction for obstructing access to public places.
  - Creates a civil cause of action for a person whose access to public places is unlawfully obstructed.
- **Protects Alaskans' constitutional right to freedom of movement:**
  - The use of highways for the purpose of travel and transportation is a common and fundamental constitutional right.
  - Unlawful obstruction of access to public places deprives Alaskans of their rights under U.S. Const., amend. V and art. I, sec. 1, AK Const.
  - By imposing additional criminal penalties and creating a civil cause of action for unlawful obstruction of public places, Alaskans' constitutional right to freedom of movement is protected.
    - Unlawful obstruction is discouraged through greater potential for civil liability or criminal culpability.
- **Protects Alaskans' constitutional right to peaceably assemble:**
  - The right of the people to peaceably assemble is a common and fundamental constitutional right.
  - Alaskans may rightfully assemble peaceably under U.S. Const., amend. I and art. I, sec. 6, AK Const.
  - Unlawful obstruction/blocking traffic is already codified as a crime under AS 28.35.140.
  - HB 386 increases criminal penalties and creates a civil cause of action against unpermitted or illegal obstruction of access to public places.
  - By imposing additional criminal penalties and creating a civil cause of action for unlawful obstruction of public places, Alaskans' constitutional right to peaceably assemble is protected.
- **HB 386 seeks to further discourage activity that is already unlawful or unpermitted.**
- **HB 386 does not limit or curtail Alaskans' constitutional rights under U.S. Const., amend. I or art. I, sec. 6, AK Const.**
- **HB 386 provides Alaskans an avenue to remedy against unlawful obstruction.**