

# STATE OF ALASKA

**DEPARTMENT OF LAW**  
**OFFICE OF THE ATTORNEY GENERAL**

*Sean Parnell, Governor*

1031 W. 4<sup>th</sup> Ave., Ste. 200  
Anchorage, AK 99501  
PHONE: (907)269-5100  
FAX: (907)269-5110

March 28, 2012

The Honorable Hollis French  
Chair, Senate Judiciary Committee  
State Capitol, Room 417  
Juneau, AK 99801-1182

Re: *HB 80*

Dear Senator French:

Thank you for conducting the hearing before the Senate Judiciary Committee regarding the above-referenced bill. Please permit me to address two issues.

First, I hope it was made clear during his testimony that Assistant District Attorney Jay Fayette was testifying on his own behalf, and not on behalf of the Department of Law or the administration. We respect his right to express his views as a private citizen but there should be no confusion over whose views he purported to represent.

Secondly, we respectfully disagree with Mr. Fayette. Along with the 28 legislators who sponsored and co-sponsored this bill, the administration believes it has merit.

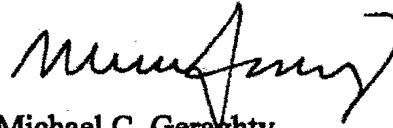
Alaskans are undoubtedly drawn to this state for many reasons, including the outdoor and recreational lifestyle. We believe, along with other states who have enacted similar legislation, that citizens have a right to protect themselves outside the home if confronted by deadly force. We acknowledge this may complicate certain prosecutions -- and we appreciate your sensitivity to this factor as a former prosecutor -- but in the final analysis the rights of citizens to defend themselves, both in and outside the home, should not rest on the convenience of prosecutors. Notwithstanding Mr. Fayette's anecdotal evidence, we are not convinced that the perpetrators of those crimes he described would have gone free had the law been in effect. The fact that defendants may attempt to take advantage of the law once it is on the books should not dissuade us from enacting laws that protect a citizen's right to legitimate self-defense outside the home.

Senator Hollis French, Chair Senate Judiciary Committee  
Re: HB 80

March 28, 2012  
Page 2 of 2

Thank you for your consideration. If you have any questions or concerns about the administration's position, please feel free to contact me.

Sincerely,

A handwritten signature in black ink, appearing to read "Michael C. Geraghty". The signature is fluid and cursive, with a large, sweeping flourish at the end.

Michael C. Geraghty  
Attorney General

cc: The Honorable Senator Bill Wielechowski  
The Honorable Senator Joe Paskvan  
The Honorable Senator Lesil McGuire  
The Honorable Senator John Coghill