

SENATE CS FOR CS FOR HOUSE JOINT RESOLUTION NO. 22(STA) am S

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-SECOND LEGISLATURE - FIRST SESSION

BY THE SENATE STATE AFFAIRS COMMITTEE

Amended: 4/11/01

Offered: 4/5/01

Sponsor(s): HOUSE RULES COMMITTEE BY REQUEST OF THE HOUSE

A RESOLUTION

1 **Relating to a diverse community; condemning a recent racially motivated attack; and**
2 **requesting the Municipality of Anchorage police department to continue their conclusive**
3 **investigation and requesting the criminal justice system to take rapid action to reach the**
4 **determination of this case.**

5 **BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

6 **WHEREAS** Anchorage is a diverse community with more than 18 identified ethnic
7 groups making up nearly 30 percent of its population; and

8 **WHEREAS** more than 20 percent of the Alaska Native and Native American
9 population of the state resides in Anchorage; and

10 **WHEREAS** Anchorage has a responsibility to take a leadership role in eliminating
11 unlawful discrimination and an obligation to help create a climate of tolerance and
12 understanding with the various ethnic groups in the city; and

13 **WHEREAS** the recent incident involving targeting of Alaska Natives for harassment
14 and violent action by three youthful Anchorage residents armed with paintball guns is
15 deplorable and reflects badly on every citizen of Anchorage and the State of Alaska; and

1 **WHEREAS** federal law 18 U.S.C. 245 makes it unlawful by the commission of
2 certain acts to prevent a person from exercising a "federally protected right" when the
3 assailant is motivated by bias based on race, religion, national origin, or color; and

4 **WHEREAS** Alaska law AS 12.55.155(c)(22) provides as an aggravating factor for
5 sentencing for a serious crime that "the defendant knowingly directed the conduct constituting
6 the offense at a victim because of that person's race, sex, color, creed, physical or mental
7 disability, ancestry, or national origin," and the finding of an aggravating factor allows the
8 court to increase a presumptive sentence for such an offense up to the maximum sentence for
9 that offense; and

10 **WHEREAS** the Alaska State Legislature condemns all hate crimes, racism, and
11 unlawful discrimination and calls on the public and the citizens of the state to likewise
12 condemn hate crimes, racism, and unlawful discrimination in any form;

13 **BE IT RESOLVED** that the Alaska State Legislature condemns the recent racially
14 motivated attack in Anchorage and finds the conduct of those perpetrating this act, or any
15 similar conduct, to be reprehensible and unacceptable; and be it

16 **FURTHER RESOLVED** that the Alaska State Legislature requests the Municipality
17 of Anchorage police department to complete a thorough and conclusive investigation of that
18 attack so as to allow the criminal justice system to take the actions necessary to reach a rapid
19 determination; and be it

20 **FURTHER RESOLVED** that the Alaska State Legislature joins with the Alaska
21 Federation of Natives in their request to the United States Commission on Civil Rights to
22 conduct a formal investigation into this incident and other incidents of unlawful
23 discrimination in Alaska.

24 **COPIES** of this resolution shall be sent to the Honorable John Ashcroft, Attorney
25 General of the United States; the Honorable Mary Frances Berry, Chair, United States
26 Commission on Civil Rights; the Honorable George Wuerch, Mayor of Anchorage; the
27 members of the Anchorage Assembly; Julia Kitka, President, Alaska Federation of Natives;
28 and to the Honorable Ted Stevens and the Honorable Frank Murkowski, U.S. Senators, and
29 the Honorable Don Young, U.S. Representative, members of the Alaska delegation in
30 Congress.