

**ALASKA STATE LEGISLATURE
SENATE JUDICIARY STANDING COMMITTEE**

March 10, 2014

1:35 p.m.

MEMBERS PRESENT

Senator John Coghill, Chair
Senator Lesil McGuire, Vice Chair
Senator Fred Dyson
Senator Donald Olson
Senator Bill Wielechowski

MEMBERS ABSENT

All members present

COMMITTEE CALENDAR

SENATE BILL NO. 203

"An Act relating to an interstate compact on a balanced federal budget."

- SCHEDULED BUT NOT HEARD

SENATE BILL NO. 200

"An Act establishing a right of action for the death of an unborn child in certain circumstances."

- HEARD & HELD

SENATE BILL NO. 176

"An Act relating to the regulation of firearms and knives by the University of Alaska."

- HEARD & HELD

PREVIOUS COMMITTEE ACTION

BILL: SB 200

SHORT TITLE: WRONGFUL DEATH OF AN UNBORN CHILD

SPONSOR(S): SENATOR(S) MCGUIRE

02/24/14	(S)	READ THE FIRST TIME - REFERRALS
02/24/14	(S)	JUD
03/10/14	(S)	JUD AT 1:30 PM BELTZ 105 (TSBldg)

BILL: SB 176

SHORT TITLE: REG. OF FIREARMS/KNIVES BY UNIVERSITY

SPONSOR(S): SENATOR(S) COGHILL

02/14/14	(S)	READ THE FIRST TIME - REFERRALS
02/14/14	(S)	JUD
03/03/14	(S)	JUD AT 1:30 PM BELTZ 105 (TSBldg)
03/03/14	(S)	Heard & Held
03/03/14	(S)	MINUTE(JUD)
03/05/14	(S)	JUD AT 1:30 PM BELTZ 105 (TSBldg)
03/05/14	(S)	Heard & Held
03/05/14	(S)	MINUTE(JUD)
03/10/14	(S)	JUD AT 1:30 PM BELTZ 105 (TSBldg)

WITNESS REGISTER

CARL E. BRENT, representing himself

Wasilla, Alaska

POSITION STATEMENT: Testified in support of SB 200.

MARY HARNED, Staff Counsel

Americans United for Life

Washington, D.C.

POSITION STATEMENT: Testified in support of SB 200.

JON GOODWIN, representing himself

Wasilla, Alaska

POSITION STATEMENT: Testified in support of SB 200.

SUSANNE HANCOCK, representing herself

Anchorage, Alaska

POSITION STATEMENT: Testified in support of SB 200.

KIMBERLY WALLACE-GOODWIN, representing herself

Wasilla, Alaska

POSITION STATEMENT: Testified in support of SB 200.

LELA RAYMOND, representing herself

Ketchikan, Alaska

POSITION STATEMENT: Testified in support of SB 200.

APRIL DISHNEAU, representing herself

Palmer, Alaska

POSITION STATEMENT: Testified in support of SB 200.

SHIELA WALLACE, representing herself

Kodiak, Alaska

POSITION STATEMENT: Testified in support of SB 200.

HANS RODVIK, Intern
Senator John Coghill
Alaska State Legislature
Juneau, Alaska

POSITION STATEMENT: Discussed a potential committee substitute for SB 176.

CHAD HUTCHISON, Staff
Senator John Coghill
Alaska State Legislature
Juneau, Alaska

POSITION STATEMENT: Offered supporting information related to SB 176.

BOB BIRD, representing himself
Nikiski, Alaska

POSITION STATEMENT: Testified in support of SB 176.

DREW LEMISH, President
Union of Students
University of Alaska Anchorage
Anchorage, Alaska

POSITION STATEMENT: Testified in opposition of SB 176.

MATTHEW KIRBY, West Coast Regional Director
Students for Concealed Carry
La Miranda, California

POSITION STATEMENT: Testified in support of SB 176.

JOHN ASPENES, representing himself
Fairbanks, Alaska

POSITION STATEMENT: Testified in opposition of SB 176.

YOUNGER OLIVER, representing herself
University of Alaska Anchorage Student
Anchorage, Alaska

POSITION STATEMENT: Testified in opposition of SB 176.

VICTORIA DANIELS, representing herself
University of Alaska Southeast Student
Juneau, Alaska

POSITION STATEMENT: Testified in opposition of SB 176.

LANCE ROBERTS, representing himself
Fairbanks, Alaska,

POSITION STATEMENT: Testified in support of SB 176.

CALLIE CONERTON, representing herself
University of Alaska Southeast Student
Juneau, Alaska

POSITION STATEMENT: Testified in opposition of SB 176.

LORA VESS, Ph.D., representing herself
University of Alaska Southeast Professor
Juneau, Alaska

POSITION STATEMENT: Testified in strong opposition of SB 176.

JAENELL MANCHESTER, representing herself
University of Alaska Fairbanks
Fairbanks, Alaska

POSITION STATEMENT: Testified in opposition of SB 176.

CHUCK GREEN
Second Amendment Task Force
Anchorage, Alaska

POSITION STATEMENT: Testified in support of SB 176.

COURTNEY ENRIGHT, Student Regent
University of Alaska System
Fairbanks, Alaska

POSITION STATEMENT: Testified in opposition to SB 176.

DAVID NOON, representing himself
Associate Professor and Chair
Social Sciences Department
University of Alaska Southeast
Juneau, Alaska

POSITION STATEMENT: Testified in opposition of SB 176.

TASHA HANSEN, representing herself
University of Alaska Southeast student
Juneau, Alaska

POSITION STATEMENT: Testified in support of SB 176.

SCOTT GELLERMAN, representing himself
Anchorage, Alaska

POSITION STATEMENT: Testified in support of SB 176.

ACTION NARRATIVE

[1:35:34 PM](#)

CHAIR JOHN COGHILL called the Senate Judiciary Standing Committee meeting to order at 1:35 p.m. Present at the call to order were Senators Dyson, Olson, McGuire, and Chair Coghill.

SB 200-WRONGFUL DEATH OF AN UNBORN CHILD

[1:36:38 PM](#)

CHAIR COGHILL announced the consideration of SB 200. "An Act establishing a right of action for the death of an unborn child in certain circumstances." This was the first hearing.

[1:36:42 PM](#)

SENATOR MCGUIRE, speaking as sponsor of SB 200, explained that this rounds out legislation that Senator Dyson introduced several years ago that deemed an unborn child a victim the same as the pregnant mother who was the victim of any negligent or unlawful actions. What wasn't done at the time was to allow for civil law recovery. SB 200 does that.

AS 09.15.018 is a new section that adds an action for the wrongful death of an unborn child. Nothing will bring the child back but this gives the parents a path to justice through both civil and criminal avenues and perhaps an opportunity towards healing, she said.

CHAIR COGHILL asked what general level of proof this would require.

SENATOR MCGUIRE replied the mental intent is intentional action and negligence in the area of wrongful death.

[1:42:47 PM](#)

CARL E. BRENT, representing himself, Wasilla, Alaska, testified in support of SB 200. He said it wasn't until his family went through a terrible loss that he became aware that Alaska was one of just ten states that do not recognize deceased children in civil court. This should be fixed so that young couples in the future don't have to face this loss and have no civil recourse.

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MARY HARNED, Staff Counsel, Americans United for Life, Washington, D.C. testified in support of SB 200. She testified as follows on behalf of Jackson's Law:

Alaska currently bars a cause of action for deaths of an unborn child unless the child is born alive and

dies thereafter. As Senator McGuire stated, this limitation starkly contrasts with Alaska's criminal law, which recognizes that an unborn child at any stage of development may be considered a victim of murder, manslaughter, and criminally negligent homicide.

The wrongful death cause of action is intended to correct this law and the common law where no cause of action survives the victim's death. Thus, the wrongdoer could escape liability by inflicting injury so severe that they resulted in the death of his victims, which is a terrible irony that was in the law before wrongful death statutes started to be enacted in the states.

Forty states recognize that a parent should be permitted to bring a wrongful death action when his or her unborn child dies in the womb as a result of a third party's criminal action, negligence, malpractice, or production or distribution of an unsafe product. Tragically, Alaska parents of unborn children who lose their lives because of the wrongful acts or omissions of others cannot receive this justice. These parents unquestionably have interest in the life, health, and wellbeing of their children. Wrongful behavior which results in the death of an unborn child carries the same social and emotional costs, including bereavement, a loss to society, and the lawlessness and disregard for life, which characterizes negligence, harmful and wrongful behavior.

Jackson's Law will extend the protections provided by the state's wrongful death statute to all unborn children in Alaska.

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JON GOODWIN, representing himself, Wasilla, Alaska, testified in support of SB 200. He advised that the bill is named after his son, Jackson. He started working on this legislation shortly after Jackson passed and he became aware that Alaska doesn't recognize unborn children in civil court. He described the pain of losing a child at 42 weeks gestation only to have people express condolences at his wife's miscarriage. Jackson was 9.5 pounds and fully developed and would be here today but for the healthcare that was provided that day, Mr. Goodwin said.

MR. GOODWIN advised that he has been to Iraq and Afghanistan where he lost good friends and was shot down in 2005. He had to deal with Post-Traumatic Stress Disorder (PTSD), but the death of Jackson has been more traumatic than any pain he experienced overseas. Drawing from an ethics law course, he stated that the community that feels no moral indignation over a crime being committed against one of its members, and fails to stand up for that member, fails to show the respect that victims deserve. Mr. Goodwin stressed that it's the right thing for the community to recognize this shortcoming in the law.

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SENATOR WIELECHOWSKI joined the committee.

CHAIR COGHILL stated that this committee respects victims to the highest degree possible.

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SUSANNE HANCOCK, representing herself, Anchorage, Alaska, testified in support of SB 200. She said she was testifying from a personal perspective as a good friend of the Wallace and Goodwin families. She is part of the ripple effect of the tragedy; she was looking forward to seeing their baby.

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KIMBERLY WALLACE-GOODWIN, representing herself, Wasilla, Alaska, testified in support of SB 200. She related that she and her husband lost their son, Jackson Wallace-Goodwin on December 6, 2012. His passing has impacted the entire family, including the grandparents, aunts and uncles, friends and their families. She urged the committee support SB 200 and give a voice to those like Jackson who do not have a voice.

[1:57:10 PM](#)

LELA RAYMOND, representing herself, Ketchikan, Alaska, testified in support of SB 200. She stated she was testifying on behalf on her nephew, Tanner Eugene Richards, who was lost about 16 months ago. Her niece went to the hospital at full term expressing that something was wrong. She spent about five hours with a nurse who never called the doctor despite repeated requests. The baby was alive and had a heartbeat when she went to the hospital, but he died in that five hours and her niece had to deliver a dead baby. Ms. Raymond said the nurse kept second-guessing herself and she believes that if that nurse knew she would get in trouble if something went wrong she might have called somebody.

That may have saved Tanner's life. Passing SB 200 will help prevent things like this from happening in the future, she said.

[2:00:50 PM](#)

APRIL DISHNEAU, representing herself, Palmer, Alaska, testified in support of SB 200. She described her experience as a high-risk pregnant mother who lost her baby three years ago. She was rushed to the hospital at 36 weeks with high blood pressure. When her blood pressure went down, she was told to go home and bed rest. Her placenta ruptured after just a day and her baby died.

[2:02:40 PM](#)

SHIELA WALLACE, representing herself, Kodiak, Alaska, testified in support of SB 200. As Jackson's grandmother she advised that she is one of the people affected by this and would like the committee to pass the bill.

CHAIR COGHILL asked the sponsor to discuss the required mental state.

SENATOR MCGUIRE said the bill is meant to coincide with AS 11.41.150-170, which is murder of an unborn child, manslaughter of an unborn child, and criminally negligent homicide of an unborn child. The mental state for .150 is intent to kill an unborn child; the mental state for .160 is intentionally, knowingly, or recklessly causing the death of an unborn child; and the mental state for .170 is with criminal negligence the person causes the death of an unborn child. She noted that the drafter inserted this new section under civil damages in Title 9. The action for wrongful death of an unborn child is added to the two current sections that allow parents to sue for seduction of a child and for death or disability of a party.

She read the description in subsection (a) and committed to bring a better definition of "wrongful act" and "omission" to the next hearing since the standards aren't specifically linked to those found in the criminal code. She thanked the families for testifying on such a difficult topic.

[2:08:12 PM](#)

CHAIR COGHILL stated his intention to hold SB 200 for further discussion.

SENATOR WIELECHOWSKI asked if the Department of Law was present.

CHAIR COGHILL said a representative would be available on Wednesday.

SENATOR WIELECHOWSKI expressed interest in hearing from DOL about the constitutionality of the bill given the definition of unborn child in AS 11.81.962, and about potential damages. He also questioned whether doctors and nurses or anyone from the medical community had weighed in on the bill. He assumed that the bill wouldn't apply to harm to the fetus through the morning after pill or mothers who drink during pregnancy, but he'd like that on the record.

[2:10:39 PM](#)

SENATOR MCGUIRE responded to the questions. First, the bill specifically tracks the criminal bill that was passed in 2006; it has the definition of unborn child in AS 11.81.900 but it doesn't separate by trimesters. DOL might have an opinion about the constitutionality of the bill, but her opinion is that it would be constitutional. She suspected that damages would relate to the pain and suffering of the parents as opposed to the potential for a child's life at one week of development. She conceded that the argument about doctors and nurses was valid in the discussion of the bill. Finally, the bill specifically exempts the morning after pill or anything related to abortion and any act of a pregnant woman against herself.

CHAIR COGHILL suggested the sponsor look at how the 40 other states with similar legislation had addressed those questions.

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CHAIR COGHILL held SB 200 in committee for further consideration.

SB 176-REG. OF FIREARMS/KNIVES BY UNIVERSITY

[2:14:02 PM](#)

CHAIR COGHILL announced the consideration of SB 176. "An Act relating to the regulation of firearms and knives by the University of Alaska." This was the third hearing.

[2:15:16 PM](#)

HANS RODVIK, Intern, Senator John Coghill, Alaska State Legislature, Juneau, Alaska, advised that the sponsor has been considering the concerns of the university. He and his staff were working on ways to balance public safety interests versus the fundamental right to keep and bear arms and the right to privacy guaranteed in the Alaska Constitution. To that end, a

forthcoming committee substitute (CS) would narrow the bill to precisely focus on concealed carry. He expressed hope that this would diffuse some of the concerns and the notions that 16-year-olds would carry long guns on campus. He stressed that there was never any intent to have open carry on campus; the intent is to improve public safety by providing adults on public campuses the same form of defense they have throughout the rest of Alaska.

[2:17:20 PM](#)

CHAD HUTCHISON, Staff, Senator John Coghill, Alaska State Legislature, Juneau, Alaska, advised that he is an attorney and UAF alumni. He restated the intent of SB 176 and the fundamental rights involved and noted that Alaska is one of the few states that has the fundamental right to privacy built into the state constitution. He explained that when the question is fundamental rights, the standard used by the court system is strict scrutiny. That means that the University of Alaska has to show that their restriction is necessary to a compelling state interest and that it is the least restrictive alternative.

MR. HUTCHISON said the University of Alaska analysis touches on that point and the Board of Regents' policy incorporates it in Chapter 02.09.020(D) when it specifically states that the University's compelling interest is what is at stake. To explain what that means, he paraphrased the standard set forth in the 2007 *State v. Planned Parenthood* case: "If the individual right proves to be fundamental, then strict scrutiny applies."

MR. HUTCHISON said the University of Alaska policy can only withstand constitutional scrutiny if it provides the least restrictive alternative. University officials will have to answer that question. Everyone acknowledges that the university has a compelling interest in ensuring public safety and the safety of its students, but the second part of the analysis must also be done. If firearms are restricted on campus, is the least restrictive alternative used?

MR. HUTCHISON said he didn't know if the university had brought forward least restrictive alternatives but he would suggest concealed carry training/safety courses and permits related to carrying concealed handguns. In order to restrict firearms, the burden is on the University of Alaska to follow the constitution and create a policy that is the least restrictive among the alternatives.

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BOB BIRD, representing himself, Nikiski, Alaska, testified in support of SB 176. He advised that he has been a public school teacher for 40 years and an adjunct instructor at the community college where he frequently takes classes. Every time he sees the signs at the entrance prohibiting weapons on campus he feels insulted because he's read the state constitution. He took issue with a previous statement and asserted that the university's mission is to educate, not to protect. He wants to protect himself because protection by others soon morphs into restriction. He suggested the legislature draft a bill to defend students who don't comply with the university firearms policy, because that policy is out of compliance with the state constitution.

DREW LEMISH, President, Union of Students, University of Alaska, Anchorage, testified in opposition of SB 176. He said the bill fixes something that isn't broken and puts every person on campus at risk. He relayed that as a student he doesn't feel secure sitting alongside somebody with a firearm or knowing that any of the 10,000 people on campus every day could walk into his office with a gun. He asked the committee to consider why people should be able to walk into his university office with a gun if they can't walk into legislator's offices with a gun. He urged the committee not to pass the bill.

[2:27:52 PM](#)

MATTHEW KIRBY, West Coast Regional Director, Students for Concealed Carry, La Miranda, California, stated that passing SB 176 will compel the University of Alaska to comply with state law. He expressed hope for a nation-wide adoption of laws to protect the ability of citizens to defend themselves in any circumstance in which their lives may be threatened. While no law can ensure the safety of citizens in every circumstance, the provisions of SB 176 are a prudent addition to Alaska law. The bill is consistent with the finding that average citizens can be trusted to use their firearms responsibly in self-defense scenarios. Of the 206 university campuses that allow students and faculty to carry concealed weapons, there has been no discernible increase in violent incidents.

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JOHN ASPENES, representing himself, Fairbanks, Alaska, said he is a retired professor of engineering at UAF who opposes the unrestricted carry of firearms on University of Alaska campuses for the following reasons: UAF has an armed police force, there is little crime on campus, many high school age and younger students are on campus year around, the university acts in a

parental role of many college-age students who are immature and live in a stressful environment, there will be unintended consequences such as accidents or crimes committed in the heat of passion, there is no compelling reason to allow unrestricted or concealed carry firearms on the UA campuses. He urged the continued restriction of firearms from all UA campuses.

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YOUNGER OLIVER, representing herself as a UAA student, Anchorage, Alaska, testified in opposition of SB 176. She said the current policies have been effective since they were implemented. The Board of Regents is the governing body that knows the most about what is happening on UA campuses and should therefore have the authority to develop and implement policy. Campuses are a stressful environment and students sometimes threaten professors and other students. Allowing students to bring weapons to campus is a bad idea and could cause bad things to happen. A better idea is to focus on preventing crime on campus. Now she can report a student who is carrying a weapon on campus, but if SB 176 passes neither she nor the police will be unable to do anything until a crime has been committed. UAA also has childcare facilities on campus and these children would be vulnerable. She urged the committee to review SB 176 and hold it in committee.

CHAIR COGHILL assured Ms. Oliver that state law regarding childcare facilities would stand.

[2:35:07 PM](#)

VICTORIA DANIELS, representing herself as a UAS student, Juneau, Alaska, testified in opposition of SB 176. She said that in the role of student government senator she has been reaching out to students, staff, and faculty about SB 176, and a majority of the groups have spoken out against the bill. The general consensus is that the bill would create a safety issue. The university's primary priority is education and allowing guns on campuses shifts the focus to public safety. Another concern is that K-12 students are hosted on campus. The coalition of student leaders and the student government have both taken a stand in opposition to SB 176 and she would like the committee to consider those views when voting.

[2:36:38 PM](#)

LANCE ROBERTS, representing himself, Fairbanks, Alaska, testified in support of SB 176. He asserted that the only thing the university policies have been effective in doing is to teach students that the constitution is a meaningless document, that

it's okay for people to take away their constitutional rights, that only bad guys can do anything, and that they should wait for somebody to defend them instead of defending themselves. He cautioned against teaching fear and encouraged teaching students to defend themselves and stand up for their neighbor. The police aren't omnipotent; the best defense is for good people to be armed. He refuted the argument that K-12 students on university campuses are vulnerable. He pointed out that K-12 students walk through the rest of the community that extends the right to bear arms to its citizens, and it hasn't presented any special problem. He encouraged the committee to advance SB 176 and give university students the opportunity to learn what it means to be given responsibility and exercise it appropriately.

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CALLIE CONERTON, UAS student government senator, Juneau, Alaska, said she was speaking on behalf of the students of the University of Alaska to discuss SB 176 and the students' views. She advised that when the coalition of student leaders discussed the bill with students, over 70 percent voiced opposition. The coalition does not believe the bill is beneficial or necessary. The university is a place of education and not the place for guns. Students also find it scary that a person can carry a gun without permits or training. Both UAA and UAF have daycare facilities but families don't feel safe bringing their children to a campus that allows concealed carry weapons. She said the university is committed to the safety of its students, staff, and visitors and she stands behind the university, the student government at UAS, and the coalition of student leaders in opposition to SB 176.

[2:41:40 PM](#)

LORA VESS, Ph.D., representing herself, said she is an assistant professor at UAS who is strongly opposed to SB 176. She does not oppose the owning or using guns but does not believe that institutions of higher education are the appropriated setting to wage a battle over rights to possess firearms. Students who are struggling to find their adult identity and develop a sense of self don't need the complication of a potentially explosive variable in this transition period. She advised that she is a graduate of Virginia Tech and had friends on campus the day of the shooting. That act of gun violence was horrific, but it didn't reverse her position regarding firearms on college campuses. It made her aware of the complexity of the factors that shape criminal action.

SB 176 is not reflective of the systematic understanding of the roots of violence on university campuses. Rather, it is ideologically driven with a narrow conceptualization of freedom and liberty that has nothing to do with the operation and needs of Alaska's universities or the safety of students and other people on campus every day, she said. Amending the bill to concealed carry does not alleviate any concerns, even with a four-hour safety course. That is less time than students expect to study for an exam and their life or the lives of others doesn't depend on passing that exam. She urged the committee to support the University Of Alaska Board Of Regents in their opposition to SB 176.

JAENELL MANCHESTER, representing herself as a UAF student, Fairbanks, Alaska, stated that the current policies implemented by the Board of Regents are more than adequate to safely regulate firearms on campus. She highlighted that Alaska has some of the highest suicide by firearm rates in the nation. This is not an unrecognized concern on UA campuses, but SB 176 potentially removes the university's ability to proactively act against depressed and volatile individuals, she said. The International Review of Law and Economics found a strong positive affect of gun prevalence on suicide. She said that SB 176 will increase access to firearms on campus and this will not be a benefit to students, particularly those with a mental illness.

[2:46:32 PM](#)

CHUCK GREEN, Second Amendment Task Force, Anchorage, Alaska, stated support for SB 176 and agreement with most of the testimony on 3/5/14. He explained that the task force, working in conjunction with Students for Concealed Carry, became involved in this issue in 2009. The first organized activity was a campus demonstration in spring 2010 in order to gain an audience with the Board of Regents or start a legal action. After an administrative hearing, a decision was made to go through university channels to remedy the situation. However, efforts to reason with the Board have been unsuccessful.

Addressing previous comments questioning the responsibility of youth, he said he has taught kids as young as eight years old how to shoot and was struck with the seriousness with which they approached the subject. He also pointed out that middle and high school kids living in the Bush often carry guns to school. Concerns about accidents are valid, but motor vehicles are more dangerous than firearms and 16-year-olds are allowed to drive.

MR. GREEN discussed news reports of violent or potentially violent incidents that were stopped by armed citizens. According to one estimate, as many as 2 million crimes a year are stopped by armed citizens. Some of the incidents were in Alaska. He suggested the committee consider in the deliberations of SB 176 that federal law already prevents mental patients from owning weapons. He further suggested that the committee support the bill because individuals shouldn't have to ask permission to exercise their rights.

[2:50:48 PM](#)

COURTNEY ENRIGHT, Student Regent, said she was speaking on behalf of the 34,000 students in the University of Alaska System that she statutorily represents. She advised that she has received an outcry of student responses to SB 176 and about 70 percent don't support the bill as written. The largest concern is the protection of the learning environment because the bill as currently written wouldn't allow a professor to remove a student from the learning environment if they were using a weapon in an inappropriate or distracting manner. Other concerns include high suicide rates, consumption of alcohol and other mind altering substances, and the high stress environment of the university that sometimes causes people to act differently. The rest of the concerns can be summed up in the "wisdom of 20 somethings." They make mistakes and they're learning, but the university is a fairly safe environment in which to make those mistakes. She questioned the wisdom of allowing increased access to a tool that could allow making mistakes in a way that would haunt an individual for the rest of their life or potentially shorten their life.

[2:53:07 PM](#)

DAVID NOON, representing himself, said he is an associate professor and chair of the Social Sciences Department at the University of Alaska Southeast. As an educator, he can think of very few things more detrimental to the university mission and his mission as a teacher than SB 176. It promises to raise the likelihood that gun violence will occur throughout the campus. He agreed with the previous speaker that there are a great many compelling reasons to limit the availability of firearms on campuses. Young people between the ages of 18 and 24 are vastly more likely than other-age cohorts to drink excessively, to suffer from mental illness, and to commit violent gun crimes. There are horrific exceptions, but college campuses are among the safest places for 18-24 year olds to gather. Statistics from the U.S. Justice Department bear this out. The likelihood of being a victim of a violent crime is about 20 percent less on a

college campus than elsewhere. Campus living is also safer; 7 out of 8 university students who are victims of violent crimes are victimized off campus. Ninety percent of the violence committed against college students takes place off campus. He said the logic of the bill is to make the universities safer, but it's an ideological search for a solution that lacks an empirical problem that can be identified. He said he wouldn't want to trust any of his past or present students with his safety in a stressful, violent situation. He doesn't trust his employers on every question, but he does trust them to design policies that allow him to teach in the safest possible environment. He said he doesn't trust an assembly of legislators to design or eradicate those policies and would urge defeat of the bill.

SENATOR DYSON asked if he trusts legislators and the administration to dictate which of the Bill of Rights will be abridged.

MR. NOON answered, "Certainly." He added that he also trusts the Board of Regents who are familiar with the working lives of students, faculty and staff to design policies that keep people safe.

TASHA HANSEN, representing herself, Juneau, Alaska, said she is a student at UAS. She discussed the Board of Regents' policy that allows weapons on campus so long as they are locked in the trunk of a car. The problem for her is that she's in a wheelchair, she wants to carry a firearm for self-protection, and she doesn't have a car. She stressed that it's a matter of personal safety to be able to carry a weapon for self-defense.

[3:00:33 PM](#)

SCOTT GELLERMAN, representing himself, Anchorage, Alaska, stated that he's read SB 176 and the sponsor statement and is in full agreement with both. The constitutional question is sufficient grounds to pass the bill. The concerns regarding unsafe, unlawful, and irresponsible carry are unfounded and based on fear and anxiety rather than factual data. He surmised that the majority of individuals who would choose to carry on campus if this bill passes are already participating in lawful and responsible carry while they're off campus. He doesn't anticipate any detectible change in day-to-day activities on campus should this bill pass. SB 176 is about rights, not misguided fear, he concluded.

[3:02:16 PM](#)

CHAIR COGHILL held SB 176 in committee for further consideration. Public testimony was open.

3:02:37 PM

There being no further business to come before the committee, Chair Coghill adjourned the Senate Judiciary Standing Committee meeting at 3:02 p.m.