

**ALASKA STATE LEGISLATURE
HOUSE JUDICIARY STANDING COMMITTEE**

February 17, 2025

1:01 p.m.

MEMBERS PRESENT

Representative Andrew Gray, Chair
Representative Chuck Kopp, Vice Chair
Representative Ted Eischeid
Representative Genevieve Mina
Representative Sarah Vance
Representative Mia Costello

MEMBERS ABSENT

Representative Jubilee Underwood

COMMITTEE CALENDAR

CONFIRMATION HEARING(S) :

Select Committee on Legislative Ethics

Conner Thomas - Nome
Carl White - Anchorage
Linda Cox - Palmer

- CONFIRMATION(S) ADVANCED

HOUSE BILL NO. 101

"An Act relating to civil claims by victims of sexual abuse to a minor; relating to homicide; relating to assault in the third degree; relating to stalking; relating to sexual abuse of a minor; relating to enticement of a minor; relating to endangering the welfare of a child; relating to indecent exposure; relating to sending an explicit image of a minor; relating to solicitation or production of an indecent picture of a minor; relating to distribution of indecent material to minors; relating to the testimony of children in criminal proceedings; relating to sentencing; and providing for an effective date."

- HEARD & HELD

PREVIOUS COMMITTEE ACTION

BILL: HB 101

SHORT TITLE: CRIMES AGAINST MINORS

SPONSOR(S): REPRESENTATIVE(S) GRAY

02/12/25 (H) READ THE FIRST TIME - REFERRALS
02/12/25 (H) JUD, FIN
02/17/25 (H) JUD AT 1:00 PM GRUENBERG 120

WITNESS REGISTER

CONNER THOMAS, Appointee
Select Committee on Legislative Ethics
Nome, Alaska

POSITION STATEMENT: Testified as the governor's appointee to the Select Committee on Legislative Ethics.

CARL WHITE, Appointee
Select Committee on Legislative Ethics
Anchorage, Alaska

POSITION STATEMENT: Testified as the governor's appointee to the Select Committee on Legislative Ethics.

LINDA COX, Appointee
Select Committee on Legislative Ethics
Palmer, Alaska

POSITION STATEMENT: Testified as the governor's appointee to the Select Committee on Legislative Ethics.

REPRESENTATIVE ANDREW GRAY
Alaska State Legislature
Juneau, Alaska

POSITION STATEMENT: As prime sponsor, presented HB 101.

CLAIRE BREDAR, Staff
Alaska State Legislature
Juneau, Alaska

POSITION STATEMENT: Presented the sectional analysis for HB 101 on behalf of Representative Gray, prime sponsor.

KEELEY OLSON, Executive Director
Standing Together Against Rape
Anchorage, Alaska

POSITION STATEMENT: Gave invited testimony during the hearing on HB 101.

JOSHUA MOORE, Secretary Treasurer
Public Safety Employees Association

Fairbanks, Alaska

POSITION STATEMENT: Gave invited testimony during the hearing on HB 101.

RANDY BREAGER, Executive Director
Abused Women's Aid in Crisis Center
Anchorage, Alaska

POSITION STATEMENT: Gave invited testimony during the hearing on HB 101.

ELEANORE DOLGONOS, representing self
Anchorage, Alaska

POSITION STATEMENT: Gave invited testimony during the hearing on HB 101.

ACTION NARRATIVE

[1:01:05 PM](#)

CHAIR ANDREW GRAY called the House Judiciary Standing Committee meeting to order at 1:01 p.m. Representatives Costello, Eischeid, Kopp, and Gray were present at the call to order. Representatives Mina and Vance arrived as the meeting was in progress.

CCONFIRMATION HEARING(S): Select Committee on Legislative Ethics

[1:02:00 PM](#)

CHAIR GRAY announced that the first order of business would be confirmation hearings for the Select Committee on Legislative Ethics.

[1:02:35 PM](#)

CONNER THOMAS, Appointee, Select Committee on Legislative Ethics, informed the committee that he has served on the committee as a public member since 1999. He said the committee provides transparency into the legislative branch and gives the public a forum to address concerns about their elected officials. More important than the adjudication of complaints, he said the committee provides legislators with an easy way to seek guidance regarding issues covered by the Ethics Act. Informal advice offered by the committee helps ensure compliance with the act and reduces the possibility of a filed complaint. In closing, he summarized his professional background.

[1:05:09 PM](#)

REPRESENTATIVE VANCE, referencing Mr. Thomas's resume, asked him to further clarify "Arctic Access."

MR. THOMAS said Arctic Access is an organization that provides assistance to disabled or elderly individuals. In response to a follow up question, he stated that he served on the board for Arctic Access.

CHAIR GRAY commented on his involvement with the Iditarod.

[1:06:58 PM](#)

REPRESENTATIVE COSTELLO asked for examples of the most prevalent issues that legislators have with regard to the Ethics Act.

MR. THOMAS said frequent issues involve gifts and whether something violates the limit of \$250 per year. Another issue relates to office newsletters.

[1:08:21 PM](#)

REPRESENTATIVE KOPP asked whether there's anything that needs to be addressed in the Ethics Act.

MR. THOMAS answered yes, possible changes to the Ethics Act relate to gifts of travel and hospitality. Further clarification is also needed on whether a legislator can use their title when writing letters of recommendation, as well as further clarification on the legal defense fund and what that means with respect to a matter of legislative concern. He expounded on an additional issue related to confidential complaints and the committee's subpoena power.

[1:12:03 PM](#)

CARL WHITE, Appointee, Select Committee on Legislative Ethics, summarized his personal and professional background as a teacher with experience in rural Alaska. He noted that he has no prior experience on the committee.

[1:13:54 PM](#)

REPRESENTATIVE VANCE asked Mr. White how his experience with crisis intervention and prevention training would help him on the committee.

MR. WHITE recounted his experience working for the Bering Strait School District and the suicide prevention programs he helped create.

REPRESENTATIVE VANCE asked whether Mr. White had reviewed the rules and responsibilities of the committee.

MR. WHITE answered no.

REPRESENTATIVE VANCE encouraged him to do so, as his experience in crisis intervention may be useful.

[1:16:24 PM](#)

REPRESENTATIVE MINA, referencing Mr. White's resume, inquired as to his doctoral studies at the University of Idaho.

MR. WHITE explained that he dropped out of the doctoral program before writing his dissertation and is no longer seeking his doctorate.

[1:17:38 PM](#)

REPRESENTATIVE COSTELLO asked whether Mr. White is seeking appointment on other boards or commissions.

MR. WHITE stated that he applied for the position to stay active in retirement. He shared his belief that he possesses skills that may be useful to the committee.

REPRESENTATIVE MINA highlighted his extensive experience in education and asked what parts of his background and experience are most relevant to serving as a fair member of the committee.

MR. WHITE spoke to his decision-making skills, the ability to gather input from others, and his decisiveness. He emphasized the importance of working as a team, but also the importance of making a decision when needed.

[1:20:05 PM](#)

REPRESENTATIVE EISCHEID asked whether Mr. White had experience in discussing environmental ethics with children that could inform his work on the committee.

MR. WHITE commented on his experience as a facilitator with the Intermountain Environmental Education Team at the University of Idaho, which involved hands on science with teachers and students.

[1:22:15 PM](#)

LINDA COX, Appointee, Select Committee on Legislative Ethics, explained that her desire to serve stemmed from watching the news and realizing that making a change starts locally.

REPRESENTATIVE EISCHEID asked Ms. Cox to elaborate on the "craziness going on ... in the country."

MS. COX said she observed contention and disagreement in the government. She stated her belief that she has a strong understanding of local opinion and wanted to give input where it might matter.

[1:24:56 PM](#)

REPRESENTATIVE MINA highlighted Ms. Cox's background in social work and asked what strengths and skills she would bring to the committee.

MS. COX summarized her personal and professional background, and said she has an open mind, and a clear understanding of what people want.

[1:26:58 PM](#)

CHAIR GRAY moved to advance the confirmations of Conner Thomas, Carl White, and Linda Cox, appointees to the Select Committee on Legislative Ethics, to the joint session of the House and Senate for consideration. He reminded members that signing the reports regarding appointment to boards and commissions in no way reflects individual members' approval or disapproval of the appointees, and that nominations are merely forwarded to the full legislature for confirmation or rejection. There being no objection, the confirmations were advanced.

[1:27:39 PM](#)

The committee took an at-ease from 1:27 p.m. to 1:29 p.m.

[Chair Gray passed the gavel to Vice Chair Kopp.]

HB 101-CRIMES AGAINST MINORS

[1:29:31 PM](#)

VICE CHAIR KOPP announced that the final order of business would be HOUSE BILL NO. 101, "An Act relating to civil claims by victims of sexual abuse to a minor; relating to homicide; relating to assault in the third degree; relating to stalking; relating to sexual abuse of a minor; relating to enticement of a minor; relating to endangering the welfare of a child; relating to indecent exposure; relating to sending an explicit image of a minor; relating to solicitation or production of an indecent picture of a minor; relating to distribution of indecent material to minors; relating to the testimony of children in criminal proceedings; relating to sentencing; and providing for an effective date."

[1:30:07 PM](#)

REPRESENTATIVE ANDREW GRAY, Alaska State Legislature, as prime sponsor, presented HB 101. He read from the following prepared remarks [original punctuation provided]:

Thank you to the committee for allowing me to present this important piece of legislation today. Alaska has the highest rate of rape in the country, which is over three times the national average. We also have one of the highest rates of child sexual assault in the country - nearly six times the national average according to the UAA Justice Center's Alaska Victimization Survey (AVS). That 2020 survey found that over 35% of Alaskan women report being sexually abused before the age of 18. Sex trafficking is also a major issue in Alaska that disproportionately affects vulnerable young people.

Advocates from Alaska's domestic violence and sexual assault organizations have consistently identified that Alaska's low age of sexual consent presents a unique risk factor for minors who are 16 and 17 years old. Under current statute, 16 and 17-year-old individuals can legally consent to sex, meaning that in the case of a sexual assault, these minors must prove that they did not consent to sex in

court. This makes prosecution of cases of trafficking and sexual assault more difficult.

In late December 2023, a 63-year-old law enforcement officer by the name of Vince Peronto was sentenced to 8 years in prison for attempted sexual abuse of a minor in the second degree. In 2018 He had pulled over a 16-year-old female while driving, then started exchanging flirtatious text messages with her. When her father found out, he contacted law enforcement, and they set up a "sting" operation to catch him attempting to meet up with her at a hotel for sexual relations. The only reason this was considered criminal is because he was an officer and was thus in a position of authority (which is already a crime). If he hadn't been with law enforcement - if he had just been a friend of her parents or anyone else NOT in a position of authority, it would have been legal. You may ask why we haven't heard about those cases. The reason why is that legal sexual relationships don't get reported in the news. Sex between older adults and 16- and 17-year-olds is NOT currently against the law, except under very specific criteria, and therefore we don't hear about it, but parents regularly call crisis hotlines describing how their teens are being manipulated and coerced by adults for sex but there is no legal recourse for those parents. Parents become furious with law enforcement. They want to protect their children and they can't. Our statutes as they are now simply do not adequately protect 16 and 17 years old from predators in Alaska.

House Bill 101 increases the age of consent in Alaska to 18, closing the loophole that has left these 16 and 17-year-old children unprotected under the statute for years. A four-year close-in-age exemption is retained in this bill. This is often referred to as the Romeo & Juliet clause - it allows for a 16- or 17-year-old to legally consent to sex with someone within 4 years of their age. This bill is not criminalizing consensual sex among teenagers; this bill simply makes it more difficult for 16 and 17 years old to be victims of sexual assault and sex trafficking. HB 101 also makes changes for consistency in several other areas of criminal statute that treat 16 and 17-year-olds differently, such as criminalizing the sending of explicit images of 16 and 17-year-old minors. This increase of the age of consent to 18

would put Alaska in line with other states such as Florida, Kentucky, Idaho, Utah, and Arizona, to name a few.

[1:33:55 PM](#)

CLAIRE BREDAR, Staff, Alaska State Legislature, on behalf of Representative Gray, prime sponsor, presented the sectional analysis for HB 101 [included in the committee packet], which read as follows [original punctuation provided]:

Sections 1-6

These sections amend multiple statutes to update the definition of a minor, raising the age from 16 to 18 years old in cases related to specific criminal offenses.

Section 1: AS 09.55.650(a) - Claims based on sexual abuse of a minor

Section 2: AS 11.41.100(a) - Murder in the first degree

Section 3: AS 11.41.110(a) - Murder in the second degree

Section 4: AS 11.41.220(a) - Assault in the third degree

Section 5: AS 11.41.220(b) - Assault in the third degree

Section 6: AS 11.41.260(a) - Stalking in the first degree

Section 7

AS 11.41.434(a) Sexual abuse of a minor in the first degree

Amends AS 11.41.434(a)(3) to specify that an offender 18 years of age or older commits sexual abuse of a minor in the first degree if they engage in sexual penetration with a person under 18 years of age.

Section 8

AS 11.41.436(a) Sexual abuse of a minor in the second degree

Amends AS 11.41.436(a) to expand the definition of sexual abuse of a minor in the second degree to include 16- and 17-year-olds, in addition to the existing provisions for 13-, 14-, and 15-year-olds.

Section 9

AS 11.41.438(a) Sexual abuse of a minor in the third degree

Amends AS 11.41.438(a) to expand the definition of sexual abuse of a minor in the third degree to include 16- and 17-year-olds, in addition to the existing provisions for 13-, 14-, and 15-year-olds.

Sections 10-27

These sections modify various statutes to update the legal definition of a minor, changing the age threshold from 16 to 18 years old for crimes related to child endangerment, indecent exposure, solicitation, and sentencing guidelines.

Section 10: AS 11.41.452(a) - Enticement of a minor

Section 11: AS 11.41.452(b) - Enticement of a minor

Section 12: AS 11.41.458(b) - Indecent exposure in the first degree

Section 13: AS 11.41.460(b) - Indecent exposure in the second degree

Section 14: AS 11.51.100(a) - Endangering the welfare of a child in the first degree

Section 15: AS 11.61.116(a) - Sending an explicit image of a minor

Section 16: AS 11.61.124(a) - Solicitation or production of an indecent picture of a minor

Section 17: AS 11.61.124(b) - Solicitation or production of an indecent picture of a minor

Section 18: AS 11.61.128(a) - Distribution of indecent material to minors

Section 19: AS 11.61.128(b) - Distribution of indecent material to minors

Section 20: AS 11.61.128(c) - Distribution of indecent material to minors

Section 21: AS 12.45.046(a) - Testimony of children in criminal proceedings

Section 22: AS 12.55.125(b) - Sentences of imprisonment for felonies

Section 23: AS 12.55.125(d) - Sentences of imprisonment for felonies

Section 24: AS 12.55.145(a) - Prior convictions

Section 25: AS 12.55.155(c) - Factors in aggravation and mitigation

Section 26: AS 12.63.020(a) - Duration of sex offender or child kidnapper duty to register

Section 27: AS 12.63.100(7) - Definitions

Section 28

Repeals AS 11.41.436(a)(6), 11.41.440(a)(2); and AS 12.63.100(7)(C)(ii).

Section 29

Clarifies the applicability of the amended statutes.

Section 30

Provides for an effective date.

VICE CHAIR KOPP sought questions from members of the committee.

[1:35:53 PM](#)

VICE CHAIR KOPP asked whether there is a standard age of consent among the 50 states.

CHAIR GRAY said the age of consent varies from state to state.

VICE CHAIR KOPP inquired as to the legal standard for knowing that a person is over 18 and whether asking them meets the standard of due diligence.

CHAIR GRAY deferred to the Department of Law (DOL) and offered to follow up with the requested information.

[1:37:46 PM](#)

REPRESENTATIVE MINA questioned the bill's scope of impact.

CHAIR GRAY shared his understanding that invited testifiers would speak to the bill's scope.

[1:38:25 PM](#)

REPRESENTATIVE VANCE asked why the bill does not raise the age of marriage from 16 to 18 and whether the exclusion is conflicting.

CHAIR GRAY stated that the bill is about consent. He shared his understanding that in Alaska, the legal age of marriage is 18, or 16 to a person not more than 3 years older with parental consent. With that in mind, the proposed legislation is more expansive than the current marriage statute. He said it wasn't his intent to address the marriage issue; however, he would be happy to entertain an amendment that offered more consistency.

VICE CHAIR KOPP sought to verify that the bill would not criminalize sex between people who are 4 or fewer years apart in age.

REPRESENTATIVE GRAY confirmed that the bill allows for a gap of 4 years in age, either up or down, as long as the individual is 13 or older. For example, a 16-year-old could not have sex with a 12-year-old.

[1:45:17 PM](#)

The committee took a brief at-ease at 1:45 p.m.

[Vice Chair Kopp returned the gavel to Chair Gray.]

[1:45:45 PM](#)

CHAIR GRAY opened invited testimony.

[1:46:28 PM](#)

KEELEY OLSON, Executive Director, Standing Together Against Rape (STAR), shared an example to illustrate how 16-year-olds are swept under the rug while perpetrators go free. She shared that STAR often receives devastating calls from parents of children who are being manipulated or controlled by a predatory adult due to the age of consent. Protecting all minors is a helpful way to make a difference in helping trafficked youth, she said. She explained that all STAR can do to help kids being manipulated or controlled is attempt to help them unify with their family and seek their own protective order. Often, crimes of sexual assault against teens are reported to law enforcement and investigated at length, but the burden of proof for the issue of consent is so high that the cases go uncharged and unprosecuted. She said the bill would align with Alaska's age of marriage law,

as a 16- or 17-year-old cannot marry someone outside the age range included in the bill, even with their parents' consent. She explained that without proper response and crisis intervention, youth are at a higher risk of experiencing repeat victimization, which could be avoided by making sexual assault against minors a priority. She said vulnerable minors who are harmed do not have the capacity to seek out appropriate resources, develop positive coping skills, or access necessary support, without taking the crimes against them seriously.

[1:58:40 PM](#)

JOSHUA MOORE, Secretary Treasurer, Public Safety Employees Association (PSEA), informed the committee that he has worked in law enforcement for over 20 years. The gap in current law provides a loophole for offenders to target minors. Typically, drugs and alcohol are used to manipulate kids and lower their inhibitions, leading to actions that have serious consequences. He explained that vulnerable kids engage in these actions with "consent," but later realize that these actions are not consistent with their values. He spoke to real world examples and stated that law enforcement is often unable to help due to the loophole in the law. He stated that the bill would close a gap in what's otherwise immoral behavior that has been overlooked through the years.

CHAIR GRAY shared his understanding that use of substances in these scenarios make it difficult for prosecutors to bring charges.

MR. MOORE responded yes, alcohol is a contributing factor, because many times, the minor wouldn't have engaged in the act without alcohol or drugs being introduced. He added that its difficult for prosecutors to prove that it wasn't a consensual act.

[2:04:42 PM](#)

REPRESENTATIVE VANCE requested more insight on the vulnerability of youth ages 18-21.

MR. MOORE said science and research supports the idea that the brains stop developing at age 24, and the life experience of a 16-year-old pales in comparison to a 50-year-old.

[2:07:12 PM](#)

REPRESENTATIVE KOPP asked how many cases over a 12-month period would fall into the loophole involving 16- and 17-year-olds.

MR. MOORE estimated two to three per year in the region he serves.

[2:08:46 PM](#)

REPRESENTATIVE GRAY questioned the differences in existing practice between a 16-year-and a 15-year-old.

MS. OLSON said to charge sexual abuse of a minor (SAM), sex must have occurred outside the legal age range. She explained that the onus of proving that the minor did not give consent falls on the state, which is even more difficult in a substance fueled assault.

[2:11:57 PM](#)

REPRESENTATIVE MINA asked how many service requests are received by STAR for 16- and 17-year-olds.

MS. OLSEN did not know the answer, adding that calls coming in are often from parents.

[2:16:06 PM](#)

RANDY BREAGER, Executive Director, Abused Women's Aid in Crisis Center (AWAICC), gave information on AWAICC and voiced her support for the bill, which is a critical step towards protecting minors. She noted the high rates of sexual violence in Alaska, which are exasperated by systematic gaps in the protection of minors. Current law, she said, draws an arbitrary line that's not supported by scientific findings on teenagers' cognitive, emotional, physical, and social development. By increasing the definition of a minor from 16 to 18, it would bring Alaska more in line with federal standards and other states that recognize the vulnerability of older teenagers. It would also broaden the scope of offenses against minors, including homicide, third degree assault, stalking and enticement, to ensure that the perpetrators are facing appropriate consequences regardless of the path they take in their predatory behavior. In addition, the bill would reduce the burden on law enforcement and prosecutors to hold these perpetrators accountable. In reality, she said proving incapacitation from drugs or alcohol is difficult and often unsuccessful in sexual assault investigations. The bill would

remove that barrier for minors altogether. She concluded that passing the bill would send a clear message that Alaska prioritizes the safety of children.

[2:23:30 PM](#)

ELEANORE DOLGONOS, representing self, emphasized the importance of passing the bill for 16- and 17-year-olds. She shared her personal story and commented on the stigma and lack of understanding surrounding those who seek help after victimization. She said ultimately, her case was dismissed, and the legal system failed to offer the support she needed. She shared that despite her advanced abilities and maturity, she did not feel like an adult until 18 years old and deserved to be protected. She said she had to go to great lengths when seeking justice, because current law does not recognize the vulnerability of teens at 16 and 17, adding that these difficulties should not have to be endured to get support. While teens are capable of making their own decisions, they are still learning how to navigate relationships, power dynamics, and all the emotional and psychological aspects of intimacy, growth, and development, making them far more susceptible to situations where their choices can be influenced or undermined. The law would empower the legal system to protect 16- and 17-year-olds in the same way that younger minors are protected. Ultimately, she shared her belief that raising the legal age of consent would ensure that justice is not denied for those who need it most and show that Alaska is committed to protecting teenagers from potential harm.

[2:28:58 PM](#)

The committee took an at-ease from 2:28 p.m. to 2:29 p.m.

[2:29:16 PM](#)

CHAIR GRAY gave closing remarks and clarified a previous misstatement. He explained that under current statute, it is an affirmative offense if, at the time of the alleged offense, the defendant reasonably believed the victim to be the age of consent and took reasonable measures to verify their age.

[HB 101 was held over.]

[2:31:04 PM](#)

ADJOURNMENT

There being no further business before the committee, the House Judiciary Standing Committee meeting was adjourned at 2:31 p.m.