

1 **CITY OF HOMER**
2 **HOMER, ALASKA**

3 Aderhold

4 **RESOLUTION 20-025**

5
6 A RESOLUTION OF THE CITY COUNCIL OF HOMER, ALASKA,
7 SUPPORTING ALASKA HOUSE BILL 198, AN ACT RELATING TO
8 AGGRAVATING FACTORS CONSIDERED AT SENTENCING
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10 WHEREAS, The City of Homer is a diverse community, with residents who fall along the
11 full range of sexual orientation and gender identity spectrums; and
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13 WHEREAS, A series of escalating incidents of harassment and assault in the Central
14 Kenai Peninsula, which were apparently targeted against an individual based on sexual
15 orientation, led to a town hall meeting on January 4, 2020 on the issue of public safety; and
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17 WHEREAS, Law enforcement officials, elected officials, and over 100 Kenai Peninsula
18 residents attended the public town hall meeting to discuss hate crime generally and on the
19 Kenai Peninsula; and
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21 WHEREAS, The incidents of harassment and assault in the Central Kenai Peninsula that
22 led to the town hall meeting on hate crimes could have happened in Homer or the surrounding
23 Southern Kenai Peninsula area; and
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25 WHEREAS, A hate crime may be defined as a criminal offense against a person or
26 property motivated in whole or in part by an offender's bias against the victim's race, religion,
27 disability, sexual orientation, ethnicity, gender, or gender identity; and
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29 WHEREAS, At present, Alaska Statute 12.55.155(c)(22) provides as an aggravating factor
30 for sentencing for a serious crime that "the defendant knowingly directed the conduct
31 constituting the offense at a victim because of that person's race, sex, color, creed, physical or
32 mental disability, ancestry, or national origin," but does not currently include sexual
33 orientation or gender identity as an aggravating factor for sentencing of a person convicted of
34 the crime; and
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36 WHEREAS, The fundamental civil and human rights of all individuals should be upheld
37 regardless of a person's race, sex, color, creed, disability, ancestry, national origin, sexual
38 orientation, or gender identity; and
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40 WHEREAS, Criminal offenses motivated in whole or in part by an offender's bias against
41 the victim's sexual orientation or gender identity have no place in our community; and
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43 WHEREAS, After the town hall meeting, Rep. Andy Josephson introduced HB 198; and

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45 WHEREAS, Alaska House Bill 198 would amend AS 12.55.155(c)(22) to expand hate crime
46 protections to include “sexual orientation or gender identity”.

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48 NOW, THEREFORE, BE IT RESOLVED that the City of Homer supports the expansion of
49 hate crime protection under AS 12.55.155(c)(22) to include “sexual orientation or gender
50 identity” as an aggravating factor for sentencing of a person convicted of a crime through
51 Alaska House Bill 198 if the substance of HB 198 as enacted is substantially the same as pre-
52 filed HB 198.

53
54 NOW, THEREFORE, BE IT FURTHER RESOLVED that copies of this resolution shall be
55 forwarded to Alaska Representative Sarah Vance, Alaska Representative Louise Stutes, Alaska
56 Representative Gary Knopp, Alaska Senator Gary Stevens, and Alaska Senator Peter Micciche.

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58 PASSED AND ADOPTED by the City Council of Homer, Alaska, this ____ day of _____, 2019.

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60 CITY OF HOMER

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63 _____
64 KEN CASTNER, MAYOR

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66 ATTEST:

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68 _____
69 MELISSA JACOBSEN, MMC, CITY CLERK

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71 Fiscal Note: N/A

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