

**CITY OF HOMER  
HOMER, ALASKA**

Aderhold

**RESOLUTION 20-025**

A RESOLUTION OF THE CITY COUNCIL OF HOMER, ALASKA,  
SUPPORTING ALASKA HOUSE BILL 198, AN ACT RELATING TO  
AGGRAVATING FACTORS CONSIDERED AT SENTENCING

WHEREAS, The City of Homer is a diverse community, with residents who fall along the full range of sexual orientation and gender identity spectrums; and

WHEREAS, A series of escalating incidents of harassment and assault in the Central Kenai Peninsula, which were apparently targeted against an individual based on sexual orientation, led to a town hall meeting on January 4, 2020 on the issue of public safety; and

WHEREAS, Law enforcement officials, elected officials, and over 100 Kenai Peninsula residents attended the public town hall meeting to discuss hate crime generally and on the Kenai Peninsula; and

WHEREAS, The incidents of harassment and assault in the Central Kenai Peninsula that led to the town hall meeting on hate crimes could have happened in Homer or the surrounding Southern Kenai Peninsula area; and

WHEREAS, A hate crime may be defined as a criminal offense against a person or property motivated in whole or in part by an offender's bias against the victim's race, religion, disability, sexual orientation, ethnicity, gender, or gender identity; and

WHEREAS, At present, Alaska Statute 12.55.155(c)(22) provides as an aggravating factor for sentencing for a serious crime that "the defendant knowingly directed the conduct constituting the offense at a victim because of that person's race, sex, color, creed, physical or mental disability, ancestry, or national origin," but does not currently include sexual orientation or gender identity as an aggravating factor for sentencing of a person convicted of the crime; and

WHEREAS, The fundamental civil and human rights of all individuals should be upheld regardless of a person's race, sex, color, creed, disability, ancestry, national origin, sexual orientation, or gender identity; and

WHEREAS, Criminal offenses motivated in whole or in part by an offender's bias against the victim's sexual orientation or gender identity have no place in our community; and

43 WHEREAS, After the town hall meeting, Rep. Andy Josephson introduced HB 198; and

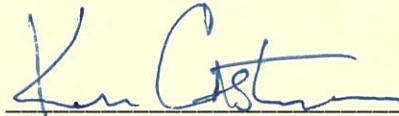
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45 WHEREAS, Alaska House Bill 198 would amend AS 12.55.155(c)(22) to expand hate crime  
46 protections to include “sexual orientation or gender identity”.

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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.

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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.

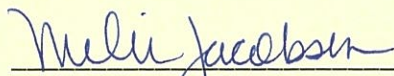
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58 PASSED AND ADOPTED by the City Council of Homer, Alaska, this 9<sup>th</sup> day of March, 2020.

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60 CITY OF HOMER

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64 KEN CASTNER, MAYOR

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66 ATTEST:

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69 MELISSA JACOBSEN, MMC, CITY CLERK

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71 Fiscal Note: N/A

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