



CENTRAL COUNCIL  
*Tlingit and Haida Indian Tribes of Alaska*  
Office of the President • Edward K. Thomas Building  
9097 Glacier Highway • Juneau, Alaska 99801

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CENTRAL COUNCIL OF TLINGIT & HAIDA INDIAN TRIBES OF ALASKA  
Eighty-Seventh Annual Tribal Assembly  
April 20-22, 2022  
Juneau, Alaska

Resolution TA 22-03

Title: Support Improvements in Criminal Laws and Practices Regarding Sex Crimes

By: Anchorage Delegate Tasha Hotch

WHEREAS, the Central Council of Tlingit & Haida Indian Tribes of Alaska (Tlingit & Haida) is a federally recognized tribe with more than 34,000 citizens; and

WHEREAS, we support our tribal values of respect for self and others and we have a history of taking a stance against violence and sexual assault; and

WHEREAS, there are currently barriers in Alaska regulation that make it challenging for victims of sexual crimes to receive justice, including: (1) the definition of consent (2) rape by fraud (3) time frame for rape kit testing; and

WHEREAS, an affirmative definition of consent stands in contrast to Alaska's existing definition of "without consent," and the proposed new language provided for in Alaska House Bill 5, Defining Sexual Consent, would clarify in law that consent cannot be obtained from a person who is incompetent or unconscious, extracted by threat, force, deception or fraud, or assumed on the basis of a past or present relationship, including marriage; and

WHEREAS, Alaska currently has a backlog of rape kits waiting to be tested, and such backlog delays justice from moving forward in a timely manner; and

WHEREAS, Tlingit & Haida supports requiring kits to be tested within 6 months of collection; and

WHEREAS, currently HB 5 includes provisions that Tlingit & Haida supports; and

NOW THEREFORE BE IT RESOLVED, that the Eighty-Seventh Tribal Assembly of the Central Council of Tlingit & Haida Indian Tribes of Alaska delegation convened April 20-22, 2022, hereby supports improvements in criminal laws and practices regarding sex crimes and requests the Alaska State legislature pass legislation that provides such relief, including adding Affirmative Consent to the definition of consent, addressing the backlog of rape kits, and addressing rape by fraud; and

BE IT FURTHER RESOLVED, Tlingit & Haida will send a copy of this resolution of support to the bill sponsor(s).

ADOPTED this 20<sup>th</sup> day of April, 2022, by the Eighty-Seventh Tribal Assembly of the Central Council of Tlingit & Haida Indian Tribes of Alaska.

**CERTIFY**

  
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President Richard J. Peterson

**ATTEST**

  
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Tribal Secretary Jacqueline L. Pata