House Bill 216

Establishing the Restorative Justice Account and Prioritizing Help for Victims of Crimes

Office of Representative Chuck Kopp

Legislative Intent

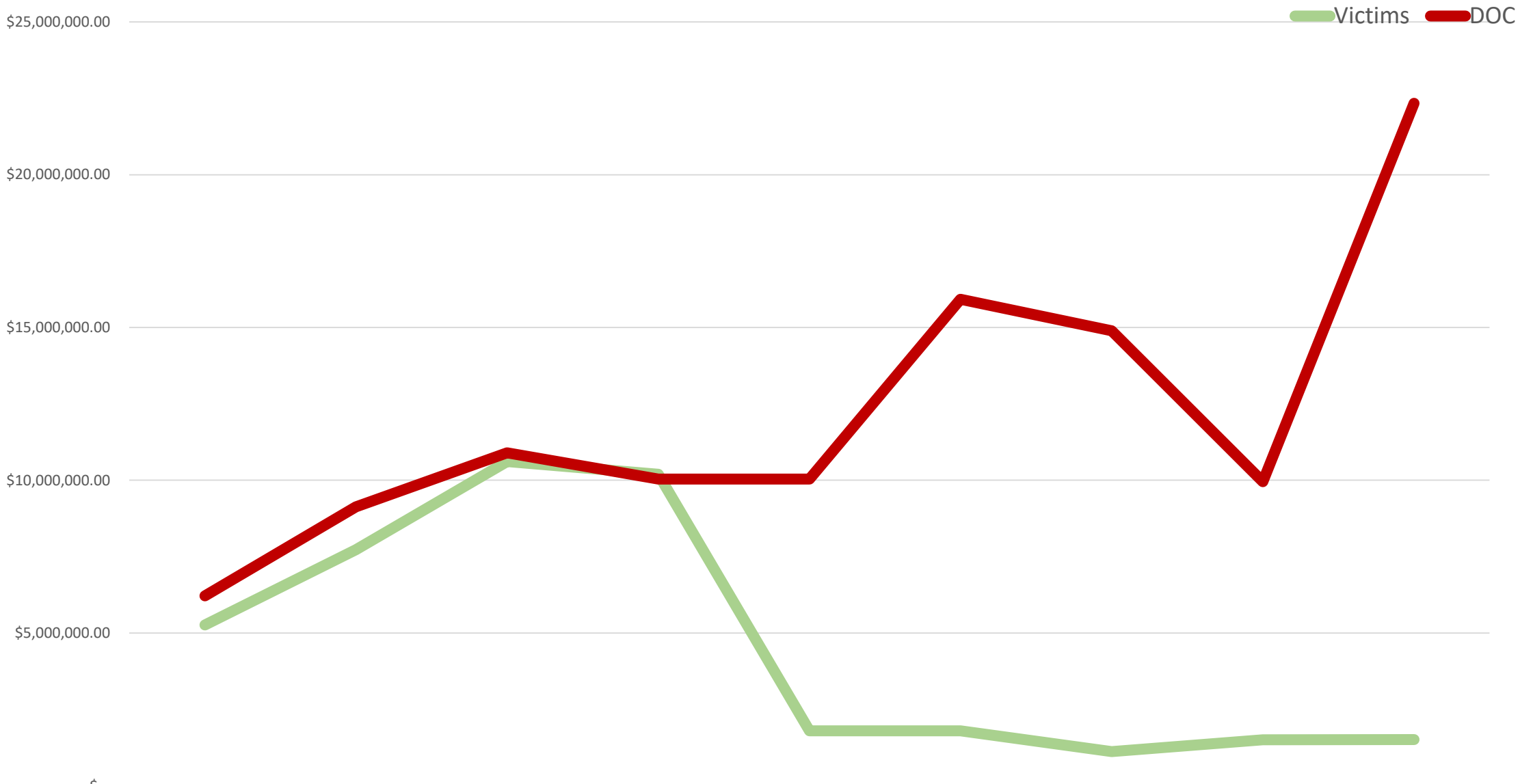
Restoring crime victims to a pre-offense condition through the Criminal Fund established in 1988.

- 59% of adult women in Alaska have experienced domestic violence or sexual violence throughout their lifetime. (CDVSA Report)
- Compensation claims continue to increase yearly. (VCCB Report) and in 2017, the majority of victims were women and children.
- The outstanding balance of restitution orders is over $129 million.

Compensation vs Restitution

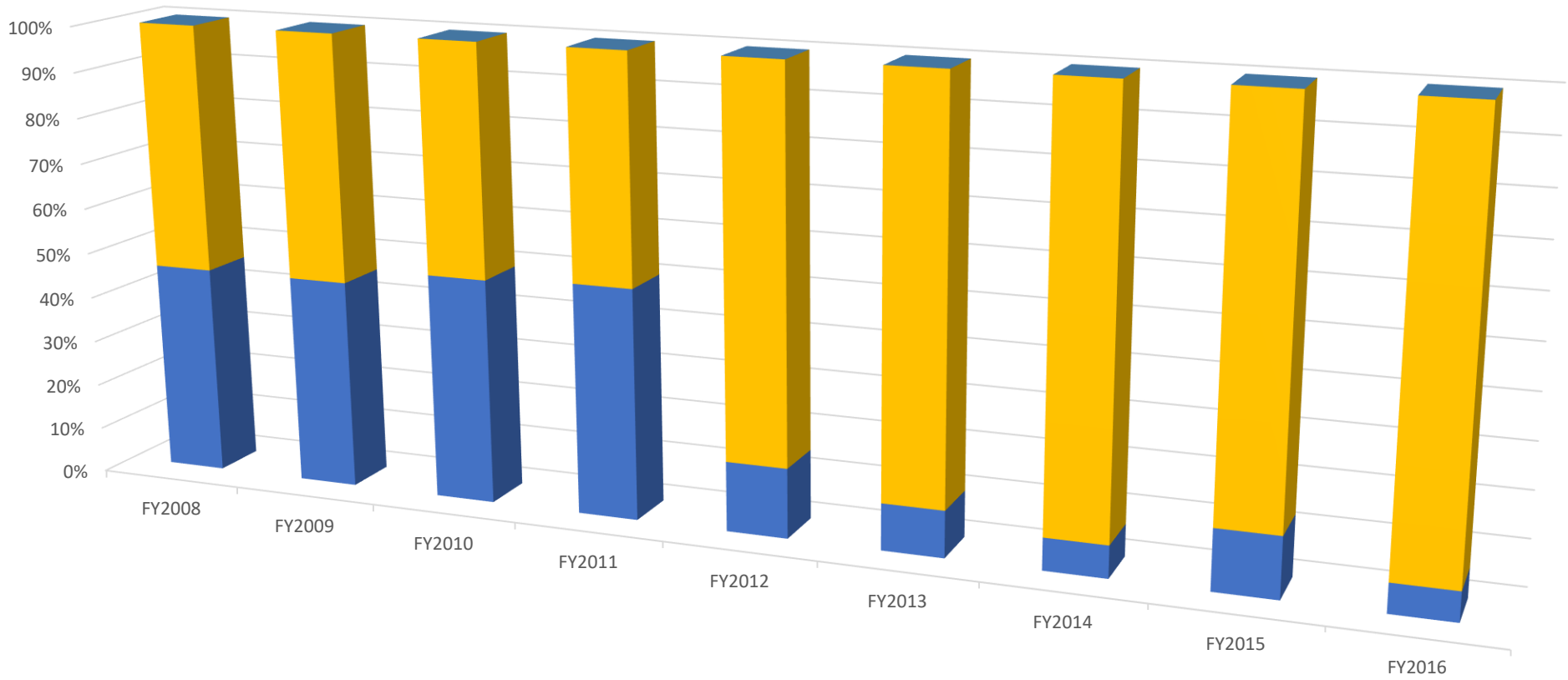
Compensation	Restitution
Emergency funds that innocent victims can obtain without waiting for a conviction	Court-ordered payments to victims post conviction

Criminal Fund Use Over the Years



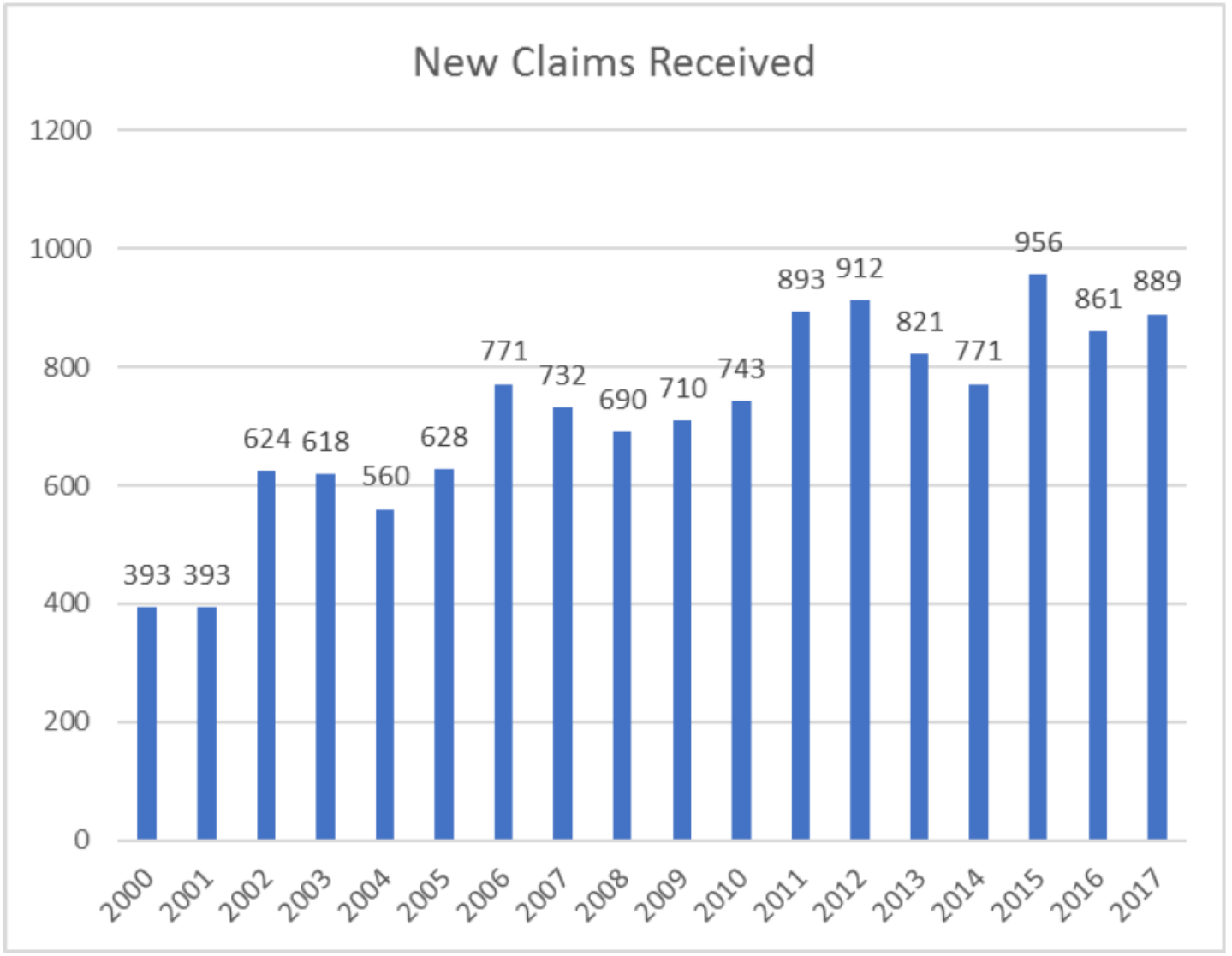
	FY2008	FY2009	FY2010	FY2011	FY2012	FY2013	FY2014	FY2015	FY2016
Victims	$5,259,000.00	$7,726,000.00	$10,611,000.00	$10,198,000.00	$1,800,000.00	$1,798,000.00	$1,116,400.00	$1,502,700.00	$1,510,100.00
DOC	$6,211,000.00	$9,126,000.00	$10,897,000.00	$10,037,000.00	$10,037,000.00	$15,920,000.00	$14,890,000.00	$9,948,600.00	$22,340,500.00

Sample Appropriations from the Criminal Fund

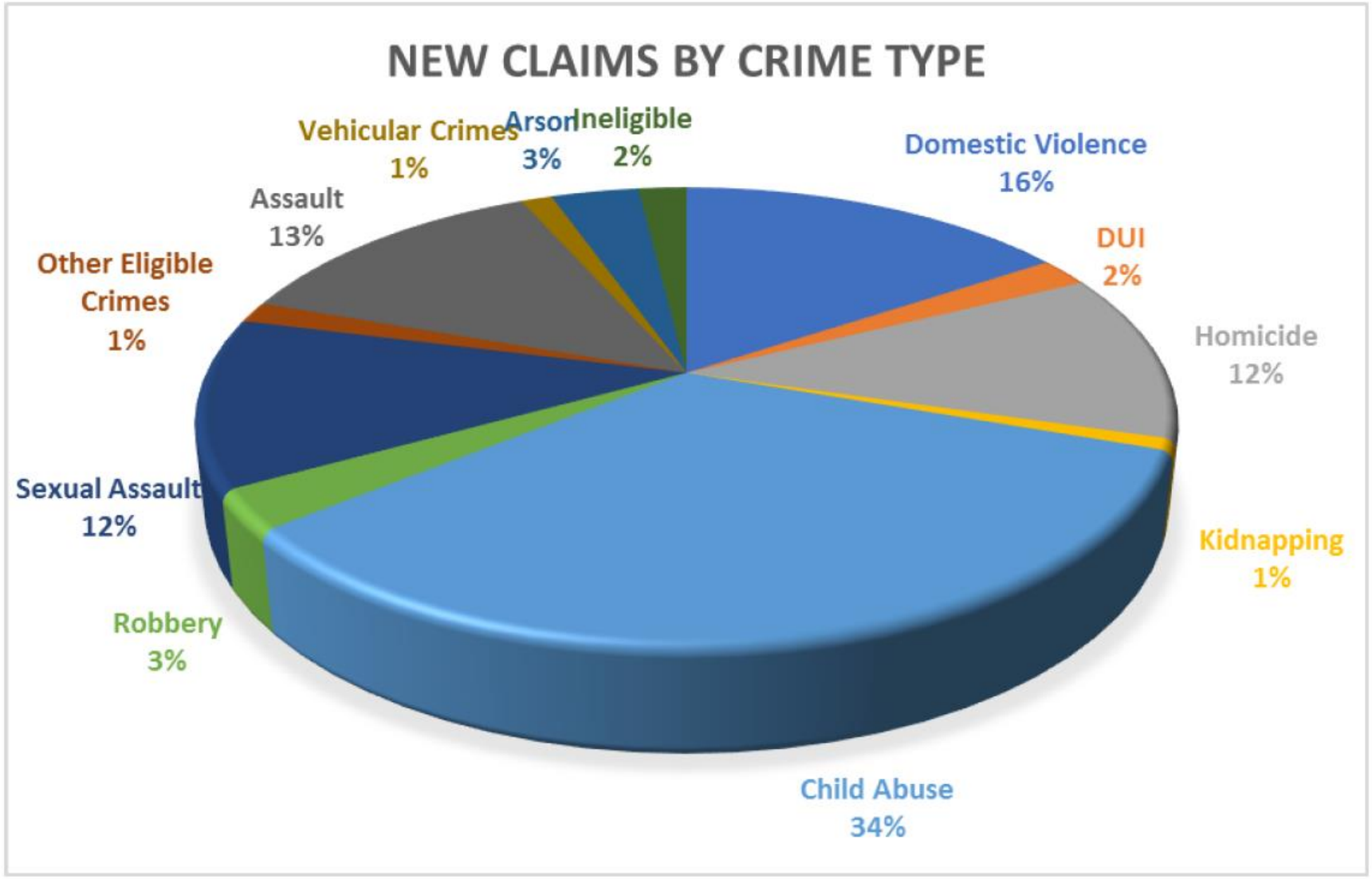


	FY2008	FY2009	FY2010	FY2011	FY2012	FY2013	FY2014	FY2015	FY2016
%	54%	54%	51%	50%	85%	90%	93%	87%	94%
DOC	$6,211,000.00	$9,126,000.00	$10,897,000.00	$10,037,000.00	$10,037,000.00	$15,920,000.00	$14,890,000.00	$9,948,600.00	$22,340,500.00
%	46%	46%	49%	50%	15%	10%	7%	13%	6%
Victims	$5,259,000.00	$7,726,000.00	$10,611,000.00	$10,198,000.00	$1,800,000.00	$1,798,000.00	$1,116,400.00	$1,502,700.00	$1,510,100.00

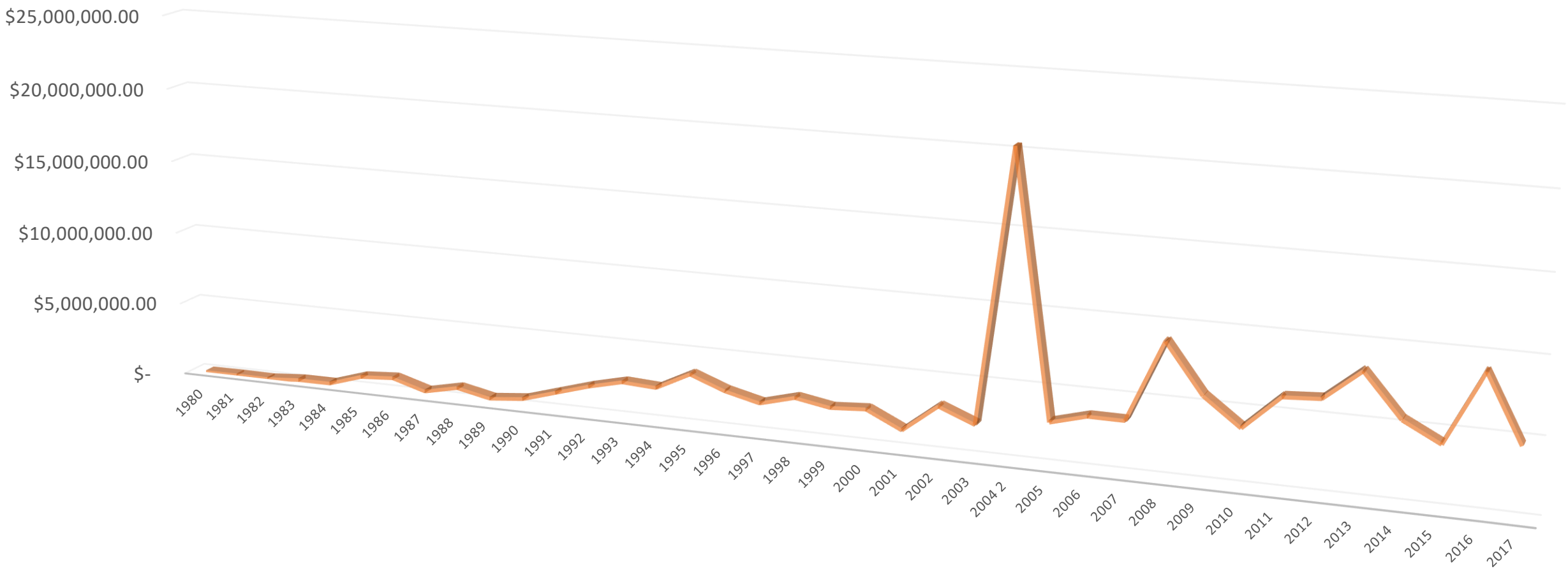
Violent Crimes Compensation Board

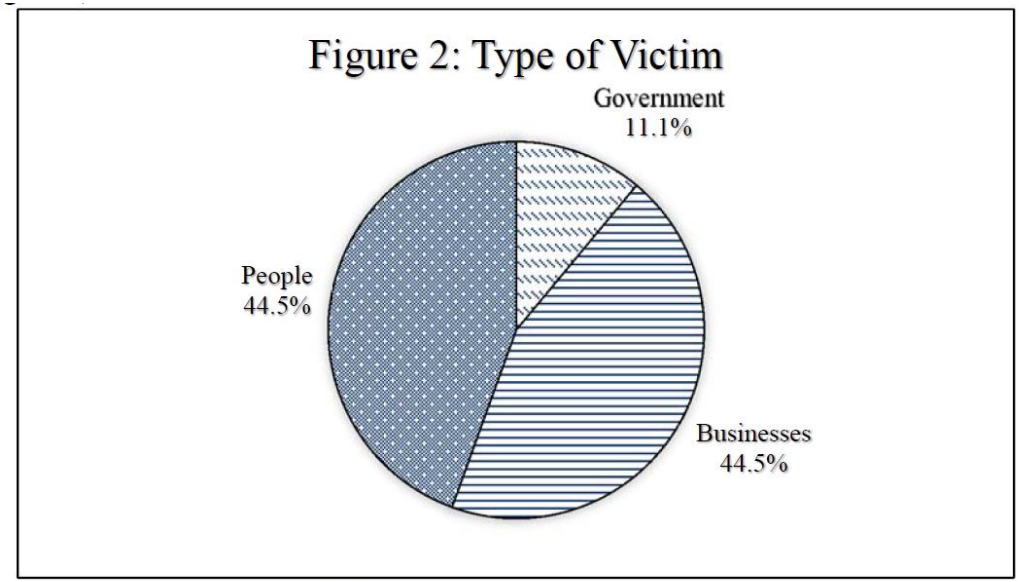


Violent Crimes Compensation Board

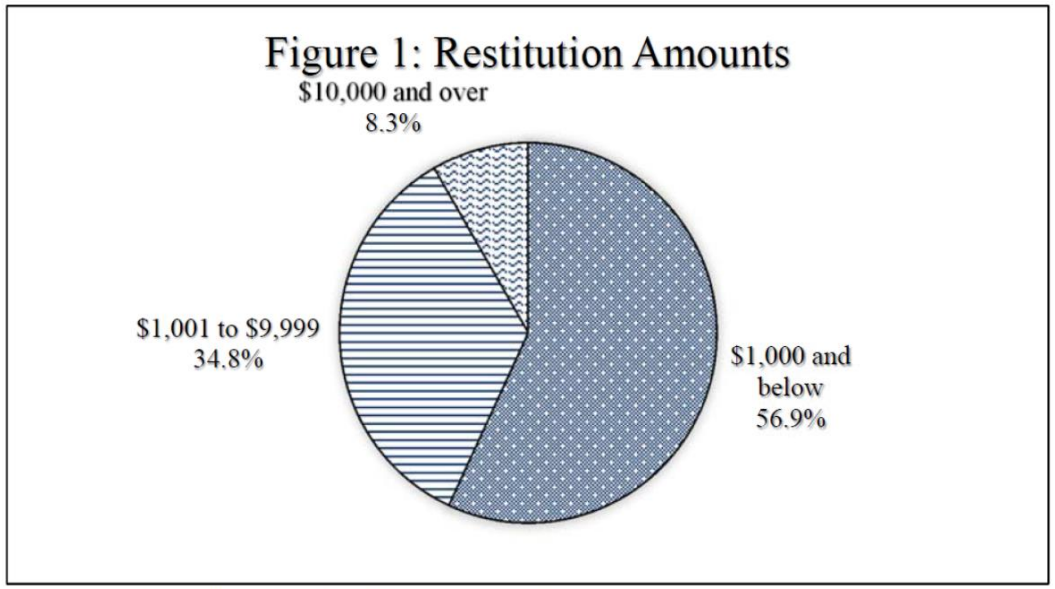


Annual Outstanding Restitution Balances





Source: Data from Alaska Department of Law, August 9, 2016



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Highlights of Current Law | Changes Under HB 216

• A criminal fund was established in 1988 using Permanent Fund dividends that would otherwise be paid to ineligible offenders of certain crimes.	• HB 216 creates a mechanism by which the Permanent Fund Division will set aside the determined amount in a separate account within the Permanent Fund for the Legislature to consider appropriations. • HB 216 authorizes the Legislature to re-appropriate restitution payments recovered by the State to the new account.
• The Legislature can appropriate these funds to entities and state agencies to provide services to crime victims, such as; the Violent Crimes Compensation Board, the Office of Victims' Rights', the Council on Domestic Violence and Sexual Assault, and to the Department of Corrections for certain costs associated with incarceration and probation *without* a priority.	• HB 216 prioritizes the use of funds by percentages, if appropriated, to crime victims and adds restitution as another means to assist some victims through OVR • HB 216 allows for direct appropriations to state agencies and/or nonprofits to provide services to victims of domestic violence and sexual assault • HB 216 authorizes use of the funds for mental health and substance abuse treatment for offenders.

Highlights of Current Law | Changes Under HB 216

• The Court System is required to forward copies of restitution orders to the Alaska Department of Law. LAW is required to notify victims that the State will provide them with automatic assistance unless they opt-out within 30 days. In the case of minors, the notification would be from the Department of Health and Social Services	• HB 216 requires the Court System to share restitution orders with OVR in addition to LAW or DHSS (in the case of minors) and to notify victims that they may qualify for assistance with OVR. • HB 216 expands the opt-out period from 30 to 90 days • HB 216 Allows Alaskans to donate to the Crime Victims Compensation Fund at VCCB through Pick.Click.Give
Under current law and HB 216 offenders remain liable	