

## HB 189: CRIM. CONV. OVERTURNED: RECEIVE PAST PFD

### Sponsor Statement, Version 34-LS0895VA

*"An Act relating to a permanent fund dividend for an individual whose conviction has been vacated, reversed, or dismissed; and relating to the calculation of the value of the permanent fund dividend by including payment to individuals eligible for a permanent fund dividend because of a conviction that has been vacated, reversed, or dismissed."*

The State of Alaska has a responsibility to ensure that those convicted of crimes are prosecuted fairly and justly. If an offender is wrongfully convicted, the State has the duty to restore some of what they have lost.

Incarcerated Alaskans are not eligible for the Permanent Fund Dividend (PFD). This bill seeks to return unawarded PFDs to Alaskans who did not receive their dividend during the time of their wrongful incarceration.

This legislation is about *restoration*, not *compensation*. The transition back to society for formerly incarcerated individuals can be difficult due to the loss of education and training opportunities, meaningful experiences, and the forfeiture of time with loved ones. These unfortunate circumstances are only exacerbated by the loss of income otherwise earned. Although we cannot give them their time back, this bill would restore the monetary sum of foregone dividends to those who have been wrongfully convicted, helping to assist with a more successful reentry to civilian life. This is one of the few things the State of Alaska can do to help right a wrong and give back to these Alaskans that which is rightfully theirs.

If this legislation is passed, those eligible under future overturned convictions must apply for the PFD within one year following their new judgment, or within one year of the effective date of the bill. This bill would also extend this application period to the few Alaskans who would have otherwise been eligible but were erroneously convicted, and then exonerated, in the past. All applicants would utilize the existing process that Alaskans use when filing for past PFDs, adding at most a handful of applicants to the hundreds a year that are paid from the reserve set aside specifically for the payment of "prior year dividends."

In 2017, this same bill passed the House as HB 127 with an overwhelming bipartisan vote of 38-1. I ask your support for this bill that would help victims of wrongful conviction with their transition back into society.

**Room 102, State Capitol**

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