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SB 195 Establishing the Restorative Justice Account

Sponsor Statement

The Alaska State Constitution recognizes the rights of crime victims through Article I, Section 24. Restitution is one of those rights. Unfortunately, the outstanding balance of court-ordered restitution payments to victims has remained very high and victims find themselves waiting for several years to receive payments. The current balance of outstanding court-ordered restitution is over \$80 million.

There is a mechanism in place to assist victims of crime through the criminal fund established by the Legislature in 1988 (HB245), but over time, most of the funds have been used to pay for inmate healthcare costs and the amount to assist victims has fallen off sharply. SB 195 seeks to restore a balance, clear ambiguities, and prioritize restoring victims to a pre-offense condition.

In 1988, HB 245 made certain criminal offenders ineligible to receive a Permanent Fund Dividend and stated intent language that the money that would have gone to the offenders would go to support victims of crimes by funding the Violent Crimes Compensation Board. Since establishment of the criminal fund, there have been statutory changes to eligible recipients and victims of crimes are no longer a priority.

Senate Bill 195 establishes an account titled the Restorative Justice Account. It prioritizes the use of the funds for compensation through the Violent Crimes Compensation Board and enables the Office of Victims' Rights to qualify for appropriations from this fund and authorizes them to pay court-ordered restitution to victims of crimes when a victim has exhausted all other avenues available. This bill does not eliminate an offender's liability to pay restitution, fines, and other fees imposed to them through the criminal justice system. Senate Bill 195 also adds a mechanism for Alaskans to donate to the crime victims compensation fund through the Pick.Click.Give. Program.

Additionally, Senate Bill 195 extends the opt-out period of victims from 30 to 90 days from receiving help from the State of Alaska to collect restitution and adds language authorizing use of the funds for substance abuse and mental health services for offenders.

Senate Bill 195 will reestablish victim restitution as our highest priority.

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