

Municipal Clerk's Office

**Approved**

Date: 7/11/2017

Submitted by: Assembly Member Dyson  
Prepared by: Assembly Counsel  
For reading: July 11, 2017

**ANCHORAGE, ALASKA**  
**AR No. 2017-255**

**A RESOLUTION OF THE ANCHORAGE MUNICIPAL ASSEMBLY REQUESTING THE GOVERNOR AND ALASKA LEGISLATURE TO ACT TO PRIORITIZE THE ALLOCATION OF PERMANENT FUND DIVIDENDS SEIZED FROM CONVICTED FELONS AND OTHER CRIMINALS FOR RESTORATIVE JUSTICE TO THE STATE'S CRIME VICTIM COMPENSATION FUND FOR PAYMENT OF RESTITUTION TO VICTIMS OF SERIOUS CRIMES AND RESTORE THEM TO PRE-OFFENSE CONDITION.**

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1                   **WHEREAS**, The Alaska Constitution, Article I, Section 24, states "Crime victims ...  
2 shall have the following rights as provided by law: ... the right to restitution from the  
3 accused;..." signifying the importance and priority of restoring crime victims to a pre-  
4 offense condition as much as possible;

5                   **WHEREAS**, Alaska Statutes 18.67.010 and 18.67.162 established the Alaska  
6 Crime Victim Compensation Fund, which, in addition to other sources, receives the amount  
7 of a Permanent Fund Dividend that would have been paid to a person incarcerated as the  
8 result of the conviction of a felony or a recidivist convicted of a misdemeanor;

9                   **WHEREAS**, The Crime Victim Compensation Fund was created and instituted as a  
10 means and method of funding victim restitution when the perpetrator was unable to pay the  
11 court ordered restitution and the victim(s) often had overwhelming medical and other costs;

12                   **WHEREAS**, unpaid court-ordered restitution reportedly now exceeds \$98 million;

13                   **WHEREAS**, victim restitution is to take priority for perpetrators' assets, including  
14 through the Crime Victim Compensation Fund, with the single exception of court-ordered  
15 child support payments;

16                   **WHEREAS**, after the first priority for child support payments, the Alaska Statutes do  
17 not currently set a priority among the various offices, agencies and victims' rights  
18 organizations eligible to receive seized PFD monies, and the Governors have allocated a  
19 substantial amount of this money to the Department of Corrections to costs of  
20 incarceration and inmate services while substantially ignoring the plight of victims;

21                   **WHEREAS** the Violent Crimes Compensation Board has, on average, received less  
22 than 25% of the annual court-ordered restitution to distribute to victims;

23                   **WHEREAS**, thousands of Alaskans have waited years for restitution to pay medical  
24 bills and for other losses while out of work and seeing their homes and assets seized to  
25 pay their bills;

26                   **WHEREAS** Governor Walker closed the effective Alaska Attorney General's State  
27 Collection Unit which could have been self-funding, established in 2002, and reallocated

1 the function of seizing PFD's to the Alaska Court System which is ill-equipped to do this  
2 work and already struggling to keep courts open and manage its resources effectively;  
3

4 **WHEREAS**, the budget recently passed by the Alaska Legislature includes an  
5 approximately \$400,000 reduction in the amount of seized PFD money sent to the Crime  
6 Victim Compensation Fund, from its average annual amount of \$1.5 million;  
7

8 **WHEREAS**, The State Criminal Justice Commission strongly recommended the  
9 state use the Crime Victim Compensation Fund as "Bridging funds" to get money to victims  
10 in their report submitted to the Alaska Legislature in January of 2017;  
11

12 **WHEREAS**, the use of this Crime Victim Compensation Fund to pay restitution does  
13 not absolve the perpetrator of responsibility to pay the victim or to reimburse the Fund for  
14 the money given to the victim of the crime; and  
15

16 **WHEREAS**, the Alaska Legislature has before it House Bill 216 which will establish  
17 a Restorative Justice Account in the dividend fund for transfer of all seized PFDs and  
18 require appropriations in order of priority to (1) the Crime Victim Compensation Fund,  
19 (2) the Alaska Court System to pay outstanding balances on orders of restitution, (3) to  
20 nonprofit organizations for grants for mental health services and substance abuse  
21 treatment for offenders, (4) nonprofit organizations to provide grants for services to crime  
22 victims and domestic violence and sexual assault programs; and lastly (5) the Department  
23 of Corrections for costs related to incarceration or probation; now, therefore  
24

25 **THE ANCHORAGE ASSEMBLY RESOLVES:**  
26

27 **Section 1.** The Anchorage Assembly and the Mayor strongly recommend that Governor  
28 Walker act immediately and decisively in his executive capacity to redirect the seized PFD  
29 monies for appropriation to the Crime Victim Compensation Fund in priority over payment  
30 for Department of Corrections incarceration and probation costs and other payments, to  
31 honor the constitutional mandate to the relief of victims who have court-orders entitling  
32 them to receive restitution.  
33

34 **Section 2.** If the Governor continues to refuse to act on behalf of victims of serious  
35 crimes and appropriate seized PFD monies second in order of priority to the Crime Victim  
36 Compensation Fund, that the Alaska Legislature pass HB 216 as soon as possible when it  
37 reconvenes in session, with an immediate effective date.  
38

39 PASSED AND APPROVED by the Anchorage Assembly this 11<sup>th</sup> day of July, 2017.  
40

41   
42 \_\_\_\_\_  
43 Chair

43 ATTEST:  
44

45   
46 \_\_\_\_\_  
47 Municipal Clerk



THE STATE  
of **ALASKA**  
GOVERNOR BILL WALKER

Department of Administration

VIOLENT CRIMES COMPENSATION BOARD

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January 18, 2018

The Honorable Representative Kopp  
State Capitol, Room 13  
Juneau, Alaska 99801

Re: House Bill, 216 Transfers from the Dividend Fund.

I write on behalf of the Violent Crimes Compensation Board in support of House Bill 216.

In 1988, the Legislature passed a law making certain convicted criminals ineligible for a dividend. The intent was that those funds should be used for the primary purpose of helping restore victims of crime to a pre-offense condition. Senate Bill HB216 will ensure that intent is realized; by establishing a restorative justice account into which the withheld dividends are appropriated, and then appropriating from that criminal fund to specified recipients, with the crime victim compensation fund administered by the Violent Crimes Compensation Board being the first in priority order, this Bill establishes a reliable funding source for the work of this Board, and makes compensation to victims of violent crime a priority in the State of Alaska. We also support the adjunct purpose of the bill: helping victims of crime who have been awarded restitution, to receive outstanding payments more promptly via the intercession of the Office of Victim's Rights.

Thank you for your continued support and for working to ensure that victims come first in Alaska.

Respectfully submitted

A handwritten signature in black ink, appearing to read "Gerard Godfrey".

Gerard Godfrey  
Chair, Violent Crimes Compensation Board



*Making a Difference in the Last Frontier*



February 12, 2018

The Honorable Chuck Kopp  
House of Representatives  
State Capitol Room 13  
Juneau, AK 99801

Dear Representative Kopp:

On behalf of the Alaska Peace Officers Association (APOA), I am writing to convey our support of HB 216, "An Act relating to restitution; relating to the office of victims' rights; relating to transfers from the dividend fund; creating the restorative justice account; relating to appropriations from the restorative justice account for services for and payments to crime victims, operating costs of the Violent Crimes Compensation Board, operation of domestic violence and sexual assault programs, mental health services and substance abuse treatment for offenders, and incarceration costs; relating to delinquent minors; and providing for an effective date."

The APOA board of directors unanimously supports HB 216 and pleased to see your efforts to place victim restitution of the utmost importance. Thank you for your commitment and support to our state and concern for those who have suffered as victims.

Please contact the APOA office in Anchorage at 277-0515 if there is anything our organization can do to help with the passage of this important bill.

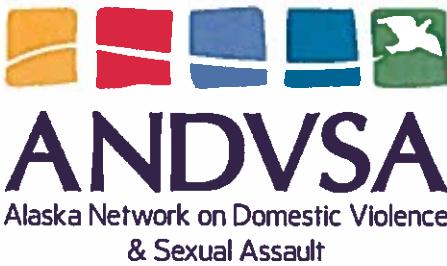
Sincerely,

Mark S. Pearson  
State President  
Alaska Peace Officers Association

PO Box 240106  
Anchorage, AK 99524  
[apoa@gci.net](mailto:apoa@gci.net)  
(907) 277-0515

*About APOA*

*The Alaska Peace Officers Association (APOA) is a dynamic, professional and non-partisan organization. Our membership consists of law enforcement, corrections, prosecutors, security professionals and others at the local, state and federal levels. APOA has served as a voice for peace officers and issues impacting the law enforcement profession for over half a century. APOA is one of the oldest and largest 501c(3) charitable, nonprofit organizations in Alaska. [www.apoaonline.org](http://www.apoaonline.org)*



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5 March 2018

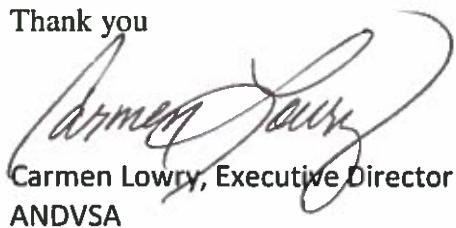
Re: Support for HB 216 – an act related to victim restitution

Dear Legislators

The Alaska Network on Domestic Violence and Sexual Assault offers its support of HB 216 and its intent to create a Restorative Justice Fund to support victims' compensation and restitution. The bill provides additional support to the Victims of Crime Compensation Board, Office of Victims' Rights, and prioritizes additional funding to non-profit organizations that provide services to victims of domestic and sexual violence crimes.

Victims deserve expedited and easily accessible compensation and restitution. ANDVSA appreciates the demonstrated commitment to victims and the recognition that victims deserve to have efficient and responsive services.

Thank you



Carmen Lowry, Executive Director  
ANDVSA

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Member Programs

Anchorage AWAIC, STAR Barrow AWIC Bethel TWC Cordova CFRC Dillingham SAFE Fairbanks IAC Homer SPHH  
Juneau AWARE Kenai LeeShore Center Ketchikan WISH Kodiak KWRCC Kotzebue MFCC Nome BSWG  
Seward SeaView Community Services Sitka SAFV Unalaska USAFV Valdez AVV