

# SB 167

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Granting past PFDs to those who were  
wrongfully convicted

Sponsor

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Staff

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# PFD Ineligibility

Under **AS 43.23.005** subsection (d) An individual is not eligible for a permanent fund dividend for a dividend year when:

- (1) During the qualifying year, the individual was sentenced as a result of conviction in this state [Alaska] of a felony
- (2) During all or part of the qualifying year, the individual was incarcerated as a result of the conviction in this state [Alaska] of a
  - (A) felony; or
  - (B) Misdemeanor if the individual has been convicted of
    - (i) A prior felony as defined in AS 11.81.900
    - (ii) Two or more prior misdemeanors as defined in AS 11.81.900



# PFD for the Exonerated

**SB 167** seeks to **reimburse** the PFD to people who have been **exonerated** for the years they were previously deemed ineligible under AS 43.23.005 (d) if:

The individual's conviction is **vacated** or **reversed**, and

- (1) The charges are later **dismissed**, or
- (2) The individual is retried and found **not guilty**

The reimbursement would not apply to those who take plea deals

## **Time Frame:**

Those eligible would have **one year** to apply after the dismissal or not guilty finding

Those who were exonerated before enactment of this policy would have **one year** after the effective date of this legislation to apply



# Money Matters

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Source of the PFD money: **Prior Years Liability Fund**

Current Amount in Fund: **\$1,707,719.81**

Cost to Fund for the Fairbanks Four: **\$103,450.96**

Percentage of Fund for the Fairbanks Four: **6.06%**

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The Fairbanks Four were ineligible for a PFD for **18 years** while incarcerated

The Alaska Innocence Project estimates that **less than 10** individuals who were incarcerated for **two years or less** would also qualify for past PFDs

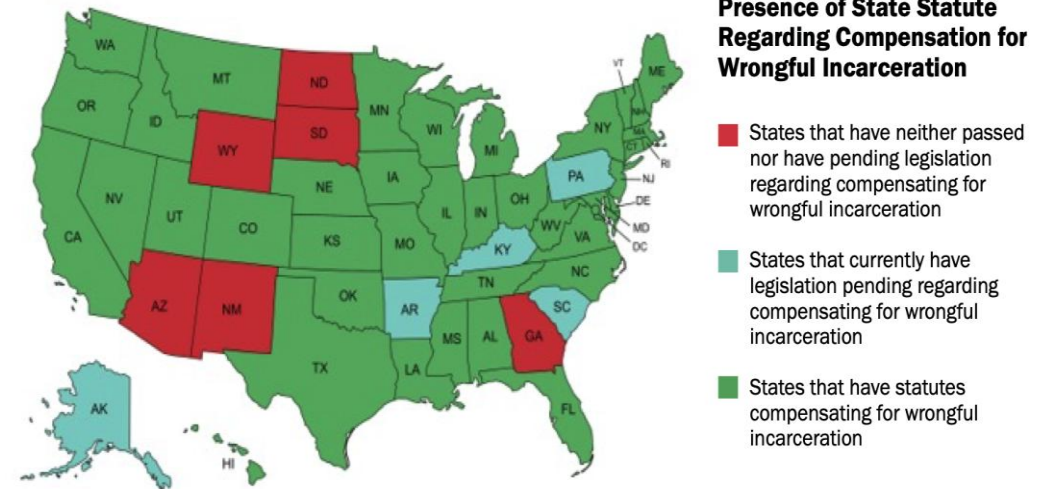
The **Prior Years Liability Fund** would most likely cover the cost of **SB 167**

# Comparison to Other States

Alaska is one of only 12 states that provide no compensation for wrongful convictions

Other States' compensation for exonerees often include

- Monetary Compensation
- College Tuition/Job Training
- Housing Assistance
- Mental Health Services

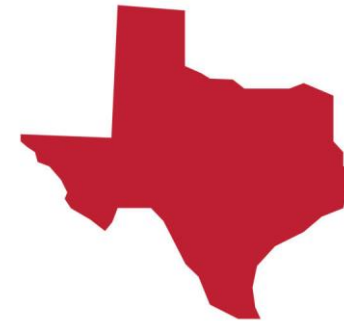


# Example: Texas

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## **Texas's Compensation Statutes include**

- \$80,000/year or \$100,000/year for death row
- Compensation for child support payments owed while the claimant was wrongfully incarcerated
- Up to \$10,000 in reintegration financial assistance
- Attorneys' fees
- Tuition for up to 120 credit hours, including tuition and fees



**Note:** SB 167 bill is not a compensation bill – it is a reimbursement bill.



Thank You  
Questions?