

ALASKA STATE LEGISLATURE
SENATE STATE AFFAIRS STANDING COMMITTEE

April 24, 2025

3:31 p.m.

MEMBERS PRESENT

Senator Scott Kawasaki, Chair
Senator Bill Wielechowski
Senator Elvi Gray-Jackson
Senator Robert Yundt

MEMBERS ABSENT

Senator Jesse Bjorkman, Vice Chair

COMMITTEE CALENDAR

SENATE BILL NO. 167

"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."

- HEARD & HELD

SENATE BILL NO. 19

"An Act relating to the use and possession of electronic devices by prisoners."

- MOVED SB 19 OUT OF COMMITTEE

PREVIOUS COMMITTEE ACTION

BILL: SB 167

SHORT TITLE: CRIM. CONV. OVERTURNED: RECEIVE PAST PFD

SPONSOR(S): SENATOR(S) KAWASAKI

04/10/25	(S)	READ THE FIRST TIME - REFERRALS
04/10/25	(S)	STA, JUD
04/24/25	(S)	STA AT 3:30 PM BELTZ 105 (TSBldg)

BILL: SB 19

SHORT TITLE: PRISONERS: ELECTRONIC DEVICE ACCESS/USE

SPONSOR(s) : SENATOR(s) MYERS

01/22/25	(S)	PREFILE RELEASED 1/10/25
01/22/25	(S)	READ THE FIRST TIME - REFERRALS
01/22/25	(S)	STA, JUD
03/11/25	(S)	STA AT 3:30 PM BELTZ 105 (TSBldg)
03/11/25	(S)	Heard & Held
03/11/25	(S)	MINUTE(STA)
04/15/25	(S)	STA AT 3:30 PM BELTZ 105 (TSBldg)
04/15/25	(S)	Scheduled but Not Heard
04/24/25	(S)	STA AT 3:30 PM BELTZ 105 (TSBldg)

WITNESS REGISTER

SALLY RAFSON, Staff
Senator Scott Kawasaki
Alaska State Legislature
Juneau, Alaska

POSITION STATEMENT: Introduced SB 167.

JORY KNOTT, Executive Director
Alaska Innocence Project
Anchorage, Alaska

POSITION STATEMENT: Testified by invitation on SB 167.

BRIAN RIDLEY, Chief Chairman
Tanana Chiefs Conference
Fairbanks, Alaska

POSITION STATEMENT: Testified by invitation on SB 167.

SENATOR ROBERT MYERS, District Q
Alaska State Legislature
Juneau, Alaska

POSITION STATEMENT: Presented a summary for SB 19.

ROBERT FETTER, representing self
Juneau, Alaska

POSITION STATEMENT: Testified in support of SB 19.

DOREEN SCHENKENBERGER, CEO
Partners for Progress
Anchorage, Alaska

POSITION STATEMENT: Testified in support of SB 19.

ACTION NARRATIVE

[3:31:54 PM](#)

CHAIR KAWASAKI called the Senate State Affairs Standing Committee meeting to order at 3:31 p.m. Present at the call to order were Senators, Gray-Jackson, Yundt and Chair Kawasaki. Senator Wielechowski arrived thereafter.

SB 167-CRIM. CONV. OVERTURNED: RECEIVE PAST PFD

3:33:01 PM

CHAIR KAWASAKI announced the consideration of SENATE BILL NO. 167 "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."

3:33:26 PM

SALLY RAFSON, Staff, Senator Scott Kawasaki, Alaska State Legislature, Juneau, Alaska, introduced SB 167 on behalf of the sponsor and read the sponsor statement:

[Original punctuation provided.]

An Act relating to a permanent fund dividend for an individual whose conviction has been vacated or reversed and dismissed or overturned via retrial; 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 or reversed and dismissed or overturned via retrial.

The State of Alaska Department of Law Criminal Division's mission is to "assure safe and healthy communities by prosecuting and convicting criminal offenders throughout Alaska." Likewise, the State has a responsibility to ensure that those convicted of crimes are prosecuted fairly and justly. If the State finds an offender was wrongfully convicted the State should do right by those who have had their convictions overturned.

Incarcerated Alaskans relinquish their Permanent Fund Dividends to the State. SB 167 seeks to pay PFDs to Alaskans whose convictions were vacated or reversed and dismissed, provided that a dismissal was not obtained through a rule 11 plea agreement in another

criminal case. If passed, those eligible must apply for the PFD within 1 year following the new judgment or within 1 year of the effective date of the bill. Alaska is currently one of just 13 states that provide no compensation for wrongful conviction. Many states provide both monetary compensation and college tuition and job training to exonerees.

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MS. RAFSON continued reading the sponsor statement for SB 167:

Providing the PFD to those Alaskans who lost this privilege because of a wrongful conviction is one of the few things the State of Alaska can do to help them reestablish a normal life by providing a means to find housing, food and education. The transition back to civilian life for these individuals can be difficult due to the loss chime with loved ones, as well as the loss of income otherwise earned. While we are not able to return the experiences and opportunities missed from wrongful incarceration, we should at least be able to reimburse the PFD money that rightfully belongs to them.

In 2017, the same bill passed the House with overwhelming bipartisan support and a vote of 38-1. I ask your support for this bill, which would help victims of injustice with their transition back into society as the State looks to ensure justice and fairness for all Alaskans.

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MS. RAFSON moved to slide 2 and began a presentation on SB 167.

[Original punctuation provided.]

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

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MS. RAFSON moved to slide 3 and read the following:

[Original punctuation provided.]

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

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MS. RAFSON moved to slide 4 and read the following:

[Original punctuation provided.]

Money Matters

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 percent**

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**

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MS. RAFSON moved to slide 5 and stated that Alaska is one of only 11 states, not 13, that provide no compensation for wrongful conviction.

[Original punctuation provided.]

Comparison to Other States

Alaska is one of only 13 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

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MS. RAFSON moved to slide 6 and read the following:

[Original punctuation provided.]

Example: Texas

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

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CHAIR KAWASAKI announced invited testimony and opened public testimony on SB 167.

[3:42:28 PM](#)

JORY KNOTT, Executive Director, Alaska Innocence Project, Anchorage, Alaska, testified by invitation on SB 167 and stated that he represents the only nonprofit in Alaska dedicated to freeing the wrongfully convicted and educating the public on prevention and reform. He clarified that SB 167 is not a wrongful conviction compensation statute; rather, a correction to the PFD statute to restore dividends to those exonerated after wrongful imprisonment. He stressed that this falls far short of true compensation, unlike states such as Texas that provide robust financial support modeled on the 2004 Justice for All Act. Currently, exonerated Alaskans are released without any resources or assistance, which deeply impacts them, their families, and communities. He said drawing on the Fairbanks Four case and his decade of involvement, he highlighted the lack of support services and the crucial role of the Alaska Native community in providing spiritual support upon release.

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MR. KNOTT emphasized that the profound losses suffered by the wrongfully convicted, who each spent 18 years in prison, missing out on education, work experience, and basic life skills. After release, the four faced lawsuits, lacked PFDs, reentry services, or job opportunities, and even carried felony records for a time. He said initial public support and attention quickly faded, leaving them with little foundation to rebuild their lives. One example is Marvin Roberts, a high school valedictorian who was released to a job shoveling snow instead of pursuing higher education. He argued that restoring PFDs is not compensation but simply the right thing to do, reflecting what it means to be Alaskan. With broad bipartisan support, he sees this measure as the least the state can provide to help exonerated individuals rebuild and contribute to society.

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CHAIR KAWASAKI asked what other projects he was working on in Alaska and requested he highlight a few key ones.

MR KNOTT requested clarification of the question, asking if he wanted to know about additional cases that involve reviewing innocence claims or overturned convictions.

CHAIR KAWASAKI answered yes and asked him to explain what Alaska Innocence Project does.

[3:47:52 PM](#)

MR. KNOTT responded that the nonprofit is the only statewide organization in Alaska dedicated to exonerating the wrongly convicted. Funded by federal grants and donations, the organization focuses on remote village cases and regularly visit prisons and rehabilitation centers. The work includes public and legal education on the causes of wrongful convictions, policy advocacy, and outreach to prevent future injustices. He said the organization has reviewed over 3,000 cases, with numbers growing each year alongside more compensation statutes nationwide. Currently, the organization is handling one case on appeal after an unfavorable trial outcome, and have also conducted DNA testing and re-testing in older cases where technology was once limited, to help confirm guilt or prove innocence.

[3:51:23 PM](#)

BRIAN RIDLEY, Chief Chairman, Tanana Chiefs Conference, Fairbanks, Alaska, testified by invitation on SB 167 and stated that nearly 10 years ago, the Tanana Chiefs Conference celebrated the release of the Fairbanks Four—Marvin Roberts, George Frese, Eugene Vent, and Kevin Pease—who maintained their innocence for 19 years. Despite evidence exonerating them, the state provided no reparations, leaving them to re-enter society with nothing after losing formative years, education, and work opportunities. He said the lack of compensation makes reintegration especially difficult and compounds the injustice. He argued that restoring PFDs is a meaningful way to affirm a place as Alaskans and support the return to society. He highlighted the strong legislative backing this effort received in 2017 and stressed that SB 167 is a crucial first step toward justice. He noted that while 30 states and the federal government have compensation statutes, 20 states, including Alaska, still do not.

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CHAIR KAWASAKI concluded that SB 167 is not specifically about the Fairbanks Four, though the case illustrates the broader issue within Alaska's criminal justice system. After the exoneration, the four were released without resources, having missed decades of societal and technological change. SB 167 is

not full compensation, unlike other states that provide stipends, tuition, or housing—but rather a step toward doing the right thing by supporting those wrongly convicted. He urged the Senate to act quickly, emphasizing that while it cannot repay lost years, it acknowledges the injustice and helps exonerated individuals begin to rebuild their lives.

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CHAIR KAWASAKI held SB 167 in committee.

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At ease.

SB 19-PRISONERS: ELECTRONIC DEVICE ACCESS/USE

[3:59:38 PM](#)

CHAIR KAWASAKI reconvened the meeting and announced the consideration of SENATE BILL NO. 19 "An Act relating to the use and possession of electronic devices by prisoners."

[4:00:13 PM](#)

SENATOR ROBERT MYERS, District Q, Alaska State Legislature, Juneau, Alaska, sponsor of SB 19 presented summary of the bill. He explained he is working to expand access to tablets in prisons as tools for re-entry, education, cost savings, and improved security. This bill has been introduced in various forms for eight or nine years, and he hopes it will finally pass this session.

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[CHAIR KAWASAKI opened public testimony on SB 19.]

[4:01:39 PM](#)

ROBERT FETTER, representing self, Juneau, Alaska, testified in support of SB 19 and shared a personal history of trauma, abuse, addiction, and repeated incarceration, beginning with severe abuse and drug exposure at age five. After years in institutions, foster care, and prison, he eventually got sober in 2019, pursued education with great difficulty, regained his children, and built a successful career. He said he is now active in re-entry work and mentoring work. He emphasized the importance of digital tools for people leaving prison. He argued that tablets can provide crucial access to education, treatment, housing, and employment resources, helping individuals avoid relapse and reducing the risk of returning to prison. Providing these tools at the critical moment of release can strengthen reentry and improve communities.

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CHAIR KAWASAKI asked if he could share some experiences after prison release; like how long the incarceration was, the biggest challenges faced in reentering society, and any suggestions for how the state could better support that transition

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MR. FETTER answered that a major hurdle after release was the lack of communication between agencies. While organizations like the Juneau Reentry Coalition do good work, critical information often doesn't reach those being released. He said many had to rely on informal tips from peers in transitional housing or halfway houses to navigate available resources. He emphasized that timely access to accurate information is crucial during the vulnerable reentry period, when it's easy to relapse without proper guidance and support.

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DOREEN SCHENKENBERGER, CEO, Partners for Progress, Anchorage, Alaska, testified in support of SB 19 and stated that this bill is urgent. She said federal funding cuts and state staffing challenges limit available services, and recidivism rates, particularly among Alaska Native people, are rising. Digital tools can provide access to education, treatment, recovery services, housing and employment support, reentry planning, peer and tribal services, and more, all of which increase the likelihood of successful community reintegration. She said many other states already use technology safely for rehabilitation. Alaska must update its laws and practices to meet statutory rehabilitation obligations, as most released individuals arrive with no resources, support, or housing. Expanding digital access will foster connection, improve reentry success, strengthen families, enhance community safety, and reduce public costs.

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CHAIR KAWASAKI announced the arrival of Senator Wielechowski.

[CHAIR KAWASAKI closed public testimony on SB 19.]

[4:13:10 PM](#)

CHAIR KAWASAKI solicited the will of the committee.

[4:13:12 PM](#)

SENATOR GRAY-JACKSON moved to report SB 19, work order 34-LS0230\N, from committee with individual recommendations and attached fiscal note(s).

4:13:30 PM

CHAIR KAWASAKI found no objection and SB 19 was reported from the Senate State Affairs Standing Committee.

4:14:25 PM

There being no further business to come before the committee, Chair Kawasaki adjourned the Senate State Affairs Standing Committee meeting at 4:14 p.m.