

Rec'd 4/10/82  
After bill R10 HFC

THE LEGISLATURE OF THE STATE OF ALASKA  
TWELFTH LEGISLATURE

FISCAL NOTE

I. REQUEST

Bill/Resolution No. CS HB 869 (Judiciary)

Title "An Act relating to crime victim compensation; and providing for an effective date"  
Requested by Rep. Halford and Rep. Clocksin Date April 15, 1982 date"

II. FISCAL DETAIL

Agency Affected Department of Public Safety

Program Category Affected Administration of Justice

BRU, Program, Or Subprogram(s) Affected Violent Crimes Compensation Board

(Note: If more than one budget component is affected, separate line-item amounts and funding for each component in the analysis section.)

EXPENDITURES (Thousands of Dollars)

	FY 82	FY 83	FY 84	FY 85	FY 86	FY 87
100 PERSONAL SERVICES	4.8	29.1	31.7	34.6	37.7	41.1
200 TRAVEL	.8	8.5	9.3	10.1	11.0	12.0
300 CONTRACTUAL	2.0	11.7	7.1	7.7	8.4	9.2
400 COMMODITIES	.2	.5	.6	.7	.8	.9
500 EQUIPMENT	1.5	-	-	-	-	-
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.	12.5	75.0	88.5	103.2	119.2	136.7
<b>TOTAL</b>	<b>20.3</b>	<b>124.8</b>	<b>137.2</b>	<b>156.3</b>	<b>177.1</b>	<b>199.9</b>

FUNDING (Thousands of Dollars)

	FY 82	FY 83	FY 84	FY 85	FY 86	FY 87
GENERAL FUND	20.3	124.8	137.2	156.3	177.1	199.9
FEDERAL FUNDS						
OTHER (Specify Source)						

POSITIONS

	FY 82	FY 83	FY 84	FY 85	FY 86	FY 87
FULL TIME	1	1	1	1	1	1
PART TIME						
TEMPORARY						

III. ANALYSIS (See Fiscal Note Preparation Instruction, Section III)

The estimated impact for FY 82 is based on an effective date of May 1, 1982. (The proposed legislation reads "takes effect immediately.") The FY 82 amount is estimated from anticipated FY 83 costs. Beyond FY 83, a 9% inflation factor has been applied.

If the proposed legislation is enacted, it is anticipated claims would increase 50%. The current staff for the Violent Crimes Compensation Board consists of the program administrator and a clerical position. The anticipated increase in casework will necessitate the addition of an Administrative Assistant (Range 12) and associated costs, including equipment.

With the increase in claims and investigation necessary for claims, the Violent Crime Compensation Board would hold several additional Board meetings at a cost of approximately \$4,500, plus additional hearings for approximately \$4,000.

Public awareness of this major statute change will require TV spots, and radio (see bottom of page)

IV. DATE April 15, 1982

PREPARED BY Garcia Lynn McKenzie

AGENCY Department of Public Safety

Original: Legislative Finance

PHONE 465-4349

cc: Budget and Management

Prime Sponsor (First Legislator Named)

33-001 (Rev. 12/81)

and newspaper ads. TV and radio spot production will be a one-time expense of \$6500, and public notices in newspapers state-wide \$1,000.

Department of Administration requested \$3,200 space rental be placed in the budget.



Original sponsors: Halford and Clocksin

Offered: 4/5/82  
Referred: Finance

1 IN THE HOUSE

BY THE JUDICIARY COMMITTEE

2 CS FOR HOUSE BILL NO. 869 (Judiciary)

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TWELFTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to crime victim compensation; and  
7 providing for an effective date."

8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

9 \* Section 1. AS 18.67.080(a) is amended by adding a new paragraph to  
10 read:

11 (4) to the provider of a service under AS 18.67.110(b).

12 \* Sec. 2. AS 18.67.110 is amended by adding a new subsection to read:

13 (b) The board may order that compensation under (a) of this sec-  
14 tion for a service provided as a result of the personal injury or death  
15 of the victim be paid directly to the provider of the service.

16 \* Sec. 3. AS 18.67.130(a) is amended to read:

17 (a) No order for the payment of compensation may be made under  
18 AS 18.67.080 unless

19 (1) the application has been made within two years after the  
20 date of the personal injury or death; [, AND]

21 (2) the personal injury or death was the result of an inci-  
22 dent or offense listed in AS 18.67.101 which had been reported to the  
23 police within five days of its occurrence or, if the incident or offense  
24 could not reasonably have been reported within that period, within five  
25 days of the time when a report could reasonably have been made; and

26 (3) in the discretion of the board, the applicant has coop-  
27 erated with law enforcement and prosecution officials to further prosecu-  
28 tion of the offender and avoid further injury by the offender to the  
29 applicant and injury to persons in the care of the applicant who are

1 exposed to possible injury by the offender; in determining whether the  
2 applicant has cooperated with law enforcement and prosecution officials,  
3 the board may consider whether

4 (A) the applicant has refused to provide law enforcement  
5 authorities with a signed statement outlining the conduct of the  
6 offender that is the basis for the applicant's claim for compensa-  
7 tion;

8 (B) the applicant has refused to testify in court con-  
9 cerning the conduct of the offender that is the basis of the appli-  
10 cant's claim for compensation; and

11 (C) the applicant has initiated the dismissal of criminal  
12 charges against the offender for conduct that is the basis for the  
13 applicant's claim for compensation.

14 \* Sec. 4. AS 18.67.130(c) is amended to read:

15 (c) No compensation may be awarded under this chapter in an amount  
16 in excess of \$25,000 per victim per incident. However, in the case of  
17 the death of a victim who has more than one dependent eligible for  
18 compensation, the total compensation which may be awarded as a result of  
19 that death may not exceed \$40,000. The board may prorate the total  
20 awarded among those dependents according to relative need. [ALL PAY-  
21 MENTS SHALL BE MADE IN A LUMP SUM.]

22 \* Sec. 5. AS 18.67 is amended by adding a new section to read:

23 Sec. 18.67.135. INELIGIBILITY FOR SUBSEQUENT COMPENSATION. A  
24 person awarded compensation under this chapter is ineligible for subse-  
25 quent compensation for additional personal injuries inflicted by the  
26 same offender if the offender is a relative or a member of the same  
27 household as the victim.

28 \* Sec. 6. AS 18.67.130(b)(1) and (2) are repealed.

29 \* Sec. 7. This Act takes effect immediately in accordance with AS 01.10.-

1 070(c).

2

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

26

27

28

29

29

THE LEGISLATURE OF THE STATE OF ALASKA  
TWELFTH LEGISLATURE

FISCAL NOTE

I. REQUEST

Bill/Resolution No. HB 869

Title An Act relating to crime victim compensation; and providing for an effective date

Requested by \_\_\_\_\_ Date \_\_\_\_\_

II. FISCAL DETAIL

Agency Affected Department of Public Safety

Program Category Affected Administration of Justice

BRU, Program, or Subprogram(s) Affected Violent Crimes Compensation Board

(Note: If more than one budget component is affected, separate line-item amounts and funding for each component in the analysis section.)

EXPENDITURES (Thousands of Dollars)

	FY 82	FY 83	FY 84	FY 85	FY 86	FY 87
100 PERSONAL SERVICES	8.7	29.1	31.7	34.6	37.7	41.1
200 TRAVEL	2.6	8.5	9.3	10.1	11.0	12.0
300 CONTRACTUAL	3.5	11.7	7.1	7.7	8.4	9.2
400 COMMODITIES	.2	.5	.6	.7	.8	.9
500 EQUIPMENT	1.5	-	-	-	-	-
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.	45.0	150.0	163.5	178.2	194.2	211.7
<b>TOTAL</b>	<b>61.5</b>	<b>199.8</b>	<b>212.2</b>	<b>231.3</b>	<b>252.1</b>	<b>274.9</b>

FUNDING (Thousands of Dollars)

	FY 82	FY 83	FY 84	FY 85	FY 86	FY 87
GENERAL FUND	61.5	199.8	212.2	231.3	252.1	274.9
FEDERAL FUNDS						
OTHER (Specify Fund Source)						

POSITIONS

	FY 82	FY 83	FY 84	FY 85	FY 86	FY 87
FULL TIME	1	1	1	1	1	1
PART TIME						
TEMPORARY						

III. ANALYSIS (See Fiscal Note Preparation Instructions, Section III)

The estimated impact for FY82 is based on an effective date of March 15, 1982. (The proposed legislation reads "takes effect immediately.") The FY82 amount is prorated from estimated FY83 costs. Beyond FY83, a 9% inflation factor has been applied.

If the proposed legislation is enacted, it is anticipated claims would increase 90%. The current staff for the Violent Crimes Compensation Board consists of the program administrator and a clerical position. The anticipated increase in casework will necessitate the addition of an Administrative Assistant (Range 12) and associated costs, including equipment.

With the increase in claims and investigation necessary for claims, the Violent Crimes Compensation Board would hold several additional Board meetings at a cost of approximately \$4,500, plus additional hearings for approximately \$4,000. ..

Public awareness of this major statute change will require TV spots, and radio and newspaper ads. TV and radio spot production will be a one-time expense of \$6500, and public notices in newspapers state-wide \$1,000.

Department of Administration requested \$3,200 space rental be placed in the budget.

IV. DATE 2/22/82 PREPARED BY Sue C. Johnson  
AGENCY Public Safety  
PHONE 465-3040

Original: Legislative Finance  
cc: Budget and Management  
Prime Sponsor (First Legislator Named)

THE LEGISLATURE OF THE STATE OF ALASKA  
TWELFTH LEGISLATURE

FISCAL NOTE

I. REQUEST  
 Bill/Resolution No. HB 869  
 Title An Act relating to Crime Victim Compensation  
 Requested by House Judicial Committee Date \_\_\_\_\_

II. FISCAL DETAIL  
 Agency Affected Alaska Court System  
 Program Category Affected Administration of Justice  
 BRU, Program, Or Subprogram(s) Affected Trial Courts  
 (Note: If more than one budget component is affected, separate line-item amounts and funding for each component in the analysis section.)

EXPENDITURES (Thousands of Dollars)

	FY 82	FY 83	FY 84	FY 85	FY 86	FY 87
100 PERSONAL SERVICES						
200 TRAVEL						
300 CONTRACTUAL						
400 COMMODITIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.						
TOTAL		-0-	-0-	-0-	-0-	-0-

FUNDING (Thousands of Dollars)

GENERAL FUND						
FEDERAL FUNDS						
OTHER (Specify Source)						

POSITIONS

FULL TIME						
PART TIME						
TEMPORARY						

III. ANALYSIS (See Fiscal Note Preparation Instruction, Section III)

IV. DATE 3/1/82 PREPARED BY Richard P. Barrier  
 AGENCY Alaska Court System  
 PHONE 264-0545  
 Original: Legislative Finance  
 cc: Budget and Management  
 Prime Sponsor (First Legislator Named)  
 33-001 (Rev. 12/81)

THE LEGISLATURE OF THE STATE OF ALASKA  
TWELFTH LEGISLATURE

FISCAL NOTE

I. REQUEST  
 Bill/Resolution No. HB 869  
 Title "An Act relating to crime victim compensation; and providing  
Requested by Repr. Barnes, House Judiciary Date Feb. 22, 1982  
for an effective date."

II. FISCAL DETAIL  
 Agency Affected Department of Law  
 Program Category Affected Administration of Justice.  
 BRU, Program, Or Subprogram(s) Affected Prosecution  
 (Note: If more than one budget component is affected, separate line-item amounts and funding for each component in the analysis section.)

EXPENDITURES (Thousands of Dollars)

	FY 82	FY 83	FY 84	FY 85	FY 86	FY 87
100 PERSONAL SERVICES						
200 TRAVEL						
300 CONTRACTUAL						
400 COMMODITIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.						
<b>TOTAL</b>	Ø	Ø	Ø	Ø	Ø	Ø

FUNDING (Thousands of Dollars)

	FY 82	FY 83	FY 84	FY 85	FY 86	FY 87
GENERAL FUND	Ø	Ø	Ø	Ø	Ø	Ø
FEDERAL FUNDS						
OTHER (Specify Source)						

POSITIONS

	FY 82	FY 83	FY 84	FY 85	FY 86	FY 87
FULL TIME	Ø	Ø	Ø	Ø	Ø	Ø
PART TIME						
TEMPORARY						

III. ANALYSIS (See Fiscal Note Preparation Instruction, Section FII)

This bill will not have a financial impact on the department's operations.

IV. DATE February 22, 1982 PREPARED BY Richard I. Pegues, Director, Admin. Svcs.  
 AGENCY Department of Law  
 PHONE 465-3672  
 Original: Legislative Finance  
 cc: Budget and Management  
 Prime Sponsor (First Legislator Named)  
 33-001 (Rev. 12/81)

VIOLENT CRIMES COMPENSATION BOARD  
POSITION PAPER  
ON  
HB 869 (HALFORD & CLOCKSIN)

"An Act relating to crime victim compensation; and providing for an effective date."

The majority of the Board (one member was unavailable for comment) supports this bill, with the exception of 18.67.130(a)(2) and 18.67.135, to which they are opposed. The Board feels these two amendments would unfairly penalize certain claimants, who because of fear of the offender, may move to dismiss criminal charges. This is particularly true in cases where both parties reside in a small, isolated community and the offender is expected to receive an extremely light sentence or will be released on bail, a common occurrence.

The Board presently has the discretion to deny claims in cases where the victim does not cooperate in prosecuting the offender, and would prefer to retain this discretion so that those few victims who can show just cause for dismissing charges are not arbitrarily denied. While the Board agrees compensation should not be awarded on a "revolving door" basis to victims of domestic violence, they feel it would be inappropriate to make a blanket exclusion such as these amendments.

The Board would prefer 18.67.135 be amended to delete the portion dealing with dismissal and forfeiture of awards, while retaining the restriction on subsequent incidents involving the same offender when the victim initiates dismissal of criminal charges.

It should be emphasized, however, that this position does not include the opinion of the Chairman of the Board, who is the member unavailable for comment prior to the hearings on this bill.

The Department of Public Safety supports in concept HB 869.

Recommended by

Sue C. Johnson  
Sue C. Johnson  
Acting Administrator  
Violent Crimes  
Compensation Board

Date

2-24-82

Approved by

William R. Nix  
William R. Nix  
Commissioner  
Department of Public  
Safety

Date

2-24-82

# STATE OF ALASKA

JAY S. HAMMOND, GOVERNOR

## DEPARTMENT OF PUBLIC SAFETY

VIOLENT CRIMES COMPENSATION BOARD

POUCH N  
JUNEAU, ALASKA 99811

(907) 465-3040

March 2, 1982

Representative Ramona Barnes  
Through: William R. Nix  
Commissioner  
Department of Public Safety

Re: HB 869

Dear Representative Barnes:

Per your request, the following are supporting statistics for our fiscal note on HB 869. Attached is a detailed analysis of each item listed on the fiscal note, showing how the figures were determined.

The assumption that our claims will nearly double if HB 869 becomes law is based on the fact that, under the present statute, approximately half of all victims are ineligible due to their relationship with the offender.

These victims include not only those who are members of the same family but also those who were maintaining a sexual relationship with the offender at the time of the incident, and those who simply occupied, as roomers or boarders, the same household as the offender.

We think therefore, that an unknown percentage, perhaps 10% as an estimate, of those victims listed in statistics as "casual acquaintances," may in fact have been sharing living quarters with the offender, rendering them ineligible for compensation.

Attached is a copy of the statistics for a 10-year period on the relationship of homicide suspects and victims, published by the Canadian government. This is the most complete breakdown available on this subject, as statistics on relationships in the U.S. are not reduced to the same degree but are more general.

During the period 1964-1974, roughly half of all homicides in Canada were committed by relatives and close acquaintances. Only about 7% were committed by strangers.

Closer to home, 46% of the 60 homicides in Alaska in 1981 were committed by relatives and close friends. No statistics are available for other

violent crimes committed in Alaska. The breakdown from the 1981 Uniform Crime Reports for Alaska shows the following percentages of offenders:

Relatives	39%
Close Friends	7
Acquaintances	31
Strangers	7
Unsolved	16

The FBI Uniform Crime Reports for 1981 show 23.6% of U.S. homicides committed by relatives, lovers and close friends; 26.9% committed by acquaintances; and 13.3% by strangers. No data is available for 35.8% of the homicides, making it difficult to draw comparisons.

The most recent (1979) National Crime Survey Report by the U.S. Department of Justice provides general statistics on all violent crimes. The report states it is the first to compile national statistics on the relationship between victim and offender for all violent crimes.

This survey report is not entirely suitable for our purposes as it includes robbery without injury, a crime overwhelmingly (80%) committed by strangers. The report also cautions that violence by relatives and close friends is probably underreported, due to a variety of reasons.

The attached table from this report shows medical expenses were reported more frequently by victims who knew their assailant than by those who did not. This is significant because almost all claims for violent crimes compensation are filed by victims who had medical expenses.

The report divides victims into two very general categories--those who knew their assailant and those who did not. Aggravated assaults on females are singled out in these statistics because we believe female victims of this crime would file the majority of the increased claims, should HB 869 become law.

Following are statistics excerpted from this report:

% of cases where victim knew offender (all violent crimes, both sexes)	35.6%
% of cases where victim knew offender (all violent crimes, female victims)	47.0
% of cases where victim knew offender (aggravated assault, white female victims)	41.6%
% of cases where victim knew offender (aggravated assault, black female victims)	62.3%

March 2, 1982

We believe the 1981 Alaska homicide statistics are a good indicator of the current trend in victim-offender relationships for violent crime in this state, and the Canadian 10-year report a strong indicator that this is a long-term trend which will continue. -

Sincerely,



Sue C. Johnson  
Acting Administrator

SCJ:ns  
Attachments

Table 15.15

RELATIONSHIP OF MURDER SUSPECTS AND VICTIMS(1)  
(Percentage distribution by murder incidents)

	1964	1966	1968	1970	1972	1974
	per cent					
Domestic:						
Immediate family	28.6	34.0	30.1	24.0	23.5	22.6
Kinship	4.0	4.4	4.8	3.7	5.1	5.6
Common-law family	7.5	7.3	6.5	6.5	8.0	9.0
Lover's quarrel and/or triangle	6.5	5.3	5.5	4.8	5.1	2.6
Domestic total	46.6	51.0	46.9	39.0	41.7	39.8
Social or business:						
Close acquaintance	12.6	6.8	6.2	5.6	9.5	8.2
Casual acquaintance	13.6	14.1	14.0	16.4	14.8	15.3
Business relationship	2.5	4.4	1.7	3.7	2.2	1.2
Social or business total	28.7	25.3	21.9	25.7	26.5	24.7
During commission of another criminal act	11.7	10.7	11.6	12.7	10.2	9.4
No known relationship	6.5	8.2	6.2	7.1	6.8	8.6
Unsolved	6.5	4.8	13.4	15.5	14.8	17.5
Total	100.0	100.0	100.0	100.0	100.0	100.0
Total murder incidents	199	206	292	354	412	499

(1) Murder incidents counted here are based on the number of original charges of capital murder, non-capital murder, and murder - not specified. In murder incidents involving more than one suspect and/or victim, the incident is scored only once, according to the closest relationship of the accused to the victim(s).

Percent of victimizations in which victims incurred medical expenses, by selected characteristics of victims and type of crime

Characteristic	Crimes of violence <sup>a</sup>	Robbery	Assault
<b>Race</b>			
All races <sup>b</sup>	6.5	6.6	6.2
White	6.2	6.3	5.8
Black	8.1	8.4	7.8
<b>Victim-offender relationship</b>			
Involving strangers	5.9	6.7	5.5
Involving nonstrangers	7.6	6.6	7.3

NOTE: Data include only those victimizations in which victims knew with certainty that medical expenses were incurred and also knew, or were able to estimate, the amount of such expenses.

<sup>a</sup>Includes data on "other" races, not shown separately.

<sup>b</sup>Includes data on rape, not shown separately.

Table 70. Personal crimes of violence, 1979:

Percent distribution of victimizations in which victims incurred medical expenses, by selected characteristics of victims, type of crime and amount of expenses

Characteristic and type of crime	Total	Less than \$50	\$50-\$249	\$250 or more
<b>Race</b>				
All races <sup>a</sup>				
Crimes of violence <sup>b</sup>	100.0	24.4	40.8	30.8
Robbery	100.0	12.1	39.6	48.4
Assault	100.0	32.4	40.8	26.8
White				
Crimes of violence <sup>b</sup>	100.0	24.8	42.7	28.5
Robbery	100.0	12.3	51.9	35.8
Assault	100.0	32.0	40.7	27.3
Black				
Crimes of violence <sup>b</sup>	100.0	29.7	29.6	41.8
Robbery	100.0	11.6	7.5	80.9
Assault	100.0	39.1	38.4	22.4
<b>Victim-offender relationship</b>				
Involving strangers				
Crimes of violence <sup>b</sup>	100.0	24.6	41.3	34.1
Robbery	100.0	12.2	36.7	51.1
Assault	100.0	29.1	41.6	29.3
Involving nonstrangers				
Crimes of violence <sup>b</sup>	100.0	33.6	40.2	26.2
Robbery	100.0	11.6	51.6	36.7
Assault	100.0	36.2	39.9	24.0

NOTE: Data include only those victimizations in which victims knew with certainty that medical expenses were incurred and also knew, or were able to estimate, the amount of such expenses. Detail may not add to total shown because of rounding.

<sup>a</sup>Includes data on "other" races, not shown separately.

<sup>b</sup>Includes data on rape, not shown separately.

<sup>c</sup>Estimate, based on about 10 or fewer sample cases, is statistically unreliable.

THE LEGISLATURE OF THE STATE OF ALASKA  
TWELFTH LEGISLATURE

FISCAL NOTE

I. REQUEST  
Bill/Resolution No. HB 869  
Title An Act relating to crime victim compensation; and providing for an effective date  
Requested by \_\_\_\_\_ Date \_\_\_\_\_

II. FISCAL DETAIL  
Agency Affected Department of Public Safety  
Program Category Affected Administration of Justice  
BRU, Program, or Subprogram(s) Affected Violent Crimes Compensation Board  
(Note: If more than one budget component is affected, separate line-item amounts and funding for each component in the analysis section.)

EXPENDITURES (Thousands of Dollars)

	FY 82	FY 83	FY 84	FY 85	FY 86	FY 87
100 PERSONAL SERVICES	8.7	29.1	31.7	34.6	37.7	41.1
200 TRAVEL	2.6	8.5	9.3	10.1	11.0	12.0
300 CONTRACTUAL	3.5	11.7	7.1	7.7	8.4	9.2
400 COMMODITIES	.2	.5	.6	.7	.8	.9
500 EQUIPMENT	1.5	-	-	-	-	-
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.	45.0	150.0	163.5	178.2	194.2	211.7
<b>TOTAL</b>	<b>61.5</b>	<b>199.8</b>	<b>212.2</b>	<b>231.3</b>	<b>252.1</b>	<b>274.9</b>

FUNDING (Thousands of Dollars)

	61.5	199.8	212.2	231.3	252.1	274.9
GENERAL FUND	61.5	199.8	212.2	231.3	252.1	274.9
FEDERAL FUNDS						
OTHER (Specify Fund Source)						

POSITIONS

	1	1	1	1	1	1
FULL TIME	1	1	1	1	1	1
PART TIME						
TEMPORARY						

III. ANALYSIS (See Fiscal Note Preparation Instructions, Section III)  
The estimated impact for FY82 is based on an effective date of March 15, 1982. (The proposed legislation reads "takes effect immediately.") The FY82 amount is prorated from estimated FY83 costs. Beyond FY83, a 9% inflation factor has been applied.  
If the proposed legislation is enacted, it is anticipated claims would increase 90%. The current staff for the Violent Crimes Compensation Board consists of the program administrator and a clerical position. The anticipated increase in casework will necessitate the addition of an Administrative Assistant (Range 12) and associated costs including equipment.

With the increase in claims and investigation necessary for claims, the Violent Crimes Compensation Board would hold several additional Board meetings at a cost of approximately \$4,500, plus additional hearings for approximately \$4,000.

Public awareness of this major statute change will require TV spots, and radio and newspaper ads. TV and radio spot production will be a one-time expense of \$6500, and public notices in newspapers state-wide \$1,000.

Department of Administration requested \$3,200 space rental be placed in the budget.

IV. DATE 2/22/82 PREPARED BY Sue C. Johnson  
AGENCY Public Safety  
Original: Legislative Finance PHONE 465-3040  
cc: Budget and Management  
Prime Sponsor (First Legislator Named)

Personal Services

One new position of Administrative Assistant I necessary to handle the increase in claims. Calculated at Range 12B of the present salary schedule, with 9% inflation factor after FY83:

Salary @ \$1814 x 12 months	=	\$21,768
17.69% benefits (leave, etc.)	=	3,851
SBS (supplemental benefits)	=	1,334
Health Insurance	=	<u>2,196</u>
TOTAL		\$29,149

Travel

With 9% inflation factor after FY83. FY83 costs are:

3 Board meetings @ \$1,500	\$4,500
5 additional hearings @ \$800	<u>4,000</u>
TOTAL	\$8,500.

Board meeting costs consist of travel and per diem for three Board members and the Administrator. Board meetings are held alternately in different Alaska cities.

Hearing costs consist of professional fees for the Hearing Officer, and per diem and travel for the Administrator. Hearings are held where the claimant resides, or the location most convenient to him.

Contractual Services

With 9% inflation beyond FY83. FY83 costs are:

Space rental (required by Dept. of Admin.)	\$3,200
Statewide newspaper advertisements @ approx. \$100 each to announce change	1,000
Production of TV spots (one-time expense) 30 second spots (rates quoted by DPS Community Services Bureau)	5,500
Production of Radio spots (one-time expense) 30-second spots (rates quoted by DPS Community Services Bureau)	500
Miscellaneous added expense (includes telephone calls & public notices)	<u>1,000</u>
TOTAL	\$11,700

Commodities

With 9% Inflation beyond FY83. FY83 costs are:

Office Supplies	\$500
-----------------	-------

Grants and Claims

With 9% inflation beyond FY83.

40 awards @ \$3,750 =	\$150,000
-----------------------	-----------

Calculated as follows:

90% of FY82 projected claims (135) = 122 additional claims. About 1/3 could be expected to be awarded, due to an expected high rate of denials for domestic violence claims.  $1/3 \times 122 = 40$ . Average award for 7/1/80

Original sponsors: Halford and Clocksin

Offered: 4/5/82  
Referred: Finance

1 IN THE HOUSE

BY THE JUDICIARY COMMITTEE

2 CS FOR HOUSE BILL NO. 869 (Judiciary)

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TWELFTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to crime victim compensation; and  
7 providing for an effective date."

8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

9 \* Section 1. AS 18.67.080(a) is amended by adding a new paragraph to  
10 read:

11 (4) to the provider of a service under AS 18.67.110(b).

12 \* Sec. 2. AS 18.67.110 is amended by adding a new subsection to read:

13 (b) The board may order that compensation under (a) of this sec-  
14 tion for a service provided as a result of the personal injury or death  
15 of the victim be paid directly to the provider of the service.

16 \* Sec. 3. AS 18.67.130(a) is amended to read:

17 (a) No order for the payment of compensation may be made under  
18 AS 18.67.080 unless

19 (1) the application has been made within two years after the  
20 date of the personal injury or death; [, AND]

21 (2) the personal injury or death was the result of an inci-  
22 dent or offense listed in AS 18.67.101 which had been reported to the  
23 police within five days of its occurrence or, if the incident or offense  
24 could not reasonably have been reported within that period, within five  
25 days of the time when a report could reasonably have been made; and

26 (3) in the discretion of the board, the applicant has coop-  
27 erated with law enforcement and prosecution officials to further prosecu-  
28 tion of the offender and avoid further injury by the offender to the  
29 applicant and injury to persons in the care of the applicant who are

1 exposed to possible injury by the offender; in determining whether the  
2 applicant has cooperated with law enforcement and prosecution officials,  
3 the board may consider whether

4 (A) the applicant has refused to provide law enforcement  
5 authorities with a signed statement outlining the conduct of the  
6 offender that is the basis for the applicant's claim for compensa-  
7 tion;

8 (B) the applicant has refused to testify in court con-  
9 cerning the conduct of the offender that is the basis of the appli-  
10 cant's claim for compensation; and

11 (C) the applicant has initiated the dismissal of criminal  
12 charges against the offender for conduct that is the basis for the  
13 applicant's claim for compensation.

14 \* Sec. 4. AS 18.67.130(c) is amended to read:

15 (c) No compensation may be awarded under this chapter in an amount  
16 in excess of \$25,000 per victim per incident. However, in the case of  
17 the death of a victim who has more than one dependent eligible for  
18 compensation, the total compensation which may be awarded as a result of  
19 that death may not exceed \$40,000. The board may prorate the total  
20 awarded among those dependents according to relative need. [ALL PAY-  
21 MENTS SHALL BE MADE IN A LUMP SUM.]

22 \* Sec. 5. AS 18.67 is amended by adding a new section to read:

23 Sec. 18.67.135. INELIGIBILITY FOR SUBSEQUENT COMPENSATION. A  
24 person awarded compensation under this chapter is ineligible for subse-  
25 quent compensation for additional personal injuries inflicted by the  
26 same offender if the offender is a relative or a member of the same  
27 household as the victim.

28 \* Sec. 6. AS 18.67.130(b)(1) and (2) are repealed.

29 \* Sec. 7. This Act takes effect immediately in accordance with AS 01.10.-

1 070(c).

2

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

26

27

28

29

1 IN THE HOUSE

BY HALFORD AND CLOCKSIN

2 HOUSE BILL NO. 869

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TWELFTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to crime victim compensation; and  
7 providing for an effective date."

8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

9 \* Section 1. AS 18.67.080(a) is amended by adding a new paragraph to  
10 read:

11 (4) to the provider of a service under AS 18.67.110(b).

12 \* Sec. 2. AS 18.67.110 is amended by adding a new subsection to read:

13 (b) The board may order that compensation under (a) of this section  
14 for a service provided as a result of the personal injury or death of  
15 the victim be paid directly to the provider of the service.

16 \* Sec. 3. AS 18.67.130(a) is amended to read:

17 (a) No order for the payment of compensation may be made under  
18 AS 18.67.080 unless the application has been made within two years after  
19 the date of the personal injury or death, and

20 (1) the personal injury or death was the result of an incident  
21 or offense listed in AS 18.67.101 which had been reported to the police  
22 within five days of its occurrence or, if the incident or offense could  
23 not reasonably have been reported within that period, within five days  
24 of the time when a report could reasonably have been made; and

25 (2) the applicant has not initiated the dismissal of criminal  
26 charges against the offender for conduct that is the basis for the  
27 applicant's claim for compensation.

28 \* Sec. 4. AS 18.67.130(b) is amended to read:

29 (b) No compensation may be awarded if the victim

1 [(1) IS A RELATIVE OF THE OFFENDER;]

2 (2) is, at the time of application for compensation [THE  
3 PERSONAL INJURY OR AT THE TIME OF THE INJURY WHICH RESULTS IN THE DEATH  
4 OF THE VICTIM] living with the offender as a member of the same family  
5 or household, or maintaining a sexual relationship, whether illicit or  
6 not, with the offender [OR WITH A MEMBER OF THE OFFENDER'S FAMILY];

7 (3) violated a penal law of the state, which violation caused  
8 or contributed to his injuries or death; or

9 (4) is injured as a result of the operation of a motor  
10 vehicle, boat or airplane unless the vehicle was used as a weapon in a  
11 deliberate attempt to injure or kill the victim.

12 \* Sec. 5. AS 18.67.130(c) is amended to read:

13 (c) No compensation may be awarded under this chapter in an amount  
14 in excess of \$25,000 per victim per incident. However, in the case of  
15 the death of a victim who has more than one dependent eligible for  
16 compensation, the total compensation which may be awarded as a result of  
17 that death may not exceed \$40,000. The board may prorate the total  
18 awarded among those dependents according to relative need. [ALL PAYMENTS  
19 SHALL BE MADE IN A LUMP SUM.]

20 \* Sec. 4. AS 18.67 is amended by adding a new section to read:

21 Sec. 18.67.135. FORFEITURE OF COMPENSATION. A person awarded  
22 compensation under this chapter shall repay the compensation to the  
23 state and shall be ineligible for future compensation for additional  
24 personal injuries inflicted by the same offender, if the person initiates  
25 the dismissal of criminal charges against the offender for conduct that  
26 is the basis for the person's claim for compensation.

27 \* Sec. 7. This Act takes effect immediately in accordance with AS 01.10.-  
28 070(c).