

SB

266

<target><bill>SB 266</bill><subject>SB
266</subject><comm>HFIN26</comm></target>

ALASKA STATE LEGISLATURE



SENATOR JOE THOMAS

Senate Bill 266

*An Act relating to emergency compensation from the
Violent Crimes Compensation Board*

Sponsor Statement

The Victims of Violent Crimes Compensation Board (VCCB) was created in 1972 in an attempt to mitigate the financial hardships suffered by victims of violent crimes. This board is able to support these victims and their dependents with up to \$40,000 and \$1,500 in immediate emergency compensation.

Senate Bill 266 proposes to increase the limit for emergency compensation to \$3,500.

The allowable amount for emergency compensation has not been increased since 1975 and is limited to verifiable lost wages, counseling, security measures and relocation costs.

Emergency awards are necessary because the Board only meets approximately five times per year, and it can be several weeks or months before a claim is considered. The most pressing need for emergency compensation is to cover relocation costs when a victim is in immediate danger at their current location. These expenses have increased substantially over the years, and \$1,500 is unable to cover deposit and first and last month rents, especially when a family or dependents are involved.

In Fiscal Year 2009 there was \$25,547.80 given in emergency compensation for 22 claims. 12 of these were made at the maximum amount of \$1,500. So far in FY2010, \$29,699.17 has been awarded by way of emergency awards for _____ claims. The crime victim compensation fund receives approximately 70% of its appropriations from the state in the form of felon's garnished Permanent Fund Dividends and 30% from federal funds. This type of compensation is deducted from the final amount given to the victim and any excess award must be repaid to the Board.

I urge you to join me in assisting Alaska's victims of violent crimes when their need is greatest and support Senate Bill 266.

FISCAL NOTE

STATE OF ALASKA
2010 LEGISLATIVE SESSION

Fiscal Note Number: 1
Bill Version: SB 266
(S) Publish Date: 2/26/10

Identifier (file name) SB266-DOA-DAS-02-24-10 Dept. Affected: DOA
Title "An Act relating to emergency compensation from the Violent Crimes Compensation Board." RDU VCCB
Component VCCB
Sponsor Senator Thomas
Requester (S) STA Component Number 2694

Expenditures/Revenues (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

	Appropriation Required	Information						
		FY 2011	FY 2011	FY 2012	FY 2013	FY 2014	FY 2015	FY 2016
OPERATING EXPENDITURES								
Personal Services								
Travel								
Contractual								
Supplies								
Equipment								
Land & Structures								
Grants & Claims								
Miscellaneous								
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0

CAPITAL EXPENDITURES								
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CHANGE IN REVENUES ()								
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FUND SOURCE		(Thousands of Dollars)						
		FY 2011	FY 2011	FY 2012	FY 2013	FY 2014	FY 2015	FY 2016
1002 Federal Receipts								
1003 GF Match								
1004 GF								
1005 GF/Program Receipts								
1037 GF/Mental Health								
Other Interagency Receipts								
TOTAL		0.0	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY2010) cost: _____

POSITIONS

Full-time								
Part-time								
Temporary								

ANALYSIS: *(Attach a separate page if necessary)*
No fiscal impact is anticipated, therefore the agency submits a zero fiscal note.

Prepared by: Eric Swanson, Director
Division: Administrative Services
Approved by: Kevin Brooks, Deputy Commissioner
Department of Administration

Phone (907) 723-9686
Date/Time 02/24/2010 3:00pm
Date 2/24/2010

VIOLENT CRIMES COMPENSATION BOARD

EMERGENCY AWARDS

The State's violent crimes compensation program is funded through both state and federal funds. Approximately 70% of the amount awarded annually in compensation comes from a legislative appropriation of state funds, and 30% comes from federal funds in the form of an annual federal grant.

In FY2009 the VCCB received authorization by the legislature to spend \$510,100 in federal funds, and \$1,233,300 from PFD criminal receipts on awards to victims of crime. (Note these figures exclude monies for the program's operating expenses)

In FY2009 the total amount paid to victims = \$1,701,795, including \$25,547.80 awarded by way of emergency awards.

In FY2010 to date the Board has awarded \$29,699.17 by way of emergency awards.

Note: amounts awarded as emergency funds are deducted from the amount of the final award made to the victim. Should the claim be deemed ineligible, the emergency funds would be required to be repaid. This does not happen in practice since it is only those claims where eligibility already appears to be established where emergency awards can be considered (see Board policy)

Emergency awards are necessary because the Board only meets approximately 5 times a year. Therefore, it can be several weeks or even months before a claim is considered for award. The Board exercises its discretion in determining whether it believes an emergency award is justified, which awards are limited to lost wages, counseling, relocation or security measures.

In FY 2009 emergency awards were made on 22 claims. 10 were for lost wages; 5 for counseling; 6 for relocation and 1 for both lost wages and counseling. The average amount awarded was \$1,161.26, but 12 awards were made at the maximum \$1,500 level.

The maximum amount that may be awarded as an emergency award has not increased since 1975. The main reason for requesting the increase is that rental costs have increased significantly over the years. If someone needs to find a new place to live urgently, whether as a matter of security or for their emotional wellbeing, \$1,500 does not go very far, particularly where a family is involved. Raising the emergency award amount to \$3,500 will enable the board to sufficiently provide for emergency situations.

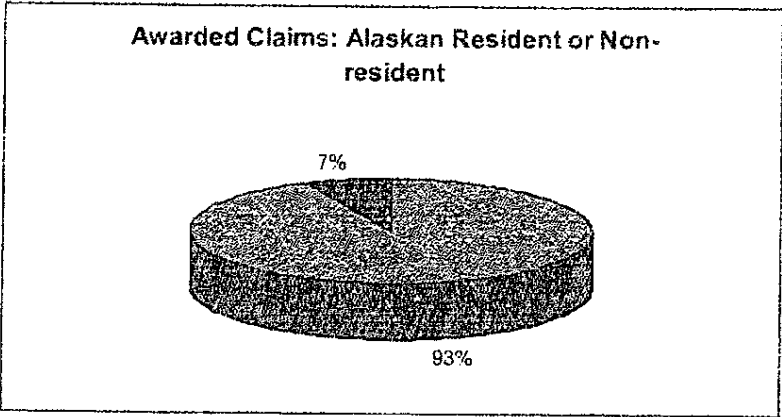
E.g. we recently relocated a family where the 13 year old daughter had been raped in her bed by a family acquaintance. The family was being harassed by the family of the perpetrator. The Board awarded \$1,500 in emergency funds so that they could relocate as soon as possible for safety and because the little girl was extremely traumatized. The funds paid for the security deposit (\$1,000) and part of one month's rent (\$1,600). At the next Board meeting additional funds were awarded to this family for relocation costs as well as funds for counseling.

The Board receives applications for compensation from all regions of the state. The following table shows the number of new applications received during the reporting period by location:

VIOLENT CRIMES COMPENSATION BOARD					
NEW CLAIMS RECEIVED BY LOCATION OF CRIME					
SFY2009					
Community			Community		
Akiachak	2	Fairbanks	47	Nikiski	3
Afognak	1	Fort Wainwright	1	Ninilchik	1
Alakanuk	1	Fort Greely	4	Nondalton	1
Anchorage	289	Girdwood	1	Noorvik	1
Anderson	1	Grayling	2	Nome	16
Angoon	5	Haines	2	North Pole	13
Aniak	1	Houston	3	Palmer	20
Barrow	7	Homer	8	Perryville	1
Bethel	12	Hoonah	1	Point Hope	2
Big Lake	2	Hooper Bay	4	Petersburg	10
Birch Creek	1	Iliamna	1	Port Alexander	2
Chefornak	2	Juneau	40	Quinhagak	1
Chevak	4	Kasilof	2	Russian Mission	4
Chickaloon	1	Kasigluk	1	Razdolna	1
Chuathbaluk	1	Kenai	21	Seward	4
Chugiak	1	Ketchikan	11	Sitka	9
Craig	1	Kiana	1	Soldotna	17
Cordova	1	Kivalina	2	Shageluk	1
Copper Center	2	Knik Knik River	1	Selawik	1
Crooked Creek	1	Koyukuk	2	Stebbins	1
Delta Junction	1	Kodiak	15	St Mary's	1
Dillingham	7	Kotlik	4	Tuntutuliak	2
Eagle River	3	Kotzebue	10	Talkeetna	1
Eielson AFB	1	Lower Kalskag	1	Valdez	2
Emmonak	9	Metlakatla	1	Willow	2
Elmendorf	2	Mountain Village	5	Wasilla	40
		Total Alaska	703		
		Out of State	7		
		TOTAL	710		

VIOLENT CRIMES COMPENSATION BOARD AWARDS — 2009

The following chart shows how funds were paid out during this reporting period by resident and non-resident:

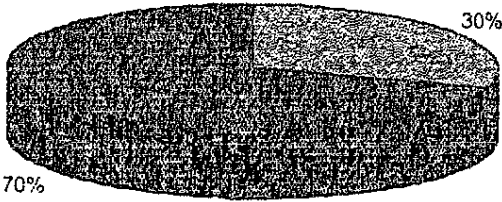


Note: "Awarded claims" include reconsiderations of pre-existing claims and new claims

Residents 93%	Non-residents 7%
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The following charts shows how funds were paid out during this reporting period by the victim's age, type of crime and type of service.

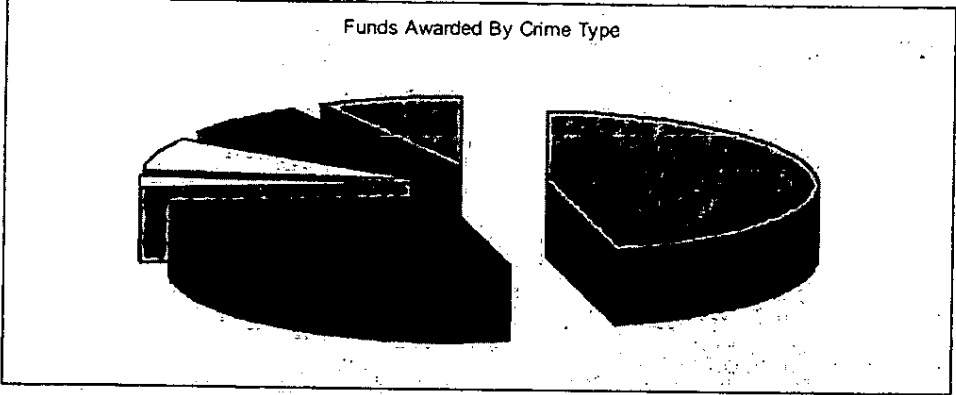
Awarded Claims by Age of Victim



Note: "Awarded claims" include reconsiderations of pre-existing claims and new claims

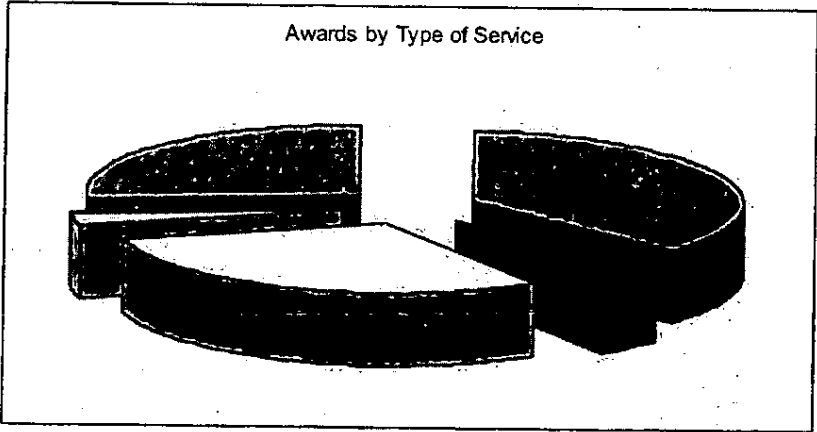
30% of Claims Approved Involved Victims Age 17 and under
70% of Claims Approved Involved Victims Age 17 and Over

VIOLENT CRIMES COMPENSATION BOARD AWARDS – 2009



Note: "Awarded claims" include reconsiderations of pre-existing claims and new claims

Assault	\$782,077.17
Homicide	\$460,268.65
	\$50,486.61
Child Physical and Sexual Abuse	\$130,492.70
DUI/DWI	\$131,898.22
Other: robbery, arson, kidnapping, trafficking, other vehicular	\$146,572.08



Note: "Awarded claims" include reconsiderations of pre-existing claims and new claims

Medical/Dental	\$625,823.45
Counseling	\$70,082.29
	\$504,079.36
Funeral	\$46,165.48
Crime Scene Cleanup	\$3,036.36
Other (e.g. relocation)	\$452,608.50

In 2009, the total amount paid out was \$1,701,795.

Sample of Emergency Awards from Fiscal Year 2009

#34183 The claimant, a female, filed as a victim of sexual assault and the Board previously awarded an emergency award in the amount of \$700 for Other-replace clothing and CITA. The Board determined the claimant to be an innocent victim of a violent crime under AS 18.67. It was the decision of the Board to award the requested compensation under AS 18.67.110(a)(4). All Board members concurred with the decision.

AWARDED: \$0

#34583 The claimant, a female, filed as a victim of sexual assault. The Board determined the claimant to be an innocent victim of a violent crime under AS 18.67. It was the decision of the Board to award emergency relocation under AS 18.67.(a)(1). All Board members concurred with the decision.

AWARDED: \$1,500 Relocation

#34551, 673-4 The claimant, a female, was a victim of a domestic assault and the Board previously awarded an emergency award in the amount of \$1,500 for airfare, food, glasses, CITA housing expenses. The Board determined the claimant to be an innocent victim of a violent crime under AS 18.67, and awarded relocation expenses. It was the decision of the Board to award the requested compensation under AS 18.67.110(a)(1)(4). All Board members concurred with the decision.

AWARDED: \$0

Pre-approve up to \$2,600 MHT

Pre-approve up to \$1,200 MHT

Pre-approve up to \$1,200 MHT

Pre-approve up to \$3,736.90 Relocation

#34584 The claimant, a female, was a victim of human trafficking and the Board previously awarded an emergency award in the amount of \$1,500.00 for relocation. The Board determined the claimant to be an innocent victim of a violent crime under AS 18.67, and awarded relocation. It was the decision of the Board to award the requested compensation under AS 18.67.110(a)(1)(4). All Board members concurred with the decision.

AWARDED: \$1,444.70 Relocation

Pre-approve up to \$2,600.00 MHT

Pre-approve up to \$300.00 Mileage

Pre-approve up to \$2,055.30 Relocation

Pre-approve up to \$600.00 CITA

#34583 The claimant, a female, was a victim of sexual assault and the Board previously awarded an emergency award in the amount of \$1,500 for relocation. The Board determined the claimant to be an innocent victim of a violent crime under AS 18.67, and awarded relocation expenses. It was the decision of the Board to award the requested compensation under AS 18.67.110(a)(1)(4). All Board members concurred with the decision.

AWARDED: \$2,128.22 Relocation

Pre-approve up to \$2,600.00 MHT

Pre-approve up to \$1,609.78 Relocation

Pre-approve up to \$2,500.00 Re-establishment

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Violent Crimes Compensation Board

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Board Awards

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Short Description

If a claim appears to be eligible for compensation and a claimant would suffer undue hardship if assistance were not provided, the Board may award up to \$1,500 in emergency assistance.

Policy

Adopted 9-27-06

Utilizing statutory discretion, if it appears to the Board, prior to taking action on an application, that the claim is one for which compensation is likely, and undue hardship would result to the applicant if immediate payment is not made, the Board may make an emergency award of compensation to the applicant and/or their service provider pending a final decision. However, the amount of the emergency compensation may not exceed \$1,500.00 per applicant. The amount of the emergency compensation shall be deducted from the final compensation made to the applicant and the excess of the amount of the emergency compensation over the final amount awarded shall be repaid by the applicant to the Board.

Emergency awards shall be limited to verifiable lost wages, counseling only when payments are made directly to the service provider, relocation costs, and security measures if/when relocation assistance is not requested. The Board will not consider awarding medical costs through emergency awards.

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