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HOUSE

JUDICIARY

Alaska State Legislature

Select Committee on Legislative Ethics

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December 12, 2007

ADVISORY OPINION 2007-06

RE: Campaign Endorsements and Fundraising During a Legislative Session

This opinion was initiated by the Select Committee on Legislative Ethics (the committee) in order to clarify its understanding of restrictions imposed by AS 24.60.031 on a legislator or legislative employee campaigning, during a legislative session, on behalf of a candidate for the state legislature.¹

Questions presented

The following questions involve hypothetical persons and situations.

1. Does AS 24.60.031 of the Legislative Ethics Act prohibit a legislator or legislative employee from hosting or co-hosting a campaign fundraising event for a candidate for the state legislature during a legislative session?
2. Does AS 24.60.031 of the Legislative Ethics Act prohibit a legislator or legislative employee from endorsing a candidate for the state legislature during a legislative session?

Discussion

1. Does AS 24.60.031 of the Legislative Ethics Act prohibit a legislator or legislative employee from hosting or co-hosting a campaign fundraising event for a candidate for the state legislature during a legislative session?

AS 24.60.031(a)(1) says a legislator or legislative employee may not

(1) on a day when either house of the legislature is in regular or special session, solicit or accept a contribution or a promise or pledge to make a contribution for a campaign for the state legislature; however, a legislator or legislative employee may, except in the capital city, solicit or accept a contribution, promise, or pledge for a campaign for the state

¹This opinion is limited to consideration of AS 24.60.031 and does not consider other authority, including personnel policies, that may limit a legislator or legislative employee's campaign fundraising and endorsement activity.

legislature that occurs during the 90 days immediately preceding an election:

The language of this paragraph seems to unequivocally ban all solicitation or acceptance of a campaign contribution by a legislator or legislative employee, for any campaign for the state legislature -- except for that which occurs outside of the capital city during the 90 days immediately preceding an election. The ban is not total, however, because of the way in which "contribution" is defined by a cross-reference in AS 24.60.031(b): The cross-referenced definition, in AS 15.13.400, says:

(4) "contribution"

(A) means a purchase, payment, promise or obligation to pay, loan or loan guarantee, deposit or gift of money, goods, or services for which charge is ordinarily made and that is made for the purpose of influencing the nomination or election of a candidate, and in AS 15.13.010(b) for the purpose of influencing a ballot proposition or question, including the payment by a person other than a candidate or political party, or compensation for the personal services of another person, that are rendered to the candidate or political party;

(B) does not include

(i) services provided without compensation by individuals volunteering a portion or all of their time on behalf of a political party, candidate, or ballot proposition or question;

(ii) ordinary hospitality in a home;

(iii) two or fewer mass mailings before each election by each political party describing the party's slate of candidates for election, which may include photographs, biographies, and information about the party's candidates;

(iv) the results of a poll limited to issues and not mentioning any candidate, unless the poll was requested by or designed primarily to benefit the candidate;

(v) any communication in the form of a newsletter from a legislator to the legislator's constituents, except a communication expressly advocating the election or defeat of a candidate or a newsletter or material in a newsletter that is clearly only for the private benefit of a legislator or a legislative employee; or

(vi) a fundraising list provided without compensation by one candidate or political party to a candidate or political party.

The ban on fundraising in AS 24.60.031(a)(1) only bans solicitation or acceptance of contributions that fall within this definition of "contribution," and therefore anything listed as an exception in this definition would be allowed. For example, notwithstanding the prohibition set out in AS 24.60.031(a)(1), a legislator or legislative employee could

"Election" is not defined by the Act, and for the purpose of this opinion we interpret it to mean a general, special, or primary election for membership in the state legislature.

still solicit or accept, on behalf of any candidate, contributions of *certain kinds* of (i) volunteer campaign services; (ii) hospitality in a home; (iii) mass mailings by a political party; (iv) poll results not related to a particular candidate; (v) newsletters from a legislator to the legislator's constituents; or (vi) fundraising lists provided without charge. This list of exceptions from what legally constitutes a contribution does not include contributions of money, and therefore hosting or co-hosting a legislative campaign fundraising event during a legislative session would violate the prohibition in AS 24.60.031(a), unless the fundraiser is held outside of the capital city and within the 90 days immediately preceding an election.

2. Does AS 24.60.031 of the Legislative Ethics Act prohibit a legislator or legislative employee from endorsing a candidate for the state legislature during a legislative session?

AS 24.60.031 does not prohibit a legislator or legislative employee from endorsing a candidate for the state legislature, at any time, unless the endorsement is part of a solicitation for a contribution in violation of AS 24.60.031(a)(1). The following examples illustrate the difference between an endorsement that is in compliance with AS 24.60.031, and one that is not:

1. A legislator endorses a candidate in a signature ad that solicits votes for the candidate but does not solicit contributions to the campaign. This endorsement does not violate AS 24.60.031(a)(1), because the statute does not prohibit a solicitation for votes.

2. A legislator endorses a candidate by allowing the legislator's name to appear in a fundraising event's invitation or advertisement. This endorsement would violate AS 24.60.031(a)(1) because it is a solicitation for a money contribution to the candidate. Even if the name merely appears on a long list of other candidate supporters or campaign officers, if the legislator allows it to be used in a fundraising event's invitation or ad at a time and place when AS 24.60.031(a)(1) prohibits the legislator from soliciting campaign contributions, there is a violation.

Conclusion

For the reasons stated above, the committee finds that directly or indirectly hosting, co-hosting, or soliciting participation in a fundraiser for a legislative candidate during a legislative session is prohibited by AS 24.60.031, unless the fundraiser is held outside of Juneau in the 90-day period immediately preceding an election.

Adopted by the Select Committee on Legislative Ethics on December 12, 2007.

Members present and concurring in this opinion were:

Dennis "Skip" Cook, Chair

Representative Bob Roses

Representative Berta Gardner

Senator Hollis French (alternate for Senator Gary Stevens)

Senator Con Bunde

H. Conner Thomas, public member

Gary J. Turner, public member
Herman G. Walker, public member

Members dissenting from this opinion were: None.

Member absent were:
Senator Gary Stevens
Ann Rabinowitz, public member

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ALASKA STATUTE

Sec. 24.60.031. Restrictions on fund raising.

(a) A legislator or legislative employee may not

- (1) on a day when either house of the legislature is in regular or special session, solicit or accept a contribution or a promise or pledge to make a contribution for a campaign for the state legislature; however, a legislator or legislative employee may, except in the capital city, solicit or accept a contribution, promise, or pledge for a campaign for the state legislature that occurs during the 90 days immediately preceding an election;
- (2) accept money from an event held on a day when either house of the legislature is in regular or special session if a substantial purpose of the event is to raise money on behalf of the member or legislative employee for state legislative political purposes; however, this paragraph does not prohibit a legislator or legislative employee from accepting money from an event held in a place other than the capital city during the 90 days immediately preceding an election; or
- (3) in a campaign for the state legislature, expend money that was raised on a day when either house of the legislature was in a legislative session by or on behalf of a legislator under a declaration of candidacy or a general letter of intent to become a candidate for public office; however, this paragraph does not apply to money raised in a place other than the capital city during the 90 days immediately preceding an election.

(b) In this section, "contribution" has the meaning given in AS 15.13.400.

2008 STANDARDS OF CONDUCT HANDBOOK **FUNDRAISING FOR POLITICAL CAMPAIGNS DURING SESSION**

AS 24.60.031

Please contact APOC to discuss additional restrictions within the Campaign Disclosure Law.

A legislator or legislative employee may not request or accept a contribution, or a promise to make a contribution, for any state legislative campaign while the legislature is in *regular or special session*.

This rule prohibits legislators and legislative employees from raising funds for other legislative candidates. There is one exception for special sessions, which is called the "90 day window". If the special session falls within the period 90 days immediately preceding an election, legislators and legislative employees may solicit and accept contributions in a place other than the capital city.

A legislator or legislative employee (on behalf of another) may not accept money from a fundraising event held during session if a substantial purpose of the event was to raise money for the legislator's campaign or for state legislative political purposes, with the exception of the "90 day window" for special sessions.

A legislator or legislative employee may not circumvent these prohibitions by failing to declare that a seat in the Legislature is his or her campaign goal. Specifically, a legislator or legislative employee may not *spend* money for a legislative campaign that was raised in the following manner: 1) filing a letter of intent or declaration of candidacy which does not specify which public office will be sought, 2) raising money under that letter of intent, then 3) declaring as a candidate for the Legislature after the legislative session ends. (Also, see Candidacies of Legislative Employees, page 17)

The prohibitions in AS 24.60.031 do not apply to legislators who have filed for the office of governor, Lt. governor or a federal office.

May a legislator keep a campaign contribution that was received prior to a regular session but not opened and acknowledged until after session began?

No, the committee has determined that a contribution in the form of a check or cash is 'accepted' when the legislator, or someone the legislator has given authority to deal with contributions, has physically received the contribution, knows that it is a contribution and has decided to keep it rather than return it.

May a legislator *expend* campaign funds, during a session, that were legitimately raised during the interim?

Yes. This would not be a violation of the ethics code, however, the legislator would need to comply with all APOC requirements.

May a legislator *mail*, during a regular session, an invitation to a fundraiser for his/her campaign, which would be held after session?

No, this would be considered a solicitation during session and be prohibited.

May a legislator or legislative employee host a fundraiser during session for a non-incumbent candidate for a legislative seat?

No. The prohibition extends to *any* state legislative campaign.

May a legislator accept funds raised from an event that had been scheduled well in advance but fell on a date during a special session?

Generally no, unless the event falls within the "90 day window", which is the 90 days immediately preceding an election and so long as the event is not held in the capital city of Juneau. If the event does not fall within the "90 day window", the event must either be canceled or campaign contributions must be turned down at the event and the legislator may not say anything about "accepting contributions after the special session is over."

Other States, fines imposed for late filing

State	Who's Covered	Late Fine - Structure	Criminal
Alabama	Public Official Public Employee	\$10 a day \$1,000 max	
Arizona	Public Official Public Employee Candidate	\$50 a day \$500 max	
Arkansas	Public Employee	\$25 a day \$1,000 max	(civil penalties in the form of public caution, warning, reprimand, fines)
Delaware	Public Officer	min - letter of reprimand max - guilty of class B misdemeanor - fail to file max - guilty of class A misdemeanor - false information	
Hawaii	Legislator Employees	Bill pending before Council to authorize the Commission to impose civil fines on elected officers. \$50 penalty, \$10 each day with not maximum	
Kansas	Legislator	\$10 a day \$300 maximum Also possible civil fine up to \$5,000	
Louisiana	Legislator	\$100 a day - \$2,500 max	
Maine	Legislator	\$10 a day (campaign finance report - is subject to percentage of total Contributions or expenditures, whichever is greater - 1% 1 st Violation, 3% 2 nd violation, 5% 3 rd or more violation)	
Maryland	Filers of Financial Disclosures	- subject to fines up to \$250 Ethics Comm. can go to court to seek civil fines up to \$5,000 per violation	
Massachusetts	Elected St Officials County Officials Candidates for such office St Employees in policy-making positions	1 - 10 days \$50 11 - 20 days \$100 21 - 30 days \$200 over 30 days civil penalties up to \$2,000 per violation	up to \$1,000 and or imprisonment of up to 3 yrs for each violation

Minnesota	Individual	up to \$3,000 and guilty of gross misdemeanor for false or omitted information
New Jersey	Employees	(Admin Civil Criminal) Jt Cmte may: impose fines between \$500 and \$10,000 order employees removed from office, refer legislator violations to appropriate House for further action
Pennsylvania	Public Officials	\$25 a day
	Public Employees	\$250 max
	Candidates	

June 11, 2007 Ethics Committee Meeting
Minutes from Agenda Item #5, Disclosures

5. Chair/Staff Report:

a. Disclosures: Ms. Anderson reported the disclosure list in the packet is current as of May 31, 2007. Six late disclosures were received. No fines were issued as these were the first late disclosures received from these individuals: Sen Lyman Hoffman, Mary Katherine Shows, Rep Mike Chenault, Rep Mike Kelly, Sen Kim Elton, and Sen Gary Stevens.

Letters were sent to six former legislators asking for clarification of previous ethics disclosures. Five of the six filed updated disclosures forms. No fine was assessed. Former Rep Jim Holm has not responded to two letters to file "final day of service" disclosures. He previously submitted disclosures for an AIDEA loan and membership on a board of directors. Pursuant to AS 24.60.260 his fine would be \$100 for each late disclosure. Senator Bunde asked what options are available for collecting fines. Staff reported there are no options or language in the new statute for collecting fines from those no longer in office. Chair Cook stated the committee's options are to waive the fine or keep it in place even if it is not paid. Chair Cook asked Ms. Anderson to follow up on options available for securing the fine and also what is in statute regarding APOC fines. Senator Bunde made a motion to keep the fine in place and notify Mr. Holmes. Staff will send a certified letter notifying Mr. Holm the disclosures are required and a fine of \$100 for each late disclosure is imposed. Hearing no objection, motion passed. Member Turner asked to add to a future agenda the subject of reviewing our fine structure.

September 28, 2007 Ethics Committee Meeting

Minutes from Agenda Item # 4, Disclosures

4. CHAIR/STAFF REPORT:

a. Disclosures: Ms. Anderson stated the disclosure list in the packet is current as of September 28. There are more disclosures than usual because of the awareness of ethics.

Staff reported a certified letter was sent to former Representative Jim Holm on June 15, 2007 per committee action at the June 11, 2007 meeting. The letter notified Mr. Holm of his duty to complete ethics disclosures upon leaving office and of the committee's action to impose a fine of \$200 for failure to file the disclosures in a timely manner. The letter was unclaimed and another letter was sent on July 15, 2007. Staff talked to Mr. Holm on July 20, 2007 and he stated he would not file the disclosures, would not pay the fine and hung up in the middle of the conversation.

Staff was asked at the June 11 meeting to check to see what options are available to collect the fine. Karla Schofield, Assistant Director LAA, stated if the individual was still employed by the legislature, the fine could be taken out of their last paycheck. APOC's process is similar to ours in that they send out certified letters. They have worked out payment schedules as well if the fine is significant or the individual cannot pay the entire amount up front. If an individual does not pay a fine, they refer the matter to the Attorney General's office. Their understanding is that the AG's office does not follow up unless the fine is \$500 or greater. Staff reported our policy has been to publish the names of individuals who do not pay their fines.

Committee discussed the options available: include Mr. Holm's name in the ethics newsletter and forward the matter to the AG. Member Turner indicated it would be troubling if the committee did not take any action and what kind of message would the committee be sending on the importance of filing disclosures. What about garnishing their PFD? Staff reported in order to do this a judgment is required. Representative Roses asked what about small claims court? Representative Roses agrees that the committee would be setting a precedent in whatever action is taken. Perhaps the answer is to increase the amount of fines so it would be worth going after. Senator Stevens stated the point is to file the disclosure, which Mr. Holm did, what is the point in pursuing the fine for so little an amount. Member Walker stated we do have a responsibility to follow up on the fine otherwise the fact disclosures are required could be ignored. Senator Bunde moved to refer the matter to the AG (after confirmation the AG is proper authority). The committee would be following the letter of the law and thus taking responsibility for pursuing unpaid fines. Staff will draft for the next meeting language for the committee's Rules of Procedure on this subject. Roll call vote taken: NO - Senator Stevens; YES - Senator Bunde, Representative Roses, Members Rabinowitz, Turner, Thomas, Walker and Chair Cook. Motion carried.

Article 4. Required Annual Financial Disclosure.

Section	Section
200 Financial disclosure by legislators, public members of the committee and legislative directors	240 Civil penalty for late filing
210 Deadlines for filing of disclosure statements	250 Effect of failure to file
220 Administration of AS 24.60.200 - 24.60.260	260 Prohibited conduct relating to disclosures
230 Statements as public records	

Administrative Code. — For legislative financial disclosure, see 2 AAC 50, art 5.

Sec. 24.60.200. Financial disclosure by legislators, public members of the committee, and legislative directors.

(a) A legislator, a public member of the committee, and a legislative director shall file a disclosure statement, under oath and on penalty of perjury, with the Alaska Public Offices Commission giving the following information about the income received by the discloser, the discloser's spouse or domestic partner, the discloser's dependent children, and the discloser's nondependent children who are living with the discloser:

- (1) the information that a public official is required to report under AS 39.50.030, other than information about gifts;
- (2) as to income in excess of \$5,000 received as compensation for personal services, the name and address of the source of the income, and a statement describing the nature of the services performed; if the source of income is known or reasonably should be known to have a substantial interest in legislative, administrative, or political action and the recipient of the income is a legislator or a legislative director, the amount of income received from the source shall be disclosed;
- (3) as to each loan or loan guarantee over \$1,000 from a source with a substantial interest in legislative, administrative, or political action, the name and address of the person making the loan or guarantee, the amount of the loan, the terms and conditions under which the loan or guarantee was given, the amount outstanding at the time of filing, and whether or not a written loan agreement exists.

(b) The Alaska Public Offices Commission may request the information required under AS 24.60.200 — 24.60.260 to be submitted electronically but shall accept any information required under AS 24.60.200 — 24.60.260 that is typed in clear and legible black typeface or hand-printed in dark ink on paper in a format approved by the commission or on forms provided by the commission and that is filed with the commission. The commission shall print the forms provided under this section so that the front and back of each page have the same orientation when the page is rotated on the vertical axis of the page. (§ 31 ch 127 SLA 1992; am § 58 ch 74 SLA 1998; am §§ 30, 31 ch 108 SLA 2003; am § 3 ch 155 SLA 2004)

Effect of amendments. — The 1998 amendment, effective January 1, 1999, rewrote the introductory language and paragraph (1) and deleted former paragraph (4).

The 2003 amendment, effective September 14, 2003, in subsection (a) substituted "domestic partner"

for "spousal equivalent" in the introductory language and "\$5,000" for "\$1,000" in paragraph (2), and added subsection (b).

The 2004 amendment, effective October 1, 2004, rewrote subsection (b).

Sec. 24.60.210. Deadlines for filing of disclosure statements.

(a) A person required to file a disclosure statement under AS 24.60.200 shall file an annual report with the Alaska Public Offices Commission, covering the previous calendar year, containing the disclosures required by AS 24.60.200, on or before March 15 of each year.

(b) Notwithstanding (a) of this section, a public member and a public member nominee of the committee shall file an annual report with the Alaska Public Offices Commission, covering the previous calendar year, containing the disclosures required by AS 24.60.200, on or before the second Monday in January of each year. (§ 31 ch 127 SLA 1992; am § 59 ch 74 SLA 1998; am § 1 ch 127 SLA 2002)

Effect of amendments. — The 1998 amendment, effective January 1, 1999, substituted "A person required to file a disclosure statement under AS 24.60.200" for "A legislator and legislative director"

at the beginning and "March 15" for "April 15."
The 2002 amendment, effective October 3, 2002, added subsection (b).

Sec. 24.60.220. Administration of AS 24.60.200 - 24.60.260.

The Alaska Public Offices Commission shall

- (1) adopt regulations to implement and interpret the provisions of AS 24.60.200 - 24.60.260;
- (2) prepare standardized forms on which the statements required by AS 24.60.200 shall be filed; and
- (3) examine, investigate, and compare all reports and statements required under AS 24.60.200, and report all possible violations of this chapter it discovers to the committee. (§ 31 ch 127 SLA 1992)

Sec. 24.60.230. Statements as public records.

A statement filed with the Alaska Public Offices Commission under AS 24.60.200 is a public record. A person is not required to comply with AS 24.60.200 to the extent that a court of competent jurisdiction of the state determines that legally privileged professional relationships or constitutional privacy considerations would be violated by compliance. (§ 31 ch 127 SLA 1992)

Sec. 24.60.240. Civil penalty for late filing.

A person required to file a disclosure statement under AS 24.60.200 who fails to file a properly completed report under AS 24.60.200 is subject to a **civil penalty of not more than \$10 a day for each day the delinquency continues as the Alaska Public Offices Commission determines, subject to appeal to the superior court.** An affidavit stating facts in mitigation may be submitted to the Alaska Public Offices Commission by the person against whom the civil penalty is assessed. However, the imposition of the penalties prescribed in this section does not excuse the person from filing reports required by AS 24.60.200. (§ 31 ch 127 SLA 1992; am § 60 ch 74 SLA 1992)

Effect of amendments. — The 1998 amendment effective January 1, 1999, substituted "A person required to file a disclosure statement under AS

24.60.200" for "A legislator and legislative director" at the beginning.

Sec. 24.60.250. Effect of failure to file.

(a) In addition to the sanctions described in AS 24.60.260, if the Alaska Public Offices Commission finds that a candidate for the legislature who is an incumbent legislator has failed to file a report under AS 24.60.200 by March 15, the commission shall notify the candidate that the report is late. If the candidate fails to file the report within 30 days after it is due,

- (1) the commission shall notify the lieutenant governor;
- (2) the candidate shall forfeit nomination to office and may not be seated in office;
- (3) the lieutenant governor may not certify the person's nomination for office or election to office; and
- (4) nomination to the office shall be certified as provided in AS 39.50.060(b).

(b) In addition to the sanctions described in AS 24.60.260, if the Alaska Public Offices Commission finds that a member of the committee has failed or refused to file a report under AS 24.60.200 by a deadline established in AS 24.60.210, it shall notify the presiding officer of the appropriate legislative body. In the case of a public member of the committee, the commission shall notify both presiding officers.

(c) In addition to the sanctions described in AS 24.60.260, if the Alaska Public Offices Commission finds that a legislative director has failed or refused to file a report under AS 24.60.200 by a deadline established in AS 24.60.210, it shall notify the Alaska Legislative Council or the Legislative Budget and Audit Committee, as appropriate. For the ombudsman, the Alaska Legislative Council shall be notified. (§ 31 ch 127 SLA 1992; am § 14 ch 63 SLA 1998; am § 61 ch 74 SLA 1998)

Cross references. — For the text of this section as it read on and after the amendment effective June 2, 1998 made by § 14, ch 63 SLA 1998 (which was made retroactive to March 15, 1998) but before the amendment effective June 4, 1998 made by § 61, ch 74 SLA 1998, see § 14, ch 63 SLA 1998 in the 1998 Temporary and Special Acts. For provisions of the Legislative Financial Disclosure Grace Period relating to the June 2, 1998 amendment § 14, ch 63 SLA 1998, see § 15, ch 63 SLA 1998 in the 1998 Temporary and Special Acts.

Effect of amendments. — The 1998 amendment,

effective June 4, 1998, rewrote this section.

Editor's notes. — This section was amended by § 14, ch 63 SLA 1998 with an effective date of June 2, 1998 and retroactive to March 15, 1998 under § 14, ch 63, SLA 1998. The section was also amended by § 61, ch 74, SLA 1998, with a later effective date of June 4, 1998. The section as amended by § 14, ch 63, SLA 1998, with the earlier effective date, is identical to subsection (a) of the section as amended by § 61, ch 74, SLA 1998, with the later effective date. Only the section as amended by § 61, ch 74, SLA 1998 has been printed.

Sec. 24.60.260. Prohibited conduct relating to disclosures.

(a) A person required to make a disclosure under this chapter may not knowingly make a false or deliberately misleading or incomplete disclosure to the committee or to the Alaska Public Offices Commission. A person who files a disclosure after a deadline set by this chapter or by a regulation adopted by the committee or by the Alaska Public Offices Commission has

violated this chapter and may be subject to imposition of a fine as provided in (c) of this section or AS 24.60.240.

(b) A person who violates this section is subject to a proceeding under AS 24.60.170, in addition to penalties that may be imposed by the Alaska Public Offices Commission under AS 24.60.240 and to the penalty set out in AS 24.60.250.

(c) The committee may impose a fine on a person who files a disclosure after a deadline set by this chapter. The amount of the fine imposed under this subsection may not exceed \$2 for each day to a maximum of \$100 for each disclosure for a late disclosure. However, if the committee finds that a late filing was inadvertent, the maximum fine the committee may impose under this subsection is \$25. (§31 ch 127 SLA 1992; am §§ 62, 63 ch 74 SLA 1998)

Effect of amendments. — The 1998 amendment, effective January 1, 1999, in subsection (a) substituted "A person who files" for "or filed" near the middle and added "has violated this chapter and may

be subject to imposition of a fine as provided in (c) of this section or AS 24.60.240" at the end; and added subsection (c).

LEGAL SERVICES

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MEMORANDUM

January 25, 2008

SUBJECT: Legislators who are candidates for federal office (HB 305)

TO: Representative Kevin Meyer
Attn: Mike Pawloski

FROM: Alpheus Bullard *AB*
Legislative Counsel

In a memorandum to your office dated December 13, 2007, I had advised that AS 15.13 could not be amended to include the regulation of the solicitation and acceptance of contributions for federal office, but that AS 24.60.031 could be so amended.

When I drafted the bill (that became HB 305), it was my understanding that while a state law that sought to directly regulate candidates running for federal office would be preempted, that the state had a sufficient interest in shielding its legislative processes from corruption and the appearance of corruption to allow the state to regulate the conduct of its legislators and legislative employees who might be also incidentally running for federal office. My understanding was in error.

In Tepper v. Miller, 82 F.3d 989 (1996), the United States Court of Appeals for the Eleventh Circuit affirmed an injunction against the enforcement of a Georgia law¹ that prohibited Georgia General Assembly members from accepting contributions for federal election campaigns while the General Assembly was in session, holding that the statute was preempted by the Federal Election Campaign Act of 1971 (FECA) (as amended), 2 U.S.C. § 431 et seq.

FECA includes a specific preemption provision, 2 U.S.C. § 453, which reads: "*the provisions of this Act, and of rules prescribed under this Act, supersede and preempt any provision of State law with respect to election to Federal office.*" (emphasis added) The House Committee that drafted the provision stated that the intention was "to make certain that the Federal law is construed to occupy the field with respect to elections to Federal Office and that the Federal law will be the sole authority under which such elections will

¹ The Georgia Ethics in Government Act, O.C.G.A. § 21-5-35(a), provided "[n]o member of the General Assembly or that member's campaign committee or a public officer elected statewide or campaign committee of such public officer shall accept a contribution during a legislative session."

Representative Kevin Meyer
January 25, 2008
Page 2

be regulated." See *Tepper*, 82 F.3d 989, 994 (1996), quoting from H.R. Rep. No. 1239, 93d Cong., 2d Sess. 10 (1974).

The Federal Election Commission (FEC), which is vested with "primary and substantial responsibility for administering and enforcing [FECA]" (*Buckley v. Valeo*, 424 U.S. 1, 109 (1976)), has also consistently expressed the opinion that FECA preempts state statutes limiting the time frame during which federal candidates may accept campaign contributions.²

The express language of FECA's preemption provision, the provision's legislative history, and the FEC's interpretation³ make plain that a state law operating to regulate the period in which a category of citizens can accept contributions for a campaign for federal office is preempted.

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08-046.med

² See Op. FEC 1994-2 (advising that FECA preempts a Minnesota statute barring lobbyists from contributing to a candidate during a regular session of the state legislature); Op. FEC 1993-25 (advising that FECA preempts a Wisconsin statute restricting the time period during which lobbyists can contribute to candidates); Op. FEC 1992-43 (advising that FECA preempts a Washington statute barring state officials from accepting campaign contributions during legislative sessions).

³ See *Orloski v. FEC*, 254 U.S. App. D.C. 111, 795 F.2d 156, 164 (D.C. Cir. 1986) (FEC interpretation of FECA should be given deference because FEC's statutory responsibility to issue advisory opinions "implies that Congress intended the Commission to fill in gaps left in the statute and to resolve any ambiguities in the statutory language").

HOUSE STATE AFFAIRS
COMMITTEE

Amendment # 5

To Bill Number HB 368

Sponsor: Greenberg

Date: 2/26/08 Logged By: NM

Withdrawn

* Section 1. AS 11.56.130 is amended to read:

Sec. 11.56.130. Definition. In AS 11.56.100 - 11.56.130, "benefit" has the meaning ascribed to it in AS 11.81.900 but does not include

(1) political campaign contributions reported in accordance with AS 15.13 unless the contribution is made or received in exchange for an agreement to **affect** [ALTER] an elected official's or candidate's vote or position on a matter the elected official has, or the candidate on election would have, the authority to take official action on; in this paragraph, "official action" means advice, participation, or assistance, including, for example, a recommendation, decision, approval, disapproval, vote, or other similar action, including inaction;

(2) concurrence in official action in the cause of legitimate compromise between public servants; or

(3) support, including a vote, solicited by a public servant or offered by any person in an election.

HOUSE STATE AFFAIRS
COMMITTEE

Amendment # 6

To Bill Number HB 368

Sponsor: Gruenberg

Date: 2/26/08 Logged By: NM

Withdrawn

* Sec. 2. AS 15.13.040(e) is amended to read:

(e) The report required under (d) of this section must contain the name, address, principal occupation, and employer of the individual filing the report, and an itemized list of expenditures, with expenditures paid for by debit or credit card itemized individually, regardless of amount. The report shall be filed with the commission not [NO] later than 10 days after the expenditure is made.

HOUSE STATE AFFAIRS
COMMITTEE

Amendment # 7

To Bill Number HB 368

Sponsor: Grueenberg

Date: 2/26/08 Logged By: NM

Withdrawn

* Sec. 3. AS 15.13.074(b) is amended to read:

(b) A person or group may not reimburse another person or group for a contribution made by that person or group or make a contribution anonymously, using a fictitious name, or using the name of another.

HB

400



HOUSE JUDICIARY COMMITTEE

STATE CAPITOL, ROOM 120
(907) 465-4990

COMMITTEE MEMBERS

Rep. Jay Ramras
Chairman
Room 118
(907) 465-3004

Rep. Nancy Dahlstrom
Vice-Chairman
Room 409
(907) 465-3783

Rep. John Coghil
Room 214
(907) 465-3719

Rep. Bob Lynn
Room 104
(907) 465-4931

Rep. Ralph Samuels
Room 204
(907) 465-2095

Rep. Max Gruenberg
Room 110
(907) 465-4940

Rep. Lindsey Holmes
Room 405
(907) 465-4919

MEMORANDUM

Date: March 12, 2008

To: Representative Kevin Meyer
Co-Chair House Finance Committee

From: Representative Jay Ramras
Chair House Judiciary Committee

Re: Referral file for HB 400 - MITIGATING FACTOR: CARE FOR
DRUG OVERDOSE

Attached please find the following documents, which represent the referral file for HB 400:

- Sponsor Statement
- HB400 25-LS1518(C)
- Fiscal Note
 - LAW - 0
- HJUD Report



Representative Beth Kerttula

House Minority Leader

House Bill 400

Mitigating Factor: Care for Drug Overdose

Sponsor Statement

Substance abuse is a prevalent problem in Alaska, where we have higher rates of use of controlled substances and deaths from overdoses than the national average.

Approximately 85 people die each year from drug overdoses in Alaska. Many times deaths from drug overdoses may be preventable by a single 911 call that is not made because the people who are witnessing the overdose are afraid of being arrested themselves.

House Bill 400 addresses this problem by allowing a mitigating factor in sentencing for crimes involving controlled substances if the defendant sought medical assistance for another person who is experiencing a drug overdose.

FISCAL NOTE

STATE OF ALASKA
2008 LEGISLATIVE SESSION

Fiscal Note Number: HB400-LAW-CRIM-02-22-08

Bill Version: HB400

() Publish Date: _____

Identifier (file name): _____ Dept. Affected: LAW
 Title: An Act relating to obtaining medical assistance for a drug overdose RDU: Criminal
 Component: Criminal Justice Litigation
 Sponsor: REPRESENTATIVE(S) KERTTULA
 Requester: HOUSE JUDICIARY Component Number: _____

Expenditures/Revenues (Thousands of Dollars)

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

	Appropriation Required	Information						
		FY 2009	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	FY 2014
OPERATING EXPENDITURES								
Personal Services	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
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								
-----------------------------	--	--	--	--	--	--	--	--

CHANGE IN REVENUES ()								
-------------------------------	--	--	--	--	--	--	--	--

FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts								
1003 GF Match								
1004 GF	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
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	0.0

Estimate of any current year (FY 08) cost: 0.0

POSITIONS

Full-time								
Part-time								
Temporary								

ANALYSIS: (Attach a separate page if necessary)

HB 400 would add a mitigating factor to our sentencing law. It would allow the court to consider, for a person convicted of a drug offense, the mitigating factor that the person sought medical assistance for another person (who was overdosing on drugs) at the same time the crime was committed. The department does not expect a significant fiscal impact as a result of this bill.

Prepared by: Robert Meiners, Administrative Services Manager
 Division: Administrative Services Division
 Approved by: Talis Colberg, Attorney General
Department of Law

Phone: 907-465-5427
 Date/Time: 2/22/08 7:57 AM
 Date: 2/22/2008

HB

4 1 4

ALASKA STATE LEGISLATURE HOUSE JUDICIARY COMMITTEE

Representative Jay Ramras
Chairman

(907) 465-3004

Fax: (907) 465-2070

Representative_Jay_Ramras@legis.state.ak.us

1292 Sadler Way, Suite 324
Fairbanks, AK 99701



Committee Members:

Representative Nancy Dahlstrom,
Vice-Chairman

Representative John Coghill

Representative Bob Lynn

Representative Ralph Samuels

Representative Max Gruenberg

Representative Lindsey Holmes

State Capitol, Room 120
Juneau, Alaska 99801-1182

Sponsor Statement HB 414

"An Act relating to the crime victim compensation fund."

The Violent Crimes Compensation Board (VCCB) was established into law under AS 18.67 in 1972, to help mitigate the financial hardships innocent victims can suffer as a direct result of violent crime. The Board may compensate medical expenses, counseling costs, lost income, lost support, funeral expenses and/or other reasonable costs sustained by Alaskan victims of violent crimes. The VCCB awards approximately 85% of its budget directly to victims and/or their service providers. The average amount the Board awards annually based on the past four years is \$1,345,338.

Available revenues, set forth in statute, consist of refunds from providers, in-mate salaries, restitution payments, Permanent Fund dividends, and payments made by VCCB claimants under their repayment agreements. However, none of these revenues are available for Board clients with all of these funds being deposited into the General Fund.

Had the Board been able to actually receive these funds into their budget, the Board would have recovered an additional sixty-cents on every dollar from federal grants from the U.S. Department of Justice, Office of Victims of Crime. Without any effort the VCCB would have gained almost one-million dollars in ten years.

HB 414 would create a non-general fund program definition for the Violent Crimes Compensation Board and thereby generate additional funds with no additional outlay of state funds.

FISCAL NOTE

STATE OF ALASKA
2008 LEGISLATIVE SESSION

Fiscal Note Number _____
Bill Version: HB 414
() Publish Date _____

Identifier (file name) HB414-DOA-DAS-2-29-08 Dept. Affected Administration
Title "An Act relating to the crime compensation fund" RDU VCCB
Component VCCB
Sponsor (H) Judiciary
Requester _____ Component Number 2694

Expenditures/Revenues (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below

	Appropriation Required	Information					
		FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	FY 2014
OPERATING EXPENDITURES							
Personal Services	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Travel	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Contractual	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Supplies	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Equipment	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Land & Structures	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Grants & Claims	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Miscellaneous	0.0	0.0	0.0	0.0	0.0	0.0	0.0
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0	0.0

CAPITAL EXPENDITURES							
-----------------------------	--	--	--	--	--	--	--

CHANGE IN REVENUES ()							
-------------------------------	--	--	--	--	--	--	--

FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts	0.0	0.0	0.0	0.0	0.0	0.0	0.0
1003 GF Match	0.0	0.0	0.0	0.0	0.0	0.0	0.0
1004 GF	0.0	0.0	0.0	0.0	0.0	0.0	0.0
1005 GF/Program Receipts	0.0	0.0	0.0	0.0	0.0	0.0	0.0
1037 GF/Mental Health	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Other Interagency Receipts	0.0	0.0	0.0	0.0	0.0	0.0	0.0
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY2008) cost: 0.0

POSITIONS

Full-time	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Part-time	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Temporary	0.0	0.0	0.0	0.0	0.0	0.0	0.0

ANALYSIS: (Attach a separate page if necessary)

This bill describes funding sources which may be appropriated to the Crime victim compensation fund. It also states that appropriations to the fund will not lapse and that the fund be added to AS 37.05.146(c).

This bill will have no direct fiscal impact on the Violent Crimes Compensation Board

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

Phone 907-334-1726
Date/Time 2/29/08 12:00 AM
Date 3/3/2008

How much is being spent a year by the Board?

The Violent Crimes Compensation Board awards approximately 85% of its budget directly to victims and/or their service providers. The average amount the Board awards annually based on the last four years is \$1,345,338. Board claimants live in all regions of the state including Alaska's remotest villages.

How much does the Board stand to gain if this bill were to pass and become law?

Over a ten year period (1996-2006) with no effort the Board received \$572,973.63 in revenues. These revenues consisted of refunds from providers when the Board made payments on behalf of victims for services such as for medical service and insurance later paid. Other revenues included in-mate salaries paid the Board under AS 33.30.201(c)(2), restitution payments paid the Board to reimburse awards made by the Board on behalf of the payees' victim(s), and payments made by Board claimants under their repayment agreements. None of this revenue was available for Board clients. All of these funds were deposited into the General Fund.

If the Board had actually been able to receive the \$572,973.63 into its budget and expended it on awards, the Board would have recovered an additional \$343,784.18 through its US Department of Justice, Office of Victims of Crime grant. This grant is only available to state crime victim compensation programs and matches sixty cents for every state dollar expended. This money could have either been awarded on behalf of victims or left in the fund to gain interest. This is revenue that could have been the Board's without any effort.

Therefore, without any effort the Board would have gained almost one million dollars in ten years. Once deposits can be made into the fund, it is reasonable to expect revenues to increase.

A couple of "client" profiles describing the crime that brought the victim in, what compensation was provided, if possible – how the money was spent, and how the victim benefited from the program.

The criminal case indicates there are three primary victims. The mother is listed as a victim of domestic violence and sexual assault. Her twenty-three year old daughter and her eighteen year old daughter are listed as victims of incest. The offender in the case is the husband/biological father. Once tried, it is expected he will get a long sentence. He is currently incarcerated awaiting trial. The family was supported by the suspect. The mother has gotten a part-time job. The eldest daughter has gotten a job and is living on her own. In addition to herself, the mother must now support four minor children. Several of her children are too young to be unsupervised. The family submitted applications to the Board while in a DV shelter. The Board is paying for counseling for the family. The Board is helping the family to plan for their future without the offending parent. The Board is paying to relocate them to a supportive location of their choice. The Board is paying for job training and crisis intervention-transitional assistance. The Board reimbursed wages lost to participate in prosecution processes and receive counseling. The Board provided a list of licensed childcare facilities in their area and agreed to pay for childcare for up to one year while the family gets on their feet.

Mary, Lisa, and John were sitting in the front seat of their vehicle traveling towards Palmer when an intoxicated driver crossed over into their lane of traffic. All three suffered serious injuries. Emergency responders didn't realize that Mary and John's son, John Jr. was in the vehicle's back seat. The vehicle caught on fire and the child died. The Board helped with funeral expenses and out-of-pocket medical costs. The Board helped in other ways and received a letter from Mary stating that she would not have been able to go on had it not been for the Board's help. She especially appreciated being able to purchase the wig that has helped her to feel "normal."

**STATE OF ALASKA
VIOLENT CRIMES COMPENSATION BOARD**

FACT:

- There are currently no victim assistance programs funded by the state to help victims of drunk drivers;
- The State of Alaska currently relies upon federal funding to cover the costs of its' forensic sexual assault exams;
- There is currently no program funded by the state whose focus is male adult victimization, child victimization, or victimization resultant from any type of crime except for domestic violence and sexual assault;
- Alaskan crime victims are living in remote locations with no existing referral resources;
- Many of Alaska's crime victims live in remote locations and often they have no access to any service and law enforcement presence is unavailable;
- The State of Alaska's crime victims' compensation program currently has no way to accept donations;
- The State of Alaska's crime victims' compensation program currently has no way to accept funds court ordered to be paid to the program in reimbursement for funds paid out;
- One Alaskan case prosecuted in the federal court netted a handful of victims more then the state had available for all victims statewide by the program in the same year

**STATE OF ALASKA
VIOLENT CRIMES COMPENSATION BOARD
CRIME VICTIM COMPENSATION FUND**

CHART 1

In 1997, the Board started tracking Board revenues. The Board made no effort whatsoever to obtain these revenues. Without any effort, the Board's revenue between 1996 and 2006 was \$572,973.63. These revenues consisted of refunds from providers when the Board made payments on behalf of victims for services such as for medical service and insurance later paid. Other revenues included in-mate salaries paid the Board under AS 33.30.201(c)(2), restitution payments paid the Board to reimburse awards made by the Board on behalf of the payees' victim(s), and payments made by Board claimants under their repayment agreements. None of this revenue was available for Board clients. All of these funds were deposited into the General Fund.

CHART 2

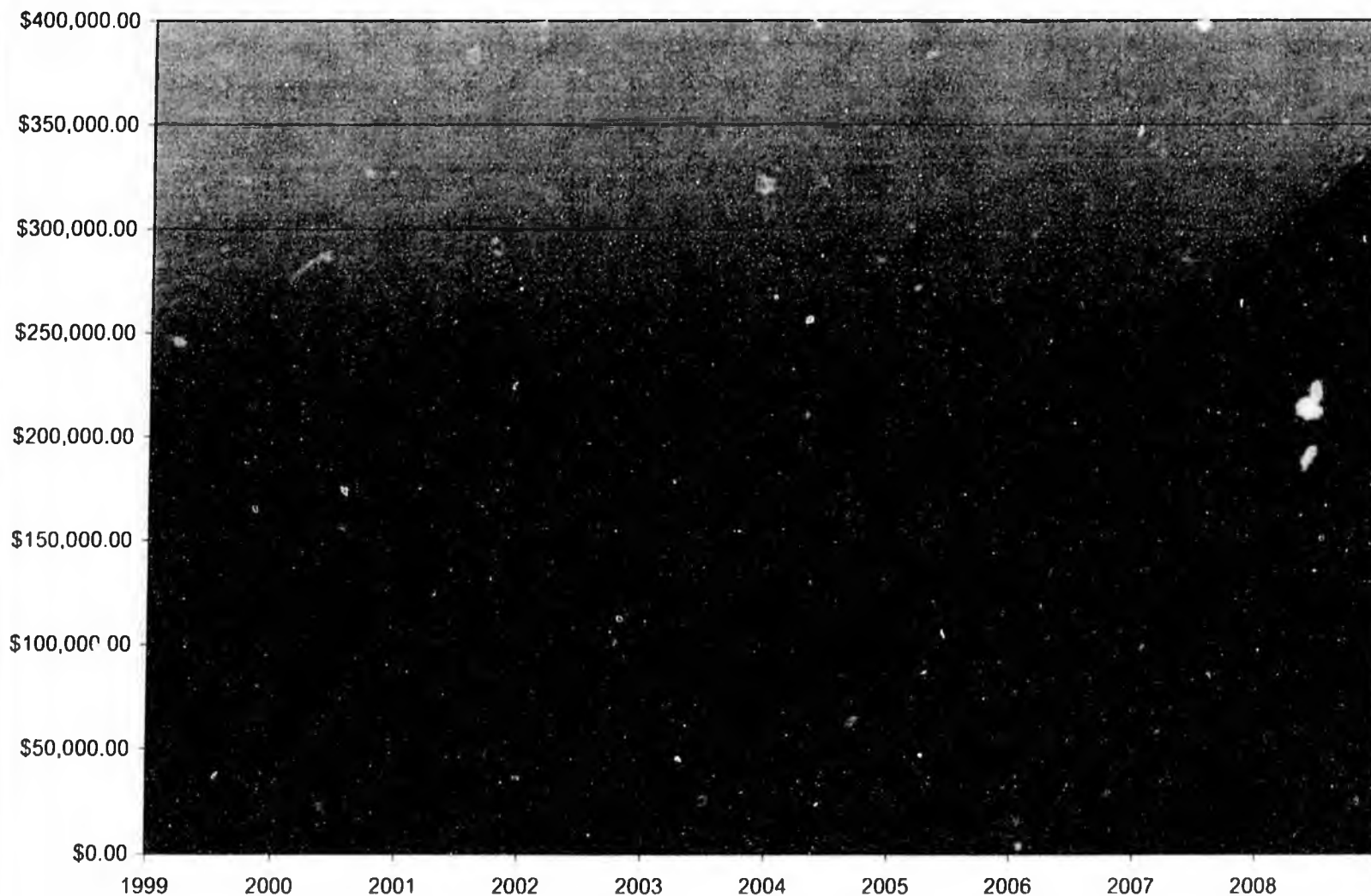
For every dollar the Board expends on crime victims, the Board recovers sixty cents through an annual federal grant from the US Department of Justice, Office of Victims of Crime Fund. This Fund is comprised of fines and assessments against federal criminals. If the Board had been allowed to receive and expend its' revenues since 1996, with the matching grant that the Board would have received, additional revenues would have reached almost one million dollars.

CHART 3

If the Board would have been able to receive its' revenues since 1996 and deposits could have been made into the Crime Victim Compensation Fund, the Board would have had \$572,973.63 additional to award victims. If the Board had awarded those revenues, the Fund balance in 2007 would have been \$343,784.18. This number does not include interest which most certainly a Fund of this nature would garner. These funds would have been available for victims without ANY EFFORT.

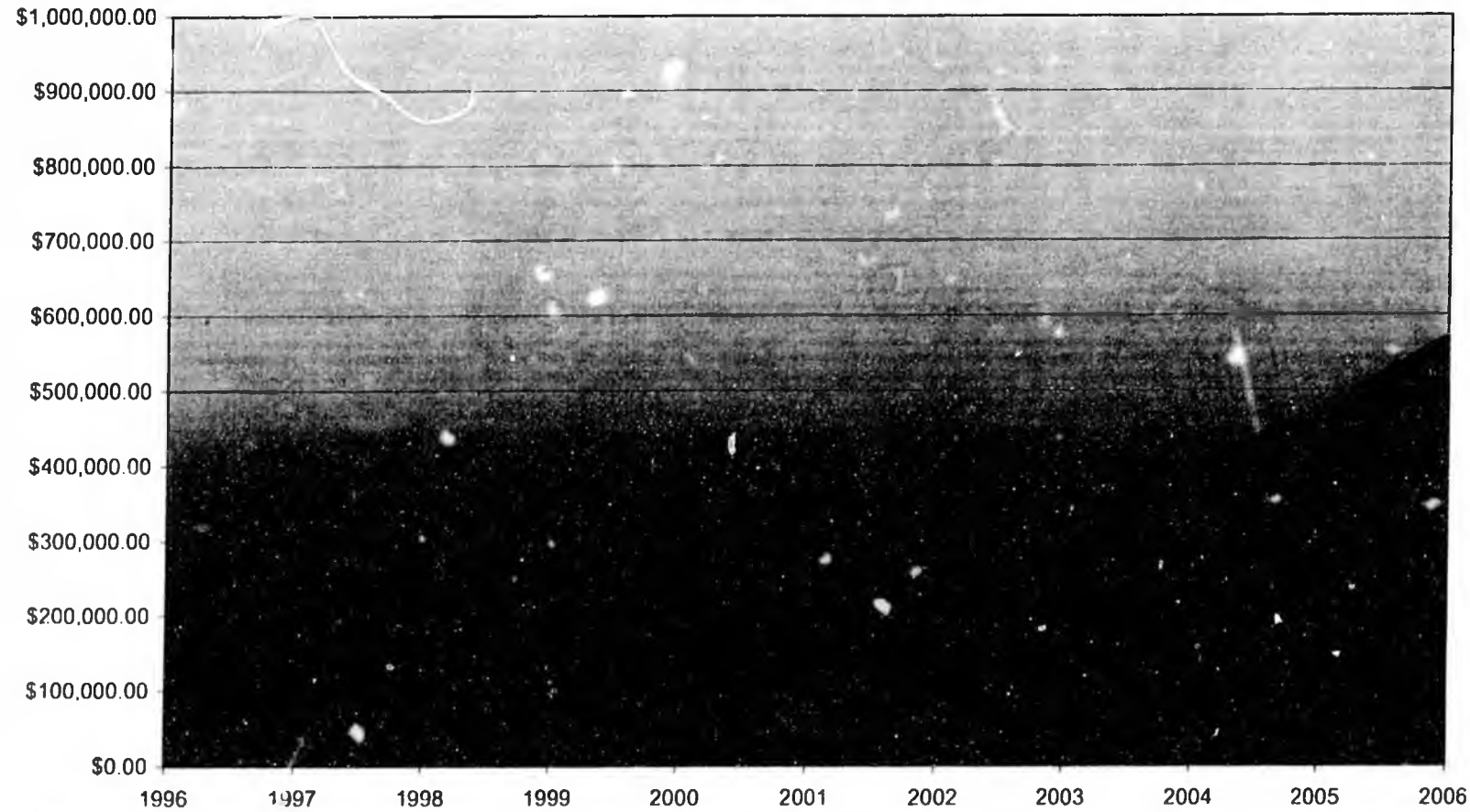
WITH EFFORT it is conceivable the Fund would have been much larger. The monies in the Fund could be used to fund services beyond those currently covered by the Board. For example, the funds could be used to increase crime prevention programs, to provide victim recovery services, to pay for forensic sexual assault exams and train forensic nurses, and/or to fund additional law enforcement officers or prosecutors.

**State of Alaska
Crime Victim Compensation Fund Balances
(If Deposits Could Have Been made)**



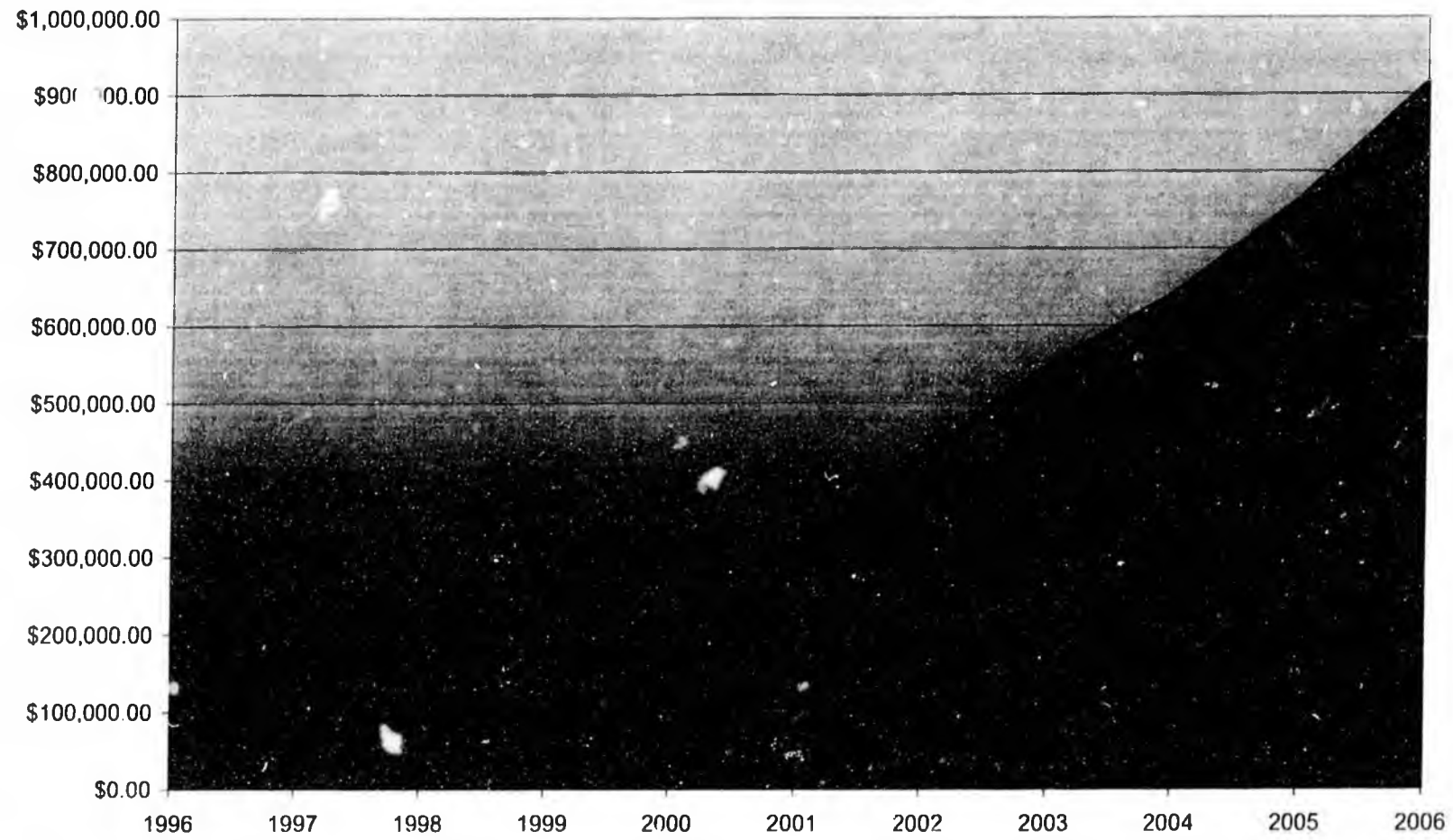
■ This chart does not include potential interest

**Violent Crimes Compensation Board
Unrestricted Revenue
"VCCB Revenue Without Any Effort"**



■ Violent Crimes Compensation Board Unrestricted Revenue VCCB Revenue Without Any Effort NOT AVAILABLE FOR VICTIMS

**Violent Crimes Compensation Board
Unrestricted Revenue
"Potential VCCB Revenue Without Any Effort"**



■ VCCB Revenue with Matching Federal Grant	NOT AVAILABLE FOR VICTIMS
■ VCCB Revenue State Funds	NOT AVAILABLE FOR VICTIMS

	New Claims Received			Average/Year
	2005	2006	2007	
Anchorage				
	253	386	386	341.6667
No. of different communities	1	1	1	1
Percentage of Total Claims Received from all AK Locations	41%	50%	53%	48%
Types of Crimes Represented	All Types			
Types of Services Provided	All Types			
Available Victim Services:	Homicide	DV Assault	Assault	Sexual Assault
	yes	yes	no	yes
	Child Abus	DUI	Robbery	Kidnapping
	no	no	no	no
	Trafficking	Other		
Approximate Percentage of Alcohol Related Crimes			57%	

2005-2007
we received
claims from:

Anchorage

New Claims Received **Average/Year**
2005 2006 2007

No. of different communities	253	386	386	341.6667
Percentage of Total Claims Received from all AK Locations	1	1	1	1
Types of Crimes Represented	41%	50%	53%	48%
Types of Services Provided	All Types			
Available Victim Services:	All Types			
	Homicide	DV Assault	Assault	Sexual Assault
	yes	yes	no	yes
	Child Abus	DUI	Robbery	Kidnapping
	no	no	no	no
	Trafficking	Other		

Approximate Percentage of Alcohol Related Crimes

57%

About Ralph: Born in Anchorage; lifelong Anchorage resident, airline exec-PenAir., businessman, former member VFJ, Anchorage Youth Court
Past VFJ Board, instrumental in getting Aks Victims Rights passed
Committees: Member Judiciary

Bill Sponsorship

CRIMES/ALCOHOL/DRIVERS LICENSE-HB 90
FAILURE TO REPORT CRIME-HB91
JURISDICTION OF OMBUDSMAN;OVR-HB92
RELEASE IN DV CASES
EXTENDING CDVSA-HB120
SEXUAL ASSAULT AWARENESS MONTH
2007 NATIONAL CRIME VICTIMS' RIGHTS WEEK
DENOUNCE SALE OF "RAPIST" DOLL-HJR22

Prime Sponsor	Status	Status Date
Samuels/S	Chapt. 24	SLA07
Stoltze/Sar (H)	JUD	1/16/2007
Samuels/S (s)	STA	4/16/2007
Fairclough (H)	JUD	1/16/2007
Fairclough	CHAPT 4	SLA07
Meyer	LEGIS RESOLVE	3
Stoltze	LEGIS RESOLVE	5
Fairclough	LEGIS RESOLVE	16

Interesting Cases:

See attached

2007

**STATE OF ALASKA
VIOLENT CRIMES COMPENSATION BOARD
THIRTY-FOURTH ANNUAL REPORT**

GERAD GODFREY
Chair

REGINA CHENNAULT,
MD
Member

LEROY BARKER, ESQ.
Member

THE HONORABLE SARAH PALIN
GOVERNOR OF THE STATE OF ALASKA

MEMBERS OF THE ALASKA STATE LEGISLATURE

Ladies and Gentlemen:

We are pleased to submit the Thirty-Fourth Annual Report of the Violent Crimes Compensation Board for the period July 1, 2006 through June 30, 2007. This annual report is submitted to meet the requirements of Alaska Statute 18.67.170 and to highlight the efforts of Governor Sarah Palin, the members of the Twenty-Fifth Legislature, law enforcement, public and private persons and agencies, and the Violent Crimes Compensation Board in helping innocent victims of violent crimes to pick up the pieces. While monetary compensation for losses does not make whole lives torn by violence, financial help does lessen the burden and can provide hope. The Violent Crimes Compensation Board and staff are thankful for the opportunity to serve the people of Alaska.

Respectfully,

The Violent Crimes Compensation Board

**STATE OF ALASKA
VIOLENT CRIMES COMPENSATION BOARD
THIRY-FOURTH ANNUAL REPORT**

WHY WAS THE VCCB ESTABLISHED?

The Violent Crimes Compensation Board (VCCB) was established by state law in 1972 to help mitigate the financial hardships innocent victims can suffer as a direct result of violent crime. As a key element in the recovery process, the VCCB provides timely financial help to victims in need and plays a crucial role in helping victims recover from the trauma and economic burden of criminal victimization.

The Board makes awards in a number of ways on behalf of innocent victims of certain violent crimes which occur in Alaska. The Board may compensate medical expenses, counseling costs, lost income, lost support, funeral expenses and/or other reasonable expenses and losses sustained by innocent victims of violent crimes in Alaska. The Board may also compensate similar losses sustained by Alaskans who are victims of violent crime in locations without a compensation program.

The Board provides for the payment of pecuniary loss to dependents of deceased victims and may award the full compensation available by statute to victims who are permanently disabled as a direct result of the crime. The program is a payer of last source. Compensation is awarded only for expenses not covered by a collateral source such as medical and automobile insurance, employee benefits, and assistance programs.

During this reporting period, the Board paid costs compensable under AS 18.67 on 386 cases involving victims age 17 and under and 416 cases involving adult victimization.

CORRECTION

THE FOLLOWING DOCUMENT(S)
HAVE BEEN REFILMED TO
ASSURE LEGIBILITY OR PAGINATION



Rev. 6/98

Central Microfilm Services
Department of Education & Early Development
State of Alaska

2007

**STATE OF ALASKA
VIOLENT CRIMES COMPENSATION BOARD
THIRTY-FOURTH ANNUAL REPORT**

GERAD GODFREY
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Respectfully,

The Violent Crimes Compensation Board

2007

**STATE OF ALASKA
VIOLENT CRIMES COMPENSATION BOARD
THIRTY-FOURTH ANNUAL REPORT**

BOARD MEMBERS

Chairperson and Public Member

Gerald Godfrey

February 19, 2003 to March 1, 2010

Member

Feroy Barker, Esq.

February 19, 2003 to March 1, 2008

Regina C. Chennault, MD

October 18, 2005 to March 1, 2009

BOARD ADMINISTRATIVE STAFF

Administrator

Susan L. Browne

Administrative Manager

Pearl Younker

Criminal Justice Technician

Jeffrey Boucher

**STATE OF ALASKA
VIOLENT CRIMES COMPENSATION BOARD
THIRY-FOURTH ANNUAL REPORT**

WHY WAS THE VCCB ESTABLISHED?

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The Board makes awards in a number of ways on behalf of innocent victims of certain violent crimes which occur in Alaska. The Board may compensate medical expenses, counseling costs, lost income, lost support, funeral expenses and/or other reasonable expenses and losses sustained by innocent victims of violent crimes in Alaska. The Board may also compensate similar losses sustained by Alaskans who are victims of violent crime in locations without a compensation program.

The Board provides for the payment of pecuniary loss to dependents of deceased victims and may award the full compensation available by statute to victims who are permanently disabled as a direct result of the crime. The program is a payer of last source. Compensation is awarded only for expenses not covered by a collateral source such as medical and automobile insurance, employee benefits, and assistance programs.

During this reporting period, the Board paid costs compensable under AS 18.67 on 386 cases involving victims age 17 and under and 416 cases involving adult victimization.

WHO IS HELPED BY THE VCCB?

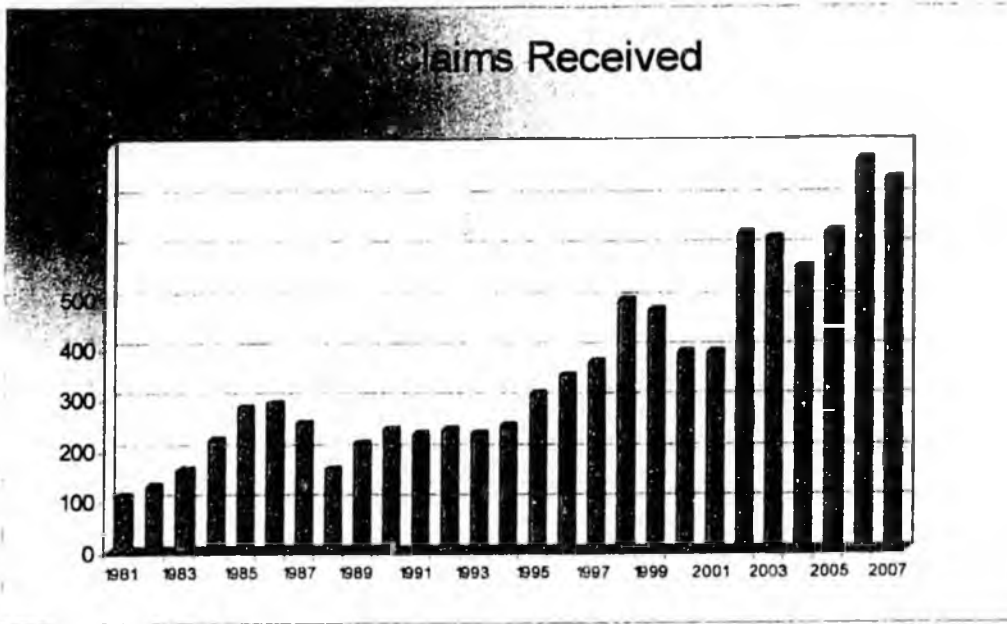
The VCCB attempts to mitigate the financial and emotional toll violent crime causes Alaskans and visitors to Alaska. The VCCB addresses the needs of innocent victims of violent crimes, the families of violent crime victims, and others who by virtue of their relationship to a crime victim incur losses. The Board considers applications (requests for compensation) based on violent crimes including homicide, assault in any degree, sexual assault, sexual abuse of a minor, child abuse and neglect, robbery in any degree, threats to do bodily harm, crashes involving intoxicated drivers (vehicles, boats, and airplanes), vehicular incidents in which a vehicle has been used as a weapon, terrorism, hit and run and trafficking in persons. The Board does not compensate loss or damage to personal property except in extreme circumstances where the safety of a victim could be in jeopardy. In those instances, the Board may replace locks and doors, pay for emergency cell phone or mail box service, and/or pay for security system costs.

The families of homicide and manslaughter victims can receive compensation through the program for funeral expenses, lost support, and other compensable expenses. Family members may submit copies of transportation and funeral cost receipts to the Board for consideration of reimbursement. Family members may seek the payment of counseling costs too. The Board is financially unable to make any "pain and suffering" awards.

Persons who by virtue of their relationship to the victim have incurred reasonable expenses may also apply for compensation. For example, relatives of a minor child who is an innocent victim of an eligible crime may apply for compensation of expenses incurred as a direct result of the crime. Eligible relatives include spouses, parents, grandparents, step-parents, natural born children, step-children, adopted children, brothers, sisters, half brothers, or spouse's parents. The Board considers equally claims based on applications from Alaskans victimized in Alaska, Alaskan visitors victimized while in Alaska, and Alaskans victimized in locations without a crime victim compensation program.

2007

Between July 1, 2006 and June 30, 2007, under the leadership of the Board, the State of Alaska continued in its commitment to serve innocent victims of criminal violence who may have suffered physical injury, emotional and mental trauma and/or financial loss. The Board considers an ever-increasing number of requests for crime victim compensation. Since 1985, the trend has been for the number of applications received to increase each year over the prior year(s). The following table illustrates this trend:



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

**VIOLENT CRIMES COMPENSATION BOARD
NEW CLAIMS RECEIVED BY LOCATION OF CRIME**

SFY2007

Community

Community

Adak	Elim	Kiana	Sitka
Akiak	Emmonak	King Cove	Skagway
Aleknagik	Fairbanks	Kivalina	Soldotna
Allakaket	Fort Richardson	Kodiak	Saint Paul
Anchorage	Fort Yukon	Kotlik	Sutton
Anchor Point	Grayling	Kotzebue	Talkeetna
Atmautluak	Haines	Kwethluk	Tok
Barrow	Healy	Mountain Village	Tooksook Bay
Beluga	Homer	Newtok	Trapper Creek
Bethel	Hoonah	Nikiski	Tuluksak
Big Lake	Hooper Bay	Nikolai	Tyonek
Cohoe	Houston	North Pole	Unalaska
Cordova	Indian	Palmer	Venetie
Craig	Juneau	Petersburg	Wainwright
Douglas	Kake	Point Hope	Wales
Dot Lake	Kalskag	Salcha	Ward Cove
Dutch Harbor	Kasilof	Sand Point	Wasilla
Eagle River	Kenai	Selawik	Willow
Ekwok	Ketchikan	Seward	Wrangell

Total Alaska 637

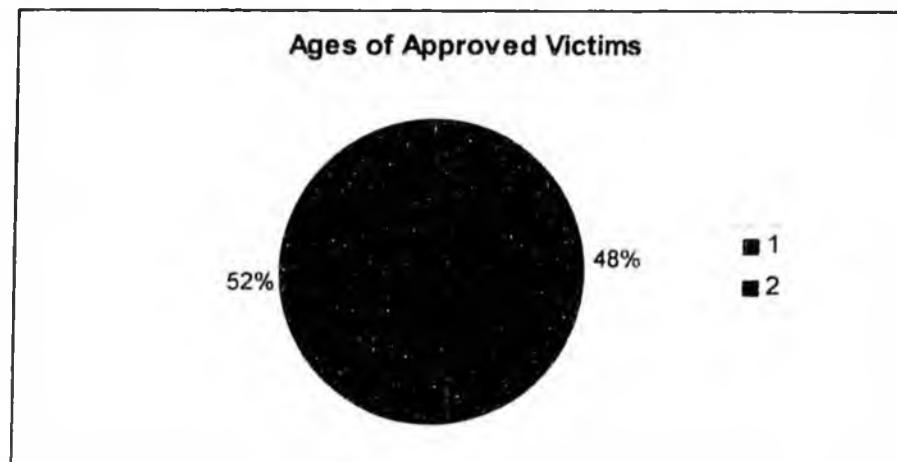
Iraq 1

Macedonia 1

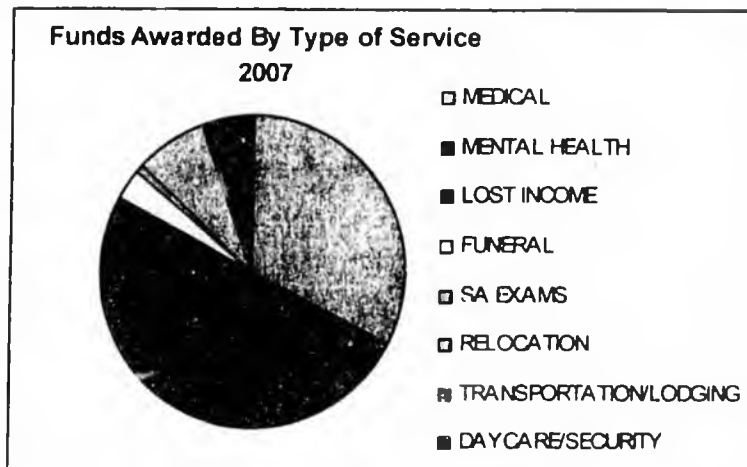
Mexico 1

TOTAL 640

The following charts show how the funds were paid out during this reporting period, by resident and non-resident, age of victim, type of crime and type of service.



48% of Claims Approved Involved Victims Age 17 and Under
52% of Claims Approved Involved Victims Age 17 and Over



SERVICE	AMOUNT
MEDICAL	\$432,431.92
MENTAL HEALTH	\$70,473.63
LOST INCOME	\$597,343.45
FUNERAL	\$42,762.09
SA EXAMS	\$10,092.89
RELOCATION	\$99,030.35
TRANSPORTATION/LODGING	\$40,413.96
DAYCARE/SECURITY	\$34,956.02
TOTAL	\$1,327,334.31

AWARD TREND 2007

During this reporting period, the medical costs awarded by the Board were the lowest in eight years or more. The Board continued to negotiate settlements on medical costs in excess of five thousand dollars and to seek payment by other possible sources first. The amount paid for counseling and mental health treatment was also the lowest in eight years. The Board continued its policy of limiting counseling sessions to one hundred dollars per session and to ensure other sources of payment paid first.

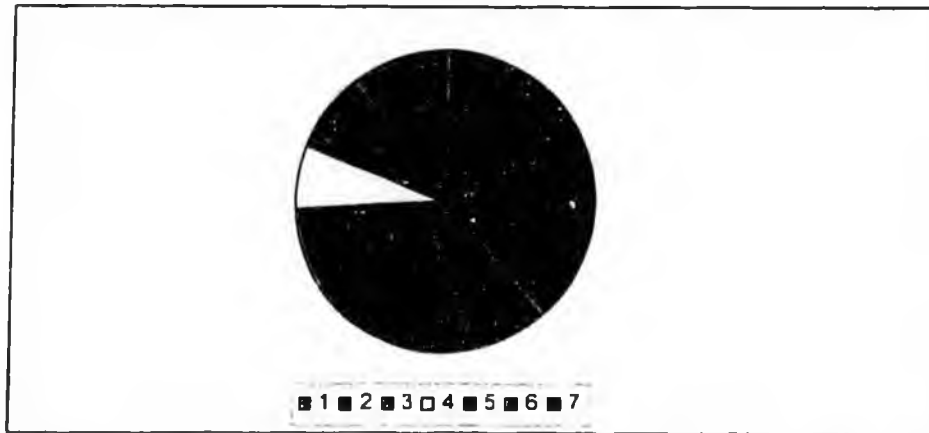
During 2007, the Board awarded more lost income than the prior year and of the past eight award years, 2007 ranked as the second highest in loss of income awards. The Board formally adopted the policy of awarding lost income before medical costs during this reporting period. For example, if an eligible claimant submitted documentation

providing evidence of more than forty thousand dollars in lost wages due to the injury incurred and more than forty thousand in related medical expenses, by policy the Board will award the lost wages first.

During the reporting period, the Board awarded slightly more sexual assault examination related costs and an average amount on funeral related costs. There was an approximate fifty percent decrease in relocation related expenses awarded over the prior year and the lowest amount awarded for these losses since the Board adopted the policy of making this type of award. There was also a drop in transportation and lodging related reimbursements. This decline is the result of stringent documentation requirements placed on Board awards during this reporting period.

Overall, awards made in 2007 were slightly higher than in 2006 and slightly above average. It was the first year that the Board awarded losses for services such as daycare and security.

FUNDS AWARDED BY TYPE OF CRIME



1	ASSAULT	2	DV ASSAULT	3	HOMICIDE
4	CHILD ABUSE/SAM	5	CHILD ABUSE/SAM	6	DUI/DWI
		7	OTHER (Robbery, Kidnapping, Arson, Terrorism)		

AWARD TREND 2007

During the reporting period, thirty-six percent more funding was paid out to or on behalf of assault victims over the prior year and twenty-seven percent more on behalf of homicide victims and their families. The period saw a reduction in awards made on behalf of domestic violence victims, sexual abuse of minor victims, and victims of DUI

crashes.

In comparison to awards statistics over the last eight years, here then average awards were made to and on behalf of families of homicide victims, sexual abuse of minor and sexual assault victims in 2007. The percentage of the budget awarded on behalf of each type of crime victim has remained relatively stable over the course of the last eight years. In 2007, thirty-nine percent of the total awarded was paid out to or on behalf of assault victims, twenty-nine percent on behalf of homicide victims, fifteen percent on behalf of sexual assault and sexual abuse of minor victims, eight percent on behalf of victims of DUI drivers, six percent on behalf of victims of domestic violence, and the remaining three percent on behalf of victims of robbery, stalking, terrorism, arson, kidnapping, and other violent crimes.

Negotiated Settlements

In SFY07, the Violent Crimes Compensation Board continued practices designed to ensure the success of the development and establishment of the Victim Restoration Program. This program ensures the maximization of limited resources through receipt of restitution, subrogation, and settlement agreements. Board staff began to identify extraordinary medical costs on an individual services/provider basis. During the time period of this report, staff negotiated agreements with medical providers to accept partial payments as payment in full.

The purpose of the negotiations is two-fold. First, negotiating settlements ensures innocent victims of violent crimes are not further traumatized by being penalized with late payments or for debt transference to collection agencies. In addition, garnering agreements with providers to accept partial payments as payment in full stretches the Board's limited resources to serve more victims and claimants eligible for compensation under Alaskan law.

During this time period, Board staff successfully negotiated twenty medical bills for a total savings of \$207,791.76. This was an almost 300% increase in the number of negotiations and 763% increase in the amount saved.

FUNDING SOURCES/RESTORATIVE JUSTICE

The state's violent crimes compensation program is funded through both state and federal funds. Approximately 56% of the amount awarded annually in compensation comes from a legislative appropriation of state funds. These state funds are currently available because Permanent Fund dividends are withheld from certain persons convicted of crimes in Alaskan courts and earmarked for use by victim-focused programs such as the crime victim compensation program.

In 1984, federal legislation established a Crime Victims Fund. Monies from this fund are available for distribution by state compensation programs. Alaska's compensation program must qualify annually for federal grants and has done so successfully since the federal fund's inception. Approximately 44% of the funds awarded annually come from this fund.

In 1996, Board staff began tracking unrestricted revenues paid to the Board, but unavailable for award to victims. This court ordered restitution, income from inmates working in correctional industries programs, and refunds from the exercise of the state's subrogation rights could provide additional state funds for award to victims and their service providers. Adopting the principles of restorative justice, the Board is committed to condemning the criminal act and holding offenders accountable. The Board understands that a violent criminal act is an act against individuals and not just against the community or the State. Therefore, Board staff continue to track and monitor offender restitution to the Board. The Board continues to seek support for the legislation necessary to implement a State Crime Victim Compensation Fund.

MINOR TRUSTS

During the time period of this report, the Board moved the monies that were being held on behalf of minor dependents of homicide victims into interest bearing money market accounts. This facilitated the establishment of additional "minor trusts" and as of the close of this reporting period, the Board had established twenty-three such accounts in the total amount of \$470,403.70. Annual payments are generated out of these accounts and sent directly to the legal guardians of the minor child to replace lost support.

FUNDING SOURCES AND ACTUAL EXPENDITURES

The greatest portion of the compensation program's budget serves eligible innocent victims directly. Awards are made to compensate expenses and losses. The following chart illustrates the Board's commitment to keeping administrative costs at a minimum which enables maximum compensation to victims for eligible costs. This practice makes more funds available for direct award to victims and their service providers.



Administrative Costs are 26% of the programs budget.

BOARD PROCEDURES

The VCCB is composed of three members appointed by the Governor and confirmed by the legislature. By statute, one member is a medical or osteopathic physician licensed to practice in the state and one member is an attorney. Prior to recent legislative action, the medical doctor and attorney member were statutorily required to be actively practicing their profession. The Board recognized that this limitation disqualified a tremendous potential resource for victims. Therefore, the Board sought the support of the administration and state legislature to change the law. The Board was successful and the law has been changed. The law now allows retired doctors and attorneys to serve on the Board. Members of the Board receive no salary, and their only compensation is in the knowledge that they have served innocent victims.

The Board administrator makes recommendations on all determinations and has the authority to close certain types of claims. The Board meets four to six times in a calendar year to consider all pending claims and claims up for additional consideration. All Board decisions are final except as otherwise noted.

The Board has the legal authority to appoint one or more hearing officers to conduct hearings. During this reporting period, the Board utilized the services of the Department of Administration, Office of Administrative Appeal, Administrative Law Judge(s). All appeals follow a prescribed legal process. For further information, please visit our website at www.state.ak.us/admin/vccb or contact Board staff for a copy of the Legal Appeal Pamphlet.

The Administrative Law Judge and the Board Administrator act in concert to ensure all pertinent information and testimony are included in the hearing record. The Administrative Law Judge reports his or her findings of fact and conclusions of law to the Board and the Board acts based upon due consideration of the report and the evidence. The authority for final decisions rests with the Board.

The Board may appoint and fix the duties of personnel necessary to carry out its functions. In 2006, day-to-day program management was performed by Susan Browne, Administrator, and staff.

OUTREACH

The Board continues to work with law enforcement, victim assistance agencies, prosecuting officials, service providers and other persons and agencies to ensure crime victims are informed of their rights to compensation under Alaskan law. In 2007, outreach efforts focused upon the formation of the Helping Hands – Healing Hearts Victim Recovery Project Working Committee.

HELPING HANDS - HEALING HEARTS VICTIM RECOVERY PROJECT WORKING GROUP

- Mission:** The mission of the **Helping Hands-Healing Hearts Victim Recovery Working Group** is to facilitate communication and cooperation between government, secular victim service, faith based and community organizations to promote crime victim advocacy by faith based and community organizations while ensuring crime victims have informed and complete access to victim recovery services.
- Partners:** The **Alaska Office of Victims' Rights (OVR)** is a state government agency of the Alaska Legislature. The mission of OVR is to provide legal service and advocacy to protect the legal rights of crime victims during the criminal process. When a victim believes a legal right has been or may be denied, the OVR provides legal services free of charge, upon request, to a victim of a felony crime and to victims of Class A misdemeanor crimes of domestic violence and crimes against a person. For more information contact the OVR at 1 (866) 274-2620 (toll-free within Alaska) or go to www.ovr.legis.state.ak.us

The mission of the **Alaska Office of Faith-Based and Community Initiatives (OFBCI)** created by Administrative Order in 2004 and housed in Department of Health and Social Services is to foster partnerships between and among government, faith and community Groups, build the capacity of faith-based and community organizations, and to expand awareness by educating government agencies, faith-based and community organizations and the public about FBCI contributions, opportunities and issues that impact Alaskans in need.

The mission of the **State of Alaska, Department of Administration, Violent Crimes Compensation Board (VCCB)**

established by legislative act in 1973 is to assist crime victims and their families in the recovery process through the restoration of stability and the mitigation of financial loss. The VCCB can be contacted toll free at 1-800-764-3040, on-line at state.ak.us/local/akpages/ADMIN/vccb/ or by mail at PO Box 110230, Juneau, AK. 99811-0230.

The mission of the **Municipal (Anchorage) Department of Health and Human Services' Interpersonal Violence Prevention Program (DHHS/IVP)** is to coordinate with the community to develop prevention and intervention strategies in the areas of interpersonal violence, which includes domestic violence, sexual assault, and child abuse and neglect. The program is housed in the Administration Division, under the direction of the Deputy Director.

The mission of **Victims for Justice (VFJ)** is to serve victims of violent crime and the survivors of homicide victims. VFJ is a non-profit organization that provides services and advocacy to victims of violent crime, such as grief support, court accompaniment, assistance with Victim Impact Statements and more.

In April, 2007, during Alaska's Crime Victims' Rights' Week, the committee hosted the first annual Helping Hands – Healing Hearts Victim Recovery Project conference. The Board distributed information to a wide variety of audiences and provided specialized training to Council on Domestic Violence and Sexual Assault programs.

The Board continued to spearhead efforts to highlight victims' rights by sponsoring several events during Crime Victims' Rights Week.

To obtain program brochures, order posters for display or a copy of the program's training video, call the Board at 800-764-3040, or from Juneau call 465-3040. In addition, the State of Alaska Violent Crimes Compensation Board Mental Health Treatment Guidelines publication is also available at no charge.

CLAIMS PROCESSING

When a claim is received, minimum eligibility is determined as soon as possible. The claim must be related to one of the crimes listed by statute as compensable. The crime must have been reported to proper authorities within five days of the incident or as soon as it could reasonably have been reported. By statute, the application must have been received by the Board within two years of the incident. However, the Board has the discretionary authority to waive the time filing requirement with just cause. The claimant must have agreed to the state's repayment and subrogation agreement and must have given permission to the compensation program to seek and exchange necessary information.

Usually the same day an application is received, claim documentation begins and requests for information are sent to hospitals, doctors, employers, and other pertinent sources. The purpose of the information gathering process is to ensure claim compliance with all statutory requirements.

Staff maintains a close liaison with relevant law enforcement agencies and District Attorney's offices through out the claim verification process. The losses which may be compensated are listed in Alaskan law (AS 18.67). The losses must be a direct result of the crime on which the claim is based. Other collateral sources such as Workers' Compensation, Social Security, and medical insurance are considered, as the Board awards compensation only for expenses and losses not covered through other sources.

Once the Administrator has certified the file as complete, she reviews the claim and prepares a recommendation to the Board. All claim decisions except for emergency award requests are made at Board meetings. The Board makes the claim determination and may conclude any of the following:

- ◆ The claim cannot be determined due to lack of documentation, and repeated requests for further information have yielded no results – claim is deferred;
- ◆ The claim is eligible for compensation of the full amount requested or for a lesser amount than requested in which case the claimant is notified of the opportunity for a hearing – claim is awarded;
- ◆ The claim cannot be determined due to conflicting information and advises a hearing is required prior to a final decision – claim is sent to hearing; or
- ◆ The claim is ineligible for compensation by statute and advises the claimant should be notified of the statutory basis for the denial and informed concerning the availability of a hearing – claim is denied.

COOPERATION

The success of the state's violent crimes compensation program depends upon the cooperation of law enforcement, legal and judicial personnel, service providers, and claimant employers, as well as the victim and/or claimant.

The following questions must be answered and documented.

VICTIM AND/OR CLAIMANT

- ◆ What occurred?
- ◆ What losses were sustained and how can they be documented and direct causal relationship verified?
- ◆ What type of assistance is being sought?
- ◆ What are the names and addresses of service providers?
- ◆ What are service account numbers and dates of service?
- ◆ What other forms of payment are available?
- ◆ Did the victim and/or claimant cooperate with law enforcement and prosecuting entities?
- ◆ Were wages lost as a direct result of the incident?

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- ◆ If so, how can the claimant's wages or level of income at the time of the crime be documented?
- ◆ Was the crime reported and submitted within the time limits established by statute?
- ◆ What is the law enforcement case number?
- ◆ How did the victim learn about the program?
- ◆ Were other relatives or persons emotionally and/or financially impacted by the crime?
- ◆ What sort of harm occurred? Was there bodily injury? Was there emotional harm? Both?
- ◆ Is the victim in danger?
- ◆ Is crisis intervention needed?
- ◆ Does the victim have the necessary support system required to recover?

The claimant provides documentation to support the request or provides the information required so that the Board can request required documentation

LAW ENFORCEMENT

- ◆ Was the crime committed against the claimant and/or victim?
- ◆ What was the crime?
- ◆ Was the crime reported to the police within five days of the incident?
- ◆ Did the claimant cooperate with law enforcement agencies?
- ◆ What did officers say happened?
- ◆ Are there relevant circumstances the Board needs to be informed about, such as behavior of the victim, that may have contributed to the incident?
- ◆ Is there anything relevant concerning the victim's social history or actions which the Board needs to know to consider all relevant circumstances?
- ◆ What is the current status of the case?
- ◆ What was the disposition of the case?

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- ◆ Are proceedings against the offender imminent? Should the VCCB suspend investigation until the case is adjudicated?
- ◆ Has restitution been ordered?
- ◆ Are trial transcripts available?
- ◆ What was the outcome of the trial?
- ◆ Has the victim been informed concerning their rights as a victim?

Law enforcement provides the reports required so the Board can make a determination regarding many eligibility issues.

SERVICE PROVIDERS

- ◆ Was the service required as a direct result of the incident?
- ◆ Has insurance paid all or part of the billing?
- ◆ What other sources of payment are available and have they all been sought?

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- ◆ Will the victim be unable to work due to an injury that was the direct result of the incident? If so, for how long will the victim be unable to work?
- ◆ How much has the claimant paid on the billing and what is the outstanding balance?
- ◆ What is the prognosis concerning injuries sustained during the relevant incident?
- ◆ Does the victim and/or family members have emotional needs that might be helped through counseling?
- ◆ Is crisis intervention needed?
- ◆ What are treatment plans? How long is treatment expected to last?
- ◆ What is the anticipated outcome?

Service providers provide the necessary service and billing information that the Board requires to make a determination concerning expenses related to the incident. Medical information is provided using the VCCB Medical Information Forms and is often used to verify lost wage information.

EMPLOYERS

- ◆ Was the victim and/or claimant employed at the time of the incident?
- ◆ Did the victim and/or claimant miss work as a direct result of the incident?
If so,
how much work was missed and was it compensated in some other way such as Workers' Compensation? What wages were lost? Has the victim returned to work?

Employers provide the necessary wage and missed work information required for lost wage determinations. Employers provide needed information using VCCB Employment Information Forms.

AWARD POLICIES AND PROCEDURES

For an update listing of the Board's award policies and procedures, visit the website located at www.state.ak.us/local/akpages/ADMIN/vccb/.

CLAIM DETERMINATIONS

#31867/68/78 The claimants, a male and a female, filed on their own behalf, and on behalf of their child who was a victim of Sexual Abuse of a Minor and requested the Board's forgiveness of indebtedness. The Board had previously awarded \$16,579.95 in total. The claimant sought forgiveness of the total amount. It was the decision of the Board to forgive the indebtedness. All Board members concurred with the decision.

TOTAL INDEBTEDNESS FORGIVEN

#32444 The claimant, a male, filed as an alleged victim of Assault. He was awarded \$40,000 previously. The Board expressed concern that the claimant failed to pay his medical providers with funds provided. The Board decided to refer this claim to the Board's attorney for follow-up. All Board members concurred with the decision.

REFER TO ATTORNEY

#31348 The claimant, a female, filed on behalf of her minor child whose father was a Homicide victim. The Board determined the victim to be the innocent victim of a violent crime under AS 18.67. It was the decision of the Board to move funds previously awarded for the minor's attendance annually at Police Week into a money market account. All Board members concurred with the decision.

SET-UP MONEY MARKET ACCOUNT

#32364/65 The claimant, a female, filed on behalf of the minor children in her care as the relatives of a Homicide victim. The Board determined the victim to be an innocent victim of a violent crime under AS 18.67. It was the decision of the Board to move funds previously awarded for the minor's attendance annually at Police Week into a money market account. All Board members concurred with the decision.

SET-UP MONEY MARKET ACCOUNT

#31735/36/37/38 The claimant, a female, filed on behalf of the minor children in her care as the relatives of a Homicide victim. The Board determined the victim to be an innocent victim of a violent crime under AS 18.67. It was the decision of the Board to move funds previously awarded for the minor's attendance annually at Police Week into a money market account. All Board members concurred with the decision.

SET-UP MONEY MARKET ACCOUNT

#32422 The claimant, a male, filed as an alleged victim of Assault. It was the decision of the Board to deny the claim on the basis of AS 18.67.080(c) on the grounds the behavior of the victim contributed to the incident, and therefore, his injuries. The claimant requested a hearing and a hearing held. The Board decided to uphold their earlier denial. All Board members concurred with the decision.

FINAL DENIAL

#32700 The claimant, a female, filed as an alleged victim of Assault. The claimant sought compensation for lost wages and medical costs. It was the decision of the Board to deny the claim on the basis of AS 18.67.080 (c) on the grounds the victim's behavior contributed to the incident. The claimant requested a hearing and a hearing held. After the hearing, it was the decision of the Board to over turn their previous denial and award the claim. It was the decision of the Board to award medical costs and lost wages under AS 18.67.110(a)(1) and (2). All Board members concurred with the decision.

AWARDED:	\$1,043.29	Medical
	\$128	Lost Wages

#32707 The claimant, a male, filed as an alleged victim of Assault. The claimant sought compensation for medical costs. It was the decision of the Board to deny the claim on the basis of AS 18.67.080(c) on the grounds the behavior of the victim contributed to the incident and, therefore, the victim's injuries. The claimant requested a hearing and a hearing was held. The Board decided to uphold their earlier denial. All Board members concurred with the decision.

FINAL DENIAL

#86-274 The claimant, a male, filed as a victim of Robbery. The Board previously determined the claimant to be an innocent victim of a violent crime under AS 18.67, and awarded compensable expenses. The claimant requested the Board consider awarding additional counseling not previously considered. It was the decision of the Board to award the requested compensation under AS 18.67.110(a)(1). All Board members concurred with the decision.

AWARDED:	\$0	
Pre-approved	\$2,600	MHT

#97-045/46 The claimant, a female, filed on her own behalf and on behalf of her child who was a victim of Sexual Abuse of a Minor. The Board previously determined the victim to be an innocent victim of a violent crime under AS 18.67, and awarded compensable expenses. The claimant requested the Board consider awarding additional counseling not previously considered. It was the decision of the Board to award the requested compensation under AS 18.67.110(a)(1). All Board members concurred with the decision.

AWARDED:	\$0	
Pre-approved	\$890	MHT
Pre-approved	\$1,200	MHT
Pre-approved	\$1,200	MHT

#98-027 The claimant, a female, filed as a victim of DV Assault. The Board previously determined the claimant to be an innocent victim of a violent crime under AS 18.67, and awarded compensable expenses. The claimant requested the Board consider awarding additional medical expenses not previously considered. It was the decision of the Board to award the requested compensation under AS 18.67.110(a)(1). All Board members concurred with the decision.

AWARDED:	\$926.27	Mental Health
Pre-approved	\$336	Medical

#0075/076 The claimant, a female, filed as a victim of DV Assault. The Board previously determined the claimant to be an innocent victim of a violent crime under AS 18.67, and awarded compensable expenses. The claimant requested the Board consider awarding additional medical expenses not previously considered. It was the decision of the Board to award the requested compensation under AS 18.67.110(a)(1). All Board members concurred with the decision.

AWARDED: \$934.76 Medical

#32001 The claimant, a male, filed on behalf of his child who was a victim of Sexual Abuse of a Minor. The Board previously determined the victim to be an innocent victim of a violent crime under AS 18.67, and awarded compensable expenses. The claimant requested the Board consider awarding additional SA Exam costs not previously considered. It was the decision of the Board to award the requested compensation under AS 18.67.110(a)(1). All Board members concurred with the decision.

AWARDED: \$610.10 SA Exams

#32085 The claimant, a male, was a victim of Assault. The Board previously determined the claimant to be an innocent victim of a violent crime under AS 18.67, and awarded compensable expenses. The claimant requested the Board consider awarding additional medical expenses, lost wages and other not previously considered. It was the decision of the Board to award the requested compensation under AS 18.67.110(a)(1) and (2) and (4). All Board members concurred with the decision.

AWARDED: \$603.50 Medical
\$2,748.18 Lost Wages
\$251.17 Other

#32197 The claimant is the relative of an apparent Homicide victim. The Board previously determined the victim to be an innocent victim of a violent crime under AS 18.67, and awarded compensable expenses. The claimant requested the Board consider awarding additional lost wages, transportation and lodging not previously considered. It was the decision of the Board to award the requested compensation under AS 18.67.110(a)(1) and (2). All Board members concurred with the decision.

AWARDED: \$320.96 Lost Wages
\$1,034 Transportation/Lodging
Pre-approved \$4,814.41 Lost Wages

#32460 The claimant, a female, was a victim of Sexual Assault. The Board previously determined the claimant to be an innocent victim of a violent crime under AS 18.67, and awarded compensable expenses. The claimant requested the Board consider awarding medical expenses not previously considered. It was the decision of the Board to award the requested compensation under AS 18.67.110(a)(1). All Board members concurred with the decision.

AWARDED: \$297 Medical

#32468 The claimant, a male filed on behalf of his minor child who was a victim of Kidnapping. The Board previously determined the victim to be an innocent victim of a violent crime under AS 18.67, and awarded compensable expenses. The claimant requested the Board consider awarding additional mental health treatment not previously considered. It was the decision of the Board to award the requested compensation under AS 18.67.110(a)(1). All Board members concurred with the decision.

AWARDED:	\$220	Mental Health
Pre-approved	\$2,380	MHT

#32580 The claimant, a male, was a victim of Assault. The Board previously determined the claimant to be an innocent victim of a violent crime under AS 18.67, and awarded compensable expenses. The claimant requested the Board consider awarding lost wages and additional medical expenses not previously considered. It was the decision of the Board to award medical expenses under AS 18.67.110(a)(1). All Board members concurred with the decision.

AWARDED:	\$728.11	Medical
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#32649 The claimant, a female, filed as a victim of DV Assault. The Board previously determined the claimant to be an innocent victim of a violent crime under AS 18.67, and awarded compensable expenses. The claimant requested the Board consider awarding additional medical expenses not previously considered. It was the decision of the Board to award the requested compensation under AS 18.67.110(a)(1). All Board members concurred with the decision.

AWARDED:	\$560	Medical
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#32695 The claimant, a female, filed as a victim of DV Assault. The Board previously determined the claimant to be an innocent victim of a violent crime under AS 18.67, and awarded compensable expenses. The claimant requested the Board consider awarding additional medical expenses not previously considered. It was the decision of the Board to award the requested compensation under AS 18.67.110(a)(1). All Board members concurred with the decision.

AWARDED:	\$125	Medical
Pre-approved	\$250	Medical

#32791 The claimant, a male, was filed as a relative of a victim of Terrorism. The Board previously determined the victim to be an innocent victim of a violent crime under AS 18.67, and awarded compensable expenses. The claimant requested the Board consider awarding additional funeral and travel expenses not previously considered. It was the decision of the Board to award the requested compensation under AS 18.67.110(a)(1) and (4). All Board members concurred with the decision.

AWARDED:	\$2,834.15	Funeral
	\$2,781.92	Other

#32860 The claimant, a male, was a victim of Assault. The Board previously determined the claimant to be an innocent victim of a violent crime under AS 18.67, and awarded compensable expenses. The claimant requested the Board consider awarding additional medical expenses not previously considered. It was the decision of the Board to award the requested compensation under AS 18.67.110(a)(1). All Board members concurred with the decision.

AWARDED: \$4,002.25 Medical

#32867 The claimant, a male, was a victim of Assault. The Board previously determined the claimant to be an innocent victim of a violent crime under AS 18.67, and awarded compensable expenses. The claimant requested the Board consider awarding additional medical expenses not previously considered. It was the decision of the Board to award the requested compensation under AS 18.67.110(a)(1). All Board members concurred with the decision.

AWARDED: \$188.75 Medical

#31748/49/50 The claimant, a female filed on her own behalf and on behalf of her minor children, as a victim of 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 the requested counseling costs under AS 18.67110(a)(1). All Board members concurred with the decision.

AWARDED: \$0
Pre-approved \$5,830 MHT

#32528 The claimant, a female filed as a the relative of an alleged Homicide victim. The claimant sought compensation for lost wages, funeral and counseling. It was the decision of the Board to deny the claim on the basis of AS 18.67.080(c) on the grounds the behavior of the victim contributed to the incident, and therefore, his death. All Board members concurred with the decision.

DENIED

#32682/83 The claimant, a female, filed on behalf of herself and her minor child who appears to have been a victim of Child Abuse. The claimant sought compensation of counseling. It was the decision of the Board to defer determination pending additional investigation. All Board members concurred with the decision.

DEFERRED

#32767 The claimant, a female, was 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 counseling costs under AS 18.67.110(a)(1). All Board members concurred with the decision.

AWARDED: \$0
Pre-approved \$2,600 MHT

#32817/18 The claimant, a female, filed on her own behalf, and on behalf of her child who was a victim of Sexual Abuse of a Minor. The Board determined the victim to be an innocent victim of a violent crime under AS 18.67. It was the decision of the Board to award sexual assault examination and counseling expenses under AS 18.67.110(a)(1) and (4). All Board members concurred with the decision.

AWARDED:	\$67.46	SA Exams
Pre-approved	\$2,600	MHT
Pre-approved	\$1,200	MHT

#32820/21/22/23 The claimant, a female, filed on her own behalf, and on behalf of her children as relatives of a DUI victim. The Board determined the victim to be an innocent victim of a violent crime under AS 18.67. It was the decision of the Board to award lost support under AS 18.67.110(a)(2). All Board members concurred with the decision.

AWARDED:	\$73,783.50	Lost Support
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#32830 The claimant, a male, was a victim of 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 medical costs and lost wages under AS 18.67110(a)(1) and (2). All Board members concurred with the decision.

AWARDED:	\$4,658.04	Medical
	\$501	Lost Wages

#32834/35 The claimant, a female filed on behalf of her minor child and herself 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 counseling expenses under AS 18.67.110(a)(1). All Board members concurred with the decision.

AWARDED:	\$0	
Pre-approved	\$2,600	MHT
Pre-approved	\$1,200	MHT

#32864 The claimant, a female, was a victim of 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 medical costs under AS 18.67.110(a)(1). All Board members concurred with the decision.

AWARDED:	\$1,192	Medical
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#32875 The claimant, a female, filed as a victim of DV 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 a cell phone under AS 18.67.110(a)(4). All Board members concurred with the decision.

AWARDED:	\$0	
Pre-approved	\$150	Cell Phone

#32881/988 The claimant, a female filed on behalf of herself and her minor child as a victim of Assault. The Board determined the victim to be an innocent victim of a violent crime under AS 18.67. It was the decision of the Board to award relocation costs under AS 18.67.110(a)(1). All Board members concurred with the decision.

AWARDED: \$2,050 Relocation

#32882 The claimant, a male, was a victim of 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 medical, transportation and lodging costs under AS 18.67.110(a)(1) and (4). All Board members concurred with the decision.

AWARDED: \$3,191.99 Medical
\$2,078.43 Transportation/Lodging

#32939 The claimant, a female, filed as the spouse of a victim of Assault. The Board determined the victim to be an innocent victim of a violent crime under AS 18.67. It was the decision of the Board to award medical, transportation and lodging costs under AS 18.67.110(a)(1). All Board members concurred with the decision.

AWARDED: \$0

#32883/84 The claimant, a female, filed on her own behalf, and on behalf of her child who was a victim of Sexual Abuse of a Minor. The Board determined the victim to be an innocent victim of a violent crime under AS 18.67. It was the decision of the Board to award mental health treatment costs under AS 18.67.110(a)(1). All Board members concurred with the decision.

AWARDED: \$2,781.00 Mental Health
Pre-approved \$1,200 MHT

#32885/86/33085/86/87 The claimant, a male, filed on behalf of himself and his children, one or more of who were victims of Sexual Abuse of a Minor. In addition, his girlfriend filed as a household member. The Board determined the victim to be an innocent victim of a violent crime under AS 18.67. It was the decision of the Board to award lost wages, relocation, and re-establishment costs under AS 18.67.110(a)(2) and (4). All Board members concurred with the decision.

AWARDED: \$259.25 Lost Wages
Pre-approved \$5,000 Relocation
Pre-approved \$2,500 Re-establishment

#32887 The claimant, a female, filed as a victim of DV 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 counseling costs under AS 18.67.110(a)(1). All Board members concurred with the decision.

AWARDED: \$0
Pre-approved \$2,600 MHT

#32890 The claimant, a female, was 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 counseling costs under AS 18.67.110(a)(1). All Board members concurred with the decision.

AWARDED: \$0
Pre-approved \$2,600 MHT

#32891 The claimant, a male, was a victim of 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 dental costs under AS 18.67.110(a)(1). All Board members concurred with the decision.

AWARDED: \$235 Dental
Pre-approved \$2,000 Dental

#32905/06 The claimant, a female, filed on her own behalf, and on behalf of her child who was a victim of Sexual Abuse of a Minor. The Board determined the victim to be an innocent victim of a violent crime under AS 18.67. However, the Board could not confirm there were compensable losses. All Board members concurred with the decision.

AWARDED: \$0

#32914 The claimant, a female, was 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 education costs and counseling costs under AS 18.67.110(a)(1). All Board members concurred with the decision.

AWARDED: \$359.87 Other
Pre-approved \$2,600 MHT

#32913 The claimant, a female, filed as the relative of a victim of Sexual Assault. The Board determined the victim to be an innocent victim of a violent crime under AS 18.67. It was the decision of the Board to award counseling costs under AS 18.67.110(a)(1). All Board members concurred with the decision.

AWARDED: \$0
Pre-approved \$1,200 MHT

#32918 The claimant, a male, was a victim of Assault. The Board determined the victim to be an innocent victim of a violent crime under AS 18.67. It was the decision of the Board to award medical costs and lost wages under AS 18.67.110(a)(1) and (2). All Board members concurred with the decision.

AWARDED: \$16,692.35 Medical
\$21,807.65 Lost Wages

#32925 The claimant, a male, filed as an alleged victim of Assault. The claimant sought compensation for lost wages and medical expenses. It was the decision of the Board to deny the claim on the basis of AS 18.67.130(a)(3) on the grounds claimant failed to cooperate with law enforcement and prosecution officials requirements. All Board members concurred with the decision.

DENIED

#32941 The claimant, a male, was a victim of Assault. The Board determined the victim to be an innocent victim of a violent crime under AS 18.67. It was the decision of the Board to award medical costs under AS 18.67.110(a)(1). All Board members concurred with the decision.

AWARDED: \$9,826.58 Medical

#32942 The claimant, a female, was a victim of Sexual Assault. The Board determined the victim to be an innocent victim of a violent crime under AS 18.67. It was the decision of the Board to award medical and mental health treatment costs under AS 18.67.110(a)(1). All Board members concurred with the decision.

AWARDED: \$50 Medical
\$135 MHT
Pre-approved \$2,465 MHT

#32944/987 The claimant, a female filed on her own behalf and on behalf of her minor child as a victim of Assault. The Board determined the victim to be an innocent victim of a violent crime under AS 18.67. It was the decision of the Board to award mental health treatment and relocation costs under AS 18.67.110(a)(1). All Board members concurred with the decision.

AWARDED: \$0
Pre-approved \$3,500 Relocation
Pre-approved \$2,600 MHT

#32950 The claimant, a female, was a victim of Assault. The Board determined the victim to be an innocent victim of a violent crime under AS 18.67. It was the decision of the Board to award medical, mental health treatment and relocation costs under AS 18.67.110(a)(1) and (4). All Board members concurred with the decision.

AWARDED: \$183 Medical
Pre-approved \$2,600 MHT
Pre-approved \$3,500 Relocation

#32951 The claimant, a male, filed as an alleged victim of Assault. The claimant sought compensation for neck injury. It was the decision of the Board to deny the claim on the basis of AS 18.67.130(a)(2) on the grounds the incident was not reported within five days of when it occurred. All Board members concurred with the decision.

DENIED

#32952/53 The claimant, a female, filed on her own behalf, and on behalf of her child who was a victim of Sexual Abuse of a Minor. The Board determined the victim to be an innocent victim of a violent crime under AS 18.67. It was the decision of the Board to award counseling under AS 18.67.110(a)(1). All Board members concurred with the decision.

AWARDED:	\$0	
Pre-approved	\$1,300	MHT
Pre-approved	\$2,600	MHT

#32956/57 The claimant, a female, was a victim of Assault. The Board determined the victim to be an innocent victim of a violent crime under AS 18.67. It was the decision of the Board to award medical and counseling under AS 18.67.110(a)(1). All Board members concurred with the decision.

AWARDED:	\$0	
Pre-approved	\$2,600	MHT

#32960 The claimant, a female, was a victim of Sexual Assault. The Board determined the victim to be an innocent victim of a violent crime under AS 18.67. It was the decision of the Board to award counseling costs under AS 18.67110(a)(1). All Board members concurred with the decision.

AWARDED:	\$0	
Pre-approved	\$2,600	MHT

#32965 The claimant, a female, was a victim of a Robbery. The Board determined the victim to be an innocent victim of a violent crime under AS 18.67. It was the decision of the Board to award medical, dental and relocation under AS 18.67110(a)(1) and (4). All Board members concurred with the decision.

AWARDED:	\$736.69	Medical
	\$2,240	MHT
	\$750	Relocation/Reestablish
Pre-approved	\$2,600	MHT

#32972/73 The claimant, a female filed on behalf of herself and on behalf of her minor child as a victim of Sexual Abuse of a Minor. The Board determined the victim to be an innocent victim of a violent crime under AS 18.67. It was the decision of the Board to award counseling costs under AS 18.67110(a)(1). All Board members concurred with the decision.

AWARDED:	\$0	
Pre-approved	\$1,200	MHT
Pre-approved	\$2,600	MHT

#32979 The claimant a female filed as a victim of DUI. The Board determined the victim to be an innocent victim of a violent crime under AS 18.67. It was the decision of the Board to award medical and counseling costs and lost wages under AS 18.67.080(a)(4) and 110(a)(1) and (2). All Board members concurred with the decision.

AWARDED:	\$5,838.01	Medical
	\$2,021.76	Lost Wages
Pre-approved	\$2,600	MHT

#32980/85/86 The claimant, a female, filed on her own behalf and on behalf of her minor children who are the relatives of an apparent Homicide victim. The Board determined the victim to be an innocent victim of a violent crime under AS 18.67. It was the decision of the Board to award lost support under AS 18.67.110(a)(3). All Board members concurred with the decision.

AWARDED:	\$80,000	Lost Support
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#32983 The claimant, a male, filed as an alleged victim of Assault. The claimant sought compensation for medical costs. It was the decision of the Board to deny the claim on the basis of AS 18.67.130(a)(3) on the grounds the claimant failed to meet cooperation with law enforcement. All Board members concurred with the decision.

DENIED

#32989, 3082/83 The claimant, a female, was a victim of Assault. The Board determined the victim to be an innocent victim of a violent crime under AS 18.67. The Board further determined all documented compensable losses were covered by the emergency award previously awarded. All Board members concurred with the decision.

AWARDED:	\$0
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#32991 The claimant, a female, filed as a victim of DV Assault. The Board determined the victim to be an innocent victim of a violent crime under AS 18.67. It was the decision of the Board to award medical and counseling costs under AS 18.67110(a)(1). All Board members concurred with the decision.

AWARDED:	\$2,629.51	Medical
Pre-approved	\$2,600	MHT

#32998/99/33000/01 The claimant, a female filed on behalf of herself and on behalf of her minor children as a victim of Criminal Trespass. The Board determined the victim to be an innocent victim of a violent crime under AS 18.67. It was the decision of the Board to award security expenses under AS 18.67110(a)(1) and (4). All Board members concurred with the decision.

AWARDED:	\$1,006.08	Security Measures
Pre-approved	\$1,000	Security System
Pre-approved	\$2,600	MHT

#33003 The claimant, a female, was a victim of Sexual Assault. The Board determined the victim to be an innocent victim of a violent crime under AS 18.67. It was the decision of the Board to award security costs under AS 18.67.110(a)(4). All Board members concurred with the decision.

AWARDED: \$658.99 Security

#33006 The claimant, a female is the relative of an apparent manslaughter victim. The claimant sought compensation of losses. It was the decision of the Board to defer determination pending additional information. All Board members concurred with the decision.

DEFERRED

#33167 The claimant, a female is the relative of an apparent manslaughter victim. The claimant sought compensation of losses. It was the decision of the Board to defer determination pending additional information. All Board members concurred with the decision.

DEFERRED

#33007/08 The claimant, a female, filed on her own behalf, and on behalf of her child who was a victim of Sexual Abuse of a Minor. The Board determined the victim to be an innocent victim of a violent crime under AS 18.67. It was the decision of the Board to award counseling under AS 18.67110(a)(1). All Board members concurred with the decision.

AWARDED: \$0
Pre-approved \$1,200 MHT
Pre-approved \$2,600 MHT

#33009/084 The claimant, a female, filed on behalf of herself and behalf on her minor child as a victim of DV Assault. The Board determined the victim to be an innocent victim of a violent crime under AS 18.67. It was the decision of the Board to award counseling and wages under AS 18.67110(a)(1) and (2). All Board members concurred with the decision.

AWARDED: \$143.07 Lost Wages
Pre-approved \$2,600 MHT

#33011/12 The claimant, a female filed on behalf of herself and on behalf of her minor child as a victim of Sexual Assault. The Board determined the victim to be an innocent victim of a violent crime under AS 18.67. It was the decision of the Board to award medical, counseling, and forensic sexual examination costs under AS 18.67110(a)(1). All Board members concurred with the decision.

AWARDED: \$218.08 Medical
\$152 SA Exams
Pre-approved \$2,600 MHT
Pre-approved \$1,200 MHT

#33014 The claimant, a female, was a victim of Assault. The Board determined the victim to be an innocent victim of a violent crime under AS 18.67. It was the decision of the Board to award lost wages, transportation, and lodging under AS 18.67.110(a)(2) and (4). All Board members concurred with the decision.

AWARDED:	\$581.04	Lost Wages
	\$338.12	Transportation/Lodging

#33026/27/163 The claimant, a female, filed on her own behalf and on behalf of her children one or more of who were victims of Sexual Abuse of a Minor. The Board determined the victims to be innocent victims of a violent crime under AS 18.67. It was the decision of the Board to award lost wages and relocation under AS 18.67.110(a)(2) and (4). All Board members concurred with the decision.

AWARDED:	\$192.10	Lost Wages
	\$2,034.55	Relocation

#33038 The claimant, a female, filed as an alleged victim of Sexual Assault. The claimant sought compensation for ambulance costs and detox facility costs. It was the decision of the Board to deny the claim on the basis of AS 18.67.101(2) on the grounds there was insufficient evidence to conclude a crime as listed in the Board's statute occurred. All Board members concurred with the decision.

DENIED

#33040 The claimant, a female, was a victim of Sexual Assault. The Board determined the victim to be an innocent victim of a violent crime under AS 18.67. It was the decision of the Board to award counseling under AS 18.67.110(a)(1). All Board members concurred with the decision.

AWARDED:	\$0	
Pre-approved	\$2,600	MHT

#33042/43/44/45 The claimant, a male, filed on behalf of himself and his children one or more of who were victims of Sexual Abuse of a Minor. The Board determined the victim to be innocent victims of a violent crime under AS 18.67. It was the decision of the Board to award counseling and lost wages under AS 18.67.110(a)(1) and (2). All Board members concurred with the decision.

AWARDED:	\$96.05	Lost Wages
Pre-approved	\$1,649.57	MHT
Pre-approved	\$1,489.57	MHT
Pre-approved	\$1,200	MHT
Pre-approved	\$1,200	MHT

#33047 The claimant, a female was a victim of Assault. The Board determined the victim to be an innocent victim of a violent crime under AS 18.67. It was the further decision of the Board that emergency award received previously covered known compensable losses. All Board members concurred with the decision.

AWARDED: \$0

#33058 The claimant, a male, filed as an alleged victim of Assault. The claimant sought compensation for medical expenses. It was the decision of the Board to deny the claim on the basis of AS 18.67.101(2) on the grounds there was insufficient evidence to conclude a crime as listed in the Board's statute occurred. All Board members concurred with the decision.

DENIED

#33059/60 The claimant, a male, filed as the father of and on behalf of an alleged victim of Assault. The claimant sought compensation for medical costs. It was the decision of the Board to deny the claim on the basis of AS 18.67.080(c) on the grounds the behavior of the victim directly contributed to the incident. All Board members concurred with the decision.

DENIED

#33062/63/64 The claimant, a female, filed on her own behalf, and on behalf of one or more of her children who were victims of Sexual Abuse of a Minor. The Board determined the victim to be innocent victims of a violent crime under AS 18.67. It was the decision of the Board to award counseling costs under 18.67110(a)(1). All Board members concurred with the decision.

AWARDED:	\$0	
Pre-approved	\$1,200	MHT
Pre-approved	\$2,600	MHT
Pre-approved	\$600	MHT

#33067 The claimant is the relative of an apparent Homicide victim. The Board determined the victim to be an innocent victim of a violent crime under AS 18.67. It was the decision of the Board to award counseling costs and lost wages under AS 18.67110(a)(1) and (2). All Board members concurred with the decision.

AWARDED:	\$635	MHT
	\$1,180.59	Lost Wages

#33071/72 The claimant, a female, filed on her own behalf, and on behalf of her child who was a victim of Sexual Abuse of a Minor. The Board determined the victim to be an innocent victim of a violent crime under AS 18.67. It was the decision of the Board to award counseling under AS 18.67110(a)(1). All Board members concurred with the decision.

AWARDED:	\$0	
Pre-approved	\$2,600	MHT
Pre-approved	\$1,200	MHT

#33081 The claimant, a male, filed as the father of a victim of Sexual Abuse of a Minor. The Board determined the victim to be an innocent victim of a violent crime under AS 18.67. It was the decision of the Board to award lost wages under AS 18.67.110(a)(2). All Board members concurred with the decision.

AWARDED: \$1,857.33 Lost Wages

#33091 The claimant, a male, was a victim of Assault. The Board determined the victim to be an innocent victim of a violent crime under AS 18.67. It was the decision of the Board to award medical and counseling costs under AS 18.67110(a)(1). All Board members concurred with the decision.

AWARDED: \$9,665.58 Medical
Pre-approved \$2,600 MHT

#33094/95 The claimant, a female filed on her own behalf and on behalf of her minor child as an alleged victim of Sexual Assault. The claimant sought compensation for relocation. It was the decision of the Board to deny the claim on the basis of AS 18.67110(a)(1) and 130(a)(3) on the grounds the request did not meet the purposes for which the Board was established and the claimant failed to meet statutory cooperation requirements with law enforcement and prosecution officials. All Board members concurred with the decision.

DENIED

#33098 The claimant, a male, filed as the a victim of Assault. The Board determined the victim to be an innocent victim of a violent crime under AS 18.67. It was the decision of the Board to award medical under AS 18.67110(a)(1). All Board members concurred with the decision.

AWARDED: \$8,769.08 Medical

#33100/01 The claimant, a female, filed on her own behalf, and on behalf of her child who was a victim of Sexual Abuse of a Minor. The Board determined the victim to be an innocent victim of a violent crime under AS 18.67. It was the decision of the Board to award counseling costs under AS 18.67110(a)(1). All Board members concurred with the decision.

AWARDED: \$0
Pre-approved \$2,600 MHT
Pre-approved \$1,200 MHT

#33102 The claimant, a female, was a victim of Assault. The Board determined the victim to be an innocent victim of a violent crime under AS 18.67. It was the decision of the Board to award relocation under AS 18.67.110(a)(4). All Board members concurred with the decision.

AWARDED: \$2,100 Relocation

#33110 The claimant, a female, filed as a relative of a victim of Terrorism. The Board determined the victim to be an innocent victim of a violent crime under AS 18.67. It was the decision of the Board to award lost wages and transportation/lodging under AS 18.67.110(a)(2) and (4). All Board members concurred with the decision.

AWARDED:	\$759.10	Lost Wages
	\$174.02	Transportation/Lodging

#33111/12/13/14 The claimant, a female, filed on her own behalf and on behalf of her minor children as a victim of DV Assault. The Board determined the victim to be an innocent victim of a violent crime under AS 18.67. It was the decision of the Board to award relocation under AS 18.67.110(a)(4). All Board members concurred with the decision.

AWARDED:	\$2,465	Relocation
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#33116 The claimant, a male, filed as an alleged victim of DUI. The claimant sought compensation for lost wages, child support he is to pay, and relocation. It was the decision of the Board to deny the claim on the basis of AS 18.67.080(c) on the grounds the behavior of the victim contributed to the incident and, therefore, the victim's injuries. All Board members concurred with the decision.

DENIED

#32840 The claimant, a female, filed as an alleged victim of Sexual Abuse of a Minor. The claimant sought compensation for medical costs and relocation. It was the decision of the Board to deny the claim on the basis of AS 18.67.110(a)(1) on the grounds the Board did find the compensation requested to be actual and/or reasonable. All Board members concurred with the decision.

DENIED

#33006 The claimant, a female, filed as the relative of a victim of Manslaughter. The Board determined the victim to be an innocent victim of a violent crime under AS 18.67. It was the decision of the Board to award funeral, travel, lost wages and other under AS 18.67.110(a). All Board members concurred with the decision.

AWARDED:	\$4,888.68	Funeral
	\$4,314.05	Travel/lodging
	\$116.33	Other
	\$854.39	Lost wages
Pre-approved	\$1,385.50	MHT

#32396 The claimant, a male, filed as an alleged victim of Assault. The claimant sought compensation for medical costs. It was the decision of the Board to deny the claim on the basis of AS 18.67.130(a)(3) on the grounds the claimant failed to cooperate with law enforcement and prosecution officials requirements. The claimant requested a hearing and a hearing held. The Board decided to uphold their earlier denial. All Board members concurred with the decision.

FINAL DENIAL

#32630/628/629 The claimant, a female, filed for herself and on behalf of her children as alleged victims of Assault. The claimant sought compensation for medical costs. It was the decision of the Board to deny the claim on the basis of AS 18.67.010 and .080 (c) on the grounds the claim failed to meet the purposes for which the Board was established and the behavior of the claimant contributed to the incident and, therefore, her injuries. The claimant requested a hearing and a hearing held. The Board decided to uphold their earlier denial. All Board members concurred with the decision.

FINAL DENIAL

#32631 The claimant, a female, filed as an alleged victim of Assault. The claimant sought compensation for medical costs, lost wages, travel, and other expenses. It was the decision of the Board to deny the claim on the basis of AS 18.67.010(c) on the grounds the compensation requested was not incurred as a direct result of the crime and/or it was an unreasonable request. The claimant requested a hearing and a hearing was held. After the hearing, it was the decision of the Board to over turn their previous denial and award the claim. It was the decision of the Board to award medical, lost wages, and other expenses under AS 18.67.110(a)(1). All Board members concurred with the decision.

AWARDED:	\$6,158.33	Medical
	\$4,103.06	Lost wages
	\$421.19	Travel
	\$19.65	Other

#32829 The claimant, a male, filed as an alleged victim of a motor vehicle accident. The claimant sought compensation for losses. It was the decision of the Board to deny the claim on the basis of AS 18.67.101 on the grounds there was insufficient evidence to conclude the claim was based on an incidence of a violent crime. The claimant requested a hearing and a hearing held. The Board decided to uphold their earlier denial. All Board members concurred with the decision.

FINAL DENIAL

#32055 The claimant, a female, was a victim Assault. The Board previously determined the claimant to be an innocent victim of a violent crime under AS 18.67, and awarded compensable expenses. The claimant requested the Board consider awarding additional medical costs not previously considered. It was the decision of the Board to award the requested compensation under AS 18.67.110(a)(1). All Board members concurred with the decision.

AWARDED:	\$18,740.51	Medical
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#32695 The claimant, a female, was a victim Domestic Violence. The Board previously determined the claimant to be an innocent victim of a violent crime under AS 18.67, and awarded compensable expenses. The claimant requested the Board consider awarding additional medical costs not previously considered. It was the decision of the Board to award the requested compensation under AS 18.67.110(a)(1). All Board members concurred with the decision.

AWARDED:	\$846	Medical
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#32952/53 The claimant, a female filed on behalf of her child who was a victim of Sexual Assault of a Minor. The Board previously determined the victim to be an innocent victim of a violent crime under AS 18.67, and awarded compensable expenses. The claimant requested the Board consider awarding additional medical costs not previously considered. It was the decision of the Board to award the requested compensation under AS 18.67.110(a)(1). All Board members concurred with the decision.

AWARDED:	\$287.05	Medical
	\$3,635.85	Relocation

#32991 The claimant, a female, was a victim of Domestic Violence. The Board previously determined the claimant to be an innocent victim of a violent crime under AS 18.67, and awarded compensable expenses. The claimant requested the Board consider awarding additional medical costs not previously considered. It was the decision of the Board to award the requested compensation under AS 18.67.110(a)(1). All Board members concurred with the decision.

AWARDED:	\$583	Medical
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#32322 The claimant, a female, alleged she was a victim of Domestic Violence. The claimant sought compensation for medical costs. It was the decision of the Board to deny the claim on the basis of AS 18.67.101(2) on the grounds there was insufficient evidence to conclude a violent crime occurred as listed in the Board's statute. All Board members concurred with the decision.

DENIED

#32868/69 The claimant, a female, filed on her own behalf and on behalf of her child who was the victim of Sexual Assault of a Minor. The Board determined the victim to be an innocent victim of a violent crime under AS 18.67. It was the decision of the Board to award medical and relocation under AS 18.67.080(a)(1) and 110(a)(1) and (4). All Board members concurred with the decision.

AWARDED:	\$590	MHT
	\$1,368.20	Relocation
Pre-approved	\$4,363.75	Relocation
Pre-approved	\$2,210	MHT

#32995/996 The claimant, a male, filed on his own behalf and on behalf of his child who was the victim of Sexual Assault of a Minor. The Board determined the victim to be an innocent victim of a violent crime under AS 18.67. It was the decision of the Board to award medical and lost wages under AS 18.67.110(a)(1) and (2). All Board members concurred with the decision.

AWARDED:	\$2,156.76	Medical
	\$1,424.11	Other

#33055/66 The claimant, a female filed on her behalf and on behalf of her child as the victim of Sexual Assault of a Minor. The Board determined the victims to be innocent victims of a violent crime under AS 18.67. It was the decision of the Board to award mental health under AS 18.67.110(a)(1). All Board members concurred with the decision.

AWARDED:	\$0	
Pre-approved	\$1,200	MHT
Pre-approved	\$2,600	MHT

#33068/69/70 The claimant, a female filed on her behalf and on behalf of her grandchildren as the victims of Sexual Assault of a Minor. The Board determined the victims to be innocent victims of a violent crime under AS 18.67. It was the decision of the Board to award lost wages under AS 18.67.110(a)(2). All Board members concurred with the decision.

AWARDED:	\$20,226.03	Lost wages
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#33074/222 The claimant, a female filed on her own behalf and on behalf of her child as the victim of an Assault. The Board determined the victims to be innocent victims of a violent crime under AS 18.67. It was the decision of the Board to award medical and lost wages under AS 18.67.110(a)(1) and (2). All Board members concurred with the decision.

AWARDED:	\$130	Medical
	\$405.37	Lost wages

#33075 The claimant, a male, filed as a victim of Assault. The Board determined the victim to be an innocent victim of a violent crime under AS 18.67. It was the decision of the Board to award medical and lost wages under AS 18.67.110(a)(1) and (2). All Board members concurred with the decision.

AWARDED:	\$2,500	Medical
	\$213.65	Lost wages
Pre-approved	\$2,600	MHT

#33088 The claimant, a female, filed as an alleged victim of Assault. The claimant sought compensation for medical costs. It was the decision of the Board to deny the claim on the basis of AS 18.67.130(a)(3) on the grounds the claimant failed to meet statutory cooperation requirements with law enforcement and prosecution officials. All Board members concurred with the decision.

DENIED

#33106/07/161/162 The claimant, a female filed on her own behalf and on behalf of her children as alleged victims of Sexual Assault of a Minor. The claimant sought compensation for mental health therapy. It was the decision of the Board to deny the claim on the basis of AS 18.67.130(a)(3) on the grounds the claimant failed to meet statutory cooperation requirements with law enforcement and prosecution officials. All Board members concurred with the decision.

DENIED

#33128 The claimant, a female, filed as a victim of Sexual Assault. The Board determined the victim to be an Innocent victim of a violent crime under AS 18.67. It was the decision of the Board to award security costs under AS 18.67.110(a)(1). All Board members concurred with the decision.

AWARDED:	\$349	Security
Pre-approved	\$2,600	MHT

#33153 The claimant, a male, filed as a victim of Assault. The Board determined the victim to be an innocent victim of a violent crime under AS 18.67. It was the decision of the Board to award medical under AS 18.67.110(a)(1). All Board members concurred with the decision.

AWARDED:	\$8,714.19	Medical
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#33179 The claimant, a female, filed as a victim of Sexual Assault. The Board determined the victim to be an innocent victim of a violent crime under AS 18.67. It was the decision of the Board to award medical under AS 18.67.110(a)(1). All Board members concurred with the decision.

AWARDED:	\$380	SA Exam
Pre-approved	\$2,600	MHT

#33184 The claimant, a male, filed as an alleged victim of Assault. The claimant sought compensation for lost wages. It was the decision of the Board to deny the claim on the basis of AS 18.67.090 on the grounds there was recovery available through a collateral source. All Board members concurred with the decision.

DENIED

#33187/88/263/264 The claimant, a female filed on her own behalf and on behalf of her child as a victim of Sexual Assault of a Minor. The Board determined the victim to be an innocent victim of a violent crime under AS 18.67. It was the decision of the Board to award lost wages and counseling under AS 18.67.110(a)(1) and (2). All Board members concurred with the decision.

AWARDED:	\$614.14	Lost wages
Pre-approved	\$2,600	MHT
Pre-approved	\$1,200	MHT
Pre-approved	\$600	MHT
Pre-approved	\$600	MHT

#33195/96 The claimant, a male filed on his own behalf and on behalf of his child an alleged victim of Sexual Assault. The claimant sought compensation for mental health therapy. The claimant was referred to the State of Washington. It was the decision of the Board to close the claim on the grounds the Board was unable to determine from the information presented if a crime occurred in Alaska. All Board members concurred with the decision.

CLOSED

#33198 The claimant, a female, filed as the victim of Sexual Assault. The Board determined the victim to be an innocent victim of a violent crime under AS 18.67. It was the decision of the Board to award medical under AS 18.67.110(a)(1). All Board members concurred with the decision.

AWARDED:	\$529	Medical
	\$1,425	Relocation
Pre-approved	\$2,600	MHT

#33199 The claimant, a female, filed as an alleged victim of Assault. The claimant sought compensation for medical costs and lost wages. It was the decision of the Board to deny the claim on the basis of AS 18.67. 010 and 130(a)(3) on the grounds the claimant was not an innocent crime victim as defined in the statute and failed to meet statutory cooperation requirements with law enforcement and prosecution officials. All Board members concurred with the decision.

DENIED

#33200/01 The claimant, a female filed on her behalf and on behalf of her child as alleged victims of Assault. The claimant sought compensation for medical costs. It was the decision of the Board to deny the claim on the basis of AS 18.67.010 and 080(c) on the grounds the claim failed to meet the purpose for which the Board was established and the behavior of the victim contributed to the incident and, therefore, the victim's injuries. All Board members concurred with the decision.

DENIED

#33202 The claimant, a female, filed as the victim of Domestic Violence. The Board determined the victim to be an innocent victim of a violent crime under AS 18.67. It was the decision of the Board to award medical, counseling, and security costs and lost wages under AS 18.67.110(a)(1) and (2). All Board members concurred with the decision.

AWARDED:	\$882	Medical
	\$358.51	Lost wages
Pre-approved	\$135	Security
Pre-approved	\$2,600	MHT
Pre-approved	\$530	Transportation

#33209 The claimant, a female, filed as the a victim of Domestic Violence Assault. The Board determined the victim to be an innocent victim of a violent crime under AS 18.67. It was the decision of the Board to award lost wages and counseling under AS 18.67.110(a)(1) and (2). All Board members concurred with the decision.

AWARDED:	\$3,291.36	Lost wages
Pre-approved	\$2,600	MHT

#33211/12 The claimant, a female filed as the relative of a victim of Murder. The Board determined the victim to be an innocent victim of a violent crime under AS 18.67. It was the decision of the Board to award funeral and lost support under AS 18.67.110(a)(2). All Board members concurred with the decision.

AWARDED:	\$11,700	Lost support
	\$6,759.77	Funeral

#33213/14 The claimant, a female, filed as the relative of a victim of Manslaughter. 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 storage under AS 18.67.110(a)(1). All Board members concurred with the decision.

AWARDED:	\$1,465	Other
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#33227 The claimant, a male, filed as the victim of Assault. The Board determined the victim/claimant to be an innocent victim of a violent crime under AS 18.67. It was the decision of the Board to award medical and lost wages under AS 18.67.110(a)(1) and (2). All Board members concurred with the decision.

AWARDED:	\$2,586.30	Medical
	\$600.30	Lost wages

#33228 The claimant, a female, filed as an alleged victim of Assault. The claimant sought compensation for travel costs. It was the determination of the Board that further investigation was required prior to a decision. Therefore, the claim was referred for further investigation. All Board members concurred with the decision.

REFERRED

#33242 The claimant, a female, filed as an alleged victim of Domestic Violence. The claimant sought compensation for medical, travel and relocation. It was the decision of the Board to defer a determination pending completion of prosecution. All Board members concurred with the decision.

DEFERRED

#33247 The claimant, a male, filed as a significant other of an alleged victim of Domestic Violence. The claimant sought compensation for travel costs. It was the decision of the Board to defer a determination pending completion of prosecution. All Board members concurred with the decision.

DEFERRED

#33248 The claimant, a female filed as the relative of a Homicide victim. The Board determined the victim to be an innocent victim of a violent crime under AS 18.67. It was the decision of the Board to award funeral and counseling costs and lost wages the under AS 18.67.110(a)(1) and (2). All Board members concurred with the decision.

AWARDED:	\$533.98	Funeral
	\$387.53	Lost wages
Pre-approved	\$600	MHT

#33249/50 The claimants, filed as relatives of a Homicide victim. The Board determined the victim to be an innocent victim of a violent crime under AS 18.67. It was the decision of the Board to award counseling costs under AS 18.67.110(a)(1). All Board members concurred with the decision.

AWARDED:	\$0	
Pre-approved	\$600	MHT
Pre-approved	\$600	MHT

#33268/69/70 The claimant, a female filed on her own behalf and on behalf of her children as relatives of a Homicide victim. The Board determined the victim to be an innocent victim of a violent crime under AS 18.67. It was the decision of the Board to award counseling costs under AS 18.67.110(a)(1). All Board members concurred with the decision.

AWARDED:	\$0	
Pre-approved	\$600	MHT
Pre-approved	\$600	MHT
Pre-approved	\$600	MHT

#33261 The claimant, a male, filed as the victim of 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 medical and lost wages under AS 18.67.110(a)(1)(2). All Board members concurred with the decision.

AWARDED:	\$1,363	Medical
	\$93.38	Lost wages

#33265/284/85/86/90 The claimant, a female, filed on her own behalf and on behalf of her children as the victim of Domestic Violence. 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 transportation costs under AS 18.67.110(a)(1). All Board members concurred with the decision.

AWARDED:	\$2,818.90	Transportation
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#33276 The claimant, a male, filed as the victim of an 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 medical under AS 18.67.110(a)(1). All Board members concurred with the decision.

AWARDED:	\$2,158.34	Medical
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#33277 The claimant, a female, filed as the victim of 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 medical and lost wages) under AS 18.67.110(a)(1) and (2). All Board members concurred with the decision.

AWARDED:	\$2,151.75	Medical
	\$180.09	Lost wages

#32085 The claimant, a male, was a victim of Assault. The Board previously determined the claimant to be an innocent victim of a violent crime under AS 18.67, and awarded compensable expenses. The claimant requested the Board consider awarding additional medical, lost wages, and other not previously considered. It was the decision of the Board to award the requested compensation under AS 18.67.110(a)(1) and (2). All Board members concurred with the decision.

AWARDED:	\$3,339.24	Medical
	\$104.69	Lost wages
	\$82	Other

#32197 The claimant, a female, was a relative of a victim of Murder. The Board previously determined the claimant to be an innocent victim of a violent crime under AS 18.67, and awarded compensable expenses. The claimant requested the Board consider awarding additional lodging and food not previously considered. It was the decision of the Board to award the requested compensation under AS 18.67.110(a)(1). All Board members concurred with the decision.

AWARDED:	\$410	Lodging
	\$504	Food

#33081 The claimant, a male, was a victim relative of a victim of Sexual Assault of a Minor. The Board previously determined the claimant to be an innocent victim of a violent crime under AS 18.67, and awarded compensable expenses. The claimant requested the Board consider awarding additional lost wages and travel costs not previously considered. It was the decision of the Board to award the requested compensation under AS 18.67.110(a)(1) and (2). All Board members concurred with the decision.

AWARDED:	\$972.89	Lost wages
	\$695	Travel

#32917 The claimant, a male, filed as the victim of Assault. The Board determined the victim to be an innocent victim of a violent crime under AS 18.67. It was the decision of the Board to award medical, dental and lost wages under AS 18.67.110(a)(1) and (2). All Board members concurred with the decision.

AWARDED:	\$1,460	Medical
	\$1,921.10	Reiocation
	\$2,521.26	Lost wages