



#32920/33015-33019 The claimant, a female filed on her own behalf and on behalf of her children as the victim of and witnesses to 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 relocation and counseling costs under AS 18.67.110(a)(1). All Board members concurred with the decision.

AWARDED:	\$2,686.72	Relocation
Pre-approved	\$2,600	MHT
Pre-approved	\$1,200	MHT
Pre-approved	\$1,200	MHT
Pre-approved	\$1,200	MHT
Pre-approved	\$1,200	MHT
Pre-approved	\$1,200	MHT

#33061 The claimant, a male, filed as an alleged victim of Assault. The Claimant sought compensation for medical and lost wages. 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

#33092 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 and lost wages under AS 18.67.110(a)(1) and (2). All Board members concurred with the decision.

AWARDED:	\$9,668.86	Medical
	\$180.09	Lost wages

#33157/58 The claimant, a male, filed on behalf of his child as the victim of Sexual Assault of a Minor. 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
Pre-approved	\$1,200	MHT
Pre-approved	\$5,000	Lost wages
Pre-approved	\$2,184	Food
Pre-approved	\$3,120	Lodging
Pre-approved	\$12,454	Transportation
Pre-approved	\$5,748	Transportation

#33194 The claimant, a female, filed as the victim of Sexual 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 relocation and mental health under AS 18.67.(a)(1). All Board members concurred with the decision.

AWARDED:	\$2,304.45	Relocation
Pre-approved	\$2,600	MHT

#33226 The claimant, a male, was an apparent Assault victim. The claimant sought compensation of losses. It was the decision of the Board to defer determination pending completion of prosecution. All Board members concurred with the decision.

DEFERRED

#33262 The claimant, a female, filed as the relative of a victim of Homicide. 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 funeral costs under AS 18.67.110(a)(2). All Board members concurred with the decision.

AWARDED: \$2,625 Funeral

#33272 The claimant, a male, filed as an alleged victim of Assault. The claimant sought compensation for losses. 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

#33297 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: \$536 Medical

#33311/08/16 The claimant, a male, filed on his own behalf and on the behalf of his children as the victims 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 mental health therapy 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
Pre-approved \$1,200 MHT

#33354 The claimant, a female, filed as the relative of 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 travel and food under AS 18.67.110(a)(1). All Board members concurred with the decision.

AWARDED: \$915 Travel
Pre-approved \$252 Food

#32882 The claimant, a male, is the father of a victim of Homicide. The claimant sought forgiveness of indebtedness to the Board. The Board previously determined the decedent to be an innocent victim of a violent crime under AS 18.67. It was the decision of the Board to forgive the indebtedness under AS 18.67.110(a)(1) and (a)(2), All Board members concurred with the decision.

AWARDED \$0

#33227 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 reduce the previous award was by \$56.17 in medical costs because the original award included a duplicate payment. All Board members concurred with the decision.

AWARDED \$0

#31931 The claimant, a female, filed as an alleged victim of assault. The claimant sought compensation for relocation, in-home healthcare, and rent. It was the decision of the Board to deny the claim on the basis of AS 18.67.010 on the grounds the requested compensation was found to either not be actual and/or reasonable. All Board members concurred with the decision.

DENIED

#32269 The claimant, a female, was a victim of an domestic violence assault. The Board determined the claimant to be an innocent victim of a violent crime under AS 18.67. The claimant requested the Board consider awarding medical expenses not previously considered. 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: \$150 Medical

#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: \$916.02 Medical

#32624 The claimant, a male, filed as an alleged 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 add travel costs to the pre-approved dental under AS 18.67110(a)(1). All Board members concurred with the decision.

AWARDED: \$0
Pre-approval \$0 added travel to pre-approval

#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: \$50 Medical

#32830 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 costs not previously considered. It was the decision of the Board to award medical under AS 18.67.080(a)(1). All Board members concurred with the decision.

AWARDED: \$70 Medical
Pre-approved \$5,605 Medical

#32917 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 costs not previously considered. It was the decision of the Board to award medical under AS 18.67.080(a)(1). All Board members concurred with the decision.

AWARDED: \$45 Medical

#32990 The claimant, a female, filed as the relative of a victim of homicide. 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 other costs not previously considered. It was the decision of the Board to award medical under AS 18.67.080(a)(1). All Board members concurred with the decision.

AWARDED: \$1,356.42 Lost wages
\$1,302.71 Other

#32995 The claimant, a male, filed as the relative of a victim of sexual abuse 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 medical costs not previously considered. It was the decision of the Board to award medical under AS 18.67.080(a)(1). All Board members concurred with the decision.

AWARDED: \$1,719.45 Medical

#33045 The claimant, a female, filed as the relative of a victim of sexual abuse 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 medical costs not previously considered. It was the decision of the Board to award medical under AS 18.67.080(a)(1). All Board members concurred with the decision.

AWARDED: \$70 Medical

#33062/063/164/165 The claimant, a female, filed as the relative of victims of sexual abuse 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 medical costs not previously considered. It was the decision of the Board to award medical under AS 18.67.080(a)(1). All Board members concurred with the decision.

AWARDED: \$0
Pre-approved \$4,416 Child care

#33091 The claimant, a male, filed as 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 medical costs not previously considered. It was the decision of the Board to award medical under AS 18.67.080(a)(1). All Board members concurred with the decision.

AWARDED: \$749 Medical

#33268/69/70/71 The claimant, a female, filed as the relative of victims of homicide. 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 other costs not previously considered. It was the decision of the Board to award medical under AS 18.67.080(a)(1). All Board members concurred with the decision.

AWARDED: \$7,500 Loss of Support
\$68,366.02 Money Market

#33408 The claimant, a female, filed as the relative of a victim of homicide. 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 loss of support not previously considered. It was the decision of the Board to close the case for lack of supporting documents. All Board members concurred with the decision.

CLOSED:

#33371 The claimant, a female, filed as a victim 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 costs not previously considered. It was the decision of the Board to award medical under AS 18.67.080(a)(1). All Board members concurred with the decision.

AWARDED: \$0
Pre-approved \$20,989 MHT-hospitalization

#32945 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:	\$3,183.29	Medical
	\$158.75	Lost wages

#32997 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 (choose the requested compensation) under AS 18.67110(a)(1)(2). All Board members concurred with the decision.

AWARDED:	\$5,376.40	Medical
	\$1,641.82	Lost wages

#33031 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 under AS 18.67.110(a)(1). All Board members concurred with the decision.

AWARDED:	\$1,441	Medical
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#33089 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:	\$11,941.46	Medical
	\$5,494.5	Lost wages
Pre-approved	\$2,600	MHT

#33096/97 The claimant, a female, filed on her behalf and on behalf of her minor child as the victims of domestic violence. 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:	\$0	
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#33140/141 The claimant, a female, filed on her behalf and on behalf of a minor child as the victims of homicide. 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 funeral costs and loss of support under AS 18.67.(a)(1)(3). All Board members concurred with the decision.

AWARDED:	\$300	Funeral
	\$26,550.18	Money Market

#33299/300/301 The claimant, a female, filed on her behalf and on behalf of her minor children as victims of homicide. 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 loss of support under AS 18.67.(a)(3). All Board members concurred with the decision.

AWARDED: \$53,149.83 Money Market

#33167 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 that your claim was eligible for compensable losses, however, none were documented. All Board members concurred with the decision.

AWARDED: \$0

#33175 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 that your claim was eligible for compensable losses, however, none were documented. All Board members concurred with the decision.

AWARDED: \$0

#33173/174 The claimant, a female, filed on behalf of her child as an alleged victim of sexual assault of a minor. The claimant sought compensation for lost wages. It was the determination of the Board that further investigation was required prior to a decision. Therefore, the claim was referred to a hearing under AS 18.67.101. All Board members concurred with the decision.

REFERRED: \$0

#33180 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 legal fees under AS 18.67.(a)(1). All Board members concurred with the decision.

AWARDED: \$36,418.60 Medical
\$3,581.40 Legal Fees

#33183 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 under AS 18.67.(a)(1). All Board members concurred with the decision.

AWARDED: \$932.18 Medical

#33189/190/ 191/192/193 The claimant, a female, filed on her behalf and on behalf of her children as the relatives of a victim of homicide. 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 loss of support under AS 18.67.(a)(3). All Board members concurred with the decision.

AWARDED:	\$28,080	Money Market
Pre-approved	\$600	MHT per claim

#33216/17 The claimant, a female, filed on here behalf and on behalf as the victims 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 transportation, food and lodging under AS 18.67.(a)(1). All Board members concurred with the decision.

AWARDED:	\$180	Lodging/transportation
	\$541.75	Other
Pre-approved	\$1,200	MHT
Pre-approved	\$2,600	MHT
Pre-approved	\$2,160	Transportation
Pre-approved	\$4,680	Transportation
Pre-approved	\$1,596	Food
Pre-approved	\$2,600	Lodging

#33275 The claimant, a female, filed as the 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 medical, dental and lost wages (choose the requested compensation) under AS 18.67.(a)(1)(2). All Board members concurred with the decision.

AWARDED:	\$36,759.68	Medical
	\$640.32	Lost wages
	\$320	MHT
Pre-approved	\$2,280	MHT

#33280 The claimant, a male, 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 18.67.080(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:

#33282/397 The claimant, a female, filed on her behalf and on behalf of her child as the relatives of a victim of homicide. 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 loss of support under AS 18.67.(a)(3). All Board members concurred with the decision.

AWARDED:	\$30,270	Money Market
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#33304/314 The claimant, a female, filed on her behalf and on behalf of her child 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 mental health under AS 18.67.(a)(1). All Board members concurred with the decision.

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

#33323 The claimant, a female, filed as the relative of a victim of homicide. 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 lodging under AS 18.67.(a)(1). All Board members concurred with the decision.

AWARDED: \$5,316.43 Lodging

#33327 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 under AS 18.67.(a)(1). All Board members concurred with the decision.

AWARDED: \$1,240.84 Medical

#33339 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 under AS 18.67.(a)(1). All Board members concurred with the decision.

AWARDED: \$6,951.79 Medical

#33388 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 relocation under AS 18.67.(a)(1). All Board members concurred with the decision.

AWARDED: \$0
Pre-approved \$5,000 Relocation

#32941 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 under AS 18.67.(a)(1). All Board members concurred with the decision.

AWARDED: \$7,996.26 Medical

#32852 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 relocation costs under AS 18.67.(a)(1) through an Emergency Award. All Board members concurred with the decision.

AWARDED: \$0

#31337 The claimant, a male, was a relative of a victim of homicide. The Board previously determined the claimant to be an innocent victim of a violent crime under AS 18.67. The board had previously awarded \$600.30 lost wages, \$1,240.04 legal fees, and \$7,000 other. The claimant requested the Board's forgiveness of indebtedness. It was the decision of the Board to forgive indebtedness. All Board members concurred with the decision.

TOTAL INDEBTEDNESS FORGIVEN

#32983 The claimant, a male, filed as an alleged victim of assault. The claimant sought compensation for replacement of totaled car. It was the decision of the Board to deny the claim on the basis of AS 18.67. 30(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

#32951 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 uphold the previous denial on the basis of AS 18.67 101/130(a)(2) on the grounds the claim failed to meet statutory reporting requirements. All Board members concurred with the decision.

DENIED

#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. The claimant requested a hearing and a hearing was held. After the hearing, it was the decision of the Board to overturn their previous denial and award the claim. 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:	\$9,237.04	Medical
	\$1,232.62	Lost wages

#33059/060 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 directly contributed to the incident. The claimant requested a hearing and a hearing was held. After the hearing, it was the decision of the Board to overturn their previous denial and award the claim. It was the decision of the Board to award medical and lost wages under AS 18.67.110(a)(1). All Board members concurred with the decision.

AWARDED	\$0	
Pre-approved	\$37,400	Medical
Pre-approved	\$2,600	MHT

#33116 The claimant, a male, filed as an alleged victim of DUI. The claimant sought compensation for lost wages, compensation of the child support he is supposed to be paying, and the costs to relocate to a handicap accessible residence. It is the decision of the Board to defer its determination pending receipt of additional information. All Board members concurred with the decision.

DEFERRED

#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. The claimant requested a hearing and a hearing was held. After the hearing, it was the decision of the Board to overturn their previous denial and award the claim. 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	\$4,694.18	Medical
	\$1,587.46	Lost wages
Pre-approved	\$29,443.32	Medical
Pre-approved	\$2,600	MHT

#31467 The claimant, a female, filed on behalf of minor who was a victim of Sexual Abuse of a Minor. The Board 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	\$69	MHT
Pre-approved	\$2,531	MHT

#31943 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, 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	\$1,570	MHT
Pre-approved	\$1,030	MHT

#32573/575 The claimant, a female, was a relative of a victim of Homicide. The Board 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)(4). All Board members concurred with the decision.

AWARDED	\$1,596	Lodging & Food
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#32759 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, and awarded compensable expenses. The claimant requested the Board consider awarding additional medical 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 \$4,599 Medical

#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, and awarded compensable expenses. The claimant requested the Board consider awarding additional medical and dental 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 \$5,354.43 Medical/Dental

#32945 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, and awarded compensable expenses. The claimant requested the Board consider awarding additional medical 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 \$235 Medical

#32995/96 The claimant, a male, filed on behalf of a minor who was a victim of Sexual Abuse of a Minor. The Board 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, counseling and other 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	\$501.72	PX
Pre-approved	\$2,600	MHT
Pre-approved	\$1,200	MHT
Pre-approved	\$30,127	Other

#32997 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, and awarded compensable expenses. The claimant requested the Board consider awarding additional medical 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	\$6,502.29	Medical

#33044/045 The claimant, a female, filed on behalf of minor who were victims of Sexual Abuse of a Minor. The Board 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	\$209.01	MHT
Pre-approved	\$2,600	MHT
Pre-approved	\$2,600	MHT

#33074 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, and awarded compensable expenses. The claimant requested the Board consider awarding additional medical 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	\$41	Medical
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#33081/354 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, and awarded compensable expenses. The claimant requested the Board consider awarding additional lost wages and transportation not previously considered. It was the decision of the Board to award the requested compensation under AS 18.67.110(a)(1),(2). All Board members concurred with the decision.

AWARDED	\$1068.74	Lost wages
Pre-approved	\$384	Transportation

#33167 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, and awarded compensable expenses. The claimant requested the Board consider awarding additional transportation not previously considered. It was the decision of the Board to award the requested compensation under AS 18.67.110(a)(4). All Board members concurred with the decision.

AWARDED	\$237.04	Transportation
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#33202 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, and awarded compensable expenses. The claimant requested the Board consider awarding additional medical 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	\$143	Medical
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#33276 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, and awarded compensable expenses. The claimant requested the Board consider awarding additional medical 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 \$1,057 Medical

#33304/14 The claimant, a female, filed on her behalf and on behalf of her child a victim of assault. The Board determined the claimant to be an innocent victim of a violent crime under AS 18.67. 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 loss to dependants not previously considered. It was the decision of the Board to award the requested compensation under AS 18.67.110(a)(2),(3). All Board members concurred with the decision.

AWARDED \$27,788.56 Money market
 \$8,411.33 Other

#31958 The claimant, a female, filed as friend of an alleged victim of assault. The claimant sought compensation for services rendered to care for victim. It was the decision of the Board to deny the claim on the basis of AS 18.67. 010 on the grounds the claim did not meet standard of care for a board payment. All Board members concurred with the decision.

DENIED

#32831 The claimant, a male, filed 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 medical under AS 18.67.110(a)(1). All Board members concurred with the decision.

AWARDED \$653 Medical

#32964/32507 The claimant, a female, filed 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 other, mental health and relocation under AS 18.67.110(a)(1). All Board members concurred with the decision.

AWARDED \$2,452.89 Other
Pre-approved \$2,600 MHT
Pre-approved \$2,518.01 Relocation

#32927 The claimant, a female, filed as a victim of sexual assault. The Board determined the claimant to be an innocent victim of a violent crime under AS 18.67. It was the decision of the Board to award medical, counseling, relocation, and lost wages under AS 18.67.110(a)(1),(2). All Board members concurred with the decision.

AWARDED	\$340.81	Medical
	\$120.06	Lost wages
Pre-approved	\$2,600	MHT
Pre-approved	\$5,000	Relocation

#33108/109 The claimant, a male and female, filed as the relatives of a victim of homicide. The Board determined the claimants to be innocent victims of a violent crime under AS 18.67. It was the decision of the Board to award funeral and other under AS 18.67.110(a)(4). All Board members concurred with the decision.

AWARDED	\$7,000	Funeral
	\$1,521.49	Other

#33129 The claimant was an apparent assault victim. The claimant sought compensation of losses. It was the decision of the Board to defer determination pending further investigation. All Board members concurred with the decision.

DEFERRED

#33204/205 The claimant, a female, filed on behalf of a minor 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 medical, counseling and lost wages under AS 18.67.110(a)(1),(2). All Board members concurred with the decision.

AWARDED	\$30	Medical
	\$1,734.20	Lost wages
Pre-approved	\$2,600	MHT
Pre-approved	\$1,200	MHT

#33224 The claimant, a female, filed as a victim of sexual assault. The Board determined the claimant to be an innocent victim of a violent crime under AS 18.67. It was the decision of the Board to award medical and lost wages under AS 18.67.110(a)(1),(2). All Board members concurred with the decision.

AWARDED	\$264.15	Medical
	\$1,682.11	Lost wages

#33228 The claimant, a female, filed 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 other under AS 18.67.110(a)(1). All Board members concurred with the decision.

AWARDED	\$3659.74	Other
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#33296 The claimant, a female, filed 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 medical, counseling and relocation under AS 18.67.110(a)(1). All Board members concurred with the decision.

AWARDED	\$2,070	Medical
Pre-approved	\$2,600	MHT
Pre-approved	\$3,500	Relocation

#33317 The claimant, a male, filed 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 medical under AS 18.67.110(a)(1). All Board members concurred with the decision.

AWARDED	\$2,322.55	Medical
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#33318 The claimant, a male, filed as 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): 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

#33329 The claimant, a male, filed as relative of a victim of homicide. 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 other under AS 18.67.110(a)(4). All Board members concurred with the decision.

AWARDED	\$471	Medical
	\$1,650	Other

#33330/331 The claimant, a female, filed on behalf of a minor as a victim of sexual abuse of a minor. 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 counseling under AS 18.67.110(a)(1). All Board members concurred with the decision.

AWARDED	\$1,352.88	Medical
	\$675	MHT
Pre-approved	\$2,600	MHT
Pre-approved	\$1,200	MHT
Pre-approved	\$7,000	Medical

#33335/400/484 The claimant, a female, filed on her own behalf and on behalf of her minor children as a victim of sexual assault of a minor. 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 under AS 18.67.110(a)(1). All Board members concurred with the decision.

Pre approve up to	\$2,600	MHT
	\$1,200	MHT
	\$600	MHT
	\$600	MHT

#33342 The claimant, a female, filed as the relative of a victim of homicide. 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 funeral, transportation, other and lost wages under AS 18.67.110(a)(1),(2),(4). All Board members concurred with the decision.

AWARDED	\$606.97	Lost wages
	\$4,170.91	Funeral
	\$841.01	Transportation
	\$1,292.42	Other

#33363 The claimant, a female, filed as the relative of a victim of homicide. 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, funeral, transportation and other under AS 18.67.110(a)(1)(4). All Board members concurred with the decision.

AWARDED	\$37.44	Medical
	\$542.81	Funeral
	\$405	Transportation
	\$939.01	Other

#33370 The claimant, a female, filed as the relative of a victim of homicide. 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 travel and funeral under AS 18.67.110(a)(4). All Board members concurred with the decision.

AWARDED	\$1,500	Travel
	\$500	Funeral

#33436 The claimant, a female, filed as a relative of a victim of homicide. 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 travel under AS 18.67.110(a)(4). All Board members concurred with the decision.

AWARDED	\$1,015.60	Travel
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#33348/49 The claimant, a female, filed on behalf of her minor child as a victim of sexual assault of a minor. 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 under AS 18.67.110(a)(1). All Board members concurred with the decision.

AWARDED	\$2,090	MHT
Pre-approved	\$1,060	MHT
Pre-approved	\$650	MHT

#33350 The claimant was an apparent assault victim. The claimant sought compensation of losses. It was the decision of the Board to defer determination pending further investigation. All Board members concurred with the decision.

DEFERRED

#33352 The claimant, a male, filed 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 medical under AS 18.67.110(a)(1). All Board members concurred with the decision.

AWARDED	\$2,925	Medical
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#33355 The claimant, a female, filed as a victim of sexual assault. The Board determined the claimant to be an innocent victim of a violent crime under AS 18.67. It was the decision of the Board to award medical and lost counseling under AS 18.67.110(a)(1). All Board members concurred with the decision.

AWARDED	\$62.25	Medical
Pre approve up to	\$2,600	MHT

#33356 The claimant, a female, filed 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 medical under AS 18.67.110(a)(1). All Board members concurred with the decision.

AWARDED	\$4,409.24	Medical
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#33359 The claimant, a male, filed as a victim of Hit & Run. 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	\$2,611	Medical
	\$1,208.07	Lost wages
Pre-approved	\$4,775	Medical

#33361/483 The claimant, a female, filed 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 counseling 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

#33369 The claimant, a male, filed 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 medical, dental, counseling, and lost wages under AS 18.67.110(a)(1),(2). All Board members concurred with the decision.

AWARDED	\$20,543.99	Medical
	\$6,180.83	Lost wages
Pre approve up to	\$9,175.18	Medical/dental
Pre approve up to	\$2,600	MHT

#33372 The claimant, a male, filed 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 medical under AS 18.67.110(a)(1). All Board members concurred with the decision.

AWARDED	\$7,099.90	Medical
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#33376 The claimant, a male, filed 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 medical under AS 18.67.110(a)(1). All Board members concurred with the decision.

AWARDED	\$979	Medical
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#33377 The claimant, a male, filed as an alleged victim of arson. The claimant sought compensation for damage to his vehicle. It was the decision of the Board to deny the claim on the basis of AS 18.67. 10(a)(1) on the grounds this compensation is not compensable under board statute. All Board members concurred with the decision.

DENIED

#33387/514 The claimant, a female, filed on behalf of her minor child as a victim of sexual abuse of a minor. 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 relocation under AS 18.67.110(a)(1). All Board members concurred with the decision.

AWARDED	\$0	
Pre-approved	\$5,000	Relocation

#33390 The claimant, a female, filed as a victim of assault and the Board previously awarded an emergency award in the amount of 479.98 for security expenses. 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 security under AS 18.67.110(a)(1). All Board members concurred with the decision.

AWARDED \$0

#33409 The claimant, a female, filed 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 medical and counseling under AS 18.67.110(a)(1). All Board members concurred with the decision.

AWARDED \$2,128.51 Medical
Pre-approved \$2,600 MHT

#33411 The claimant, a male, filed as an alleged victim of car accident, reckless driving. 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. 101 on the grounds the incident which this case is based on is not a violent crime as listed in A.S. 18.67.101. All Board members concurred with the decision.

DENIED

#33414 The claimant, a female, filed as a relative of an alleged homicide. The claimant sought compensation for funeral, medical, and counseling costs. It was the decision of the Board to deny the claim on the basis of AS 18.67.080 on the grounds the behavior of the victim contributed and, therefore, his injuries and/or death. All Board members concurred with the decision.

DENIED

#33420/465 The claimant, a female, filed 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 medical, counseling and relocation under AS 18.67.110(a)(1). All Board members concurred with the decision.

AWARDED \$8.17 Relocation
Pre-approved \$4,852.75 Medical
Pre-approved \$2,600 MHT
Pre-approved \$4,141.83 Relocation

#33429 The claimant, a female, filed 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 medical and lost wages under AS 18.67.110(a)(1). All Board members concurred with the decision.

AWARDED \$747.60 Medical
\$42.52 Lost wages

#33431 The claimant was an apparent assault victim. The claimant sought compensation of losses. It was the decision of the Board to defer determination pending further investigation. All Board members concurred with the decision.

DEFERRED

#33437/38 The claimant, a female, filed on behalf of her minor child 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 medical and counseling under AS 18.67.110(a)(1). All Board members concurred with the decision.

AWARDED	\$375	Medical
Pre-approved	\$2,600	MHT

#33447/551/2/3/4 The claimant, a female, filed on behalf of her minor children as a victim of 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 counseling 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
Pre-approved	\$1,200	MHT
Pre-approved	\$1,200	MHT
Pre-approved	\$1,200	MHT

#33454/455/383/84 The claimant, a male, filed on behalf of his minor children as a 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 counseling, relocation, re-establishment and lost wages under AS 18.67.110(a)(1),(2). All Board members concurred with the decision.

AWARDED	\$769.38	Lost wages
	\$4,948.06	Relocation
Pre-approved	\$2,600	MHT
Pre-approved	\$2,600	MHT
Pre-approved	\$2,600	MHT
Pre-approved	\$1,200	MHT
Pre-approved	\$51.94	Relocation
Pre-approved	\$2,500	Re-establishment

#33457/488/89/90 The claimant, a female, filed on behalf of herself and on behalf of her minor children 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 and relocation under AS 18.67.110(a)(1). All Board members concurred with the decision.

AWARDED	\$0	
Pre-approved	\$2,600	MHT
Pre-approved	\$2,600	MHT
Pre-approved	\$1,200	MHT
Pre-approved	\$1,200	MHT
Pre-approved	\$2,000	Relocation

#33466 The claimant, a female, filed 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 medical and lost wages under AS 18.67.110(a)(1),(2). All Board members concurred with the decision.

AWARDED	\$4,665.84	Medical
	\$5,820.83	Lost wages

#33481 The claimant, a female, filed as a victim of human trafficking. 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 under AS 18.67.110(a)(1). Board members concurred with the decision.

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

#33482 The claimant, a female, filed as a victim of human trafficking. 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 under AS 18.67.110(a)(1). Board members concurred with the decision.

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

#33492/493 The claimant was an apparent assault victim. The claimant sought compensation of losses. It was the decision of the Board to defer determination pending further investigation. All Board members concurred with the decision.

DEFERRED

#33495 The claimant was an apparent assault victim. The claimant sought compensation of losses. It was the decision of the Board to defer determination pending further investigation. All Board members concurred with the decision.

DEFERRED

#33499/500 The claimant, a female, filed on her behalf and on behalf of her minor child 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 counseling, transportation, food, and lodging 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
Pre-approved	\$8,170	Transportation
Pre-approved	\$3,192	Food
Pre-approved	\$5,206	Lodging

#33517 The claimant, a female, filed on behalf of her minor child as a victim of sexual abuse of a minor. 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 travel under AS 18.67.110(a)(1). All Board members concurred with the decision.

AWARDED \$0
Added to previously approve travel cost for claim #33157 and #33158

#33526/27/28 The claimant, a female, filed on her behalf and on behalf of her minor children 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 transportation under AS 18.67.110(a)(1). All Board members concurred with the decision.

AWARDED \$600 Transportation

#33539/582 The claimant, a male and female, filed as the relatives of a victim of homicide. 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, lodging and funeral under AS 18.67.110(a)(4). All Board members concurred with the decision.

AWARDED	\$901.29	Transportation
	\$703.76	Lodging
	\$5,485.18	Funeral
Pre-approved	\$12 844.77	Medical

#33088 The claimant, a female, filed as an alleged victim of Robbery. The claimant sought compensation for lost wages. It was the decision of the Board to deny the claim on the basis of 18.67.130(a)(3) on the grounds the claimant failed to cooperate with law enforcement. 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 lost wages under AS 18.67.110(a)(2). All Board members concurred with the decision.

AWARDED \$506.92 Lost wages

#32874 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, and awarded compensable expenses. The claimant requested the Board consider awarding additional security 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	\$2,029.25	Security

#33115 The claimant, a female, filed 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 medical and counseling under AS 18.67.110(a)(1). All Board members concurred with the decision.

AWARDED	\$64.17	Medical
	\$40	MHT
Pre-approved	\$2,560	MHT

#33456 The claimant, a male, filed 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 lost wages under AS 18.67.110(a)(2). All Board members concurred with the decision.

AWARDED	\$1,500	Lost wages
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#33459 The claimant, a female, filed 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 medical and counseling under AS 18.67.110(a)(1). All Board members concurred with the decision.

AWARDED	\$320	Medical
Pre-approved	\$2,280	MHT

#33506 The claimant, a female, filed 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 counseling and lost wages under AS 18.67.110(a)(2). All Board members concurred with the decision.

AWARDED	\$3,169	Lost wages
Pre-approved	\$2,600	MHT

#33544/48/49/50 The claimants a male and female, filed as the victims of assault and homicide. The Board determined the victims and claimants to be innocent victims of a violent crime under AS 18.67. It was the decision of the Board to award medical, counseling, relocation, re-establishment, and lost wages under AS 18.67.110(a)(1),(2),(4). All Board members concurred with the decision.

AWARDED:	\$0	
Pre-approved	\$2,600	MHT
Pre-approved	\$14,833.39	Medical
Pre-approved	\$5,000	Relocation
AWARDED	\$1,216.61	Lost wages
	\$5,000	Re-establishment
	\$34	Re-location
Pre-approved	\$600	MHT
AWARDED	\$2,466	Re-establishment
	\$3,202	Re-establishment
Pre-approved	\$2,600	MHT
AWARDED	\$1,798	Re-location
Pre-approved	\$600	MHT

#33561/62/84 The claimant, a male, filed on behalf of minors as the victims of sexual of 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 counseling under AS 18.67.110(a)(1). All Board members concurred with the decision.

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

#33116 The claimant, a male, filed as an alleged victim of DUI. The claimant sought compensation for lost wages, compensation of the child support he is supposed to be paying, and the costs to relocate to a handicap accessible residence. It was the decision of the Board to defer its determination pending receipt of additional information. 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 and lost wages under AS 18.67.110(a)(1) and (a)(2). All Board members concurred with the decision.

AWARDED	\$232.80	Medical
	\$9,524.96	Lost wages
	\$3,621	Child support
Pre-approved	\$5,000	Live in provider
Pre-approved	\$5,000	Move/rehab unit

#33129 The claimant, a male, was an apparent assault victim. The claimant sought compensation of losses. It was the decision of the Board to defer determination pending further investigation. The claimant requested a hearing and a hearing was held. After the hearing, it was the decision of the Board to award the claim. 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	\$5,181.93	Medical
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#33495 The claimant, a male, was an apparent assault victim. The claimant sought compensation of losses. It was the decision of the Board to defer determination pending further investigation. The claimant requested a hearing and a hearing was held. After the hearing, it was the decision of the Board to award the claim. 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	\$17,234.10	Medical
Pre-approved	\$22,765.90	Medical & Transportation to Medical

#33180 The claimant, a female, filed as the victim of assault. The claimant sought forgiveness of indebtedness to the Board. The Board previously determined the claimant to be an innocent victim of a violent crime under AS 18.67. It was the decision of the Board to forgive the indebtedness under AS 18.67.110(a)(1) and (a)(2), All Board members concurred with the decision.

AWARDED	\$0	
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#33280 The claimant, a male, 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 18.67.080(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. 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 and lost wages under AS 18.67.110(a)(1) and (a)(2). All Board members concurred with the decision.

AWARDED	\$10,471.78	Medical
	\$3,490.78	Lost wages
	\$67.39	Transportation
Pre-approved	\$2,600	MHT
Pre-approved	\$2,500	Dental

#32630/728/729 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 DOCUMENTATION

32483/84/68/69/70 The claimant, a female, filed on her own behalf and on behalf of her minor children as victims of sexual assault of a minor. The Board determined the claimant to be an innocent victim of a violent crime under AS 18.67. The claimant requested the Board consider awarding additional lost wages not previously considered. 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	\$1,255.03	Lost wages
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#32920/33015/16/17/18/19 The claimant, a female filed on her own behalf and on behalf of her minor children as the victim of and witnesses to 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 relocation and counseling costs under AS 18.67.110(a)(1). All Board members concurred with the decision.

AWARDED	\$1,232.40	Relocation
Pre-approved	\$1,900	Relocation
Pre-approved	\$786.72	Re-establishment
Pre-approved	\$480.98	Transportation

#32972/73 The claimant, a female filed on her own behalf and on behalf of her minor child as victims of Robbery. The Board determined the claimant to be an innocent victim of a violent crime under AS 18.67. The claimant requested the Board consider awarding additional lost wages not previously considered. 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	\$2,163.08	Lost wages
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#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. The claimant requested the Board consider awarding additional payment of student loan not previously considered. It was the decision of the Board to award student loan payment under AS 18.67.110(a)(1). All Board members concurred with the decision.

Pre-approved	\$8,300	Student loan co-signer
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#33101 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 claimant to be an innocent victim of a violent crime under AS 18.67. The claimant requested the Board consider awarding additional mental health therapy not previously considered. It was the decision of the Board to award mental health therapy under AS 18.67.110(a)(1). All Board members concurred with the decision.

AWARDED	\$2,000	MHT
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#33372 The claimant, a male, filed as a victim of assault. The Board determined the claimant to be an innocent victim of a violent crime under AS 18.67. The claimant requested the Board consider awarding additional medical not previously considered. 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	\$17,741.08	Medical
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#33482 The claimant, a female, filed as a victim of human trafficking. The Board determined the claimant to be an innocent victim of a violent crime under AS 18.67. The claimant requested the Board consider awarding additional relocation not previously considered. It was the decision of the Board to award relocation under AS 18.67.110(a)(1). All Board members concurred with the decision.

AWARDED	\$0	
Pre-approved	\$5,000	Relocation

#32725 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) and (a)(2). All Board members concurred with the decision.

AWARDED	\$404.5	Medical
	\$30,108.06	Lost wages
Pre-approved	\$2,600	MHT

#33079/080/33535/36 The claimant, a female, filed on her behalf and on behalf of her minor children as victims of sexual assault of a minor and the Board previously awarded an emergency award in the amount of \$3,000 for relocation expenses. The Board determined the claimant to be an innocent victim of a violent crime under AS 18.67, and awarded relocation expenses. It was the decision of the Board to award the requested compensation under AS 18.67.110(a)(1). All Board members concurred with the decision.

AWARDED	\$2,384	Relocation/re-establishment
Pre-approved	\$636	Re-establishment

#33288/692 The claimant, a male, filed on behalf of his granddaughter as a victim of hit and run. 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 transportation under AS 18.67. 110(a)(1). All Board members concurred with the decision.

AWARDED	\$310	Transportation
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#33378 The claimant, a female, filed as the 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 medical, lost wages and relocation under AS 18.67. 110(a)(1) and (a)(2). All Board members concurred with the decision.

AWARDED	\$15	Medical
	\$900.14	Lost wages
	\$643.08	Relocation
Pre-approved	\$4,356.92	Relocation
Pre-appro	\$2,600	MHT

#33391 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 \$460 Medical

#33461 The claimant, a male was an apparent assault victim. The claimant sought compensation of losses. It was the decision of the Board to defer determination pending trial results. All Board members concurred with the decision.

DEFERRED

#33480 The claimant, a female, filed 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 lost wages under AS 18.67. 110(a)(2). All Board members concurred with the decision.

AWARDED \$640.32 Lost wages

#33498/97 The claimant, a female, filed on her own behalf and on behalf of her minor child as a victim of a sexual assault of a minor and the Board previously awarded an emergency award in the amount of \$372.99 for lost wages. The Board determined the claimant to be an innocent victim of a violent crime under AS 18.67. It was the decision of the Board to award the requested compensation under AS 18.67.110(a)(2). All Board members concurred with the decision.

AWARDED \$0

#33504 The claimant, a female, was a victim of a assault and the Board previously awarded an emergency award in the amount of \$442.22 for lost wages. The Board determined the claimant to be an innocent victim of a violent crime under AS 18.67, and awarded lost wages. It was the decision of the Board to award the requested compensation under AS 18.67.110(a)(2). All Board members concurred with the decision.

AWARDED \$0

#33505 The claimant, a female, filed as the relative of a victim of homicide. 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 (a)(2). All Board members concurred with the decision.

AWARDED \$146.62 Medical
\$166.75 Lost wages

#33512/513 The claimant, a female, filed on her own behalf and on behalf of her minor child as victim of sexual of assault of a minor. 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	\$800	Medical
Pre-approved	\$2,600	MHT
Pre-approved	\$1,200	MHT

#33518 The claimant, a female, was a victim of a sexual assault and the Board previously awarded an emergency award in the amount of \$1,202.31 for lost wages. The Board determined the claimant to be an innocent victim of a violent crime under AS 18.67, and awarded lost wages. It was the decision of the Board to award the requested compensation under AS 18.67.110(a)(1) and (a)(2). All Board members concurred with the decision.

AWARDED	\$523	Medical
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#33519 The claimant, a female, filed as victim of sexual assault of a minor. 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 mental health under AS 18.67.110(a)(1). All Board members concurred with the decision.

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

#33531/32 The claimant, a female, filed on her own behalf and on behalf of her minor child as victim of sexual of assault of a minor. The Board determined the victim and claimant to be an innocent victim of a violent crime under AS 18.67. It was the decision of the Board to award and lost wages under AS 18.67.110(a)(2). All Board members concurred with the decision.

AWARDED	\$169.42	Lost wages
Pre-approved	\$2,600	MHT
Pre-approved	\$1,200	MHT
Pre-approved	\$5,000	Relocation

#33558/634/635/691/692 The claimant, a female, was a victim of a assault and the Board previously awarded an emergency award in the amount of \$1,500 for relocation expenses. The Board determined the claimant to be an innocent victim of a violent crime under AS 18.67, and awarded relocation expenses. It was the decision of the Board to award the requested compensation under AS 18.67.110(a)(1). All Board members concurred with the decision.

AWARDED	\$632.64	Medical
	\$1,600	Re-establishment
	\$4,024.95	Relocation
Pre-approved	\$375.05	Relocation
Pre-approved	\$2,600	MHT
Pre-approved	\$1,200	MHT
Pre-approved	\$1,200	MHT

#33559/620/621 The claimant, a female, was a victim of an assault and the Board previously awarded an emergency award in the amount of \$1,285 for relocation expenses. The Board determined the claimant to be an innocent victim of a violent crime under AS 18.67, and awarded relocation expenses. It was the decision of the Board to award the requested compensation under AS 18.67.110(a)(1). All Board members concurred with the decision.

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

#33563 The claimant, a female, was a victim of a assault and the Board previously awarded an emergency award in the amount of \$579.03 for relocation expenses. The Board determined the claimant to be an innocent victim of a violent crime under AS 18.67, and awarded relocation expenses. It was the decision of the Board to award the requested compensation under AS 18.67.110(a)(1). All Board members concurred with the decision.

AWARDED	\$0	
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#33564 The claimant, a male, filed as a 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 and lost wages under AS 18.67.110.(a)(1) and (a)(2). All Board members concurred with the decision.

AWARDED	\$4,598.66	Medical
	\$586.96	Lost wages
Pre-approved	\$11,395.46	Medical

#33566/619 The claimant, a female, filed on her own behalf and on behalf of her minor child was a victim of an assault and the Board previously awarded an emergency award in the amount of \$1,500 for relocation expenses. The Board determined the claimant to be an innocent victim of a violent crime under AS 18.67, and awarded relocation expenses. It was the decision of the Board to award the requested compensation under AS 18.67.110(a)(1). All Board members concurred with the decision.

AWARDED	\$350.35	Medical
	\$3,500	Relocation
	\$905.20	Re-establishment
	\$430.41	Other
Pre-approved	\$2,600	MHT
Pre-approved	\$1,200	MHT
Pre-approved	\$1,594.80	Relocation

#33567/68 The claimant, a female, filed on her own behalf and on behalf of her minor child as a victim of sexual assault of a minor. 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 lost wages and transportation under AS 18.67.110(a)(1) and (a)(2). All Board members concurred with the decision.

AWARDED	\$695.15	Lost wages
	\$1,672	Transportation

#33569 The claimant, a female, filed 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 lost wages under AS 18.67.(a)(2). All Board members concurred with the decision.

AWARDED	\$1,707.69	Lost wages
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#33670 The claimant, a male, filed as the relative of a victim of homicide. 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 lost wages and funeral costs under AS 18.67.(a)(2) and (a)(4). All Board members concurred with the decision.

AWARDED	\$747.04	Lost wages
	\$1,795	Funeral

#33585 The claimant, a male, filed 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 medical and lost wages under AS 18.67.(a)(1) and (a)(2). All Board members concurred with the decision.

AWARDED	\$676.05	Medical
	\$935.58	Lost wages

#33589 The claimant, a female, filed as the relative of a victim of sexual abuse of a minor. 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 mental health under AS 18.67.(a)(1). All Board members concurred with the decision.

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

#33605 The claimant, a female, filed on behalf of her minor child as 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 mental health under AS 18.67.(a)(1). All Board members concurred with the decision.

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

#33608/616 The claimant, a female, filed on her own behalf and on behalf of her daughter who was a victim of a kidnapping and sexual assault and the Board previously awarded an emergency award in the amount of \$493 for relocation expenses. The Board determined the claimant to be an innocent victim of a violent crime under AS 18.67, and awarded relocation expenses. It was the decision of the Board to award the requested compensation under AS 18.67.110(a)(1)(2). All Board members concurred with the decision.

AWARDED	\$122.73	Lost wages
	\$986	Transportation
Pre-approved	\$2,600	MHT
Pre-approved	\$600	MHT
Pre-approved	\$3,680	Relocation

#33612/657 The claimant, a female, was a victim of a kidnapping and sexual abuse and the Board previously awarded an emergency award in the amount of \$1,500 for relocation expenses. The Board determined the claimant to be an innocent victim of a violent crime under AS 18.67, and awarded relocation expenses. It was the decision of the Board to award the requested compensation under AS 18.67.110(a)(1). All Board members concurred with the decision.

AWARDED	\$2,088.90	Medical
	\$72.03	Transportation
Pre-approved	\$3,427.97	Relocation

#33613 The claimant, a female, filed as a 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 relocation under AS 18.67.(a)(1). All Board members concurred with the decision.

AWARDED	\$100	MHT
	\$1,200	Relocation
Pre-approved	\$4,369.22	Medical
Pre-approved	\$2,500	MHT
Pre-approved	\$3,800	Relocation
Pre-approved	\$2,500	Security

#33615/611 The claimant, a male, filed on behalf of his minor 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 mental health under AS 18.67.(a)(1). All Board members concurred with the decision.

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

#33626 The claimant, a female, filed 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 mental health under AS 18.67.(a)(1). All Board members concurred with the decision.

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

#33650/351 The claimant, a female, filed on her own behalf and on behalf of her minor child as the relatives of a victim of homicide. 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 mental health and funeral costs under AS 18.67.(a)(1) and (a)(4). All Board members concurred with the decision.

AWARDED	\$370.78	MHT
	\$2,676.54	Funeral
Pre-approved	\$229.92	MHT
Pre-approved	\$600	MHT

#33173/174 The claimant, a female, filed for minor child who was an apparent sexual assault of a minor victim. The claimant sought compensation of losses. It was the decision of the Board to refer to an investigator. All Board members concurred with the decision.

REFERRED

#33296 The claimant, a female, filed as a victim of assault. The Board determined the claimant to be an innocent victim of a violent crime under AS 18.67. The claimant requested the Board consider awarding additional medical not previously considered. 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	\$2,569.51	Medical
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HOUSE COMMITTEE REPORT

(7)

Date Referred to Committee: February 25, 2008

FURTHER REFERRALS: Finance

Date of Committee Action: 3/3/08

The JUDICIARY Committee considered:

HB 414

HOUSE BILL NO. 414

CRIME VICTIM COMPENSATION FUND

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

Recommends it be replaced with HCS or CS for _____ (_____)
 For Senate Bills with new title: Technical Title New Title: HCR _____ Same Title New Title

- attach amendments
- add new referral to _____ Committee
- Letter of Intent _____ Committee

List of
 all rev
 Depts:
 ADM
 CED
 COR
 CRT
 EED
 DEC
 DFG
 GOV
 HSS
 LWF
 LAW
 LEG
 MVA
 DNR
 DPS
 REV
 DOT
 LA

<u>NEW FISCAL NOTES</u>				
*Assigned by Chief Clerk's Office				
List by Dept(s):	*FN#	Fiscal	Indet.	Zero
ADM				✓

<u>PREVIOUS FISCAL NOTES</u>				
List by Dept(s):	FN#	Fiscal	Indet.	Zero

<u>Signing with recommendations</u>	Printed Last Name	DP	DNP	NR	AM
<i>Mary Dalko</i>	Greenberg	✓			
<i>John Kubicki</i>	Cochill			✓	
<i>Mary Dalko</i>	Dalko	X			
<i>[Signature]</i>	SAMUELS	X			
<i>[Signature]</i>	Helmus	X			
Chair: <i>[Signature]</i>	RAWKAS	X			
Chair: <i>[Signature]</i>					

HB

420



Health, Education, and Social Services Committee
Alaska State Legislature
House of Representatives
Representative Peggy Wilson - Chair

SPONSOR STATEMENT

House Bill 420

"An Act relating to the Uniform Anatomical Gift Act, to anatomical gifts, to donations to the anatomical gift awareness fund, to a registry of anatomical gifts, and to organizations that handle the procurement, distribution, or storage of all or a part of an individual's body."

For nearly forty years, the Uniform Anatomical Gift Act (UAGA) has served as a template for harmonizing anatomical gift laws in all 50 states. This important piece of federal legislation aims to facilitate organ and tissue donation and transplantation, remove obstacles in the donation process, and increase participation in organ donor programs.

Using the 2008 Revised UAGA as a template, HB 420 clarifies Alaska statutes governing anatomical gifts and brings them in sync with technological and methodological changes in the donation and transplantation field over the years.

Alaskans have shown their deep commitment to the community by joining the Alaska Donor Registry (ADR) in record numbers since its inception in 2004. Over 330,000 Alaskans have joined the ADR, representing more than 68% of licensed drivers and close to 50% of the state's population. 800-1,000 new registrations are added each week. These impressive numbers certainly underscore Alaskans' support for organ and tissue donation and their willingness to participate in these much needed programs, but more can be done.

At last count, the organ transplant waiting list in the U.S. had grown to nearly 100,000 patients in length, eighteen of which die each day while waiting for a transplant. Right now in Alaska 180 patients in need of a life-saving transplant are waiting for a donated organ to become available and hundreds more are waiting for tissue transplants.

By mirroring language in the 2008 revision of the UAGA, HB 420 improves anatomical gift law in Alaska and, in doing so, encourages and facilitates badly needed organ donations that save and improve lives all over the state and throughout the country.

LEGAL SERVICES

DIVISION OF LEGAL AND RESEARCH SERVICES
LEGISLATIVE AFFAIRS AGENCY
STATE OF ALASKA

(907) 465-3867 or 465-2450
FAX (907) 465-2029
Mail Stop 3101


State Capitol
Juneau, Alaska 99801-1182
Deliveries to: 129 6th St., Rm. 329

MEMORANDUM

March 17, 2008

SUBJECT: Sectional summary of HB 420 relating to the Uniform Anatomical Gift Act (Work Order No. 25-LS1568\A)

TO: Representative Peggy Wilson
Attn: Becky Rooney

FROM:  Theresa Bannister
Legislative Counsel

You have requested a sectional summary of the above-described bill. As a preliminary matter, note that a sectional summary of a bill should not be considered an authoritative interpretation of the bill and the bill itself is the best statement of its contents.

Section 1. Makes a conforming amendment to a section dealing with the donor registry program.

Section 2. Limits the purpose of donations to in-state promotions of anatomical donations.

Section 3. Limits the anatomical gift purpose of the fund to in-state promotions.

Section 4. Makes a conforming amendment to a definition for the donor registry program.

Section 5. Makes a conforming amendment to a definition for the donor registry program.

Section 6. Makes a conforming amendment to certain requirements for individual instructions.

Section 7. Makes an exception, based on a new anatomical gift section, to the language addressing when advance health care directives from other states are valid.

Section 8. Makes a conforming amendment to the section addressing the revocation of an advance health care directive.

Section 9. Makes a conforming amendment.

Section 10. Makes a conforming amendment.

Section 11. Makes a conforming amendment.

Section 12. Makes a conforming amendment to the provision addressing guardian compliance with individual instruction and revocation of health care directives.

Section 13. Makes a conforming amendment to the provision addressing the compliance of health care providers, health care institutions, and health care facilities with individual instructions and certain health care decisions.

Section 14.

Sec. 13.52.173 allows for the making of an anatomical gift of a donor's body or part before the donor's death. Permitted purposes are transplantation, therapy, research, and education. Describes who can make the gift.

Sec. 13.52.177 describes how and when a donor may make an anatomical gift before the donor's death. Includes by will, by indication on a driver's license or identification card, during a terminal illness, or by a donor card or another record. States that revocation, suspension, expiration, or cancellation of a driver's license or an identification card doesn't invalidate the gift on the license or card. States that invalidation of a will after the donor's death doesn't invalidate the gift.

Section 15.

Sec. 13.52.183 explains how certain anatomical gifts may be amended or revoked. Includes signing a record and executing a document of gift. Specifies certain witnessing requirements. Includes destruction and cancellation of the document of gift and communication in any form during a terminal condition to at least two adults.

Sec. 13.52.187 states that a person may refuse to make an anatomical gift. Indicates how this may be done. Allows a person who has made a refusal to amend or revoke the refusal and indicates how. States generally that a person's refusal to make a gift of the person's body or part bars other persons from making the gifts.

Section 16.

Sec. 13.52.193 generally bars other persons from making, amending, or revoking a gift of a donor's body or part if the donor made the gift or amended the donor's gift. States that a donor's revocation of a gift is not considered a refusal to make a gift and doesn't bar certain other persons from making the gift. Bars certain persons from making, amending, or revoking a gift if a person other than the donor has made or amended the gift. States that revocation of a gift by a person who is not the donor does not bar another person from making the gift. States generally that a gift of one part is not a refusal to give or a

future limitation on the giving of another part. States generally that making a gift for one purpose does not prevent the making of a gift for another purpose. Allows the parent of a deceased unemancipated minor to revoke or amend a gift or to revoke a refusal.

Sec. 13.52.197 allows for the making of a gift of a decedent's body or part. Permitted purposes are transplantation, therapy, research, and education. Provides a prioritized list of the classes of persons who may make the gift. Addresses some problems of dealing with the classes.

Section 17.

Sec. 13.52.203 describes how a person may make an anatomical gift after another person dies. Includes a document of gift and oral communication. States that a gift may be amended or revoked by one or more members of a prior class (as listed under AS 13.52.197). Indicates by what stage in the removal of a part the revocation must be made.

Sec. 13.52.207 states to whom a gift may be made. Indicates to whom the part passes if the gift can't be transplanted into the named recipient. Provides guidance on the situation where the purpose of the gift is stated but the recipient is not. Establishes some priorities where there is more than one purpose stated for the gift and they are not prioritized. Indicates the use of a gift where the gift does not name an allowed recipient or a purpose. Indicates to whom a gift passes when a gift cannot be transplanted, when there is no recipient or purpose named, or when other conditions are met. Prohibits a person from accepting a gift knowing the gift was not effectively made or the decedent made an unrevoked refusal.

Section 18.

Sec. 13.52.213 requires the listed persons to search a deceased individual or an individual near death for a document of gift or other information indicating a gift or a refusal to make a gift. Requires the person finding a document of gift or a refusal to send it to the hospital, if any, to which the deceased or dying person is taken. Except as provided by two other sections, removes criminal and civil liability for failing to comply with this section. But does allow administrative sanctions.

Sec. 13.52.217 states that a document of gift does not have to be delivered during the donor's lifetime to be effective. After death, requires a person holding a document of gift or refusal to allow the document to be examined and copied by certain persons, including a person to whom the gift could pass.

Section 19.

Sec. 13.52.223 requires a procurement organization to make a reasonable search of department records and a donor registry for an individual whom a hospital refers to the

organization as being at or near death. Requires the department to allow a procurement organization reasonable access to the department's records to determine if a person at or near death is a donor. Allows the organization to conduct a reasonable examination to determine medical suitability of a part. Generally allows a prospective gift recipient to conduct a reasonable examination to ensure medical suitability of the part. Generally allows for examination of all the donor's medical and dental records.

Requires at an unemancipated minor's death, if the minor was a donor or had signed a refusal, an organization to search for the parents and provide them with the opportunity to revoke or amend the gift or revoke the refusal. Directs an organization to search for certain persons having priority to make donations for a prospective donor. Gives a recipient superior rights regarding the part. Allows the person to accept or reject the gift in whole or in part. Generally allows the person to allow embalming, burial, or cremation but prohibits unnecessary mutilation when removing a part. Prohibits the physician attending at death and determining the time of death from participating in the removal or transplant of a part.

Sec. 13.52.227 requires a hospital to enter into agreements with procurement organizations to coordinate the procurement and use of anatomical gifts.

Section 20.

Sec. 13.52.233 establishes a criminal penalty for knowingly selling or purchasing an anatomical part to be removed after death. Allows a person to charge a reasonable amount for services related to the handling of anatomical parts.

Section 21.

Sec. 13.52.243 removes, with exceptions, civil, criminal, and administrative liability for a person who complies, or attempts in good faith to act, under these gift provisions (or those of another state). Subject to two other statutes, precludes a person making a gift and the donor's estate from being liable for making or using a gift. Allows persons to rely on representations made by certain other persons unless known to be false.

Sec. 13.52.247 states which state's laws a document of gift may be executed under in order to be valid. Applies the law of this state to the interpretation of gift documents determined to be valid. Allows a person to presume that a document of gift is valid unless known to be invalidly executed or to be revoked.

Section 22.

Sec. 13.52.253 describes how to resolve a conflict between an anatomical gift and an advance health care directive with regard to the administration of measures necessary to ensure medical suitability of a part.

Representative Peggy Wilson

March 17, 2008

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Sec. 13.52.255 requires a coroner and a state medical examiner to cooperate with procurement organizations to maximize the recovery of anatomical gifts. Requires postmortem examinations to be done in a manner and time to preserve gifts. Aside from the medicolegal investigation, prohibits the removal of a part, or delivery of the body to another person, if the body is under the jurisdiction of a coroner or state medical examiner, unless the part or body is the subject of an anatomical gift.

Sec. 13.52.257 allows a coroner or the state medical examiner to release information to a procurement organization. Limits a procurement organization's subsequent disclosures of information. Allows the coroner or state medical examiner to review all relevant records held by any person. Requires a person with relevant information to provide the information to the coroner or state medical examiner on request and as expeditiously as possible.

If, for a body under the jurisdiction of the coroner or state medical examiner, a postmortem examination is not required, or if the examination is required but the part recovery won't interfere with an investigation, requires the coroner or state medical examiner and the procurement organization to cooperate in the timely removal of the part. If the part recovery may interfere with a postmortem investigation, allows the coroner or state medical examiner to consult with the procurement organization or its physician or technician and then to allow recovery.

If recovery is denied, requires a record explaining the reasons. If recovery is allowed, requires the procurement organization to provide, on request, information on the part to the coroner or state medical examiner. Requires a procurement organization to pay the extra costs of complying with this section if a coroner or state medical examiner elects to be present at a removal procedure.

Section 23. States how these gift sections relate to the federal Electronic Signatures in Global and National Commerce Act.

Section 24.

Sec. 13.52.267 requires that interstate uniformity be considered when construing the gift sections.

Sec. 13.52.268 defines terms for the anatomical gift sections.

Section 25. Amends the definition of "anatomical gift" for general application in AS 13.52.

Section 26. Amends the definition of "part" for general application in AS 13.52.

Section 27. Makes a conforming amendment in a section related to the state identification card section.

Representative Peggy Wilson

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Section 28. Makes a conforming amendment in a section related to vehicle registration.

Section 29. Makes a conforming amendment in a section relating to driver's license applications.

Section 30. Makes a conforming amendment in a section relating to the issuance of drivers' licenses.

Section 31. Adds donations (to the anatomical gift awareness fund) to a list of program receipts that are accounted for separately.

Section 32. Repeals the current sections and definitions in AS 13.52 that relate to anatomical gifts.

Section 33. Provides that anatomical gifts made under repealed sections continue to be effective until the anatomical gifts are revoked.

If I may be of further assistance, please advise.

TLB:med

08-193.med

FISCAL NOTE

**STATE OF ALASKA
2008 LEGISLATIVE SESSION**

Fiscal Note Number: 1
 Bill Version: CSSB 181(HES)
 (S) Publish Date: 2/15/08
 Dept. Affected: Health & Social Services
 RDU Public Health
 Component State Medical Examiner

ID(File name) SB181CS(HES)-DHSS-SME-02-11-08
 Title ANATOMICAL GIFTS

Sponsor MCGUIRE
 Requester SENATE HES

Component No. 293

Expenditures/Revenues (Thousands of Dollars)

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

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

...PITAL EXPENDITURES									
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CHANGE IN REVENUES (0)									
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FUND SOURCE		(Thousands of Dollars)						
1002 Federal Receipts								
1003 GF Match								
1004 GF								
1037 GF/Mental Health								
Other(Specify Type-do not abbreviate)								
Other(Specify Type-do not abbreviate)								
TOTAL			0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY2008) cost: _____

POSITIONS

Full-time								
Part-time								
Temporary								

ANALYSIS: (Attach a separate page if necessary)

The purpose of CSSB181 (HES) is to increase organ donations by re-defining the authority and roles of the State Medical Examiner (SME), organ procurement organizations, hospitals, EMS responders and others involved in organ donations. It stems from a recent national rewrite of the Uniform Anatomical Gift Act. The bill also affects end-of-life decisions, generally in favor of organ donation. The bill also broadens the pool of organ donors by lowering the age of decision from 18 to 16 and expanding the list of people authorized to make an anatomical gift.

The sections of CSSB181 (HES) that most directly impact DHSS involve the role of the SME in working with organ procurement organizations. Pages 16-18 of the bill clarify those roles. There is no fiscal impact to the SME Office.

Prepared by: Beverly K. Wooley
 Division Director of Public Health
 Approved by: Karleen Jackson, Commissioner
 Agency Department of Health and Social Services

Phone 465-3090
 Date/Time 02/11/2008
 Date 02/11/2008

LEGAL SERVICES

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MEMORANDUM

March 6, 2008

SUBJECT: Bill relating to anatomical gifts (Work Order No. 25-LS1568\A)

TO: Representative Peggy Wilson
Chair of the House Health, Education & Social Services Committee
Attn: Becky Rooney

FROM: Theresa Bannister
Legislative Counsel

This memo accompanies the bill described above.

Privacy and liberty issues. Please be aware that new sec. 13.52.253 is subject to the current AS 13.52.055. Because of this, sec. 13.52.253 pulls in and raises the constitutional issues inherent in AS 13.52.055. In particular, AS 13.52.045(b) prohibits implementing advance health care directives in certain cases of pregnancy, which may result in not giving effect to the advance health care directive that is the subject of the conflict under sec. 13.52.253. This, in turn, to the extent that the provision applies to a woman in her first trimester of pregnancy and, possibly, in her second trimester, may violate a woman's liberty interest, under the 14th amendment to the U.S. Constitution, to refuse medical treatment, and a woman's right to privacy based on her fundamental right to make decisions about her body and reproduction under Alaska law.

If I may be of further assistance, please advise.

TLB:ljw
08-140.ljw

Enclosure

Trevor Fulton

From: Bruce Zalneraitis [BruceZ@lifealaska.org]
Sent: Monday, March 10, 2008 11:15 AM
To: Trevor Fulton
Subject: Terry Bannister comment

I received a note back from Deb Behr that Terry's comment relates to the existing statute and not SB181 and recommended not making any changes to current version of the bill. When you get a House version of the bill could you please send me a copy. Thanks.

BZ

Bruce Zalneraitis
CEO
Life Alaska Donor Services
235 East 8th Avenue, Suite 100
Anchorage, AK 99501
(O)907-562-5433
(F) 907-562-5333
www.lifealaska.org

Confidentiality Notice: This message is intended for the sole use of the individual to whom it is addressed, and may contain information that is privileged, confidential and exempt from disclosure under applicable law. If you are not the addressee you are hereby notified that you may not use, copy, disclose, or distribute to anyone the message or any information contained in the message. If you have received this message in error, please immediately advise the sender by reply email and delete this message.

--Life Alaska Donor Services, Inc. - www.lifealaska.org
Celebrating 16 years of service to Alaskans (1992 - 2008)

--Administrators of the Alaska Donor Registry - www.alaskadonorregistry.org
There are now over 329,000 Donors registered and counting!



Donate Life Northwest

LifeCenter Northwest
Living Legacy Foundation
SightLife
Northwest Lions Foundation for Sight & Hearing
Northwest Tissue Center

ENDORSEMENTS

"I hope the UAGA will pass in Washington, giving all of us—donor families, waiting list candidates, recipients, and most of all, donors—assurance that our end of life decisions are honored." -- Elaine Morse, widow of donor, Bellevue, WA

National Medical and Health Care Organizations

American Academy of Ophthalmology
American Association of Tissue Banks
American Medical Association
American Society of Cataract & Refractive Surgery
Association of Organ Procurement Organizations
The Cornea Society
Eye Bank Association of America
National Kidney Foundation
United Network for Organ Sharing

Regional Medical and Health Care Organizations

Children's Hospital and Regional Medical Center
Community Tissue Services
LifeCenter Northwest
Living Legacy Foundation
Northwest Lions Foundation for Sight & Hearing
Northwest Tissue Center
Oregon Health & Science University
Pacific Northwest Transplant Bank
Providence Health and Services Washington Region
Sacred Heart Medical Center
SightLife
Swedish Medical Center
University of Washington Medical Center
Virginia Mason Medical Center

Organized Labor

International Association of Machinists and Aerospace Workers, District Lodge 751
Washington State Council of County and City Employees

Groups and Individuals

Korean Women's Association
Ron Chow, Governor's Commission on Asian Pacific American Affairs Commissioner

"When it comes to the UAGA, the goal is to follow the wishes of the patient in a timely and uniform manner. It does not hinder anyone's end of life decision - in fact, the aim is to ensure end of life decisions ARE honored by preventing family members from overriding a deceased person's wish to donate." -- Randy Small, heart transplant recipient, Bothell, WA



UAGA Backgrounder

Original UAGA

- The Uniform Anatomical Gift Act was enacted in August of 1968, in order to establish comprehensive and uniform laws regarding organ and tissue donation, and to ensure compliance with the donor's wishes.
- All 50 states and the District of Columbia adopted this act, some in slightly modified form.
- A subsequent revision was recommended and enacted in 1987 by many states, strengthening the ability of each individual to make their own decision about donation.
- Key Provisions:
 - Any individual of sound mind over the age of 18 may make an anatomical gift.
 - Neither age nor medical history should discourage a person's decision to donate.
 - If a person has not made their own donation decision, that responsibility will fall to their next of kin. Consent for the gift will be sought from the following people, in this order: spouse, adult child, parent, adult sibling, legal guardian. If any listed individual refuses consent, no further requests will be made and donation will not occur.
 - The individual may choose to make limitations on anatomical gifts, including which organs and tissues may be donated.

Revised UAGA 2008 (HB1637 - SB 5657)

- The act was written by the National Conference of Commissioners on Uniform State Laws (NCCUSL), which develops and drafts acts on all subjects for State Legislatures to consider. The types of model statutes created are those where consistency across state lines is desirable.
- **The intent of the 2008 revision is to update and modernize the UAGA in every state, to ensure consistency in policy and practice across the nation.** Uniformity is vital because life-saving transplants can cross state borders. We must ensure people across the US receive the same high level of service, benefit from the same resources, and are protected by the same laws.
- Washington's UAGA will be updated in a number of vital ways:
 - It harmonizes Washington's UAGA with federal law, current technology and Advance Medical Directives.
 - It clarifies the rules for donation decision-making when a registry record is not in place, further defining who can make or refuse a gift on the behalf of the potential donor.
 - It strengthens an adult's right to refuse a gift if they so desire, as well as the right of a parent or guardian to refuse a gift on behalf of a minor.
 - It clarifies the roles and responsibilities of donation agencies, indicating who is responsible for tracking and managing potential donors and who can receive and process an anatomical gift.
 - It provides new guidelines for cooperation and coordination between organ donation agencies and medical examiners and coroners, particularly in cases where a potential donor's death circumstances placed them under the jurisdiction of the Medical Examiner or coroner.
 - It more clearly prioritizes donation for transplantation over donation for research.
 - Though some states will enact registry provisions, in order to collect a database of donation decisions. Washington already has a registry in place that meets or exceeds all standards being requested. The Living Legacy Registry will remain unchanged.
 - This revision of the UAGA is strongly supported by local and national organ and tissue donation agencies and governing bodies as well as multiple medical associations, societies, and foundations.



LIFECENTER
NORTHWEST

Saving Lives through Organ Donation



LIVING
LEGACY
FOUNDATION

Saving Lives through Organ & Tissue Donation

**Revised Uniform Anatomical Gift Act (UAGA) 2008
House Bill 1637 - Senate Bill 5657
Information Sheet**

Each day, 18 people in the U.S. die waiting for a life-saving organ transplant.

Nearly 100,000 people are currently on the national organ transplant waiting list.

Updating the laws that govern anatomical gifts is imperative in order to serve the **1,500+ patients currently waiting for an organ transplant in this state**. Last year, **about 100 of those people died** while waiting for a life-saving transplant that never came.

This act was written by the National Conference of Commissioners on Uniform State Laws (NCCUSL), which develops and drafts acts for State Legislatures to consider when nationwide consistency is desirable.

The intent of the 2008 revision is to update and modernize the UAGA in every state, and to ensure consistency in policy and practice across the nation. Uniformity is important because we must ensure people across the US receive the same high level of service, benefit from the same resources, and are protected by the same laws.

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- It more clearly prioritizes donation for transplantation over donation for research.
- This revision of the UAGA is strongly supported by local and national organ and tissue donation agencies and governing bodies as well as multiple medical associations, societies, and foundations.

Please support this important legislation...lives depend on it.

The 2006 Revised Uniform Anatomical Gift Act—A Law to Save Lives

*Sheldon E. Kurtz, JD, University of Iowa College of Law and
Christina Woodward Strong, JD, Law Offices of Christina Strong, Belle Mead, NJ
David Gerasimow, Student Research Assistant*

At its July 2006 Annual Meeting, the National Conference of Commissioners on Uniform State Laws (NCCUSL) approved a Revised Uniform Anatomical Gift Act, a revision that was three years in the making, and involved the active participation of numerous stakeholders, lawyers, judges, physicians, and others. Given the life-saving goals of this effort, NCCUSL hopes to see this act adopted by all state legislatures within the next two years. As Howard J. Swibel, President of NCCUSL, stated: "Rarely do we as virtual legislators have the opportunity to literally save people's lives. This is such an opportunity, and we must seize it in earnest, since thousands are waiting for life-saving organ transplants."

THE ORGAN DONATION CRISIS

As of November 2006, over 94,000 Americans were awaiting life-saving organ transplants.¹ Approximately nineteen of these patients die every day while still waiting.² No longer merely a tragedy, the growing divide between the number of people awaiting transplants and the number of available organs has become a national health crisis.³

The vast majority of organs available for transplant in the United States come from deceased donors ("anatomical donors" or "UAGA donors").⁴ Each deceased donor may

give as many as seven solid organs for transplantation,⁵ in addition to eyes and numerous tissues (including bone) for treatment of burns, cancers, blindness, spinal injuries, among many other conditions. There is, for each potential donor lost—whether due to legal ambiguity, system error, inefficiency, family dynamics, or simple delay—it is highly likely that a number of lives will be lost and that at least fifty people will lose the opportunity to benefit from tissue and eye donation. Research indicates that nearly nine in ten Americans support organ donation generally,⁶ yet more than 40% of potentially transplantable organs are buried or cremated,⁷ by conservative estimates.⁸ It is apparent that much of the failure to save lives on this transplant list can be attributed to factors other than the generosity of the American people, which appears to be going strong.⁹

THE SHORTCOMINGS OF THE UNIFORM ANATOMICAL GIFT ACTS OF 1968 AND 1987

It was against this bleak backdrop that the Association of Organ Procurement Organizations (AOPO) reviewed the anatomical gift laws of fifty-four different jurisdictions,¹⁰ all of which have in place either the original 1968 UAGA or its 1987 revision, often with additional jurisdic-

tion-specific modifications. AOPO is a nonprofit organization that represents all federally designated organ procurement organizations (OPOs).¹¹ After it had identified numerous problems, discussed below, AOPO approached NCCUSL, the group that had promulgated both versions of the UAGA, to see if it would be willing to work on yet another revision.¹²

NCCUSL has worked for the uniformity of state laws since 1892.¹³ It is a nonprofit, unincorporated association comprised of commissions, one from each of the fifty states and also from the District of Columbia, the Commonwealth of Puerto Rico, and the U.S. Virgin Islands. Each jurisdiction determines the method of appointment for its commission, as well as the number of individuals appointed. These individuals, called commissioners, come together as the National Conference to study and review the law of the states and to determine those areas that should be uniform. After identifying such areas, the commissioners propose and draft statutes specifically addressing them.

AOPO found the following problems among the current anatomical gift laws

- The anatomical gift laws are hardly uniform, even though every jurisdiction had adopted the original

UAGA within two years of its 1968 promulgation by NCCUSL. The 1987 revision was adopted only sporadically, and often only in part.¹¹ Moreover, many states, such as Texas, New Jersey, California, Iowa, Wisconsin, Michigan, and New York, enacted unique versions, touching upon such diverse issues as donor-card signatures, death-record reviews, medical-examiner cooperation, tax incentives, and drivers' license donor registries. Non-uniformity is exacerbated by the fact that many states' anatomical gift acts fail to resolve choice-of-law and conflicts issues, such as how to deal with a document of gift drafted in a state other than the one in which the donor dies.

- Since the late 1980s, federally designated OPOs have administered the process of assessing and obtaining authorization for anatomical gifts.¹² Under federal law, OPOs also are responsible for assuring that anatomical gifts are properly managed, recovered, and allocated according to the national waiting list maintained by the federally-mandated Organ Procurement and Transplantation Network (OPTN). The nonprofit United Network for Organ Sharing (UNOS) currently runs the OPTN under contract with the federal government. The 1968 and 1987 versions of the UAGA fail to address the roles of these entities. In fact, some provisions of existing anatomical gift acts flatly contradict federal law, regulation, or policy. For example, since 1998, the Medicare Conditions of Participation (COPs)¹³ have required Medicare participating hospitals to maintain affiliation agreements with OPOs. Furthermore, the COPs permit only specially trained personnel to approach families with requests for donation. Yet the anatomical gift acts in many states imply that hospitals bear the sole responsibility for interacting with donor families, and many still require hospitals to seek organ donation preferences upon

admission. Some states ameliorated conflicts such as these by drafting amendments reflecting the federal regulatory scheme, either to their anatomical gift act or to their hospital-licensing regulations. In more than a few cases, such amendments were "tacked on" to existing acts, creating internal statutory conflict.¹⁷

- Increasingly, motor-vehicle licenses and Internet-based donor registries are being used as means to permanently and accessibly record documents of gift. Yet there is no standard definition of a donor registry, and no core requirements for their establishment or function.
- Healthcare agents or proxy holders under a durable healthcare power of attorney are not entitled to authorize post-mortem organ donation under the 1968 and 1987 UAGAs. Multiple decision makers therefore are potentially involved in end-of-life decisions about treatment, ventilation withdrawal, and post-mortem donation. Moreover, individuals who want a partner or other individual to make post-mortem donation decisions on their behalf cannot effectuate this wish under prior UAGAs.
- The 1987 UAGA explicitly provides that no other person may revoke a document of gift and that the assent of no other person is required for a gift to be valid.¹⁸ This arguably had been the implicit intent of the 1968 UAGA. Yet some OPOs and hospitals fail to follow the existing law, causing AOPOs and others to seek stronger and clearer language to further reinforce the legal finality of a document of gift.
- Most importantly, AOPOs sought changes to provisions that frequently and unfairly thwart a family's wish to donate. Specifically, under both the 1968 and 1987 UAGAs, a single member of a class may veto an anatomical gift, irrespective of the number of other members in the same class that favor the making of

a gift.¹⁹ Thus, if a decedent has no surviving spouse but has ten children, the "No" vote of one child trumps the "Yes" votes of the remaining nine. The prior UAGAs sanction a failure of majority rule that likely contravenes the decedent's wishes and that, more striking, also leads almost invariably to waiting-list deaths. This imbalance serves neither autonomy, nor altruism, nor the public good.

In light of these problems, NCCUSL decided to go forward with another revision that builds upon the concepts found in earlier versions, but that also includes a number of significant changes addressing the problems noted above. In addition to other improvements, the 2006 Revised Uniform Anatomical Gift Act warrants the careful and serious consideration of every jurisdiction for complete and uniform enactment.

THE 2006 REVISED UNIFORM ANATOMICAL GIFT ACT

The Revised Uniform Anatomical Gift Act of 2006 (2006 UAGA) relates only to the recovery of parts (organs, eyes, and tissues) from deceased donors, although anatomical gifts from living donors are becoming increasingly common.²⁰ Furthermore, the 2006 UAGA continues to adhere to the so-called "opt-in" system under which no individual is a donor absent an affirmative gift of his or her parts.

Like prior versions, the centerpiece of the 2006 UAGA is the concept of "first-person" consent, under which no other person can alter the individual's decision to donate his or her parts after death. The 1987 UAGA purported to adopt that concept through language making an individual's gift "irrevocable," but, in practice, some procurement organizations reportedly ignored the wishes of a donor if surviving family members objected. While the 2006 UAGA does not use the language of irrevocability, it nonetheless accomplishes that goal

by its strengthened language expressly barring a person from "making, amending, or revoking" an anatomical gift of the donor's parts if the donor made a gift of them.²¹ It would be unlawful for a procurement organization to act upon an attempted revocation by surviving family members.

The 2006 UAGA facilitates donation by expanding the list of individuals who may make an anatomical gift on a donor's behalf both during the donor's life and thereafter. For example, it explicitly authorizes a parent of a minor, a guardian of an individual, and, most importantly, an agent acting under a healthcare power of attorney to make an anatomical gift during the life of the child, ward, or principal.²² Such a gift then bars others from revoking the gift after the child, ward, or principal dies.²³ The 2006 UAGA also authorizes a minor who is eligible to obtain a driver's license or permit to make a gift without parental consent,²⁴ although a parent of the minor can revoke the gift if the minor dies under the age of 18.²⁵ The minor can make that gift on any type of document of gift, not only on a driver's license or permit.²⁶

The 2006 UAGA also expressly provides for the making of an anatomical gift on a donor registry, in addition to donor cards and driver's licenses.²⁷ In time, donor registries may become the primary device used to make anatomical gifts. The 2006 UAGA allows the appropriate state agency to establish, or contract for the establishment of, a donor registry.²⁸ It also sets forth three criteria for a well-designed donor registry: (1) that it allow a donor or other authorized persons to make a gift on the registry by way of statement or symbol, (2) that it be accessible to all procurement organizations to determine whether an individual at or near death has made, amended, or revoked an anatomical gift, and (3)

that it be accessible to donors, authorized persons acting on their behalf, and procurement organizations on a 24/7 basis.²⁹ Private organizations may create donor registries without a contract from the state, but they must still satisfy the same three criteria.³⁰

If a decedent dies without having made an anatomical gift during life, the 2006 UAGA provides that a gift can be made on the decedent's behalf by his or her spouse, adult children, parents, adult siblings, and grandparents.³¹ The previous versions of the UAGA also empowered these classes,³² but the 2006 UAGA expands upon the list by adding the decedent's adult grandchildren,³³ as well as any adult who exhibited special care and concern for the decedent.³⁴ It also adds the individual who had been acting as the decedent's agent under a healthcare power of attorney at the time of the decedent's death.³⁵ The 2006 UAGA accords first priority to such an agent.³⁶ If none of these persons is reasonably available to make an anatomical gift, the gift can be made by the person having the authority to dispose of the decedent's body.³⁷ This individual could be a coroner or medical examiner, hospital administrator, or government official.

The 2006 UAGA also changes prior law regarding anatomical gifts from classes consisting of multiple members, such as children. Under the 2006 UAGA, any member of a class may make a gift if he or she is unaware of any objections by other members of the class.³⁸ If an objection is known, then the gift can only be made by a majority of the class members who are reasonably available.³⁹ If, for example, a decedent has three children, any one of them can make a gift on the decedent's behalf, unless that child knows that one of his or her siblings objects. If such an objection is known, then the

gift can be made only by the majority of those children who are reasonably available. Thus, if all three children are reasonably available and an objection is known, two of them must agree to donate before a gift is made. If only two of them are reasonably available and an objection is known, they must agree, and the gift is made despite the objections of the third child, who is not reasonably available. Class members who are not reasonably available do not get to participate in the decision whether to make an anatomical gift.⁴⁰ This was a purposeful choice because a known objection by a person who is not reasonably available may be based upon faulty information about the effects of a gift or other concerns that could have been anchored had that person been reasonably available to discuss the matter with the relevant procurement organization.

Anatomical gifts can be made for the purposes of transplantation, therapy, research, or education. Prior law, unlike the 2006 UAGA, made no attempt to prioritize these purposes, either when the donor authorized all four, when the donor authorized some, or when the donor failed to specify any. Also, under the prior UAGAs, it was unclear which purposes a donor intended when he or she manifested his or her intent merely by checking a box marked "organ donor" or by placing a symbol or statement on his or her driver's license. Anecdotal evidence suggests that these donors contemplated only transplantation and therapy, not research or education. Lastly, prior law did not specifically identify the persons to which gifts pass. The 2006 UAGA resolves these issues by setting forth a number of default rules to guide the interpretation of ambiguous documents of gift. (See Table)⁴¹

The 2006 UAGA creates a number of rights and duties for procurement organizations,⁴² many of which were

Table. Rules Governing the Interpretation of Ambiguous Documents of Gift

<i>Gift of</i>	<i>Purpose</i>	<i>Named donor or custodian</i>	<i>Gift passes to</i>
Whole body specified or specified part	Research or education	Named hospital, accredited medical school, dental school, college or university	Hospital, accredited medical school, dental school, college or university as named.
Specified part	Transplantation	Named individual who is also the recipient of the gift	Named individual, unless the part specified cannot be transplanted into the named individual, in which case, the specified part passes to the appropriate OPO as custodian, or to the appropriate eye bank or tissue bank.
Specified part	One or more specified purposes, prioritized	None named	Follow the specified priority, changing the purpose if higher purposes are not possible. If the gift is for the purpose of transplantation or therapy, the part passes to the appropriate OPO as custodian, or to the appropriate eye bank or tissue bank. If the gift is for the purpose of research or education, to the appropriate eye bank, tissue bank or organ procurement organization.
Specified part	One or more specified purposes, not prioritized	None named	If multiple purposes, the following priority applies: transplantation or therapy, and then research or education.
Specified part	None specified	None named	The part may be used only for transplantation or therapy, and the part passes to the appropriate OPO as custodian, or to the appropriate eye bank or tissue bank. Then follow the rules for passage of the gift where the purposes are prioritized.
No parts specified	One or more specified purposes, prioritized	None named	Follow the specified priority, changing the purpose if higher purposes are not possible. If the gift is for the purpose of transplantation or therapy the parts pass to the appropriate (OPO) as custodian, or to the appropriate eye bank or tissue bank. If the gift is for the purpose of research or education, the parts pass to the appropriate eye bank, tissue bank or organ procurement organization.

Table: Rules Governing the Interpretation of Ambiguous Documents of Gift

<i>Gift of</i>	<i>Purpose</i>	<i>Named donee or custodian</i>	<i>Gift passes to</i>
No parts specified	One or more specified purposes, not prioritized	None named	If multiple purposes, the following priority applies: transplantation or therapy, and then research or education. Then follow the rules for passage of the parts where the purposes are prioritized.
No parts specified*	None specified	None named	The whole body may not be donated. The part may be used only for transplantation or therapy, and the part passes to the appropriate OPO as custodian, or to the appropriate eye bank or tissue bank.

*A mere "general intent" to be either a "donor" or "organ donor," either expressly or by symbol.

incorporated in prior versions.¹³ But, some additional ones have been added. For example, if a hospitalized patient is referred to a procurement organization to determine whether that patient is a prospective donor, measures necessary to ensure the medical suitability of the patient's parts may not be withdrawn, unless it is known that the patient had expressed a contrary intent.¹⁴ The 2006 UAGA imposes upon procurement organizations the affirmative obligation to conduct a reasonable search for the parents of a minor donor to provide them with an opportunity to revoke the minor's anatomical gift.¹⁵ Similarly, if a prospective donor has not made an anatomical gift, the procurement organization must conduct a reasonable search for any person having priority to make an anatomical gift upon the prospective donor's death.¹⁶

The 2006 UAGA provides that a document of gift is valid if executed in accordance with the laws of the state in which the gift is made or the laws

of the state where the person making the gift is domiciled, has a place of residence, or is a national.¹⁷ Procurement organizations and other persons can presume individuals who sign a document of gift are who they say they are, unless it has actual knowledge that they are not.¹⁸

Even if a prospective donor has a declaration or advance healthcare directive instructing the withdrawal or withholding of life support systems, measures necessary to ensure the medical suitability of organs for transplantation or therapy will not be withdrawn or withheld, unless the declaration or advance healthcare directive expressly so provides.¹⁹ Thus, the 2006 UAGA adjusts the potential tension between the desires of individuals to donate organs, and the desires of individuals not to have their lives unduly prolonged.

Lastly, the 2006 UAGA includes two comprehensive sections relating to the interactions between procurement organizations on the one hand,

and coroners and medical examiners on the other.²⁰ It eliminates provisions found in the previous versions that allow coroners and medical examiners to donate parts under certain circumstances. These provisions have run into legal difficulties in the courts.²¹ Under the 2006 UAGA, coroners and medical examiners cannot make an anatomical gift on the behalf of an individual under their jurisdiction unless the individual, or other authorized persons, such as agents, family members, guardians, and close friends, have made such a gift. However, if the individual did not make a gift, and if other authorized persons did not make a gift because they were not reasonably available, then the coroner or medical examiner has the authority to make the gift. The 2006 UAGA, through a number of rules, also directs procurement organizations and coroners and medical examiner to cooperate in maximizing donation opportunities.

In sum, the 2006 UAGA incorporates a number of important new features

that will increase organ, tissue, and eye donation. It addresses and resolves the shortcomings of its previous versions, while taking into account medical and legal advances that have occurred since the last revision. As the organ donation crisis continues to grow, the 2006 UAGA will play a significant role in any solution, but only if adopted by most, if not all, state legislatures.

Professor Sheldon F. Kurtz, JD is the Perry Bowdell Distinguished Professor of Law at the University of Iowa College of Law. He served as Reporter for the National Council of Commissioners on Uniform State Laws' Uniform Anatomical Gift Act Drafting Committee.

Christina Woodward Strong, JD, is a private practitioner in Belle Mead, NJ. Her practice focuses on healthcare law, and the

representation of organ and tissue donation entities. She served as an Observer to the Uniform Anatomical Gift Act Drafting Committee.

The authors are grateful for the scholarly assistance of David Carasemow, a second year law student at the University of Iowa Law School.

END NOTES

¹ United Network for Organ Sharing (UNOS), www.unos.org (last visited Nov. 21, 2006).

² U.S. Dept. of Health and Human Servs., Health Resources and Servs. Admin., Healthcare Sys. Bureau, Div. of Transplantation (HHS/HRSA/HSB/DOH), www.organdonor.gov (last visited Nov. 21, 2006).

³ The difference between the number of individuals on the national waiting list at year end and the number of individuals who annually received organs increased from 22,185 individuals in 1995 to 59,367 in 2004. HHS, HRSA, HSB, DOH, 2005 ANNUAL REPORT OF THE U.S. ORGAN PROCUREMENT AND TRANSPLANTATION NETWORK AND THE SCIENTIFIC REGISTRY OF TRANSPLANT RECIPIENTS: TRANSPLANT DATA 1995-2004 (tbls. 1-4 & 1-10) (2005) (available at www.optn.org/data/annualReport.asp [hereinafter "2005 OPEN-SRTR ANNUAL REPORT 1995-2004"]).

⁴ In 2004, about three out of every four transplanted organs came from a deceased donor. *Id.* at tbl. 1-7.

⁵ These organs are the heart, lungs, liver, pancreas, and kidneys, and small intestine.

⁶ GALLUP ORG., INC., THE AMERICAN PEOPLE'S VIEWS ON ORGAN DONATION AND TRANSPLANTATION SURVEY (1993) (available at www.transweb.org/reference/articles/gallup_survey/gallup_index.html).

⁷ 2005 OPEN-SRTR ANNUAL REPORT 1995-2004, *supra* note 3, at tbl. H-2 (showing that, in the first four months of 2005, 57.2% of potential donors actually became donors).

⁸ While UNOS states that about 40% of organs go unused, some scholars estimate that number to be closer to

60%. See NAT'L ACADEMIES, INST. OF MED., BUREAU OF HEALTH SERVICES POLICY, COMM. ON INCREASING RATES OF ORGAN DONATION, ORGAN DONATION OPPORTUNITIES FOR ACTION 127 (2006), available at Nat'l Academies Press, www.nap.edu (search for "Organ Donation: Opportunities for Action").

⁹ See GALLUP ORG., INC., *supra* note 6. The same survey showed that 37% and 32% of respondents were "very likely" or "somewhat likely," respectively, to donate their own organs. *Id.*

¹⁰ AOPPO surveyed the following jurisdictions: all fifty states, the District of Columbia, Guam, and the U.S. Virgin Islands.

¹¹ See www.aoppo.org (last visited Nov. 21, 2006) (for more information on AOPPO).

¹² It should be noted that AOPPO was not alone in identifying the need for statutory revision. The U.S. Department of Health and Human Services Advisory Committee on Organ Transplantation issued recommendations in May of 2003, which called for an update after recognizing the non-uniformity among the states with regard to the UAGA.

¹³ See www.nccusl.org (last visited Nov. 21, 2006) (for more information on NCCUSL).

¹⁴ By 2005, it had become difficult to separate those states that had adopted the 1987 changes from those that were non-uniform, due to the variety of amendments in the sixteen years since the 1987 promulgation.

¹⁵ National Organ Transplant Act of 1984, Pub. L. No. 98-507 (codified at 42 U.S.C. §§ 274-74).

¹⁶ 12 C.F.R. § 482.45.

¹⁷ Compare N.Y. PUB. HEALTH LAW art. 43 with N.Y. COMP. CODES R. & REGS. tit. 10, § 405.25.

¹⁸ UNIF. ANATOMICAL GIFT ACT § 2(h) (1987) [hereinafter "1987 UAGA"].

¹⁹ 1987 UAGA § 3(d), § 6(c).

²⁰ Living donations raise distinct issues best left to other law.

²¹ UNIF. ANATOMICAL GIFT ACT § 8 (2006) [hereinafter "2006 UAGA"].

²² 2006 UAGA §§ 4, 5.

²³ 2006 UAGA § 8(c).

²⁴ 2006 UAGA § 4(1)(b).

²⁵ 2006 UAGA § 8(g), (h).

²⁶ 2006 UAGA §§ 1(1)(b), 5.

²⁷ 2006 UAGA § 7.

²⁸ 2006 UAGA § 29(a).

²⁹ 2006 UAGA § 20(c).

³⁰ 2006 UAGA § 20(e).

³¹ 2006 UAGA § 9(a)(2), (5), (7).

³² 1987 UAGA § 3.

³³ 2006 UAGA § 9(a)(10).

³⁴ 2006 UAGA § 9(a)(8).

³⁵ 2006 UAGA § 9(a)(1).

³⁶ *Id.*

³⁷ 2006 UAGA § 9(a)(10).

³⁸ 2006 UAGA § 9(b).

³⁹ *Id.*

⁴⁰ *Id.*

⁴¹ 2006 UAGA § 11.

⁴² 2006 UAGA § 11.

⁴³ 1969, 1987 UAGA *passim*.

⁴⁴ 2006 UAGA § 14(c).

⁴⁵ 2006 UAGA § 14(b).

⁴⁶ 2006 UAGA § 14(g).

⁴⁷ 2006 UAGA § 19(a).

⁴⁸ 2006 UAGA § 18(c).

⁴⁹ 2006 UAGA § 21(b).

⁵⁰ 2006 UAGA §§ 22, 23.

⁵¹ See, e.g., *Saroman v. Nathynaghsanton*, 287 F.3d 786 (9th Cir. 2002); *Boothston v. Cleveland*, 925 F.2d 477 (6th Cir. 1991).



March 14, 2008

The Honorable Peggy Wilson, Chair
House Health, Education and Social Services Committee
Alaska State Capitol, Room 403
Juneau, AK 99801-1181

RE: HB 420 (House Health, Education and Social Services Committee)—Support

Dear Chair Wilson:

On behalf of the members of AARP in Alaska, we encourage you and your colleagues on the House Health, Education and Social Services Committee to support your Committee bill HB 420.

HB 420 builds on some of the previous work done by the Legislature to make it easier for Alaskans to make anatomical gifts of their organs. The bill is supported by the Alaska Attorney General.

AARP believes that pre-arranging should take place when the donor is still young and that this planning should be made available to all Alaskans. We have many members for those in need.

HB 420 is just among other things. We have many other things to support and we will continue to work on other legislation.

We appreciate your support and we look forward to working with you on other issues. Thank you for your time and we hope to meet you soon.

Sincerely,
[Signature]

Should you have any questions or comments, please feel free to contact me at
907-451-2100, ext. 2100, or FAX me at 907-451-2101.

Thank you for your cooperation.

Sincerely,

Maria Darlin

Maria Darlin, Coordinator
AARP Capital City Task Force
415 Willoughby Avenue, Apt. 506
Juneau, AK 99801
536-3657 (voice)
453-3580 (fax)

CC: Vice-Chair Bob Rosen
Representative Anna Brackley
Representative Wes Keller
Representative Paul Seaton
Representative Berta Gardner
Representative Sharon Cusack
Senator Leslie McGuire

(7)

Date Referred to Committee: March 19, 2008

FURTHER REFERRALS:

Date of Committee Action: 3/26/08

The JUDICIARY Committee considered:

HB 420

HOUSE BILL NO. 420

ANATOMICAL GIFTS

"An Act relating to the Uniform Anatomical Gift Act, to anatomical gifts, to donations to the anatomical gift awareness fund, to a registry of anatomical gifts, and to organizations that handle the procurement, distribution, or storage of all or a part of an individual's body."

Recommends it be replaced with [] HCS or [] CS for ()
For Senate Bills with new title: [] Technical Title [] New Title: HCR [] Same Title [] New Title

- [] attach amendments
[] add new referral to Committee
[] Letter of Intent Committee

List of Abbrev for Depts: ADM, CED, COR, CRT, EED, DEC, DFG, GOV, HSS, LWF, LAW, LEG, MVA, DNR, DPS, REV, DOT, UA

Table with 5 columns: List by Dept(s), *FN#, Fiscal, Indet., Zero. Title: NEW FISCAL NOTES

Table with 5 columns: List by Dept(s), FN#, Fiscal, Indet., Zero. Title: PREVIOUS FISCAL NOTES

Table with 6 columns: Signing with recommendations, Printed Last Name, DP, DNP, NR, AM. Includes signatures and names like G. Newby, Samuel, RAMMERS.



RECORDS CERTIFICATION



I, the undersigned, an employee of the State of Alaska, do hereby certify that the microfilm images on this microform are accurate reproductions of the original records of the State of Alaska as accumulated during the regular course of business, and that it is the established policy and practice of this State to microfilm its records and to dispose of the original documents after microfilm reproductions have been made.

Stan Hubbard

Signature of Camera Operator

6-4-2009

Date

HCR

5



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 Coghill
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: April 10, 2007

To: Representative John Coghill
Chairman House Rules Committee

From: Representative Jay Ramras
Chairman House Judiciary Committee

Re: Referral File for HCR5

Attached please find the following documents for the HCR5 referral file:

- HCR5 (25-LS0763\C)
- Fiscal Note HJUD - 0
- HJUD Committee Report
- Support

FISCAL NOTE

STATE OF ALASKA
2007 LEGISLATIVE SESSION

Fiscal Note Number: _____
 Bill Version: HCR5
 () Publish Date: _____

Revision Date/Time (Note if correction): _____ Dept. Affected: None
 Title 2007 NATIONAL CRIME VICTIMS' RIGHTS WEEK RDU _____
 Component _____
 Sponsor Representative Stoltze Component No. _____
 Requester House Judiciary

Expenditures/Revenues (Thousands of Dollars)

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

OPERATING EXPENDITURES	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013
Personal Services						
Travel						
Contractual						
Supplies						
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous						
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0

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

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

FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other (Specify Type--Do not abbreviate)						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY2007) cost: 0.0

Mark this box (X) if funding for this bill is included in the Governor's FY 2008 budget proposal:

POSITIONS

Full-time						
Part-time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)

Prepared by: House Judiciary Committee
 Division _____
 Approved by: Rep. Ramras, JUD Chairman
 Agency _____

Phone (907) 465-4990
 Date/Time 4/10/07 12:00 AM
 Date 4/10/2007

STATE OF ALASKA

DEPARTMENT OF LAW

OFFICE OF THE ATTORNEY GENERAL

Sarah Palin, Governor

P.O. BOX 110300
JUNEAU, ALASKA 99811-0300
PHONE: (907)465-3600
FAX: (907)465-2075

April 10, 2007

The Honorable Jay Ramras, Chair
House Judiciary Committee
Alaska House of Representatives
State Capitol, Room 118
Juneau, Alaska 99801-1182

Re: House Concurrent Resolution No. 5


Dear Representative Ramras:

On behalf of the Department of Law I am writing to express my support for House Concurrent Resolution No. 5 (HCR 5). HCR 5 supports the 2007 National Crime Victims' Rights Week. The theme for 2007, Victims' Rights: Every Victim. Every Time, is a goal for all of us who work to help prevent crime, and to provide support and services to victims of crime.

Crime victims, and particularly victims of a crime against the person, suffer devastating and humiliating injuries to their dignity and to their ability to carry on their lives, take care of their families, and earn a living. Such an injury harms the victim every day; there is no maximum term for the damage done to victims of crime.

HCR 5, by supporting the 2007 National Crime Victims' Rights Week, will remind us to do our best to provide the rights guaranteed in our constitution and laws to every person entitled to them.

Sincerely,


Talis J. Collberg
Attorney General



Crime Victims Fund and Federal Service Awards | NCVRW | PSAs | Banners
 Crimevictims.gov | Frequently Asked Questions

Welcome

What's New

Grants & Funding

Help for Victims

Publications

OVC Resource Center

Training &
 Technical Assistance

Resources for
 International Victims

Research & Statistics

National Crime Victims' Rights Week

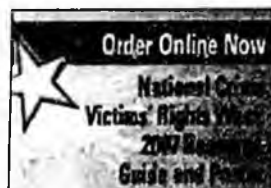
Victims' Rights: Every Victim. Every Time.

April 22–28, 2007

Each April since 1981, OVC has helped lead communities throughout the country in their observances of National Crime Victims' Rights Week (NCVRW). Public rallies, candlelight vigils, and a host of commemorative activities promote victims' rights and services in all sectors of our society.

National
 Crime Victims'
 Rights Week

- [Scheduled Events](#)—UPDATE ALERT!
- [Award Nominations for 2007](#)
- [Resources](#)—NCVRW Guide Is Online Now
- [About the NCVRW Resource Guide](#)
- [NCVRW Community Awareness Projects](#) (awards for 2007)



Planning Online: OVC offers the **National Calendar of Crime Victim Assistance-Related Events** to help you coordinate your NCVRW activities with other national victim-related observances planned for April. Use it for planning ahead or for submitting field events for free.

Scheduled Events

Download [Adobe Acrobat Reader](#) to read all PDF documents.

OVC will hold two events in Washington, D.C., leading up to National Crime Victims' Rights Week, April 22–28, 2007:

- **National Observance and Candlelight Ceremony**
 Thursday, April 19, 2007
 U.S. Chamber of Commerce ([Directions](#))
 1615 H Street NW., Washington, D.C.
 Time: 6:30-7:30 p.m.
 Featured Speaker: Mark Lunsford, Father of Jessica Marie Lunsford and founder of the **Jessica Marie Lunsford Foundation**.
- **Awards Ceremony**
 Friday, April 20, 2007
 Ronald Reagan Building and International Trade Center ([Directions](#))
 1300 Pennsylvania Ave., NW, Washington, D.C.
 Time: 2:30-4:30 p.m.
RSVP for Awards Ceremony



Mark Lunsford, featured speaker at the NCVRW Candlelight Ceremony.



Print and share with friends.


Award Nominations for 2007

The Office for Victims of Crime annually recognizes individuals and organizations that demonstrate outstanding service in supporting victims and victim services. The **award recipients** are **extraordinary individuals and programs** that provide services to victims of crime. The 2007 award recipients will be announced on April

20, 2007, at the awards ceremony.

Resources

OVC offers many resources to help communities and victim assistance providers promote awareness of crime victim issues and help commemorate NCVRW:

- The online **2007 Resource Guide for National Crime Victims' Rights Week** (known as the NCVRW Guide).
- An **Online Calendar**.
- **NCVRW Web banners**.
- **2007 NCVRW Screen Saver** 

About the NCVRW Resource Guide

The NCVRW Resource Guide will help you promote community awareness of crime victim issues. OVC offers the guide in both paper and electronic formats. You may **place your online order now** for the Guide to receive your print copy. **The Guide will be mailed to the field starting February 16.**

You may preview all of the Guide's content online. The **2007 Resource Guide for National Crime Victims' Rights Week** includes:

- Victimization statistics.
- Special event ideas.
- Camera-ready art files.
- A 6-minute motivational video on DVD.
- Posters including the NCVRW theme poster.

The DVD does not include a PSA, but you can still view and **download the 2005 PSAs online**. The 2007 Resource Guide DVD provides an introduction into crime victims' rights. The **entire DVD content is online** along with a preview clip.

NCVRW Community Awareness Projects (awards for 2007)

The Office for Victims of Crime (OVC) helps communities conduct public awareness initiatives during National Crime Victims' Rights Week with funding support for Community Awareness Projects (CAP).

For 2007, the National Association of VOCA Assistance Administrators (NAVAA) has competitively selected the 64 communities to receive CAP support funded by OVC. The **64 communities selected** are public agencies, nonprofits, community-based victim service organizations, faith-based organizations, and community coalitions.

For more information on this initiative, projects supported in previous years, and tips for promoting community awareness, visit **Community Awareness Projects: Raising Public Awareness of NCVRW**.

National Crime Victims' Rights Week 1984-2006

- 2006
- 1994

- [2005](#)
- [2004](#)
- [2003](#)
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The Office for Victims of Crime is a component of
the [Office of Justice Programs, U.S. Department of Justice](#).

This document was last updated on March 07, 2007

Section 1.24 - Rights of Crime Victims.

Crime victims, as defined by law, shall have the following rights as provided by law: the right to be reasonably protected from the accused through the imposition of appropriate bail or conditions of release by the court; the right to confer with the prosecution; the right to be treated with dignity, respect, and fairness during all phases of the criminal and juvenile justice process; the right to timely disposition of the case following the arrest of the accused; the right to obtain information about and be allowed to be present at all criminal or juvenile proceedings where the accused has the right to be present; the right to be allowed to be heard, upon request, at sentencing, before or after conviction or juvenile adjudication, and at any proceeding where the accused's release from custody is considered; the right to restitution from the accused; and the right to be informed, upon request, of the accused's escape or release from custody before or after conviction or juvenile adjudication.

Alaska **Office of Victims' Rights**

About the Office of Victims' Rights

Listing of Your Rights

How a Typical Criminal Case is Prosecuted in Alaska

Glossary of Terms Used in Criminal Cases in Alaska

How to File a Complaint-Request for Assistance Form Involving a Justice Agency

Victims' Rights Statutes & Constitutional Provisions

(Article I, section 24)

Office of Victims' Rights Regulations

(Posted 6-1-2004)

The Office of Victim's Rights: A Model For America

The Office Of Victims' Rights is an agency of the Alaska Legislature that provides free legal services to victims of crime to help them obtain the rights they are guaranteed under the Alaska constitution and statutes with regard to their contacts with police, prosecutors, judges, and other criminal justice agencies in this state, as well as to advance and protect those victim rights in court when necessary and authorized by law.

Investigations of Complaints, Findings & Recommendations

Read & Print the OVR's Brochure

Office of Victims' Rights 2006 Annual Report

Other Helpful Links

State of Alaska Office of Victims' Rights

Katherine J. Hansen, Interim Director
1007 West 3rd Avenue, Suite 205
Anchorage, Alaska 99501-1936

Phone: 907-272-2620

Toll free within Alaska: 866-274-2620

Fax: 907-272-2640

Email: officeofvictimsrights@legis.state.ak.us

Alaska **Office of Victims' Rights**

In Alaska victims of crime have the following rights:

Note:

- o Automatic rights
- Rights triggered only by request from victim

General constitutional protections provided in Article I, section 24 of the Alaska constitution to all crime victims:

- o Be treated with dignity, respect and fairness;
- o Protection from accused through the imposition of appropriate bail or conditions of release by the court (including release on appeal) (see also AS 12.30025(a); 12.30.027(a); 12.30.029(a); 12.30.040(a));
- o Confer with the prosecution;
- o Timely disposition of the case;
- o Obtain information about and be allowed to be present at all criminal or juvenile proceedings where the accused has the right to be present;
- Be heard, upon request, at sentencing, before or after conviction and at any proceeding where the accused's release from custody is considered;
- o Restitution from the accused;
- Be informed, upon request, of the accused's escape or release from custody before or after conviction or juvenile adjudication.

Rights of crime victims upon initial police contact:

- o Right to obtain access to immediate medical assistance AS 12.61.010(a)(7);
- o Transportation to safe house or shelter;
- o Assistance obtaining a 72-hour protective order AS 18.66.110; AS 18.66.100(c)(1) - (5),(8) - (12),(16);
- Ability to participate, upon request, at the defendant's initial appearance before a magistrate when bail conditions are set, AS 12.30.010; AS 12.61.010(a).

Sexual assaults and domestic violence - medical concerns:

o Council on Domestic Violence and Sexual Assault is established within the Department of Public Safety. The council is to provide for planning and coordination of services, crisis intervention and prevention programs to victims of domestic violence, sexual assault or to their families AS 18.66.010;

o Sexual assault victims may not be charged for sexual assault exams AS 18.68.040;

• In a crime involving sexual assault where penetration is an element of an offense, a victim may petition the court to order that the defendant submit to a blood test for presence of HIV and other STDs. AS 18.15.300 - 18.15.310 The defendant need not be convicted, the court may order the testing as soon as the defendant is charged by complaint, indictment, presentment, or information filed with a magistrate or court, that alleges a sexual assault involving penetration AS 18.15.300 The court may not order such testing until seven days have passed since arrest nor after a disposition favorable to the defendant;

• If the results of a blood test conducted under AS 18.15.300 indicate exposure to or infection by HIV or other sexually transmitted diseases, the victim is entitled to free counseling, testing and referral to appropriate health care facilities and support services at the request of the victim AS 18.15.310(h);

o Confidential communications between a victim of domestic violence or sexual assault and a victim counselor are privileged AS 18.66.200 - 18.66.250; AS 12.45.049.

Protective orders for crime victims:

• A victim of a crime involving domestic violence may file a petition for a protective order against a household member. A parent, guardian, or other representative may file a petition for a protective order on behalf of a minor AS 18.66.100;

• A certified copy of an unexpired protective order issued in another jurisdiction and filed with the clerk of court in any judicial district in this state, has the same effect and must be enforced in the same manner as a protective order issued by a court of this state AS 18.66.140.

• A person who reasonably believes that he or she is a victim of stalking that is not a crime involving domestic violence, may file a petition in the district or superior court for a stalking protective order against a person who is alleged to have committed the stalking. A parent or guardian may file a petition on behalf of a minor. AS 18.65.850

Privacy rights of crime victims:

o In a crime involving kidnapping, sexual assault, sexual assault of a minor, or indecent exposure, the name of a victim is not public record and may not be used in court documents, instead the victim's initials will be used AS 12.61.140;

o The residence and business addresses and telephone numbers of a victim of a crime or

witness to a crime are confidential AS 12.61.110 .3 12.61.120(a); AS 12.61.130(a);

- Victims are not required to speak with defense counsel and may request the presence of a prosecuting attorney or other person present during an interview AS 12.61.120(c);
- If a victim agrees to be interviewed by the defense, the interview may not be recorded unless the victim gives permission to record the interview and a copy of the tape is furnished to the victim upon request. If the victim is a minor, the parent or guardian must provide written consent prior to the interview even if the interview is not recorded AS 12.61.120; AS 12.61.125;
- o Applications to the Violent Crimes Compensation Board are confidential AS 18.67.030(c).

Bail review rights of crime victims:

- o Notice of hearings where the accused's release is considered, the right to be present and to be heard Article I, sec 24; AS 12.61.010(a)(2);
- o Court must consider the victim's comments in making the decision to release a defendant in domestic violence cases AS 12.30.027; in sexual assault cases AS 12.30.029(c)(2));
- o Victim's safety should be specifically considered before releasing the accused in a stalking non-DV, AS 12.30.025; in domestic violence, AS 12.30.027(a); in sexual assault AS 12.30.029(a) This includes an order prohibiting the defendant from having contact with the victim;
- o Notice of cancellation of a hearing or court proceeding at which the victim has been subpoenaed to testify AS 12.61.010(a)(3);
- o Receive a copy of the conditions of release when a prisoner charged with a domestic violence offense is released from custody (from correctional facility AS 12.30.027(d)(1); by other arresting authority AS 12.30.027(d)(2));
- o Victims should receive protection from harm and threats of harm arising out of cooperation with law enforcement and prosecution efforts and be provided with information regarding the protection available AS 12.61.010(a)(4) This can include protection orders, assistance in obtaining personal belongings; transportation to a safe home or shelter, assistance in obtaining medical treatment.
- o An automated phone service (VINE) is established to provide crime victims with notice by telephone when there is a change in the status of their offender. The system must also allow crime victims to initiate telephone calls to the system to receive the latest status report for their offender AS 12.61.050.

Crime victims' rights at trial:

- o Victims shall be notified of the date and time of trial and have a right to be present at all hearings and court proceedings where the defendant has a right to be present AS 12.61.010;
- If a victim of a felony or domestic violence crime requests, the prosecutor should confer with the victim regarding trial testimony AS 12.61.015.

o A victim cannot be compelled to submit to a psychiatric evaluation unless the victim's psychiatric or psychological condition is an element of the offense charged; or the victim suffers from a continuing psychological or psychiatric condition that resulted from the offense charged. AS 12.45.042;

o Evidence of past sexual conduct inadmissible absent a specific finding of relevance by the court AS 12.45.045(a);

o An employer may not penalize or threaten to penalize a victim because the victim is subpoenaed or requested by the prosecuting attorney to attend a court proceeding for the purpose of giving testimony AS 12.61.017.

Proceedings relating to psychiatric commitment of the accused:

• Notice shall be provided if an offender is committed to the custody of the Department of Health and Social Services; notice shall be given of any pending or actual change in status. AS 12.47.095 (1)-(5) Victim may request notice by providing address information to DHSS AS 12.47.095(b);

o Any victim given notice of a proposed change in commitment status of an offender has the right to submit a written statement, or to appear personally before the court. AS 12.47.095(e);

o Notice regarding a finding of not guilty by reason of insanity AS 12.61.010(a)(11);

• Notice upon request, of hearings relating to special medical parole AS 12.61.010(a)(12); AS 33.16.087 Victim may request notice by providing address information to Parole Board.

Sentencing:

o The court may not mitigate or reduce the punishment of the defendant based on the failure of the crime victim to appear or testify AS 12.55.151;

• Prosecutors, if requested, shall notify the victim of sentencing agreement and before accepting a negotiated agreement. The court shall determine that the victim has not been intimidated or coerced in reaching the agreement AS 12.55.011;

• In crimes of domestic violence, the prosecutor shall, upon request, confer with the victim about proposed plea agreements prior to acceptance AS 12.61.015(a)(4);

o As part of the pre-sentence report prepared for felony offenders, the probation officer shall prepare a victim impact statement reporting any financial, emotional, and medical effects of the offense on the victim; the need of the victim for restitution; and any other information required by the court AS 12.55.022;

• The prosecutor shall, upon request, provide the victim with the address and phone number of the office preparing the pre-sentence report AS 12.61.015(a)(2)(C);

• Prior to sentencing, the prosecutor shall, upon request, provide the victim with portions of the pre-sentence report outlining the summary of the offense prepared by DOC; the defendant's version of the offense; all statements and summaries of statements of the victim;

and the sentence recommendation of the DOC. AS 12.55.023(a)(1)-(4);

o A victim may submit to the sentencing court a written statement that the victim believes is relevant to the sentencing decision and may give an oral presentation to the court at the sentencing hearing. If the victim declines to make a statement, the victims' advocate may submit a written statement or oral presentation at the sentencing hearing on behalf of the victim AS 12.55.023(b);

o In a felony sentencing, the victims may make a written or oral statement for use in preparation of the pre-sentence report AS 12.61.010(a)(9);

o In a conviction for a felony offense, the court shall specifically make a finding regarding financial, emotional, and medical effects of the offense on the victim; the need of the victim for restitution AS 12.55.025(a)(5)(A)-(B);

o Victims may address the three-judge sentencing panel if the panel chooses to supplement the record AS 12.55.175(b).

Restitution rights of crime victims:

o Public policy favors requiring criminals to compensate their victims for injuries and damages sustained AS 12.55.045(a)(1);

o Restitution is not limited to a criminal court award, victims may also seek restitution in civil court proceedings AS 12.55.045(b);

o Restoration of the victim shall be specifically considered as part of the sentencing criteria AS 12.55.005(7);

o Information regarding violent crimes compensation and the procedure for applying for such aid under AS 18.67 should be given to the victim AS 12.61.010(a)(5); AS 18.67.175.

Post sentencing crime victims' rights:

• Prosecuting entity, if requested, shall notify the victim of a felony or domestic violence crime, in writing of the final disposition of the case within 30 days after final disposition of the case AS 12.61.015(a)(3);

• Notice of an appeal by prosecuting entity if requested by victim in felony or domestic violence crime AS 12.61.010(a)(2);

• Notification if the offender escapes from custody or is released to the community on a furlough, on an early release program, or for any other reason AS 12.61.010 (a)(14); AS 33.30.013 Automatic in domestic violence crimes; upon request in other crimes AS 33.30.013(b) Requires victim to keep address on file with DOC;

• After conviction, the victim is entitled to be informed by the prosecutor about the defendant's complete conviction history AS 12.61.010(a)(10);

o Every person contracting with an offender with respect to the reenactment of the offender's

crime by way of a movie, book, magazine article, radio or television presentation, live entertainment of any kind, or from the expression of the offender's thoughts, feelings, opinions, or emotions regarding the crime, shall pay the victim's restitution claims first, the remainder of the monies go to the state AS 12.61.020.

Post sentencing - modifications:

• Victims are entitled to address the court presiding over a prisoner's motion to modify or reduce their sentence AS 12.55.088(d) Victim may request notice by providing address information to DOC AS 12.55.088(h);

o Department of Corrections shall send the victim a copy of any motions to modify or reduce sentence and inform the person of that person's rights under this section, the deadline for receipt of written comments, the hearing date, and the court's address. AS 12.55.088(e) Victims must maintain updated address information with DOC AS 12.55.088(h);

• Notification of hearings to consider or review discretionary parole of the defendant AS 12.61.010(a)(13); AS 33.16.120 Victim must maintain address information with DOC and Parole Board;

o Before granting probation to a person convicted of a crime involving domestic violence, the court shall consider the safety and protection of the victim and any member of the victim's family AS 12.55.101(a) The court may also impose any other condition necessary to protect the victim and any members of the victim's family or to rehabilitate the defendant AS 12.55.101(a)(3).

Public Records-exception for crime victims:

Alaska statute 40.25.120(a), Alaska's public records law, provides in pertinent part: "Every person has a right to inspect a public record in the state, including public records in recorders' offices, except

(6) records or information compiled for law enforcement purposes, but only to the extent that the production of the law enforcement records or information

(C) could reasonably be expected to constitute an unwarranted invasion of the personal privacy of a suspect, defendant, victim, or witness;"

State of Alaska Office of Victims' Rights
Katherine J. Hansen, Interim Director
1007 West 3rd Avenue, Suite 205
Anchorage, Alaska 99501-1936

Phone: 907-272-2620
Toll free within Alaska: 866-274-2620
Fax: 907-272-2640

Email: officeofvictimsrights@legis.state.ak.us

CHILD ABUSE AND VICTIMIZATION

In 2003, an estimated 906,000 children were determined to be victims of child abuse or neglect.

(Children's Bureau, Administration for Children and Families. 2005. *Child Maltreatment 2003*. Washington, DC: U.S. Department of Health and Human Services.)

During 2003, 60.9 percent of victims experienced neglect, 18.9 percent were physically abused, 9.9 percent were sexually abused, 4.9 percent were emotionally or psychologically maltreated, and 2.3 percent were medically neglected. An additional 16.9 percent of victims experienced such "other" types of maltreatment as "abandonment," "threats of harm to the child," and "congenital drug addiction." (Ibid.)

The youngest children accounted for the largest percentage of victims. Children younger than one accounted for 9.8 percent of victims. (Ibid.)

An estimated 1,500 children died as a result of abuse or neglect in 2003. More than three-quarters (78.7 percent) of children who were killed were younger than four years of age. (Ibid.)

In 2003, 51.7 percent of victimized children were girls and 48.3 percent were boys. The racial breakdown of child victims was 53.6 percent white; 25.5 percent African American; 11.5 percent Hispanic; 1.7 percent American Indian or Alaskan Natives; 0.6 percent Asian; and 0.2 percent Pacific Islanders. (Ibid.)

The majority of child victims were maltreated by a parent acting alone. Approximately two-fifths (40.8 percent) of child victims were maltreated by their mother; 18.8 percent were maltreated by their father; 16.9 percent were abused by their mother and father; and 13.4 percent were abused by a non-parent. (Ibid.)

Children who were identified by Child Protective Services as victims in the past were 60 percent more likely to be determined to be maltreated than children who were not previously victimized. (Ibid.)

Between 1980 and 2000, the murder rate for children younger than one was greater than the rate for any age from one to 15.

(Harris, Paul D. and Howard N. Snyder. September 2004. *Trends in the Murder of Juveniles: 1980-2000*. Washington, DC: U.S. Department of Justice, Office of Juvenile Justice and Delinquency Prevention.)

Both black females and white females were more likely to be murdered before their first birthday than at any other time in their juvenile years. (Ibid.)

Based on extrapolations from the National Incident-Based Reporting System, approximately 2,900 nationwide crime incidents of pornography with juvenile involvement were known to state and local police in 2000.

(Finkelhor, David and Richard Ormrod. December 2004. *Child Pornography: Patterns From NIBRS*. Washington, DC: U.S. Department of Justice, Office of Juvenile Justice and Delinquency Prevention.)

The proportion of all pornography incidents with juvenile involvement increased from 15 percent in 1997 to 26 percent in 2000. (Ibid.)

Of the juvenile victims identified in conjunction with pornography crimes, 62 percent were female; 25 percent were members of the offender's family; 28 percent were elementary school age (6-11 years old); and 13 percent were preschoolers (younger than six years old). (Ibid.)

Every day, between 1.3 million and 2.8 million runaway and homeless youth live on the streets of America. One out of every seven children will run away before the age of 18.

(The National Runaway Switchboard. <http://www.nrscrisisline.org>. Accessed July 29, 2005.)

In America last year, treatment was sought for approximately 1,200 to 1,400 children who were shaken. Of these victims, 25 to 30 percent died as a result of their injuries. The rest will have lifelong injuries.

(National Center on Shaken Baby Syndrome. <http://www.dontshake.com/>. Accessed July 29, 2005.)

The direct cost of child abuse and neglect in the United States totals more than \$24 billion annually. (This figure includes law enforcement, judicial system, child welfare, and mental and physical health costs.) When factoring in indirect costs (special education, mental health and health care, juvenile delinquency, lost productivity, and adult criminality), the figure rises to more than \$94 billion annually.

(Fromm, Suzette. 2001. "Total Estimated Cost of Child Abuse and Neglect." *Prevent Child Abuse America*.)

PRESENTED AS A PUBLIC SERVICE BY:

CRIME AND VICTIMIZATION

In 2004, U.S. residents age 12 or older experienced an estimated 24 million violent and property victimizations.

(Catalano, Shannan M. September 2005. *Criminal Victimization, 2004*. Washington, DC: U.S. Department of Justice, Bureau of Justice Statistics.)

In 2004, there were an estimated 18.6 million property crimes to persons and their households including burglary, motor vehicle theft, and theft; an estimated 5.2 million violent crimes including rape, sexual assault, robbery, aggravated assault, and simple assault; and an estimated 224,000 personal thefts such as pocket picking and purse snatching. (Ibid.)

There were an estimated 501,820 robberies, 1,030,080 aggravated assaults and 3,440,880 simple assaults in 2004. (Ibid.)

There were an estimated 209,880 rapes, attempted rapes and sexual assaults to people age 12 and older in 2004, an increase from 198,850 in 2003. (Ibid.)

In 2004, there were 1,014,770 thefts of motor vehicles. (Ibid.)

Youths between the ages of 12 and 15 experienced the highest rate of overall violent victimization in the 2003-2004 period at a rate of 50.7 per 1,000 persons. Youths between the ages of 16 and 19 had the second highest rate, at 49.4 per 1,000 persons. (Ibid.)

During 2004, 50 percent of all violent victimizations and 39 percent of all property crimes were reported to the police. (Ibid.)

African Americans experienced more overall violence and simple assault in 2004 than whites or persons of other races. (Ibid.)

During 2004, 22 percent of all violent crime incidents were committed by an armed offender, and six percent by an offender with a firearm. (Ibid.)

The Federal Bureau of Investigation (FBI) reported that there were 16,503 criminal homicides in 2003. The number of murders increased by 1.7 percent in 2003, increasing in cities with 100,000 to 249,999 inhabitants by 6.8 percent and increasing in towns under 10,000 by 20 percent.

(Federal Bureau of Investigation. October 2004. *Crime in the United States, 2003*. Washington, DC: U.S. Department of Justice.)

Law enforcement made an estimated 597,026 arrests for violent crime in the United States in 2003. Whites accounted for 60.5 percent of violent crime arrestees and African Americans accounted for 37.2 percent. (Ibid.)

In 2003, about 17 million households experienced one or more property crimes or had a member age 12 or older who experienced one or more violent crimes.

(Klaus, Patsy A. October 2004. *Crime and the Nation's Households, 2003*. Washington, DC: U.S. Department of Justice, Bureau of Justice Statistics.)

Adolescents and adults in three percent of U.S. households experienced one or more violent crimes in 2003. Simple assault was the most common violent crime sustained by households. Members age 12 or older of an estimated 2.3 million households experienced simple assault. (Ibid.)

In 2003, 12.7 percent of U.S. households experienced one or more property crimes. Ten percent of U.S. households experienced at least one incident of theft, the most common property crime. (Ibid.)

Larger households experienced more victimization in 2003. Twenty-eight percent of households with six or more persons experienced one or more crimes, compared with 21 percent of households made up of four or five persons, 14 percent of households with two or three persons, and nine percent of one-person households. (Ibid.)

Households in urban areas (19 percent) were more likely to experience one or more crimes than suburban households (13 percent) and rural households (12 percent) in 2003. Households in the West were more likely to experience one or more crimes when compared to other regions in the U.S. (Ibid.)

Gang members committed about 373,000 violent victimizations on average each year between 1993 and 2003. Gang members were more likely to victimize younger persons than older persons.

(Harrell, Erika. June 2005. *Violence by Gang Members, 1993-2003*. Washington, DC: U.S. Department of Justice, Bureau of Justice Statistics.)

Approximately 38,000 carjacking victimizations occurred on average annually between 1993 and 2003. About 32 percent of victims of completed carjackings and about 17 percent of attempted carjackings were injured.

(Klaus, Patsy. July 2004. *Carjacking, 1993-2002*. Washington, DC: U.S. Department of Justice, Bureau of Justice Statistics.)

Between 1992 and 2001, American Indians experienced a per capita rate of violence twice that of the U.S. resident population.

(Perry, Steven W. December 2004. *American Indians and Crime*. Washington, DC: U.S. Department of Justice, Bureau of Justice Statistics.)

Among American Indian victims of violence, the offender was more likely to be a stranger than an intimate partner, family member, or acquaintance. (Ibid.)

American Indians faced an offender with a weapon in nearly a third of the violent crime incidents. (Ibid.)

PRESENTED AS A PUBLIC SERVICE BY:

CYBERCRIME VICTIMIZATION

Law-enforcement agencies nationally made an estimated 1,713 arrests for Internet-related crimes involving the possession of child pornography during the 12 months beginning July 1, 2000.

(National Center for Missing and Exploited Children, Crimes Against Children Research Center. 2005. *Child Pornography Possessors Arrested in Internet-Related Crimes: Findings From the National Juvenile Online Victimization Study*. Washington, DC: U.S. Department of Justice, Office of Juvenile Justice and Delinquency Prevention.)

Almost all arrested child pornography possessors were male; 91 percent were white; and 86 percent were older than 25. (Ibid.)

Most arrested child pornography possessors (83 percent) had images of prepubescent children, and 80 percent had images graphically depicting sexual penetration. (Ibid.)

Approximately one in five arrested child pornography possessors (21 percent) had images depicting sexual violence to children such as bondage, rape and torture. (Ibid.)

Forty percent of arrested child pornography possessors were "dual offenders," who sexually victimized children and possessed child pornography, with both crimes discovered in the same investigation. An additional 15 percent were dual offenders who attempted to sexually victimize children by soliciting undercover investigators who posed online as minors. (Ibid.)

Working to Halt Online Abuse (WHOA) received 196 reports of cyberstalking or online harassment in 2004.

(Working to Halt Online Abuse. "Online Harassment/Cyberstalking Statistics." <http://www.haltabuse.org/resources/stats/index.shtml>. Accessed September 23, 2005.)

A survey of the cyberstalked victims reporting to WHOA in 2004 reveals that 78 percent were Caucasian; 69 percent were women; and 48 percent were between the ages of 18 and 30 years old. (Ibid.)

In 2004, 52.5 percent of the cyberstalkers reported to WHOA were male, 23.5 percent were female, and in 24 percent of the cases, the gender of the harasser was unknown. (Ibid.)

In 2004, 40.5 percent of the cyberstalking victims received threats of offline harassment. (Ibid.)

The Federal Bureau of Investigation's Internet Crime Complaint Center received 190,143 complaints in 2004 that were referred to enforcement agencies. The complaints were composed of many different fraud types, such as auction fraud, non-delivery, credit/debit card fraud, and non-fraudulent complaints, such as computer intrusions, unsolicited e-mail, and child pornography.

(National White Collar Crime Center. 2005. *IC3 2004 Internet Fraud - Crime Report*. Washington, DC: U.S. Department of Justice, Federal Bureau of Investigation.)

The total dollar loss from all referred cases of fraud in 2004 was \$68.14 million, with a median dollar loss of \$219.56 per complaint. (Ibid.)

A pilot Computer Security Survey of U.S. businesses found that nearly 75 percent of responding companies had detected at least one incident of cybercrime in 2001. Over half of the victimized businesses experienced multiple incidents of computer virus, denial of service, and fraud. (Rantala, Ramona R. March 2004. *Cybercrime Against Businesses*. Washington, DC: U.S. Department of Justice, Bureau of Justice Statistics.)

The most common forms of cybercrime detected by companies in 2001 were computer virus infections (64.1 percent), denial of service attacks (25.3 percent), and vandalism or sabotage (18.7 percent). Hacking and spamming are other common breaches of computer security that occur with frequency. (Ibid.)

PRESENTED AS A PUBLIC SERVICE BY:

ELDER CRIME AND VICTIMIZATION

During the 2003-2004 period, there was a 37.6 percent decrease in violent crimes against persons age 65 or older. Victimization rates for violent crime were 2.0 per 1,000 persons age 65 or older, down from 3.3 per 1,000 persons in the 2001-2002 period.

(Catalano, Shannan M. September 2005. *Criminal Victimization, 2004*. Washington, DC: U.S. Department of Justice, Bureau of Justice Statistics.)

For the period 1993 to 2002, the elderly experienced non-fatal violent crime at a rate 1/20th that of persons age 12 to 24. Households headed by persons age 65 or older experienced property crimes at a rate about a fourth of that for households headed by persons under age 25.

(Klaus, Patsy, January 2005. *Crimes Against Persons Age 65 or Older, 1993-2002*. Washington, DC: U.S. Department of Justice, Bureau of Justice Statistics.)

Property crimes accounted for 92 percent of victimizations affecting persons or households headed by someone 65 or older and 88 percent of victimizations against persons or households headed by persons age 50 to 64. (Ibid.)

About one in five of personal crimes against the elderly was theft. (Ibid.)

Thirty percent of victims age 65 or older of violence faced offenders with weapons. (Ibid.)

When compared to victims age 12 to 64, elderly victims were somewhat more likely to face offenders who were strangers (53 percent versus 46 percent), and were more likely to face offenders age 30 or older (48 percent versus 30 percent). (Ibid.)

Seventy-six percent of perpetrators of crimes against the elderly were male. (Ibid.)

Approximately 46 percent of violent crimes and 67 percent of property crimes against the elderly occurred at or near their homes. (Ibid.)

Compared to younger victims, persons age 65 or older were more likely to report violence (53 percent of persons age 65 or older versus 44 percent of persons under age 65) to the police. (Ibid.)

Although the number of homicides of people age 65 and older has been decreasing, this age group still has the highest percentage of homicides that occur during the commission of a felony.

(Fox, James Alan and Marianne W. Zawitz, November 2004. *Homicide Trends in the United States-2002 Update*. Washington, DC: U.S. Department of Justice, Bureau of Justice Statistics.)

Between January and December 2004, the Federal Trade Commission received 145,895 consumer fraud and identity theft complaints from consumers age 50 and over. Sixty-five percent were fraud complaints and 35 percent were identity theft-related.

(Federal Trade Commission, July 2005. "Fraud and Identity Theft Complaints Received by the Federal Trade Commission from Consumers Age 50 and Over." Washington, DC: Federal Trade Commission.)

Fraud victims age 50 or older reported losses of over \$152 million. (Ibid.)

There were 566 homicides reported in 2003 of people 60 years of age and over.

(Federal Bureau of Investigation, October 2004. *Crime in the United States, 2003*. Washington, DC: U.S. Department of Justice.)

Between one million and two million Americans age 65 or older have been injured, exploited, or otherwise mistreated by someone on whom they depended for care or protection.

(Bonnie, Richard J. and Robert B. Wallace, 2003. *Elder Mistreatment: Abuse, Neglect and Exploitation in an Aging America*. National Academy Press, Washington, DC.)

There was an increase in older victims of lesbian, gay, bisexual, and transgender violence between 2003 and 2004. Incidents involving victims between the ages of 50 and 59 rose 25 percent. The number of victims age 60 and older, though representing only two percent of all victims, rose 63 percent.

(Patton, Clarence, 2005. *Anti-Lesbian, Gay, Bisexual, and Transgender Violence in 2004*. New York, NY: National Coalition of Anti-Violence Programs.)

More than 33,000 people age 60 and older were treated for non-fatal assault-related injuries (not including sexual assault) in emergency room departments in 2001. Assaults happened almost equally at home (25.9 percent) and in public places (27.5 percent).

(Centers for Disease Control and Prevention, August 29, 2003. "Non-fatal Physical Assault-Related Injuries Among Persons Aged 60 Years Treated in Hospital Emergency Departments--United States, 2001." *Morbidity and Mortality Weekly Report*, 52(34): 812-816.)

Compared with persons aged 20 to 59 years, a greater proportion of older assault victims were women, had fractures, and were hospitalized at the time of diagnosis.

(Ibid.)

PRESENTED AS A PUBLIC SERVICE BY:

FINANCIAL CRIME AND IDENTITY THEFT

According to the Better Business Bureau, 9.3 million Americans were victims of identity fraud in 2004. The annual dollar volume of identity fraud in 2004 was \$52.6 billion.

(Council of Better Business Bureaus, Inc. January 2005. *New Research Shows That Identity Theft Is More Prevalent Offline with Paper than Online*. Arlington, VA: Council of Better Business Bureaus, Inc.)

The most frequently reported source of information used to commit fraud was a lost or stolen wallet or checkbook. Computer crimes accounted for just 11.6 percent of all known-cause identity theft in 2004. (Ibid.)

A nationwide survey of 1,097 victims of identity theft found that 28 percent of victims have not been able to restore their identities, even after spending a year trying to restore them.

(Nationwide, July 26, 2005. Press Release "ID Theft Victims Struggle to Achieve Resolution."
<http://vocuspr.vocus.com/VocusPR30/Temp/Sites/2133/a1c28924f2fd4ef8a9ba8373a0ebdcd3/national%20release.pdf>. Accessed July 29, 2005.)

The average amount of total charges made using a victim's identity was \$3,968. Sixteen percent of victims reported having to pay for some or all of the fraudulent purchases. (Ibid.)

More than half of all victims discovered the identity theft themselves; only 17 percent were notified by a creditor or financial institution of suspicious activity on their account. It took an average of five-and-a-half months before the victim realized that the crime had occurred. (Ibid.)

Between January and December 2004, the Federal Trade Commission complaint database received over 645,000 consumer fraud and identity theft complaints. Consumers reported losses from fraud of more than \$565 million.

(Federal Trade Commission, July 2005. "Fraud and Identity Theft Complaints Received by the Federal Trade Commission from Consumers Age 50 and Over." Washington, DC: Federal Trade Commission.)

The average loss to victims of telemarketing fraud was \$1,974 in 2004, an increase from an average of \$1,504 in 2003. Phony prize/sweepstakes claims were the most-reported scam.

(National Fraud Information Center, 2005. *Telemarketing Scams January—December 2004*. Washington, DC: National Consumer League.)

Victims lost the most money in the categories of lotteries/lottery clubs (average loss of \$5,194), prize/sweepstakes (average loss of \$3,135), advance fee loans (average loss of \$1,721), travel/vacations (average loss of \$1,268), and work-at-home plans (average loss of \$1,085). (Ibid.)

Thirty-three percent of telemarketing fraud complaints were made by victims age 60 and older. (Ibid.)

Foreigners comprised 26 percent of telemarketing perpetrators, up from 18 percent in 2003. There was an increase in both Canada-based frauds and those outside the U.S. and Canada. (Ibid.)

In 2004, for the first time, phishing (calls pretending to be from a well-known source asking to confirm personal information) was one of the top 10 scams of the year. The average loss per victim of phishing was \$399. (Ibid.)

The average loss to victims of Internet fraud was \$895 in 2004, an increase from an average of \$527 in 2003. (National Fraud Information Center, 2005. *Internet Scams Fraud Trends 2004*. Washington, DC: National Consumer League.)

Victims lost the most money in the categories of fake checks (average loss of \$5,201), Nigerian money offers (average loss of \$2,649), fake escrow services (average loss of \$2,585), lotteries/lottery clubs (average loss of \$2,225), and computer equipment/software (average loss of \$1,401). (Ibid.)

E-mail is a growing method of contact used by Internet fraud perpetrators. In 2004, 22 percent of Internet fraud perpetrators initiated contact with the victim via e-mail, an increase from just five percent in 2003. (Ibid.)

Most victims of identity theft do not report the crime to criminal authorities. Only about 25 percent of victims who participated in a national identity theft survey said that they had reported the crime to local police.

(Synovate, September 2003. *Identity Theft Survey Report*. Washington, DC: Federal Trade Commission.)

Fifteen percent of all identity theft victims reported that the identity thief used their information in non-financial ways. Four percent of all victims said that they were aware that the thief provided the victim's name and identifying information when the thief was caught committing a crime. Three percent of all victims said that they were aware that the thief had used their personal information to obtain government documents (such as a driver's license or Social Security card). Two percent of all victims said that they knew the identity thief used the victim's personal information to rent housing, obtain medical care, obtain employment, or file a fraudulent tax return. (Ibid.)

PRESENTED AS A PUBLIC SERVICE BY:

COST OF CRIME AND VICTIMIZATION

State compensation programs paid crime victims and their families \$426 million in benefits in federal fiscal year 2004. Compensation is nearly double what it was seven years ago.

(National Association of Crime Victim Compensation Boards. "FY 2004: Compensation to Victims Continues to Increase..." <http://www.nacvcb.org>. Accessed September 16, 2005.)

In 2004, 51 percent of all compensation payments were made for medical expenses, 19 percent went to cover lost wages and lost support in homicides, 11 percent went to funeral bills, and nine percent was paid for mental health costs. (Ibid.)

Victims of child abuse comprised 20 percent of recipients of compensation in 2004. (Ibid.)

The National Association of Crime Victim Compensation Boards reports that 25 percent of adult victims receiving crime victim compensation benefits in 2004 were victims of domestic violence, and 34 percent of all assault claims were paid to victims of domestic violence. (Ibid.)

Compensation programs paid \$16.3 million for forensic sexual assault exams, a nearly 50 percent increase from 2003. (Ibid.)

The direct cost of child abuse and neglect in the United States totals more than \$24 billion annually. (This figure includes law enforcement, judicial system, child welfare, and mental and physical health costs.) When factoring in indirect costs (special education, mental health and health care, juvenile delinquency, lost productivity, and adult criminality), the figure rises to more than \$94 billion annually.

(From: Suzette. 2001. "Total Estimated Cost of Child Abuse and Neglect," *Prevent Child Abuse America*.)

Robbery offenders took an estimated \$514 million from their victims in 2003.

(Federal Bureau of Investigation. October 2004. *Crime in the United States, 2003*. Washington, DC: U.S. Department of Justice.)

Nationally, the average monetary value of property stolen during a robbery was \$1,244. Banks lost an average of \$4,767 per robbery, and commercial houses (such as supermarkets, department stores, restaurants, hotels, etc.) lost an average of \$1,778 per robbery. The estimated value of losses from robberies of residences was \$1,472 per robbery. (Ibid.)

Among the individual property crimes, the 2003 estimated dollar losses were \$3.5 billion for burglary, \$4.9 billion for larceny-theft, and \$8.6 billion for motor vehicle theft. (Ibid.)

Arson had an average dollar loss of \$11,942 and average structural loss of \$21,276 for the 64,043 offenses for which monetary values were reported. (Ibid.)

A 2003 survey sponsored by the Federal Trade Commission indicates that the total cost of identity theft approaches \$50 billion per year. The average loss from the misuse of a victim's personal information is \$4,800.

(Synovate. September 2003. *Identity Theft Survey Report*. Washington, DC: Federal Trade Commission.)

The cost of an incident of identity theft is significantly smaller if the misuse of the victim's personal information is discovered quickly. When the misuse was discovered within five months of its onset, the value obtained by the thief was less than \$5,000 in 82 percent of the cases. When victims took six months or more to discover that their information was being misused, the thief obtained \$5,000 or more in 44 percent of cases. (Ibid.)

Insurance fraud (non-health insurance) costs the average family between \$400 and \$700 per year, with a total cost exceeding \$40 billion.

(Federal Bureau of Investigation. May 2005. *Financial Crimes Report to the Public*. Washington, DC: U.S. Department of Justice.)

Telemarketing fraud is a flourishing crime problem with estimated losses to U.S. elderly citizens exceeding \$500 million per year. (Ibid.)

Since 1982, total justice expenditures more than quadrupled from nearly \$36 billion to over \$167 billion in 2001.

(Bauer, Lynn. May 2004. *Justice Expenditure and Employment in the United States, 2001*. Washington, DC: U.S. Department of Justice, Bureau of Justice Statistics.)

Overall, local police spending represented 30 percent of the Nation's total justice expenditure and State corrections accounted for the second largest portion, 23 percent. (Ibid.)

Many school districts report losses in excess of \$250,000 because of school closings and costs of bomb search squads.

(Newman, Graeme R. February 2005. *Bomb Threats in Schools*. Washington, DC: U.S. Department of Justice, Office of Community Oriented Policing Services.)

PRESENTED AS A PUBLIC SERVICE BY: