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Senate President Rick Halford

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Legislature Protects Crime Victims' Rights

(Juneau) – The Legislature passed a bill on Tuesday that will provide experienced professionals to act on behalf of crime victims in Alaska's legal system and will provide assistance for victims to collect court ordered restitution from convicted criminals.

On November 8, 1994, almost 90 percent of the voters approved an amendment to Alaska's Constitution that would provide certain rights to victims of crime. However, there was no specific mechanism to ensure that victims were aware of these rights and that these rights were enforced.

"Every year, we spend millions of dollars on attorneys for the prosecution and defense of criminals," said Halford. "It's time to give victims the help they need to stand up for their constitutional rights."

Senate Bill 105, sponsored by Sen. Rick Halford (R-Chugiak) would create the Office of Victims' Rights and a Victims' Advocate to ensure that victims are aware of their rights, help guide them through the legal process, and testify on their behalf in the court, if the victim requests. If a victim feels they have been denied their rights, the Victims' Advocate would investigate their complaints, and publish a report and recommendations to aid in making the system more accountable to victims.

"In the aftermath of a violent crime, it is difficult for a victim to cope with everyday events, much less wade through our judicial system, full of technicalities and legal jargon," said Halford. "The Victims' Advocate will help them understand what's happening, so that they don't feel victimized twice—first, by the criminal and then by the system."

SB 105 also enables the Department of Law to collect restitution on a victim's behalf. Currently, the victim has to use their own resources to collect money owed to them by a criminal to compensate for their crimes. This can be especially difficult if the perpetrator refuses to pay and the victim has to contract with a collections agency or bring a civil action.

Other changes made by SB 105 include an increase in the amount of compensation available to victims of crime and a new mechanism to award grants to nonprofit victims advocacy groups. The Office of Victims' Rights and the Victims' Advocate will be completely funded by Permanent Fund dividends forfeited by repeat criminals.

SB 105 passed the House with a vote of 36 – 1, and now goes to the governor for signature.

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