



**ALASKA OFFICE OF VICTIMS' RIGHTS
ANNUAL REPORT TO THE ALASKA LEGISLATURE**

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INTRODUCTION

The Alaska Office of Victims' Rights (OVR) serves three functions: 1) to advocate to preserve and protect individual crime victims' rights under the Alaska Constitution and statutes; 2) to investigate, like an ombudsman, complaints by crime victims concerning criminal justice agencies; and 3) to participate in community and government advocacy groups to improve crime victim experiences in the criminal justice system.

OVR is an independent agency within the legislative branch of state government established by the Alaska Legislature in 2001. OVR's placement in the legislative branch avoids conflicts in state government and ensures OVR's independence to investigate criminal justice agencies and make appropriate recommendations. Alaska Statute 24.65, *et seq.* (Effective July 1, 2002) provides authority for OVR's investigative powers and responsibilities.

OVR remains a national leader in victim advocacy. It is one of the first law offices in the nation to have comprehensive investigative tools and powers, with legislative oversight, to advocate for crime victims' legal rights. OVR provides victims with a variety of services including information, education, investigation, and courtroom advocacy. In providing these services, OVR maintains a philosophy of cooperation and collaboration when working with the courts, criminal justice agencies, and crime victims.

MISSION STATEMENT

The Alaska Office of Victims' Rights provides free legal services to victims of crime to protect their rights under the Alaska Constitution and statutes. OVR advances and protects these rights in court when necessary and authorized by law.

OVERVIEW OF THE ALASKA OFFICE OF VICTIMS' RIGHTS

1. Advocacy on Behalf of Crime Victims - Jurisdiction

OVR assists crime victims by advocating for and enforcing Alaska's constitutional and statutory protections. Empowered by the Alaska Legislature, OVR functions as the legal advocate in state court for crime victims of all felony offenses, all Class A misdemeanors involving domestic violence, and all class A misdemeanors involving crimes against the person under AS 11.41. A felony is an offense for which a jail sentence of more than one year is authorized. Class A misdemeanors are crimes punishable by up to one year in jail and up to a \$5,000 fine. Crime victims may file a written request for OVR assistance to ensure their legal rights as crime victims are not denied.

2. *Investigating Complaints by Victims*

Crime victims may file a written complaint with OVR stating that they have been denied the rights established by Article 1, Section 24 of the Alaska Constitution or by Alaska Statutes 24.65.010-24.65.250. OVR is empowered to investigate complaints regarding victim contacts with criminal justice agencies and take appropriate action on behalf of crime victims. While conducting an investigation OVR may:

- (a) make inquiries and obtain information considered necessary from justice agencies;
- (b) hold private hearings; and
- (c) notwithstanding other provisions of law, have access at all times to records of justice agencies, including court records of criminal prosecutions and juvenile adjudications, necessary to ensure that the rights of crime victims are not being denied; with regard to court and prosecution records, the Victims' Advocate is entitled to obtain access to every record that any criminal defendant is entitled to access or receive. *A.S. 24.65.120(b)*.

Some examples of information and records available to OVR are police reports, witness statements, lab reports, photos, recorded statements, grand jury proceedings and exhibits, officers' notes, scene diagrams, dispatch records, autopsy reports, pre-sentence reports, physical evidence, and more. All information and records obtained during any investigation (which may include records subpoenaed by OVR) are kept confidential as required by A.S. 24.65.110(d) and A.S. 24.65.120(c).

3. *Obtaining Information from Criminal Justice Agencies*

A subpoena is a legal order requiring a person to appear at a specified time and place in order to provide documents and evidence and/or to answer questions under oath. The Victims' Advocate is authorized by law to issue subpoenas to any person for any records or any object so long as the Victims' Advocate reasonably believes such items may provide information relating to a matter under investigation by OVR. The Victims' Advocate may also require the appearance of any person to give sworn testimony if the Director reasonably believes that person may have such information. *A.S. 24.65.130*.

If a person refuses to comply with a subpoena, the Victims' Advocate may file a motion with the superior court requesting a judge to issue a court order directing obedience to the subpoena. If the person persists in not complying, the person may be held in contempt of court and could be fined or jailed until the subpoena is honored. *A.S. 24.65.130(b)*; see also *A.S. 24.65.120*.

4. *Information and Records Obtained by OVR are Confidential*

OVR is obligated to maintain strict standards of confidentiality with respect to its records, investigations, and communications with clients. OVR is required by law to keep confidential all matters and information related to the performance of its duties, as well as maintain the confidentiality of the identities of all complainants or witnesses coming before OVR, except

insofar as disclosure of such information may be necessary to enable OVR to carry out its mission and to support its recommendations. OVR may not disclose a confidential record obtained from a court or justice agency. *A.S. 24.65.110(d); AS 24.65.120(c).*

5. *Publication of OVR Findings Following an Investigation*

Within a reasonable time after a formal investigation is completed, and after OVR reports its opinion and recommendations to the pertinent justice agency, the Victims' Advocate may present the opinion and recommendations to the governor, the legislature, a grand jury, the public, or any combination thereof. OVR must include with the opinion any reply made by the justice agency. Written consent from the complainant to release OVR's report must be obtained prior to release of any such report. *AS 24.65.160.*

6. *OVR May Not Interfere with the Criminal Justice System*

OVR is required by law to ensure that its exercise of discretion does not interfere with any ongoing criminal investigation by a police agency or any criminal proceeding by the prosecutor's office. Additionally, the Victims' Advocate must ensure OVR employees do not make public statements that lawyers are prohibited from making under the Alaska Rules of Professional Conduct. Finally, OVR may not prevent or discourage a crime victim from providing evidence, testifying or cooperating in a criminal investigation or criminal proceeding. *A.S. 24.65.100(b).*

7. *OVR has Broad Civil and Criminal Immunity*

Under the OVR Act, a proceeding of or decision made by the Victims' Advocate or the OVR staff may be reviewed in superior court only to determine if it is contrary to the statutes that created OVR. The Act also provides that the conclusions, thought processes, discussions, records, reports, recommendations, and information collected by the Victims' Advocate or the OVR staff are not admissible in a civil or criminal proceeding and are not subject to questioning or disclosure by subpoena or discovery. Additionally, a civil lawsuit may not be brought against the Victims' Advocate or a member of the OVR staff for anything said or done in the performance of OVR's duties or responsibilities. *A.S. 24.65.180; A.S. 24.65.190; A.S. 24.65.200.*

8. *It is a Crime to Fail to Comply with OVR's Lawful Demands*

Alaska law provides:

A person who knowingly hinders the lawful actions of the Victims' Advocate or the staff of the Victims' Advocate, or who knowingly refuses to comply with their lawful demands, is guilty of a misdemeanor and upon conviction may be punished by a fine of not more than \$1,000. *A.S. 24.65.210.*

THE OVR TEAM

OVR is a team of seven legal professionals comprised of the following individuals who are working at OVR or worked at OVR during some portion of the reporting year.

Taylor E. Winston, Executive Director (Retired)

Ms. Winston has served as the Chief Victims' Advocate and Executive Director of the Alaska Office of Victims' Rights since 2012. She graduated with a Bachelor of Arts in Political Science, a Bachelor of Fine Arts in Journalism, and a Bachelor of Business Administration from Southern Methodist University in Dallas in 1985. She earned her Master of International Affairs from Columbia University in New York City in 1988. After graduate school, Ms. Winston worked as an international trade program analyst at the U.S. General Accounting Office in Washington D.C. for several years before attending Georgetown Law Center. She earned her Juris Doctorate from Georgetown in 1997. That same year, she moved to Alaska to clerk for Superior Court Judge Larry Card in Anchorage. Following her clerkship, she was an associate at the law firm of Atkinson, Conway and Gagnon. In 1999, Ms. Winston became an assistant district attorney for the State of Alaska. Ms. Winston primarily prosecuted domestic violence assaults, sexual assaults, sexual abuse of minors, and homicide cases. During her 13-year career as an assistant district attorney, she served 2 years in the Bethel DA's office and 11 years in the Anchorage DA's Office, where she supervised the Special Assaults Unit for 6 years. She has been a member of the Alaska Bar since 1997 and is also a member of the U.S. District Court of Alaska and the U.S. Supreme Court. Ms. Winston retired after serving as the executive director of the OVR for 10 years in September 2022.

Katherine J. Hansen, Interim Executive Director

Ms. Hansen has been a staff attorney at the Alaska Office of Victims' Rights since January 2004. Ms. Hansen first came to Alaska with her family at age five. Raised in the Fairbanks area, she graduated from the University of Alaska Fairbanks with a Bachelor of Science degree in 1993. She graduated *cum laude* from Suffolk University Law School in Boston in 1997. She returned to Alaska to clerk for Superior Court Judge Larry Zervos in Sitka. Ms. Hansen became an assistant district attorney in the Fairbanks office, serving Fairbanks and the surrounding area, including Tok, Delta, Nenana, Fort Yukon and Galena. She then transferred to the Bethel office, serving the Bethel community and its 56 outlying villages. From Bethel, in 2000, she went on to the civil division of the Department of Law. There she represented the Department of Health and Human Services in its efforts to protect abused and neglected children. Ms. Hansen is the senior staff attorney at OVR. After Ms. Winston's retirement, Ms. Hansen was appointed as the interim executive director of the OVR.

Angela G. Garay, Victims' Rights Attorney

Ms. Garay joined the Alaska Office of Victims' Rights as a staff attorney in September 2021. Ms. Garay was raised in northern California and came to Alaska in 2004 to work as an Assistant District Attorney in Kenai. She graduated from California State University, Chico with a bachelor's degree in Social Science in 1990 and graduated *magna cum laude* from Western

Seminary in Portland, Oregon with a master's degree in Intercultural Studies in 1998. In 2004, Ms. Garay graduated from Lewis and Clark Law School with a Juris Doctorate and a certificate in Criminal Law and Procedure. She served as an Assistant District Attorney in the Kenai and Kotzebue District Attorney's offices, prosecuting domestic violence and sexual assault cases. In 2013, Ms. Garay relocated to Washington state and served as the Tribal Prosecutor for the Lummi Nation for three years. Ms. Garay returned to Alaska in 2017 to work as a municipal prosecutor in the domestic violence unit at the Anchorage Municipal Prosecutor's Office. Ms. Garay also worked as an Assistant Public Advocate representing parents and children in Children in Need of Aid cases, juveniles in delinquency cases, and respondents in guardianship cases in 2020. Ms. Garay volunteers as a Board member on the Council on Domestic Violence and Sexual Assault, and currently serves as chairman.

Kelly J. Lawson, Victims' Rights Attorney

Ms. Lawson was born in Anchorage but grew up splitting her time between Cantwell and Anchor Point. She attended the University of Alaska Fairbanks, earning a Justice Degree in 1999. She then attended the University of Montana School of Law, graduating with her law degree in 2002. Ms. Lawson completed a clerkship for the Honorable Dan Hensley in the Anchorage Superior Court from 2002-2003. She was hired in 2003 by the Fairbanks District Attorney's Office where she served as an Assistant District Attorney until 2006. After a brief time away from prosecuting to take care of family, Ms. Lawson returned to the District Attorney's Office, this time in Kenai, in 2007. She remained at the Kenai District Attorney's Office until September of 2018 when she transferred to the Civil Division to serve as an Assistant Attorney General in the Child in Need of Aid Unit in Kenai until February of 2020. After another short break, Ms. Lawson returned to the Kenai District Attorney's Office in May of 2020 where she worked as the Deputy District Attorney, focusing on sexual offenses against adults and children. Ms. Lawson remained at the Kenai District Attorney's Office until taking her current position with the Office of Victims' Rights in April 2022. Ms. Lawson left the OVR in April 2022 after being appointed as a Superior Court Judge in Kenai. Ms. Lawson has the distinction of being the first attorney appointed as a judge from the OVR office since OVR first opened its doors to the public in 2003.

Michael D. Shaffer, Victims' Rights Attorney

Mr. Shaffer was born on a U.S. Naval base overseas and grew up in the Boston and Southern California areas. In 1987, he graduated from Brandeis University *cum laude*, with a Bachelor of Arts degree in Politics and a minor in Legal Studies. While at Brandeis, Mr. Shaffer served as an intern in the Massachusetts Legislature working in the House of Representatives Minority Leader's office. After college, Mr. Shaffer worked for two years as a paralegal at a large corporate law firm in Boston. He then attended Columbia Law School, graduating with his law degree in 1994. After passing the Massachusetts Bar, Mr. Shaffer briefly practiced law in the Boston area before moving to the Northern California area for family reasons. While there, he managed a large urgent care and family medical practice for two years before moving to Alaska in 1998. He worked for two years in a leading Anchorage estate planning firm, including after passing the Alaska Bar in 2000. Mr. Shaffer subsequently completed a law clerkship for the Honorable Morgan Christen in the Anchorage Superior Court from 2002-2003. Following his clerkship, he was hired as an associate attorney at Winner & Associates in Anchorage, where he practiced in a variety of civil practice areas. Mr. Shaffer was then hired in 2005 by the

Municipality of Anchorage (MAO) Prosecutors Office, where he primarily prosecuted domestic violence and child neglect/abuse cases in the office's Domestic Violence Unit. In 2010, Mr. Shaffer accepted a position as the sole attorney at the Alaska Native Justice Center, where he represented indigent victims of domestic violence in civil cases under grant funding provided to ANJC pursuant to the Violence Against Women Act. In 2013, Mr. Shaffer left that position and returned to the MOA Prosecutor's Office, where he resumed prosecuting domestic violence, child neglect/abuse, and animal abuse cases in that office's Domestic Violence Unit over the next nine years, until accepting his current position with the Office of Victims' Rights in October 2022.

Wendy L. Schrank, Victims' Rights Attorney

Ms. Schrank received her Bachelor of Arts degree in History and German from Valparaiso University in 1998. In 2003 she earned a Master of Arts degree in History from the University of Notre Dame. Ms. Schrank then received a Juris Doctor from Hamline University in 2004 and an Associate of Arts in Korean Language from the Defense Language Institute in 2006. Ms. Schrank came to the State of Alaska in 2011 with the United States Army and was stationed at Fort Wainwright, Alaska. As an active-duty Trial Defense Counsel with the Judge Advocate General Corps, she had the opportunity to defend soldiers facing courts-martial and other adverse administrative action. Following a deployment and several other Army assignments, including an assignment as Special Victims' Counsel, Ms. Schrank left the Army and worked as a civilian on Fort Wainwright as a Medical Evaluation Board Counsel. In 2018, Ms. Schrank accepted a position with the Alaska Attorney General's Office in Fairbanks, serving the State of Alaska in matters of child protection. Following approximately three years in that position, Ms. Schrank accepted a position with the Fairbanks District Attorney's Office and served as the Fairbanks Sex Assault Prosecutor and later, the Fairbanks Rural Prosecutor serving the communities of Nenana, Galena, Fort Yukon, Delta Junction and Tok. Ms. Schrank joined the Office of Victim's Rights in June of 2023.

Deven Cunningham, Investigator

Mr. Cunningham joined OVR in September 2021. Mr. Cunningham is a retired Anchorage Police Department detective where he served for over 25 years. He worked as a patrol officer, a follow-up unit investigator, and a detective in the Crimes Against Children Unit for many years before finishing his career as a detective in the Fraud Unit. Mr. Cunningham was also a polygraph examiner and taught at the police academy and to outside organizations in several different fields. Mr. Cunningham has a bachelor's degree in Criminal Justice from the University of Alaska-Anchorage.

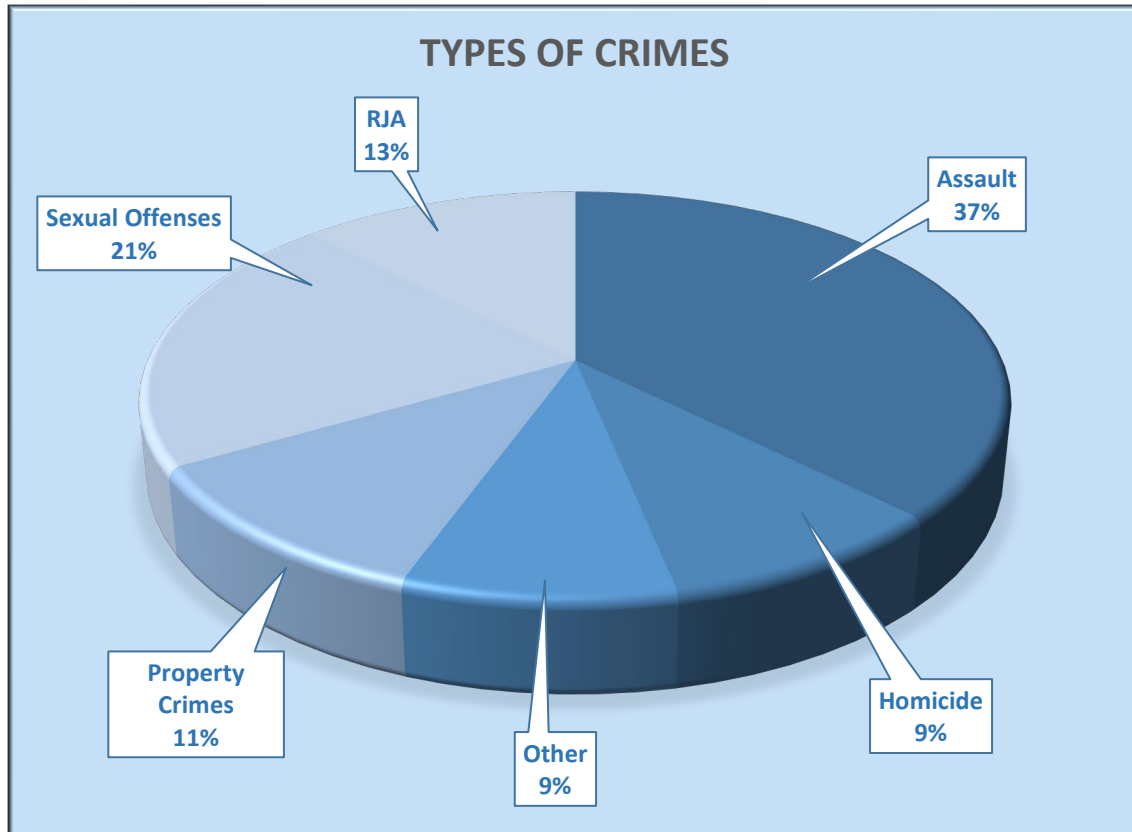
Linnea Deisher, Legal Secretary

Ms. Deisher was born and raised in the Anchorage area. After graduating high school, she left Anchorage to pursue her education at the University of Alaska Fairbanks. While completing her studies, Linnea interned at the Fairbanks District Attorney's Office. In 2017, Linnea graduated with a Bachelor of Arts degree in Criminal Justice. Ms. Deisher joined the Alaska Office of Victims' Rights in November 2017 as a Law Office Assistant. In May 2019 she was promoted to her current position as the OVR's Legal Secretary.

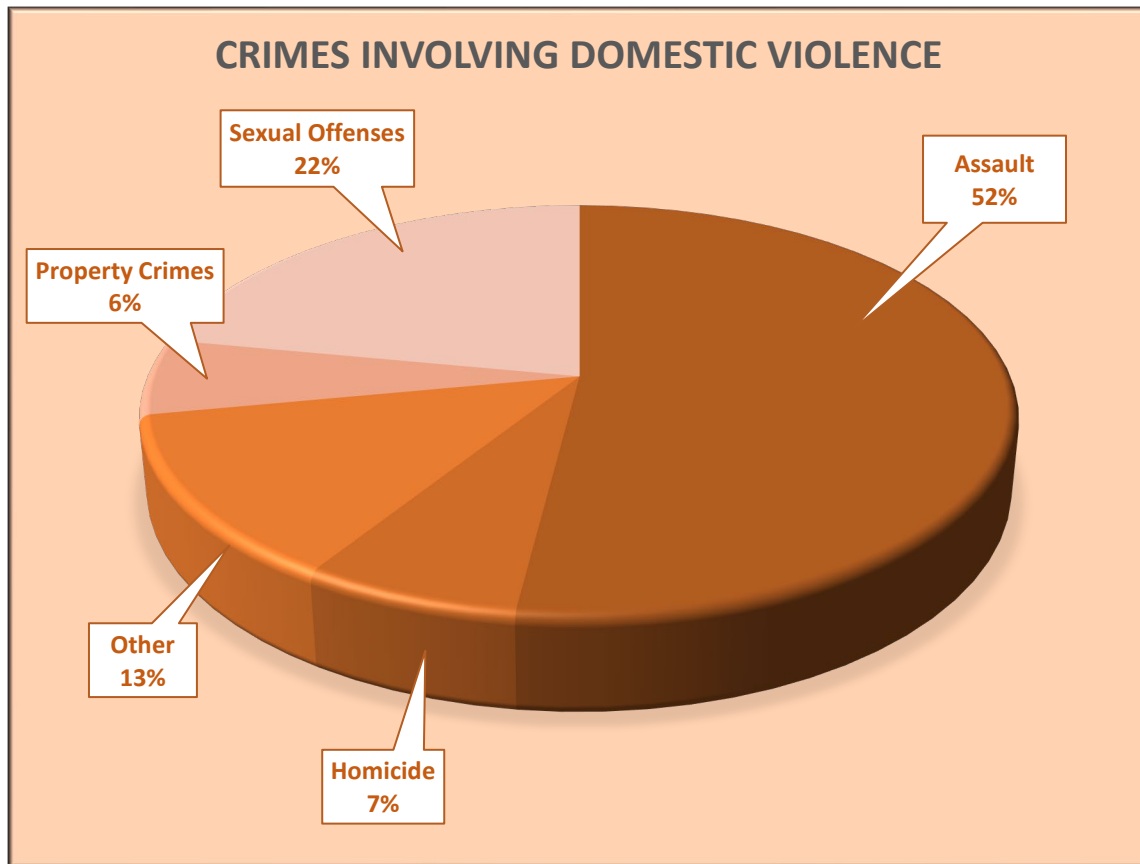
OVR'S ANNUAL CASE STATISTICS

The following information pertains to the cases opened by OVR during the current reporting period of July 1, 2022, through June 30, 2023. During this period, OVR opened 171 new cases which required OVR's assistance on behalf of crime victims.

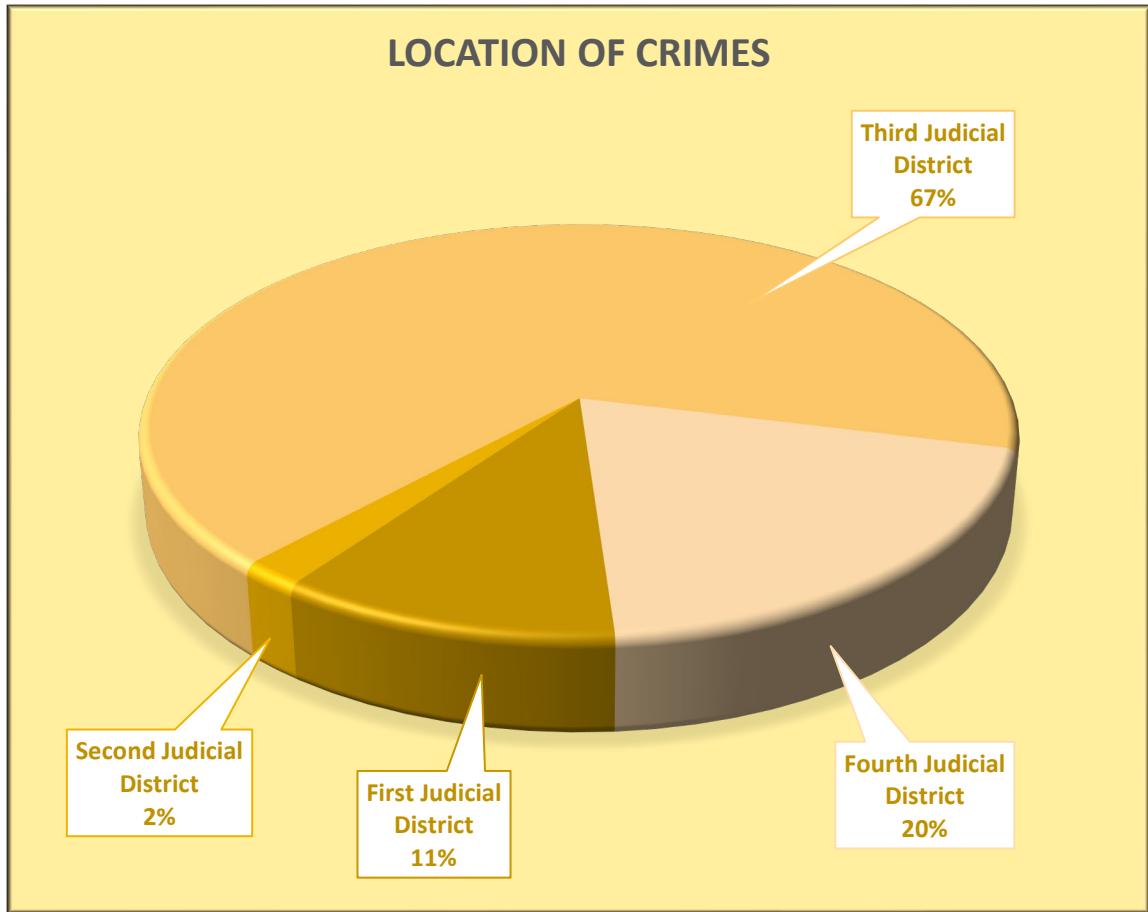
OVR opened 171 new cases between July 1, 2022, and June 30, 2023



OVR primarily assisted victims who experienced crimes against the person, with 67% of our new cases following this category. Crimes against a person include crimes such as homicide, kidnapping, assault, robbery, and sexual offenses. Property crimes include crimes such as burglary, vehicle theft, theft, forgery, and embezzlement. 37% of this year's new cases involved crimes of assault. OVR's representation in sexual offense cases decreased 7% this year to 21% of OVR's new cases. OVR representation of new homicide victims also decreased to 9%. The number of cases involving property victims represented by OVR decreased from 17% last year to 11% this year. These changes mainly reflect an increase in the number of people applying for Restorative Justice Account funds; victims requesting restorative justice account funds increased and accounted for 13% of OVR's new cases.



OVR continues to assist a high number of victims of domestic violence. The number of domestic violence (DV) cases opened in this reporting year increased by 4% compared to the previous year. Half (50%) of this year's cases involve domestic violence crimes. Within the category of DV crimes, there was a shift in the types of DV crimes victims suffered. Last year, 47% of OVR's DV cases were assault crimes, whereas this reporting year the number increased to 52%. OVR also saw a decrease of DV-related sexual offense cases from 33% last year to 22% this year. The percentage of DV-related homicides also decreased from 10% last year to 7% this year. However, OVR saw an increase in DV-related property crimes, from 2% last year to 6% this year. Other DV-related crimes also increased from 8% last year to 13% this year.

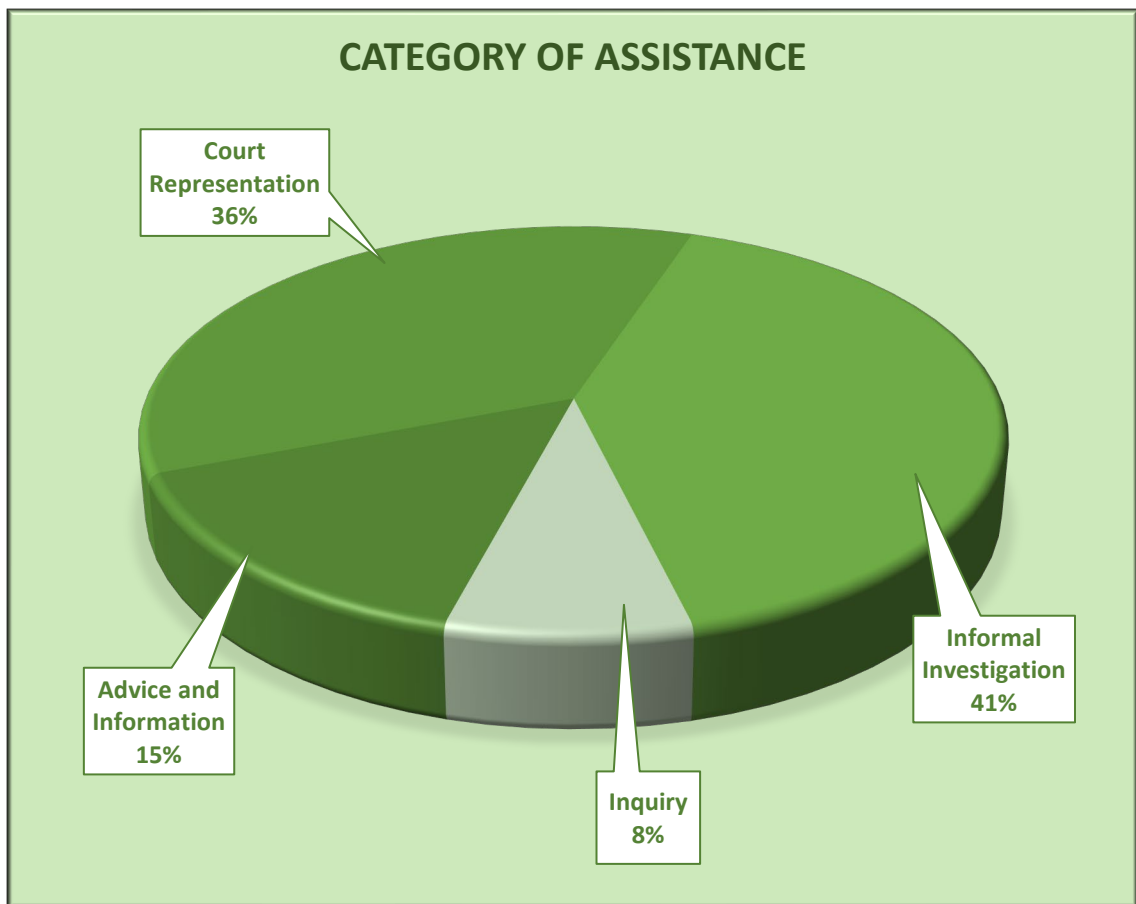


The majority of OVR's new cases continue to originate from the Third Judicial District. Given that this area comprises the most populated region of the state and includes the Anchorage bowl, the Matanuska-Susitna Valley, and the Kenai Peninsula, it is no surprise that 67% of this year's cases originated from the Third Judicial District, which is 7% less compared to last year. The number of cases from the First Judicial District increased from 8% last year to 11% this year. Case numbers from the Second Judicial District stayed at 2%, the same as last year. Finally, the number of cases from the Fourth Judicial District increased from 16% last year to 20% this year.

ASSISTANCE PROVIDED TO CRIME VICTIMS

The information below summarizes the assistance provided to crime victims by OVR during the last fiscal year. Crime victims can contact OVR for assistance at any point after the crime has been reported to law enforcement and up until the offender, if convicted, is released from parole and/or probation. For example, some crime victims request assistance during the law enforcement investigative stage prior to charges being filed, whereas other victims seek assistance after conviction when the case is in the parole/probation or appeal phase. Therefore, there are various ways in which OVR helps victims, which reflects their specific needs and concerns.

OVR represented crime victims in court in 36% of this year's new cases, accounting for a 16% decrease from last year. OVR also provided substantial informational services for Alaska crime victims by responding to general inquiries and providing case specific advice. The "advice and information" category saw a notable change this year with the number increasing from 1% last year to 15% this year. The statistics presented for this reporting year only reflect the level of assistance for cases opened during the reporting period.



Advice and Information:

Twenty-six (26) crime victims sought advice or information from OVR. This means that after speaking with OVR lawyers and staff, the crime victims filed formal written documents (standard OVR complaint forms) with OVR. These cases were easily resolved and involved minimal document collection and preparation. Primarily they involved individuals who needed information about how the judicial system operates and wished to have a third party look over their case to determine whether it proceeded as other cases in similar situations.

Inquiry:

Fourteen (14) crime victims came to OVR with particular issues or concerns regarding active criminal investigations or prosecutions. These victims filed formal written requests with OVR. These cases required OVR to make some preliminary inquiries and/or to seek some documentary evidence from justice agencies. These cases required limited to moderate involvement by OVR attorneys or staff. These cases resolved informally due in part to the cooperative relationship developed between OVR, the justice agencies, and the client involved.

Informal Investigation:

Sixty-nine (69) crime victims came to OVR with significant problems or concerns regarding active criminal cases during the current reporting period. These victims filed formal written requests with OVR, and their cases required OVR to seek documentary evidence from justice agencies. These cases were significant in terms of the number of documents collected and reviewed, the time commitment required from OVR lawyers and staff, and the level of inquiry into justice agency affairs. These cases did not result in the publication of a formal report pursuant to AS 24.65.160 but were resolved through informal means and communication with participating criminal justice agencies.

Court Representation:

Sixty-two (62) clients came to OVR with significant issues or concerns regarding active criminal cases and the desire to participate in court proceedings. In addition to requesting documentary evidence from judicial agencies, these cases gave rise to an OVR attorney presence in the courtroom on behalf of the victims and their interests. Examples of court representation include cases in which OVR staff attorneys spoke on behalf of crime victims at hearings involving bail, change of plea, and sentencing, including juvenile hearings.

Contacts:

OVR fielded approximately 834 additional calls from the public this year seeking assistance with their concerns. Most of these calls were fielded in the second half of the fiscal year. Most of these individuals were not eligible to file a complaint or to request OVR services due to lack of OVR jurisdiction. Instead, the individuals were referred to the appropriate government or victim service agency to meet their needs.

OVR EDUCATION AND TRAINING

OVR attorneys and staff continue to maintain their expertise in crime victim advocacy and to receive training in areas which enhance our ability to better serve victims in Alaska. OVR attorneys also provide training to criminal justice professionals and advocacy organizations in Alaska to further the interests of Alaska crime victims. The following information summarizes the trainings provided by and attended by OVR attorneys and staff during the current reporting year.

<u>Date</u>	<u>OVR Trainings/Outreach Provided</u>
November 29, 2022	Anchorage Police Department Academy, Anchorage Michael Shaffer provided training to new officer recruits at the APD Academy. He provided information on officers' obligations to crime victims but also what services OVR provides to crime victims and interfaces with law enforcement across the state.
December 12-13, 2022	Alaska Network on Domestic Violence and Sexual Assault, Anchorage Michael Shaffer presented at the annual statewide training conference for Alaska victim advocates. He explained the role of OVR and described a range of services we do and do not provide. He answered individual questions and provided additional information with respect to OVR services.
March 10, 2023	Alaska Department of Public Safety, webinar Katherine Hansen provided individual training about OVR to the new Program Coordinator who will supervise a team of statewide paralegals hired to assist crime victims during the criminal investigation process.
March 16, 2023	Sexual Assault Response Team Training, Anchorage Michael Shaffer provided training to law enforcement, prosecutors, paralegals, and advocates attending a multi-day SART training. OVR's portion focused on victims' rights, what services OVR provides victims, our role, what complaints victims most commonly have and how to reduce or eliminate those concerns.
March 30, 2023	Victims for Justice, Anchorage Katherine Hansen provided training to the staff at VFJ regarding victim restitution requests that included funding sources with a

focus on the process and legal precedent that governs victim requests for restitution by court order in criminal cases.

May 30, 2023

Anchorage Police Department Academy, Anchorage

Michael Shaffer provided training to new officer recruits at the APD Academy. He provided information on officers' obligations to crime victims but also what services OVR provides to crime victims and interfaces with law enforcement across the state.

June 22, 2023

Alaska Breast and Cervical Screening Assistance Program, webinar

Katherine Hansen provided a short training about the role and workings of the OVR to a small group of contractors who work with people statewide that may make incidental referrals for crime victim services.

OVR Trainings Attended

November 10, 2022

Legislative Ethics for Nonpartisan Legislative Staff

Michael Shaffer attended this legislative ethics and equal employment opportunity training for nonpartisan legislative staff.

December 2, 2022

Anchorage Bench-Bar, Zoom

Michael Shaffer attended this meeting with the Anchorage presiding judge and criminal justice agency heads which discussed various topics related to the criminal justice system including but not limited to discovery hearings and issues, defendant court attendance, current trial deal issues, and off-record continuances.

December 15, 2022

Legislative Ethics for Nonpartisan Legislative Staff

Katherine Hansen attended this legislative ethics and equal employment opportunity training for nonpartisan legislative staff.

February 6-7, 2023

Reducing Recidivism and Reentry Conference, Anchorage

Angela Garay and Michael Shaffer attended several conference presentations while also manning an OVR exhibitor table, where they provided general information and written materials to conference attendees regarding OVR's overall mission and available services for Alaska crime victims' rights advocacy.

February 28, 2023

National Association of Victims' Rights Attorneys, webinar

Katherine Hansen attended this continuing legal education webinar that provided an overview of noteworthy appeal decisions nationwide during the previous year affecting crime victims' legal rights.

April 27-28, 2023

Victims' Rights & Restorative Justice Symposium, UAA

Angela Garay and Michael Shaffer attended this symposium hosted by the UAA Justice Center and the UAA School of Social Work that educated Alaska's current and future leaders in the victim service, advocacy, and support fields to use restorative justice practices to give voice, acknowledgement, power, and justice to those impacted by crime.

May 25, 2023

Alaska Public Safety Advisory Committee (Violence Against Women Act), webinar

Katherine Hansen attended this video conferenced meeting regarding updated safety information.

June 5-7, 2023

National Crime Victim Law Institute Conference, Portland

Michael Shaffer attended numerous sessions including, but not limited to, Disability Law and Crime Victims' Rights, Fundamentals of Victims' Rights Litigation, Cyber Crimes Within Domestic Violence Relationships, Representing and Supporting Survivors of Child Sexual Abuse, Addressing Egregious and Systemic Victims' Rights Violations, and Appellate Review in Victims' Rights cases.

June 16, 2023

Legislative Ethics for Nonpartisan Legislative Staff

Wendy Schrank attended this legislative ethics and equal employment opportunity training presented specifically for nonpartisan legislative staff.

June 26, 2023

State of Alaska Crime Lab: Virtual TrackKit Advocacy

Katherine Hansen attended training for advocates who work with victims of sexual assault to learn about a new system being put in place statewide that allows sexual assault survivors to register and track the status of sexual assault "SART" kits.

OVR'S WORK WITH SYSTEM AND COMMUNITY-BASED GROUPS

OVR continues its work with system-based and community-based groups on behalf of Alaska crime victims. System-based groups are most often inter-agency committees involving city, state, and sometimes federal government officials, many of whom are court, legal, and law enforcement professionals. System-based groups may also have participants who traditionally are part of community-based groups. Community-based advocacy groups are groups made up of citizen advocates and professionals dedicated to improving the lives of crime victims.

Criminal Justice System-Based Groups

Criminal Justice Working Group

OVR participated in the Victims' Rights and Services workgroup of the Alaska Criminal Justice Commission (ACJC) this reporting year. OVR participates in the Criminal Justice Working Group's (CJWG) Committee. The committee recently restarted committee meetings that had stopped due to the pandemic. The ACJC workgroups are, for the most part, small groups made up of stakeholders in that area of the law which discuss issues specifically related to the focus of the work group and what may be done to remedy the issue which may be forwarded as a recommendation to the ACJC. The CJWG is comprised of policymakers and top administrators who collaborate on ways to improve Alaska's criminal justice system. The CJWG works to develop long-range policies and to resolve shorter-term problems in the criminal justice system. OVR's participation in the work groups allows us to have input regarding crime victim issues which arise in the criminal justice system.

Criminal Rules Committee

Interim director Katherine Hansen was appointed to continue OVR's work as a member of the statewide Criminal Rules Committee meetings, which consists of representatives from the Department of Law, the defense bar, the court system, the Anchorage Municipal Prosecutor's Office, and select Alaska judges. This committee meets regularly to work on amendments to existing Criminal Court Rules or propositions for new rules. One topic discussed in the reporting year was to determine whether the criminal rules should provide a mechanism for private attorneys to represent crime victims. The committee has yet to decide whether a criminal rule change should be implemented to facilitate private attorneys' representation of crime victims. The committee has also had some preliminary discussions for potential rule changes designed to facilitate timely disposition of criminal matters.

Anchorage Police Department Violent Crime Reduction Action Plan

OVR participated in a project taken on by the Anchorage Police Department which utilized a special federal program providing expert assistance to evaluate, make recommendations, and to develop a plan to reduce violent crime within its jurisdiction. As part of this process, community stakeholders, including OVR, were invited and participated in several meetings to discuss and devise a mission statement and action plan for the Anchorage Police Department going forward to help reduce violent crime in Anchorage.

Community-Based Groups

OVR engages in outreach to a large variety of community-based and victim support groups and supports their efforts to assist victims by providing training to advocates, as well as general information about the criminal justice process so that those organizations to better aid crime victims in our community. OVR representatives met with representatives from Victims for Justice, non-profit legal service organizations, and domestic violence and sexual offense victim advocates over the course of the reporting year.

OVR seeks to continue its partnership with community and system-based advocacy groups to improve the experience of crime victims in the criminal justice process. Additionally, OVR continues to seek ways to reach out to the community at large in order to educate as many people as possible about their rights should they or someone they know become a victim of crime.

DOMESTIC VIOLENCE FATALITY REVIEW

The Executive Director, under AS 24.65, is an *ex officio* member of each domestic violence fatality review team created under A.S.18.66.400 and may attend any meeting and review any information available to or considered by a team. The Alaska Office of Victims' Rights has been involved with the Anchorage Domestic Violence Fatality Review Committee (DVFR) over the years by the Executive Director serving as member of the committee and OVR providing administrative assistance to the committee. The Anchorage Domestic Violence Fatality Review Committee did not conduct any reviews this past year and has been dormant for several years. While the Anchorage DVFR has not met, a new statewide Domestic Violence Fatality Review Team launched in March 2021 by the commissioner of the Department of Public Safety. However, due to transitions within the Department of Public Safety the team and further training have been put on hold. OVR remains committed to the mission of DVFR teams to work to prevent domestic violence homicides in Anchorage and throughout the state.

RURAL ALASKA OUTREACH

OVR's rural Alaska outreach effort expands and strengthens OVR's network of community and system-based advocacy groups, medical providers, law enforcement, court system and Department of Law personnel to further the interests of crime victims statewide. OVR respectfully recognizes and supports the work of victim advocates and legal professionals in remote communities and their commitment to improving public safety.

OVR seeks to work with others, in a spirit of cooperation and collaboration, to improve crime victims' experiences in the criminal justice system in communities throughout Alaska. OVR remains committed to implementing proposals for improving access to legal services to crime victims in less populous regions of the state.

LAW ENFORCEMENT OUTREACH

OVR continued personal contacts with police officials across the state this year. Mr. Cunningham engaged directly with law enforcement personnel throughout Alaska and established an extensive network of contacts. He is diligent in developing and maintaining amiable, professional relationships. OVR seeks to continue to work with law enforcement in the year ahead in a constructive manner to advance the interests of crime victims and improve the administration of justice.

In addition, Michael Shaffer provided training to new recruits at the Anchorage Police Department Academy. Katherine Hansen also participated in a project directed by the Anchorage Police Department to evaluate, make recommendations, and develop a plan to reduce violent crime within Anchorage. As part of this project, community stakeholders, including OVR, were invited to participate in several meetings to discuss and devise a mission statement and action plan for the Anchorage Police Department going forward to help reduce violent crime in Anchorage.

RESTORATIVE JUSTICE ACCOUNT DISTRIBUTIONS

Crime victims have a constitutional right to restitution from convicted defendants. A statute passed in 2018 created a Restorative Justice Account (RJA) for victims to apply for state funds to satisfy a restitution judgment that, after two years or more, remains unpaid. OVR administers RJA grants for victims who apply. Awards for unpaid restitution are capped at \$10,000 per victim. OVR reached out to justice agency and victim service agency heads to ensure their staff was aware of the RJA program so that victims could be encouraged to apply for funding. This was done to ensure that an OVR budget surplus could be used to financially restore crime victims owed restitution. Accordingly, **OVR is very pleased to report that \$116,569.58 was paid to 17 victims with outstanding restitution judgments.** The RJA is a great step in the right direction to help crime victims recoup some of the restitution they are due. OVR is committed to working with other criminal justice agencies and the Legislature to help develop additional policies or statutes which would result in more restitution payment compliance by defendants.

LOOKING AHEAD

OVR's previous director Taylor Winston retired in September 2022 after serving in the position for two terms over the previous ten (10) years. Katherine Hansen has served as acting executive director in the interim during most of this annual reporting year. In the coming year, the Alaska Legislature will be recruiting and confirming a new executive director for a 5-year term.