



# **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) advocating to preserve and protect individual crime victims' rights under the Alaska Constitution and statutes; 2) investigating complaints by crime victims concerning criminal justice agencies; and 3) participating in community and government advocacy groups to help 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.

Alaska statute 24.65.170 requires OVR's Director to publish an annual report regarding OVR's activities and to notify the Legislature that the report is available.

## **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 the enforcement of 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 and all Class A misdemeanors involving domestic violence or a crime involving crimes against the person under AS 11.41. A felony is a criminal offense where the possible jail sentence upon conviction is one or more years and a fine of up to \$500,000, depending on the class of felony. Class A misdemeanors are crimes punishable by no more than one year in jail and a fine up to \$25,000 (*AS 12.55.035*). Crime victims may apply for OVR assistance to ensure their legal rights as crime victims are not denied.

## 2. *Investigating Complaints by Victims*

Crime victims may apply 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 all records that any criminal defendant is entitled to access or receive. AS 24.65.120(b).

Examples of information and records available to OVR include 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, and physical evidence. All information and records, which may include records subpoenaed by OVR, are kept confidential as required by AS 24.65.110(d) and AS 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 to provide documents and evidence and/or to answer questions under oath. The Victims' Advocate (OVR's Executive Director) is authorized by law to issue subpoenas to a person for any records or objects that the Victims' Advocate reasonably believes 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 Advocate reasonably believes that person may have such information. AS 24.65.130.

If a person refuses to comply with a subpoena, the Victims' Advocate may file a motion with the Superior Court requesting that a judge issue a court order directing obedience to the subpoena. If the person refuses to comply, the person may be held in contempt of court and could be fined or jailed until the subpoena is honored. AS 24.65.130(b); *see also* AS 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. AS 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 before 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 attorneys 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. AS 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 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 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 OVR staff for anything said or done in the performance of OVR's duties or responsibilities. AS 24.65.180; AS 24.65.190; AS 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. AS 24.65.210.

## **OVR STAFF**

OVR's team includes seven legal professionals who are working or have worked at OVR during some portion of the reporting year.

### ***Angela G. Garay, Executive Director***

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. Before her confirmation as OVR's Executive Director, Ms. Garay volunteered as a board member on the Council on Domestic Violence and Sexual Assault and served as the Board Chair. In January 2024, Ms. Garay was confirmed by the Legislature for a five-year term as OVR's Executive Director.

### ***Katherine J. Hansen, Victims' Rights Attorney***

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's degree in psychology 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, 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 retired from OVR in April 2025 after serving as a victims' rights attorney for over twenty years.

### ***Michael D. Shaffer, Victims' Rights Attorney***

Mr. Shaffer graduated from Brandeis University *cum laude*, with a bachelor's degree in politics and a minor in legal studies. He then attended Columbia Law School and, after passing the Massachusetts Bar, briefly practiced law in the Boston area before moving to California and subsequently to Alaska in 1998. He worked in an estate planning firm before completing a law clerkship for Superior Court Judge Morgan Christen in Anchorage in 2003. Following his clerkship, he was hired as an associate attorney at Winner & Associates in Anchorage, where he

practiced in a variety of civil law. Mr. Shaffer then joined the Municipality of Anchorage (MOA) Prosecutor's Office, where he primarily prosecuted domestic violence and child neglect/abuse cases. In 2010, Mr. Shaffer accepted a position as the sole attorney at the Alaska Native Justice Center (ANJC), where he represented indigent victims of domestic violence in civil cases. In 2013, he returned to the MOA Prosecutor's Office, resuming his prior work of prosecuting domestic violence, child neglect/abuse, and animal abuse cases, until accepting his current position with the Office of Victims' Rights in October 2022.

***Diana Kniazewycz, Victims' Rights Attorney***

Ms. Kniazewycz has lived in Alaska since 2019. Originally from California, she graduated from the University of California, Santa Barbara in 2013, with a bachelor's degree in political science and a minor in history. After spending a few years in Washington, D.C., Ms. Kniazewycz attended the University of Southern California Gould School of Law. After her second year of law school, Ms. Kniazewycz had an opportunity to intern with the Anchorage District Attorney's Office during the summer of 2018. After a wonderful summer exploring Alaska, Ms. Kniazewycz graduated from USC and moved to Alaska to be a legal clerk for the Alaska Court of Appeals in Anchorage. Ms. Kniazewycz then became an Assistant District Attorney in Anchorage, working in both the General Trial Unit and the Domestic Violence Unit. Ms. Kniazewycz joined the Alaska Office of Victims' Rights in April 2024.

***Amy Fenske, Victims' Rights Attorney***

Ms. Fenske has lived in Alaska since 2003, but has resided all over the country. She graduated from Grinnell College with a bachelor's degree in history before attending the University of Iowa, College of Law. Throughout her legal career, Ms. Fenske has practiced both criminal and civil law, including a 14-year tenure as a criminal prosecutor. When Ms. Fenske is not working, she enjoys typical Alaskan outdoor activities, including hiking, boating, fishing, and hunting. Ms. Fenske joined the Office of Victims' Rights in May 2025.

***Deven Cunningham, Investigator***

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 received a bachelor's degree in criminal justice from the University of Alaska, Anchorage and joined OVR in September 2021.

***Linnea Deisher, OVR Office Manager***

Ms. Deisher was born and raised in the Anchorage area, and after graduating from high school, she pursued her education at the University of Alaska, Fairbanks. While there, Ms. Deisher interned at the Fairbanks District Attorney's Office. After completing her degree in justice, Ms. Deisher joined OVR in November 2017 as a law office assistant and is now serving as OVR's office manager.

***Rheylea Julian, Law Office Assistant***

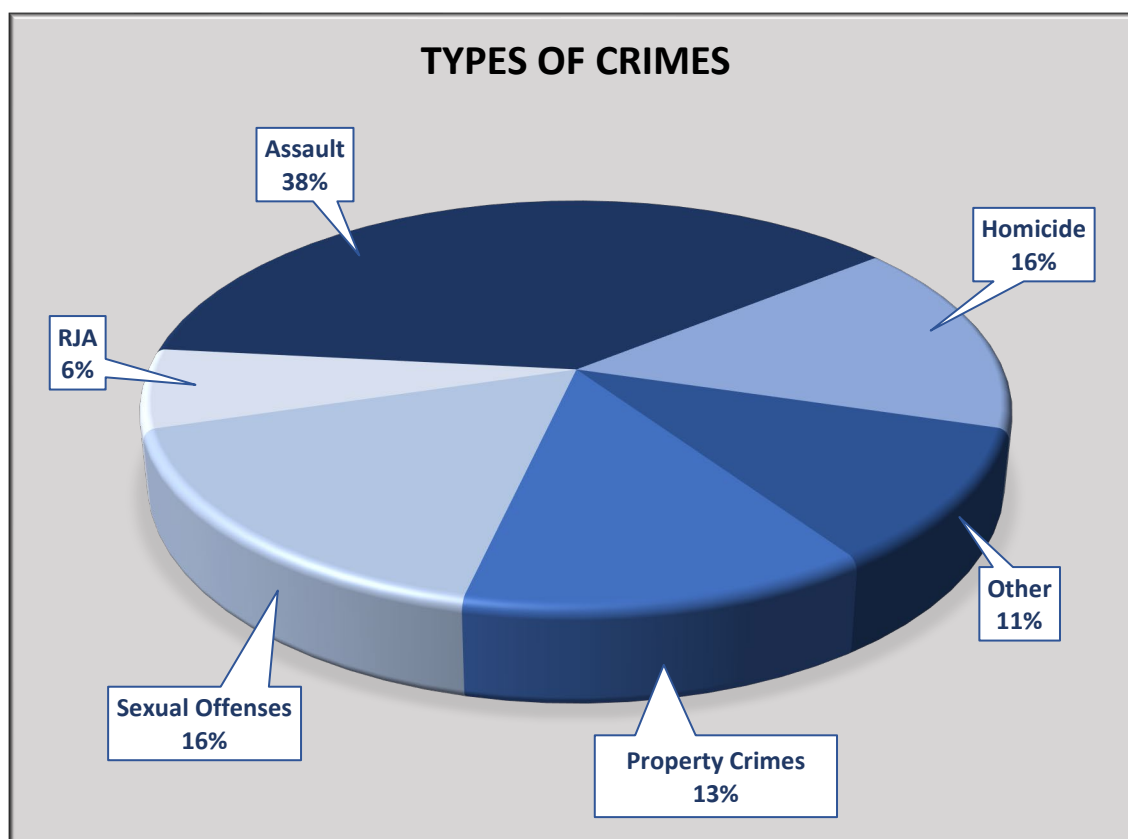
Mr. Julian was born in California and raised in the North Slope before moving to Anchorage when he was a teenager. After graduating from high school, he decided to continue his pursuit of education at the University of Alaska, Anchorage, with a degree in Legal Studies and the aspiration of attending law school. While pursuing his degree, Mr. Julian worked in the banking industry before transitioning into a law-related occupation. In July 2023, Mr. Julian joined OVR as a law office assistant.



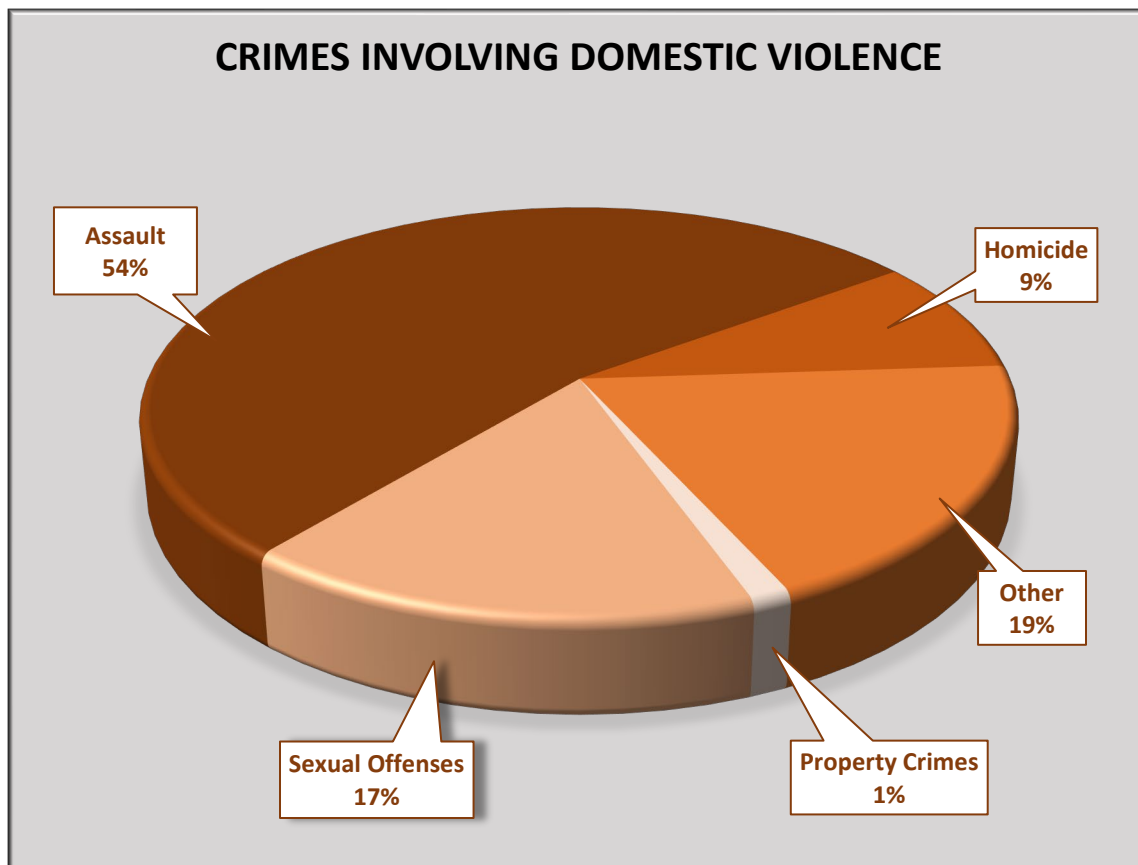
## ANNUAL CASE STATISTICS

The following information regards cases opened by OVR during the current reporting period of July 1, 2024, through June 30, 2025. During this period, OVR opened 220 new cases that required OVR's assistance on behalf of crime victims.

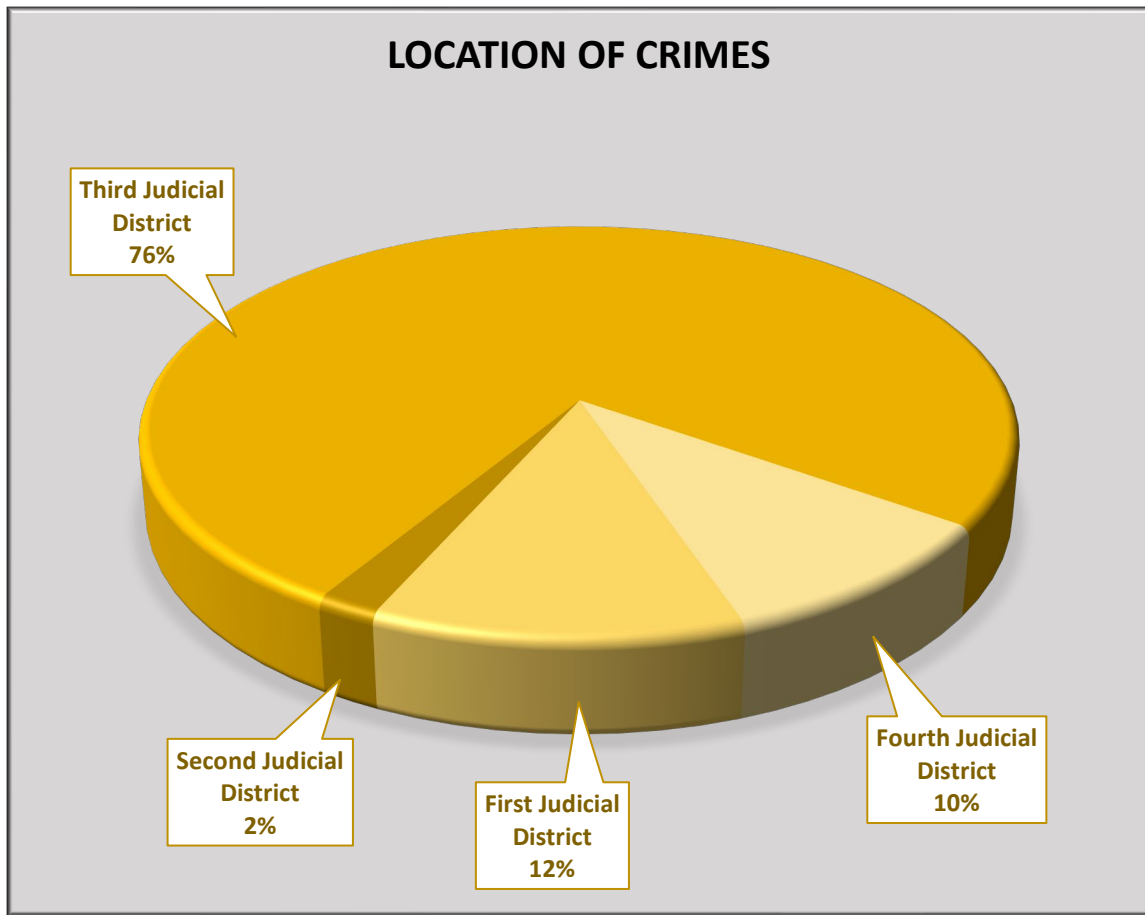
**OVR opened 220 new cases between July 1, 2024, and June 30, 2025**



**OVR continues to serve a high percentage of victims involved in a crime against a person, with 70% of this year's reporting cases falling into this category.** Crimes against a person include homicide, kidnapping, assault, robbery, and sexual offenses. Property crimes include crimes such as burglary, vehicle theft, theft, forgery, and embezzlement. Thirty-eight percent (38%) of this year's new cases involved crimes of assault, which is a 6% decrease compared to last year. OVR's representation in sexual offense cases also decreased from 21% last year to 16% this year. However, OVR representation of new homicide victims increased by 2% to 16%. The number of cases involving property victims represented by OVR increased from 9% last year to 13% this year. The number of cases involving victims requesting Restorative Justice Account (RJA) funds doubled this year from 3% to 6% of OVR's new cases.



**Domestic violence-related crimes take up approximately one-third of OVR’s caseload, with 35% of the reporting year’s cases involving domestic violence.** That being said, the number of domestic violence (DV) cases opened in this reporting year decreased by 6% compared to last year. Within the category of DV crimes, there was a shift in the types of DV crimes victims suffered. Last year, 59% of OVR’s DV cases were assault crimes, whereas this reporting year, the number decreased to 54%. The number of OVR’s DV-related sexual offense cases decreased by 10%, to 17% this year. OVR’s number of DV-related property crime cases remained the same as last year, at 1%. The percentage of DV-related homicides more than doubled from 4% last year to 9% this year. Lastly, other DV-related crimes, such as violating a domestic violence protective order, increased from 9% last year to 19% this year.

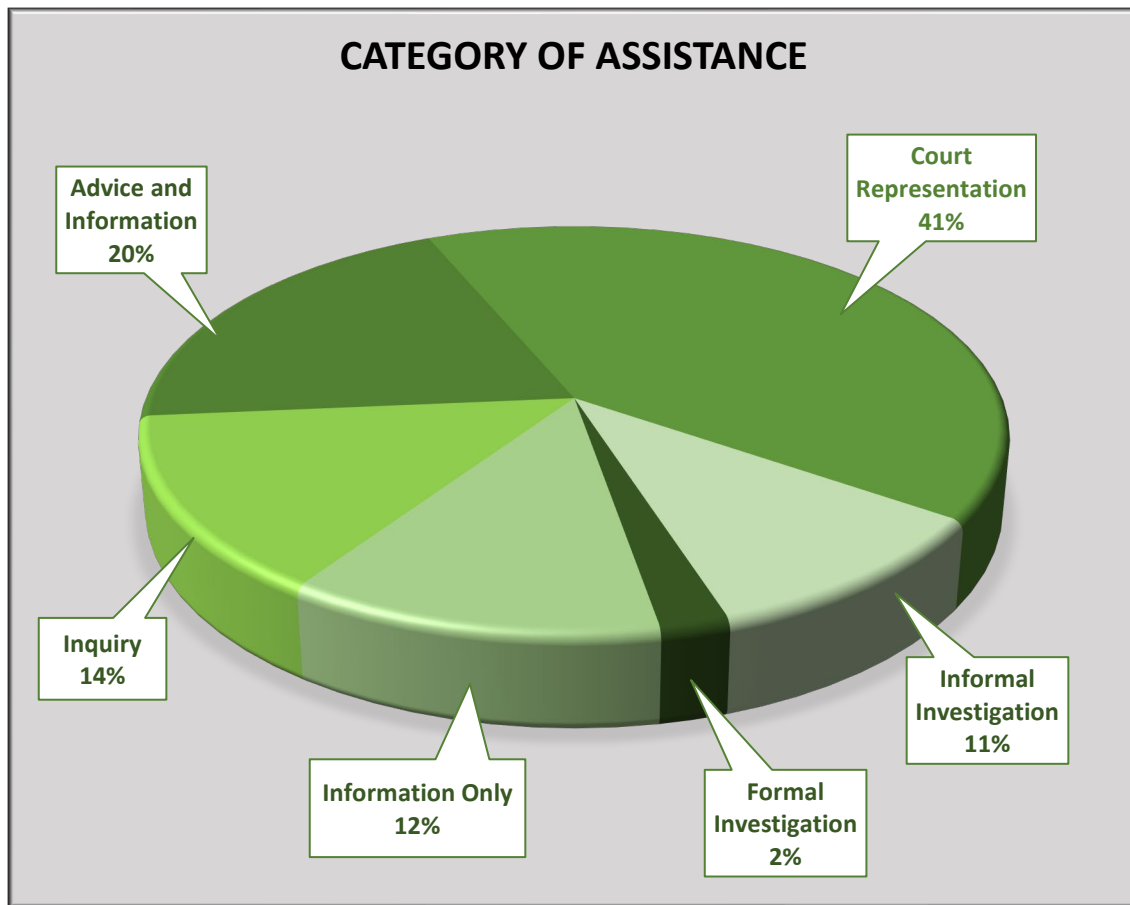


**The majority of OVR’s new cases continue to originate from the Third Judicial District.** This is not a surprise, given that this area comprises the most populated region of the state and includes the Anchorage bowl, the Matanuska-Susitna Valley, and the Kenai Peninsula. Seventy-six (76%) of this year’s new cases originated from the Third Judicial District, which is 3% more compared to last year. The number of cases from the First Judicial District increased from 7% last year to 12% this year. Case numbers from the Second Judicial District decreased this year by 1% to 2% of OVR’s overall cases. Finally, the number of cases originating from the Fourth Judicial District decreased from 17% last year to 10% 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 before charges are 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 reflect their specific needs and concerns. Additionally, OVR attorneys continue to file motions on behalf of OVR clients addressing the return of property held by law enforcement, the timely disposition of criminal cases, and the protection of victims' constitutional right to privacy in regard to their therapist, medical, and treatment records and information.

OVR represented crime victims in court in 41% of this year's new cases, accounting for a 7% 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 decreased from 23% last year to 20% this year. The statistics presented for this reporting year only reflect the level of assistance for cases opened during the reporting period.



## **Information Only**

Twenty-seven (27) crime victims applied for OVR services seeking information about the criminal justice system. After speaking with the victim, it was determined that no further OVR assistance was needed, and their cases were closed.

## **Advice and Information:**

Forty-four (44) crime victims applied for OVR services seeking legal advice or information. 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 review their case to determine whether it proceeded as other cases in similar situations.

## **Inquiry:**

Thirty-one (31) crime victims came to OVR with specific issues or concerns regarding active criminal investigations or prosecutions. These cases required OVR to make some preliminary inquiries and/or seek limited documentary evidence from justice agencies. These cases required little to moderate involvement by OVR attorneys or staff. These cases were resolved quickly, due in part to the cooperative relationship developed between OVR, the justice agencies, and the client involved.

## **Informal Investigation:**

Twenty-three (23) crime victims came to OVR with certain problems or concerns regarding active criminal cases during the current reporting period. These 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 attorneys 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:**

Ninety (90) 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.

### **Formal Investigation:**

Five (5) clients came to OVR with significant issues or concerns regarding an active criminal case that resulted in OVR opening a formal investigation. While OVR only opened five cases regarding this specific concern for the reporting year, many other victims contacted OVR with the same concern. The nature of OVR's investigation shall remain confidential under AS 24.65.120.

### **Contacts:**

OVR fielded approximately 500 additional enquiries from the public this year seeking assistance with their concerns. These individuals were not eligible to file an application or to request OVR services due to a lack of OVR jurisdiction. Instead, the individuals were referred to the appropriate government or victim service agency to meet their needs.

## **EDUCATION AND TRAINING**

OVR attorneys and staff continue to maintain their expertise in crime victim advocacy and to receive training in areas that 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 and/or attended by OVR attorneys and staff during the current reporting year.

### **Date**

### **OVR Trainings/Outreach Provided**

July 15, 2024

**Kotzebue Department of Public Safety Paralegal Training, virtual**

Michael Shaffer and Diana Kniazewycz provided training about OVR to a new paralegal hired to assist crime victims during the criminal investigation process.

July 18, 2024

**Central Council of the Tlingit and Haida Indian Tribes of Alaska – Community Advocacy Program Training, virtual**

Diana Kniazewycz provided training about OVR to advocates at the Central Council of the Tlingit and Haida Indian Tribes Community Advocacy Program. She provided information on what services OVR provides to victims, our role in the Alaska criminal justice system, and how OVR differs from similar non-profit agencies.

August 7, 2024

**Victims for Justice New Advocate Training, virtual**

Michael Shaffer and Diana Kniazewycz provided training about OVR to advocates at Victims for Justice. They provided information on what services OVR provides to victims, our role, and how OVR differs from similar non-profit agencies.

October 8, 2024

**Crime and Justice Institute and Pretrial Enforcement Division, Anchorage**

Katherine Hansen, Linnea Deisher, and Michael Shaffer met with representatives from the Crime and Justice Institute and Anchorage Pretrial Enforcement Division to discuss Alaska's criminal justice system, mainly focusing on pretrial concerns and struggles victims face.

November 6, 2024

**Pretrial Enforcement Division, Anchorage**

Michael Shaffer provided training to approximately 30 officers at the Anchorage Pretrial Enforcement Division (PED) office. He described OVR's role in the criminal justice system and discussed the challenges that victims face when dealing with offenders who are being monitored by PED.

November 21, 2024

**Sexual Assault Response Team (SART) 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 to victims, our role, what complaints victims most commonly have and how to reduce or eliminate those concerns.

November 22, 2024

**Anchorage Police Department Academy, Anchorage**

Diana Kniazewycz and Michael Shaffer provided training to new officer recruits at the APD Academy. They provided information on officers' obligations to crime victims and what services OVR provides to crime victims.

December 17, 2024

**New Legislator Orientation, Anchorage**

Diana Kniazewycz provided a broad overview of what OVR does as well as who and how we can help to newly elected legislators in Anchorage. She also discussed restitution and the failure to include minor children as part of the statutory definition of a crime victim.

January 16, 2025

**Alaska State Legislature Orientation, Juneau**

Diana Kniazewycz presented an overview of OVR to new legislative aides. The training covered what types of cases OVR has jurisdiction over, how victims apply for OVR services, and how OVR can help victims in Alaska. The presentation also highlighted the common concerns victims have expressed to OVR, such as the failure of their case to be disposed of timely, and some of OVR's future legislative goals.

January 23, 2025

**Alaska State Troopers, virtual**

Katherine Hansen presented to newly hired AST paralegals in Anchorage, Bethel, and Sitka to introduce them to OVR and provide information about how OVR can assist crime victims.

January 30, 2025

**Victims for Justice, Anchorage**

Michael Shaffer conducted a training for several Victims For Justice (VFJ) recently hired victim advocates. He explained the role of OVR and described a range of victims' rights services provided by OVR as well as how such services complement the victim advocacy services provided by VFJ. Mr. Shaffer also answered individual questions and provided additional information regarding OVR's legal advocacy for and on behalf of crime victims in Anchorage and across the state.

February 3, 2025

**Central Council of the Tlingit & Haida Indian Tribes of Alaska – Human Trafficking Awareness and Murdered and Missing Indigenous Persons Conference, virtual**

Michael Shaffer presented to advocates, ICWA workers, law enforcement officers, attorneys, community navigators, elder program workers, and housing coordinators attending this conference regarding crime victims' rights, what OVR is, how it helps victims in general and specific ways in which OVR could be of assistance to victims in human trafficking and murdered/missing Indigenous persons cases.

February 8, 2025

**Anchorage Youth Court, Anchorage**

The Anchorage Youth Court (AYC) invited OVR to present a training on Alaska crime victims' rights to a group of approximately 20 AYC high school student volunteers. Mike Shaffer's presentation included various scenarios based on prior AYC cases relating to potential crime victims' rights issues. Mr. Shaffer then conducted a



two-hour crime victims' rights presentation with the AYC student-trainees on that topic as part of an overall Saturday AYC training session held at West High School in Anchorage. After the presentation, the students discussed potentially amending their AYC charter to incorporate crime victims' rights.

April 24-25, 2025

**Alaska Bar Association Annual Convention, Anchorage**

Katherine Hansen and Michael Shaffer participated in this annual convention by hosting an exhibitor booth to promote awareness and answer questions about OVR for Alaska attorneys statewide who attended the convention.

April 14, 2025

**Third Avenue Resource and Navigation Center, Anchorage**

Michael Shaffer gave an in-person presentation at the Third Avenue Resource and Navigation Center facility in downtown Anchorage to several case managers and navigation staff. The presentation included an overall description of Alaska crime victim's rights, what victim's rights advocacy/services OVR provides in general for crime victims statewide, and specifically how such advocacy/services could be provided to crime victims in the community being served by the Third Avenue Resource and Navigation Center, including consideration and accommodation of some of the unique communication and other challenges faced by homeless crime victims.

April 23, 2025

**KYUK Radio Interview, telephonic**

Katherine Hansen and Michael Shaffer appeared on KYUK's "Wellness Wednesday" podcast hosted by the Tundra Women's Coalition. During the broadcast, they answered questions and provided general information about crime victims' rights in Alaska, the services OVR provides, and ways to potentially make Alaska residents more aware of how they can utilize OVR representation in criminal case matters.

April 24, 2025

**Sexual Assault Response Team (SART), virtual**

The Department of Law held a week-long SART training for law enforcement, relevant medical personnel, advocates, lawyers, and legal staff. Diana Kniazewycz did a one-hour presentation that summarized OVR's role in the criminal justice system and reviewed, in detail, the Alaska statutes that specifically pertain to sexual assault victims. At the end of the presentation, there was a Q&A

section wherein participants asked whether and how OVR could help in several real-life scenarios.

May 22, 2025

**Anchorage Police Department Academy, Anchorage**

Michael Shaffer provided training to new officer recruits at the Anchorage Police Department Academy. His presentation included information on police officers' specific statutory obligations to crime victims, overall information about Alaska crime victims' rights, the legal advocacy and other services OVR provides to crime victims, and how OVR interacts with law enforcement across the state.

June 5, 2025

**District Attorney's Office, Anchorage**

Linnea Deisher and Diana Kniazewycz spoke with paralegals at the Anchorage District Attorney's Office about how OVR can assist victims, the application process for OVR services, and the specific challenges that victims face when navigating the criminal justice system.

**Date**

**OVR Trainings Attended**

September 23, 2024

**Sexual Abuse Cases/Advocacy/Litigation and the Prison Rape Elimination Act, virtual**

Diana Kniazewycz virtually attended this CLE focused on educating attorneys on what PREA is, how it works on a state level, and the current issues facing attorneys attempting to help victims of prison sexual abuse or rape. The CLE highlighted some Alaska-specific issues regarding reporting, retaliation, housing options, and the intersection of institutional rape and mental health issues.

September 26, 2024

**Introduction to Artificial Intelligence, virtual**

Katherine Hansen virtually attended this CLE, which covered an introduction to artificial intelligence, ethical and legal considerations regarding artificial intelligence, and practical applications for lawyers to use artificial intelligence to streamline practice work.

October 9, 2024

**Alaska Native Law Conference, Anchorage**

Angela Garay attended the 40<sup>th</sup> annual Alaska Native Law Conference and attended sessions, including but not limited to Missing and Murdered Indigenous People's Justice Issues and Cultural Sensitivity.

December 13, 2024

**“What a Road Trip Through the USA Teaches About Legal Ethics” CLE, virtual**

Diana Kniazewycz attended this training, which focused on the historical importance and timeline for developing ethics rules across the United States. The training covered specific ethics rules, highlighting different rules in different states, and a discussion on the importance of those rules to ensure a reliable justice system.

December 16, 2024

**Fundamentals of Legal Assisting in Alaska, virtual**

Linnea Deisher attended this CLE webinar which included sessions on the Basics of Law Office Management and Operation in Alaska, Basics of Alaska State Civil Litigation, Legal Ethics for Legal Assistants, Locating Sources of Alaska Law, and Document Drafting and Editing.

February 6, 2025

**Ethics Training for Legislative Employees, virtual**

Angela Garay, Deven Cunningham, Diana Kniazewycz, Katherine Hansen, Linnea Deisher, Michael Shaffer, and Rheylea Julian attended this mandatory ethics training for legislative staff.

March 5 & 19, 2025

**ANDVSA Annual Family Law and DVSA Training, Anchorage**

Katherine Hansen attended this two-part training put on by the Alaska Network on Domestic Violence and Sexual Assault. This training provided information about the interplay of legal issues and practical issues DVSA victims face when working on criminal legal issues and separate, but related, civil issues.

May 19-23, 2025

**National Crime Victim Law Institute Conference, Portland**

Diana Kniazewycz represented OVR at this year's NCVLI conference held in Portland, Oregon. The NCVLI's is the premier national conference on rights enforcement in the country. Professionals serving victims gather to learn, share best practices, and plan the future of victims' rights. A more detailed description of the conference is below.

May 28, 2025

**Legislative Ethics Training, virtual**

Amy Fenske attended this legislative ethics and equal employment opportunity training for nonpartisan legislative staff.

June 17, 2025

**General Tech & Safety Planning for Victim Advocates, virtual**

Linnea Deisher attended this webinar, presented by Alejandro Palacios, which provided a comprehensive overview of the digital threats facing survivors of abuse and the critical role advocates play in safeguarding their clients. It covered how technology can be used by perpetrators to weaponize their victims while also highlighting the emotional and psychological toll of technology-facilitated abuse victims suffer.

June 24, 2025

**Pet Protection Orders, virtual**

Linnea Deisher attended this webinar, presented by Phil Arkow, which gave an overview of how Pet Protection Orders serve as a powerful legal tool to combat domestic violence and animal abuse. It emphasized the connection between animal abuse and other forms of family violence by illustrating that harm to animals often coincides with threats or acts of violence against humans. It explored the legal evolution of Pet Protection Orders, highlighted the 2018 federal PAWS Act, and addressed legal challenges and opposition to these laws.

June 26, 2025

**Developing Policies for Effective Response to Victims, virtual**

Linnea Deisher attended this webinar, which focused on building a framework that enables agencies to deliver consistent, compassionate, and coordinated services to those impacted by crime. Led by Amy Durall and David Roddy, the session explored how ethics, policy, collaboration, and integration form the foundation of effective victim response programs.

## **2025 National Crime Victim Law Institute Conference**

Diana Kniazewycz attended the Pre-Conference Institute, entitled “Beyond the Basics: Trauma-Informed Lawyering for Hate and Bias Crimes.” During the four-hour training, the presenters discussed the science of threat and trauma and how that science can be used to provide effective representation to victims of crime, particularly victims of hate and bias crimes, as they seek redress in the justice system.

On the first full day of the conference, Ms. Kniazewycz heard from Peter Janci, an attorney who advocates for victims of sexual abuse and other crimes nationwide. Mr. Janci discussed examples from his practice to provide a reminder and a roadmap for how victims' rights attorneys can achieve positive change for victims over time, incrementally, and despite difficult circumstances and setbacks.

Then Ms. Kniazewycz attended a training entitled “Digital Danger: Preventing and Combating Cyber Sexual Abuse,” wherein attorneys from the Chicago Alliance Against Sexual Exploitation (CAASE) explained the legal basics of cyber sexual abuse, the remedies available to survivors, and best practices to follow when encouraging survivors to preserve evidence and protect online privacy.

The next training was “Cross Examination: Experts - Lessons Learned From History,” which discussed the three types of cross-examination - Use, Defuse, and Abuse - and their application to expert witnesses.

The final training Ms. Kniazewycz attended on Day One was titled “Effective Collaboration to Enforce Victims’ Rights in Criminal Cases,” which discussed specific ethical considerations for prosecutors and victim counsel and strategies to increase victim satisfaction and engagement, particularly with people from communities with a history of oppression and discrimination in the legal system.

On Day Two, Ms. Kniazewycz first heard from Rashan Legard, a Motivational Trainer, Veteran, Storyteller, Poet, and Credentialed Survivor Advocate, who shared his story of sexual assault in the military. Mr. Legard presented “*The Power of Spoken Words*,” which is described as a transformative, unorthodox approach to healing and growth through the fusion of storytelling and lyrical performance.

After that powerful performance, Ms. Kniazewycz participated in “Advocating for Victims in Rural Communities,” which focused on the multiplicity of unique issues faced by victims in rural communities and strategies to bridge gaps between victims' services and those communities.

Next, Ms. Kniazewycz attended a particularly interesting session – “AI Image Based Sexual Abuse: Legal Protections and Solutions.” In this session, Sandi Johnson with the Senior Legislative Policy Counsel for Rape, Abuse & Incest National Network (RAINN), examined different approaches for child and adult victims in both criminal and civil contexts. Ms. Johnson discussed many available remedies for victims of this abuse, including integrating current legal processes, resources for victims to remove abusive content, and individual legal actions victims can take to hold abusers accountable and seek restitution.

After the presentation, Ms. Kniazewycz connected with Ms. Johnson and discussed the need in Alaska for the expansion of laws to protect individuals from this type of life-altering crime, especially minors, who are victimized in this way more than any other group.

## **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**

Director Garay was appointed as a member of the statewide Criminal Rules Committee, which consists of representatives from the Department of Law, the defense bar, the court system, the Anchorage Municipal Prosecutor's Office, and judges. This committee meets regularly to work on amendments to existing Criminal Court Rules or propositions for new rules.

Director Garay also participated in meetings between the presiding judges and the heads of the Department of Law, the Public Defender's Office, and the Office of Public Advocacy to discuss improving efficiency in court hearings and the timely disposition of cases. Additionally, Director Garay met with Lars Danner from the Public Defender's Office to discuss ways to improve communication and cooperation between the offices.

Restorative Justice Initiative consultant Geran Tarr with the Anchorage Youth Court invited OVR to meet with her and AYC Director Alysyn Thibault to discuss a pending project to revise and update AYC policies and procedures regarding the restorative justice process for AYC clients. Michael Shaffer provided input and feedback regarding that project, including how the views and rights of crime victims might be best considered and incorporated in the AYC policies and procedures updating process.

### **Community-Based Groups**

OVR engages in outreach to various community-based and victim-support groups to support their efforts in assisting victims of crime in Alaska. In addition to outreach, OVR conducts trainings for victim-advocates and provides organizations and individual advocates with general information about the criminal justice system; about victims' specific statutory and constitutional rights; and how OVR can assist their organizations and clients. In working with these groups, OVR is helping improve the services provided to crime victims in our communities statewide.

This year, OVR attorneys provided training and information for victim service providers, including Victims for Justice advocates, Catholic Charities Third Avenue Resource & Navigation Center case managers and navigators, and Sexual Assault Response Team advocates. Additionally, OVR attorneys provided training to student volunteers at the Anchorage Youth Court and volunteered for the Colors of Justice program, providing an opportunity to expose youth interested in the legal field to crime victims' rights.

OVR also hosted an exhibitor booth at the Alaska Bar Convention in Anchorage, providing information about OVR's services and answering inquiries from attorneys and judges. Participation in the convention allows OVR to reach a broader legal community and increase awareness of victims' rights.

## **RURAL ALASKA OUTREACH**

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

OVR's rural outreach efforts this year included Kathy Hansen and Michael Shaffer's appearance on KYUK's "Wellness Wednesday" podcast hosted by the Tundra Women's Coalition. During the broadcast, they answered questions and provided information about crime victims' rights in Alaska and the services provided by OVR in criminal cases. Diana Kniazewycz provided training about OVR and victims' rights in general to advocates with the Central Council of the Tlingit and Haida Indian Tribes Community Advocacy Program.

Furthermore, at the Central Council's Human Trafficking Awareness and Murdered and Missing Indigenous Persons Conference, Michael Shaffer presented to advocates, ICWA workers, law enforcement officers, attorneys, community navigators, elder program workers, and housing coordinators training about crime victims' rights, how OVR helps victims, and ways OVR can assist victims in human trafficking and murdered/missing Indigenous persons cases.

## **LAW ENFORCEMENT OUTREACH**

OVR maintains personal contacts with law enforcement agencies and Department of Corrections officials across the state. OVR Investigator Deven Cunningham connects with law enforcement personnel throughout Alaska, maintaining an extensive network of contacts. He diligently develops and sustains cooperative and professional relationships statewide.

Additionally, OVR continues to provide training for law enforcement and Department of Corrections personnel. Diana Kniazewycz and Michael Shaffer provided training to new officer recruits at the Anchorage Police Department Academy, as well as training to the Kotzebue Department of Public Safety paralegal hired to assist crime victims during the criminal investigation process.

Katherine Hansen, Linnea Deisher, and Michael Shaffer met with representatives from the Crime and Justice Institute and Anchorage Pretrial Enforcement Division to discuss Alaska's criminal justice system, focusing on pretrial concerns and struggles victims face. After that discussion, Mr. Shaffer was invited to provide training to approximately 30 probation officers at the Anchorage Pretrial Enforcement Division office.

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Katherine Hansen trained newly hired Alaska State Trooper paralegals in Anchorage, Bethel, and Sitka, introducing them to OVR and providing information about how OVR assists crime victims.

With OVR's newest victims' rights attorney, Amy Fenske, working out of Sitka, OVR hopes she will soon be able to participate in the Alaska Law Enforcement Training (ALET) Program.

## **RESTORATIVE JUSTICE ACCOUNT**

Crime victims have a constitutional right to restitution from convicted defendants. In 2018, AS 43.23.048 created the Restorative Justice Account (RJA) for victims to apply for state funds to satisfy a restitution judgment that, after two years or more, remains unpaid. Awards for unpaid restitution are capped at \$10,000 per victim. OVR reaches out to justice and victim service agencies to increase awareness of the RJA program so that victims are encouraged to apply. This year, OVR also created a separate brochure describing the RJA and how to apply. OVR seeks to have any budget surplus used to financially restore crime victims owed restitution. Accordingly, **OVR is happy to report that this year \$27,900.00 was paid to six victims with outstanding restitution judgments.**

This is the fifth year that OVR has been able to make victims whole through the RJA. **Since 2020, \$290,103.64 of outstanding restitution has been paid back to victims by the RJA.** 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 that would result in more restitution payment compliance by defendants.

## **CRIME VICTIM LEGISLATION INITIATIVES**

HB 66 established the crime of "assault in the presence of a child" and went into effect under AS 11.41.240 on January 1, 2025. This law will now serve to better protect child victims from the emotional, psychological, and physical harm when such children are exposed to interpersonal assaultive violence.

OVR urges the legislature to expand and clarify what losses suffered by victims can be claimed as restitution. OVR advocates that the legislature consider legislation requiring that a defendant convicted of a crime involving a victim be sentenced within a specified timeframe of the defendant's conviction or change of plea hearing. Delays in sentencing further harm victims and violate the victims' right to a timely disposition of the criminal case.



## **CONTINUING VICTIMS' RIGHTS ISSUES**

Timely disposition, protection of crime victims' privacy, restitution, and return of victims' property are persistently the most common issues addressed by OVR attorneys.

The court system, particularly in the Third Judicial District, continues to struggle with a backlog of cases, negatively impacting crime victims' constitutional right to a timely disposition of their criminal cases. Supreme Court Order 2038 places limits on continuances of certain pre-2023 felony cases, resulting in increased resolution of these cases through trials and plea agreements. Although a significant step, newer cases continue to be delayed over the objection of victims and OVR attorneys, furthering victims' trauma and disillusionment with the criminal justice system.

OVR fights to protect the constitutional right to privacy on behalf of victims throughout Alaska. Victims of domestic violence and sexual assault crimes often face attempts by defense attorneys to access their private medical, psychological, and treatment records to be used to undermine their credibility and testimony at trial. Victims seeking help for the trauma caused by their assailant often face efforts by the same assailant to use their private, privileged treatment records against them. *Douglas v. State*, 527 P.3d 291 (Alaska Ct. App. 2023), establishes when a defendant is entitled to *in camera* review of privileged mental health records. Victims frequently request assistance from OVR when a *Douglas* motion is filed. OVR attorneys file oppositions to the defense motions and assert a victim's right to privacy and patient/counselor-physician privilege.

As noted above, crime victims have a constitutional right to restitution; however, victims frequently request OVR's assistance to determine what out-of-pocket expenses qualify for restitution, what documents they need to provide to the State, and what will happen if the restitution amount is disputed. Unfortunately, even after criminal cases resolve and defendants are sentenced, disputes about restitution can delay closure and financial restoration for a victim.

OVR receives requests from crime victims to assist in the return of their property being held by law enforcement. Under AS 12.35.070, crime victims who are the owners of property being held by a law enforcement agency may ask that OVR request that the law enforcement agency return the property to them. OVR attorneys communicate with prosecutors and defense attorneys to obtain an agreement to release the property and if necessary, file motions with the court for a hearing on the matter. Property held by law enforcement can include vehicles that victims are making payments on, firearms needed for subsistence hunting, and money necessary for daily expenses. Delays in returning crime victims' property negatively impact their lives, including a lack of transportation for employment and depriving families of vital food sources.

Finally, OVR continues our involvement in the Winona Fletcher resentencing and anticipates additional cases due to the Supreme Court's ruling in *Miller v. Alabama*, 567 U.S. 460, 471 (2012) regarding the sentences of young offenders.

## **SPECIAL RECOGNITION OF KATHERINE J. HANSEN**

OVR gives special recognition and acknowledgment to Katherine J. Hansen, who retired this past year after 21 years of OVR service as a victims' rights attorney. Ms. Hansen came to OVR shortly after the Alaska Office of Victims' Rights was created in 2001 and served in that capacity, including multiple stints as the Interim Executive Director, until her retirement in April 2025. Ms. Hansen has worked tirelessly, diligently, and compassionately on behalf of Alaskan crime victims across the state, advocating for those victims and their individual crime victims' rights. In addition to representing victims day in and day out in numerous court proceedings, Ms. Hansen effectively litigated numerous motions and pleadings on behalf of OVR crime victims at both the trial court and appellate court levels. Her efforts resulted in significant Alaska case law decisions – including the Court of Appeals landmark decision in *N.G. v. Superior Court*, 291 P. 3d 328 (Alaska App. 2012) – that further developed and solidified Alaska crime victims' constitutional and statutory rights. Ms. Hansen's legacy is as a trailblazer for crime victims' rights in Alaska, and of great compassion, commitment, and advocacy for thousands of individual crime victims and their families.

## **ONGOING AND FUTURE PROJECTS**

Last year, OVR's lease on its current location was renewed, and the office underwent a remodel, adding additional office and conference room space as well as new furniture. This year, OVR staff reviewed and updated OVR's brochure and are actively working on creating a logo for the office. OVR is also working on getting a new data management system and hopes to update our website soon. OVR seeks to improve the accessibility of OVR services for non-English speakers and rural Alaskans, including translating OVR materials and creating a more user-friendly website. Additionally, OVR held two open houses in December and April to help build rapport and connections with other justice and community-based victim advocates. Attendants included representatives from Crisis Response Canines, Victims for Justice, the Alaska Crime Lab, the Palmer District Attorney's Office, the DOC Presentence Report Unit & probation, the court system, the Anchorage Public Defender Agency, and the Anchorage Office of Public Advocacy. OVR hopes to hold more open houses in the future and looks forward to furthering our connections within the community.