

122807

**STATE OF ALASKA
VIOLENT CRIMES COMPENSATION BOARD
SIXTEENTH ANNUAL REPORT**

1989



**MILLARD F. INGRAHAM
CHAIRMAN**

**MRS. CAROL EASTAUGH
MEMBER**

**ELIZABETH ELSNER, M.D.
MEMBER**

**NOLA K. CAPP
ADMINISTRATOR**

122807

**U.S. Department of Justice
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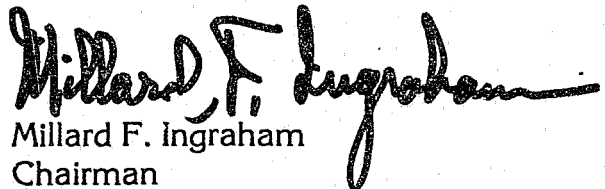
THE HONORABLE STEVE COWPER
GOVERNOR OF THE STATE OF ALASKA

MEMBERS OF THE ALASKA STATE LEGISLATURE

Ladies and Gentlemen:

I have the honor to submit the Sixteenth Annual Report of the Violent Crimes Compensation Board for the period July 1, 1988 through June 30, 1989. Annual Reports are required under the provisions of Section 18.67.170 of the laws of Alaska.

Respectfully,


Millard F. Ingraham
Chairman

Millard Ingraham, Chairman
Mrs. Carol Eastaugh
Elizabeth Elsner, M.D.
Nola Capp, Administrator

Table of Contents

General Information	1
Processing of Claims	3
Types of Crimes	5
Claims and Awards	5
Public Awareness	6
Acknowledgements	6
Federal Legislation	7
Summary of Decisions	8

The Sixteenth Annual Report of the Violent Crimes Compensation Board

AS 18.67.010 PURPOSE

It is the purpose of this chapter to facilitate and permit the payment of compensation to innocent persons injured, to dependents of persons killed, and to certain other persons who by virtue of their relationship to the victim incur actual and reasonable expenses as a result of certain serious crimes or in attempts to prevent the commission of a crime or to apprehend suspected criminals.

General Information

Alaska Statute 18.67, establishing a Violent Crimes Compensation Board, was adopted by the State Legislature in 1972. Its purpose was to alleviate the financial hardships caused by crime-related medical expenses or loss of income sustained by innocent victims of violent crimes in Alaska. Additionally, it provides for the payment of pecuniary loss to dependents of deceased victims to mitigate the loss of a loved one.

The need for this legislation is reflected in the fact that almost daily there is a report of some act of violence against a person in this state. If the offender is apprehended, the concern for his dignity and rights as an accused are not forgotten, and after his imprisonment the concern continues as to rehabilitation and training programs. The efforts are praiseworthy; however, the problems and needs of the victim are overlooked. To address this need, the Violent Crimes Compensation Board was established.

The Board is appointed by the Governor and consists of three members who are compensated on a per diem basis for meetings only. It is mandatory to have a licensed medical doctor and an attorney on the Board, thus providing the expertise in these fields necessary to determine claims.

The original statute provided a maximum payment of \$10,000 and other collateral source receipts were required to be deducted from any award the Board determined. Other collateral receipts were defined as life insurance payments, medical and hospital insurance, VA benefits, Social Security, and Workers' Compensation, to mention just a few. Due to this restriction, many needy victims received only a partial award, or in some cases, no award because they had already received benefits in excess of the \$10,000. The Ninth Legislature recognized the inadequacy in this area of the statute and remedied it through an amendment permitting the payment of expenses or losses over and above the amount received from other sources to the maximum allowable under the amendment, and exempted consideration of life insurance proceeds.

The first amendment further provides for the increase in the maximum award allowable per victim per incident to \$25,000; however, in the case of death of a victim who has numerous eligible dependents, the maximum allowable is \$40,000. The Board feels the increase in the maximums is compatible with today's increased medical expenses, increased earnings and the general increase in the cost of daily living.

The additional compensation for multiple dependents of deceased victims is most commendable. In the majority of claims involving minor dependents, the Board suggests that, if necessary, the award

be used for support and maintenance or any medical emergencies that might arise, but the primary purpose of the award is for future education and, if not so used, that it be given to each child upon reaching the age of majority.

Modifications included in the first amendment:

- (a) attorney fees to be paid in addition to an award rather than deducted from the award;
- (b) an increase in the Emergency Award from \$500 to \$1,500;
- (c) exemption of life insurance proceeds received by the survivors of deceased victims;
- (d) compulsory display of information by hospitals and law enforcement agencies;
- (e) law enforcement agencies required to advise victims of the availability of compensation;
- (f) reimbursement of expenses incurred because of the death of the victim, to persons who were responsible for the victim's support;
- (g) the Board was given the discretion of making or denying an award without a hearing on the claim, but allowing the claimants the right to request a hearing if they disagree with the determination.

Modifications included in the second amendment, which was enacted in Fiscal Year 1979:

- (a) the Violent Crimes Compensation Board was transferred from the Department of Health and Social Services to the Department of Public Safety. This has allowed the Board to have access to the original police reports, and law enforcement agencies have become more familiar with the program;
- (b) a new section was added which prevents convicted criminals from profiting from the sale of books, magazine articles, movie, radio or television presentations, live entertainment of any kind, or any expression of that person's thoughts, feelings, opinions or emotions regarding the crime. The profits from such sales go to the victim through an escrow account set up by the Board. This is commonly referred to as the "Son of Sam" law.

Modifications included in the third amendment, which was also enacted in Fiscal Year 1979:

- (a) Adds Aggravated Assault as a compensable crime under Section AS 18.67.100.

The Thirteenth Legislature recognized there were several classes of victims not included in the statute or who had previously been excluded which should be compensated and enacted legislation to correct these inadequacies. This bill was signed by the Governor and became effective October 23, 1983.

The class of victims has been expanded to include victims of drunk drivers. This has expanded the program and dramatically increased number of claims.

The other two classes now recognized, that were previously excluded, are victims who are related to the offender and victims living with the offender at the time of the incident.

The Legislature, to prevent abuse of the program, inserted a paragraph stating that in the discretion of the Board, the applicant must cooperate with law enforcement and prosecution officials to further prosecution of the offender if appropriate and to avoid further injury by the offender to the applicant and injury to persons in the care of the applicant who are exposed to possible injury by the offender.

Another major change in the statute was the deletion of the sentence that all payments shall be made in a lump sum. Because that was deleted, it is now possible for the Board to pro-rate the payments in the few cases where they feel it is advisable.

This law allows the Board to make direct payments to the providers. Prior to this, the Board had to make any payments to the providers in a joint warrant which was cumbersome to the claimant and the provider.

A paragraph was added creating a compensation fund which shall be administered by the Board, consisting of money appropriated to it by the Legislature. It is unknown at this time how this fund will function.

Processing of Claims

Upon receipt of a claim, it is necessary to initially determine minimal eligibility. Therefore, compliance with the following statutory requirements must be in evidence within the claim application:

- (a) a crime, as defined in Section AS 18.67.100, must have been committed;
- (b) the crime must have been reported to proper authorities within the time period designated in Section AS 18.67.130;
- (c) the claim must have been filed within the two-year limit set by the law in Section AS 18.67.130;

If the claim does not meet the above standards, it is determined to be ineligible and the claimant is so notified.

When the claim meets these initial tests, it is then necessary to:

- (a) acknowledge receipt of the claim and request any additional documentation which the claimant did not attach, such as doctor's reports, hospital reports, and employment information, and advise the claimant that such material must be received prior to any action on the claim;
- (b) check with the respective District Attorney's office to determine if proceedings against the offender are imminent and, if so, to determine the advisability of a request to suspend the Violent Crimes Compensation Board investigation until the case is adjudicated; request copies of the judgment;
- (c) obtain a detailed description of the incident from police records to determine if any provocation by the victim is indicated and, if so, to contact any witnesses to the incident for their statements. (If the offender has been prosecuted, a review of the transcript of the trial may be advisable.);
- (d) verify the victim's relationship, if any, to the alleged offender;
- (e) verify the dependence of the claimant in the case of death of the victim, to determine eligibility; and finally, to
- (f) consider other collateral sources reported as received by the claimant as a result of the incident; for example, Workers' Compensation, Social Security, private insurance, etc.

Upon receipt of the requested information, further investigation is necessary to verify:

- (a) the employment of the victim and/or the claimant;
- (b) the income reported and documentation, if the victim is/was self-employed;
- (c) hospital and doctor bills which were paid by insurance and their relevance to the claim;
- (d) that a crime as defined in Section AS 18.67.100 is the basis for the claim and the application is an innocent victim thereof.

When the Administrator certifies the claim complete, the file is copied and submitted to the Board for their review and recommendations. They in turn may:

- (a) find the claim cannot be determined due to lack of documentation or information which the Board feels necessary to make a decision;
- (b) find the claim eligible under the statute for the award requested and advise a warrant be issued;
- (c) find the claim eligible under the statute for a lesser amount than requested and advise the claimant be so notified indicating he or she may request a hearing;

- (d) find the claim cannot be determined due to conflicting data therein and advise that a hearing is required prior to a final decision;
- (e) find the claim ineligible under the statute and advise the claimant be so notified, indicating he or she may request a hearing.

Upon being informed of the Board's actions, the Administrator carries out their request through:

- (a) making the additional contacts in order to obtain further documentation;
- (b) requesting a warrant, if an award is determined, in the amount specified, or upon the Board's recommendation, if outstanding balances are due to a hospital, doctor or other service agency as a result of the incident;
- (c) writing a letter to the claimant enclosing the warrant and explaining the Board's decision, noting the claimant's right to request a hearing in the event the award granted is less than acceptable to the claimant;
- (d) scheduling a hearing if the Board finds conflicting data in a claim or is in doubt about any part of the claim;
- (e) notifying the claimant by letter if the claim is found ineligible, stating the reason for ineligibility and advising the claimant of the opportunity to request a hearing. The request for a hearing is to be received in the Board office within thirty (30) days.

In order to schedule a hearing, the volunteer hearing officer is contacted to establish a date at his or her convenience. Arrangements are made and all parties are notified of the date and location of the hearing twenty (20) days prior to the date set. Subpoenas are issued if witness testimony is necessary to establish eligibility, or to clear up any contradictions.

Within seven (7) days after the hearing, the Administrator furnishes the hearing officer with a transcript of the hearing and he or she has a reasonable time (within thirty (30) days) to submit his or her findings and conclusions to the Board. The Board reviews the hearing officer's report and makes a final decision on the claim.

The Board is subrogated to the cause of action of the applicant against the person responsible for the injury or death of the victim and can also bring an action against the offender for the amount of the damages sustained to the applicant. The Board encourages claimants to institute civil proceedings where, if after an investigation, it appears there may be a chance of recovery; however, very few recoveries are made due to the financial position of most offenders.

Few claims are received that can be immediately determined as eligible. Many perplexing situations have to be considered by the Board in arriving at their decision, for example: Should a person who has sustained permanent disability through a criminal incident in which he bears some of the responsibility of provocation be considered for an award? Did the actual provocation warrant the final result of permanent disability? This is just one of the problems encountered by the Board.

It is not difficult to reach an immediate decision as to eligibility on a claim where a widow and her children have lost their main support through an entirely innocent set of circumstances, but the amount of the award to be given poses a problem. All factors must be considered to be certain the award will be helpful in maintaining an adequate living standard as a supplement to receipts from other sources. The Board must always bear in mind the appropriation available and the cost to the State, but if the program is to fulfill its objectives, compensation must be more than nominal.

The Board soon realized it would be unfair, as well as very costly, to reimburse for actual wages lost, therefore a set of Standards of Compensation was developed. The standards are based on a percentage of rates previously established under Worker's Compensation, applicable to permanent partial, temporary partial, or total disability. Reimbursement for loss of wages is based on a percentage of the average weekly wage in Alaska as established periodically by the Department of Labor.

Types of Crime														
Number of Claims Filed														
Fiscal Year	76	77	78	79	80	81	82	83	84	85	86	87	88	89
Homicide	14	31	23	13	25	28	25	44	58	44	53	53	29	35
ADW														
Stabbing	7	14	5	6	5	7	15	13	10	14	15	15	5	10
ADW														
Shooting	5	5	16	7	14	20	13	16	12	23	20	17	10	10
Armed														
Robbery	0	1	2	3	5	0	0	1	1	1	2	0	0	2
Other														
Assaults	34	30	38	29	29	31	49	43	44	68	57	53	37	48
Sexual														
Assault*	5	9	9	12	18	22	21	33	51	91	98	90	63	77
No Evidence														
of a Crime	3	3	7	0	3	0	2	1	2	11	3	4	1	8
Hit and														
Run	0	0	0	0	0	3	4	0	3	1	14	0	3	0
DWI									38	30	30	19	14	23

* 66 of the 90 claims were sexual abuse of minors in FY87.
 42 of the 63 claims were sexual abuse of minors in FY88.
 56 of the 77 claims were sexual abuse of minors in FY 89.

Note: The foregoing chart merely indicates the trend in crime by the applications filed. It is difficult to compare and relate claims against crimes as claimants have two years to file claims and our statistics are on a fiscal year basis, while crime figures are on a calendar year basis.

Claims and Awards				
FY	Claims Received	Claims Heard	Total Amount Awards Granted	Pending Claims At End of FY
73	15	0	\$ 0.00	13
74	50	37	36,025.60	38
75	71	51	125,266.20	44
76	68	82	272,948.29	8
77	93	81	120,968.07	28
78	100	99	285,672.63	33
79	70	95	225,638.82	18
80	98	93	249,968.06	17
81	111	93	237,100.00	31
82	129	132	415,685.30	29
83	159	165	464,932.71	36
84	219	168	552,704.71	67
85	283	270	751,250.85	57
86	292	272	683,521.96	103
87	252	259	633,481.89	126
88	162	234	504,488.93	78
89	213	211	598,494.23	106

The Legislature approved a supplemental appropriation of \$75,000 for awards in FY78. The original FY78 appropriation was \$250,000. The Legislature approved a supplemental appropriation of \$248,600 for awards in FY82. The original FY82 appropriation \$243,300. An additional \$200,000 was approved by the Legislature in FY 83. In FY84, \$287,000 was allocated due to the enactment of the amended statute. In FY85, the Legislature approved a supplemental appropriation of \$300,000. In FY86, \$55,500 of the federal appropriation was expended plus \$64,310.41 of FY85 incumbered funds. In FY89, the Legislature approved a supplemental appropriation of \$198,500.

Public Awareness

The Board has stressed publicity of the program through the continued distribution of brochures and posters throughout the state. With the additional requirement placed on law enforcement agencies to alert victims of crimes to the program and the requirement that hospitals display information, it is anticipated victims of violent crimes will become aware of this program. Printed cards, the size of business cards, giving information and basic eligibility requirements are distributed to all law enforcement agencies (both State Troopers and municipal police) and magistrates to be given to victims of violent crimes.

The Board will continue to inform the public, setting as their goal statewide awareness of the program. New posters and brochures were printed and distributed to reflect the expanded classes of victims.

Acknowledgements

In the past year, the Board has enjoyed the help and support of many individuals and agencies.

To make a final determination on any claim, the direct help of the law enforcement agency is vital, and the Board has had excellent cooperation from the many municipal police departments throughout the state, and the Alaska State Troopers. Special recognition is given to State Troopers in Anchorage and Fairbanks, and the municipal police departments of these two cities, as the majority of claims originate in these areas.

Special recognition is also given to the Staffs of Providence Hospital, Humana Hospital, and the Fairbanks Memorial Hospital who have referred victims to the program and have, in many instances, aided the victim completing the application. They have been most accommodating in responding to requests for medical records, and following those request through the various departments to insure they are sent to the Board office.

The Department of Law, through the Attorney General's and District Attorney's offices throughout the state, has been most cooperative in informing innocent victims of the program and in responding to the Board's many requests for legal interpretation and basic information necessary to make final determinations on claims.

Further, the Board recognizes the services of the attorneys who have served as hearing officers on a voluntary basis.

Without their help the program would be hindered. The Board would be required to hold the hearings as, thus far, the appropriation level does not support the engagement of attorneys on their regular fee basis.

There are numerous other agencies, both State and federal, as well as individuals who have given their time and support to the Board, informing victims of crime and helping to publicize the program. The Board, through this report, expresses its appreciation to them.

Federal Legislation

The United States Congress passed the Victims of Crime Act of 1984 in October of 1984. This federal legislation became effective November 12, 1984, and establishes a Crime Victims Fund which will provide for crime victim compensation and victim assistance programs.

For victim compensation programs, the amount of federal grant monies available will be determined by a formula based on 35 percent of the amount of monies paid out for awards the prior fiscal year.

As a result of this Act, the Alaska compensation program has qualified for grants in the amounts of \$283,000, \$246,000 and \$143,000. This amount has been used to satisfy claims for compensation submitted by victims of crime.

Summary of Decisions

07/01/88 — 06/30/89

All awards are made under Section AS 18.67.110

- (1) expenses actually and reasonably incurred as a result of the personal injury or death of the victim;
- (2) loss of earning power as a result of total or partial incapacity of the victim, and reasonable expenses of job retraining of or similar employment-oriented rehabilitative services for the victim;
- (3) pecuniary loss to the dependents of the deceased victim; and
- (4) any other loss resulting from the personal injury or death of the victim which the Board determines to be reasonable.

In the summary of each case, one or more of the above numbers will be used to signify the authority under which the award was granted. Please refer to the above for a full explanation.

Claims

Violent Crimes Compensation Board

Claim # 85-184

The victim, a 12-year-old male, was sexually abused. It was the determination of the Board the victim was an innocent victim of a violent crime. The Board had previously awarded counseling expenses. The claimant is the mother of the victim, and contacted the Board to request a reconsideration of additional counseling expenses. It was the decision of the Board to award additional counseling expenses not paid by insurance, expenses incurred and not paid, and for the portion of future counseling not covered by insurance, under Section 18.67.110(4). If additional counseling is documented following the expenditure of this award, another six months of counseling expenses may be made available for the victim.

AWARDED\$2,250.00

Claim # 87-077

The victim, a 5-year-old female, was sexually abused. The claimant is the mother of the victim. The Board had determined the victim was an innocent victim of a violent crime, and originally awarded counseling expenses and approved future counseling if documented. The claimant has re-contacted the Board, requesting consideration of additional counseling expenses. It was the decision of the Board to award additional counseling expenses, under Section 18.67.110(4).

AWARDED\$4,410.00

Claim # 87-145

The victim, a 12-year old minor male, was sexually abused by his father. It was the determination of the Board the victim was an innocent victim of a violent crime. The claimant is the mother of the victim. The Board had previously awarded counseling expenses, and the claimant is now requesting additional past and future counseling expenses. It was the decision of the Board to award the requested counseling expenses, under Section 18.67.110(4).

AWARDED:\$1,320.00

Claim # 87-155

The victim, a 3-year-old female, was sexually abused by a neighbor, who is currently serving a ten-year sentence for the offense. The claimant is the mother of the victim. It was the determination of the Board the victim was an innocent victim of a violent crime. The Board originally had awarded medical and counseling expenses. The claimant requested a hearing and a hearing was held. It was the decision of the Board to agree with the Hearing Officer's findings, and award out-of-pocket expenses, and future counseling, under Section 18.67.110(4).

AWARDED\$3,346.00

Claim # 87-210

The victims, a 32-year-old female, and her two minor daughters, were murdered in their home. The claimant is the husband and father of the victims. The Board had previously awarded funeral expenses and counseling to the claimant for this incident. The claimant is requesting additional documented counseling expenses. It was the decision of the Board to award the additional counseling expenses, under Section 18.67.110(4).

AWARDED\$4,920.00

Claim # 87-217

The victim, a 24-year-old female, was sexually assaulted. The Board had determined the victim was an innocent victim of a violent crime, and originally awarded medical and dental expenses. The claimant moved south, did not have the approved dental work done, and the money was returned to Violent Crimes Compensation by her dentist. The claimant has now moved back to Alaska, and has contacted the Board requesting payment of the previously awarded dental expenses. It was the decision of the Board to award dental expenses, under Section 18.67.110(1).

AWARDED\$420.00

Claim # 87-237**Claim # 87-238****Claim # 87-239****Claim # 89-212****Claim # 89-213**

The victims, four minor males, ages 7, 9, 11, and 13, were sexually abused by an acquaintance of the family. The claimant is the mother of the victims, requesting counseling expenses for herself and her boys. The Board had previously made awards of counseling expenses for three of the boys, and the claimant is requesting additional counseling and future counseling for them, and also counseling for herself and another son. It was the decision of the Board to award additional counseling expenses, under Section 18.67.110(4).

AWARDED

#87-237	\$3,600.00
#87-238	\$1,485.00
#87-239	\$2,565.00
#89-212	\$3,285.00
#89-213	\$1,485.00
TOTAL	\$12,420.00

Claim # 87-243

The victim, a 22-year-old female, was brutally attacked by a male juvenile with an axe. It was the determination of the Board the victim was an innocent victim of a violent crime. The Board originally denied the claim on the grounds the victim was adequately compensated by collateral sources. The claimant requested a hearing and a hearing was held. It was the decision of the Board to agree with the Findings of Fact and Conclusions of Law of the Hearing Officer. It was the decision of the Board to award the maximum allowable by statute, for permanent disability, under Section 18.67.110(2).

AWARDED\$25,000.00

Claim # 88-017

The victim, a 69-year-old female, was assaulted. The Board originally awarded medical expenses not paid by Medicaid. The claimant contacted the Board and requested they reconsider the claim as several medical bills were not submitted with the original claim. It was the decision of the Board to award additional medical expenses, under Section 18.67.110(1).

AWARDED\$476.46

Claim # 88-020

The victim, an 8-year-old female, was sexually abused by her father. It was the determination of the Board the victim was an innocent victim of a violent crime. The claimant is the mother of the victim. The Board had previously awarded counseling expenses, and the claimant is now requesting additional past and future counseling expenses. It was the decision of the Board to award the requested counseling expenses, under Section 18.67.110(4).

AWARDED\$660.00

Claim # 89-026

The victim, an 18-year-old female, was physically assaulted by her mother. It was the determination of the Board the victim was an innocent victim of a violent crime. It was the decision of the Board to award counseling expenses and medical expenses, under Sections 18.67.110(1), and 110(4).

AWARDED\$6,782.05

Claim # 88-042

The victim, a 10-year-old female, was sexually abused by her uncle. It was the determination of the Board the victim was an innocent victim of a violent crime. The claimant is the mother of the victim. It was the decision of the Board to pay shelter costs, under Section 18.67.110(4).

AWARDED\$70.00

Claim # 88-060

The victim, a 45-year-old male, was assaulted at his home. The Board had determined the victim was an innocent victim of a violent crime, and had awarded unpaid medical expenses. The Board was contacted by a medical provider who did not receive full payment of the claimant's billing. The claimant has moved south, and cannot be contacted. It was the decision of the Board to award additional medical expenses, under Section 18.67.110(1).

AWARDED\$115.00

Claim # 88-063

The victim, a 21-year old female, was the victim of a drunk driver. The Board had determined the victim was an innocent victim of a violent crime, and originally awarded lost wages and unpaid medical expenses. The claimant has re-contacted the Board, requesting consideration of additional loss of earning power. It was the decision of the Board to award additional lost wages and additional medical expenses, under Sections 18.67.110(1), and 110(2).

AWARDED\$3,654.00

Claim # 88-069

The victim, an 11-year-old female, was sexually abused. The claimant is the father of the victim. It was the determination of the Board the victim was an innocent victim of a violent crime. It was the decision of the Board to award counseling and medical expenses, under Sections 18.67.110(1), and 110(4).

AWARDED\$3,971.60

Claim # 89-078

The victim, a 9-year-old female, was sexually abused, and is the sister of the victim in Claim #88-069. The claimant is the father of the victim. It was the determination of the Board the victim was an innocent victim of a violent crime. The Board noted that the claimant had requested lost wages which were not documented. It was the decision of the Board to award counseling expenses, under Section 18.67.110(4).

AWARDED\$925.00

Claim # 88-070

The victim, a 10-year-old female, was sexually abused. The claimant is the mother of the victim. It was the determination of the Board the victim was an innocent victim of a violent crime. It was the decision of the Board to award counseling expenses, under Section 18.67.110(4).

AWARDED\$5,000.00

Claim # 88-074

The victim, a 7-year-old male, was sexually abused. It was the determination of the Board the victim was an innocent victim of a violent crime. The claimant is the mother of the victim, and is requesting counseling expenses for her son. It was the decision of the Board to award the requested additional counseling expenses, under Section 18.67.110(4).

AWARDED\$2,160.00

Claim # 88-079

The victim, a 28-year-old female, was kidnapped and sexually assaulted. The offender pled no contest to one count of Sexual Assault in the First Degree. It was the determination of the Board the victim was an innocent victim of a violent crime. The Board originally awarded unpaid medical expenses, but no lost wages. The claimant requested a Hearing, and a Hearing was held. It was the decision of the Board to agree with the Hearing Officer's findings, which stated there was no documented loss of earning power, under Section 18.67.080(c).

DENIED

Claim # 88-082**Claim # 88-083****Claim # 88-084**

The victim, a 37-year-old female, was robbed and killed in a hotel room while traveling. The claimant is the husband of the victim, applying for funeral expenses and pecuniary loss for their two minor children. It was the determination of the Board the victim was an innocent victim of a violent crime. The Board had deferred the claim, pending clarification of collateral sources. It was the determination of the Board the victim was an innocent victim of a violent crime. It was the decision of the Board to award the maximum allowable for dependents of a deceased victim, under Section 18.67.110(3).

AWARDED

# 88-082	\$10,000.00
# 88-083	\$15,000.00
# 88-084	<u>\$15,000.00</u>
TOTAL	\$40,000.00

Claim # 88-085

The victim, a 41-year-old female, was assaulted by her boyfriend. The Board had determined the victim was an innocent victim of a violent crime, and originally awarded unpaid medical expenses, and future surgery costs. The claimant contacted the Board requesting a reconsideration of additional expenses incurred with the surgery, and the documented cost of additional surgery and related medical expenses. It was the decision of the Board to award additional unpaid medical expenses, under Section 18.67.110(1).

AWARDED\$7,650.80

Claim # 88-091

The victim, a 9-year-old female, was sexually abused. It was the determination of the Board the victim was an innocent victim of violent crime. The Board originally awarded counseling expenses. The claimant is the mother of the victim, and recontacted the Board to request additional counseling expenses. It was the decision of the Board to award the cost of twenty-four additional counseling sessions, under Section 18.67.110(4).

AWARDED\$2,280.00

Claim # 88-097

The victim, a 43-year-old male, was killed. It was the determination of the Board the victim was an innocent victim of a violent crime. The claimant is a sister of the victim. It was the decision of the Board to award airfare for the claimant to attend the funeral, under Section 18.67.110(4)

AWARDED\$324.84

Claim # 88-133

The victim is the same victim as in claim number 88-097. The claimant is a sister of the victim. It was the determination of the Board the victim was an innocent victim of a violent crime. It was the decision of the Board to award loss of earning power, airfare, and funeral expenses, under Sections 18.67.110(1), 110(2), and 110(4).

AWARDED\$2,139.93

Claim # 88-106

The victim, a 33-year-old female, was assaulted by her boyfriend. It was the determination of the Board the victim was an innocent victim of a violent crime. It was the decision of the Board to award the requested medical expenses, under Section 18.67.110(1).

AWARDED\$411.56

Claim # 88-107**Claim # 88-108****Claim # 88-109****Claim # 88-110**

The victim, a 35-year-old male, suffered a blow to the head, and died as a result. It was the determination of the Board the victim was an innocent victim of a violent crime. The claimant is the wife of the victim, filing on behalf of their three dependent children. It was the decision of the Board to award loss to dependents of a deceased victim, under Section 18.67.110(3).

AWARDED

#88-107.....	\$10,000.00
#88-108.....	\$10,000.00
#88-109.....	\$10,000.00
#88-110.....	<u>\$10,000.00</u>
TOTAL.....	\$40,000.00

Claim # 88-114

The victim, a 48-year-old male, was injured by an acquaintance in a bar. The Board originally denied the claim on the grounds there was no police report filed within five days of the occurrence or within five days of the time a report could reasonably have been made. The claimant requested a hearing and a hearing was held. It was the decision of the Board to agree with the Findings of Fact and Conclusions of Law of the Hearing Officer. The Board therefore upheld the denial of the claim, based on the Hearing Officer's report that the incident was not a crime compensable by statute, and a report was not filed in a timely manner, under Sections 18.67.101(2), and 130(2).

DENIED**Claim # 88-118**

The victim, a 41-year-old female, was assaulted. The Board originally awarded medical expenses based on an estimate from a surgeon. The claimant contacted the Board and requested they reconsider the claim as the actual surgery cost more than the original estimate, and the anesthesia was another additional expense. It was the decision of the Board to award the additional medical expenses, under Section 18.67.110(1).

AWARDED\$2,858.00

Claim # 88-119

The victim, an 11-year-old female, was sexually abused. It was the determination of the Board the victim was an innocent victim of a violent crime. It was the determination of the Board to award counseling expenses, under Section 18.67.110(4).

AWARDED\$2,870.00

Claim # 88-120

The victim, a 62-year-old male, was shot during an altercation with an acquaintance. The Board originally denied the claim based on an Alaska State Trooper's statement that the victim was not an innocent victim. The claimant requested a hearing and hearing was held. The denial was based on the Hearing Officer's report, and the Board did consider the claimant's letter September 30, 1988 as requested by the claimant. It was the decision of the Board to agree with the Findings of Fact and Conclusions of Law of the Hearing Officer, and uphold the original denial of the claim, under Section 18.67.130(a)(3).

DENIED

Claim # 88-121

The victim, a 45-year-old female, was sexually and physically abused by her husband over a period of years, and her two daughters were also abused. It was the determination of the Board the victim was an innocent victim of a violent crime. The claimant requested lost wages, but it was the decision of the Board there was no documented loss of earning power. It was the decision of the Board the medical expenses requested by the claimant were not related to the abuse. Counseling expenses were approved if documented, under Section 18.67.110(4).

AWARDED\$0.00

Claim # 88-125

The victim, a 10-year-old male, was sexually abused by a Boy Scout leader. The claimant is the mother of the victim, and had received an Emergency award of \$1,500.00. It was the determination of the Board the victim was an innocent victim of a violent crime. The victim is an in-patient at a hospital in California and is depressed and suicidal. It was the decision of the Board to award the maximum allowable for expenses incurred by the claimant, under Section 18.67.110(4).

AWARDED\$23,500.00

Claim # 88-127

The victim, an 8-year-old female, was sexually abused. The claimant is the mother of the victim. It was the determination of the Board the victim was an innocent victim of a violent crime. It was the decision of the Board to award documented counseling expenses, which included the deductible for insurance, and the portion not covered by insurance for twenty-four sessions, under Section 18.67.110(4).

AWARDED\$1,600.00

Claim # 88-128

The victim, a 39-year-old male, was robbed and assaulted by an unknown assailant. It was the determination of the Board the victim was an innocent victim of a violent crime. It was the decision of the Board to award loss of earning power, under Section 18.67.110(1).

AWARDED\$133.00

Claim # 88-140

The victim, a 45-year-old male, was assaulted and robbed by unknown assailants. It was the determination of the Board the victim was an innocent victim of a violent crime. It was the decision of the Board to award medical expenses, under Section 18.67.110(1).

AWARDED\$2,884.00

Claim # 88-142

The victim, a 28-year-old female, was assaulted, and suffered a broken jaw. It was the determination of the Board the victim was an innocent victim of a violent crime. It was the decision of the Board to award unpaid medical expenses, under Section 18.67.110(1).

AWARDED\$15,115.88

Claim # 88-144

The victim, a 26-year-old male, was injured in a vehicular accident. It was the determination of the Board the victim was not a victim of a crime eligible by statute, as the offender was not under the influence of alcohol at the time of the incident. It was the decision of the Board to deny the claim on the grounds the victim was not a victim of an eligible crime, under Section 18.67.101(2).

DENIED

Claim # 88-146

The victim, a 20-year-old male, was assaulted in a bar. It was the determination of the Board the victim was not an innocent victim of a violent crime, as it appeared to be a case of mutual combat. It was the decision of the Board to deny the claim, on the grounds that the claimant's conduct had contributed to his injuries, under Section 18.67.080(c).

DENIED

Claim # 88-147

The victim, a 21-year-old female, was killed by a drunk driver. The claimant is the father of the victim. It was the determination of the Board the victim was an innocent victim of a violent crime. It was the decision of the Board to award funeral expenses not paid by insurance, under Section 18.67.110(1).

AWARDED\$2,738.00

Claim # 88-148

The victim, a 13-year-old, was sexually abused by her father over a period of years. The claimant is the mother of the victim. It was the determination of the Board the victim was an innocent victim of a violent crime. It was the decision of the Board to award counseling expenses, under Section 18.67.110(4).

AWARDED\$3,167.50

Claim # 88-150

The victim, a 25-year-old female, was murdered and found several months after her disappearance. The claimant, the mother of the victim, is requesting compensation for expenses. It was the determination of the Board the victim was an innocent victim of a violent crime. It was the decision of the Board to award expenses, under Section 18.67.110(4).

AWARDED\$6,450.76

Claim # 88-151

The victim, a 21-year-old female, was sexually assaulted and badly beaten. The offender was convicted of First Degree Sexual Assault. The claimant is requesting medical and counseling expenses, and lost wages. It was the determination of the Board the victim was an innocent victim of a violent crime. It was the decision of the Board to award lost wages, under Section 18.67.110(2).

AWARDED\$5,000.00

Claim # 88-152

The Victim, a 34-year-old female, was robbed and assaulted. It was the determination of the Board the victim was an innocent victim of a violent crime. The claimant is requesting compensation of lost wages for two days. It was the decision of the Board to award loss of earning power, under Section 18.67.110(2).

AWARDED\$14.00

Claim # 88-153

The victim, a 4-year-old female, was sexually abused by a male juvenile cousin in her home. The claimant is the mother of the victim. It was the determination of the Board the victim was an innocent victim of a violent crime. It was the decision of the Board to award documented expenses and cab fare, under Section 18.67.110(4).

AWARDED\$25.00

Claim # 88-157

The victim, a 27-year-old female, was the victim of a vehicular Hit and Run. There was no evidence that the incident was alcohol related, or that it was an intentional vehicular assault. It was the determination of the Board the victim was not a victim of a crime compensable under the Board's statute. The Board originally denied the claim on the grounds there was no evidence the offender was drunk. The claimant requested a hearing and a hearing was held. It was the decision of the Board to agree with the Findings of Fact and Conclusions of Law of the Hearing Officer, upholding the original denial of the claim, as there was no evidence the offender had been drinking. The denial was based on the Hearing Officer's report, under Section 18.67.101(2).

DENIED

Claim # 88-158

The victim, an 11-year-old female, was sexually abused. The claimant is the father of the victim, requesting lost wages and counseling expenses. It was the determination of the Board the victim was an innocent victim of a violent crime. It was the decision of the Board to award lost wages and counseling expenses, under Sections 18.67.110(2), and 110(4).

AWARDED\$3,402.93

Claim # 88-159

The victim, a 24-year-old male, was assaulted. The Board originally had denied the claim on the grounds the offender was acquitted of the Assault charge, and was convicted only of Criminal Mischief. In addition, the claimant was intoxicated at the time of the incident, and may have provoked the assault. The claimant requested a hearing and a Hearing was held. It was the decision of the Board to agree with Findings of the Hearing Officer. It was the decision of the Board to deny the claim on the grounds the conduct of the claimant may have contributed to his injuries, as it was not a felony assault, and appeared to be a case of mutual combat, under Section 18.67.080(c).

DENIED

Claim # 88-160**Claim # 88-161**

The victim, a 59-year-old female, was stabbed to death in her home. It was the determination of the Board the victim was an innocent victim of a violent crime. The Board had previously granted an Emergency Award for emergency expenses. The claimants are the daughter and son-in-law of the victim. It was the decision of the Board to award airfare, and counseling expenses. The claimants requested a hearing for additional expenses, and a hearing was held. It was the decision of the Board to agree with the Findings of the Hearing Officer, and award additional lost wages and out-of-pocket expenses under Sections 18.67.110(2), and 110(4).

AWARDED

#88-160	\$1,220.00
#88-161	<u>\$4,364.38</u>
TOTAL	\$5,584.38

Claim # 88-162

The victim is the same as in claims 88-160/161. The claimant is a son of the victim. It was the determination of the Board the victim was an innocent victim of a violent crime. It was the decision of the Board to award lost wages, airfare, and counseling expenses, under Sections 18.67.110(2), and 110(4).

AWARDED	\$1,841.93
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Claim # 89-027

The victim is the same as in claims 88-160/161/162. The claimant is the daughter of the victim. It was the determination of the Board the victim was an innocent victim of a violent crime. It was the decision of the Board to award airfare, and out-of-pocket expenses, under Sections 18.67.110(1), and 110(4).

AWARDED	\$1,157.87
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Claim # 89-039

The victim is the same as in claims number 88/160/161/162 and 89-027. The claimant is a son of the victim. It was the determination of the Board the victim was an innocent victim of a violent crime. It was the decision of the Board to award lost wages to both the claimant and his wife, under Section 18.67.110(2).

AWARDED	\$829.00
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Claim # 89-001

The victim, a 6-year-old female, was sexually abused. The claimant is the father of the victim. It was the determination of the Board the victim was an innocent victim of a violent crime. It was the decision of the Board to award counseling expenses, under Section 18.67.110(4).

AWARDED\$265.03

Claim # 89-002

The victim, a 36-year-old male, was assaulted and stabbed. It was the determination of the Board the victim was an innocent victim of a violent crime. It was the decision of the Board to award the maximum allowable for medical expenses, counseling expenses, and loss of earnings, under Sections 18.67.110(1), 110(2), and 110(4).

AWARDED\$25,000.00

Claim # 89-003

The victim, a 22-year-old female, was murdered. The claimant is the father of the victim, filing on behalf of the victim's dependent child. It was the determination of the Board the victim was an innocent victim of a violent crime. It was the decision of the Board to award the maximum for loss to a single dependent of a deceased victim, under Section 18.67.110(3).

AWARDED\$25,000.00

Claim # 89-007

The victim, a 23-year-old female, was sexually assaulted. It was the determination of the Board the victim was an innocent victim of a violent crime. It was the decision of the Board there were no compensable losses, but counseling expenses were approved pending documentation, under Section 18.67.110(4).

AWARDED\$0.00

Claim # 89-008

The victim, an 11-year-old female, was sexually abused by a mentally retarded adult neighbor. It was the determination of the Board the victim was an innocent victim of a violent crime. It was the decision of the Board to award transportation expenses, and martial arts lessons, under Section 18.67.110(4).

AWARDED\$2,140.00

Claim # 89-010

The victim, a 32-year-old male, was assaulted by an acquaintance. It was the determination of the Board the victim was an innocent victim of a violent crime. It was the decision of the Board to award medical expenses and lost wages, under Sections 18.67.110(1), and 110(2).

AWARDED\$10,482.51

Claim # 89-011

The victim, a 37-year-old female, was raped in her home by an unknown assailant. It was the determination of the Board the victim was an innocent victim of a violent crime. It was the decision of the Board to award current and future counseling expenses. The claimant had received an Emergency Award from the Board, which appeared to cover her lost wages, under Section 18.67.110(2). It was the decision of the Board to award counseling expenses under 18.67.110(4).

AWARDED\$2,620.00

Claim # 89-012

The victim, a 33-year-old Polish national, was stabbed seventeen times. It was the determination of the Board the victim was an innocent victim of a violent crime. The claimant is requesting payment of his medical expenses and lost wages. It was the decision of the Board to award the requested medical costs and lost wages, under Sections 18.67.110(1), and 110(2).

AWARDED\$21,840.00

Claim # 89-013

The victim, a 55-year-old female, was assaulted. There was no police report filed, no doctor's statement, and the claim was received over two years after the incident. It was the decision of the Board to deny the claim under Sections 18.67.130(a)(1), and 130(2).

DENIED

Claim # 89-014

The victim, a 36-year-old female, was assaulted. The incident appeared to have been a case of mutual combat, and the Board did not feel the claimant was an innocent victim. It was the decision of the Board to deny the claim on the grounds the victim's actions may have contributed to her injuries, under Section 18.67.080(c).

DENIED

Claim # 89-015

The victim, a two-year-old male, was badly burned in hot water by an adult female baby-sitter. The claimant is the mother of the victim. It was the determination of the Board the victim was an innocent victim of a violent crime. It was the decision of the Board to award the requested medical expenses, and lost wages to the claimant, under Sections 18.67.110(1), and 110(2).

AWARDED\$1,047.04

Claim # 89-016

The victim, a 24-year-old female, was assaulted, and the offender was charged with Fourth Degree Assault. It was the determination of the Board the victim was an innocent victim of a violent crime. It was the decision of the Board to deny the claim on the grounds the incident was not a First or Second Degree Assault compensable by statute, under Section 18.67.101(2).

DENIED

Claim # 89-017

The victim, a 69-year-old female, was assaulted. It was the determination of the Board the victim was an innocent victim of a violent crime. Some of the medical expenses were paid by Medicaid. It was the decision of the Board to award dental expenses, and the cost of the ambulance, under Section 18.67.110(1).

AWARDED\$6,721.46

Claim # 89-018

The victim, a 5-year-old female, was sexually abused. It was the determination of the Board the victim was an innocent victim of a violent crime. The Board had originally awarded counseling expenses. The claimant is the mother of the victim, and recontacted the Board to request additional counseling expenses. It was the decision of the Board to award the additional expenses, under Section 18.67.110(4).

AWARDED\$1,582.00

Claim # 89-019

The victim, a 41-year-old female, was sexually assaulted in her driveway. The claimant is the husband of the victim. It was the determination of the Board the victim was an innocent victim of a violent crime. The Board originally denied the claim for loss of earning power, on the grounds there was insufficient documentation of the correlation between the incident and the failure of the family business. The Board did award medical expenses, and approved counseling if documented. The claimant requested a hearing and a hearing was held. It was the decision of the Board to agree with the Findings of the Hearing Officer. It was the decision of the Board to award documented prescription costs, under Section 18.67.110(1).

AWARDED\$122.19

Claim # 89-020**Claim # 89-021****Claim # 89-022**

The victim, a 39-year-old male, was murdered in a drug-related incident. It was the determination of the Board the victim was not an innocent victim of a violent crime. The claimant is the wife of the victim, and is filing on behalf of their two dependent children. It was the decision of the Board to deny the claim on the grounds the victim contributed to his death by dealing drugs, under Section 18.67.080(c).

DENIED

Claim # 89-023

The victim, a 33-year-old female, was assaulted by an acquaintance. It was the determination of the Board the victim was an innocent victim; however, a police report was not filed within five days of the incident, or within five days of when the report could reasonably have been made. It was the decision of the Board to deny the claim as the claimant was not timely in reporting the incident, under Section 18.67.130(a)(2).

DENIED

Claim # 89-024

The victim, a 55-year-old male, was involved in a vehicular accident. There was no evidence that the incident was alcohol related. It was the determination of the Board the victim was not a victim of a crime compensable under the Board's statute. It was the decision of the Board to deny the claim on the grounds it was not eligible by statute, under Section 18.67.101(2).

DENIED

Claim # 89-031

The victim, a 37-year-old female, was assaulted and raped. It was the determination of the Board the victim was an innocent victim of a violent crime. It was the decision of the Board to award the replacement cost of the victim's eyeglasses which were lost as a result of the incident, under Section 18.67.110(4).

AWARDED\$109.00

Claim # 89-032

The victim, a 28-year-old male, was assaulted in a bar and lost an eye. The offender was charged with Second Degree Assault. It was the determination of the Board the victim was an innocent victim of a violent crime. It was the decision of the Board to award loss of earnings, under Section 18.67.110(2).

AWARDED\$9,000.00

Claim # 89-034

The victim, a 39-year-old female, was sexually assaulted by her medical doctor while under hypnosis in his office. It was the determination of the Board the victim was an innocent victim of a violent crime. It was the decision of the Board to award the requested cost of airfare, under Section 18.67.110(4).

AWARDED\$1,542.90

Claim # 89-037

The victim, a 22-year-old male, was assaulted in his home with a tire-iron by an acquaintance. It was the determination of the Board the victim was an innocent victim of a violent crime. It was the decision of the Board to award medical expenses and lost wages, under Sections 18.67.110(1), and 110(2).

AWARDED\$709.25

Claim # 89-038

The victim, a 24-year-old male, was assaulted in the same incident as claim # 89-037. It was the determination of the Board the victim was an innocent victim of a violent crime. There was no documentation of lost wages, and it was the decision of the Board to award hospital expenses, under Section 18.67.110(1).

AWARDED\$335.50

Claim # 89-040

The victim, an 11-year-old female, was allegedly sexually abused by a neuropsychologist at the offender's office. The claimant is the mother of the victim, requesting counseling expenses. It was the determination of the Board the victim was an innocent victim of a violent crime. It was the decision of the Board to award the requested counseling expenses, under Section 18.67.110(4).

AWARDED\$665.00

Claim # 89-042

The victim, a two-year-old male, was sexually abused by a juvenile babysitter. The claimant is the father of the victim. It was the determination of the Board the victim was an innocent victim of a violent crime. It was the decision of the Board to award counseling expenses not covered by insurance which the claimant has paid, under Section 18.67.110(4).

AWARDED\$1,708.00

Claim # 89-045

The victim, a 24-year-old female, was sexually abused by her father between the ages of five and twelve. The incident was not reported until the victim was twenty-one years old, and at that time she was not informed of the program. The claimant is requesting the Board waive the two year limit in this case. It was the decision of the Board to waive the two year limit. Counseling expenses were documented and presented to the Board. It was the determination of the Board the victim was an innocent victim of a violent crime. It was the decision of the Board to award future counseling expenses, and counseling costs she has paid, under Section 18.67.110(4).

AWARDED\$1,445.00

Claim # 89-047

The victim, a 33-year-old male, was assaulted at his place of business by a co-worker's husband. It was the determination of the Board the victim was an innocent victim of a violent crime. The offender was charged with Fourth Degree Assault, which is not compensable by statute. It was the decision of the Board to deny the claim on the grounds the incident was not a crime compensable by the Board, under Section 18.67.110(2).

DENIED

Claim # 89-048

The victim, a 22-year-old female, was kidnapped and sexually assaulted. It was the determination of the Board the victim was an innocent victim of a violent crime. It was the decision of the Board to award medical expenses, counseling expenses, and loss of earning power, under Sections 18.67.110(1), 110(2), and under 110(4).

AWARDED\$693.68

Claim # 89-049

The victim, a 45-year-old male, was stabbed by a 17-year-old male minor. The offender was tried, and the jury determined the stabbing was in self-defense. It was the determination of the Board the victim was not an innocent victim of a violent crime as the offender was acquitted by a jury. It was the original decision of the Board to deny the claim, based on the acquittal of the offender. It was the decision of the Board to uphold the original denial of the claim on the grounds the offender was acquitted by a jury, under Section 18.67.101(2).

DENIED

Claim # 89-050**Claim # 89-051****Claim # 89-052**

The victim, a 32-year-old female, was killed in an accident with a drunk driver, as a passenger in the offender's vehicle. The claimant is the ex-husband of the victim, filing on behalf of their dependent children who were in his custody at the time of the incident. It was the determination of the Board the victim was not an innocent victim of a violent crime as she contributed to her death by accepting a ride from a person she knew had been drinking. The Board denied the claim, under Section 18.67.080(c).

DENIED

Claim # 89-029

The victim is the same as in claims #89-050 to 89-052. The claimant is the mother of the victim, requesting compensation for funeral expenses. It was the determination of the Board the victim was not an innocent victim of a violent crime as she may have contributed to her death. It was the decision of the Board to deny the claim on the grounds the victim knowingly accepted a ride from a driver who had been drinking, under Section 18.67.080(c).

DENIED

Claim # 89-054

The victim, a 33-year-old male, was physically and sexually assaulted by three adult males from whom he had accepted a ride. It was the determination of the Board the victim was an innocent victim of a violent crime. It was the decision of the Board to award the ambulance bill, and lost wages, under Sections 18.67.110(1), and 110(2).

AWARDED\$580.00

Claim # 89-055

The victim, a 4-year-old female, was sexually abused. The claimant is the father of the victim. It was the determination of the Board the victim was an innocent victim of a violent crime. It was the decision of the Board to award six months of counseling expenses, under Section 18.67.110(4).

AWARDED\$2,400.00

Claim # 89-056

The victim, a 52-year-old male, was assaulted. It was the determination of the Board the victim was an innocent victim of a violent crime. It was the decision of the Board to award loss of earning power, under Section 18.67.110(2).

AWARDED\$2,761.00

Claim # 89-059

The victim, a 30-year-old female, was robbed while driving a cab, and shot in the head by three juveniles. It was the determination of the Board the victim was an innocent victim of a violent crime. It was the decision of the Board to award medical expenses, and lost wages, under Sections 18.67.110(1), and 110(2).

AWARDED\$20,962.34

Claim # 89-062

The victim, a 19-year-old male, was shot and killed. The claimant is the sister of the victim. It was the determination of the Board the victim as an innocent victim of a violent crime. It was the decision of the Board to award funeral expenses paid by the claimant, under 18.67.110(1).

AWARDED\$882.00

Claim # 89-063

The victim, a six-year-old female, was sexually abused by the son of her baby-sitter. The claimant is the father of the victim, requesting compensation for medical and counseling expenses. Loss of earnings and counseling expenses were requested but not documented, and can be considered at a later meeting if requested. It was the determination of the Board the victim was an innocent victim of a violent crime. It was the decision of the Board to award documented medical expenses not paid by insurance, under Section 18.67.110(1).

AWARDED\$184.00

Claim # 89-064**Claim # 89-065****Claim # 89-066**

The victim, a 30-year-old female, was murdered by her husband. It was the determination of the Board the victim was an innocent victim of a violent crime. The claimant is the brother-in-law of the victim, requesting funeral expenses and pecuniary loss for the two minor children, ages seven and nine, who will be raised by the claimant and his wife. It was the decision of the Board to award funeral expenses, and the maximum allowable by statute to multiple dependents of a deceased victim, under Section 18.67.110(3).

AWARDED

#89-064	\$760.00
#89-065	\$19,620.00
#89-066	<u>\$19,620.00</u>
TOTAL	\$40,000.00

Claim # 89-069**Claim # 89-070****Claim # 89-071****Claim # 89-072****Claim # 89-073**

The victim, a 42-year-old male, was shot and killed. The claimant is the wife of the victim, requesting funeral expenses and pecuniary loss for their four minor children. The Board was unable to determine if the victim was a victim of a violent crime. The District Attorney's Office was unable to determine if the incident was a homicide or suicide, due to inconclusive evidence. It was the decision of the Board to deny the claim as there was insufficient evidence to make an award, under Section 18.67.101(2).

DENIED

Claim # 89-074

The victim, a 5-year-old female, was sexually abused. The claimant is the mother of the victim. It was the determination of the Board that the victim was an innocent victim of a violent crime. It was the decision of the Board to award counseling expenses which were paid by the claimant, under Section 18.67.110(4).

AWARDED\$479.46

Claim # 89-075

The victim, a 43-year-old male, was shot and killed. The claimant is a brother of the victim. It was the determination of the Board the victim was an innocent victim of a violent crime. It was the decision of the Board to award funeral expenses paid by the claimant, under Section 18.67.110(1).

AWARDED\$2,015.35

Claim # 89-076

The victim, a 12-year-old male, was sexually abused by his step-father. The claimant is the father of the victim. It was the determination of the Board the victim was an innocent victim of a violent crime. The claimant is requesting compensation for travel expenses to bring his son back to Alaska, and to attend court in North Carolina. It was the decision of the Board to award travel, lost wages, and out-of-pocket expenses, under Sections 18.67.110(2), and 110(4).

AWARDED\$5,759.77

Claim # 89-079

The victim, a 34-year-old female, was injured in a vehicular accident and the offender was charged with reckless driving. It was the determination of the Board the victim was not a victim of a crime eligible by statute, as the offender was not intoxicated at the time of the incident. The Board originally denied the claim on the grounds the incident was not a crime compensable by statute. The claimant requested a hearing and a hearing was held. It was the decision of the Board to agree with the Findings of the Hearing Officer, and to uphold the original denial of the claim on the grounds there was insufficient evidence the offender had been drinking, and the incident was not a crime compensable by the Board under the statute, under Sections 18.67.080(c), and under 18.67.110(2).

DENIED

Claim # 89-082

The victim, a 37-year-old female, was sexually assaulted. It was the determination of the Board the victim was an innocent victim of a violent crime. It was the decision of the Board there were no compensable losses, as medical expenses were paid by a prior source, and the victim was not working at the time of the incident, under Section 18.67.080(c).

AWARDED\$0.00

Claim # 89-083

The victim, a 29-year-old male, was injured by a drunk driver. It was the determination of the Board the victim was an innocent victim of a violent crime. It was the decision of the Board to award three months of lost wages, and medical expenses. The claimant contacted the Board, and requested a reconsideration of loss of earning power and medical expenses. The doctor's statement shows the victim was unable to work for two weeks, and the Board had previously awarded loss of earnings for that time. The claimant was also requesting the cost of surgery, but the Board did not receive a doctor's statement verifying the need for surgery. It was the decision of the Board the claimant had been adequately compensated by the Board, and denied the request for additional expenses, under Section 18.67.080(c).

AWARDED\$1,850.00

Claim # 89-084

The victim, a 31-year-old male, was assaulted. It was the determination of the Board the victim was the victim of a violent crime. It was the decision of the Board to deny the claim on the grounds it was a Fourth Degree Assault, which is not compensable by statute, under Section 18.67.101(2).

DENIED

Claim # 89-085

The victim, a 42-year-old male, was stabbed in the hand by his live-in girlfriend. The Board was unable to determine if the victim was an innocent victim of a violent crime. The offender was originally charged with Fourth Degree Assault, but was not prosecuted as there were conflicting witness statements in the police report, and because there was not enough evidence to prosecute her. It was the decision of the Board to deny the claim on the grounds the crime was a Fourth Degree Assault which is not compensable by statute, under Section 18.67.101(2).

DENIED

Claim # 89-086

The victim, an 11-year-old male, was sexually abused by his natural father. The offender was convicted and sentenced to five years, which has been appealed. The claimant is the mother of the victim. It was the determination of the Board the victim was an innocent victim of a violent crime. It was the decision of the Board to award documented counseling expenses, under Section 18.67.110(4).

AWARDED\$3,732.05

Claim # 89-087

The victim, a 38-year-old male, was assaulted, receiving a broken leg. It was the determination of the Board the victim was an innocent victim of a violent crime. It was the decision of the Board to award the ambulance bill, and six weeks loss of earning power, for an accounting contract job which he lost as a result of the incident, under Section 18.67.110(2).

AWARDED\$500.00

Claim # 89-089

The victim, a 4-year-old female, was kidnapped by her father, and sexually abused by her grandfather. The claimant is the mother of the victim. It was the determination of the Board the victim was an innocent victim of a violent crime. It was the decision of the Board to award counseling expenses, under Section 18.67.110(4).

AWARDED\$1,404.20

Claim # 89-091

The victim, a 25-year-old female, was assaulted by her brother, who struck her in the arm with a hatchet. The offender was charged with First Degree Assault. It was the determination of the Board the victim was an innocent victim of a violent crime. The Board felt the victim should receive counseling, and approved payment of counseling expenses if requested and documented at the next Board meeting. It was the decision of the Board to award the requested cab and airfare cost, under Section 18.67.110(4).

AWARDED\$17.50

Claim # 89-093

The victim, a 37-year-old male, was assaulted. The Board was unable to determine if the victim was an innocent victim of a violent crime, as a witness stated the claimant and a companion started the fight, and the offender may have acted in self-defense. It was the decision of the Board to deny the claim on the grounds the case was a Third Degree Assault, not compensable by statute, under Section 18.67.101(2).

DENIED

Claim # 89-095

The victim, a 46-year-old female, was allegedly assaulted and raped by her roommate. It was the determination of the Board the victim was not an innocent victim of a violent crime. It was the decision of the Board to deny the claim on the grounds the police charged the offender with Fourth Degree Assault, which is not compensable by statute, and no charges of Sexual Assault were filed, under Section 18.67.110(2).

DENIED

Claim # 89-096

The victim, a 14-year-old female, was sexually abused by her father for a period of two years. The claimant is the mother of the victim, and is requesting an Emergency Award for moving expenses. It was the determination of the Board the victim was an innocent victim of a violent crime. It was the decision of the Board to approve the moving expense request, under Section 18.67.110(4).

AWARDED\$1,500.00

Claim # 89-097

The victim, a 39-year-old female, was assaulted by her husband, who was charged with Fourth Degree Assault. It was the determination of the Board the victim was an innocent victim of a violent crime. It was the decision of the Board to deny the claim on the grounds the incident was a Fourth Degree Assault, under Section 18.67.101(2).

DENIED

Claim # 89-103

The victim, a 3-year-old female, was sexually abused by a 12-year-old male. The claimant is the mother of the victim. It was the determination of the Board the victim was an innocent victim of a violent crime. It was the decision of the Board to award counseling, under Section 18.67.110(4).

AWARDED\$1,551.00

Claim # 89-104

The victim, a 39-year-old male, was injured by a drunk driver. It was the determination of the Board the victim was an innocent victim of a violent crime. It was the decision of the Board to award lost wages, and travel expenses, under Sections 18.67.110(2), and 110(4).

AWARDED\$6,238.75

Claim # 89-106**Claim # 89-107**

The victim, a 26-year-old female, was murdered by her husband. The claimants are the children of the offender, requesting compensation for funeral expenses and loss of earning power. It was the determination of the Board the victim was an innocent victim of a violent crime. It was the decision of the Board to deny these claims as there were no compensable losses, under Section 18.67.080(c).

DENIED

Claim # 89-134

The victim is the same as in Claims 89-106/107. The claimant is the father of the victim. It was the determination of the Board the victim was an innocent victim of a violent crime. It was the decision of the board to award funeral expenses paid by the claimant, under Section 18.67.110(1).

AWARDED\$745.00

Claim # 89-108

The victim, a 15-year-old male, was sexually abused by an adult male acquaintance. The claimant is the father of the victim. It was the determination of the Board the victim was an innocent victim of a violent crime. It was the decision of the Board to award past and future counseling expenses not covered by insurance, under Section 18.67.110(4).

AWARDED\$3,369.00

Claim # 89-109

The victim, a 50-year-old female, was assaulted. It was the determination of the Board the victim was an innocent victim of a violent crime. The offender was charged with Second Degree Assault. The claimant had requested medical expenses not covered by a prior source, and loss of earning power. It was the decision of the Board to award medical expenses, and the cost of replacement for dentures and eyeglasses, under Section 18.67.110(1).

AWARDED\$2,459.72

Claim # 89-111

The victim, a 33-year-old male, was shot in the face. The offender pled to Second Degree Assault. It was the determination of the Board the victim was an innocent victim of a violent crime. It was the decision of the Board to award the maximum allowable for a permanent partial disability, under Section 18.67.110(2).

AWARDED\$25,000.00

Claim # 89-113

The victim, a 15-year-old male, was stabbed. The offender was convicted of Second Degree Assault. It was the determination of the Board the victim was an innocent victim of a violent crime. The claimant is the father of the victim. It was the decision of the board to award the requested medical expenses, under Section 18.67.110(1).

AWARDED\$1,943.12

Claim # 89-116

The victim, a 30-year-old male, was injured in a Vehicular Hit and Run. It was the determination of the Board that the victim was not a victim of a crime compensable by statute. The Board determined there was insufficient evidence the offender had been drinking at the time of the incident. It was the decision of the Board to deny the claim on the grounds it was not a crime compensable by statute, under Section 18.67.101(2).

DENIED

Claim # 89-117

The victim, a 28-year-old female, while employed on an international research vessel, was sexually assaulted by a Russian crew member. It was the determination of the Board the victim was an innocent victim of a violent crime. It was the decision of the Board to award lost wages and counseling expenses, under Sections 18.67.110(2), and 110(4).

AWARDED\$3,350.00

Claim # 89-118

The victim, a 22-year-old male, was shot and killed by his brother. The claimant is the mother of the victim, requesting funeral, travel, miscellaneous expenses, and lost wages for herself and her husband. It was the determination of the Board the victim was an innocent victim of a violent crime. It was the decision of the Board to award lost wages to the claimant and her husband, and reasonable documented funeral expenses, under Sections 18.67.110(1), and 110(2).

AWARDED\$3,346.08

Claim # 89-124

The victim, a 31-year-old male, was stabbed by an unknown offender. It was the determination of the Board the victim was an innocent victim of a violent crime. It was the decision of the Board to award loss of earnings, and medical expenses not paid by insurance, under Sections 18.67.110(1), and 110(2).

AWARDED\$3,953.05

Claim # 89-125**Claim # 89-126****Claim # 89-127****Claim # 89-128**

The victim, a 22-year-old female, was killed by a drunk driver. It was the determination of the Board the victim was an innocent victim of a violent crime. The claimant is the father of the victim's three minor children, applying on their behalf. It was the decision of the Board to award the remaining maximum award on these claims, under Section 18.67.110(3).

AWARDED

#89-125	\$8,000.00
#89-126	\$8,000.00
#89-127	\$8,000.00
#89-128	\$8,000.00
TOTAL	\$32,000.00

Claim # 89-131

The victim, a 26-year-old female, was sexually assaulted, and the offender then killed himself. It was the decision of the Board to award emergency living expenses, under Section 18.67.120.

AWARDED\$1,500.00

Claim # 89-133

The victim, a five-year-old female, was sexually abused. The claimant is the mother of the victim. It was the determination of the Board the victim was an innocent victim of a violent crime. It was the decision of the Board to award emergency counseling expenses, under Section 18.67.120.

AWARDED\$1,500.00

Claim # 89-147

The victim is the same as in Claims #89-125 to #89-128. The claimant is the sister of the victim, requesting compensation for funeral expenses and out of pocket expenses. It was the determination of the Board the victim was an innocent victim of a violent crime. It was the decision of the Board to award funeral expenses and out-of-pocket expenses, under Sections 18.67.110(1), and 110(4).

AWARDED\$8,000.00

Claim # 89-132

The victim, a 6-year-old female, was sexually abused. It was the determination of the Board the victim was an innocent victim of a violent crime and the Board had previously made a \$1,500 Emergency Award for counseling prior to trial. The claimant is the mother of the victim, requesting compensation for counseling expenses. It was the decision of the Board to award counseling expenses, under Section 18.67.110(4).

AWARDED\$3,840.00

Claim # 89-135

The victim, a 5-year-old female, was sexually abused while in the care of a baby-sitter. The claimant is the father of the victim. It was the determination of the Board the victim was an innocent victim of a violent crime. It was the decision of the Board to award counseling not paid by insurance, under Section 18.67.110(4).

AWARDED\$2,410.00

Claim # 89-136

The victim, a 5-year-old female, was sexually abused. The offender has been convicted and sentenced to eight years. Restitution was ordered, but as the offender is incarcerated, it is unlikely the victim will receive it in the near future. It was the determination of the Board the victim was an innocent victim of a violent crime. The claimant is the mother of the victim, requesting counseling for herself. She has paid some counseling not covered by insurance. It was the decision of the Board to award current and future counseling expenses, under Section 18.67.110(4).

AWARDED\$1,797.50

Claim # 89-137

The victim, a 5-year-old female, was sexually abused, and is the same victim as in claim #89-136. The claimant is the mother of the victim, requesting counseling costs for her daughter. The offender has been convicted and sentenced to eight years. Restitution was ordered, but as the offender is incarcerated, it is unlikely the victim will receive it in the near future. It was the determination of the Board the victim was an innocent victim of a violent crime. It was the decision of the Board to award past and future counseling expenses, under Section 18.67.110(4).

AWARDED\$2,218.00

Claim # 89-141

The victim, a 23-year-old male, was assaulted by a friend's ex-husband. The offender was charged with Fourth Degree Assault. It was the determination of the Board the victim was an innocent victim of a violent crime. It was the decision of the Board to deny the claim on the grounds it was a Fourth Degree Assault not compensable by statute, under Section 18.67.101(2).

DENIED

Claim # 89-145

The victim, a 22-year-old female, was assaulted and lost an eye as a result. The offender was charged with Fourth Degree Assault. It was the determination of the Board the victim was an innocent victim of a violent crime. It was the decision of the Board to award the ambulance billing and eyeglass replacement cost, under Section 18.67.110(1).

AWARDED\$206.00

Claim # 89-148

The victim, a 29-year-old male, was assaulted outside a bar. The Board was unable to determine if the victim was an innocent victim of a violent crime. The offender was not prosecuted, as the police report was unsubstantiated by any witnesses. The offender was originally charged with Fourth Degree Assault. It was the decision of the Board to deny the claim on the grounds the incident was Fourth Degree Assault, not compensable by statute, under Section 18.67.101(2).

DENIED

Claim # 89-151

The victim, a 50-year-old female, was physically assaulted. It was the determination of the Board the victim was not a victim of a violent crime compensable by statute. It was the decision of the Board to deny the claim on the grounds the incident was a Fourth Degree Assault, prosecution was declined as it was mutual combat, and no documented compensable losses were incurred by the claimant, under Section 18.67.080(c).

DENIED

Claim # 89-153

The victim, a 25-year-old male, was assaulted, and part of his nose was bitten off. The alleged offender was acquitted by a jury. It was the determination of the Board the victim was not an innocent victim of a violent crime, based on the outcome of a jury trial. It was the decision of the Board to deny the claim on the grounds the offender was acquitted, under Section 18.67.101(2).

DENIED

Claim # 89-154

The victim, a 33-year-old male, was assaulted and the offender was convicted of Second Degree Assault. It was the determination of the Board the victim was an innocent victim of a violent crime. It was the decision of the Board to award loss of earning power, under Section 18.67.110(2).

AWARDED\$11,953.00

Claim # 89-156

The victim, a 43-year-old female, was assaulted. It was the determination of the Board the victim was an innocent victim of a violent crime. It was the decision of the Board to award medical expenses, under Section 18.67.110(1).

AWARDED\$467.00

Claim # 89-158

The victim, a 33-year-old female, was assaulted. It was the determination of the Board the victim was an innocent victim of a violent crime. It was the decision of the Board to deny the claim on the grounds the incident was a Fourth Degree Assault not compensable by statute, under Section 18.67.101(2).

DENIED

Claim # 89-159

The victim, a 24-year-old male, was shot and killed. It was the determination of the Board the victim was an innocent victim of a violent crime. The claimant is the mother of the victim, requesting compensation for her lost wages, funeral expenses, and out-of-pocket expenses. It was the decision of the Board to award loss of earnings, funeral expenses and out-of-pocket expenses, under Sections 18.67.110(1), 110(2), and 110(4).

AWARDED\$5,706.44

Claim # 89-160

The victim is the same as in Claim #89-159, and the claimant is the sister of the victim. The Board had determined the victim was an innocent victim of a violent crime. The claimant is requesting compensation for her loss of earnings. It was the decision of the Board to award the requested lost wages, under Section 18.67.110(2).

AWARDED\$932.00

Claim # 89-164

The victim, a 14-year-old female, was sexually assaulted after running away from home. The offender was convicted of Sexual Abuse of a Minor. It was the determination of the Board the victim was an innocent victim of a violent crime. It was the decision of the Board to award medical and counseling expenses, under Sections 18.67.110(1), and 110(4).

AWARDED\$2,206.95

Claim # 89-165

The victim, a 50-year-old male, was robbed, and his cab was stolen. The claimant chased the vehicle on foot, and aggravated an existing lung condition due to the cold air. It was the determination of the Board the victim was an innocent victim of a violent crime. All medical expenses were paid by insurance, and there was no documented loss of earnings. It was the decision of the Board to deny the claim on the grounds there were no compensable losses, under Section 18.67.080(c).

AWARDED\$0.00

Claim # 89-166

The victim, a 50-year-old male, was allegedly forced to ingest L.S.D. by an acquaintance, but no charges were filed. It was the determination of the Board the victim was not an innocent victim of a violent crime, as there was no evidence from the police of a crime being committed, under Section 18.67.101(2).

DENIED

Claim # 89-170

The victim, a 38-year-old male, was assaulted. It was the determination of the Board the victim was an innocent victim of a violent crime. It was the decision of Board to deny the claim on the grounds there were no documented compensable losses, under Section 18.67.080(c).

AWARDED\$0.00

Claim # 89-172

The victim, an 8-year-old male, was shot and killed by a 12-year-old male. It was the determination of the Board the victim was an innocent victim of a violent crime, based on statements by Alaska State Troopers. The claimant is the mother of the victim, requesting compensation of loss of earning power for herself. It was the decision of the Board to deny the claim on the grounds there were no documented compensable losses, under Section 18.67.080(c).

AWARDED\$0.00

Claim # 89-175**Claim # 89-176****Claim # 89-177**

The victims, two females, ages 12 and 14, were sexually abused by their father. The claimant is the mother of the victims. It was the determination of the Board the victims were innocent victims of violent crime. It was the decision of the Board to award the cost of travel to attend counseling, and past and future counseling expenses, under Section 18.67.110(4).

AWARDED

#89-175	\$3,250.00
#89-176	\$832.00
#89-177	\$832.00
TOTAL	\$4,914.00

Claim # 89-178

The victim, a 24-year-old male, was hit and killed by a drunk driver while riding a bicycle. The claimant is the sister of the victim, requesting compensation for funeral and out-of-pocket expenses, and loss of earnings for herself and her husband. It was the determination of the Board the victim was an innocent victim of a violent crime. It was the decision of the Board to award funeral and out-of-pocket expenses, under Sections 18.67.110(1), and 110(4).

AWARDED\$4,483.91

Claim # 89-204

The victim is the same victim as in Claim #89-178, and the claimant is the mother of the victim. The Board had determined the victim was an innocent victim of a violent crime. It was the decision of the Board to award documented funeral expenses paid by the claimant, under Section 18.67.110(1).

AWARDED\$2,588.28

Claim # 89-182**Claim # 89-183****Claim # 89-184****Claim # 89-185****Claim # 89-186**

The victims, a 39-year-old female, and her four children, ages 7, 10, 12, and 14, were all injured in a vehicular incident. It was the determination of the Board the victims were not victims of a violent crime, and were not eligible under the statute. There was no evidence the offender was drinking at the time of the incident. It was the decision of the Board to deny the claim as a crime compensable by statute did not occur, under Section 18.67.080(c).

DENIED

Claim # 87-183

The victim, a 13-year-old female, was sexually abused and the Board had previously made an award for counseling expenses. The claimant is the mother of the victim. It was the decision of the Board to award additional counseling expenses as documented by the therapist, under Section 18.67.110(4).

AWARDED\$2,300.00

Claim # 89-191

The victim, a 29-year-old male, was injured while a passenger in the car of a drunk driver. It was the determination of the Board the victim was an innocent victim of a violent crime, although he was in the vehicle, there was no evidence he was aware the driver was operating the vehicle while intoxicated. It was the decision of the Board to award thirty days' lost wages, medical expenses, prescription cost, and airfare, under Sections 18.67.080(c), and 101(2).

AWARDED\$5,063.17

Claim # 89-194

The victim, a 31-year-old female, was assaulted, and the offender was charged with Fourth Degree Assault. It was the determination of the Board the victim was an innocent victim of a violent crime. It was the decision of the Board to deny the claim on the grounds the incident was a Fourth Degree Assault, and the victim incurred no compensable losses, under Sections 18.67.080(c), and 101(2).

DENIED

Claim # 89-197

The victim, a 21-year-old female, was assaulted outside a bar by an acquaintance. The offender was charged with Fourth Degree Assault, and the law enforcement officer handling the case felt it was a case of ongoing mutual combat. It was the determination of the Board the victim may not have been an innocent victim of a violent crime, and she may have contributed to her own injuries. It was the decision of the Board to deny the claim on the grounds it was a Fourth Degree Assault, under Section 18.67.101(2).

DENIED

Claim # 89-207**Claim # 89-208****Claim # 89-209****Claim # 89-210**

The victims, four children, ages 2, 4, 5 and 8, were sexually abused over a long period of time. The claimant is the father of the victims, requesting emergency counseling expenses for his children. It was the determination of the Board the victims were innocent victims of violent crime. It was the determination of the Board to award counseling expenses, under Section 18.67.110(4).

AWARDED

#89-207	\$855.00
#89-208	\$855.00
#89-209	\$855.00
#89-210	\$855.00
TOTAL	\$3,420.00