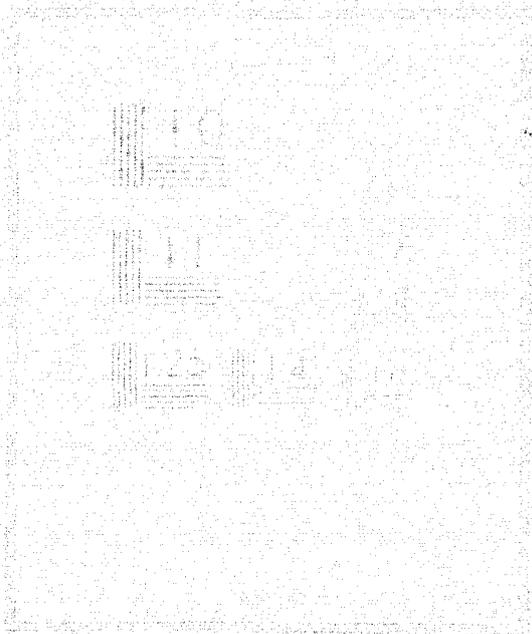


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U.S. DEPARTMENT OF JUSTICE
LAW ENFORCEMENT ASSISTANCE ADMINISTRATION
NATIONAL CRIMINAL JUSTICE REFERENCE SERVICE
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State of Alaska

Violent

Crimes

Compensation

Board

*Third
Annual
Report*

1976

40389



STATE OF ALASKA

(VIOLENT CRIMES COMPENSATION BOARD)

THIRD ANNUAL REPORT

31, 1976

1976



APR 1 1977
ACQUISITIONS

Mrs. Patricia Moore
Chairman

Russellyn Carruth
Member

Dr. C. Earl Albrecht
Member

Dorothy M. Benson
Administrator

STATE OF ALASKA
DEPARTMENT OF HEALTH AND SOCIAL SERVICES
VIOLENT CRIMES COMPENSATION BOARD
POUCH H02A
Juneau, Alaska 99811

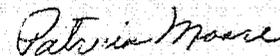
THE HONORABLE JAY HAMMOND
GOVERNOR OF THE STATE OF ALASKA

MEMBERS OF THE ALASKA STATE LEGISLATURE

Ladies and Gentlemen:

I have the honor to submit the Third Annual Report of the Violent Crimes Compensation Board for the period July 1, 1975 through June 30, 1976. Annual Reports are required under the provisions of Section 18.67.170 of the Laws of Alaska.

Respectfully,



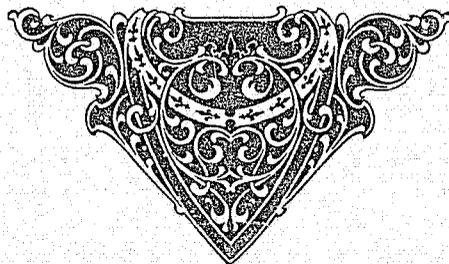
(Mrs.) Patricia Moore
Chairman

BOARD MEMBERS

Mrs. Patricia Moore, Chairman
C. Earl Albrecht, M.D.
Russelyn Carruth
Dorothy Benson, Administrator (Ret.)
Nola Capp, Administrator

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THE THIRD 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 of a crime incur actual and reasonable expense as a result of certain serious crimes or in attempts to prevent the commission of 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 his rehabilitation and training programs, these 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 being defined as life insurance payments, medical and hospital insurance, VA benefits, Social Security,

Workman's 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 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 that 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 insures a fund for their future by placing a portion or all of the award in a trust savings account, requiring two signatures, until the child reaches the age of majority. This account can be drawn on in the event of a medical emergency.

This approach by the Board insures that the funds will be used for and by that particular dependent either for further education or to provide him with the means for motivation toward a goal in the adult world.

Other modifications included in the 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) Requirement of law enforcement agencies to advise victims of the availability of compensation;

- (f) Reimbursement of expenses incurred because of the death of a victim to persons who were responsible for his support;
- (g) The Board was given the discretion of making or denying an award without a hearing on the claim but allowing the claimant the right to request a hearing if he disagrees with the determination.

PROCESSING OF APPLICATIONS

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:

- (1) A crime as defined in Section AS 18.67.100 must have been committed.
- (2) The crime must have been reported to proper authorities within the time period designated in Section AS 18.67.130.
- (3) 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 a claim meets these initial tests, it is then necessary to:

- (1) acknowledge receipt of the claim and request any additional documentation which claimant did not attach such as doctor's reports, hospital reports, employment information and advise the claimant that such material must be received prior to any action on the claim;
- (2) 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, and if the case has been adjudicated request copies of the judgement;
- (3) 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

offender has been prosecuted, a review of the transcript of the trial might be advisable);

- (4) verify the victim's relationship, if any, to the alleged offender;
- (5) in the case of the death of the victim, verify the dependence of the claimant as well as his relationship to the victim to determine eligibility and, finally to;
- (6) consider other collateral sources reported as received by the claimant as a result of the incident, for example, Workmen's Compensation, Social Security, private insurance, etc.

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

- (1) the employment of the victim and/or the claimant;
- (2) if victim is/was self-employed, the income reported and its documentation;
- (3) hospital and doctor bills which were paid by insurance and their relevance to the claim;
- (4) that a crime as defined in Section AS 18.67.100 is the basis for the claim and the applicant 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 under the statute eligible for the award requested and advise a warrant be issued.
- (b) Find the claim eligible under the statute for a lesser amount than requested and advise that the claimant be so notified indicating that he may request a hearing.
- (c) Find that the claim cannot be determined due to conflicting data therein and advise that a hearing is required prior to final decision.
- (d) Find the claim ineligible under the statute and advise that the claimant be so notified indicating that he may request a hearing.

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

- (1) Making the additional contacts in order to obtain further documentation.
- (2) If an award is determined, requests a warrant in the amount specified or upon the Board's recommendation if outstanding balances are due a hospital, doctor or other service agency as a result of the incident, requests joint warrants. The Board feels that any services provided the claimant due to the incident upon which the claim is based should be cleared or arrangements made between the claimant and the obligee for a satisfactory settlement.
- (3) In the event the award granted is less than requested by the claimant, a letter is written enclosing the warrant and explaining the Board's decision noting the claimant's right to request a hearing.
- (4) If the claim is found ineligible, the claimant is so notified by letter stating the reason for ineligibility and advising him of the opportunity to request a hearing. The request for hearing to be received in the Board office within 30 days.
- (5) If the Board finds conflicting data in a claim or is in doubt about any part of the claim, a hearing is scheduled.

In order to schedule a hearing, the volunteer hearing officer is contacted to establish a date to his convenience. Arrangements are made and all parties are notified of the date and location of the hearing 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 7 days after the hearing, the Administrator furnishes the hearing officer with a transcript of the hearing and he has a reasonable time (within 30 days) to submit his 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 by the applicant. The Board encourages claimants to institute civil proceedings where, if after investigation, it appears there may be a chance of recovery;

however, very few recoveries are made due to the financial position of the offender.

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 results of permanent disability? Helpless children are involved in cases wherein the mother is killed by her paramour, should Violent Crimes Compensation be denied to these children because of the indiscretion of the mother who at all other times was a good mother to them? The father of a family is killed in a drunken argument wherein he struck the first blow, is his family to be deprived of consideration under the statute? These are just a few of the problems encountered by the Board.

It is not difficult to reach an immediate decision as to eligibility on a claim where a grieving 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 that the award will be helpful in maintaining an adequate living standard as a supplement to receipts being received 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.

With the extremely high earnings being received on the Slope, the Board soon realized that it would be unfair as well as very costly to reimburse for actual wages lost, therefore a set of Standards of Compensation were developed. These Standards are based on a percentage of the rates established under Workmen's Compensation applicable to permanent, partial, temporary partial or total disability. Reimbursement of loss of wages is based on a percentage of the average weekly wage for Alaska as established periodically by the Department of Labor. As all awards are required to be paid in a lump sum, there is no opportunity for re-evaluation after the award is granted should circumstances change. Those states with statutes allowing periodic payments can modify their awards as conditions change.

STATISTICAL AND ANALYTICAL INFORMATION

The growth in the awareness of Violent Crimes Compensation is evidenced by the number of applications received in this fiscal year. In addition, the number of inquiries and letters requesting application blanks have nearly doubled. Each letter is handled individually and personally answered explaining the program and enclosing a copy of the statute and a brochure which simply explains the eligibility requirements. In instances wherein the writer has described the incident and other relevant facts surrounding the crime and it is determined from these facts that the claim might be ineligible, if filed, the Administrator replies and cites the particular requirement of the statute which may cause ineligibility but still encourages the writer to send in a claim.

In all cases a claimant is instructed to attach all the necessary documentation to support his claim and his expenses explaining that in so doing it will expedite his claim to an early Board decision.

COST OF ADMINISTRATION

The costs to administer the Act for FY 76 were as follows:

Staff salaries (2 persons) and Benefits	\$41,063.80
Travel includes Board Member travel and per diem:	6,530.79
Attorney fees, office expenses, equipment, etc.	11,473.53
Total Costs	\$59,068.12

The total of administration (\$59,068.12) and awards granted (\$272,948.29) is \$332,016.41. Therefore, 18% of our budget has been used for administration.

	FY 73	FY 74	FY 75	FY 76
Applications received	15	50	71	68
Applications heard	0-	37	51	82*
Total amount awards granted	0-	36,025.60	125,266.20	272,948.29
Pending claims at end of FY	13	38	44	8

* Board decision can be made without a hearing.

TYPES OF CRIMES
*NUMBER OF CLAIMS FILED

TYPE OF CRIME	FY 73	FY 74	FY 75	FY 76
Homicide	8	15	17	14
ADW (Stabbing)	4	7	6	7
Armed Robbery	1	1	5	0
ADW (Shooting)	2	17	11	5
Other Assault	0	2	24	34
Rape	0	4	7	5
No Evidence of a crime	0	4	1	3

ACTUAL NUMBER OF CRIMES REPORTED IN ALASKA
(Based on a Calendar Year)

Type of Crimes	1973	1974	1975	1976
Homicide	33	46	38	Not Available
Rape	147	166	177	" "
Aggravated Assaults	868	1,017	3,452	" "
Robbery	221	298	467	" "

* The above 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 calendar year basis.

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 rather disappointing that the actual receipt of applications has not increased over last year.

Violent crimes have increased in the state and in assuming the ineligibility factor against total crimes committed, indications are that a majority of innocent victims are not filing applications. The Board will continue to inform the public; setting as their goal statewide awareness of the program.

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 the Alaska State

Troopers in Anchorage and Fairbanks and the municipal police departments of these two cities as the majority of our claims originate in these areas. We realize that our many requests place an extra burden on their already crowded schedule.

It has been most gratifying to work with the Social Service Directors of Providence Hospital, Anchorage Community Hospital and the Fairbanks Memorial Hospital who have referred victims to the program and have, in many instances, aided the victim in completing the application. They have been most accommodating in responding to our requests for medical records, following those requests through the various departments to insure that they are sent to our office.

The Department of Law through the Attorney General's office and the District Attorneys throughout the State have been most cooperative in informing innocent victims of the program and in responding to our many requests for legal interpretation and basic information necessary to make final determination on claims.

Further the Board wishes to recognize the services of the following attorneys who have served as hearing officers on a voluntary basis:

Mr. William Bittner, Anchorage
Mr. Warren Christianson, Sitka
Mr. Thomas Fenton, Fairbanks
Mr. Lawrence Kulik, Anchorage
Miss Mary Nordale, Fairbanks
Ms. Sandra Saville, Anchorage
Ms. Nancy Shaw, Anchorage
Mr. Clifford Smith, Ketchikan
Mr. Richard Svobodny, Juneau
Mr. Geoffrey Wilson, Juneau

Without the help of the above people, the program would be seriously hindered as the Board would be required to hold the hearings as, thus far, the appropriation level of the program 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 this program and the Board through this report wishes to express their appreciation to them.

PERSPECTIVE

The emphasis, as recommended by the Task Force of the Administration of Justice, is being placed on the prevention of crime and the reorganization of the Criminal Justice System of Alaska. The main focus involves methods and programs for providing effective deterrents to crimes which would especially effect the number of young people entering the Juvenile Criminal Justice System.

Regardless of the concerned efforts by individuals and agencies, crime is expected to increase as it has proven profitable to the criminal in all but a very few instances. The Uniform Crimes reports show that crime is up 18% and that this continuing trend has gone nearly unbroken since 1960. The FBI reports that one violent crime, defined as murder, rape and assault, occurs every 33 seconds.

The Board has noted in their review of incidents and individuals involved in claims filed in Alaska that the main categories of victims includes the elderly and the group age 19 to 25 years and the greatest contributing cause of the incidents is the use of alcohol. They are also concerned with the number of offenders who upon investigation have a history of violence and are repeaters of the same type of crime.

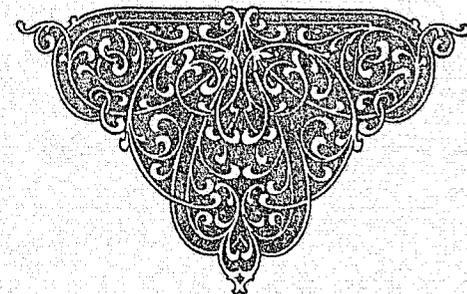
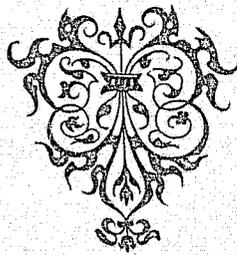
H.R. 13157, entitled "Victims of Crime Act of 1976", is presently on the floor of the House of Representatives to provide matching federal funds to states operating a victim compensation program. It provides for a reimbursement level of 50% for most crimes occurring within state jurisdiction and a 100% reimbursement for those crimes which occur within exclusively federal jurisdictions. The Act does not allow for reimbursement of administrative expenses but only for awards granted and such awards must comply with the specifications stressed within the Act. Even though the Alaska statute does not conform in all respects to the federal Act, most of the awards would be reimburseable. If this Act goes into effect, the requirement for state funding could be reduced.

The Board has received numerous responses from claimants expressing their appreciation for the help they have been given in their time of need and in many instances they just state "It is wonderful to know that somebody cares".

The Board office has been instrumental in helping victims who have been victims of crimes in other states file applications. These claims have been honored and awarded through the Commission to whom they have been referred. There are now 13 other states having victim compensation programs with many more attempting to pass such legislation.

The Board and its two member staff will continue to make every effort to contact all victims of crimes in our State and to compassionately, timely and effectively fulfill the intent of AS 18.67.

CLAIMS



SUMMARY OF DECISIONS

7/1/75 -- 6/30/76

Claim No. 75-011

The victim, a 25 year-old mother of two young children, was killed by two intruders who were under the influence of drugs. They viciously stabbed her numerous times about the heart, lungs and face. Her 8 year old daughter, hidden from the assailants, witnessed the incident and ran to the neighbors for help. The police apprehended the offenders a short distance from the home and both have been incarcerated and are serving time. Although the children were not totally dependent on the mother, the Board felt a deep concern for the future welfare of the children and psychiatric help which might be needed for them, especially for the little girl who witnessed the crime. The Board awarded \$625.00 for funeral expenses and \$7,000.00 to be put in a trust account for future medical expenses. At age 18, the monies would be equally divided. This award was made under Section 18.67.110 (1) expenses, actually and reasonably incurred as a result of the death of a victim, and under Section 18.67.110(4) any other loss the Board determines reasonable.

Award: \$7,625.00

Claim No. 75-025, 026, 027 & 028

The victim, a 33 year-old male, was shot five times in the head following an altercation. The victim died leaving four children. It was felt that if the victim had lived his normal life span he would have provided for the children and due to his death the children are left fatherless and more or less in limbo between a mother, step-father and step-mother. The Board recommended that the awards be set up in a savings account for each child to age of majority and any prior withdrawals require the signature of two trustees. This award was made under Section 18.67.110 (3) pecuniary loss to the dependents of a deceased victim.

Award: \$10,000.00

Claim No. 75-035

The victim, a 56 year-old male, was attacked and suffered a beating and bodily injuries at the hands of two assailants. One of the assailants entered a plea of Nolo Contendere to the offense of robbery and was sentenced to five years in jail. The Board found that the claimant was an innocent victim and was eligible for an award under Section 18.67.110 (2) loss of earning power as the result of the partial incapacity of the victim.

Award: \$3,000.00

Claim No. 75-038

The victim, an 18 year-old male, was shot and very severely injured resulting in his death after a month and a half in an intensive care unit. The victim and two or three of his friends had gone to this house to see a person he knew. There had been an argument with several people. No actual fight ensued, however, a gun was flourished by one of the women living in the apartment and that gun was taken by the victim and placed in his car. At this point the victim and his friends left the apartment, put the gun in the trunk of his car and attempted to drive out of a snow bank. Without warning, a next door neighbor (the woman had gone next door and indicated there was a fight and the neighbor should try and stop the boys) came out of his house and began shooting at the car the victim was driving. He shot the right front tire and then shot a bullet which went through the back paneling, hitting the victim in the neck, severing the nerve which controls his breathing and instantly paralyzing him. The victim lived for a month and a half in the intensive care unit and the most heart rending aspect of all this was that, throughout the entire ordeal, the victim was conscious and rational. The Board awarded the claimant under Section 18.67.110 (1) expenses actually and reasonably incurred as a result of the death of the victim. The claim was later reviewed and found that money was expended over and above the insurance payments received therefore an additional award was determined to supplement the original determination made.

Total Award. \$7,445.92

Claim No. 75-039

The victim, a 17 year-old male, was shot in the foot. At the time of the incident, the victim and a passenger were in their automobile parked behind an eating establishment. The victim hailed a person by his nickname. This person approached the car waving a .45 caliber revolver. The victim tried to crouch in his car but the person came alongside and fired through the door of the victim's vehicle, striking the victim with a bullet in his left foot. It was the decision of the Board, that, although the victim had presumably called the assailant a descriptive name, this was not provocation for an assault with a deadly weapon. The award was made under Section 18.67.110 (2) loss of earning power as the result of total or partial incapacity of the victim.

Award \$4,000.00

Claim No. 75-040

The victim, a 36 year-old male, received facial bruises and lacerations; cuts on the inner lip and contusions in an altercation between himself and a much larger man. It was determined that the incident upon which the claim was based was "hazy" and that the only loss to the victim was \$36.00 and that he was not in financial need. The Board denied the claim under Section 18.67.080 (c) in determining whether to make an order under this section the Board shall consider all circumstances determined to be relevant, including provocation, his need for financial aid and any other relevant matters.

Award Denied

Claim No. 75-041

The victim, a 19 year-old female, suffered a gunshot wound when someone driving past her trailer fired five shots into the trailer, one hitting the victim in the leg. She was unable to work for quite some time and has sustained a partial disability which may not improve. The Board determined an award to cover outstanding medical bills and a sum for loss of earnings from which the emergency award is to be deducted. The award was made under Section 18.67.110 (1) for expenses reasonably and actually incurred as a result of the personal injury, and (2) loss of earning power as a result of partial incapacity of the victim.

Award. \$8,478.05

Claim No. 75-042

The victim, a 27 year-old female, was beaten up by a former boy friend whom she had not seen for a number of months. She was attacked as she was getting out of her car in a parking lot and suffered a broken nose and blackened eyes. There was no evidence of provocation. Medical expenses were taken care of by the State of Alaska and she was not employed at the time. The Board made an award under Section 18.67.110 (4) any other loss which the Board determines to be reasonable.

Award: \$250.00

Claim No. 75-043

The victim, a 29 year-old male, was shot and killed by a person who had gone berserk. The offender was found guilty and sentenced to 25 years in prison. A claim was filed on behalf of the victim's child. The board granted an award based on Section 18.67.110 (3) pecuniary loss to the dependents of the deceased victims. The award to be placed in a trust account.

Award: \$5,000.00

Claim No. 75-044

The victim, an 80 year-old male, received facial bruises, lacerations and cuts on his hands, when he was attacked by two unknown assailants while walking home from the grocery store. It was the consensus of the Board that he was an innocent victim and made an award based on Section 18.67.110 (1) expenses actually and reasonably incurred as a result of the personal injury of the victim.

Award: \$1,045.80

Claim No. 75-045

The victim, a 21 year-old male, was hit in the mouth with a pipe and lost three teeth. This claim was based on an incident wherein the victim and two other young people stated they were attacked by another group of young fellows. The Board voted to deny the claim on the ground that, from the testimony presented at the hearing, the victim had ample opportunity to avoid the incident but instead may have provoked it. The denial comes under Section 18.67.08C (c) in determining whether to make an order under this section, the Board shall consider all circumstances determined to be relevant, including provocation.....

Award Denied

Claim No. 75-046

The victim, an 18 year-old female, mysteriously disappeared from a college campus and her body was found 11 months later. She was one of several girls who had mysteriously disappeared in the same area and whose remains were later found and identified. The Board's decision was to award funeral expenses and other incidental expenses directly related to the incident under Section 18.67.110 (1) expenses reasonably and actually incurred, and (4) any other loss the Board determines to be reasonable.

Award: \$2,000.00

Claim No. 75-047

The victim, a 35 year-old male, was an employee at a pipeline camp and while asleep in a bunk house was assaulted by another employee resulting in bodily injury. Medical expenses were taken care of by Workmen's Compensation. The Board made the award under Section 18.67.110 (2) loss of earning power as a result of partial disability and (4) any other loss the Board determines to be reasonable.

Award: \$2,600.00

Claim No. 75-048

The victim, a 26 year-old male, along with four other persons was examining a firearm and from all the data received, the gun went off accidentally and the victim was injured. The Board denied the claim under Section 18.67.100 (2) as the claim did not show any intent to commit a crime.

Award Denied

Claim No. 75-049

The victim, a 51 year-old male, was assaulted at the door of his hotel room, beaten and robbed. A hearing was scheduled but the victim did not appear. He was sent a letter and given a 60 day notice. Since he did not reply, the claim was assumed to be withdrawn.

Award: Claim Withdrawn

Claim No. 75-050

The victim, a 25 year-old male, was driving a truck on a back road and got it stuck. When he got out to push it, an unknown assailant shot him in the hip. The victim made application but the Board was unable to contact the victim. The claim was left open for quite some time, but as the victim did not pursue the claim, the Board assumed the claim had been withdrawn.

Award: Claim Withdrawn

Claim No. 75.051

The victim, a 48 year-old male, was assaulted and stabbed by a disgruntled employee. The Board determined he was an innocent victim and made an award under Section 18.67.110 (4) any other loss resulting from the personal injury of the victim which the Board determines to be reasonable.

Award: \$2,500.00

Claim No. 75-052

The victim, a 36 year-old male, was brutally murdered while employed in Fairbanks. The claimant, his mother, filed the application for compensation, as she stated she was dependent on him for support. The Board determined the mother had received a life insurance policy and additionally had 11 other children to look to for support. The Board felt that any financial need would be minimal and therefore denied the claim under Section 18.67.080 (c) The Board shall consider all circumstances determined to be relevant, including need for financial aid, and any other relevant matters.

Award Denied

Claim No. 75-053

The victim, a 46 year-old male, was assaulted and robbed as he was walking home. He was struck from behind and did not see the assailant. The incident was not reported to the police for some time. A letter was written asking for an explanation and asked if he wished to pursue the claim. The victim asked that the claim be withdrawn.

Award: Claim Withdrawn

Claim No. 75 054

The victim, a 22 year old male, was severely beaten and kicked incurring serious injuries to the face and mouth, while at a parking lot awaiting a cab. The claimant had no insurance coverage to take care of his medical and hospitalization expenses and he did suffer loss of earnings. The Board determined that he was an innocent victim and made an award based on Section 18.67.110 (1) for expenses actually and reasonably incurred as a result of personal injury of the victim; and (2) loss of earning power as a result of partial incapacity of the victim.

Award: \$3,678.60

Claim No. 75-055

The victim, a 28 year-old male, based his claim on a beating and biting incident wherein he lost a part of his nose. The circumstances of the incident and the statements of the victim, the witness and the protagonists are conflicting. The Board felt that due to the inconsistency of the statement that this claim be denied, under Section 18.67.080 (c) in determining whether to make an order under this section, the Board shall consider all circumstances determined to be relevant, including provocation,

Award Denied

Claim No. 75-056

The victim, a 26 year-old female, was shot and killed by a person who had gone berserk. The offender was found guilty and sentenced to 25 years in prison. A claim was filed on behalf of the victim's child. The Board considered the fact that the daughter was receiving Social Security and that she had been adopted by her grandmother but felt that she would be lacking a mother's love and companionship. Although she would have a home in familiar surroundings she would have to share attention with nine other children. An award was made under Section 18.67.110 (4) any other loss resulting from the death of the victim which the Board determines to be reasonable. The award to be placed in a trust savings account until the age of 18 unless a medical emergency arises wherein some of the funds might be needed.

Award: \$2,500.00

Claim No. 75-057

The victim, a 41 year-old female, was a victim of an armed robbery resulting in a fear complex which caused health and psychiatric problems. The Board recommended payment of all outstanding medical expenses which were not covered by her insurance, reimbursement for loss of earnings and an additional award for the continued counseling required according to Section 18.67.110 (1) expenses actually and reasonably incurred as a result of the personal injury of the victim and (4) any other loss resulting from the personal injury of the victim which the Board determines is reasonable.

Award: \$1,744.97

Claim No. 75-058

The victim, a 39 year old male, was the owner of a bar which was approached by several men bearing weapons. The victim was in the doorway trying to prevent their entry in order to protect his other customers. One person shot at the victim, a bullet struck him in the upper part of his face and another struck him in the foot. The victim has incurred medical expenses and also a partial disability as he has lost the vision in one eye and a possibility of future vision loss in the other eye. The Board made the award under section 18.67.110 (1)

expenses actually and reasonably incurred as a result of the personal injury of the victim, (2) loss of earning power; and (4) any other loss resulting from the personal injury of the victim which the Board determines reasonable.

Award: \$8,623.51

Claim No. 75-066

The victim, a 34 year-old male, was killed by a gunshot wound in the head while he was sleeping in his own home. The offender was convicted of manslaughter and sentenced to five years. The claimant, his wife, asked for compensation for herself and their three children. The Board granted an award under Section 18.67.100 (1) expenses actually and reasonably incurred as a result of the personal injury or death of the victim and (3) pecuniary loss to the dependents of the deceased victim. The award covered funeral expenses and the remainder to be put in a trust account for the care, support and education of the three children.

Award: \$10,000.00

Claim No. 75-067

The victim, a 23 year-old male, stated he had been intentionally run over by a car which resulted in serious injury to his arm. It was the decision of the Board to deny the claim as there was nothing in the testimony to support the contention that a vehicle was used as a weapon with the deliberate intent to run over the victim. This is based on Section 18.67.130 (b)(4) No compensation may be awarded if the victim is injured as a result of the operation of a motor vehicle.

Award Denied

Claim No. 75-068

The victim, a 47 year-old female, was hit on the head with a bottle at her place of employment. Her medical expenses were paid and the Board awarded her expenses which she incurred under Section 18.67.110 (4) any other loss resulting from the personal injury of the victim which the Board determines to be reasonable.

Award: \$200.00

Claim No. 75-069

The victim, a 44 year-old male, was assaulted by an unknown assailant who jumped into his pickup when he was stopped at a red light. The assailant hit him on the head with a pistol, forced him to drive and then ordered him to stop the pickup. The victim was forced out and again hit with the pistol. The Board determined the victim was innocent and awarded him compensation under Section 18.67.110 (1) expenses actually and reasonably incurred as a result of the personal injury to the victim and (4) any other loss resulting from the personal injury of the victim which the Board determines to be reasonable.

Award: \$1,186.00

Claim No. 76-001

The victim, a 41 year old male, was assaulted by an unknown individual who came to his home late at night. The Board determined an award under Section 18.67.110 (1) expenses actually and reasonably incurred as a result of the personal injury of the victim.

Award: \$875.88

Claim No. 76-002

The victim, a 23 year-old male, alleged he was run off the highway by a car, and sustained injuries as a result. He was notified he might be ineligible, as an assault by the motor vehicle must be supported by intent. He did not appear at a scheduled hearing and the Board closed the file without prejudice.

Award: File Closed

Claim No. 76-003

The victim, a 34 year-old male, was attacked by four unknown individuals and beaten with a club, thereby suffering head injuries and facial lacerations. The Board was sorry to inform the victim he was ineligible because the incident was not reported to the police. Denied under Section 18.67.130 (a) no compensation may be made unless a police report has been made within five days of the occurrence or, if the incident or offense could not reasonably have been reported within that period, within five days of the time when a report could reasonably have been made.

Award Denied

Claim No. 76-004

The victim, a 61 year-old female, was shot by a teenager carelessly using a gun. The bullet entered her house, hitting her leg while she lay asleep. Her medical expenses were covered by other agencies. She was not employed at the time but she did have to hire help during her recovery to haul water and repair her house. The Board made the award under Section 18.67.110 (4) any other loss resulting from the personal injury of the victim which the Board determines to be reasonable.

Award: \$100.00

Claim No. 76-005

The victim, a 27 year-old female, in trying to remove her girl friend from a man's apartment, was assaulted and sustained injuries to her nose and face incurring lasting scars. The Board granted an award based on Section 18.67.100 (1) expenses actually and reasonably incurred as a result of the personal injury of the victim.

Award: \$528.75

Claim No. 76-006, 009, 010, 061, 062 & 063

The victim, a 43 year-old female, was murdered in her home by a person who then took his own life. A claim was filed on behalf of the five minor children. The children are separated, two being with their natural father and three being with a married sister. The Board granted an award under Section 18.67.110 (3) pecuniary loss to the dependents of the deceased victim and (4) any other loss resulting from the death of the victim which the Board determines to be reasonable. The award is to be divided equally among the five children and placed in a trust account for their maintenance, support and education.

Award: \$10,000.00

Claim No. 76-007

The victim, a 37 year-old female, was seriously injured by a gunshot wound in the shoulder inflicted by her ex-husband, who had broken the window of her home and started firing through the window with a 30-06 rifle. The offender was found guilty of Shooting with Intent to Kill, Wound and Maim and was sentenced to ten years, with three years suspended. The Board granted an award for partial permanent disability under Section 18.67.110 (1) expenses actually and reasonably incurred as a result of personal injury of the victim and (2) loss of earning power as a result of partial incapacity of the victim.

Award: \$10,869.22

Claim No. 76-008

The victim, a 21 year-old female, was the victim of a kidnap and rape attempt in which, to protect herself, she jumped from a moving vehicle, injuring herself very seriously. Workmen's Compensation has paid all of her medical expenses and has paid a proportionate amount in loss of earnings. The Board determined that as a result of this incident and injury the family was disrupted and had to relocate in order for her to obtain continuing medical treatment. Therefore, an award was granted that they feel, together with the Workmen's Compensation payments and medical help, will allay the out of pocket expenses. The offender was sentenced to 30 years incarceration, minimum one-third to serve. The award was made under Section 18.67.110 (1) expenses actually and reasonably incurred as a result of the personal injury to the victim, (2) loss of earning power as a result of total or partial incapacity and (4) any other loss resulting from the personal injury which the Board determines to be reasonable.

Award: \$10,000.00

Claim No. 76-011

The victim, a 60 year-old male, was assaulted on the street and his glasses were broken. The offender was found guilty and sentenced to 30 days in jail. His medical expenses were covered by union insurance. His trip to Anchorage for new glasses was the only out of pocket expenses incurred. The Board granted the award under Section 18.67.110 (1) expenses actually and reasonably incurred as a result of personal injury of the victim.

Award: \$50.00

Claim No. 76-012

The victim, a 25 year-old male, sustained serious injury to one of his eyes in a bar room incident. All medical expenses were paid by ANS. The Board determined that there would be no additional award over and above the \$500.00 Emergency Award granted because the collateral sources plus the emergency award in this case are as great as would have been awarded in this claim.

Award: \$500.00

Claim No. 76-013, 016, 017 & 018

The victim, a 32 year-old male, was brutally murdered when he would not open a safe for an intruder. The intruder was located in California, extradited to Alaska and is being held on the charge of first degree murder. The claim was filed by the widow on behalf of herself and their three minor children. The Board granted an award under Section 18.67.110 (3) pecuniary loss to the dependents of a deceased victim.

Award: \$20,000.00

Claim No. 76-014

The victim, a 56 year-old female, while walking out of a building was grabbed by her shoulder purse, swung around and hit on the head near the right eye by an unknown assailant. The Board granted an award under Section 18.67.110 (1) expenses actually and reasonably incurred as a result of the personal injury of the victim.

Award: \$1,599.26

Claim No. 76-015

The victim, an 11 year-old female, was seriously beaten and kicked by two girls. The Board granted an award to cover medical expenses under Section 18.67.100 (1) expenses actually and reasonably incurred as a result of the personal injury of the victim.

Award: \$131.50

Claim No. 76-019

The victim, a 23 year-old male, was assaulted by unknown assailants when a young woman hit his car and he stopped to assess the damage. He was bending over, obtaining her license plate number, when two males stopped their car, came over to him, kicked him in the face and started beating him. The Board granted an award under Section 18.67.110 (1) for expenses actually incurred as a result of the personal injury of the victim; and (2) loss of earning power as a result of partial incapacity of the victim.

Award: \$376.00

Claim No. 76-020

The victim, a 22 year-old female, was murdered. Her assailant was convicted of second degree murder and sentenced to prison. The claimant, father of the victim, asked for funeral expenses involved in shipping the body and other out of pocket expenses due to her death. The Board granted the award under Section 18.67.110 (1) expenses actually and reasonably incurred as a result of the death of the victim; and (4) any other loss resulting from the death of the victim which the Board determines to be reasonable.

Award: \$2,600.78

Claim No. 76-021

The victim, a 21 year-old male, was assaulted by a member of a motorcycle gang and received a broken jaw. The Board determined an award for medical expenses under Section 18.67.110 (1) expenses actually and reasonably incurred as a result of the personal injury of the victim.

Award: \$2,145.00

Claim No. 76-022

The victim, a 56 year-old male, was a pipeline employee who was on R & R when someone entered his hotel room, beat him with a broom handle or pool cue and robbed him. The Board determined an award based on Section 18.67.110 (1) expenses actually and reasonably incurred as a result of the personal injury and (2) loss of earning power as a result of total or partial incapacity of the victim.

Award: \$798.75

Claim No. 76-024

The victim, a 20 year-old male college student, was attacked from behind and knocked down suffering grave injuries which resulted in permanent loss of hearing in his right ear. His medical expenses were covered and the Board granted an award based on Section 18.67.110 (2) loss of earning power as a result of total or partial incapacity of the victim.

Award: \$4,250.00

Claim No. 76-025

The victim, a 31 year-old female, was raped and suffered mental and traumatic repercussions. The Board granted an award under Section 18.67.110 (1) expenses actually and reasonably incurred and (4) any other loss resulting from the personal injury of the victim.

Award: \$640.00

Claim No. 76-026

The victim, a 61 year-old male, was assaulted and robbed by a group of juveniles. One of the juveniles was arrested. The Board granted an award under Section 18.67.110 (1) expenses actually and reasonably incurred as a result of the personal injury of the victim.

Award: \$400.40

Claim No. 76-027

The victim, a 44 year-old male, was murdered. The victim left a wife and seven children, five of them being under 18 at his death. The father had been employed and was earning a good living and supplementing the income by fishing and hunting. The Board's decision was based on Section 18.67.110 (3) pecuniary loss to the dependents of the deceased victim and (4) any other loss resulting from the death of the victim which the Board determines to be reasonable. The funds to be placed in a trust account for the maintenance, support and education of the children.

Award: \$40,000.00

Claim No. 76-028

The victim, a 21 year-old male, was assaulted by several persons resulting in lacerations of the face and head. The Board granted an award for medical expenses under Section 18.67.110 (1) expenses actually and reasonably incurred as a result of the personal injury of the victim.

Award: \$120.00

Claim No. 76-029

The victim, a 29 year-old male, was assaulted and robbed by unknown assailants. The Board granted an award for medical expenses under Section 18.67.110 (1) expenses actually and reasonably incurred as a result of the personal injury of the victim.

Award: \$284.80

Claim No. 76-030

This is an incident where the victim states he left a bar and three men assaulted him. One man had a knife and stabbed him and then one of the others tried to run him down with a car. An Emergency Award was made but a final determination will not be made until after a hearing.

Award: \$500.00 (Emergency)

Claim No. 76-031

The victim, a 42 year-old male, suffered multiple rib fractures as a result of a severe beating. The incident involved the victim and his wife who were driving home when they were run off the road by another car. The victim was severely beaten by unknown assailants from the other car. The Board granted an award based on Section 18.67.110 (1) expenses actually and reasonably incurred as a result of the personal injury and (2) loss of earning power as a result of partial incapacity of the victim.

Award \$13,483.90

Claim No. 76-032

The victim, a 22 year-old male, was stabbed in the abdomen in an unprovoked incident at a bar. He has since had two surgical operations and faces a third to repair the damage occasioned by the stabbing and subsequent interim repairs. The offender was tried, but the jury was hung. He later pleaded guilty to the offense of assault with a dangerous weapon. Both trial and plea arose out of the stabbing of the victim. The Board granted an award for medical expenses under Section 18.67.110 (1) expenses actually and reasonably incurred as a result of the personal injury of the victim.

Award: \$14,483.90

Claim No. 76-033

The victim, a 20 year-old male, was walking through an alley when he was assaulted by two assailants. He was kicked repeatedly in the face. The victim withdrew the claim as he stated the offender had been given a light sentence with the stipulation that he make restitution to the victim for the replacement of the lost teeth.

Award: Claim Withdrawn

Claim No. 76-034

The victim, a 21 year-old male, was shot several times with a small caliber weapon. The victim and a friend were traveling up a river to a spot where they were going to purchase marijuana. There was some difficulty with the outboard motor and as they steered toward shore, an unknown assailant fired several rounds injuring the claimant. The Board denied the claim under Section 18.67.150 (b) No compensation may be awarded if the victim (3) violated a penal law of the state, which violation caused or contributed to his injuries.

Award Denied

Claim No. 76-035

The victim, a 10 year-old male, was shot by another youngster and seriously injured. The parents of the other child were determined to have no resources. The victim's mother presented the claim and it was determined that the little boy suffered partial permanent disability. Apparently most of the elbow was shot away and the arm is 5 or 6 inches shorter than the other arm with very little movement. The Board granted an award for medical expenses and rehabilitation under Section 18.67.110 (1) expenses actually and reasonably incurred as a result of the personal injury and (4) any other loss resulting from the personal injury of the victim which the Board determines to be reasonable.

Award: \$10,932.45

Claim No. 76-036

The claimant, the father of a boy who was murdered, requested reimbursement for funeral expenses, travel expenses, and attorney fees in connection with the death of his son. The death was declared a suicide but with the efforts of the father and hired counsel investigating the incident, the jury returned a verdict of homicide. The Board determined the award based on Section 18.67.110 (1) expenses actually and reasonably incurred as a result of the death of the victim.

Award: \$3,613.67

Claim No. 76-037

The victim, a 22 year-old male, received severe facial fractures and lacerations as a result of an assault by an unknown assailant. The victim was driving a cab, picked up a fare and, as soon as they left town, the fare instructed him to pull over while holding a broken bottle at his throat. The victim alleges the person tried to slit his throat but the bottle was too dull so the person simply continued to beat him and then left him for dead. The Board granted an award under Section 18.67.110 (2) loss of earning power as a result of partial incapacity of the victim.

Award: \$2,000.00

Claim No. 76-038

The victim, a 20 year-old female, had the appalling experience of being kidnapped, held captive and repeatedly raped for eight days. The offender was convicted of Kidnap, Assault with Intent to Commit Rape and eight counts of Rape. The Board found she was indeed an innocent victim and granted an award for medical expenses, loss of earnings, travel necessary to appear at the trial and other related expenses. This was awarded under Section 18.67.110 (1) expenses actually and reasonably incurred as a result of the personal injury (2) loss of earning power and (4) any other loss resulting from the personal injury of the victim the Board determines to be reasonable.

Award: \$2,210.00

Claim No. 76-040

The victim, a 35 year-old male, was sitting in his apartment when a man broke in and beat him with a wooden club. It was determined at the hearing that the victim had verbally abused the assailant but the Board felt the verbal abuse did not warrant the physical beating. The Board granted the victim his medical expenses under Section 18.67.110 (1) expenses actually and reasonably incurred as a result of the personal injury of the victim.

Award: \$419.00

Claim No. 76-041

The victim, an elderly gentleman, was brutally murdered while on a trip to Alaska to visit his son who worked on the pipeline. The assailants noticed the victim pull into the campground. They had stated previously they were going to kill someone to get a car and some money. One of the young men went over to the victim, shot him in the chest and carried the body some distance away and covered it with an old coat. The assailants were apprehended in California, and brought back for trial. One man was sentenced to life imprisonment and the other man was sentenced to 15 years. The Board granted an award based on Section 18.67.110 (1) expenses actually and reasonably incurred as a result of the death of the victim and (3) pecuniary loss to the dependent of a deceased victim and (4) any other loss resulting from the death of the victim which the Board determines to be reasonable.

Award: \$7,009.51

Claim No. 76-042

The victim, an elderly man, was viciously beaten at a bus stop resulting in possible permanent disability. His medical expenses were paid by Medicaid. The Board granted an award under Section 18.67.110 (4) any other loss resulting from the personal injury of the victim which the Board determines to be reasonable.

Award: \$5,000.00

Claim No. 76-043

The victim, a 32 year-old male, was seriously injured when he was shot twice in the elbow and chest. The incident involved the victim in his position as floor manager of a lounge trying to stop an argument among persons being evicted and the owner. The young woman pulled a pistol out of her purse and shot several times. The Board determined he was an innocent victim and was acting in his position to protect the public from a dangerous situation. The award was granted under Section 18.67.110 (1) expenses actually and reasonably incurred as a result of personal injury and (2) loss of earning power as a result of a partial incapacity.

Award: \$7,670.00

Claim No. 76-044

The victim, a 48 year-old male, was violently assaulted while asleep in the back room of a Drop-in Center. All medical expenses were covered but the Board granted an award under Section 18.67.110 (4) any other loss resulting from the personal injury of the victim which the Board determines to be reasonable.

Award: \$80.00

Claim No. 76-045

The victim, a 43 year-old male, was assaulted with a type of iron bar in the parking lot by three unknown assailants. The Board granted an award for medical expenses under Section 18.67.110 (1) expenses actually and reasonably incurred as a result of the personal injury of the victim.

Award: \$278.00

Claim No. 76-046

The victim, a 30 year-old male, was knifed by a fellow employee. The Board determined he was an innocent victim and awarded him temporary partial disability under Section 18.67.110 (2) loss of earning power as a result of total or partial incapacity of the victim.

Award: \$400.00

Claim No. 76-047

The victim, a 51 year-old male, was attacked while crossing the street. The Board granted an award for replacement of his glasses under Section 18.67.110 (1) expenses actually and reasonably incurred as a result of a personal injury of the victim.

Award: \$141.25

Claim No. 76-048

The victim, a 30 year-old male, was hit on the head with a broken bottle and kicked in the face. The incident occurred when the victim went into a bar and put money on the table to play pool. Evidently words were spoken and then the victim was assaulted. The Board granted an award for medical expenses only under Section 18.67.110 (1) expenses actually and reasonably incurred as a result of the personal injury of the victim.

Award: \$397.50

Claim No. 76-049

The victim, a 46 year-old male, was brutally stabbed, beaten and suffered permanent partial disability to the extent that he will never be able to return to his line of work again. The victim, an airline pilot was overnighing on a flight from Holland. He was walking to a cafe, when he was pulled into an alley by a man and woman. The woman began beating him with a baton and the male stabbed him. They took his wallet and left. Because of this assault, the victim lost his pilot's license, has permanent partial disability of his arm and is not permitted to fly a plane or drive a car. The Board granted an award based on Section 18.67.110 (2) loss of earning power as a result of total or partial incapacity of the victim and reasonable expenses of job retraining or similar employment-oriented rehabilitative services for the victim.

Award: \$10,000.00

Claim No. 76-051

The victim, a young woman, seven months pregnant, was viciously attacked and raped by two men. The incident involved the victim going to a bar to meet her husband and when he was not there she started to walk home. The two men pulled her into the truck, took her to a deserted area and assaulted her. The two assailants were arrested, one pleaded guilty and the other was acquitted. The Board granted an award based on Section 18.67.110 (4) any other loss resulting from the personal injury of the victim which the Board determines to be reasonable.

Award: \$5,000.00

Claim No. 76-052

The victim, a 42 year old male, received a permanent scar on his cheek after he was attacked in a parking lot by two or more subjects who struck him in the head with a bottle, and robbed him. His medical expenses were covered, but the Board granted him an award under Section 18.67.110 (2) loss of earning power as a result of partial incapacity of the victim.

Award: \$250.00

Claim No. 76-053

The victim, a 40 year old male, was stabbed when he tried to forcibly evict a tenant. The Board, after a hearing, determined the victim had provoked his injuries in trying to violently evict the person. The Board denied the award under Section 18.67.080 (c) The Board shall consider all circumstance determined to be relevant, including provocation, consent or any other behaviour of the victim which directly or indirectly contributed to his injury.

Award Denied

Claim No. 76-054

The victim, a 21 year-old male, was asleep with his girlfriend when the door was knocked down and a man barged in and jumped the victim, stabbing him several times. The offender turned out to be a previously spurned boyfriend of the girl. The Board determined the man was

an innocent victim and made an award for medical expenses and loss of earning power under Section 18.67.110 (1) expenses actually and reasonably incurred as a result of a personal injury and (2) loss of earning power.

Award: \$3,188.62

Claim No. 76-055

The victim, a 44 year-old male, was forcibly removed from a bar by unknown persons and suffered a head injury. The forcible ejection could have been a violent crime or it could have been in the course of a fight. There was no evidence to establish either circumstance. It was the decision of the Board to deny the claim on the grounds that there is no adequate information to establish that the claimant is an innocent victim of a violent crime as required by statute. The claimant was given the right to request a hearing if he wishes to pursue the claim.

Award Denied

Claim No. 76-056

This claim was not substantiated by a police report and the report which was on file did not coincide with the incident as reported by the claimant. The claim was denied and the claimant was advised that if he would substantiate the occurrence of the incident with witnesses and a reasonable explanation as to why this incident was not reported to the police, the claim would be reviewed.

Award Denied

Claim No. 76-058

The victim, a 25 year-old female, was assaulted and raped at her home in the presence of her two year old niece. The offender was arrested, tried and convicted of forcible rape. The Board granted an award for medical expenses and loss of earning power under Section 18.67.110 (1) expenses actually and reasonably incurred as a result of personal injury and (2) loss of earning power

Award: \$1,060.00

Claim No. 76-059

The victim, a 41 year-old female, was attacked in her own driveway by several teenagers and received fractured ribs and facial lacerations. The Board granted an award for medical expenses and loss of earning power under Section 18.67.110 (1) expenses actually and reasonably incurred as a result of personal injury of the victim and (2) loss of earning power.

Award: \$2,107.50

Claim No. 76-060

The victim, a 66 year-old male, gave two strangers permission to stay in an empty apartment asking only that they be quiet. Apparently they were noisy and when he went down to stop the noise the men became violent and tossed him about, breaking his glasses and causing facial lacerations. The Board granted an award under Section 18.67.110 (1) expenses actually and reasonably incurred as a result of the personal injury of the victim.

Award: \$72.00

Claim No. 76-064

The victim, a 20 year-old female, was beaten severely while she was in an apartment with a couple. The Board determined that the victim had suffered a severe beating by someone and granted an award for her medical expenses under Section 18.67.110 (1) expenses actually and reasonably incurred as a result of the personal injury of the victim.

Award: \$1,632.70

Claim No. 76-065

This claim was based on an incident involving an altercation with several people. A hearing was scheduled but the claimant did not appear. The Board denied the claim because they did not have sufficient evidence to make a determination.

Award Denied

Claim No. 76-066

The victim, a 31-year-old male, was assaulted and received serious injuries to his leg as a result of a person, whom he stated owed him wages, attacking him without provocation. He requested an emergency award to pay for his living expenses as he had been in a body cast and unable to work for a period of months. The Board granted an emergency award and scheduled a hearing.

Award: \$1,500.00 (Emergency Award)

Claim No. 76-067

This claim alleged that the victim had been harassed without provocation. The police report indicates that the offender was the victim. The Board denied the claim under Section 18.67.080 (1) in determining whether to make an order under this section, the Board shall consider all circumstances determined to be relevant, including provocation, consent, or any other behavior of the victim which may have indirectly contributed to his injury.

Award: Denied

Claim No. 76-068

The victim, a 24-year-old female, suffered a fractured skull, multiple abrasions, contusions and lacerations when she and her boyfriend leaped from a truck. The victim and her boyfriend had gotten out of a gas station and hitched a ride with three men in a truck. They were in the back and had asked to be taken to the gas station. When one of the men whipped a chain around his hand and turned the truck right away from the gas station onto a deserted road, she and the boyfriend became so afraid of impending violence, they jumped off the truck. The Board granted an award under Section 18.67.110 (1) expenses actually and reasonably incurred as a result of the personal injury of the victim and (2) loss of earning power as a result of partial incapacity of the victim.

Award: \$1,232.00

END