

66510

STATE OF ALASKA

VIOLENT CRIMES COMPENSATION BOARD

SIXTH ANNUAL REPORT

1979

Mrs. Patricia Moore
Chairman

Russellyn S. Carruth
Member (Resigned)

Dr. Alistair C. Chalmers
Member

Mr. Douglas F. Strandberg
Member

Mrs. Nola K. Capp
Administrator

STATE OF ALASKA
DEPARTMENT OF PUBLIC SAFETY
VIOLENT CRIMES COMPENSATION BOARD
POUCH N
Juneau, Alaska 99811

NCJRS

MAR 24 1980

ACQUISITIONS

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 Sixth Annual Report of the Violent Crimes Compensation Board for the period July 1, 1978 through June 30, 1979. Annual Reports are required under the provisions of Section 18.67.170 of the laws of Alaska.

Respectfully,

Patricia Moore

(Mrs.) Patricia Moore
Chairman

BOARD MEMBERS

Mrs. Patricia Moore, Chairman
Alistair C. Chalmers, M.D.
Russellyn S. Carruth, Attorney (Resigned 3-15-79)
Mr. Douglas F. Strandberg, Attorney
Mrs. Nola K. Capp, Administrator

TABLE OF CONTENTS

General Information	1
Processing of Applications	4
Statistical and Analytical Information	8
Public Awareness	11
Acknowledgements	11
Summary of Decisions	14



1976-1979
GRAPHICS BY: Karen L. Walters

THE SIXTH 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 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, Workmen'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 first amendment further provides for the increase in the maximum award allowable per victim per incident to \$25,000; however, in the case of the death of the 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 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) 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 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 disagreed 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 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 persons 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.

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

- (1) 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;
- (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, 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 the 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) verify the dependence of the claimant as well as his relationship to the victim, in the case of the death of 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) the income reported and documentation, if the victim is/was self-employed;
- (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 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 that the claimant be so notified indicating that he 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 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:

- (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 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.
- (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 was requested by 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 days.

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 twenty 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 days after the hearing, the Administrator furnishes the hearing officer with a transcript of the hearing and he has a reasonable time (within thirty 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 an 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? 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 that 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 that 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 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 evident by the number of applications received in this fiscal year. Each inquiry and letter requesting application forms is handled individually and personally answered explaining the program and enclosing a copy of the statute or an application form 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, 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 FY79 were as follows:

Staff salaries (2 persons) and benefits:	\$67,302.81
--	-------------

Travel includes Board Member travel
and per diem:

9,559.08

Attorney fees, office expenses,
equipment, etc.:

14,594.26

Total Costs:

\$91,456.15

TYPES OF CRIMES *NUMBER OF CLAIMS FILED							
TYPE OF CRIME	FY73	FY74	FY75	FY76	FY77	FY78	FY79
Homicide	8	15	17	14	31	23	13
ADW (Stabbing)	4	7	6	7	14	5	6
Armed Robbery	1	1	5	-0-	1	2	3
ADW (Shooting)	2	17	11	5	5	16	7
Other Assault	-0-	2	24	34	30	38	29
Rape	-0-	4	7	5	9	9	12
No Evidence of a Crime	-0-	4	1	2	3	7	-0-

*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.

*The Legislature approved a supplemental appropriation of \$75,000.00 for awards for FY78. \$94,379.30 of the FY78 award money was spent on prior year claims.

ACTUAL NUMBER OF CRIMES REPORTED IN ALASKA (Based on a Calendar Year)						
Type of Crimes	1973	1974	1975	1976	1977	1978
Homicide	33	46	39	41	43	54
Rape	147	166	177	192	211	254
Aggravated Assaults	868	1,017	1,176	1,264	1,147	1,042
Robbery	221	298	467	486	394	379

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 encouraging that the actual receipt of applications has increased.

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 claims originate in these areas.

Special recognition is also given to the Social Service Directors of Providence Hospital, Alaska 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 accomodating in responding to requests for medical records, following those requests through the various departments to insure that they are sent to the Board office.

The Department of Law, through the Attorney General's Office and the District Attorneys 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 following attorneys who have served as hearing officers on a voluntary basis from July 1, 1978 to June 30, 1979:



Mr. Mark S. Bledsoe, Anchorage
Mr. Richard D. Burke, Fairbanks
Mr. Joe M. Huddleston, Anchorage
Mr. Joseph A. Kalamarides, Anchorage
Mr. Leonard T. Kelley, Anchorage
Mr. James Ottinger, Anchorage
Mr. Douglas F. Strandberg, Anchorage

Without the help of the above people, the program would be seriously hindered. 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 the program. The Board, through this report, expresses their appreciation to them.



CLAIMS

SUMMARY OF DECISIONS

7/1/78 - 6/30/79

All awards are made under Section 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.

Claim No. 77-005

The claimant, a 16 year old female, stated she was raped and stabbed in the throat. As the claimant was a minor, the claim was filed on her behalf by her mother. The case had previously been closed due to lack of information. It was the determination of the Board that the claimant was an innocent victim of a violent crime and eligible for compensation under Section 18.67.110(1) for medical expenses.

Award: \$9,231.55

Claim No. 77-031

The claimant, a 44 year old male, was injured when he was forced to jump from a second story window of a hotel which was burning as a result of two fire bombs being thrown into the lobby by unknown suspects. The Board agreed to make an Emergency Award under Section 18.67.120 in the amount of \$1,200.00 and asked for further documentation of the claimant's disabilities. It was the determination of the Board that the claimant was an innocent victim of a violent crime and eligible for compensation under Section 18.67.110(1) and (2) for medical expenses not covered by other collateral sources for treatment and for loss of earnings. The Emergency Award was deducted from the final amount.

Award: \$180.00

Claim No. 77-081

The claimant, a 24 year old male, took a girl to his apartment. An altercation took place and the girl shot him nine times. It was the decision of the Board to deny the claim on the grounds that (1) he was engaged in an act of prostitution which is a crime, (2) he was engaged in a sexual encounter, while it might not be considered maintaining a sexual relationship, it was a sexual encounter, and (3) there was some evidence that he was engaged in an attempted rape. The claimant requested a hearing and,

after review of the hearing officer's report, it was the decision of the Board to reaffirm their denial on the above grounds under Section 18.67.130(b)(2) and (3).

Award: Denied

Claim No. 78-019

The claimant, a 25 year old male, and other members of a motorcycle club entered a bar and there was an altercation between the local railroad workers and the motorcycle club. During the incident, the claimant was shot. It was the decision of the Board to deny the claim under Section 18.67.080(c) on the grounds there was conflicting evidence, some of which indicated consent and/or provocation. The claimant requested a hearing and, after review of the hearing officer's findings, it was the decision of the Board to reaffirm their denial on the grounds he came into a situation knowing there was hostility and placing himself into a situation which was volatile and potentially violent and that constitutes consent.

Award: Denied

Claim No. 78-020

The claimant, a 23 year old female, states she was followed home by a man who entered her apartment before she was able to lock the door. The offender demanded money and when the claimant refused, he assaulted her and did rob her of a small amount of money. It was the determination of the Board that the claimant was an innocent victim of a violent crime and awarded her medical expenses under Section 18.67.110(1).

Award: \$199.00

Claim No. 78-023

The claimant, a 56 year old male, was on duty as a bartender when he asked a patron to leave the bar. The man

returned and struck the claimant with a 2X4 in the head. The claimant received Workmen's Compensation but claimed other out of pocket expenses. The claim was closed due to lack of information and documentation to support the out of pocket expenses and the claimant did not respond to correspondence.

Award: Case Closed

Claim No. 78-024

The claimant, a 28 year old male, was visiting his girlfriend when the girlfriend's former boyfriend entered the trailer. The claimant left the room and went into the bedroom. The offender shot through the bedroom wall, hitting the claimant in the head. It was the determination of the Board that the claimant was an innocent victim of a violent crime and eligible for compensation under Section 18.67.110(2) for loss of earnings based on \$150.00 per week for thirteen weeks.

Award: \$1,950.00

Claim No. 78-034

The victim, a 23 year old female, was shot and killed. The claimant is the mother of the victim and requested compensation for funeral expenses. The Board requested further information prior to a final determination on the claim. After review of the additional information, it was the determination of the Board that the victim was an innocent victim of a violent crime and the claimant was eligible for compensation under Section 18.67.110(1) for funeral expenses in the amount of \$601.00 and airfare in the amount of \$603.49.

Award: \$1,204.49

Claim No. 78-036

The claimant, a 27 year old male, was in his apartment

when a man who shared the apartment with him entered. The claimant and the roommate had both been drinking and an argument ensued. The roommate went into his own bedroom and the claimant entered the bedroom, at which time, the roommate shot him in the stomach with a .38 revolver. The Board requested further information and a hearing prior to making a determination on the claim. After review of the hearing officer's report, it was the decision of the Board to deny the claim under Section 18.67.080(c) on the grounds that there was not adequate evidence to establish that the claimant was an innocent victim. There was evidence that he contributed to the argument by his physical abuse of his girlfriend. In addition, there was evidence that he had gone uninvited and, in fact, trespassed into the assailant's private bedroom at the time and possibly did so with the intent to do the assailant bodily harm.

Award: Denied

Claim No. 78-044

The claimant, a 25 year old female, was involved in an incident wherein she was raped by a male hitchhiker she had picked up. It was the determination of the Board that the claimant was an innocent victim of a violent crime and awarded out of pocket expenses, loss of earnings and other losses resulting from the personal injury for a total amount of \$2,307.90. Additional hospital billings were submitted in the amount of \$2,314.74. It was the decision of the Board to re-open the claim and pay these expenses as the claimant had thought they were going to be paid by insurance.

Award: \$2,314.74

Claim No. 78-045/046/047/048

The victim, a 30 year old male, was shot to death at a friend's house. The claimant, ex-wife of the victim, filed for compensation on behalf of their children. The Board requested further information prior to a final determina-

tion. After reviewing the additional information, it was the decision of the Board to deny the claim under Section 18.67.080(c) on the grounds there was inadequate evidence to establish that the victim was an innocent victim of a violent crime.

Award: Denied

Claim No. 78-051/052

The victim, a 23 year old female, was shot and killed. The claimants are the children of the victim. The mother of the victim, Claim No. 78-034, is the guardian of the children and filed the claims on behalf of the children for loss of support. The Board requested further information prior to a final determination. After review of the additional information, it was the determination of the Board that the victim was an innocent victim of a violent crime and the claimants were eligible for compensation under Section 18.67.110(3). It was the decision of the Board to award each of the children \$5,000.00. The Board suggested that, if the money is not needed for their support and maintenance, it be placed in a savings account and be given to each child upon reaching the age of majority.

Award: \$10,000.00

Claim No. 78-060

The claimant, a 62 year old male, states he was mugged and beaten on two separate occasions. The Board requested a hearing as they needed more information on both incidents prior to making a determination. A hearing was held and the Board reviewed the hearing officer's findings. It was the decision of the Board to deny the claim under Section 18.67.130(a) on the grounds there was no police report filed as required.

Award: Denied

Claim No. 78-061

The claimant, a 62 year old male, states he was mugged and beaten on two separate occasions. The claimant is the same as in Claim No. 78-060. The Board requested a hearing prior to a determination as they needed more information on both incidents. A hearing was held and after review of the hearing officer's report, it was the determination of the Board that the claimant was an innocent victim of a violent crime and eligible for compensation under Section 18.67.110(1) and (2) for permanent partial disability of his arm in the amount of \$2,500.00 and payment of his dental work. An additional billing was submitted in the amount of \$2,274.25 from the hospital. It was the decision of the Board to re-open the claim and pay this expense as the claimant had thought it would be paid by Welfare.

Award: \$6,330.25

Claim No. 78-064

The claimant, a 22 year old female, was involved in an incident wherein she accepted a ride from two males who pulled off on a deserted road and raped the claimant. It was the determination of the Board that the claimant was an innocent victim of a violent crime and eligible for compensation under Section 18.67.110(2) for loss of earnings.

Award: \$566.25

Claim No. 78-065

The claimant, a 25 year old male, was in his apartment when two men forced their way into the apartment and beat and kicked the claimant severely. It was the decision of the Board to deny the claim under Section 18.67.130(a) on the grounds that the injuries did not result from a crime encompassed under Section 18.67.100 of the statute. The claimant requested a hearing and after review of the hearing officer's findings, the Board reaffirmed their denial

on the above grounds.

Award: Denied

Claim No. 78-067

The claimant, a 56 year old male, was involved in an incident wherein he was walking home when he was knocked to the ground by several persons and robbed of a package he was carrying. The claimant sustained injuries to his hip. It was the determination of the Board that the claimant was an innocent victim of a violent crime and eligible for compensation under Section 18.67.110(1) for out of pocket and medical expenses.

Award: \$840.00

Claim No. 78-070

The claimant, a 30 year old male, was involved in an incident wherein he was shot in the leg. As a result of the gunshot wound, the leg had to be amputated. It was the decision of the Board to deny the claim under Section 18.67.080(c) on the grounds there was provocation. The claimant requested a hearing and, after review of the hearing officer's report, it was the determination of the Board that the claimant was an innocent victim of a violent crime and eligible for compensation under Section 18.67.110(2). The Board awarded \$7,500.00 per year for two years temporary total disability and \$5,000.00 for permanent total disability.

Award: \$20,000.00

Claim No. 78-072

The victim, a 42 year old male, was shot to death in a dispute over ownership of a mining claim. The claimant is the mother of the victim and requested compensation for funeral expenses. One defendant was sentenced to ten years in prison for two counts of voluntary manslaughter and the other defendant was acquitted. It was the deter-

mination of the Board that the victim was an innocent victim of a violent crime and the claimant was eligible for compensation under Section 18.67.110(1) for out of pocket expenses.

Award: \$2,916.84

Claim No. 78-075

The claimant, a 36 year old male, states he was sitting in a local bar when a man started hitting him, threw him to the floor and proceeded to beat him. The claimant suffered a broken nose and broken front tooth. It was the decision of the Board to deny the claim under Section 18.67.130(a) on the grounds that the injuries did not result from a crime encompassed under Section 18.67.100 of the statute. The Board, therefore, did not reach the question as to whether he was an innocent victim.

Award: Denied

Claim No. 78-076

The claimant, a 21 year old female, was walking home from work one night when a car pulled along side of her and asked if she would like a ride and, tired after working, she accepted. After she entered the vehicle, she realized there was another man in the car. She was driven to an isolated location and raped several times by each man. She was later driven to her residence. It was the determination of the Board that the claimant was an innocent victim of a violent crime and eligible for compensation under Section 18.67.110(1), (2) and (4) for loss of earnings, medical expenses and counselling.

Award: \$735.00

Claim No. 78-079

The claimant, a 46 year old male, left a bar and was struck

on the side of the head with a blunt instrument and robbed. The claimant suffered a broken cheek bone, broken teeth and dentures and states he had trauma causing severe angina and gastric problems. It was the determination of the Board that the claimant was an innocent victim of a violent crime and eligible for compensation under Section 18.67.110(1) and (2) for dentures in the amount of \$350.00, eye glasses in the amount of \$127.85, uncovered medical expenses of \$371.95 and temporary total disability of \$5,060.00. The Board made no award for expenses incurred for the gastric problems as there was no evidence it was related to the incident.

Award: \$5,909.80

Claim No. 78-084

The claimant, a 39 year old female, stated she received a broken nose in an altercation over an alleged trespassing incident. The feud between the claimant and offender had been ongoing for some time as to whether a road was private or public. The Board had previously denied the claim on the grounds it was a simple assault not compensable under Section 18.67.100, the incident was attributable to the claimant's actions and would be ineligible under Section 18.67.080(c) because of provocation and consent, and there was no police report filed which is required under Section 18.67.130(a). A hearing was held and, after review of the hearing officer's report, the Board concurred with the hearing officer and reaffirmed the denial on the above grounds.

Award: Denied

Claim No. 78-085

The claimant, a 39 year old male, states he was found unconscious in an alley behind a bar. The exact circumstances were not clear as the claimant states he had substantial memory loss as a result of his injuries. He stated he was hit on the head and his wallet was stolen. It was the decision of the Board to deny the claim under Section

18.67.080(c) on the grounds there was no medical verification of any loss or disability related to the incident as is required under Section 18.67.130(b). They also had no information pertaining to any subsequent employment history.

Award: Denied

Claim No. 78-086

The claimant, a 20 year old male, was sitting in a bar when he was confronted by a complete stranger who accosted him and started beating him with a pool stick. It was later discovered that the offender thought the claimant was someone else. It was the determination of the Board that the claimant was an innocent victim of a violent crime and eligible for compensation under Section 18.67.110(1) for plastic surgery necessary for the revision of a scar on his face. The Board awarded \$950.00 which was paid in a prior year for the doctor billing. A hospital billing was later submitted and, after a review by the Board, it was awarded.

Award: \$942.00

Claim No. 78-087

The victim, a 75 year old male, was smothered to death by three assailants who had entered his home in an attempt to rob him. The claimant, son of the victim, requested travel expenses to attend the funeral. It was the determination of the Board that the victim was an innocent victim of a violent crime, however, it was the decision of the Board to deny the claim under Section 18.67.080(c) on the grounds that the claimant was not the immediate relative who was responsible for the funeral expenses.

Award: Denied

Claim No. 78-089

The victim, a 75 year old male, was smothered to death by three assailants who had entered his home in an attempt to rob him. The victim is the same as in Claim No. 78-087. The claimant, daughter of the victim, requested out of pocket expenses for the funeral. It was the determination of the Board that the victim was an innocent victim of a violent crime, however, it was the decision of the Board to deny the claim under Section 18.67.080(2) and (3) on the grounds that compensation can be paid only if the claimant had been responsible for the maintenance of the victim or was a dependent of the victim.

Award: Denied

Claim No. 78-090

The claimant, a 50 year old male, states he was sitting on the curb when someone hit him over the head, kicked him, robbed him of some money and then continued to beat him. It was the decision of the Board to deny the claim under Section 18.67.030(b) on the grounds there was no medical verification of the claimant's disability and under Section 18.67.080(c) as there was no verification of employment which the claimant stated he had.

Award: Denied

Claim No. 78-091

The claimant, a 30 year old male, was beaten about the head and body when two unknown men stopped his car at a railroad crossing. The claimant suffered head injuries. Due to lack of information and, as the claimant did not respond to any correspondence, the case was closed.

Award: Case Closed

Claim No. 78-092

The victim, a 49 year old male, was stabbed to death while visiting at the assailant's residence. The claimant is the wife of the victim. It was the determination of the Board that the victim was an innocent victim of a violent crime and the claimant was eligible for compensation. It was the decision of the Board to award funeral expenses and loss of earnings. The Board did not make an award for loss of support on the grounds the claimant had collateral sources to help cover this loss.

Award: \$4,491.57

Claim No. 78-093

The victim, a 58 year old male, was visiting in the home of a friend. They were drinking and talking when the friend pulled a gun and shot the victim, killing him. The claimant is the wife of the victim and claimed compensation for loss of support. The Board had previously denied the claim on the grounds there was inadequate evidence that the victim was an innocent victim. A hearing was held and the Board reviewed the hearing officer's report. It was the determination of the Board that the victim was an innocent victim of a violent crime and the claimant was eligible for compensation under Section 18.67.110(3) for loss of support.

Award: \$15,000.00

Claim No. 78-094

The claimant, a 22 year old male, spent the night at a friend's home and claims he was assaulted by another man who also stayed there. Due to lack of information and, as the claimant did not respond to any correspondence, the claim was closed.

Award: Case Closed

Claim No. 78-095

The claimant, a 41 year old male, stated he was beaten in the State jail. It was the decision of the Board to deny the claim under Section 18.67.130(a) as the injuries did not result from a crime encompassed under Section 18.67.100 and it was not reported to the police within the required period of time.

Award: Denied

Claim No. 78-096

The claimant, a 47 year old female, was offered a ride to her home. She was taken to another place and raped. It was the determination of the Board that the claimant was an innocent victim of a violent crime and eligible for compensation under Section 18.67.110(1) and (4) for medical expenses, counselling for the trauma she incurred and other out of pocket expenses.

Award: \$500.00

Claim No. 78-097

The claimant, a 30 year old male, was an invited guest in the assailant's home. Both men had been drinking and the assailant got a gun and shot the claimant. Because of the incident, the claimant has total loss of hearing in the left ear. It was the determination of the Board that the claimant was an innocent victim of a violent crime and eligible for compensation. It was the decision of the Board to compensate the claimant for permanent partial disability under Section 18.67.110(2).

Award: \$1,000.00

Claim No. 78-098

The claimant, a 59 year old male, was involved in an incident wherein he was returning to his hotel room when a

man in another room began shooting through the door into the hallway. The claimant was struck by one of the bullets. It was the determination of the Board that the claimant was an innocent victim of a violent crime, however, it was the decision to deny the claim under Section 18.67.080(c) on the grounds that he incurred no losses for which the Board could compensate as his medical expenses were paid and he had no loss of earnings.

Award: Denied

Claim No. 78-099

The claimant, a 24 year old male, was sitting on the couch in a rooming house when another roomer pulled a gun and shot him in the shoulder. The incident left the claimant with permanent damage to the shoulder. It was the determination of the Board that the claimant was an innocent victim of a violent crime and awarded permanent partial disability under Section 18.67.110(2).

Award: \$4,500.00

Claim No. 78-100

The claimant, a 40 year old male, had been drinking in a bar and was on his way to another bar when he was assaulted and brutally beaten about the head and face. The claimant was left with numerous scars and permanent damage to the left ear and eye. It was the decision of the Board to deny the claim under Section 18.67.130(a) as the injuries did not result from a crime encompassed under Section 18.67.100 of the statute. The Board, therefore, did not reach the question as to whether the claimant was an innocent victim.

Award: Denied

Claim No. 79-001

The claimant, a 27 year old female, was asleep in her apart-

ment with her two children. A man entered the apartment and woke her, holding a knife to her throat, and demanded money. The offender robbed her and then proceeded to rape her. The offender was apprehended and sentenced to fifteen years. It was the determination of the Board that the claimant was an innocent victim of a violent crime and eligible for compensation under Section 18.67.110(1), (2) and (4) for medical expenses, loss of earnings, counselling for the trauma she incurred and other out of pocket expenses.

Award: \$8,245.00

Claim No. 79-002

The claimant, a 29 year old male, was involved in an incident wherein he was advised he could pick up his payroll check at a certain shop. He entered the shop and was confronted by several individuals who proceeded to strike him with welding rods and beat him about the head. It was the determination of the Board that the claimant was an innocent victim of a violent crime, however, it was the decision of the Board to make no award under Section 18.67.080(c) as the claimant's losses were covered by a collateral source, Workmen's Compensation.

Award: Denied

Claim No. 79-003

The claimant, a 26 year old male, had left a party where all had been drinking. The claimant was intercepted by a woman he knew and asked to accompany her back to her house as her husband was intoxicated and making threats. The claimant accompanied the woman and stood outside the home while the woman entered. The woman immediately realized her husband was loading his revolver so she ran out of the house and screamed at the claimant to run. The husband ran after the claimant and shot him three times in the leg. The assailant was convicted of Assault with a Dangerous Weapon. It was the determination of the Board that the claimant was an innocent victim of a violent crime and eligible for compensation under Section

18.67.110(2) for loss of earnings.

Award: \$944.00

Claim No. 79-004

The claimant, a 26 year old female, was involved in an incident wherein the offender entered her trailer while she was showering and proceeded to beat her with a clothes iron. The claimant suffered multiple lacerations about the head and face and contusions about the body. It was the determination of the Board that the claimant was an innocent victim of a violent crime and eligible for compensation under Section 18.67.110(1) and (2) for loss of earnings and other expenses. The Board also agreed to consider payment of psychological counselling if it was necessary and reopened the claim to award \$575.00 under Section 18.67.110(4) for this expense.

Award: \$1,339.00

Claim No. 79-005

The claimant, a 52 year old female, was involved in an incident wherein she picked up a hitchhiker who pulled a knife and, in an attempt to get away from the offender, the claimant sustained a knife wound across her hand. The claimant suffered complications from the injuries. It was the determination of the Board that the claimant was an innocent victim of a violent crime and eligible for compensation. It was the decision of the Board to award medical expenses and loss of earnings under Section 18.67.110(1) and (2).

Award: \$1,954.95

Claim No. 79-006

The claimant, a 20 year old male, was driving his motorcycle and stopped to pick up a hitchhiker. The man pulled a knife and stabbed the claimant twice in the back. The

assailant was convicted of Assault with a Dangerous Weapon and sentenced to eight years. It was the determination of the Board that the claimant was an innocent victim of a violent crime and eligible for compensation under Section 18.67.110(1) and (2) for medical expenses and loss of earnings.

Award: \$912.50

Claim No. 79-007

The claimant, a 42 year old female, was involved in an incident wherein she was raped. The offender was found guilty of three counts of Rape and Armed Robbery. It was the determination of the Board that the claimant was an innocent victim of a violent crime, however, it was their decision to deny an award under Section 18.67.080(c) as her medical expenses were paid and the Board had no documented loss of earnings. The Board suggested that the claimant seek counselling as this was an expense they could consider.

Award: Denied

Claim No. 79-008

The claimant, a 40 year old male, stated he was walking down the street and was attacked by an unknown assailant. He suffered contusions of the face and ribs. Due to lack of information and as the claimant did not respond to any correspondence, the claim was closed.

Award: Case Closed

Claim No. 79-009

The claimant, a 16 year old female, was sexually assaulted. As the claimant was a minor, the claim was filed on her behalf by her mother. The claimant was seeking compensation for psychiatric counselling. Due to lack of information and as there was no response to any correspondence,

the claim was closed.

Award: Case Closed

Claim No 79-010

The claimant, a 36 year old male, was lying down on an embankment when he was awakened to find a man standing over him with a knife. The assailant stabbed the claimant, severely injuring him. It was the determination of the Board that the claimant was an innocent victim of a violent crime and eligible for compensation under Section 18.67.110(2) for temporary total disability for five months for a total of \$2,150.00. The Board had previously granted an Emergency Award under Section 18.67.120 in the amount of \$1,050.00 which was deducted from the final award.

Award: \$2,150.00

Claim No. 79-011

The claimant, a 48 year old male, was involved in an incident in a grocery store wherein he tried to purchase an item which was marked wrong. Following an argument with the store manager, the claimant stated the manager grabbed him and twisted his arm, inflicting injury to his shoulder. It was the decision of the Board to deny the claim under Section 18.67.130(a) on the grounds the injuries did not result from a crime encompassed under Section 18.67.100 of the statute. The Board, therefore, did not reach the question as to whether the claimant was an innocent victim.

Award: Denied

Claim No. 79-012

The claimant, a 36 year old male, was kicked and beaten about the head and shoulders while on the walkway to his

residence. It was the decision of the Board to deny the claim on the grounds the injuries did not result from a crime encompassed under the statute. The claimant requested a hearing and, after a review of the hearing officer's report, it was the determination of the Board that the claimant was an innocent victim of a violent crime and eligible for compensation under Section 18.67.110(1) and (2) for medical expenses and loss of earnings.

Award: \$875.50

Claim No. 79-013

The victim, a 41 year old female, was killed when a bomb went off in her car. The claimant is the three year old son of the victim. The claim was filed on his behalf by his attorney. Proof of guardianship was requested and as there was no reply, the claim was closed.

Award: Case Closed

Claim No. 79-015

The victim, a 37 year old male, was the clerk at an adult bookstore. There was evidence that the store had been robbed and the victim was left in the back of the store with a gunshot wound to the head. The victim died at the hospital several hours later. The claimant is the wife of the victim and requested compensation for funeral expenses, medical expenses and loss of support. It was the determination of the Board that the victim was an innocent victim of a violent crime and the claimant was eligible for compensation under Section 18.67.110(1) and (3). An Emergency Award of \$900.00 had previously been granted under Section 18.67.120 and was deducted from the final award.

Award: \$11,251.95

Claim No. 79-016

The claimant, a 26 year old female, was at a residence

when a man attempted to rape her. When she struggled, he assaulted her, striking her on the jaw, forehead and shoulder. It was the determination of the Board that the claimant was an innocent victim of a violent crime and eligible for compensation under Section 18.67.110(2) for loss of earnings.

Award: \$460.00

Claim No. 79-017

The claimant, a 23 year old male, was driving his car when he was hit from behind by another vehicle. The claimant stepped out of his car and the offender exited his vehicle, came running at the claimant and swung his fist, hitting the claimant in the jaw. As a result, the claimant suffered the loss of a dental bridge which was broken. It was the decision of the Board to deny the claim under Section 18.67.130(a) as the injuries did not result from a crime encompassed under the statute. The Board, therefore, did not reach the question as to whether the claimant was an innocent victim.

Award: Denied

Claim No. 79-018

The claimant, a 35 year old male, was a bouncer at a club when the offender and another man were asked to leave. A fight broke out and the claimant was stabbed with a penknife. It was the determination of the Board that the claimant was an innocent victim of a violent crime, however, out of pocket expenses were covered by Workmen's Compensation. It was the decision of the Board to award the claimant for loss of earnings under Section 18.67.110(2) based on the difference between the Workmen's Compensation award and his actual wages.

Award: \$344.00

Claim No. 79-019

The claimant, a 26 year old male, was working as night auditor at a resort when it was robbed. The assailants bound and gagged the claimant and left him in a room where he was finally able to free himself. The claimant alleged some problems with knee ligaments due to the incident, however, he did not see a doctor. It was the decision of the Board to deny the claim under Section 18.67.080(c) on the grounds there was no verifiable injury and if there was, it would have been covered by Workmen's Compensation.

Award: Denied

Claim No. 79-020

The claimant, a 21 year old female, was asleep in her apartment when a man entered through a window and assaulted the claimant with a frying pan. The claimant had no loss of earnings and her medical expenses were paid by a collateral source. As the claimant did not respond to correspondence, the claim was closed.

Award: Case Closed

Claim No. 79-021

The victim, a 47 year old male, was shot and killed during a robbery attempt in a restaurant of which he was owner. The claimant is the wife of the victim and requested compensation for herself and her child. It was the determination of the Board that the victim was an innocent victim of a violent crime and the claimant was eligible for compensation under Section 18.67.110(1) and (3) for funeral expenses, counselling expenses and loss of support. An Emergency Award had previously been granted in the amount of \$1,500.00 and was deducted from the final award.

Award: \$27,945.78

Claim No. 79-022

The claimant, a 50 year old male, was injured during a robbery attempt in a restaurant in which he was working. His brother, who owned the restaurant, was killed in the same incident, Claim No. 79-021. The Board awarded an Emergency Award of \$1,500.00 under Section 18.67.120 and requested further information.

Emergency Award: ~~\$1,500.00~~

Claim No. 79-023

The claimant, a 26 year old male, attended a dance in a small town while he was on vacation. As he was leaving the dance, he was assaulted by several young men. The claimant sustained a broken rib and punctured lung from the attack. It was the decision of the Board to deny the claim on the grounds the injuries did not result from a crime encompassed under the statute. The claimant requested a hearing and the Attorney General's Office stated that as the claim was pending at the time of the enactment of the amendment to include Aggravated Assault as a compensable crime under the statute, it should be considered without the need for a hearing. It was the determination of the Board that the claimant was an innocent victim of a violent crime and eligible for compensation under Section 18.67.110(1) for medical expenses.

Award: \$855.45

Claim No. 79-024

The claimant, a 54 year old male, walked into the men's restroom at a bar and was attacked by three men who beat him to unconsciousness and stole his wallet. It was the decision of the Board to deny the claim under Section 18.67.080(c) on the grounds that the claimant had not established himself as an innocent victim of a violent crime based upon the sketchiness of the evidence available and questionable circumstances surrounding the incident, namely the time lag before reporting it to the police, the

fact he did not seek medical attention and the fact that he went back to the bar.

Award: Denied

Claim No. 79-025

The claimant, a 19 year old male, as a favor to a friend, let his friend's relative stay in his cabin. After a few days, it appeared that the arrangement was not working out and the claimant requested his friend's relative to leave. The man became angry, pulled a knife and stabbed the claimant in the abdomen. It was the determination of the Board that the claimant was an innocent victim of a violent crime and eligible for compensation under Section 18.67.110(1) for medical expenses.

Award: \$8,655.30

Claim No. 79-026

The claimant, a 24 year old male, states he went to visit two friends at a local hotel. He states he was carrying a large sum of money in a backpack when he entered the hotel room. The subject of drugs came up and the two men produced handguns and one of them shot the claimant. It was the decision of the Board to deny the claim under Section 18.67.130(b)(3) on the grounds there was evidence that the claimant was engaged in an illegal act, a drug transaction.

Award: Denied

Claim No. 79-027

The victim, a 52 year old male, was stabbed to death by a female neighbor. The claimant is the wife of the victim. It was the decision of the Board to deny the claim under Section 18.67.080(c) on the grounds that the victim was not an innocent victim of a violent crime but had pro-

voked the incident by entering the neighbor's house uninvited.

Award: Denied

Claim No. 79-028

The victim, a 48 year male, was driving on the highway and stopped to render aid to what was thought to be a disabled vehicle. He was robbed and killed by two gunshot wounds. The assailant was sentenced to life imprisonment for First Degree Murder and fifteen years for Armed Robbery in connection with this case. The claimant is the wife of the victim. It was the determination of the Board that the victim was an innocent victim of a violent crime and the claimant was eligible for compensation under Section 18.67.110(3) for loss of support.

Award: \$10,000.00

Claim No. 79-029

The claimant, a 14 year old male, attempted to put out a fire outside a warehouse when it exploded. The claimant suffered burns on his hands and face. As the claimant was a minor, the claim was filed on his behalf by his mother. The claim was found ineligible as arson is not covered by Section 18.67.100 of the statute.

Award: Case Closed

Claim No. 79-030

The claimant, a 40 year old male, was involved in an altercation in front of a local cafe, wherein, he was thrown to the pavement and severely beaten and kicked. As a result of the beating, the claimant suffers from aphasia and occasional seizures. His regular occupation was as a chauffeur and, because of the risk of seizures, he is no longer able to pursue this line of work. It was the decision of the Board to deny the claim under Section 18.67.130(a)

on the grounds that the injuries did not result from a crime encompassed under the statute. The Board, therefore, did not reach the question as to whether the claimant was an innocent victim.

Award: Denied

Claim No. 79-031

The claimant, a 25 year old female, states she was walking home from a bar in an intoxicated condition when she was assaulted and beaten about the head. It was the decision of the Board to deny the claim under Section 18.67.130(a) on the grounds the injuries did not result from a crime encompassed under Section 18.67.100 of the statute.

Award: Denied.

Claim No. 79-032

The claimant, a 23 year old male, was walking out the door of a local union hall when a man attacked him with a baseball bat. It was the determination of the Board that the claimant was an innocent victim of a violent crime and eligible for compensation under Section 18.67.110(1) and (2) for medical expenses and loss of earnings.

Award: \$1,696.25

Claim No 79-034

The claimant, a 28 year old female, was walking home when an individual attacked her, hit her in the face and robbed her of her pack sack. It was the determination of the Board that the claimant was an innocent victim of a violent crime and eligible for compensation under Section 18.67.110(1) for medical expenses.

Award: \$473.60

Claim No. 79-035

The claimant, a 28 year old female, states she was kidnapped, raped repeatedly and brutally tortured. Prior to making a determination on this claim, it was the decision of the Board that a hearing would be necessary. The Board requested certain information from the claimant and ordered the claim to be closed if she did not reply by a specific time. As there was no reply, the claim was closed.

Award: Case Closed

Claim No. 79-036

The claimant, a 22 year old male, and two friends were walking through a parking lot when they were assaulted by several unknown assailants and robbed. Further information was requested and, as there was no reply to any correspondence, the claim was closed.

Award: Case Closed

Claim No. 79-037

The claimant, a 43 year old male, was involved in an argument with the offender when he was stabbed. As the claim did not fall within the two year limit for filing a claim under Section 18.67.130(a), it was determined to be ineligible.

Award: Case Closed

Claim No. 79-038

The claimant, a 34 year old female, was walking home when she was struck on the head, brutally beaten, dragged under a building and sexually assaulted. Her injuries included a fractured nose, fractured middle finger, multiple contusions, abrasions and frostbitten skin as she was knocked unconscious during the attack and left lying on frozen snow covered ground. Investigation led to the

arrest of a seventeen year old juvenile. It was the determination of the Board that the claimant was an innocent victim of a violent crime and eligible for compensation under Section 18.67.110(1), (2) and (4) for out of pocket expenses, loss of earnings and counselling for the trauma she incurred.

Award: \$5,649.80

Claim No. 79-039

The claimant, a 21 year old male, was involved in a long distance telephone conversation with his mother in California. He was using a pay telephone at a local hotel when two men passed him and entered the restroom. When they came out, they assaulted the claimant for no apparent reason. The mother heard the disturbance and contacted the local police, asking them to assist her son. It was the decision of the Board to deny the claim under Section 18.67.130(a) on the grounds that it was a simple assault not compensable under the statute as a crime listed under Section 18.67.100.

Award: Denied

Claim No. 79-040

The claimant, a 37 year old male, was assaulted and robbed in his home by three men who knocked on the door and said they were from the police department. When the claimant opened the door, he was hit over the head several times with what he thought was a piece of pipe and several items were stolen from his home. It was the determination of the Board that the claimant was an innocent victim of a violent crime and eligible for compensation under Section 18.67.110(1) and (2) for medical expenses and loss of earnings.

Award: \$580.50

Claim No. 79-042

The claimant, a 30 year old male, entered the restroom in a bar and was assaulted by two men. He received a broken jaw and facial scars. As further information was needed and the claimant did not respond to any correspondence, the claim was closed.

Award: Case Closed

Claim No. 79-043

The claimant, a 26 year old male, had gone into a bar to invite several friends to a private party. Several fellows made derogatory remarks to the claimant but he ignored them. One offender hit the claimant in the face and the other broke a bottle over his head. The claimant suffered several deep lacerations and the doctor anticipated that the scarring would be unsightly. It was the determination of the Board that the claimant was an innocent victim of a violent crime and eligible for compensation under Section 18.67.110(1) for medical expenses.

Award: \$631.00

Claim No. 79-044

The claimant, a 38 year old male, was an off duty bartender and was sitting in the bar having a drink. A fight broke out and the claimant went to the aid of a friend who was being attacked with pool cues and a knife. During the incident, the claimant was stabbed twice in the chest. It was the determination of the Board that the claimant was an innocent victim of a violent crime and eligible for compensation under Section 18.67.110(1) and (2) for medical expenses and loss of earnings.

Award: \$6,046.55

Claim No. 79-045

The claimant, a 20 year old female, was beaten and raped

several times. During the assault, she was burned, pinched and bitten severely. It was the determination of the Board that she was an innocent victim of a violent crime and eligible for compensation under Section 18.67.110(4) for future counselling and airfare.

Award: \$4,200.00

Claim No. 79-046

The claimant, a 25 year old male, states he was assaulted and robbed by three men in a cab and then thrown out barefooted in five degree below zero weather. He claims he received frostbitten feet and was unable to work. Further information was requested and as the claimant did not respond, the claim was closed.

Award: Case Closed

Claim No. 79-047

The claimant, a 51 year old male, states he was walking home when he was attacked from behind and hit on the head by an unknown assailant. Further information was requested and as the claimant did not respond, the claim was closed.

Award: Case Closed

Claim No. 79-048

The claimant, a 23 year old male, had been standing by a truck discussing business with an occupant of the truck. As he turned to walk away, he heard a noise, turned around and was shot in the chest. It was the determination of the Board that the claimant was an innocent victim of a violent crime and eligible for compensation under Section 18.67.110(1) and (2) for medical expenses and loss of earnings.

Award: \$13,696.12

Claim No. 79-049

The claimant, a 30 year old male, was on duty as a police officer when he answered a call concerning a domestic disturbance. He was severely beaten, his right eye was gouged out and severe damage was suffered to his left eye. It was the determination of the Board that the claimant was an innocent victim of a violent crime and eligible for compensation under Section 18.67.110(1) and (2) for out of pocket expenses and loss of earnings. The loss of earnings were the difference between his actual prior earnings and the amount awarded under Workmen's Compensation.

Award: \$4,184.00

Claim No. 79-050

The claimant, a 49 year old female, was brutally attacked after leaving an office where she had been doing volunteer work. It was the determination of the Board that the claimant was an innocent victim of a violent crime and eligible for compensation under Section 18.67.110(1) for medical expenses.

Award: \$1,558.08

Claim No. 79-053

The claimant a 17 year old female, hitched a ride with a man when she became frightened of attempted rape. She was able to jump from the car but received a broken leg when the car drove over it. Further information was requested and as there was no reply, the claim was closed.

Award: Case Closed

Claim No. 79-054

The victim, a 51 year old male, was on duty as a police officer when he was shot and killed by a sniper. The

claimant is the wife of the victim. It was the determination of the Board that the victim was an innocent victim of a violent crime, however, it was the decision of the Board to deny the claim under Section 18.67.080(c) on the grounds that there were no actual out of pocket expenses incurred which had not been covered by a collateral source.

Award: Denied

Claim No. 79-057

The victim, a 44 year old male, was found shot to death at his place of employment. The claimant is the wife of the victim. It was the determination of the Board that the victim was an innocent victim of a violent crime and the claimant was eligible for compensation under Section 18.67.110(1) and (3) for funeral expenses and pecuniary loss.

Award: \$15,808.00

Claim No. 79-058

The claimant, a 19 year old male, stated he was talking to a friend in a bar when he was assaulted from behind with a chair. Further information was requested and as the claimant did not respond, the claim was closed.

Award: Case Closed

Claim No. 79-061

The claimant, a 34 year old male, was on duty as a police officer and was injured by a sniper in an incident which left two other police officers dead. The sniper committed suicide. It was the determination of the Board that the claimant was an innocent victim of a violent crime, however, it was the decision of the Board to deny the claim under Section 18.67.080(c) as there were no actual

out of pocket expenses incurred which had not been covered by a collateral source.

Award: Denied

Claim No. 79-063

The victim, a 22 year old male, had been involved in a minor altercation with another male earlier in the day. The offender later got a pistol and when the victim approached him, the offender shot and killed the victim. The claimant is the mother of the victim and requested compensation for funeral expenses. It was the determination of the Board that the victim was an innocent victim of a violent crime and the claimant was eligible for compensation under Section 18.67.110(1) for funeral expenses.

Award: \$1,870.00

Claim No. 79-069

The claimant, a 34 year old male, was severely beaten in the face with a cue stick. The claimant suffered a broken nose, fractured skull and damage to the retina of the eye to such an extent that he suffered the loss of the eye. The claimant requested an Emergency Award as he has a wife and two children and has been unable to work since the incident. The Board approved an Emergency Award under Section 18.67.120.

Emergency Award: \$1,500.00

Claim No. 79-070

The victim, a 47 year old male, was shot and killed when the landlord entered the home where the victim, his wife and five children were sleeping and threatened the victim with a gun. There was a struggle and, prior to the arrival of the police, the victim was killed. The claimant is the wife of the victim and requested Emergency Compensation for living expenses. The Board approved an Emergency Award under Section 18.67.120.

Emergency Award: \$1,500.00

END