

ALASKA LEGISLATURE COMMITTEE FILES 1995-1996 8672
8906 SENATE JUDICIARY

At present, it is harder to measure the retribution, deterrence, or rehabilitation value of imprisonment to society than it is to measure its incapacitation value. The types of opinion surveys and data sets that would enable one to arrive at meaningful estimates of the first three social benefits of imprisonment simply do not yet exist. But it is possible to estimate how much serious crime is averted each year by keeping those convicted criminals who are sentenced to prison behind bars, as opposed to letting them out on the street.

Based on large prisoner self-report surveys in two states (Wisconsin in 1990, New Jersey in 1993), two Brookings Institution studies found that state prisoners commit a median of 12 felonies in the year prior to their imprisonment excluding all drug crimes.⁷⁷ Other recent studies offer higher estimates. For example, Steven D. Levitt has estimated that "Uncarcerating one additional prisoner reduces the number of crimes by approximately 13 per year, a number in close accordance with the level of criminal activity reported by the median prisoner in surveys."⁷⁸ Likewise, William and Mary economists Thomas Marvell and Carlisle Moody have estimated that "in the 1970s and 1980s each additional state prisoner averted at least 17 index crimes. . . . For several reasons, the real impact may be somewhat greater, and for recent years a better estimate may be 21 crimes averted per additional prisoner."⁷⁹

Of course, it costs society as much as \$25,000 to keep a convicted felon or repeat criminal locked up for a year. Every social expenditure imposes opportunity costs (a tax dollar spent on a prison is a tax dollar not spent on a pre-school, and vice versa). But what does it cost crime victims, their families, friends, employers, and the rest of society to let a convicted criminal roam the streets in search of victims?

A recent study of the costs of crimes to victims found that in 1992 economic loss of some kind occurred in 71 percent of all personal crimes (rape, robbery, assault, personal theft) and 23 percent of all violent crimes (rape, robbery, assault). The study estimated that in 1992 crime victims lost \$17.2 billion in direct costs (losses from property theft or damage, cash losses, medical expenses, lost pay from lost work). This estimate, however, did *not* include direct costs to victims that occurred six months or more after the crime (e.g., medical costs). Nor did it include decreased work productivity, less tangible costs of pain and suffering, increases to insurance premiums as a result of filing claims, costs incurred from moving as a result of victimization, and other indirect costs.⁸⁰

Another recent study took a somewhat more comprehensive view of the direct costs of crime and included some indirect costs of crime as well. The study estimated the costs and monetary value of lost quality of life in 1987 due to death and nonfatal physical and psychological injury resulting from violent crime. Using various measures, the study estimated that each murder costs \$2.4 million, each rape \$60,000, each arson \$50,000, each

⁷⁷ John J. Dilulio, Jr. and Anne Morrison Piehl, "Does Prison Pay?," *The Brookings Review*, Fall 1991, pp. 28-35 (Wisconsin data), and Anne Morrison Piehl and John J. Dilulio, Jr., "Does Prison Pay? Revisited," *The Brookings Review*, Winter 1995, pp. 21-25 (New Jersey data).

⁷⁸ Steven D. Levitt, "The Effects of Prison Population Size on Crime Rates: Evidence from Prison Crowding Litigation," National Bureau of Economic Research, February 1995, p. 25.

⁷⁹ Thomas Marvell and Carlisle Moody, "Prison Population Growth and Crime Reduction," *Journal of Quantitative Criminology*, 1993, p. 136.

⁸⁰ *The Costs of Crime to Victims* (Bureau of Justice Statistics, February 1994), pp. 1, 2.

assault \$25,000, and each robbery \$19,000. It estimated that lifetime costs for all violent crimes totaled \$178 billion during 1987 to 1990.⁸¹

Even these numbers, however, omit the sort of detailed cost accounting that is reflected in site-specific, crime-specific studies. For example, a survey of admissions to Wisconsin hospitals over a 41-month period found that 1,035 patients were admitted for gunshot wounds caused by assaults. Gunshot wound victims admitted during this period accumulated over \$16 million in hospital bills, about \$6.8 million of which was paid by taxes. Long-term costs rise far higher. For example, just one shotgun assault victim in this survey was likely to cost more than \$5 million in lost income and medical expenses over the next 35 years.⁸²

How much of the human and financial toll of crime could be avoided by incarcerating violent and repeat criminals for all or most of their terms?

One study, commissioned by the National Institute of Justice, found that the "lowest estimate of the benefit of operating an additional prison cell for a year (\$172,000) is over twice as high as the most extreme estimate of the cost of operating such a cell (\$70,000)."⁸³ Likewise, the first Brookings study found that imprisoning 100 typical felons "costs \$2.5 million, but leaving these criminals on the street costs \$4.6 million."⁸⁴ The second Brookings study found that for every dollar it costs to keep the typical prisoner behind bars "society saves \$2.80 in the social costs of crimes averted."⁸⁵

And remember: these studies measure the social benefits of prisons solely in terms of imprisonment's incapacitation value. Because there is every reason to suppose that the retribution, deterrence, and rehabilitative values of imprisonment are each greater than zero—that is, because it is virtually certain that in addition to incapacitating criminals who would commit crimes when free, prison also succeeds in punishing, deterring, and rehabilitating at least some prisoners under some conditions—these estimates of the net social benefits of imprisonment are bound to be underestimates. And if, therefore, estimates made only in terms of prison's incapacitation value are positive, it means that the actual social benefits of imprisonment are even higher and that prison most definitely pays for the vast majority of all prisoners.

As if any further evidence were needed, we note that in 1989 there were an estimated 66,000 fewer rapes, 323,000 fewer robberies, 380,000 fewer assaults, and 3.3 million fewer burglaries attributable to the difference between the crime rates of 1973 versus those of 1989

⁸¹ Ted R. Miller et al., "Victim Costs of Violent Crime and Resulting Injuries," *Health Affairs*, vol. 12, Winter 1993.

⁸² Neil D. Rosenberg, "Gunshots Shatter Lives, Cost Millions," *Milwaukee Journal*, March 14, 1993.

⁸³ David P. Cavanaugh and Mark A.R. Kleiman, *Cost-Benefit Analysis of Prison Cell Construction and Alternative Sanctions* (BOHC Analysis Corporation, 1990), p. 26.

⁸⁴ John J. DiIulio, Jr. and Anne Morrison Piehl, "Does Prison Pay?," *The Brookings Review*, Fall 1991, p. 14.

⁸⁵ Anne Morrison Piehl and John J. DiIulio, Jr., "Does Prison Pay? Revisited," *The Brookings Review*, Winter 1995.

(i.e., applying 1973 crime rates to the 1989 population). If only one-half or one-quarter of the reductions were the result of rising incarceration rates, "that would still leave prisons responsible for sizable reductions in crime."⁶⁶ Tripling the prison population from 1975 to 1989 "potentially reduced reported and unreported violent crime by 10 to 15 percent below what it would have been, thereby potentially preventing a conservatively estimated 390,000 murders, rapes, robberies, and aggravated assaults in 1989 alone."⁶⁷

Still, it is important to caution that prison does not necessarily pay for each and every imprisoned felon. Moreover, the hidden costs of incarceration include losses in worker productivity and employability. Likewise, long-term imprisonment spells harmless geriatric inmates and associated health care costs. On the other hand, many incarcerated persons enter prison with anemic work records, a history of welfare dependence, and a fair probability of having to rely on government to pay for their health care whether or not they are incarcerated. And there are some geriatric prisoners whom we would want to remain in confinement purely for the sake of just desserts.

Also, while we know that prison pays, we do not know why per capita corrections spending varies so much from one jurisdiction to the next, why spending has risen so sharply in some places but not in others, or where the greatest opportunities for efficiency gains may lie. For example, prison operating costs in Texas grew from \$91 million in 1980 to \$1.84 billion in 1994, about a tenfold increase in real terms, while the state's prison population barely doubled. In Pennsylvania and other big states, corrections spending has grown much more slowly. Overall, Americans spend barely a penny of every tax dollar on prisons and jails. Thus, before Americans and their leaders can get a real policy-relevant handle on the social costs and benefits of incarceration versus other sentencing options, scholars will need to dig much deeper than criminologists have dug into the basic public finance questions related to crime and punishment.

For now, however, it is enough to acknowledge the overwhelming empirical evidence that, as the columnist Ben Wattenberg has quipped, "a thug in prison can't shoot your sister."⁶⁸

7. For Restraining Violent Criminals

In sum, the simple truth is that, relative to the millions of crimes, including violent crimes, that are committed each year in America, the justice system imprisons only a small fraction of all offenders including only a small fraction of all violent offenders. Not surprisingly, therefore, those who really do go to prison in this country today are almost without exception the worst of the worst predatory career criminals. Not only are their official criminal records punctuated by many different types of serious crimes; they commit tremendous numbers of violent and other crimes that go wholly undetected, unprosecuted, and unpunished.

Scratch the criminal-records surface of most imprisoned "non-violent" prisoners, most "mere parole violators," and many "low-level drug offenders," and you will almost invariably find evidence of a life of crime that stretches back many years. These records, moreover, most

⁶⁶Patrick A. Langan, "America's Soaring Prison Population," *Science*, March 1991, p. 1537.

⁶⁷Patrick A. Langan, "Between Prison and Probation," *Science*, May 6, 1994.

⁶⁸Ben Wattenberg, *Values Matter Most* (Free Press, 1995), p. 151.

likely include categories of offenses other than the ones for which the felon was most recently convicted, sentenced, and imprisoned. In addition, most imprisoned offenders, including the most violent ones, spend relatively little time behind bars before being released. For almost all of them, their conditions of confinement are quite humane. Problems of prison "overcrowding" are real but much exaggerated, and most prisoners enjoy access to a wide range of amenities and services behind bars.

Americans are paying a heavy human and financial toll for government's failure to restrain violent criminals, adult and juvenile. Given the country's crime demographics, and unless the system changes, over the next decade that toll is bound to become even heavier. Already the self-inflicted wound of serious crime done by persons on probation, parole, or pretrial release has begun to fester. Known offenders who are not restrained do as much as a third of all violent crime. Probationers and parolees are responsible for literally millions of crimes each year, including thousands of murders.

In our view, however, the answer is not to incarcerate every convicted felon, or even every convicted violent felon, for decades or for life. Nor is the answer to make conditions of confinement for those offenders who do end up behind bars harsh or inhumane; running "no-frills" prisons is not synonymous with curtailing revolving-door justice (although humane but spartan prisons certainly may have some deterrent effect). Going harder on the relatively small number of violent offenders in prison will do little to restrain the much larger (and younger, more impulsive, and harder to deter) violent offenders who roam free.

Rather, our view is that America needs to put more violent and repeat criminals, adult and juvenile, behind bars longer, to see to it that truth-in-sentencing and such kindred laws as are presently on the books are fully and faithfully executed, and to begin reinventing probation and parole agencies in ways that will enable them to supervise their charges, enforce the law, and enhance public safety. If the justice system were operating effectively in the public interest, then the challenge of restraining violent criminals, adult and juvenile, would be met more aggressively by *all* levels of government.

Americans are entitled to an honest, realistic civic discourse about restraining violent criminals, adult and juvenile. Before such a discourse can proceed, however, it must become unacceptable in elite circles to deny, discount, or disparage the public's legitimate desire to slow or stop revolving-door justice. In the 1960's and 70's, prisoners' rights activists and anti-incarceration analysts called for moratoria on prison construction ("Tear down the walls!"). Today many of these same people, flanked by various national media commentators, are battling--sometimes openly, but as often behind the scenes--to eliminate mandatory minimum laws, abolish or subvert truth-in-sentencing laws, and block any species of three strikes laws. They freely publicize and propagandize about the social costs of incarceration while choking off public discussion of its considerable social benefits. They lobby to expand the capacity of activist judges to impose prison caps which trigger the release of dangerous felons. In short, they achieve through junk science, administrative discretion, or judicial fiat what could not be achieved through democratic debate and legislative action.

In our view, and at a minimum, those who continue to ignore or to trivialize the facts about crime and punishment in America should be required by the press, policymakers, and the people to be more specific. For example, those who continue to assert that America should not imprison low-level drug offenders should tell us who, precisely, is to count as a "low-level drug offender." Of the 241,709 new court commitments to thirty-five state prisons in 1991, 74,423 (30 percent) were convicted of drug law violations, 16,632 of them for possession, the remaining 55,791 for drug trafficking and related crimes. Of the 36,648 new court commitments to federal prisons in 1991, 14,564 (42 percent) were drug law violators, 703 (2

percent) were convicted of possession, the remaining 13,861 for drug trafficking and related crimes. Most imprisoned drug traffickers are hardly first-time felons or strictly small-time dealers; many have quite diversified criminal portfolios involving violent and property crimes as well as drug crimes. The average quantity of drugs involved in federal cocaine trafficking cases is 183 pounds, while the average for marijuana traffickers is 3.5 tons.⁶⁹

The truth about revolving-door justice and who really goes to prison is not pleasant. Acknowledging and acting on this truth will not set many violent or repeat prisoners free, but it will help to restore public trust and confidence in the justice system--and, over time, in representative government itself.

IV. The Good News About Fighting Violent Crime

Despite the depth and breadth of legitimate public concern about revolving-door justice and the failure to restrain violent criminals, the American people retain their confidence in the capacity of police to catch the bad guys and take them off the streets. The foregoing sections of this report are teeming with data that tell us what is not working, and beckon all concerned to take stock of the facts and figures behind the American public's valid crime fears.

But lest this Council be mistaken for a counsel of despair, we conclude this report by highlighting the evidence on what is working, namely, some police departments that have worked with citizens to take a huge bite out of violent crime. In our forthcoming hearings and in other activities, we hope to document and publicize real-life examples of such successful anti-crime efforts in action, and to gather, synthesize, and disseminate such research evidence as might prove useful to crime prevention, protection, and restraint.

1. Law Enforcement Matters

Just as there is a great deal of expert opinion which holds that incarceration has no effect on crime, so there is widespread doubt among criminologists that cops can work to cut rates of crime and disorder. In both cases, the people are empirically and morally right, and the experts dead wrong.

More than a dozen major empirical studies over the last two decades have failed to demonstrate either that police manpower and crime rates vary inversely or that particular types of community-oriented policing practices prevent crime. The most famous of these studies is the Kansas City, Missouri, "preventive patrol" experiment.

For a year in the early 1970s, Kansas City was divided into three areas, each of which received a different level of auto patrol. The 1974 report on the experiment found that criminal activity, reported crime, rates of victimization (as measured in a follow-up survey), citizen fear, and satisfaction with the police were about the same in all three areas. Active auto patrol--bent where cars were visible patrolling the streets two or three times more frequently than in the control areas--made no difference at all.

⁶⁹*National Corrections Reporting Program, 1991* (Bureau of Justice Statistics, 1993), and *Comparing State and Federal Prison Inmates 1991* (Bureau of Justice Statistics, September 1994), p. 13.

But academic experts who treat such negative findings as the final words on the subject are badly mistaken. George L. Kelling of Northeastern University, the father of the Kansas City research and many other major studies, recently cautioned his colleagues that generalizing from a study about a specific tactic to other tactics or uses of police is inappropriate. As Kelling observed, random preventive patrol by automobile for the purpose of creating a feeling of police omnipresence is a relic of mid-century policing tactics. He keenly characterizes as defeatist dogma the view that crime stems from basic structural features of society and until problems like homelessness, social injustice and economic inequality are solved, nothing can be achieved.¹⁰⁰

Indeed, there are a number of recent and ongoing statistical studies which demonstrate that policing can and does make a positive difference in cutting violent crimes. For example, in several recent studies, economist Dale O. Cloninger has found evidence that the number of police per violent crime is negatively and significantly related to certain crime rates: "police presence deters the commission of violent crimes by increasing the risk of being punished for committing those crimes."¹⁰¹

2. Behind Drops in Violent Crime: Cops at Work

Such statistical evidence, however, needs to be fleshed out by real-life examples. Two of the most interesting and most recent are Houston and New York City.

New York City and Houston have enjoyed truly phenomenal drops in serious crimes, including murder. In 1992 and again in 1993, more than 1,900 homicides were committed in the Big Apple. But in 1994 New York City's murder count fell to 1,581. Through July 1995, it suffered fewer than 700 murders, and it continued to show declines of 10 percent or more in robberies, burglaries, and most other serious crimes. Likewise, the number of people murdered in Houston declined by 32 percent during the first half of 1995 compared with the same period a year ago. Rapes in Houston decreased by 21 percent, robberies by 15 percent, and the overall violent crime rate by 7 percent. Demographics do not even begin to explain these drops. In both cities, the population of at-risk youth has been growing.

It is clear, however, that changes in policing have helped to drive down crime in both cities. Almost a thousand officers have been added to Houston's police force since 1991. Led by Police Chief Sam Nuchia, Houston has a cost-effective police overtime program which puts officers on the streets when and where they are most needed. Residents of Washington, D.C., which fields the highest number of police officers per capita of any major city, know that more police manpower does not necessarily produce less crime or better police performance. But in Houston, Nuchia has used the additional manpower to jump-start community anti-crime activities.

To cite just one example, Houston's Citizen Patrol Program has operated in more than a hundred of the city's neighborhoods. Among other things, thousands of citizen patrollers have observed and reported suspicious or criminal behavior from assaults to narcotics dealing

¹⁰⁰George L. Kelling, "Of Uniform Crime Reports and Police Accountability," draft manuscript, March 2, 1995; "How to Run a Police Department," *City Journal*, Autumn 1995, 34-45, with Catherine M. Coles, *Fixing Broken Windows: Restoring Order in American Cities* (Free Press, 1995).

¹⁰¹Dale O. Cloninger and Harold Braumm, "Violent Crime and Punishment," *Applied Economics*, 1995, p. 719. Also see Cloninger, "Enforcement Risk and Deterrence: A Re-Examination," *The Journal of Socio-Economics*, 1994, pp. 273-285.

on vandalism. Many once-troubled neighborhoods have gone as long as three consecutive months without needing to call for police service. Indeed, recent studies found that Nuchia's enforcement efforts not only contributed to Houston's falling crime rates, but also improved police emergency response times, and reduced citizens' fear of crime.

Like Houston, New York City has greatly expanded its police force. Since 1990 the NYPD has grown by 7,000 officers. Under Commissioner William J. Bratton, police have been directed to crack down on public drinking, graffiti, vandalism, and other public disorders. The NYPD has followed a six-prong strategy:

1. Getting guns off the streets
2. Curbing school violence
3. Driving out drug dealers
4. Breaking the cycle of domestic violence
5. Reclaiming public spaces
6. Reducing auto-related crime

In the process, Bratton has promoted a new breed of precinct commanders and made them responsible for finding innovative, cost-effective ways of serving citizens and cutting crime in their neighborhoods. Despite recent corruption scandals, the precinct-based management system is working. NYPD morale is high, and New Yorkers are getting results that range from fewer aggressive panhandlers to fewer shootings and murders.

3. Meeting America's Crime Challenges

To be sure, Houston and New York City are not the only places where police and citizens are meeting America's crime challenges. And even in these cities, more remains to be done. By combining smarter and tougher law enforcement with more vigorous efforts to restrain violent criminals, Americans can protect themselves from crime today while preparing for what lies ahead. Over time, safer streets and fewer public disorders become an invitation to more active citizen-initiated anti-crime activities, more traffic in public spaces, and more communal life and civic enjoyment. Over time, putting repeat predatory felons behind bars and keeping them there not only cuts crime by incapacitating criminals, but sends a firm moral message to all, including the criminally deviant youth who are tempted to victimize their truly disadvantaged neighbors. Over time, greater crime protection and restraint minimizes the criminogenic influences that shape innocent children into violent super-predators.

Over time all these things can be accomplished. But the time to begin accomplishing them is now, starting with the challenge of restraining violent criminals, adult and juvenile.

STATE OF ALASKA

TONY KNOWLES, GOVERNOR

DEPARTMENT OF HEALTH AND
SOCIAL SERVICES

DIVISION OF FAMILY AND YOUTH SERVICES

P.O. BOX 110630
JUNEAU, ALASKA 99811-0630
PHONE: (907) 465 3170

March 14, 1996

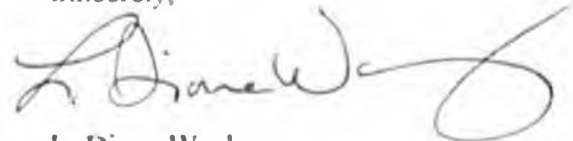
The Honorable Robin Taylor, Chair
Senate Judiciary Committee
Alaska State Senate
State Capitol
Juneau, Alaska 99811-1182

Dear Senator Taylor:

During the March 11, 1996, hearing on Senate Bills 267, 269, and 270, we discussed the percentages of misdemeanors on which the Division of Family and Youth Services (DFYS) petitions the court. You asked to see the pertinent statistics and suggested that the sponsors of the bills might also be interested in seeing them. Accordingly, a copy of the information from our data base is enclosed with this letter, and a copy is being sent to Senators Pearce, Salo, and Halford, and to Representative Toohey, sponsor of HB 474.

Thank you for the opportunity to share this information. Questions regarding this data may be addressed to Roger Withington in DFYS at 465-3208.

Sincerely,



L. Diane Worley
Director

STATE OF ALASKA

DEPARTMENT OF HEALTH AND
SOCIAL SERVICES

DIVISION OF FAMILY AND YOUTH SERVICES

TONY KNOWLES, GOVERNOR

P.O. BOX 110630

JUNEAU, ALASKA 99811-0630

PHONE: (907) 465-3170

FAX: (907) 465-3397

MEMORANDUM

DATE: February 5, 1996

TO: Kathy Tibbles
Social Services Program Officer

FROM: Roger P. Withington
Research Analyst III

SUBJECT: Felony Referrals

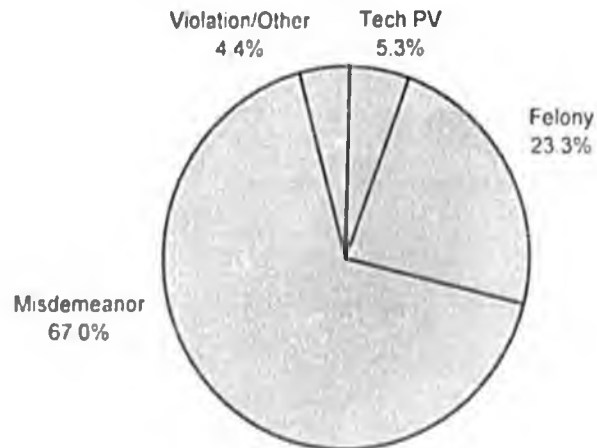
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Attached are a series of graphs that represent felony referral information.

Total Referrals

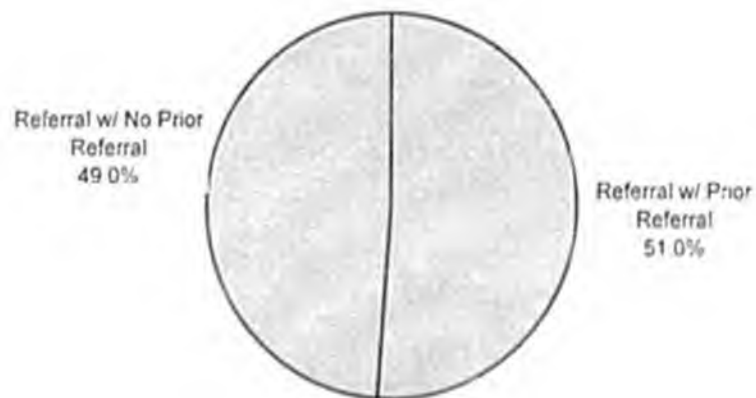
The DFYS received 9,140 delinquency referrals during FY95, of which 2,134, or 23.3 percent, were felony referrals.

*Youth Correction Referrals by Offense Class
Fiscal Year 1995*



Of the 2,134 felony referrals received during FY95, 1,089 or 51.0 percent, had a juvenile delinquency referral made to the DFYS prior to FY95.

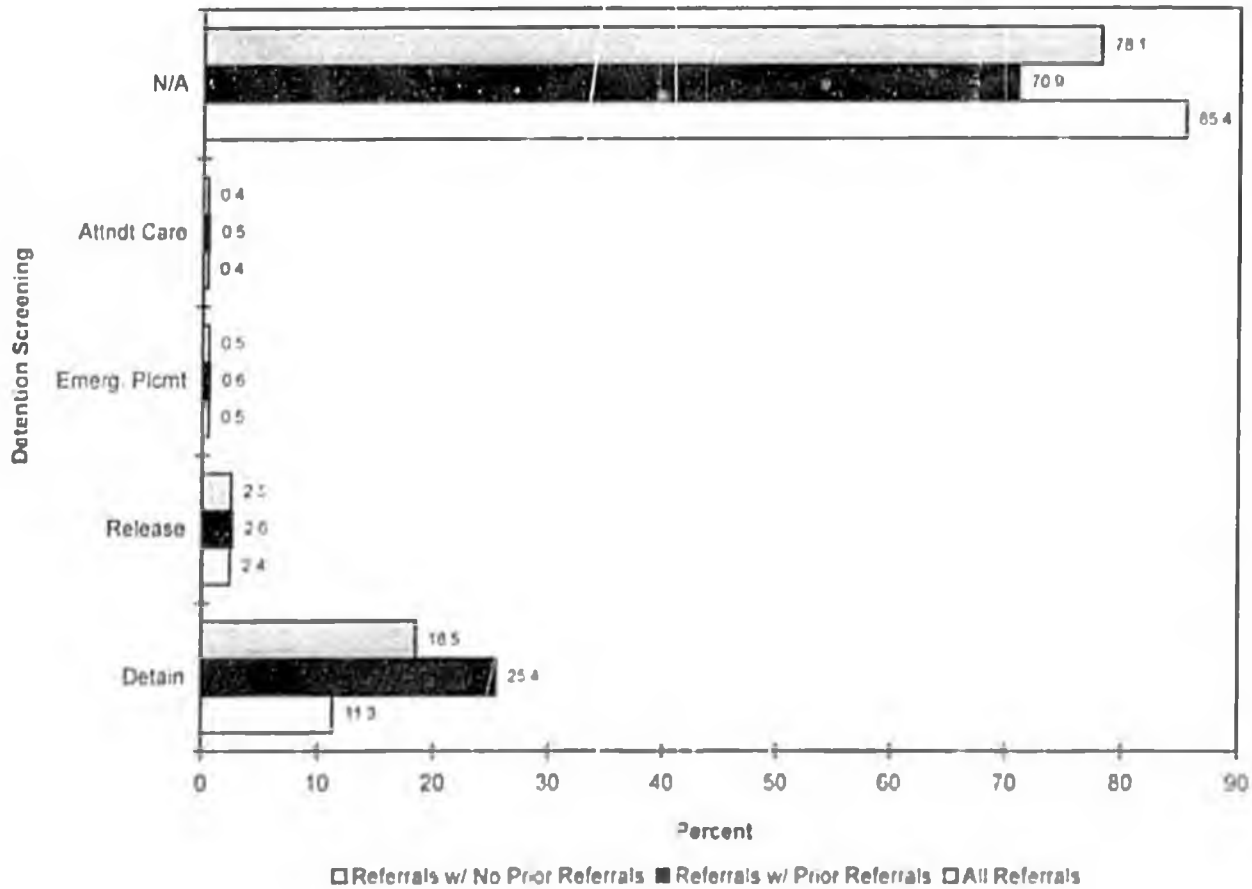
*Youth Correction Felony Referrals by Prior Referral
Fiscal Year 1995*



Felony Referrals - Detention Screening Outcome Decision

The chart below compares the percentage distribution of the detention screening outcome decision for all felony referrals, all felony referrals where the juvenile had at least one prior referral to the DFYS, and all felony referrals where the juvenile had no prior referrals to the DFYS.

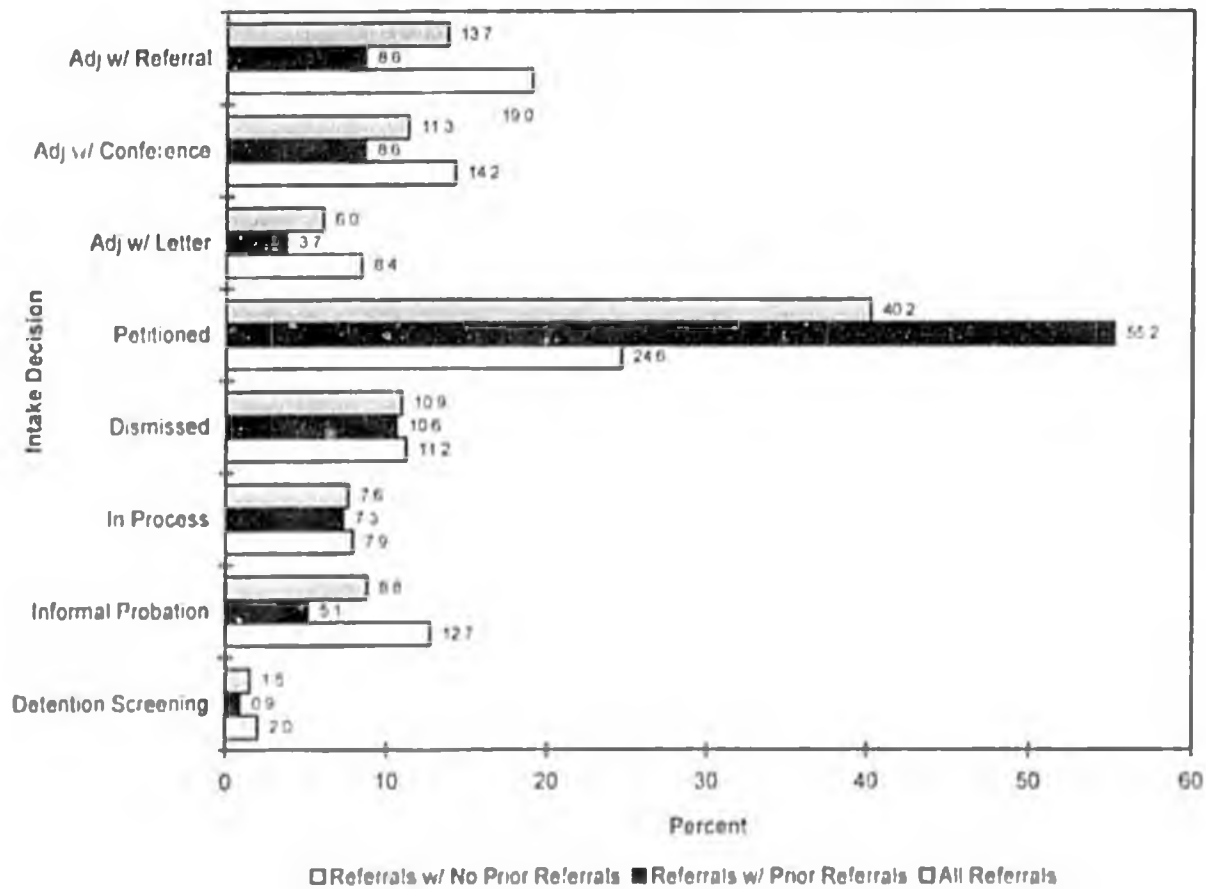
**Felony Referral Detention Screening Outcome Decision Percent Distribution
Total Referrals, Referrals with Prior Referrals, Referrals with No Prior Referrals
Fiscal Year 1995**



Felony Referrals - Intake Decision

The chart below compares the percentage distribution of the intake decision for all felony referrals, all felony referrals where the juvenile had at least one prior referral to the DFYS, and all felony referrals where the juvenile had no prior referrals to the DFYS.

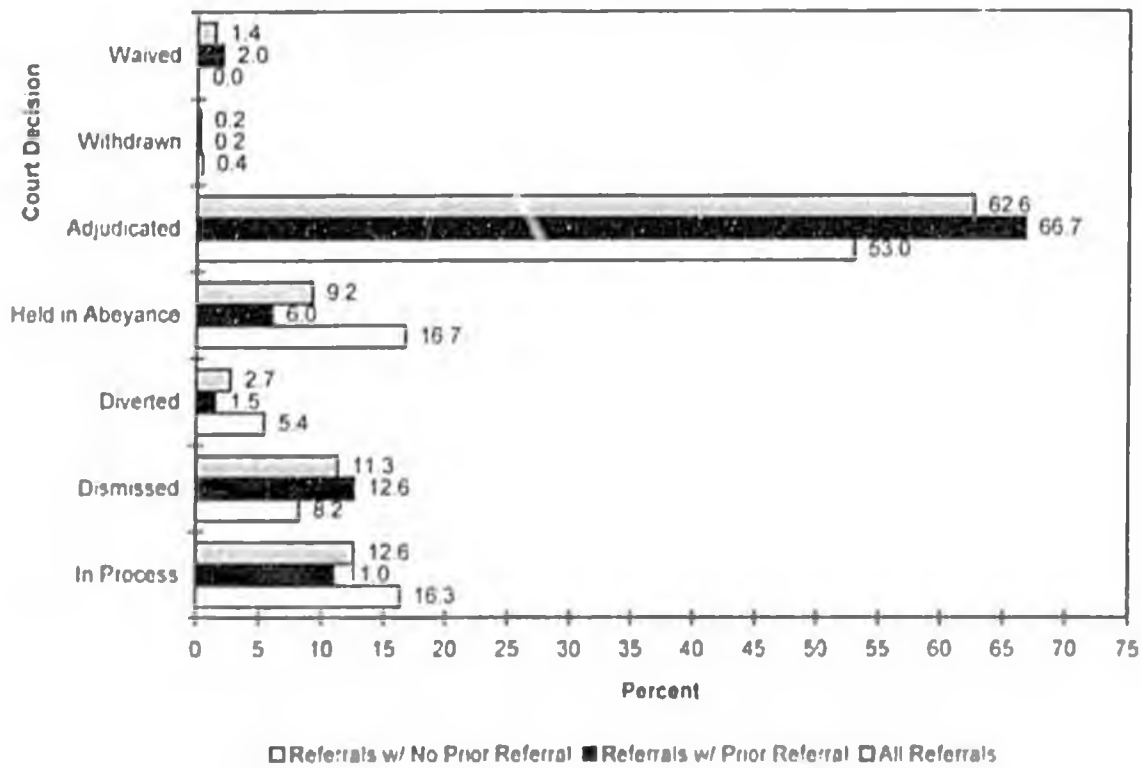
Felony Referral Intake Decision Percent Distribution
Total Referrals, Referrals with Prior Referrals, Referrals with No Prior Referrals
Fiscal Year 1995



Felony Referrals - Court Decision

Of the 858 felony referrals petitioned for formal adjudication during FY95, 601 or 70.1 percent, were made on referrals where the juvenile had more than one report of delinquency made to the DFYS. The chart below compares the percentage distribution of the court decision for all felony referrals, all felony referrals where the juvenile had at least one prior referral to the DFYS, and all felony referrals where the juvenile had no prior referrals to the DFYS.

**Felony Referral Court Decision Percent Distribution
Petitioned Referrals Only
Total Referrals, Referrals with Prior Referrals, Referrals with No Prior Referrals
Fiscal Year 1995**



Please let me know if you require further information regarding this data.

cc: L. Diane Worley, Director
Donna Schultz, Juvenile Probation Officer IV
Patty Ware, Juvenile Probation Officer III

STATE OF ALASKA

DEPARTMENT OF HEALTH AND
SOCIAL SERVICES

DIVISION OF FAMILY AND YOUTH SERVICES

TONY KNOWLES, GOVERNOR

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MEMORANDUM

DATE: January 31, 1996

TO: Kathy Tibbles
Social Services Program Officer

FROM: Roger P. Withington
Research Analyst III

SUBJECT: Misdemeanor Referrals

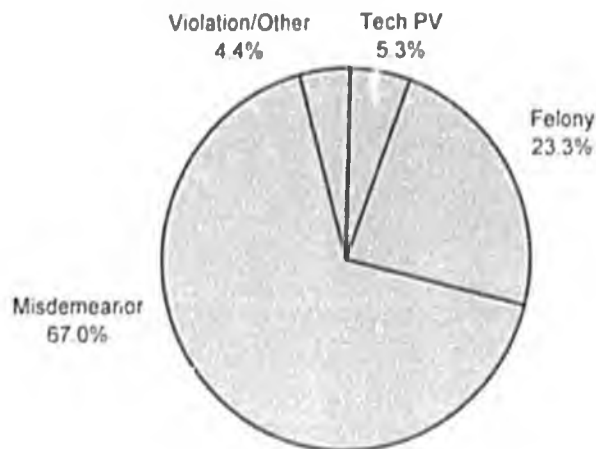
COPIES

Attached are a series of graphs that represent some of the information presented in the tabular summaries I provided to you on January 24, 1996, regarding misdemeanor referrals.

Total Referrals

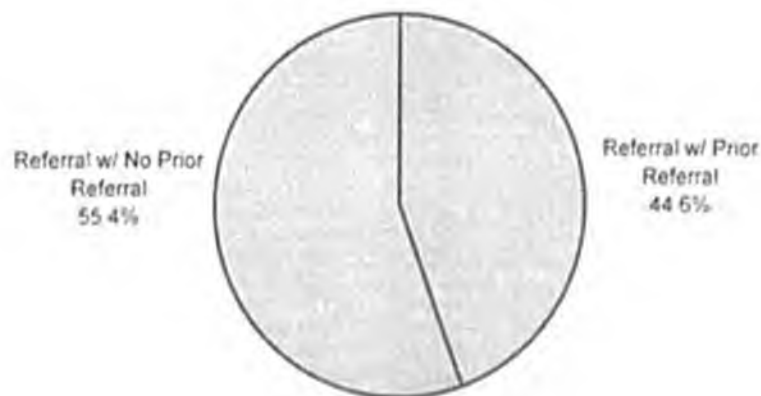
The DFYS received 9,140 delinquency referrals during FY95, of which 6,125, or 67.0 percent, were misdemeanor referrals.

*Youth Correction Referrals by Offense Class
Fiscal Year 1995*



Of the 6,125 misdemeanor referrals received during FY95, 2,730 or 44.6 percent, had a juvenile delinquency referral made to the DFYS prior to FY95.

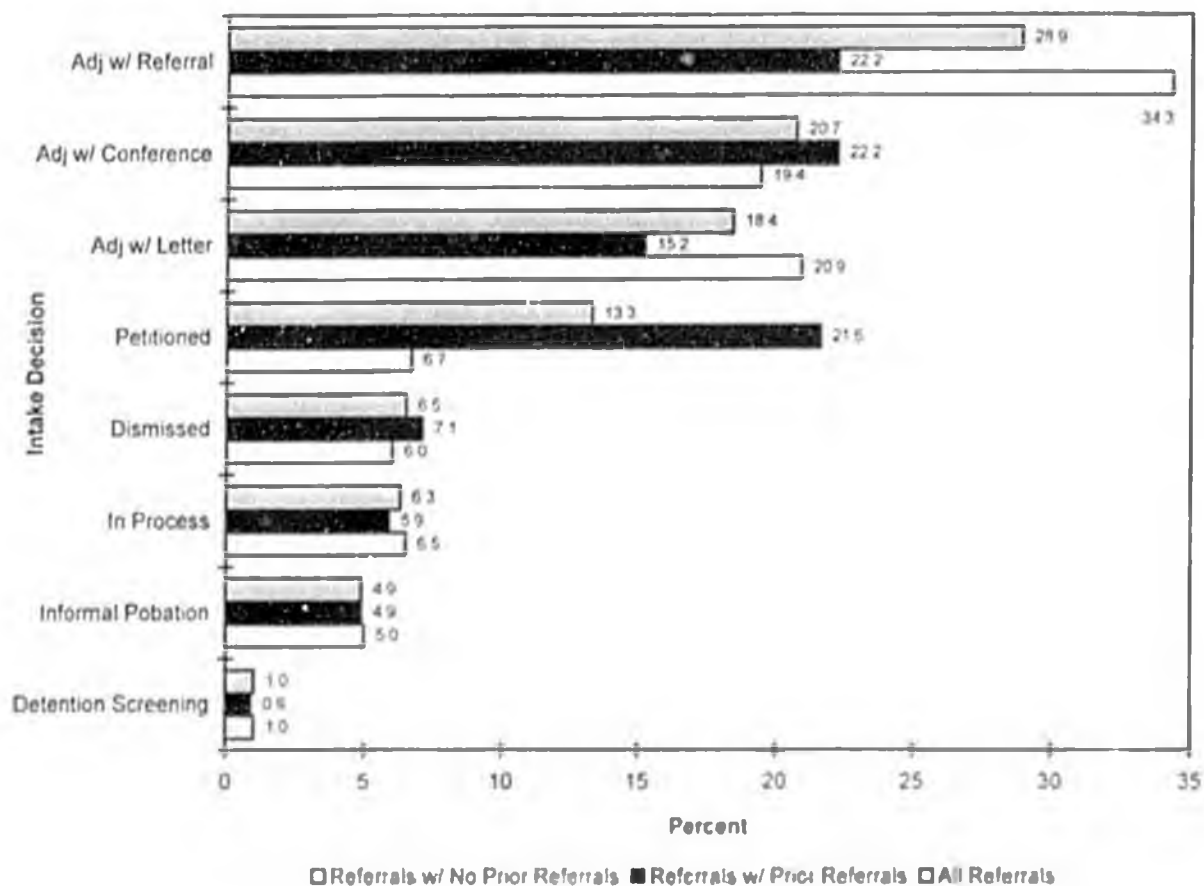
*Youth Correction Referrals by Prior Referral
Fiscal Year 1995*



Misdemeanor Referrals - Intake Decision

The chart below compares the percentage distribution of the intake decision for all referrals, all referrals were the juvenile had at least one prior referral to the DFYS, and all referrals were the juvenile had no prior referrals to the DFYS.

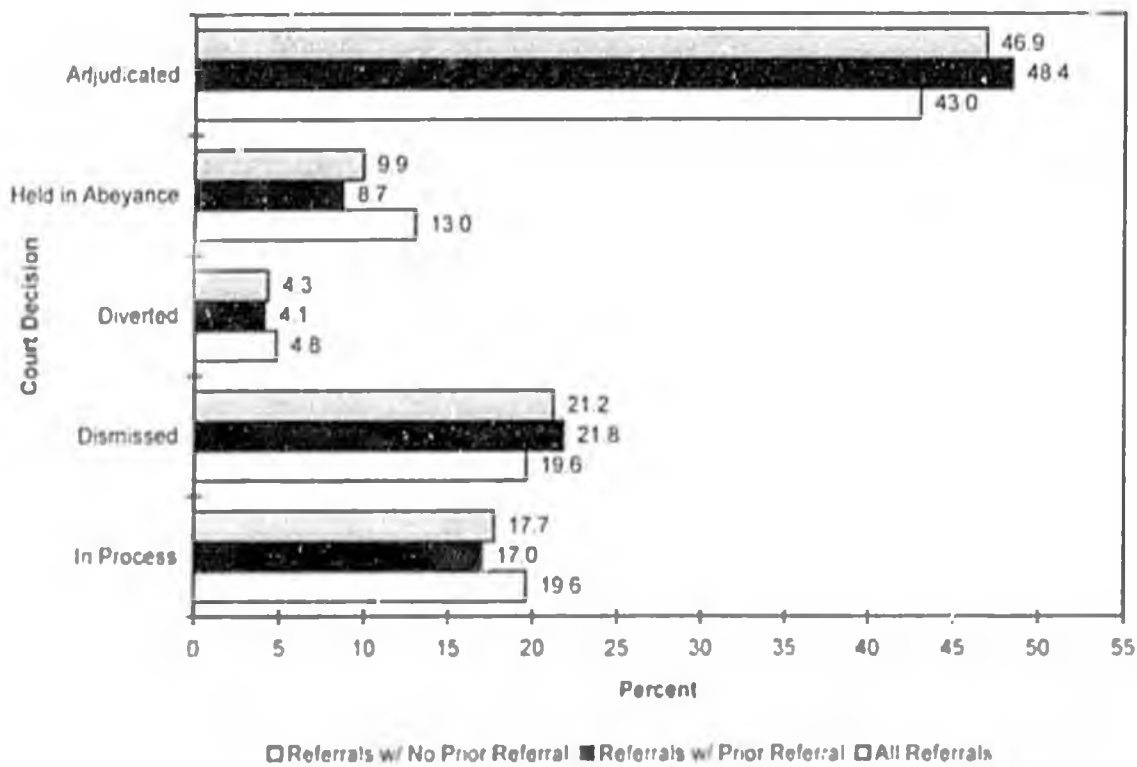
*Misdemeanor Referral Intake Decision Percent Distribution
Total Referrals, Referrals with Prior Referrals, Referrals with No Prior Referrals
Fiscal Year 1995*



Misdemeanor Referrals - Court Decision

Of the 817 misdemeanor referrals petitioned for formal adjudication during FY95, 587 or 71.8 percent, were made on referrals where the juvenile had more than one report of delinquency made to the DFYS. The chart below compares the percentage distribution of the court decision for all referrals, all referrals where the juvenile had at least one prior referral to the DFYS, and all referrals where the juvenile had no prior referrals to the DFYS.

**Misdemeanor Referral Court Decision Percent Distribution
Petitioned Referrals Only
Total Referrals, Referrals with Prior Referrals, Referrals with No Prior Referrals
Fiscal Year 1995**



Please let me know if you require further information regarding this data.

cc: L. Diane Worley, Director
Donna Schultz, Juvenile Probation Officer IV
Patty Ware, Juvenile Probation Officer III

VIOLENT CRIME

Can Tear You Apart.



22nd Annual Report

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Ans'd.....

State of Alaska

VIOLENT CRIMES COMPENSATION BOARD • 1995

STATE OF ALASKA
VIOLENT CRIMES COMPENSATION BOARD
TWENTY SECOND ANNUAL REPORT

1995



ROBERT CONGDON
CHAIRMAN

MRS. CAROL EASTAUGH
MEMBER

CAROL ALLEY, M.D.
MEMBER

NOLA K. CAPP
ADMINISTRATOR

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STATE OF ALASKA
DEPARTMENT OF PUBLIC SAFETY
P.O. BOX 111200
JUNEAU, ALASKA 99811

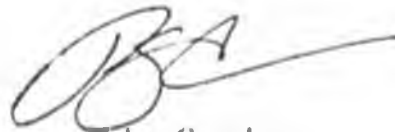
THE HONORABLE TONY KNOWLES
GOVERNOR OF THE STATE OF ALASKA

MEMBERS OF THE ALASKA STATE LEGISLATURE

Ladies and Gentlemen:

I have the honor to submit the Twenty Second Annual Report of the Violent Crimes Compensation Board for the period July 1, 1994 through June 30, 1995. Annual Reports are required under the provisions of Section 18.67.170 of the laws of Alaska

Respectfully,

A handwritten signature in black ink, appearing to read 'R. Congdon', with a long horizontal flourish extending to the right.

Robert Congdon
Chairman

Robert Congdon, Chairman
Mrs. Carol Eastaugh
Carol Alley, M.D.
Nola Capp, Administrator

The Twenty Second Annual Report of the Violent Crimes Compensation Board

AS 18.67.010 PURPOSE

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

General Information

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

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

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

The maximum award allowable per victim per incident is up to \$25,000; however, in the case of death of a victim who has numerous eligible dependents, the maximum allowable is \$40,000. The Board feels the maximum 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.

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

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

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

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

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

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

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

Processing of Claims

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

- (a) a crime, as defined in AS 18.67.102, must have been committed;
- (b) the crime must have been reported to proper authorities within the time period designated in AS 18.67.130; and,
- (c) the claim must have been filed within the two-year limit set by the law in AS 18.67.130.

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

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

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

- (a) the employment of the victim and/or the claimant;
- (b) the income reported and documentation, if the victim is/was self-employed;
- (c) hospital and doctor bills which were paid by insurance and their relevance to the claim; and,
- (d) that a crime as defined in 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 the claimant be so notified indicating he or she may request a hearing;
- (d) find the claim cannot be determined due to conflicting data therein and advise that a hearing is required prior to a final decision; or
- (e) find the claim ineligible under the statute and advise the claimant be so notified, indicating he or she may request a hearing.

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

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

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

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

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

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

Public Awareness

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

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

Acknowledgements

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

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

Special recognition is also given to the Staffs of Providence Hospital, Alaska Regional 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 requests for medical records, and following those request through the various departments to insure they are sent to the Board office.

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

Further, the Board recognizes the services of the attorneys who have served as hearing officers on a voluntary basis. Without their help the program would be hindered.

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

Federal Legislation

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

For victim compensation programs, the amount of federal grant monies available will be determined by a formula based on 40 percent of the amount of monies paid out for awards the prior fiscal year.

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

Types of Crime																			
Fiscal Year	Number of Claims Filed																		
	77	78	79	80	81	82	83	84	85	86	87	88	89	90	91	92	93	94	95
Homicide	31	23	13	25	28	25	44	58	44	53	53	29	35	48	30	28	40	28	52
ADW																			
Stabbing	14	5	6	5	7	15	13	10	14	15	15	5	10	7	16	15	14	22	16
ADW																			
Shooting	5	16	7	14	20	13	16	12	23	20	17	10	10	9	14	13	10	11	27
Armed																			
Robbery	1	2	3	5	0	0	1	1	1	2	0	0	2	1	1	0	2	2	4
Other																			
Assaults	30	38	29	29	31	49	43	44	68	57	53	37	48	69	82	95	95	107	100
Sexual																			
Assault*	9	9	12	18	22	21	33	51	91	98	90	63	77	72	67	65	48	60	79
No Evidence of a Crime	3	7	0	3	0	2	1	2	11	3	4	1	8	6	3	4	5	4	7
Hit and Run	0	0	0	0	3	4	0	3	1	14	0	3	0	6	3	3	0	1	1
DWI								38	30	30	19	14	23	22	14	16	19	12	24

* 42 of the 63 claims were sexual abuse of minors in FY 88
 56 of the 77 claims were sexual abuse of minors in FY 89
 54 of the 72 claims were sexual abuse of minors in FY 90
 47 of the 67 claims were sexual abuse of minors in FY 91
 45 of the 65 claims were sexual abuse of minors in FY 92
 32 of the 48 claims were sexual abuse of minors in FY 93
 43 of the 60 claims were sexual abuse of minors in FY 94
 58 of the 79 claims were sexual abuse of minors in FY 95

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

Claims and Awards				
FY	Claims Received	Claims Heard	Total Amount Awards Granted	Pending Claims At End of FY
74	50	37	\$ 36,025 60	38
75	71	51	125,266 20	44
76	68	82	272,948 29	8
77	93	81	120,968 07	28
78	100	99	285,672 63	33
79	70	95	225,638 82	18
80	98	93	249,968 06	17
81	111	93	237,100 00	31
82	123	132	415,685 30	29
83	159	165	464,932 71	38
84	219	168	552,704 71	67
85	283	270	751,250 85	57
86	292	272	683,521 96	103
87	252	259	633,481 89	126
88	162	234	504,488 93	78
89	213	211	598,494 23	106
90	240	225	733,600 00	76
91	230	219	689,197 74	87
92	233	248	739,564 12	32
93	233	219	621,738 05	54
94	247	230	669,967 92	68
95	310	267	1,118,838 80	115

Summary of Decisions

07/01/94 — 06/30/95

All awards are made under AS 18.67.110

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

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

CLAIMS

Violent Crimes Compensation Board

Claim #80-071

The victim, a 43-year old male was shot. The Board originally heard this claim on October 7, 1980 and awarded \$21,572.08 for medical expenses. The victim is now requesting the remaining amount available to him for surgery due to some additional medical problems related back to this injury. The victim needs additional surgery to correct this problem. It was the decision of the Board to award the additional medical expenses when they are incurred, under AS 18.67.110(1). All Board members concurred with the decision.

AWARDED \$3,427.92 (when incurred)

Claim #91-019, (same incident as #91-116/117)

The victim, a 36-year old male was beaten, had his throat cut, and was killed. The claimant is the victim's wife. It was the determination of the Board the victim was an innocent victim of a violent crime. It was the decision of the Board to award the requested loss of support, under Section(s) 18.67.110(3). All Board members concurred with the decision.

AWARDED \$10,000.00

Claim #91-036

The victim, a 27-year old male was assaulted. The Board had previously awarded medical and dental expenses. The claimant is now asking for additional dental expenses. It was the decision of the Board to award the portion of the expense related to checking the status of previous dental work, under Section 18.67.110(1). The remainder of the expense which is related to the victim being hit in the face with a board is not eligible. All Board members concurred with the decision.

AWARDED \$81.00

Claim #91-116, (same incident as #91-019)

The victim, a 36-year old male was beaten, had his throat cut, and was killed. The claimant is the victim's wife filing on behalf of their minor child. It was the determination of the Board the victim was an innocent victim of a violent crime. It was the decision of the Board to award the requested loss of support, under Section(s) 18.67.110(3). All Board members concurred with the decision.

AWARDED \$15,000.00

Claim #91-117, (same incident as #91-019)

The victim, a 36-year old male was beaten, had his throat cut, and was killed. The claimant is the victim's wife filing on behalf of their minor child. It was the determination of the Board the victim was an innocent victim of a violent crime. It was the decision of the Board to award the requested loss of support, under Section(s) 18.67.110(3). All Board members concurred with the decision.

AWARDED \$15,000.00

Claim #91-220

The victim, an 11-year old female was sexually assaulted and killed. The claimant is the victim's father. The Board had previously awarded loss of earnings, medical and counseling expenses. The claimant is now asking for additional counseling expenses. It was the decision of the Board to award the remainder of the maximum amount allowable for the requested counseling expenses, under Section 18.67.110(4). All Board members concurred with the decision.

AWARDED \$371.85

Claim #92-116

The victim, a 9-year old female was sexually abused. The claimant is the victim's mother. The Board had previously awarded loss of earnings, medical and counseling expenses. The claimant is now requesting some additional counseling expenses. It was the decision of the Board to award the additional counseling expenses under AS 18.67.110(4). All Board members concurred with the decision.

AWARDED \$2,250.00

Claim #93-175

The victim, a 9-year old male was sexually abused. The claimant is the victim's mother. It was the determination of the Board the victim was an innocent victim of a violent crime. It was the decision of the Board to award the requested counseling expense, under Section(s) 18.67.110(4). All Board members concurred with the decision.

AWARDED \$540.00

Claim #93-188

The victim, a 69-year old female was physically assaulted. The Board had previously award medical expenses. The claimant is now requesting some additional dental, chiropractic, and medical expenses. It was the decision to award the requested expenses, under Section(s) 18.67.110(1). All Board members concurred with the decision.

AWARDED \$2,850.00 + eye surgery

Claim #93-233

The victim, a 24-year old male was shot and killed. The claimant is the victim's mother. The Board previously awarded loss of earnings, funeral expenses, and counseling. The claimant is now requesting some additional counseling expenses. It was the decision of the Board to award the requested counseling expenses, under Section(s) 18.67.110(4). All Board members concurred with the decision.

AWARDED \$170.00

Claim #94-038

The victim, a 24-year old male was injured in a vehicular accident. It was the decision of the Board to deny the claim, under Section 18.67.101(2) and 130(b)(4) as it was a vehicular accident and there was no proof of the offender was intoxicated. All Board members concurred with the decision.

DENIED

Claim #94-091

The victim, a 31-year old male was assaulted with a motor vehicle. The Board previously awarded medical expenses. The claimant is now asking for additional medical expenses. It was the decision of the Board to award the requested medical expenses, under Section(s) 18.67.110(1). All Board members concurred with the decision.

AWARDED \$3,744.00

Claim #94-111

The victim, a 37-year old male was shot and killed. The claimant is the victim's brother. It was the decision of the Board to deny the claim, under Section 18.67.101(2) as there is insufficient evidence that it was a crime as listed in our statute. All Board members concurred with the decision.

DENIED

Claim #94-111

The victim, a 37-year old male was shot and killed. The claimant is the victim's brother. It was the decision of the Board to deny the claim, under Section 18.67.101(2) as there is insufficient evidence that it was a crime as listed in our statute. The claimant requested a hearing. It was the decision of the Board to agree with the Hearing Officer's Findings of Fact and Conclusions of Law and deny the claim under AS 18.67.101(2). All Board members concurred with the decision.

DENIED

Claim #94-113

The victim, a 29-year old female was stabbed and killed. The claimant is the victim's mother. It was the determination of the Board the victim was an innocent victim of a violent crime. It was the decision of the Board to award the requested funeral expenses, under Section(s) 18.67.110(1). All Board members concurred with the decision.

AWARDED \$2056.82

Claim #94-119

The victim, a 20-year old male was assaulted. It was the decision of the Board to deny the claim, under Section 18.67.080(c) as it appeared to be a case of mutual combat. All Board members concurred with the decision.

DENIED

Claim #94-119

The victim, a 20-year old male was assaulted. It was the decision of the Board to deny the claim, under Section 18.67.080(c) as it appeared to be a case of mutual combat. The claimant requested a hearing. It was the decision of the Board to agree with the Hearing Officer's Findings of Fact and Conclusions of Law and deny the claim under AS 18.67.080(c). All Board members concurred with the decision.

DENIED

Claim #94-136

The victim, a 14-year old female was sexually abused. The claimant is the victim's mother. The Board previously awarded counseling expenses. The claimant is now requesting some addition counseling for her daughter. It was the decision of the Board to award the requested counseling expenses, under Section(s) 18.67.110(4). All Board members concurred with the decision.

AWARDED \$1,650.00

Claim #94-136

The victim, a 14-year old female was sexually abused. The claimant is the victim's mother. The Board previously awarded counseling expenses. The claimant is now requesting some additional counseling for her daughter. It was the decision of the Board to award the requested counseling expenses, under Section(s) 18.67.110(4). All Board members concurred with the decision.

AWARDED \$486.68

Claim #94-154

The victim, a 13-year old female was sexually abused. The claimant is the victim's mother. It was the determination of the Board the victim was an innocent victim of a violent crime. It was the decision of the Board to award the requested loss of earnings, counseling expenses and attorney fees, under Section(s) 18.67.110(2) and 110(4). All Board members concurred with the decision.

AWARDED \$25,000.00

Claim #94-155

The victim, a 36-year old female was sexually assaulted. It was the determination of the Board the victim was an innocent victim of a violent crime. It was the decision of the Board to award the requested medical expenses, under Section(s) 18.67.110(1). All Board members concurred with the decision.

AWARDED \$309.00

Claim #94-168

The victim, a 20-year old female was sexually assaulted then shot and killed. The claimant is the victim's mother. It was the determination of the Board the victim was an innocent victim of a violent crime. It was the decision of the Board to award the requested funeral and out-of-pocket expenses. The attorney is requesting his actual expenses. It was the decision of the Board to award the requested attorney fees, under Section 18.67.110. All Board members concurred with the decision.

AWARDED \$880.00

Claim #94-170

The victim, a 7-year old female was stabbed. The claimant is the victim's mother. It was the determination of the Board the victim was an innocent victim of a violent crime. The Board previously awarded \$1500.00 for emergency living expenses. It was the decision of the Board to award the requested ambulance expense, under Section(s) 18.67.110(1). The Board also approved future surgery expenses for plastic surgery when the victim is old enough. All Board members concurred with the decision.

AWARDED \$312.00

Claim #94-174

The victim, a 31-year old male was assaulted. The Board had previously awarded an Emergency Award in the amount of \$1,500.00, and the requested loss of earnings and medical expenses. The claimant is now requesting payment of an additional medical billing not previously submitted. It was the decision of the Board to award the requested medical expense, under Section 18.67.110(1). All Board members concurred with the decision.

AWARDED \$17.00

Claim #94-173

The victim, a 16-year old male was assaulted. The claimant is the victim's mother. It was the decision of the Board to deny the claim at a previous meeting, under Section 18.67.101(2) as there was not sufficient evidence it was a violent crime. The claimant requested a hearing. It was the decision of the Board to agree with the Hearing Officer's Findings of Fact and Conclusions of Law and award the medical expenses under AS 18.67.110(1). All Board members concurred with the decision.

AWARDED \$911.65

Claim #94-182

The victim, a 32-year old female was assaulted and had her glasses broken. It was the determination of the Board the victim was an innocent victim of a violent crime. It was the decision of the Board to award the requested money to replace her glasses, under Section(s) 18.67.110(1). All Board members concurred with the decision.

AWARDED \$50.00

Claim #94-184

The victim, a 16-year old male was assaulted. The claimant is the victim's mother. The Board previously awarded medical expenses. The claimant is now requesting some additional medical expenses. It was the decision of the Board to award the requested medical expenses, under Section(s) 18.67.110(1). All Board members concurred with the decision.

AWARDED \$140.91

Claim #94-184

The victim, a 16-year old male was assaulted. The claimant is the victim's mother. The Board previously awarded medical expenses. The claimant is now requesting some additional medical expenses. It was the decision of the Board to award the requested medical expenses, under Section(s) 18.67.110(1). All Board members concurred with the decision.

AWARDED \$81.75

Claim #94-189

The victim, a 3-year old female was sexually abused. The claimant is the victim's mother. The Board previously awarded medical and moving expenses. The claimant is now requesting some additional medical and counseling expenses. It was the decision of the Board to award the requested medical and counseling expenses, under Section(s) 18.67.110(1) and 110(4). All Board members concurred with the decision.

AWARDED \$2,790.00

Claim #94-192

The victim, a 34-year old female was sexually assaulted. It was the determination of the Board the victim was an innocent victim of a violent crime. It was the decision of the Board to award the requested loss of earnings, counseling, and out of pocket expenses, under Section(s) 18.67.110(4). All Board members concurred with the decision.

AWARDED \$3,204.00

Claim #94-197, (same incident as #94-198)

The victim, a 50-year old male was a victim of a bombing, and was killed. The claimant is the victim's wife. It was the determination of the Board the victim was an innocent victim of a violent crime. It was the decision of the Board to award the requested loss of support, under Section(s) 18.67.110(3). All Board members concurred with the decision.

AWARDED \$20,000.00

Claim #94-197

The victim, a 50-year old male was killed by a bomb. The claimant is the victim's wife. It was the determination of the Board the victim was an innocent victim of a violent crime. It was the decision of the Board to award the requested loss of support. It was the decision of the Board to award the requested attorney fees, under Section 18.67.110. All Board members concurred with the decision.

AWARDED \$481.20

Claim #94-198, (same incident as #94-197)

The victim, a 50-year old male was a victim of a bombing, and was killed. The claimant is the victim's wife, filing on behalf of her son. It was the determination of the Board the victim was an innocent victim of a violent crime. It was the decision of the Board to award the requested loss of support, under Section(s) 18.67.110(3). All Board members concurred with the decision.

AWARDED \$20,000.00

Claim #94-201

The victim, a 39-year old male was physically assaulted. It was the determination of the Board the victim was an innocent victim of a violent crime. It was the decision of the Board to award the requested medical expense, under Section(s) 18.67.110(1). The claimant's request for loss of earnings was denied, as there was no verification of the loss. All Board members concurred with the decision.

AWARDED \$68.00

Claim #94-204

The victim, a 26-year old male was assaulted. The Board had previously awarded counseling expenses. The claimant then requested a hearing as he was also requesting loss of earnings, which the Board had denied as he was unemployed at the time of the incident. It was the decision of the Board to agree with the Hearing Officer to deny the claim.

DENIED

Claim #94-216

The victim, a 31-year old female was physically assaulted. It was the determination of the Board the victim was an innocent victim of a violent crime. It was the decision of the Board to award the requested medical expenses, under Section(s) 18.67.110(1). All Board members concurred with the decision.

AWARDED \$10,000.00

Claim #94-219

The victim, a 23-year old female was sexually abused when she was a minor child. It was the determination of the Board the victim was an innocent victim of a violent crime. It was the decision of the Board to award the requested counseling expenses, under Section(s) 18.67.110(4). All Board members concurred with the decision.

AWARDED \$1,823.00

Claim #94-226

The victim, a 15-year old female was sexually abused. The claimant is the victim's mother. It was the determination of the Board the victim was an innocent victim of a violent crime. It was the decision of the Board to award the requested out-of-pocket and counseling expenses, under Section(s) 18.67.110(1) and 110(4). All Board members concurred with the decision.

AWARDED \$2,791.61

Claim #94-229

The victim, a 34-year old female was raped. It was the decision of the Board to deny the claim, under Section 18.67.130(a)(3) as the claimant did not cooperate with law enforcement officials and did not want to pursue charges. All Board members concurred with the decision.

DENIED

Claim #94-229

The victim, a 34-year old female was raped. It was the decision of the Board to deny the claim, under Section 18.67.130(a)(3) as the claimant did not cooperate with law enforcement officials and did not want to pursue charges. The claimant requested a hearing. It was the decision of the Board to agree with the Hearing Officer's Findings of Fact and Conclusions of Law and award the out-of-pocket expenses under AS 18.67.110(1). All Board members concurred with the decision.

AWARDED \$1,000.00

Claim #94-230

The victim, a 7-year old female was molested. The claimant is the victim's mother. It was the decision of the Board to deny the claim, under Section 18.67.010, and 101(2) as there was no evidence of a violent crime, the claimant did not send date or place of incident so there was no police report. All Board members concurred with the decision.

DENIED

Claim #94-235

The victim, a 19-year old female was physically threatened and sexually assaulted. It was the determination of the Board the victim was an innocent victim of a violent crime. It was the decision of the Board to close this claim as the claimant did not request any additional expenses other than the \$350.00 emergency award previously approved for loss of earnings. All Board members concurred with the decision.

CLOSED

Claim #94-236

The victim, a 13-year old male was shot and killed. The claimant is the victim's mother. It was the determination of the Board the victim was an innocent victim of a violent crime. It was the decision of the Board to award the requested funeral expenses, under Section(s) 18.67.110(1). All Board members concurred with the decision.

AWARDED \$3,332.50

Claim #94-238

The victim, a 13-year old male was shot and killed. The claimant is the victim's mother. It was the determination of the Board the victim was an innocent victim of a violent crime. It was the decision of the Board to award the requested funeral expenses. The attorney is requesting his actual expenses. It was the decision of the Board to award the requested attorney fees, under Section 18.67.110. All Board members concurred with the decision.

AWARDED \$335.67

Claim #94-237

The victim, a 32-year old female was kidnapped, assaulted, and raped. It was the determination of the Board the victim was an innocent victim of a violent crime. It was the decision of the Board to award the requested loss of earnings and medical expenses, under Section(s) 18.67.110(1) and 110(2). All Board members concurred with the decision.

AWARDED \$163.00

Claim #94-240

The victim, a 14-year old female was physically, mentally, and sexually abused. The claimant is the victim's father. The Board previously awarded counseling and out-of-pocket expenses. The claimant is now requesting some additional counseling. It was the decision of the Board to award the requested counseling expense, under Section 18.67.110(4). All Board members concurred with the decision.

AWARDED \$910.00

Claim #94-241

The victim, a 21-year old male was assaulted. The Board previously awarded the requested medical and out-of-pocket expenses. The claimant is now requesting some additional medical and out-of-pocket expenses. It was the decision of the Board to award the requested medical and out-of-pocket expenses, under Section 18.67.110(1). The Board also approved up to an additional \$5,000.00 for future surgery. All Board members concurred with the decision.

AWARDED \$565.00

Claim #94-242

The victim, a 26-year old male was assaulted. It was the determination of the Board the victim was an innocent victim of a violent crime. It was the decision of the Board to award the requested medical expenses, under Section(s) 18.67.110(1). All Board members concurred with the decision.

AWARDED \$830.70

Claim #94-243

The victim, a 32-year old female was sexually assaulted. It was the decision of the Board to deny the claim, under Section 18.67.010 as there were no compensable losses. The claimant was requesting loss of earnings, but continued working for four years after the incident. All Board members concurred with the decision

DENIED

Claim #94-243

The victim, a 32-year old female was sexually assaulted. It was the decision of the Board to deny the claim, under Section 18.67.010 as there were no compensable losses. The claimant requested the Board reconsider her claim for some counseling expenses not previously submitted. It was the decision of the Board to award the requested counseling expenses, under Section(s) 18.67.110(4). All Board members concurred with the decision.

AWARDED \$60.00

Claim #94-244

The victim, a 38-year old male was assaulted. It was the determination of the Board the victim was an innocent victim of a violent crime. It was the decision of the Board to award the requested medical and out-of-pocket expenses, under Section(s) 18.67.110(1). All Board members concurred with the decision.

AWARDED \$19,496.34

Claim #94-246

The victim, a 28-year old male was assaulted with a knife. It was the decision of the Board to deny the claim, under Section 18.67.080(c) as it appeared to be a case of mutual combat, and the District Attorney's office declined prosecution. All Board members concurred with the decision.

DENIED

Claim #94-266, (same incident as #93-128)

The victim, a 34-year old male was shot. The claimant is the victim's sister. It was the determination of the Board the victim was an innocent victim of a violent crime. It was the decision of the Board to award the requested transportation costs, under Section(s) 18.67.110(1). All Board members concurred with the decision.

AWARDED \$732.00

Claim #95-005

The victim, a 38-year old female was assaulted many times over a number of years. It was the decision of the Board to deny the claim, under Section AS 18.67.130(a)(1) and (2) as the incidents were not reported to the police within 5 days after the incident, many are over two years old, and many occurred in Hawaii. It was the decision of the Board to award some counseling though, under Section(s) 18.67.110(4). All Board members concurred with the decision.

AWARDED \$2,000.00 up to this amount

Claim #95-006

The victim, a 15-year old female was sexually assaulted. The claimant is the victim's mother. It was the determination of the Board the victim was an innocent victim of a violent crime. It was the decision of the Board to award the requested loss of earnings and medical and counseling expenses, under Section(s) 18.67.110(1), 110(2), and 110(4). The Board also approved up to an additional \$3,120.00 for counseling. All Board members concurred with the decision.

AWARDED \$1,065.62

Claim #95-007

The victim, a 10-year old female was sexually abused. The claimant is the victim's father. The Board previously awarded out-of-pocket expenses, loss of earnings, and counseling expenses. The claimant is now requesting some additional counseling. It was the decision of the Board to award the requested counseling expense, under Section 18.67.110(4). All Board members concurred with the decision.

AWARDED \$910.00

Claim #95-010

The victim, a 14-year old female was physically assaulted. The claimant is the victim's father. It was the determination of the Board the victim was an innocent victim of a violent crime. It was the decision of the Board to award the requested medical expenses, under Section(s) 18.67.110(1). All Board members concurred with the decision.

AWARDED \$1,622.92

Claim #95-010

The victim, a 14-year old female was physically assaulted. The claimant is the victim's father. The Board previously awarded medical expenses. The claimant is now requesting additional medical and counseling expenses. It was the decision of the Board to award the requested expenses, under Section(s) 18.67.110(4). All Board members concurred with the decision.

AWARDED \$565.43

Claim #95-012

The victim, a 19-year old male was shot. It was the decision of the Board to deny the claim, under Section 18.67.010 and 101(2) as the incident was an accidental shooting and not a violent crime. All Board members concurred with the decision.

DENIED

Claim #95-021

The victim, a 33 year old female was assaulted and stalked. It was the determination of the Board the victim was an innocent victim of a violent crime. It was the decision of the Board to close this claim as it does not appear there are any other compensable losses other than the \$1500.00 Emergency Award previously approved for moving. All Board members concurred with the decision.

CLOSED

Claim #95-025

The victim, a 54-year old male was injured in a DWI accident. It was the determination of the Board the victim was an innocent victim of a violent crime. The Board had previously approved an Emergency Award in the amount of \$1,500.00. It was the decision of the Board to award the requested loss of earnings, under Section(s) 18.67.110(2). All Board members concurred with the decision.

AWARDED \$23,500.00

Claim #95-026

The victim, a 57-year old female was killed by a drunk driver. The claimant is the victim's husband. It was the determination of the Board the victim was an innocent victim of a violent crime. It was the decision of the Board to award the requested loss of support, under Section(s) 18.67.110(3). All Board members concurred with the decision.

AWARDED \$25,000.00

Claim #95-027

The victim, a 43-year old female was assaulted and cut with a knife. It was the determination of the Board the victim was an innocent victim of a violent crime. It was the decision of the Board to award the requested counseling expenses, under Section(s) 18.67.110(4). All Board members concurred with the decision.

AWARDED \$900.00

Claim #95-028

The victim, a 10-year old female was sexually abused. The claimant is the victim's mother. It was the determination of the Board the victim was an innocent victim of a violent crime. The Board had previously approved an Emergency Award in the amount of \$560.00 for airfare. It was the decision of the Board to award the requested airfare and counseling expenses, under Section(s) 18.67.110(1) and 110(4). All Board members concurred with the decision.

AWARDED \$890.00

Claim #95-031

The victim, a 14-year old female was sexually assaulted. The claimant is the victim's father. It was the determination of the Board the victim was an innocent victim of a violent crime. It was the decision of the Board to award the requested medical and counseling expenses, under Section(s) 18.67.110(1). The Board also approved up to an additional \$1,515.00 for counseling. All Board members concurred with the decision.

AWARDED \$2,833.65

Claim #95-032

The victim, a 40-year old male was shot. It was the decision of the Board to deny the claim, under Section 18.67.080(c) as a jury found the offender not guilty and there was evidence of self defense on the part of the offender. All Board members concurred with the decision.

DENIED

Claim #95-034

The victim, a 51-year old female was assaulted while in Guatemala. It was the decision of the Board to deny the claim, under Section 18.67 as the Board set a policy to exclude any claims arising from injuries occurring outside the United States. All Board members concurred with the decision.

DENIED

Claim #95-035

The victim, a 23-year old male was assaulted. It was the decision of the Board to deny the claim, under Section 18.67.080(c) as it was a case of mutual combat. All Board members concurred with the decision.

DENIED

Claim #95-035

The victim, a 23-year old male was assaulted. It was the decision of the Board to deny the claim, under Section 18.67.080(c) as it was a case of mutual combat. The claimant requested a hearing. It was the decision of the Board to agree with the Hearing Officer's Findings of Fact and Conclusions of Law and award the medical expenses under AS 18.67.110(1). All Board members concurred with the decision.

AWARDED \$20,580.50

Claim #95-036

The victim, a 35-year old female was stalked. It was the determination of the Board the victim was an innocent victim of a violent crime. It was the decision of the Board to award the requested loss of earnings and counseling expenses, under Section(s) 18.67.110(2) and 110(4). All Board members concurred with the decision

AWARDED \$16,005.00

Claim #95-037

The victim, a 36-year old female was assaulted and killed. The claimant is the victim's sister. It was the determination of the Board the victim was an innocent victim of a violent crime. It was the decision of the Board to award the requested counseling and out-of-pocket expenses, under Section(s) 18.67.110(1), and 110(4). All Board members concurred with the decision.

AWARDED \$3,663.90

Claim #95-039

The victim, a 11-year old female was sexually assaulted. The claimant is the victim's mother. It was the determination of the Board the victim was an innocent victim of a violent crime. It was the decision of the Board to deny the claim, under Section 18.67.110 as there were no compensable losses. All Board members concurred with the decision.

DENIED

Claim #95-040

The victim, a 10-year old female was sexually assaulted. The claimant is the victim's mother. It was the determination of the Board the victim was an innocent victim of a violent crime. It was the decision of the Board to deny the claim, under Section 18.67.110 as there were no compensable losses. All Board members concurred with the decision.

DENIED

Claim #95-041

The victim, an 8-year old female was sexually assaulted. The claimant is the victim's mother. It was the determination of the Board the victim was an innocent victim of a violent crime. It was the decision of the Board to deny the claim, under Section 18.67.110 as there were no compensable losses. All Board members concurred with the decision.

DENIED

Claim #95-042

The victim, a 22-year old male was assaulted. It was the determination of the Board the victim was an innocent victim of a violent crime. It was the decision of the Board to award the requested loss of earnings and medical expenses, under Section(s) 18.67.110(1) and 110(2). All Board members concurred with the decision.

AWARDED \$4,517.21

Claim #95-044

The victim, a 28-year old male was assaulted. It was the determination of the Board the victim was an innocent victim of a violent crime. It was the decision of the Board to award the requested medical expense, under Section(s) 18.67.110(1). The Board also approved a future visit to the doctor for follow-up. All Board members concurred with the decision.

AWARDED \$423.00

Claim #95-044

The victim, a 28-year old male was assaulted. The Board previously awarded medical expenses. The claimant is now requesting some additional medical expenses. It was the decision of the Board to award the requested expenses, under Section(s) 18.67.110(1). All Board members concurred with the decision.

AWARDED \$526.00

Claim #95-045

The victim, a 30-year old male was assaulted. It was the determination of the Board the victim was an innocent victim of a violent crime. It was the decision of the Board to award the requested medical expenses, under Section(s) 18.67.110(1). All Board members concurred with the decision.

AWARDED \$1,002.85

Claim #95-046

The victim, a 34-year old male was assaulted. It was the determination of the Board the victim was an innocent victim of a violent crime. It was the decision of the Board to award the requested medical expenses and loss of earnings, under Section(s) 18.67.110(1) and 110(2). The Board also gave approval for the claimant to receive a prosthesis for the eye he lost. All Board members concurred with the decision.

AWARDED \$3,686.85

Claim #95-046

The victim, a 34-year old male was assaulted. The Board previously awarded medical expenses and loss of earnings. The claimant is now requesting some additional dental expenses. It was the decision of the Board to award the requested dental expense, under Section(s) 18.67.110(1). All Board members concurred with the decision.

AWARDED \$8,220.00

Claim #95-048

The victim, a 6-year old female was sexually abused. The claimant is the victim's mother. It was the determination of the Board the victim was an innocent victim of a violent crime. It was the decision of the Board to close the claim as it does not appear that there are any compensable losses other than the moving expenses which the Board compensated by an Emergency Award in the amount of \$1,500.00. All Board members concurred with the decision.

CLOSED

Claim #95-050

The victim, a 24-year old female was sexually assaulted. It was the determination of the Board the victim was an innocent victim of a violent crime. It was the decision of the Board to award the requested loss of earnings, medical, counseling, and moving expenses, under Section(s) 18.67.110(1), 110(2), and 110(4). All Board members concurred with the decision.

AWARDED \$11,328.78

Claim #95-052

The victim, a 28-year old female was assaulted. It was the determination of the Board the victim was an innocent victim of a violent crime. It was the decision of the Board to award the requested loss of earnings and medical and counseling expenses, under Section(s) 18.67.110(1), 110(2), and 110(4). All Board members concurred with the decision.

AWARDED \$3,589.72

Claim #95-052

The victim, a 28-year old female was assaulted. The Board previously awarded loss of earnings and medical and counseling expenses. The claimant is now requesting some additional counseling expenses. It was the decision of the Board to award the requested expense, under Section(s) 18.67.110(4). All Board members concurred with the decision.

AWARDED \$1,080.00

Claim #95-052

The victim, a 28-year old female was assaulted. The Board previously awarded loss of earnings and medical and counseling expenses. The claimant is now requesting some additional counseling expenses. It was the decision of the Board to award the requested expense, under Section(s) 18.67.110(4). All Board members concurred with the decision.

AWARDED \$1,260.00

Claim #95-054

The victim, a 19-year old male was assaulted. It was the decision of the Board to deny the claim, under Section 18.67.130(a)(2) as a police report was not filed within 5 days after the incident. All Board members concurred with the decision.

DENIED

Claim #95-054

The victim, a 19-year old male was assaulted. It was the decision of the Board to deny the claim, under Section 18.67.130(a)(2) as a police report was not filed within 5 days after the incident. The claimant requested a hearing. It was the decision of the Board to agree with the Hearing Officer's Findings of Fact and Conclusions of Law and award the loss of earnings and medical expenses under AS 18.67.110(1), and 110(2). All Board members concurred with the decision.

AWARDED \$3,012.41

Claim #95-055

The victim, a 19-year old male was assaulted. It was the determination of the Board the victim was an innocent victim of a violent crime. It was the decision of the Board to award the requested medical expenses, under Section(s) 18.67.110(1). All Board members concurred with the decision.

AWARDED \$616.40

Claim #95-058

The victim, a 34-year old female was mentally and physically assaulted. It was the determination of the Board the victim was an innocent victim of a violent crime. It was the decision of the Board to award the requested counseling expenses, under Section(s) 18.67.110(4). The Board also approved up to an additional \$5,200.00 for counseling. All Board members concurred with the decision.

AWARDED \$830.00

Claim #95-058

The victim, a 34-year old female was mentally and physically assaulted. It was the determination of the Board the victim was an innocent victim of a violent crime. It was the decision of the Board to award the requested counseling expenses, under Section(s) 18.67.110(4). The Board also approved up to an additional \$5,200.00 for counseling. All Board members concurred with the decision.

AWARDED \$830.00

Claim #95-059

The victim, a 40-year old male was assaulted. It was the determination of the Board the victim was an innocent victim of a violent crime. It was the decision of the Board to award the requested loss of earnings, medical and counseling expenses, under Section(s) 18.67.110(1), 110(2), and 110(4). All Board members concurred with the decision.

AWARDED \$689.00

Claim #95-061

The victim, a 16-year old male was stabbed. The claimant is the victim's mother. It was the determination of the Board the victim was an innocent victim of a violent crime. It was the decision of the Board to award the requested medical expenses, under Section(s) 18.67.110(1). All Board members concurred with the decision.

AWARDED \$5,792.83

Claim #95-062

The victim, a 40-year old female was hit by a drunk driver. It was the decision of the Board to deny the claim, under Section 18.67.130(b)(3) as she was violating a penal law of the State by driving while intoxicated. All Board members concurred with the decision.

DENIED

Claim #95-062

The victim, a 40-year old female was hit by a drunk driver. It was the decision of the Board to deny the claim, under Section 18.67.130(b)(3) as she was violating a penal law of the State by driving while intoxicated. The claimant requested a hearing. It was the decision of the Board to agree with the Hearing Officer's Findings of Fact and Conclusions of Law that the intoxication did not contribute to the incident, but because the claimant was violating a penal law of the State, it was the decision of the Board to reduce the maximum award by 50%. All Board members concurred with the decision.

AWARDED \$12,500.00

Claim #95-063

The victim, a 40-year old male was injured by a drunk driver. It was the determination of the Board the victim was an innocent victim of a violent crime. It was the decision of the Board to award the maximum amount allowable for loss of earnings, under Section(s) 18.67.110(2). The Board reduced the claimant's award by 1/3 of the amount because he contributed to his injuries directly or indirectly by his level of intoxication, and by willingly getting into a vehicle with a drunk driver. All Board members concurred with the decision.

AWARDED \$17,000.00

Claim #95-063

The victim, a 40-year old male was injured by a drunk driver. It was the determination of the Board the victim was an innocent victim of a violent crime. It was the decision of the Board to award the maximum amount allowable for loss of earnings, under Section(s) 18.67.110(2). The Board reduced the claimant's award by 1/3 of the amount because he contributed to his injuries directly or indirectly by his level of intoxication, and by willingly getting into a vehicle with a drunk driver. The claimant requested a hearing. It was the decision of the Board to agree with the Hearing Officer's Findings of Fact and Conclusions of Law and denied the remaining amount for loss of earnings. All Board members concurred with the decision.

DENIED

Claim #95-064

The victim, a 10-year old female was sexually assaulted. The claimant is the victim's mother. It was the determination of the Board the victim was an innocent victim of a violent crime. It was the decision of the Board to award the requested medical and counseling expenses, under Section(s) 18.67.110(1). All Board members concurred with the decision.

AWARDED \$16,879.22

Claim #95-065

The victim, a 43-year old male was hit by a car. It was the decision of the Board to deny the claim, under Section 18.67.101(2) as there was no evidence it was a DWI incident and there were no medical expenses associated with the incident. All Board members concurred with the decision.

DENIED

Claim #95-067

The victim, a 15-year old female was sexually assaulted. The claimant is the victim's mother. It was the determination of the Board the victim was an innocent victim of a violent crime. It was the decision of the Board to award the requested counseling expenses, under Section(s) 18.67.110(4). The Board also approved up to an additional \$2,600.00 for counseling. All Board members concurred with the decision.

AWARDED \$670.00

Claim #95-068

The victim, a 45-year old female was assaulted. It was the decision of the Board to deny the claim, under Section 18.67.080(c) as there was no direct relationship between the dates of the incident and the dates of the medical services. All Board members concurred with the decision.

DENIED

Claim #95-069

The victim, a 48-year old female was assaulted. It was the decision of the Board to deny the claim, under Section 18.67.010 and 101(2) as there was insufficient evidence of a violent crime as listed in the statute. All Board members concurred with the decision.

DENIED

Claim #95-069

The victim, a 48-year old female was assaulted. It was the decision of the Board to deny the claim, under Section 18.67.010 and 101(2) as there was insufficient evidence of a violent crime as listed in the statute. The claimant requested a hearing. It was the decision of the Board to agree with the Hearing Officer's Findings of Fact and Conclusions of Law and deny the claim under AS 18.67.080(c). All Board members concurred with the decision.

DENIED

Claim #95-070

The victim, a 23-year old male was assaulted. It was the determination of the Board the victim was an innocent victim of a violent crime. It was the decision of the Board to award the requested medical expenses, under Section(s) 18.67.110(1). The Board previously awarded an Emergency Award in the amount of \$1,000.00 which covered the claimant's loss of earnings. All Board members concurred with the decision.

AWARDED \$20,155.03

Claim #95-070

The victim, a 23-year old male was assaulted. The Board previously award medical expenses and loss of earnings. The claimant is now requesting some additional medical expenses. It was the decision of the Board to award the requested expenses, under Section(s) 18.67.110(1). All Board member concurred with the decision.

AWARDED \$373.00

Claim #95-071

The victim, a 19-year old male was shot and killed. The claimant is the victim's mother. It was the decision of the Board to deny the claim, under Section 18.67.130(b)(3) as the victim was involved in an illegal activity. All Board members concurred with the decision.

DENIED

Claim #95-072

The victim, a 33-year old female was injured by a drunk driver. It was the determination of the Board the victim was an innocent victim of a violent crime. It was the decision of the Board to award the requested plane fare and loss of earnings, under Section(s) 18.67.110(1) and 110(2). All Board members concurred with the decision.

AWARDED \$883.00

Claim #95-072

The victim, a 33-year old female was injured by a drunk driver. It was the determination of the Board the victim was an innocent victim of a violent crime. It was the decision of the Board to award the requested plane fare and loss of earnings. The attorney is requesting his actual expenses. It was the decision of the Board to award the requested attorney fees, under Section 18.67.110. All Board members concurred with the decision.

AWARDED \$220.75

Claim #95-073

The victim, an 18-year old male was assaulted and hit in the head with a crowbar. It was the decision of the Board to deny the claim, under Section 18.67.130(a)(2) as there was no police report made, and there was insufficient evidence of a crime. All Board members concurred with the decision.

DENIED

Claim #95-074, (same incident as #95-096 and #95-118)

The victim, a 22-year old male was assaulted and killed. The claimant is the victim's brother. It was the determination of the Board the victim was an innocent victim of a violent crime. It was the decision of the Board award the requested loss of earnings and transportation costs, under Section(s) 18.67.110(1), and 110(2). All Board members concurred with the decision.

AWARDED \$3,258.52

Claim #95-074

The victim, a 22-year old male was assaulted and killed. The claimant is the victim's brother. The Board previously awarded loss of earnings and transportation costs. The claimant is now seeking additional travel expenses. It was the decision of the Board to deny the request as it is Board policy not to award travel or out of pocket expenses to attend the sentencing of the offender. All Board members concurred with the decision.

DENIED

Claim #95-075

The victim, a 17-year old male was shot. The claimant is the victim's mother. It was the determination of the Board the victim was an innocent victim of a violent crime. It was the decision of the Board to award the requested loss of earnings and medical expenses, under Section(s) 18.67.110(1), and 110(2). All Board members concurred with the decision.

AWARDED \$2,975.10

Claim #95-076

The victim, a 32-year old female was killed in an automobile accident. The claimant is the victim's father. It was the decision of the Board to deny the claim, under Section 18.67.130(b)(4) as it was a vehicular accident which is not covered by the statute. All Board members concurred with the decision.

DENIED

Claim #95-078

The victim, a 7-year old female was sexually abused. The claimant is the victim's mother. It was the determination of the Board the victim was an innocent victim of a violent crime. It was the decision of the Board to award the requested loss of earnings, counseling, and out-of-pocket expenses, under Section(s) 18.67.110(1), 110(2), and 110(4). All Board members concurred with the decision.

AWARDED \$1,461.50

Claim #95-079

The victim, a 24-year old male was assaulted. It was the decision of the Board to deny the claim, under Section 18.67.080(c) as it was a case of mutual combat. All Board members concurred with the decision.

DENIED

Claim #95-079

The victim, a 24-year old male was assaulted. The Board previously denied the claim, as it appeared to be a case of mutual combat. After the Board meeting we received a letter from a Captain of the U.S. Army. In his letter, the Captain stated that the offender had been found guilty of assault. The Board reconsidered their previous decision and decided to award the requested medical expenses, under Section(s) 18.67.110(1). All Board members concurred with the decision.

AWARDED \$962.68

Claim #95-080

The victim, a 29-year old male was assaulted and had his throat cut. It was the determination of the Board the victim was an innocent victim of a violent crime. It was the decision of the Board to award the requested medical expenses, under Section(s) 18.67.110(1). The Board felt that the Emergency Award approved prior to this board meeting compensated the victim for his loss of earnings. All Board members concurred with the decision.

AWARDED \$872.50

Claim #95-081

The victim, a 33-year old male was assaulted. It was the decision of the Board to deny the claim, under Section 18.67.080(c) as it was a case of mutual combat. All Board members concurred with the decision.

DENIED

Claim #95-082

The victim, a 51-year old male was hit by a drunk driver. It was the determination of the Board the victim was an innocent victim of a violent crime. It was the decision of the Board to award the requested loss of earnings, under Section(s) 18.67.110(2). All Board members concurred with the decision.

AWARDED \$9,569.00

Claim #95-083, (same incident as #95-084)

The victim, a 22-year old male was stabbed and killed. The claimant is the victim's mother. It was the determination of the Board the victim was an innocent victim of a violent crime. It was the decision of the Board to award the requested funeral expenses, under Section(s) 18.67.110(1). All Board members concurred with the decision.

AWARDED \$580.00

Claim #95-084, (same incident as #95-084)

The victim, a 22-year old male was stabbed and killed. The claimant is the victim's aunt. It was the determination of the Board the victim was an innocent victim of a violent crime. It was the decision of the Board to award the requested loss of earnings, airfare, and funeral expenses, under Section(s) 18.67.110(1), and 110(2). All Board members concurred with the decision.

AWARDED \$4,051.01

Claim #95-088

The victim, a 27-year old male was shot. It was the decision of the Board to deny the claim, under Section 18.67.090(a) as the incident was covered by Worker's Compensation which is a prior resource to our program. All Board members concurred with the decision.

DENIED

Claim #95-089

The victim, a 23-year old male was assaulted. It was the determination of the Board the victim was an innocent victim of a violent crime. The Board previously approved an Emergency Award for loss of earnings in the amount of \$1,500.00. It was the decision of the Board to award the requested medical expenses, under Section(s) 18.67.110(1). All Board members concurred with the decision.

AWARDED \$277.05

Claim #95-090

The victim, a 33-year old female was sexually assaulted. It was the determination of the Board the victim was an innocent victim of a violent crime. It was the decision of the Board to award the requested medical and counseling expenses, under Section(s) 18.67.110(1), and 110(4). All Board members concurred with the decision.

AWARDED \$6,119.52

Claim #95-091

The victim, a 32-year old female was physically and sexually assaulted. It was the determination of the Board the victim was an innocent victim of a violent crime. It was the decision of the Board to award the requested loss of earnings and medical expenses, under Section(s) 18.67.110(1), and 110(2). The Board also approved up to \$2,000.00 for counseling expenses. All Board members concurred with the decision.

AWARDED \$17,912.58

Claim #95-092

The victim, a 23-year old male was hit by a drunk driver. It was the determination of the Board the victim was an innocent victim of a violent crime. It was the decision of the Board to award the requested loss of earnings and medical expenses, along with a dental estimate of up to \$3,900.00, under Section(s) 18.67.110(1), and 110(2). All Board members concurred with the decision.

AWARDED \$6,688.38
\$3,900.00 (dental estimate when work done)

Claim #95-092

The victim, a 23-year old male was hit by a drunk driver. The Board previously awarded loss of earnings and medical expenses, along with a dental estimate of up to \$3,900.00. The claimant is now requesting an additional dental bill not previously submitted. It was the decision of the Board to award the requested dental expense, under Section(s) 18.67.110(1). All Board members concurred with the decision.

AWARDED \$171.80

Claim #95-093

The victim, a 14-year old female was sexually molested. The claimant is the victim's father. It was the decision of the Board to deny the claim, under Section 18.67.130(a)(1) and 130(a)(2) as the application was filed after the two year time limit and the incident was not reported to the police for over a year. All Board members concurred with the decision.

DENIED

Claim #95-094

The victim, a 28-year old female was killed. The claimant is the victim's brother-in-law. It was the decision of the Board to deny the claim, under Section 18.67.130(a)(1) and 010 as the victim died of "an accidental overdose of cocaine" and the application was filed past the two year time limit. All Board members concurred with the decision.

DENIED

Claim #95-095

The victim, a 45-year old female was assaulted. It was the determination of the Board the victim was an innocent victim of a violent crime. It was the decision of the Board to award the requested medical expenses, under Section(s) 18.67.110(1). All Board members concurred with the decision.

AWARDED \$1,721.69

Claim #95-096, (same incident as #95-074 and #95-118)

The victim, a 22-year old male was assaulted and killed. The claimant is the victim's mother. It was the determination of the Board the victim was an innocent victim of a violent crime. It was the decision of the Board to award the requested funeral expenses, under Section(s) 18.67.110(1). All Board members concurred with the decision.

AWARDED \$5,000.00

Claim #95-096

The victim, a 22-year old male was assaulted and killed. The claimant is the victim's mother. The Board previously awarded the requested funeral expenses. The claimant is now requesting some counseling and airfare expenses. It was the decision of the Board to award the additional expenses under AS 18.67.110(4). All Board members concurred with the decision.

AWARDED \$348.00

Claim #95-097

The victim, an 18-year old female was hit by a drunk driver. It was the determination of the Board the victim was an innocent victim of a violent crime. It was the decision of the Board to award the requested loss of earnings, under Section(s) 18.67.110(2). All Board members concurred with the decision.

AWARDED \$25,000.00

Claim #95-098

The victim, a 50-year old female was shot and killed. The claimant is the victim's mother. It was the determination of the Board the victim was an innocent victim of a violent crime. It was the decision of the Board to award the requested funeral expenses, under Section(s) 18.67.110(1). All Board members concurred with the decision.

AWARDED \$5,000.00

Claim #95-098

The victim, a 50-year old female was shot and killed. The claimant is the victim's mother. It was the determination of the Board the victim was an innocent victim of a violent crime. It was the decision of the Board to award the requested funeral expenses. The attorney is requesting his actual expenses. It was the decision of the Board to award the requested attorney fees, under Section 18.67.110. All Board members concurred with the decision.

AWARDED \$183.50

Claim #95-099

The victim, a 22-year old male was assaulted. It was the determination of the Board the victim was an innocent victim of a violent crime. It was the decision of the Board to award the requested medical expenses, under Section(s) 18.67.110(1). All Board members concurred with the decision.

AWARDED \$365.50

Claim #95-100

The victim, a 30-year old female was physically and sexually assaulted. It was the determination of the Board the victim was an innocent victim of a violent crime. It was the decision of the Board to award the requested loss of earnings, medical expenses, and out-of-pocket expenses, under Section(s) 18.67.110(1), 110(2), and 110(4). The Board also approved up to \$1,000.00 for counseling if the claimant decides she needs some. All Board members concurred with the decision.

AWARDED \$1,457.64

Claim #95-102

The victim, a 41-year old female was sexually assaulted. It was the determination of the Board the victim was an innocent victim of a violent crime. The Board previously awarded an Emergency Award in the amount of \$1,500.00. It was the decision of the Board to award the requested out-of-pocket and counseling expenses, under Section(s) 18.67.110(1) and 110(4). The Board also awarded up to an additional \$3,600.00 for future counseling expenses. All Board members concurred with the decision.

AWARDED \$2,551.34

Claim #95-102

The victim, a 41-year old female was sexually assaulted. The Board previously awarded out-of-pocket and counseling expenses. The claimant is now requesting some additional medical and out-of-pocket expenses. It was the decision of the Board to award the requested medical and out-of-pocket expenses, under Section(s) 18.67.110(1). All Board members concurred with the decision.

AWARDED \$1,255.86

Claim #95-103

The victim, a 44-year old male was stabbed. It was the determination of the Board the victim was an innocent victim of a violent crime. It was the decision of the Board to award the requested air fare and loss of earnings, under Section(s) 18.67.110(1) and 110(2). All Board members concurred with the decision.

AWARDED \$3,212.14

Claim #95-104

The victim, a 28-year old male was assaulted. It was the determination of the Board the victim was an innocent victim of a violent crime. It was the decision of the Board to award the requested medical expenses and loss of earnings, under Section(s) 18.67.110(1) and 110(2). All Board members concurred with the decision.

AWARDED \$465.00

Claim #95-105

The victim, a 56-year old male was assaulted. It was the decision of the Board to deny the claim, under Section 18.67.101(2) and 080(c) as there was insufficient evidence there was a violent crime and if there was a crime, it appeared to be mutual combat. All Board members concurred with the decision.

DENIED

Claim #95-106

The victim, a 17-year old female was stabbed. The claimant is the victim's mother. It was the determination of the Board the victim was an innocent victim of a violent crime. It was the decision of the Board to award the requested loss of earnings, and medical and counseling expenses, under Section(s) 18.67.110(1), 110(2), and 110(4). All Board members concurred with the decision.

AWARDED \$2,269.42

Claim #95-108

The victim, a 15-year old female was sexually assaulted. The claimant is the victim's mother. It was the determination of the Board the victim was an innocent victim of a violent crime. It was the decision of the Board to award the requested counseling expenses, under Section(s) 18.67.110(4). All Board members concurred with the decision.

AWARDED \$2,363.75

Claim #95-109

The victim, a 15-year old female was sexually assaulted. The claimant is the victim's mother. It was the determination of the Board the victim was an innocent victim of a violent crime. It was the decision of the Board to award the requested counseling expenses, under Section(s) 18.67.110(4). All Board members concurred with the decision.

AWARDED \$2,791.85

Claim #95-110

The victim, a 44-year old male was assaulted and killed. The claimant is the victim's sister. It was the determination of the Board the victim was an innocent victim of a violent crime. It was the decision of the Board to award the requested funeral expenses, under Section(s) 18.67.110(1). All Board members concurred with the decision.

AWARDED \$1,757.24

Claim #95-111

The victim, a 37-year old female was shot and killed. The claimant is the victim's companion of 14 years. It was the determination of the Board the victim was an innocent victim of a violent crime. It was the decision of the Board to award the requested loss of support, under Section(s) 18.67.110(3). All Board members concurred with the decision.

AWARDED \$20,000.00

Claim #95-113

The victim, a 31-year old male was assaulted. It was the determination of the Board the victim was an innocent victim of a violent crime. It was the decision of the Board to award the requested loss of earnings and medical expenses, under Section(s) 18.67.110(1), and 110(2). All Board members concurred with the decision.

AWARDED \$8,661.60

Claim #95-114

The victim, a 32-year old male was assaulted. It was the determination of the Board the victim was an innocent victim of a violent crime. It was the decision of the Board to award the requested loss of earnings and medical expenses, under Section(s) 18.67.110(1), and 110(2). All Board members concurred with the decision.

AWARDED \$3,525.20

Claim #95-115

The victim, a 30-year old male was assaulted. It was the decision of the Board to deny the claim, under Section 18.67.080(c) as it was a case of mutual combat. All Board members concurred with the decision.

DENIED

Claim #95-116

The victim, a 36-year old female was assaulted. It was the determination of the Board the victim was an innocent victim of a violent crime. It was the decision of the Board to award the requested medical expenses, under Section(s) 18.67.110(1). All Board members concurred with the decision.

AWARDED \$1,451.00

Claim #95-117

The victim, a 36-year old female was shot. It was the determination of the Board the victim was an innocent victim of a violent crime. It was the decision of the Board to award the requested medical expenses, under Section(s) 18.67.110(*). All Board members concurred with the decision.

AWARDED \$3,850.70

Claim #95-118, (same incident as #95-074 and #95-096)

The victim, a 22-year old male was assaulted and killed. The claimant is the victim's sister. It was the determination of the Board the victim was an innocent victim of a violent crime. It was the decision of the Board to award the requested loss of earnings and airfare expenses, under Section(s) 18.67.110(1), and 110(2). All Board members concurred with the decision.

AWARDED \$1,769.00

Claim #95-119

The victim, a 25-year old male was assaulted. It was the decision of the Board to deny the claim, under Section 18.67.130(a)(1) as the application was filed many years past the two year time limit. All Board members concurred with the decision.

DENIED

Claim #95-119

The victim, a 25-year old male was assaulted. It was the decision of the Board to deny the claim, under Section 18.67.130(a)(1) as the application was filed many years past the two year time limit. The claimant requested a hearing. It was the decision of the Board to agree with the Hearing Officer's Findings of Fact and Conclusions of Law and deny the claim under AS 18.67.080(c). All Board members concurred with the decision.

DENIED

Claim #95-120

The victim, a 41-year old male was assaulted. It was the determination of the Board the victim was an innocent victim of a violent crime. It was the decision of the Board to award the requested medical expenses, under Section(s) 18.67.110(1). All Board members concurred with the decision.

AWARDED \$381.00

Claim #95-121

The victim, a 37-year old female was assaulted. It was the determination of the Board the victim was an innocent victim of a violent crime. It was the decision of the Board to award the requested medical expenses, under Section(s) 18.67.110(1). All Board members concurred with the decision.

AWARDED \$533.74

Claim #95-122

The victim, a 19-year old male was sexually assaulted. It was the determination of the Board the victim was an innocent victim of a violent crime. It was the decision of the Board to award the requested loss of earnings, medical and counseling expenses, and moving expenses, under Section(s) 18.67.110(1), and 110(4). All Board members concurred with the decision.

AWARDED \$8,539.77

Claim #95-123

The victim, a 13-year old male was sexually assaulted. The claimant is the victim's mother. It was the determination of the Board the victim was an innocent victim of a violent crime. It was the decision of the Board to award the requested counseling expenses, under Section(s) 18.67.110(4). All Board members concurred with the decision.

AWARDED \$2,192.50

Claim #95-124

The victim, a 14-year old female was sexually abused. The claimant is the victim's mother. It was the decision of the Board to deny the claim, under Section 18.67.010 as there were no compensable losses. All Board members concurred with the decision.

DENIED

Claim #95-125

The victim, a 9-year old female was sexually abused. The claimant is the victim's mother. It was the decision of the Board to deny the claim, under Section 18.67.010 as there were no compensable losses. All Board members concurred with the decision.

DENIED

Claim #95-126

The victim, a 6-year old female was sexually abused. The claimant is the victim's mother. It was the decision of the Board to deny the claim, under Section 18.67.010 as there were no compensable losses. All Board members concurred with the decision.

DENIED

Claim #95-128

The victim, a 34-year old male was shot. It was the determination of the Board the victim was an innocent victim of a violent crime. It was the decision of the Board to award the requested loss of earnings, under Section(s) 18.67.110(2). All Board members concurred with the decision.

AWARDED \$23,542.70

Claim #95-129, (same incident as #95-130)

The victim, a 15-year old male was shot and killed. The claimant is the victim's father. It was the decision of the Board to deny the claim, under Section 18.67.080(c) and 130(b)(3) as the victim was not an innocent victim, but was involved in a drug deal. All Board members concurred with the decision.

DENIED

Claim #95-129

The victim, a 15-year old male was shot and killed. The claimant is the victim's father. It was the decision of the Board to deny the claim, under Section 18.67.080(c) and 130(b)(3) as the victim was not an innocent victim, but was involved in a drug deal. The claimant requested a hearing. It was the decision of the Board to agree with the Hearing Officer's Findings of Fact and Conclusions of Law. All Board members concurred with the decision.

DENIED

Claim #95-130, (same incident as #95-129)

The victim, a 15-year old male was shot and killed. The claimant is the victim's mother. It was the decision of the Board to deny the claim, under Section 18.67.080(c) and 130(b)(3) as the victim was not an innocent victim, but was involved in a drug deal. All Board members concurred with the decision.

DENIED

Claim #95-130

The victim, a 15-year old male was shot and killed. The claimant is the victim's mother. It was the decision of the Board to deny the claim, under Section 18.67.080(c) and 130(b)(3) as the victim was not an innocent victim, but was involved in a drug deal. The claimant requested a hearing. It was the decision of the Board to agree with the Hearing Officer's Findings of Fact and Conclusions of Law. All Board members concurred with the decision.

DENIED

Claim #95-131

The victim, a 14-year old male was assaulted. The claimant is the victim's mother. It was the decision of the Board to deny the claim, under Section 18.67.080(c) as it was an agreed upon fight, a case of mutual combat. All Board members concurred with the decision.

DENIED

Claim #95-132

The victim, a 6-year old female was sexually assaulted. The claimant is the victim's mother. It was the determination of the Board the victim was an innocent victim of a violent crime. It was the decision of the Board to award the requested counseling and out-of-pocket expenses, under Section(s) 18.67.110(1), and 110(4). All Board members concurred with the decision.

AWARDED \$293.87

Claim #95-134

The victim, a 57-year old male was assaulted. It was the decision of the Board to deny the claim, under Section 18.67.110 as there were no compensable losses. All Board members concurred with the decision.

DENIED

Claim #95-135

The victim, a 41-year old male was assaulted. It was the determination of the Board the victim was an innocent victim of a violent crime. It was the decision of the Board to award the requested loss of earnings and medical expenses, under Section(s) 18.67.110(1), and 110(2). All Board members concurred with the decision.

AWARDED \$689.00

Claim #95-136

The victim, a 38-year old female was abducted and assaulted. It was the determination of the Board the victim was an innocent victim of a violent crime. It was the decision of the Board the Emergency Award of \$1,500.00 covered the victim's medical expenses, under AS 18.67. All Board members concurred with the decision.

AWARDED \$0

Claim #95-138

The victim, a 31-year old female was sexually assaulted. It was the determination of the Board the victim was an innocent victim of a violent crime. It was the decision of the Board to award the requested medical expenses, under Section(s) 18.67.110(1). All Board members concurred with the decision.

AWARDED \$155.00

Claim #95-140, (same incident as #95-141)

The victim, a 30-year old female was strangled to death. The claimant is the victim's father. It was the determination of the Board the victim was an innocent victim of a violent crime. It was the decision of the Board to award the requested loss of earnings, under Section(s) 18.67.110(2). All Board members concurred with the decision.

AWARDED \$1,403.00

Claim #95-141, (same incident as #95-140)

The victim, a 30-year old female was strangled to death. The claimant is the victim's mother. It was the determination of the Board the victim was an innocent victim of a violent crime. It was the decision of the Board to award the requested loss of earnings, under Section(s) 18.67.110(2). All Board members concurred with the decision.

AWARDED \$1,403.00

Claim #95-142

The victim, a 54-year old female was sexually assaulted. It was the decision of the Board to deny the claim, under Section 18.67.010 and 101(2) as there was insufficient evidence of a violent crime. All Board members concurred with the decision.

DENIED

Claim #95-143

The victim, a 54-year old female was assaulted. It was the decision of the Board to deny the claim, under Section 18.67.010 and 101(2) as there was insufficient evidence of a violent crime. All Board members concurred with the decision.

DENIED

Claim #95-148

The victim, a 19-year old male was shot. It was the determination of the Board the victim was an innocent victim of a violent crime. The Board had previously granted an Emergency Award in the amount of \$1500.00. It was the decision of the Board to award the requested loss of earnings and medical expenses, under Section(s) 18.67.110(1), and 110(2). All Board members concurred with the decision.

AWARDED \$5,763.15

Claim #95-148

The victim, a 19-year old male was shot. The Board had previously awarded loss of earnings and medical expenses. The claimant is now requesting a medical expense that was not previously submitted. It was the decision of the Board to award the requested medical expense, under Section(s) 18.67.110(1). All Board members concurred with the decision.

AWARDED \$48.00

Claim #95-150/151/152/153/154/155

The victim, a 38-year old male was shot and killed. The claimant is the victim's wife filing on behalf of herself and their children. It was the decision of the Board to deny the claim, under Section 18.67.080(c) as the victim was threatening to kill the person and the person shot in self defense. All Board members concurred with the decision.

DENIED

Claim #95-156

The victim, a 34-year old female was physically assaulted. It was the determination of the Board the victim was an innocent victim of a violent crime. It was the decision of the Board to award the requested medical expense, under Section(s) 18.67.110(1). All Board members concurred with the decision.

AWARDED \$79.00

Claim #95-157

The victim, a 47-year old female was assaulted. It was the decision of the Board to deny the claim, under Section 18.67.080(c) as the medical expenses were not related to the crime. All Board members concurred with the decision.

DENIED

Claim #95-158

The victim, a 13-year old male was assaulted. The claimant is the victim's mother. It was the determination of the Board the victim was an innocent victim of a violent crime. It was the decision of the Board to award the requested medical and travel expenses, under Section(s) 18.67.110(1). All Board members concurred with the decision.

AWARDED \$2,486.12

Claim #95-159

The victim, a 31-year old female was hit by a hit and run driver. It was the decision of the Board to deny the claim, under Section 18.67.101(2) as it was a hit and run accident which is not covered by the statute. All Board members concurred with the decision.

DENIED

Claim #95-160

The victim, a 24-year old male was hit by a drunk driver. It was the determination of the Board the victim was an innocent victim of a violent crime. It was the decision of the Board to award the requested loss of earnings and medical expenses, under Section(s) 18.67.110(1), and 110(2). All Board members concurred with the decision.

AWARDED \$1,649.14

Claim #95-161

The victim, a 24-year old male was hit by a drunk driver. It was the determination of the Board the victim was an innocent victim of a violent crime. It was the decision of the Board to award the requested loss of earnings and medical expenses, under Section(s) 18.67.110(1), and 110(2). All Board members concurred with the decision.

AWARDED \$1,612.85

Claim #95-162, (same incident as #95-310)

The victim, a 42-year old male was stabbed and killed. The claimant is the victim's mother. It was the determination of the Board the victim was an innocent victim of a violent crime. It was the decision of the Board to award the requested funeral expenses, under Section(s) 18.67.110(1). All Board members concurred with the decision.

AWARDED \$2,087.59

Claim #95-164

The victim, a 37-year old female was stalked. It was the determination of the Board the victim was an innocent victim of a violent crime. It was the decision of the Board to award the requested counseling and out-of-pocket expenses, under Section(s) 18.67.110(1) and 110(4). All Board members concurred with the decision.

AWARDED \$865.10

Claim #95-165

The victim, a 12-year old female was sexually abused. The claimant is the victim's mother. It was the decision of the Board the victim was an innocent victim of a violent crime. It was the decision of the Board to deny the claim, under Section 18.67 as there are no compensable losses. All Board members concurred with the decision.

DENIED

Claim #95-168

The victim, a 20-year old female was sexually assaulted then shot and killed. The claimant is the victim's mother. It was the determination of the Board the victim was an innocent victim of a violent crime. It was the decision of the Board to award the requested funeral and out-of-pocket expenses, under Section(s) 18.67.110(1). All Board members concurred with the decision.

AWARDED \$5,200.00

Claim #95-169

The victim, a 25-year old male was assaulted. It was the determination of the Board the victim was an innocent victim of a violent crime. It was the decision of the Board the previously awarded Emergency Award of \$1,500.00 for loss of earnings was sufficient. All Board members concurred with the decision.

AWARDED \$0

Claim #95-170

The victim, a 6-year old male was sexually assaulted. The claimant is the victim's mother. It was the determination of the Board the victim was an innocent victim of a violent crime. It was the decision of the Board to award the requested loss of earnings and counseling expenses, under Section(s) 18.67.110(2), and 110(4). All Board members concurred with the decision.

AWARDED \$434.50

Claim #95-171

The victim, a 4-year old female was sexually assaulted. The claimant is the victim's mother. It was the determination of the Board the victim was an innocent victim of a violent crime. It was the decision of the Board to award the requested medical and out-of-pocket expenses, under Section(s) 18.67.110(1). All Board members concurred with the decision.

AWARDED \$229.00

Claim #95-172

The victim, a 41-year old male was assaulted. It was the decision of the Board to deny the claim, under Section 18.67.080(c) as the incident was mutual combat. All Board members concurred with the decision.

DENIED

Claim #95-173

The victim, a 28-year old male was assaulted. It was the decision of the Board to deny the claim, under Section 18.67 as the claimant had no compensable losses. All Board members concurred with the decision.

DENIED

Claim #95-174

The victim, a 29-year old female was assaulted. It was the determination of the Board the victim was an innocent victim of a violent crime. It was the decision of the Board to award the requested counseling expenses, under Section(s) 18.67.110(4). All Board members concurred with the decision.

AWARDED \$2,430.00

Claim #95-175, (same incident as #95-174)

The victim, a 5 year old female witnessed her mother being physically abused and threatened with a gun. The claimant is the victim's mother. It was the determination of the Board the victim was an innocent victim of a violent crime. It was the decision of the Board to award the requested counseling expenses, under Section(s) 18.67.110(4). All Board members concurred with the decision.

AWARDED \$3,510.00

Claim #95-176

The victim, a 42 year old female was assaulted. It was the determination of the Board the victim was an innocent victim of a violent crime. It was the decision of the Board to award the requested medical and dental expenses, under Section(s) 18.67.110(1). The Board had previously approved an Emergency Award of \$1,500.00 toward the dental expenses. All Board members concurred with the decision.

AWARDED \$1,997.90

Claim #95-178

The victim, a 22 year old female was sexually assaulted. It was the decision of the Board to deny the claim, under Section 18.67.101(2) and 080(c) as there was insufficient evidence of a violent crime. All Board members concurred with the decision.

DENIED

Claim #95-180

The victim, a 37-year old female was assaulted. It was the decision of the Board to deny the claim, under Section 18.67.130(a)(1) as it was past the two year limit. All Board members concurred with the decision.

DENIED

Claim #95-191

The victim, a 26 year old female was assaulted. It was the determination of the Board the victim was an innocent victim of a violent crime. It was the decision of the Board to award the requested medical expenses, under Section(s) 18.67.110(1). All Board members concurred with the decision.

AWARDED \$2,135.15

Claim #95-181

The victim, a 26-year old female was assaulted. The Board previously awarded medical expenses. The claimant is now requesting some additional medical expenses. It was the decision of the Board to award the requested medical expenses, under Section(s) 18.67.110(1). All Board members concurred with the decision.

AWARDED \$304.00

Claim #95-183, (same incident as #95-184/185/186)

The victim, a 34-year old female was shot and killed. The claimant is the victim's mother. It was the decision of the Board to deny the claim, under Section 18.67.080(c) as the victim was not an innocent victim, but was involved in drugs which directly or indirectly contributed to her death. All Board members concurred with the decision.

DENIED

Claim #95-184, (same incident as #95-183/185/186)

The victim, a 34-year old female was shot and killed. The claimant is the victim's mother, filing on behalf of the victim's child. It was the decision of the Board to deny the claim, under Section 18.67.080(c) as the victim was not an innocent victim, but was involved in drugs which directly or indirectly contributed to her death. All Board members concurred with the decision.

DENIED

Claim #95-185, (same incident as #95-183/184/186)

The victim, a 34-year old female was shot and killed. The claimant is the victim's mother, filing on behalf of the victim's child. It was the decision of the Board to deny the claim, under Section 18.67.080(c) as the victim was not an innocent victim, but was involved in drugs which directly or indirectly contributed to her death. All Board members concurred with the decision.

DENIED

Claim #95-186, (same incident as #95-183/184/185)

The victim, a 34-year old female was shot and killed. The claimant is the victim's ex-boyfriend, and father of her child. It was the decision of the Board to deny the claim, under Section 18.67.080(c) as the victim was not an innocent victim, but was involved in drugs which directly or indirectly contributed to her death. All Board members concurred with the decision.

DENIED

Claim #95-187

The victim, a 9-year old female was kidnapped and sexually assaulted. The claimant is the victim's father. It was the determination of the Board the victim was an innocent victim of a violent crime. It was the decision of the Board to award the requested medical and counseling expenses, under Section(s) 18.67.110(1) and 110(4). All Board members concurred with the decision.

AWARDED \$9,717.00

Claim #95-188

The victim, a 27-year old female was assaulted with a knife. It was the decision of the Board to deny the claim, under Section 18.67.080(c) as it was a case of mutual combat. Prosecution was declined because the essential witness was not credible and an affirmative defense was available. All Board members concurred with the decision.

DENIED

Claim #95-190, (same incident as #95-191)

The victim, a 69-year old male was beaten to death. The claimant is the victim's ex-wife. It was the determination of the Board the victim was an innocent victim of a violent crime. It was the decision of the Board to deny the claim, under Section 18.67 as there are no compensable losses. All Board members concurred with the decision.

AWARDED 50

Claim #95-191, (same incident as #95-190)

The victim, a 69-year old male was beaten to death. The claimant is the victim's ex-wife filing on behalf of the victim's minor child. It was the determination of the Board the victim was an innocent victim of a violent crime. It was the decision of the Board to award the requested loss of support, under Section(s) 18.67.110(3). All Board members concurred with the decision.

AWARDED \$25,000.00

Claim #95-192, (same incident as #95-193)

The victim, a 28-year old male was shot and killed. The claimant is the victim's wife. It was the determination of the Board the victim was an innocent victim of a violent crime. It was the decision of the Board to award the requested loss of support, under Section(s) 18.67.110(3). All Board members concurred with the decision.

AWARDED \$20,000.00

Claim #95-193, (same incident as #95-192)

The victim, a 28-year old male was shot and killed. The claimant is the victim's wife filing on behalf of their minor child. It was the determination of the Board the victim was an innocent victim of a violent crime. It was the decision of the Board to award the requested loss of support, under Section(s) 18.67.110(3). All Board members concurred with the decision.

AWARDED \$20,000.00

Claim #95-194

The victim, a 5-year old female was sexually assaulted. The claimant is the victim's mother. It was the determination of the Board the victim was an innocent victim of a violent crime. It was the decision of the Board to award the requested counseling and out-of-pocket expenses, under Section(s) 18.67.110(1), and 110(4). All Board members concurred with the decision.

AWARDED \$4,238.00

Claim #95-195

The victim, an 8-year old female was sexually assaulted. The claimant is the victim's mother. It was the determination of the Board the victim was an innocent victim of a violent crime. It was the decision of the Board to award the requested counseling and out-of-pocket expenses, under Section(s) 18.67.110(1), and 110(4). All Board members concurred with the decision.

AWARDED \$1,087.00

Claim #95-194/195

The victims, a 5-year old female and an 8-year old female were sexually assaulted. The claimant is the victims' mother. The Board previously award counseling and out-of-pocket expenses. The claimant is now requesting some additional loss of earnings for her husband. It was the decision of the Board to award the requested loss of earnings under Section(s) 18.67.110.2). All Board members concurred with the decision.

AWARDED \$939.00

Claim #95-197

The victim, a 58-year old male was assaulted. It was the decision of the Board to deny the claim, under Section 18.67.080(c) as it was a case of mutual combat with the victim stabbing the offender prior to the assault on him. All Board members concurred with the decision.

DENIED

Claim #95-198

The victim, a 23-year old female was stabbed. It was the determination of the Board the victim was an innocent victim of a violent crime. It was the decision of the Board to award the requested loss of earnings and ambulance expense, under Section(s) 18.67.110(1), and 110(2). All Board members concurred with the decision.

AWARDED \$818.00

Claim #95-200

The victim, a 44-year old male was beaten and killed. The claimant is the victim's sister. It was the determination of the Board the victim was an innocent victim of a violent crime. It was the decision of the Board to award the requested loss of earnings and funeral expenses, under Section(s) 18.67.110(1), and 110(2). All Board members concurred with the decision.

AWARDED \$2,456.33

Claim #95-201

The victim, a 20-year old male was stabbed. It was the decision of the Board to deny the claim, under Section 18.67.080(c) as there was insufficient evidence to make a determination as to whether it was mutual combat or not. The Board noted the drinking of the participants probably contributed to the incident. All Board members concurred with the decision.

DENIED

Claim #95-207, (same incident as #95-208)

The victim, a 42-year old female was threatened with a gun. It was the determination of the Board the victim was an innocent victim of a violent crime. It was the decision of the Board to award the requested out-of-pocket expenses, under Section(s) 18.67.110(1). All Board members concurred with the decision.

AWARDED \$38.00

Claim #95-208, (same incident as #95-207)

The victim, a 7-year old male was threatened with a gun. It was the determination of the Board the victim was an innocent victim of a violent crime. It was the decision of the Board to deny the claim under AS 18.67 as there were no compensable losses. All Board members concurred with the decision.

DENIED

Claim #95-209

The victim, an 18-year old female was assaulted and killed. The claimant is the victim's mother. It was the determination of the Board the victim was an innocent victim of a violent crime. It was the decision of the Board to award the requested loss of earnings and funeral expenses, under Section(s) 18.67.110(1) and 110(2). All Board members concurred with the decision.

AWARDED \$7,400.00

Claim #95-210

The victim, a 36-year old male was assaulted. It was the determination of the Board the victim was an innocent victim of a violent crime. It was the decision of the Board to award the requested medical expenses, under Section(s) 18.67.110(1). All Board members concurred with the decision.

AWARDED \$419.30

Claim #95-211

The victim, a 49-year old male was hit by a drunk driver. It was the determination of the Board the victim was an innocent victim of a violent crime. The Board previously approved an Emergency Award in the amount of \$1,500.00. It was the decision of the Board to award the requested loss of earnings, under Section(s) 18.67.110(2). All Board members concurred with the decision.

AWARDED \$1,115.00

Claim #95-213

The victim, a 49-year old male was assaulted. It was the determination of the Board the victim was an innocent victim of a violent crime. It was the decision of the Board to award the requested medical expenses, under Section(s) 18.67.110(1). All Board members concurred with the decision.

AWARDED \$2,082.12

Claim #95-214

The victim, a 37-year old female was shot and killed. The claimant is filing on behalf of the victim's minor son. It was the determination of the Board the victim was an innocent victim of a violent crime. It was the decision of the Board to award the requested loss of support, under Section(s) 18.67.110(3). All Board members concurred with the decision

AWARDED \$20,000.00

Claim #95-215

The victim, a 45-year old male was shot. It was the determination of the Board the victim was an innocent victim of a violent crime. It was the decision of the Board to award the requested medical expenses, under Section(s) 18.67.110(1). All Board members concurred with the decision.

AWARDED \$1,163.10

Claim #95-218

The victim, a 40-year old female was assaulted. It was the decision of the Board to deny the claim, under Section 18.67.080(c) as there was insufficient evidence to make a decision as it appeared to be mutual combat and both the victim and the offender had been drinking. All Board members concurred with the decision.

DENIED

Claim #95-219

The victim, a 37-year old male was assaulted. It was the determination of the Board the victim was an innocent victim of a violent crime. It was the decision of the Board to award the requested loss of earnings and medical expenses, under Section(s) 18.67.110(1), and 110(2). All Board members concurred with the decision.

AWARDED \$1,896.18

Claim #95-220

The victim, a 31-year old female was physically and sexually assaulted. It was the determination of the Board the victim was an innocent victim of a violent crime. It was the decision of the Board to award the requested loss of earnings, under Section(s) 18.67.110(2). All Board members concurred with the decision.

AWARDED \$137.94

Claim #95-225

The victim, a 43-year old male was shot. It was the determination of the Board the victim was an innocent victim of a violent crime. It was the decision of the Board to award the requested loss of earnings and medical expenses, under Section(s) 18.67.110(1), and 110(2). All Board members concurred with the decision.

AWARDED \$25,000.00

Claim #95-226

The victim, a 24-year old male was assaulted then drowned while swimming later. The claimant is the victim's father. It was the decision of the Board to deny the claim, under Section 18.67.101(2) and 18.67.010 as there was insufficient evidence of a violent crime. It could not be determined if it was a violent crime or an accident. All Board members concurred with the decision.

DENIED

Claim #95-227

The victim, an 8-year old female was sexually assaulted. The claimant is the victim's mother. It was the determination of the Board the victim was an innocent victim of a violent crime. It was the decision of the Board to award the requested loss of earnings and out-of-pocket expenses, under Section(s) 18.67.110(1), and 110(2). All Board members concurred with the decision.

AWARDED \$1,231.00

Claim #95-228

The victim, a 49-year old male was assaulted. It was the decision of the Board to deny the claim, under Section 18.67.101(2) and 130(a)(2) as no police report was filed and there was insufficient evidence of a violent crime. All Board members concurred with the decision.

DENIED

Claim #95-229

The victim, a 12-year old female was sexually assaulted. The claimant is the victim's mother. It was the determination of the Board the victim was an innocent victim of a violent crime. It was the decision of the Board to award the requested moving expenses, under Section(s) 18.67.110(1). All Board members concurred with the decision.

AWARDED \$2,700.00

Claim #95-230, (same incident as #95-231)

The victim, an 11-year old female was kidnapped by her mother. The claimant is the victim's father. It was the decision of the Board to deny the claim, under Section 18.67.101(2) as custodial interference is not a listed crime in our statute. All Board members concurred with the decision.

DENIED

Claim #95-231, (same incident as #95-230)

The victim, an 11-year old female was kidnapped by her mother. The claimant is the victim's father. It was the decision of the Board to deny the claim, under Section 18.67.101(2) as custodial interference is not a listed crime in our statute. All Board members concurred with the decision.

DENIED

Claim #95-234

The victim, a 28-year old male was assaulted. It was the decision of the Board to deny the claim, under Section 18.67.090(a) as this should be a Workers' Compensation claim. All Board members concurred with the decision.

DENIED

Claim #95-235

The victim, a 77-year old male was physically beaten, and died approximately 1 1/2 years later due to his injuries. The claimant is the victim's wife. It was the determination of the Board the victim was an innocent victim of a violent crime. It was the decision of the Board to award the requested funeral expenses and loss of support, under Section(s) 18.67.110(1) and 110(3). All Board members concurred with the decision.

AWARDED \$25,000.00

Claim #95-236

The victim, a 30-year old female was sexually assaulted. It was the decision of the Board to deny the claim, under Section 18.67.010 and 101(2) as there was insufficient evidence of a violent crime and there were no compensable losses. All Board members concurred with the decision.

DENIED

Claim #95-238

The victim, a 16-year old female was shot. The claimant is the victim's mother. It was the determination of the Board the victim was an innocent victim of a violent crime. It was the decision of the Board to award the requested loss of earnings, medical and counseling expenses, under Section(s) 18.67.110(1), 110(2), and 110(4). All Board members concurred with the decision.

AWARDED \$20,571.50

Claim #95-238

The victim, a 16-year old female was shot. The claimant is the victim's mother. The Board previously awarded loss of earnings, medical and counseling expenses. The claimant is now requesting some additional medical expenses. It was the decision of the Board to award the requested medical expenses, under Section(s) 18.67.110(1). All Board members concurred with the decision.

AWARDED \$1,930.10

Claim #95-239

The victim, a 33-year old female was assaulted. It was the determination of the Board the victim was an innocent victim of a violent crime. It was the decision of the Board to award the requested dental expenses, under Section(s) 18.67.110(1). All Board members concurred with the decision.

AWARDED \$1,495.00 (dental estimate pre approved)

Claim #95-240

The victim, a 26-year old male was assaulted and stabbed. It was the decision of the Board to deny the claim, under Section 18.67.090 and 080(c) as the incident was work related and there were no compensable losses. All Board members concurred with the decision.

DENIED

Claim #95-244

The victim, a 15-year old female was sexually assaulted. The claimant is the victim's father. It was the determination of the Board the victim was an innocent victim of a violent crime. It was the decision of the Board to award the requested medical expenses, under Section(s) 18.67.110(1). All Board members concurred with the decision.

AWARDED \$296.92

Claim #95-245

The victim, a 37-year old male was assaulted. It was the determination of the Board the victim was an innocent victim of a violent crime. It was the decision of the Board to award the requested medical expenses, under Section(s) 18.67.110(1). All Board members concurred with the decision.

AWARDED \$6,094.70

Claim #95-247 (same incident as #93-128)

The victim, a 34-year old male was shot. The claimant is the victim's sister. It was the determination of the Board the victim was an innocent victim of a violent crime. It was the decision of the Board to award the requested transportation costs, under Section(s) 18.67.110(1). All Board members concurred with the decision.

AWARDED \$725.30

Claim #95-251

The victim, a 25-year old male was assaulted. It was the determination of the Board the victim was an innocent victim of a violent crime. It was the decision of the Board to award the requested medical expenses, under Section(s) 18.67.110(1). All Board members concurred with the decision.

AWARDED \$1,177.95

Claim #95-252

The victim, a 17-year old female was shot and killed. The claimant is the victim's aunt. It was the determination of the Board the victim was an innocent victim of a violent crime. The Board previously approved an Emergency Award in the amount of \$1,500.00 for funeral expenses. It was the decision of the Board to award the requested funeral expenses, under Section(s) 18.67.110(1). All Board members concurred with the decision.

AWARDED \$3500.00

Claim #95-253

The victim, a 38-year old male was shot. It was the determination of the Board the victim was an innocent victim of a violent crime. The Board had previously approved an Emergency Award in the amount of \$1,500.00 for emergency living expenses. It was the decision of the Board to award the maximum amount for loss of earnings, under Section(s) 18.67.110(2). All Board members concurred with the decision.

AWARDED \$23,500.00

Claim #95-254

The victim, a 6-year old female was sexually assaulted. The claimant is the victim's father. It was the determination of the Board the victim was an innocent victim of a violent crime. It was the decision of the Board to award the requested loss of earnings and counseling expenses, under Section(s) 18.67.110(2), and 110(4). All Board members concurred with the decision.

AWARDED \$2,532.52

Claim #95-256

The victim, a 17-year old male was shot. The claimant is the victim's mother. It was the decision of the Board to deny the claim, under Section 18.67.130(a)(3) as the victim did not cooperate with law enforcement officials. All Board members concurred with the decision.

DENIED

Claim #95-257

The victim, a 14-year old female was sexually assaulted. The claimant is the victim's mother. It was the determination of the Board the victim was an innocent victim of a violent crime. It was the decision of the Board to award the requested medical expenses, under Section(s) 18.67.110(1). All Board members concurred with the decision.

AWARDED \$483.30

Claim #95-261

The victim, a 19-year old female was sexually assaulted. It was the determination of the Board the victim was an innocent victim of a violent crime. It was the decision of the Board to award the requested loss of earnings and medical expenses, under Section(s) 18.67.110(1) and 110(2). All Board members concurred with the decision.

AWARDED \$1,085.92

Claim #95-264

The victim, a 14-year old female was sexually assaulted. The claimant is the victim's mother. It was the determination of the Board the victim was an innocent victim of a violent crime. It was the decision of the Board to award the requested medical and counseling expenses, under Section(s) 18.67.110(1) and 110(4). All Board members concurred with the decision.

AWARDED \$916.50

Claim #95-265

The victim, a 34-year old female was assaulted. It was the determination of the Board the victim was an innocent victim of a violent crime. It was the decision of the Board to award the requested medical expenses, under Section(s) 18.67.110(1). All Board members concurred with the decision.

AWARDED \$1,509.66

Claim #95-267

The victim, a 35-year old male was shot in the leg. It was the decision of the Board to deny the claim, under Section 18.67.080(c) as he was not an innocent victim and his actions contributed to his injuries. All Board members concurred with the decision.

DENIED

Claim #95-274

The victim, a 25-year old female was killed in a DWI accident. The claimant is the victim's mother. It was the decision of the Board to deny the claim, under Section 18.67.080(c) as the victim willingly got into a vehicle with a drunk driver. All Board members concurred with the decision.

DENIED

Claim #95-276

The victim, a 42-year old female was in a DWI accident. It was the decision of the Board to deny the claim, under Section 18.67.080(c) as the victim was intoxicated and willingly got into the vehicle with a drunk driver. All Board members concurred with the decision.

DENIED

Claim #95-278

The victim, a 22-year old male was stabbed and killed. The claimant is the ex-girlfriend filing on behalf of their minor child. It was the determination of the Board the victim was an innocent victim of a violent crime. It was the decision of the Board to award the requested loss of support, under Section(s) 18.67.110(3). All Board members concurred with the decision.

AWARDED \$20,000.00

Claim #95-280

The victim, a 37-year old female was assaulted. It was the determination of the Board the victim was an innocent victim of a violent crime. It was the decision of the Board to award the requested medical and out-of-pocket expenses, under Section(s) 18.67.110(1) and 110(4). All Board members concurred with the decision.

AWARDED \$1,370.80

Claim #95-281

The victim, a 13-year old male was hit by a drunk driver. The claimant is the victim's mother. It was the decision of the Board to defer this claim until the next Board meeting as they needed some additional information. All Board members concurred with the decision.

DEFERRED

Claim #95-283

The victim, a 23-year old female was assaulted. It was the determination of the Board the victim was an innocent victim of a violent crime. It was the decision of the Board to award the requested loss of earnings, under Section(s) 18.67.110(2). All Board members concurred with the decision.

AWARDED \$242.00

Claim #95-284

The victim, a 35-year old male was stabbed. It was the decision of the Board to deny the claim, under Section 18.67.090(a) as the victim is receiving Workers' Compensation which is a prior resource. All Board members concurred with the decision.

DENIED

Claim #95-285

The victim, a 9-year old female was sexually assaulted. The claimant is the victim's mother. It was the determination of the Board the victim was an innocent victim of a violent crime. It was the decision of the Board to award the requested loss of earnings and counseling expenses, under Section(s) 18.67.110(2) and 110(4). All Board members concurred with the decision.

AWARDED \$2,854.00

Claim #95-286

The victim, an 18-year old male was shot and killed. The claimant is the victim's mother. It was the determination of the Board the victim was an innocent victim of a violent crime. The Board previously approved an Emergency Award for \$1,500.00 to go toward the funeral expenses. It was the decision of the Board to award the requested funeral and counseling expenses, under Section(s) 18.67.110(1) and 110(4). All Board members concurred with the decision.

AWARDED \$3,900.00

Claim #95-288

The victim, a 22-year old male was killed in a DWI accident. The claimant is the victim's father. It was the decision of the Board to deny the claim, under Section 18.67.080(c) as the victim voluntarily got into a vehicle with a driver he knew had been drinking. All Board members concurred with the decision.

DENIED

Claim #95-290

The victim, a 21-year old female was sexually assaulted. It was the determination of the Board the victim was an innocent victim of a violent crime. It was the decision of the Board to award the requested medical expenses, under Section(s) 18.67.110(1). All Board members concurred with the decision.

AWARDED \$938.75

Claim #95-291

The victim, a 26-year old male was assaulted. It was the determination of the Board the victim was an innocent victim of a violent crime. It was the decision of the Board to award the requested loss of earnings and medical expenses, under Section(s) 18.67.110(1) and 110(2). All Board members concurred with the decision.

AWARDED \$719.00

Claim #95-293

The victim, a 28-year old male was assaulted. It was the determination of the Board the victim was an innocent victim of a violent crime. It was the decision of the Board to award the requested medical expenses, under Section(s) 18.67.110(1). All Board members concurred with the decision.

AWARDED \$542.10

Claim #95-294

The victim, a 41-year old male was assaulted. It was the determination of the Board the victim was an innocent victim of a violent crime. It was the decision of the Board to award the requested loss of earnings and medical expenses, under Section(s) 18.67.110(1) and 110(2). All Board members concurred with the decision.

AWARDED \$1,884.34

Claim #95-297

The victim, a 45-year old female was sexually assaulted. It was the decision of the Board to deny the claim, under Section 18.67.101(2) and 080(c) as there was insufficient evidence of a violent crime. All Board members concurred with the decision.

DENIED

Claim #95-298

The victim, a 28-year old female was sexually assaulted. It was the decision of the Board to deny the claim, under Section 18.67.101(2) and 080(c) as there was insufficient evidence of a violent crime. All Board members concurred with the decision.

DENIED

Claim #95-301

The victim, a 32-year old male was shot in the arm. It was the decision of the Board to deny the claim, under Section 18.67.080(c) as it was a case of mutual combat, and the claimant contributed to his injuries by being intoxicated and he had no compensable losses. All Board members concurred with the decision.

DENIED

Claim #95-302

The victim, a 36-year old male was shot and killed. The claimant is the victim's ex-wife. It was the decision of the Board to deny the claim, under Section 18.67.101(2) and 130(a)(1) as it was not a crime as listed in the statute and it was filed past the two year limit. All Board members concurred with the decision.

DENIED

Claim #95-303

The victim, a 39-year old female was sexually assaulted. It was the determination of the Board the victim was an innocent victim of a violent crime. It was the decision of the Board to award the requested loss of earnings, medical and out-of-pocket expenses, under Section(s) 18.67.110(1) and 110(2). All Board members concurred with the decision.

AWARDED \$9,520.77

Claim #95-304

The victim, a 4-year old female was sexually assaulted. The claimant is the victim's mother. It was the determination of the Board the victim was an innocent victim of a violent crime. It was the decision of the Board to award the requested counseling expense, under Section(s) 18.67.110(4). All Board members concurred with the decision.

AWARDED \$100.00

Claim #95-305

The victim, a 42-year old male was assaulted and bitten. It was the decision of the Board to deny the claim, under Section 18.67.090(a) as it is a Worker's Compensation claim which is a prior resource. All Board members concurred with the decision.

DENIED

Claim #95-306

The victim, a 28-year old female was assaulted. It was the determination of the Board the victim was an innocent victim of a violent crime. It was the decision of the Board to award the requested medical expenses, under Section(s) 18.67.110(1). All Board members concurred with the decision.

AWARDED \$127.00

Claim #95-307

The victim, a 37-year old male was assaulted. It was the determination of the Board the victim was an innocent victim of a violent crime. It was the decision of the Board to award the requested loss of earnings and medical expenses, under Section(s) 18.67.110(1) and 110(2). All Board members concurred with the decision.

AWARDED \$19,638.19

Claim #95-310, (same incident as #95-162)

The victim, a 42-year old male was stabbed and killed. The claimant is the victim's mother filing on behalf of the victim's minor child. It was the determination of the Board the victim was an innocent victim of a violent crime. It was the decision of the Board to award the requested loss of support, under Section(s) 18.67.110(3). All Board members concurred with the decision.

AWARDED \$22,912.41

Claim #96-001

The victim, a 13-year old male was killed by a drunk driver. The claimant is the victim's brother. It was the determination of the Board the victim was an innocent victim of a violent crime. It was the decision of the Board to award the requested loss of earnings, under Section(s) 18.67.110(2). All Board members concurred with the decision.

AWARDED \$284.00

Claim #96-002

The victim, a 52-year old male was assaulted. It was the decision of the Board to deny the claim, under Section 18.67.090(a) as it is a Worker's Compensation Claim which is a prior resource. All Board members concurred with the decision.

DENIED

Claim #96-003

The victim, a 19-year old female was sexually assaulted. It was the determination of the Board the victim was an innocent victim of a violent crime. It was the decision of the Board to award the requested medical expenses and loss of earnings, under Section(s) 18.67.110(1) and 110(2). All Board members concurred with the decision.

AWARDED \$915.00

Claim #96-005

The victim, a 20-year old male was assaulted. It was the determination of the Board the victim was an innocent victim of a violent crime. It was the decision of the Board to award the requested medical expenses, under Section(s) 18.67.110(1). All Board members concurred with the decision.

AWARDED \$9,357.10

Claim #96-007

The victim, a 22-year old male was shot. It was the decision of the Board to deny the claim, under Section 18.67.080(c) as it was a case of mutual combat. All Board members concurred with the decision.

DENIED

Claim #96-014

The victim, a 7-year old female was sexually assaulted. The claimant is the victim's mother. It was the determination of the Board the victim was an innocent victim of a violent crime. It was the decision of the Board to award the requested medical and counseling expenses, under Section(s) 18.67.110(1) and 110(4). All Board members concurred with the decision.

AWARDED \$5,405.00

Claim #96-015, (same incident as #96-016)

The victim, a 51-year old male had his house shot at. It was the decision of the Board to deny the claim, under Section 18.67.101(2) and 010 as it was not a violent crime as listed in the statute and there were no compensable losses. All Board members concurred with the decision.

DENIED

Claim #96-016, (same incident as #96-015)

The victim, a 33-year old female had her house shot at. It was the decision of the Board to deny the claim, under Section 18.67.101(2) and 010 as it was not a violent crime as listed in the statute and there were no compensable losses. All Board members concurred with the decision.

DENIED

Claim #96-017

The victim, a 13-year old female was assaulted. The claimant is the victim's father. It was the decision of the Board to deny the claim, under Section 18.67.110 as there were no compensable losses. All Board members concurred with the decision.

DENIED

Claim #96-018

The victim, a 14-year old female was sexually assaulted. The claimant is the victim's father. It was the decision of the Board to deny the claim, under Section 18.67.110 as there were no compensable losses. All Board members concurred with the decision.

DENIED

Claim #96-028

The victim, an 18-year old male was assaulted. It was the determination of the Board the victim was an innocent victim of a violent crime. The Board had previously approved an Emergency Award of \$1,500.00 for emergency living expenses. It was the decision of the Board to award the maximum amount available for medical expenses, under Section(s) 18.67.110(1). All Board members concurred with the decision.

AWARDED \$23,500.00

Claim #96-038

The victim, a 46-year old male was shot. It was the decision of the Board to deny the claim, under Section 18.67.090(a) as it is a Worker's Compensation claim which is a prior resource. All Board members concurred with the decision.

DENIED

Claim #96-049

The victim, a 17-year old male was shot and killed. The claimant is the victim's mother. It was the determination of the Board the victim was an innocent victim of a violent crime. It was the decision of the Board to award the requested funeral expenses, under Section(s) 18.67.110(1). All Board members concurred with the decision.

AWARDED \$5,000.00



National Institute of Justice

R e s e a r c h R e p o r t

The Criminalization of Domestic Violence: Promises and Limits

Presentation at the 1995 conference
on criminal justice research
and evaluation

About the National Institute of Justice

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- *Sponsor special projects and research and development programs* that will improve and strengthen the criminal justice system and reduce or prevent crime
- *Conduct national demonstration projects* that employ innovative or promising approaches for improving criminal justice
- *Develop new technologies* to fight crime and improve criminal justice
- *Evaluate the effectiveness of criminal justice programs* and identify programs that promise to be successful if continued or repeated
- *Recommend actions* that can be taken by Federal, State, and local governments, as well as private organizations to improve criminal justice
- *Carry out research on criminal behavior*
- *Develop new methods of crime prevention and reduction of crime and delinquency*

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- Basic research on career criminals that led to development of special police and prosecutor units to deal with repeat offenders
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- The evaluation of innovative justice programs to determine what works, including drug enforcement, community policing, community anti-drug initiatives, prosecution of complex drug cases, drug testing throughout the criminal justice system, and user accountability programs
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*The Criminalization of
Domestic Violence:
Promises and Limits*

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on criminal justice research and evaluation**

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Abstract

During the past 30 years, the criminalization of domestic violence has developed along three parallel but generally separate tracks: criminal punishment and deterrence of batterers, batterer treatment, and restraining orders designed to protect victims through the threat of civil or criminal legal sanctions. Each of these policy tracks has been informed, advanced, and supported by advocacy groups for battered women. Victim advocacy groups have worked vigorously for legislative and policy change, monitored and corrected the implementation of law and policy, and intensively supported expanded resources for victim services. Several jurisdictions have attempted to integrate these policies in systemwide approaches within the justice system.

Thus far, however, research and evaluation on arrest and prosecution, civil or criminal protection orders, batterer treatment, and community interventions have generated weak or inconsistent evidence of deterrent effects on either repeat victimization or repeat offending. For every study that shows promising results, one or more show either no effect or even negative results that increase the risks to victims.

Several factors have influenced the current state of policy and practice. Domestic violence and partner assault are complex behaviors. The range of sanctions for offenders has been limited, their deterrent effects mitigated by social and contextual factors, and their implementation constrained by practical operational contingencies. The social organization of

courts and local legal cultures tend to devalue domestic violence cases. Perhaps most important, theories of violence have not been integrated with theories of domestic violence, and research and evaluation designs thus far have been weak.

A program of research and development is recommended to advance the current state of knowledge on the effects of legal sanctions for partner violence. Theory is essential to this effort. Testable ideas should be identified from theoretical advances, formative evaluations of innovative practices, and qualitative studies of battering careers. A stable and sufficient resource stream will be required to support developmental, evaluation, and research efforts.

Overview

Beginning in the 1970's, social policy toward female victims of domestic assaults has focused on improving legal responses to protect women and punish offenders. The primary focus has been the mobilization of societal institutions to increase the range of formal and informal controls at their disposal. During this time, social control through law dominated theories on how best to reduce domestic violence, focusing on the effects of increasing the risks and punishment costs of violence toward intimate partners. Rooted in assumptions of specific deterrence, social control in this context emphasized the application of legal sanctions through arrest and prosecution of assailants or the *threat* of legal sanctions through civil legal remedies that carried criminal penalties if violated. Legal action was designed to exact a retributive cost, and to the extent that further violence was not evident, the suppression of violence was attributed to the intrinsic deterrent effects of legal sanctions (Dutton, 1995; Sherman, 1992a; Fagan and Browne, 1994).

At the same time, reforms in civil legal protection also have expanded nationwide (Grau et al., 1984; Harrell, Smith, and Newmark, 1993). Until the legal reforms of the late 1970's, a woman could not obtain a restraining order against a violent husband unless she was willing to file for divorce at the same time (U.S. Commission on Civil Rights, 1982). When protective restraining orders were available, their enforcement was weak, the penalties for violations were minor, and they were not available on an emergency basis. Reforms in protective and restraining order legislation enabled emergency, *ex parte* relief that included not only no contact provisions but also economic and other tangible reliefs for battered women. These reliefs, and the application of criminal laws as well, were extended to women in unmarried cohabiting couples and to divorced or separated women.¹

These reforms held great promise. The "criminalization" of domestic violence cases beginning in the 1970's sought to increase the certainty and severity of legal responses, thereby correcting historical, legal, and moral disparities in the legal protections

afforded to battered women (Zorza, 1992). For many years, societal responses to domestic violence excluded legal intervention. Advocates for battered women claimed that male batterers were rarely arrested, prosecuted, or sentenced as severely as other violent offenders. Research showed that these claims were accurate. Police often exercised discretion in avoiding arrest in responding to domestic violence incidents where there was probable cause (Black and Reiss, 1967). In many departments, policies for domestic "disputes" actively discouraged arrest, focusing instead on alternative responses such as family crisis intervention or counseling for batterers with alcohol abuse problems (Bard and Zacker, 1971). Prosecutors failed to actively pursue cases where victims and offenders had intimate relationships, fearing that women might drop charges (Parnas, 1967). Sentences often were less serious for males convicted of domestic violence. For example, Davis and Smith (1982) showed that the presence of a victim/offender relationship led to less serious case assessments in prosecutorial screening, even after controlling for victim injury and weapon use. The result of these processes was a higher dismissal rate for domestic cases at the prosecution stage compared to other violence cases, and less serious sentences.

These concerns led to a wide variety of reforms in law and criminal justice, aimed primarily at increasing the likelihood that sanctions would be forthcoming in domestic violence cases. They ranged from the elimination of organizational, eligibility, and systemic complications that limited access to criminal legal remedies for battered women; to law changes mandating arrest for domestic violence; to mandatory treatment and supervision of men convicted of assaults against female intimate partners; to the reorganization of court structures to create special forums for the adjudication of these cases (Hilton, 1993). Resources, both political and fiscal, were mobilized to improve civil and criminal legal responses through training, technical assistance, and dissemination of innovations and reforms.

Such efforts were undertaken with both symbolic and substantive goals. Certainly, the passage of legislative mandates for criminal sanctions symbolizes public contempt for the actions of persons who are violent toward adult partners. The mobilization

of resources and the passage of (strong) laws signaled societal rejection of domestic violence and communicated important cultural messages rejecting norms supporting battering. Such responses are particularly appropriate when domestic violence is defined as a "cultural" problem. The symbolic component of criminalization policies also may be intended as a general deterrent, by conveying the message that legal consequences are likely and severe if a man assaults his wife. The substantive goals were to implement both specific and general deterrent threats to reduce the incidence of domestic violence. Here, however, the goals were less clear. Whether criminalization was designed for retributive, incapacitative, or other social control purposes or whether it was designed to assist victims or target batterers for criminal punishment was not clear in legislation and policy.

These reforms did *not* question the deterrence underpinnings of legal interventions—that increases in the certainty and severity of criminal (and also civil) legal sanctions would reduce domestic violence was assumed. Policy goals addressed the legal and systemic problems that stood in the way of the full application of the law for domestic violence. With few exceptions, research and evaluation on legal reforms and innovations focused on their operational goals and on their outcomes but almost never on their effects.² The narrow range of studies on the deterrent effects of legal sanctions for domestic violence stands in contrast with the extensive efforts of activists, victim advocates, and criminal justice practitioners to mobilize law and shape policy to stop domestic violence.³

This paper presents a review of the promises and limitations of the criminalization efforts in domestic violence. The reforms of the past 20 years have not been adequately evaluated with respect to their deterrence goals, despite the institutionalization of law and policy to criminalize domestic violence. With the exception of the influential Minneapolis Domestic Violence Experiment (Sherman and Berk, 1984a, 1984b), criminalization policies have proliferated without consideration of the empirical evidence of their effectiveness or their unintended consequences. Only one experiment on prosecution has been completed (Ford, 1993), yet policies to expand prosecutorial

involvement proliferated quickly even in the absence of consistent deterrent effects. In fact, evaluations of prior efforts have not been influential in shaping the direction and content of criminal justice reform in general. In addition, basic research on interpersonal violence, domestic violence, and the effectiveness of legal sanctions also has been segregated from the development and evaluation of criminalization reform efforts.

This paper addresses these concerns. It begins with a brief history of the development of modern legal reforms in domestic violence and examines their theoretical underpinnings. Next, it reviews the empirical evidence on the deterrent effects of criminal and civil legal sanctions for domestic violence. Then, the unique contexts of domestic violence are examined to identify factors that influence the deterrent effects of criminal justice reforms. These include both exogenous influences in communities and legal institutions and endogenous factors unique to the context of domestic violence. The paper concludes with an agenda for building an empirical base for knowledge and policy to control domestic violence.

Modern Policies and Their Effectiveness

Historical and Modern Origins of Legal Interventions

Legal interventions in family violence have both modern and historical origins. Historically, female victims of domestic violence have sought help and protection from a variety of institutions, including family, church, and community. However, the involvement of legal institutions in domestic violence has been inconsistent throughout U.S. history. The historical origins of laws and legal interventions for child protection, for example, have roots in both the Puritan and Progressive Eras. Early laws concerning violence against wives and children were symbolic affirmations of Biblical principles demarking the line between legitimate physical force and "beating." However, Pleck (1989)

reported that only 12 cases of domestic violence were prosecuted in the Plymouth Colony between 1633 and 1802.

Legal interest and mobilization have occurred cyclically since that time, coinciding with State interests in enforcement of laws concerning "public morality" or increased fear of crime generally (Pleck, 1989). In 1871, Alabama became the first State to rescind a husband's right to beat his wife, noting that the "wife had the right to the same protection of the law that the husband can invoke for himself..." (*Fulgham v. State*, 46 Ala. 146-147). However, there were few prosecutions under these or any other State laws for violence toward wives, and the doctrine of family privacy continued to prevail over these largely symbolic statutes. Over the next century, attention from the police and the courts to violence against women has peaked at different times, influenced in part by broader concerns with the status of women and the legal control of social problems (Dobash and Dobash, 1979; Pleck, 1989; Gordon, 1988).

The 1960's. In the 1960's, society began paying attention to violence within families. What historically was a private family matter became an appropriate target for State intervention. Violence toward wives and intimate partners was raised as a social problem within the context of violence against women—the result of the work of feminist activists, rape crisis counselors, clinical researchers working with women, and the earliest workers in battered women's shelters. Victims of domestic violence presented themselves to feminist grassroots organizations via rape crisis programs and hotlines as well as to newly created victim-assistance programs. The newly created victim-witness programs in the 1970's became magnets within the criminal justice system for victims of intimate or domestic violence; battered women quickly became a major portion of their workload. The Law Enforcement Assistance Administration of the U.S. Department of Justice took the lead in promoting a broader response, funding 23 programs between 1976 and 1981 for services including shelters, special prosecution units, treatment programs for wife beaters, mediation units, and civil legal interventions (Fagan, Friedman, Wexler, and Lewis, 1984). The publication of nationwide epidemiological data on violence within adult couples (Straus et al., 1980; Gaguin, 1977-78) reinforced

for the general public the scale of domestic violence and prompted further activism.

Unlike the rush to criminalize child abuse, legal institutions responded with ambivalence. In the early stages of reform, concerns about domestic violence were limited to married couples. It was identified as a recurring criminal justice problem, especially for the police (Bard and Zacker, 1971). Criticism of the inadequacy of police responses led to programs and training to improve police responses. However, these efforts were designed to do everything possible to avoid formal legal processing of men who beat their wives or partners. Police officers were trained in crisis intervention to look for comorbidity with drunkenness, to mediate on the scene to defuse the immediate crisis, and to make appropriate referrals for longer term interventions (Bard, 1970). They were trained to do anything except arrest violent husbands. For many years, police culture portrayed domestic violence as the most potentially dangerous situation for police officers, with elevated risks of serious injury or death; subsequent data proved this false (Garner and Clemmer, 1986). If not dangerous, spouse abuse was viewed by the police and the courts as an intractable interpersonal conflict unsuited for police attention and inappropriate for prosecution and substantive punishment (Parnas, 1967). In fact, many police departments had "hands off" policies prior to the 1970's, and police training manuals actually specified that arrest was to be avoided whenever possible in responding to domestic disputes (IACP, 1967).

The 1970's. Other legal barriers prevented women from obtaining civil legal remedies as well. Until the legal reforms of the late 1970's, women could not obtain a restraining order against a violent husband unless they were willing to file for divorce at the same time (U.S. Commission on Civil Rights, 1982). When protective orders were available, enforcement was weak, penalties for violations were minor, and use in emergencies was not possible.

The convergence of the interests of feminists, victim advocates, and some conservative politicians interested in expanding the use of the law to enforce "public morality" led to a series of reforms beginning in the late 1970's to strengthen criminal justice

responses to domestic violence. Political pressure by feminists sought to frame solutions to domestic violence in a legal context (Lerman, 1981; Zorza, 1992).

The 1980's. By 1980, 47 States had passed domestic violence legislation mandating change in protection orders, enabling warrantless arrest for misdemeanor assaults, and recognizing a history of abuse and threat as part of a legal defense for battered women who killed their abusive husbands.⁴ Police departments changed their procedures not only in response to these pressures but also pursuant to successful litigation by women against police departments for their failure to enforce criminal laws and to protect them from violent partners. (See, for example, *Scott v. Hart* U.S. District Court for the Northern District of California, C76-2395; *Bruno v. Codd* 47 N.Y. 2d 582, 393 N.E. 2d 976, 419 N.Y.S. 2d 901 [1979]; and *Thurman v. City of Torrington* 595 F. Supp. 1521 [1984].)

The array of statutory, procedural, and organizational reforms covered nearly every aspect of the legal system. Police departments adopted proarrest or mandatory arrest policies. Domestic violence units were formed in prosecutor's offices, and treatment programs for abusive husbands were launched in probation departments and among community-based groups. Reforms in protective and restraining order legislation enabled emergency, *ex parte* relief that included not only no-contact provisions but also economic and other tangible reliefs for battered women (Grau, Fagan, and Wexler, 1984). These reliefs, and the application of criminal laws as well, were extended to women in unmarried, cohabitating couples and to divorced and separated women. A small number of jurisdictions developed coordinated, systemic responses that brought to bear the full range of social controls and victim supports for battered women.

Institutionalization

Looking back over 30 years, legal reforms in domestic violence have developed along three parallel but generally separate tracks: criminal punishment and deterrence of batterers, batterer treatment, and restraining orders in the civil court designed to

protect victims through the threat of civil or criminal legal sanctions. The promise of criminalization was straightforward: the symbolism of public statements valuing the safety of battered women and condemning batterers, substantive expanded social control of wife beaters, and the political mobilization of legal resources and institutions to protect victims. Additional reforms included recognition of violence risks to cohabitants and broad interpretation of laws on domestic violence to include gay and lesbian couples. Other efforts have been designed to increase funding for battered women. Surcharges on marriage licenses, for example, created a funding stream for services to battered women.

Each of these policy tracks has been informed, advanced, and supported by advocacy groups for battered women. These advocacy groups have worked aggressively for legislative and policy change, monitored and corrected the implementation of law and policy, and lobbied intensively for funding for victim services. Collaboration with the growing community of victim services agencies in the 1970's created powerful alliances that moved for procedural reforms in the criminal justice responses to domestic violence.

By 1990, many States had developed sweeping and strong legislation that corrected historical wrongs such as warrantless arrests in misdemeanor cases or requiring women to file for divorce before receiving protective orders (Zorza, 1992). These reforms also made accessible a wide range of criminal and civil remedies that recognized the reality of domestic violence and the complexity of its criminalization (Lerman, 1992). These efforts were institutionalized in law and policy with significant changes achieved in statutes, the organization of investigative and prosecutorial agencies, and the allocation of court services and resources.

Legal Sanctions and Domestic Violence

Two types of reforms have characterized criminal justice responses to family violence. One set of reforms was aimed at procedures and jurisprudential issues. These reforms attempted to increase and simplify the participation of battered women in the criminal justice process. Many sought to rectify procedural barriers, whereas others relaxed evidentiary standards for initiating criminal prosecution. Underlying these reforms was the theory that family violence could be stopped through legal sanctions and that legal sanctions were effective in reducing violence. Another set of reforms was aimed at specific measures to stop the violence. Although subsuming many of the procedural reforms, these reforms embodied explicit measures to legally sanction offenders.

These interventions to control violence against adult intimate partners reflect several different policy goals and separate but parallel tracks: criminal punishment and deterrence of batterers; batterer treatment, and protective interventions designed to insure victims' safety and empowerment. Because of the interdependency of legal institutions in pursuing these policy goals, the discussion of legal interventions is not organized according to their separate responsibilities but on the basis of policy goals they pursue with respect to reducing violence toward intimates.

Criminal Legal Sanctions

Minneapolis research on arrest as a deterrent. Efforts to deter domestic violence have focused primarily on the police. However, this burden may have unfairly fallen on the police. Although arrest may have independent effects in reducing the risks of further violence, sanctions ultimately result from the actions of prosecutorial and judicial actors who mete out criminal penalties. Nevertheless, a rich criminological literature acknowledges the general and specific deterrent effects of police actions independent of substantive punishments.

Police actions in domestic violence have been widely evaluated; this also has been the arena of legal interventions where experimental designs have been used most often. Although the results have been the strongest overall, they have also been equivocal. The Minneapolis Domestic Violence Experiment is perhaps the most widely cited and influential criminal justice experiment in recent criminological and policy literature. The Minneapolis Domestic Violence Experiment (Sherman and Berk, 1984a, 1984b) was a critical event in changing public and scholarly perceptions of domestic violence from a "family problem" amenable to mediation and other informal, nonlegal interventions (Bard and Zacker, 1971) to a law violation requiring a formal criminal justice sanction.

In that experiment, street-level police officers' selections of the most appropriate response to misdemeanor domestic violence were determined by an experimental design, i. e., random assignment to one of three treatments: (1) arresting the suspect, (2) ordering one of the parties out of the residence, and (3) advising the couple. Using victim interviews and official records of subsequent police contact, Sherman and Berk (1984a:267) reported that the prevalence of subsequent offending—assault, attempted assault, and property damage—was reduced by nearly 50 percent when the suspect was arrested. On the basis of the results from what they emphasized was the "first scientifically controlled test of the effect of arrest on any crime," Sherman and Berk (1984b) concluded that:

(T)hese findings, standing alone as the result of one experiment, do not necessarily imply that all suspected assailants in domestic violence incidents should be arrested. Other experiments in other settings are needed to learn more. But the preponderance of evidence in the Minneapolis study strongly suggests that the police should use arrest in most domestic violence cases (1984b:1).

In the decade since the preliminary results were announced in the "Science" section of the *New York Times* (Boffey, 1983, p. L1), the study's findings were reported in over 300 newspapers in the United States, broadcast on three major television networks in prime-time news programs or documentaries, and fea-

tured in numerous nationally syndicated columns and editorials (Sherman and Cohn, 1989). The Attorney General's Task Force on Family Violence endorsed the study's findings and recommended that State and local agencies adopt a proarrest policy toward domestic violence (U.S. Attorney General, 1984). Following the attention given to this study's results, a dramatic change in formal policy consistent with the study's proarrest findings has been reported by police departments in both large and small U.S. cities (Sherman and Cohn, 1989).

The Minneapolis experiment was designed, funded, and implemented as a test of specific deterrence theory (Sherman, 1980) and was a direct response to the call for such tests by the National Academy of Sciences (Blumstein et al., 1978). The Minneapolis experiment is atypical for its innovative experimental design, test of theory, extensive public visibility, focus on a controversial policy issue, and apparent effect on public policy. This experiment is atypical for another reason: It was replicated.

Replications of the Minneapolis experiment. The initial reports of deterrent effects in the Minneapolis experiment were tempered by later criticisms of its designs and claims of the overreach of its conclusions given the limitations in the design (Binder and Meeker, 1992). Replications of the Minneapolis experiment in five jurisdictions failed to produce consistent results. Garner, Fagan, and Maxwell (1995) showed inconsistency in the directions, effect sizes, and statistical power in experiments based on both official arrests and victim interviews over a 6-month followup period. Thus, where there was once one experiment with two consistent findings (prevalence and time to failure), there are now seven similar experiments in which the findings on the specific deterrent effect of arrest on the prevalence of reoffending—the central finding of the Minneapolis experiment—differ internally by data source and externally by site.

The replications are noteworthy also because of two important corollary findings. First, Sherman et al. (1992a) and Berk et al. (1992) in multisite analyses and Pate and Hamilton (1992) in a single-site analysis reported on the interaction of arrest with two measures of "stake-in-conformity" (Toby, 1957), the marital and

employment status of the suspect. This line of analysis suggests that arrest increases violence for unmarried and also unemployed suspects and deters it for married and employed suspects. Sherman et al.'s (1992a:687) evaluation of the published findings from Colorado Springs, Dade County, Milwaukee, and Omaha is that:

All four experiments that have examined this hypothesis report an interaction with unemployment consistent with the stake-in-conformity hypothesis, at least in the official data.

The interaction effects suggest the importance of subgroup differences in the specific deterrent effects of arrest. However, because the cases in each of the experiments disproportionately came from neighborhoods with concentrations of the common risk factors for violence—high unemployment, poverty, and divorce rates—deterrent effects may have been confounded with broader contextual effects. The analysis of these hierarchically structured processes requires methods to disentangle social structural factors from the individual factors that contribute to violence generally and that may undermine the deterrent effects of legal sanctions. The availability of informal social controls—the potential for job or relationship loss or for social stigmatization from neighbors or relatives—may also undermine the effectiveness of legal controls. In fact, the absence of a systematic deterrent effect across sites in the arrest experiments and evidence of the escalation of violence among men who were unemployed and unmarried led Sherman (1992a, 1992b) to conclude that mandatory and proarrest policies were inadvisable.

Second, one of the experiments included an "offender-absent" group in which arrests were not made, but warrants were issued for the absent batterers (Dunford, 1990b). The deterrent effects of police intervention were clearer and more consistent across different outcome measures in this experiment than in any of the other conditions. The continuing threat of legal sanctions evidently has a stronger deterrent effect than the actual imposition of a sanction through the arrest process. This is a theme discussed later in terms of prosecution programs. Unfortunately, the Omaha offender-absent experiment was not replicated elsewhere in the Spouse Assault Replication Program (SARP) cohort.

However, conclusions about the ineffectiveness of deterrence based on the police experiments may in fact be inaccurate, because the actual implementation of deterrence was minimal in these experiments. Most offenders were not prosecuted once arrested. Legal sanctions were limited to booking for most of those arrested. Few were handcuffed, most spent only a few hours in custody, and only a small number were jailed overnight (Sherman, 1992a). Only misdemeanor cases were included in the experiment, a selection bias that reduces the generalizability of the experiments. Only in the Omaha offender-absent experiment—the experiment with consistent evidence of deterrence—were felony cases included. Accordingly, the limitations of the SARP experiments led Garner et al. (1995) to conclude that the effects of arrests remain unknown.

Prosecution Experiments

The low rate of prosecution in domestic violence cases undermines deterrence by neutralizing the actions of the police and reducing the likelihood of legal sanctions following arrest. Although some level of sanction may result from arrest, deterrence ultimately results from the actions of prosecutorial and judicial actors whose actions lead to substantive punishment.⁵ Historically, like the police, prosecutors were accused of disinterest in family violence cases, failing to file cases presented by the police or discouraging willing victims from pursuing criminal complaints. Whether discouraged by the evidentiary problems in these cases, the ambivalence and lack of cooperation from victims to press forward with prosecution, patriarchal notions about family privacy and male prerogatives, or signals from a disinterested judiciary who were unwilling to respond to prosecution with meaningful sanctions, prosecutors had little incentive to follow through with vigorous presentation of domestic violence cases (Elliott, 1989; Ford, 1993).

In many communities, the rate of prosecution remains extremely low, less than 10 percent for misdemeanor cases (Ford, 1993; Schmidt and Steury, 1989). Fagan (1989) found that fewer than 5 percent of 270 cases involving women with injuries were

criminally prosecuted. Dutton (1995) reported that conviction and sentencing are even rarer.

Special prosecution units. The advent of special prosecution units created an atmosphere and organizational context in prosecutors' offices in which domestic violence cases had high status. These units created incentives for vigorous prosecution without competing with other units for scarce trial or investigative resources with other high-visibility cases (Forst and Hemon, 1985). These units also created an atmosphere in which prosecutorial screening could include a wider range of factors than simply the evidentiary strength of the case or the severity of the victim's injuries. Thus, for example, prosecutors can entertain criteria that may reflect the likelihood of future (severe) abuse, such as the history of violence in the relationship or the past frequency of victim injuries. Although such factors may *be less concerned with* the likelihood of obtaining a conviction, sorting cases in this way provides for the allocation of legal sanctions based on the priority of victim protection rather than the typical pragmatic case-sorting factors.

The likelihood of prosecution also reflects the interaction of prosecutorial case-screening decisions with victim choices. Some research suggests, however, that victims may have wider interests in mind than legal sanctions when viding for prosecution. For example, Ford (1991) suggests that victims' goals are instrumental: obtaining money or property, coercing partners to obtain counseling, or protecting themselves or their children. Thus, their evaluations of prosecution may involve a more complex determination about how prosecution, in combination with other factors, will increase their safety and well-being. To avoid these complications, some prosecutors have adopted no-drop policies that avoided the last-minute withdrawal of charges that frustrated police and judges. However, critics of no-drop policies suggest that they provide further disincentives for women to interact with the legal system to create a "context of deterrence" within the relationship, based on the possible conflict between victims' and prosecutors' goals or interests, as well as victims' perceived *costs* of prosecution vis-a-vis their actual goals. Thus, victims' efforts to end the violence may involve strategies in

which choices are constrained by both the context of legal institutions and the contexts of their relationships.

Despite the development of special prosecution units, few studies have documented the effects of prosecution on the control or recurrence of spouse or partner assault. Most studies of prosecution of partner violence have focused on prosecutorial decisionmaking regarding the sorting and selecting of cases for prosecution (e.g., Schmidt and Steury, 1989). Fagan (1989) found subgroup differences similar to those reported by Sherman et al. (1991) for arrests. Men with prior arrest records or who had lengthy histories of severe violence toward their partners were more likely to reoffend if prosecuted compared with men not prosecuted. Again, evidence of iatrogenic or counterdeterrent effects raises serious questions not only about the deterrent effects of legal sanctions but also about the interactions of violent men with legal institutions that may produce this effect.

Indianapolis experiment. The most comprehensive prosecution study has been the Indianapolis Domestic Violence Prosecution Experiment (Ford, 1991, 1993). There was no significant protective effect from prosecution in the experiment, but there was a significant reduction in "severe" violence when victim-initiated prosecutorial actions were compared with the traditional summons-and-prosecution procedure (Ford, 1993). The results suggest small marginal gains in deterrence from the use or threat of prosecution, gains that are mitigated by small effect sizes coupled with small sample sizes.

These studies raise the question of victim empowerment and the hypothesis that the threat of prosecution, placed in the hands of the victim to use in her efforts to end her partner's violence, may have deterrent effects. Several jurisdictions have encouraged the use of warrants by victims in cases in which arrests were not made. The "Sword of Damocles" model of deterrence may invoke deterrence processes through the elimination of the mediating effects of legal actors and the allocation of legal power to the woman-victim (Dunford, 1990; Ford, 1993). When coupled with informal sources of social control, the threat of prosecution may have a greater deterrent effect compared with the more typical deterrence model in which threats are contingent on the dynam-