

Crime Victims Compensation Board

CRIME VICTIMS
COMPENSATION BOARD

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Michigan Crime Victims
Compensation Board

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Kathleen M. Fojtik, Chairperson
Ulysses W. Boykin, Attorney Member
Deborah Farhat, Member

STATE OF MICHIGAN

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JAMES J. BLANCHARD, Governor

CRIME VICTIMS COMPENSATION BOARD

P.O. BOX 30026, LANSING, MICHIGAN 48909

March 6, 1987

To: The Honorable James J. Blanchard
Governor of the State of Michigan

and

The Honorable Members of the Legislature
State of Michigan

Gentlemen and Ladies:

We have the honor to submit the ninth Annual Report of the Crime Victims Compensation Board, pursuant to the provisions of 1976 P.A. 223, Section 3(g), MCL 18.353(g), which covers the period October 1, 1985 through September 30, 1986.

Respectfully,

Kathleen M. Fojtik
Chairperson

Ulysses W. Boykin
Attorney Member

Debbie Farhat
Member

REPORT OF THE CRIME VICTIMS COMPENSATION BOARD

To: The Honorable James J. Blanchard
Governor of the State of Michigan

and

The Honorable Members of the Legislature
State of Michigan

Criminal victimization affects many citizens in today's society. Every year one of fifteen Michigan residents falls victim to a criminal act. Over ten percent of these victims suffer physical injuries as the result of violence.

The consequences of criminal assault can range from minor abrasions to permanent paralysis, to death. While most people understand the seriousness of mutilation and death, the general public is not aware of the extent of physical injury in even "minor" crimes. Just twenty-four hours of hospitalization with the attendant medical support teams can mean out-of-pocket expenses measured in thousands of dollars to the victim of an assault.

Increasingly, the medical costs are borne by the victim. Even if the victim is covered by a program of hospitalization and medical insurance, he or she must pay deductibles, co-payments and other related expenses. If the victim cannot work for an extended period of time following the injury, these costs represent an even more formidable challenge to the economic well-being of the victim and his or her family.

Victims of crime are made aware of the realities of plea bargaining and probation in an overburdened criminal justice system and reactions of anger and frustration are the norm rather than the exception. We in Michigan are fortunate to have a crime victims compensation program (Public Act 223 of 1976) which acknowledges and attempts to alleviate some of the suffering of these victims. While no amount of compensation can erase the physical and emotional scars of victimization, the program responds to the immediate need by assisting with medical costs and loss of earnings or support incurred by victims through no fault of their own.

Victims of crime have, in a sense, been denied protection of the law. By providing a direct response and a necessary service in a timely manner, the program seeks to renew confidence in government by its citizens. The program also seeks to encourage citizens to report

crimes promptly and to cooperate more fully with law enforcement agencies, thus benefiting the operation of the criminal justice system.

This annual report will summarize the activities of the crime victims compensation program in Michigan and will show Michigan's attempt to help ease the financial burdens thrust upon our citizens and their families as a result of the violent crimes committed against them.

THE BOARD

The Crime Victims Compensation Board consists of three members at least one of whom shall be a practicing attorney. The Board members are appointed by the Governor with the advice and consent of the Senate. The Chairperson is Kathleen M. Fojtik of Ann Arbor. Ms. Fojtik has served on the Board since its inception in 1977. Ulysses W. Boykin of Detroit is serving his second full term as the Board's attorney member. Debbie Farhat of Norton Shores was appointed to the Board in March, 1986 and ended her term of service after election to the Michigan House of Representatives the following November.

The Board provides direction for the investigation and determination of claims for compensation pursuant to the powers granted it by the Legislature. These powers include directing medical examinations, issuing subpoenas and holding evidentiary hearings. Management functions and staff support are performed by the Department of Management and Budget. Offices are located in the Lewis Cass Building, 320 S. Walnut, Lansing.

THE PROGRAM

In nine years of service, the program has made 9,297 awards to injured crime victims facing serious financial hardship. A total of \$15,120,000 has been awarded for payment of out-of-pocket expenses and loss of earnings or support.

In FY 85-86, 1,847 new claims were received and processed in addition to 176 claims carried over from FY 84-85. Of these, 1,149 were awarded and 815 were denied. At the end of September 1986, 331 claims were still in process and will be determined in the next fiscal year. In addition, 293 awards were made in protracted claims. A protracted claim is one in which an initial award has been made, but because of the continuing disability and medical expenses of the victim, additional awards are made on a periodic basis. The total amount awarded for claims in FY 85-86 was \$2,642,778. Further information regarding the caseload is provided in subsequent sections of this report.

Based on data gathered by the U.S. Department of Justice, Michigan has the lowest administrative cost of any of the 42 state programs now in operation (7 percent in FY 85-86). We are proud of this fact, but we are even more proud of our high standard of program integrity and service. That standard continues to be our major objective.

APPEALS PROCESS

Claimants dissatisfied with the initial decision may make application in writing for a review of the decision by the full Board or may request a hearing before the Board. In fiscal year 1985-86, the Board reviewed 28 appeals and held 34 evidentiary hearings. We are now scheduling about 5 evidentiary hearings a month in addition to the cases on appeal in which the Board only reviews the record.

The decision of the Board in affirming or modifying the initial decision becomes the final decision of the Board. If the claimant remains dissatisfied after the decision of the full Board, the claimant may appeal the decision to the Court of Appeals. Two cases were appealed to the Court of Appeals in 1985-86.

PUBLIC AWARENESS PROGRAM

The Board has long recognized the need for a more comprehensive solution to the problem of client notification. Faced with limited resources for general public awareness programs, the Board developed a strategy of impacting the victim at his or her entry into the criminal justice process. To this end, thousands of informational brochures and applications for claims were distributed to all law enforcement agencies and prosecuting attorneys in the state. These efforts were expanded to include victim service providers of all types, neighborhood groups and special interest associations. In addition, Board members continued to make themselves available to the media, criminal justice agencies, schools, and professional and community organizations for speaking engagements and conferences.

These efforts are continuing and the passage of the Crime Victims Rights Act provides for the comprehensive system of victim notification the Board has long supported. Under the Crime Victims Rights Act, 1985 P.A. 87, law enforcement agencies are required to notify victims of the availability of the Board's services within 24 hours and prosecuting attorneys must provide details of compensation eligibility to the victim not later than 7 days after the arraignment of the defendant.

VOCA FUNDING — U.S. DEPARTMENT OF JUSTICE

The Victims of Crime Act of 1984 (VOCA) provides for a 35 percent federal matching grant to state victim compensation programs that meet compliance criteria established by Congress. On November 15, 1985, Governor Blanchard signed into law P.A. 157, thus enabling the program to receive and expend these federal dollars.

Amendments to P.A. 223 of 1976 include eliminating the residency requirement, providing compensation to victims of crimes of federal jurisdiction that occur in Michigan and specifying psychological counseling as an allowable out-of-pocket expense. Other changes provide one full year filing time for all victims, allowing brothers and sisters of deceased victims to file for burial benefits, waiver of the minimum loss requirement for expenses associated with the evidentiary medical examination of victims of sexual assault and provision for an initial administrative determination of claims. The Board extends its appreciation to Governor Blanchard and the Legislature and particularly to Representative Richard A. Young for his efforts in this process.

The Board received a VOCA grant of \$699,000 in FY 1985-86 and is eligible to receive an additional \$686,000 for FY 1986-87. These funds may be carried over into the next fiscal year if unexpended in the first year.

INFORMATION FOR VICTIMS OF DOMESTIC VIOLENCE

Pursuant to 1985 PA 222, Peace Officers, after intervening in a domestic dispute as described in MCL 764.15a or 764.15b, are required to give the victim the following notice:

—INFORMATION about shelters and alternatives to domestic violence is available from a STATEWIDE 24-HOUR TOLL-FREE HOTLINE AT

1-800-292-3925

—The battered women's shelter and other resources in your area are:

—IF YOU ARE THE VICTIM OF DOMESTIC VIOLENCE you can ask the county prosecuting attorney to file a criminal complaint.

—You also have the right to go to court and file a petition requesting an Injunctive order from domestic abuse which could include the following:

- (a) An order restraining or enjoining the abuser from entering onto premises.
- (b) An order restraining or enjoining the abuser from assaulting, beating, molesting, or wounding you.
- (c) An order restraining or enjoining the abuser from removing minor children from you, except as otherwise authorized by a custody or visitation order issued by a court of competent jurisdiction.

Published for the State of Michigan by
the Crime Victims Compensation Board and the Michigan Women's Commission

SPECIAL PROJECTS

In May, 1986, the Board published and distributed to all Michigan law enforcement agencies a notice of information on rights and services for victims of domestic violence. Pursuant to 1985 PA 222, the notice is to be provided to the domestic violence victim by an intervening peace officer and contains emergency shelter and legal information. The Michigan Women's Commission also participated in the project.

The Board began conversion to a new, efficient, and more flexible data processing system in FY 1985-86. Scheduled for completion early in FY 1986-87, the system utilizes the assistance of the Automated Services section of the Office of Administrative Services. The new system will provide expanded reporting capabilities, a reduction in staff hours for data entry and improved claim management control. Another valuable facet of the conversion is the integration of claim maintenance and payment processes on the same data system as used for the Board's word processing applications. Full system implementation will greatly increase the agency's technical and clerical efficiencies while reducing departmental obligations to Central Systems Data Center by approximately \$10,000 per year.

Our Board was one of six programs in the nation asked to participate in a meeting by the Office of Justice Programs in Washington, D.C. Federal funding and compensation policy issues were discussed with administration officials and good progress was made in fine-tuning the federal program to meet the needs of state participants.

NATIONAL AND INTERNATIONAL AFFILIATION

The Michigan Crime Victims Compensation Board is a member of the National Association of Crime Victims Compensation Boards, which is comprised of 41 State programs and of the International Association of Crime Victims Compensation Boards, consisting of over 50 separate jurisdictions worldwide, including Canada, Australia, England and Japan. The Board also holds agency membership in NOVA, the National Organization for Victim Assistance.

ACKNOWLEDGEMENTS

The Board is deeply grateful for the continuing support it receives from Governor Blanchard and the Legislature. Our agency has functioned smoothly because of the fine support system provided by the Department of Management and Budget and by the Attorney General.

Our appreciation is extended to those whose assistance is essential not only to our office but also to the crime victims we serve. These include all county prosecutors, victim assistance units, law enforcement agencies, health care providers, counselors, funeral homes and other professionals and service providers.

We particularly want to express our thanks and appreciation to the members of our staff for the conscientious and capable manner in which they carry out the Board's policies.

Respectfully submitted,

The Crime Victims Compensation Board

March 6, 1987

FINANCIAL REPORT 1985-86

	ADJUSTED APPROPRIATION	EXPENDITURES
FTE Positions	4	
Salaries/Wages and Support	\$ 213,500	\$ 179,045
Source: GF-GP		179,045
Awards to Victims	2,646,864	2,642,778
Source: GF-GP		1,945,914
DOJ Grant		696,864

ACTIVITY REPORT 1985-86

APPLICATIONS	1,847
DECISIONS	
Initial Awards	1,149
Protracted Awards	293
Denials	815
Total Decisions	2,257
Claims in Process	331
AWARDS	
Total Amount Awarded	\$2,642,778.00
Average Initial Award	1,976.00
Average Protracted Award	1,368.00

CHARACTERISTICS OF DECISIONS

COUNTY	INITIAL AWARDS		PROTRACTED AWARDS		DENIALS	TOTAL AMT. AWARDED (\$1,000's)
	Number	Amt. (\$1,000's)	Number	Amt. (\$1,000's)		
1 Alcona	1	.86	1	1.02	0	1.88
2 Alger	1	5.68	0	.00	1	5.68
3 Allegan	3	0.96	0	.00	2	0.96
4 Alpena	0	.00	0	.00	0	.00
5 Antrim	0	.00	0	.00	1	.00
6 Arenac	2	2.50	1	.20	1	2.70
7 Baraga	1	6.38	1	2.19	0	8.57
8 Barry	4	9.86	1	.06	2	9.92
9 Bay	9	8.95	1	.18	3	9.13
10 Benzie	3	6.60	0	.00	0	6.60
11 Berrien	29	45.80	19	19.40	18	65.20
12 Branch	0	.00	0	.00	5	.00
13 Calhoun	40	77.07	8	2.33	14	79.40
14 Cass	8	7.64	0	.00	1	7.64
15 Charlevoix	4	3.60	2	5.62	1	9.22
16 Cheboygan	2	3.00	0	.00	0	3.00
17 Chippewa	1	2.60	0	.00	0	2.60
18 Clare	4	10.83	0	.00	0	10.83
19 Clinton	2	1.83	4	1.44	3	3.27
20 Crawford	0	.00	0	.00	0	.00
21 Delta	2	1.21	0	.00	2	1.21
22 Dickinson	0	.00	0	.00	0	.00

CHARACTERISTICS OF DECISIONS (Continued)

COUNTY	INITIAL AWARDS		PROTRACTED AWARDS		DENIALS	TOTAL AMT. AWARDED (\$1,000's)
	Number	Amt. (\$1,000's)	Number	Amt. (\$1,000's)		
23 Eaton	7	6.65	2	.74	1	7.39
24 Emmet	0	.00	0	.00	2	.00
25 Genesee	56	181.59	6	5.11	67	186.70
26 Gladwin	0	.00	0	.00	1	.00
27 Gogebic	1	.18	0	.00	0	.18
28 Grand Traverse	1	1.04	0	.00	2	1.04
29 Gratiot	2	.58	1	.08	3	.66
30 Hillsdale	0	.00	0	.00	1	.00
31 Houghton	0	.00	0	.00	0	.00
32 Huron	2	1.27	1	8.18	0	9.45
33 Ingham	29	61.25	6	1.85	23	63.10
34 Ionia	3	8.26	2	7.50	1	15.76
35 Iosco	0	.00	0	.00	0	.00
36 Iron	2	3.71	0	.00	0	3.71
37 Isabella	1	.96	0	.00	2	.96
38 Jackson	10	10.63	2	1.98	8	12.61
39 Kalamazoo	38	55.23	4	15.88	16	71.11
40 Kalkaska	0	.00	0	.00	0	.00
41 Kent	94	166.56	11	24.47	71	191.03
42 Keweenaw	0	.00	0	.00	0	.00
43 Lake	2	2.81	0	.00	1	2.81
44 Lapeer	2	8.58	1	.57	2	9.15
45 Leelanau	0	.00	0	.00	0	.00

CHARACTERISTICS OF DECISIONS (Continued)

COUNTY	INITIAL AWARDS		PROTRACTED AWARDS		DENIALS	TOTAL AMT. AWARDED (\$1,000's)
	Number	Amt. (\$1,000's)	Number	Amt. (\$1,000's)		
46 Lenawee	2	11.41	2	10.13	0	21.54
47 Livingston	1	1.50	0	.00	4	1.50
48 Luce	0	.00	0	.00	0	.00
49 Mackinac	0	.00	0	.00	0	.00
50 Macomb	36	74.47	3	1.56	18	76.03
51 Manistee	2	1.24	0	.00	1	1.24
52 Marquette	3	10.06	1	.55	1	10.61
53 Mason	1	.47	0	.00	2	.47
54 Mecosta	3	2.32	0	.00	2	2.32
55 Menominee	1	.70	0	.00	1	.70
56 Midland	3	.74	0	.00	2	.74
57 Missaukee	1	.40	0	.00	0	.40
58 Monroe	4	6.62	0	.00	5	6.62
59 Montcalm	1	1.50	0	.00	3	1.50
60 Montmorency	0	.00	0	.00	0	.00
61 Muskegon	17	47.69	2	.51	8	48.20
62 Newaygo	2	3.10	0	.00	3	3.10
63 Oakland	83	152.12	17	43.32	71	195.44
64 Oceana	1	.71	0	.00	0	.71
65 Ogemaw	1	1.00	0	.00	0	1.00
66 Ontonagan	0	.00	0	.00	0	.00
67 Osceola	0	.00	0	.00	0	.00

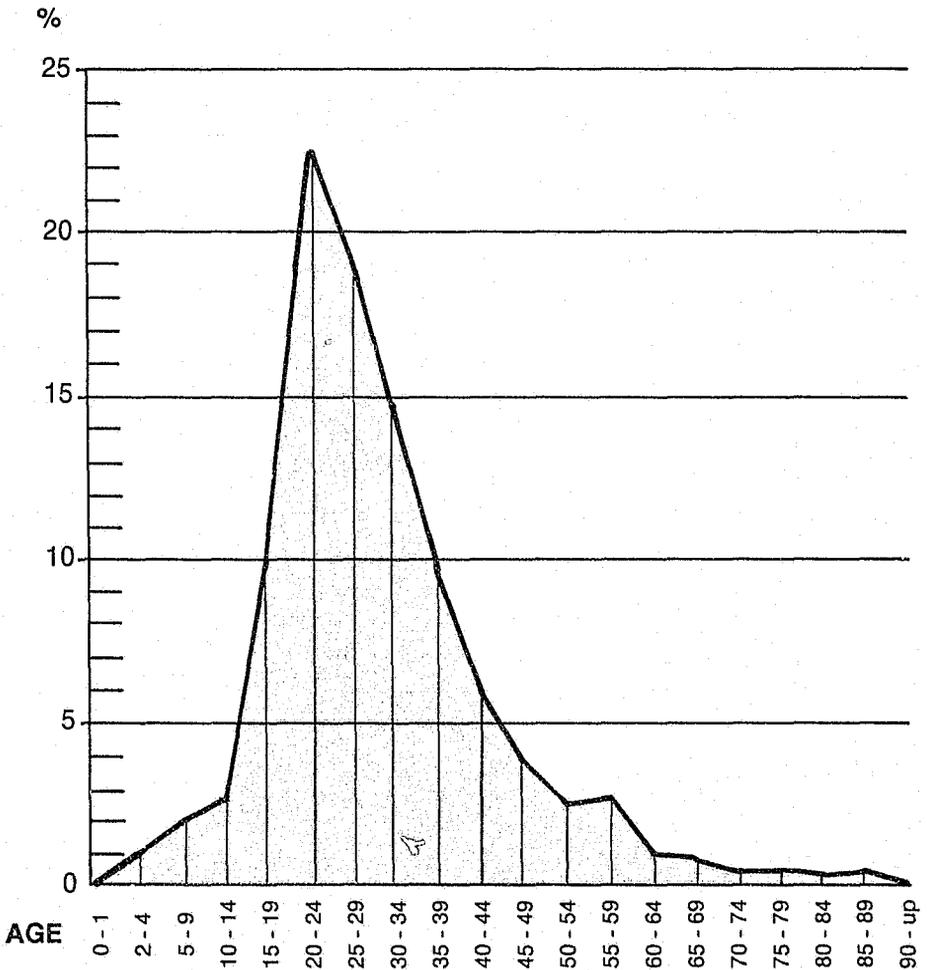
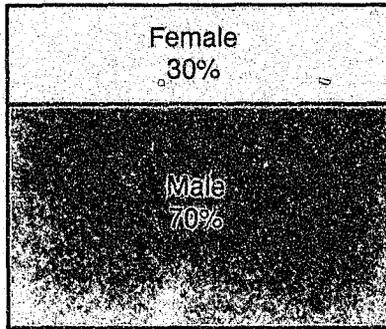
CHARACTERISTICS OF DECISIONS (Continued)

COUNTY	INITIAL AWARDS		PROTRACTED AWARDS		DENIALS	TOTAL AMT. AWARDED (\$1,000's)
	Number	Amt. (\$1,000's)	Number	Amt. (\$1,000's)		
68 Oscoda	0	.00	0	.00	0	.00
69 Otsego	0	.00	0	.00	0	.00
70 Ottawa	5	14.12	1	.72	4	14.84
71 Presque Isle	1	14.13	1	.87	1	15.00
72 Roscommon	0	.00	0	.00	0	.00
73 Saginaw	28	98.88	2	8.25	21	107.13
74 Saint Clair	12	30.79	1	.25	3	31.04
75 Saint Joseph	4	2.84	0	.00	2	2.84
76 Sanilac	1	7.02	1	1.08	1	8.10
77 Schoolcraft	1	.22	0	.00	1	.22
78 Shiawassee	0	.00	0	.00	1	.00
79 Tuscola	0	.00	0	.00	1	.00
80 Van Buren	3	3.70	0	.00	6	3.70
81 Washtenaw	26	39.85	0	.00	19	39.85
82 Wayne	539	1,038.57	188	205.53	378	1,244.10
83 Wexford	1	.37	0	.00	1	.37
TOTAL	1,149	2,271.21	293	371.57	815	2,642.78

CHARACTERISTICS OF VICTIMS

Number of Claims = 1,847

SEX



SUMMARY OF DECISIONS

The Crime Victims Compensation Board was established to assist victims and persons aiding victims of crimes who, through no significant fault of their own, suffer actual bodily harm as a direct result of the crimes.

This assistance includes compensation for out-of-pocket loss for medical care, or other necessary services, including funeral benefits, and loss of earnings or support, resulting from the injury and the Board is the payor of last resort. Loss of or damage to personal property is not covered.

The crime must be reported to the proper authorities within 48 hours and a claim must be filed with the Board no later than one year after the occurrence of the crime. Intent to defraud or cheat by falsely presenting the facts and circumstances of a crime to the Board is punishable by fine or imprisonment.

The descriptions of the following cases are merely thumbnail sketches and do not necessarily contain all facts relevant to the decision of the case. It is our intent to provide a representative sample of annual claims and identifiers have been deleted in the interest of confidentiality.

AWARDS

The claimant was a 49-year old disabled woman with a limited income. During an assault the victim's nose and upper lip were severely mutilated and required extensive reconstructive surgery. The Board awarded reimbursement for these procedures as well as reimbursement of travel expenses because the necessary services were not locally available. Total award \$13,980.00.

The claimant was a wife of a 47-year old homicide victim. The Board awarded burial benefits and loss of support to the wife as she was ineligible for social security benefits. Total award \$6,700.00.

The claimant was the mother of a 5-year old girl who was sexually abused by her natural father. The child developed severe emotional distress and anxiety. The Board awarded reimbursement for continuing psychological counselling to be reviewed quarterly. Total award \$2,640.00.

The claimant was the mother of a 5-year old boy who, caught in a crossfire, was accidentally shot in the head. The boy was covered under his parents' health insurance plan, however, the Board awarded reimbursement for insurance deductibles and miscellaneous out-of-pocket medical expenses. Total award \$3,521.00.

The claimant was a 23-year old man who was permanently paralyzed following a gunshot wound to his spine. While Medicaid coverage was authorized for his medical expenses, it did not provide coverage for the rehabilitative equipment

and modifications to his residence that were necessary to provide for his self-care and personal hygiene needs. The Board awarded the claimant these out-of-pocket expenses in the amount of \$15,000.00, the maximum award.

The claimant was a 68-year old retired woman from out-of-state who, while visiting friends in Michigan, was assaulted by four young males. Medicare covered all medical expenses except for \$49.00 to one of the Michigan providers. The Board made reimbursement for same, waiving the minimum loss. Total award \$49.00.

The claimant was a 22-year old woman who suffered a gunshot wound to the chest during an armed robbery at her place of employment. The claimant was covered by her employer under workers' compensation for both medical expenses and lost earnings. However, because it was determined that the difference between regular weekly earnings and the lower workers' compensation benefits represented a serious financial hardship for the claimant, the Board awarded loss of earnings for 52 weeks. Total award \$2,132.00.

The claimant, mother of three sons ages 15, 16 and 21, all of whom died as a result of an arson, filed three separate claims for burial benefits. Two of the woman's grandchildren also perished in the fire. The Board awarded total burial benefits in these three claims of \$3,345.00.

The claimant was a 48-year old man who was critically injured from a shotgun blast when he confronted a prowler outside his home. The victim was covered by medical and disability insurance through his employer. The Board, however, awarded reimbursement to him for insurance deductibles and the difference between his regular earnings and the lower disability amounts. Total award \$3,595.00.

The claimant was a 27-year old man who, following an assault with a tire iron, required extensive surgical repair of facial bones and orthodontic treatment to realign his teeth prior to being fitted for a permanent bridge. The victim was covered by both health and disability coverage through his employer, however, the Board awarded the difference between the claimant's regular earnings and the lower disability payments. In addition, dental treatment not covered by his health plan was awarded. Total award \$3,100.00.

The claimant was a 34-year old woman who requested reimbursement for burial expenses and loss of support following her husband's murder. The Board awarded burial benefits. The claimant's request for loss of support, however, was rejected because investigation revealed that the claimant and her husband were divorced at the time of his death and social security benefits exceeded alimony and child support payments she had been receiving. Total award \$1,500.00.

DENIALS

The claimant was a 49-year old woman who witnessed a sexual assault on a co-worker. Subsequently, the claimant incurred substantial expenses for in-patient hospital care and extensive psychological therapy, claiming she suffered from a post traumatic stress disorder which was the direct result of the sexual assault. The Board denied her claim because the claimant did not suffer personal physical injury in Michigan as a direct result of a crime.

The claimant was a 19-year old male who received a head laceration when struck with a pistol. Investigation revealed that the claimant had not only argued and threatened the clerk in a party store with a gun while refusing to wait in line to pay for some purchases, but then continued to verbally abuse the clerk. When police were called to the scene, claimant kicked out a headlight in the patrol car and refused to make statements, threatening to get even with the clerk for striking him. The claim was denied because claimant refused to cooperate with the law enforcement agency investigating the incident and because the claimant contributed to the infliction of the injury.

The claimant was a 27-year old woman who was sexually assaulted during an armed robbery at her place of employment. The claimant's medical expenses and lost earnings were fully covered under workers' compensation and her employer's health plan. The claim was denied because claimant did not suffer any compensable loss.

The claimant, the mother of a 20-year old son who was shot while selling narcotics, filed a claim for burial benefits. The claim was denied because the injury directly resulted from the victim's participation in an illegal activity which engendered a proximal and foreseeable risk of bodily harm and thus contributed substantially to the infliction of the injury.

The claimant was a 34-year old man who was assaulted by two males, suffering multiple contusions and internal bleeding. Upon investigation, it was determined that the claimant had given statements to the prosecutor that were inconsistent with his original statements to the police. The prosecutor's office denied the warrant request. The claim was denied because the injury was received during a non-criminal altercation and because of the claimant's noncooperation with the prosecutor.

The claimant was the father of a 26-year old woman who was injured when the car in which she was a passenger was involved in a traffic accident. The claim was denied because the act which gave rise to the claim, a motor vehicle accident, is covered by 1972 P.A. 294, the No-Fault Insurance Act. The claimant was referred to the Department of State, Assigned Claims Plan.

The claimant was an 18-year old female who alleged to have been beaten by her boyfriend and who requested reimbursement for personal injuries and damages to her residence when the defendant crashed into it with his car. Investigation revealed that the claimant had suffered no personal injury but had gone to the hospital for a tetanus shot, and the only charges filed against the defendant were for malicious destruction of property. The claim was denied because the claimant did not suffer personal physical injury as a direct result of a crime and because damage to personal property is not eligible for reimbursement.

The claimant was a 25-year old man who alleged to have been shot during an attempted robbery. The claimant had neglected to file a police report at the time of the incident but did file a report three months later. The claim was denied because the crime was not reported to the proper authorities within 48 hours of the occurrence, good cause not being found for the delay.

The claimant was a 37-year old man who alleged to be suffering from severe headaches as a result of being assaulted during an unarmed robbery in November, 1984. The claim was denied because a claim may not be brought after one year from the date of the crime.

The claimant was a 33-year old man who was hit in the neck with a belt buckle. Injuries were very minor and claimant incurred expenses of only \$141.00. The claim was denied because the claimant did not suffer a \$200.00 minimum out-of-pocket loss.

The claimant was the mother of a 37-year old man who died as a result of a fall from the 3rd level to the 1st level of a prison cell block. The claim was denied because the crime occurred while the victim was confined in a correctional facility.

REASONS FOR DENIAL

	%
1. Victim did not suffer injuries in Michigan as a direct result of a crime.	5.8
2. A claim may not be brought after 1 year from the date of the crime.	7.0
3. The act which gave rise to the claim, a motor vehicle accident, is covered by 1972 P.A. 294, being 500.3101 et seq., the No-Fault Insurance Act, and the claim must be filed with the following State agency: Department of State, Assigned Claims Plan, 7064 Crowner Drive, Lansing, MI 48918, (517) 322-1875.	5.5
4. The crime was not reported.	2.1
5. Police records show that the crime was not reported to the proper authorities within 48 hours of its occurrence, and the delay was unjustified, good cause therefor having not been shown.	6.3
6. The criminal disposition is the direct result of the Claimant's willful noncooperation with law enforcement officials and therefore causes the Board to reject the claim.	4.8
7. The Victim contributed substantially to the infliction of the injury based on Board investigation and on the investigation of the law enforcement agency to which the act causing the injury was reported.	13.2
8. Victim is criminally responsible for the crime or an accomplice to the crime.	1.1
9. The crime occurred while the victim was confined in a correctional facility.	0.1
10. The act which gave rise to the claim, as indicated herein, does not constitute a crime pursuant to the laws of Michigan based on Board investigation and on the investigation of the law enforcement agency to which the act was reported: unknown, in self-defense, accident, or altercation.	19.4
11. The Claimant did not suffer either a minimum out-of-pocket compensable loss of \$200.00 or at least 2 continuous weeks' loss of earnings or support.	11.7

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|---|------|
| 12. The expense claimed for medical or other services, or Claimant's loss of earnings or support, is reimbursable by: Insurance/Medicare, Medicaid, Workers' Compensation, Other. | 43.6 |
| 13. The Claimant will not suffer serious financial hardship if not granted financial assistance as a result of the loss of earnings or support and the out-of-pocket expenses incurred as a result of the injury. In determining serious financial hardship, all of the financial resources of the Claimant were considered and the Board concluded that no significant lowering of a reasonable standard of living would result from denying an award to the Claimant. | 8 |
| 14. Theft, loss of or damage to personal property is not eligible for reimbursement. | 5.1 |
| 15. The Claimant resides in the same household with the person criminally responsible for the crime and is not eligible for an award to be paid to the Claimant. | 1.4 |
| 16. The Claimant did not provide requested information that is needed by the Board to determine the validity of the claim. | 19.3 |

* Total is greater than 100% because of multiple denial reasons for some claims.

MEMBERS OF THE BOARD

A member of the Crime Victims Compensation Board since its inception in 1977, founder and former Executive Director of the Domestic Violence Project and S.A.F.E. House in Washtenaw County, former Washtenaw County Commissioner, presently the Employability Coordinator, Student Parent Centers in Ann Arbor.



Kathleen M. Fojtik

An attorney in Detroit, serves on various committees of the Michigan State Bar Association, the Detroit Bar Association and the Wolverine Bar Association, member of the Greenacres Woodward Civic Association, and is a participant in the Student Motivational Role Model Program with the Detroit Public Schools.



Ulysses W. Boykin

Served as a member of the Crime Victims Compensation Board while employed by Community Mental Health Services of Muskegon County, served on the Muskegon County Crime Victims Rights Task Force and presently serves in the Michigan House of Representatives.



Debbie Farhat