

CRIMINAL INJURIES COMPENSATION
COMMISSION

ELEVENTH ANNUAL REPORT
1978

57266

GEORGE R. ARIYOSHI
GOVERNOR



ANDREW I. T. CHANG
DIRECTOR OF SOCIAL SERVICES & HOUSING

STATE OF HAWAII
DEPARTMENT OF SOCIAL SERVICES AND HOUSING
P. O. Box 339
Honolulu, Hawaii 96809

January 9, 1979

MICROFICHE

To: The Honorable George R. Ariyoshi
Governor, State of Hawaii

From: Andrew I. T. Chang, Director
Dept. of Social Services & Housing

Re: CRIMINAL INJURIES COMPENSATION COMMISSION
ANNUAL REPORT

In accordance with the provisions of Section 351-70, Hawaii Revised Statutes, we respectfully submit the Annual Report of the Criminal Injuries Compensation Commission for calendar year 1978. The report covers the activities of the Commission for the period December 16, 1977 through December 15, 1978.

DIRECTOR

Enc.

NCJRS

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ACQUISITIONS

CRIME VICTIMS COMPENSATION - PHILOSOPHY

It is often said that crime victims in this country are victimized first by the criminal offender and second by our own criminal justice system. Whether or not this statement is true has long been the subject of debate. However, we do believe that the plight of the innocent victim of crime in this country has had a serious impact on the functioning of our criminal justice system during these times of increasing crime and violence.

Each year, tens of thousands of innocent people are killed or maimed and the course of their lives tragically changed because they have become victims of crime. These men and women are not just faceless names in newspapers or two minute items on the evening news. They are people, real people, and the idea of paying compensation to help them rebuild their shattered lives or the lives of their survivors is an idea long past its time.

It is the duty of government to provide for the general welfare of the people, particularly when it is beyond the means and capacity of the people individually, to provide for it. The most direct way being used to aid those injured by crime is the "victim compensation programs" now in operation in twenty six (26) states. Other states are almost certain to follow suit if Congress completes action on a bill to provide federal subsidies. An infusion of federal money would be the best guarantee that compensation efforts will be significantly stepped up in the years ahead. In previous years, the Senate passed the crime victims bill three times only to see it die in the House.

The enactment of crime victims compensation legislation is an important recognition of our government's responsibility to protect its citizens, and upon its failure to do so, compensate them for their injuries.

The programs vary according to the legislative philosophy behind their enactment. Several are based on social welfare policy with financial hardship as the prime requisite to recovery, while others are formulated on the "of right" principle, open to all who have been injured by criminal acts. A few allow recovery for property damage in addition to physical injury while the rest provide for recovery only to the extent of physical violence. The ceiling of recovery also differs greatly, as do the monetary prerequisites to eligibility. All of the programs, however, have one basic and overriding principle in common--a concentration on the victim and his plight as a result of criminal acts.

Besides Hawaii, the following American jurisdictions have victim compensation programs: Alaska, California,

Connecticut, Delaware, Florida, Georgia, Illinois, Indiana, Kentucky, Louisiana, Maryland, Massachusetts, Minnesota, Nevada, New Jersey, New York, North Dakota, Ohio, Oregon, Pennsylvania, Rhode Island, Tennessee, Virginia, Washington and Wisconsin. The Rhode Island program has been deferred, having been enacted to take effect only following the enactment of federal legislation.

THE HAWAII PROGRAM

The Hawaii program was established in 1967. The basic objective is to aid victims of criminal acts by providing compensation for victims of certain crimes or dependents of deceased victims, and for indemnification of private citizens for personal injury or property damage suffered in the prevention of crime or apprehension of a criminal.

Since the inception of the program in 1967, the Hawaii Commission has made 1,303 awards totaling \$2,027,420.62; denied 335 claims; and, had 37 applications withdrawn prior to formal hearings.

The Operating Budget for 1978 was \$61,290 and covers salaries, "commission fees", rental of the office, and other incidental administrative costs. We believe our budget is very inadequate in view of our workload and productivity. In our previous reports we stressed the need for additional funding so as to assure and properly provide for the increasing number and scope of services.

The workload of the Commission continues to increase. Besides the many claims accepted and/or received in the Commission office, there are literally hundreds of letters and telephone calls inquiring about benefits under the statute. Also, the Commission receives many written inquiries and requests for information from persons in other jurisdictions. The requests for copies of our statute, annual reports and other documents have often placed a strain upon the Commission's budget. Yet, the advantages of a cooperative interchange of ideas and materials far outweighs the financial inconvenience.

The Commission continued its efforts to pursue the dual objectives of expediting its hearing process and procedures, and of further refining its substantive program.

This year, we were hampered in our operations because of our inability to obtain investigative reports from the Honolulu Police Department. There was a change in policy regarding release of police reports in the City & County of Honolulu; the procedures for duplicating copies; and the question of confidentiality of those records. The withholding of reports

by the Honolulu Police Department had a very adverse effect upon the orderly processing of applications. As a result of the change in policy, staff must now go to the Police Department to review reports and it is a very time consuming process. Because of the delay, we have a backlog of over four hundred pending claims on Oahu. To the applicant, the failure to dispose of a claim with a minimum delay is both frustrating and unjustified.

STATISTICAL ANALYSIS OF CLAIMS

During the period December 16, 1977 through December 15, 1978, the Commission received 367 new applications. The number of claims received does not fully reflect the workload of the Commission. There are hundreds of inquiries by telephone, letters, and personal appearances at the office. As of December 16, 1978, there are 421 applications still pending.

Of the 296 decisions rendered in 1978, 216 resulted in awards, 78 were disallowed, and 2 applications were withdrawn for personal reasons. Summaries of each of the awards, denials, and withdrawals are contained in Appendixes A, B and C of this report.

The work of the Commission was accomplished at 55 formal meetings. In addition, the Commission held one meeting to review administrative matters, and had one meeting with officials of the Honolulu Police Department to discuss police investigative reports.

Despite our efforts to finalize more cases each year, the number of applications that must be carried forward for consideration in succeeding years continues to increase.

Details of the number of applications and orders are summarized in Table 1 of this part.

TABLE 1. APPLICATIONS (1978)

<u>Island</u>	<u>New Appli- cations</u>	<u>Awards</u>	<u>Claims Denied</u>	<u>With- drawals</u>	<u>Claims Pending</u>
Oahu	241	147	52	1	341
Hawaii	78	29	13	1	58
Kauai	27	25	1	0	13
Maui	13	10	7	0	6
Molokai	8	5	4	0	3
Lanai	0	0	1	0	0

In order to evaluate the foregoing figures against prior year's activities, the following table has been assembled.

TABLE 2. APPLICATIONS (1968-1978)

<u>Year</u>	<u>New Appli- cations</u>	<u>Awards</u>	<u>Claims Denied</u>	<u>Claims With- drawn</u>	<u>Claims Finalized</u>
1968	13	3	2	0	5
1969	84	47	3	0	50
1970	135	121	21	5	147
1971	149	80	25	0	105
1972	188	138	24	2	164
1973	151	95	19	7	121
1974	165	116	26	8	150
1975	257	163	28	3	194
1976	274	162	53	5	220
1977	298	162	56	5	223
1978	367	216	78	2	296

The number of applications received from the neighbor islands increased dramatically--from 82 in 1977 to 126 in 1978. Several days of hearings were held on Maui, Hawaii and Kauai, and every application from the three islands which was ready for a hearing at the time was acted upon. The Commission has sought to provide neighbor island applicants with timely consideration of their claims. Unfortunately, however, the budget approved by the legislature only provides for one trip each year to Maui, Hawaii and Kauai. Currently, there are eighty (80) claims pending on the neighbor islands.

An analysis of the 296 applications disposed of in 1978, by types of crimes, is set out in Table 3 below. As in past years, the assault cases far outnumbered all other crimes combined.

TABLE 3. DECISION BY TYPES OF CRIMES (1978)

	<u>Awards</u>	<u>Denials</u>	<u>Withdrawals</u>
Assault	175	42	2
Rape	20	3	0
Murder	17	17	0
Sexual Abuse	1	0	0
Sodomy	1	0	0
Kidnapping	2	0	0
Others	<u>0</u>	<u>16</u>	<u>0</u>
Total	216	78	2

Awards in 1978 totaled \$245,802.36. While Appendix "A" of this report sets forth in greater detail a financial analysis of each award, Table 4 indicates the "average" of the awards. Statistical data for the period 1968-1978 may be found under Appendix "D".

TABLE 4. AVERAGE AWARD (1978)

(a) Average Amount of Award	\$1,137.96
(b) Percentage of Total Awards Attributable to:	
(i) medical expenses	22.3
(ii) funeral-burial expenses	11.5
(iii) loss of earning power	21.3
(iv) pecuniary loss	-
(v) pain and suffering	44.5
(vi) property loss	00.4

The Commission is required to consider the behavior of the victim, and whether, because of provocation or otherwise, the victim bears any share of responsibility for the crime that caused his injury or death and the Commission shall reduce the amount of compensation in accordance with its assessment of the degree of such responsibility attributable to the victim. This year, the Commission determined that 36 of the cases processed involved behavior falling within the proscription of Section 351-31(c). In 19 of those cases, the claims were denied. In 17 other cases, the awards were reduced by various percentages ranging from 10% to 90%.

Table 5 has been prepared to provide data in those areas where the amount has been reduced because applicant received collateral benefits. In 1978, recovery from collateral sources amounted to \$264,842.24 and, accordingly, the orders for compensation were reduced by that amount.

Table 5 also sets out those situations whereby the award is reduced or denied because of victim's behavior, or because the victim is related to the offender or "was at the time of his injury or death living with the offender as spouse or as a member of the offender's household".

TABLE 5. AWARDS REDUCED OR DENIED (1978)

	<u>Number of Cases</u>	<u>Amount</u>
Cases in which Award is Reduced Because of Recovery from Collateral Sources	132	\$264,842.24
Cases in which Claim is Denied Because of Collateral Payments	12	--
Cases in which Award is Reduced Because Victim Shared in the Responsibility for the Crime that Caused his Injury or Death	17	8,888.58
Cases in which Claim was Denied Because Victim Shared in the Responsibility for the Crime that Caused his Injury or Death	19	--
Cases in which Claim was Denied Because Victim is Related to the Offender or is a Member of Offender's Household and There are No Out-of-Pocket Expenses	3	--
Recovery by State (Subrogation Rights)	2	3,531.14

Table 6 identifies the various collateral sources considered by the Commission.

TABLE 6. COLLATERAL SOURCES (1978)

<u>Medical Expenses</u>		\$230,187.34
HMSA	\$62,556.27	
DSSH	53,256.97	
Kaiser	23,684.77	
Medicare	32,437.46	
Workers' Comp.	2,037.33	
Private Insurance	25,599.34	
Veterans Admin.	26,154.07	
Others	4,461.13	
<u>Loss of Earnings</u>		29,855.62
Workers' Comp.	812.96	
TDI	4,463.97	
Unemployment Ins.	315.00	
Others	24,263.69	
<u>Funeral-Burial Expenses</u>		4,799.28
Social Security	2,550.00	
Others	2,249.28	
	TOTAL	\$264,842.24

Part IV of the statute provides compensation to the "good samaritan" who assists in the prevention of a crime or in the apprehension of a criminal. In 1978, seven (7) claims were made by private citizens under Part IV (so called "good samaritan" provision) of the statute. The total value of awards attributable to property loss amounted to \$100.00.

Fifty two (52) applicants were represented by attorneys. Thirty two (32) attorneys were given awards; six (6) attorneys waived their legal fees; while fourteen attorneys received no compensation because the claims were either denied or the Commission was unable to order an award for compensation. Fees awarded to attorneys totaled \$3,805.00. The average of the attorneys' fees awarded amounted to \$115.78.

HIGHLIGHTS OF THE YEAR

In January, the Commission hosted the Sixth International Association of Crime Victims Compensation Boards Conference held at the Princess Kaiulani Hotel January 11-14, 1978. Invitations were sent to Governors of every State in the Union, Administrators of Crime Victims Compensation programs throughout the world, and leading scholars in the victims compensation field. Over one hundred persons representing seventeen American jurisdictions, Canada and England were in attendance.

The Conference was held to discuss (1) new developments in crime victims compensation programs throughout the world; (2) federal legislation; and, (3) establish lines of communication and interchange of data among the various jurisdictions.

A spirit of cooperation prevailed among all the participants, and many useful ideas and comparative approaches to common problems evolved from the Conference.

Local dignitaries who took an active part in the Conference proceedings were: U.S. Senator Spark M. Matsunaga; Lt. Governor Nelson K. Doi; Senator Dennis O'Connor; Representative Lisa Naito; and Attorney General Ronald Amemiya.

* * *

The Commission followed with great interest the progress of H.R. 7010, "Victims of Crime Act of 1977", sponsored by Rep. Peter Rodino, Chairman of the U.S. House Judiciary Committee. The Rodino Bill would create a federal program to compensate innocent victims of violent crime to the extent of personal injury, loss of earnings and other directly related costs. Unlike the Hawaii statute, however, the federal bill would not permit any compensation for property damage (to good samaritans) nor for "pain and suffering".

Under the Rodino proposal, the U.S. Attorney General would be authorized to make awards directly to qualifying victims, and provide matching grants-in-aid for State programs which meet federal guidelines. A qualifying State could receive up to 25% of the cost of the program.

While H.R. 7010 was not enacted in 1978, a new effort to enact crime victims compensation legislation is expected to surface in the 96th Congress. The Commission will continue to work for and support federal legislation to compensate innocent victims of crime.

Locally, the Commission supported H.B. 2363. The intent of the bill is to have police give notice of the Criminal Injuries Compensation Act to persons who report that they are victims of qualifying crimes.

* * *

During the year, the Executive Secretary held meetings with two Victim Assistance Program Administrators (Ms. Jeanne Halvosa (Kauai) and Mr. David Yamada (Hawaii)) to strengthen lines of communication and effect maximum coordination of our programs. The Hawaii program is in its third year of operation and the one on Kauai is in its second year. Both programs focus on victims of violent crimes.

Honolulu is slated to become the center of attention in a victim-witness assistance program funded by LEAA and the City & County of Honolulu. The program headed by Mr. Robert Luck is designed to provide the following services to victims: (1) a 24-hour hotline that will provide immediate counseling for victims and services such as calling the police or an ambulance; (2) a walk-in counseling service that will provide short-term counseling and make referrals to existing social agencies for the victims, (3) a volunteer advocate program, consisting of volunteers who would work with individual victims or witnesses and provide an orientation to the criminal justice system, and (4) a plan to promote public awareness of problems faced by victims and witnesses.

* * *

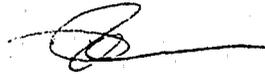
Another area of activity during the year centered upon an attempt to increase the public awareness of the Criminal Injuries Compensation Act. The Executive Secretary spoke to numerous community organizations and school groups including classes at both Chaminade College and Leeward Community College. At each of these speaking engagements copies of the Commission's informational pamphlet were distributed.

Throughout the year, we were very fortunate in obtaining good publicity in the form of newspaper articles, radio and television exposure.

Notwithstanding Hawaii's pre-eminence in the crime victims compensation field, there are still too few persons in the State who are fully aware of our services. Therefore, we consider the duty of advising and informing our citizenry to be an extremely important and continuing one.

We sincerely hope that the information contained in this report will be of help to the members of the legislature, the public, and other interested individuals elsewhere in understanding the role and functions of the Criminal Injuries Compensation Commission.

Respectfully submitted,



DANIEL S. UKISHIMA
Chairman



CRIMINAL INJURIES COMPENSATION COMMISSION - 1978 AWARDS

AWARDS MADE DURING THE PERIOD DECEMBER 16, 1977 THROUGH DECEMBER 15, 1978

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CASE NUMBER	DATE OF			CLASSIFICATION OF CRIME	(A)	(B)	(C)	(D)	(E)	(F)	(G)
	APPLICATION	CRIME	AWARD		MEDICAL EXPENSES	FUNERAL & BURIAL EXPENSES	LOSS OF EARNING POWER	PECUNIARY LOSS	PAIN & SUFFERING	ATTORNEYS' FEE	TOTAL AWARD
72-182	12-14-72	8-21-72	9-26-78	Assault					300.00		\$ 300.00
74-59	6-4-74	5-24-73	9-19-74	Assault					1,000.00		1,000.00
74-85	6-19-74	1-17-74	4-6-78	Assault					50.00		50.00
74-98	7-29-74	7-11-74	4-6-78	Assault	1,209.91				800.00		2,009.91
75-15	1-20-75	10-27-74	4-27-78	Assault	3,592.63		90.00		5,000.00	100.00	8,682.63 ¹
75-27	2-12-75	12-7-74	5-23-78	Assault			422.20		500.00		922.20
75-73	4-9-75	10-5-74	7-6-78	Assault			10,000.00				10,000.00 ²
75-100	5-8-75	9-4-72	9-28-78	Murder		1,375.00					1,375.00
75-107	5-19-75	5-3-75	8-22-78	Murder		837.00	8,908.00				9,745.00 ³
75-120	6-2-75	5-10-75	3-14-78	Assault					150.00		150.00
75-149	7-3-75	6-20-75	4-11-78	Assault	872.00				1,000.00		1,872.00 ⁴
75-159	7-15-75	6-21-75	8-29-78	Murder		1,475.00					1,475.00
75-178	8-11-75	7-26-75	4-11-78	Assault					25.00		25.00
75-210	10-13-75	10-10-74	4-11-78	Assault	52.00				300.00		352.00
75-211 (Kauai)	10-14-75	10-4-75	2-23-78	Assault	159.23				500.00		659.23

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	APPLICATION	CRIME	AWARD		MEDICAL EXPENSES	FUNERAL & BURIAL EXPENSES	LOSS OF EARNING POWER	PECUNIARY LOSS	PAIN & SUFFERING	ATTORNEYS' FEE	TOTAL AWARD
75-239	11-20-75	9-24-75	4-6-76	Assault	480.57				300.00		\$ 780.57
75-242	11-24-75	11-7-75	2-24-77	Assault	40.70				400.00		440.70
75-244	1-19-76	11-3-75	4-4-78	Assault					150.00		150.00
76-8 (Hilo)	1-7-76	12-20-75	9-29-76	Assault					75.00		75.00
76-9	1-7-76	1-2-76	9-12-78	Assault	189.87		1,171.80		375.00		1,736.67 ⁵
76-10	1-8-76	12-25-75	2-3-78	Murder		1,247.00					1,247.00
76-18	1-9-76	1-2-76	9-5-78	Murder		573.50					573.50 ⁶
76-22	1-13-76	3-15-75	8-22-78	Murder		1,521.88					1,521.88
76-49	2-12-76	1-2-76	8-24-78	Assault	112.16		614.50		200.00		926.66
76-51	2-12-76	12-24-75	9-7-78	Murder		1,754.16					1,754.16
76-53	2-18-76	11-20-75	8-24-78	Assault	244.95				550.00	175.00	794.95 ⁷
76-58	2-8-76	1-24-76	10-24-78	Assault					2,000.00		2,000.00
76-61 (Hilo)	2-25-76	2-15-75	4-20-78	Murder		1,929.64					1,929.64 ⁸
76-62	2-25-76	11-5-75	4-25-78	Assault					25.00		25.00
76-64	2-27-76	10-2-75	10-3-78	Assault	130.50				50.00		180.50 ⁹

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	APPLICATION	CRIME	AWARD		MEDICAL EXPENSES	FUNERAL & BURIAL EXPENSES	LOSS OF EARNING POWER	PECUNIARY LOSS	PAIN & SUFFERING	ATTORNEYS' FEE	TOTAL AWARD
76-65	3-2-76	2-9-76	9-5-78	Assault	5.00				100.00		\$ 105.00
76-68	3-8-76	12-31-75	7-6-78	Rape					1,000.00	100.00	1,000.00 ¹⁰
76-75	3-16-76	1-2-76	8-31-78	Assault					1,000.00		1,000.00
76-77 (Hilo)	3-30-77	3-13-77	2-21-78	Assault					25.00		25.00
76-91	3-25-76	12-31-75	7-6-78	Rape					1,000.00	100.00	1,000.00 ¹¹
76-99	3-30-76	3-9-76	9-5-78	Assault					175.00		175.00
76-110	4-14-76	4-11-76	8-31-78	Rape					1,000.00		1,000.00
76-119	4-26-76	2-20-76	4-26-76	Murder		2,087.80					2,087.80
76-120	4-30-76	3-12-76	9-14-78	Sexual Abuse					300.00		300.00 ¹²
76-126	5-10-76	1-31-76	8-31-78	Assault	128.58				800.00		928.58
76-130	5-14-76	10-13-75	2-23-78	Assault	295.00				250.00		545.00
76-132	5-17-76	12-31-75	9-26-78	Assault					150.00		150.00
76-133	5-17-76	4-21-76	9-28-78	Assault					350.00		350.00
76-136	5-21-76	1-2-76	9-7-78	Assault	1,127.72				2,500.00		3,627.72
76-140	5-27-76	10-20-75	10-26-78	Assault	1,112.42				250.00		1,362.42 ¹³
76-145	6-7-76	5-1-76	9-12-78	Assault	51.48				200.00		251.48

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	APPLICATION	CRIME	AWARD		MEDICAL EXPENSES	FUNERAL & BURIAL EXPENSES	LOSS OF EARNING POWER	PECUNIARY LOSS	PAIN & SUFFERING	ATTORNEYS' FEE	TOTAL AWARD
76-146	6-9-76	1-2-76	8-24-78	Assault	108.30				500.00		\$ 608.30
76-155	6-25-76	12-19-75	9-12-78	Assault	29.80		70.20		150.00		250.00
76-163	7-6-76	6-18-76	10-26-78	Assault	110.55		630.58		700.00		1,441.13
76-164	7-7-76	5-29-75	11-16-78	Assault			105.00		150.00		255.00
76-166	7-9-76	4-19-76	4-18-78	Assault					500.00		500.00
76-176 (Hilo)	7-26-76	6-21-76	10-19-78	Assault					100.00		100.00
76-196	8-31-76	7-16-76	9-19-78	Assault					2,000.00	100.00	2,000.00 ¹⁴
76-198	9-2-76	8-20-76	8-22-78	Rape	67.06				1,000.00		1,067.06
76-201	9-10-76	4-2-76	9-19-78	Assault			506.24		500.00		1,006.24
76-203	9-13-76	9-1-75	8-10-78	Assault					2,000.00	100.00	2,000.00 ¹⁵
76-209	9-21-76	9-5-76	9-19-78	Murder		1,791.98					1,791.98 ¹⁶
76-222 (Molokai)	10-13-76	9-14-76	11-9-78	Assault					25.00		25.00
76-224	10-14-76	10-3-76	10-5-78	Assault					50.00		50.00
76-225	10-15-76	10-12-76	9-21-78	Assault	148.97		337.50		400.00	35.00	886.47 ¹⁷
76-226	10-18-76	10-13-76	3-24-77	Assault					350.00		350.00

CRIMINAL INJURIES COMPENSATION COMMISSION - 1978 AWARDS

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76-230	10-20-76	10-1-76	9-26-78	Assault					400.00		\$ 400.00
76-237	10-27-76	10-2-76	11-16-78	Assault	1,028.75				250.00		1,278.75 ¹⁸
76-239	10-28-76	7-16-76	10-26-78	Assault	471.38				300.00		771.38
76-244	11-3-76	10-30-76	11-16-78	Assault					50.00		50.00
76-255	11-29-76	9-23-76	11-9-78	Assault					300.00		300.00
76-256	11-29-76	8-21-76	10-3-78	Assault					125.00		125.00 ¹⁹
76-261	5-4-76	3-3-76	11-28-78	Assault					25.00		25.00
76-268	12-6-76	11-30-76	10-24-78	Sodomy	293.34				300.00		593.34
76-269	12-6-76	8-21-76	10-3-78	Assault	7.77				75.00		82.77 ²⁰
76-271	12-8-76	11-11-76	11-28-78	Assault			530.24		250.00	35.00	780.24 ²¹
76-275	12-13-76	3-16-76	11-22-77	Assault	1,888.95				500.00		2,388.95 ²²
76-276	12-14-76	12-3-76	10-5-78	Assault					50.00		50.00 ²³
76-277	12-15-76	12-3-76	10-5-78	Assault					30.00		30.00 ²⁴
76-279	12-15-76	11-11-76	11-28-78	Assault	2,930.31				102.80	175.00	3,033.11 ²⁵
76-281 (Maui)	12-20-76	11-14-76	8-17-78	Rape					2,000.00	200.00	2,000.00 ²⁶

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CASE NUMBER	DATE OF			CLASSIFICATION OF CRIME	(A)	(B)	(C)	(D)	(E)	(F)	(G)
	APPLICATION	CRIME	AWARD		MEDICAL EXPENSES	FUNERAL & BURIAL EXPENSES	LOSS OF EARNING POWER	PECUNIARY LOSS	PAIN & SUFFERING	ATTORNEYS' FEE	TOTAL AWARD
76-282	12-23-76	10-9-76	11-2-78	Rape	3,335.34				1,500.00		\$ 4,835.34 ²⁷
77-5	1-4-77	12-1-76	4-25-78	Assault					200.00		200.00
77-10	1-10-77	4-15-77	5-25-78	Assault	2,192.85		107.34		550.00	100.00	2,850.19 ²⁸
77-11	1-10-77	10-20-76	11-17-77	Assault	105.10	1,495.75					1,600.85
77-12	1-11-77	11-30-76	11-2-78	Murder		2,442.96					2,442.96
77-21 (Hilo)	1-19-77	12-31-76	10-20-78	Assault					50.00		50.00
77-36	2-1-77	1-11-77	8-29-78	Assault	1,545.84		521.95		750.00		2,817.79 ²⁹
77-43	2-7-77	4-15-76	4-27-78	Assault	979.00				500.00		1,479.00
77-44	2-8-77	1-29-77	10-17-77	Assault	180.96				1,000.00	125.00	1,180.96 ³⁰
77-46	2-14-77	2-6-77	11-17-77	Assault	70.58		268.40		300.00	75.00	638.98 ³¹
77-54	3-3-77	2-21-77	2-14-77	Assault	283.04				500.00	75.00	783.04 ³²
77-61	3-14-77	1-12-77	8-29-77	Assault	2,622.61		793.00		1,250.00		4,665.61 ³³
77-69	3-23-77	3-15-77	4-27-78	Assault	1,722.73				500.00		2,222.73
77-74	3-29-77	2-16-77	2-14-78	Assault	148.81				4,000.00		4,148.81
77-81	4-1-77	10-4-75	2-14-78	Assault					250.00		250.00 ³⁴

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CASE NUMBER	DATE OF			CLASSIFICATION OF CRIME	(A)	(B)	(C)	(D)	(E)	(F)	(G)
	APPLICATION	CRIME	AWARD		MEDICAL EXPENSES	FUNERAL & BURIAL EXPENSES	LOSS OF EARNING POWER	PECUNIARY LOSS	PAIN & SUFFERING	ATTORNEYS' FEE	TOTAL AWARD
77-84	4-7-77	3-18-77	8-8-78	Assault	623.65				2,000.00	200.00	\$ 2,623.65 ³⁵
77-86 (Kauai)	4-11-77	11-13-76	10-6-78	Assault					350.00		350.00
77-89	4-13-77	2-9-77	3-28-78	Assault					25.00		25.00 ³⁶
77-90	4-14-77	2-15-77	2-16-78	Assault	1,312.50				5,000.00		6,312.50
77-93	4-19-77	3-7-76	7-26-77	Assault					750.00	50.00	750.00 ³⁷
77-100	3-5-77	3-21-76	2-16-78	Assault					350.00		350.00
77-102	5-6-77	4-25-77	3-16-78	Murder	170.13	2,049.94					2,220.07
77-108 (Hilo)	5-16-77	4-29-77	10-19-78	Assault					100.00		100.00
77-113 (Kauai)	5-31-77	12-15-76	10-6-77	Assault	143.90				50.00		193.90
77-114	5-31-77	5-13-77	9-22-77	Assault					50.00		50.00
77-124	6-7-77	3-29-77	7-18-78	Assault					75.00		75.00
77-126	6-13-77	10-20-76	2-16-78	Assault	5,374.76				1,500.00		6,874.76 ³⁸
77-127	6-13-77	1-12-77	10-12-78	Assault					250.00		250.00
77-130	6-14-77	12-29-76	2-21-78	Assault	142.39		1,256.88		500.00		1,899.27

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CASE NUMBER	DATE OF			CLASSIFICATION OF CRIME	(A)	(B)	(C)	(D)	(E)	(F)	(G)
	APPLICATION	CRIME	AWARD		MEDICAL EXPENSES	FUNERAL & BURIAL EXPENSES	LOSS OF EARNING POWER	PECUNIARY LOSS	PAIN & SUFFERING	ATTORNEYS' FEE	TOTAL AWARD
77-133	6-17-77	5-9-77	7-6-78	Assault			1,149.12		200.00		\$ 1,349.12 ³⁹
77-135	6-21-77	3-16-77	3-14-78	Assault					250.00		250.00
77-142 (Kauai)	6-29-77	11-18-76	2-23-78	Rape	825.33				1,000.00	200.00	1,825.33 ⁴⁰
77-144	7-1-77	5-13-77	4-6-78	Assault	302.68			100.00	200.00		602.68
77-146	7-7-77	3-12-77	3-28-78	Assault	41.26		313.20		500.00	50.00	854.46 ⁴¹
77-147	7-7-77	7-2-77	5-25-78	Assault			300.00		1,500.00		1,800.00
77-148	7-11-77	7-4-77	2-14-78	Assault	20.80				750.00		770.80
77-150	6-12-77	6-5-77	3-16-78	Assault					35.00		35.00
77-153	7-16-77	7-27-76	2-21-78	Rape	1,105.00				4,000.00		5,105.00
77-156 (Kauai)	7-26-77	7-8-77	10-6-77	Assault					500.00		500.00
77-157	7-27-77	4-3-77	3-28-78	Assault	230.00		77.12		100.00		407.12
77-160	8-2-77	7-13-77	3-16-78	Assault	195.01				200.00	25.00	395.01 ⁴²
77-162 (Molokai)	8-2-77	4-13-76	7-18-78	Murder		467.80	8,591.80			300.00	9,059.60 ⁴³
77-165	8-8-77	5-16-77	3-16-78	Murder		1,047.80					1,047.80 ⁴⁴

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CASE NUMBER	DATE OF			CLASSIFICATION OF CRIME	(A)	(B)	(C)	(D)	(E)	(F)	(G)
	APPLICATION	CRIME	AWARD		MEDICAL EXPENSES	FUNERAL & BURIAL EXPENSES	LOSS OF EARNING POWER	PECUNIARY LOSS	PAIN & SUFFERING	ATTORNEYS' FEE	TOTAL AWARD
77-166	8-8-77	3-8-77	3-16-78	Rape	1,220.00				1,500.00	150.00	2,720.00 ⁴⁵
77-167 (Kauai)	8-6-77	7-30-77	10-12-78	Assault			150.00		200.00		350.00
77-169 (Maui)	8-18-77	7-20-77	10-7-77	Rape					1,500.00	250.00	1,500.00 ⁴⁶
77-172	8-24-77	8-2-77	5-24-78	Assault	37.44				50.00		87.44
77-173 (Molokai)	8-24-77	12-23-76	7-13-78	Assault					6,000.00	200.00	6,000.00 ⁴⁷
77-177 (Hilo)	8-29-77	8-5-77	4-11-78	Murder		2,468.57	7,276.43			225.00	9,745.00 ⁴⁸
77-180	9-6-77	6-26-77	3-14-78	Assault	100.95		144.90		50.00		295.85
77-182	9-7-77	8-31-77	3-28-78	Assault	147.00		340.80		75.00		562.80 ⁴⁹
77-187	9-12-77	9-10-77	3-28-78	Assault					10.00		10.00
77-190	9-13-77	9-10-77	4-20-78	Assault					150.00		150.00
77-191	9-13-77	9-10-77	4-20-78	Assault	114.66				350.00		464.66
77-205 (Kauai)	9-28-77	9-14-77	5-24-78	Assault	13.04		452.40		500.00		965.44
77-212 (Kauai)	10-4-77	6-8-77	10-12-78	Assault					250.00		250.00

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CASE NUMBER	DATE OF			CLASSIFICATION OF CRIME	(A)	(B)	(C)	(D)	(E)	(F)	(G)
	APPLICATION	CRIME	AWARD		MEDICAL EXPENSES	FUNERAL & BURIAL EXPENSES	LOSS OF EARNING POWER	PECUNIARY LOSS	PAIN & SUFFERING	ATTORNEYS' FEE	TOTAL AWARD
77-216	10-7-77	11-23-76	7-13-78	Rape	3.82				1,125.00		1,128.82 ⁵⁰
77-217	10-11-77	9-13-77	4-13-78	Assault	112.19				25.00		137.19
77-219 (Maui)	10-11-77	7-15-77	10-13-78	Assault	346.25		1,835.60		1,800.00	35.00	3,981.85 ⁵¹
77-220	10-11-77	10-4-77	10-11-77	Assault	79.70				100.00		179.70
77-223	10-12-77	10-9-77	4-25-78	Assault					75.00		75.00 ⁵²
77-228 (Hilo)	10-18-77	9-9-77	10-20-78	Assault			1,200.00				1,200.00
77-231	10-19-77	7-10-76	7-25-78	Assault					150.00		150.00
77-233 (Maui)	10-20-77	2-10-77	4-25-78	Assault				866.25	250.00	100.00	1,116.25 ⁵³
77-237 (Hilo)	10-25-77	10-12-77	10-19-78	Assault					25.00		25.00
77-244	11-1-77	9-24-77	4-18-78	Assault					25.00		25.00
77-245	11-2-77	10-29-77	7-20-78	Assault	208.50				150.00		358.50
77-246 (Hilo)	11-4-77	10-18-77	10-19-78	Assault					100.00		100.00
77-247 (Hilo)	11-4-77	10-25-77	10-20-78	Assault					50.00		50.00

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CASE NUMBER	DATE OF			CLASSIFICATION OF CRIME	(A)	(B)	(C)	(D)	(E)	(F)	(G)
	APPLICATION	CRIME	AWARD		MEDICAL EXPENSES	FUNERAL & BURIAL EXPENSES	LOSS OF EARNING POWER	PECUNIARY LOSS	PAIN & SUFFERING	ATTORNEYS' FEE	TOTAL AWARD
77-249	11-7-77	9-16-77	7-20-78	Assault			463.32		300.00		763.32
77-253	11-14-77	11-13-77	7-20-78	Assault			164.31		75.00		239.31
77-256	11-14-77	11-6-77	7-13-78	Assault					150.00		150.00
77-258 (Hilo)	11-21-77	11-7-77	10-19-78	Assault	279.33				700.00		979.33
77-268	11-28-77	6-30-76	11-9-78	Assault			545.00		750.00	150.00	1,295.00 ⁵⁴
77-270	12-1-77	11-22-77	7-25-78	Assault					150.00		150.00
77-273	12-5-77	2-12-77	5-25-78	Kidnapping			137.50		50.00		187.50
77-275	12-7-77	10-22-77	10-12-78	Assault	270.90		43.92		50.00		364.82 ⁵⁵
77-276 (Kauai)	12-7-77	9-12-77	10-12-78	Assault	3.98				100.00		103.98
77-277 (Kauai)	4-6-78	1-29-77	10-12-78	Assault					150.00		150.00
77-281	12-21-77	6-9-77	7-27-78	Assault					500.00		500.00
77-282	12-21-77	12-1-77	7-25-78	Assault	5.40				25.00		30.40
77-285 (Hilo)	12-13-77	11-26-77	10-19-78	Assault					200.00		200.00
77-287 (Kauai)	12-12-77	5-26-77	10-26-78	Rape	547.65				700.00		1,247.65 ⁵⁶

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CASE NUMBER	DATE OF			CLASSIFICATION OF CRIME	(A)	(B)	(C)	(D)	(E)	(F)	(G)
	APPLICATION	CRIME	AWARD		MEDICAL EXPENSES	FUNERAL & BURIAL EXPENSES	LOSS OF EARNING POWER	PECUNIARY LOSS	PAIN & SUFFERING	ATTORNEYS' FEE	TOTAL AWARD
77-290 (Hilo)	1-16-78	9-17-77	10-19-78	Assault					500.00		500.00
77-294 (Maui)	12-30-77	11-5-77	10-13-78	Murder		1,000.00					1,000.00
78-4	1-4-78	7-16-78	10-12-78	Assault	92.16				300.00		392.16
78-10 (Molokai)	1-9-78	12-20-77	11-16-78	Assault					500.00		500.00
78-11	1-9-78	12-25-77	10-20-78	Assault	30.30				200.00		230.30
78-14	1-16-78	11-3-76	11-2-78	Assault	2,157.00				50.00		2,207.00 ⁵⁷
78-15	1-12-78	8-21-77	7-11-78	Assault			95.55		650.00		745.55 ⁵⁸
78-18	1-17-78	12-15-76	7-27-78	Rape	50.37				2,500.00		2,550.37
78-26	1-23-78	4-13-77	8-10-78	Assault					50.00		50.00
78-33 (Kauai)	1-31-78	1-7-78	10-5-78	Assault	56.01				50.00		106.01
78-34	1-31-78	10-12-77	10-12-78	Assault	164.88				100.00		264.88 ⁵⁹
78-37	2-2-78	6-16-77	7-25-78	Assault	7.36		80.00		150.00		237.36
78-39 (Kauai)	2-2-78	1-14-78	10-12-78	Assault					250.00		250.00

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CASE NUMBER	DATE OF			CLASSIFICATION OF CRIME	(A)	(B)	(C)	(D)	(E)	(F)	(G)
	APPLICATION	CRIME	AWARD		MEDICAL EXPENSES	FUNERAL & BURIAL EXPENSES	LOSS OF EARNING POWER	PECUNIARY LOSS	PAIN & SUFFERING	ATTORNEYS' FEE	TOTAL AWARD
78-40 (Hilo)	2-3-78	12-29-77	10-19-78	Assault	1,958.35		66.00		750.00		\$ 2,774.35
78-41 (Hilo)	2-3-78	1-15-78	10-20-78	Assault					50.00		50.00
78-53 (Hilo)	2-8-78	2-3-78	10-3-78	Assault					100.00		100.00
78-61	2-17-78	10-27-77	8-10-78	Assault	159.04				200.00		359.04
78-64 (Hilo)	2-14-78	12-25-77	10-20-78	Assault					250.00		250.00
78-69	2-17-78	1-30-78	8-51-78	Assault	68.55				50.00		118.55 ⁶⁰
78-71 (Kauai)	2-22-78	12-18-76	5-23-78	Rape					800.00		800.00
78-72 (Kauai)	2-22-78	12-18-76	11-2-78	Kidnapping					100.00		100.00
78-73	2-22-78	2-8-78	8-10-78	Assault	100.51				100.00		200.51
78-76	2-24-78	1-16-78	11-14-78	Assault					50.00		50.00
78-80 (Kauai)	2-28-78	1-14-78	10-12-78	Assault	492.55				400.00		892.55 ⁶¹
78-85 (Hilo)	3-3-78	1-7-78	10-19-78	Assault	986.48				500.00	120.00	1,486.48 ⁶²

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CASE NUMBER	DATE OF			CLASSIFICATION OF CRIME	MEDICAL EXPENSES	FUNERAL & BURIAL EXPENSES	LOSS OF EARNING POWER	PECUNIARY LOSS	PAIN & SUFFERING	ATTORNEYS' FEE	TOTAL AWARD
	APPLICATION	CRIME	AWARD								
78-92 (Maui)	5-24-78	1-26-78	10-13-78	Assault			1,366.00		2,000.00		\$ 3,366.00
78-97 (Kauai)	3-5-78	1-28-78	10-12-78	Rape					1,800.00		1,800.00
78-98 (Hilo)	3-15-78	6-22-77	10-19-78	Assault					50.00		50.00 ⁶³
78-99 (Hilo)	3-5-78	9-5-76	10-19-78	Assault	1,311.73						1,311.73
78-102 (Hilo)	3-16-78	3-4-78	10-19-78	Assault					50.00		50.00
78-106	3-17-78	5-1-77	7-11-78	Assault	152.94						152.94
78-109 (Maui)	3-23-78	8-13-77	10-13-78	Assault			177.20		150.00		327.20
78-110	3-28-78	9-19-77	8-17-78	Assault					50.00		50.00
78-113 (Kauai)	4-3-78	2-13-78	10-12-78	Assault					150.00		150.00
78-118	4-4-78	2-2-78	8-17-78	Assault	214.57				700.00		914.57
78-119	10-12-77	10-1-77	4-25-78	Assault					5.00		5.00 ⁶⁴
78-120	4-6-78	1-10-78	10-19-78	Assault					150.00	25.00	150.00 ⁶⁵

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CASE NUMBER	DATE OF			CLASSIFICATION OF CRIME	(A)	(B)	(C)	(D)	(E)	(F)	(G)
	APPLICATION	CRIME	AWARD		MEDICAL EXPENSES	FUNERAL & BURIAL EXPENSES	LOSS OF EARNING POWER	PECUNIARY LOSS	PAIN & SUFFERING	ATTORNEYS' FEE	TOTAL AWARD
78-121 (Kauai)	4-7-78	3-19-78	10-12-78	Assault	1,384.40				1,000.00		2,384.40 ⁶⁶
78-122 (Hilo)	4-10-78	9-3-77	10-19-78	Assault	311.70				350.00		661.70
78-129 (Kauai)	4-13-78	12-28-76	9-26-78	Assault	79.00				100.00		179.00 ⁶⁷
78-138 (Hilo)	4-21-78	6-22-77	10-19-78	Assault					250.00		250.00
78-148 (Maui)	6-19-78	11-16-76	10-13-78	Rape					1,250.00		1,250.00
78-152 (Hilo)	5-9-78	3-25-78	11-14-78	Rape	278.69				1,200.00		1,478.69
78-153 (Kauai)	5-11-78	4-10-77	9-28-78	Rape					750.00	60.00	750.00 ⁶⁸
78-159 (Kauai)	5-18-78	1-14-78	10-12-78	Assault	522.82				750.00		1,272.82 ⁶⁹
78-163 (Kauai)	5-22-78	4-30-78	8-17-78	Assault	3.40				50.00		53.40
78-204 (Molokai)	8-2-77	4-13-76	7-18-78	Murder		722.80					722.80

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CASE NUMBER	DATE OF			CLASSIFICATION OF CRIME	(A)	(B)	(C)	(D)	(E)	(F)	(G)
	APPLICATION	CRIME	AWARD		MEDICAL EXPENSES	FUNERAL & BURIAL EXPENSES	LOSS OF EARNING POWER	PECUNIARY LOSS	PAIN & SUFFERING	ATTORNEYS' FEE	TOTAL AWARD
78-214 (Kauai)	7-17-78	5-18-78	10-12-78	Assault					200.00		200.00
78-216 (Maui)	7-20-78	6-16-77	10-13-78	Assault					150.00		150.00
78-221 (Kauai)	8-2-78	3-16-77	10-12-78	Rape	64.00				1,200.00	100.00	1,264.00 ⁷⁰
78-222 (Hilo)	8-3-78	3-26-78	10-24-78	Assault					100.00		100.00
78-225 (Hilo)	8-7-78	3-7-78	10-19-78	Rape	23.68		1,000.00		1,200.00		2,223.68
78-227 (Hilo)	8-7-78	5-11-78	10-19-78	Assault					50.00		50.00
78-230	1-17-78	11-17-76	7-27-78	Murder	47.40	1,877.65					1,925.05
78-232 (Hilo)	8-11-78	1-3-78	10-19-78	Assault					50.00		50.00
78-274 (Maui)	9-12-78	7-28-78	10-13-78	Assault	20.00				500.00		520.00
78-326	12-6-76	11-11-76	11-28-78	Assault	140.21				500.00	70.00	640.21 ⁷¹
					54,933.08	28,166.23	52,304.00	966.25	109,432.80	3,805.00	\$245,802.36

NOTES

- 1 Of the \$8,602.63 award, an award of \$100.00 is made to Terrance Tom for attorneys' fees.
- 2 Applicant is awarded \$10,000.00 (statutory maximum). The loss of applicant's earning capacity far exceeds the total amount of award permitted under the statute.
- 3 Applicant is awarded \$9,745.00 (\$10,000 statutory maximum less \$255 Social Security death benefits payment). The loss of victim's earning capacity far exceeds the total amount of award permitted under the statute.
- 4 Of the \$1,872.00 award, \$872.00 shall be paid to Queen's Medical Center for medical services.
- 5 The final award of \$1,736.67 represents a 50% reduction from the actual award of \$3,473.35. The victim shared in the responsibility for the crime that caused his injury.
- 6 The final award of \$573.50 represents a 50% reduction from the actual award of \$1,147.00. The victim shared in the responsibility for the crime that caused his death.
- 7 Of the \$794.95 award, an award of \$175.00 is made to Anson Rego for attorneys' fees.
- 8 The final award of \$1,929.64 represents a 10% reduction from the actual award of \$2,144.04. The victim shared in the responsibility for the crime that caused his death.
- 9 Of the \$180.50 award, \$130.50 shall be paid to Kuakini Medical Center for medical services.
- 10 Of the \$1,000.00 award, an award of \$100.00 is made to Bert Tokairin for attorneys' fees.
- 11 Of the \$1,000.00 award, an award of \$100.00 is made to Bert Tokairin for attorneys' fees.
- 12 The final award of \$300.00 represents a 70% reduction from the actual award of \$1,000.00. The victim shared in the responsibility for the crime that caused her injury.
- 13 Of the \$1,362.42 award, \$948.00 shall be paid to Queen's Medical Center; \$123.24 to The Emergency Group; and, \$41.18 to Honolulu Medical Group Inc.
- 14 Of the \$2,000.00 award, an award of \$100.00 is made to Anson Rego for attorneys' fees.
- 15 Of the \$2,000.00 award, an award of \$100.00 is made to Ronald Au for attorneys' fees.
- 16 Of the \$1,791.98 award, \$881.98 shall be paid to Nuuanu Memorial Park Mortuary.

NOTES (Continued)

- 17 Of the \$886.47 award, an award of \$35.00 is made to Gordon Nelson for attorneys' fees.
- 18 Of the \$1,278.75 award, \$1,028.75 shall be paid to Straub Clinic & Hospital Inc.
- 19 The final award of \$125.00 represents a 75% reduction from the actual award of \$500.00. The victim shared in the responsibility for the crime that caused his injury.
- 20 The final award of \$82.77 represents a 75% reduction from the actual award of \$331.10. The victim shared in the responsibility for the crime that caused his injury. Of the \$82.77 award, \$31.10 shall be paid to Castle Memorial Hospital for medical services.
- 21 Of the \$780.24 award, an award of \$35.00 is made to Roy Bell III for attorneys' fees.
- 22 Of the \$2,388.95 award, \$1,129.00 shall be paid to Dr. Richard Morimoto; \$707.20 to Dr. Winfred Kubo; and \$52.75 to Castle Memorial Hospital.
- 23 The final award of \$50.00 represents a 90% reduction from the actual award of \$500.00. The victim shared in the responsibility for the crime that caused his injury.
- 24 The final award of \$30.00 represents a 90% reduction from the actual award of \$300.00. The victim shared in the responsibility for the crime that caused his injury.
- 25 Of the \$3,033.11 award, an award of \$175.00 is made to Roy Bell III for attorneys' fees. In addition, \$29.26 shall be paid to Dr. Roberta Apau; \$1,794.00 to Castle Memorial Hospital; and \$322.00 to Dr. Frank Ceccarelli.
- 26 Of the \$2,000.00 award, an award of \$200.00 is made to Schutter, O'Brien & Weinberg for attorneys' fees.
- 27 Of the \$4,835.34 award, \$3,335.34 shall be paid to Clement Chikuma who paid the medical bills.
- 28 Of the \$2,850.19 award, \$1,324.86 shall be paid to St. Francis Hospital; \$597.06 to Orthopedic Associates of Hawaii Inc; \$187.20 to Medical Anesthesia Inc; and \$83.73 to Kaiser Medical Center. In addition, \$100.00 shall be paid to Michael Tongg for attorneys' fees.
- 29 Of the \$2,817.79 award, \$1,020.05 shall be paid to Straub Clinic & Hospital Inc and \$42.88 to Kaiser Medical Center for medical services.
- 30 Of the \$1,180.96 award, \$180.96 shall be paid to Dr. Dan Yoshioka for medical services. An award of \$125.00 shall be made to Robert L. Smith for attorneys' fees.

NOTES (Continued)

- 31 Of the \$638.98 award, \$75.00 shall be paid to Victor Agmata Jr for attorneys' fees.
- 32 Of the \$783.04 award, \$260.09 shall be paid to Dr. Hideo Oshiro for medical services. An award of \$75.00 is made to Victor Agmata Jr for attorneys' fees.
- 33 Of the \$4,665.61 award, \$559.00 shall be paid to Dr. Joseph Maniscalco; \$810.00 to Dr. Frank Filippini; \$273.40 to Davies Medical Center; \$150.00 to Dr. Lenore Terr; \$110.00 to Dr. Louis Giorgi; \$70.00 to Dr. John Broderick; \$75.00 to San Francisco Neurosurgical Group Inc; \$70.00 to Dr. Floyd Sandberg; and \$26.50 to Lazaroni Laboratories.
- 34 The final award of \$250.00 represents a 50% reduction from the actual award of \$500.00. The victim shared in the responsibility for the crime that caused his injury.
- 35 Of the \$2,623.65 award, \$468.00 shall be paid to Dr. Richard Trockman. An award of \$200.00 is made to Victor Agmata Jr for attorneys' fees.
- 36 The final award of \$25.00 represents a 75% reduction from the actual award of \$100.00. The victim shared in the responsibility for the crime that caused his injury.
- 37 Of the \$750.00 award, \$50.00 shall be paid to Harry Gaede for attorneys' fees.
- 38 Of the \$6,874.76 award, \$590.98 shall be paid to Kaiser Medical Center for medical services.
- 39 The final award of \$1,349.12 represents a 60% reduction from the actual award of \$3,372.80. The victim shared in the responsibility for the crime that caused his injury.
- 40 Of the \$1,825.33 award, \$787.89 shall be paid to Straub Clinic & Hospital Inc and \$37.44 to Dr. C. James Terna for medical services. An award of \$200.00 is made to Case, Kay, Clause & Lynch for attorneys' fees.
- 41 Of the \$854.46 award, \$50.00 shall be paid to Frank K.H. Kim for attorneys' fees.
- 42 Of the \$395.01 award, \$101.60 shall be paid to Pearlridge Hospital; \$14.35 to Fronk Clinic-Pearlridge; and \$79.06 to Straub Clinic and Hospital Inc for medical services. An award of \$25.00 is made to Victor Agmata Jr for attorneys' fees.
- 43 Applicant is awarded \$9,059.60 (\$10,000 statutory maximum less \$255 received from Social Security and \$685.40 gratuity payment from Del Monte Corporation). The loss of victim's earning capacity far exceeds the total amount of award permitted under the statute. An award of \$300.00 is made to Hideki Nakamura for attorneys' fees.

NOTES (Continued)

- 44 Of the \$1,047.80 award, \$797.80 shall be paid to Borthwick Mortuary Ltd for funeral services.
- 45 Of the \$2,720.00 award, \$1,170.00 shall be paid to Pam Russell for medical services. An award of \$150.00 is made to Charles H. Witherwax for attorneys' fees.
- 46 Of the \$1,500.00 award, \$250.00 shall be paid to Andrew T. Johnson for attorneys' fees.
- 47 Of the \$6,000.00 award, \$200.00 shall be paid to Bernaldo Bicoy for attorneys' fees.
- 48 Applicant is awarded \$9,745.00 (\$10,000 statutory maximum less \$255 Social Security death benefits payment). The loss of the victim's earning power would have been greatly in excess of the total award permitted under the statute. An award of \$225.00 is made to Carl Tom for attorneys' fees.
- 49 Of the \$562.80 award, \$147.00 shall be paid to Wahiawa General Hospital for medical services.
- 50 The final award of \$1,128.82 represents a 25% reduction from the actual award of \$1,505.10. The victim shared in the responsibility for the crime that caused her injury.
- 51 Of the \$3,981.85 award, \$35.00 shall be paid to John Vail for attorneys' fees.
- 52 The final award of \$75.00 represents a 90% reduction from the actual award of \$750.00. The victim shared in the responsibility for the crime that caused his injury.
- 53 Of the \$1,116.25 award, \$100.00 shall be paid to James Norquist for attorneys' fees.
- 54 Of the \$1,295.00 award, \$150.00 shall be paid to A. Edward Fyffe Jr for attorneys' fees.
- 55 Of the \$364.82 award, \$270.90 shall be paid to G N Wilcox Memorial Hospital for medical services.
- 56 Of the \$1,247.65 award, \$26.65 shall be paid to G N Wilcox Memorial Hospital for medical services.
- 57 Of the \$2,207.00 award, \$2,102.00 shall be paid to Aina Haina Dental Group Inc.
- 58 The final award of \$745.55 represents a 35% reduction from the actual award of \$1,147.00. The victim shared in the responsibility for the crime that caused his injury.
- 59 Of the \$264.88 award, \$121.35 shall be paid to G N Wilcox Memorial Hospital and \$43.53 to Kauai Medical Group Inc.
- 60 Of the \$118.55 award, \$68.55 shall be paid to Queen's Medical Center for medical services.

NOTES (Continued)

- 61 OF the \$892.55 award, \$492.55 shall be paid to G N Wilcox Memorial Hospital for medical services.
- 62 OF the \$1,406.48 award, \$986.48 shall be paid to Dr. Michael A. Jones. An award of \$120.00 is made to Michael Ferrington for attorneys' fees.
- 63 The final award of \$50.00 represents a 50% reduction from the actual award of \$100.00. The victim shared in the responsibility for the crime that caused his injury.
- 64 The final award of \$5.00 represents a 90% reduction from the actual award of \$50.00. The victim shared in the responsibility for the crime that caused his injury.
- 65 OF the \$150.00 award, \$25.00 shall be paid to Meredith Lenell for attorneys' fees.
- 66 OF the \$2,384.40 award, \$652.85 shall be paid to G N Wilcox Memorial Hospital and \$731.55 to Kauai Medical Group Inc.
- 67 OF the \$179.00 award, \$69.00 shall be paid to Kauai Medical Group Inc for medical services.
- 68 OF the \$750.00 award, \$60.00 shall be paid to Allen J. Hendricks for attorneys' fees.
- 69 The final award of \$1,272.82 represents a 25% reduction from the actual award of \$1,697.09. The victim shared in the responsibility for the crime that caused his injury. Of the \$1,272.82 award, \$513.85 shall be paid to Waimea Clinic Inc; \$177.20 to Kauai Veterans Memorial Hospital; and \$6.04 to Kauai Medical Group Inc.
- 70 OF the \$1,264.00 award, \$29.00 shall be paid to G N Wilcox Memorial Hospital and \$35.00 to Ruth S. Smith. An award of \$100.00 is made to Michael Salling for attorneys' fees.
- 71 OF the \$640.21 award, \$70.00 shall be paid to Roy Bell III for attorneys' fees.

72-182 THOMAS K. STONE, III
Applicant - Victim

Victim is a 21 year old male who was injured in a fight. He was stabbed several times in the back. Medical expenses totaling \$619.30 were paid by the Public Welfare Division, DSSH, State of Hawaii. Victim was not gainfully employed at the time of the incident. He is awarded \$300.00 for pain and suffering.

74-59 CHARLES KAALEKAHI, SR.
Applicant - Victim

Victim is a 30 year old male who was stabbed in a fight arising out of a traffic incident. He suffered stab wounds of the left chest and arm. Medical expenses totaling \$1,060.83 were paid by the Public Welfare Division, DSSH, State of Hawaii. Victim was not gainfully employed at the time of the incident. He is awarded \$1,000.00 for pain and suffering.

74-85 CLIFFORD B. HUNT
Applicant - Victim

Victim is an 18 year old male who was assaulted by two students in a hijacking attempt. No medical bills were submitted, and victim was not employed at the time of the incident. Victim is awarded \$50.00 for pain and suffering.

74-98 RANDY SPANGLER
Applicant - Victim

Victim is an 18 year old male who was involved in a fight arising out of a motor vehicle incident. He was struck in the face and suffered lacerations of the mouth and cheek. Medical expenses totaled \$4,964.76 of which \$3,754.85 was paid by insurance. Victim was not gainfully employed at the time of the incident. He is awarded \$1,209.91 for medical expenses, and \$800.00 for pain and suffering for a total award of \$2,009.91.

75-15 ALISON M. LEDWARD
Applicant - Victim

Victim is a 22 year old female who was shot in the head by her boyfriend. Because of the incident, her hearing is impaired and the left side of her face is numb due to damage to the infra-orbital nerve. Medical expenses totaled \$13,994.44 of which \$10,336.88 was paid by HMSA and \$64.93 by the Public Welfare Division, DSSH, State of Hawaii. Victim, a part-time Adult Education Instructor, was unable to work because of the incident and lost \$90.00 in wages. She is awarded \$3,592.63 for medical expenses, \$90.00 for loss of wages and \$5,000.00 for pain and suffering for a total award of \$8,682.63. An award of \$100.00 is made to Terrance Tom for attorney's fees.

75-27 KATHERINE STINSON
Applicant - Victim

Victim is a 48 year old female who was assaulted by her former husband. She was thrown to the ground and when she fell she landed on her hip. However, there was no fracture or dislocation. All medical bills were paid by HMSA. Victim was unable to work for 2½ months and would have lost \$1,430.70 except that she received \$540.69 in TDI benefits and \$467.81 in vacation and sick leave benefits from her employer. Victim is awarded \$422.20 for loss of earnings, and \$500.00 for pain and suffering for a total award of \$922.20.

75-73 ROBERT A. ILAE
Applicant - Victim

Victim is a 24 year old male who was found unconscious in Nanakuli. He had been shot in the head and left to die. As a result of the incident, he is now totally disabled. Medical expenses totaling \$25,237.34 were paid by the Kaiser Hospital Plan and the Veterans Administration. Victim was employed as a construction laborer prior to the incident. He is awarded \$10,000.00 (statutory maximum). The loss of the victim's earning capacity far exceeds the total amount of award permitted under the statute.

75-100 VIRGILIO CARLOS
Applicant - Wife

Victim is a 29 year old male who was shot and killed by his wife's brother. The victim and the accused were both living in the same household at the time of the incident. There are no out-of-pocket medical bills. Funeral expenses totaled \$1,630.00 of which \$255.00 was paid by Social Security. Victim was employed as a Cargo Service Agent, Continental Airlines, at the time of the incident. Applicant is awarded \$1,375.00 for funeral expenses.

75-107 FAUSTO S. DeGUZMAN
Applicant - Wife

Victim is a 64 year old male whose body was discovered in the Aala Park restroom. His legs were tied and his face was badly beaten. There are no out-of-pocket medical expenses. Victim was employed as a school custodian at the time of his death. Funeral and burial expenses totaled \$1,092.00 of which \$255.00 was paid by Social Security. Applicant is awarded \$9,745.00 (\$10,000.00 statutory maximum less \$255.00 Social Security death benefits payment). The loss of the victim's earning capacity far exceeds the total amount of award permitted under the statute.

75-120 JAMES C. HOUGHTAILING
Applicant - Victim

Victim is a 44 year old male who was assaulted by several men at the Fort Shafter NCO Club. He suffered minor skin abrasions of the forehead and left ear. There are no out-of-pocket medical expenses, and victim was not gainfully employed at the time of the incident. He is awarded \$150.00 for pain and suffering.

75-149 MICHAEL KEENAN
Applicant - Victim

Victim is a 21 year old male who was assaulted by several local men who broke into his home. He was stabbed in the chest and suffered contusions of the face. Medical expenses totaled \$872.00. Victim did not work for 19 days and used sick leave during his convalescence. He is awarded \$872.00 for medical expenses, and \$1,000.00 for pain and suffering for a total award of \$1,872.00. Of the \$1,872.00 awarded, \$872.00 shall be paid to Queen's Medical Center for medical services.

75-159 PONE S. MAAE, JR.
Applicant - Mother

Victim is a 19 year old male who was gunned down in Palama. The police is unable to come up with a motive for the shooting. There are no medical expenses, and victim was not employed at the time of the incident. Funeral and burial expenses totaled \$1,475.00. Applicant is awarded \$1,475.00 for funeral and burial expenses.

75-178 MARILYN CHERNETSKY
Applicant - Victim

Victim is a 26 year old tourist who was injured when she struggled with the assailant who entered her hotel room. In the struggle, she suffered lacerations of the right hand. There are no medical bills, and there is no evidence to indicate that victim lost earnings as a result of the incident. Victim is awarded \$25.00 for pain and suffering.

75-210 JULIAN M. WOODARD
Applicant - Victim

Victim is a 20 year old college student who was injured at the Kuilima Hotel. He was struck in the eye with a glass cup and was hospitalized at Tripler Hospital for 19 days. Out-of-pocket medical expenses totaled \$52.00. Victim is awarded \$52.00 for medical expenses and \$300.00 for pain and suffering for a total award of \$352.00.

75-211 FRANK J. DeTURRIS
Applicant - Victim

Victim is a 21 year old male who was assaulted as the result of an argument. He was struck in the face and suffered facial lacerations and contusions. Medical expenses totaled \$159.23. Victim was not employed at the time of the incident. He is awarded \$159.23 for medical expenses, and \$500.00 for pain and suffering for a total award of \$659.23.

75-239 E. A. LINDIG
Applicant - Victim

Victim is a 59 year old male who was assaulted and robbed while on his way home. He was struck in the face and eye. Medical expenses totaled \$480.57. Victim was not employed at the time of the incident. He is awarded \$480.57 for medical expenses, and \$300.00 for pain and suffering for a total award of \$780.57.

75-242 CHONG C. TAKEO
Applicant - Victim

Victim is a 28 year old female who was found nude in Kalihi. She was assaulted and robbed and suffered a fracture of the ribs and contusions of the face. Out-of-pocket medical expenses totaled \$40.70. Victim did not lose earnings because of the incident. She is awarded \$40.70 for medical expenses, and \$400.00 for pain and suffering for a total award of \$440.70.

75-244 MICHAEL P. CASEY
Applicant - Victim

Victim is a 23 year old male who was found unconscious by police in Waikiki. He was beaten and suffered a cerebral concussion and abrasions of the head and neck area. Medical bills totaling \$420.65 were paid by the Veterans Administration. Victim was not employed at the time of the incident. He is awarded \$150.00 for pain and suffering.

76-8 MARK B. BELCHER
Applicant - Victim

Victim is an 18 year old male who was stabbed in a fight. He suffered a cut on the forearm. Medical expenses totaling \$101.35 were paid by HMSA. There is no evidence to support victim's claim for loss of earnings. He is awarded \$75.00 for pain and suffering.

76-9 ERNEST F. MIRANDA, JR.
Applicant - Victim

Victim is a 34 year old male who was shot in a downtown Bar in a shoot-out involving two rival gangs. He suffered gunshot wounds of the abdomen and right thigh. Medical expenses totaled \$10,341.02 of which \$8,399.07 was paid by HMSA; \$153.34 by the Public Welfare Division, DSSH, State of Hawaii; and, \$1,408.86 discounted by the hospital and doctors. Victim, a laborer, was unable to work for five months and would have lost \$7,305.60 except that he received \$2,886.00 in TDI benefits and \$2,076.00 in other collateral benefits. He is awarded \$379.75 for medical expenses, \$2,343.60 for loss of earning power, and \$750.00 for pain and suffering for a total award of \$3,473.35. However, because he shared in the responsibility for the crime that caused his injury, the \$3,473.35 award is reduced by 50% (\$1,736.68) making a final award of \$1,736.67.

76-10 JOHN PANETO, JR.
Applicant - Wife

Victim is a 38 year old male whose dead body was discovered in a public playground. He was severely beaten with a machete. There are no medical bills, and victim was not employed at the time of his death. Funeral-burial expenses totaled \$1,502.00 of which \$255.00 was paid by Social Security. Applicant is awarded \$1,247.00 for funeral and burial expenses.

76-18 JOSEPH MIHA
Applicant - Father

Victim is a 33 year old male who was shot and killed when he and two of his friends confronted members of a rival gang in a downtown Bar. There are no medical expenses, and the victim was not employed at the time of his death. Funeral and burial expenses totaled \$1,147.00. Applicant is awarded \$1,147.00 for funeral and burial expenses. However, because victim shared in the responsibility for the crime that caused his death, the award of \$1,147.00 is reduced by 50% (\$573.50) making a final award of \$573.50.

76-22 DAWN BUSTAMANTE
Applicant - Father

Victim is a 13 year old girl who was sexually assaulted, and later shot to death near the Pali Golf Course. There are no out-of-pocket expenses. Funeral and burial expenses totaled \$1,521.88. Applicant is awarded \$1,521.88 for funeral and burial expenses.

76-49 HIROSHI MIYASHIRO
Applicant - Victim

Victim is a 43 year old male who was injured in a shooting spree. He suffered a gunshot wound of the right forearm. Medical expenses totaled \$699.72 of which \$587.56 was covered by the Kaiser Health Plan. Victim was unable to work for six weeks, and would have lost \$2,078.08 in earnings except that he used 211.5 hours sick leave worth \$1,463.58. Victim is awarded \$112.16 for medical expenses, \$614.50 for loss of earning power, and \$200.00 for pain and suffering for a total award of \$926.66.

76-51 INGRID OSTRENGA
Applicant - Father

Victim is a 27 year old female who was killed in her home. She was found on her living room couch with an electrical cord around her neck. There are no medical expenses. Funeral and burial expenses totaled \$3,508.32. However, only \$1,754.16 is considered to be reasonable. Applicant is awarded \$1,754.16 for funeral and burial expenses.

76-53 ROBERT KAIALAU, JR.
Applicant - Victim

Victim is a 25 year old male who was injured while trying to disarm the suspect. He suffered a gunshot wound of the left thigh. Medical expenses totaled \$2,212.73 of which \$1,841.58 was paid by HMSA and \$126.20 discounted by doctors. Victim was unable to work for 43 days and would have lost \$2,418.00 in wages except that he used sick leave during his convalescence. He is awarded \$244.95 for medical expenses, and \$550.00 for pain and suffering for a total award of \$794.95. An award of \$175.00 is made to Anson Rego for attorney's fees.

76-58 CRAIG SHOWKEIR
Applicant - Victim

Victim is a 21 year old male who was assaulted by two men in Waikiki. He suffered stab wounds of the stomach. Medical expenses totaling \$4,967.95 were covered by the Kaiser Hospital Plan. There is no evidence to support victim's claim for loss of earning power. Victim is awarded \$2,000.00 for pain and suffering.

76-61 DONALD M. YOUNG
Applicant - Wife

Victim is a 32 year old male who was killed by his nephew. He suffered a gunshot wound of the head. The more credible evidence indicates that victim provoked the incident. Medical expenses totaling \$2,730.86 were paid by the Public Welfare Division, DSSH, State of Hawaii. Funeral and burial expenses totaled \$2,399.04 of which \$255.00 was paid by Social Security. There is no evidence to indicate that victim was gainfully employed at the time of his death. Applicant is awarded \$2,144.04 for funeral and burial expenses. However, because victim shared in the responsibility for the crime that caused his death, the \$2,144.04 award is reduced by 10% (\$214.40) making a final award of \$1,929.64.

76-62 BRYAN ADKINS
Applicant - Mother

Victim is a 12 year old boy who was choked in the neck by his neighbor. Medical expenses totaling \$34.94 were paid by the Public Welfare Division, DSSH, State of Hawaii. Victim is awarded \$25.00 for pain and suffering.

76-64 HOWARD VAETH
Applicant - Victim

Victim is a 48 year old male who was assaulted and robbed at the Diamond Head Lookout. He suffered minor lacerations and abrasions. Medical expenses totaled \$152.00 of which \$21.50 was paid by insurance. Victim was not employed at the time of the incident. He is awarded \$130.50 for medical expenses, and \$50.00 for pain and suffering for a total award of \$180.50. Of the \$180.50 awarded, \$130.50 shall be paid to Kuakini Medical Center.

76-65 NORMA L. WILLIAMS
Applicant - Victim

Victim is a 57 year old female who was knocked down by a purse snatcher. She suffered pains in her neck and left arm. Medical expenses totaled \$67.50 of which \$62.50 was covered under the Kaiser Hospital Plan. Victim, a houseparent, did not lose any wages because of the incident. She is awarded \$5.00 for medical expenses, and \$100.00 for pain and suffering for a total award of \$105.00.

76-68 LISA A. COLLOMB
Applicant - Victim

Victim is a 19 year old tourist who was raped by an unknown person. She was treated at the Planned Parenthood Association of Hawaii Clinic at Palama. There are no out-of-pocket medical expenses, and victim was not gainfully employed at the time of the incident. Victim is awarded \$1,000.00 for pain, suffering, and nervous and mental shock. An award of \$100.00 is made to Bert Tokairin for attorney's fees.

76-75 THERESA L. MANALO
Applicant - Victim

Victim is a 25 year old female who was shot in a downtown Bar. She was struck in the right lower leg by a stray bullet. Medical expenses totaling \$3,649.93 were paid by insurance. There is no evidence to indicate that victim lost wages because of the incident. She is awarded \$1,000.00 for pain and suffering.

76-77 PAUL HARGIS
Applicant - Victim

Victim is a 37 year old male who was struck in the face with a rock. No medical bills were submitted, and there is no evidence to indicate that victim was employed at the time of the incident. He is awarded \$25.00 for pain and suffering.

76-91 MARY E. BEITZ
Applicant - Victim

Victim is a 20 year old tourist who was raped by an unknown person. She was treated at both the City and County Emergency Unit and the Hawaii Planned Parenthood Clinic at Palama. There are no out-of-pocket medical expenses. Victim was not employed at the time of the incident. She is awarded \$1,000.00 for pain, suffering, nervous and mental shock. An award of \$100.00 is made to Bert Tokairin for attorney's fees.

76-99 JOSEPH P. GLEASON
Applicant - Victim

Victim is a 23 year old male who was shot in the left hand and knee. Medical expenses totaling \$233.30 were paid by the Public Welfare Division, DSSH, State of Hawaii. Victim was not employed at the time of the incident. He is awarded \$175.00 for pain and suffering.

76-110 SARA L. WEER
Applicant - Victim

Victim is a 22 year old female who was raped by an unidentified male who broke into her apartment. Medical expenses totaling \$85.58 were paid by the Public Welfare Division, DSSH, State of Hawaii. Victim was not employed at the time of the incident. She is awarded \$1,000.00 for pain, suffering, nervous and mental shock.

76-119 CARL G. SAWYER
Applicant - Mother

Victim is a 17 year old high school student who was fatally shot in Waipahu. There are no medical expenses. Funeral and burial expenses totaled \$2,087.80. Victim is awarded \$2,087.80 for funeral and burial expenses.

76-129 LAURA HANS
Applicant - Mother

Victim is a 14 year old girl who claims she was sexually abused by a Security Guard at Puck's Alley. The more credible evidence indicates that she shared in the responsibility for the crime that caused her injury. There are no medical expenses. Victim is awarded \$1,000.00 for pain, suffering, nervous and mental shock. Because victim shared in the responsibility for the crime that caused her injury, the \$1,000.00 award is reduced by 70% (\$700.00) making a final award of \$300.00.

76-127 DOUGLAS A. LOGAN
Applicant - Victim

Victim is a 25 year old male who was assaulted at a carnival site. Because of the incident, he suffered contusions and abrasions of the body. Medical expenses totaled \$436.53 of which \$307.95 was paid by insurance. Victim was unable to work for a week and would have lost \$132.00 in wages except that he used three days vacation and two days sick leave during his convalescence. He is awarded \$128.58 for medical expenses, and \$800.00 for pain and suffering for a total award of \$928.58.

76-130 RODNEY BAILEY
Applicant - Victim

Victim is a 24 year old tourist who was attacked at a public beach park. As a result of the beating he lost a tooth. Medical expenses totaled \$295.00. Victim was not employed at the time of the incident. He is awarded \$295.00 for medical and related expenses, and \$250.00 for pain and suffering for a total award of \$545.00.

76-132 FRANCIS LINCOLN
Applicant - Victim

Victim is a 35 year old male who was stabbed in the chest by a neighbor. Medical expenses totaling \$69.30 were paid by insurance. There is no evidence to indicate that victim lost earnings because of the incident. He is awarded \$150.00 for pain and suffering.

76-133 MICHAEL KANE
Applicant - Victim

Victim is a 52 year old male who was assaulted while walking home early one morning. He suffered minor abrasions and laceration of the face, and a fracture of the left hip. Medical expenses totaling \$6,045.38 were paid by the Public Welfare Division, DSSH, State of Hawaii. Victim was not employed. He is awarded \$350.00 for pain and suffering.

76-136 JOHNNY S. ALONZO
Applicant - Victim

Victim is a 64 year old male who was assaulted and robbed by two men in a pool hall. As a result of the incident, he sustained a severe eye injury. Medical expenses totaled \$5,664.19 of which \$4,536.47 was paid by HMSA. Victim was employed as a Bartender at the time of the incident. However, he retired shortly after the incident happened. He is awarded \$1,127.72 for medical expenses, and \$2,500.00 for pain and suffering for a total award of \$3,627.72.

76-140 LINDA KUAPAHI
Applicant - Victim

Victim is a 19 year old female who was assaulted by a man who offered her a ride in Waikiki. She suffered stab wounds of the back. Medical expenses totaled \$1,112.42. Victim was not employed at the time of the incident. She is awarded \$1,112.42 for medical expenses, and \$250.00 for pain and suffering for a total award of \$1,362.42. Of the \$1,362.42 awarded, \$948.00 shall be paid to Queen's Medical Center; \$123.24 to The Emergency Group; and \$41.18 to Honolulu Medical Group, Inc.

76-145 DIANNE LAU
Applicant - Victim

Victim is a 24 year old female who was assaulted and robbed in the Amfac Building restroom. She was struck in the face, and as she fell to the floor was kicked in the neck and chest. Medical expenses totaled \$324.41 of which \$273.33 was paid by HMSA. Victim, a salesgirl, was unable to work for a week and would have lost \$91.36 in wages except that she used sick leave and received TDI benefits. She is awarded \$51.48 for medical expenses, and \$200.00 for pain and suffering for a total award of \$251.48.

76-146 SATOSHI TOMASA
Applicant - Victim

Victim is a 67 year old male who was struck by a stray bullet in a Bar. He was shot in the pelvis and groin region. Medical expenses totaled \$1,164.54 of which \$1,056.24 was paid by Medicare. Victim did not lose earnings because of the incident. He is awarded \$108.30 for medical expenses and \$500.00 for pain and suffering for a total award of \$608.30.

76-155 RANDALL NAKAMURA
Applicant - Victim

Victim is a 19 year old male who was shot as the result of an argument over the affections of a girl. He suffered gunshot wounds of the right thigh. Medical expenses totaled \$188.01 of which \$151.18 was paid by HMSA and \$7.03 discounted by doctors. Victim, a part-time salesman, was unable to work for about a month and lost \$70.20 in wages. He is awarded \$29.80 for medical expenses, \$70.20 for loss of earning power, and \$150.00 for pain and suffering for a total award of \$250.00.

76-163 JOHN GINOZA
Applicant - Victim

Victim is a 54 year old cab driver who was assaulted by two men who engaged his services. He suffered multiple contusions and lacerations of the face. Medical expenses totaled \$3,269.26 of which \$1,291.22 was paid by HMSA and \$1,867.49 by insurance. Victim was unable to work for a month and lost \$630.58 in earning power. He is awarded \$110.55 for medical expenses, \$630.58 for loss of earning power, and \$700.00 for pain and suffering for a total award of \$1,441.13.

76-164 SAH IL SUN
Applicant - Victim

Victim is a 50 year old female who was assaulted and robbed by two burglars who broke into her apartment. She suffered contusions of the eyes and body. No medical bills were submitted. Victim, a cocktail waitress, did not work for one week and lost \$105.00 in earning power. She is awarded \$105.00 for loss of earning power, and \$150.00 for pain and suffering for a total award of \$255.00.

76-166 LORENE F. WALKER
Applicant - Victim

Victim is a 24 year old female who was assaulted while walking back to her hotel. She was struck in the face and suffered a blow-out fracture of the left eye. All medical bills were paid by the Public Welfare Division, DSSH, State of Hawaii. There is no evidence to support victim's claim for loss of earnings. She is awarded \$500.00 for pain and suffering.

76-176 ROBERT J. DeLONG
Applicant - Victim

Victim is a 20 year old male who was assaulted by several men at a public beach in Kona. He suffered multiple contusions and abrasions of the body. No medical bills were submitted for reimbursement, and victim was not employed at the time of the incident. He is awarded \$100.00 for pain and suffering.

76-196 GEORGE EMMESLEY, IV
Applicant - Victim

Victim is a 22 year old male who was shot in a Night Club. He suffered a gunshot wound to the right chest. There are no out-of-pocket medical expenses and victim was not employed at the time of the incident. He is awarded \$2,000.00 for pain and suffering. An award of \$100.00 is made to Anson Rego, Jr. for attorney's fees.

76-198 MARY J. SCHULTE
Applicant - Victim

Victim is a 40 year old female who was sexually assaulted by an unidentified man who broke into her apartment. Medical expenses totaled \$209.44 of which \$142.38 was paid by HMSA. Victim, a nurse, did not lose earnings as a result of the incident. She is awarded \$67.06 for out-of-pocket medical expenses, and \$1,000.00 for pain, suffering, nervous and mental shock, for a total award of \$1,067.06.

76-201 BURCHARD WHITCOME
Applicant - Victim

Victim is a 33 year old male who was assaulted by a hitchhiker. He suffered lacerations of the head and contusions of the body. Medical expenses totaling \$1,324.54 were paid by insurance. Victim was unable to work for two weeks and lost \$506.24 in earnings. He is awarded \$506.24 for loss of earning power and \$500.00 for pain and suffering for a total award of \$1,006.24.

76-203 THOMAS Y. W. WONG
Applicant - Victim

Victim is a 47 year old male who was shot by a trespasser. He suffered gunshot wounds of the throat, chest and left foot. Medical expenses were waived by Applicant. There is no evidence to indicate that victim lost earning power because of the incident. He is awarded \$2,000.00 for pain and suffering. An award of \$100.00 is made to Ronald Au for attorney's fees.

76-209 FRANK S. GOMES
Applicant - Daughter

Victim is a 54 year old male whose dead body was discovered at Aala Park. He was beaten to death by unidentified assailants. There are no medical expenses, and victim was not gainfully employed at the time of his death. Reasonable funeral and burial expenses totaled \$2,046.98 of which \$255.00 was paid by Social Security. Applicant is awarded \$1,791.98 for funeral and burial expenses. Of the \$1,791.98 awarded, \$881.98 shall be paid to Nuuanu Memorial Park Mortuary.

76-222 FUSAE SHIGEZAWA
Applicant - Victim

Victim is a 34 year old female who was assaulted by her boyfriend. She suffered minor lacerations of the left eyebrow. There are no medical expenses, and victim was not employed at the time of the incident. She is awarded \$25.00 for pain and suffering.

76-224 WALTER H. NEFF
Applicant - Victim

Victim is a 48 year old male who was assaulted and robbed by several men. He was struck in the face and suffered a cut on the chin. Medical expenses totaling \$198.08 were paid by insurance. Victim did not work for three weeks and would have lost \$151.19 except for the fact that he used annual leave and sick leave during his convalescence. He is awarded \$50.00 for pain and suffering.

76-225 ROBERT JUSTMAN
Applicant - Victim

Victim is a 28 year old male who was assaulted by two men while walking home. He suffered contusions and abrasions of the body. Medical expenses totaled \$251.43 of which \$102.46 was paid by HMSA. Victim was unable to work for two weeks and would have lost \$675.00 in wages except that he used one week vacation during his convalescence. He is awarded \$148.97 for medical expenses, \$337.50 for loss of earnings, and \$400.00 for pain and suffering for a total award of \$886.47. An award of \$35.00 is made to Gordon Nelson for attorney's fees.

76-226 DAVID WONG
Applicant - Victim

Victim is a 26 year old male who was assaulted by an unidentified assailant. He was struck in the face and sustained fractures of the left cheekbone. Medical expenses totaling \$784.55 were paid by the Public Welfare Division, DSSH, State of Hawaii. There is no evidence to indicate that victim was employed at the time of the incident. He is awarded \$350.00 for pain and suffering.

76-230 DOROTHY MATSUDA
Applicant - Victim

Victim is a 53 year old female who was assaulted while she was walking to her place of employment. She suffered contusions and abrasions of the body. Medical expenses totaling \$2,037.33 were covered by Workers' Compensation. Victim was unable to work for about six weeks and would have lost \$812.16 in earnings except that she received \$642.22 from Workers' Compensation and used four days sick leave during her convalescence. Victim is awarded \$400.00 for pain and suffering.

76-237 ROBERT K. ASUI, JR.
Applicant - Victim

Victim is a 24 year old male who was shot in the leg by an unidentified assailant. Medical expenses totaled \$1,028.75. Victim was not employed at the time of the incident. He is awarded \$1,028.75 for medical expenses, and \$250.00 for pain and suffering for a total award of \$1,278.75. Of the \$1,278.75 awarded, \$1,028.75 shall be paid to Straub Clinic & Hospital, Inc.

76-239 PEDRO MARTIN
Applicant - Victim

Victim is a 39 year old male who was shot at a public beach. He suffered a gunshot wound of the left upper arm. Medical expenses totaled \$2,836.10 of which \$2,364.72 was paid by HMSA. Victim was unable to work for twenty days. However, he used 15 days vacation and 5 days sick leave during his convalescence. Victim is awarded \$471.38 for medical expenses, and \$300.00 for pain and suffering for a total of \$771.38.

76-244 G. JACK PERLMUTTER
Applicant - Victim

Victim is a 22 year old cab driver who was assaulted by his passenger. No medical bills were submitted, and there is no evidence to indicate that victim lost earning power because of the incident. Victim is awarded \$50.00 for pain and suffering.

76-255 BEN B. BALANZA
Applicant - Victim

Victim is a 32 year old male who was shot as the result of a domestic argument. He suffered a gunshot wound of the right chest. There are no out-of-pocket medical expenses, and victim did not lose earnings because of the incident. He is awarded \$300.00 for pain and suffering.

76-256 ROBERT W. Y. LEE, JR.
Applicant - Victim

Victim is a 21 year old male who was injured in a fight. The more credible evidence indicates that victim provoked the fight. He suffered lacerations of the forehead, scalp and right arm. Medical expenses totaled \$1,465.16 of which \$1,145.46 was paid by HMSA and \$319.70 discounted by the doctor. There is no evidence to indicate that victim was employed at the time of the incident. Victim is awarded \$500.00 for pain and suffering. However, the Commission determined that he shared in the responsibility for the crime that caused his injury. Accordingly, the \$500.00 award is reduced by 75% (\$375.00), making a final award of \$125.00.

76-261 WILLIE BAKER
Applicant - Victim

Victim is a 47 year old male who claims he was assaulted in Waipahu. The more credible evidence indicates that victim had a fight with several prostitutes. There are no out-of-pocket medical expenses and victim was not gainfully employed. He is awarded \$25.00 for pain and suffering.

76-268 RUSSELL REIS
Applicant - Mother

Victim is a 15 year old boy who was sodomized in the restroom of a public park. Medical expenses totaled \$293.34. Victim is awarded \$293.34 for medical expenses, and \$300.00 for pain and suffering for a total award of \$593.34.

76-269 MARVIN TUCKER
Applicant - Victim

Victim is a 23 year old male who was injured in a fight. The more credible evidence indicates that victim provoked the fight. He suffered superficial cuts on the left arm. Medical expenses totaled \$31.10. There is no evidence to indicate that victim was employed at the time of the incident. Victim is awarded \$31.10 for medical expenses and \$300.00 for pain and suffering for a total award of \$331.10. However, the Commission determined that he shared in the responsibility for the crime that caused his injury. Accordingly, the \$331.10 award is reduced by 75% (\$248.33), making a final award of \$82.77. Of the \$82.77 awarded, \$31.10 shall be paid to Castle Memorial Hospital.

76-271 MICHAEL FLANARY
Applicant - Victim

Victim is a 28 year old male who was shot in a Bar. He suffered gunshot wounds of the left thigh and calf. Medical expenses totaling \$190.53 were paid by the Kaiser Hospital Plan. Victim was unable to work for 13 days and would have lost \$796.64 in wages except that he received \$266.40 in TDI benefits. Victim is awarded \$530.24 for loss of earning power, and \$250.00 for pain and suffering for a total award of \$780.24. An award of \$35.00 is made to Roy Bell, III for attorney's fees.

76-275 WAYNE M. CROWELL
Applicant - Victim

Victim is a 24 year old male who was injured in a fight. He was struck in the face and suffered a fractured jaw. Medical expenses totaled \$1,888.95. There is no credible evidence to indicate that victim lost earnings as a result of the incident. Victim is awarded \$1,888.95 for medical expenses, and \$500.00 for pain and suffering for a total award of \$2,388.95. Of the \$2,388.95 awarded, \$1,129.00 shall be paid to Dr. Richard Morimoto, \$707.20 to Dr. Winfred Kubo; and, \$52.75 to Castle Memorial Hospital.

76-276 RHONNIE IBARRA
Applicant - Victim

Victim is a 20 year old male who was shot when he and several of his friends crashed a dance party. He suffered gunshot wounds of the right lower abdomen. Medical expenses totaling \$2,226.35 were paid by insurance and the Public Welfare Division, DSSH, State of Hawaii. Victim was not employed at the time of the incident. He is awarded \$500.00 for pain and suffering. However, because he shared in the responsibility for the crime that caused his injury, the \$500.00 award is reduced by 90% (\$450.00), making a final award of \$50.00.

76-277 EDGAR BLUE
Applicant - Victim

Victim is an 18 year old male who was shot when he and several of his friends crashed a dance party. He suffered gunshot wounds of the right lower leg and left thigh. Medical expenses totaling \$749.19 were paid by the Public Welfare Division, DSSH, State of Hawaii. Victim was not gainfully employed at the time of the incident. He is awarded \$300.00 for pain and suffering. However, because he shared in the responsibility for the crime that caused his injury, the \$300.00 award is reduced by 90% (\$270.00), making a final award of \$30.00

76-279 WILLIAM K. AH NEE, JR.
Applicant - Victim

Victim is a 42 year old male who was shot in a Bar. He suffered multiple gunshot wounds of the left hand, wrist, abdomen, left thigh and scrotum. Medical expenses totaled \$2,930.31. Victim waived all claim for loss of earning power. He received income protection benefits totaling \$2,397.20 from Mutual of Omaha. Victim is awarded \$2,930.31 for medical expenses and \$2,500.00 for pain and suffering for a total award of \$5,430.31. However, the \$5,430.31 award is reduced by \$2,397.20 (collateral benefits) received by victim making a final award of \$3,033.11. Of the final award of \$3,033.11, \$1,794.00 shall be paid to Castle Memorial Hospital; \$322.00 to Dr. Frank Ceccarelli; and, \$29.26 to Dr. Roberta Apau. An award of \$175.00 is made to Roy Bell, III for attorney's fees.

76-281 CHRISTINE BROOKS
Applicant - Victim

Victim is a 20 year old hitchhiker who was picked up by a male and raped on the island of Maui. Medical bills were paid by the Public Welfare Division, DSSH, State of Hawaii. There is no credible evidence to indicate that victim was gainfully employed at the time of the incident. She is awarded \$2,000.00 for pain, suffering, nervous and mental shock. Of the \$2,000.00 awarded, \$200.00 shall be paid to Schutter, O'Brien and Weinberg for attorney's fees.

76-282 SHERRIE M. CHIKUMA
Applicant - Victim

Victim is a 22 year old female who was held hostage by three men in an apartment building, assaulted and sexually abused by all of the men. Medical expenses to date totaled \$18,007.50 of which \$14,672.16 was paid by HMSA. Victim was not employed at the time of the incident. She is awarded \$3,335.34 for out-of-pocket medical expenses and \$1,500.00 for pain and suffering for a total award of \$4,835.34. Of the \$4,835.34 awarded, \$3,335.34 shall be paid to Clement Chikuma.

77-5 EDWARD L. BUTLER
Applicant - Victim

Victim is a 21 year old male who was pistol whipped. He was struck in the face and suffered contusions and lacerations. There are no out-of-pocket medical expenses, and victim did not lose any wages because of the incident. He is awarded \$200.00 for pain and suffering.

77-10 LOPAKA A. YOUNG
Applicant - Victim

Victim is a 33 year old male who was injured while apprehending a criminal. He suffered a separation of the right shoulder. Medical expenses totaled \$2,192.85. Victim, a musician, did not work for two days and lost \$107.34 in wages. He is awarded \$2,192.85 for medical expenses, \$107.34 for loss of earning power, and \$550.00 for pain and suffering for a total award of \$2,850.19. Of the \$2,850.19 awarded, \$1,324.86 shall be paid to St. Francis Hospital; \$597.06 to Orthopedic Associates of Hawaii, Inc.; \$187.20 to Medical Anesthesia, Inc; \$83.73 to Kaiser Medical Center; and, \$100.00 to Michael Tongg for attorney's fees.

77-11 FRANK H. SYLVA, SR.
Applicant - Daughter

Victim is a 73 year old male who was assaulted in Waikiki. As a result of the beating, he suffered a cerebral concussion, fractures of the jaw, nasal bone, and cheekbone. Victim subsequently died from acute myocardial infarction due to arteriosclerotic heart disease. Medical expenses totaled \$8,511.70 of which \$8,406.60 was paid by Medicare and the Public Welfare Division, DSSH, State of Hawaii. Victim was not gainfully employed at the time of his death. Applicant is awarded \$105.10 for medical expenses, and \$1,495.75 for funeral and burial expenses for a total award of \$1,600.85.

77-12 CHRISTINE ABRIGANA
Applicant - Mother

Victim is a 20 year old female who was shot in the Leeward Community College parking lot. She suffered a gunshot wound of the right chest and, subsequently, died from the injury. Medical expenses exceeding \$50,000.00 were paid by Kaiser Health Plan, Inc. Victim was not gainfully employed at the time of the incident. Funeral and burial expenses totaled \$2,442.96. Applicant is awarded \$2,442.96 for funeral and burial expenses.

77-21 ERENIO JUAN
Applicant - Victim

Victim is a 63 year old male who was assaulted. He was pushed and suffered a cut when he fell to the ground. There are no out-of-pocket medical expenses and victim, a self-employed shoemaker, did not lose earnings because of the incident. He is awarded \$50.00 for pain and suffering.

77-36 MIRIAM KELLEY
Applicant - Victim

Victim is a 55 year old female who was tied, gagged and assaulted in a hotel apartment. She suffered contusions of the forehead, left eyebrow, right elbow and left forearm. Medical expenses totaled \$2,947.33 of which \$1,401.49 was paid by HMSA. Victim was unable to work for 11 days and lost \$521.95 in earnings. She is awarded \$1,545.84 for medical expenses, \$521.95 for loss of earning power; and \$750.00 for pain and suffering for a total award of \$2,817.79. Of the \$2,817.79 awarded, \$1,020.05 shall be paid to Straub Clinic & Hospital, Inc. and \$42.88 to Kaiser Medical Center.

77-43 RUTH EASTLUND
Applicant - Victim

Victim is a 57 year old female who was knocked down by a purse snatcher. She suffered a fracture of the left shoulder and a bruised kidney. Medical expenses totaled \$1,654.80 of which \$675.80 was paid by insurance. There is no credible evidence to indicate that victim lost earnings because of the incident. Victim is awarded \$979.00 for medical expenses, and \$500.00 for pain and suffering for a total award of \$1,479.00.

77-44 GARY A. HENSLEY
Applicant - Victim

Victim is a 25 year old male who was assaulted by the assailant who broke into his home looking for marijuana. He suffered facial fractures. Medical expenses totaled \$2,752.22 of which \$2,571.26 was paid by the Public Welfare Division, DSSH, State of Hawaii. Victim was not gainfully employed at the time of the incident. He is awarded \$180.96 for medical expenses, and \$1,000.00 for pain and suffering for a total award of \$1,180.96. Of the \$1,180.96 awarded, \$180.96 shall be paid to Dr. Dan Yoshioka for medical services and \$125.00 to Robert L. Smith for attorney's fees.

77-46 ALFREDO B. BOTACION
Applicant - Victim

Victim is a 49 year old male who was confronted and assaulted by several youths. He was struck in the face and head and suffered lacerations and contusions of the mouth and head. Medical expenses totaled \$406.67 of which \$335.67 was paid by HMSA and 63¢ discounted. Victim was unable to work for a week because of his injury and lost \$286.40 in wages. He is awarded \$70.58 for loss of earning power, and \$300.00 for pain and suffering for a total award of \$638.98. An award of \$75.00 is made to Victor Agmata, Jr. for attorney's fees.

77-54 ROMULO ACADEMIA
Applicant - Victim

Victim is a 32 year old male who was assaulted as the result of an argument. He suffered lacerations and contusions of the face. Medical expenses totaled \$841.22 of which \$558.18 was paid by insurance. Victim was unable to work for 18 days and would have lost \$508.32 except that he used sick leave during his convalescence. He is awarded \$283.04 for medical expenses, and \$500.00 for pain and suffering for a total award of \$783.04. Of the \$783.04 awarded, \$260.09 shall be paid to Dr. Hideo Oshiro for medical services and \$75.00 to Victor Agmata, Jr. for attorney's fees.

77-61 JEAN KING
Applicant - Victim

Victim is a 55 year old female who was assaulted, bound and gagged by three men who broke into her apartment. She suffered contusions and abrasions of the head and face. Medical expenses totaled \$3,194.96 of which \$572.35 was paid by insurance. Victim was unable to work for a month and would have lost \$1,108.00 in earnings except that she received Unemployment Compensation for five weeks totaling \$315.00. Victim is awarded \$2,622.61 for medical expenses, \$793.00 for loss of earning power, and \$1,250.00 for pain and suffering for a total award of \$4,665.61. Of the \$4,665.61 awarded, \$559.00 shall be paid to Joseph Maniscalco; \$810.00 to Frank Filippini; \$273.40 to Davies Medical Center; \$150.00 to Lenore Terr; \$110.00 to Louis Giorgi; \$70.00 to John Broderick; \$75.00 to San Francisco Neurosurgical Group, Inc.; \$70.00 to Floyd Sandberg; and, \$26.50 to Lazaroni Laboratories.

77-69 PATRICIA A. HARFIELD
Applicant - Victim

Victim is a 38 year old tourist who was assaulted in Makaha. She suffered contusions and abrasions of the face, nose and eye. Medical expenses totaled \$1,722.73. Victim was not employed at the time of the incident. She is awarded \$1,722.73 for medical expenses, and \$500.00 for pain and suffering for a total award of \$2,222.73.

77-74 ALANI WAHINEPIO
Applicant - Victim

Victim is a 54 year old male who was assaulted in a pool hall. He was struck in the left eye and suffered extensive rupture of the eyeball. Medical expenses totaled \$4,946.61 of which \$4,797.80 was paid by the Kaiser Health Plan. Victim was unable to work for 27 days and would have lost \$1,137.00 except that he used sick leave and vacation during his convalescence. He is awarded \$148.81 for medical expenses, and \$4,000.00 for pain and suffering for a total award of \$4,148.81.

77-81 SAMSON PEBRIA
Applicant - Victim

Victim is a 45 year old male who claims he was assaulted by an unidentified assailant. The more credible evidence, however, indicates that victim and his friends participate in dice games every Friday, and it was at one of these games that four men broke into the house and one man pistol whipped him. Medical expenses totaling \$1,625.69 were paid by the Public Welfare Division, DSSH, State of Hawaii. Victim was not employed at the time of the incident. He is awarded \$500.00 for pain and suffering. Because victim shared in the responsibility for the crime that caused his injury, the \$500.00 award is reduced by 50%, making a final award of \$250.00.

77-84 ROBERT WELBORN
Applicant - Victim

Victim is a 65 year old male who was shot in a robbery attempt. He suffered a gunshot wound of the stomach. Reasonable medical expenses totaled \$2,792.70 of which \$2,169.05 was paid by Medicare; \$21.58 by insurance; and \$536.69 discounted by doctors. There is no credible evidence to indicate that victim was gainfully employed at the time of the incident. He is awarded \$623.65 for medical expenses, and \$2,000.00 for pain and suffering for a total award of \$2,623.65. Of the \$2,623.65 awarded, \$468.00 shall be paid to Dr. Richard J. Trockman and \$200.00 to Victor Agmata, Jr. for attorney's fees.

77-86 CHARLES B. RAYBUCK, JR.
Applicant - Victim

Victim is a 28 year old male who was assaulted as the result of an argument. He was struck in the face and body and suffered a fracture of the left cheekbone. Medical expenses totaling \$466.64 were paid by the Public Welfare Division, DSSH, State of Hawaii. Victim was not gainfully employed at the time of the incident. He is awarded \$350.00 for pain and suffering.

77-89 EDWARD E. DE LONG
Applicant - Victim

Victim is a 19 year old male who was shot in the right lower leg. Medical expenses totaling \$866.65 were covered by the Kaiser Health Plan. There is no evidence to indicate that victim was gainfully employed at the time of the incident. The more credible evidence indicates that victim was drinking with the accused and had an argument which precipitated the shooting incident. Victim is awarded \$100.00 for pain and suffering. However, because he shared in the responsibility for the crime that caused his injury, the \$100.00 award is reduced by 75%, making a final award of \$25.00.

77-90 OLGA E. STEWART
Applicant - Victim

Victim is a 78 year old tourist who was assaulted by a purse snatcher. She suffered a compression fracture of the first lumbar vertebrae. Medical expenses totaled \$3,095.05 of which \$1,782.55 was paid by Medicare. Victim is awarded \$1,312.50 for medical expenses, and \$5,000.00 for pain and suffering for a total award of \$6,312.50.

77-93 DAVID A. LYSENG
Applicant - Victim

Victim is a 36 year old tourist who was assaulted by an unidentified assailant in Waikiki. He was struck on the chin and suffered a fracture of the jaw. Medical expenses totaling \$4,171.20 were paid by insurance. There is no evidence to indicate that victim lost earnings as a result of the incident. He is awarded \$750.00 for pain and suffering. An award of \$50.00 is made to Harry D. Gaede for attorney's fees.

77-100 BROOK HART
Applicant - Victim

Victim is a 35 year old male who was assaulted at the Manoa Recreation Center. He was struck in the left wrist with a "table leg" and suffered a puncture wound. Medical expenses totaling \$48.22 were paid by HMSA. There is no credible evidence to indicate that victim lost wages as a result of the incident. Victim is awarded \$350.00 for pain and suffering.

77-102 DALMACIO GANDAOLE
Applicant - Wife

Victim is a 77 year old male who was found comatose in a drainage ditch in the Waikele Valley area. He, subsequently, died from severe head injuries. Medical expenses totaled \$170.13. Victim was not gainfully employed at the time of the incident. Funeral and burial expenses totaled \$2,304.94 of which \$255.00 was paid by Social Security. Applicant is awarded \$170.13 for medical expenses, and \$2,049.94 for funeral and burial expenses for a total award of \$2,220.07.

77-108 WARREN SHAW
Applicant - Victim

Victim is a 19 year old police cadet who was assaulted while investigating a fight. He suffered a contusion of the right eye. Medical expenses totaling \$31.28 were paid by HMSA. Victim did not lose any wages because of the incident. He is awarded \$100.00 for pain and suffering.

77-113 ROBERT JOHNSON
Applicant - Victim

Victim is a 39 year old male who was assaulted as the result of an argument. He suffered a laceration of the right eyebrow. Medical expenses totaled \$143.90. There is no credible evidence to indicate that victim was gainfully employed at the time of the incident. He is awarded \$143.90 for medical expenses, and \$50.00 for pain and suffering for a total award of \$193.90.

77-114 FRANK J. VENNERI
Applicant - Victim

Victim is a 28 year old male who was assaulted by the former husband of his girlfriend. Medical expenses totaling \$191.40 were paid by the Public Welfare Division, DSSH, State of Hawaii. Victim was not gainfully employed at the time of the incident. He is awarded \$50.00 for pain and suffering.

77-124 SUSAN K. NAKASATO
Applicant - Victim

Victim is a 24 year old female who was knocked down by a purse snatcher. She suffered abrasions of the right leg and left index finger. Medical expenses totaling \$14.00 were paid by insurance. There is no evidence to indicate that victim lost earnings as a result of the incident. She is awarded \$75.00 for pain and suffering.

77-126 JOHN J. LENNON, JR.
Applicant - Victim

Victim is a 32 year old male who was assaulted in Waikiki. He suffered a skull fracture. Medical expenses totaled \$5,374.76. Victim waived his claim for loss of earnings. He is awarded \$5,374.76 for medical expenses, and \$1,500.00 for pain and suffering for a total award of \$6,874.76. Of the \$6,874.76 awarded, \$590.98 shall be paid to Kaiser Medical Center.

77-127 JON R. MARTIN
Applicant - Victim

Victim is a 33 year old male who was accosted and assaulted by several men at a hotel. He suffered contusions and abrasions of the body. Medical expenses totaling \$109.55 were paid by the Public Welfare Division, DSSH, State of Hawaii. There is no credible evidence to support victim's claim for loss of income from his farm operation. He is awarded \$250.00 for pain and suffering.

77-130 DOROTHY HASHIMOTO
Applicant - Victim

Victim is a 21 year old female who was assaulted by a purse snatcher. She was knocked down, and when she fell she suffered a fracture of the left shoulder. Medical expenses totaled \$354.42 of which \$212.03 was paid by HMSA. Victim did not work for 2½ months and would have lost \$2,125.00 in earnings except that she received \$868.12 in TDI benefits. She is awarded \$142.39 for medical expenses, \$1,256.88 for loss of earnings, and \$500.00 for pain and suffering for a total award of \$1,899.27.

77-133 GEORGE BARCLAY, JR.
Applicant - Victim

Victim is a 38 year old male who claims he was assaulted by an assailant and suffered a cerebral concussion, scalp lacerations and contusions of the right shoulder. However, the more credible evidence indicates that victim precipitated the incident when he made uncomplimentary remarks to the wife of the accused. Medical expenses totaling \$1,730.98 were paid by the Kaiser Hospital Plan. Victim was unable to work for 2½ months and lost \$2,872.80 in earnings. Victim is awarded \$2,872.80 for loss of earnings, and \$500.00 for pain and suffering for a total award of \$3,372.80. Because victim shared in the responsibility for the crime that caused his injury, the \$3,372.80 award is reduced by 60%, making a final award of \$1,349.12.

77-135 MAURICY OSTROWSKI
Applicant - Victim

Victim is a 50 year old male who was assaulted by the manager of his apartment. He complained of neck pain and headaches. Victim is known to have a history of degenerative disc disease. Medical expenses totaling \$6,175.04 were paid by the Public Welfare Division, DSSH, State of Hawaii. Victim was not employed at the time of the incident. He is awarded \$250.00 for pain and suffering.

77-142 PATRICIA A. THOMPSON
Applicant - Victim

Victim is a 28 year old female who was raped by the man who offered to take her home. She was beaten and suffered a fractured jaw. Medical expenses totaled \$2,406.43 of which \$1,581.10 was paid by the Public Welfare Division, DSSH, State of Hawaii. Victim was not employed at the time of the incident. She is awarded \$825.33 for medical expenses, and \$1,000.00 for pain, suffering, nervous and mental shock for a total award of \$1,825.33. Of the \$1,825.33 awarded, \$787.89 shall be paid to Straub Clinic & Hospital, Inc., \$37.44 to Dr. C. James Terna; and \$200.00 to Case, Kay, Clause & Lynch for attorney's fees.

77-144 JOHN V. LARIMER
Applicant - Victim

Victim is an 18 year old male who was assaulted when he went to the aid of a woman who was being beaten. He was punched in the face and suffered lacerations and loss of two upper incisors. Medical expenses totaled \$302.68. There is no credible evidence to support victim's claim for loss of wages. He is awarded \$302.68 for medical expenses, \$100.00 for damage to his guitar and \$200.00 for pain and suffering for a total award of \$602.68.

77-146 DUNG AHN DO
Applicant - Victim

Victim is a 22 year old male who was involved in a fight. He was struck on the head with a piece of board and suffered lacerations of the scalp and a fracture of the right calf. Medical expenses totaled \$903.22 of which \$861.96 was paid by insurance. Victim was unable to work for 6 weeks and would have lost \$900.00 except that he received TDI benefits totaling \$436.80 and used 6 days sick leave. He is awarded \$41.26 for medical expenses, \$313.20 for loss of earnings and \$500.00 for pain and suffering for a total award of \$854.46. An award of \$50.00 is made to Frank K. H. Kim for attorney's fees.

77-147 JOSEPHINE CROUCH
Applicant - Victim

Victim is a 49 year old female who was accosted and shot in a Waipahu Shopping Center parking lot. She suffered gunshot wounds of the chest and left wrist. Medical expenses totaling \$1,593.43 were paid by the Public Welfare Division, DSSH, State of Hawaii. Victim was unable to work for 6 weeks and lost \$300.00 in earning power. She is awarded \$300.00 for loss of earning power and \$1,500.00 for pain and suffering for a total award of \$1,800.00.

77-148 MICHAEL J. CONWAY
Applicant - Victim

Victim is a 28 year old male who was assaulted as the result of an argument. He was punched in the face and suffered a non-displaced fracture of the nasal bone. Medical expenses totaled \$20.80. Victim was not employed at the time of the incident. He is awarded \$20.80 for medical expenses, and \$750.00 for pain and suffering for a total award of \$770.80.

77-150 OLANDA CASTRO
Applicant - Victim

Victim is a 22 year old female who was assaulted by a woman at a Drive Inn. She suffered contusions of the left eye and lacerations of the lips. Medical expenses totaling \$182.59 were paid by the Public Welfare Division, DSSH, State of Hawaii. Victim was not employed at the time of the incident. She is awarded \$35.00 for pain and suffering.

77-153 WINIFRED ROUFBERGH
Applicant - Victim

Victim is an 83 year old female who was beaten, tied and raped by an assailant who broke into her apartment. Medical expenses totaled \$1,741.14 of which \$636.14 was paid by the Kaiser Health Plan. Victim is awarded \$1,105.00 for medical and related expenses, and \$4,000.00 for pain, suffering, nervous and mental shock for a total award of \$5,105.00.

77-156 DANIEL RUIZ
Applicant - Victim

Victim is a 44 year old male who was assaulted as the result of an argument. He was punched in the facial area and choked. There are no out-of-pocket medical expenses and victim was not employed at the time of the incident. He is awarded \$500.00 for pain and suffering.

77-157 LINDA M. DHAENE
Applicant - Victim

Victim is a 22 year old female who was assaulted by an unidentified male who broke into her home. She was struck in the face and suffered contusions of the face, a chipped tooth, and a chip fracture of the left hand. Medical and related expenses totaled \$491.57 of which \$261.57 was covered by insurance. Victim was unable to work for two days and lost \$77.12 in wages. She is awarded \$230.00 for medical and related expenses, \$77.12 for loss of wages, and \$100.00 for pain and suffering for a total award of \$407.12.

77-160 VENANCIO TOPINIO
Applicant - Victim

Victim is a 44 year old male who was assaulted as the result of an argument. He was struck in the face and suffered a slight contusion of the cheekbone. Medical expenses totaled \$195.01. There is no credible evidence to indicate that victim was gainfully employed at the time of the incident. Victim is awarded \$195.01 for medical expenses, and \$200.00 for pain and suffering for a total award of \$395.01. Of the \$395.01 awarded, \$101.60 shall be paid to Pearlridge Hospital; \$14.35 to Fronk Clinic-Pearlridge; \$79.06 to Straub Clinic & Hospital, Inc.; and, \$25.00 to Victor Agmata, Jr. for attorney's fees.

77-162 JOSE CORTADO
Applicant - Guardian

Victim is a 53 year old male who was murdered in his home on the island of Molokai. He suffered multiple stab wounds of the body. Funeral and burial expenses totaled \$722.80 of which \$255.00 was paid by Social Security. Victim was employed as a laborer by Del Monte Corporation at the time of his death. Applicant, Guardian for the decedent's three minor children, is awarded \$9,059.60 (\$10,000.00 statutory maximum less \$255.00 received from Social Security and \$685.40 gratuity payment from Del Monte Corporation). The loss of the victim's earning capacity far exceeds the total amount of award permitted under the statute. An award of \$300.00 is made to Hideki Nakamura for attorney's fees.

77-165 FLORENCE K. ANDREWS
Applicant - Guardian

Victim is a 42 year old female who was killed by her estranged husband. She suffered multiple gunshot wounds of the head and body. There are no out-of-pocket medical expenses. Funeral expenses totaled \$1,302.80 of which \$255.00 was paid by Social Security. Victim was employed as an Accounting Clerk at the time of her death. Applicant is awarded \$1,047.80 for funeral expenses. Of the \$1,047.80 awarded, \$797.80 shall be paid to Borthwick Mortuary, Ltd.

77-166 ANITA M. MINTEER
Applicant - Victim

Victim is a 25 year old female who was sexually assaulted by a juvenile who broke into her home. Medical expenses totaled \$1,220.00. There is no credible evidence to support Applicant's claim for loss of earning power. She is awarded \$1,220.00 for medical expenses, and \$1,500.00 for pain, suffering, nervous and mental shock for a total award of \$2,720.00. Of the \$2,720.00 awarded, \$1,170.00 shall be paid to Pam Russell for medical services, and \$150.00 to Charles H. Witherwax for attorney's fees.

77-167 MARK C. HARRISON
Applicant - Victim

Victim is a 23 year old male who was assaulted by the suspect who entered his home uninvited. He was punched in the jaw and suffered lacerations of the lower lip. Medical expenses totaling \$172.37 were paid by the offender. Victim, a cab-driver, was unable to work for 12 days and lost \$150.00 in wages. He is awarded \$150.00 for loss of earning power, and \$200.00 for pain and suffering for a total award of \$350.00.

77-169 ANNETTE JEAN LOBNER
Applicant - Victim

Victim is a 27 year old female who was sexually assaulted and injured when she jumped out of a moving van to escape from her captors. She suffered a skull fracture, contusions and abrasions. Medical expenses totaling \$1,818.52 were paid by insurance. Victim was unable to work for 8 months because of the incident. However, she received \$2,165.70 in disability payments during her convalescence. Victim is awarded \$1,500.00 for pain, suffering, nervous and mental shock. An award of \$250.00 is made to Andrew T. Johnson for attorney's fees.

77-172 CHERYL LOOMIS
Applicant - Victim

Victim is a 24 year old female bicyclist who was assaulted by another bike rider. She was pulled from her bicycle and knocked to the ground. As a result, she suffered a bruised left shoulder and bumped her head on the ground. Medical expenses totaled \$37.44. Victim was not employed at the time of the incident. She is awarded \$37.44 for medical expenses, and \$50.00 for pain and suffering for a total award of \$87.44.

77-173 SEGUNDO CABAHO
Applicant - Victim

Victim is a 75 year old male who was shot when he struggled with the accused who held him as a hostage. He suffered gunshot wounds of the right leg. As a result, he is badly scarred and has limited use of his right leg. Medical expenses totaling \$26,800.00 were paid by Medicare. Victim was not employed at the time of the incident. He is awarded \$6,000.00 for pain and suffering. An award of \$200.00 is made to Bernaldo Bicoy for attorney's fees.

77-177 ALVARINE PERREIRA
Applicant - Wife

Victim is a 49 year old male who was killed by his girlfriend's former boyfriend. He suffered gunshot wounds of the chest and neck. There are no medical expenses. Victim was employed by Maui Divers of Hawaii, Ltd. as a Production Supervisor and his salary was \$1,000.00 per month. Funeral and burial expenses totaled \$2,723.57 of which \$255.00 was paid by Social Security. Applicant is awarded \$9,745.00 (\$10,000.00 statutory maximum less \$255.00 Social Security death benefits payment). The loss of the victim's earning power would have been greatly in excess of the total award permitted under the law. An award of \$225.00 is made to Carl Tom for attorney's fees.

77-180 RICKI TYAU
Applicant - Victim

Victim is a 22 year old male who was assaulted as the result of an argument. He suffered contusions and abrasions of the body. Medical expenses totaled \$440.50 of which \$339.55 was paid by HMSA. Victim was unable to work for 63 hours and would have lost \$195.30 in earnings except that he received \$50.40 in TDI benefits. He is awarded \$100.95 for medical expenses, \$144.90 for loss of earnings, and \$50.00 for pain and suffering for a total award of \$295.85.

77-182 PATRICK CLIETT
Applicant - Victim

Victim is a 28 year old male who was assaulted as the result of an argument. He was punched in the head and body and suffered lacerations and abrasions. Medical expenses totaled \$147.00. Victim did not work for a week and lost \$340.80 in wages. He is awarded \$147.00 for medical expenses, \$340.80 for loss of wages, and \$75.00 for pain and suffering for a total award of \$562.80. Of the \$562.80 awarded, \$147.00 shall be paid to Wahiawa General Hospital.

77-187 GERALDINE ORNELLAS
Applicant - Victim

Victim is a 28 year old female who was bitten in the finger and struck by the accused as the result of an argument. She suffered a small laceration on the right middle finger. Medical expenses totaling \$126.84 were paid by the Public Welfare Division, DSSH, State of Hawaii. Victim was not employed at the time of the incident. She is awarded \$10.00 for pain and suffering.

77-190 MALAMA TULUA
Applicant - Victim

Victim is a 23 year old female who was assaulted as the result of an argument. Because of the incident she suffered a broken nose. There are no medical expenses and victim was not employed at the time of the incident. She is awarded \$150.00 for pain and suffering.

77-191 SIOELI T. FA
Applicant - Victim

Victim is a 49 year old male who was assaulted as the result of an argument. He suffered a laceration of the lip, abrasions of the knee, and a chipped tooth. Medical expenses totaled \$114.66. There is no credible evidence to indicate that victim lost earnings as a result of the incident. Victim is awarded \$114.66 for medical expenses, and \$350.00 for pain and suffering for a total award of \$464.66.

77-205 DONNA AANA
Applicant - Victim

Victim is a 24 year old female who was assaulted by a male who broke into her home. She was struck in the face and suffered facial injuries. Medical expenses totaled \$122.22 of which \$109.18 was paid by HMSA. Victim was unable to work for about three weeks and lost \$452.40 in earnings. She is awarded \$13.04 for medical expenses, \$452.40 for loss of earnings, and \$500.00 for pain and suffering for a total award of \$965.44.

77-212 JEFF ELKINS
Applicant - Victim

Victim is a 19 year old male who was shot as the result of an argument. He suffered a gunshot wound of the left arm. No medical bills were submitted. Victim, a disc jockey, was unable to work for one week and would have lost \$131.25 in wages except that he used sick leave during his convalescence. Victim is awarded \$250.00 for pain and suffering.

77-216 JUDELINE DAOANG
Applicant - Father

Victim is a 13 year old girl who was raped. The more credible evidence indicates that victim was truant on the date of the incident and accompanied two men and three girls on a joy ride around the islands. Medical expenses totaled \$273.50 of which \$126.90 was paid by the Sex Abuse Treatment Center and \$141.50 by HMSA. Victim is awarded \$5.10 for out-of-pocket medical expenses, and \$1,500.00 for pain, suffering, nervous and mental shock for a total award of \$1,505.10. Because victim shared in the responsibility for the crime that caused her injury, the \$1,505.10 award is reduced by 25% (\$376.28), making a final award of \$1,128.82.

77-217 DAVID E. WEXLER
Applicant - Victim

Victim is a 55 year old male who claims he was assaulted by a cab driver as the result of an argument. He was struck in the face and suffered minor contusions. Medical expenses totaled \$112.10. There is no evidence to support victim's claim for loss of earnings. Victim is awarded \$112.19 for medical expenses, and \$25.00 for pain and suffering for a total award of \$137.19.

77-219 RAPHAEL MORREIRA, JR.
Applicant - Victim

Victim is a 28 year old male who was assaulted as the result of an argument. He was slashed with a razor and suffered lacerations of the left eye. Medical expenses totaled \$1,856.24 of which \$1,509.99 was paid by Aetna Insurance. Victim was unable to work for 5½ months because of his injury and would have lost \$3,038.40 in wages except that he received \$1,202.80 in TDI benefits. Victim is awarded \$346.25 for medical expenses, \$1,835.60 for loss of earnings, and \$1,800.00 for pain and suffering for a total award of \$3,981.85. An award of \$35.00 is made to John Vail for attorney's fees.

77-220 DAVID ORTIZ
Applicant - Victim

Victim is a 38 year old male who was assaulted in prison. He suffered multiple contusions and strained back muscles. Medical expenses totaled \$169.23 of which \$89.53 was paid by HMSA. Victim was not gainfully employed at the time of the incident. He is awarded \$79.70 for medical expenses and \$100.00 for pain and suffering for a total award of \$179.70.

77-223 JESSE CROWTHER
Applicant - Victim

Victim is a 19 year old male who was assaulted with a wrench. The more credible evidence, however, indicates that he was beaten because of a feud with the assailant. He suffered facial fractures. No medical bills were submitted and victim was not employed at the time of the incident. He is awarded \$750.00 for pain and suffering. Because he shared in the responsibility for the crime that caused his injury, the \$750.00 award is reduced by 90%, making a final award of \$75.00.

77-228 FRANK CUNNINGHAM
Applicant - Victim

Victim is a 40 year old male who was assaulted by his son. He suffered a fracture of the skull, left arm and left leg. Medical expenses totaling \$5,400.00 were paid by the Public Welfare Division, DSSH, State of Hawaii. Victim was unable to work for three months and lost \$1,200.00 in earning power. He is awarded \$1,200.00 for loss of earnings.

77-231 ROBERTA L. ROSEHILL
Applicant - Victim

Victim is a 31 year old female who was knocked down by a purse snatcher. She suffered contusions of the right knee. Medical expenses totaling \$77.39 were covered by the Kaiser Health Plan. There is no evidence to indicate that victim lost earnings as a result of the incident. She is awarded \$150.00 for pain and suffering.

77-233 FRANK CARR
Applicant - Victim

Victim is a 38 year old male who injured his knee while apprehending a criminal. Medical expenses were paid by the Canadian government. Victim was unable to work for two weeks and had to hire a replacement at a cost of \$866.25. He is awarded \$866.25 for pecuniary loss, and \$250.00 for pain and suffering for a total award of \$1,116.25. An award of \$100.00 is made to James Norquist for attorney's fees.

77-237 PHYLLIS DIAS
Applicant - Victim

Victim is a 30 year old female who was assaulted by her boyfriend. She suffered lacerations of the face and broken dentures. However, no medical bills were submitted for reimbursement. Victim was not employed at the time of the incident. She is awarded \$25.00.

77-244 CHANG BONG KIM
Applicant - Victim

Victim is a 39 year old male who was assaulted by several men in a housing area. He suffered multiple contusions of the body. Medical expenses totaling \$70.56 were covered by the Kaiser Health Plan. There is no credible evidence to support victim's claim for loss of earning power. He is awarded \$25.00 for pain and suffering.

77-245 NOEL P. THOMPSON
Applicant - Victim

Victim is a 36 year old male who received a cut on the forehead caused by broken glass shattered by a gunshot. He was shot at by the accused as the result of a fight. Medical expenses totaled \$208.50. Victim was not employed at the time of the incident. He is awarded \$208.50 for medical expenses and \$150.00 for pain and suffering for a total award of \$358.50.

77-246 DAIICHI KAMEI
Applicant - Victim

Victim is a 43 year old male who was assaulted in a robbery attempt. He was struck in the face and suffered lacerations of the forehead. Medical expenses totaling \$131.03 were paid by the Veterans Administration. Victim was not employed at the time of the incident. He is awarded \$100.00 for pain and suffering.

77-247 ROBERT M. SEVERNS
Applicant - Victim

Victim is a 27 year old male who was assaulted as the result of an argument. He was struck in the hand with a stone. No medical bills were submitted for reimbursement. Victim was not employed at the time of the incident. He is awarded \$50.00 for pain and suffering.

77-249 LEIGHTON KAPANA
Applicant - Victim

Victim is a 20 year old male who was assaulted when he tried to apprehend a hit and run driver. He was struck in the face and suffered a fracture of the nasal bone. Medical expenses totaling \$37.44 were paid by HMSA. Victim was unable to work for about three weeks and lost \$645.12 in earnings. However, he received \$181.80 in TDI benefits. Victim is awarded \$463.32 for loss of earnings, and \$300.00 for pain and suffering for a total award of \$763.32.

77-253 WALLACE Y. F. KAM
Applicant - Victim

Victim is a 41 year old male who was assaulted in a theater as the result of an argument. He suffered contusions and abrasions of the face. Medical expenses totaling \$154.20 has been or will be paid by HMSA. Victim was unable to work for a week and lost \$164.31 in earnings. He is awarded \$164.31 for loss of earnings, and \$75.00 for pain and suffering for a total award of \$239.31.

77-256 WESLEY SANTOS, JR.
Applicant - Victim

Victim is a 23 year old male who was injured in a fight. He suffered a fracture of the right ankle. Medical expenses totaling \$693.60 were paid by the Public Welfare Division, DSSH, State of Hawaii. There is no evidence to indicate that victim was gainfully employed at the time of the incident. He is awarded \$150.00 for pain and suffering.

77-258 HAROLD SANDERS
Applicant - Victim

Victim is a 62 year old male who was assaulted as the result of an argument. He was struck in the face and suffered injuries to his eye. Medical expenses totaled \$660.17 of which \$141.64 was paid by HMSA, and \$239.20 by insurance. Victim was not employed at the time of the incident. He is awarded \$279.33 for medical expenses, and \$700.00 for pain and suffering for a total award of \$979.33.

77-268 BOBBY G. SMITH
Applicant - Victim

Victim is a 37 year old male who was found unconscious in a Waikiki restroom. He suffered multiple contusions and abrasions of the head and face. Medical expenses totaling \$1,942.20 were paid by the Public Welfare Division, DSSH, State of Hawaii. Victim, a waiter, was unable to work for four months and would have lost \$1,000.00 in wages except that he received \$455.00 in TDI benefits. Victim is awarded \$545.00 for loss of earnings, and \$750.00 for pain and suffering for a total award of \$1,295.00. An award of \$150.00 is made to A. Edward Fyffe, Jr. for attorney's fees.

77-270 STEVEN C. GRIEP
Applicant - Victim

Victim is a 34 year old male who was injured in a fight. He was struck on the head with a bottle, and suffered lacerations of the scalp. Medical expenses totaling \$456.50 were paid by the Public Welfare Division, DSSH, State of Hawaii. Victim was not employed at the time of the incident. He is awarded \$150.00 for pain and suffering.

77-273 MELISSA R. WARD
Applicant - Victim

Victim is a 22 year old female who was kidnapped in Waikiki. When she tried to escape she was assaulted and suffered contusions of the face. There are no medical expenses. Victim was unable to work for a week and lost \$137.50 in wages. She is awarded \$137.50 for loss of earnings and \$50.00 for pain and suffering for a total award of \$187.50.

77-275 JERRY BATIS
Applicant - Victim

Victim is a 31 year old male who was assaulted at a recreation center on the island of Kauai. He was punched in the jaw. Medical expenses totaled \$343.40 of which \$72.50 was paid by Kekaha Sugar Co. Victim was unable to work for one day and lost \$43.92 in earnings. He is awarded \$270.90 for medical expenses, \$43.92 for loss of earning power and \$50.00 for pain and suffering for a total award of \$364.82. Of the \$364.82 awarded, \$270.90 shall be paid to G. N. Wilcox Memorial Hospital.

77-276 WARREN BALINONG
Applicant - Victim

Victim is an 18 year old male who was assaulted as the result of an argument. He was punched in the face and suffered lacerations of the upper lip. Medical expenses totaled \$131.77 of which \$127.79 was paid by HMSA. There is no evidence to support victim's claim for loss of earning power. He is awarded \$3.98 for medical expenses and \$100.00 for pain and suffering for a total award of \$103.98.

77-277 CASEY RINGOR
Applicant - Victim

Victim is a 19 year old male who was assaulted in the Kauai County Jail. He suffered lacerations of the head, lip, and a chipped tooth. Medical expenses were paid by the County of Kauai. Victim was not employed at the time of the incident. He is awarded \$150.00 for pain and suffering.

77-281 VENTURA P. AGOSTO, JR.
Applicant - Victim

Victim is a 15 year old high school student who was shot at a birthday party. He suffered a gunshot wound of the stomach. Medical expenses totaling \$1,747.20 were paid by the Public Welfare Division, DSSH, State of Hawaii. Victim was not employed at the time of the incident. He is awarded \$500.00 for pain and suffering.

77-282 ERIC J. KIM
Applicant - Victim

Victim is a 28 year old male who was attacked by three men with a machete. He suffered superficial lacerations of the flank, back and forearm. Medical expenses totaled \$75.55 of which \$70.15 was paid by HMSA. There is no evidence to indicate that victim lost earnings as a result of the incident. He is awarded \$5.40 for medical expenses and \$25.00 for pain and suffering for a total award of \$30.40.

77-285 ELROY JUAN
Applicant - Victim

Victim is a 23 year old male who was assaulted while he was asleep in a tent at a public beach park. He suffered knife wounds on the left shoulder. No medical bills were submitted for reimbursement. Victim was unable to work for two weeks and would have lost \$673.20 in earnings except that he used 12 days sick leave and received \$299.21 in sick pay. Victim is awarded \$200.00 for pain and suffering.

77-287 ELIZABETH UELAND
Applicant - Victim

Victim is an 18 year old female who was raped by three men on the island of Kauai. Medical expenses totaled \$547.65. Victim was not employed at the time of the incident. She is awarded \$547.65 for medical expenses and \$700.00 for pain, suffering, nervous and mental shock for a total award of \$1,247.65. Of the \$1,247.65 awarded, \$26.65 shall be paid to G. N. Wilcox Memorial Hospital.

77-290 JACINTO MANUEL
Applicant - Victim

Victim is a 39 year old male who was stabbed when he tried to stop a fight. He suffered a stab wound of the right chest. Medical bills totaling \$328.00 were covered by HMSA. Victim did not work for five weeks and would have lost \$1,261.20 in wages except that he used sick leave during his convalescence. He is awarded \$500.00 for pain and suffering.

77-294 ALFONSO ROMERO
Applicant - Father

Victim is a 33 year old male who was killed by his brother-in-law. He suffered stab wounds of the heart. Medical expenses totaled \$754.19 of which \$664.19 was paid by victim's employer, Wailuku Sugar Co. There is no credible evidence to indicate that Applicant was dependent upon the deceased victim for support. Funeral and burial expenses totaled \$3,249.28 of which \$255.00 was paid by Social Security; \$2,249.28 by brothers and sisters of the decedent; and, \$1,000.00 by the father of the decedent. Applicant is awarded \$1,000.00 for funeral and burial expenses.

78-4 STELLA MIYOSHI
Applicant - Victim

Victim is a 46 year old female who was shot while asleep in her home. She suffered a gunshot wound of the right leg. Medical expenses totaled \$2,389.60 of which \$2,183.56 was paid by HMSA and \$113.88 by Big Save, Inc. Victim was unable to work for approximately two weeks and would have lost \$295.20 except that she used 10 days sick leave and received \$82.00 in TDI benefits and \$117.15 in Big Save Sick Pay Supplement. Victim is awarded \$92.16 for medical expenses and \$300.00 for pain and suffering for a total award of \$392.16.

78-10 JEROME L. EIDE
Applicant - Victim

Victim is a 23 year old male who was assaulted as the result of an argument. He was struck in the chest with a knife and suffered a collapsed lung. However, victim failed to cooperate with the Commission and did not submit medical bills. Victim was not employed at the time of the incident. He is awarded \$500.00 for pain and suffering.

78-11 CHARLES RODD
Applicant - Victim

Victim is a 26 year old male who was assaulted at a public beach in Kona. He suffered minor abrasions of the knee and contusions of the left eye. Medical expenses totaled \$151.49 of which \$121.19 was paid by HMSA. There is no evidence to indicate that victim lost earnings because of the incident. He is awarded \$30.30 for medical bills and \$200.00 for pain and suffering for a total award of \$230.30.

78-14 RAE MARLOW
Applicant - Victim

Victim is a 43 year old female who was assaulted by her boyfriend. She suffered contusions of the face and lost several teeth. Medical expenses totaled \$2,157.00. Victim was not employed at the time of the incident. She is awarded \$2,157.00 for medical expenses, and \$50.00 for pain and suffering for a total award of \$2,207.00. Of the \$2,207.00 awarded, \$2,102.00 shall be paid to Aina Haina Dental Group, Inc.

78-15 TERRY K. TOGASHI
Applicant - Victim

Victim is a 21 year old male who was injured in a fight. He was struck with a pipe and suffered a fracture of the right cheekbone. The more credible evidence indicates that victim followed the assailants into a parking lot to engage in fisticuffs. Medical expenses totaling \$916.73 were paid by the Veterans Administration and insurance. Victim was unable to work for three weeks and lost \$147.00 in wages. He is awarded \$147.00 for loss of earnings, and \$1,000.00 for pain and suffering for a total award of \$1,147.00. Because he shared in the responsibility for the crime that caused his injury, the \$1,147.00 award is reduced by 35% (\$401.45), making a final award of \$745.55.

78-18 THERESA FERNANDEZ
Applicant - Victim

Victim is a 48 year old female who was kidnapped, beaten, sodomized, and raped by two men. She suffered multiple contusions and abrasions of the body. Out-of-pocket medical expenses totaled \$50.37. Victim was unable to work for two weeks because of the injuries. However, she used sick leave during her convalescence. Victim is awarded \$50.37 for medical expenses and \$2,500.00 for pain, suffering, nervous and mental shock for a total award of \$2,550.37.

78-26 KEITH SPARKS
Applicant - Victim

Victim is a 19 year old male who was stabbed in a fight. He suffered a laceration of the left buttock. Medical expenses totaling \$89.10 were paid by the Public Welfare Division, DSSH, State of Hawaii. Victim was not employed at the time of the incident. He is awarded \$50.00 for pain and suffering.

78-33 ALAN J. SHARPE
Applicant - Victim

Victim is a 24 year old male who was assaulted at a public beach park on the island of Hawaii. He suffered injuries to his left thumb. Medical expenses totaled \$56.01. Victim was not employed at the time of the incident. He is awarded \$56.01 for medical expenses and \$50.00 for pain and suffering for a total award of \$106.01.

78-34 DANIEL R. WARD
Applicant - Victim

Victim is a 25 year old male who was injured in a fight. He suffered contusions of the lips and abrasions of the body. Medical expenses totaled \$372.78 of which \$207.90 was paid by HMSA. There is no evidence to indicate that victim was gainfully employed at the time of the incident. Victim is awarded \$164.88 for medical expenses and \$100.00 for pain and suffering for a total award of \$264.88. Of the \$264.88 awarded, \$121.35 shall be paid to G. N. Wilcox Memorial Hospital and \$43.53 to Kauai Medical Group, Inc.

78-37 ROBERT HILL
Applicant - Victim

Victim is a 33 year old businessman who was assaulted by one of his employees. He was struck in the facial area and suffered lacerations of the right eye and scalp. Medical expenses totaled \$132.86 of which \$125.50 was paid by HMSA. Victim was unable to work for two days and lost \$80.00 in wages. He is awarded \$7.36 for medical expenses, \$80.00 for loss of earning power and \$150.00 for pain and suffering for a total award of \$237.36.

78-39 MARCELO FONTANILLA
Applicant - Victim

Victim is a 60 year old male who was assaulted as the result of an argument. He suffered lacerations of the right thumb. Medical expenses totaling \$157.05 were paid by insurance. Victim, a plantation worker, was unable to work for a week. However, he used sick leave during his convalescence. Victim is awarded \$250.00 for pain and suffering.

78-40 JAY ENANORIA
Applicant - Victim

Victim is a 19 year old male who was assaulted as the result of an argument. He suffered a fractured jaw and lost two teeth. Medical expenses totaled \$1,958.35. Victim was unable to work for nine days and lost \$66.00 in earning power. He is awarded \$1,958.35 for medical expenses, \$66.00 for loss of earning power, and \$750.00 for pain and suffering for a total award of \$2,774.35.

78-41 JONATHAN SANTIAGO
Applicant - Victim

Victim is a 16 year old male who was assaulted by three men. He suffered lacerations of the lip and abrasions of the left elbow and knee. No medical bills were submitted for reimbursement. Victim was not employed at the time of the incident. He is awarded \$50.00 for pain and suffering.

78-53 MARK RATHBURN
Applicant - Victim

Victim is a 24 year old male who was assaulted while camping at a public beach park. He suffered contusions of the left eye and abrasions of the right cheek. Medical expenses totaling \$238.44 were paid by the Public Welfare Division, DSSH, State of Hawaii. There is no evidence to indicate that victim lost earnings because of the incident. He is awarded \$100.00 for pain and suffering.

78-61 XAVIER LAU
Applicant - Father

Victim is a 15 year old boy who claims he was assaulted in school. He suffered a nasal fracture because of the incident. Medical expenses totaled \$796.99 of which \$637.95 was paid by HMSA. Victim is awarded \$159.04 for medical expenses and \$200.00 for pain and suffering for a total award of \$359.04.

CONTINUED

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78-64 LAWRENCE SNOW
Applicant - Victim

Victim is a 35 year old male who was assaulted as the result of an argument. He was punched in the face and suffered a laceration on the lower lip. Medical bills totaling \$98.75 were paid by HMSA. Victim did not lose any wages because of the incident. He is awarded \$250.00 for pain and suffering.

78-69 LOLENI MOEAUEAUE
Applicant - Victim

Victim is a 26 year old tourist who was accosted and assaulted at the Honolulu International Airport. He suffered minor contusions and abrasions. Medical expenses totaled \$68.55. Victim, a policeman, did not lose earnings as a result of the incident. He is awarded \$68.55 for medical expenses and \$50.00 for pain and suffering for a total award of \$118.55. Of the \$118.55 awarded, \$68.55 shall be paid to Queen's Medical Center.

78-71 LESLIE J. MORRIS
Applicant - Victim

Victim is a 20 year old tourist who was raped on the island of Kauai. There are no medical expenses and victim was not employed at the time of the incident. She is awarded \$800.00 for pain, suffering, nervous and mental shock.

78-72 SARA MORRIS
Applicant - Victim

Victim is a 17 year old tourist who was kidnapped and held captive while her older sister was raped by the assailant. There are no medical expenses and victim was not employed at the time of the incident. She is awarded \$100.00 for pain, suffering, nervous and mental shock.

78-73 JENNIFER HANSON
Applicant - Victim

Victim is a 21 year old female who was knocked down by a purse snatcher. She twisted her right ankle when she fell. Medical expenses totaled \$100.51. There is no evidence to indicate that victim lost earnings as a result of the incident. She is awarded \$100.51 for medical expenses and \$100.00 for pain and suffering for a total award of \$200.51.

78-76 LAWRENCE R. LORENZO
Applicant - Victim

Victim is a 39 year old male who claims he was assaulted by the suspect in a court case. No medical bills were submitted and there is no evidence to indicate that victim was gainfully employed at the time of the incident. He is awarded \$50.00 for pain and suffering.

76-80 BENNY CABERTO
Applicant - Victim

Victim is a 61 year old male who was injured in a fight. He suffered stab wounds of the left thigh. Medical expenses totaled \$955.75 of which \$463.20 was paid by insurance. Victim, a plantation worker, was unable to work for about a month and would have lost \$808.08 in earnings except that he used 21 days sick leave during his convalescence. Victim is awarded \$492.55 for medical expenses and \$400.00 for pain and suffering for a total award of \$892.55. Of the \$892.55 awarded, \$492.55 shall be paid to G. N. Wilcox Memorial Hospital.

78-85 ALDEN CRUZ
Applicant - Victim

Victim is a 26 year old male who was assaulted in Kona. He was struck in the face and lost two teeth. Medical expenses totaled \$1,100.18 of which \$113.70 was paid by HMSA. There is no credible evidence to indicate that victim was employed at the time of the incident. He is awarded \$986.48 for medical expenses and \$500.00 for pain and suffering for a total award of \$1,486.48. Of the \$1,486.48 awarded, \$986.48 shall be paid to Dr. Michael Jones, and \$120.00 to Michael Ferrington for attorney's fees.

78-92 DAVID JARDINE, JR.
Applicant - Victim

Victim is a 27 year old male who was assaulted at a Maui Beach Park. He was stabbed and suffered lacerations of the left arm. Medical expenses totaling \$3,433.66 were paid by the Public Welfare Division, DSSH, State of Hawaii. Victim, a State employee, was unable to work for ten weeks and would have lost \$1,664.04 in wages except that he received \$298.04 in sick leave and vacation pay. He is awarded \$1,366.00 for loss of earning power and \$2,000.00 for pain and suffering for a total award of \$3,366.00.

78-97 HELEN R. HENRY
Applicant - Victim

Victim is a 60 year old woman who was raped by the person who offered her a ride in Kauai. Medical expenses totaled \$57.39 of which \$39.15 was paid by Medicare and \$18.24 by the Public Welfare Division, DSSH, State of Hawaii. Victim was not employed. She is awarded \$1,800.00 for pain, suffering, nervous and mental shock.

78-98 LUCILLE MERRILES
Applicant - Victim

Victim is a 35 year old Dress Shop Owner who was assaulted by a shoplifter. She was struck on the forehead with a telephone receiver. No medical bills were submitted for reimbursement and victim did not lose any wages because of the incident. She is awarded \$50.00 for pain and suffering.

78-99 WESLEY PERREIRA
Applicant - Victim

Victim is a 33 year old policeman who was stabbed in the neck and upper arm by his wife. Medical expenses totaled \$11,448.50 of which \$10,136.77 was paid by HMSA. Victim did not work for seven months because of his injury. However, he used 11½ days vacation, 76½ days sick leave, and 8 weeks extended sick leave before he retired. Victim is awarded \$1,311.73 for medical expenses.

78-102 TERRY CABALIS
Applicant - Victim

Victim is a 54 year old male who was assaulted while sitting in his car in Kohala. He suffered contusions of the left eye. Medical expenses totaling \$20.00 were paid by the Public Welfare Division, DSSH, State of Hawaii. Victim was not employed at the time of the incident. He is awarded \$50.00 for pain and suffering.

78-106 YUK SHEU LUM
Applicant - Son

Victim is a 76 year old male who was assaulted by several juveniles who broke into his home. Medical expenses totaled \$651.75 of which Medicare paid \$498.81. Victim was not employed at the time of his death. Allowable funeral and burial expenses totaling \$3,390.66 were paid by the deceased victim's daughter. Applicant is awarded \$152.94 for medical expenses.

78-109 ROBERT L. HOONAN
Applicant - Victim

Victim is a 23 year old male who claims he was assaulted in Kihei, Maui. The more credible evidence indicates that victim had an argument with the offender which precipitated the incident. He was struck on the head and suffered lacerations of the scalp and contusions of the chest. Medical expenses totaling \$159.71 were covered by insurance. Victim claims he was unable to work for seven weeks and lost \$1,240.40 in wages. However, the more reasonable loss is one week salary amounting to \$177.20. Victim is awarded \$177.20 for loss of earning power, and \$150.00 for pain and suffering for a total award of \$327.20.

78-110 STANLEY WITHERSPOON
Applicant - Victim

Victim is a 31 year old male who was injured in a fight. He suffered contusions of the face and left eye. The more credible evidence indicates that victim was disorderly and was arrested by police. Medical expenses totaling \$497.76 were covered by insurance. Victim was not employed at the time of the incident. He is awarded \$100.00 for pain and suffering. However, the award is reduced by 50% (\$50.00) because victim shared in the responsibility for the crime that caused his injury.

78-113 HOWARD SHINSEKI
Applicant - Victim

Victim is a 36 year old male who was chased by the assailant and struck with a sickle. He suffered contusions and abrasions of the back. Medical expenses totaling \$38.00 were covered by insurance. Victim did not lose any wages because of the incident. He is awarded \$150.00 for pain and suffering.

78-118 SUE DOI
Applicant - Victim

Victim is a 74 year old female who was assaulted by a purse snatcher. She was knocked down and fractured her collar bone. Medical expenses totaled \$363.28 of which \$57.05 was paid by HMSA and \$91.66 by Medicare. Victim was not employed at the time of the incident. She is awarded \$214.57 for medical expenses and \$700.00 for pain and suffering for a total award of \$914.57.

78-119 JESSE CROWTHER
Applicant - Victim

Victim is a 19 year old male who was injured in a fight. He suffered minor cuts and bruises. No medical bills were submitted, and victim was not employed at the time of the incident. He is awarded \$50.00 for pain and suffering. Because he shared in the responsibility for the crime that caused his injury, the \$50.00 award is reduced by 90%, making a final award of \$5.00.

78-120 DOUGLAS GREGG
Applicant - Victim

Victim is a 32 year old male who was assaulted at a public beach park in Kona. He suffered multiple contusions and abrasions of the body. Medical expenses totaling \$2,794.00 were paid by the Public Welfare Division, DSSH, State of Hawaii. Victim was not employed at the time of the incident. He is awarded \$150.00 for pain and suffering. An award of \$25.00 is made to Meredith Lenell for attorney's fees.

78-121 EDWARD HOLLAND
Applicant - Victim

Victim is a 25 year old male who was assaulted as the result of an argument. He was struck in the face and suffered a fracture of the right malar bone. Medical expenses totaled \$1,384.40. Victim waives all claim for loss of earnings. He is awarded \$1,384.40 for medical expenses and \$1,000.00 for pain and suffering for a total award of \$2,384.40. Of the \$2,384.40 awarded, \$652.85 shall be paid to G. N. Wilcox Memorial Hospital, and \$731.55 to Kauai Medical Group, Inc.

78-122 GREGORY W. COLE
Applicant - Victim

Victim is a 20 year old male who was assaulted in a hotel room in Kona. He was punched in the jaw. Medical expenses totaled \$983.00 of which \$671.30 was paid by insurance. Victim was not employed at the time of the incident. He is awarded \$311.70 for medical expenses and \$350.00 for pain and suffering for a total award of \$661.70.

78-129 MICHAEL KERAWE
Applicant - Victim

Victim is a 19 year old male who was assaulted while in a public telephone booth. He suffered contusions of the right eye and cheek. Medical bills totaled \$79.00. Victim was not employed at the time of the incident. He is awarded \$79.00 for medical expenses and \$100.00 for pain and suffering for a total of \$179.00. Of the \$179.00 awarded, \$69.00 shall be paid to Kauai Medical Group, Inc.

78-138 BEVERLY BOTELHO
Applicant - Victim

Victim is 30 year old female who was injured when she tried to prevent a crime. She suffered contusions and abrasions of the chest. There are no medical expenses since all bills were paid by her employer. Victim did not lose earnings because of the incident. She is awarded \$250.00 for pain and suffering.

78-148 RENEE SASAOKA
Applicant - Father

Victim is a 15 year old girl who was raped in Lahaina, Maui. As a result of the incident, she became pregnant and gave birth to a child which was put up for adoption. Medical expenses totaled \$751.00 of which \$208.50 was paid by insurance and \$542.50 by the adoptive parents. Victim was not employed at the time of the incident. Victim is awarded \$1,250.00 for pain, suffering, nervous and mental shock.

78-152 TOMOKO KOBAYASHI
Applicant - Victim

Victim is a 31 year old female who was sexually assaulted in Kona. The assailant was subsequently arrested and charged. Medical expenses totaled \$278.69. Victim was not gainfully employed at the time of the incident. She is awarded \$278.69 for medical expenses and \$1,200.00 for pain, suffering, nervous and mental shock for a total award of \$1,478.69.

78-153 DIANA BUSHY
Applicant - Victim

Victim is a 16 year old tourist who was raped on the island of Kauai. No medical bills were submitted and victim was not employed at the time of the incident. She is awarded \$750.00 for pain, suffering, nervous and mental shock. An award of \$60.00 is made to Allen J. Hendricks for attorney's fees.

78-159 MANUEL BALAURO, SR.
Applicant - Victim

Victim is a 50 year old male who was injured in a fight. He was stabbed in the stomach with a knife when he attacked the accused. Medical expenses totaled \$1,941.08 of which \$1,236.44 was paid by HMSA and \$7.55 discounted by doctors. Victim was unable to work for 39 days because of his injury. However, he used sick leave during his convalescence. Victim is awarded \$697.09 for medical expenses and \$1,000.00 for pain and suffering. Because he shared in the responsibility for the crime that caused his injury, the award of \$1,697.09 is reduced by 25% (\$424.27), making a final award of \$1,272.82. Of the \$1,272.82 awarded, \$513.85 shall be paid to Waimea Clinic, Inc.; \$177.20 to Kauai Veterans Memorial Hospital; and, \$6.04 to Kauai Medical Group, Inc.

78-163 BETH HIDANO
Applicant - Victim

Victim is a 28 year old female who was assaulted at a hotel on the island of Kauai. Because of the incident she suffered bruises of the left cheek. Medical expenses totaled \$17.00 of which \$13.60 was paid by insurance. There is no evidence to indicate that victim was gainfully employed at the time of the incident. She is awarded \$3.40 for out-of-pocket medical expenses and \$50.00 for pain and suffering for a total award of \$53.40.

78-204 FAUSTINA CORTADO
Applicant - Guardian

Victim is a 35 year old female who was murdered in her home on the island of Molokai. She suffered multiple stab wounds of the body. There are no out-of-pocket medical expenses. Funeral and burial expenses totaled \$722.80. Victim was not gainfully employed at the time of her death. Applicant, Guardian for the decedent's three minor children, is awarded \$722.80 for funeral and burial expenses.

78-214 RAYMOND REYES, SR.
Applicant - Victim

Victim is a 25 year old male who was assaulted as the result of an argument. He was struck on the head with a beer bottle and suffered lacerations of the scalp. Medical expenses totaling \$227.00 were paid by the offender. Victim did not lose earnings because of the incident. He is awarded \$200.00 for pain and suffering.

78-216 VICKI A. VIERRA
Applicant - Victim

Victim is a 19 year old female who was assaulted by her boyfriend. She was struck in the facial area and body and suffered lacerations and contusions. There are no out-of-pocket medical expenses and victim did not lose earnings because of the incident. She is awarded \$150.00 for pain and suffering.

78-221 JANET HORVATH
Applicant - Victim

Victim is a 23 year old female who was raped by two men who picked her up at a Kauai Shopping Center. Medical expenses totaled \$64.00. Victim was not employed at the time of the incident. She is awarded \$64.00 for medical expenses and \$1,200.00 for pain, suffering, nervous and mental shock. Of the \$1,264.00 awarded, \$29.00 shall be paid to G. N. Wilcox Memorial Hospital; \$35.00 to Ruth S. Smith; and, \$100.00 to Michael Salling for attorney's fees.

78-222 LUCILE SINGER
Applicant - Victim

Victim is a 59 year old female who was knocked down by a purse snatcher. She suffered a cervical strain. Medical expenses totaling \$129.00 were paid by insurance. There is no credible evidence to indicate that victim lost earnings because of the incident. Victim is awarded \$100.00 for pain and suffering.

78-225 SOOKJA BLAIR
Applicant - Victim

Victim is a 36 year old female who was raped in her home. Medical expenses totaled \$86.62 of which \$62.94 was paid by HMSA. Victim, who is self-employed, lost \$1,000.00 in earning power because of the incident. She is awarded \$23.68 for medical expenses, \$1,000.00 for loss of earning power, and \$1,200.00 for pain, suffering, nervous and mental shock for a total award of \$2,223.68.

78-227 ERWIN CHASE, III
Applicant - Victim

Victim is a 17 year old male who was assaulted in school. He was struck in the eye by the accused but did not seek medical care. There is no evidence to indicate that victim lost earnings from his part-time job. He is awarded \$50.00 for pain and suffering.

78-230 STANLEY OTA
Applicant - Mother

Victim is a 40 year old male who was found unconscious in a Federal housing project after having been shot several times. He was taken to the hospital where he died. Medical expenses totaled \$47.40. Victim was not gainfully employed at the time of his death. Funeral and burial expenses totaled \$1,877.65. Applicant is awarded \$47.40 for medical expenses, and \$1,877.65 for funeral and burial expenses for a total award of \$1,925.05.

78-232 MILA FERNANDO
Applicant - Victim

Victim is a 32 year old female who was assaulted in a Bar as the result of an argument. No medical bills were submitted for reimbursement, and there is no evidence to indicate that victim lost earnings because of the incident. She is awarded \$50.00 for pain and suffering.

78-274 TINA M. HANSON
Applicant - Victim

Victim is an 18 year old female who was taken to a cane field on the island of Maui and assaulted. She was struck in the face and body, and suffered contusions and abrasions. Medical expenses totaled \$20.00. Victim was not employed at the time of the incident. She is awarded \$20.00 for medical expenses, and \$500.00 for pain and suffering for a total award of \$520.00.

78-326 GILBERT KAPONO
Applicant - Victim

Victim is a 28 year old male who was shot in a Bar. He suffered gunshot wounds of the stomach and left leg. Medical expenses totaled \$476.20 of which \$335.99 was paid by insurance. Victim was unable to work for 13 days and would have lost \$653.76 in wages except that he used sick leave during his convalescence. Victim is awarded \$140.21 for medical expenses and \$500.00 for pain and suffering for a total award of \$640.21. An award of \$70.00 is made to Roy Bell, III for attorney's fees.

CRIMINAL INJURIES COMPENSATION COMMISSION

CLAIMS DENIED - 1978

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CASE NUMBER	DATE OF			CLASSIFICATION OF CRIME	REASON COMPENSATION DENIED
	APPLICA-TION	CRIME	HEARING		
73-140	12-3-73	11-3-72	10-28-76	Murder	Four minor children not dependent upon victim for support.
74-87	7-23-74	10-3-73	4-4-78	Assault	Failure to cooperate with Commission.
74-156	12-2-74	10-21-74	8-15-78	Assault	Victim received collateral benefits exceeding the \$10,000 statutory maximum.
75-95	4-30-75	4-28-75	4-4-78	Murder	Sister not a proper applicant.
75-201	9-29-75	9-19-75	4-6-78	Rape	Victim shared in the responsibility for crime that caused her injury.
75-204	10-2-75	7-11-75	11-15-77	Assault	Victim received collateral benefits exceeding the \$10,000 statutory maximum.
75-230	11-5-75	8-10-75	4-4-78	Assault	Crime was not reported to the police.
76-36	1-28-76	12-20-75	8-24-78	Murder	Victim shared in the responsibility for crime that caused his death.
76-38	1-29-76	7-26-75	5-23-78	?	There is no evidence to indicate that Applicant is a victim of one of the enumerated crimes in the statute.
76-47 (Maui)	2-11-76	8-5-74	9-21-78	Murder	Applicant does not fall within any of the categories of persons eligible for compensation.
76-60	2-23-76	11-11-75	10-24-78	Murder	Victim shared in the responsibility for crime that caused his death.
76-69 (Lanai)	3-8-76	11-29-75	11-21-78	Assault	Shooting incident was accidental.
76-70	11-9-76	7-3-75	10-5-78	Assault	Victim shared in the responsibility for the crime that caused his injury.

CRIMINAL INJURIES COMPENSATION COMMISSION

CLAIMS DENIED - 1978

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CASE NUMBER	DATE OF			CLASSIFICATION OF CRIME	REASON COMPENSATION DENIED
	APPLICA-TION	CRIME	HEARING		
76-72	3-21-76	?	4-6-78	Assault	Crime was not reported to the police.
76-81	3-19-76	3-5-76	8-22-78	Rape	Crime was not reported to the police.
76-113	4-21-76	4-5-76	11-21-78	Murder	Victim shared in the responsibility for the crime that caused his death.
76-128 (Hillo)	5-11-76	2-6-76	10-20-78	Assault	Collateral benefits received by victim exceeded the amount of award.
76-129	5-14-76	5-3-76	9-19-78	?	No evidence to indicate that Applicant is a victim of one of the enumerated crimes in the statutes.
76-131	5-17-76	2-7-76	9-21-78	Assault	Collateral benefits received by victim exceeded the amount of award.
76-142	6-1-76	5-8-76	7-27-78	Assault	Crime was not reported to the police.
76-143	6-1-76	5-8-76	7-27-78	Assault	Crime was not reported to the police.
76-150	6-15-76	5-25-76	10-26-78	Assault	Victim shared in the responsibility for the crime that caused his injury.
76-153	6-17-76	6-10-76	10-24-78	Assault	Crime was not reported to the police.
76-154	6-21-76	3-9-76	11-21-78	Murder	Victim shared in the responsibility for the crime that caused his death.
76-167	7-10-76	6-16-76	5-25-78	?	Applicant does not fall within any of the categories of persons eligible for compensation.
76-169 (Hillo)	7-13-76	6-29-76	4-25-78	Rape	Victim received collateral benefits exceeding the \$10,000 statutory maximum.

CRIMINAL INJURIES COMPENSATION COMMISSION

CLAIMS DENIED - 1978

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CASE NUMBER	DATE OF			CLASSIFICATION OF CRIME	REASON COMPENSATION DENIED
	APPLI- CATION	CRIME	HEARING		
76-184	8-10-76	1-2-76	9-7-78	Assault	Victim shared in the responsibility for the crime that caused his injury.
76-194	8-24-76	8-17-76	11-14-78	Murder	Victim was living with the offender at the time of her death and there are no out-of-pocket expenses.
76-199	9-10-76	8-8-76	11-21-78	Murder	Victim shared in the responsibility for the crime that caused his death.
76-200	9-7-76	12-31-75	11-2-78	Assault	There is insufficient evidence to indicate that Applicant is a victim of one of the enumerated crimes in the statutes.
76-220 (Maui)	10-12-76	5-31-76	10-7-77	Assault	Victim received collateral benefits exceeding the \$10,000 statutory maximum.
76-231	10-21-76	12-6-73	7-6-78	Murder	Late filing.
76-236	10-27-76	9-24-76	3-14-78	Assault	Crime was not reported to the police.
76-249	11-12-76	11-7-76	9-12-78	Assault	Crime was not reported to the police.
76-274	12-10-76	11-23-76	11-14-78	Assault	Victim received collateral benefits exceeding the \$10,000 statutory maximum.
76-283	12-28-76	3-14-76	11-21-78	Assault	Victim shared in the responsibility for the crime that caused his injury.
76-284	12-29-76	9-21-75	10-19-78	Assault	Collateral benefits received by victim exceeded the amount of award.
77-22	1-19-77	2-10-76	11-17-77	Assault	Collateral benefits received by victim exceeded the \$10,000 statutory maximum.

CRIMINAL INJURIES COMPENSATION COMMISSION

CLAIMS DENIED - 1978

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CASE NUMBER	DATE OF			CLASSIFICATION OF CRIME	REASON COMPENSATION DENIED
	APPLICA-TION	CRIME	HEARING		
77-109	5-20-77	5-18-77	2-21-78	Assault	Victim shared in the responsibility for the crime that caused his injury.
77-116	6-1-77	11-30-75	2-23-78	Motor Vehicle	Motor vehicle accident is not one of the enumerated crimes in the statutes.
77-128	6-13-77	6-7-77	4-6-78	?	There is no evidence to indicate that Applicant is a victim of one of the enumerated crimes in the statutes. Also, incident was not reported to the police.
77-129	6-14-77	4-12-77	2-21-78	?	There is no evidence to indicate that Applicant is a victim of one of the enumerated crimes in the statutes.
77-136 (Hilo)	6-22-77	4-7-77	3-14-78	Murder	Applicant does not fall within any of the categories of persons eligible for compensation.
77-139 (Maui)	6-27-77	5-21-77	10-6-77	Assault	Victim shared in the responsibility for the crime that caused his injury.
77-141	6-29-77	1-27-77	2-16-78	Assault	Collateral benefits received by victim exceeded the \$10,000 statutory maximum.
77-155	7-21-77	11-2-76	4-13-78	Motor Vehicle	Motor vehicle accident is not one of the enumerated crimes in the statutes.
77-176	8-29-77	2-4-77	9-14-78	Motor Vehicle	Motor vehicle accident is not one of the enumerated crimes in the statutes.
77-178 (Maui)	8-31-77	2-4-77	9-14-78	Motor Vehicle	Motor vehicle accident is not one of the enumerated crimes in the statutes.
77-184	9-9-77	12-17-75	4-11-78	Assault	Late filing.

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CASE NUMBER	DATE OF			CLASSIFICATION OF CRIME	REASON COMPENSATION DENIED
	APPLICA-TION	CRIME	HEARING		
77-201	9-23-77	6-10-76	4-27-78	Assault	Collateral benefits received by victim exceeded the amount of award.
77-213	10-4-77	5-15-75	7-18-78	Assault	Late filing. Also, crime was not reported to the police.
77-214	10-6-77	3-16-76	4-18-78	Assault	Late filing.
77-218	10-11-77	4-8-77	7-11-78	Motor Vehicle	Motor vehicle accident is not one of the enumerated crimes in the statutes.
77-222 (Molokai)	10-12-77	5-13-77	5-23-78	Murder	Victim shared in the responsibility for the crime that caused his death.
77-225 (Maui)	10-13-77	7-15-77	10-13-78	Assault	Victim refuse to cooperate with Commission.
77-232 (Hilo)	10-19-77	10-7-77	10-20-78	Assault	Victim shared in the responsibility for the crime that caused his injury.
77-236	10-25-77	8-17-77	4-20-78	?	There is no evidence to indicate that Applicant is a victim of one of the enumerated crimes in the statutes.
77-241 (Hilo)	10-28-77	4-6-77	10-20-78	?	There is no evidence to indicate that Applicant is a victim of one of the enumerated crimes in the statutes.
77-250	11-7-77	4-11-77	4-18-78	Assault	Victim shared in the responsibility for the crime that caused his injury.
77-259 (Kauai)	11-21-77	4-27-77	5-23-78	Assault	Collateral benefits received by victim exceeded the amount of award.
77-264 (Hilo)	11-25-77	4-7-77	3-14-78	Murder	Applicant does not fall within any of the categories of persons eligible for compensation.

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CASE NUMBER	DATE OF			CLASSIFICATION OF CRIME	REASON COMPENSATION DENIED
	APPLICA-TION	CRIME	HEARING		
77-269	11-29-77	3-30-76	8-8-78	Assault	Late filing.
77-295	9-19-77	3-23-75	7-20-78	Murder	Late filing.
78-20	1-17-78	11-17-76	7-27-78	Murder	Applicant does not fall within any of the categories of persons eligible for compensation.
78-35 (Hilo)	1-31-78	12-25-77	10-19-78	Assault	Victim was living with the offender at the time of the incident and there are no out-of-pocket expenses.
78-55 (Molokai)	2-9-78	5-13-77	7-13-78	Murder	Victim shared in the responsibility for the crime that caused his death.
78-66	2-15-78	10-1-77	8-15-78	Assault	Crime was not reported to the police.
78-82	2-28-78	1-31-78	8-8-78	Assault	Crime was not reported to the police.
78-125 (Hilo)	4-17-78	3-4-75	11-9-78	Assault	Late filing.
78-131 (Maui)	4-17-78	12-20-76	10-13-78	Motor Vehicle	Motor vehicle accident is not one of the enumerated crimes in the statutes.
78-182 (Hilo)	6-15-78	3-16-78	10-20-78	?	There is no evidence to indicate that Applicant is a victim of one of the enumerated crimes in the statutes.
78-207 (Hilo)	7-12-78	3-7-78	10-19-78	Assault	Victim shared in the responsibility for the crime that caused his injury.
78-219 (Molokai)	7-28-78	5-13-77	11-14-78	Assault	Victim shared in the responsibility for the crime that caused his injury.
78-226 (Hilo)	8-7-78	7-6-78	10-19-78	Assault	Victim was living with the offender at the time of the incident and there are no out-of-pocket expenses.

CRIMINAL INJURIES COMPENSATION COMMISSION

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CASE NUMBER	DATE OF			CLASSIFICATION OF CRIME	REASON COMPENSATION DENIED
	APPLICA-TION	CRIME	HEARING		
78-295 (Molokai)	9-28-78	5-13-77	11-9-78	Murder	Victim shared in the responsibility for the crime that caused his death.
78-319 (Hilo)	10-28-77	5-12-77	10-20-78	?	There is no evidence to indicate that Applicant is a victim of one of the enumerated crimes in the statutes.
78-320 (Hilo)	10-28-77	10-17-77	10-20-78	?	There is no evidence to indicate that Applicant is a victim of one of the enumerated crimes in the statutes.
78-347	11-28-78	1-19-77	11-30-78	Assault	Late filing.

73-140 BUCKLEY EVERSON

Applicant - Ex-Wife on Behalf of Four Minor Children

Victim is a 29 year old male who was found dead in his home. He has been beaten, tied and stabbed with a sword. There are no medical bills and funeral and burial expenses were waived by Applicant. Victim was a self-employed carpet installer at the time of the incident. However, there is no credible evidence to indicate that his four children were dependent upon him for support. At the time of victim's death in November, 1972, he had paid no child support for a period of 25 months. The claim is denied because there is no dependency or out-of-pocket expenses.

74-87 JAMES KIM

Applicant - Mother

Victim is a 15 year old student who was involved in a fight at school. He claims he was struck in the eye and suffered vision impairment. However, Applicant failed to provide the Commission with information to support her claim. Several attempts were made by the Commission to obtain information from Applicant. However, she has refused to cooperate and/or communicate with the Commission. Because of Applicant's refusal to communicate and cooperate with the Commission the claim is denied.

74-156 JONAH NUUHIWA

Applicant - Victim

Victim is a 40 year old Security Officer who was assaulted by an unidentified male while on duty at the Halekulani Hotel. He was struck on the head and suffered lacerations of the forehead and a cerebral concussion. Medical bills in excess of \$400.00 were covered by insurance under the Workers' Compensation program. In addition, victim received \$12,599.45 in disability payments. Because victim received collateral benefits far in excess of the \$10,000.00 statutory maximum, the Commission is unable to order an award for compensation. The claim is denied.

75-95 ARTHUR C. LEASURE

Applicant - Sister

Victim is a 53 year old male who was found dead in his apartment. He was stabbed to death. There are no medical expenses, Funeral expenses totaled \$730.00 of which \$255.00 was paid by Social Security. There is no credible evidence that the victim's surviving relatives were dependent upon him for support. Because Applicant does not fall within the categories of persons eligible for compensation, the claim is denied.

75-201 ESTELLE TRICEBACK
Applicant - Victim

Victim is a 36 year old female who claims she was raped in her car parked in the garage of her apartment. However, the more credible evidence indicates that she had been drinking with the assailant prior to the incident and was intoxicated. Medical expenses totaled \$290.80. Victim was not employed at the time of the alleged incident. She is estranged from her husband and her whereabouts is not known. Because victim shared in the responsibility for the crime that caused her injury, the claim is denied.

75-204 JAMES M. AJIMINE
Applicant - Victim

Victim is a 50 year old male who was assaulted as the result of an argument. He suffered head and neck injuries. His physical condition is complicated by the fact that he has a history of rheumatic heart disease. Medical expenses totaled \$22,128.73, all of which was covered by insurance under the Worker's Compensation program. Victim, a salesman, was unable to work because of the incident. However, he received \$4,740.64 for temporary total disability under the Workers' Compensation program. In addition, victim will receive compensation for permanent partial disability and disfigurement. Because victim received collateral benefits far exceeding the \$10,000.00 statutory maximum permitted under the statute, the claim is denied.

75-230 THEODORE PUPUHI
Applicant - Self

Applicant is a 21 year old male who claims he was assaulted. However, the incident was not reported to the police, and there is no credible evidence to indicate that Applicant is a victim of one of the enumerated crimes in the statute. Applicant was intoxicated when he was admitted to the hospital for a gunshot wound in the neck and stomach. Medical expenses totaling \$4,890.40 were paid by the Public Welfare Division, DSSH, State of Hawaii. Applicant was not employed at the time of the alleged incident. Because the alleged incident was not reported to the police as required under the law, and because the Commission is unable to determine whether Applicant is a victim of one of the enumerated crimes in the statute, the claim is denied.

76-36 HENRY KANE
Applicant - Wife

Victim is a 29 year old male who was shot to death when he went to the home of the accused and had a confrontation. There are no out-of-pocket medical expenses. Funeral and burial expenses totaled \$1,564.18 of which \$1,264.55 was paid by G&S Vending Company. Victim was employed as a repairman at the time of his death. Because victim shared in the responsibility for the crime that caused his death, the claim is denied.

76-38 WINFRED HIGHTOWER
Applicant - Self

Applicant is a 29 year old male who claims he was assaulted on July 26, 1975. However, the Commission is unable to locate Applicant to verify his claim. Because the whereabouts of Applicant is not known, and because the Commission is unable to determine whether Applicant is an innocent victim of one of the enumerated crimes in the statute, the claim is denied.

76-47 STANLEY TAMURA
Applicant - Brother

Victim is a 49 year old male who was murdered in his home. He suffered multiple stab wounds of the body. There are no medical expenses, and victim did not have any dependents. Funeral expenses totaled \$1,876.15 of which \$255.00 was paid by Social Security. Because Applicant does not fall within any of the categories of persons eligible for compensation, the claim is denied.

76-60 RENNOLD KEALOHAPAUOLE
Applicant - Mother

Victim is a 21 year old male who was injured in a downtown Bar. He suffered gunshot wounds of the face, chest and stomach. Victim died several months later. The more credible evidence indicates that he had a confrontation with a member of a rival gang. Medical expenses totaling \$31,049.30 were paid by the Public Welfare Division, DSSH, State of Hawaii. Victim was not employed at the time of the incident. Because victim shared in the responsibility for the crime that caused his death, the claim is denied.

76-69 SHIRLEY BADILLO
Applicant - Father

Victim is a 4 year old girl who was shot accidentally by her cousin who was cleaning his rifle. She suffered gunshot wounds of the abdomen and right hand. Medical expenses totaling more than \$11,000.00 were paid by the Public Welfare Division, DSSH, State of Hawaii. Because victim's injury was caused by an accident, the Commission is unable to order an award for compensation. The claim is denied.

76-70 CORNEL LUCAS
Applicant - Self

Victim is a 27 year old male who was shot in the abdomen, left forearm, and right hand. The more credible evidence indicates that Applicant was shot by a prostitute. He has been involved in the prostitution and drug racket. No medical bills were submitted. There is no evidence to indicate that Applicant was gainfully employed at the time of the incident. Because Applicant shared in the responsibility for the crime that caused his injury, the claim is denied.

76-72 REED URSCHALITZ
Applicant - Victim

Victim is a 36 year old male who claims that he was assaulted at the old airport athletic field. However, there is no record of the incident at the Honolulu Police Department. Victim was asked to furnish the Commission with information and failed to do so. Because the alleged crime was not reported to the police as required under the law, the Commission is unable to order an award for compensation. The claim is denied.

76-81 DARALYN B. FIESTA
Applicant - Mother

Victim is a 14 year old girl who alleges she was sexually assaulted. However, there is no record of the incident at the Honolulu Police Department. Because the alleged crime was not reported to the police as required under the law, the Commission is unable to order an award for compensation. The claim is denied.

76-113 CALVIN N. S. SILVA
Applicant - Mother

Victim is a 26 year old male who was shot in a downtown Bar. The more credible evidence indicates that he provoked the incident when he attacked the accused with a cue stick. There are no medical expenses, and victim was not employed at the time of the incident. Funeral and burial expenses totaled \$2,558.56. Because victim shared in the responsibility for the crime that caused his death, the claim is denied.

76-128 DAVID KILGOUR
Applicant - Victim

Victim is a 34 year old male who was assaulted at his place of employment. He suffered multiple contusions and abrasions of the body. Medical bills totaling \$1,232.74 were paid by insurance. Victim did not work for about eight months. However, he received \$6,386.56 in Temporary Disability payments from an insurance company; and the sum of \$10,000.00 was paid by the Kohala Federal Credit Union to be applied against an indebtedness owed by victim because of his disability. Because victim received collateral benefits totaling \$7,619.30 (an amount far in excess of what victim would have received under an award), the Commission is unable to order an award for compensation. The claim is denied.

76-129 CARL BYRD
Applicant - Self

Applicant is a 45 year old male who claims that he was stabbed in Waikiki. However, the Commission is unable to locate Applicant to verify his claim. There is no evidence to indicate that he is a victim of one of the enumerated crimes in the statute. The more credible evidence indicates that he is a suspect in a robbery case. Medical expenses totaled \$2,199.71. Applicant was not employed at the time of the alleged incident. Because the Commission is unable to determine whether Applicant is an innocent victim of one of the enumerated crimes in the statute, the claim is denied.

76-131 JOHN H. KAGAWA
Applicant - Victim

Victim is a 51 year old male who was assaulted in an elevator at Kuhio Park Terrace. He suffered contusions and lacerations of the head. Medical expenses totaling \$129.76 were paid by insurance. Victim was not employed at the time of the incident. He filed a civil suit and was paid \$1,700.00 by the insurance company representing the owners of Kuhio Park Terrace. Because victim received collateral benefits totaling \$1,700.00 (an amount far in excess of what the Commission would have awarded), the claim is denied.

76-142 JAMES MCKINNEY
Applicant - Victim

Applicant is a 25 year old male who claims he was a victim of an assault on May 8, 1976. However, there is no evidence to indicate that Applicant reported the alleged crime to police as required under the law. The claim is denied.

76-143 JUDI MCKINNEY
Applicant - Victim

Applicant is a 24 year old female who claims she was a victim of an assault on May 8, 1976. However, there is no evidence to indicate that Applicant reported the alleged crime to police as required under the law. The claim is denied.

76-150 ROBERT G. PARKS
Applicant - Self

Victim is a 23 year old male who claims he was shot as the result of an argument. The more credible evidence indicates that he was wounded in the right thigh while struggling with the accused to gain possession of a gun. Medical expenses totaling \$3,159.70 were paid by the Public Welfare Division, DSSH, State of Hawaii. Victim was not employed at the time of the incident. Because victim shared in the responsibility for the crime that caused his injury, the claim is denied.

76-153 RICKY PADERES
Applicant - Father

Victim is a 14 year old boy who claims he was assaulted in Wahiawa. However, there is no police report to substantiate his claim. Because the crime was not reported to the police as required by law, the claim is denied.

76-154 WILTON VENTURA
Applicant - Father

Victim is a 25 year old male who was gunned down in Kaimuki. The more credible evidence indicates that he was murdered by members of a rival gang. There are no medical expenses, and victim was not employed at the time of the incident. Funeral expenses totaled \$947.28 of which \$255.00 was paid by Social Security and \$250.00 by the Veterans Administration. The Commission determined that the behavior of the victim was such that he shared in the responsibility for the crime that caused his death. The claim is denied.

76-167 WALTER K. LIMA
Applicant - Self

Applicant is a 27 year old prison inmate who injured himself when he crashed through a safety glass window at the Halawa Correctional Facility. The artery in his right wrist was severed. Medical expenses totaling \$2,962.90 were paid by the Corrections Division, DSSH, State of Hawaii. Because Applicant is not a victim of one of the enumerated crimes in the statute, the claim is denied.

76-169 WANDA SHIOTSUKA
Applicant - Victim

Victim is a 25 year old tourist who was raped in her hotel room in Hilo. All of her medical bills were covered by insurance. During her convalescence she used 45 days vacation and 48 hours sick leave. Victim sued the Hilo Hotel for injuries allegedly sustained by her due to defendant's negligence and received \$60,000.00 in an out-of-court settlement. Because victim received collateral benefits in an amount far exceeding the \$10,000.00 statutory maximum, the Commission is unable to order an award for compensation. The claim is denied.

76-184 WALTER KAE0
Applicant - Victim

Victim is a 34 year old male who was shot in a downtown Bar. He suffered gunshot wounds of the left leg. Medical expenses totaling \$3,203.63 were paid by the Public Welfare Division, DSSH, State of Hawaii. Victim was not employed at the time of the incident. The more credible evidence indicates that victim and two of his friends had a confrontation with a rival gang in a downtown Bar. Because victim shared in the responsibility for the crime that caused his death, the claim is denied.

76-194 LEONORA D. LISCHKA
Applicant - Guardian for Minor Children

Victim is a 29 year old female who was killed by her common-law husband. She suffered multiple stab wounds of the body. Victim was living with the offender at the time of the incident. Medical expenses totaled \$1,398.59. There is no evidence to indicate that victim was gainfully employed at the time of her death. The offender was ordered by the Court to make restitution in the amount of \$765.74 to the Department of Social Services & Housing Medical and Benefit Payment Section and \$632.85 to St. Francis Hospital. Funeral and burial expenses were paid by DSSH. Because victim was living with the offender at the time of her death, and because there are no out-of-pocket expenses, the Commission is unable to order an award for compensation. The claim is denied.

76-199 BENJAMIN P. PADUA
Applicant - Mother

Victim is a 30 year old male who was killed as the result of a domestic argument (triangle love affair). There are no medical bills, and victim was not gainfully employed at the time of the incident. Funeral expenses totaled \$544.12. Because victim shared in the responsibility for the crime that caused his death, the claim is denied.

76-200 JAMES ARRILLAGA
Applicant - Self

Applicant is a 30 year old male who filed a claim on September 7, 1976. He alleges that he was shot on December 31, 1975. However, the Commission is unable to locate Applicant to verify his claim. His present whereabouts is not known. Because the Commission is unable to locate Applicant, and because there is insufficient evidence to indicate that Applicant is a victim of one of the enumerated crimes, the claim is denied.

76-220 NEIL R. TEXEIRA
Applicant - Victim

Victim is a 33 year old police officer who was assaulted by the accused. He suffered neck and shoulder injuries. Victim has a history of cervical disc disease. Medical expenses totaling \$2,158.65 were paid by Workers' Compensation. He was unable to work for 14 months. However, he used sick leave and was paid \$10,354.00 for temporary total disability by Worker's Compensation. Because victim received or will receive collateral benefits in an amount far exceeding the \$10,000.00 statutory maximum, the Commission is unable to order an award for compensation. The claim is denied.

76-231 LAMONT C. NERY
Applicant - Mother

Victim is a 28 year old male who was shot to death in Mokuleia. There are no medical expenses. Funeral and burial expenses totaled \$512.50 of which \$255.00 was paid by Social Security. Victim was employed as an electrician's helper at the time of his death. Because the application was filed beyond the eighteen months statute of limitations, the Commission is unable to order an award for compensation. The claim is denied.

76-236 IGNACIO GANOTISE
Applicant - Victim

Victim is a 59 year old male who claims he was hit on the head and stabbed with a knife. However, the Police Department does not have a record of the incident on file. Because the alleged crime was not reported to the police as required by law, the claim is denied.

76-249 REX J. BAILEY
Applicant - Victim

Applicant is a 24 year old male who claims he was assaulted and, as a result, suffered contusions, abrasions and lacerations of the body. However, there is no police report to substantiate his claim. The more credible evidence indicates that Applicant was intoxicated and fell. Because the alleged crime was not reported to the police as required under the law, the Commission is unable to order an award for compensation. The claim is denied.

76-274 ALICE M. GORHAM
Applicant - Victim

Victim is a 46 year old female who was knocked down by a purse snatcher. When she fell, she injured her lower back. Medical expenses to date totaled \$1,801.00, all of which were paid by Workers' Compensation. Victim was unable to work for two months and would have lost \$1,093.55 except that she received or will receive \$12,572.26 in disability payments under the Workers' Compensation program. In addition, she received \$350.00 for disfigurement. Because victim received or will receive \$13,723.26 (an amount far in excess of \$10,000.00 statutory maximum) in collateral benefits under the Workers' Compensation program, the claim is denied.

76-283 DELBERT D. ROLOFF
Applicant - Self

Victim is a 37 year old cab driver who was struck in the left arm with a baseball bat. The more credible evidence indicates that Applicant provoked the incident when he taunted the accused. Medical expenses totaled \$60.39. There is no evidence to indicate that Applicant lost earnings because of the incident. Because Applicant shared in the responsibility for the crime that caused his injury, the claim is denied.

76-284 WILLIAM ESPINDOLA
Applicant - Victim

Victim is a 30 year old male who was attacked by two men in Jail. He suffered superficial lacerations of the left chest and neck. Medical bills totaling \$354.00 were paid by the Public Welfare Division, DSSH, State of Hawaii. Victim is awarded \$250.00 for pain and suffering. However, because he sued the State of Hawaii and was awarded a \$500.00 stipulated judgment, the Commission is unable to order an award for compensation. The claim is denied.

77-22 ARTHUR A. GONZALES
Applicant - Victim

Victim is a 37 year old male who was struck on the head by an object thrown at him in a restaurant. He suffered lacerations of the head and a skull fracture. Medical expenses totaling \$8,215.94 were paid by Workers' Compensation. Because of the incident, victim has not returned to work. He is self-employed. To date, victim has received \$17,651.66 for temporary total disability, \$4,500.00 for permanent partial disability and will continue to receive \$323.00 every two weeks as long as he is incapacitated. Because victim received collateral benefits exceeding the \$10,000.00 statutory maximum, the Commission is unable to order an award for compensation. The claim is denied.

77-109 ROBERT L. REISS
Applicant - Self

Applicant is a 20 year old male who claims he was assaulted and robbed in a Waikiki Hotel. However, the Commission is unable to locate Applicant to verify his claim. The more credible evidence indicates that he was highly intoxicated and hysterical when the police arrived. Applicant did not seek medical treatment and no medical bills were submitted for reimbursement. He was not employed. Because the present whereabouts of Applicant is not known and because the Commission is unable to determine whether Applicant is an innocent victim of one of the enumerated crimes in the statute, the claim is denied.

77-116 DAN L. KONRATH
Applicant - Father

Victim is a 23 year old male who was killed when his motorcycle struck a steel cable across the Waikane Valley Road. Because victim died from a motor vehicle accident, and is not a victim of one of the enumerated crimes, the Commission is unable to order an award for compensation. The claim is denied.

77-128 RODDY E. RIVERA
Applicant - Victim

Victim is an 18 year old male who alleges he was assaulted on the Fort Street Mall. However, there is no record of the incident at the Honolulu Police Department. The more credible evidence indicates that victim was involved in an altercation and injured his right shoulder when he fell to the ground. Medical expenses totaled \$762.15. Victim was not employed at the time of the incident. There is insufficient evidence to indicate that Applicant is a victim of one of the enumerated crimes in the statute. Also, the crime was not reported to the police as required under the law. The claim is denied.

77-129 HAI-WEI CHENG
Applicant - Self

Applicant is a 26 year old male who claims he was assaulted on April 12, 1977. However, the Commission is unable to locate Applicant to verify his claim. Because the whereabouts of Applicant is not known, and because the Commission is unable to determine whether Applicant is an innocent victim of one of the enumerated crimes in the statute, the claim is denied.

77-136 IRENE M. PERREIRA
Applicant - Brother

Victim is a 21 year old female who was killed by her boyfriend. She was stabbed in the chest and back. There are no medical expenses. Victim was employed as an Assistant Manager at one of the McDonald Restaurants at the time of her death. Funeral expenses totaled \$1,670.24 of which \$255.00 was paid by Social Security. Because Applicant does not fall within any of the categories of persons eligible for compensation, the claim is denied.

77-139 WILLIAM HIGHFIELD
Applicant - Victim

Victim is a 32 year old male who was shot as the result of an argument. The more credible evidence indicates that victim had a confrontation with the assailants and threatened them with a pick. He was shot after he used the pick to broke the windshield of a car owned by one of the assailants. The records also indicate that victim refused to cooperate with the police who tried to obtain a statement from him in Honolulu. Victim suffered gunshot wounds of the chest and stomach. Medical expenses totaling \$34,088.13 has been or will be paid by the Kaiser Health Plan; the Public Welfare Division, DSSH, State of Hawaii, and private insurance. There is no evidence to indicate that victim lost earnings as a result of the incident. Because victim shared in the responsibility for the crime that caused his injury, and received collateral benefits exceeding the \$10,000.00 statutory maximum, the claim is denied.

77-141 PHILIP J. SOUZA
Applicant - Victim

Victim is a 19 year old service station attendant who was shot at his place of employment. He suffered multiple gunshot wounds of the abdomen. Medical expenses totaling \$42,796.28 were paid by Workers' Compensation. Because of his injury, victim received \$3,924.12 for disability and was advanced \$2,000.00 for disfigurement. Because victim received or will receive collateral benefits in an amount far exceeding the \$10,000.00 statutory maximum, the Commission is unable to order an award for compensation. The claim is denied.

77-155 PHILIP SANTOS, JR.
Applicant - Victim

Victim is a 41 year old newspaper boy who was struck by a car while crossing Date Street in a crosswalk. As a result of the incident he is now disabled. Because automobile accident is not one of the enumerated crimes in the statute, the Commission is unable to order an award for compensation. The claim is denied.

77-176 FRANCISCO TABIOS
Applicant - Sister

Victim is a 23 year old male who was killed in an auto accident on the island of Maui. Because motor vehicle accident is not one of the enumerated crimes in the statute, the Commission is unable to order an award for compensation. The claim is denied.

77-178 ARMANDO ULEP
Applicant - Brother

Victim is a 21 year old male who was killed in an auto accident on the island of Maui. Because motor vehicle accident is not one of the enumerated crimes in the statute, the Commission is unable to order an award for compensation. The claim is denied.

77-184 EDUARDO S. CRESPO
Applicant - Victim

Victim is a 26 year old male who was assaulted by several persons in his apartment. However, the claim was filed beyond the eighteen months statute of limitations. Victim suffered contusions and lacerations of the face. Medical expenses totaled \$449.74 of which \$379.74 was paid by HMSA. Victim was unable to work and lost \$132.40 in wages. Because the claim was filed beyond the eighteen months statute of limitations, the claim is denied.

77-201 REGINA M. HARVEY
Applicant - Victim

Victim is a 20 year old female who was assaulted as the result of an argument. She was struck in the face and suffered lacerations, contusions, and loss of a tooth. Victim was treated at Tripler Army Hospital for her injuries. Medical and related expenses totaled \$733.20. Victim was awarded \$733.20 for medical and related expenses, and \$300.00 for pain and suffering for a total award of \$1,033.20. However, the \$1,033.20 award is negated because victim received \$1,500.00 in restitution payment from the offender. The claim is denied.

77-213 MICHAEL WALLACE
Applicant - Self

Applicant is a 32 year old former Hawaii State Prison inmate, who claims he was assaulted in prison. However, the incident was not reported to prison authorities or to the police as required under the law. Also, Applicant refused to name the person who committed the alleged crime. There are no out-of-pocket medical expenses, and Applicant was not gainfully employed. Because Applicant's claim was filed beyond the eighteen months statute of limitations, and because the alleged incident was not reported to the police without undue delay, the claim is denied.

77-214 MARK R. FINN
Applicant - Victim

Applicant is a 24 year old male who claims he was assaulted in a Bar. However, the claim was filed beyond the eighteen months statute of limitations. No medical bills were submitted, and victim was not gainfully employed at the time of the incident. Because the application was filed beyond the statute of limitations, the claim is denied.

77-218 CHARLOTTE L. NAONE
Applicant - Father

Victim is a 13 year old girl who was injured when the bicycle she was riding collided with a car. Medical expenses were paid by First Insurance Company. To date, Applicant has received \$15,000.00 in collateral benefits as a result of the incident, and will continue to receive payments as the need arises. Because the injured party is not a victim of one of the enumerated crimes in the statute, and because the Applicant received \$15,000.00 in collateral benefits, the Commission is unable to order an award for compensation. Accordingly, the claim is denied.

77-222 CHARLES K. LELEO
Applicant - Wife

Victim is a 29 year old male who was killed in a shoot-out on the island of Molokai. There are no medical expenses and victim was not employed at the time of the incident. Funeral and burial expenses totaled \$2,065.15. Because victim shared in the responsibility for the crime that caused his death, the claim is denied.

77-225 JERRY ALPIS
Applicant - Self

Applicant is a 34 year old male who claims he was assaulted. The more credible evidence indicates that Applicant threatened the accused which precipitated the incident. No medical bills were submitted. Applicant was sent several forms and was asked to return them so that the Commission could obtain information to support his claim. However, Applicant has refused to cooperate with the Commission. Because of Applicant's refusal to cooperate, the Commission is unable to determine whether he is an innocent victim of one of the enumerated crimes. The claim is denied.

77-232 RICHARD SCRIMSHAW, JR.
Applicant - Father

Victim is a 14 year old boy who was shot in the left hip while stealing marijuana plants in the volcano area on the Big Island. Medical expenses totaling \$624.78 were paid by the Public Welfare Division, DSSH, State of Hawaii. Because victim shared in the responsibility for the crime that caused his injury, the Commission is unable to order an award for compensation. The claim is denied.

77-236 MOSES DeVERA
Applicant - Self

Applicant is a 47 year old male who claims he was assaulted on August 17, 1977. However, the Commission is unable to locate Applicant to verify his claim. Because the whereabouts of Applicant is not known, and because the Commission is unable to determine whether Applicant is an innocent victim of one of the enumerated crimes in the statute, the claim is denied.

77-241 GWEN KALANI
Applicant - Self

Applicant is a 25 year old female who claims she was assaulted on April 6, 1977. However, the Commission is unable to locate Applicant to verify her claim. Because the present whereabouts of Applicant is not known, and because the Commission is unable to determine whether Applicant is an innocent victim of one of the enumerated crimes in the statute, the claim is denied.

77-250 HAROLD AU
Applicant - Self

Applicant is a 55 year old male who injured himself while resisting arrest after punching a police officer. When he fell to the ground he dislocated his left arm. Medical expenses totaled \$133.55. There is no evidence to support Applicant's claim for loss of earning power. Because Applicant is not a victim of one of the enumerated crimes in the statute, and because he shared in the responsibility for the incident that caused his injury, the Commission is unable to order an award for compensation. The claim is denied.

77-259 HARMONY CHING
Applicant - Victim

Victim is a 43 year old Hotel Security Officer who was assaulted at his place of employment. He was struck in the face and kicked in the ribs by several bar patrons and suffered three broken ribs, lacerations of the lip, and multiple contusions of the body. Medical expenses totaling \$669.26 were covered by Workers' Compensation. Victim was unable to work for about a month and would have lost \$1,611.84 in earnings except that he received \$740.28 under the Workers' Compensation program. In addition, victim received \$1,675.44 for permanent partial disability and \$200.00 for disfigurement. Victim is awarded \$871.56 for loss of earnings and \$750.00 for pain and suffering for a total award of \$1,621.56. Because victim received collateral benefits far exceeding the award made by the Commission, the claim is denied.

77-264 IRENE M. PERREIRA
Applicant - Father

Victim is a 21 year old female who was killed by her boyfriend. She was stabbed in the chest and back. There are no medical expenses. Victim was employed as an Assistant Manager in one of the McDonald Restaurants at the time of her death. Funeral expenses totaling \$1,415.24 were paid by someone other than Applicant. Because Applicant was not dependent upon the deceased victim for support; was not supporting the victim at the time of her death; and did not incur any out-of-pocket expenses, the Commission is unable to order an award for compensation. The claim is denied.

77-269 ERNA HETHERINGTON
Applicant - Victim

Victim is a 72 year old female who was knocked down by a purse snatcher. When she fell she fractured her left elbow. Medical expenses were paid by the U.S. Public Health Service. Applicant is a self-employed baby-sitter. Because Applicant's claim was filed late (one month beyond the statute of limitations), the Commission is unable to order an award for compensation. The claim is denied.

77-295 FRANCIS LABHART
Applicant - Victim

Victim is a 34 year old Navy enlisted man who was murdered. He suffered gunshot wounds of the chest and stomach. There are no medical expenses, and no funeral and burial expenses were submitted. Because the application was filed beyond the eighteen months statute of limitations, the Commission is unable to order an award for compensation. The claim is denied.

78-20 STANLEY OTA
Applicant - Guardian for Minor Children

Victim is a 40 year old male who was found unconscious in a Federal housing project after having been shot several times. He was taken to the hospital where he died. Medical expenses totaling \$47.40, and funeral and burial expenses totaling \$1,877.65 were paid by decedent's mother. There is no credible evidence to indicate that victim was gainfully employed at the time of his death. Because Applicant does not fall within any of the categories of persons eligible for compensation, the Commission is unable to order an award for compensation. The claim is denied.

78-35 CANDICE GUTKNECHT
Applicant - Victim

Victim is a 25 year old female who was assaulted by her boyfriend who was living in the same household. Medical expenses totaling \$29.12 were paid by the Public Welfare Division, DSSH, State of Hawaii. Because victim was living with the offender at the time of the incident and did not suffer any out-of-pocket loss, the Commission is unable to order an award for compensation. The claim is denied.

78-55 REGINALD S. COSMA, JR.
Applicant - Wife

Victim is a 28 year old male who was killed on the island of Molokai. He was involved in a shoot-out and was shot in the stomach. There are no medical expenses. Funeral expenses totaled \$802.00. Victim is a disabled Veteran. Because victim shared in the responsibility for the crime that caused his death, the claim is denied.

78-66 AMOR A. LUZANO
Applicant - Victim

Applicant is a 23 year old male who claims he was assaulted and robbed in Chinatown. However, there is no record of the alleged crime filed with the Honolulu Police Department. Applicant is employed as a utilityman by the Waikiki Beachcomber Hotel. Medical bills submitted totaled \$1,752.87. Most of the bills were paid by HMSA. Because the alleged crime was not reported to the police as required by law, the Commission is unable to order an award for compensation. The claim is denied.

78-82 HERBERT JOHANSEN
Applicant - Victim

Applicant is a 41 year old male who claims he was a victim of an assault on January 31, 1978. However, there is no record of the alleged crime filed with the Honolulu Police Department. Because the alleged crime was not reported to the police as required under the law, the claim is denied.

78-125 RICHMOND TOWNER
Applicant - Self

Applicant is a 25 year old male who claims he was assaulted on March 4, 1975. However, he did not file a claim until April 17, 1978. Medical expenses totaling \$48.25 were paid by the Public Welfare Division, DSSH, State of Hawaii. There is no credible evidence to indicate that victim was gainfully employed at the time of the incident. Because Applicant's claim was filed beyond the eighteen months statute of limitations, the claim is denied.

78-131 MANUEL ROQUE
Applicant - Wife

Victim is a 59 year old retiree who was killed in an automobile accident. He suffered a broken neck, fractured skull and broken left knee. Funeral and burial expenses totaled \$2,155.90. Because the decedent is not a victim of one of the enumerated crimes in the statute, the claim is denied.

78-182 DON R. LORD
Applicant - Victim

Applicant is a 47 year old male who claims he was assaulted by a police officer. The more credible evidence indicates that he was disorderly and was arrested for harrassment and resisting arrest. Medical expenses totaling \$132.60 were paid by the Public Welfare Division, DSSH, State of Hawaii. Applicant was not gainfully employed at the time of the incident. Because Applicant is not a victim of one of the enumerated crimes in the statute, the claim is denied.

78-207 WILLIAM KEKOA, JR.
Applicant - Self

Applicant is a 26 year old male who claims that he was assaulted in a restaurant bar. The more credible evidence indicates that Applicant was intoxicated and provoked the fight. Medical expenses totaling \$262.08 were paid by the Public Welfare Division, DSSH, State of Hawaii. Applicant was not employed. Because he shared in the responsibility for the crime that caused his injury, the Commission is unable to order an award for compensation. The claim is denied.

78-219 WOODROW K. POEPOE
Applicant - Self

Applicant is a 23 year old male who was injured in a shoot-out with a rival gang on the island of Molokai. He suffered gunshot wounds of the chest and abdomen. Medical expenses totaling more than \$3,000.00 were paid by the Public Welfare Division, DSSH, State of Hawaii, and insurance. Applicant was not employed at the time of the incident. Because he shared in the responsibility for the crime that caused his injury, the claim is denied.

78-226 DEE FERRIS
Applicant - Victim

Victim is a 32 year old female who claims she was kidnapped, coerced, and assaulted by her husband. No medical bills were submitted by victim, and she did not lose any wages because of the incident. Because victim was injured by her spouse, and did not suffer any out-of-pocket loss, the Commission is unable to order an award for compensation. The claim is denied.

78-295 GILBERT S. HONDA
Applicant - Wife

Victim is a 21 year old male who was shot to death. The more credible evidence indicates that victim participated in a shoot-out between two rival gangs. There are no out-of-pocket medical expenses, and victim was not employed at the time of the incident. Funeral and burial expenses totaled \$2,018.64. Because victim shared in the responsibility for the crime that caused his death, the claim is denied.

78-319 GWEN KALANI
Applicant - Self

Applicant is a 25 year old female who claims she was assaulted on May 12, 1977. However, the Commission is unable to locate Applicant to verify her claim. Because the present whereabouts of Applicant is not known, and because the Commission is unable to determine whether Applicant is an innocent victim of one of the enumerated crimes in the statute, the claim is denied.

78-320 GWEN KALANI
Applicant - Self

Applicant is a 25 year old female who claims she was assaulted on October 17, 1977. However, the Commission is unable to locate Applicant to verify her claim. Because the present whereabouts of Applicant is not known, and because the Commission is unable to determine whether she is an innocent victim of one of the enumerated crimes in the statute, the claim is denied.

78-347 BENEDICT ALVAREZ
Applicant - Victim

Applicant is a 27 year old male who claims he was assaulted at a public park and suffered lacerations of the head and eye. However, the claim was filed ten months beyond the eighteen months statute of limitations. Because Applicant's claim was filed late, the Commission is unable to order an award for compensation. The claim is denied.

CRIMINAL INJURIES COMPENSATION COMMISSION

APPLICATIONS WITHDRAWN - 1978

CASE NUMBER	DATE OF			CLASSIFICATION OF CRIME	REASON FOR WITHDRAWAL
	APPLICA-TION	CRIME	WITHDRAWAL		
77-267 (H110)	4-4-78	10-22-77	8-31-78	Assault	Personal
78-117	11-28-77	11-20-77	9-19-78	Assault	Personal

77-267 JAMES SANTIAGO
Applicant - Victim

Applicant is a 29 year old male who claims he was assaulted in Hilo. Details of the alleged incident are not known because Applicant has not cooperated with the Commission. On August 31, 1978, a letter was received from Applicant requesting that his application be withdrawn for personal reasons.

78-117 GIDGET DeREGO
Applicant - Victim

Applicant is a 17 year old female who claims she was kidnapped and assaulted by her former husband. She was stabbed in the left lower chest area with a knife. On September 19, 1978, a letter was received from the victim requesting that her application be withdrawn for personal reasons.

STATISTICAL DATA
(1968-1977)

	<u>1968</u>	<u>1969</u>	<u>1970</u>	<u>1971</u>	<u>1972</u>	<u>1973</u>	<u>1974</u>	<u>1975</u>	<u>1976</u>	<u>1977</u>
1. Number of Applications	13	84	135	149	188	151	165	257	274	298
2. Number of Awards	3	47	121	80	138	95	116	163	162	162
3. Total Amount of Awards	1,000.00	111,945.23	262,157.14	195,450.83	195,420.93	130,764.33	168,353.33	265,810.79	223,847.13	226,868.55
4. Average Amount of Awards	333.33	2,382.00	2,167.58	2,443.14	1,416.09	1,376.47	1,451.32	1,630.74	1,381.12	1,400.42
5. Claims Denied	2	3	21	25	24	19	26	28	53	56
6. Applications Withdrawn	-	-	5	-	2	7	8	3	5	5
7. Percentage of Total Awards Attributable to:										
(a) medical expenses	15.0%	29.5%	23.2%	35.6%	12.7%	23.2%	9.5%	13.2%	15.4%	15.8%
(b) funeral & burial expenses	-	5.8%	10.2%	4.3%	6.0%	10.2%	9.0%	9.6%	15.5%	18.8%
(c) loss of earning power	-	10.3%	49.1%	43.7%	38.6%	49.1%	37.5%	41.7%	26.4%	26.2%
(d) pecuniary loss	-	37.4%	less than 1%	1.5%	5.0%	less than 1%	2.0%	.3%	1.9%	-
(e) pain and suffering	85.0%	17.0%	17.5%	14.9%	37.7%	17.5%	42.0%	35.2%	40.8%	39.2%
(f) property loss	-	-	-	-	less than 1%	-	-	-	-	-
8. Operational Budget	5,688.00	11,388.00	23,544.00	28,476.00	29,269.00	31,667.00	32,371.00	44,207.00	40,707.00	56,944.00

STATISTICAL DATA
(1978)

	<u>1978</u>
1. Number of Applications	367
2. Number of Awards	216
3. Total Amount of Awards	245,802.36
4. Average Amount of Awards	1,137.96
5. Claims Denied	78
6. Applications Withdrawn	2
7. Percentage of Total Awards Attributable to:	
(a) medical expenses	22.3%
(b) funeral & burial expenses	11.5%
(c) loss of earning power	21.3%
(d) pecuniary loss	-
(e) pain and suffering	44.5%
(f) property loss	00.4%
8. Operational Budget	61,290.00

END