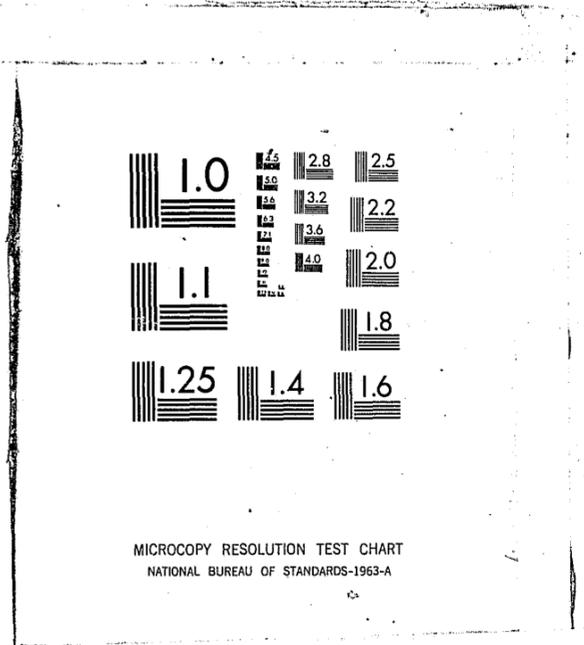


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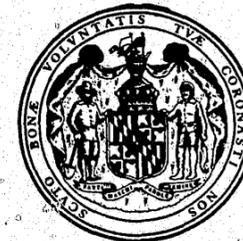
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STATE OF MARYLAND

Criminal Injuries
Compensation Board

TENTH ANNUAL REPORT



1979

76765



**STATE OF MARYLAND
CRIMINAL INJURIES COMPENSATION BOARD
TENTH ANNUAL REPORT**

1979

JOSEPH PICKUS
Chairman

**JEFFREY R. SCHMIELER
MARSHALL M. MEYER**
Commissioners

MARTIN I. MOYLAN
Executive Director

NCJRS

APR 1 1981

ACQUISITIONS

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MD. CJCB

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CRIMINAL INJURIES COMPENSATION BOARD
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JOSEPH PICKUS
Chairman

MARTIN I. MOYLAN
Executive Director

JEFFREY R. SCHMIELER
MARSHALL M. MEYER
Commissioners

TO:
HONORABLE HARRY HUGHES
Governor of the State of Maryland

GORDON C. KAMKA
Secretary

Department of Public Safety
and Correctional Services

HONORABLE LEGISLATIVE COUNCIL
State of Maryland

I have the honor to submit the tenth report of the Criminal Injuries Compensation Board for the fiscal year of 1979 rendered pursuant to the provisions of Article 26A of the Annotated Code of Maryland.

Respectfully,
JOSEPH PICKUS
Chairman

Baltimore
Dated: OCTOBER 1, 1979

TENTH REPORT OF THE
CRIMINAL INJURIES COMPENSATION BOARD
STATE OF MARYLAND

TO:
Honorable Harry Hughes
Governor of the State Of Maryland

Gordon C. Kamka, Secretary
Department of Public Safety and
Correctional Services

Honorable Legislative Council
State of Maryland

Gentlemen:

We have the honor to submit this, our Tenth Report:

I. ADMINISTRATIVE BACKGROUND

This report covers the period of July 1, 1978 through June 30, 1979. It is the tenth year of the Board's existence.

The Criminal Injuries Compensation Board was created on July 1, 1968. The State of Maryland was one of the first states in this country to create a program of compensation to crime victims. Since that time, several additional states have created similar programs and presently the federal government is considering a program. Numerous other states and Senator Mansfield's office, have called upon this Board for its experience looking forward to adopting some program to compensate innocent victims of crime. This Board has always cooperated with these inquiries and will continue to do so in the future.

In July of 1979, the seventh International Conference for the Compensation to the Innocent Victims of Crime was held in Calgary, Canada.

The organization's primary goals are the co-ordination and cooperation of the various Criminal Injuries Compensation schemes. The creation of these organizations reflect the awakening of the social consciences of the people of the western world towards the compensation and rehabilitation of the innocent victims of crime.

The third Annual Conference of Crime Victim Compensation Boards will be held in November, 1979 in Philadelphia, Pa. Martin I. Moylan, Executive Director of this agency is Chairman of the Association.

We are cooperating and exchanging information and statistics with the Members of the organizations and the benefits derived are invaluable.

II. CATEGORIES OF AWARDS

We shall set forth later in this report an analysis of the claims, together with the type of crime committed, as well as separate the claims generally into three categories.

- a. Lump sum payments—where the claimant returns to work with no diminution in earnings.

- b. Protracted claims—where the decision is made and then provides for periodic monthly payments during the continued disability and diminution in earnings, and lastly
- c. Death claims—where again the decision is made making an award up to the time of the decision and then providing for a monthly payment to the dependents.

Our awards are paid pursuant to Section 36 of Article 101 of the Annotated Code of Maryland, which is the Award Section of the Maryland Workmen's Compensation statute.

III. RULES AND REGULATIONS

This Board, pursuant to the provisions of its statute, adopted Rules and Regulations, which were approved and duly filed with the Secretary of State, Clerk of the Court of Appeals, etc. The Board in these Rules and Regulations set up certain guidelines to determine serious financial hardship. Unless serious financial hardship is shown, no award can be made.

IV. PUBLIC AWARENESS

The number of applications received last year increased dramatically over the number received in the prior year. Inasmuch as there has been and there continues to be an increase in public awareness of the legislation and of the Board, we anticipate similar substantial increases in the next fiscal year. Notwithstanding the increase in applications submitted to us, we note that not all of the victims of what appeared to be eligible crimes committed in Maryland are filing applications. For that reason, we will continue to discharge our responsibilities to advise the public concerning the benefits available under the statute. We consider this duty of advising and informing our citizenry to be an extremely important and continuing one.

The Board has been the subject of numerous newspaper releases and stories. We have also used and are indebted to various radio stations for allowing us public service time for spot announcements. Radio and television stations in Baltimore, New York, Washington, D.C., Hagerstown, and Salisbury have also conducted programs explaining the Criminal Injuries Compensation Board.

We have also contacted all the Social Service Departments, Police Departments, Workmen's Compensation Commission, various state departments, county departments, Legal Aid Societies and all hospital and similar types of organizations, informing them of our Board. The Board also prepared a brochure explaining, in layman's terms, the statute. The Board has now distributed over 300,000 of these brochures in all parts of the State.

The Board recognizes that the public is not as yet well informed and we shall continue our efforts within our own limitations to make use of the news media, radio and television to accomplish this.

V. TIME LIMITATIONS

In order to be eligible for an award, police records must show that the crime was reported to the police no more than 48 hours after the occurrence of such crime. This requirement can be waived by the Board in exceptional circumstances upon the showing of good cause. Claims must also be filed not later than 180 days after the occurrence of the crime upon which claim is based, or not later than 180 days after death of the victim. The Board can for good cause shown extend the time for filing up to two years.

VI. STATISTICAL EXPLANATIONS

The number of claims that were accepted and investigated was 554 and in addition to that, there were what shall be termed as inquiries 1400. These inquiries were not processed by opening a file and starting an investigation because the Secretary of the Board, who is also the Executive Director, did not find the claimants to be eligible under our statute. We have had for example, a number of inquiries from citizens of this state, who were injured in crimes that took place in other states and in particular, the District of Columbia. We have also had inquiries from various creditors and distant relatives of the deceased victims who do not meet the eligibility of the statute. Crimes involving automobiles are also excluded by the statute unless intentionally committed and are likewise rejected by the Secretary. Sometimes it also becomes necessary for a preliminary investigation to be conducted to determine if the claim or inquiry was one that should be accepted for investigation. This is done to save the time of the investigative staff and save the costs of processing the claim. There were 390 decisions rendered, of which 350 awards were made and 40 were disallowed. The reasons for disallowance of the claims are as follows:

No Crime.....	5
Failure to Cooperate with Police.....	4
No serious financial hardship.....	13
Failure to furnish information.....	0
Provocation.....	11
No police report filed.....	3
Ineligible.....	1
Member of a family.....	3
There were 478 personal injury claims and 76 death claims. The type of crime is illustrated by the following:	
Assault.....	219
Stabbed.....	67
Murdered.....	61
Shot.....	107
Rape.....	47
Miscellaneous.....	53

Of the 390 decisions where were rendered by the single Board Member, there were 40 Appeals to the full Board. Full Board Appeals are held in the Board's offices in Baltimore, Maryland. However, the Board members and the Executive Director, who also functions as a hearing officer, conduct hearings throughout the State. The full Board has affirmed 25 cases on Appeal and 10 were reversed and 5 were allowed to be reopened for further investigation and/or further proof to be submitted.

At the present time, 86 death claims and 80 personal injury claims are being paid monthly.

Since periodic payments are made monthly in protracted and death cases, periodic checks are made to determine if the payments should continue. In protracted cases, if there is a change in dependency, remarriage, emancipation or any other circumstances or contingency that would alleviate claimant's financial hardship, payments are then stopped.

VII. PROCEDURES IN FILING AND HANDLING CLAIMS

1. Upon inquiry to the Board, a claim form is given or mailed to the prospective claimant, who is advised to submit the completed form together with medical reports, receipts and the material to support his claim.

2. When the executed claim form is filed with the Board it is reviewed by the Secretary to determine if the claimant is in compliance with statutory eligibility and jurisdictional requirements.
3. If the claim is accepted by the Secretary, it is docketed and a file is set up on the claim.
4. The Board then acknowledges the claim and contacts the appropriate police department for a copy of the police report.
5. An investigation is conducted to determine and verify various aspects of the crime and the injuries and expenses incurred thereby.
6. If a hearing is deemed necessary, the claim is scheduled for a hearing before a single Commissioner and all appropriate witnesses are notified and subpoenaed if necessary. These hearings are conducted throughout the State.
7. While the evidence is given under oath, the Board tries to develop an atmosphere of informality in the hearing room which is conducive to the obtaining of the required information in support of a claim.
8. If claimant is dissatisfied with the decision of the single Commissioner, he can request a reconsideration by the full Board.
9. The full Board's hearings are usually conducted in Baltimore.
10. When a final decision is made at either level and it is acceptable to the claimant, it is then sent to the Attorney General and Secretary of the Department of Public Safety and Correctional Services, who have 30 days to take an appeal to the appropriate court if they think the award is improper.
11. If no Appeal is taken, the award becomes final.
12. In protracted awards the Board pays each award as specified direct to the claimant.

The Board has investigated and rendered a number of decisions in less than 30 days. However, the average is 60 days. There are, of course, many reasons that delay the Board's decisions. The State's Attorney may request the Board to discontinue investigation until he advises that the Board can proceed. This generally means awaiting the disposition of the criminal matter. In other claims, there may be delays due to the fact that it is impossible to determine the degree of permanent disability until maximum physical improvement is reached.

It is also difficult in death claims to complete the investigation where there are Social Security benefits undetermined, as well as Workmen's Compensation claims undecided.

In other instances it is impossible to obtain the information from Blue Cross or Blue Shield because enough time has not elapsed from the time the claimant was discharged from the hospital, or he is still under the doctor's care and a final bill with Blue Cross and Blue Shield benefits is not available.

It has been found that even where there are serious questions to be determined, and the claimant cooperates, a speedy conclusion can be rendered.

However, in claims where there is provocation which requires intensive investigation, there is delay experienced due to attempting to locate and interview reticent witnesses.

VIII. EMERGENCY AWARDS

Emergency Awards are made in cases pending a final decision where

undue hardship is evidenced. In the past year 49 emergency awards were made.

IX. ATTORNEYS

The claimant is entitled to representation by an attorney from the time the claim is filed. Over 90% of the claimants are represented by attorneys.

X. PROJECTIONS

The projected number of claims can be better estimated now that we have completed our tenth year of operation.

It is believed there will be at least 700 claims filed which will require investigations. This does not include the inquiries which we expect we will be able to handle in the same way as hereinabove outlined.

Not only is the public better informed and becoming more so continually, but the distribution of brochures and the publicity that has been given to the Board certainly are factors that should be considered.

XI. COSTS

Section 17 of the statute imposes an additional \$10.00 in Court costs on all persons convicted of a crime by any Judge with criminal jurisdiction in the State. The following court costs have been collected by the Comptroller:

Fiscal Year	Collected	Expended	Awards
1975	118,063.90	1,000,207.21	1,577,644.19
1976	131,542.25	1,127,857.00	1,700,588.87
1977	131,981.11	1,227,186.00	1,248,359.64
1978	268,261.01	1,192,305.00	1,468,288.86
1979	273,674.91	1,459,230.49	1,446,852.00
1980	500,000.00	1,722,000.00	1,550,000.00

XII. PAYMENT OF AWARDS

Our awards in the past fiscal year totalled \$1,446,852.00. Of that total, \$779,179.97 was awarded in lump sum payments and \$667,672.03 was awarded in protracted payments none of which vested to the claimant and in the event of a change in circumstances regarding the claimant, such as death, the unpaid portion will terminate and revert to the State. All protracted payments are paid monthly by the Board's staff. Currently, approximately \$31,000.00 is being paid monthly in protracted payments or \$372,000.00 annually. It is anticipated that in the current fiscal year these protracted payments will grow.

Attached hereto is a partial summary of the decisions which have been made by this Board during the past year.

XIII. REDUCTION OF AWARDS

The Board can reduce an award or deny it altogether if it determines that the claimant contributed to the infliction of his injury. It has been our experience that a thorough review of the crime, beyond that of the police and court records, is necessary in approximately 20% of our claims.

XIV. POLICY, INTENT AND PHILOSOPHY

The reasons for compensating innocent victims of violent crime are expressed in the declaration of policy and the legislative intent in the statute, such as the failure of the state to insure the safety of its citizens and a sense of responsibility which a humane society feels for victims of crime. However, there are other compelling reasons to reimburse innocent victims of violent crimes. The worry that encompasses a victim while recovering from the injuries and without funds to pay his medical expenses, or to maintain his family is undoubtedly more harmful to his recovery than the pain that he suffers.

The traumatic impact upon the family of the victim who dies facing the future with uncertainty of not only how to pay the medical and/or funeral bill, but where they will turn to replace the support lost through death.

The State of Maryland, being one of the leaders in this field, reflects the awakening of the social consciousness of the people of the western world to the assisting of innocent victims of crime in somewhat the same manner that State mandated programs provide for illness, disability, old age and unemployment.

During the past year the Board has learned from police agencies that in many instances the victim is not interested in prosecution of his assailant because he has many more immediate and pressing problems. In addition, the victim without the benefits of this statute is left with nothing except his bills, the worry of his family, as well as the disruption of his household. However, since the innocent victim of crime in the State of Maryland may file a claim, it is hoped, and there has been some experience to indicate, that he would be more willing to cooperate with the law enforcement agencies knowing someone cares about him. In this respect the victim who was an unwilling and uncooperative witness now becomes a willing and cooperative witness.

The Board has continued to treat each claimant not as an adversary, but rather to determine the full and true facts concerning each claim. We are dedicated to seeing that those people who are entitled to an award shall receive the same, but we are equally dedicated and vigorous in our investigation to deny an award to anyone who is not entitled to the same.

It is the feeling of the Board that the assistance afforded the innocent victim of a crime is helping and aiding in the administration of justice.

XV. INTER-AGENCY COOPERATION

Finally, the Board acknowledges the cooperation of the State's Attorneys throughout the State in aiding in this program.

We also acknowledge the cooperation of each and every law enforcement agency and particularly the State Police who have been of great assistance and willingly have made the information available.

The Board is sincerely appreciative of the continued support and counsel of Sec. Kamka and Dept. Sec. Tully of the Department of Public Safety and Correctional Services; and the various members of the Governor's staff who somehow always manage to find time to consider problems and suggest advice.

XVI. ANALYSIS AND FUTURE NEEDS

As noted in prior paragraphs, it is anticipated that the work load of this agency will greatly increase every year for the next few succeeding years. Consequently, budget needs will increase yearly. To substantiate this position, we need only refer to continual public awareness, crime statistics and the experience of other States such as New York and Hawaii. Moreover, the need of additional staff as well as at least one or more full time Commissioners will arise in the very near future according to projections at this time. We shall continue our endeavors to implement the most effective and efficient administrative systems and methods to implement the statute at the least possible cost. Because of the new legalistic concept of our statute as well as the newness of our physical operation, unique and complex legal problems are raised at almost every full Board hearing. For these reasons, we must constantly in our service to the public and State, be on guard with respect to the legal and constitutional needs of all parties. As a result of our experiences, we also intend to submit various amendments to the law through the Secretary of our Department which we believe will further implement the philosophy and spirit of the Criminal Injuries Compensation Act.

XVII. ACKNOWLEDGEMENTS

As Chairman of this agency, I especially commend Jeffrey R. Schmieler and Marshall M. Meyer, my brother Commissioners, and Martin I. Moylan, our Executive Director without whose tremendous efforts and cooperation, the program would not have progressed to its present status. Each year their duties have increased, and each year they have given of themselves unselfishly and with complete dedication. I consider it an honor to be associated with these gentlemen, and respectfully state that the success of the program is due in great part to the respective contributions of their efforts and enthusiasm.

The Board expresses its thanks to the staff, which has not been increased since this program started for the handling of the paper work and the investigators for expediting the investigations. They have helped develop and invoke enthusiasm and energy in all matters.

The Board lost the excellent services of Commissioner William M. Linton in April, 1979. The Board is greatly indebted to him for his substantial contribution to the over-all effectiveness of the Board.

All of which is respectfully submitted.

Dated: October 1, 1979
Baltimore, Maryland

MARTIN I. MOYLAN
Secretary to the Board and
Executive Director.

JOSEPH PICKUS, Chairman
JEFFREY R. SCHMIELER, Commissioner
MARSHALL M. MEYER, Commissioner

SUMMARY OF CLAIMS
June 30, 1978 to July 1, 1979

Claim #306-P-74

Claimant, male, 28, was shot and robbed on a public street in Baltimore by an unknown assailant.

The claimant sustained \$5,780.00 in unreimbursed medical expenses as a result of the incident. He also lost 52 weeks from work as a result of the incident. We find that the claimant sustained 50% permanent partial disability to his body as a whole as a result of the incident and a 10% permanent partial disability to his left arm as a result of the incident.

The Board concludes after reviewing the file, the evidence submitted and after due deliberation that:

1. The claimant is an innocent victim of a crime.
2. The claimant meets all the necessary statutory criteria for the following award.

WHEREFORE, it is ordered that the claimant be awarded:

1. \$5,780.00 for unreimbursed medical expenses.
2. \$6,926.40 for 52 weeks temporary total disability.
3. \$1,050.00 for 10% permanent partial disability to the left arm.
4. 6 retroactive monthly awards for 50% permanent partial disability to the body as a whole of \$412.76 for a total of \$2,476.56; 12 retroactive monthly award of \$399.36 for a total of \$4,792.32; 22 retroactive monthly awards of \$387.76 for a total of \$8,530.72, beginning November, 1978 the claimant shall receive \$387.76 per month, however in no event may the total of all monthly payments exceed the sum of \$21,645.00. All subject to the further order of this Board.

Claim #471-P-74

Claimant, male, 20, was shot in the left elbow by an assailant on a parking lot in Baltimore County. The assailant was shooting at another person, the bullet grazed the other person and ultimately struck the claimant.

The claimant sustained \$682.00 in unreimbursed medical expenses as a result of the incident. He lost one-half week from work as a result of the incident, however, he has since returned to work with no diminution in earnings and accordingly no award for permanent partial disability will be made by this Board. He also sustained a disfiguring scar to his arm as a result of the incident.

The Board concludes after reviewing the file, the evidence submitted and after due deliberation that:

1. The claimant is an innocent victim of a crime.
2. The claimant meets all the necessary statutory criteria for the following award.

WHEREFORE, it is ordered that the claimant be awarded:

1. \$682.00 for unreimbursed medical expenses.
2. \$33.30 for one-half week temporary total disability.
3. \$875.00 for 25 weeks disfigurement at \$35.00 per week, payable in a lump sum. All subject to the further order of this Board.

Claim #509-P-75

Claimant, male, 31, was shot in the left shoulder during a robbery attempt on a public street in Baltimore City. Immediately prior to the incident the claimant was approached by two assailants who pointed a shotgun at him and demanded his money. The claimant attempted to grab the gun and was shot. No arrests have been made to date.

All of the claimant's medical expenses were reimbursed by insurance. The claimant lost 9½ weeks from work as a result of the incident, however, he has since returned to work with no diminution in earnings and accordingly no award for permanent partial disability will be made by this Board. The claimant did sustain, however, a disfiguring scar to his shoulder as a result of the incident.

The Board concludes after reviewing the file, the evidence submitted and after due deliberation that:

1. The claimant is an innocent victim of a crime.
2. The claimant meets all the necessary statutory criteria for the following award.

WHEREFORE, it is ordered that the claimant be awarded:

1. \$342.00 for 9½ weeks temporary total disability.
2. \$350.00 for 10 weeks disfigurement at \$35.00 per week. All subject to the further order of this Board.

Claim #552-P-75

Claimant, female, 76, was assaulted and robbed on public street in Baltimore by an unknown assailant. The claimant fractured her left hip and left wrist when she was thrown to the pavement during the altercation.

All of the claimant's medical expenses were reimbursed by insurance with the exception of \$1,947.45. The claimant was retired at the time of the incident and accordingly no award for temporary total disability and permanent partial disability will be made by this Board.

The Board concludes after reviewing the file, the evidence submitted and after due deliberation that:

1. The claimant is an innocent victim of a crime.
2. The claimant meets all the necessary statutory criteria for the following award.

WHEREFORE, it is ordered that the claimant be awarded:

1. \$1,947.45 for unreimbursed medical expenses. All subject to the further order of this Board.

Claim #241-P-76

Claimant, male, 27, was shot in the left leg in a tavern in Howard County. Immediately prior to the incident the claimant was in the tavern when he was told that his cousin was being assaulted by several assailants. The claimant went into another room in the tavern and found that his cousin was on the floor being assaulted and kicked by three men. The claimant went to the aid of his cousin when he was shot in the leg. The assailant was apprehended, tried and found guilty with assault with intent to murder.

The claimant sustained \$2,032.00 in unreimbursed medical expenses as a result of the incident. He lost 45 weeks from work as a result of the incident. It is anticipated that the claimant's left leg has not healed completely and that he may undergo another operation to remove a metallic fixation device in the near future.

The Board concludes after reviewing the file, the evidence submitted and after due deliberation that:

1. The claimant is an innocent victim of a crime.
2. The claimant meets all the necessary statutory criteria for the following award.

WHEREFORE, it is ordered that the claimant be awarded:

1. \$2,032.00 for unreimbursed medical expenses.
2. \$6,383.25 for 45 weeks temporary total disability. All subject to the further order of this Board.

Claim #290-D-76

Claimant is the grandmother of the minor claimant whose mother was stabbed to death in her apartment in Baltimore City. The assailant was apprehended, tried and found guilty of manslaughter, assault and larceny.

We find that the minor claimant's father was deceased at the time of the incident and was partially supported by Social Security benefits and the decedent, at the time of her death.

The Board concludes after reviewing the file, the evidence submitted and after due deliberation that:

1. The decedent was an innocent victim of a crime.
2. The minor claimant meets all the necessary statutory criteria for the following award for partial dependency.

WHEREFORE, it is ordered that the minor claimant be awarded:

1. \$10,000 for partial dependency, payable to the claimant, who is the minor claimant's legal guardian. All subject to the further order of this Board.

Claim #308-P-76

Claimant, male, 35, was cut on the right hand with a knife when he attempted to break up a fight on a public street in Baltimore City. The assailant was arrested, tried and found guilty of assault.

All of the claimant's medical expenses were reimbursed by insurance. The claimant lost 6½ weeks from work as a result of the incident. During that period of time he received two weeks vacation pay and accordingly we find that he sustained 4½ weeks unreimbursable time. The claimant also sustained an unsightly scar to his right hand as a result of the incident.

The Board concludes after reviewing the file, the evidence submitted and after due deliberation that:

1. The claimant is an innocent victim of a crime.
2. The claimant meets all the necessary statutory criteria for the following award.

WHEREFORE, it is ordered the claimant be awarded:

1. \$758.98 for 6½ weeks temporary total disability, less \$234.44 for a net temporary total disability award of \$524.54.
2. \$350.00 for 10 weeks disfigurement at \$35.00 per week, payable in a lump sum. All subject to the further order of this Board.

Claim #321-P-76

Claimant, female, 24, was cut on the face with a razor blade by a former suitor in Baltimore City. The assailant was apprehended and his trial is pending.

The claimant sustained \$437.50 in unreimbursed medical expenses as a result of the incident. We also find that the claimant has a disfiguring scar to her face as a result of the incident.

The Board concludes after reviewing the file, the evidence submitted and after due deliberation that:

1. The claimant is an innocent victim of a crime.
2. The claimant meets all the necessary statutory criteria for the following award.

WHEREFORE, it is ordered that the claimant be awarded:

1. \$437.50 for unreimbursed medical expenses.
2. \$551.16 for 4½ weeks temporary total disability.
3. \$1,400.00 for 40 weeks disfigurement at \$35.00 per week, payable in a lump sum.

All subject to the further order of this Board.

Claim #384-P-76

Claimant, male, 17, was stabbed in the right forearm and back of left shoulder by an assailant on a public street in Baltimore City. The assailant was apprehended, tried and found guilty of the assault and sentenced to three years imprisonment.

The claimant sustained \$32,142.14 in unreimbursed medical expenses as a result of the incident. He was unemployed at the time of the incident and consequently had no average weekly wage. He did sustain, however, a large unsightly scar to his left arm and a 30% permanent partial disability to his right arm as a result of the incident.

The Board concludes after reviewing the file, the evidence submitted and after due deliberation that:

1. The claimant is an innocent victim of a crime.
2. The claimant meets all the necessary statutory criteria for the following award.

WHEREFORE, it is ordered that the claimant be awarded:

1. \$32,142.14 for unreimbursed medical expenses.
2. \$875.00 for 50 weeks disfigurement at \$17.50 per week, payable in a lump sum.
3. \$1,575.00 for 30% permanent partial disability to the right arm. All subject to the further order of this Board.

Claim #391-P-76

Claimant, female, 15, was shot in the face and right hand by an assailant in a private home in Washington County. The assailant was apprehended, tried and found guilty and sentenced to fifteen years incarceration.

All of the claimant's medical expenses were reimbursed by the U.S. Army. The claimant did sustain, however, serious disfigurement to her right hand and mouth as a result of the incident.

The Board concludes after reviewing the file, the evidence submitted and after due deliberation that:

1. The claimant is an innocent victim of a crime.
2. The claimant meets all the necessary statutory criteria for the following award.

WHEREFORE, it is ordered that the claimant be awarded:

1. \$875.00 for 50 weeks disfigurement at \$17.50 per week. All subject to the further order of this Board.

Claim #6-D-77

Claimant is the wife of a man who was shot to death in a tavern in Baltimore City. Immediately prior to the incident the decedent was a patron in a tavern when it was held up by two men. The decedent attempted to apprehend one of the subjects and was shot to death during the incident. The assailants were apprehended and trial is pending.

The claimant was partially dependent upon the decedent for her support at the time of the incident.

The Board concludes after reviewing the file, the evidence submitted and after due deliberation that:

1. The decedent was an innocent victim of a crime.
2. The claimant meets all the necessary statutory criteria for the following award for partial dependency.

WHEREFORE, it is ordered that the claimant be awarded:

1. \$8,750.00 for partial dependency, payable in a lump sum. All subject to the further order of this Board.

Claim #17-P-77

Claimant is the mother of a 17 year old boy who was shot in the left shoulder and right hand on a public street in Baltimore County. Immediately prior to the incident the claimant's son was driving an automobile on a public street when he was run off the road by another car. The claimant thereupon turned his car around and at the next intersection approached the other car and told the other driver that he had almost killed everyone in the claimant's son's car. The claimant's son then started back to his car when he was shot by the assailant. The assailant was apprehended, tried and found guilty.

The claimant's son was unemployed at the time of the incident and accordingly had no wage loss. All of the claimant's medical expenses were reimbursed by insurance with the exception of \$151.50. The claimant's son did sustain, however, several disfiguring scars to his left arm and right hand as a result of the incident.

The Board concludes after reviewing the file, the evidence submitted and after due deliberation that:

1. The claimant's son is an innocent victim of a crime.
2. The claimant meets all the necessary statutory criteria for the following award.

WHEREFORE, it is ordered the claimant be awarded:

1. \$151.50 for unreimbursed medical expenses.
2. \$350.00 for 20 weeks disfigurement at \$17.50 per week, payable in a lump sum. All subject to the further order of this Board.

Claim #31-P-77

Claimant, female, 25, was assaulted by a group of youths in Montgomery County. One of the youths was apprehended, however, he was arrested on a juvenile warrant since he was 15 years old at the time of the incident.

The claimant sustained \$3,612.11 in unreimbursed medical expenses as a result of the incident. She also lost 7½ weeks from work as a result of the incident. She has since returned to work with no diminution in earnings and accordingly no award for permanent partial disability will be made by the Board.

The Board concludes after reviewing the file, the evidence submitted and after due deliberation that:

1. The claimant is an innocent victim of a crime.
2. The claimant meets all the necessary statutory criteria for the following award.

WHEREFORE, it is ordered that the claimant be awarded:

1. \$3,612.11 for unreimbursed medical expenses.
2. \$624.90 for 7½ weeks temporary total disability. All subject to the further order of this Board.

Claim #33-P-77

Claimant, female, 31, was assaulted and raped in a restaurant in Howard County. The assailant was apprehended and his trial is pending.

As a result of the incident, the claimant sustained several unsightly scars to her face. The claimant also sustained several unsightly scars to her face. The claimant also sustained \$11,299.33 in unreimbursed medical expenses as a result of the incident.

The Board concludes after reviewing the file, the evidence submitted and after due deliberation that:

1. The claimant is an innocent victim of a crime.
2. The claimant meets all the necessary statutory criteria for the following award.

WHEREFORE, it is ordered the claimant be awarded:

1. \$11,299.33 for unreimbursed medical expenses.
2. \$875.00 for 50 weeks disfigurement at \$17.50 per week, payable in a lump sum. All subject to the further order of this Board.

Claim #83-D-77

Claimant is the 19 year old daughter of a man who was killed during a robbery of his tavern in Anne Arundel County. The other claimants herein are the guardians of five minor children of the decedent. The assailants were apprehended, tried and found guilty.

The children herein were partially supported by the decedent prior to the incident. They are currently receiving \$103.00 per month each in Social Security benefits. It is to be noted that the victim left an insolvent estate. The children's ages are 19, 17, 15, 13, 11 and 8, respectively.

The Board concludes after reviewing the file, the evidence submitted and after due deliberation that:

1. The decedent was an innocent victim of a crime.
2. The claimants herein meet all the necessary statutory criteria for the following awards.

WHEREFORE, it is ordered that the claimants herein shall receive \$22,500.00 for partial dependency for the death of their father. They shall receive the following apportionments, payable in lump sums.

- A. The 19 year old claimant shall receive \$1,500.00.

The following awards to the remaining minor claimants shall be made payable to their guardians pursuant to Title 13 of Estates and Trusts of the Maryland Annotated Code.

- B. The 17 year old child shall receive \$2,500.00.
 - C. The 15 year old child shall receive \$3,500.00.
 - D. The 13 year old child shall receive \$4,500.00.
 - E. The 11 year old child shall receive \$5,500.00.
 - F. The 8 year old child shall receive \$5,500.00.
- All subject to the further order of this Board.

Claim #106-P-77

Claimant, male, 41, was assaulted by a group of men outside a tavern in Anne Arundel County. Two of the assailants were apprehended, tried and found guilty of the assault.

All of the claimant's medical expenses were reimbursed by insurance with the exception of \$131.00. The claimant received sick pay during his convalescence from his regular employment, however, he received no benefits for his part-time employment. The claimant also sustained several scars to his face as a result of the incident.

The Board concludes after reviewing the file, the evidence submitted and after due deliberation that:

- 1. The claimant was an innocent victim of a crime.
- 2. The claimant meets all the necessary statutory criteria for the following award.

WHEREFORE, it is ordered that the claimant be awarded:

- 1. \$131.00 for unreimbursed medical expenses.
- 2. \$120.00 for three weeks temporary partial disability, 3 weeks at \$40.00 per week.
- 3. \$700.00 for 20 weeks scarring at \$35.00 per week, payable in a lump sum.

All subject to the further order of this Board.

Claim #107-P-77

Claimant, male, 34, was assaulted by a group of men outside of a tavern in Anne Arundel County. Two of the assailants were apprehended, tried and found guilty of assault.

All of the claimant's medical expenses were reimbursed by insurance with the exception of \$416.50. The claimant lost by insurance with the exception of \$416.50. The claimant lost two weeks from work as a result of the incident. The claimant also sustained several scars to his face as a result of the incident.

The Board concludes after reviewing the file, the evidence submitted and after due deliberation that:

- 1. The claimant is an innocent victim of a crime.
- 2. The claimant meets all the necessary statutory criteria for the following award.

WHEREFORE, it is ordered that the claimant be awarded:

- 1. \$416.50 for unreimbursed medical expenses.
- 2. \$306.90 for two weeks temporary total disability.
- 3. \$350.00 for ten weeks disfigurement at \$35.00 per week. All subject to the further order of this Board.

Claim #178-P-77

Claimant, male, 45, was robbed and stabbed in the back on a public street in Baltimore by several unknown assailants. The claimant sustained a \$1,056.40 unreimbursed medical expense as a result of the incident. The

claimant was temporarily unemployed at the time of the incident and accordingly no award for temporary total disability will be made by this Board. The claimant did sustain, however, a 45% permanent partial disability to his body as a whole as a result of the psychiatric disability caused by his reaction to the assault.

The Board concludes after reviewing the file, the evidence submitted and after due deliberation that:

- 1. The claimant is an innocent victim of crime.
- 2. The claimant meets all the necessary statutory criteria for the following award.

WHEREFORE, it is ordered that the claimant be awarded:

- 1. \$1,056.40 for unreimbursed medical expenses.
- 2. \$7,875.00 for 45% permanent partial disability to the body as a whole, less \$500 emergency award for a net permanent partial disability award of \$7,375.00. All subject to the further order of this Board.

Claim #190-P-77

Claimant, male, 27 was the victim of a knock and robbery in his home in Baltimore City. On the night of the incident the claimant heard his doorbell ring and when he went to open the door he was confronted by two unknown assailants who pistol whipped him and shot and robbed him.

All of the claimant's medical expenses were reimbursed by insurance with the exception of \$20.00. The claimant lost 2½ weeks from work as a result of the incident. He received \$272.57 in convalescence benefits. He has since returned to work with no diminution in earnings and accordingly no award for permanent partial disability will be made by this Board. He did sustain, however, several unsightly scars to his face, throat and torso as a result of the incident.

The Board concludes after reviewing the file, the evidence submitted and after due deliberation that:

- 1. The claimant is an innocent victim of a crime.
- 2. The claimant meets all the necessary statutory criteria for the following award.

WHEREFORE, it is ordered the claimant be awarded:

- 1. \$20.00 for unreimbursed medical expenses.
- 2. \$383.63 for 2½ weeks temporary total disability, less \$272.57 for a net temporary total disability award of \$111.06.
- 3. \$1,400.00 for 40 weeks disfigurement at \$35.00 per week payable in a lump sum.
- 4. \$80.00 for a one time expense for glasses when bill for same is submitted to this Board and verified.

All subject to the further order of this Board.

Claim #199-D-77

Claimant's husband was stabbed to death during an argument in the assailant's home in Baltimore City. The assailant was apprehended, tried and found guilty of manslaughter.

The claimant and her deceased husband were separated at the time of the incident. The decedent has been ordered to pay the claimant \$46.35 per week in support payments through the Maryland Division of Parole and Probation. The decedent, however, was substantially in arrears on the date of the incident. The claimant is currently receiving approximately \$785 in Social Security benefits as a result of his death. She also received approximately \$9,000.00

in other benefits as a result of the incident.

The Board concludes after reviewing the file, the evidence submitted and after due deliberation that:

1. The claimant and her children were not dependent upon the decedent for their support at the time of the incident.
2. The claimant does not have a serious financial hardship as required by Section 12 (f) of the Statute for an award. It is obvious that the claimant's financial condition has not worsened as a result of the incident but is, in point of fact, improved since the incident.

WHEREFORE, it is ordered that the herein claim be disallowed.

Claim #203-P-77

Claimant, female, 43, was raped and stabbed in the left leg by an unknown assailant in a hotel in Baltimore City.

All of the claimant's medical expenses were reimbursed by insurance with the exception of \$88.60. The claimant lost six weeks from work as a result of the incident, however, she has since returned to work with no diminution in earnings and accordingly no award for permanent partial disability will be made by this Board. The claimant also sustained unsightly scars to her legs as a result of the incident.

The Board concludes after reviewing the file, the evidence submitted and after due deliberation that:

1. The claimant is an innocent victim of a crime.
2. The claimant meets all the necessary statutory criteria for the following award.

WHEREFORE, it is ordered that the claimant be awarded:

1. \$88.60 for unreimbursed medical expenses.
2. \$150.00 for 6 weeks temporary total disability.
3. \$700.00 for 20 weeks disfigurement at \$35.00 per week. All subject to the further order of this Board.

Claim #209-P-77

Claimant, male, 34, was shot in the chest, abdomen and buttock by an assailant on a public street in Baltimore. The assailant has been apprehended and trial is pending.

All of the claimant's medical expenses have been reimbursed by insurance with the exception of \$435.00. The claimant lost 48 weeks from work as a result of the incident, however, he received \$436.00 in public assistance during a portion of that time. We find that the claimant has a 35% permanent partial disability to his body as a whole as a result of the incident. The claimant received a \$500 emergency award at the inception of this claim.

The Board concludes after reviewing the file, the evidence submitted and after due deliberation that:

1. The claimant is an innocent victim of a crime.
2. The claimant meets all the necessary statutory criteria for the following award.

WHEREFORE, it is ordered that the claimant be awarded:

1. \$435.00 for unreimbursed medical expenses.
2. \$7,365.60 for 48 weeks temporary total disability, less \$936.00 received in public assistance and emergency for a temporary total disability award of \$6,429.60.
3. \$6,125.00 for 35% permanent partial disability to the body as a whole, payable in a lump sum. All subject to the further order of this Board.

Claim #207-P-77

Claimant, male, 26, was assaulted on a public street in Frederick County. No arrests have been made to date. The claimant sustained \$687.21 in unreimbursed medical expenses as a result of the incident. The claimant lost several weeks from work, however, he returned to work with no diminution in earnings and accordingly no award for permanent partial disability will be made by this Board.

The Board concludes after reviewing the file, the evidence submitted and after due deliberation that:

1. The claimant is an innocent victim of a crime.
2. The claimant meets all the necessary statutory criteria for the following award.

WHEREFORE, it is ordered that the claimant be awarded:

1. \$687.21 for unreimbursed medical expenses.
2. \$183.15 for 2½ weeks temporary total disability. All subject to the further order of this Board.

Claim #210-D-77

Claimant's daughter was killed by an assailant in Dorchester County. The victim left a minor son and said claim is filed on behalf of the victim's son, who is also the claimant's grandson. The assailant was apprehended, tried and found guilty.

The decedent was the sole support of her minor son. The claimant expended \$2,000.00 in unreimbursed funeral expenses.

The Board concludes after reviewing the file, the evidence submitted and after due deliberation that:

1. The decedent was an innocent victim of a crime.
2. The claimant meets all the necessary statutory criteria for the following award.

WHEREFORE, it is ordered that the claimant be awarded:

1. This Board's maximum funeral expense allowance of \$900.00.
2. 5 retroactive monthly dependency awards of \$318.06 for a total of \$1,590.30, 17 retroactive dependency awards of \$302.96 for a total of \$5,150.32, beginning November, 1978 the claimant shall receive \$302.96 per month, however, in no event may the total of all monthly payments exceed the sum of \$45,000.00.

All subject to the further order of this Board.

Claim #237-P-77

Claimant, male, 22, was shot in the left foot on a public street in Baltimore by an assailant. The claimant's lower leg was subsequently amputated. Prior to the incident the claimant was having a dispute with the assailant over the assailant's wife. On the date of the incident the claimant went to the assailant's house twice. On the first occasion the assailant was not at home. On the second occasion the assailant was at home. The assailant stated the the claimant used profane language and attempted to kick the door open. The assailant shot the claimant in the left foot with a 12 guage shotgun. The assailant was apprehended, tried and found guilty.

All of the claimant's medical expenses were reimbursed by State Medical Assistance.

The Board concludes after reviewing the file, the evidence submitted and after due deliberation that:

1. The claimant was partially responsible for the incident. We do not believe, however, that the claimant should be completely precluded from an award by this Board and we are, therefore, reducing his award by 25% for provocation, pursuant to the Statute.

WHEREFORE, it is ordered that the claimant be awarded:

1. \$13,000 for 100% permanent partial disability to the left leg, less \$3,375.00 for 25% provocation for a net of \$9,625.00, to be paid as follows: 10 retroactive monthly awards of \$139.75 for a total of \$1,397.50. Beginning January, 1979 the claimant shall receive \$139.75 per month, however, in no event may the claimant receive monthly awards in excess of \$9,625.00.

All subject to the further order of this Board.

Claim #240-D-77

Claimant is the wife of a man who was killed by a burglar in his home in Baltimore City. The assailant has been apprehended and his trial is pending.

The claimant was partially dependent on her husband for her support at the time of his death. The funeral expenses were reimbursed by insurance.

The Board concludes after reviewing the file, the evidence submitted and after due deliberation that:

1. The deceased was an innocent victim of a crime.
2. The claimant meets all the necessary statutory criteria for the following partial dependency award.

WHEREFORE, it is ordered that the claimant be awarded;

1. 16 retroactive monthly partial dependency awards of \$124.89 for a total retroactive payment of \$1,998.24. Beginning, July, 1978 the claimant shall be awarded \$124.89 per month, however, in no event may be total of all monthly payments exceed the sum of \$7,500.00. All subject to the further order of this Board.

Claim #245-P-77

Claimant, female, 19, was stabbed in the face and body by a rejected suitor in her home in Baltimore City. On the date of the incident the rejected suitor broke into the claimant's home and assaulted and stabbed her. The assailant was apprehended and his trial is pending.

The claimant sustained \$454.08 in unreimbursed medical expenses as a result of the incident. The claimant was unemployed at the time of the incident and accordingly no award for temporary total disability will be made by this Board. The claimant did sustain, however, several unsightly scars which will require future corrective surgery. We find that \$1,500 will be a fair and reasonable amount for the future surgery.

The Board concludes after reviewing the file, the evidence submitted and after due deliberation that:

1. The claimant is an innocent victim of a crime.
2. The claimant meets all the necessary statutory criteria for the following award.

WHEREFORE, it is ordered that the claimant be awarded:

1. \$454.08 in unreimbursed medical expenses.
2. \$1,500.00 for future corrective surgery.

All subject to the further order of this Board.

Claim #246-P-77

Claimant, female, 67, was shot in her left arm by an assailant in her home in Baltimore City. The claimant's daughter was also stabbed during the incident (Claim #245-P-77). All of the claimant's medical expenses were reimbursed by insurance with the exception of \$4.50. The claimant was retired at the time of the incident and accordingly no award for temporary total disability will be made by this Board. The claimant did sustain, however, an unsightly scar to her arm as a result of the incident.

The Board concludes after reviewing the file, the evidence submitted and after due deliberation that:

1. The claimant is an innocent victim of a crime.
2. The claimant meets all the necessary statutory criteria for the following award.

WHEREFORE, it is ordered that the claimant be awarded:

1. \$4.50 for unreimbursed medical expenses.
2. \$70.00 for four weeks disfigurement at \$17.50 per week. All subject to the further order of this Board.

Claim #248-P-77

Claimant, male, 53, was assaulted by two juveniles on a public street in Baltimore. Immediately prior to the incident the claimant was waiting for a bus when two youths struck him with a baseball bat and knocked him to the ground and continued to strike while on the ground. They also robbed the claimant. The assailants were apprehended, tried and found to be delinquent.

The claimant sustained facial injuries and lost one tooth as a result of the incident. The claimant sustained several unsightly scars to his face, forehead and left ear as a result of the incident.

The Board concludes after reviewing the file, the evidence submitted and after due deliberation that:

1. The claimant is an innocent victim of a crime.
2. The claimant meets all the necessary statutory criteria for the following award.

WHEREFORE, it is ordered that the claimant be awarded:

1. \$2,303.86 for unreimbursed medical expenses.
2. \$1,400.00 for 40 weeks disfigurement at \$35.00 per week, payable in a lump sum, less \$300.00 emergency award for a net disfigurement award of \$1,100.00. All subject to the further order of this Board.

Claim #249-D-77

Claimant is the wife of a man who was shot and killed in a yard in Baltimore City. The assailant was apprehended, tried and found guilty of manslaughter. The decedent was unfortunately at the wrong place at the wrong time and was in no way responsible for the incident.

The claimant was totally dependent upon the decedent for her support at the time of the incident.

The Board concludes after reviewing the file, the evidence submitted and after due deliberation that:

1. The decedent is an innocent victim of a crime.
2. The claimant meets all the necessary statutory criteria for the following award.

WHEREFORE, it is ordered that the claimant be awarded:

1. 6 retroactive monthly dependency awards of \$193.24 for a total of \$1,159.44. Beginning, January, 1979 the claimant shall receive \$193.24 per month, however, in no event may the total of all payments to the claimant exceed the sum of \$45,000.00. All subject to the further order of this Board.

Claim #264-P-77

Claimant, male, 47, was shot in the right thigh on a beach in Baltimore County. Immediately prior to the incident the claimant was riding his motorboat. The boat developed engine trouble and the claimant drifted to shore to seek help. The claimant was met on shore by a man who told him not to come ashore. The claimant was thereupon shot. The assailant was arrested at the scene, subsequently tried and found guilty.

The claimant sustained \$515.60 in unreimbursed medical expenses as a result of the incident. He also lost two weeks from work as a result of the incident. We also find that the claimant sustained unsightly scar to his leg as a result of the incident.

The Board concludes after reviewing the file, the evidence submitted and after due deliberation that:

1. The claimant is an innocent victim of a crime.
2. The claimant meets all the necessary statutory criteria for the following award.

WHEREFORE, it is ordered that the claimant be awarded:

1. \$515.60 for unreimbursed medical expenses.
2. \$139.86 for two weeks temporary total disability.
3. \$350.00 for ten weeks disfigurement at \$35.00 per week, payable in a lump sum.

All subject to the further order of this Board.

Claim #269-P-77

Claimant, female, 24, was raped and assaulted on a public highway in St. Mary's County. A warrant has been issued for the assailant, however, he is still a fugitive from the law.

The claimant sustained \$290.20 in unreimbursed medical expenses as a result of the incident. She lost 2½ weeks from work as a result of the incident, however, she has since returned to work with no diminution in earnings and accordingly no award for permanent partial disability will be made by this Board.

The Board concludes after reviewing the file, the evidence submitted and after due deliberation that:

1. The claimant is an innocent victim of a crime.
2. The claimant meets all the necessary statutory criteria for the following award.

WHEREFORE, it is ordered that the claimant be awarded:

1. \$290.20 for unreimbursed medical expenses.
2. \$165.00 for 2½ weeks temporary total disability. All subject to the further order of this Board.

Claim #275-P-77

Claimant, male, 24, was assaulted in a tavern in Baltimore City by two unknown men for no apparent reason. The claimant sustained a

skull fracture when he was struck on the head with a pool cue. All of the claimant's medical expenses were reimbursed by insurance with the exception of \$42.00. The claimant lost four weeks from work as a result of the incident. The claimant also sustained a scar to his face as a result of the incident.

The Board concludes after reviewing the file, the evidence submitted and after due deliberation that:

1. The claimant is an innocent victim of a crime.
2. The claimant meets all the necessary statutory criteria for the following award.

WHEREFORE, it is ordered that the claimant be awarded:

1. \$42.00 for unreimbursed medical expenses.
2. \$418.24 for four weeks temporary total disability.
3. \$875.00 for 25 weeks disfigurement at \$35.00 per week, payable in a lump sum.

All subject to the further order of this Board.

Claim #299-D-77

Claimant's daughter was killed by an unknown assailant in her apartment in Baltimore City. The claimant's daughter had a three year old child at the time of the incident and the claimant is now the legal guardian for the child. The minor claimant received \$14,600.00 in insurance benefits as a result of the incident. The claimant received \$4,000.00 in insurance benefits as a result of the incident.

The Board concludes after reviewing the file, the evidence submitted and after due deliberation that:

1. The decedent was an innocent victim of a crime.
2. The minor claimant meets all the necessary statutory criteria for the following award.

WHEREFORE, it is ordered that the claimant be awarded:

1. 14 retroactive monthly dependency awards of \$107.59 for a total of \$1,506.26. Beginning October, 1978 the claimant shall receive \$107.59 per month, however, in no event may the total of all monthly awards exceed the sum of \$30,400.00, payable to the guardian/grandfather.

All subject to the further order of this Board.

Claim #311-P-77

Claimant, male, 57, was assaulted and robbed on a public street in Baltimore City by three unknown assailants. The claimant sustained a residual spastic paresis on the left side as a result of the incident. We find that the claimant is permanently totally disabled.

All of the claimant's medical expenses were reimbursed by insurance with the exception of \$2,495.19. The claimant received \$1,300.00 in employment benefits as a result of the incident.

The Board concludes after reviewing the file, the evidence submitted and after due deliberation that:

1. The claimant is an innocent victim of a crime.
2. The claimant meets all the necessary statutory criteria for the following award.

WHEREFORE, it is ordered that the claimant be awarded:

1. \$2,495.19 for unreimbursed medical expenses.
2. 6 retroactive monthly disability awards of \$444.44 for a total of \$2,666.64, less \$1,300.00 in employment benefits for a net total of

\$1,366.64; 14 retroactive monthly awards of \$110.04 for a total of \$1,540.56; beginning November, 1978 the claimant shall receive \$110.04 per month, however, in no event may the total of all monies exceed the sum of \$45,000.00. All subject to the further order of this Board.

Claim #317-P-77

Claimant is a 42 year old male, shot in the left leg and robbed on a public street in Baltimore, by an unknown assailant.

The claimant sustained \$196.14 in unreimbursed medical expenses as a result of the incident. He also lost nine weeks from work as a result of the incident, however, he has since returned to work with no diminution in earnings and accordingly no award for permanent partial disability will be made by this Board. He did, however lose the use of his toe.

The Board concludes after reviewing the file, the evidence submitted and after due deliberation that:

1. The claimant is an innocent victim of crime.
2. The claimant meets all the necessary statutory criteria for the following award.

WHEREFORE, it is ordered that the claimant be awarded:

1. \$196.14 for unreimbursed medical expenses.
2. \$687.43 for nine weeks temporary total disability.
3. \$700.00 for 20 weeks disfigurement at \$35.00 per week, less \$500.00 emergency award. All subject to the further order of this Board.

Claim #320-P-77

Claimant, female, 55, was beaten in the head by a robber in a tavern in Calvert County. The assailant also shot and killed another man and shot the claimant's husband (31-P-77). The assailant was apprehended, tried and found guilty.

All of the claimant's medical expenses were reimbursed by insurance with the exception of \$182.50. The claimant lost four weeks from work as a result of the incident, however, she has since returned to work with no diminution in earnings and accordingly no award for permanent partial disability will be made by this Board. The claimant did sustain, however, disfiguring scars to her head as a result of the incident.

The Board concludes after reviewing the file, the evidence submitted and after due deliberation that:

1. The claimant is an innocent victim of a crime.
2. The claimant meets all the necessary statutory criteria for the following award.

WHEREFORE, it is ordered that the claimant be awarded:

1. \$182.50 for unreimbursed medical expenses.
 2. \$320.00 for 4 weeks temporary total disability.
 3. \$175.00 for 5 weeks disfigurement at \$35.00 per week, payable in a lump sum.
- All subject to the further order of this Board.

Claim #321-P-77

Claimant, male, 61, was shot in the mouth by a robber in a tavern in Calvert County. The assailant also shot and killed another man and shot his wife (320-P-77). The assailant was apprehended, tried and found guilty.

All of the claimant's medical expenses were reimbursed by insurance with the exception of \$667.50. The claimant lost 34 weeks from work as a result of

the incident, however, he has since returned to work with no diminution in earnings and accordingly no award for permanent partial disability will be made by this Board. The claimant did, however, sustain several unsightly scars to his mouth as a result of the incident.

The Board concludes after reviewing the file, the evidence submitted and after due deliberation that:

1. The claimant is an innocent victim of a crime.
2. The claimant meets all the necessary statutory criteria for the following award.

WHEREFORE, it is ordered that the claimant be awarded:

1. \$667.50 for unreimbursed medical expenses.
2. \$2,720.00 for 34 weeks temporary total disability.
3. \$875.00 for 25 weeks disfigurement at \$35.00 per week, payable in a lump sum. All subject to the further order of this Board.

Claim #324-D-77

Claimant's 17 year old son was shot and killed on a public street in Baltimore by an unknown assailant. The decedent was employed at the time of the incident and the claimant was partially dependent, for her support, upon him at the time of his death.

The Board concludes after reviewing the file, the evidence submitted and after due deliberation that:

1. The decedent was an innocent victim of a crime.
2. The claimant meets all the necessary statutory criteria for the following award.

WHEREFORE, it is ordered that the claimant be awarded:

1. \$5,000.00 for partial dependency, payable in a lump sum. All subject to the further order of this Board.

Claim #328-P-77

Claimant, male, 25, was shot in both legs and robbed by an assailant on a public street in Baltimore. The assailant was an escapee from the Patuxent Institute at the time of the incident. He has been apprehended and trial is pending.

The bulk of the claimant's medical expenses were reimbursed by insurance with the exception of \$305.40. The claimant lost 46 weeks from work as a result of the incident and during that time he received \$2,506.00 in union benefits. He has since returned to work with no diminution in earnings and accordingly no award for permanent partial disability will be made by this Board.

The Board concludes after reviewing the file, the evidence submitted and after due deliberation that:

1. The claimant is an innocent victim of a crime.
2. The claimant meets all the necessary statutory criteria for the following award.

WHEREFORE, it is ordered that the claimant be awarded:

1. \$305.40 for unreimbursed medical expenses.
2. \$7,058.70 for 46 weeks temporary total disability, less \$2,506.00 received in benefits for a net temporary total disability award of \$4,552.70, less \$500 emergency award for a net award of \$4,052.70. All subject to the further order of this Board.

Claim #331-P-77

Claimant, female, 30 was stabbed in the right hand and left arm by an aberrated assailant in a drug store in Baltimore City. The assailant was apprehended, tried and found not guilty by reason of insanity. He is currently a resident at the Crownsville State Mental Hospital.

All of the claimant's medical expenses were reimbursed by insurance with the exception of \$140.00 in miscellaneous expenses. The claimant was unemployed at the time of the incident and accordingly no award for temporary total or permanent partial disability will be made by his Board. The claimant did sustain, however, several unsightly scars to her right hand and left arm as a result of the incident.

The Board concludes after reviewing the file, the evidence submitted and after due deliberation that:

1. The claimant was an innocent victim of a crime.
2. The claimant meets all the necessary statutory criteria for the following award.

WHEREFORE, it is ordered that the claimant be awarded:

1. \$140.00 for unreimbursed medical expenses.
2. \$1,050.00 for 60 weeks disfigurement at \$17.50 per week, payable in a lump sum. All subject to the further order of this Board.

Claim #333-P-77

Claimant, female, 33, was assaulted and sustained a fractured jaw when she was struck by another woman on a public street in Baltimore City. Immediately prior to the incident, the claimant was involved in an automobile accident with a car operated by the assailant. The assailant was apprehended, tried and found guilty and ordered to pay restitution to the claimant. No restitution has been made to date.

The claimant received sick pay during her convalescence and has since returned to work with no diminution in earnings and accordingly no award for temporary total or permanent partial disability will be made by his Board. The claimant did sustain, however, an unsightly scar to her face as a result of the incident. She also sustained \$50.00 in unreimbursed medical expenses.

The Board concludes after reviewing the file, the evidence submitted and after due deliberation that:

1. The claimant is an innocent victim of a crime.
2. The claimant meets all the necessary statutory criteria for the following award.

WHEREFORE, it is ordered that the claimant be awarded:

1. \$50.00 for unreimbursed medical expenses.
2. \$525.00 for 15 weeks disfigurement at \$35.00 per week, payable in a lump sum. All subject to the further order of this Board.

Claim #354-P-77

Claimant, male, 62, was shot in the face while standing on his door step in Dorchester County. Immediately prior to the incident the assailant shot and killed another man with a 20 gauge shotgun shortly thereafter and shot the claimant. The assailant was apprehended, tried and found guilty of assault.

The claimant sustained \$726.99 in unreimbursed medical expenses as a result of the incident. The claimant also lost two weeks from work as a result of the incident. The claimant sustained disfiguring scars to his face as a result of the incident.

The Board concludes after reviewing the file, the evidence submitted and after due deliberation that:

1. The claimant is an innocent victim of a crime.
2. The claimant meets all the necessary statutory criteria for the following award.

WHEREFORE, it is ordered that the claimant be awarded:

1. \$726.99 for unreimbursed medical expenses.
2. \$161.18 for two weeks temporary total disability.
3. \$600.00 for 20 weeks disfigurement at \$35.00 per week. All subject to the further order of this Board.

Claim #360-P-77

Claimant, female, 45, was assaulted and raped in her apartment in Montgomery County by two unknown assailants.

All of the claimant's medical expenses were reimbursed by insurance with the exception of \$123.00. The claimant was reimbursed for her lost time by her employer and accordingly no award for temporary total disability will be made by this Board. The claimant herein alleges that she had to move as a result of the incident and had to purchase a rug and a bed in addition to accruing other miscellaneous expenses.

The Board concludes after reviewing the file, the evidence submitted and after due deliberation that:

1. The claimant is an innocent victim of a crime.
2. The claimant meets all the necessary statutory criteria for the following award for unreimbursed medical expenses. It is to be noted that this Board has the statutory authority to pay claimants for their unreimbursed medical expenses only and not for property losses. Accordingly, the other expenditures accrued by the claimant will not be reimbursed by this Board.

WHEREFORE, it is ordered that the claimant be awarded:

1. \$123.00 for unreimbursed medical expenses. All subject to the further order of this Board.

Claim #368-P-77

Claimant, male, 41, was robbed and assaulted on a public street in Baltimore by two men. During the incident the claimant was thrown to the ground. One of the men picked up a cinder block, threw it on the claimant's left leg breaking same.

The claimant sustained \$453.04 in unreimbursed medical expenses as a result of the incident. The claimant lost 34 weeks from work as a result of the incident, however, he received \$2,470.00 in union benefits during his convalescence. He also sustained two unsightly scars to his leg as a result of the incident.

The Board concludes after reviewing the file, the evidence submitted and after due deliberation that:

1. The claimant is an innocent victim of crime.
2. The claimant meets all the necessary statutory criteria for the following award.

WHEREFORE, it is ordered that the claimant be awarded:

1. \$453.04 for unreimbursed medical expenses.
2. \$5,217.30 for 34 weeks temporary total disability, less \$2,470.00 received in union benefits for a net temporary total disability award of \$2,747.30.

3. \$525.00 for 15 weeks disfigurement at \$35.00 per week, less \$450.00 emergency award for a net disfigurement award of \$75.00. All subject to the further order of this Board.

Claim #371-P-77

Claimant, male, 30, sustained a broken right leg when he was assaulted on a parking lot of a tavern in St. Mary's County.

All of the claimant's medical expenses were reimbursed by insurance. The claimant lost 13 weeks from work, however, he has since returned to work with no diminution in earnings and accordingly no award for permanent partial disability will be made by this Board. The claimant also received \$1,040.00 in insurance benefits during his convalescence.

The Board concludes after reviewing the file, the evidence submitted and after due deliberation that:

1. The claimant is an innocent victim of a crime.
2. The claimant meets all the necessary statutory criteria for the following award.

WHEREFORE, it is ordered that the claimant be awarded:

1. \$1,994.85 for 13 weeks temporary total disability, less \$1,040.00 received in insurance benefits for a net temporary total disability award of \$954.85.

Claim #375-P-77

Claimant, male, 19, was stabbed in the lower abdomen by an unknown assailant in a parking lot in Prince George's County.

He sustained \$1,527.43 in unreimbursed medical expenses as a result of the incident. The claimant lost three weeks from work as a result of the incident. The claimant also sustained an unsightly scar to his abdomen as a result of the incident.

The Board concludes after reviewing the file, the evidence submitted and after due deliberation that:

1. The claimant is an innocent victim of a crime.
2. The claimant meets all the necessary statutory criteria for the following award.

WHEREFORE, it is ordered that the claimant be awarded:

1. \$1,527.43 for unreimbursed medical expenses.
2. \$214.29 for three weeks temporary total disability.
3. \$1,050.00 for 30 weeks disfigurement at \$35.00 per week, payable in a lump sum. All subject to the further order of this Board.

Claim #379-P-77

Claimant, male, 28, was shot in the back during an attempted armed robbery on a public street in Baltimore.

All of the claimant's medical expenses were reimbursed by insurance with the exception of \$95.85. The claimant lost 56 weeks from work as a result of the incident, however, he received \$6,509.12 in sick and disability benefits during his convalescence. We find that the claimant has a 50% permanent partial disability to his left leg as a result of the incident.

The Board concludes after reviewing the file, the evidence submitted and after due deliberation that:

1. The claimant is an innocent victim of a crime.
2. The claimant meets all the necessary statutory criteria for the following award.

WHEREFORE, it is ordered that the claimant be awarded:

1. \$95.85 for unreimbursed medical expenses.
2. \$7,347.20 for 56 weeks temporary total disability, less \$6,509.12 for a net temporary total disability award of \$838.08.
3. \$5,250.00 for 50% permanent partial disability to the left leg. All subject to the further order of this Board.

Claim #389-P-77

Claimant, male, 30, was stabbed in the left thigh when he went to the aid of two victims who were being robbed on a public street in Baltimore by an unknown assailant.

The claimant sustained \$726.00 in unreimbursed medical expenses as a result of the incident. He also lost 26 weeks from work as a result of the incident. We find that the claimant sustained a 10% permanent partial disability to his body as a whole as a result of the injuries sustained in the incident.

The Board concludes after reviewing the file, the evidence submitted and after due deliberation that:

1. The claimant is an innocent victim of a crime.
2. The claimant meets all the necessary statutory criteria for the following award.

WHEREFORE, it is ordered that the claimant be awarded:

1. \$726.00 for unreimbursed medical expenses.
2. \$2,545.40 for 26 weeks temporary total disability.
3. \$1,750.00 for 10% permanent partial disability. All subject to the further order of this Board.

Claim #390-P-77

Claimant, female, 31, was raped in her apartment in Baltimore City by two teenage assailants. The assailants were subsequently apprehended and pled guilty to the crime.

The claimant sustained \$477.18 in unreimbursed medical expenses as a result of the incident. She lost five weeks from work as a result of the incident, however, she has since returned to work with no diminution in earnings and accordingly no award for permanent partial disability will be made by this Board.

The Board concludes after reviewing the file, the evidence submitted and after due deliberation that:

1. The claimant is an innocent victim of a crime.
2. The claimant meets all the necessary statutory criteria for the following award.

WHEREFORE, it is ordered that the claimant be awarded:

1. \$477.18 for unreimbursed medical expenses.
2. \$396.00 for five weeks temporary total disability. All subject to the further order of this Board.

Claim #399-P-77

Claimant, male, 44, alleges on his claim form that he was struck in the

left eye with a broken bottle by a man on a public street who accused him of being a witness against him in a criminal court trial. The claimant, however, stated to the investigating officer that he was approached by a man who started arguing over a woman and an altercation ensued and the man cut him with a knife. It is to be noted that the claimant is no stranger to the law enforcement authorities. He has been arrested and convicted on numerous occasions for various antisocial acts, including but not limited to violations of narcotics acts, burglary, larceny, shoplifting and resisting arrest. Approximately two months prior to the incident the claimant was observed by three officers on a stake out purchasing heroin from a man. The claimant subsequently agreed to testify for the State. The claimant was stabbed during the incident by the man who had sold him that heroin. Subsequently, the case against the accused was steted when the claimant failed to appear. The narcotic charge against the assailant was also steted because of the claimant's failure to appear.

The Board concludes after reviewing the file, the evidence submitted and after due deliberation that:

1. The claimant was responsible for the incident wherein he was injured. The fundamental purpose of this Board is to compensate innocent victims of crime and not those individuals who were injured because of their own illicit activities, as in the instant case. This Board takes notice of the fact that those individuals who are engaged in the traffic of dangerous controlled substances subject themselves to great personal risk. It is quite obvious, therefore, that the claimant was the author of his own misfortune and no award will be made to him.
2. The claimant did not fully cooperate with all law enforcement authorities as required by Section 12(a) (1) of Article 26A of the Maryland Annotated Code for an award.

WHEREFORE, it is ordered that the herein claim be disallowed.

Claim #420-P-77

Claimant, female, 64, was robbed and assaulted on a public street in Baltimore City by a teenage male. The assailant was apprehended, found to be delinquent by the juvenile authorities.

The claimant sustained a fractured right hip as a result of the incident. All of the claimant's medical expenses were reimbursed by insurance with the exception of \$1,361.12.

The Board concludes after reviewing the file, the evidence submitted and after due deliberation that:

1. The claimant is an innocent victim of a crime.
2. The claimant meets all the necessary statutory criteria for the following award.
 1. \$1,361.12 for unreimbursed medical expenses. All subject to the further order of this Board.

Claim #421-P-77

Claimant, male, 50, was shot in the left hand during a robbery of his business in Baltimore County. The assailant was apprehended, tried and found guilty.

The claimant also sustained a depression reaction to the disability resulting from the injury to his left hand and wrist. The claimant was effectively self-supporting and due to the incident his earnings have diminished. We also

find that he has a 20% permanent partial disability to the body as a whole as a result of physical and neurological injuries sustained and a 20% permanent partial disability to his body as a whole as a result of mental disability of depression resulting from the physical injury.

The Board concludes after reviewing the file, the evidence submitted and after due deliberation that:

1. The claimant is an innocent victim of a crime.
2. The claimant meets all the necessary statutory criteria for the following award.

WHEREFORE, it is ordered that the claimant be awarded:

1. \$7,000.00 for 40% permanent partial disability to the body as a whole payable in a lump sum. All subject to the further order of this Board.

Claim #427-P-77

Claimant, male, 42, sustained a broken jaw and dental and facial lacerations when he was assaulted by three unknown assailants outside of his home in Baltimore City. On the date of the incident the claimant was leaving his home when he found three unknown men on his steps. As the claimant attempted to pass them he assaulted the claimant.

All of the claimant's medical expenses were reimbursed with the exception of \$13.50. The claimant lost four weeks from work as a result of the incident. He has since returned to work with no diminution in earnings and accordingly no award for permanent partial disability will be made by this Board. The claimant also sustained several unsightly scars to his face, neck and chin as a result of the incident.

The Board concludes after reviewing the file, the evidence submitted and after due deliberation that:

1. The claimant is an innocent victim of a crime.
2. The claimant meets all the necessary statutory criteria for the following award.

WHEREFORE, it is order that the claimant be awarded:

1. \$13.50 for unreimbursed medical expenses.
2. \$160.00 for four weeks temporary total disability.
3. \$1,225.00 for 35 weeks disfigurement at \$35.00 per week, payable in a lump sum. All subject to the further order of this Board.

Claim #433-P-77

Claimant, male, 54, was assaulted and stabbed several times in the back by an aberrated assailant on a public street in Baltimore City. It is to be noted that the assailant was unable to stand trial due to a mental condition.

All of the claimant's medical expenses were reimbursed by insurance. The claimant did sustain several unsightly scars as a result of the incident.

The Board concludes after reviewing the file, the evidence submitted and after due deliberation that:

1. The claimant is an innocent victim of a crime.
2. The claimant meets all the necessary statutory criteria for the following award.

WHEREFORE, it is ordered that the claimant be awarded:

1. \$140.00 for 8 weeks disfigurement at \$17.50 per week, payable in a lump sum. All subject to the further order of this Board.

Claim#443-P-77

Claimant, male, 20, was stabbed in the chest on a parking lot in Baltimore County. The investigating officer stated to this Board's investigator that the claimant and the accused did not know each other and that the attack was an unprovoked act on the part of the assailant. The assailant was apprehended, tried and found guilty and sentenced to one year incarceration.

The claimant sustained \$122.75 in unreimbursed medical expenses. He lost two weeks from work as a result of the incident and also sustained an unsightly scar on his chest as a result of the incident.

The Board concludes after reviewing the file, the evidence submitted and after due deliberation that:

1. The claimant is an innocent victim of a crime.
2. The claimant meets all the necessary statutory criteria for the following award.

WHEREFORE, it is ordered that the claimant be awarded:

1. \$122.75 for unreimbursed medical expenses.
2. \$162.18 for two weeks temporary total disability.
3. \$175.00 for five weeks disfigurement at \$35.00 per week, payable in a lump sum. All subject to the further order of this Board.

Claim #459-P-77

Claimant, male, 28, was shot in the left side of the face in a friend's apartment in Baltimore City. The claimant's friend has a former suitor. On the night of the incident the former suitor broke into the claimant's friend's apartment, shot the claimant and threatened to kill him if he said anything about the shooting. The assailant was apprehended, tried and found guilty.

All of the claimant's medical expenses were reimbursed by State Medical Assistance. The claimant lost three weeks from work as a result of the incident, however, he has since returned to work with no diminution in earnings and accordingly no award for permanent partial disability will be made by this Board. The claimant did sustain, however, two unsightly scars to his face and neck as a result of the incident.

The Board concludes after reviewing the file, the evidence submitted and after due deliberation that:

1. The claimant is an innocent victim of a crime.
2. The claimant meets all the necessary statutory criteria for the following award.

WHEREFORE, it is ordered that the claimant be awarded:

1. \$199.80 for 3 weeks temporary total disability.
2. \$1,400.00 for 40 weeks disfigurement at \$35.00 per week, payable in a lump sum.

All subject to the further order of this Board.

Claim #463-P-77

Claimant, male, 47, was shot in the right leg on a public street in Baltimore by an unknown assailant. Immediately prior to the incident the claimant was walking toward his car when two men ran passed him. They were being chased by a third man who fired a gun at them and one of the bullets struck the claimant.

All of the claimant's medical expenses were reimbursed by State Medical Assistance with the exception of \$240.00. The claimant during his convalescence he received \$327.00 from the Department of Social Services. He returned to work with no diminution in earnings and accordingly no award for permanent partial disability will be made by this Board. The claimant did sustain, however, unsightly scars to his right leg as a result of the incident.

The Board concludes after reviewing the file, the evidence submitted and after due deliberation that:

1. The claimant is an innocent victim of a crime.
2. The claimant meets all the necessary statutory criteria for the following award.

WHEREFORE, it is ordered that the claimant be awarded:

1. \$240.00 for unreimbursed medical expenses.
2. \$1,792.11 for 15½ weeks temporary total disability, less \$327.00 from the Department of Social Services for a net temporary total disability award of \$1,465.11.
3. \$525.00 for 15 weeks disfigurement at \$35.00 per week, payable in a lump sum. All subject to the further order of this Board.

Claim #471-D-77

Claimant is the mother of a 19 year old man who was shot and killed on a public street in Baltimore. Immediately prior to the incident the claimant was riding his bicycle and it struck the mirror of a van. The owner of the van became enraged and shot and killed the claimant's son. The assailant was apprehended, tried and found guilty of murder.

All of the funeral expenses were reimbursed by insurance. The claimant was partially dependent upon the decedent for her support at the time of the incident.

The Board concludes after reviewing the file, the evidence submitted and after due deliberation that:

1. The decedent was an innocent victim of a crime.
2. The claimant meets all the necessary statutory criteria for the following award for partial dependency.

WHEREFORE, it is ordered that the claimant be awarded:

1. \$7,000.00 for partial dependency, payable in a lump sum. All subject to the further order of this Board.

Claim #21-P-78

Claimant, male, 23, was assaulted and beaten on a public road in Prince George's County by his girlfriend's former boyfriend. The assailant was apprehended, tried and found guilty. The assailant was ordered to pay restitution.

The claimant sustained \$434.00 in unreimbursed medical expenses as a result of the incident. The claimant lost approximately one week from work, however, he was reimbursed in full for his lost time by sick pay.

The Board concludes after reviewing the file, the evidence submitted and after due deliberation that:

1. The claimant is an innocent victim of a crime.
2. The claimant meets all the necessary statutory criteria for the following award.

WHEREFORE, it is ordered that the claimant be awarded:

1. \$434.00 for unreimbursed medical expenses. It is to be noted that the State of Maryland will be subrogated to the claimant's restitution to the extend of its award. All subject to the further order of this Board.

Claim #28-P-78

Claimant, male, 21, was stabbed in the back during an altercation on a public street in Baltimore City. The initial investigation of the incident states that the claimant advised the investigating officers that he would obtain the real name of the suspect and obtain a warrant. The investigating officers subsequently interviewed the claimant at his home and the claimant stated to them that he had not made any attempt to learn the real name of the assailant and that he would not try. The investigating officers requested that the offense be cleared by the Assistant State's Attorney who cleared the case.

The claimant stated on his claim form submitted to this Board that he was employed on the date of the incident and had lost time from the date of the incident to the date of the filing of the claim. This Board's investigator contacted the employer who stated that the claimant had only worked for them for only one day several days prior to the incident and that he was terminated as of that same date. He was found to have been lacking the necessary job skills needed to perform his job satisfactorily. All of the claimant's medical expenses were reimbursed by the State of Maryland Medical Assistance program.

The Board concludes after reviewing the file, the evidence submitted and after due deliberation that:

1. The claimant did not fully cooperate with all law enforcement authorities as required by the Statute, Section 12(a) (3) of Article 26A of the Maryland Annotated Code. The Board places great emphasis on this Section of the Statute, for if violent crime is to be curtailed, it is necessary that the claimants give all necessary cooperation to the law enforcement authorities.
2. The claimant's allegation of lost time is incredible, under the circumstances; and accordingly, there is no evidence before this Board that the claimant sustained a serious financial hardship as required by Section 12(f) of the Statute for an award.

WHEREFORE, it is ordered that the herein claim be disallowed.

Claim #36-P-78

Claimant, male, 18, alleges that he was struck on the head by a female assailant on a public street in Baltimore. This Board has in its file copies of two police reports made on the date of the incident. In the first report the claimant stated to the investigating officer that he was engaged in a verbal argument with a 30 year old female when she hit him in the face with a club. The second report is a complaint made by the same 30 year old female who stated to the investigating officer that she had been involved in an argument with the claimant and his family and that the claimant pointed a sawed-off shotgun at her and threatened to shoot her.

The claimant was unemployed at the time of the incident and accordingly sustained no wage loss. All of the claimant's medical expenses were reimbursed by insurance. The alleged assailant was apprehended, tried and found not guilty. It is also to be noted that the alleged assailant failed to follow-up with the juvenile authorities against the claimant.

The Board concludes after reviewing the file, the evidence submitted and after due deliberation that:

1. The claimant does not have a serious financial hardship as required by Section 12(f) of the Statute for an award.
 2. The claimant is not an innocent victim of a crime. The fundamental purpose of this Board is to compensate innocent victims of crime and not those individuals who are injured while engaged in mutual combat and illicit activities as in the instant case.
- WHEREFORE, it is ordered that the herein claim be disallowed.

Claim #39-P-78

Claimant, male, 31, was shot in the left arm by a neighbor during a verbal dispute with him in Prince George's County. On the date of the incident the claimant was called to his fence by his neighbor who told the claimant that he did not want the claimant and his family turning around in his driveway. The claimant disputed the fact that the driveway belongs to the neighbor thereupon the neighbor shot the claimant.

All of the claimant's medical expenses were reimbursed by insurance, with the exception of \$395.00. The claimant lost 10 weeks from work as a result of the incident. He received \$577.50 in sick and vacation pay during his convalescence.

The Board concludes after reviewing the file, the evidence submitted and after due deliberation that:

1. The claimant is an innocent victim of a crime.
2. The claimant meets all the necessary statutory criteria for the following award.

WHEREFORE, it is ordered that the claimant be awarded:

1. \$395.00 for unreimbursed medical expenses.
 2. \$1,534.50 for 10 weeks temporary total disability, less \$577.50 for a net temporary total disability award of \$957.00.
- All subject to the further order of this Board.

Claim #42-P-78

Claimant, female, 56, was robbed and assaulted by two unknown youths on a public street in Baltimore. The claimant was entering her home at the time of the incident and the two assailants pulled her off her front steps and stole her purse.

The claimant sustained \$107.00 in unreimbursed medical expenses. The claimant received sick pay for her lost time and accordingly no award for temporary total disability will be made. The claimant did, however, lose one week of earnings from her part-time job.

The Board concludes after reviewing the file, the evidence submitted and after due deliberation that:

1. The claimant is an innocent victim of a crime.
2. The claimant meets all the necessary statutory criteria for the following award.

WHEREFORE, it is ordered that the claimant be awarded:

1. \$107.00 for unreimbursed medical expenses.
2. \$40.00 for one week temporary partial disability. All subject to the further order of this Board.

Claim #45-D-78

Claimant's husband was robbed and shot to death in their furniture and appliance store in Harford County by an unknown assailant. The claimant is

now the sole proprietor of the furniture store and has approximately \$82,500.00 in savings. The claimant also owns several pieces of real estate and their values are in excess of \$200,000.00. She is currently receiving a \$325 per month Army widow pension.

The Board concludes after reviewing the file, the evidence submitted and after due deliberation that:

1. The claimant's husband was an innocent victim of a crime.
2. The claimant does not have a serious financial hardship as required by Section 12(f) of the Statute for an award. It is to be noted, however, if in the event the claimant's financial circumstances change to her detriment in the future she may at that time petition the Board for a reconsideration of this decision.

WHEREFORE, it is ordered that the herein claim be disallowed.

Claim #46-P-78

Claimant, male, 35, was assaulted while leaving a restaurant with his wife in Anne Arundel County by three unknown assailants. The claimant sustained injuries to his face and teeth as a result of the incident.

All of the claimant's medical expenses were reimbursed by insurance with the exception of \$434.15.

The Board concludes after reviewing the file, the evidence submitted and after due deliberation that:

1. The claimant is an innocent victim of a crime.
2. The claimant meets all the necessary statutory criteria for the following award.

WHEREFORE, it is ordered that the claimant be awarded:

1. \$434.15 for unreimbursed medical expenses.
- All subject to the further order of this Board.

Claim #56-D-78

Claimant is the wife of a man who was shot and killed on a public street in Baltimore during a robbery attempt. Immediately prior to the incident the claimant was walking to a neighborhood store to buy cigarettes and was approximately one block from his home when the incident occurred. The assailants were apprehended, tried and found guilty.

The Board concludes after reviewing the file, the evidence submitted and after due deliberation that:

1. The decedent was an innocent victim of a crime.
2. The claimant meets all the necessary statutory criteria for the following award for dependency.

WHEREFORE, it is ordered that the claimant be awarded:

1. 15 retroactive monthly dependency awards of \$414.14 for a total of \$6,212.10. Beginning January, 1979 the claimant shall receive \$414.14 per month, however, in no event may the total of all monthly payments to the claimant exceed the sum of \$45,000.00. All subject to the further order of this Board.

Claim #70-P-78

Claimant, male, 28, was assaulted and cut on the face, hands and left arm by an assailant on a public road in Charles County. Immediately prior to the incident the claimant was involved in an argument with another motorist at a traffic light when he was assaulted. The assailant has not been apprehended to date.

All of the claimant's medical expenses were reimbursed by insurance with the exception of \$102.50. The claimant received disability benefits from his union in excess of this Board's temporary total disability award. The claimant did sustain, however, several unsightly scars to his hands, arm and face as a result of the incident.

The Board concludes after reviewing the file, the evidence submitted and after due deliberation that:

1. The claimant is an innocent victim of a crime.
2. The claimant meets all the necessary statutory criteria for the following award.

WHEREFORE, it is ordered that the claimant be awarded:

1. \$102.50 for unreimbursed medical expenses.
2. \$875.00 for 25 weeks disfigurement at \$35.00 per week. All subject to the further order of this Board.

Claim #74-P-78

Claimant, male, 19, was shot in the back on a public street in Baltimore. Immediately prior to the incident the claimant was walking on a street when he was approached by the assailant and an unknown individual. The unknown individual asked the claimant for money and when the claimant refused he was shot by the assailant. The assailant has not been apprehended to date.

All of the claimant's medical expenses have been reimbursed by State Medical Assistance. The claimant was unemployed at the time and accordingly sustained no wage loss. The claimant did sustain, however, several large unsightly scars to his torso as a result of the incident.

The Board concludes after reviewing the file, the evidence submitted and after due deliberation that:

1. The claimant is an innocent victim of crime.
2. The claimant meets all the necessary statutory criteria for the following award.

WHEREFORE, it is ordered that the claimant be awarded:

1. \$770.00 for 44 weeks disfigurement at \$17.50 per week, payable in a lump sum. All subject to the further order of this Board.

Claim #78-P-78

Claimant is the guardian of a 17 year old girl who was assaulted and viciously beaten by an unknown assailant on a public street in Baltimore. Immediately prior to the incident the claimant was hitchhiking when she was picked up by an operator of a vehicle. In a short period of time the driver of the vehicle assaulted and struck the claimant with a hammer about the head.

All of the claimant's medical expenses were reimbursed by insurance with the exception of \$837.80. The claimant was unemployed at the time of the incident and accordingly no award for temporary total disability will be made by this Board. The claimant did, however, sustain several large unsightly scars to her face as a result of the incident.

The Board concludes after reviewing the file, the evidence submitted and after due deliberation that:

1. The claimant was partially responsible for the incident, however, we do not feel that she should be completely precluded from an award. We are, therefore, reducing the claimant's award by 10% for provocation.

WHEREFORE, it is ordered that the claimant be awarded:

1. \$837.80 for unreimbursed medical expenses.
 2. \$1,400.00 for 40 weeks disfigurement at \$35.00 per week, less 10% for provocation for a net disfigurement award of \$1,260.00.
- All subject to the further order of this Board.

Claim #82-P-78

Claimant, female, 27, was assaulted and raped by several men in Calvert County. The assailant was apprehended, tried and found guilty. Warrants are outstanding for several other men.

The claimant sustained \$3,435.69 in unreimbursed medical expenses as a result of the incident.

The Board concludes after reviewing the file, the evidence submitted and after due deliberation that:

1. The claimant is an innocent victim of a crime.
2. The claimant meets all the necessary statutory criteria for the following award.

WHEREFORE, it is ordered that the claimant be awarded:

1. \$3,435.69 for unreimbursed medical expenses. All subject to the further order of this Board.

Claim #86-P-78

Claimant, female, 36, was assaulted and raped by an assailant in her home in Montgomery County. The assailant was apprehended and trial is pending.

The claimant sustained \$3,662.00 for unreimbursed medical expenses as a result of the incident. The claimant lost 30 weeks from work as a result of the incident. She paid other persons \$2,527.50 to hold her position during her convalescence. The claimant has filed a civil suit against the assailant and said suit is still under litigation. The claimant also made claim against this Board for replacement of furniture, installation of security devices, purchase of a new dryer, cost of moving and various other expenses which are not compensable under the Statute.

The Board concludes after reviewing the file, the evidence submitted and after due deliberation that:

1. The claimant is an innocent victim of a crime.
2. The claimant meets all the necessary statutory criteria for the following award.

WHEREFORE, it is ordered that the claimant be awarded:

1. \$3,662.00 for unreimbursed medical expenses.
2. \$4,603.50 for 17½ weeks temporary total disability, and \$2,527.50 for money paid for 12½ weeks temporary total disability for a total of \$7,131.00. All subject to the further order of this Board.

Claim #88-D-78

Claimant is the husband of a woman who was shot and killed during a robbery of their grocery store in Baltimore City. The assailant was apprehended, tried and found guilty.

The claimant was forced to sell the store shortly after the incident and received approximately ½ of his original investment. The claimant and the decedent were both employed in the store prior to the incident and jointly contributed to this household expenses. We find that the claimant was partially dependent upon the decedent for his support at the time of the incident.

The Board concludes after reviewing the file, the evidence submitted and after due deliberation that:

1. The decedent was an innocent victim of a crime.
2. The claimant meets all the necessary statutory criteria for the following award.

WHEREFORE, it is ordered that the claimant be awarded:

1. 12 monthly retroactive partial dependency awards of \$405.23 for a total of \$4,862.76. Beginning January, 1979 the claimant shall receive \$405.23, however, in no event may she total of all monthly payments to the claimant exceed the sum of \$17,500.00. All subject to the further order of this Board.

Claim #90-P-78

Claimant, female, 18, was assaulted, robbed and raped by an unknown assailant in Baltimore City. Immediately prior to the incident the claimant was in a carry out shop. When she returned to her car and opened the door, the assailant opened the passenger door and pointed a gun at her. He then proceeded to rob and rape the claimant.

The claimant sustained \$915.00 in unreimbursed medical expenses as a result of the incident. The claimant lost one week from work as a result of the incident.

The Board concludes after reviewing the file, the evidence submitted and after due deliberation that:

1. The claimant is an innocent victim of a crime.
2. The claimant meets all the necessary statutory criteria for the following award.

WHEREFORE, it is ordered that the claimant be awarded:

1. \$915.00 for unreimbursed medical expenses. All subject to the further order of this Board.

Claim #108-P-78

Claimant, female, 27, was shot in the back on a street in Montgomery County. The assailant was apprehended, tried and found guilty. The assailant was ordered to pay \$1,510.07 in restitution to the claimant.

The claimant sustained \$1,830.03 in unreimbursed medical expenses. The claimant was a housewife and accordingly sustained no wage loss as a result of the incident. The assailant has paid approximately \$150.00 in restitution to date.

The Board concludes after reviewing the file, the evidence submitted and after due deliberation that:

1. The claimant was an innocent victim of a crime.
2. The claimant meets all the necessary statutory criteria for the following award.

WHEREFORE, it is ordered that the claimant be awarded:

1. \$1,830.03 in unreimbursed medical expenses. This Board will in turn contact the Department of Parole and Probation and avail itself of all restitution payments made by the assailant up the amount of this award. All subject to the further order of this Board.

Claim #116-P-78

Claimant, male, 27, was assaulted and beaten with a stick by several juveniles on a public street in Anne Arundel County. Immediately prior to the

incident five young men were throwing snowballs at the claimant's automobile. The claimant asked them to stop and the youths proceeded to assault the claimant. The assailants were apprehended and treated as juvenile offenders.

All of the claimant's medical expenses were reimbursed by insurance with the exception of \$49.00. The claimant received sick pay during his convalescence. The claimant did sustain, however, several unsightly scars to his face as a result of the incident.

The Board concludes after reviewing the file, the evidence submitted and after due deliberation that:

1. The claimant is an innocent victim of a crime.
2. The claimant meets all the necessary statutory criteria for the following award.

WHEREFORE, it is ordered that the claimant be awarded:

1. \$49.00 for unreimbursed medical expenses.
2. \$175.00 for five weeks disfigurement at \$35.00 per week, payable in a lump sum. All subject to the further order of this Board.

Claim #118-P-78

Claimant, female, 81, was assaulted and robbed in the vestibule of her apartment house in Prince George's County by an unknown assailant. The claimant sustained a fractured right leg as a result of the incident.

The Board concludes after reviewing the file, the evidence submitted and after due deliberation that:

1. The claimant is an innocent victim of a crime.
2. The claimant meets all the necessary statutory criteria for the following award.

WHEREFORE, it is ordered that the claimant be awarded:

1. \$2,363.93 for unreimbursed medical expenses. All subject to the further order of this Board.

Claim #121-P-78

Claimant, male, 23, was shot in the left thigh with a shotgun by an assailant on a public street in Baltimore County. The assailant was apprehended, tried and found guilty. Immediately prior to the incident several other men were involved in an altercation in a parking lot. The claimant attempted to stop the altercation and was shot for his efforts.

All of the claimant's medical expenses were reimbursed by insurance with the exception of \$119.73. The claimant lost 45 weeks from work as a result of the incident. The claimant has not been released by his doctor and we will make a final determination on this case when the claimant has been released.

The Board concludes after due deliberation that:

1. The claimant is an innocent victim of a crime.
2. The claimant meets all the necessary statutory criteria for the following award.

WHEREFORE, it is ordered that the claimant be awarded:

1. \$119.73 for unreimbursed medical expenses.
2. \$6,905.25 for 45 weeks temporary total disability. All subject to the further order of this Board.

Claim #134-P-78

Claimant, male, 32, was cut on the face and hands with a broken glass in a tavern in Baltimore City. The incident occurred when the claimant

advised the assailant that he was sitting in the claimant's girlfriend's seat. After a brief exchange of words, the assailant picked up a glass and broke it and cut the claimant. A warrant was issued against the assailant, however, he has not been apprehended to date.

The claimant sustained \$712.90 in unreimbursed medical expenses. The claimant lost 10 weeks from work, however, he received disability benefits from his employer in excess of the maximum weekly award that this Board could make to the claimant. Accordingly, no award for temporary total disability will be made to the claimant. The claimant did sustain, however, several unsightly scars to his face and hands as a result of the incident.

The Board concludes after reviewing the file, the evidence submitted and after due deliberation that:

1. The claimant is an innocent victim of a crime.
2. The claimant meets all the necessary statutory criteria for the following award.

WHEREFORE, it is ordered that the claimant be awarded:

1. \$712.90 for unreimbursed medical expenses.
2. \$1,750.00 for 50 weeks disfigurement at \$35.00 per week, payable in a lump sum. All subject to the further order of this Board.

Claim #141-P-78

Claimant is the mother of a 14 year old girl who was assaulted and bit on the right hand by a woman in a supermarket in Baltimore City. Immediately prior to the incident the minor claimant was engaged in an argument with another young girl when the other girl's mother assaulted and bit her.

The claimant sustained \$173.75 in unreimbursed medical expenses as a result of the incident.

The Board concludes after reviewing the file, the evidence submitted and after due deliberation that:

1. The claimant's daughter is an innocent victim of a crime.
2. The claimant meets all the necessary statutory criteria for the following award.

WHEREFORE, it is ordered that the claimant be awarded:

1. \$139.75 for unreimbursed medical expenses. All subject to the further order of this Board.

Claim #155-D-78

Claimant is the wife of a man who was shot to death by an assailant in Frederick City. The investigating officers were of the opinion that the shooting was one of mistaken identity on the part of the assailant. The assailant has not been apprehended to date.

All of the claimant's funeral expenses were reimbursed by insurance. We find that the claimant was totally dependent upon the decedent for her support at the time of the incident.

The Board concludes after reviewing the file, the evidence submitted and after due deliberation that:

1. The decedent was an innocent victim of a crime.
2. The claimant meets all the necessary statutory criteria for the following award.

WHEREFORE, it is ordered that the claimant be awarded:

1. 3 retroactive monthly dependency awards of \$398.80 for a total of \$1,196.40.
2. 3 retroactive monthly awards of \$229.00 for a total of \$687.00.

5 retroactive monthly awards of \$168.00 for a total of \$840.00. 3 retroactive monthly awards of \$256.35 for a total of \$769.05. Beginning February, 1979 the claimant shall receive \$256.35 per month, however, in no event may the total of all payments to the claimant exceed the sum of \$45,000.00. All subject to the further order of this Board.

Claim #157-P-78

Claimant, female, 19, was assaulted and viciously beaten by her sister in the assailant's home in Princess Anne County. The assailant was apprehended, tried and found guilty. The claimant was unemployed at the time of the incident and accordingly sustained no wage loss.

All of the claimant's medical expenses were reimbursed by insurance with the exception of \$165.00.

The Board concludes after reviewing the file, the evidence submitted and after due deliberation that:

1. The claimant is an innocent victim of a crime.
2. The claimant meets all the necessary statutory criteria for the following award.

WHEREFORE, it is ordered that the claimant be awarded:

1. \$165.00 for unreimbursed medical expenses. All subject to the further order of this Board.

Claim #159-P-78

Claimant, female, 61, was assaulted and knocked to the ground by a woman in Worcester County. Immediately prior to the incident the claimant and the assailant were involved in an argument over their respective grandchildren. The assailant was ordered to make restitution by the court, however, her diabetic condition has rendered her blind and she is unable to make restitution to the claimant.

All of the claimant's medical expenses were reimbursed by State Medical Assistance with the exception of \$357.70.

The Board concludes after reviewing the file, the evidence submitted and after due deliberation that:

1. The claimant is an innocent victim of a crime.
2. The claimant meets all the necessary statutory criteria for the following award.

WHEREFORE, it is ordered that the claimant be awarded:

1. \$357.70 for unreimbursed medical expenses. All subject to the further order of this Board.

Claim #171-P-78

Claimant, male, 77, was assaulted and viciously beaten with a chair by an unknown assailant in Baltimore City. On the date of the incident the claimant responded to a knock on his door. When he opened the door he was assaulted and robbed by an unknown man.

The claimant sustained a broken jaw during the incident. The claimant was retired and accordingly no award for temporary total disability will be made by this Board. The claimant did sustain, however, \$2,119.80 in unreimbursed medical expenses as a result of the incident.

The Board concludes after reviewing the file, the evidence submitted and after due deliberation that:

1. The claimant is an innocent victim of a crime.
2. The claimant meets all the necessary statutory criteria for the following award.

WHEREFORE, it is ordered that the claimant be awarded:

1. \$2,119.80 for unreimbursed medical expenses. All subject to the further order of this Board.

Claim #183-D-78

Claimant is the brother of a man who was assaulted and viciously beaten on a public street in Baltimore by a teenage male assailant. Approximately 15 months after the incident the claimant who sustained several facial and head fractures died as a result of the incident. An autopsy was performed by the State Medical Examiner who ruled that the claimant's death was a homicide. In view of the fact that the claimant lived beyond a year and a day the assailant could not be tried for homicide, but instead was found delinquent and committed to the Maryland Training School for Boys.

All of the claimant's medical expenses were reimbursed by insurance with the exception of \$541.00 for funeral expenses.

The Board concludes after reviewing the file, the evidence submitted and after due deliberation that:

1. The decedent was an innocent victim of a crime.
2. The claimant meets all the necessary statutory criteria for the following award of funeral expenses.

WHEREFORE, it is ordered that the claimant be awarded:

1. \$541.00 for unreimbursed funeral expenses. All subject to the further order of this Board.

Claim #184-P-78

Claimant, male, 24, was assaulted and robbed by assailants on a public road in Harford County. The assailants were apprehended and trial is pending.

The claimant sustained facial injuries during the incident. The bulk of the claimant's medical expenses have been reimbursed by insurance with the exception of \$3,923.86. The claimant lost 20 weeks from work as a result of the incident, however, he received \$650.00 in convalescence benefits. He has since returned to work with no diminution in earnings and accordingly no award for permanent partial disability will be made by this Board. He did sustain, however, several unsightly scars to his face as a result of the incident.

The Board concludes after reviewing the file, the evidence submitted and after due deliberation that:

1. The claimant is an innocent victim of a crime.
2. The claimant meets all the necessary statutory criteria for the following award.

WHEREFORE, it is ordered that the claimant be awarded:

1. \$3,923.86 for unreimbursed medical expenses.
2. \$2,455.20 for 20 weeks temporary total disability, less \$650.00 received in benefits for a net temporary total disability award of \$1,805.20.
3. \$1,750.00 for 50 weeks disfigurement at \$35.00 per week, payable in a lump sum. All subject to the further order of this Board.

Claim #191-P-78

Claimant, male, 56, was robbed and assaulted by five unknown assailants on a public street in Baltimore.

The claimant sustained \$368.86 in unreimbursed medical expenses as a result of the incident. He lost 286.5 hours from work as a result of the incident, however, he has since returned to work with no diminution in earnings and accordingly no award for permanent partial disability will be made by this Board.

The Board concludes after reviewing the file, the evidence submitted and after due deliberation that:

1. The claimant is an innocent victim of crime.
2. The claimant meets all the necessary statutory criteria for the following award.

WHEREFORE, it is ordered that the claimant be awarded:

1. \$368.86 for unreimbursed medical expenses.
2. \$618.84 for 286.5 hours temporary total disability. All subject to the further order of this Board.

Claim #192-P-78

Claimant, female, 80, was robbed and assaulted by a 17 year old male on a public street in Baltimore City. The assailant was apprehended, subsequently charged with two other assaults and is now in jail.

All of the claimant's medical expenses were reimbursed by insurance with the exception of \$1,680.00.

The Board concludes after reviewing the file, the evidence submitted and after due deliberation that:

1. The claimant is an innocent victim of crime.
2. The claimant meets all the necessary statutory criteria for the following award.

WHEREFORE, it is ordered that the claimant be awarded:

1. \$1,680.00 for unreimbursed medical expenses.
- All subject to the further order of this Board.

Claim #194-P-78

Claimant, female, 47, was robbed and assaulted in a shopping center in Prince George's County. During the incident the claimant was thrown to the ground by the the assailant. The assailant was apprehended, and since it was a juvenile the juvenile authorities are handling the case.

The claimant sustained \$413.70 in unreimbursed medical expenses as a result of the incident. The claimant lost approximately two weeks from work as a result of the incident.

The Board concludes after reviewing the file, the evidence submitted and after due deliberation that:

1. The claimant is an innocent victim of crime.
2. The claimant meets all the necessary statutory criteria for the following award.

WHEREFORE, it is ordered that the claimant be awarded:

1. \$413.70 for unreimbursed medical expenses.
2. \$183.33 for two weeks temporary total disability. All subject to the further order of this Board.

Claim #209-P-78

Claimant, male, 35, was assaulted on a public street in Baltimore by an assailant who threw lye in the claimant's face. The claimant was also burned on his right shoulder during the assault. The assailant was apprehended and trial is pending.

All of the claimant's medical expenses were reimbursed by State Medical Assistance. The claimant was employed at the time of the incident and accordingly no award for temporary total disability will be made by this Board. The claimant did sustain, however, several unsightly scars to his face and shoulder as a result of the incident.

The Board concludes after reviewing the file, the evidence submitted and after due deliberation that:

1. The claimant is an innocent victim of a crime.
2. The claimant meets all the necessary statutory criteria for the following award.

WHEREFORE, it is ordered that the claimant be awarded:

1. \$875.00 for 50 weeks disfigurement at \$17.50 per week, payable in a lump sum. All subject to the further order of this Board.

Claim #216-P-78

Claimant, male, 37, alleges that he was assaulted by an assailant outside his home and as a result of the incident sustained "Bell's Palsy". It is to be noted that there are three medical reports in the file from doctors who have treated the claimant, all of which negate a causal connection between the palsy and the injuries sustained during the incident. One doctor clearly stated that the claimant's "Bell's Palsy" is idiopathic and had nothing to do with the injuries sustained during the incident.

It is to be noted that the claimant was injured during an argument between he and his wife and a neighbor. The alleged assailant stated to the police that the claimant swung at him first and the two exchanged punches. The alleged assailant swore out a warrant against the claimant and his wife and the claimant swore out a warrant against the alleged assailant. Both warrants were nolle prossed.

The claimant sustained approximately \$202.00 in unreimbursed medical expenses as a result of the incident.

The Board concludes after reviewing the file, the evidence submitted and after due deliberation that:

1. There is no causal connection between the claimant's "Bell's Palsy" and the incident.
2. The claimant does not have a serious financial hardship as required by Section 12(f) of the Statute for an award.

WHEREFORE, it is ordered that the herein claim be disallowed.

Claim #223-P-78

Claimant, male, 58, alleges that he was assaulted on a public street in Baltimore City by an unknown assailant on 6/18/77. No report of the crime was made to the police within 48 hours as required by Section 12(a)(3) of the Statute. The claimant has since reported the incident to the police. The claimant was filed with this Board approximately 11 months after the incident. On May 24, 1978 the claimant reported the incident to the police.

The Board concludes after reviewing the file, the evidence submitted and after due deliberation that:

1. The claimant did not report the crime to the police within 48 hours as required by the Statute nor did the claimant profer any reason why the alleged incident was not reported to the police prior to May 24, 1978. WHEREFORE, it is ordered that the herein claim be disallowed.

Claim #230-P-78

Claimant, male, 27, sustained a broken nose during an altercation in a public park in Baltimore City. On the night of the incident the claimant was playing baseball when an argument arose between the claimant and another man. The other man threw a baseball and struck the claimant in the head. The assailant was apprehended, tried and given probation before a verdict. He was ordered to pay restitution for the claimant's unreimbursed medical bills and lost wages.

It is to be noted that the bulk of the claimant's medical expenses was reimbursed by insurance with the exception of \$177.60. The claimant also received \$771.46 in insurance disability benefits.

The Board concludes after reviewing the file, the evidence submitted and after due deliberation that:

1. The claimant was an innocent victim of a crime.
2. The claimant's unreimbursed medical expenses and unreimbursed wage loss will be paid by the assailant through the Probation Department and accordingly no award will be required by this Board. If in the event, however, that the assailant fails to pay the Probation Department as required, then the claimant should petition this Board to re-open the claim. WHEREFORE, it is order that the herein claim be disallowed.

Claim #248-P-78

Claimant, male, 23, was assaulted and viciously beaten by several men on a public street in Baltimore County. No arrest have been made to date.

The claimant sustained \$243.03 in unreimbursed medical expenses as a result of the incident, however, he has since returned to work with no diminution in earnings and accordingly no award for permanent partial disability will be made by this Board.

The Board concludes after reviewing the file, the evidence submitted and after due deliberation that:

1. The claimant is an innocent victim of a crime.
2. The claimant meets all the necessary statutory criteria for the following award.

WHEREFORE, it is ordered that the claimant be awarded:

1. \$243.03 for unreimbursed medical expenses.
2. \$383.63 for 2½ weeks temporary total disability. All subject to the further order of this Board.

Claim #250-P-78

Claimant, male, 21, was stabbed in the chest during an altercation on a public street in Baltimore. Immediately prior to the incident the claimant was attempting to pull a friend of his away from a fight when he was stabbed in the

chest by the assailant. The assailant was apprehended, tried and found guilty. The assailant was ordered to pay restitution for the claimant's medical expenses.

The claimant lost four weeks from work as a result of the incident, however, he has since returned to work with no diminution in earnings and accordingly no award for permanent partial disability will be made by this Board. All the claimant's medical expenses were reimbursed by State Medical Assistance with the exception of \$97.68.

The Board concludes after reviewing the file, the evidence submitted and after due deliberation that:

1. The claimant is an innocent victim of a crime.
2. The claimant meets all the necessary statutory criteria for the following award.

WHEREFORE, it is ordered that the claimant be awarded:

1. \$301.00 for four weeks temporary total disability.
2. \$97.68 for unreimbursed medical expenses. In the event that the assailant has paid restitution for the unreimbursed medical expenses this award for medical expenses will not be made. All subject to the further order of this Board.

Claim #254-P-78

Claimant, male, 21, was shot in the right arm by a stray bullet while walking on a playground in Salisbury. The assailant at the time was shooting at another man when one of his shots struck the claimant. The assailant was apprehended, tried and found guilty.

All of the claimant's medical expenses were reimbursed by insurance with the exception of \$460.86. All of the claimant's lost time from work was reimbursed by advanced sick leave. The claimant returned to work with no diminution in earnings and accordingly no award for temporary total disability or permanent partial disability will be made by this Board. The claimant did sustain, however, two unsightly scars to her arm as a result of the incident.

The Board concludes after reviewing the file, the evidence submitted and after due deliberation that:

1. The claimant is an innocent victim of a crime.
2. The claimant meets all the necessary statutory criteria for the following award.

WHEREFORE, it is ordered that the claimant be awarded:

1. \$460.86 for unreimbursed medical expenses.
2. \$350.00 for 10 weeks disfigurement at \$35.00 per week. All subject to the further order of this Board.

Claim #265-P-78

Claimant, female, 59 was assaulted and robbed on a public street in Baltimore by an unknown young man.

The claimant sustained a broken left arm as a result of the incident. All of the claimant's medical expenses were reimbursed by insurance with the exception of \$223.72. The claimant lost 24 weeks from work as a result of the incident, however, she received \$2,400.00 in disability benefits as a result of the incident. The claimant has since returned to work with no diminution in earnings and accordingly no award for permanent partial disability will be made by this Board.

The Board concludes after reviewing the file, the evidence submitted and after due deliberation that:

1. The claimant is an innocent victim of a crime.
2. The claimant meets all the necessary statutory criteria for the following award.

WHEREFORE, it is ordered that the claimant be awarded:

1. \$223.72 for unreimbursed medical expenses.
2. \$3,682.80 for 24 weeks temporary total disability, less \$2,400.00 received during convalescence for a net temporary total disability award of \$1,282.80.

The claimant's total award amounts to \$1,506.52, less \$300.00 emergency award for a total net award of \$1,206.52.

Claim #274-D-78

Claimant is the father of man, 22, who was stabbed to death in a private home in Baltimore City. On the night of the incident the claimant's son, who was intoxicated, knocked a woman to the floor and threw a lighted cigarette in her face. The woman's son, 50 pounds lighter than the claimant's son, went to the woman's aid. The claimant's son pulled a knife during the altercation and was stabbed with his own knife. The woman's son was apprehended, tried and found not guilty.

The Board concludes after reviewing the file, the evidence submitted and after due deliberation that:

1. The claimant's son was not an innocent victim of a crime. The fundamental purpose of this Board is to compensate innocent victims of crime and not those individuals who were injured as a result of their own illicit activities, as in the instant case.

WHEREFORE, it is ordered that the herein claim be disallowed.

Claim #291-P-78

Claimant is the mother of a 17 year old girl who was assaulted and viciously beaten by two unknown men on a public road in Charles County. The claimant's companion was also beaten (264-P-78).

The claimant sustained \$129.75 in unreimbursed medical expenses as a result of the incident.

The Board concludes after reviewing the file, the evidence submitted and after due deliberation that:

1. The claimant's daughter is an innocent victim of a crime.
2. The claimant meets all the necessary statutory criteria for the following award.

WHEREFORE, it is ordered that the claimant be awarded:

1. \$129.75 for unreimbursed medical expenses. All subject to the further order of this Board.

Claim #312-P-78

Claimant is the mother of a 16 year old boy who alleges that he was assaulted in the hallway of a school in Baltimore City on December 15, 1976. The claimant submitted to this Board certain medical bills and a doctor report stating that the doctor first saw the claimant's son on October 29, 1976, treating the claimant's son for an acute right hydrocele. It is to be noted that

the claimant stated in answer to question nine of the claim form that her son sustained an acute right hydrocele, on December 15, 1976.

This Board's investigator contacted the school security officer who stated that there is no report of the claimant's son being injured on or about October 15, 1976.

The Board concludes after reviewing the file, the evidence submitted and after due deliberation that:

1. The claimant failed to meet her burden of proof in establishing that the injury sustained by her son occurred on December 15, 1976. It is quired obvious from the facts that the claimant's son was injured approximately two months prior to December 15, 1976.

WHEREFORE, it is ordered that the herein claim be disallowed.

Claim #318-P-78

Claimant, female, 68, was robbed and assaulted on a public street in Baltimore by an unknown man. The claimant sustained serious injuries to her hip, knee and head as a result of the incident.

All of the claimant's medical expenses were reimbursed by insurance with the exception of \$6,549.38. It is to be noted that the claimant's daughter has been appointed her guardian.

The Board concludes after reviewing the file, the evidence submitted and after due deliberation that:

1. The claimant is an innocent victim of a crime.
2. The claimant meets all the necessary statutory criteria for the following award.

WHEREFORE, it is ordered that the claimant be awarded:

1. \$6,549.38 for unreimbursed medical expenses.
2. This Board is aware of the fact that future medical expenses will be incurred. This Board will consider future medical expenses when they are presented to this Board and properly verified. All subject to the further order of this Board.

Claim #323-P-78

Claimant, female, 18, was assaulted and raped by an unknown assailant on a public street in Montgomery County. The claimant sustained \$64.05 in unreimbursed medical expenses and lost four days from work as a result of the incident. The claimant has since returned to work with no diminution in earnings and accordingly no award for permanent partial disability will be made by this Board.

The Board concludes after reviewing the file, the evidence submitted and after due deliberation that:

1. The claimant is an innocent victim of a crime.
2. The claimant meets all the necessary statutory criteria for the following award.

WHEREFORE, it is ordered that the claimant be awarded:

1. \$64.05 for unreimbursed medical expenses.
 2. \$45.20 for four days temporary total disability.
- All subject to the further order of this Board.

Claim #326-P-78

Claimant, male, 20, was assaulted by several unknown assailants on a public street in Prince George's County. The claimant sustained \$197.80 in unreimbursed medical expenses as a result of the incident. The claimant lost two weeks from work as a result of the incident and his average weekly wage at the time of the incident was \$50.00 per week.

The Board concludes after reviewing the file, the evidence submitted and after due deliberation that:

1. The claimant is an innocent victim of a crime.
2. The claimant meets all the necessary statutory criteria for the following award.

WHEREFORE, it is ordered that the claimant be awarded:

1. \$197.80 for unreimbursed medical expenses.
2. \$66.66 for two weeks temporary total disability. All subject to the further order of this Board.

Claim #329-P-78

Claimant, female, 24, was assaulted and viciously beaten by an unknown assailant in her apartment in Baltimore City. Immediately prior to the incident the claimant was entering her apartment. The assailant pushed her from behind and hit her several times in the face before leaving.

The claimant sustained a fractured nose and several unsightly scars to her face as a result of the incident. She also sustained \$234.90 in unreimbursed medical expenses as a result of the incident.

The Board concludes after reviewing the file, the evidence submitted and after due deliberation that:

1. The claimant is an innocent victim of a crime.
2. The claimant meets all the necessary statutory criteria for the following award.

WHEREFORE, it is ordered that the claimant be awarded:

1. \$234.90 for unreimbursed medical expenses.
2. \$1,225.00 for 35 weeks disfigurement at \$35.00 per week, payable in a lump sum. All subject to the further order of this Board.

Claim #333-P-78

Claimant, female, 21, was shot in her bedroom in Baltimore City by her paramour. The claimant was receiving Social Services at the time of the incident. All of the claimant's medical expenses have been reimbursed by State Medical Assistance.

The Board concludes after reviewing the file, the evidence submitted and after due deliberation that:

1. The claimant does not have a serious financial hardship as required by Section 12(f) of the Statute for an award. All of the claimant's medical expenses have been reimbursed by insurance and there has been no diminution in the claimant's public assistance benefits.
2. The claimant is an ineligible claimant under the Statute since she was injured by the man with whom she had been maintaining a sexual relationship. She is thereby excluded from an award under the Statute.

WHEREFORE, it is ordered that the herein claim be disallowed.

Claim #349-P-78

Claimant, male, 30, was shot in the abdomen by an assailant in an apartment in Prince George's County. The apparent motive of the shooting was the assailant's jealousy against the claimant.

All of the claimant's medical expenses were reimbursed by State Medical Assistance with the exception of \$262.04. The claimant was unemployed at the time of the incident and accordingly no award for temporary total disability will be made by this Board.

The Board concludes after reviewing the file, the evidence submitted and after due deliberation that:

1. The claimant is an innocent victim of a crime.
2. The claimant meets all the necessary statutory criteria for the following award.

WHEREFORE, it is ordered that the claimant be awarded:

1. \$262.04 for unreimbursed medical expenses. All subject to the further order of this Board.

Claim #353-P-78

Claimant, female, 80, was robbed and assaulted on a public street in Baltimore by an unknown assailant. The claimant sustained \$110.00 in dental expenses as a result of the incident.

The Board concludes after reviewing the file, the evidence submitted and after due deliberation that:

1. The claimant is an innocent victim of a crime.
2. The claimant meets all the necessary statutory criteria for the following award.

WHEREFORE, it is ordered that the claimant be awarded:

1. \$110.00 for unreimbursed dental expenses. All subject to the further order of this Board.

Claim #363-P-78

Claimant, male, 31, alleges that he was shot in the head and abdomen in his apartment by an assailant, unknown. The investigating officers found controlled-dangerous paraphernalia in the claimant's apartment. It is also to be noted that the claimant was injured on August 5, 1976 during the sale of heroin. The claimant's companion at that time was killed. The Board also noted that a fellow-worker of theirs had recently been shot to death during a struggle for the control of the narcotics traffic in the area it was taking place and an additional retaliatory homicides were anticipated. The Board further found that the claimant was not an innocent victim of a crime, and denied the claimant's award.

The Board concludes after reviewing the file, the evidence submitted and after due deliberation that:

1. The claimant was not an innocent victim of a crime. The fundamental purpose of this Board is to compensate innocent victims of crime and not those individuals who are injured while engaged in illicit activities, as in the instant case.

WHEREFORE, it is ordered that the herein claim be disallowed.

Claim #372-P-78

Claimant, male, 40, was injured during an altercation in Baltimore County.

On the date of the incident the claimant was visiting his girlfriend when her former boyfriend arrived at her home. An argument started between the claimant and the other man which escalated into a fight. The claimant charged the other man with assault and battery and the other man charged the claimant with assault and battery. The court tape of the District Court proceedings reveal that the claimant and the accused were both in court when their cases came before the judge on the cross-complaints, both cases were steted with no objection by the claimant.

The Board concludes after reviewing the file, the evidence submitted and after due deliberation that:

1. There is no showing in the file before us that the claimant was an innocent victim of a crime. The fundamental purpose of this Board is to compensate innocent victims of crime and not those individuals who are injured as a result of their own conduct, as in the instant case.

WHEREFORE, it is ordered that the claim herein be disallowed.

Claim #384-P-78

Claimant, male, 63, sustained head lacerations when he was assaulted during an attempted robbery on a public street in Baltimore by an unknown assailant.

The claimant was retired at the time of the incident and accordingly no lost time from work was sustained as a result of the incident. The claimant did sustain, however, \$168.55 in unreimbursed medical expenses.

The Board concludes after reviewing the file, the evidence submitted and after due deliberation that:

1. The claimant is an innocent victim of a crime.
2. The claimant meets all the necessary statutory criteria for the following award.

WHEREFORE, it is ordered that the claimant be awarded:

1. \$168.55 for unreimbursed medical expenses. All subject to the further order of this Board.

Claim #389-P-78

Claimant, male, 22, was injured during an altercation in a night club in Salisbury. Immediately prior to the incident the claimant and several companions were asked to leave by the waitress. An argument ensued between the waitress and the claimant and his companions. The waitress explained to the claimant and his party that they had to leave because it was closing time and attempted to take their glasses from the table. The claimant thereupon poured his beer onto the table. As chance would have it, the waitress' boyfriend was waiting for her nearby. He told the claimant and his companions that the waitress was only trying to do her job, however, they continued pouring beer on the table. The waitress' boyfriend thereupon poured a glass of ice in the claimant's lap, whereupon the claimant struck him and a fight ensued. The waitress' boyfriend was arrested and subsequently found not guilty.

The Board concludes after reviewing the file, the evidence submitted and after due deliberation that:

1. The claimant was not an innocent victim of a crime. The fundamental purpose of this Board is to compensate innocents victims of crime and not those individuals who are injured as a result of their own imprudent conduct, as in the instant case herein. It is quite obvious that the claimant was the author of his own misfortune and accordingly no award will be

made by this Board.

WHEREFORE, it is ordered that the herein claim be disallowed.

Claim #400-P-78

Claimant, female, 76, was robbed and assaulted on a public street in Baltimore by two unknown teenagers. The assailants struck the claimant from behind, took her purse and punched her in the chest before escaping.

All of the claimant's medical expenses were reimbursed by insurance with the exception of \$218.83.

The Board concludes after reviewing the file, the evidence submitted and after due deliberation that:

1. The claimant is an innocent victim of a crime.
2. The claimant meets all the necessary statutory criteria for the following award.

WHEREFORE, it is ordered that the claimant be awarded:

1. \$218.83 for unreimbursed medical expenses. All subject to the further order of this Board.

Claim #452-P-78

Claimant, female, 73, was assaulted and robbed on a public street in Baltimore by an unknown assailant. During the incident the assailant threw the claimant to the ground and took her purse.

The claimant sustained \$198.92 in unreimbursed medical expenses as a result of the incident.

The Board concludes after reviewing the file, the evidence submitted and after due deliberation that:

1. The claimant is an innocent victim of a crime.
2. The claimant meets all the necessary statutory criteria for the following award.

WHEREFORE, it is ordered that the claimant be awarded:

1. \$198.92 for unreimbursed medical expenses. All subject to the further order of this Board.

Claim #478-P-77

Claimant male, 19, was shot in the face while walking on a public street in Baltimore. The assailant was apprehended, tried, found guilty and sentenced to 15 years incarceration.

All of the claimant's medical expenses were reimbursed by State Medical Assistance. The claimant did, however, sustain several unsightly scars to his face as a result of the incident.

The Board concludes after reviewing the file, the evidence submitted and after due deliberation that:

1. The claimant is an innocent victim of a crime.
2. The claimant meets all the necessary statutory criteria for the following award.

WHEREFORE, it is ordered that the claimant be awarded:

1. \$437.50 for 25 weeks disfigurement at \$17.50 per week, payable in a lump sum. All subject to the further order of this Board.

Claim #49-P-79

Claimant, male, 59, was assaulted by three men in Charles County. The three men are the claimant's nephews, that is the children of his sister.

The Board concludes after reviewing the file, the evidence submitted and after due deliberation that:

1. The claimant is ineligible to receive and award by this Board since he was related to the assailants within the third degree of consanguinity. WHEREFORE, it is order that the herein claim be disallowed.

Claim #59-P-79

Claimant, male, 25, was assaulted and robbed on a public street in Anne Arundel County by an unknown assailant.

All of the claimant's medical expenses were reimbursed by insurance with the exception of \$31.00. The claimant lost one week from work as a result of the incident, however, he has since returned to work with no diminution in earnings and accordingly no award for permanent partial disability will be made by this Board.

The Board concludes after reviewing the file, the evidence submitted and after due deliberation that:

1. The claimant is an innocent victim of a crime.
2. The claimant meets all the necessary statutory criteria for the following award.

WHEREFORE, it is ordered that the claimant be awarded:

1. \$31.00 for unreimbursed medical expenses.
2. \$87.00 for one week temporary total disability. All subject to the further order of this Board.

Claim #60-D-79

Claimant was the paramour of a man who was shot to death on a public street in Baltimore by his accomplice while in the process of robbing two women on a public street. The claimant alleges that the decedent was shot "accidentally" during the incident as the the intended robbery victims fled. She further contends that her paramour was not criminally responsible for the crime upon which this claim is based.

The Board concludes after reviewing the file, the evidence submitted and after due deliberation that:

1. The decedent's conduct during the incident was illegal and reprehensible and cannot be condoned by this Board. Accordingly, no award will be made to the claimant in this case.
2. The decedent was not an innocent victim of a crime as required by the Statute for an award. The decedent herein was the accomplice of an inept armed robber. It is inconceivable that the citizens of the State of Maryland owe the claimant herein a moral obligation because of the alleged "accidental" discharge of a gun by the decedent's accomplice during the commission of a felony.

WHEREFORE, it is ordered that the herein claim be disallowed.

END