

**5TH ANNUAL
REPORT OF THE
CRIME VICTIMS
REPARATIONS
BOARD OF
MINNESOTA**



86608

July 1, 1979 to June 30, 1980
Administered by the
Minnesota Crime Victims Reparations Board,
Department of Public Safety

U.S. Department of Justice
National Institute of Justice

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Grateful acknowledgement is given to the artist James Kirwan of San Francisco, California, and to the California District Attorneys Association for the free use of the copyrighted cover picture of a tearful justice.

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JOE E. THOMPSON
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Board Members

TO:
HONORABLE AL QUIE
Governor of the state of Minnesota

HONORABLE MEMBERS OF THE STATE LEGISLATURE
State of Minnesota

Gentlemen:

I have the honor to submit a completed annual report of the Minnesota Crime Victims Reparations Board submitted pursuant to the provisions of M.S. 299B.06, Subdivision 1 (e) which covers the period July 1, 1979, through June 30, 1980.

Respectfully submitted,

Johanna Miller, M.D., Chairman

St. Paul
Dated: July 1, 1980

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PROLOGUE

Every year thousands of people are killed or injured in this state as a result of violent crime. Some are the actual victims of robberies, assaults, rapes, and homicides; some are innocent by-standers, or good samaritans attempting to stop a crime in progress. These innocent people endure the trauma of medical expenses and wage losses, while their dependants also suffer a loss of support and final expenses in cases of homicide.

The State of Minnesota has recognized this injustice visited upon the victim and the victim's family. In 1974, Minnesota enacted the Minnesota Crime Victims Reparations Law. This law provides an innovative method to mitigate the financial losses incurred by the victim and the victim's family as a result of these crimes of violence.

The program has been well received both politically and publicly; and the absence of detractors bespeaks its total and complete recognition and acceptance by the citizens of the State of Minnesota.

FIFTH ANNUAL REPORT OF THE CRIME VICTIMS REPARATIONS BOARD STATE OF MINNESOTA

TO:
Honorable Al Quie
Governor of the State of Minnesota
John Sopsic, Commissioner
Department of Public Safety
Honorable Legislators
State of Minnesota

I. HISTORY

The concept of governmental responsibility for compensation payments to the crime victims or to the victim's family enjoyed recognition at least as early as 1775 B.C. The ancient Babylonian Code of Hammurabi provided:

" . . . if a robber has not been caught, the robbed man shall declare his lost property in the presence of God, and the city and governor in whose territory and district the robbery was committed shall replace for him his lost property. If it was a life that was lost, the city and governor shall pay one Mina of Silver to his heirs."

From the Code of Hammurabi through political commentators, through the preamble to the Constitution of the United States of America, to the Constitution of the state of Minnesota, there is at least an implicit recognition that the primary duty of government is to maintain order and protect its citizens. However, the concept of Crime Victims Compensation or reparations fell into desuetude during the dark ages to be revived in modern times by British Commonwealth countries. Led by New Zealand in 1964, it quickly spread to Australia, England, and Canada, taking roots in the United States in California in 1965, New York in 1966, and in 1974 Minnesota became the 13th state to enact such legislation. Currently there are 33 states that maintain some form of victim compensation programs, and a similar number of foreign countries.

The Minnesota Crime Victims Reparations law became effective on July 1, 1974, as a response to an acute proliferation of crimes of violence. The text of the law, Minnesota Statute 299B.01 et seq. may be found at Exhibit 'A' herein.

II. LEGISLATION

The Minnesota Crime Victims Reparation law provides reparations for economic losses to victims of crime involving personal injury, and to their de-

pendents in cases of death. It also permits recovery for economic losses incurred as a result of a good faith effort to prevent a crime or to apprehend a person suspected of engaging in a crime.

Program funding is by legislative appropriation and of General Revenue monies. The maximum payment allowable of \$25,000.00 for any one claim has never been met. The average claim payment being \$2,065.00. Such claims are first reduced by \$100 deductible and further reduced by all collateral sources such as Welfare payments, Social Security benefits, Medical and Hospitalization insurance payments, disability income insurance, Workers Compensation and any other source of benefits.

Personal property losses, and pain and suffering are not compensable, with limited exceptions for prosthetic devices. Further, injuries arising out of the use of an automobile, water craft, or air craft are not compensable unless the conduct was intentional or the vehicle was being used in the commission of a felony.

A. BOARD/STAFF

The Minnesota Crime Victims Reparation Board is composed of three part-time members appointed by the Governor with the consent of the Senate. They serve four year staggered terms. One member must be admitted to the Bar. This member is Joe Thompson, attorney, Willmar, MN, whose appointment expires January, 1981. One member must be a licensed medical or Osteopathic physician. This member is the current chairman, Johanna Miller, M.D., of Minneapolis, whose appointment expires January, 1984. The third member may be from the public at large. It has traditionally been filled by a member of law enforcement and the current member is John Lyght, Sheriff, Grand Marais, whose appointment expires January, 1983.

The Board meets once per month to review and decide claims and conduct other business. They are paid \$35.00 per meeting plus expenses.

The jurisdiction of the Board is state-wide, and the management and administration of the program is delegated to one full-time Executive Director and one full-time secretary. This complement of two full-time staff has not been increased since 1974 in spite of tremendous increases in the work load.

The Minnesota Crime Victims Reparations Board is a member of the National Association of Crime Victims Compensation Boards, which is comprised of 33 states; and also of the International Association of Crime Victims Compensation Boards comprised of over 50 separate jurisdictions world-wide including Australia, England, Ireland, Wales, Hong King, Japan, and many others. The Executive Director, Duane E. Woodworth is co-chairman of the International Association.

The International Association has voted to hold its 1981 convention in Minnesota. Prominent international and political figures attending should foment media coverage and dramatically increase public awareness of the Minnesota program and of the international tenor of victims rights.

B. APPLICATIONS

Applications, informative literature, and other forms are available at the Minnesota Crime Victims Reparations Board office in St. Paul. Interested persons may call in the Metro free-calling area: 296-7080; and in areas outside of the metro free-calling area by dialing the toll-free number: 1-800-652-9747. Also, forms are generally available at most law enforcement agencies, hospitals, and social service agencies.

All law enforcement agencies have a mandatory duty to inform all crime victims who may be eligible, of the availability of benefits through the Minnesota Crime Victims Reparations Board. In this regard, 25,000 plastic wallet sized cards have been printed and distributed to all law enforcement offices in order for them to easily meet the statutory mandate.

C. ELIGIBILITY

Persons who may make a claim for economic loss occasioned by the crime are limited to: 1) the victim; 2) dependents of a deceased victim; 3) the estate of a deceased victim; 4) any person who has purchased services for the victim; and 5) the guardian, conservator, or agent of any of the above persons.

Upon receipt of a Preliminary Claim Form, the executive director determines initially whether minimal eligibility has been met. The following statutory requirements must be in evidence on the claim form before the same is processed: 1) a crime as defined in M.S. 609.02, Subdivision 1, must have been committed; 2) the crime must have been reported to the proper law enforcement authorities within the time period designated in M.S. 299B.03, Subdivision 2 (a) (five days), unless the board feels there are extenuating circumstances that allow extension of that time; 3) that the victim or claimant has fully cooperated with the police and other law enforcement officials; 4) that the victim is not the spouse of or a person living in the same household with the offender or his accomplice or the parent, child, brother, or sister of the offender or his accomplice unless the board determines that the interests of justice otherwise require in a particular case; 5) the claimant was not the offender or accomplice of the offender or an award to the claimant would unjustly benefit the offender or an accomplice; 6) that the claim does not arise . . . out of the use of a motor vehicle, aircraft, or watercraft; 7) is not a claim for personal property; 8) that the victim is an innocent victim of the crime having been committed against his or her person; and 9) must file a claim with the board within one year of the happening of the event.

D. PROCESSING

If the claim then meets these standards for eligibility, the claimant is requested to submit a Supplementary Claim Form, which indicates the loss sustained by the claimant and what part of the loss has been paid through collateral sources such as private hospitalization or medical plans, free health care, Social Security or any other collateral source that comes from the county, city, state, or federal government.

A certificate is sent to the law enforcement agency involved in investigating the crime to determine whether the claimant has filled the requirements of the statute. The law enforcement officers are asked to indicate when the crime was reported, if the claimant was fully cooperative with them, and whether or not the claimant is considered by them to be an "innocent victim of the crime."

The executive director as part of his investigative responsibilities also verifies: 1) whether or not the claimant was employed, the income reported and its documentation; 2) the hospital and medical bills; and 3) insurance or any other collateral sources.

When the executive director certifies a claim as complete, he drafts Recommendations, Findings of Fact, and Order for payment, for the review of the board member assigned to the claim, the board member then makes a decision; and the claimant is notified of it. If the claimant is dissatisfied, he or she can apply within 30 days in writing for a review of the decision by the full board in a hearing governed by the rules and regulations adopted by the board.

If the claimant remains unsatisfied after the review by the full board, the claimant may appeal the decision to the State Hearing Examiner pursuant to the Administrative Procedure Act, Minnesota Statute 15.01 et. seq.

Provision is made for payment of an emergency award in cases where urgency is apparent and requested, and also for supplementary awards when justified.

E. PUBLIC AWARENESS

Traditionally, a substantial effort has been expended by the executive director and the board members to acquaint Minnesota citizens that such a law was available to citizens of our state. In this regard, the general mass media, radio, television, newspapers, speeches, etc., have been most helpful. In spite of our public relations efforts, it is quite apparent that there are many victims of crime in this state who are still not aware of our law.

Originally, it was felt that the most effective way to reach the victims of crime is through the law enforcement agencies. In this regard, thousands of brochures have been distributed to law enforcement personnel throughout the state. In addition, the executive director has spoken before many of the law enforcement agencies and their personnel so that they would be informed of their obligations under the law.

At the present time, 25,000 plastic cards for law enforcement officers to carry in their wallets have been printed summarizing the law so that they will have available on their person the information necessary to give to the victims of violent crimes while receiving the report of the incident. It is the law enforcement officer who is the one who usually comes in contact with the victim of a violent crime. If he is knowledgeable about the law, and informs the victims of their

rights, no amount of other mass media material can substitute for this personal contact. Also, it demonstrates to the victim that the state is concerned about him or her. Also, other agencies that may come in contact with victims of crime such as hospitals, mortuaries, courts, county social service agencies, and other institutions, have been provided with quantities of informational brochures in order that they may be given to victims of violent crimes.

A recent study showed that in all cases of rape, arson, and assault, less than 2 percent of those reporting crimes to law enforcement were making claims with the Minnesota Crime Victim Reparations Board. The only exception being homicide cases where 65 percent were making claims.

There appeared to be several reasons why such a low rate of victims are applying for benefits; however, a system was discovered in one municipality that appeared uniquely designed to overcome the problem and provides a model system for other law enforcement agencies to follow. Basically that one person or one department that already reviews all reported crimes, single out those that may involve personal injury or may be entitled to benefits under the Minnesota Crime Victims Reparations Law, and to notify the victim by mail with appropriate Minnesota Crime Victims Reparations Board literature. The ultimate responsibility for actual filing was thus placed on the fully informed victim. It was anticipated that full implementation of such a system with the cooperation of local law enforcement agencies would result in greatly improved public information efforts consistent with the duty of the Minnesota Crime Victims Reparations Board to publicize, and with the mandatory duty of law enforcement agencies to inform victims.

Partial implementation of this process may be responsible in part for an increase in applications from 420 in FY79 to 483 in FY80. Current workloads have dictated a lesser emphasis on public awareness due to insufficient staff and funding to meet current needs.

F. AMENDMENTS

1. Significant past amendments.

Since the inception of the program in 1974 several amendments have been made strengthening the program, clarifying the law, expediting the payment process, and providing more adequate benefits to the claimants. Most notably:

In 1977 the maximum award was increased from \$10,000 to \$25,000. No claim has yet been made for a maximum award, although many have exceeded \$10,000.

In 1979 a "son of Sam" law was enacted mandating that the commercial exploitation of crimes be limited. If there is any commercial exploitation of a crime occurring in Minnesota, e.g., books or movies, the Board is empowered to confiscate the profits, through court action, for the benefit of crime victims.

2. Favored future amendments.

The Board favors new legislation in aid of the program and in aid of Crime Victims generally.

a) The Board is in favor of legislation mandating minimal monetary penalties upon defendants convicted of certain crimes with proceeds to be used to help defray the cost of the Minnesota Crime Victims Reparation Board.

b) The Board is in favor of legislation to provide that a percentage of all monies earned by prisoners be used to help defray the cost of the MCVRB program.

c) The Board is in favor of legislation limiting claims for lost wages to a maximum weekly amount.

d) The Board is in favor of a legislative resolution requesting prompt and favorable action by the United States Congress on two bills providing for Federal financial assistance to states with Crime Victims Reparations programs, i.e. S-190 in the U.S. Senate, and H.R. 4257 in the House of Representatives.

III. BUDGET DATA

A. GENERALLY

For FY 80, the legislature appropriated \$500,000 out of the General Revenue Fund for the administration of the M.C.V.R.B. That appropriation was expended by April 1, 1980, three months before the end of the fiscal year. Such under-funding has been a perennial problem of the program since its 1974 appropriation of \$100,000. The program is simply well received by the public and by interested agencies both public and private, and over-used by the eligible public.

The file numbers assigned to cases listed in the claim register for FY 1980, from 7-1-79 to 6-30-1980, are interpreted as follows:

AR = Arson : This represents cases of personal injury or death arising out of an original Crime of Arson.

AS = Assault : This represents any assault against a person or property resulting in injury or death to the victim.

H = Homicide : This represents any crime resulting in death to the victim.

M = Mugging : This represents assault cases when the motive is robbery.

PP = Personal Property : This represents cases where no personal injury or death results and the victim's only losses are of personal property. These are automatically denied.

R = Rape : This represents all cases of sexual assault committed against male or female. On 4/30/76 the MCVRB resolved to delete the names of all sexual assault victims from the claims register since such register is a public document. This was done simply to avoid further embarrassment to these victims and their families. These names are available to the Governor and legislature upon request.

B. Claims Statistics

	Number of Claims Filed		Changes
	FY 79	FY 80	
Arson	: 2	-0-	- 2
Assault	: 261	282	+21
Homocide	: 72	76	+ 4
Mugging	: 45	44	- 1
Personal Property	: 3	4	+ 1
Rape	: 37	77	+40
Totals	: 420	483	+63 (+15%)

C. Average Process Time (in months)

Average Length of Time Required to Finalize a Claim

	FY 79	FY 80	Changes
	Arson	: 3.5 mo.	7.5 mo.
Assault	: 5.5	13.0	+ 7.5
Homocide	: 3.0	5.0	+ 2.0
Mugging	: 4.5	9.0	+ 4.5
Rape	: 4.5	9.0	+ 4.5
Average:	4.25	8.75	+ 4.5 (+106%)

D. Denied Claims

	FY 79	FY 80
1. Below \$100.00 deductible (1)	32	29
2. Automobile case	8	9
3. Abandoned (3)	79	58
4. Not filed within one year	3	3
5. Lack of cooperation with police	1	5
6. Withdrawn claim	2	4
7. No crime reported	2	2
8. Not an innocent victim	7	6
9. No crime committed	7	2
10. Occurred out of State	-----	2
11. Not reported within five days	2	1
Totals	149	121 (-19%)

E. Fiscal Data (2)

1. Original appropriation — plus restitution and Refunds — Subtotal:	\$ 500,000 10,200 \$ 510,200
2. Less operating expense — Balance:	60,100 \$ 450,100
3. Less claims payments — TOTAL:	450,100 -0-
4. Average claim payment 450,100 ÷ 218 =	\$ 2,065
5. Cost of Administration 60,100 ÷ 510,200 =	11.8%

F. Appropriations History

	<u>Appropriated</u>	<u>Expenditure</u>
FY 75	\$ 100,000	\$ 100,000
FY 76	300,000	300,000
FY 77	375,000	375,000
FY 78	375,000	375,000
FY 79	500,000	456,239
FY 80	500,000	500,000

G. Claims History

<u>FY</u>	<u>filed</u>	<u>paid</u>	<u>denied</u>	<u>pending</u>
74-76	580	269	228	83
77	329	158	133	38
78	389	241	146	2
79	420	242	148	30
80	483	218	121	144

H. Detail of FY 1980 claims (4)

<u>filed</u>	<u>paid</u>	<u>denied</u>	<u>handled</u>	<u>Pending Claims</u>		<u>Total</u>
				<u>previous yrs.</u>	<u>FY80</u>	
483	218	121	680	81	144	225

Notes:

- (1) Includes claims reduced to under \$100.00 after deducting collateral sources such as insurance, welfare, workers' compensation and employer benefits.
- (2) Some discrepancies may appear in actual amounts due to variations in accounting methods, open accounts payable, and accounts receivable.
- (3) The reasons claimants abandon their claim is unknown. A claim is deemed abandoned when the claimant fails to respond to communications within a reasonable time, moves without leaving a forwarding address, or refuses to submit requested information.
- (4) 483 new claims were filed in FY 80. 218 final awards were made, some of which were claims made in preceeding years. In addition, 114 supplementary awards were made along with two emergency awards, making a total of 334 awards. Total awards (334) plus denials (121) plus pending claims (225) = 680 claims handled, or an increase of 3.0% over the 660 claims handled in FY 79.

IV. PROJECTIONS

The Minnesota Crime Victims Reparations Board was created in 1974 and initially funded with \$100,000. It was quickly apparent that this appropriation was insufficient and a supplementary appropriation of \$100,000 was approved. Since then the annual appropriation has increased to its current level of \$500,000. And each year the program has expended its appropriation in the first 8 or 9 months of each fiscal year.

Every year since 1974 the number of claims filed has increased.
Every year since 1974 the total dollars expended has increased.
Since 1974 the staff complement of two has remained unchanged.

Since the Board has no control over the amount of crime committed in Minnesota, it follows that it has no control over the number of victims, nor any control over the number of claimants applying for benefits. Exhibits 'B' and 'C' graphically illustrate the consequences of a workload that has increased beyond the capacity of this small staff. As the number of claims received nears 400 per year, the average time to process a claim increases beyond the public's capacity to endure. A point will be reached where the two staff will do nothing but receive claims and open files, having no time to investigate nor recommend payment, nor even recommend denial. Exhibit 'C' shows that as the number of claims received nears 400 per year, the work production indicators of claims paid and denied decreases as the processing time increases. In 1978 it took 113 days to process a claim, in 1979 it took 127 days; and in 1980 it increased to 263 days or 8.75 months. This delay becomes crucial to claimants, as at 6 months after any treatment suppliers begin turning their accounts receivable over to collection agencies. It is projected that in FY 81 the average process time will increase to 13 months if the staff complement is not increased, and to 28 months in FY 82.

Additionally, as the average claim payment amount increases, a fixed appropriation means that fewer claimants may be paid. Those that are unpaid are simply carried over into the next fiscal year, creating congestion in that year. For FY 80 a reduction of less than 5% in the appropriation has been ordered.

Due to the general state of the economy, it does not appear that Federal financial aid will be available.

The Board is faced with a reduced appropriation for FY 80, a limited Staff Complement, a continuing increase in relevant crime statistics, and in increased victim applications. These projections indicate that the integrity of the program is in jeopardy.

V. POLICY - INTENT - PHILOSOPHY

The reason for compensating innocent victims of violent crimes is humanitarian, and part of the fulfillment of an arguable duty of the state. Early history of government indicates that one of the primary functions in our society is the protection of citizens from injury or death. When that protection to be afforded the citizen breaks down and the state takes over the function of punishing the offender, the citizen has generally no other source to look to for help than the government whose duty it was to provide him protection.

The Minnesota Crime Victims Reparations Law provides the means where the injured victim can present his claims in a noncourtroom forum. 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. As a practical matter, now a victim in the State of Minnesota knows that his government is concerned with the victim and not just concerned with the offender. There has been some experience to indicate that victims of crime who formerly might be unwilling and uncooperative with law enforcement agencies to arrest the perpetrators now become willing and cooperative witnesses to the conclusion of a case. Since it costs approximately \$60,000,000 per year to operate the Department of Corrections, or from \$15,000 to \$30,000 per year per prisoner, depending upon the facility, the sum of \$500,000 per year, or \$2,065.00 per victim, to compensate victims of violent crime in this state certainly seems miniscule by comparison (1 percent).

The Board has continued to treat each claimant not as an adversary, but as a person in need of assistance. We are dedicated to the principle of providing more than just a token of assistance to the innocent victim of crime. We are proud to be an arm of our state government extending a helping hand to the long neglected innocent victims of crime.

The Board gratefully acknowledges the excellent cooperation extended to it by the past Commissioner Edward Novak, Department of Public Safety, and by the current Commissioner John Sopsic, and their entire staff who so efficiently and effectively assisted our agency. The Board further gratefully acknowledges the excellent cooperation that has been extended to it by the law enforcement agencies throughout the state, Jim Alfveby of the Attorney General's Office, and the media in helping us to acquaint the public with this new law.

To give the reader an idea of the work of the Board we have included a representative sample of case histories involving some of the claims we have decided. We have omitted the name of the victims included in this report, but we have indicated the reasons for denial of their claims or awards made to them.

In the register of cases handled from July 1, 1979 through June 30, 1980, the names of the victims appear with the exception of rape victims who are referred to as "rape claimants," for we do not want to cause these claimants further embarrassment or bad publicity. The names of these claimants, however, are available to the Governor and the Legislature at their request as required by M.S. 299B.06(e).

Respectfully Submitted.

July 1, 1980

JOHANNA MILLER, M.D., Chairman
JOE E. THOMPSON, Board Member
JOHN LYGHT, Board Member
DUANE E. WOODWORTH, Executive Director

EXHIBIT 'A'
CHAPTER 299B
CRIME VICTIMS REPARATIONS

Sec.	Title.	Sec.	Reparations; how paid.
299B.01	Title.	299B.09	Reparations; how paid.
299B.02	Definitions.	299B.10	Subrogation.
299B.03	Eligibility for reparations.	299B.11	Medical privilege.
299B.04	Amount of reparations.	299B.12	Enforcement of board's orders.
299B.05	Crime victims reparations board.	299B.13	Department of corrections; restitution.
299B.06	Powers and duties of the board.	299B.14	Use of record of claim; evidence.
299B.07	Determination of claims.	299B.15	Law enforcement agencies; duty to inform victims of right to file claim.
299B.071	Attorneys fees; limitation for representation before board.	299B.16	Fraudulent claims; penalty.
299B.08	Consideration of decisions by full board.		

299B.01 TITLE. Sections 299B.01 to 299B.16 shall be known as the Minnesota crime victims reparations act.
[1974 c 463 s 1]

299B.02 DEFINITIONS. For the purposes of sections 299B.01 to 299B.16 the following terms shall have the meanings given them:

(1) "Accomplice" means any person who would be held criminally liable for the crime of another pursuant to section 609.05.

(2) "Board" means the crime victims reparations board established by section 299B.05.

(3) "Claimant" means a person entitled to apply for reparations pursuant to sections 299B.01 to 299B.16.

(4) "Collateral source" means a source of benefits or advantages for economic loss otherwise reparable under sections 299B.01 to 299B.16 which the victim or claimant has received, or which is readily available to him, from:

(a) the offender;

(b) the government of the United States or any agency thereof, a state or any of its political subdivisions, or an instrumentality of two or more states, unless the law providing for the benefits or advantages makes them excess or secondary to benefits under sections 299B.01 to 299B.16;

(c) social security, medicare, and medicaid;

(d) state required temporary non-occupational disability insurance;

(e) worker's compensation;

(f) wage continuation programs of any employer;

(g) proceeds of a contract of insurance payable to the victim for economic loss which he sustained because of the crime;

(h) a contract providing prepaid hospital and other health care services, or benefits for disability; or

(i) any private source as a voluntary donation or gift.

The term does not include a life insurance contract.

(5) (a) "Crime" means conduct that

(i) occurs or is attempted in this state,

(ii) poses a substantial threat of personal injury or death, and

(iii) is included within the definition of "crime" in Minnesota Statutes 1971, Section 609.02, Subdivision 1, or would be included within that

definition but for the fact that the person engaging in the conduct lacked capacity to commit the crime under the laws of this state.

(b) A crime occurs whether or not any person is prosecuted or convicted but the conviction of a person whose acts give rise to the claim is conclusive evidence that a crime was committed unless an application for rehearing, appeal, or petition for certiorari is pending or a new trial or rehearing has been ordered.

(c) "Crime" does not include conduct arising out of the use of a motor vehicle, as defined in section 169.01, subdivision 2, an aircraft or watercraft unless

(i) the conduct was intended to cause personal injury or death, or

(ii) the use of the motor vehicle, aircraft or watercraft in the commission of a felony was a proximate cause of the victim's injury or death.

(6) "Dependent" means any person who was dependent upon a deceased victim for support at the time of the crime.

(7) "Economic loss" means actual economic detriment incurred as a direct result of injury or death.

(a) In the case of injury the term is limited to:

(i) reasonable expenses incurred for necessary medical, chiropractic, hospital, rehabilitative, and dental products, services, or accommodations, including ambulance services, drugs, appliances and prosthetic devices;

(ii) reasonable expenses incurred for psychological or psychiatric products, services or accommodations where the nature of the injury or the circumstances of the crime are such that the treatment is necessary to the rehabilitation of the victim;

(iii) loss of income the victim would have earned had he not been injured; and

(iv) reasonable expenses incurred for substitute child care or household services to replace those the victim would have performed had he not been injured.

(b) In the case of death the term is limited to:

(i) reasonable expenses incurred for funeral, burial or cremation;

(ii) reasonable expenses for medical, chiropractic, hospital, rehabilitative, psychological and psychiatric services, products or accommodations which were incurred prior to the victim's death and for which the victim's survivors or estate are liable;

(iii) loss of support, including contributions of money, products or goods, but excluding services which the victim would have supplied to his dependents if he had lived; and

(iv) reasonable expenses incurred for substitute child care and household services to replace those which the victim would have performed for the benefit of his dependents if he had lived.

(8) "Injury" means actual bodily harm including pregnancy and mental or nervous shock.

(9) "Victim" means a person who suffers personal injury or death as a direct result of

(a) a crime;

(b) the good faith effort of any person to prevent a crime; or

(c) the good faith effort of any person to apprehend a person suspected of engaging in a crime.

[1974 c 463 s 2; 1975 c 359 s 23]

299B.03 ELIGIBILITY FOR REPARATIONS. Subdivision 1. Except as provided in subdivision 2, the following persons shall be entitled to reparations upon a showing by a preponderance of the evidence that the requirements for reparations have been met:

(a) a victim who has incurred economic loss;

(b) a dependent who has incurred economic loss;

(c) the estate of a deceased victim if the estate has incurred economic loss;

(d) any other person who has incurred economic loss by purchasing any of the products, services, and accommodations described in section 299B.02, clause (7), for a victim;

(e) the guardian, guardian ad litem, conservator or authorized agent of any of these persons.

Subd. 2. No reparations shall be awarded to a claimant otherwise eligible if

(a) the crime was not reported to the police within five days of its occurrence or, if it could not reasonably have been reported within that period, within five days of the time when a report could reasonably have been made;

(b) the victim or claimant failed or refused to cooperate fully with the police and other law enforcement officials;

(c) the victim is the spouse of or a person living in the same household with the offender or his accomplice or the parent, child, brother or sister of the offender or his accomplice unless the board determined that the interests of justice otherwise require in a particular case;

(d) the claimant was the offender or an accomplice of the offender or an award to the claimant would unjustly benefit the offender or an accomplice; or

(e) no claim was filed with the board within one year of victim's injury or death but if it could not have been made within that period, then the claim can be made within one year of the time when a claim could have been made;

(f) the claim is less than \$100.

[1974 c 463 s 3; 1975 c 246 s 1; 1976 c 2 s 119; 1976 c 193 s 1]

299B.04 AMOUNT OF REPARATIONS. Reparations shall equal economic loss except that:

(1) reparations shall be reduced to the extent that economic loss is recouped from a collateral source or collateral sources;

(2) reparations shall be reduced to the extent, if any, that the board deems reasonable because of the contributory misconduct of the claimant or of a victim through whom he claims and by the first \$100 of economic loss; and

(3) reparations paid to all claimants suffering economic loss as the result of the injury or death of any one victim shall not exceed \$25,000.

[1977 c 356 s 1]

299B.05 CRIME VICTIMS REPARATIONS BOARD. Subdivision 1. There is created in the department of public safety, for budgetary and administrative purposes, the crime victims reparations board, which shall consist of three members appointed by the governor with the advice and consent of the senate. One of the members shall be designated as chairman by the governor and serve as such at his pleasure. At least one member shall be a person who is admitted to the bar of this state, and at least one member shall be a medical or osteopathic physician licensed to practice in this state.

Subd. 2. [Repealed, 1976 c 134 s 79]

Subd. 2a. The membership terms, compensation, removal of members, and filling of vacancies on the board shall be as provided in section 15.0575.

Subd. 3. Members of the board shall serve part time.
[1974 c 463 s 5; 1976 c 134 s 64,65]

299B.06 POWERS AND DUTIES OF THE BOARD. Subdivision 1. Duties. In addition to carrying out any duties specified elsewhere in sections 299B.01 to 299B.16 or in other law, the board shall:

(a) provide all claimants with an opportunity for hearing pursuant to chapter 15;

(b) establish and maintain a principal office and other necessary offices and appoint employees and agents as necessary and fix their duties;

(c) promulgate within 90 days following the effective date of Laws 1974, Chapter 463 rules to implement sections 299B.01 to 299B.16, including rules governing the method of practice and procedure before the board, prescribing the manner in which applications for reparations shall be made, and providing for discovery proceedings;

(d) publicize widely the availability of reparations and the method of making claims; and

(e) prepare and transmit annually to the governor and the legislature a report of its activities including the name of each claimant, a brief description of the facts in each case, the amount of reparation awarded, and a statistical summary of claims and awards made and denied.

Subd. 2. Powers. In addition to exercising any powers specified elsewhere in sections 299B.01 to 299B.16 or other law, the board upon its own motion or the motion of a claimant or the attorney general may:

(a) issue subpoenas for the appearance of witnesses and the production of books, records, and other documents;

(b) administer oaths and affirmations and cause to be taken affidavits and depositions within and without this state;

(c) take notice of judicially cognizable facts and general, technical, and scientific facts within their specialized knowledge;

(d) order a mental or physical examination of a victim or an autopsy of a deceased victim provided that notice is given to the person to be examined and that the claimant and the attorney general receive copies of any resulting report;

(e) suspend or postpone the proceedings on a claim if a criminal prosecution arising out of the incident which is the basis of the claim has been commenced or is imminent;

(f) request from prosecuting attorneys and law enforcement officers investigations and data to enable the board to perform its duties under sections 299B.01 to 299B.16;

(g) grant emergency reparations pending the final determination of a claim if it is one with respect to which an award will probably be made and undue hardship will result to the claimant if immediate payment is not made; and

(h) reconsider any decision granting or denying reparations or determining their amount.

[1974 c 463 s 6]

299B.07 DETERMINATION OF CLAIMS. Subdivision 1. A claim, when accepted for filing, shall be assigned by the chairman to himself or to another member of the board.

Subd. 2. The board member to whom the claim is assigned shall examine the papers filed in support of the claim and cause an investigation to be conducted into the validity of the claim.

Subd. 3. The board member to whom a claim is assigned may decide the claim in favor of a claimant in the amount claimed on the basis of the papers filed in support of it and the report of the investigation of such claim. If the board member is unable to decide such claim upon the basis of the papers and report, he shall order a hearing.

Subd. 4. After examining the papers filed in support of the claim and the report of investigation, and after a hearing, if any, the board member to whom the claim was assigned shall make a decision either granting an award or deny the claim.

Subd. 5. The board member making a decision shall file with the board a written report setting forth such decision and his reasons therefor. The board shall notify the claimant and furnish him a copy of the report.

[1974 c 463 s 7]

299B.071 ATTORNEYS FEES; LIMITATION FOR REPRESENTATION BEFORE BOARD. The board may limit the fee charged by any attorney for representing a claimant before the board.

[1975 c 246 s 2]

299B.08 CONSIDERATION OF DECISIONS BY FULL BOARD. Subdivision 1. The claimant may, within 30 days after receipt of the report of the decision of the board member to whom his claim was assigned, make an application in writing to the board for consideration of the decision by the full board.

Subd. 2. Any member of the board may, within 30 days after the filing of the report, make an application in writing to the board for consideration of the decision by the full board.

Subd. 3. The board shall treat all claims considered pursuant to this section as contested cases within the meaning of chapter 15.

[1974 c 463 s 8]

299B.09 REPARATIONS; HOW PAID. Reparations may be awarded in a lump sum or in installments in the discretion of the board. The amount of any emergency award shall be deducted from the final award, if a lump sum, or prorated over a period of time if the final award is made in installments. Reparations are exempt from execution or attachment except by persons who have supplied services, products or accommodations to the victim as a result of the injury or death which is the basis of the claim. The board, in its discretion may order that all or part of the reparations awarded be paid directly to these suppliers.

[1974 c 463 s 9]

299B.10 SUBROGATION. The state shall be subrogated, to the extent of reparations awarded, to all the claimant's rights to recover benefits or advantages for economic loss from a source which is or, if readily available to the victim or claimant would be, a collateral source. Nothing in this section shall limit the claimant's right to bring a cause of action to recover for other damages.

299B.11 MEDICAL PRIVILEGE. There is no privilege as to communication or records relevant to an issue of the physical, mental, or emotional

condition of the claimant or victim in a proceeding under sections 299B.01 to 299B.16 in which that condition is an issue. Nothing contained in this section shall be interpreted to abridge the attorney-client privilege.

[1974 c 463 s 11]

299B.12 ENFORCEMENT OF BOARD'S ORDERS. If a person refuses to comply with an order of the board or asserts a privilege to withhold or suppress evidence relevant to a claim, the board may make any just order including denial of the claim, but may not find the person in contempt. If necessary to carry out any of its powers and duties, the board may petition the district court for an appropriate order, but the court may not find a person in contempt for refusal to submit to a mental or physical examination.

[1974 c 463 s 12]

299B.13 DEPARTMENT OF CORRECTIONS; RESTITUTION. The department of corrections may, as a means of assisting in the rehabilitation of persons committed to their care, establish programs and procedures whereby such persons may contribute toward restitution of those persons injured as a consequence of their criminal acts.

[1974 c 463 s 13]

299B.14 USE OF RECORD OF CLAIM; EVIDENCE. Neither a record of the proceedings on a claim, a decision of the board, nor the fact that an award has been made or denied shall be admissible as evidence in any criminal or civil action against the alleged offender, except an action by the state on its subrogation claim.

Sec. 3. This act is effective the day after final enactment and applies to all actions arising on or after that date.

Approved May 22, 1979.

299B.15 LAW ENFORCEMENT AGENCIES; DUTY TO INFORM VICTIMS OF RIGHT TO FILE CLAIM. All law enforcement agencies investigating crimes shall provide forms to each person who may be eligible to file a claim pursuant to sections 299B.01 to 299B.16 and to inform them of their rights hereunder. All law enforcement agencies shall obtain from the board and maintain a supply of all forms necessary for the preparation and presentation of claims.

[1974 c 463 s 15]

299B.16 FRAUDULENT CLAIMS; PENALTY. Any person who knowingly makes a false claim under sections 299B.01 to 299B.16 shall be guilty of a gross misdemeanor.

[1974 c 463 s 16]

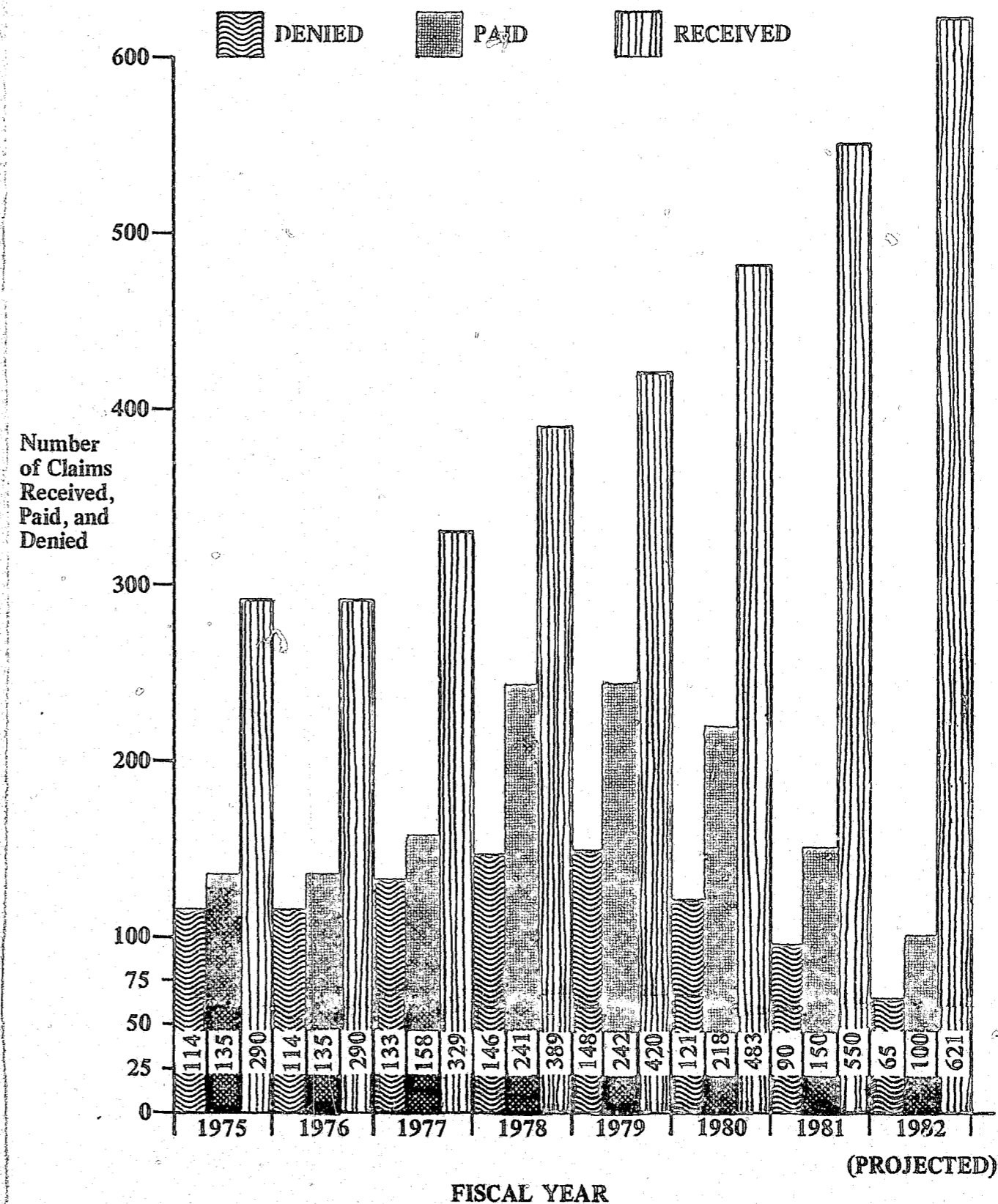


EXHIBIT 'B'

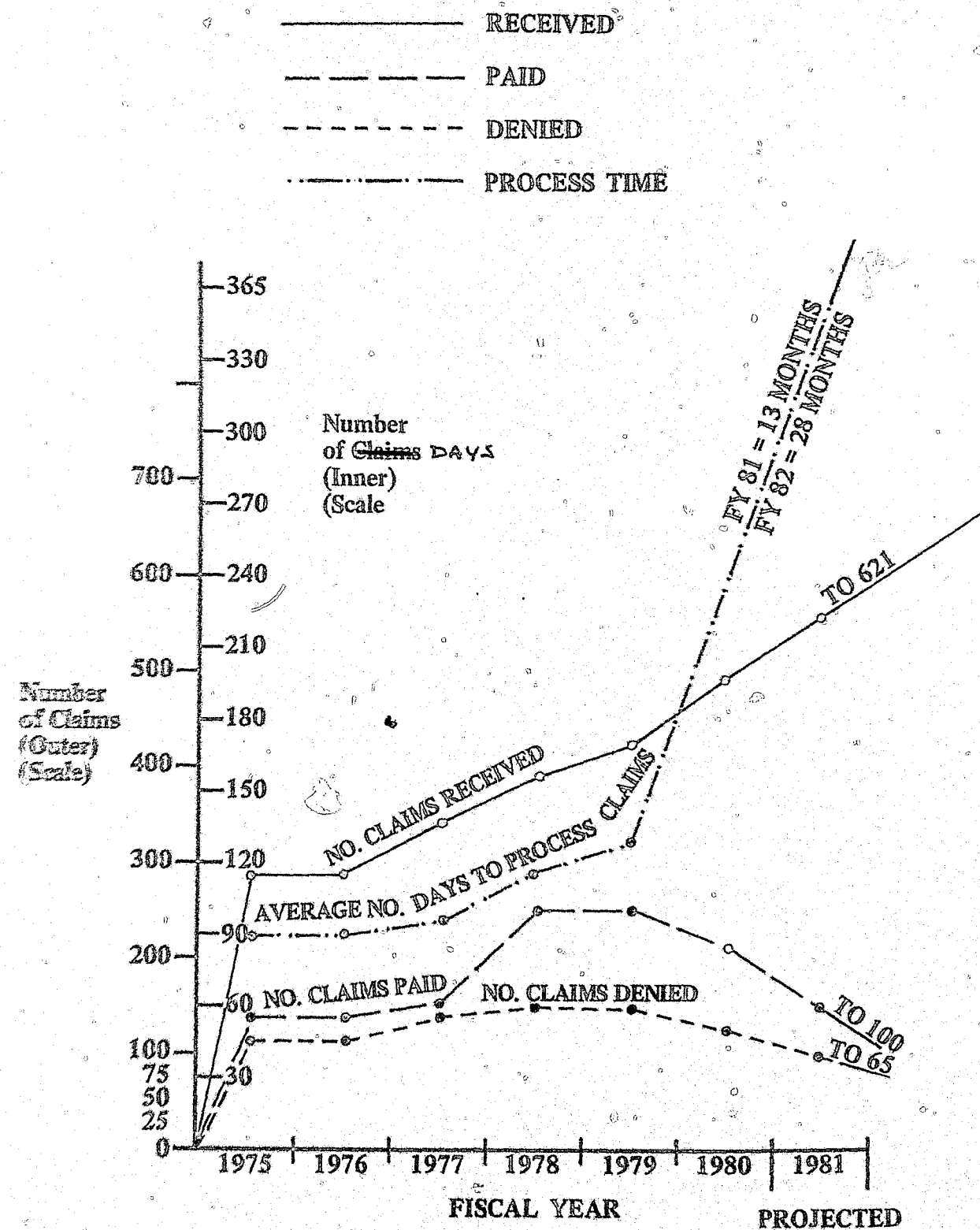


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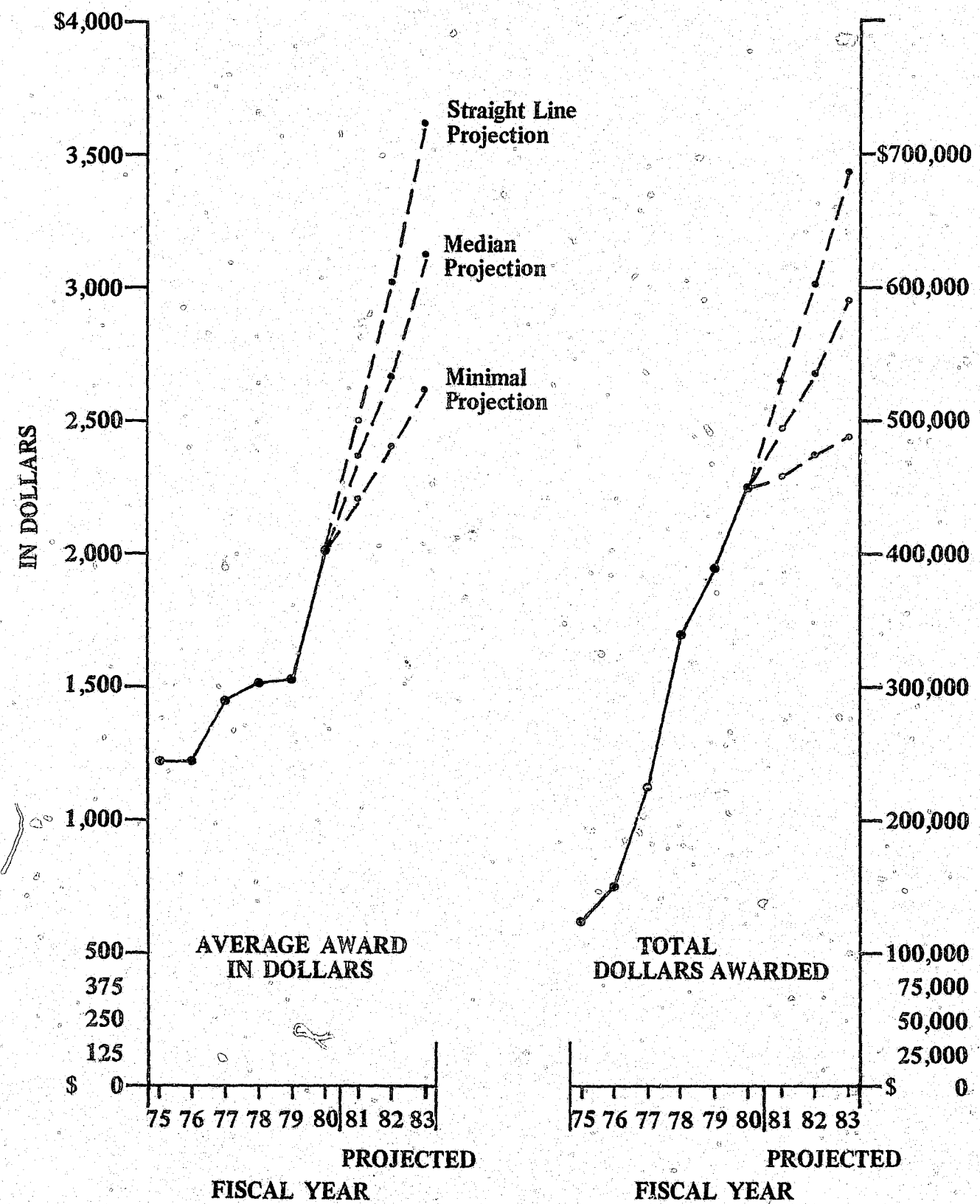


EXHIBIT 'D'

EXHIBIT 'E'

EXHIBIT 'F'
REPRESENTATION OF CLAIMS PAID AND DENIED

CLAIMS PAID

Assault

Case No. 605-AS-77

On May 2, 1977 this 18-year old male was involved in a verbal dispute while playing basketball at a city park. Later, when he left the area, the other person involved in the dispute shot the claimant with a small caliber pistol. The claimant suffered a wound in his neck. The juvenile suspect was arrested and prosecuted. The claimant incurred minor medical expenses and some wage loss due to time lost from his employment.

Award: \$734.50

Case No. 986-AS-79

On May 24, 1978 this 21-year old male claimant was parking his car in front of his home when he was approached by two occupants of another car. They made some remarks about the claimants driving habits and then beat him with a club and a chain. The claimant suffered extensive but superficial injuries to his face and head. No suspects were apprehended. The claimant presented a claim for medical expenses and for wage loss.

Award: \$927.97

Case No. 1007-AS-79

On April 2, 1979 this 38-year old female claimant was assaulted by her estranged husband. They had been separated for three years when he suddenly appeared at her home and assaulted her. She suffered two broken ribs among other injuries and was taken to the hospital while unconscious. The husband was arrested and prosecuted. The claim was made for medical expenses and wage losses after insurance payments.

Award: \$360.39

Case No. 1054-AS-79

On May 30, 1979 this 25-year old male claimant was assaulted in a parking lot as he went to enter his car. The claimant was struck from behind and for no apparent reason. There were no suspects. The claimant suffered head and face injuries and dental damage. The claim was for medical expenses and wage loss.

Award: \$784.17

Case No. 1066-AS-79

On June 27, 1979 this 59-year old male claimant was riding his bicycle home from work when four young men assaulted him and robbed him of two dollars. The claimant was hospitalized for two days. The claim was for medical expenses and wage loss. There are no suspects.

Award: \$393.52

Case No. 1085-AS-79

On July 5, 1979 this 19-year old female claimant was abducted by two women and one man, and at knife point was taken into the country where she was repeatedly assaulted both physically and sexually. The assailants tore up her clothing and left her. They returned later and repeated the assaults. The three assailants were arrested and prosecuted. The claimant suffered numerous superficial injuries and several fractured ribs. The claim was for medical expenses after insurance payments.

Award: \$456.59

Case No. 1111-AS-79

On April 2, 1979 this 47-year old male claimant and his wife were in a local V.F.W. Post when two men assaulted the claimant. As his wife went to the telephone to call the police, she also was assaulted. The claimant suffered a broken rib among other injuries, and his wife suffered a broken thumb. The claims have been combined and are for medical expenses after insurance payments. The two men were arrested and convicted.

Award: \$912.50

Case No. 1127-AS-79

On June 16, 1979 this claimant's 16-year old son was shot three times by an unknown assailant. The victim was attending a yard party when someone began firing shots into the group at random. The victim was struck in the chest, hand, and leg. The claim is for medical expenses after insurance payments. No suspect has been found.

Award: \$120.50

Case No. 1140-AS-79

On September 14, 1979 this 53-year old male claimant was entering an apartment building to visit a friend when he was assaulted and robbed. The claimant suffered a broken jaw, broken nose, and a concussion. The claim was for medical expenses and wage loss after insurance payments. There were no suspects found.

Award: \$794.65

Case No. 1161-AS-79

On September 14, 1979 this 23-year old male claimant was standing near his car talking to a friend. When the friend walked away a bystander came up to the claimant and struck him in the jaw for no apparent reason. The claimant suffered a broken jaw. The intoxicated assailant was arrested and prosecuted. The claim was for medical expenses and wage loss after insurance payments.

Award: \$2,769.35

Case No. 1178-AS-79

On October 21, 1979 this 54-year old female claimant was awakened by a burglar in her bedroom. She screamed and the intruder fled. The claimant was not physically assaulted but suffered emotionally requiring some medical attention, temporary living quarters, and lost time from her employment. The claim was made for the balance of expenses after insurance payments.

Award: \$14.00

Case No. 1190-AS-79

On March 5, 1979 this 19-year old mail claimant questioned a neighbor boy about a broken window on the claimant's car. The neighbor struck the claimant, fracturing claimant's cheekbone. The claim was for medical expenses only. The juvenile assailant was arrested and charged.

Award: \$1,097.50

Case No. 1220-AS-79

On October 8, 1979 this 49-year old male claimant was a victim of an assault and robbery. He suffered a broken elbow and broken nose. The claim was for medical expenses and wage loss after insurance payments. No suspect was found.

Award: \$179.11

Case No. 1230-AS-79

On October 6, 1979 this 26-year old male claimant invited a friend to his apartment. Later on the friend became abusive and the claimant told him to leave, whereupon the friend assaulted the claimant. The claimant suffered only minor injuries, and the claim was for medical expenses only. The assailant was arrested and prosecuted.

Award: \$114.00

Homocide

Case No. 348-H-80

On February 26, 1980 claimant's 20-year old daughter was stabbed during an attempted robbery. The victim died in the hospital as a result of the stab wounds. The victim's medical expenses were covered by Workers' Compensation, as were part of the funeral expenses. The claim is for the balance on the funeral bill. A juvenile suspect has been charged with this crime.

Award: \$914.25

Case No. 340-H-80

On November 16, 1979 this claimant's 43-year old son was shot and killed. The true facts of the murder are unknown, but the deceased was found in the

home of a female friend who has admitted killing him. The female friend has been indicted. The claim was for funeral expenses only.

Award: \$1,850.00

Case No. 303-H-79

On July 3, 1979 this claimant's 46-year old nephew was found murdered by strangulation. His body was found in a vacant lot. The claim was for funeral expenses only. No suspects have been found.

Award: \$1,850.00

Case No. 292-H-79

On April 2, 1979 this claimant's 17-year old son was shot and killed in his own home for no apparent reason by a young acquaintance. The assailant has been charged with murder. The Claim is for medical expenses and funeral costs.

Award: \$1,757.00

Case No. 271-H-79

On February 17, 1979 this 64-year old male victim was shot and killed by his 37-year old mentally deranged son. The son had lived with his parents all of his life, and on this occasion shot and killed them both. The son has been committed. The claim is for the funeral expense of the father only.

Award: \$1,548.00

Case No. 249-H-79

On December 15, 1979 this 36-year old victim was shot and killed in her home along with two children. One other child survived the shooting. The claim was for funeral expenses and some loss of support for the surviving child. No suspect has been found.

Award: \$2,788.59

Case No. 160-H-77

On June 27, 1977 this 66-year old nurse was murdered. She was caring for an elderly lady when relatives of the employer entered the home with robbery as the motive, and killed both the lady of the house and this nurse. One relative has been convicted. The claim is for funeral expenses after insurance payments.

Award: \$406.00

Mugging

Case No. 197-M-80

On January 11, 1980 this 24-year old female claimant was a victim of a purse-snatching. She was assaulted and suffered a broken nose. The claim is for medical expenses after insurance payments. No suspect was found.

Award: \$44.61

Case No. 182-M-79

On April 22, 1979 this 59-year old male claimant was assaulted and robbed in his apartment by two men. The victim suffered severe head injuries and is institutionalized. The claim is for medical expenses and nursing home care, which will continue in the future. There are no suspects for this crime.

Award: \$7,607.56

Case No. 183-M-79

On August 27, 1979 this 48-year old female claimant was the victim of a purse-snatcher. She was knocked to the ground and suffered minor injuries to her hand. The claim is for medical expenses and wage loss. There are no suspects for this crime.

Award: \$299.90

Case No. 179-M-79

On March 21, 1979 this 78-year old male claimant was a victim of an assault and robbing. He was walking down a road towards home when he was assaulted. Someone struck him with an iron pipe, robbed him, and left him in the roadside ditch. The claimant suffered a broken clavicle. A suspect was prosecuted. The claim was for medical expenses only.

Award: \$272.16

Case No. 171-M-79

On January 27, 1979 this female claimant was a victim of a purse snatching. She was knocked to the ground, suffering a broken left wrist. The claim was for medical expenses only after insurance payments. No suspects have been found.

Award: \$173.58

Case No. 158-M-79

On May 1, 1979 this 64-year old female claimant was a victim of a purse-snatching. She was knocked to the ground and dragged until the purse strap broke. She suffered many superficial injuries, broken dentures, and chipped teeth. The claim is for medical expenses and lost wages. No suspect has been found.

Award: \$1,497.34

Case No. 157-M-79

On February 26, 1979 this 61-year old female claimant was a victim of a purse-snatching. She was knocked to the ground, suffering a broken hip. The claim was for medical expenses and wage loss after insurance payments. No suspect has been found.

Award: \$2,460.09

Sexual Assault

Case No. 162-R-79

On April 20, 1979 this 17-year old female was discovered by police in an automobile being sexually molested. She is of below normal intelligence, and the assailant was a 74-year old man. The claim is for medical expenses only. The assailant has been convicted.

Award: \$80.00

Case No. 164-R-79

On December 2, 1979 this 27-year old female claimant was abducted at knife point from in front of her apartment. She was driven off in her own car, sexually assaulted, robbed, her car was damaged, and her apartment was also robbed. The claim is for medical expenses and wage losses. One assailant has been prosecuted.

Award: \$1,087.21

Case No. 152-R-79

For a period of over one year this 6-year old girl has been a victim of incest by her father. The parents had been divorced and the father was exercising visitation rights when the incidents occurred. The child suffers emotionally, and the claim is for counselling. The father has been prosecuted, but was not incarcerated. Visitation continues now under supervision.

Award: \$1,487.50

Case No. 148-R-79

On July 21, 1979 this 23-year old female claimant was a victim of a brutal rape. She was severely beaten, suffering a broken jaw, broken cheekbone, and lost several weeks from work. The claim was for medical expenses and wage loss. No suspect has been found.

Award: \$2,372.86

Case No. 144-R-79

On June 29, 1979 this 29-year old female claimant was visiting a male friend at his house. There were several men in the house and all had been drinking. One of the men assaulted the claimant and then raped her. The claim is for medical expenses and wage loss. The assailant could not be identified and thus no one was charged.

Award: \$410.23

Case No. 140-R-79

On June 23, 1979 this 25-year old female claimant was a victim of an assault and attempted rape. She was not seriously injured, and the claim is for medical expenses and wage loss. No suspect has been found.

Award: \$282.49

Case No. 123-R-79

On August 27, 1979 this 16-year old female was a victim of a sexual assault. Her uncle had been making advances toward her for some time and on August 27, 1979 he raped her. The girl suffered no physical injuries, but suffers from severe emotional disorder on account of this incident. She is institutionalized. The assailant was charged.

Award: \$15,499.84

Claims Denied

Case No. 865-AS-78

On July 27, 1978 this 57-year old male claimant was assaulted by a boyfriend of his girlfriend's daughter. The claimant suffered broken ribs, a collapsed lung, and brain damage. The claimant was receiving welfare assistance at the time and welfare covered all of the medical bills of over \$26,000.00. The claimant was unable to verify any gainful employment. Thus there was no award that could be made.

Award: denied.

Case No. 966-AS-79

On July 8, 1978 this 22-year old male claimant was involved in a fight in a drinking establishment. He was hit with a beer bottle. The police declined to verify his innocence. The claimant refused to relate to the Minnesota Crime Victims Reparations Board to verify these expenses, and effectively abandoned this claim.

Award: denied.

Case No. 1016-AS-79

On March 10, 1979 this 34-year old male claimant was accosted by a robber; the claimant resisted and then injured himself in an attempted escape. The claimant made claims for medical expenses and wage losses which could not be verified. The claimant then refused to provide any information to the Minnesota Crime Victims Reparations Board to verify these expenses, and effectively abandoned this claim.

Award: denied.

Case No. 1023-AS-79

On February 21, 1979 this 20-year old male claimant was working as a busboy. When he carried out some garbage he saw two men stealing gas out of a car. When he hollered at them they turned and assaulted him. He was stabbed twice. Workmen's Compensation covered all his medical expenses and wage loss.

Award: denied.

Case No. 1077-AS-79

On July 14, 1979 this 17-year old female claimant was assaulted by two people, one male and one female. The claimant was not seriously injured, and was covered by medical insurance. She declined to process her claim to a conclusion, effectively abandoning it.

Award: denied.

Case No. 1131-AS-79

On September 15, 1979 this 23-year old male claimant was riding his motorcycle when a motorist stopped him and beat him with a wrench. The police reports indicate that the claimant may have been responsible for the incident happening. When asked to explain his part in the affair, the claimant declined and refused to process his claim any further.

Award: denied.

Case No. 1244-AS-80

On February 7, 1980 this 73-year old male claimant picked up a female hitchhiker. She demanded money and food from him, which he refused. She also refused to leave his car. He then invited her to his apartment, where she promptly began to assault him. After medicare payments for the claimant's medical expenses, the balance of his bills was below the \$100.00 deductible.

Award: denied.

Case No. 300-H-79

On December 4, 1977 this claimant's 33-year old son was shot and killed. The claimant did not file the claim until 7-20-79, some nineteen months later, or seven months after the one-year statute of limitations had expired, although she was aware of the Minnesota Crime Victims Reparations Board during the first year.

Award: denied.

Case No. 121-R-78

On November 2, 1978 this 30-year old female claimant was jogging along the river when she was assaulted, dragged into the brush and raped. She suffered a broken arm. The claim was made for medical expenses, but the claimant had insurance coverage, and declined to process her claim to a conclusion.

Award: denied.

Case No. 10-H/R-79

On November 15, 1979 this 15-year old girl was struck by a drunken driver who did not stop at the scene of the accident. She suffered a broken spine and is paralyzed from the waist down. The driver was apprehended, and was a juvenile. He lost his driver's license and volunteered 100 hours to the community as part of his sentence for hit and run driving and driving while intoxicated.

The Minnesota Crime Victims Reparations Law does not allow for coverage in automobile cases unless: 1) a felony is committed or, 2) the act is intentional.

Award: denied.

Case No. 28-PP-79

On August 19, 1979 this 56-year old female claimant had her house burglarized, and she lost several items of personal property. Apparently it was her ex-husband who was returning to get a bigger share of the divorce settlement. The Minnesota Crime Victims Reparations Law precludes payment for losses of personal property.

Award: denied.

END