

CRIMINAL INJURIES COMPENSATION
COMMISSION

TWELFTH ANNUAL REPORT
1979

65280

/

CRIMINAL INJURIES COMPENSATION COMMISSION
ANNUAL REPORT
1979

We have the privilege of submitting, herewith, the Annual Report of the Criminal Injuries Compensation Commission for the year 1979, pursuant to the provisions of Section 70, Chapter 351, Hawaii Revised Statutes.

Several events and decisions dominated the activities of the Commission in 1979, and much time and thought were directed to the consideration of several important areas affecting the administration of the Criminal Injuries Compensation program.

The most significant was the passage of House Resolution 398 by the Tenth State Legislature requesting that the Commission review the program with respect to (1) award for pain and suffering, (2) attorney fees, (3) funeral and burial costs, and (4) award limits. Our findings and recommendations are set forth in other portions of this report.

Another area of Commission activity during the year centered upon an attempt to increase the public awareness of the Criminal Injuries Compensation program. The Hawaii program was given wide coverage by radio, television and the news media, and hospitals have taken the lead in informing victims with respect to benefits under the Criminal Injuries Compensation law. Additionally, Victims Assistance Counselors and law enforcement agencies in our State have been doing an excellent job in informing victims about our services.

Despite our efforts to publicize the Criminal Injuries Compensation Act, we note that only a small percentage of eligible victims (3%) are filing claims. We will continue to discharge our responsibility to inform the public concerning benefits available under the statute. We consider this duty of advising and informing our citizenry to be an extremely important and continuing effort.

The Commission also sought to strengthen lines of communication and increase collaborative work with the various Police Departments and Victim Assistance programs throughout the State. Meetings were held with representatives of these agencies to effect maximum coordination of our services.

In our 1978 report, we alluded to the fact that we were hampered in our operations because the Honolulu Police Department was withholding reports from the Commission. One of the first actions taken by the Commission in the new year was to set up a meeting with officials of the Honolulu Police Department to resolve the issue. As a result of the meeting, a Special Order was issued by Police Chief Francis Keala on May 14, 1979, establishing procedures for the requesting of police reports by the Criminal Injuries Compensation Commission.

NOTES

FEB 21 1980

ACQUISITIONS

Throughout the year, the Commission received extraordinary assistance, cooperation, and support from the various Police Departments, governmental agencies, hospitals, and members of the medical profession. That assistance extended to all facets of the Commission's operation and made it possible for the Commission to more readily perform its duties.

A major concern of the Commission, however, is the backlog of over four hundred pending applications. Despite our efforts to process and complete more cases each year, the number of claims that must be carried forward for consideration in succeeding years continues to increase.

STATISTICAL ANALYSIS

During the year, the Commission received 352 new applications. Awards were issued in 241 cases and 113 applications were denied. We find that notwithstanding our efforts to process and complete more cases each year, the number of pending claims is still substantial. Details of the number of applications and orders are summarized in Table 1 of this part, and detailed in Appendixes A and B of this report.

TABLE 1 APPLICATIONS

<u>Island</u>	<u>New Appli- cations</u>	<u>Awards</u>	<u>Denials</u>	<u>Claims Pending</u>
Oahu	222	148	75	338
Hawaii	87	59	26	64
Kauai	27	17	7	16
Maui	15	15	3	2
Molokai	1	2	2	0
Lanai	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
TOTAL	352	241	113	420

Applications from the neighbor islands remained fairly constant in 1979. Hearings were held on Maui (October 17), Hawaii (August 2-3 and October 18-19), and Kauai (November 1), respectively. As of this writing, eighty two (82) claims are still pending on the neighbor islands.

The formal business of the Commission was accomplished at 48 meetings. Because of the backlog of over 400 pending claims, the Commission met twice weekly in Honolulu. In addition to the Oahu meetings, six (6) full days of hearings were held on the neighbor islands and two (2) meetings were called to discuss administrative matters. Every attempt is being made to give each applicant a prompt hearing and decision.

The Commission awarded a total of \$223,396.45 in 1979. An analysis of the "average award" is set out in Table 2 below.

TABLE 2 AVERAGE AWARDS

(a)	Average Amount of Award	\$926.96
(b)	Percentage of Total Awards Attributable to:	
	(i) medical expenses	25.3
	(ii) funeral & burial expenses	7.9
	(iii) loss of earning power	20.8
	(iv) pecuniary loss	-
	(v) pain & suffering	46.0
	(vi) property loss	-

The following table has been prepared to provide data in those areas where compensation were withheld from applicants since the victims had already received such economic benefits from collateral sources. In 1979, recovery from collateral sources amounted to \$228,741.99.

TABLE 3 PAYMENTS BY COLLATERAL SOURCE

<u>Medical Expenses</u>		\$206,210.21
HMSA	\$51,727.54	
DSSH	63,116.29	
Kaiser	10,133.56	
Medicare	21,334.36	
Workers' Comp.	4,282.58	
Private Insurance	42,334.04	
Veterans Admin.	1,277.92	
Other	12,003.92	
<u>Loss of Earnings</u>		21,766.78
Workers' Comp.	3,752.33	
TDI	8,015.93	
Unemployment Ins.	900.00	
Other	9,098.52	
<u>Funeral-Burial Expenses</u>		765.00
Social Security	765.00	
	TOTAL	\$228,741.99

LEGISLATIVE SESSION

Several bills affecting the Commission were proposed during the last session of the State Legislature. A significant action taken was the passage of H.B. 686. Under the proposal, the Criminal Injuries Compensation Act was amended so that the Commission is no longer required to list names of victims in the annual report.

Senate Bill 481 which was enacted into law, is expected to have an important effect on decisions made by the Commission. As a result of the change, the Commission is now required to reduce the amount of award, or deny a claim if the Commission finds that a victim was partially responsible, using a comparative negligence standard.

Senate Bill 1242 was introduced in the Tenth State Legislature to improve delivery of services to clients. The intent of the bill is to have the Commission appoint a Chief Executive Officer to hear claims. Presently, claims are adjudicated by three Commissioners. The frequency of meetings are dictated by budgetary constraints and/or availability of the Commissioners who work part time. While the concept of a Chief Executive Officer is good, we are concerned because the Commission would become only an Appeals Board relinquishing its current power and responsibilities to the proposed Chief Executive Officer.

The Commission was asked by the Tenth State Legislature (House Resolution 398) to look into four (4) areas of the program and report its findings in the 1979 Annual Report. Despite our ever-continuing process of examination and evaluation of the Hawaii statute, the Commission welcomed the opportunity to review payments made with respect to (1) award for pain and suffering, (2) attorney fees, (3) funeral and burial costs, and (4) award limits.

There are several unique features in the Hawaii Criminal Injuries Compensation law. Perhaps, the most interesting is the "Pain and Suffering" provision. It is noteworthy that Hawaii is the only American jurisdiction that compensates all victims for "pain and suffering". Our statutory recognition of "pain and suffering" as a compensable item is considered an extremely advanced, yet most realistic concept.

Compensation for "pain and suffering" has been one of the more controversial areas in crime victims legislation. There is little support to be found for inclusion of "pain and suffering" as a compensable item in victim compensation programs nationally. To the best of our knowledge, the only other jurisdiction which permits an award for "pain and suffering" is Tennessee. However, the award only applies to sexual offenses.

Awards for "pain and suffering" are made at the discretion of the Commission based on medical reports and interviews with the victim at the time of the hearing. The evaluation of "pain and suffering" and the amount to be awarded for it has been the most difficult aspect of our deliberations. "Pain and suffering" is unique in each case, and it is impossible to establish objective criteria for its measurement.

Despite efforts of our legislature to eliminate payment for "pain and suffering" except in sexual offenses, we are of the opinion that awards for "pain and suffering" should be maintained as a compensable item in the Hawaii statute. Furthermore, it should be granted to all eligible victims.

In 1979, awards for "pain and suffering" totaled \$102,750 or 46% of the total awards amounting to \$223,396.45.

* * *

Section 351-16, Hawaii Revised Statutes, provides: "The criminal injuries compensation commission may, as a part of any order entered under this chapter, determine and allow reasonable attorneys' fees, which if the award of compensation is more than \$1,000 shall not exceed fifteen per cent of the award, to be paid out of but not in addition to the award, to the attorneys representing the applicant, provided that the amount of the attorneys' fees shall not, in any event, exceed the award of compensation remaining after deducting that portion thereof for expenses actually incurred by the claimant. Any attorney who charges, demands, receives, or collects for services rendered in connection with any proceedings under this chapter any amount in excess of that allowed under this section, if any compensation is paid, shall be fined not more than \$2,000."

With the exception of three states (Georgia, Kentucky and Michigan), all other American jurisdictions with victim compensation programs allow legal representation. Four (4) states award attorneys' fees over and above the amount of the award. The rest, award attorneys' fees as part of, and not in addition to, the award made. These awards vary from state to state. In making awards for legal counsel, some states will award reasonable attorneys' fees at the discretion of the board or commission while other states award a percentage of the award to the attorney. States such as California award attorneys 10% of the award made or a maximum of \$500, whichever is less. Four (4) states have a 15% limitation. Another ten (10) have a 10% award restriction upon fees for legal counsel. The Hawaii statute empowers the Criminal Injuries Compensation Commission to determine reasonable legal fees, but in no case may any fees be greater than 15% if the award is \$1,000 or more.

Whenever an award is made to a claimant who is represented by an attorney, the Commission approves a fee commensurate with the services rendered and having due regard for the financial status of the claimant. In no case is the fee based solely on the amount of the award.

It is not necessary to have a lawyer in crime victims compensation proceedings. Frequently, all that is required is the filing of an application. Attorneys help claimants fill out forms or act as conduits of information and translators of requests made by the Commission to a victim. This service is rendered by the Commission staff and/or Victim Assistance Counselors at no cost to the victim.

In 1979, fifty (50) applicants were represented by attorneys. Fees awarded to twenty four (24) lawyers pursuant to Section 351-16 amounted to \$1,735, or an average of \$79.29 per case. Two (2) lawyers waived their legal fees while twenty four (24) lawyers received no compensation because the applications were denied.

* * *

Funeral and Burial Costs have increased dramatically the last ten years. An average funeral and burial today cost \$1,800. The cost includes preparing the body for burial, obtaining the necessary papers, setting up the services, the cost of the casket, the plot, and many other small services. Wages and the price of coffins are chiefly responsible for running prices up.

Of the twenty six (26) states known to have crime victim compensation programs, only three (3) states have statutory limits on funeral and burial costs. They are: Minnesota (\$1,850), New York (\$1,500), and Wisconsin (\$2,000). The programs of Maryland, North Dakota, and Washington are tied in with Workers' Compensation.

In Hawaii, the Commission may order the payment of actual and reasonable funeral and burial costs as a result of the death of the victim. In 1979, awards for funeral and burial costs totaled \$17,686.16, or an average award of \$1,473.85 per claim.

Welfare clients are granted free funeral and burial provided under contract by an area undertaker. Mililani Memorial Park and Mortuary is presently under contract with the Department of Social Services & Housing to provide care for welfare cases. Under the contract, the cost is \$800 and includes the plot.

Under the Hawaii Workers' Compensation law, survivors are paid \$1,000 for funeral expenses and \$500 for burial. Other government programs also help on a more modest scale to defray the cost of dealing with death. Veterans, their wives and their dependent children are entitled to free burial in most National Cemeteries. The Veterans Administration and the Social Security Administration both extend funeral benefits for persons covered by their programs.

* * *

The final crux of any reparations scheme is just how much compensation a state offers. Hawaii initiated her first earnest attempt to pass compensation legislation when a bill was introduced in the State Legislature in 1965. The bill failed to pass that year because legislators feared that the cost of the program would prove unmanageably high. The \$25,000 statutory maximum proposed was thought to be excessive. It was this provision in the bill which prevented its passage.

In 1967, the maximum amount of award was lowered to \$10,000, and Senate Bill 16 was passed as Act 226, Session Laws of Hawaii, 1967. The rationale behind the Hawaii program is notable because it articulates the social contract theory in very plain language. The Senate Standing Committee Report, Number 7, issued by the Senate Committee on Ways and Means states: "This bill proposes compensation awards, not as a benevolent grant of fund to victims because of mercy or sympathy, but because of recognition of the fact that the government has a duty to protect its people from the consequences of criminal acts." The stated purpose of Act 226 is expressed thusly: "The purpose of this chapter is to aid victims of criminal acts, by providing for compensating victims of certain crimes or dependents of deceased victims, and for indemnification of private citizens for personal injury or property damage suffered in prevention of crime or apprehension of a criminal."

Thus, Hawaii became just the third American jurisdiction to create a compensation program, after California in 1965 and New York in 1966.

California's statutory maximum is now \$23,000. Initially, the ceiling was \$5,000. The structure of this statute is interesting because the maximum award is separated into three distinct categories. \$10,000 may be awarded for loss of wages or support and \$3,000 for job retraining or rehabilitative services. The California Board of Control may order any or all of the three categories and at such amounts as appropriate. New York's maximum is \$15,000. Georgia and Nevada, the two

"Good Samaritan" states, both have a compensatory ceiling of \$5,000. North Dakota, Maryland, and Washington operate their programs through Workers' Compensation. Eleven (11) states, including Hawaii, maintain a \$10,000 award limit.

The single influencing factor in the determination of limits of compensation is, of course, cost. Despite rising inflationary costs, we do not see any need to change the \$10,000 statutory maximum imposed by our legislature at this time since much of the losses incurred by victims are offset by collateral benefits.

PERSONNEL

The Criminal Injuries Compensation Commission is composed of three (3) members appointed by the Governor and confirmed by the State Senate. One (1) member of the Commission must be an attorney licensed to practice in the State of Hawaii.

In April, Governor George R. Ariyoshi appointed Attorney Daniel S. Ukishima to a second term, and Mrs. Sophie Sheather was appointed to fill a vacancy on the Commission.

Until recently, the Commission was staffed by the Administrator and a Secretary. On June 18, 1979, the Commission hired a full-time Investigator. Mr. Curtis D. Terry, who previously worked as Fraud Investigator in the Medical Care Administration Services, Public Welfare Division, Department of Social Services & Housing, was selected for the job.

The Investigator will make independent investigations, obtain police incident reports, and work with public and private agencies to verify claims made by victims and/or applicants. The services of the Investigator will enhance and increase the efficiency of the Commission's operation.

COMMISSION BUDGET

The Commission budget for fiscal year 1979-80 amounted to \$86,357, which reflected an increase of \$20,000 for the Hilo Justice for Victims Program for one year authorized by the 1979 Legislature.

VICTIMS ASSISTANCE PROGRAM

There are three (3) Victims Assistance programs currently operating in the State of Hawaii. They are the Hilo Justice for Victims Program, the Kauai Aid to Victims Program, and the Honolulu Victim-Kokua Center. All three agencies provide

a variety of services such as (1) act as a liaison between the victim/witness and the various agencies in the criminal justice system, (2) insure that victims receive all services available to them in the State of Hawaii, (3) work with the courts, police, and the Prosecutor's Office to insure maximum efficiency and expediency in the return of stolen property. (4) provide counseling, (5) work with community organizations to establish groups to aid victims, and (6) investigate possibility of restitution by offenders.

The Hilo Justice for Victims Program was established in 1975 for four years duration with an annual funding of \$20,000 of which 90% is federal (LEAA support) and 10% State/Local. The program, headed by David Yamada, is attached to the Office of the Hawaii County Prosecuting Attorney.

The Kauai Aid to Victims Program was started in 1977. It has a \$30,000 budget and is funded by LEAA (90%) and Kauai County (10%). The agency, staffed by a Coordinator, Miss Jeanne Halvosa, and a part-time Secretary is attached to the Kauai County Mayor's Office.

In Honolulu, the Victim Kokua Center was established in 1978 as a Pilot Project. It is funded by LEAA (90%), City & County of Honolulu (5%), and State of Hawaii (5%). It also has a budget of \$30,000. The agency is staffed by a Coordinator, Robert Luck, and a Secretary and is placed within the Honolulu Prosecuting Attorney's Office.

This year, the Hilo Justice for Victims Program was granted \$20,000 by the State Legislature to extend its program for another year. The funds appropriated are administered by the Criminal Injuries Compensation Commission.

FEDERAL LEGISLATION

In the post-midnight hour of the final day of the Ninety-Fifth Congress, the U.S. House of Representatives voted down a compromise version of the "Victims of Crime Act of 1978". The bill, which would provide federal subsidies to State Victim Compensation programs, was defeated by a vote of 199-184.

The decision was a reversal of a House action of the previous year in which a similar proposal was adopted by a 19 vote margin, 192-173. The 1978 defeat was on a compromise between the House and Senate versions. The rejected Conference Committee recommendation, though significantly weighted to the House bill, contained a few Senate-backed provisions. One was specifically designed to encourage states to pay the first \$100 of elderly claimant's medical costs, which some states do not do now.

While a federal bill was not enacted in 1978, continued interest in a national program to compensate victims of crime is expected. The Commission will continue to monitor proposed federal legislation in this area.

OTHER HIGHLIGHTS

Our Program Administrator, Wilfred S. Pang, represented Hawaii at the 7th meeting of the International Association of Crime Victims Compensation Boards held in Calgary, Alberta, Canada, July 2-4, 1979. Participants came from Australia, Hong Kong, England, Northern Ireland, Canadian Provinces, and the United States.

The primary purpose of the meeting was an interchange of ideas to resolve administrative problems in existing compensation programs. The following subject matters were discussed at the Conference which was held under the auspices of the Alberta government: (1) compensation for pain and suffering, (2) deductions from compensation, (3) the non-earning victim, (4) property damage, (5) recovery from the offender, and (6) judicial review.

Attendance by our Program Administrator at the Conference was extremely helpful in establishing lines of communication and personal relationship with persons who are particularly knowledgeable, interested, and expert in the field of Crime Victim Compensation.

CONCLUSION

The prevention of crime and the correction of criminal behavior are, of course, matters of continuing concern to us all. In the total scope of criminal justice, however, little attention has been given to the plight of the innocent victims of crime. As a means of providing some relief to citizens who suffered personal injury or property damage in certain crimes, the State of Hawaii has adopted a system for their indemnification.

Ever since 1967, we have had a Criminal Injuries Compensation Act. The Hawaii program is considered to be one of the most liberal and compassionate of the twenty six programs that are currently in existence. Hawaii does not have the restrictive minimum loss, financial need, residency, or filing fee provisions found in other jurisdictions, and the program compensates for two of the most unique items-- pain and suffering and property loss for the "good samaritan". This indicates the concern for the victim and those who actively aid in the enforcement of the law on his own volition.

Since the inception of the program in 1967, the State has disbursed a total of \$2,250,817.07 to 1,544 persons whose claims have been approved. We realize that the amounts paid can never really compensate a person for injuries--physical and traumatic, or damages suffered from criminal acts, particularly those of violence. Nevertheless, the compensation represents a measure of the State's concern for those who are needlessly made to suffer, and it is our view that the road to recovery is eased somewhat by the public concern represented in the relief grants.

Hawaii continues to be recognized as one of the leading States in the Crime Victims Compensation field, a fact that both citizens and government can take pride in.

The Commission cannot conclude this report without expressing its appreciation and gratitude to the many people and agencies who continue to help make our job easier. We take this opportunity to thank the various Police Departments throughout the State for their excellent cooperation and support. We would also like to express our thanks to the Office of the Attorney General for providing legal interpretations and advice, and for representing the Commission in litigations.

As usual, the Commission is most appreciative of the continued support of Mr. Andrew I. T. Chang, Director, Department of Social Services & Housing, and the members of his staff.

Finally, we acknowledge with much thanks the outstanding work of our staff without whose efforts the program would not have progressed to its present stage.



DANIEL S. UKISHIMA
Chairman

APPENDIX A

CRIMINAL INJURIES COMPENSATION COMMISSION
1979 AWARDS

Page 1

CASE NUMBER	DATE OF			CLASSIFICATION OF CRIME	(A)	(B)	(C)	(D)	(E)	(F)	(G)
	APPLICATION	CRIME	AWARD		MEDICAL EXPENSES	FUNERAL & BURIAL EXPENSES	LOSS OF EARNING POWER	PECUNIARY LOSS	PAIN & SUFFERING	ATTORNEYS' FEE	TOTAL AWARD
74-161	12-24-74	2-9-73	9-2-75	Assault					1,000.00	50.00	\$ 1,000.00 ¹
76-92	3-25-76	2-20-76	3-21-79	Assault					150.00		150.00
76-107	4-8-76	2-22-76	7-5-77	Assault	774.75				1,500.00		2,274.75
76-150	6-15-76	5-25-76	3-21-79	Assault					300.00		300.00
76-160	7-1-76	10-1-75	3-21-79	Rape					1,000.00		1,000.00
76-177	7-27-76	7-27-76	8-30-79	Assault	400.00						400.00
76-179	8-4-76	5-24-76	3-14-79	Rape	83.20				1,000.00		1,083.20 ²
76-181	8-9-76	3-10-76	3-14-79	Rape			137.35		1,000.00	25.00	1,137.35 ³
76-228	10-19-76	10-9-76	2-20-79	Assault	147.64		244.00		150.00	25.00	541.64 ⁴
77-14	1-12-77	1-2-77	4-4-79	Assault	568.68				750.00		1,318.68
77-17	1-14-77	8-16-75	3-28-79	Rape					1,000.00		1,000.00
77-18	1-14-77	7-25-76	3-28-79	Rape	173.15				1,000.00		1,173.15
77-19	1-14-77	1-7-77	10-5-79	Assault					25.00		25.00
77-34	1-31-77	1-21-77	7-19-79	Murder		2,000.00					2,000.00
77-35	1-31-77	1-3-77	4-4-79	Sexual Abuse					75.00		75.00

CRIMINAL INJURIES COMPENSATION COMMISSION
1979 AWARDS

Page 2

CASE NUMBER	DATE OF			CLASSIFICATION OF CRIME	(A)	(B)	(C)	(D)	(E)	(F)	(G)
	APPLICATION	CRIME	AWARD		MEDICAL EXPENSES	FUNERAL & BURIAL EXPENSES	LOSS OF EARNING POWER	PECUNIARY LOSS	PAIN & SUFFERING	ATTORNEYS' FEE	TOTAL AWARD
77-42	2-4-77	12-30-76	4-25-79	Assault	16.64				250.00		\$ 266.64
77-45	2-14-77	2-6-77	3-14-79	Assault	63.00		1,186.00		750.00	75.00	1,999.00 ⁵
77-47	2-14-77	9-25-76	4-25-79	Assault	2,222.29				250.00		2,472.29 ⁶
77-50	2-23-77	12-28-76	4-4-79	Assault	78.55				150.00		228.55 ⁷
77-52	2-23-77	2-13-77	7-19-79	Assault					800.00		800.00
77-70	3-28-77	3-16-77	9-13-79	Assault			185.28		100.00		285.28
77-76	3-30-77	2-3-77	3-14-79	Rape	158.87		414.09		1,500.00		2,072.96
77-82	4-4-77	9-5-76	9-29-77	Assault	379.50						379.50
77-83	4-4-77	3-3-77	4-11-79	Assault			10,000.00			150.00	10,000.00 ⁸
77-111 (Hilo)	5-26-77	11-8-76	4-4-79	Murder		345.80					345.80 ⁹
77-125	6-13-77	9-23-76	7-26-79	Assault	269.74		2,664.39		2,000.00	200.00	4,934.13 ¹⁰
77-140	6-27-77	2-10-77	8-23-79	Assault	208.38						208.38 ¹¹
77-143	6-30-77	8-27-77	7-20-79	Assault	149.82				100.00		249.82
77-149	7-13-77	6-3-76	7-20-79	Assault	874.12		343.90		2,000.00		3,218.02 ¹²
77-154	7-19-77	6-21-77	3-28-79	Assault	2,952.34				250.00		3,202.34

CRIMINAL INJURIES COMPENSATION COMMISSION
1979 AWARDS

Page 3

CASE NUMBER	DATE OF			CLASSIFICATION OF CRIME	(A)	(B)	(C)	(D)	(E)	(F)	(G)
	APPLICATION	CRIME	AWARD		MEDICAL EXPENSES	FUNERAL & BURIAL EXPENSES	LOSS OF EARNING POWER	PECUNIARY LOSS	PAIN & SUFFERING	ATTORNEYS' FEE	TOTAL AWARD
77-164	8-4-77	8-24-76	7-27-79	Assault	142.36				200.00		\$ 342.36
77-166	8-8-77	3-8-77	3-16-78	Rape	1,220.00				1,500.00	150.00	2,720.00 ¹³
77-168	8-17-77	7-21-77	7-27-79	Assault	111.47				50.00		161.47
77-179	9-6-77	5-17-77	8-9-79	Assault	158.00		261.80		450.00		869.80
77-181	9-7-77	8-31-77	7-27-79	Assault	20.00				50.00		70.00 ¹⁴
77-183	9-9-77	3-5-77	8-9-79	Assault			2,357.85		500.00		2,857.85
77-189	9-13-77	7-27-76	8-9-79	Assault	111.33		97.44		200.00	35.00	408.77 ¹⁵
77-196	9-15-77	6-23-76	8-24-79	Assault	868.69		150.00				1,018.69
77-199	9-21-77	7-17-77	8-10-79	Assault	1,592.80				1,000.00		2,592.80
77-200	9-22-77	9-4-77	8-10-79	Assault	536.91		237.60		750.00		1,524.51
77-203	9-27-77	8-28-76	8-10-79	Assault	4,729.19						4,729.19 ¹⁶
77-208	10-3-77	9-25-77	8-15-79	Assault	624.28				3,000.00		3,624.28
77-209	10-3-77	7-23-77	8-10-79	Assault	210.36				200.00		410.36
77-210	10-3-77	10-1-77	2-20-79	Assault	87.26				100.00		187.26
77-211 (Kauai)	10-4-77	8-10-77	11-1-79	Assault					100.00		100.00

CRIMINAL INJURIES COMPENSATION COMMISSION
1979 AWARDS

Page 4

CASE NUMBER	DATE OF			CLASSIFICATION OF CRIME	(A)	(B)	(C)	(D)	(E)	(F)	(G)
	APPLICATION	CRIME	AWARD		MEDICAL EXPENSES	FUNERAL & BURIAL EXPENSES	LOSS OF EARNING POWER	PECUNIARY LOSS	PAIN & SUFFERING	ATTORNEYS' FEE	TOTAL AWARD
77-226	10-14-77	10-13-77	8-16-79	Assault					25.00		25.00
77-227	10-14-77	3-9-77	8-23-79	Rape					300.00		300.00
77-229	10-18-77	6-15-77	8-23-79	Rape					300.00		300.00
77-230	10-18-77	6-12-77	8-15-79	Assault	85.41						85.41
77-234	10-20-77	12-21-76	8-16-79	Assault	500.00				1,500.00	50.00	2,000.00 ¹⁷
77-239	10-25-77	9-25-77	8-13-79	Assault	186.30				50.00	25.00	236.30 ¹⁸
77-240	10-26-77	9-23-77	8-15-79	Assault	49.75		586.00		250.00		885.75
77-251	11-8-77	10-11-77	8-9-79	Rape					250.00		250.00
77-252	11-7-77	8-30-77	8-23-79	Assault					1,000.00		1,000.00
77-254	11-14-77	10-11-77	8-24-79	Assault	16.30				500.00		516.30
77-255	11-10-77	10-27-77	8-24-79	Assault	374.95		600.00		500.00		1,474.95
77-260	11-21-77	9-7-77	8-30-79	Murder		1,500.00					1,500.00
77-265	11-28-77	10-21-77	8-24-79	Assault	191.23				50.00	25.00	241.23 ¹⁹
77-266	11-28-77	10-21-77	8-24-79	Assault					250.00	25.00	250.00 ²⁰
77-271	12-2-77	11-29-77	8-30-79	Assault					750.00		750.00

CRIMINAL INJURIES COMPENSATION COMMISSION
1979 AWARDS

Page 5

CASE NUMBER	DATE OF			CLASSIFICATION OF CRIME	(A)	(B)	(C)	(D)	(E)	(F)	(G)
	APPLICATION	CRIME	AWARD		MEDICAL EXPENSES	FUNERAL & BURIAL EXPENSES	LOSS OF EARNING POWER	PECUNIARY LOSS	PAIN & SUFFERING	ATTORNEYS' FEE	TOTAL AWARD
77-284	12-13-77	1-1-76	4-25-79	Assault					50.00		\$ 50.00
77-291	12-23-77	9-23-77	7-27-79	Rape	135.20				500.00		635.20 ²¹
77-292	12-23-77	9-23-77	7-27-79	Rape	360.00				1,000.00		1,360.00
77-293	12-27-77	12-4-77	7-19-79	Assault					500.00		500.00
78-2	1-3-78	12-19-77	8-24-79	Assault	1,703.10						1,703.10
78-8	1-6-78	12-23-77	9-14-79	Assault	57.50		1,616.40		1,000.00		2,673.90
78-9	1-9-78	5-19-77	9-20-79	Rape	575.67		445.40		250.00		1,271.07
78-12	1-25-78	7-27-76	9-20-79	Assault	166.62		500.00		300.00	25.00	966.62 ²²
78-19	1-17-78	12-15-77	9-20-79	Assault					200.00		200.00
78-21	1-20-78	1-8-78	8-31-79	Assault	751.11		150.00				901.11 ²³
78-22	1-19-78	1-4-78	8-31-79	Rape					1,000.00		1,000.00
78-24	1-23-78	1-15-78	9-14-79	Assault			1,037.05		2,500.00		3,537.05
78-25	1-23-78	12-24-77	9-21-79	Assault					500.00	25.00	500.00 ²⁴
78-27	1-24-78	6-13-77	9-27-79	Assault					200.00		200.00
78-28	1-24-78	1-15-78	8-16-79	Assault	29.27				100.00		129.27

CRIMINAL INJURIES COMPENSATION COMMISSION
1979 AWARDS

Page 6

CASE NUMBER	DATE OF			CLASSI- FICATION OF CRIME	(A)	(B)	(C)	(D)	(E)	(F)	(G)
	APPLICA- TION	CRIME	AWARD		MEDICAL EXPENSES	FUNERAL & BURIAL EXPENSES	LOSS OF EARNING POWER	PECUNIARY LOSS	PAIN & SUFFERING	ATTORNEYS' FEE	TOTAL AWARD
78-29	1-27-78	1-1-78	9-27-79	Assault	842.80				25.00		867.80
78-31	1-30-78	12-4-77	9-27-79	Assault	174.38						174.38
78-42 (Hilo)	2-6-78	1-7-78	11-8-79	Assault					300.00		300.00
78-45	1-6-78	1-18-78	9-14-79	Assault	1,069.60				750.00		1,819.60 ²⁵
78-46	2-6-78	2-5-78	9-21-79	Assault					100.00		100.00
78-47	2-6-78	2-5-78	9-27-79	Assault	23.00				300.00		323.00
78-49	2-6-78	2-5-78	9-27-79	Assault	66.50				100.00		166.50
78-50 (Hilo)	2-7-78	1-4-77	10-19-79	Assault					25.00		25.00
78-52	2-7-78	9-23-76	10-4-79	Murder		1,865.60					1,865.60
78-54	2-8-78	2-5-78	9-27-79	Assault	168.33				300.00		468.33
78-56	2-9-78	2-5-78	9-27-79	Assault					250.00		250.00
78-59 (Kauai)	2-13-78	1-2-78	2-16-79	Assault					25.00		25.00
78-60	2-10-78	2-6-78	10-4-79	Assault					25.00		25.00
78-62 (Kauai)	2-14-78	5-14-77	10-12-78	Assault	219.52				50.00		269.52 ²⁶

CRIMINAL INJURIES COMPENSATION COMMISSION
1979 AWARDS

Page 7

CASE NUMBER	DATE OF			CLASSIFICATION OF CRIME	(A)	(B)	(C)	(D)	(E)	(F)	(G)
	APPLICATION	CRIME	AWARD		MEDICAL EXPENSES	FUNERAL & BURIAL EXPENSES	LOSS OF EARNING POWER	PECUNIARY LOSS	PAIN & SUFFERING	ATTORNEYS' FEE	TOTAL AWARD
78-67	2-16-78	12-4-77	10-11-79	Assault					400.00		\$ 400.00
78-70	2-21-78	12-30-77	10-12-79	Assault	500.27				200.00		700.27
78-75	2-23-78	2-4-78	10-5-79	Assault					300.00		300.00
78-177	2-27-78	1-10-78	9-14-79	Rape					1,000.00		1,000.00
78-78	2-27-78	2-25-78	10-4-79	Assault					50.00		50.00
78-79	2-27-78	2-25-78	10-12-79	Assault			200.00		50.00		250.00
78-83 (Hilo)	3-1-78	2-13-78	8-3-79	Assault					50.00		50.00
78-84	3-2-78	6-12-77	10-5-79	Sodomy	161.41				1,000.00		1,161.41
78-86 (Kauai)	3-3-78	2-22-78	10-12-78	Assault	358.45				500.00		858.45 ²⁷
78-87 (Hilo)	3-6-78	1-26-78	2-22-79	Assault	6,654.73						6,654.73
78-90	3-6-78	2-5-77	11-8-79	Assault					2,000.00		2,000.00
78-91 (Hilo)	3-7-78	2-22-77	10-18-79	Man-slaughter	740.25	1,879.75					2,620.00
78-93	3-10-78	3-3-78	2-20-79	Assault	52.75				100.00	25.00	152.75 ²⁸
78-94	3-10-78	3-3-78	2-20-79	Assault	175.90				150.00	25.00	325.90 ²⁹

CRIMINAL INJURIES COMPENSATION COMMISSION
1979 AWARDS

Page 8

CASE NUMBER	DATE OF			CLASSIFICATION OF CRIME	(A)	(B)	(C)	(D)	(E)	(F)	(G)
	APPLICATION	CRIME	AWARD		MEDICAL EXPENSES	FUNERAL & BURIAL EXPENSES	LOSS OF EARNING POWER	PECUNIARY LOSS	PAIN & SUFFERING	ATTORNEYS' FEE	TOTAL AWARD
78-96	3-13-78	6-1-77	10-11-79	Rape	232.06				3,000.00		\$ 3,232.06
78-101	3-15-78	8-20-77	10-12-79	Assault			175.00		250.00		425.00
78-103	3-17-78	12-28-77	10-4-79	Assault	75.87				150.00		225.87
78-105 (Hilo)	3-20-78	8-18-77	8-3-79	Assault					50.00		50.00
78-107	3-30-78	8-29-77	8-23-79	Assault					100.00		100.00
78-108	3-21-78	1-4-78	10-12-79	Assault			10,000.00			300.00	10,000.00 ³⁰
78-111	3-30-78	2-4-78	10-26-79	Assault					500.00		500.00
78-112	3-30-78	3-30-78	10-26-79	Assault	107.00				25.00		132.00
78-126	4-12-78	2-17-78	10-26-79	Assault					300.00		300.00
78-134	4-19-78	4-30-77	10-26-79	Assault	206.24				200.00		406.24
78-135	4-19-78	2-12-78	9-28-79	Assault	3,472.78				200.00		3,672.78 ³¹
78-140	4-24-78	3-18-78	10-26-79	Assault	123.64				200.00		323.64
78-141	4-25-78	11-20-77	2-22-79	Assault					150.00		150.00
78-142	4-27-78	1-25-78	10-26-79	Assault	100.19				200.00		300.19
78-144 (Kauai)	5-1-78	3-17-78	11-1-79	Murder		905.60					905.60

CRIMINAL INJURIES COMPENSATION COMMISSION
1979 AWARDS

Page 9

CASE NUMBER	DATE OF			CLASSIFICATION OF CRIME	(A)	(B)	(C)	(D)	(E)	(F)	(G)
	APPLICATION	CRIME	AWARD		MEDICAL EXPENSES	FUNERAL & BURIAL EXPENSES	LOSS OF EARNING POWER	PECUNIARY LOSS	PAIN & SUFFERING	ATTORNEYS' FEE	TOTAL AWARD
78-149	5-4-78	11-24-77	11-9-79	Assault	190.00						\$ 190.00 ³²
78-150	5-8-78	4-25-78	10-11-79	Assault					100.00		100.00
78-156 (Hilo)	5-16-78	3-3-78	2-22-79	Assault	903.21				1,500.00	150.00	2,403.21 ³³
78-157	5-17-78	5-9-78	11-15-79	Assault			734.72		100.00		834.72
78-158 (Maul)	5-18-78	5-4-78	11-8-79	Assault	296.20		2,421.00		3,000.00		5,717.20
78-160	5-19-78	11-2-77	7-26-79	Rape					500.00		500.00
78-161	4-19-78	4-22-78	11-15-79	Assault					500.00		500.00
78-162	5-19-78	4-24-78	11-30-79	Assault					25.00		25.00
78-165	5-30-78	8-9-77	8-15-79	Assault	440.62				2,000.00		2,440.62
78-166	5-30-78	3-14-78	11-15-79	Assault	171.75		406.00		500.00		1,077.75
78-167	5-30-78	3-4-78	11-16-79	Rape					500.00		500.00
78-169	6-5-78	12-22-77	11-21-79	Rape	125.10				1,250.00		1,375.10
78-172	6-5-78	8-9-77	2-13-79	Assault	181.95				50.00		231.95
78-173 (Hilo)	6-6-78	5-27-78	8-2-79	Assault					500.00		500.00

CRIMINAL INJURIES COMPENSATION COMMISSION
1979 AWARDS

Page 10

CASE NUMBER	DATE OF			CLASSIFICATION OF CRIME	(A)	(B)	(C)	(D)	(E)	(F)	(G)
	APPLICATION	CRIME	AWARD		MEDICAL EXPENSES	FUNERAL & BURIAL EXPENSES	LOSS OF EARNING POWER	PECUNIARY LOSS	PAIN & SUFFERING	ATTORNEYS' FEE	TOTAL AWARD
78-175	6-9-78	6-2-78	11-16-79	Assault	5.50				250.00		255.50
78-176 (Molokai)	6-9-78	3-11-78	11-21-79	Assault	14.20				5,000.00	50.00	5,014.20 ³⁴
78-177 (Molokai)	6-9-78	3-11-68	11-21-79	Rape					5,000.00	25.00	5,000.00 ³⁵
78-178 (Maui)	6-13-78	5-4-78	10-17-79	Murder	144.50	1,500.00					1,644.50
78-179	6-13-78	3-4-78	2-22-79	Assault	552.24						552.24 ³⁶
78-180	6-13-78	6-3-78	11-8-79	Assault					350.00		350.00
78-184	6-16-78	6-10-78	11-16-79	Assault	18.30						18.30
78-185	6-16-78	5-21-78	11-21-79	Assault	13.18				50.00		63.18
78-191	6-21-78	5-24-77	2-15-79	Assault	705.76				150.00		855.76
78-193	1-16-78	6-6-78	11-21-79	Assault	626.21						626.21
78-194	6-26-78	5-21-78	11-29-79	Assault					100.00		100.00
78-195	6-26-78	1-22-77	11-29-79	Assault	431.88				500.00		931.88
78-196	6-28-78	6-24-78	2-13-79	Assault	127.10				25.00		152.10 ³⁷
78-197	6-29-78	5-27-78	11-23-79	Assault	64.24			120.00	100.00		284.24

CRIMINAL INJURIES COMPENSATION COMMISSION
1979 AWARDS

Page 11

CASE NUMBER	DATE OF			CLASSIFICATION OF CRIME	(A)	(B)	(C)	(D)	(E)	(F)	(G)
	APPLICATION	CRIME	AWARD		MEDICAL EXPENSES	FUNERAL & BURIAL EXPENSES	LOSS OF EARNING POWER	PECUNIARY LOSS	PAIN & SUFFERING	ATTORNEYS' FEE	TOTAL AWARD
78-201	7-6-78	6-21-78	11-21-79	Assault	16.34				100.00		\$ 116.34
78-203	7-10-78	6-27-78	11-30-79	Assault			900.00		100.00		1,000.00
78-205	7-11-78	6-19-78	11-29-79	Assault	2,668.27				500.00		3,168.27
78-212 (Maul)	7-17-78	6-18-78	10-17-79	Murder		2,000.00					2,000.00
78-217	7-21-78	7-15-78	11-16-79	Assault	132.75		556.80		100.00		789.55
78-218	7-26-78	9-2-77	2-22-79	Assault			72.20		500.00		572.20
78-224	8-4-78	6-10-77	9-21-79	Rape					500.00		500.00
78-233 (Hilo)	8-11-78	6-10-78	8-3-79	Assault					25.00		25.00
78-235	8-11-78	5-21-78	9-20-79	Assault					25.00		25.00
78-236	3-19-79	5-22-78	9-20-79	Assault	246.00				100.00		346.00
78-237	8-14-78	9-10-77	11-23-79	Assault					1,000.00		1,000.00
78-240 (Hilo)	8-14-78	8-5-78	10-18-79	Sexual Abuse					300.00		300.00
78-241	8-9-78	7-26-78	11-29-79	Assault	2,672.79		975.00				3,647.79 ³⁸

CRIMINAL INJURIES COMPENSATION COMMISSION
1979 AWARDS

Page 12

CASE NUMBER	DATE OF			CLASSIFICATION OF CRIME	(A)	(B)	(C)	(D)	(E)	(F)	(G)
	APPLICATION	CRIME	AWARD		MEDICAL EXPENSES	FUNERAL & BURIAL EXPENSES	LOSS OF EARNING POWER	PECUNIARY LOSS	PAIN & SUFFERING	ATTORNEYS' FEE	TOTAL AWARD
78-242	8-14-78	7-13-78	11-30-79	Assault					200.00		\$ 200.00
78-243	8-14-78	8-6-78	11-30-79	Assault	617.39		200.00				817.39 ³⁹
78-244	8-15-78	2-17-78	11-15-79	Assault	136.35				750.00		886.35
78-247	8-15-78	6-22-77	11-29-79	Assault					100.00		100.00
78-250	8-17-78	5-7-77	10-26-79	Assault					100.00		100.00
78-254 (Hilo)	8-22-78	5-29-78	10-19-79	Assault					25.00		25.00
78-255 (Hilo)	8-22-78	5-30-78	10-18-79	Assault					25.00		25.00
78-261 (Hilo)	8-29-78	8-11-78	10-18-79	Assault	18.30				50.00		68.30
78-262 (Hilo)	8-29-78	8-11-78	10-18-79	Assault	51.58				25.00		76.58
78-267 (Hilo)	9-6-78	6-28-77	10-19-79	Man-slaughter		1,618.36					1,618.36
78-269	9-6-78	4-1-78	2-20-79	Assault					100.00		100.00
78-271	9-6-78	6-30-78	2-16-79	Assault					25.00		25.00
78-276 (Kauai)	9-15-78	7-11-78	11-1-79	Murder		1,459.72					1,459.72

CRIMINAL INJURIES COMPENSATION COMMISSION
1979 AWARDS

Page 13

CASE NUMBER	DATE OF			CLASSIFICATION OF CRIME	(A)	(B)	(C)	(D)	(E)	(F)	(G)
	APPLICATION	CRIME	AWARD		MEDICAL EXPENSES	FUNERAL & BURIAL EXPENSES	LOSS OF EARNING POWER	PECUNIARY LOSS	PAIN & SUFFERING	ATTORNEYS' FEE	TOTAL AWARD
78-281 (Kauai)	9-21-78	5-7-78	11-1-79	Rape					1,000.00		\$ 1,000.00
78-293 (Hilo)	9-27-78	9-18-78	10-19-79	Assault			70.80		50.00		120.80
78-294 (Hilo)	9-27-78	9-13-78	10-18-79	Assault	5.94				25.00		30.94
78-297 (Kauai)	9-29-78	4-2-78	8-30-79	Murder		1,611.33					1,611.33
78-300 (Hilo)	10-2-78	5-23-78	8-3-78	Assault	98.26				100.00		198.26
78-303 (Hilo)	10-3-78	8-29-78	10-19-79	Assault					100.00		100.00
78-305 (Hilo)	10-6-78	9-25-78	8-2-79	Assault					50.00		50.00
78-306 (Kauai)	10-6-78	8-7-78	11-1-79	Assault					100.00		100.00
78-310 (Maui)	10-13-78	6-15-78	10-17-79	Assault	33.51				350.00		383.51
78-311 (Hilo)	10-13-78	9-16-78	8-2-79	Assault					1,500.00		1,500.00

CRIMINAL INJURIES COMPENSATION COMMISSION
1979 AWARDS

Page 14

(A) (B) (C) (D) (E) (F) (G)

CASE NUMBER	DATE OF			CLASSIFICATION OF CRIME	MEDICAL EXPENSES	FUNERAL & BURIAL EXPENSES	LOSS OF EARNING POWER	PECUNIARY LOSS	PAIN & SUFFERING	ATTORNEYS' FEE	TOTAL AWARD
	APPLICATION	CRIME	AWARD								
78-323 (Hilo)	10-27-78	10-9-78	10-19-79	Assault					300.00		\$ 300.00
78-324	10-27-78	9-27-78	10-11-79	Assault					500.00		500.00
78-332 (Maui)	11-13-78	8-26-77	4-11-79	Murder		1,000.00					1,000.00
78-333 (Kauai)	11-13-78	10-7-78	11-1-79	Assault	181.84				400.00		581.84
78-335 (Hilo)	11-16-78	10-28-78	10-18-79	Assault			173.76		300.00		473.76
78-337	11-17-78	8-31-78	8-30-79	Assault					500.00		500.00
78-341 (Hilo)	11-22-78	11-10-78	8-2-79	Assault					25.00		25.00
78-342 (Hilo)	11-22-78	4-29-78	10-19-79	Assault	9.00				25.00		34.00
78-345 (Hilo)	11-27-78	11-10-78	8-2-79	Sodomy					1,000.00		1,000.00
78-350 (Hilo)	11-30-78	8-31-78	10-18-79	Assault					250.00		250.00
78-353 (Hilo)	12-4-78	11-4-78	8-2-79	Assault					350.00		350.00

CRIMINAL INJURIES COMPENSATION COMMISSION
1979 AWARDS

Page 15

CASE NUMBER	DATE OF			CLASSIFICATION OF CRIME	(A)	(B)	(C)	(D)	(E)	(F)	(G)
	APPLICATION	CRIME	AWARD		MEDICAL EXPENSES	FUNERAL & BURIAL EXPENSES	LOSS OF EARNING POWER	PECUNIARY LOSS	PAIN & SUFFERING	ATTORNEYS' FEE	TOTAL AWARD
78-354 (Hilo)	12-5-78	6-14-78	8-2-79	Assault					50.00		\$ 50.00
78-355 (Hilo)	12-5-78	8-8-78	10-18-79	Assault	133.71				500.00		633.71
79-2 (Hilo)	12-26-78	6-28-78	8-2-79	Assault	370.68				150.00		520.68 ⁴⁰
79-4 (Hilo)	12-26-78	10-29-78	10-18-79	Sexual Abuse					250.00		250.00
79-5 (Hilo)	12-26-78	10-31-78	8-2-79	Assault					50.00		50.00
79-25 (Hilo)	1-8-79	11-16-78	10-18-79	Assault					100.00		100.00
79-27 (Hilo)	1-8-79	9-17-78	10-18-79	Assault					25.00		25.00
79-43 (Hilo)	1-19-79	12-6-78	8-3-79	Assault			243.60				243.60
79-45 (Hilo)	1-23-79	3-17-78	10-18-79	Assault	165.45		416.00		500.00		1,081.45
79-52 (Maui)	1-26-79	4-26-78	10-17-79	Assault	424.32				50.00		474.32

CRIMINAL INJURIES COMPENSATION COMMISSION
1979 AWARDS

Page 16

CASE NUMBER	DATE OF			CLASSIFICATION OF CRIME	(A)	(B)	(C)	(D)	(E)	(F)	(G)
	APPLICATION	CRIME	AWARD		MEDICAL EXPENSES	FUNERAL & BURIAL EXPENSES	LOSS OF EARNING POWER	PECUNIARY LOSS	PAIN & SUFFERING	ATTORNEYS' FEE	TOTAL AWARD
79-53 (Hilo)	1-30-79	12-7-78	10-19-79	Assault					25.00		\$ 25.00
79-58 (Hilo)	2-1-79	12-15-78	10-19-79	Assault					25.00		25.00
79-60 (Hilo)	2-1-79	7-1-78	8-2-79	Assault					25.00		25.00
79-61 (Kauai)	2-1-79	9-26-78	11-23-79	Sexual Abuse					750.00		750.00
79-68 (Maui)	2-9-79	2-20-78	10-17-79	Assault	2.10				50.00		52.10
79-91 (Maui)	3-19-79	3-4-79	10-17-79	Assault			75.99		500.00	25.00	575.99 ⁴¹
79-95 (Kauai)	3-23-79	2-2-79	11-1-79	Assault					200.00		200.00
79-96 (Kauai)	3-23-79	2-2-79	11-1-79	Assault					200.00		200.00
79-103 (Hilo)	3-23-79	1-1-79	10-18-79	Assault					25.00		25.00
79-105 (Hilo)	3-29-79	12-14-78	8-2-79	Assault	14.98				350.00		364.98

CRIMINAL INJURIES COMPENSATION COMMISSION
1979 AWARDS

Page 17

CASE NUMBER	DATE OF			CLASSIFICATION OF CRIME	(A)	(B)	(C)	(D)	(E)	(F)	(G)
	APPLICATION	CRIME	AWARD		MEDICAL EXPENSES	FUNERAL & BURIAL EXPENSES	LOSS OF EARNING POWER	PECUNIARY LOSS	PAIN & SUFFERING	ATTORNEYS' FEE	TOTAL AWARD
79-106 (Hilo)	3-29-79	12-20-78	8-3-79	Assault			874.29		200.00		\$ 1,074.29
79-107 (Hilo)	3-29-79	1-25-79	8-2-79	Assault					100.00		100.00
79-108 (Hilo)	3-29-79	2-17-78	10-18-79	Rape					1,000.00		1,000.00
79-122	4-16-79	12-18-78	9-13-79	Rape	50.00				200.00		250.00
79-124 (Hilo)	4-16-79	3-10-79	8-3-79	Assault			1,824.14		1,500.00	150.00	3,324.14 ⁴²
79-140 (Hilo)	5-2-79	11-24-78	8-2-79	Assault					25.00		25.00
79-141 (Hilo)	5-2-79	3-9-79	10-18-79	Rape	239.20		2,362.96		5,000.00		7,602.16
79-157 (Maui)	5-23-79	7-1-78	10-17-79	Assault	645.52		67.00		25.00		737.52 ⁴³
79-169 (Hilo)	6-13-79	4-12-79	10-18-79	Assault					50.00		50.00
79-171 (Kauai)	6-15-79	3-17-79	11-1-79	Rape	249.27				1,200.00		1,449.27
79-172 (Maui)	6-18-79	4-3-79	10-25-79	Rape	403.00				750.00		1,153.00

CRIMINAL INJURIES COMPENSATION COMMISSION
1979 AWARDS

Page 18

CASE NUMBER	DATE OF			CLASSIFICATION OF CRIME	(A)	(B)	(C)	(D)	(E)	(F)	(G)
	APPLICATION	CRIME	AWARD		MEDICAL EXPENSES	FUNERAL & BURIAL EXPENSES	LOSS OF EARNING POWER	PECUNIARY LOSS	PAIN & SUFFERING	ATTORNEYS' FEE	TOTAL AWARD
79-177 (Hilo)	6-28-79	4-23-79	10-18-79	Assault			352.40		100.00		\$ 452.40
79-179 (Kauai)	4-30-79	2-20-79	11-1-79	Assault					75.00		75.00
79-186 (Maui)	7-3-79	5-21-79	10-17-79	Assault	197.75				100.00		297.75 ⁴⁴
79-204 (Hilo)	7-16-79	4-6-79	10-18-79	Assault					25.00		25.00
79-207 (Hilo)	7-18-79	3-18-79	10-18-79	Assault	196.36		120.00		25.00		341.36
79-210 (Hilo)	7-18-79	2-27-79	10-19-79	Assault					25.00		25.00
79-222 (Hilo)	7-18-79	12-8-78	10-19-79	Assault					150.00		150.00
79-223 (Kauai)	7-25-79	2-28-79	11-1-79	Assault					50.00		50.00
79-224 (Maui)	7-25-79	2-9-78	11-1-79	Assault					200.00		200.00
79-226 (Maui)	7-26-79	7-3-78	10-17-79	Assault	191.20				150.00		341.20 ⁴⁵

CRIMINAL INJURIES COMPENSATION COMMISSION
1979 AWARDS

Page 19

CASE NUMBER	DATE OF			CLASSIFICATION OF CRIME	(A)	(B)	(C)	(D)	(E)	(F)	(G)
	APPLICATI- TION	CRIME	AWARD		MEDICAL EXPENSES	FUNERAL & BURIAL EXPENSES	LOSS OF EARNING POWER	PECUNIARY LOSS	PAIN & SUFFERING	ATTORNEYS' FEE	TOTAL AWARD
79-229 (Hilo)	7-27-79	2-24-79	10-19-79	Assault					25.00		\$ 25.00
79-235 (Kauai)	8-6-79	8-3-79	11-16-79	Assault	25.00				100.00		125.00
79-237 (Hilo)	8-7-79	7-31-79	10-19-79	Assault					25.00		25.00
79-245 (Hilo)	8-15-79	2-18-79	10-19-79	Assault	148.28				25.00		173.28
79-253 (Hilo)	8-16-79	8-6-79	10-19-79	Assault					25.00		25.00
79-260 (Maui)	8-22-79	8-6-79	10-19-79	Assault					1,000.00	75.00	1,000.00 ⁴⁶
79-272	9-20-79	8-28-79	10-17-79	Rape	405.60				750.00	25.00	1,155.60 ⁴⁷
					56,404.08	17,686.16	46,556.21		102,750.00	1,735.00	\$223,396.45

NOTES

- 1 Of the \$1,000 award, an award of \$50 is made to Joseph McKellar for attorneys' fees.
- 2 Of the \$1,083.20 awarded, \$83.20 shall be paid to Dr. Barbara Sloggett for medical services.
- 3 Of the \$1,137.35 award, an award of \$25 is made to Victor Agmata Jr for attorneys' fees.
- 4 Of the \$541.64 award, an award of \$25 is made to Victor Agmata Jr for attorneys' fees.
- 5 Of the \$1,999.00 awarded, \$43.04 shall be paid to St. Francis Hospital for medical services. An award of \$75 is made to Victor Agmata Jr for attorneys' fees.
- 6 Of the \$2,472.29 awarded, \$1,242.15 shall be paid to Queen's Medical Center for medical services.
- 7 Of the \$228.55 awarded, \$78.55 shall be paid to Queen's Medical Center; \$45.50 to Occupational Medicine and Surgery, Inc.; and \$52.42 to Medical Specialty Clinic.
- 8 Applicant is awarded \$10,000 (statutory maximum). The loss of the victim's earning power would have been greatly in excess of the total award permitted under the statute. An award of \$150 is made to Thomas T.M. Ho for attorneys' fees.
- 9 The final award of \$345.80 represents a 50% reduction from the actual award of \$691.60. Victim shared in the responsibility for the crime that caused his death.
- 10 Of the \$4,934.13 award, an award of \$200 is made to Reinhard Mohr for attorneys' fees.
- 11 Of the \$208.38 awarded, \$99.70 shall be paid to Queen's Medical Center for medical services.
- 12 Of the \$3,202.34 awarded, \$1,651.70 shall be paid to Queen's Medical Center; \$782.08 to Dr. George Chung; \$114.40 to The Emergency Group; and, \$4.16 to Hawaii Pathologists Laboratory.
- 13 Of the \$2,720.00 awarded, \$1,170.00 shall be paid to Pam Russell for medical services. An award of \$150 is made to Charles H. Witherwax for attorneys' fees.
- 14 Of the \$70.00 awarded, \$20.00 shall be paid to Wahiawa General Hospital for medical services.

NOTES (Continued)

- 15 Of the \$408.77 award, an award of \$35 is made to Roland Thom for attorneys' fees.
- 16 Of the \$4,729.19 awarded, \$2,993.18 shall be paid to Straub Clinic & Hospital Inc for medical services.
- 17 Of the \$2,000.00 award, an award of \$50 is made to Patrick Murphy for attorneys' fees.
- 18 Of the \$236.30 award, an award of \$25 is made to John Hyun for attorneys' fees.
- 19 Of the \$241.23 award, an award of \$25 is made to Lowell Chun Hoon for attorneys' fees.
- 20 Of the \$250.00 award, an award of \$25 is made to Lowell Chun Hoon for attorneys' fees.
- 21 Of the \$635.20 awarded, \$135.20 shall be paid to Hawaii Emergency Physicians Associated Inc for medical services.
- 22 Of the \$966.62 award, an award of \$25 is made to Roland Thom for attorneys' fees.
- 23 Of the \$901.11 awarded, \$111.50 shall be paid to Castle Memorial Hospital for medical services.
- 24 The final award of \$500.00 represents a 50% reduction from the actual award of \$1,000.00. Victim shared in the responsibility for the crime that caused his injury. An award of \$25 is made to Thomas J. Bowers III for attorneys' fees.
- 25 The final award of \$1,819.60 represents a 50% reduction from the actual award of \$3,639.19. Victim shared in the responsibility for the crime that caused his injury.
- 26 Of the \$269.52 awarded, \$61.60 shall be paid to G N Wilcox Memorial Hospital for medical services.
- 27 Of the \$858.45 awarded, \$55.00 shall be paid to G N Wilcox Memorial Hospital for medical services.
- 28 Of the \$152.75 award, an award of \$25 is made to Victor Agmata Jr for attorneys' fees.
- 29 Of the \$325.90 award, an award of \$25 is made to Victor Agmata Jr for attorneys' fees.

NOTES (CONTINUED)

- 30 Applicant is awarded \$10,000 (statutory maximum). The loss of the victim's earning power would have been greatly in excess of the total award permitted under the statute. An award of \$300 is made to Henry Beerman for attorneys' fees.
- 31 Of the \$3,672.78 awarded, \$3,472.78 shall be paid to Satoru Waki, Executive Vice President of Pacific Tokyu Express, Inc.
- 32 Of the \$190.00 awarded, \$110.00 shall be paid to Queen's Medical Center for medical services.
- 33 Of the \$2,403.21 award, an award of \$150 is made to William B. Davis for attorneys' fees.
- 34 Of the \$5,014.20 award, an award of \$50.00 is made to Dennis Daugherty for attorneys' fees.
- 35 Of the \$5,000.00 award, an award of \$25.00 is made to Dennis Daugherty for attorneys' fees.
- 36 Of the \$552.24 awarded, \$370.32 shall be paid to Dr. Gerald Dericks for medical services.
- 37 Of the \$152.10 awarded, \$127.10 shall be paid to Queen's Medical Center for medical services.
- 38 Of the \$3,647.79 awarded, \$1,169.55 shall be paid to Kuakini Medical Center; \$1,195.00 to Dr. Glenn Kokame; \$25.00 to Kuakini Radiology Group Inc; and, \$25.00 to Dr. George Kimata.
- 39 Of the \$817.39 awarded, \$617.39 shall be paid to Straub Clinic & Hospital Inc for medical services.
- 40 Of the \$520.68 awarded, \$197.00 shall be paid to Kona Hospital, and \$173.68 to Kona Coast Medical Group for medical services.
- 41 Of the \$575.99 award, an award of \$25 is made to Mark Honda for attorneys' fees.
- 42 Of the \$3,324.14 award, an award of \$150 is made to Robert Nip for attorneys' fees.
- 43 Of the \$737.52 awarded, \$446.00 shall be paid to Maui Memorial Hospital; \$133.02 to The Maui Medical Group Inc; and, \$66.50 to Maui Radiology Limited.
- 44 Of the \$297.75 awarded, \$175.05 shall be paid to Kaiser Foundation Hospital for medical services.

NOTES (CONTINUED)

- 45 Of the \$341.20 awarded, \$31.20 shall be paid to Maui Memorial Hospital for medical services.
- 46 Of the \$1,000.00 award, an award of \$75.00 is made to Steven Songstad for attorneys' fees.
- 47 Of the \$1,155.60 awarded, \$405.60 shall be paid to Dr. Alfred Arensdorf for medical services. An award of \$25 is made to Steven Songstad for attorneys' fees.

74-161

Victim is a 22 year old female who was shot by her boyfriend. She suffered gunshot wounds of the right chest and right shoulder. Medical expenses totaling \$4,865.92 were paid by the Public Welfare Division, Department of Social Services & Housing, State of Hawaii. Victim was not gainfully employed at the time of the incident. She is awarded \$1,000 for pain and suffering. An award of \$50 is made to Joseph McKellar for attorneys' fees.

76-92

Victim is a 23 year old male who was assaulted as the result of an argument arising out of an auto incident. He was struck in the mouth with a cane and suffered lacerations of the lips. There were no out-of-pocket medical expenses, and victim was not employed at the time of the incident. He is awarded \$150 for pain and suffering.

76-107

Victim is an 18 year old female who was kidnapped at Ala Moana Center. When the car was stopped by police at the intersection of School and Likelike Streets, victim was accidentally shot by a police officer in a standoff between the officer and the suspect who was holding a knife at victim's throat. Victim suffered a gunshot wound of the left thigh. Medical expenses totaled \$7,702.31 of which \$6,927.56 was paid by insurance. Victim was not employed at the time of the incident. She is awarded \$774.75 for medical expenses and \$1,500 for pain and suffering for a total award of \$2,274.75.

76-150

Victim is a 23 year old male who was shot when he attempted to disarm the assailant. He suffered a gunshot wound of the right thigh. Medical expenses totaling \$3,159.70 were paid by the Public Welfare Division, Department of Social Services & Housing, State of Hawaii. Victim was not gainfully employed at the time of the incident. He is awarded \$300.00 for pain and suffering.

76-160

Victim is a 19 year old female who was kidnapped at a bus stop and taken to an unknown destination where she was sexually assaulted. There are no medical expenses and victim, a waitress, did not lose any time off from work because of the incident. She is awarded \$1,000 for pain, suffering, nervous and mental shock.

76-177

Victim is a 34 year old male who was assaulted and robbed in Waikiki. He was struck in the face and suffered facial contusions and loss of a tooth. Medical expenses totaled \$400. Victim is awarded \$400 for out-of-pocket medical expenses.

76-179

Victim is a 17 year old female who was sexually assaulted by a male who broke into her home. Medical expenses totaled \$457.60 of which \$374.40 was paid by insurance. Victim was not gainfully employed at the time of the incident. She is awarded \$83.20 for medical expenses and \$1,000 for pain, suffering, nervous and mental shock for a total award of \$1,083.20. Of the \$1,083.20 awarded, \$83.20 shall be paid to Dr. Barbara Slogett for medical Services.

76-181

Victim is a 20 year old female who was sexually assaulted in a Waikiki hotel. Medical expenses totaling \$158.52 were covered under the Workers' Compensation program. Victim, a hotel employee, was unable to work for 4 months because of the incident and would have lost \$1,814.48 in wages except that she received \$1,677.13 in disability payments under the Workers' Compensation program. Victim is awarded \$137.35 for loss of earning power and \$1,000 for pain, suffering, nervous and mental shock for a total award of \$1,137.35. An award of \$25.00 is made to Victor Agmata, Jr., for attorneys' fees.

76-228

Victim is a 19 year old male who was assaulted by federal enforcement officers. He suffered a laceration on the forehead when he was pushed against a car. Medical expenses totaled \$147.64. Victim was unable to work for two weeks because of his injury and lost \$244.00 in earning power. He is awarded \$147.64 for medical expenses \$244.00 for loss of earning power, and \$150.00 for pain and suffering for a total award of \$541.64. An award of \$25.00 is made to Victor Agmata, Jr., for attorneys' fees.

77-14

Victim is a 59 year old female who was assaulted by an unidentified male while enroute home from work. She was struck in the face and when she fell her head hit the pavement. Medical bills totaled \$2,077.13 of which \$1,371.55 was paid by HMSA, and \$136.90 discounted by doctors. Victim did not lose earnings because of the incident. She is awarded \$568.68 for medical expenses, and \$750.00 for pain and suffering for a total award of \$1,318.68.

77-17

Victim is a 16 year old high school student who was sexually assaulted by a male who broke into her home. Medical expenses totaling \$46.80 were paid by insurance. Victim is awarded \$1,000 for pain, suffering, nervous and mental shock.

77-18

Victim is a 12 year old girl who was sexually assaulted by a male who broke into her home. Medical expenses totaled \$1,324.61 of which \$1,151.46 was paid by HMSA. Victim is awarded \$173.15 for medical expenses, and \$1,000 for pain, suffering, nervous and mental shock for a total award of \$1,173.15.

77-19

Victim is a 23 year old male who was assaulted in his home. He suffered a laceration of the scalp. There are no medical bills, and there is no evidence to indicate that victim lost earnings because of the incident. Victim is awarded \$25.00 for pain and suffering.

77-34

Victim is a 14 year old girl whose body was found on a Waipio canefield road. She had been raped and beaten to death by the accused who was arrested, charged and convicted. There are no medical bills and the victim was not employed. Funeral and burial expenses totaled \$2,981.33. However, the Commission ruled that only \$2,000.00 of that amount is reasonable and proper. Applicant, father of the deceased victim, is awarded \$2,000 for funeral-burial expenses.

77-35

Victim is a 15 year old girl who was molested by the accused while sitting on a bench in a downtown park. No medical bills were submitted and victim was not employed. She is awarded \$75 for pain, suffering, nervous and mental shock.

77-42

Victim is a 30 year old female who was injured when she fought off a rapist. She suffered a small abrasion on the neck and multiple contusions. Medical expenses totaled \$16.64, and victim used sick leave during her convalescence. She is awarded \$16.64 for medical expenses, and \$250.00 for pain and suffering for a total award of \$266.64.

77-45

Victim is a 49 year old male who was assaulted by a neighbor. He was struck in the face and suffered a fracture of the left jawbone. Medical expenses totaled \$776.26 of which \$702.76 was paid by HMSA and \$10.50 discounted by the doctor. Victim did not work for 21 days and would have lost \$1,354.08 except that he received \$168.08 in TDI benefits. Victim is awarded \$63.00 for medical expenses, \$1,186.00 for loss of earning power and \$750.00 for pain and suffering for a total award of \$1,999.00. Of the \$1,999.00 awarded \$43.04 shall be paid to St. Francis Hospital for medical services. An award of \$75 is made to Victor Agmata, Jr., for attorneys' fees.

77-47

Victim is a 29 year old male who was assaulted by his landlord. He was struck with a hoe and suffered a fracture of the left ring finger. Medical expenses totaled \$2,222.29. Victim, a contractor, did not claim loss of earning power. He is awarded \$2,222.29 for medical expenses, and \$250.00 for pain and suffering for a total award of \$2,472.29. Of the \$2,472.29 awarded, \$1,242.15 shall be paid to Queen's Medical Center.

77-50

Victim is a 32 year old male who was assaulted in his apartment. He was struck in the head and suffered lacerations of the scalp. Medical expenses totaled \$228.89 of which \$150.34 was paid by insurance. There is no credible evidence to support victim's claim for loss of earning power. Victim is awarded \$78.55 for medical expenses, and \$150.00 for pain and suffering for a total award of \$228.55. Of the \$228.55 awarded, \$78.55 shall be paid to Queen's Medical Center, \$45.50 to Occupational Medicine and Surgery, Inc., and \$52.42 to Medical Specialty Clinic.

77-52

Victim is a 30 year old male who was injured in a fight. He suffered a fracture of a knuckle on the left hand. Medical bills totaling \$2,090.51 were paid by the Public Welfare Division, Department of Social Services & Housing, State of Hawaii. There is no evidence to support victim's claim for loss of earning power. He is awarded \$800.00 for pain and suffering.

77-70

Victim is a 33 year old male who was assaulted. He suffered a fracture of the left clavicle. Medical expenses totaling \$911.34 were paid by the Public Welfare Division, Department of Social Services & Housing, State of Hawaii. Victim did not work for a month and lost \$185.28 in earnings. He is awarded \$185.28 for loss of earnings and \$100 for pain and suffering for a total award of \$285.28.

77-76

Victim is a 21 year old female who was sexually assaulted in her apartment. She was punched in the face and suffered contusions of the nose. Medical expenses totaled \$579.79 of which \$420.90 was paid by HMSA. Victim claims she was unable to work for 72 days because of the incident and lost \$2,455.20 in wages. However, the more credible evidence indicates that she used 40 days sick leave and 32 days were chalked off for unexcused absence. Victim is awarded \$158.87 for medical expenses, \$414.09 for loss of earning power, and \$1,500 for pain, suffering, nervous and mental shock for a total award of \$2,072.96.

77-82

Victim is a 2 year old boy who was shot by his father. He suffered gunshot wounds of the stomach. Medical bills totaled \$5,361.19 of which \$2,706.31 was paid by HMSA, \$2,047.88 by the Public Welfare Division, Department of Social Services & Housing, State of Hawaii, and \$227.50 discounted by doctors. Victim's parents are divorced. Applicant, on behalf of her minor son, is awarded \$379.50 for medical expenses.

77-83

Victim is a 64 year old male who was assaulted and robbed by two men. He was struck on the head with the butt of a gun and suffered a skull fracture. He is now a triplegic. Medical expenses totaled in excess of \$30,000 most of which were covered by HMSA, Medicare, and the Public Welfare Division, Department of Social Services & Housing, State of Hawaii. Victim was employed by Del Monte Corporation at the time of the incident. He is awarded \$10,000 (statutory maximum). The loss of victim's earning power is far in excess of the total award permitted under the statute. An award of \$150 is made to Thomas T.M. Ho for attorneys' fees.

77-111 (Hilo)

Victim is a 37 year old male who was killed in Hilo. His body was discovered by hunters in a foliage off Stainback Highway. The evidence indicates that the victim was involved in criminal activities in the volcano area on the Big Island. There are no medical expenses, and there is no evidence to indicate that victim was employed at the time of the incident. Funeral expenses totaled \$691.60. Applicant is awarded \$691.60 for funeral expenses. However, the Commission determined that the behavior of the victim was such that he shared in the responsibility for the crime that caused his death. Accordingly, the \$691.90 award is reduced by 50% (\$345.80) making a final award of \$345.80.

77-125

Victim is a 48 year old male who was shot following an argument in a bar. He suffered gunshot wounds of the right ear and right thigh. Medical expenses totaled \$3,217.59 of which \$2,941.89 was paid by HMSA, and \$5.96 discounted by a doctor. Victim did not work for five months because of the incident, and would have lost \$5,240.64 except that he received \$2,131.20 in TDI benefits and used vacation valued at \$445.05. Victim is awarded \$269.74 for medical expenses \$2,664.39 for loss of earning power, and \$2,000 for pain and suffering for a total award of \$4,934.13. An award of \$200 is made to Reinhard Mohr for attorneys' fees.

77-140

Victim is a 23 year old male who was assaulted as the result of an argument. He was struck in the head with a car jack and suffered lacerations of the scalp. Medical expenses totaled \$208.38. Victim was not gainfully employed at the time of the incident. He is awarded \$208.38 for medical expenses.

77-143

Victim is a 21 year old male who was assaulted in a bar in Wahiawa. He suffered a laceration of the scalp. Medical expenses totaled \$149.82. Victim was not employed at the time of the incident. He is awarded \$149.82 for medical expenses, and \$100 for pain and suffering for a total award of \$249.82.

77-149

Victim is a 22 year old female who was assaulted by a male who broke into her home. She was struck in the face and suffered a fracture of the right mandible, a cracked tooth, as well as severe right facial and neck swelling. Medical expenses totaled \$3,294.41 of which \$2,007.27 was paid by HMSA, and \$410.00 by a private insurance company. Victim did not work for approximately 7 weeks and would have lost \$817.50 in earnings except that she received \$473.60 in TDI benefits. She is awarded \$874.12 for medical expenses, \$343.90 for loss of earning power, and \$2,000 for pain and suffering for a total award of \$3,218.02.

77-154

Victim is a 21 year old female who was assaulted by a man who entered her apartment. She was stabbed in the left chest. Medical expenses totaled \$3,202.34 of which \$250.00 was paid by insurance. Victim was not gainfully employed at the time of the incident. She is awarded \$2,952.34 for medical expenses, and \$250 for pain and suffering for a total award of \$3,202.34. Of the \$3,202.34 awarded, \$1,651.70 shall be paid to Queen's Medical Center, \$782.08 to Dr. George Chung, \$114.40 to The Emergency Group, and \$4.16 to Hawaii Pathologists Laboratory.

77-164

Victim is an 18 year old girl who was knocked down by a purse snatcher. When she fell, her chin struck the pavement. Medical expenses totaled \$339.40 of which \$197.04 was paid by HMSA. Victim was not employed at the time of the incident. She is awarded \$142.36 for medical expenses, and \$200 for pain and suffering for a total award of \$342.36.

77-166

Victim is a 25 year old female who was assaulted and raped by a male who entered her home. Medical expenses totaled \$1,220. There is no credible evidence to support victim's claim for loss of earnings. She is awarded \$1,220 for medical expenses and \$1,500 for pain, suffering, nervous and mental shock. Of the \$2,720.00 awarded, \$1,170.00 shall be paid to Pam Russell for medical expenses. An award of \$150.00 is made to Charles Witherwax for attorneys' fees.

77-168

Victim is a 42 year old male who was assaulted by a woman as the result of an argument. He sprained his left index finger when warding off the attack. Medical expenses totaled \$320.85 of which \$209.38 was paid by HMSA. Victim did not lose time off from work because of the incident. He is awarded \$111.47 for medical expenses, and \$50 for pain and suffering for a total award of \$161.47.

77-179

Victim is a 26 year old male who was assaulted while jogging on a public beach. He was struck in the face and suffered contusions and lacerations. Medical expenses totaled \$1,028.74 of which \$870.74 was paid by HMSA. Victim did not work for about a month and would have lost \$396.20 in wages except that he used 7 days sick leave. His out-of-pocket loss is \$261.80. Victim is awarded \$158.00 for medical expenses, \$261.80 for loss of earning power, and \$450 for pain and suffering for a total award of \$869.80.

77-181

Victim is a 29 year old male who was injured in an altercation with his neighbor. He suffered superficial abrasions of the scalp. Medical expenses totaled \$20. Victim was not employed at the time of the incident. He is awarded \$20 for medical expenses, and \$50 for pain and suffering, for a total award of \$70. Of the \$70 awarded, \$20 shall be paid to Wahiawa General Hospital for medical services.

77-183

Victim is a 17 year old male who was assaulted by three men who demanded money of him. He was struck in the head and face and suffered head injuries and facial fractures. Medical expenses totaling \$5,924.14 were paid by the Kaiser Health Plan. Victim was unable to work for 7 months and would have lost \$3,115.00 in wages except that he received \$757.15 in TDI benefits. Victim is awarded \$2,357.85 for loss of earning power, and \$500 for pain and suffering, for a total award of \$2,857.85.

77-189

Victim is a 26 year old male who was shot by a neighbor. He suffered a gunshot wound of the left shoulder. Medical expenses totaled \$512.32 of which \$400.99 was paid by HMSA. Victim did not work for 2 weeks because of the incident and would have lost \$454.73 except that he used 11 days sick leave. Victim is awarded \$111.33 for medical expenses, \$97.44 for loss of earning power, and \$200.00 for pain and suffering for a total award of \$408.77. An award of \$35.00 is made to Roland Thom for attorneys' fees.

77-196

Victim is a 17 year old male who was knocked off a Mo-ped. He suffered a fractured nose and lacerations of the face. Medical expenses totaled \$2,540.25 of which \$1,671.56 was paid by insurance. Victim was unable to work for 10 days and lost \$150 in wages. He is awarded \$868.69 for out-of-pocket medical expenses, and \$150 for loss of earning power, for a total award of \$1,018.69.

77-199

Victim is a 35 year old female who was assaulted in her home in a rape attempt. She was struck in the facial area and had several teeth knocked out. Medical expenses totaled \$1,592.80. Victim was not employed at the time of the incident. She is awarded \$1,592.80 for medical expenses, and \$1,000 for pain and suffering, for a total award of \$2,592.80.

77-200

Victim is a 21 year old male who was assaulted at a public beach park. He was struck in the face and suffered a fracture of the jaw. Medical expenses totaled \$2,058.38 of which \$1,521.47 was paid by HMSA. Victim was unable to work because of the incident and would have lost \$1,221.60 in earnings except that he received \$984.00 in TDI benefits. Victim is awarded \$536.91 for medical expenses, \$237.60 for loss of earning power, and \$750.00 for pain and suffering for a total award of \$1,524.51.

77-203

Victim is a 46 year old male who was shot by his estranged wife. He suffered a gunshot wound of the left elbow. Medical expenses totaled \$4,729.19. There is no evidence to support victim's claim for loss of earning power. He is awarded \$4,729.19 for medical expenses. Of the \$4,729.19 awarded, \$2,993.18 shall be paid to Straub Clinic & Hospital, Inc. No award is made to the attorney.

77-208

Victim is a 67 year old female who was shot by a sniper. She suffered a gunshot wound of the left shoulder. Medical expenses totaled \$19,196.79 of which \$14,975.16 was paid by Medicare and \$1,476.54 by Blue Shield, and \$2,120.81 discounted by the hospital. Victim is a retiree. Because of the incident, she received \$4,267.40 from a public fund (Aloha Fund) set up by The Advertiser. Victim is awarded \$3,624.28 (\$7,891.68 less \$4,267.40 received from a public fund set up by The Advertiser) for out-of-pocket medical expenses and pain and suffering.

77-209

Victim is an 84 year old female who was knocked down by a purse snatcher in Waikiki. She suffered a fracture of the nose. Medical expenses totaled \$491.94 of which \$276.38 was paid by Medicare and \$5.20 discounted by doctors. Victim was not employed at the time of the incident. She is awarded \$210.36 for medical expenses, and \$200.00 for pain and suffering for a total award of \$410.36.

77-210

Victim is a 71 year old male who was assaulted at the YMCA. He was struck with a stick and suffered contusions and abrasions of the face, and left forearm. Medical expenses totaled \$313.61 of which \$226.35 was paid by Medicare. Victim was not employed at the time of the incident. He is awarded \$87.26 for medical expenses, and \$100 for pain and suffering, for a total award of \$187.26.

77-211 (Kauai)

Victim is a 34 year old male who was hit in the head with a rock thrown by a juvenile. He suffered lacerations of the scalp. Medical expenses totaling \$122.70 were paid by insurance. There is no evidence to support victim's claim for loss of earning power. Victim is awarded \$100 for pain and suffering.

77-226

Victim is a 26 year old male who was assaulted as the result of an argument. He was struck in the face and suffered contusions. Medical expenses totaling \$342.02 were paid by the Public Welfare Division, Department of Social Services & Housing, State of Hawaii. There is no evidence to indicate that victim was employed at the time of the incident. Victim is awarded \$25 for pain and suffering.

77-227

Victim is a 34 year old female who was raped by a male who entered her apartment. There are no medical expenses and victim was not employed at the time of the incident. She is awarded \$300 for pain, suffering, nervous and mental shock.

77-229

Victim is a 19 year old female who was raped in her apartment. There are no medical bills, and there is no evidence to support victim's claim for loss of earnings. Victim is awarded \$300 for pain, suffering, nervous and mental shock.

77-230

Victim is a 73 year old male who was assaulted at a public beach. Medical expenses totaled \$283.31 of which \$197.90 was paid by Medicare. Victim was not employed. He is awarded \$85.41 for medical expenses.

77-234

Victim is a 12 year old girl who was held captive in a hotel room. Medical expenses totaled \$500. Victim was not employed. She is awarded \$500 for medical expenses, and \$1,500 for pain, suffering, nervous and mental shock for a total award of \$2,000. An award of \$50 is made to Patrick Murphy for attorneys' fees.

77-239

Victim is a 22 year old female who was assaulted as the result of an argument. She was struck on the head with a golf club and suffered lacerations of the scalp. Medical expenses totaled \$186.30. Victim was not employed. She is awarded \$186.30 for medical expenses, and \$50 for pain and suffering, for a total award of \$236.30. An award of \$25 is made to Attorney John Hyun.

77-240

Victim is a 19 year old male who was shot when he and a friend went to Kipapa Gulch to survey the area for pig hunting. He suffered a gunshot wound of the lower right portion of his back. Medical expenses totaled \$372.49 of which \$322.74 was paid by HMSA. Victim was unable to work for 49 days and would have lost \$1,286.25 in wages except that he used 5 days sick leave and received \$569 in TDI benefits. Victim is awarded \$49.75 for medical expenses, \$586 for loss of earning power and \$250 for pain and suffering for a total award of \$885.75.

77-251

Victim is a 20 year old female who was abducted and sexually assaulted by two men. There are no out-of-pocket medical expenses and victim was not gainfully employed at the time of the incident. Victim is awarded \$250 for pain, suffering, nervous and mental shock.

77-252

Victim is a 15 year old boy who was struck by glass from a broken beer bottle. He suffered lacerations of the left eye. Medical expenses totaling \$2,093.85 were paid by the Public Welfare Division, Department of Social Services & Housing, State of Hawaii. Victim was not employed. He is awarded \$1,000 for pain and suffering.

77-254

Victim is a 74 year old female who was knocked down by a purse snatcher. When she fell she fractured her right pubic bone. Medical expenses totaled \$671.15 of which \$165.60 was paid by HMSA, \$385 by Medicare, and \$104.25 discounted by doctors. Victim was not employed at the time of the incident. She is awarded \$16.30 for medical expenses, and \$500 for pain and suffering for a total award of \$516.30.

77-255

Victim is a 55 year old male who was found unconscious in a Municipal Parking Lot. He was assaulted and suffered a linear skull fracture. Medical expenses totaled \$1,246.54 of which \$871.59 was paid by HMSA. Victim was unable to work for two months because of the incident. He is awarded \$374.95 for medical expenses, \$600 for loss of earning power, and \$500 for pain and suffering for a total award of \$1,474.95.

77-260

Victim is a 30 year old female who was killed by her lover. She was stabbed in the heart with a knife. No medical bills were submitted. Victim was employed as a telephone company Service Representative at the time of her death. Funeral and burial expenses totaled \$3,213.78 of which \$255 was paid by Social Security. Applicant, father of the decedent, is awarded \$1,500 for funeral and burial expenses.

77-265

Victim is a 34 year old male who was injured in an altercation. He suffered a knife wound on the top of his head. Medical bills totaled \$191.23. There is no credible evidence to indicate that victim lost earnings because of the incident. Victim is awarded \$191.23 for medical expenses and \$50 for pain and suffering for a total award of \$241.23. Of the \$241.23 awarded, \$25 shall be paid to Lowell Chun Hoon for attorneys' fees.

77-266

Victim is a 37 year old male who was injured in a fight. He suffered stab wounds of the right flank and right arm. Medical expenses totaling \$718.54 were covered by the Kaiser Health Plan. Victim did not work for 10 days because of the injury and would have lost \$703.50 in wages except that he used sick leave during his convalescence. Victim is awarded \$250 for pain and suffering. Of the \$250 awarded, \$25 shall be paid to Lowell Chun Hoon for attorneys' fees.

77-271

Victim is an 85 year old male who was assaulted and robbed by three men in the Aala Park area. He was struck in the head and face and suffered lacerations of the scalp and contusions of the face. Medical expenses totaled \$1,210.31 of which \$830.18 was paid by Medicare, \$158.85 by the Public Welfare Division, Department of Social Services & Housing, State of Hawaii, and \$221.28 discounted by doctors. Victim was not employed. He is awarded \$750 for pain and suffering.

77-284

Victim is a 26 year old male hitchhiker who was assaulted by the occupants of a van that picked him up in Kailua. He suffered multiple contusions of the head and body. No medical bills were submitted and victim did not lose earnings because of the incident. Victim is awarded \$50 for pain and suffering.

77-291

Victim is a 20 year old female who was raped by a man who entered her hotel room. Medical expenses totaled \$176.45 of which \$41.25 was paid by a Travel Bureau. There is no evidence to indicate that victim lost earnings because of the incident. Victim is awarded \$135.20 for medical expenses, and \$500 for pain, suffering, nervous and mental shock for a total award of \$635.20. Of the \$635.20 awarded, \$135.20 shall be paid to Hawaii Emergency Physicians Associated, Inc.

77-292

Victim is a 23 year old female who was beaten and raped in a hotel room. Medical expenses totaled \$627.17 of which \$267.17 was covered by insurance. There is no evidence to indicate that victim lost earnings because of the incident. She is awarded \$360 for medical expenses, and \$1,000 for pain, suffering, nervous and mental shock for a total award of \$1,360.

77-293

Victim is a 66 year old female who was knocked down by a purse snatcher in Waikiki. She fell and fractured her left shoulder. Medical bills totaling \$432.70 were covered by insurance. Victim was not employed at the time of the incident. She is awarded \$500 for pain and suffering.

78-2

Victim is a 52 year old male who was assaulted and robbed in his hotel. He was struck on the head and face, and suffered lacerations of the lip and scalp, and a depressed skull fracture. Medical expenses totaled \$3,018.70 of which \$1,315.60 was paid by insurance. There is no evidence to support victim's claim for loss of earning power. He is awarded \$1,703.10 to cover medical expenses.

78-8

Victim is a 45 year old male who was assaulted as the result of an argument arising out of a traffic incident. He was struck in the facial area and suffered a fracture of the nose and lacerations on his face. Medical expenses totaled \$1,393.84 of which \$1,266.22 was paid by HMSA and \$70.12 discounted by doctors. Victim did not work for 2 weeks because of his injury and lost \$1,616.40 in wages. He is awarded \$57.50 for medical expenses, \$1,616.40 for loss of earning power, and \$1,000 for pain and suffering for a total award of \$2,673.90.

78-9

Victim is a 46 year old female who was raped in her home. Medical expenses totaled \$1,902.35 of which \$1,326.68 was paid by HMSA. Victim was unable to work for a month and would have lost \$647 in earnings except that she received \$201.60 in TDI benefits. Victim is awarded \$575.67 for medical expenses, \$45.40 for loss of earning power, and \$250 for pain and suffering for a total award of \$1,271.07.

78-12

Victim is an 18 year old male who was shot in the abdomen by a neighbor. Medical expenses totaled \$1,792.05 of which \$1,625.43 was paid by HMSA. Victim, a landscaper, did not work during the period July 28, 1976 and September 17, 1976. However, because of his work habits, the Commission disallowed part of his claim for loss of earning power. Victim is awarded \$166.62 for medical expenses, \$500 for loss of earning power, and \$300 for pain and suffering for a total award of \$966.62. An award of \$25 is made to Roland Thom for attorneys' fees.

78-19

Victim is a 39 year old male who was stabbed by a vagrant in a Waikiki Hotel. Medical expenses totaling \$2,472.11 were covered by Workers' Compensation. Victim did not work for a month and a half and would have lost \$1,135.82 in earnings except that he was paid by his employer during his convalescence. He is awarded \$200 for pain and suffering.

78-21

Victim is a 28 year old female who was assaulted and robbed. She suffered contusions and lacerations of the face and nose and damage to 2 teeth. Medical expenses totaled \$751.11. Victim, a cab driver, did not work for 6 days. She is awarded \$751.11 for medical expenses, and \$150 for loss of earning power for a total award of \$901.11. Of the \$901.11 awarded, \$111.50 shall be paid to Castle Memorial Hospital.

78-22

Victim is a 13 year old girl who was raped by a male who abducted her at a bus stop. There are no out-of-pocket medical expenses and victim was not employed. Applicant is awarded \$1,000 for pain, suffering, nervous and mental shock.

78-24

Victim is a 30 year old male who was injured in a fight. He suffered lacerations of the forehead and cerebral contusions. Medical expenses totaling \$2,584.60 were paid by the Public Welfare Division, Department of Social Services & Housing, State of Hawaii. Victim was unable to work for 5 months and loss \$1,037.05 in earnings. He is awarded \$1,037.05 for loss of earning power, and \$2,500 for pain and suffering for a total award of \$3,537.05.

78-25

Victim is an 18 year old Marine who was injured at a public beach park. The more credible evidence indicates that victim was drinking alcohol at a public beach park when he was struck in the eye with a bottle. As a result of the incident, victim lost all useful vision in the right eye. Victim was treated at Tripler Army Medical Center without charge. He did not lose earnings because of the incident. Victim is awarded \$1,000 for pain and suffering. Because he shared in the responsibility for the crime that caused his injury, the \$1,000 award is reduced by 50% or \$500. Of the \$500 awarded, \$25 shall be paid to Thomas J. Bowers, III for attorneys' fees.

78-27

Victim is a 47 year old male who was assaulted by a burglar who entered his home. He suffered a fracture of the right elbow, and lacerations of the scalp and forehead. There are no out-of-pocket expenses since victim was treated at the Barber's Point Dispensary and Tripler Army Medical Center without charge. Victim was not gainfully employed at the time of the incident. He is awarded \$200 for pain and suffering.

78-28

Victim is a 65 year old female who was injured by a purse snatcher. She was struck in the face, and when she fell she suffered abrasions of the face and knee. Medical expenses totaled \$53.82 of which \$24.55 was covered by insurance. Victim was not employed. She is awarded \$29.27 for medical expenses, and \$00 for pain and suffering for a total award of \$129.27.

78-29

Victim is a 22 year old male who was assaulted in Waikiki. He was struck in the face and had several teeth damaged from the blows. Medical expenses totaled \$842.80. There is no credible evidence to indicate that victim lost earnings because of the incident. Victim is awarded \$842.80 for medical expenses, and \$25 for pain and suffering for a total award of \$867.80.

78-31

Victim is a 28 year old male who was assaulted by three men in a parking lot in Waikiki. He suffered contusions of the head and a bruised rib. Medical expenses totaled \$174.38. Victim was not gainfully employed. He is awarded \$174.38 for medical expenses.

78-42 (Hilo)

Victim is a 32 year old male who was assaulted in a Hilo hotel. He suffered a fracture of the jaw and contusions of the face. Medical expenses totaled \$1,391.58 of which \$1,077.35 was paid by HMSA and \$314.23 discounted by doctors. There is no evidence to indicate that victim lost earnings because of the incident. He is awarded \$300 for pain and suffering.

78-45

Victim is a 20 year old male who was shot in the left lower leg because he removed several items from the suspect's car. Medical expenses totaled \$3,599.82 of which \$1,460.63 was paid by HMSA. Victim alleges that he was employed part-time by a travel agency. However, there is insufficient evidence to support his claim for loss of earning power. Victim is awarded \$2,139.19 for medical expenses, and \$1,500 for pain and suffering for a total award of \$3,639.19. Because he shared in the responsibility for the crime that caused his injury, the \$3,639.19 award is reduced by 50% making a final award of \$1,819.60. This amount shall be paid to Straub Clinic & Hospital, Inc. for medical services provided.

78-46

Victim is a 31 year old female who was assaulted at a public playground. She was struck in the face and suffered lacerations on the lower lip and chin. Medical expenses totaling \$59.90 were covered by insurance. There is no evidence to indicate that victim lost earnings because of the incident. Victim is awarded \$100 for pain and suffering.

78-47

Victim is a 42 year old female who was assaulted at a public beach park. She was punched in the eye by the suspect. Medical expenses totaled \$161.71 of which \$138.71 was paid by HMSA. There is no evidence to indicate that victim lost earnings because of the incident. Victim is awarded \$23 for medical expenses, and \$300 for pain and suffering for a total award of \$323.

78-49

Victim is a 24 year old female who was assaulted at a public playground. She was punched in the face by the suspect. Medical expenses totaled \$66.50. There is no evidence to indicate that victim lost earnings because of the incident. Victim is awarded \$66.50 for medical expenses, and \$100 for pain and suffering for a total award of \$166.50.

78-50 (Hilo)

Victim is a 53 year old male who was assaulted by a burglar who entered his home. He suffered lacerations of the head and face. Medical expenses totaling \$164 were paid by HMSA. Victim was not employed at the time of the incident. He is awarded \$25 for pain and suffering.

78-52

Victim is a 20 year old female who was shot in the back by her husband. Medical expenses totaling \$228.70 were either paid by HMSA or discounted by the hospital. There is no evidence of dependency on the part of applicants. Applicants, parents of the decedent, are awarded \$1,865.60 for funeral and burial expenses.

78-54

Victim is a 28 year old female who was assaulted at a public playground. She was struck on the head and body and suffered contusions of the forehead, neck and back. Medical expenses totaled \$168.33. Victim was not employed at the time of the incident. She is awarded \$168.33 for medical expenses, and \$300 for pain and suffering for a total award of \$468.33.

78-56

Victim is a 26 year old female who was assaulted at a public playground. She was struck in the head and suffered lacerations of the scalp. Medical expenses totaling \$150.20 were paid by HMSA. Victim did not lose earnings because of the incident. She is awarded \$250 for pain and suffering.

78-59 (Kauai)

Victim is a 23 year old female who was assaulted at a public beach park on the island of Kauai. She injured her right little finger when she was shoved and fell. Medical expenses totaling \$329.85 were paid by the Public Welfare Division, Department of Social Services & Housing, State of Hawaii. Victim was not employed at the time of the incident. She is awarded \$25 for pain and suffering.

78-60

Victim is a 43 year old female who was assaulted in her apartment. She suffered a small contusion on her head. Medical expenses totaling \$65 were paid by the Public Welfare Division, Department of Social Services & Housing, State of Hawaii. Victim was not gainfully employed at the time of the incident. She is awarded \$25 for pain and suffering.

78-62 (Kauai)

Victim is an 83 year old male who was accosted on his way home from a gambling game. He was pushed to the ground, tied, gagged and robbed. Victim was not seriously injured. The more credible evidence indicates that much of victim's medical treatment is related to a gastric ulcer. Reasonable medical expenses totaled \$481.60 of which \$262.08 was paid by Medicare. Victim is not gainfully employed. He is awarded \$219.52 for medical expenses, and \$50 for pain and suffering for a total award of \$269.52. Of the \$269.52 awarded, \$61.60 shall be paid to G.N. Wilcox Memorial Hospital.

78-67

Victim is a 29 year old male who was assaulted as the result of an argument arising out of a traffic incident. He was struck in the face and suffered a fracture of the left orbital rim. Medical expenses totaling \$3,385.10 were either paid by the Kaiser Health Plan or the Public Welfare Division, Department of Social Services & Housing, State of Hawaii. There is no evidence to indicate that victim lost earnings because of the incident. Victim is awarded \$400 for pain and suffering.

78-70

Victim is a 43 year old male who was assaulted by several men in Waikiki. He sustained a fracture of the left ankle. Medical expenses totaled \$2,731.51 of which \$2,231.24 was paid by HMSA. Victim was unable to work for 4 months and would have lost \$6,552 in earnings except that he used sick leave during his convalescence. Victim is awarded \$500.27 for medical expenses, and \$200 for pain and suffering for a total award of \$700.27.

78-75

Victim is a 40 year old male who was shot as the result of an argument. He suffered gunshot wounds of both legs. Medical expenses totaling \$3,385.65 were paid by the Public Welfare Division, Department of Social Services & Housing, State of Hawaii. There is no evidence to indicate that victim lost earnings because of the incident. He is awarded \$300 for pain and suffering.

78-77

Victim is a 20 year old female who was sodomized and raped by an unidentified assailant at Kahana Bay. There are no out-of-pocket medical expenses and victim was not gainfully employed at the time of the incident. Victim is awarded \$1,000 for pain, suffering, nervous and mental shock.

78-78

Victim is a 31 year old male who was injured in a struggle with a prowler. He was struck on the head with a piece of lumber. Medical expenses totaling \$113.26 were paid by HMSA. Victim was unable to work for 5 days and used sick leave during his convalescence. Victim is awarded \$50 for pain and suffering.

78-79

Victim is a 20 year old female who was assaulted while she was on her way home. Medical expenses totaling \$118.20 were paid by the Public Welfare Division, Department of Social Services & Housing, State of Hawaii. Victim claims she lost \$2,400 in earnings. She is awarded \$200 for loss of earning power and \$50 for pain and suffering for a total award of \$250.

78-83 (Hilo)

Victim is a 21 year old female who was assaulted when she tried to stop an argument. She was slapped and thrown to the ground by the suspect. No medical bills were submitted by victim and there is no evidence to indicate that victim lost earnings because of the incident. Victim is awarded \$50 for pain and suffering.

78-84

Victim is a 19 year old girl who was beaten and sodomized. She suffered lacerations of the scalp and contusions of the body. Medical expenses totaled \$161.41. There is no evidence to indicate that victim lost earnings because of the incident. Victim is awarded \$161.41 for medical expenses and \$1,000 for pain, suffering, nervous and mental shock for a total award of \$1,161.41.

78-86 (Kauai)

Victim is a 32 year old male who was assaulted and robbed at the Hanapepe Lookout on the island of Kauai. He sustained contusions of the right eye. Medical expenses totaled \$1,636.37 of which \$1,277.92 was paid by the Veterans Administration. Victim was not employed at the time of the incident. He is awarded \$358.45 for medical expenses, and \$500 for pain and suffering for a total award of \$858.45. Of the \$858.45 awarded, \$55 shall be paid to G.B. Wilcox Memorial Hospital for medical services.

78-87 (Hilo)

Victim is a 27 year old male who was attacked and assaulted by several men at a public beach park on the island of Hawaii. He suffered a fracture of the lower jaw, right cheekbone and loss of a tooth. Medical expenses totaled \$10,704.58 of which \$1,695.58 was paid by AHCIC and \$1,049.69 by Voyageur Travel Insurance. Victim was unable to work for 7 weeks and would have lost \$3,198 in wages except that he used 35 days sick leave, 17 days vacation, and received \$600 Unemployment Compensation benefits. Victim is awarded \$6,654.73 (\$10,000 statutory maximum less \$1,695.58 by AHCIC, and \$600 Unemployment Compensation benefits received). The amount awarded (\$6,654.73) shall be paid to Dr. Harris S. Wood for medical services.

78-90

Victim is an 8 year old girl who was struck on the head by a coke bottle. She suffered a fracture of the skull. Medical expenses totaling \$2,709.18 were either paid by HMSA or private insurance. Victim was not employed. She is awarded \$2,000 for pain and suffering.

78-91 (Hilo)

Victim is a 2 year old girl who was killed by her babysitter. Death was due to a skull fracture. Medical expenses totaled \$2,924.72 of which \$2,184.47 was paid by HMSA. Applicant is awarded \$740.25 for medical expenses and \$1,879.75 for funeral-burial expenses for a total award of \$2,620.

78-93

Victim is a 26 year old male who was assaulted with a baseball bat. He was struck in the face and suffered lacerations of the upper lip. Medical expenses totaled \$52.75. There is no evidence to indicate that victim lost earnings because of the incident. Victim is awarded \$52.75 for medical expenses and \$100.00 for pain and suffering for a total award of \$152.75. An award of \$25 is made to Victor Agmata, Jr., for attorneys' fees.

78-94

Victim is a 23 year old male who was struck in the face with a baseball bat. Medical expenses totaled \$175.90. There is no evidence to indicate that victim lost earnings because of the incident. Victim is awarded \$175.90 for medical expenses and \$150 for pain and suffering for a total award of \$325.90. An award of \$25 is made to Victor Agmata, Jr., for attorneys' fees.

78-96

Victim is a 67 year old female who was raped by a man who entered her home. Out-of-pocket medical expenses totaled \$232.06. Victim was not employed. She is awarded \$232.06 for out-of-pocket medical expenses and \$3,000 for pain, suffering, nervous and mental shock for a total award of \$3,232.06.

78-101

Victim is a 29 year old male who was assaulted by several men. He suffered facial fracture. Medical expenses totaling \$2,379.69 were paid by the Public Welfare Division, Department of Social Services & Housing, State of Hawaii. Victim was unable to work for one week and lost \$175 in earnings. He is awarded \$175 for loss of earning power and \$250 for pain and suffering for a total award of \$425.

78-103

Victim is a 60 year old female who was assaulted by a purse snatcher. She sustained contusions and abrasions of the neck, arms, scalp and knees. Medical expenses totaled \$262.55 of which \$186.68 was paid by HMSA. Victim was unable to work for 3 days and used sick leave during her convalescence. She is awarded \$75.87 for medical expenses, and \$150 for pain and suffering for a total award of \$225.87.

78-105 (Hilo)

Victim is a 24 year old male who was assaulted as the result of an argument. He was punched in the face, and suffered minor contusions and lacerations. Medical expenses were paid by the Public Welfare Division, Department of Social Services & Housing, State of Hawaii. There is no evidence to support victim's claim for loss of earning power. Victim is awarded \$50 for pain and suffering.

78-107

Victim is a 15 year old girl who was knocked down by a purse snatcher. She sustained lacerations and abrasions of the right cheek when she fell to the ground. Medical expenses totaling \$205.65 were paid by insurance. Victim was not employed at the time of the incident. She is awarded \$100 for pain and suffering.

78-108

Victim is a 21 year old male who was beaten by a gang. He was hit on the head with a piece of wood and suffered severe head injuries including brain damage. Medical expenses totaled \$32,789.73, which were paid by the Public Welfare Division, Department of Social Services & Housing, State of Hawaii. Victim was employed as a maintenanceman at the time of the incident. Because of injuries sustained, he is now disabled and cannot work. Victim is awarded \$10,000 (statutory maximum) for loss of earning power. An award of \$300 is made to Henry Beerman for attorneys' fees.

78-111

Victim is a 30 year old male who was assaulted with a bolo knife. He suffered lacerations of the scalp, right shoulder and right wrist. Medical expenses totaling \$2,879.38 were paid by the Public Welfare Division, Department of Social Services & Housing, State of Hawaii. Victim was not employed. He is awarded \$500 for pain and suffering.

78-112

Victim is a 20 year old male who was assaulted by two men. He suffered lacerations and contusions of the mouth. Medical expenses totaled \$107. There is no evidence to indicate that he lost earnings because of the incident. Victim is awarded \$107 for medical expenses and \$25 for pain and suffering for a total award of \$132.

78-126

Victim is a 37 year old male who was assaulted and robbed at the Diamond Head Lookout. There are no medical bills since victim was treated at the Tripler Army Medical Center. Victim was not gainfully employed at the time of the incident. He is awarded \$300 for pain and suffering.

78-134

Victim is a 33 year old female who was assaulted. She suffered minor contusions and abrasions of the body. Medical expenses totaled \$206.24. There is no evidence to support victim's claim for loss of earning power. Victim is awarded \$206.24 for medical expenses and \$200.00 for pain and suffering for a total award of \$406.24.

78-135

Victim is a 33 year old male who was accosted, assaulted and robbed in a Waikiki hotel. He was struck in the face and suffered a fracture of the left cheekbone. Medical expenses totaled \$3,472.78. There is no evidence to indicate that victim lost earnings because of the incident. He is awarded \$3,472.78 for medical expenses, and \$200 for pain and suffering for a total award of \$3,672.78. Of the \$3,672.78 awarded, \$3,472.78 shall be paid to Satoru Waki, Executive Vice President of Pacific Tokyo Express, Inc.

78-140

Victim is a 29 year old male who was assaulted by the bouncer of a nightclub. He suffered a laceration of the forehead. Medical expenses totaled \$123.64. There is no evidence to indicate that victim lost earnings because of the incident. Victim is awarded \$123.64 for medical expenses and \$200 for pain and suffering for a total award of \$323.64.

78-141

Victim is a 4 year old boy who was shot in the left chest with a BB gun. Medical expenses totaling \$143.67 were covered by insurance and HMSA. Victim is awarded \$150 for pain and suffering.

78-142

Victim is a 28 year old male who was shot in a domestic argument. He suffered gunshot wounds of the chest and abdomen. Medical expenses totaled \$1,350.69 of which \$1,250.50 was paid by HMSA. Victim did not work for 3 months because of his injury. However, he used sick leave during his convalescence. Victim is awarded \$100.19 for medical expenses and \$200 for pain and suffering for a total award of \$300.19.

78-144 (Kauai)

Victim is a 46 year old female who was killed by her boyfriend. She was struck on the head with a chair and suffered multiple contusions and abrasions. Medical bills totaled \$3,200 of which \$2,864 was paid by HMSA and \$336 discounted by the hospital. Victim was not employed. Funeral expenses totaled \$905.60. Applicant is awarded \$905.60 to cover funeral expenses.

78-149

Victim is a 22 year old male who was assaulted in Waikiki. He was punched in the face and suffered lacerations of the lower lip. Medical expenses totaled \$269 of which \$79 was paid by the Public Welfare Division, Department of Social Services & Housing, State of Hawaii. Victim was not employed. He is awarded \$190 for medical expenses. Of the \$190 awarded, \$110 shall be paid to Queen's Medical Center.

78-150

Victim is a 29 year old male who was injured in a fight in Waikiki. He suffered lacerations of the face and contusions of the left eye. Victim, a member of the Royal Australian Navy, was treated at Tripler Army Medical Center without charge. There is no evidence to indicate that he lost earnings because of the incident. Victim is awarded \$100 for pain and suffering.

78-156 (Hilo)

Victim is a 63 year old female who was knocked down by a purse snatcher in Hilo. She suffered fractures of the shoulder and knee cap. Medical expenses totaled \$4,735.76 of which \$3,832.55 was paid by insurance. There is no evidence to support victim's claim for loss of earning power. She is awarded \$903.21 for medical expenses, and \$1,500 for pain and suffering for a total award of \$2,403.21. An award of \$150 is made to William Davis for attorneys' fees.

78-157

Victim is a 41 year old male who was assaulted and robbed in a bank parking lot. He sustained a fracture of the nose. Medical expenses totaling \$63.80 were paid by HMSA. Victim was unable to work for 3 weeks because of the incident and would have lost \$936.32 in wages except that he received \$201.60 in TDI benefits. He is awarded \$734.72 for loss of earning power and \$100 for pain and suffering for a total award of \$834.72.

78-158 (Maui)

Victim is a 21 year old female who was shot by a male who broke into her home. She suffered gunshot wounds of the head and hand. Medical expenses totaled \$6,165.34 of which \$5,869.14 was paid by HMSA. Victim was unable to work because of the incident and would have lost \$7,960 in earnings except that she received \$539 in TDI benefits. Victim is awarded \$296.20 for medical expenses, \$2,421 for loss of earnings and \$3,000 for pain and suffering for a total award of \$5,717.20.

78-160

Victim is a 47 year old woman who was raped by her next door neighbor. There are no medical expenses, and there is no credible evidence to support victim's claim for loss of earning power. She is awarded \$500 for pain, suffering, nervous and mental shock.

78-161

Victim is a 53 year old male who was assaulted as the result of an argument. He was struck in the face and suffered a severe injury to his left eye. Medical expenses totaling \$3,456.53 were paid by the Public Welfare Division, Department of Social Services & Housing, State of Hawaii. There is no evidence to support victim's claim for loss of earning power. He is awarded \$500 for pain and suffering.

78-162

Victim is a 24 year old male who was assaulted as the result of an argument arising out of a traffic incident. He was struck in the face and lost the cap on a tooth. There are no medical expenses and there is no evidence that victim lost earnings because of the incident. He is awarded \$25 for pain and suffering.

78-165

Victim is a 20 year old female who was assaulted and thrown over a ridge. She suffered multiple abrasions, laceration of scalp and a fractured collarbone. Medical expenses totaled \$2,226.30 of which \$1,785.68 was paid by private insurance. Victim was not employed. She is awarded \$440.62 for medical expenses, and \$2,000 for pain and suffering for a total award of \$2,440.62.

78-166

Victim is a 65 year old female who was knocked down by a purse snatcher. She suffered a fracture of the nose and contusions and abrasions of the scalp and knees. Medical expenses totaled \$1,108.13 of which \$920.80 was paid by Medicare and \$15.58 by Aetna Insurance. Victim was unable to work for a month and would have lost \$576 in wages except that she received \$170 in TDI benefits. Victim is awarded \$171.75 for medical expenses, \$406 for loss of earning power and \$500 for pain and suffering for a total award of \$1,077.75.

78-167

Victim is a 23 year old female who was raped by the suspect who offered her a ride home. No medical bills were submitted, and there is no evidence to indicate that victim lost earnings because of the incident. She is awarded \$500 for pain, suffering, nervous and mental shock.

78-169

Victim is a 31 year old female who was assaulted and raped while on a hiking trip. She suffered multiple contusions and abrasions of the body. Medical expenses totaled \$327.60 of which \$202.50 was paid by HMSA. There is no evidence to indicate that victim lost earnings because of the incident. She is awarded \$125.10 for medical expenses and \$1,250 for pain, suffering, nervous and mental shock for a total award of \$1,375.10.

78-172

Victim is a 30 year old male who was assaulted as the result of an argument over a traffic incident. He suffered contusions of the jaw and chest. Medical expenses totaled \$181.95. There is no evidence to indicate that victim lost earnings because of the incident. He is awarded \$181.95 for medical expenses, and \$50 for pain and suffering for a total award of \$231.95.

78-173 (Hilo)

Victim is a 24 year old Correctional Officer who was assaulted by inmates he was returning to the Kulani Honor Camp. He suffered a broken nose and a sprained right ankle. Medical expenses totaling \$494.27 were covered by Workers' Compensation. Victim was unable to work and was granted accidental injury leave valued at \$249.49. In addition, he received \$300 for disfigurement under the Workers' Compensation program. Victim is awarded \$500 (\$800 less \$300 received for disfigurement under the Workers' Compensation program) for pain and suffering.

78-175

Victim is an 18 year old male who was accosted and assaulted while he was jogging. He suffered a fracture of the nose and lacerations of the face. Medical expenses totaled \$187.39 of which \$173.89 was paid by HMSA, and \$8 discounted by doctors. Victim was not employed. He is awarded \$5.50 for medical expenses and \$250 for pain and suffering for a total award of \$255.50.

78-176 (Molokai)

Victim is a 30 year old male who was assaulted by several men while he was camping at a State Park on the island of Molokai. He sustained lacerations, contusions, and abrasions of the nose, face, and arms. Medical expenses totaled \$241.25 of which \$227.05 was paid by insurance. Victim is awarded \$14.20 for medical expenses and \$5,000 for pain and suffering for a total award of \$5,014.20. An award of \$50 is made to Dennis Daugherty for attorneys' fees.

78-177 (Molokai)

Victim is a 24 year old female who was raped by 6 men while she was camping at a State Park on the island of Molokai. She suffered contusions and abrasions of the body. There are no out-of-pocket medical expenses and victim was vacationing in Hawaii at the time of the incident. She is awarded \$5,000 for pain, suffering, nervous and mental shock. An award of \$25 is made to Dennis Daugherty for attorneys' fees.

78-178 (Maui)

Victim is a 22 year old male who was shot to death in his home. Medical expenses totaled \$144.50. Funeral and burial expenses totaled \$2,865.57 of which \$255 was paid by Social Security. There is no evidence to indicate that Applicant was dependent upon the victim for support. Applicant is awarded \$144.50 for medical expenses and \$1,500 for reasonable funeral-burial expenses for a total award of \$1,644.50. No award is made to the attorney.

78-179

Victim is a 54 year old female who was assaulted by her nephew's wife. She was thrown off a chair and injured her left hip. Medical expenses totaled \$7,435.94 of which \$6,883.70 was paid by insurance. Victim was not gainfully employed. She is awarded \$552.24 for medical expenses. Of the \$552.24 awarded, \$370.32 shall be paid to Dr. Gerald Dericks.

78-180

Victim is a 72 year old male who was assaulted by an unidentified man who entered his store. He was struck on the head and facial area and suffered lacerations of the scalp. Medical expenses totaling \$1,051.29 were paid by Kaiser Medical Center. There is no evidence to indicate that victim lost earnings because of the incident. Victim is awarded \$350 for pain and suffering.

78-184

Victim is a 21 year old male who was assaulted by two men at a party. He was struck in the face and head and suffered minor contusions of the cheek, upper lip and left wrist. Medical expenses totaled \$90.05 of which \$71.75 was paid by HMSA. Victim was not employed at the time of the incident. He is awarded \$18.30 for medical expenses.

78-185

Victim is a 35 year old male who was accosted and assaulted in a Discotheque. He was struck in the facial area and suffered lacerations and contusions of the lower lips. Medical expenses totaled \$143.43 of which \$130.25 was paid by HMSA. Victim did not work for 7 days and would have lost \$387.42 in wages except that he used sick leave during his convalescence. Victim is awarded \$13.18 for medical expenses and \$50 for pain and suffering for a total award of \$63.18.

78-191

Victim is a 46 year old male who alleges that he was knocked down as he was descending a Life Guard Station on the beach. He complained of injuries to his lower back. However, victim is known to have a pre-existing lower back condition. Medical expenses totaled \$3,392.21 of which \$2,686.45 was paid by Blue Cross. Victim was unable to work for 3 months and would have lost \$1,761 in wages except that he received \$1,689 in TDI benefits and used 2 days vacation. Victim is awarded \$705.76 for medical expenses, and \$150 for pain and suffering for a total award of \$855.76.

78-193

Victim is a 49 year old male who was assaulted by his son. He suffered multiple stab wounds of the chest, back, arms and abdomen. Medical expenses totaled \$4,580.88 of which \$3,954.67 was paid by insurance. Victim did not work for 57 days because of the incident and would have lost \$3,436.05 in wages except that he used sick leave during his convalescence. Victim is awarded \$626.21 for out-of-pocket medical expenses.

78-194

Victim is a 38 year old male who was assaulted in a Discotheque by several men. He was struck in the face and suffered lacerations of the eyes. Medical expenses totaling \$391.17 were paid by the Public Welfare Division, Department of Social Services & Housing, State of Hawaii. There is no evidence to indicate that victim lost earnings because of the incident. Victim is awarded \$100 for pain and suffering.

78-195

Victim is a 54 year old female who was knocked down by a purse snatcher. She suffered fractures of the third and fourth fingers of the left hand and back strain. Medical expenses totaled \$969.41 of which \$537.53 was paid by HMSA. Victim was not employed. She is awarded \$431.88 for medical expenses and \$500 for pain and suffering for a total award of \$931.88.

78-196

Victim is a 20 year old male who was injured in an altercation. He suffered lacerations of the scalp and contusions of the face. Medical expenses totaled \$127.10. Victim was not employed. He is awarded \$127.10 for medical expenses, and \$25 for pain and suffering for a total award of \$152.10. Of the \$152.10 awarded, \$127.10 shall be paid to Queen's Medical Center.

78-197

Victim is a 55 year old male who was assaulted and robbed by a prostitute when he ignored her proposition. Victim was struck in the face and body and suffered contusions and lacerations of the lip, left arm, and chest. He also had two teeth broken. Medical expenses totaled \$232.32 of which \$168.08 was paid by HMSA. Victim did not work for 9 days and would have lost \$270 in wages except that he used 5 days sick leave. Victim is awarded \$64.24 for medical expenses, \$120 for loss of earning power, and \$100 for pain and suffering for a total award of \$284.24.

78-201

Victim is a 69 year old female who was knocked down by a purse snatcher. When she fell she suffered a fracture of the second lumbar vertebrae. Medical expenses totaled \$99 of which \$17.61 was paid by HMSA and \$70.47 by Medicare. Victim was not employed at the time of the incident. She is awarded \$16.34 for medical expenses and \$100 for pain and suffering for a total award of \$116.34.

78-203

Victim is a 32 year old cab driver who was assaulted and robbed. He suffered contusions and abrasions of the scalp, right eye, right arm and chest. Medical expenses totaling \$55.12 were paid by HMSA. Victim did not work for 2 weeks and lost \$900.00 in wages. He is awarded \$900 for loss of earning power and \$100 for pain and suffering for a total award of \$1,000.

78-205

Victim is a 35 year old male who was assaulted as the result of an argument arising out of a traffic incident. He was struck in the head with an unidentified object and suffered a fractured skull. Medical expenses totaled \$2,668.27. Victim did not work for 2 weeks because of his injury. However, he used vacation during his convalescence. Victim is awarded \$2,668.27 for medical expenses and \$500 for pain and suffering for a total award of \$3,168.27.

78-212 (Maui)

Victim is a 21 year old male who was killed when he tried to break up an argument between his stepsister and her boyfriend. Medical expenses totaling \$200.30 were paid by HMSA. Victim was employed as a laborer by Princess Orchards, Inc. at the time of his death. Funeral and burial expenses totaled \$2,986.59 of which \$255 was paid by Social Security. There is no evidence to indicate that Applicant was dependent upon the deceased victim for support. Applicant, father of the deceased victim, is awarded \$2,000 for funeral and burial expenses.

78-217

Victim is a 42 year old male who was assaulted and robbed by 2 men who broke into his home. He was jabbed in the chest and ribs with the barrel of a gun and suffered multiple abrasions. Medical expenses totaled \$132.75. Victim was unable to work for 2 weeks and would have lost \$703.80 in wages except that he received \$147 in TDI benefits. Victim is awarded \$132.75 for medical expenses \$556.80 for loss of earning power, and \$100 for pain and suffering for a total award of \$789.55.

78-218

Victim is a 29 year old male who was assaulted by a friend over money matters. He was struck in the face and suffered a fracture of the left cheekbone. Medical expenses totaling \$929.40 were covered by insurance. Victim was unable to work for 4 days because of his injury and lost \$72.20 in wages. He is awarded \$72.20 for loss of earning power, and \$500 for pain and suffering for a total award of \$572.20.

78-224

Victim is a 30 year old female who was sexually assaulted by a man who broke into her apartment. There are no out-of-pocket medical expenses and there is no evidence to indicate that victim lost earnings because of the incident. She is awarded \$500 for pain, suffering, nervous and mental shock.

78-233 (Hilo)

Victim is a 26 year old nurse who was assaulted by a female hospital patient. The suspect slapped and pulled her hair. Medical expenses totaling \$48.08 were covered by Workers' Compensation. Victim did not lose earnings because of the incident. She is awarded \$25 for pain and suffering.

78-235

Victim is a 21 year old male who was picked up in Waikiki and taken to the beach where he was assaulted and robbed. He suffered bruises and a mild concussion. There are no out-of-pocket medical expenses, and there is no credible evidence to support victim's claim for loss of earnings. Victim is awarded \$25 for pain and suffering.

78-236

Victim is a 19 year old male who was assaulted and robbed. He suffered a fracture of the right hand. Medical expenses totaled \$320.54 of which \$74.54 was paid by insurance. There is no evidence to support victim's claim for loss of earning power. He is awarded \$246 for medical expenses and \$100 for pain and suffering for a total award of \$346.

78-237

Victim is a 65 year old male who was assaulted and robbed by three men who broke into his home. He suffered lacerations and contusions of the face, mouth, chest and three fractured ribs. Medical expenses totaling \$197.81 were either paid by Medicare or discounted. Victim was not employed. He is awarded \$1,000 for pain and suffering.

78-240 (Hilo)

Victim is a 7 year old girl who was sexually abused by a neighbor. There are no medical expenses, and victim was not employed. She is awarded \$300 for pain, suffering, nervous and mental shock.

78-241

Victim is a 38 year old cab driver who was assaulted and robbed. He suffered lacerations of the neck, jaw, ear, and right upper arm. Medical expenses totaled \$2,672.79. Victim did not work for 2 weeks because of his injury and lost \$975 in earning power. He is awarded \$2,672.79 for medical expenses, and \$975 for loss of earning power for a total award of \$3,647.79. Of the \$3,647.79 awarded, \$1,169.55 shall be paid to Kuakini Medical Center; \$1,195 to Dr. Glenn Kokame; \$25 to Kuakini Radiology Group, Inc.; and \$25 to Dr. George Kimata.

78-242

Victim is a 47 year old female who was stabbed while asleep at home. She sustained knife wounds of the neck, breast, upper left arm and left forearm. Medical expenses totaling \$2,653.42 were paid by the Public Welfare Division, Department of Social Services & Housing, State of Hawaii. Victim was not employed at the time of the incident. She is awarded \$200 for pain and suffering.

78-243

Victim is a 30 year old pedi-cab driver who was assaulted and robbed in Wakiki. He was struck in the head and suffered a concussion. Medical expenses totaled \$617.39. Victim did not work for one week and lost \$200 in wages. He is awarded \$617.39 for medical expenses, and \$200 for loss of earning power for a total award of \$817.39. Of the \$817.39 awarded, \$617.39 shall be paid to Straub Clinic & Hospital, Inc.

78-244

Victim is a 69 year old businessman who was assaulted and robbed by a burglar who entered his store. He was attacked and suffered stab wounds of the chest and right shoulder. Medical expenses totaled \$651.67 of which \$515.32 was paid by Medicare. There is no evidence to indicate that victim lost earnings because of the incident. Victim is awarded \$136.35 for medical expenses and \$750 for pain and suffering for a total award of \$886.35.

78-247

Victim is a 53 year old female who was knocked down by a purse snatcher. She sustained contusions of the left upper eyelid and left elbow when she fell. Medical expenses totaling \$361.07 were paid by Medicare. Victim was not employed. She is awarded \$100 for pain and suffering.

78-250

Victim is a 31 year old male who was assaulted and robbed at Kapiolani Park. He sustained a fracture of the jaw. Medical expenses totaling \$2,100.80 were paid by the Public Welfare Division, Department of Social Services & Housing, State of Hawaii. Victim was not employed at the time of the incident. He is awarded \$100 for pain and suffering.

78-254 (Hilo)

Victim is a 17 year old male who was assaulted at a public beach park. He suffered facial cuts and bruises. No medical bills were submitted and victim was not employed at the time of the incident. He is awarded \$25 for pain and suffering.

78-255 (Hilo)

Victim is a 13 year old boy who was assaulted by 2 girls in school. He sustained contusions of the facial area. Medical bills were paid by insurance. Victim was not employed. He is awarded \$25 for pain and suffering.

78-261 (Hilo)

Victim is a 49 year old female who was assaulted in her Bar. She suffered minor contusions and abrasions. Medical expenses totaled \$18.30. There is no evidence to support victim's claim for loss of earning power. Victim is awarded \$18.30 for medical expenses, and \$50 for pain and suffering for a total award of \$68.30.

78-262 (Hilo)

Victim is a 61 year old male who was injured when he went to the aid of his wife. He was bit on the right thumb. Medical expenses totaled \$51.58. There is no evidence to support victim's claim for loss of earning power. Victim is awarded \$51.58 for medical expenses and \$25 for pain and suffering for a total award of \$76.58.

78-267 (Hilo)

Victim is a 42 year old male who was killed by his son-in-law. He sustained multiple fractures of the body. There are no medical bills and victim was not employed at the time of the incident. Funeral-burial expenses totaled \$1,618.26. Applicant is awarded \$1,618.36 for funeral-burial expenses.

78-269

Victim is a 32 year old male who was assaulted at a public beach park. He suffered contusions of the head and face. Medical expenses totaling \$609 were paid by the Public Welfare Division, Department of Social Services & Housing, State of Hawaii. Victim was not employed at the time of the incident. He is awarded \$100 for pain and suffering.

78-271

Victim is a 31 year old male who was assaulted as the result of an argument over a traffic incident. He suffered abrasions of the head and face. Medical expenses totaling \$296.95 were paid by the Public Welfare Division, Department of Social Services & Housing, State of Hawaii. Victim was not gainfully employed at the time of the incident. He is awarded \$25 for pain and suffering.

78-276 (Kauai)

Victim is a 30 year old male who was shot as the result of a feud. He suffered gunshot wounds of the chest and stomach. There are no medical expenses. Victim was a laborer employed by Lihue Plantation. However, there is no credible evidence to indicate that Applicant is dependent upon the victim. Funeral and burial expenses totaled \$1,714.72 of which \$255 was paid by Social Security. Applicant is awarded \$1,459.72 for reasonable funeral and burial expenses.

78-281 (Kauai)

Victim is a 6 year old girl who was sexually assaulted by a neighbor. Medical expenses totaling \$22.90 were paid by HMSA. Victim was not employed. She is awarded \$1,000 for pain, suffering, nervous and mental shock.

78-293 (Hilo)

Victim is a 23 year old female who was assaulted by 2 girls as the result of an argument. She suffered minor contusions and abrasions of the body. Medical expenses totaling \$190.40 were paid by the Public Welfare Division, Department of Social Services & Housing, State of Hawaii. Victim was unable to work because of her injury and lost \$70.80 in earnings. She is awarded \$70.80 for loss of earning power and \$50 for pain and suffering for a total award of \$120.80.

78-294 (Hilo)

Victim is a 47 year old female who was assaulted by a neighbor. She was struck on the head. Medical expenses totaling \$25.74 were paid by HMSA. Victim was not employed. She is awarded \$5.94 for medical expenses, and \$25 for pain and suffering for a total award of \$30.94.

CONTINUED

1 OF 2

78-297 (Kauai)

Victim is a 26 year old female who was found murdered at a public beach on the island of Kauai. She was stabbed in the chest, abdomen and back. There are no medical bills and victim was not employed at the time of the incident. Funeral and burial expenses totaled \$1,611.33. Applicant is awarded \$1,611.33 for funeral and burial expenses.

78-300 (Hilo)

Victim is a 15 year old boy who was assaulted while he was sitting in a parked car. He was struck on the head and has a lump on his forehead. Medical expenses totaled \$229.02 of which \$130.76 was paid by HMSA. Victim was not employed at the time of the incident. He is awarded \$98.26 for medical expenses, and \$100 for pain and suffering for a total award of \$198.26.

78-303 (Hilo)

Victim is a 27 year old male who was assaulted as the result of an argument. He was struck on the head by the accused. Medical expenses totaling \$868 were paid by the Public Welfare Division, Department of Social Services & Housing, State of Hawaii. Victim was not employed. He is awarded \$100 for pain and suffering.

78-305 (Hilo)

Victim is a 13 year old boy who claims he was assaulted in school because of an argument. Medical bills were paid by the Public Welfare Division, Department of Social Services & Housing, State of Hawaii. Victim is awarded \$50 for pain and suffering.

78-306 (Kauai)

Victim is a 44 year old female who was assaulted by a patron in her Bar. No medical bills were submitted and there is no evidence to indicate that victim lost earnings because of the incident. Victim is awarded \$100 for pain and suffering.

78-310 (Maui)

Victim is a 31 year old male who was assaulted as the result of an argument arising out of a traffic incident. He was struck in the head and face and suffered lacerations of the scalp and a fractured skull. Reasonable medical expenses totaled \$274.50 of which \$240.99 was paid by HMSA. Victim did not work for one week and would have lost \$280.56 in earnings except that he used sick leave during his convalescence. Victim is awarded \$33.51 for medical expenses, and \$350 for pain and suffering for a total award of \$383.51.

78-311 (Hilo)

Victim is a 29 year old male who was assaulted by two men at a public beach. As a result of the beating, his right jaw was fractured. Medical expenses totaling \$495 were paid by the Public Welfare Division, Department of Social Services & Housing, State of Hawaii. There is no evidence to support victim's claim for loss of earning power. He is awarded \$1,500 for pain and suffering.

78-323 (Hilo)

Victim is a 29 year old male who was injured in a fight. He was struck on the head with a machete. Medical expenses totaling \$374.13 were paid by the Public Welfare Division, Department of Social Services & Housing, State of Hawaii. Victim was not employed at the time of the incident. He is awarded \$300 for pain and suffering.

78-324

Victim is a 75 year old male who was assaulted and robbed on a bus. He was struck on the head and suffered a rupture of the left eardrum. Medical expenses totaling \$164.12 were paid by Medicare and HMSA. Victim was not employed. He is awarded \$500 for pain and suffering.

78-332 (Maui)

Victim is a 21 year old female who was reported missing on August 26, 1977, and whose body was found in a shallow grave in the Maalaea mudflats on March 24, 1978. She was murdered. There are no medical bills. Victim was employed as an Assistant Manager at the time of her death. However, she was not supporting her parents. Mortuary expenses totaled \$1,000. Applicant is awarded \$1,000 for funeral expenses.

78-333 (Kauai)

Victim is a 46 year old male who was shot by the suspect who was doing target practice. He sustained a gunshot wound of the left thigh. Medical expenses totaled \$909.19 of which \$727.35 was paid by HMSA. There is no credible evidence to support victim's claim for loss of earning power. Victim is awarded \$181.84 for medical expenses, and \$400 for pain and suffering for a total award of \$581.84.

78-335 (Hilo)

Victim is a 57 year old male who was accosted, assaulted and robbed. He was struck in the facial area and sustained injuries to his left eye. Medical expenses totaling \$257.55 were paid by HMSA. Victim did not work for one week and would have lost \$372.30 in wages except that he used 6 days sick leave. He is awarded \$173.76 for loss of earnings and \$300 for pain and suffering for a total award of \$473.76.

78-337

Victim is a 20 year old male who was assaulted in Waikiki. He was struck in the face and suffered a blow-out fracture of the right eye. Medical expenses totaling \$4,140.95 were covered under the Blue Cross-Blue Shield Medical Plan. Victim was not gainfully employed at the time of the incident. He is awarded \$500 for pain and suffering.

78-341 (Hilo)

Victim is a 53 year old male who was assaulted. He was struck in the face and suffered a laceration of the mouth. Medical expenses totaling \$108.44 were paid by Medicare. Victim was not employed. He is awarded \$25 for pain and suffering.

78-342 (Hilo)

Victim is a 27 year old male who was punched in the face by a customer. Medical expenses totaled \$45 of which \$36 was paid by insurance. There is no evidence to indicate that victim lost earnings because of the incident. He is awarded \$9 for medical expenses and \$25 for pain and suffering for a total award of \$34.

78-345 (Hilo)

Victim is a 27 year old female who was assaulted and sodomized by a man who entered her home. She suffered contusions, abrasions and cigarette burns. Medical expenses totaling \$397.20 were paid by the Public Welfare Division, Department of Social Services & Housing, State of Hawaii. There is no credible evidence to support victim's claim for loss of earning power. Victim is awarded \$1,000 for pain, suffering, nervous and mental shock.

78-350 (Hilo)

Victim is a 25 year old female who was assaulted at a public park. There are no medical expenses, and there is no evidence to indicate that victim lost earnings because of the incident. She is awarded \$250 for pain and suffering.

78-353 (Hilo)

Victim is a 33 year old male who was assaulted. He was punched in the eye and when he fell, he was kicked in the head and face. Medical expenses were paid by the Public Welfare Division, Department of Social Services & Housing, State of Hawaii. There is no evidence to support victim's claim for loss of earning power. He is awarded \$350 for pain and suffering.

78-354 (Hilo)

Victim is a 33 year old male who was assaulted. He suffered lacerations of the left eye and cheekbone. Medical expenses totaling \$20 were paid by HMSA. There is no evidence to indicate that victim lost earnings because of the incident. He is awarded \$50 for pain and suffering.

78-355 (Hilo)

Victim is a 35 year old male who was injured in a fight. He was struck with a baseball bat and suffered contusions of the body. Medical expenses totaled \$133.71. There is no evidence to indicate that victim lost earnings because of the incident. He is awarded \$133.71 for medical expenses and \$500 for pain and suffering for a total award of \$633.71

79-2 (Hilo)

Victim is a 40 year old male who was assaulted as the result of an argument. He was struck on the face, and suffered a laceration of the left eyebrow and contusions of the left eye and left cheek. Medical expenses totaled \$370.68. Victim was not employed. He is awarded \$370.68 for medical expenses, and \$150 for pain and suffering for a total award of \$520.68. Of the \$520.68 awarded, \$197 shall be paid to Kona Hospital and \$173.68 to Kona Coast Medical Group.

79-4 (Hilo)

Victim is a 10 year old girl who was sexually abused by her sister's boyfriend. Medical expenses totaling \$49.72 were paid by the Public Welfare Division, Department of Social Services & Housing, State of Hawaii. Victim was not employed. She is awarded \$250 for pain, suffering, nervous and mental shock.

79-5 (Hilo)

Victim is a 30 year old female who was molested and punched by the suspect while they were riding in his car. She suffered minor abrasions of the knees and feet and lacerations of the nose. No medical bills were submitted and victim is unemployed. She is awarded \$50 for pain and suffering.

79-25 (Hilo)

Victim is a 20 year old female who fought off a rapist. There are no medical expenses, and there is no evidence to indicate that victim lost earnings because of the incident. She is awarded \$100 for pain, suffering, nervous and mental shock.

79-27 (Hilo)

Victim is a 28 year old male who was assaulted at a party in Kona. He was struck in the face and suffered minor abrasions. No medical bills were submitted, and there is no evidence to indicate that victim lost earnings because of the incident. He is awarded \$25 for pain and suffering.

79-43 (Hilo)

Victim is a 20 year old female who was assaulted by her common-law husband as the result of an argument. She was struck on the head with the handle of a telephone and suffered lacerations of the scalp. Victim was living with the offender at the time of the incident. Medical expenses totaling \$116.37 were paid by HMSA. Victim did not work for 9 days and would have lost \$281.60 in wages except that she received \$38 in TDI benefits. Victim is awarded \$243.60 for loss of earning power.

79-45 (Hilo)

Victim is a 38 year old female who was assaulted in the Naniloa Surf Hotel parking lot. She was punched into unconsciousness. Medical expenses totaled \$742.23 of which \$576.78 was paid by HMSA. Victim was unable to work for one month and would have lost \$520 in wages except that she received \$104 in TDI benefits. Victim is awarded \$165.45 for medical expenses, \$416 for loss of earnings, and \$500 for pain and suffering for a total award of \$1,081.45.

79-52 (Maui)

Victim, a 29 year old male, was assaulted when he tried to assist a friend who was involved in an argument. He was struck in the mouth and suffered injuries to his teeth. Medical expenses totaled \$424.32. There is no evidence to indicate that victim lost earnings because of the incident. He is awarded \$424.32 for medical expenses, and \$50 for pain and suffering for a total award of \$474.32.

79-53 (Hilo)

Victim is a 24 year old male who was struck in the face with a tennis racket. No medical bills were submitted and there is no evidence to indicate that victim lost earnings because of the incident. Victim is awarded \$25 for pain and suffering.

79-58 (Hilo)

Victim is a 23 year old male who was assaulted in a hotel in Hilo. No medical bills were submitted, and there is no evidence to indicate that victim lost earnings because of the incident. He is awarded \$25 for pain and suffering.

79-60 (Hilo)

Victim is a 25 year old male who was assaulted as the result of an argument. He was struck in the face and suffered lacerations of the left eyelid. No medical bills were submitted, and there is no evidence to indicate that victim lost earnings because of the incident. Victim is awarded \$25 for pain and suffering.

79-61 (Kauai)

Victim is a 7 year old girl who was sexually abused by a 70 year old male. She was also used by the man to promote pornography. There are no medical bills and victim was not employed. She is awarded \$750 for pain, suffering, nervous and mental shock.

79-68 (Maui)

Victim is a 40 year old male who was injured in a fight. He suffered lacerations of the chin, nose and cheek. Medical expenses totaled \$84.10 of which \$82.00 was paid by HMSA. There is no evidence to indicate that victim lost earnings because of the incident. He is awarded \$2.10 for medical expenses, and \$50 for pain and suffering for a total award of \$52.10.

79-91 (Maui)

Victim is a 27 year old male who was assaulted in a Maui Night-club parking lot. He suffered a fracture of the right jaw. Medical expenses totaling \$1,006.87 were paid by Maui Memorial Services. Victim was unable to work because of the incident and would have lost \$220.40 in wages except that he used sick leave. Victim is awarded \$75.99 for loss of earning power and \$500 for pain and suffering for a total award of \$575.99. An award of \$25 is made to Mark Honda for attorneys' fees.

79-95 (Kauai)

Victim is an 82 year old male who was held captive by a burglar who entered his home. He was tied and gagged by the burglar. There are no medical expenses, and victim was not employed at the time of the incident. He is awarded \$200 for pain and suffering.

79-96 (Kauai)

Victim is a 76 year old female who was held captive by a burglar who entered her home. She was tied and gagged by the burglar. There are no medical expenses, and victim was not employed. She is awarded \$200 for pain and suffering.

79-103 (Hilo)

Victim is a 41 year old male who was assaulted as the result of an argument. He was struck in the face and head and suffered contusions and abrasions. Medical expenses totaling \$14.98 were paid by HMSA. There is no evidence to indicate that victim lost earnings because of the incident. He is awarded \$25 for pain and suffering.

79-105 (Hilo)

Victim is a 38 year old female who was assaulted by a man who broke into her home. She was slapped in the face and suffered cuts on her upper lip. Medical expenses totaled \$14.98. There is no evidence to support victim's claim for loss of earning power. She is awarded \$14.98 for medical expenses, and \$350 for pain and suffering for a total award of \$364.98.

79-106 (Hilo)

Victim is a 33 year old female who was injured at her place of work. She was assaulted by the Manager and suffered injuries to her cervical area and left arm. Medical expenses were covered by Workers' Compensation. Victim, a cocktail waitress, was unable to work for about 10 weeks and would have lost \$2,700 in wages but for the fact that \$1,825.71 was covered under the Workers' Compensation program. Victim is awarded \$874.29 for loss of earning power, and \$200 for pain and suffering for a total award of \$1,074.29.

79-107 (Hilo)

Victim is a 14 year old boy who was injured by a pellet gun. Medical bills were paid by the Public Welfare Division, Department of Social Services & Housing. State of Hawaii. Victim is awarded \$100 for pain and suffering.

79-108 (Hilo)

Victim is a 12 year old girl who was sexually assaulted by the accused. She later became pregnant. Medical expenses totaling \$19.14 were paid by the Public Welfare Division, Department of Social Services & Housing, State of Hawaii. Victim was not employed. She is awarded \$1,000 for pain, suffering, nervous and mental shock.

79-122

Victim is a 17 year old female who was sexually assaulted. Medical expenses totaled \$50. Victim was not employed at the time of the incident. She is awarded \$50 for medical expenses, and \$200 for pain, suffering, nervous and mental shock for a total award of \$250.

79-124 (Hilo)

Victim is a 27 year old male who was shot in the left leg. Medical expenses totaling \$2,337.89 were paid by the Public Welfare Division, Department of Social Services & Housing, State of Hawaii. Victim was unable to work for 6 months and would have lost \$3,375.84 in wages except that he received \$1,551.70 in TDI benefits. He is awarded \$1,824.14 for loss of earning power, and \$1,500 for pain and suffering for a total award of \$3,324.14. An award of \$150 is made to Robert Nip for attorneys' fees.

79-140 (Hilo)

Victim is a 13 year old girl who was accosted in her home. She was grabbed and harrassed by the suspect. No medical bills were submitted by victim. She is awarded \$25 for pain, suffering, nervous and mental shock.

79-141 (Hilo)

Victim is a 26 year old female who was kidnapped and taken to a cane field where she was raped. Medical expenses totaled \$1,767 of which \$1,527.80 was paid by HMSA. Victim was unable to work for 2 months and lost \$239.20 for medical expenses, \$2,362.96 for loss of earnings, and \$5,000 for pain, suffering, nervous and mental shock for a total award of \$7,602.16.

79-157 (Maui)

Victim is a 33 year old male who was assaulted by 3 men. He was struck in the face and suffered contusions of the left eye. Medical bills totaled \$645.52. Victim was unable to work for 6 days and lost \$67 in earnings. He is awarded \$645.52 for medical expenses, \$67 for loss of earning power, and \$25 for pain and suffering for a total award of \$737.52. Of the \$737.52 awarded, \$446 shall be paid to Maui Memorial Hospital, \$133.02 to The Maui Medical Group, Inc., and \$66.50 to Maui Radiology, Ltd.

79-169 (Hilo)

Victim is a 23 year old female who was assaulted by her boyfriend. She sustained contusions of the chest, neck and back. There are no medical expenses, and victim was not employed at the time of the incident. She is awarded \$50.00 for pain and suffering.

79-171 (Kauai)

Victim is a 15 year old girl who was raped by a family friend. As a result of the incident she became pregnant and had an abortion. Medical expenses totaled \$249.27. Victim was not gainfully employed at the time of the incident. She is awarded \$249.27 for medical expenses and \$1,200 for pain, suffering, nervous and mental shock for a total award of \$1,449.27.

79-172 (Maui)

Victim is a 22 year old female who was beaten and raped. She suffered a fracture of the nose. Medical expenses totaled \$403. There is no evidence to indicate that victim lost earnings because of the incident. She is awarded \$403 for medical expenses and \$750 for pain, suffering, nervous and mental shock for a total award of \$1,153.

79-177 (Hilo)

Victim is a 32 year old male who was assaulted in a Bar. He suffered contusions and lacerations of the body. Medical expenses totaling \$112.14 were paid by HMSA. Victim was unable to work for 5 days because of his injury and lost \$352.40 in earnings. He is awarded \$352.40 for loss of earning power and \$100 for pain and suffering for a total award of \$452.40.

79-179 (Kauai)

Victim is a 16 year old male who was assaulted because of a motor vehicle incident. He suffered facial contusions. No medical bills were submitted, and victim was not employed. He is awarded \$75 for pain and suffering.

79-186 (Maui)

Victim is a 23 year old male who was injured in a fight. Medical expenses totaled \$197.75. Victim was not gainfully employed at the time of the incident. He is awarded \$197.75 for medical expenses and \$100 for pain and suffering for a total award of \$297.75. Of the \$297.75 awarded, \$175.05 shall be paid to Kaiser Foundation Hospital.

79-204 (Hilo)

Victim is a 20 year old male who was assaulted in a bar in the Kona area. He suffered minor cuts and bruises of the right eye, neck and back. Medical expenses totaling \$26.79 were paid by HMSA. There is insufficient evidence to support victim's claim for loss of earning power. Victim is awarded \$25 for pain and suffering.

79-207 (Hilo)

Victim is a 19 year old male who was assaulted as the result of an argument. He sustained contusions of the right eye. Medical expenses totaled \$196.36. Victim did not work for one week and lost \$120 in earnings. He is awarded \$196.36 for medical expenses, \$120 for loss of earnings, and \$25 for pain and suffering for a total award of \$341.36.

79-210 (Hilo)

Victim is a 71 year old male who was assaulted as the result of an argument. He suffered contusions of the left elbow. There are no medical bills and victim was not employed. He is awarded \$25 for pain and suffering.

79-222 (Hilo)

Victim is a 21 year old male who was assaulted as the result of a traffic incident. He suffered contusions of the face. Medical expenses totaling \$500 were paid by the Public Welfare Division, Department of Social Services & Housing, State of Hawaii. Victim was not employed. He is awarded \$150 for pain and suffering.

79-223 (Kauai)

Victim is a 24 year old male who was assaulted by the accused. He was punched in the face and suffered contusions of the cheek and nose. No medical bills were submitted, and there is no evidence to indicate that victim lost earnings because of the incident. He is awarded \$50 for pain and suffering.

79-224 (Maui)

Victim is a 30 year old female who was assaulted by the suspect in a restaurant. She suffered a fracture of the left foot and abrasions on her knees. Medical expenses totaling \$259.79 were paid by insurance. There is no evidence to indicate that victim lost earnings because of the incident. She is awarded \$200 for pain and suffering.

79-226 (Maui)

Victim is a 29 year old male who was assaulted by 3 men at a public park. He was hit in the eye with a broom handle and suffered lacerations of the left eye and nose. Medical expenses totaled \$191.20. There is no evidence to indicate that victim lost earnings because of the incident. He is awarded \$191.20 for medical expenses and \$150 for pain and suffering for a total award of \$341.20. Of the \$341.20 awarded, \$31.20 shall be paid to Maui Memorial Hospital.

79-229 (Hilo)

Victim is a 56 year old male who was assaulted when he intervened in a fight. He suffered lacerations of the left eyelid and forehead. No medical bills were submitted and there is no evidence to indicate that victim lost earnings because of the incident. He is awarded \$25 for pain and suffering.

79-235 (Kauai)

Victim is a 24 year old male who was assaulted while camping at a public beach park. He was struck in the face and suffered lacerations of the mouth. Medical expenses totaled \$25. There is no evidence to indicate that victim lost earnings because of the incident. He is awarded \$25 for medical expenses and \$100 for pain and suffering for a total award of \$125.

79-237 (Hilo)

Victim is a 26 year old male who was assaulted. He suffered contusions of the face. No medical bills were submitted. Victim was unable to work for 3 days because of his injury. However, he used sick leave during his convalescence. Victim is awarded \$25 for pain and suffering.

79-245 (Hilo)

Victim is a 47 year old male who was assaulted in a Bar in Kona. He suffered contusions of the face and head. Medical expenses totaled \$148.28. There is no credible evidence to support victim's claim for loss of earning power. Victim is awarded \$148.28 for medical expenses, and \$25 for pain and suffering for a total award of \$173.28.

79-253 (Hilo)

Victim is a 26 year old female who was assaulted by her boyfriend and sustained a black eye. Medical bills were paid by the Public Welfare Division, Department of Social Services & Housing, State of Hawaii. Victim was not employed. She is awarded \$25 for pain and suffering.

79-260 (Maui)

Victim is a 29 year old male who was injured in a fight. He suffered gunshot wounds of the stomach, right hand, and right shoulder. Medical expenses totaling \$1,705.92 were paid by insurance. Victim was not employed at the time of the incident. He is awarded \$1,000 for pain and suffering. An award of \$75 is made to Steven Songstad for attorneys' fees.

79-272 (Maui)

Victim is a 21 year old female who was kidnapped, assaulted and raped. She sustained multiple contusions and abrasions. Medical expenses totaled \$656.90 of which \$251.30 was paid by the Public Welfare Division, Department of Social Services & Housing, State of Hawaii. Victim did not work for 18 days because of the incident and would have lost \$297 in wages except that she used sick leave during her convalescence. Victim is awarded \$405.60 for medical expenses and \$750 for pain, suffering, nervous and mental shock for a total award of \$1,155.60. Of the \$1,155.60 awarded, \$405.60 shall be paid to Dr. Alfred Arensdorf. An award of \$25 is made to Attorney Steven Songstad.

APPENDIX B

CRIMINAL INJURIES COMPENSATION COMMISSION
CLAIMS DENIED - 1979

Page 1

CASE NUMBER	DATE OF			CLASSIFICATION OF CRIME	REASON COMPENSATION DENIED
	APPLI- CATION	CRIME	HEARING		
76-86	3-23-76	4-15-75	11-8-79	MURDER	Applicant did not file a formal application. Also, she refused to cooperate with the Commission.
76-94	3-29-76	2-20-76	7-19-79	ASSAULT	The behavior of victim was such that he shared in the responsibility for the crime that caused his injury.
76-173	7-23-76	7-16-76	7-19-79	ASSAULT	The behavior of victim was such that he shared in the responsibility for the crime that caused his injury.
76-245	11-5-76	3-22-76	8-23-79	ASSAULT	Victim was living with the offender at the time of the incident and did not suffer any out-of-pocket loss.
77-20	1-17-77	12-1-76	4-11-79	ASSAULT	The behavior of victim was such that he shared in the responsibility for the crime that caused his injury.
77-29	1-24-77	7-4-76	10-17-79	RAPE	The behavior of victim was such that she shared in the responsibility for the crime that caused her injury.
77-48	2-15-77	12-13-76	7-19-79	ASSAULT	The behavior of victim was such that he shared in the responsibility for the crime that caused his injury.
77-56	3-4-77	11-26-76	7-20-79	MURDER	The behavior of victim was such that he shared in the responsibility for the crime that caused his death.
77-64	3-18-77	2-21-77	7-20-79	MURDER	The behavior of victim was such that he shared in the responsibility for the crime that caused his death
77-92	4-15-77	3-24-77	7-20-79	ASSAULT	The behavior of victim was such that he shared in the responsibility for the crime that caused his injury.
77-95	4-22-77	3-10-77	11-22-77	ASSAULT	Collateral benefits received by applicant exceeded \$10,000 (statutory maximum).

CRIMINAL INJURIES COMPENSATION COMMISSION
CLAIMS DENIED - 1979

Page 2

CASE NUMBER	DATE OF			CLASSIFICATION OF CRIME	REASON COMPENSATION DENIED
	APPLI- CATION	CRIME	HEARING		
77-107	5-11-77	4-17-76	7-20-79	ASSAULT	The behavior of victim was such that she shared in the responsibility for the crime that caused her injury.
77-110	5-23-77	5-6-77	7-27-79	MURDER	Collateral benefits received by applicant exceeded \$10,000 (statutory maximum).
77-118	7-3-77	4-14-77	7-26-79	MURDER	The behavior of victim was such that he shared in the responsibility for the crime that caused his death.
77-137	6-23-77	6-27-76	7-26-79	ASSAULT	The behavior of victim was such that he shared in the responsibility for the crime that caused his injury.
77-170	8-18-77	7-8-77	7-27-79	MURDER	The behavior of victim was such that she shared in the responsibility for the crime that caused her death.
77-171	8-23-77	8-19-77	2-13-79	ASSAULT	Crime was not reported to police as required by law.
77-185	9-12-77	4-27-77	7-18-79	ASSAULT	Collateral benefits received by applicant exceeded \$10,000 (statutory maximum).
77-188	8-29-77	3-8-77	9-27-79	ASSAULT	The behavior of victim was such that he shared in the responsibility for the crime that caused his injury.
77-193	9-13-77	9-9-77	8-9-79	ASSAULT	The behavior of victim was such that she shared in the responsibility for the crime that caused her injury.
77-195	9-15-77	5-4-77	2-15-79	ASSAULT	Collateral benefits received by applicant was far more than what he would have received from the Commission.
77-198	9-16-77	7-29-77	8-9-79	ASSAULT	Collateral benefits received by applicant was far more than what he would have received from the Commission.

CRIMINAL INJURIES COMPENSATION COMMISSION
CLAIMS DENIED - 1979

Page 3

CASE NUMBER	DATE OF			CLASSIFICATION OF CRIME	REASON COMPENSATION DENIED
	APPLICA-TION	CRIME	HEARING		
77-202	9-23-77	9-15-77	8-10-79	ASSAULT	The behavior of victim was such that he shared in the responsibility for the crime that caused his injury.
77-204	9-28-77	9-20-77	9-27-79	ASSAULT	The behavior of victim was such that he shared in the responsibility for the crime that caused his injury.
77-207	9-29-77	9-15-77	10-10-79	ASSAULT	The behavior of victim was such that he shared in the responsibility for the crime that caused his injury.
77-215 (HILO)	10-6-77	8-5-77	10-25-79	ASSAULT	There is insufficient evidence to indicate that applicant is an innocent victim.
77-221	10-11-77	10-7-77	8-16-79	ASSAULT	The behavior of victim was such that she shared in the responsibility for the crime that caused her injury.
77-224	10-12-77	10-7-77	8-16-79	ASSAULT	There is insufficient evidence to indicate that applicant is an innocent victim.
77-235	10-21-77	9-17-77	9-21-79	MURDER	The behavior of victim was such that he shared in the responsibility for the crime that caused his death.
77-243	10-31-77	10-7-77	9-21-79	ASSAULT	There is insufficient evidence to indicate that applicant is an innocent victim.
77-248	11-4-77	9-4-77	2-13-79	ASSAULT	Crime was not reported to police as required by law.
77-257	11-18-77	10-7-77	8-24-79	MURDER	Person who filed claim is not a proper applicant.
77-261	11-21-77	9-9-77	8-30-79	MURDER	Collateral benefits received by applicant was far more than what she would have received from the Commission.

CRIMINAL INJURIES COMPENSATION COMMISSION
CLAIMS DENIED - 1979

Page 4

CASE NUMBER	DATE OF			CLASSIFICATION OF CRIME	REASON COMPENSATION DENIED
	APPLICA-TION	CRIME	HEARING		
77-262	11-21-77	9-9-77	8-30-79	MURDER	Collateral benefits received by applicant was far more than what she would have received from the Commission.
77-263	11-23-77	9-17-77	8-31-79	ASSAULT	The behavior of victim was such that he shared in the responsibility for the crime that caused his injury.
77-274	12-5-77	12-2-77	8-30-79	ASSAULT	There is insufficient evidence to indicate that applicant is an innocent victim.
77-279	12-6-77	12-2-77	8-30-79	ASSAULT	There is insufficient evidence to indicate that applicant is an innocent victim.
77-280	12-9-77	9-15-77	8-10-79	ASSAULT	The behavior of victim was such that he shared in the responsibility for the crime that caused his injury.
77-288	12-21-77	12-18-77	8-31-79	ASSAULT	There is insufficient evidence to indicate that applicant is an innocent victim.
78-1	1-3-78	8-26-77	9-14-79	MOTOR VEHICLE	Applicant is not a victim of one of the enumerated crimes in the statute.
78-3	1-3-78	8-6-77	9-13-79	ASSAULT	There is insufficient evidence to indicate that applicant is an innocent victim.
78-6	1-6-78	1-3-78	9-14-79	ASSAULT	There is insufficient evidence to indicate that applicant is an innocent victim.
78-13 (MOLOKAI)	1-16-78	4-3-77	10-17-79	ASSAULT	The behavior of victim was such that he shared in the responsibility for the crime that caused his injury.
78-16	1-16-78	12-13-76	8-31-79	MURDER	The behavior of victim was such that he shared in the responsibility for the crime that caused his death.

CRIMINAL INJURIES COMPENSATION COMMISSION
CLAIMS DENIED - 1979

Page 5

CASE NUMBER	DATE OF			CLASSIFICATION OF CRIME	REASON COMPENSATION DENIED
	APPLICA-TION	CRIME	HEARING		
78-32	1-3-78	11-27-77	9-27-79	ASSAULT	There is insufficient evidence to indicate that applicant is an innocent victim.
78-36	1-31-78	12-1-77	9-27-79	SODOMY	The behavior of victim was such that she shared in the responsibility for the crime that caused her injury.
78-38	2-2-78	1-15-78	9-13-79	ASSAULT	The behavior of victim was such that he shared in the responsibility for the crime that caused his injury.
78-43	2-6-78	12-21-77	9-20-79	ASSAULT	There is insufficient evidence to indicate that applicant is an innocent victim.
78-44	2-6-78	1-27-78	9-21-79	ASSAULT	The behavior of victim was such that he shared in the responsibility for the crime that caused his injury.
78-51	2-2-78	1-15-78	9-14-79	ASSAULT	The behavior of victim was such that he shared in the responsibility for the crime that caused his injury.
78-57	2-9-78	2-8-78	10-5-79	ASSAULT	There is insufficient evidence to indicate that applicant is an innocent victim.
78-65 (HILO)	2-10-78	9-10-77	9-20-79	RAPE	Victim was living with the offender at the time of the incident and did not suffer any out-of-pocket loss.
78-74	2-23-78	1-19-78	10-11-79	ASSAULT	The behavior of victim was such that he shared in the responsibility for the crime that caused his injury.
78-88	3-6-78	12-29-77	10-11-79	RAPE	The behavior of victim was such that she shared in the responsibility for the crime that caused her injury.
78-89	3-6-78	2-16-77	10-26-79	SEXUAL ABUSE	Victim was living with the offender at the time of the incident and did not suffer any out-of-pocket loss.

CRIMINAL INJURIES COMPENSATION COMMISSION
CLAIMS DENIED - 1979

Page 6

CASE NUMBER	DATE OF			CLASSIFICATION OF CRIME	REASON COMPENSATION DENIED
	APPLI- CATION	CRIME	HEARING		
78-100	3-22-78	9-27-77	10-12-79	ASSAULT	Person who filed claim is not a proper applicant.
78-104	3-20-78	10-19-77	10-5-79	ASSAULT	There is insufficient evidence to indicate that applicant is an innocent victim.
78-115 (HILO)	4-4-78	3-4-78	8-3-79	ASSAULT	There is insufficient evidence to indicate that applicant is an innocent victim.
78-130 (HILO)	4-17-78	2-11-78	10-19-79	ASSAULT	Applicant refuse to cooperate with the Commission.
78-133	4-18-78	4-1-77	10-26-79	ASSAULT	Crime was not reported to police as required by law.
78-136	4-21-78	12-23-76	10-26-79	ASSAULT	The behavior of victim was such that he shared in the responsibility for the crime that caused his injury.
78-146	5-3-78	2-15-78	11-9-79	ASSAULT	There is insufficient evidence to indicate that applicant is an innocent victim.
78-147	5-4-78	1-6-78	10-25-79	ASSAULT	The behavior of victim was such that she shared in the responsibility for the crime that caused her injury.
78-151	5-8-78	3-20-78	11-9-79	RAPE	There is insufficient evidence to indicate that applicant is an innocent victim.
78-174	6-8-78	2-12-77	11-15-79	RAPE	The behavior of victim was such that she shared in the responsibility for the crime that caused her injury.
78-181	6-13-78	3-17-78	11-9-79	ASSAULT	The behavior of victim was such that he shared in the responsibility for the crime that caused his injury.

CRIMINAL INJURIES COMPENSATION COMMISSION
CLAIMS DENIED - 1979

Page 7

CASE NUMBER	DATE OF			CLASSIFICATION OF CRIME	REASON COMPENSATION DENIED
	APPLICA-TION	CRIME	HEARING		
78-183	6-15-78	6-8-78	11-15-79	ASSAULT	The behavior of victim was such that she shared in the responsibility for the crime that caused her injury.
78-186	6-19-78	6-20-77	9-13-79	ASSAULT	Crime was not reported to police as required by law.
78-188	6-19-78	6-16-78	11-23-79	ASSAULT	The behavior of victim was such that she shared in the responsibility for the crime that caused her injury.
78-189	6-20-78	6-17-78	11-23-79	ASSAULT	Collateral benefits received by applicant was far more than what he would have received from the Commission.
78-199	6-29-78	6-25-78	11-30-79	ASSAULT	Collateral benefits received by applicant was far more than what he would have received from the Commission.
78-202	7-6-78	6-14-78	11-30-79	ASSAULT	The behavior of victim was such that he shared in the responsibility for the crime that caused his injury.
78-206	7-12-78	6-14-78	11-16-79	ASSAULT	The behavior of victim was such that he shared in the responsibility for the crime that caused his injury.
78-209	7-14-78	6-17-78	11-30-79	ASSAULT	The behavior of victim was such that he shared in the responsibility for the crime that caused his injury.
78-211	7-17-78	7-13-78	11-9-79	ASSAULT	The behavior of victim was such that she shared in the responsibility for the crime that caused her injury.
78-214	7-17-78	7-16-78	11-15-79	ASSAULT	Collateral benefits received by applicant was far more than what he would have received from the Commission.

CRIMINAL INJURIES COMPENSATION COMMISSION
CLAIMS DENIED - 1979

Page 8

CASE NUMBER	DATE OF			CLASSIFICATION OF CRIME	REASON COMPENSATION DENIED
	APPLICA-TION	CRIME	HEARING		
78-229	8-7-78	7-23-78	11-21-79	ASSAULT	The behavior of victim was such that he shared in the responsibility for the crime that caused his injury.
78-238 (HILO)	8-14-78	5-27-78	10-18-79	ASSAULT	Crime was not reported to police as required by law.
78-246 (HILO)	8-15-78	6-10-78	10-18-79	ASSAULT	The behavior of victim was such that he shared in the responsibility for the crime that caused his injury.
78-257 (HILO)	8-28-78	8-13-78	10-19-79	MURDER	The behavior of victim was such that she shared in the responsibility for the crime that caused her death.
78-258 (HILO)	9-6-78	8-13-78	10-19-79	MURDER	The behavior of victim was such that he shared in the responsibility for the crime that caused his death.
78-273	9-11-78	9-2-78	11-8-79	ASSAULT	Crime was not reported to police as required by law.
78-279 (KAUAI)	9-19-78	7-3-77	7-20-79	ASSAULT	Collateral benefits received by victim was far more than what she would have received from the Commission.
78-315 (HILO)	10-19-78	12-5-77	10-18-79	ASSAULT	Crime was not reported to police as required by law.
78-338 (HILO)	11-20-78	8-29-78	8-2-79	ASSAULT	The behavior of victim was such that he shared in the responsibility for the crime that caused his injury.
78-340 (HILO)	11-22-78	6-26-78	3-21-79	ASSAULT	The behavior of victim was such that he shared in the responsibility for the crime that caused his injury.
78-343 (HILO)	11-22-78	?	10-18-79	ASSAULT	Applicant refuse to cooperate with the Commission.

CRIMINAL INJURIES COMPENSATION COMMISSION
CLAIMS DENIED - 1979

Page 9

CASE NUMBER	DATE OF			CLASSIFICATION OF CRIME	REASON COMPENSATION DENIED
	APPLICA-TION	CRIME	HEARING		
78-358 (HILO)	12-11-78	11-14-78	8-2-79	ASSAULT	The behavior of victim was such that he shared in the responsibility for the crime that caused his injury.
78-360	12-18-78	8-13-78	10-4-79	ASSAULT	Crime was not reported to police as required by law.
79-3 (HILO)	12-26-78	7-18-78	8-2-79	ASSAULT	There is insufficient evidence to indicate that applicant is an innocent victim.
79-10	12-28-78	12-16-78	9-27-79	ASSAULT	The behavior of victim was such that he shared in the responsibility for the crime that caused his injury.
79-21 (HILO)	1-8-79	12-16-78	10-18-79	ASSAULT	Crime was not reported to police as required by law.
79-23 (HILO)	1-8-79	11-26-78	8-3-79	ASSAULT	The behavior of victim was such that he shared in the responsibility for the crime that caused his injury.
79-26 (HILO)	1-8-79	7-2-78	10-18-79	ASSAULT	The behavior of victim was such that he shared in the responsibility for the crime that caused his injury.
79-28 (HILO)	1-9-79	10-26-78	8-2-79	MOTOR VEHICLE	Applicant is not a victim of one of the enumerated crimes in the statute.
79-34 (HILO)	1-16-79	11-4-79	8-3-79	ASSAULT	The behavior of victim was such that she shared in the responsibility for the crime that caused her injury.
79-35 (HILO)	1-16-79	11-23-78	8-2-79	ASSAULT	The behavior of victim was such that he shared in the responsibility for the crime that caused his injury.
79-44 (HILO)	1-23-79	12-12-78	8-2-79	ASSAULT	The behavior of victim was such that he shared in the responsibility for the crime that caused his injury.

CRIMINAL INJURIES COMPENSATION COMMISSION
CLAIMS DENIED - 1979

Page 10

CASE NUMBER	DATE OF			CLASSIFICATION OF CRIME	REASON COMPENSATION DENIED
	APPLICA-TION	CRIME	HEARING		
79-50 (MAUI)	1-26-79	9-13-78	10-17-79	ASSAULT	The behavior of victim was such that he shared in the responsibility for the crime that caused his injury.
79-54 (KAUAI)	1-30-79	12-8-78	11-1-79	ASSAULT	Collateral benefits received by victim was far more than what he would have received from the Commission.
79-56 (KAUAI)	1-30-79	11-21-76	11-1-79	ASSAULT	Application was filed beyond statute of limitations.
79-74 (MOLOKAI)	2-22-79	1-14-79	10-17-79	ASSAULT	The behavior of victim was such that he shared in the responsibility for the crime that caused his injury.
79-98 (HILO)	3-29-79	1-5-79	10-18-79	ASSAULT	The behavior of victim was such that she shared in the responsibility for the crime that caused her injury.
79-99 (HILO)	3-29-79	3-2-79	8-2-79	ASSAULT	The behavior of victim was such that she shared in the responsibility for the crime that caused her injury.
79-100 (HILO)	3-29-79	12-24-78	8-3-79	ASSAULT	The behavior of victim was such that she shared in the responsibility for the crime that caused her injury.
79-101 (HILO)	3-29-79	10-2-78	8-3-79	ASSAULT	There is insufficient evidence to indicate that applicant is an innocent victim.
79-145 (KAUAI)	5-3-79	1-6-79	11-1-79	ASSAULT	The behavior of victim was such that he shared in the responsibility for the crime that caused his injury.
79-162 (KAUAI)	5-31-79	3-2-79	11-29-79	RAPE	The behavior of victim was such that she shared in the responsibility for the crime that caused her injury.

CRIMINAL INJURIES COMPENSATION COMMISSION
CLAIMS DENIED - 1979

Page 11

CASE NUMBER	DATE OF			CLASSIFICATION OF CRIME	REASON COMPENSATION DENIED
	APPLICA-TION	CRIME	HEARING		
79-179 (KAUAI)	6-29-79	3-13-79	10-17-79	RAPE	The behavior of victim was such that she shared in the responsibility for the crime that caused her injury.
79-202 (MAUI)	7-12-79	1-26-79	10-17-79	MURDER	There is insufficient evidence to indicate that applicant is an innocent victim.
79-225 (HILO)	7-25-79	7-4-79	10-19-79	ASSAULT	The behavior of victim was such that he shared in the responsibility for the crime that caused his injury.
79-227 (MAUI)	7-26-79	8-20-78	11-8-79	MURDER	The behavior of victim was such that he shared in the responsibility for the crime that caused his death.
79-232 (KAUAI)	8-1-79	6-5-78	11-30-79	MURDER	The behavior of victim was such that he shared in the responsibility for the crime that caused his death.

76-86

Victim is a 70 year old male whose body was found at a dump site. He was murdered by a neighbor who was subsequently arrested, charged and convicted. A letter was received from Applicant on March 23, 1976. Numerous attempts were made to get Applicant to submit a formal application but to no avail. Because no formal application was filed with the Commission, and because Applicant refuses to cooperate with the Commission, the claim is denied.

76-94

Applicant is a 21 year old male who was stabbed in a fight. He was drinking with friends in a carport when a carload of men drove by yelling obscenities. Applicant swore at the men and ran after them and a fist fight ensued which resulted in the stabbing incident. Most of Applicant's medical bills totaling \$1,086.37 were covered by HMSA. Applicant did not work for 2 weeks and lost \$298.42 in earnings. Because Applicant shared in the responsibility for the crime that caused his injury, the claim is denied.

76-173

Applicant is a 22 year old male who claims that he was assaulted by 2 men in a hotel elevator. However, the more credible evidence indicates that victim was involved in a brawl and was struck in the face and stomach several times. Medical expenses totaled \$117.58. There is no evidence to indicate that Applicant lost earnings because of the incident. Because Applicant shared in the responsibility for the crime that caused his injury, the claim is denied.

76-245

Victim is a 40 year old female who was assaulted by her former husband. She was struck in the face and stabbed in the eye with a broom. Medical expenses totaling \$1,439.24 were paid by the Public Welfare Division, Department of Social Services & Housing, State of Hawaii. Victim was not employed. Because victim was living with the offender at the time of the incident and did not have any out-of-pocket expenses, the claim is denied.

77-20

Applicant is a 28 year old male who claims that he was accosted and stabbed by a male in the vicinity of Aala Park. The more credible evidence indicates that he was drunk and had a fight with 2 men. Medical bills totaled \$2,080. Applicant was not employed at the time of the alleged incident. Because he shared in the responsibility for the crime that caused his injury, the claim is denied.

77-29

Applicant is a 32 year old female who alleges that she was abducted, assaulted and raped. The more credible evidence indicates that she was wandering around near Aala Park at night. Also, she was intoxicated when questioned by police. Medical expenses totaled \$1,074.50. Applicant was not gainfully employed at the time of the incident. Because she shared in the responsibility for the crime that caused her injury, the claim is denied.

77-48

Applicant is a 22 year old male who claims he was attacked and severely beaten in his home. The more credible evidence indicates that Applicant was involved in illegal activities. Medical expenses totaling \$6,877.42 were paid by the Public Welfare Division, Department of Social Services & Housing, State of Hawaii. Applicant was not employed at the time of the incident. Because Applicant shared in the responsibility for the crime that caused his injury, the claim is denied.

77-56

Victim is a 19 year old male who was killed in a fight. The more credible evidence indicates that he and two of his friends provoked the incident. The 3 men had been drinking prior to the incident, and while driving in Wahiawa confronted several servicemen and engaged in a shouting match and fist fight. When victim chased one of the men into a restaurant, he was stabbed. Medical bills totaled \$439.20 of which \$392.49 was paid by HMSA. Victim was employed as a Road Maintencenceman by the City & County of Honolulu at the time of his death. Funeral and burial expenses totaled \$2,078. Because victim shared in the responsibility for the crime that caused his death, the claim is denied.

77-64

Victim is a 29 year old male who was stabbed to death. He suffered stab wounds of the chest, stomach and leg. Medical expenses totaling \$22,393.94 were paid by the Public Welfare Division, Department of Social Services & Housing, State of Hawaii. Victim, an independent cab driver, did not have any dependents. Funeral and burial expenses totaled \$2,609.83 of which \$255 was paid by Social Security. The more credible evidence indicates that victim's girlfriend, a prostitute, provoked the incident. She propositioned the serviceman which led to a confrontation. When victim and 5 of his friends ganged up on the serviceman, victim was stabbed. Because the decedent shared in the responsibility for the crime that caused his death, the claim is denied.

77-92

Applicant is a 25 year old male who was assaulted in his home. He suffered lacerations of the right thigh. Medical expenses totaled \$241.85. Applicant did not work for a week and would have lost \$168 in wages except that he received \$168 in TDI benefits. The more credible evidence indicates that Applicant was engaged in illegal activities involving narcotics. Because he shared in the responsibility for the crime that caused his injury, the claim is denied.

77-95

Applicant is a 22 year old male who was assaulted by one of his employees. He suffered a skull fracture and contusions of the head and face. Medical expenses totaling \$913 were covered by Workers' Compensation. Applicant was unable to work for 5½ months and would have lost \$12,172 in wages except that he received \$4,193.71 for Temporary Total Disability and \$8,377.20 for Permanent Partial Disability. In addition, he received \$150 for disfigurement, used 6 days sick leave valued at \$600, and received Unemployment Compensation. Because Applicant received Workers' Compensation benefits far in excess of the \$10,000 statutory maximum, the Commission is unable to order an award for compensation. The claim is denied.

77-107

Victim is a 20 year old female who was assaulted by her boyfriend. She suffered contusions and abrasions of the body. Medical expenses totaled \$3,646.79 of which \$2,902.51 was paid by insurance, and \$331.49 discounted by doctors. Victim was not gainfully employed at the time of the incident. The more credible evidence indicates that victim and the accused ingested downers and drank beer on the date of the incident. Victim is also known to experiment with hard drugs. Because victim shared in the responsibility for the crime that caused her injury, the claim is denied.

77-110

Victim is a 48 year old male who was murdered at his place of employment. He suffered gunshot wounds of the chest. A medical bill for \$5 was paid by the Industrial Indemnity Co. under the Workers' Compensation program. Victim was employed as Vice President of the Inland Boatmen's Union of the Pacific. Funeral and burial expenses totaled \$3,645.46 of which \$1,500 was paid by the Industrial Indemnity Co. under the Workers' Compensation program. In addition to medical and funeral benefits, decedent's wife received \$18,974 for dependency under the Workers' Compensation program. The payments for dependency will continue indefinitely. Because Applicant received collateral benefits totaling \$20,479 (an amount far in excess of the \$10,000 statutory maximum), the Commission is unable to order an award for compensation. The claim is denied.

77-118

Victim is a 24 year old male who was beaten to death by a friend. He was struck on the head repeatedly with a rock. The more credible evidence indicates that victim, after taking drugs, went beserk and attacked the accused. There are no medical bills, and victim was not employed at the time of the incident. Funeral and burial expenses totaled \$2,182.40. Because victim shared in the responsibility for the crime that caused his death, the claim is denied.

77-137

Victim is a 14 year old boy who was assaulted in an argument. He was punched and kicked in the head and stomach, and suffered a ruptured spleen. The more credible evidence indicates that victim provoked the incident when he harrassed and detained the accused's girlfriend. Medical expenses totaling \$3,636.07 were paid by the Kaiser Health Plan. Victim was not employed. Because victim shared in the responsibility for the crime that caused his injury, the claim is denied.

77-170

Victim is a 29 year old female who was murdered. She and her boyfriend had a fight which resulted in her being stabbed to death. Both the victim and the accused were living in the same household at the time of the incident. There are no medical bills, and there is no evidence to indicate that victim was gainfully employed. Funeral and burial expenses totaled \$1,988.42 of which \$255 was paid by Social Security. Because victim shared in the responsibility for the crime that caused her death, the claim is denied.

77-171

Applicant is a 24 year old male who alleges that he was assaulted on August 19, 1977. However, there is no police report to support his claim. Medical expenses totaling \$1,967.45 were paid by the Public Welfare Division, Department of Social Services & Housing, State of Hawaii. Applicant was not gainfully employed at the time of the incident. Because the alleged crime was not reported to the police as required by law, the Commission is unable to order an award for compensation. The claim is denied.

77-185

Victim is a 48 year old female who was assaulted at her place of employment. She was struck in the eye, and as a result, loss her right eye sight. Medical expenses totaling \$2,224 were covered by Workers' Compensation. In addition, victim will receive disability and disfigurement payments in excess of \$10,000 (statutory maximum). Because victim received, or will receive collateral benefits exceeding the \$10,000 statutory maximum, the Commission is unable to order an award for compensation. The claim is denied.

77-188

Applicant is a 21 year old male who was assaulted in a downtown Bar. The more credible evidence indicates that he was intoxicated. There are no out-of-pocket medical expenses, and there is no evidence that Applicant lost earnings because of the incident. Because Applicant shared in the responsibility for the crime that caused his injury, the claim is denied.

77-193

Applicant is a 26 year old female who was assaulted in Waikiki. She was struck in the face and suffered a blow-out fracture of the left orbit. The more credible evidence indicates that Applicant was intoxicated and provoked the incident when she attacked the suspect. Medical expenses totaled \$778.96. Applicant was not gainfully employed. Because Applicant shared in the responsibility for the crime that caused her injury, the claim is denied.

77-195

Victim is a 25 year old male who was assaulted by a co-worker. He suffered lacerations of the right cheek. Medical expenses totaled \$100.55 of which \$42.20 was paid under the Workers' Compensation program, and \$58.35 by private insurance. Victim did not work for 3 days and lost \$42.88 in wages. In addition to medical benefits, victim received \$402 in disability payments, and \$600 for disfigurement under the Workers' Compensation program. The Commission awarded victim \$250 for pain and suffering. However, because victim received collateral benefits which exceeded the amount awarded, the claim is denied.

77-198

Applicant is a 20 year old Doorman, who was stabbed when he escorted the suspect out of the Bar. He sustained stab wounds of the left forearm, chest and stomach. Applicant was treated at Tripler Army Medical Center without charge. He did not work for 2 weeks and would have lost \$280 in wages except that he received \$213.34 in disability payments under the Workers' Compensation program. He also received \$1,500 for disfigurement. Because Applicant received collateral benefits far in excess of what the Commission would have awarded, the Commission is unable to order an award of compensation. The claim is, therefore, denied.

77-202

Applicant is a 30 year old male who was shot in a Bar as the result of an argument. He suffered a gunshot wound of the left forearm. Medical expenses totaling \$1,400.55 were paid by the Public Welfare Division, Department of Social Services & Housing, State of Hawaii. There is no evidence to support Applicant's claim for loss of earning power. Because Applicant shared in the responsibility for the crime that caused his injury, the claim is denied.

77-204

Applicant is a 27 year old male who was shot in the left arm. The more credible evidence indicates that he was shot by a "drug pusher" whom he had been dealing with. No medical bills were submitted, and Applicant was not gainfully employed at the time of the incident. Because Applicant shared in the responsibility for the crime that caused his injury, the claim is denied.

77-207

Applicant is a 36 year old male who was shot in a Bar as the result of an argument. He suffered gunshot wounds of the left shoulder and left forearm. Medical expenses totaling \$4,081.65 were paid by the Public Welfare Division, Department of Social Services & Housing, State of Hawaii. There is no evidence to support Applicant's claim for loss of earning power. Because Applicant shared in the responsibility for the crime that caused his injury, the claim is denied.

77-215 (Hilo)

Applicant is a 25 year old male who alleges that he was assaulted by two men in Kona. However, Applicant withdrew his complaint with the Hilo Police Department and the case was subsequently closed. Medical expenses totaling \$66.02 were paid by the Public Welfare Division, Department of Social Services & Housing, State of Hawaii. Applicant was not employed at the time of the incident. Because Applicant withdrew his complaint with the Hilo Police Department and failed to report for his scheduled hearing to tell the Commissioners what really happened, the Commission is unable to determine whether he is an innocent victim of one of the enumerated crimes in the statute. Accordingly, the claim is denied.

77-221

Applicant is a 27 year old female who claims that she was assaulted by her landlord. The more credible evidence indicates that she was intoxicated and was loud, boisterous and belligerent. Medical expenses totaling \$83.25 were paid by the Public Welfare Division, Department of Social Services & Housing, State of Hawaii. Applicant was not employed. Because she shared in the responsibility for the crime that caused her injury, the claim is denied.

77-224

Applicant is a 28 year old male who claims that he was assaulted by 2 men who entered his home. However, there is insufficient evidence to indicate that Applicant is an innocent victim of one of the enumerated crimes in the statute. Medical expenses totaled \$86.90. Applicant was not employed. Because Applicant cannot be found to tell the Commission what really happened, the claim is denied.

77-235

Victim is a 48 year old male who was stabbed to death in a fight. He was intoxicated and behaved badly at a party. He threatened and struck the accused on the head with a bottle which precipitated the incident. There are no out-of-pocket medical expenses. Victim was employed as an Inspector by the U.S. Department of Agriculture. Funeral and burial expenses totaled \$2,301.82 of which \$255 was paid by Social Security. Because victim shared in the responsibility for the crime that caused his death, the claim is denied.

77-243

Victim is a 33 year old male who was assaulted as the result of an argument. He suffered minor abrasions and contusions of the body. Medical expenses totaling \$26.50 were paid by HMSA. Victim was not employed at the time of the incident. Because the Commission is not satisfied that Applicant is an innocent victim, the claim is denied.

77-248

Applicant is a 36 year old male who alleges that he was assaulted on September 4, 1977. However, there is no police report to support his claim. No medical bills were submitted by Applicant, and there is no evidence to indicate that he lost earnings because of the alleged incident. Because the alleged crime was not reported to the police as required by law, the Commission is unable to order an award for compensation. The claim is denied.

77-257

Victim is a 64 year old female who died as the result of a beating by a mental patient. Medical expenses totaled \$15,914.52 of which \$9,570.22 was paid by HMSA and \$1,605.85 by Champus. Victim was not employed at the time of the incident. Because Applicant is not a dependent of the decedent, and was not supporting the victim at the time of victim's death, and because Applicant did not incur any hospital, medical, funeral and burial expenses, the Commission is unable to order an award for compensation. The claim is denied.

77-261

Applicant is the daughter of victim who was stabbed in the heart by her lover. No medical bills were submitted. Applicant was receiving \$150 per month from her father prior to her mother's death. As a result of the incident, she now receives \$475 per month from Social Security. Because Applicant is now receiving collateral benefits far in excess of what the Commission would have awarded, the Commission is unable to order an award for compensation. The claim is denied.

77-262

Applicant is the daughter of victim who was stabbed in the heart by her lover. No medical bills were submitted. Applicant was receiving \$150 per month from her father prior to her mother's death. As a result of the incident, she now receives \$475 per month from Social Security. Because Applicant is now receiving collateral benefits far in excess of what the Commission would have awarded, the Commission is unable to order an award for compensation. The claim is denied.

77-263

Victim is a 27 year old male who alleges that he was assaulted by several men. The more credible evidence indicates that victim was intoxicated and provoked the incident. Medical expenses totaled \$1,140.48 of which \$795.03 was paid by HMSA, and \$345.45 by the Public Welfare Division, Department of Social Services & Housing, State of Hawaii. There is insufficient evidence to support victim's claim for loss of earning power. Because victim shared in the responsibility for the crime that caused his injury, the claim is denied.

77-274

Applicant is a 27 year old male who alleges that he was assaulted in his home and suffered contusions and lacerations of the hand and face and fracture of the left upper jaw. Medical expenses totaling \$484.50 were covered by the Kaiser Hospital Plan. There is no evidence to support Applicant's claim for loss of earning power. Because there is insufficient evidence to indicate that Applicant is a victim of one of the enumerated crimes in the statute, the claim is denied.

77-279

Applicant is a 26 year old male who was assaulted as the result of an argument. He was struck in the face and suffered a laceration of the forehead. Medical expenses totaling \$28.50 were paid by a law firm. Applicant was not employed at the time of the incident. Because the Commission is not satisfied that Applicant is an innocent victim, the claim is denied.

77-280

Applicant is a 34 year old male who was shot in a Bar as the result of an argument. He suffered gunshot wounds of the abdomen. Medical expenses totaling \$7,801.70 were paid by the Public Welfare Division, Department of Social Services & Housing, State of Hawaii. Applicant was not gainfully employed at the time of the incident. Because Applicant shared in the responsibility for the crime that caused his injury, the claim is denied.

77-288

Applicant is a 31 year old male who claims he was assaulted while enroute home one evening. Medical expenses totaling \$83.15 were paid by the Public Welfare Division, Department of Social Services & Housing, State of Hawaii. Applicant was not gainfully employed at the time of the incident. Because the Commission is not satisfied that Applicant is an innocent victim, the claim is denied.

78-1

Applicant is a 41 year old male who told police that he was struck by a car and suffered a fracture of the jaw and cheekbone. Medical expenses totaled \$3,175. There is no evidence to indicate that Applicant lost earnings because of the incident. Because Applicant is not a victim of one of the enumerated crimes in the statute, the claim is denied.

78-3.

Applicant is a 60 year old male who was injured chasing a robber. In the scuffle, he suffered a bruise on his left cheek. There are no medical bills and victim was not employed. Because the Commission is not satisfied that Applicant is an innocent victim, the claim is denied.

78-6

Applicant is a 58 year old male who claims that he was assaulted in a municipal parking lot. However, the Commission does not have sufficient information to determine whether Applicant is a victim of one of the enumerated crimes in the statute. Applicant failed to report for his scheduled hearing. Medical expenses totaling \$673.10 were paid by the Public Welfare Division, Department of Social Services & Housing, State of Hawaii, and Applicant was not gainfully employed. Because the Commission is not satisfied that Applicant is an innocent victim, the claim is denied.

78-13 (Molokai)

Applicant is a 28 year old male who alleges that he was assaulted with a machete. The more credible evidence indicates that Applicant had an argument with his friend which resulted in a fight. Medical expenses totaled \$2,778.51 of which \$2,349.30 was paid by HMSA and \$429.21 discounted by the hospital. Applicant was not gainfully employed at the time of the incident. Because he shared in the responsibility for the crime that caused his injury, the claim is denied.

78-16

Victim is a 22 year old male who was killed by police. The more credible evidence indicates that victim attempted to rob the Pearl City Pizza Hut and engaged in a shoot-out with police officers. Medical expenses totaled \$24.40 and funeral and burial expenses totaled \$1,401.74. Victim was not gainfully employed at the time of the incident. Because victim shared in the responsibility for the crime that caused his death, the claim is denied.

78-32

Applicant is a 21 year old male who was stabbed in the left chest in a fight. Medical expenses totaled \$2,607.37 of which \$2,024.43 was paid by the Public Welfare Division, Department of Social Services & Housing, State of Hawaii, and \$444.39 discounted by doctors. Applicant was not employed. Because the Commission is not satisfied that Applicant is an innocent victim, the claim is denied.

78-36

Applicant is a 37 year old female who alleges that she was sodomized. The more credible evidence indicates that she met the suspect on the beach and went drinking with him in a hotel bar. Medical expenses totaling \$430.36 were paid by the Public Welfare Division, Department of Social Services & Housing, State of Hawaii. There is no evidence to indicate that Applicant lost earnings because of the incident. Because Applicant shared in the responsibility for the crime that caused her injury, the claim is denied.

78-38

Applicant is a 27 year old male who was stabbed in the chest and abdomen. The more credible evidence indicates that he had been drinking and was involved in a fight in a Kailua Bar which led to the stabbing incident. Medical expenses totaling \$625.50 were paid by the Kaiser Medical Plan. Applicant was not employed at the time of the incident. Because he shared in the responsibility for the crime that caused his injury, the claim is denied.

78-43

Applicant is a 37 year old male who was assaulted as the result of an argument. However, he did not seek medical treatment and was not employed at the time of the incident. Because the Commission is not satisfied that Applicant is an innocent victim, the claim is denied.

78-44

Applicant is a 20 year old male who fractured his left arm in a fight with several men. The more credible evidence indicates that Applicant was assaulted because he had a hassle with the assailant's girlfriend. There are no out-of-pocket medical expenses and Applicant was not employed at the time of the incident. Because Applicant shared in the responsibility for the crime that caused his injury, the claim is denied.

78-51

Applicant is a 29 year old male who was injured in a fight at Whitney's Bar in Kailua. He suffered multiple facial contusions and lacerations. Medical expenses totaling \$5,331.93 were paid by the Public Welfare Division, Department of Social Services & Housing, State of Hawaii. Applicant was not employed. Because he shared in the responsibility for the crime that caused his injury, the claim is denied.

78-57

Applicant is a 45 year old male who was injured in a domestic argument. He was assaulted by his ex-wife's boyfriend. There are no out-of-pocket medical expenses and Applicant was not employed at the time of the incident. Because the Commission is not satisfied that Applicant is an innocent victim, the claim is denied.

78-65 (Hilo)

Applicant is a 20 year old female who alleges that she was raped. The more credible evidence indicates that she and the accused were living together and had engaged in sexual intercourse on several occasions previously without incident. Medical expenses totaling \$102.48 were paid by the Public Welfare Division, Department of Social Services & Housing, State of Hawaii. There is no evidence to indicate that Applicant was gainfully employed at the time of the incident. Because Applicant was living with the offender at the time of the alleged incident and did not have any out-of-pocket medical expenses or loss of earnings, the claim is denied.

78-74

Applicant is a 19 year old male who claims that he was assaulted in school. The more credible evidence indicates that he was beaten when he intimidated the suspect's girlfriend. Medical expenses totaled \$89.44. Applicant was not employed. Because he shared in the responsibility for the crime that caused his injury, the claim is denied.

78-88

Applicant is an 18 year old female who alleges that she was raped. However, the more credible evidence indicates that she met the suspect at a beach party and befriended him. Also, Applicant failed to report the alleged rape to the police until two days later, and did not go to the Sex Abuse Treatment Center at the time the police were notified. There are no medical expenses, and Applicant was not gainfully employed at the time of the incident. Because Applicant shared in the responsibility for the crime that caused her injury, the claim is denied.

78-89

Victim is a 10 year old girl who was sexually assaulted by her stepfather. There are no out-of-pocket medical expenses and victim was not employed. Because victim was living with the offender at the time of the incident, and did not have any out-of-pocket expenses, the claim is denied.

78-100

Victim is a 92 year old female who was assaulted by a mental patient at Ala Moana Shopping Center. She sustained stab wounds of the back and shoulders. Victim died a month later from a heart attack. The two incidents are not related. Medical expenses totaling \$1,721.85 were either paid by Medicare or the Estate. Victim was not gainfully employed at the time of the incident. Because Applicant did not pay for any of the expenses incurred by the victim, the claim is denied.

78-104

Applicant is a 40 year old female who claims that she was struck in the right knee by a piece of ice. She has not returned forms sent to her by the Commission and refuses to cooperate with the Commission. There are no medical bills, and there is no evidence to indicate that Applicant lost earnings because of the incident. Because there is no credible evidence to indicate that Applicant is a victim of one of the enumerated crimes in the statute, and because Applicant refuses to cooperate with the Commission, the claim is denied.

78-115 (Hilo)

Applicant is a 28 year old male who claims he was assaulted at a public beach in Kona. However, Applicant has refused to cooperate with the Commission and his whereabouts is not known. Because of Applicant's refusal to cooperate, and because the Commission is unable to determine whether he is a victim of one of the enumerated crimes in the statute, the claim is denied.

78-130 (Hilo)

Applicant is a 17 year old female who alleges that she was assaulted. However, she refused to cooperate with the Commission and her whereabouts is not known. Because Applicant refuses to cooperate with the Commission and cannot be found, the Commission is unable to determine whether she is an innocent victim of one of the enumerated crimes in the statute. The claim is, therefore, denied.

78-133

Applicant is a 30 year old male who claims he was assaulted in a downtown Bar and sustained a broken jaw. However, there is no record of the incident filed with the Honolulu Police Department. There are no medical expenses and Applicant was not employed at the time of the incident. Because Applicant did not report the alleged crime to police as required by law, the claim is denied.

78-136

Applicant is a 20 year old male who was stabbed in a fight. He suffered a stab wound in the back. The more credible evidence indicates that Applicant was involved in an automobile incident and had a confrontation with several men. As a result, a fight ensued and he was stabbed by one of the suspects. There are no medical bills because Applicant was treated at Tripler Army Medical Center without charge. There is no evidence to indicate that he lost earnings because of the incident. Because Applicant shared in the responsibility for the crime that caused his injury, the claim is denied.

78-146

Applicant is a 52 year old male who claims he was assaulted and robbed by two juveniles. However, the Commission cannot locate Applicant and does not have sufficient evidence to indicate that Applicant is an innocent victim of one of the enumerated crimes in the statute. No medical bills were submitted and Applicant was not employed. Because of insufficient evidence, the claim is denied.

78-147

Applicant is a 26 year old female who alleges that she was assaulted with a cue stick. The more credible evidence indicates that she was involved in an altercation in a downtown Bar and injured herself. Medical expenses totaling \$4,197.18 were paid by the Public Welfare Division, Department of Social Services & Housing, State of Hawaii. There is no evidence to support victim's claim for loss of earning power. Because Applicant shared in the responsibility for the crime that caused her injury, the claim is denied.

78-151

Applicant is an 18 year old female who alleges that she was raped. However, the more credible evidence indicates that Applicant is a friend of the accused and had dinner with him earlier in the evening. Applicant failed to report for her scheduled hearing, and refused to cooperate with the Commission. She failed to return forms sent to her by the Commission. There are no medical bills and Applicant was not gainfully employed at the time of the alleged incident. Because Applicant failed to report for her scheduled hearing to tell the Commissioners what happened, and refused to cooperate with the Commission, the Commission is unable to determine whether she is an innocent victim of one of the enumerated crimes in the statute. Accordingly, the claim is denied.

78-174

Applicant is a 36 year old female who claims she was raped. The more credible evidence indicates that she was drinking in a Hauula Bar and was later driven home by the suspect. Applicant has a long standing drinking and emotional problem. No medical bills were submitted, and Applicant was not employed. Because Applicant shared in the responsibility for the crime that caused her injury, the claim is denied.

78-181

Applicant is a 50 year old male who claims he was assaulted and when he fell, he fractured his right ankle. The more credible evidence indicates that Applicant provoked the incident. He was intoxicated and struck the suspect who retaliated. No medical bills were submitted, and Applicant was not employed. Because Applicant shared in the responsibility for the crime that caused his injury, the claim is denied.

78-183

Applicant is a 28 year old female who was assaulted in a Bar. She was struck in the face and suffered contusions of the cheek. The more credible evidence indicates that Applicant was assaulted because she flirted with the suspect and then spurned his affections. Medical expenses totaling \$400.85 were paid by the Public Welfare Division, Department of Social Services & Housing, State of Hawaii. There is no evidence to indicate that Applicant lost earnings because of the incident. Because Applicant shared in the responsibility for the crime that caused her injury, the claim is denied.

78-186

Applicant is a 42 year old female who claims she was assaulted in a Bar and suffered a cerebral concussion. However, there is no record of the incident filed with the Honolulu Police Department. Medical expenses totaled \$6,783.41 of which \$5,983.80 was paid by HMSA. There is no evidence to indicate that Applicant was employed at the time of the incident. Because Applicant did not report the alleged crime to police as required by law, the claim is denied.

78-188

Applicant is a 22 year old female who alleges that she was assaulted and suffered abrasions and contusions of the face, neck and chest. The more credible evidence indicates that she had a fight with her boyfriend as the result of an argument. Medical expenses totaling \$37.60 were paid by HMSA. Applicant did not work for 2 days because of her injury. However, she used sick leave during her convalescence. Because Applicant shared in the responsibility for the crime that caused her injury, her claim is denied.

78-189

Applicant is a 30 year old service station attendant who was assaulted by a customer. He was struck in the face and suffered contusions of the left eye and jaw. Medical expenses totaling \$581.71 were covered under the Workers' Compensation program. There is no evidence to indicate that Applicant lost earnings because of the incident. Because Applicant received collateral benefits far in excess of what he would have been awarded by the Commission, the claim is denied.

78-199

Applicant is a 65 year old Security Guard who was assaulted at his place of work. He was punched in the head and face by an unidentified male and suffered contusions of the face and scalp. Medical expenses totaling \$548.73 were covered by Workers' Compensation. Because of his injury, Applicant now cannot work. The insurance carrier has agreed to reimburse him Temporary Total Disability benefits retroactive to the reopening of his case by Straub Clinic on March 31, 1979. In addition, current TTD benefits will be paid to Applicant on a bi-weekly basis commencing January 1, 1980. Because Applicant received, or will receive collateral benefits far in excess of what he would have been awarded by the Commission, the claim is denied.

78-202

Applicant is a 19 year old male who was injured in a fight. He sustained stab wounds of the back. The more credible evidence indicates that Applicant had an argument with the suspect and then challenged him to a fight. Medical expenses totaled \$1,808.48 of which \$1,587.90 was paid by HMSA. Applicant did not work for 2 weeks because of his injury and lost \$400 in wages. Because Applicant shared in the responsibility for the crime that caused his injury, the claim is denied.

78-206

Applicant is a 19 year old male who was injured in an altercation. He was stabbed in the left shoulder. The more credible evidence indicates that Applicant challenged the suspect to a fight. Medical expenses totaled \$168.89 of which \$135.14 was paid by HMSA and \$33.75 discounted. Applicant was unable to work for 12 days and would have lost \$320 in wages except that he received \$65 in TDI benefits. Because Applicant shared in the responsibility for the crime that caused his injury, the claim is denied.

78-209

Victim is a 23 year old male who claims he was assaulted in a Bar and sustained a fracture of the left cheekbone. The more credible evidence indicates that he was bothering customers in the Bar and was warned not to do so. When he was discovered smoking marijuana in the restroom he was asked to leave. When he refused he was forcibly removed. Medical expenses totaling \$1,349.40 were paid by the Public Welfare Division, Department of Social Services & Housing, State of Hawaii. There is no evidence to indicate that Applicant lost earnings because of the alleged incident. Because Applicant shared in the responsibility for the crime that caused his injury, the claim is denied.

78-211

Applicant is a 34 year old female who was assaulted by a neighbor. She suffered a fracture of the left arm. The more credible evidence indicates that Applicant provoked the incident when she struck the suspect with a stick. No medical bills were submitted, and Applicant was not employed at the time of the incident. Because Applicant shared in the responsibility for the crime that caused her injury, the claim is denied.

78-214

Applicant is a 33 year old male who was assaulted when he attempted to break up a fight at the Detention Home. He suffered multiple contusions and abrasions of the body. Medical expenses totaling \$1,506.11 were paid by Workers' Compensation. Applicant was an emergency hire employee on an on-call basis and paid by the number of hours worked during the pay period. He received \$6,092.63 in disability payments for the period July 17, 1978 through October 15, 1979, under the Workers' Compensation program. Because Applicant received collateral benefits far in excess of what he would have been awarded by the Commission, the claim is denied.

78-229

Applicant is a 19 year old male who claims he was assaulted by his neighbor. The more credible evidence indicates that Applicant was involved in a fight. He had been drinking and was intoxicated at the time of the incident. Medical expenses totaled \$1,224.39. There is no evidence to support Applicant's claim for loss of earning power. Because Applicant shared in the responsibility for the crime that caused his injury, the claim is denied.

78-238 (Hilo)

Applicant is a 43 year old female who alleges that she was assaulted. However, there is no record of a police report being filed with the Hilo Police Department. There are no medical bills, and there is no evidence to indicate that Applicant lost earnings because of the incident. Because she did not report the crime to the police as required by law, the Commission is unable to order an award for compensation. Therefore, the claim is denied.

78-246 (Hilo)

Applicant is a 32 year old male who alleges that he was assaulted. The more credible evidence indicates that he was involved in a fight in a Bar. He was struck in the face with a pool cue stick in the argument. Medical expenses totaling \$514.28 were paid by the Public Welfare Division, Department of Social Services Services & Housing, State of Hawaii. Applicant did not work for one month and would have lost \$803.84 except that he received \$96 in TDI payments. Because Applicant shared in the responsibility for the crime that caused his injury, the claim is denied.

78-257 (Hilo)

Victim is an 18 year old female who was murdered. She and her boyfriend were both shot when they broke into the home of the accused and had a confrontation. There are no medical expenses and victim was not gainfully employed at the time of the incident. Funeral and burial expenses totaling \$416 were paid by the Public Welfare Division, Department of Social Services & Housing, State of Hawaii. Because victim shared in the responsibility for the crime that caused her death, Applicant's claim is denied.

78-268 (Hilo)

Victim is a 19 year old male who was killed when he broke into the accused's home and had a confrontation. He was shot three times in the head. There are no medical expenses and victim was not gainfully employed at the time of the incident. Funeral and burial expenses totaling \$416 were paid by the Public Welfare Division, Department of Social Services & Housing, State of Hawaii. Because victim shared in the responsibility for the crime that caused his death, the claim is denied.

78-273

Applicant is a 42 year old male who claims he was assaulted. However, there is no record of the crime having been reported to the police. Because Applicant failed to report the alleged crime to police as required by law, the Commission is unable to order an award for compensation. Accordingly, the claim is denied.

78-279 (Kauai)

Applicant is a 52 year old Dispatcher for a tour company who was shot by a co-worker at her place of employment. After shooting Applicant, the assailant committed suicide. Applicant suffered gunshot wounds of the head, right hand and right jaw. Medical bills totaling \$5,275.29 were covered by the Workers' Compensation program. In addition to medical payments, Applicant was awarded \$26,895.59 for disability and \$1,900 for disfigurement under the Workers' Compensation program. Because Applicant received collateral benefits totaling \$34,070.88 (an amount far in excess of the \$10,000 statutory maximum), the Commission is unable to order an award for compensation. Therefore, the claim is denied.

78-315 (Hilo)

Applicant is a 21 year old male who alleges that he was assaulted and robbed. However, there is no evidence of the incident having been reported to the police. Because Applicant did not report the alleged crime to the police as required by law, the claim is denied.

78-338 (Hilo)

Applicant is a 22 year old male who claims that he was assaulted in a hotel parking lot. The more credible evidence indicates that Applicant and his friends were drinking in a hotel bar, and when they became disorderly were asked to leave the premises by the Hotel Manager and Doorman. Applicant was not treated by a doctor for the injuries he claims he sustained. He was not employed. Because Applicant shared in the responsibility for the crime that caused his injury, the claim is denied.

78-340 (Hilo)

Victim is a 26 year old male who was injured as the result of a fight over ownership of marijuana plants. He suffered a cut on the right thumb and forefinger. Medical expenses totaling \$173 were paid by the Public Welfare Division, Department of Social Services & Housing, State of Hawaii. Victim was not employed at the time of the incident. Because victim shared in the responsibility for the crime that caused his injury, the claim is denied.

78-343 (Hilo)

Applicant is a 37 year old male who claims he was assaulted. However, he refused to cooperate with the Commission and has not submitted the required forms. Without the cooperation of Applicant, the Commission is unable to determine whether he is an innocent victim of one of the enumerated crimes in the statute. The claim is, therefore, denied.

78-358 (Hilo)

Applicant is a 16 year old boy who claims that he was assaulted by another student. He suffered a blow-out fracture of the right eye. The more credible evidence indicates that Applicant provoked the incident when he walked up to the suspect to engage in fisticuff. Medical expenses totaled \$1,643.51, of which \$1,513.76 was paid by the Public Welfare, Department of Social Services & Housing, State of Hawaii, and \$129.75 discounted by doctors. Applicant is not employed. Because he shared in the responsibility for the crime that caused his injury, the claim is denied.

78-360

Applicant is a 47 year old male who claims he was assaulted at the Ala Moana Shopping Center and fractured his left forearm. However, there is no record of the incident at the Honolulu Police Department. Medical expenses totaling \$112.30 were covered by the Kaiser Medical Plan. There is no evidence to indicate that Applicant lost earnings because of the alleged incident. Because Applicant did not report the alleged crime to police as required by law, the claim is denied.

79-3 (Hilo)

Applicant is a 29 year old male who alleges that he was struck on the head with a cue stick. However, there is insufficient evidence to support his claim. Medical expenses totaled \$109.42, of which \$59.42 was covered by insurance. Applicant was not employed at the time of the incident. Because Applicant did not report for his scheduled hearing to clear up certain aspects of the case, the Commission is unable to determine whether he is an innocent victim of one of the enumerated crimes in the statute. The claim is denied.

79-10

Applicant is an 18 year old male who was assaulted by 2 men. The more credible evidence indicates that he was beaten because he was dealing in marijuana. Medical bills totaled \$226.55. Applicant was not employed at the time of the incident. Because Applicant shared in the responsibility for the crime that caused his injury, the claim is denied.

79-21 (Hilo)

Applicant is a 20 year old female who alleges that she was assaulted. However, there is no police report filed with the Hilo Police Department. Because Applicant did not report the alleged crime to police as required by law, the Commission is unable to order an award for compensation. The claim is denied.

79-23 (Hilo)

Applicant is a 34 year old male who was punched in the face. The more credible evidence indicates that Applicant provoked the incident when he harrassed the suspect in a Bar. No medical bills were submitted, and there is no evidence to support Applicant's claim for loss of earning power. Because Applicant shared in the responsibility for the crime that caused his injury, the claim is denied.

79-26 (Hilo)

Applicant is a 31 year old male who was assaulted because he called the suspect names. He suffered minor contusions and abrasions of the body. No medical bills were submitted. Applicant did not work for 2 weeks and lost \$535 in earnings. Because Applicant shared in the responsibility for the crime that caused his injury, the claim is denied.

79-28 (Hilo)

Applicant is a 27 year old male who was injured in an accident. He suffered a shoulder separation. The more credible evidence indicates that Applicant was a passenger on a motorcycle that was involved in an accident. No medical bills were submitted and no claim is being made for loss of earning power. Because motor vehicle accident is not one of the enumerated crimes in the statute, the claim is denied.

79-34 (Hilo)

Applicant is a 54 year old female who was assaulted by her former husband. The more credible evidence indicates that Applicant was drunk and disorderly on the night of the alleged incident. Both the Applicant and the offender were living in the same household. There are no medical bills, and there is no evidence to support Applicant's claim for loss of earning power. Because Applicant shared in the responsibility for the crime that caused her injury, the claim is denied.

79-35 (Hilo)

Applicant is a 77 year old male who was injured in a fight. He sustained a fracture of the right rib. The more credible evidence indicates that Applicant provoked the incident when he started a fight with the accused. Medical expenses totaling \$29.12 were paid by Medicare. Applicant was not employed at the time of the incident. Because he shared in the responsibility for the crime that caused his injury, the claim is denied.

79-44 (Hilo)

Applicant is a 17 year old male who was injured in a fight in school. The more credible evidence indicates that Applicant was involved in an altercation and injured his hand when he struck the suspect. Medical expenses totaling \$116 were covered by the Champus Health Plan. Applicant, part-time employee at a Pancake House, lost \$124.80 in wages because of the alleged incident. Because he shared in the responsibility for the crime that caused his injury, the claim is denied.

79-50 (Maui)

Victim is a 42 year old male who claims that he was injured by the act of another person. He suffered lacerations of the left thumb and right finger. The more credible evidence indicates that Applicant provoked the incident when he started a fight with the accused. Medical expenses totaling \$52.90 were paid by HMSA. There is no evidence to indicate that Applicant lost earnings because of the incident. Because Applicant shared in the responsibility for the crime that caused his injury, the claim is denied.

79-54 (Kauai)

Victim is a 23 year old male who was robbed and shot while enroute to the bank to make a deposit. He suffered a gunshot wound of the abdomen. Medical expenses, to date, totaled \$7,426 all of which have been paid under the Workers' Compensation program. Applicant did not work for 41 days because of his injury. However, he used sick leave during his convalescence. He also received \$1,128.50 in disability payments under the Workers' Compensation program. In addition to the above payments, Workers' Compensation will make an award for disability and disfigurement after Applicant is rated by the doctors. Because Applicant received collateral benefits totaling \$8,554, and will continue to receive Workers' Compensation benefits which will exceed \$10,000 (statutory maximum), the Commission is unable to order an award for compensation. The claim is denied.

79-56 (Kauai)

Applicant is a 33 year old male who was shot as the result of a fight with the suspect. He suffered a gunshot wound of the right shoulder. Medical bills were paid by the insurance company that moved his automobile. Applicant is employed by Kauai Builders. Because Applicant's claim was filed 8 months late, the Commission is unable to order an award for compensation. The claim is denied.

79-74 (Molokai)

Applicant is a 20 year old male who alleges that he was assaulted. The more credible evidence indicates that he was involved in an altercation in a Bar and suffered facial lacerations. Medical expenses were paid by the Public Welfare Division, Department of Social Services & Housing, State of Hawaii. Applicant was not employed at the time of the incident. Because he shared in the responsibility for the crime that caused his injury, the claim is denied.

79-98 (Hilo)

Applicant is a 31 year old female who alleges that she was assaulted. The more credible evidence indicates that she was intoxicated and provoked a fight. There are no medical expenses, and Applicant was not gainfully employed at the time of the incident. Because Applicant shared in the responsibility for the crime that caused her injury, the claim is denied.

79-99 (Hilo)

Applicant is a 31 year old female who alleges that she was assaulted in a Bar. The more credible evidence indicates that she provoked an argument which precipitated the assault. She was intoxicated and swore at the accused. Applicant did not seek medical treatment. She was not employed. Because Applicant shared in the responsibility for the crime that caused her injury, the claim is denied.

79-100 (Hilo)

Applicant is a 28 year old female who was assaulted at a public beach park. She suffered a fracture of the right ankle. The more credible evidence indicates that Applicant provoked the incident when she poured beer on the suspect's head. Medical bills were paid by the Public Welfare Division, Department of Social Services & Housing, State of Hawaii. Applicant was not employed. Because she shared in the responsibility for the crime that caused her injury, the claim is denied.

79-101 (Hilo)

Applicant is a 19 year old male who alleges that he was pushed against a wall and choked. However, he was not treated by a doctor and no medical bills were submitted. Since Applicant did not report for his scheduled hearing to tell the Commissioners what really happened, the Commission is unable to determine whether he is an innocent victim. The claim is denied.

79-145 (Kauai)

Applicant is a 26 year old male who was assaulted. The more credible evidence indicates that he went to the suspect's home and had a confrontation. He was intoxicated and belligerent. No medical bills were submitted, and Applicant was not employed. Because Applicant shared in the responsibility for the crime that caused his injury, the claim is denied.

79-162 (Kauai)

Applicant is a 20 year old female who claims she was raped at a public beach area on the island of Kauai. The more credible evidence indicates that she had been dating the suspect. Also, she had sexual relations with her boyfriend after the alleged incident. There are no medical bills and Applicant was not working at the time. Because she shared in the responsibility for the crime that caused her injury, the claim is denied.

79-179 (Kauai)

Applicant is a 24 year old female who alleges that she was sexually assaulted by the assailant who offered her a ride. The more credible evidence indicates that Applicant was hitchhiking when she was picked up by two men and three of them were drinking while they were driving around. There are no medical bills and there is no evidence to indicate that Applicant was gainfully employed at the time of the incident. Because she shared in the responsibility for the crime that caused her injury, the claim is denied.

79-202 (Maui)

Victim is a 55 year old male whose body was discovered in a cane field. He was shot in the head and chest. There are no medical bills. Funeral and burial expenses totaled \$1,508.71. Victim was employed by a Travel Agency earning \$250 per month. Because victim is known to have been involved in illegal activities, the Commission is unable to order an award for compensation. The claim is, therefore, denied.

79-225 (Hilo)

Applicant is a 72 year old male who was assaulted while sitting in his car. The more credible evidence indicates that he provoked the incident when he had a confrontation with the assailant. Medical expenses totaled \$121.26. Applicant was not gainfully employed at the time of the incident. Because he shared in the responsibility for the crime that caused his injury. The claim is denied.

79-227 (Maui)

Victim is a 25 year old male who was killed as the result of a fight in a marijuana patch. He was struck on the head with a machete. The more credible evidence indicates that victim provoked the fight when he attacked the suspect with a machete. Victim went to the marijuana patch uninvited. No medical bills were submitted. Mortuary charges totaled \$608. There is no evidence to indicate that Applicant was dependent upon the deceased victim for support. Because victim shared in the responsibility for the crime that caused his death, the claim is denied.

79-232 (Kauai)

Victim is a 22 year old male who was accidentally killed on June 5, 1978. He was shot in the head. The more credible evidence indicates that victim and the suspect were both drinking and smoking marijuana in the car, and when the suspect handed a gun to victim the gun went off. There are no medical bills. Victim was employed as a cab driver at the time of his death. Reasonable funeral expenses totaled \$1,450. Because victim shared in the responsibility for the incident that caused his death, the claim is denied.

APPENDIX C

STATISTICAL DATA

	<u>1978</u>	<u>1979</u>
1. Number of Applications	367	352
2. Number of Awards	216	241
3. Total Amount of Awards	245,802.36	223,396.45
4. Average Amount of Awards	1,137.96	926.96
5. Claims Denied	78	113
6. Applications Withdrawn	2	-
7. Percentage of Total Awards Attributable to:		
(a) Medical expenses	22.3%	25.3%
(b) Funeral & Burial Expenses	11.5%	7.9%
(c) Loss of Earning Power	21.3%	20.8%
(d) Pecuniary Loss	-	-
(e) Pain and Suffering	44.5%	46.0%
(f) Property Loss	00.4%	-
8. Operational Budget	61,290.00	86,357.00

STATISTICAL DATA

	<u>1968</u>	<u>1969</u>	<u>1970</u>	<u>1971</u>	<u>1972</u>	<u>1973</u>	<u>1974</u>	<u>1975</u>	<u>1976</u>	<u>1977</u>
1. Number of Applications	13	84	135	149	188	151	165	257	274	298
2. Number of Awards	3	47	121	80	138	95	116	163	162	162
3. Total Amount of Awards	1,000.00	111,945.23	262,157.14	195,450.83	195,420.93	130,764.33	168,353.33	265,810.79	223,847.13	226,868.55
4. Average Amount of Awards	333.33	2,382.66	2,167.58	2,443.14	1,416.09	1,376.47	1,451.32	1,630.74	1,381.12	1,400.42
5. Claims Denied	2	3	21	25	24	19	26	28	53	56
6. Applications Withdrawn	-	-	5	-	2	7	8	3	5	5
7. Percentage of Total Awards Attributable to:										
(a) medical expenses	15.0%	29.5%	23.2%	35.6%	12.7%	23.2%	9.5%	13.2%	15.4%	15.8%
(b) funeral & burial expenses	-	5.8%	10.2%	4.3%	6.0%	10.2%	9.0%	9.6%	15.5%	18.8%
(c) loss of earning power	-	10.3%	49.1%	43.7%	38.6%	49.1%	37.5%	41.7%	26.4%	26.2%
(d) pecuniary loss	-	37.4%	less than 1%	1.5%	5.0%	less than 1%	2.0%	.3%	1.9%	-
(e) pain and suffering	85.0%	17.0%	17.5%	14.9%	37.7%	17.5%	42.0%	35.2%	40.8%	39.2%
(f) property loss	-	-	-	-	less than 1%	-	-	-	-	-
8. Operational Budget	5,688.00	11,386.00	23,544.00	28,476.00	29,269.00	31,667.00	32,371.00	44,207.00	40,707.00	56,944.00

BEST AVAILABLE COPY

END