

[Cite as *In re Trent*, 2005-Ohio-2057.]

IN THE COURT OF CLAIMS OF OHIO
VICTIMS OF CRIME DIVISION

IN RE: CONNIE L. TRENT	:	Case No. V2004-60954
KENNETH W. TRENT	:	<u>ORDER OF A THREE-</u>
KENNETH NOBLE TRENT	:	<u>COMMISSIONER PANEL</u>
Applicants	:	
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{¶1} The applicants filed a reparations application seeking reimbursement of expenses incurred with respect to the September 2000 murder of Connie Trent. On June 29, 2004, the Attorney General granted the decedent’s minor son, Billy Trent, an award for dependent’s economic loss in the amount of \$42, 477.67. However, the Attorney General denied the applicants’ claims pursuant to former R.C. 2743.60(E)(3) contending that Kenneth W. Trent, the decedent’s former husband, engaged in felonious conduct on August 19, 1995 when he assaulted Connie Trent. The Attorney General stated that Kenneth W. Trent had previously been convicted of domestic violence on February 19, 1992 and thus the Attorney General contended that his second act of domestic violence on August 19, 1995 toward Connie Trent was violent and felonious in nature. The Attorney General denied Kenneth Noble Trent’s, the decedent’s son, claim because he had a pending domestic violence charge. On July 22, 2004, Kenneth Noble Trent filed a request for reconsideration. On September 1, 2004, the Attorney General

reaffirmed his previous award to Billy Trent, modified his decision with respect to Kenneth Noble Trent and granted him an award for dependent's economic loss in the amount of \$3,984.67, and denied Kenneth W. Trent's claim once again pursuant to former R.C. 2743.60(E)(3). On October 1, 2004, Kenneth W. Trent filed a notice of appeal to the Attorney General's September 1, 2004 Final Decision. Hence, this matter came to be heard before this panel of three commissioners on January 27, 2005 at 11:30 A.M.

{¶2} Kenneth Noble Trent, Kenneth Noble Trent's attorney, via telephone, and an Assistant Attorney General attended the hearing and presented testimony, exhibits, and oral argument for this panel's consideration. Kenneth Noble Trent, Carla Stahle, and Officer Stephen Kaselak briefly testified regarding Kenneth W. Trent's various instances of domestic violence against Connie Trent. After the presentation of testimony, the Assistant Attorney General asserted that Kenneth W. Trent's claim for reparations should be denied in light of his violent felonious conduct on August 19, 1995. The Assistant Attorney General also moved to introduce Exhibits A-C. Exhibit A is a certified copy of Kenneth W. Trent's February 19, 1992 domestic violence conviction.

{¶3} From review of the file and with full and careful consideration given to all the evidence presented at the hearing, this panel makes the following determination. We find that the Attorney General has proven, by a preponderance of the evidence, that Kenneth W. Trent engaged in violent felonious conduct on August 19, 1995. We also note that Kenneth W. Trent's claim could have also been denied pursuant to former R.C. 2743.60(E)(4), since he was convicted of domestic violence on February 19, 1992, which is within ten years of the criminally

injurious conduct. Therefore, the September 1, 2004 decision of the Attorney General shall be affirmed.

{¶4} IT IS THEREFORE ORDERED THAT

{¶5} 1) The January 18, 2005 motion to allow Kenneth Noble Trent to appear via telephone is hereby GRANTED;

{¶6} 2) The September 1, 2004 decision of the Attorney General is AFFIRMED;

{¶7} 3) This claim is remanded to the Attorney General for payment of the \$46,462.34 award;

{¶8} 4) This order is entered without prejudice to the applicant's right to file a supplemental compensation application, within five years of this order, pursuant to R.C. 2743.68;

{¶9} 5) Costs are assumed by the court of claims victims of crime fund.

GREGORY P. BARWELL
Commissioner

JAMES H. HEWITT III
Commissioner

THOMAS H. BAINBRIDGE
Commissioner

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ORDER

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