

Court of Claims of Ohio Victims of Crime Division

The Ohio Judicial Center

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IN RE: WILLIAM H. DORSEY, JR.

Case No. V2007-90315

WILLIAM H. DORSEY, JR.

Applicant

Commissioners:
Thomas H. Bainbridge, Presiding
Gregory P. Barwell
Tim McCormack

ORDER OF A THREE-
COMMISSIONER PANEL

{¶1} Officer William Dorsey filed a reparations application seeking reimbursement of expenses incurred with respect to an incident on September 24, 2004, whereby he was injured while he was pursuing a robbery suspect. On January 16, 2007, the Attorney General denied the claim pursuant to R.C. 2743.52(A) contending that the applicant had failed to submit necessary information to the Attorney General's office. On February 14, 2007, the applicant filed a request for reconsideration. On March 30, 2007, the Attorney General denied the claim contending that the applicant had failed to prove that he qualifies as a victim of criminally injurious conduct. On April 27, 2007, the applicant filed a notice of appeal to the Attorney General's March 30, 2007 Final Decision. On August 30, 2007, the Attorney General filed a brief finding that the applicant qualifies as a victim of criminally injurious conduct, inasmuch as the applicant, a police officer, was injured during a good faith attempt to apprehend a person suspected of engaging in criminally injurious conduct. However, the Attorney General noted that the applicant must submit additional information before

economic loss calculations can be performed. On September 6, 2007 at 12:00 P.M., this matter was heard by this panel of three commissioners.

{¶2} The applicant, applicant's attorney, and an Assistant Attorney General attended the hearing and presented brief comments and an exhibit for the panel's consideration. The Assistant Attorney General reiterated that the applicant, a police officer, was injured during a good faith attempt to apprehend a person suspected of engaging in criminally injurious conduct. The Assistant Attorney General stated that the event posed a substantial threat of personal injury or harm to the applicant. However, the Assistant Attorney General indicated that the applicant still needs to submit his 2003 and 2004 tax returns and AFLAC information to the Attorney General's office in order for economic loss calculations to be performed. Applicant's counsel agreed with the Attorney General's recommendation that the applicant qualifies as a victim of criminally injurious conduct.

{¶3} From review of the file and with full and careful consideration given to all the evidence presented at the hearing, we find that the applicant qualifies as a victim of criminally injurious conduct, since he was injured while pursuing a robbery suspect. Therefore, the March 30, 2007 decision of the Attorney General shall be reversed and the claim shall be remanded to the Attorney General's office for total economic loss calculations and decision.

{¶4} IT IS THEREFORE ORDERED THAT

{¶5} 1) The March 30, 2007 decision of the Attorney General is REVERSED and judgment is rendered for the applicant;

{¶6} 2) This claim is remanded to the Attorney General for total economic loss calculations and decision;

{¶17} 3) 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;

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

THOMAS H. BAINBRIDGE
Presiding Commissioner

GREGORY P. BARWELL
Commissioner

TIM MC CORMACK
Commissioner

ID #: \VICTIMS\2007\2007-90315\panel decision.wpd-dld-tad-090707

A copy of the foregoing was personally served upon the Attorney General and sent by regular mail to Franklin County Prosecuting Attorney and to:

Filed 10-26-2007
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To S.C. Reporter 11-21-07