

Court of Claims of Ohio Victims of Crime Division

The Ohio Judicial Center

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Columbus, OH 43215

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www.cco.state.oh.us

IN RE: JUSTIN CAMPBELL

Case No. V2007-90692

JUSTIN CAMPBELL

Applicant

Commissioners:
Tim McCormack, Presiding
Clarence E. Mingo II
Lloyd Pierre-Louis

ORDER OF A THREE-
COMMISSIONER PANEL

{¶ 1} The applicant, Justin Campbell, filed a reparations application on August 21, 2007, seeking reimbursement for expenses incurred with respect to an assault which occurred on August 5, 2007. On September 6, 2007, the Attorney General denied the claim pursuant to R.C. 2743.60(E)(1)(d), since the applicant had been convicted of domestic violence on May 4, 2007. On September 17, 2007, the applicant filed a request for reconsideration asserting that he had never been convicted of domestic violence. The only offense he had been convicted of was disorderly conduct, a misdemeanor. On October 22, 2007, the Attorney General denied the claim once again. On November 5, 2007, the applicant filed a notice of appeal to the Attorney General's October 22, 2007 Final Decision. On January 9, 2008 at 10:00 A.M., this matter was heard by this panel of three commissioners.

{¶ 2} The applicant's attorney and an Assistant Attorney General attended the hearing and presented brief remarks. An Assistant Attorney General related that an error had been made with respect to the applicant's criminal record. The applicant, in fact, has never been convicted of domestic violence and, accordingly, the claim should not have been denied pursuant to R.C. 2743.60(E)(1)(d). Therefore, the Assistant Attorney General requested that the Final Decision be reversed and the claim be

remanded to the Attorney General's office for further investigation. Applicant's counsel concurred with the request.

{¶ 3} From a review of the file and with full and careful consideration given to all the evidence presented at the hearing, we find the applicant's claim should not have been denied pursuant to R.C. 2743.60(E)(1)(d). Therefore, the October 22, 2007 decision of the Attorney General shall be reversed and the claim shall be remanded to the Attorney General for further investigation and decision.

{¶ 4} IT IS THEREFORE ORDERED THAT

{¶ 5} 1) The October 22, 2007 decision of the Attorney General is REVERSED and judgment is rendered in favor of the applicant;

{¶ 6} 2) This claim is remanded to the Attorney General for further investigation and decision;

{¶ 7} 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;

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

TIM MC CORMACK
Presiding Commissioner

CLARENCE E. MINGO II
Commissioner

LLOYD PIERRE-LOUIS
Commissioner

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

Filed 3-7-2008

Jr. Vol. 2268, Pgs. 30-32

To S.C. Reporter 11-3-2008