

February 10, 1975

OPINION LETTER NO. 87
Answer by letter-Klaffenbach

Honorable Ike Skelton
State Senator, District 28
& Senate Post Office
State Capitol Building
Jefferson City, Missouri 65101



Dear Senator Skelton:

This letter is in response to your question asking:

"Can a resident be reimbursed for damages to his property which were made by a patient of one of the state's mental institutions?"

You also state that:

"A patient of the Higginsville State School left the immediate custody and control of that institution. While away from the institution he caused a fire which destroyed a barn (and its contents) of a private citizen. . . ."

It is our view that such a payment would be in violation of the provisions of Article III, Section 38(a) of the Missouri Constitution which prohibits a grant of public money to private persons.

We have given our opinion previously on related questions in Opinion No. 471, 1966, and Opinion No. 63, 1966, copies of which are enclosed.

Yours very truly,

JOHN C. DANFORTH
Attorney General

Enclosures