



State of Louisiana Crime Victims Reparations Board MINUTES

MEETING DATE: February 10, 2015

MEMBERS PRESENT: Ms. Nancy Adcock, Mr. Lamarr Davis, Mr. Carroll DiBenedetto, Sr., Mr. Tyler Downing, Ms. Ann Polak, Ms. Lucille Williams,

MEMBERS ABSENT: , , Ms. Mary L. Fanara, Ms. Sharon Rodi,

STAFF PRESENT: Robert Wertz, Carla Trrahan, Margaret Watson

GUESTS PRESENT: Erich Duchmann, Kent Wolkart, Jane Wood, Lisa Kistler, Jeddie Smith, Stephanie Minto

I. CALL TO ORDER

Ms. Polak called the monthly meeting of the Crime Victims Reparations Board to order at 9:45 a.m.

II. APPROVAL OF MINUTES OF PREVIOUS MEETING

Mr. Downing made a motion to approve the minutes of the previous meeting. Mr. DiBenedetto seconded the motion and the motion passed unanimously.

III. APPEALS

NONE

IV. EMERGENCY CONFIRM/DENY

Ms. Adcock made a motion to confirm the emergency rulings for the previous month. Ms. Williams seconded the motion and the motion passed unanimously.

V. ITEMS FOR FULL DISCUSSION

F 1. Ascension 14-004

Mr. DiBenedetto made a motion to approve the eligibility of this claimant. Ms. Adcock seconded the motion and the motion passed unanimously.

F 2. Caddo 14-009

Ms. Adcock made a motion to award \$1,052.42 for WAGE. Ms. Williams seconded the motion and the motion passed unanimously.

F 3. Caddo 14-013

Ms. Adcock made a motion to award \$582.65 for MEDICAL but to deny the reimbursement for ambulance charges because the date of service was months past the date of the crime. Ms. Williams seconded the motion and the motion passed unanimously.

F 4. Caddo 14-021

Ms. Adcock made a motion to award \$5,000.00 for FUNERAL. Ms. Williams seconded the motion and the motion passed unanimously.

F 5. Caddo 14-046

Ms. Adcock made a motion to award \$4,500.00 for FUNERAL. Ms. Williams seconded the motion and the motion passed unanimously.

F 6. Caddo 14-052

Ms. Adcock made a motion to award \$5,000.00 for MEDICAL. Ms. Williams seconded the motion and the motion passed unanimously.

F 7. Caddo 14-055

Ms. Adcock made a motion to award \$5,000.00 for FUNERAL, \$2,258.84 for MEDICAL. Ms. Williams seconded the motion and the motion passed unanimously.

F 8. Caddo 14-056

Mr. Downing made a motion to approve the eligibility of this claimant. Ms. Adcock seconded the motion and the motion passed unanimously.

F 8. Caddo 14-056

Mr. Downing made a motion to award \$438.00 for CHILD CARE. Ms. Adcock seconded the motion and the motion passed unanimously.

V. ITEMS FOR FULL DISCUSSION

F 9. Caddo 14-057

Ms. Adcock made a motion to award \$438.00 for CHILD CARE. Ms. Williams seconded the motion and the motion passed unanimously.

F 10. Caddo 14-071

Ms. Adcock made a motion to deny under authority of R.S. 46:1809 B(1) (no evidence of crime). Mr. DiBenedetto seconded the motion and the motion passed unanimously.

F 11. Caddo 14-074

Mr. DiBenedetto made a motion to approve the eligibility of this claimant. Ms. Adcock seconded the motion and the motion passed unanimously.

F 12. Caddo 14-076

Ms. Adcock made a motion to approve the eligibility of this claimant. Mr. Downing seconded the motion and the motion passed unanimously.

F 13. Caddo 15-003

Ms. Adcock made a motion to award \$39.99 for MEDICAL. Ms. Williams seconded the motion and the motion passed unanimously.

F 14. Calcasieu 14-036

Ms. Adcock made a motion to deny under authority of LAC22:8.301(A)(1)(a)(iii) (victim contribution). Mr. DiBenedetto seconded the motion and the motion passed unanimously.

F 15. Calcasieu 14-053

Ms. Adcock made a motion to deny under authority of LAC22:8.301(A)(1)(a)(ii) (felony convictions). Mr. DiBenedetto seconded the motion and the motion passed unanimously.

F 16. Calcasieu 14-073

Ms. Adcock made a motion to approve the eligibility of this claimant. Ms. Williams seconded the motion and the motion passed unanimously.

F 17. East Baton Rouge 13-070

Mr. DiBenedetto made a motion to award \$2,077.55 for FUNERAL. Ms. Williams seconded the motion and the motion passed unanimously.

F 18. East Baton Rouge 13-094

Mr. DiBenedetto made a motion to award \$375.00 for MENTAL HEALTH. Ms. Adcock seconded the motion and the motion passed unanimously. The board agreed to waive the one year deadline for applying for reparations.

F 19. East Baton Rouge 14-008

Ms. Adcock made a motion to defer claims awaiting Explanation of Benefits (EOB). Mr. DiBenedetto seconded the motion and the motion passed unanimously.

F 20. East Baton Rouge 14-016

Mr. DiBenedetto made a motion to award \$337.50 for MENTAL HEALTH. Mr. Downing seconded the motion and the motion passed unanimously.

V. ITEMS FOR FULL DISCUSSION

F 21. East Baton Rouge 14-072

Mr. DiBenedetto made a motion to deny under authority of LAC22:8.301(A)(1)(a)(ii) (felony convictions). Ms. Adcock seconded the motion and the motion passed unanimously.

F 22. East Baton Rouge 14-102

Mr. DiBenedetto made a motion to award \$3,623.80 for WAGE. Ms. Williams seconded the motion and the motion passed unanimously.

F 23. Iberia 13-015

Mr. DiBenedetto made a motion to award \$2,903.65 for MEDICAL, \$4,845.82 for WAGE. Ms. Williams seconded the motion and the motion passed unanimously.

F 24. Iberia 14-005

Mr. DiBenedetto made a motion to award \$896.00 for WAGE. Ms. Adcock seconded the motion and the motion passed unanimously.

F 25. Iberia 14-021

Ms. Williams made a motion to approve the eligibility of this claimant. Ms. Adcock seconded the motion and the motion passed unanimously.

F 26. Iberville 14-009

Mr. DiBenedetto made a motion to approve the eligibility of this claimant. Mr. Downing seconded the motion and the motion passed unanimously.

F 27. Jefferson 13-032

Mr. Downing made a motion to award \$4,275.55 for FUNERAL. Ms. Adcock seconded the motion and the motion passed unanimously.

F 28. Jefferson 14-011

Mr. DiBenedetto made a motion to award \$4,490.00 for FUNERAL but to deny Crime Scene Cleanup expenses because the crime occurred at an apartment and to deny the funeral claim for DW Rhodes because the claimant had no out-of-pocket expenses. Ms. Williams seconded the motion and the motion passed unanimously. The board agreed to waive the one year deadline for applying for reparations.

F 29. Jefferson 14-040

Mr. DiBenedetto made a motion to award \$7,392.00 for WAGE. Ms. Williams seconded the motion and the motion passed unanimously.

F 30. Lafourche 14-051

Mr. DiBenedetto made a motion to approve the eligibility of this claimant. Mr. Downing seconded the motion and the motion passed unanimously.

F 31. Lafourche 14-052

Mr. Downing made a motion to approve the eligibility of this claimant. Ms. Adcock seconded the motion and the motion passed unanimously.

V. ITEMS FOR FULL DISCUSSION

F 32. Orleans 14-127

Mr. Downing made a motion to award \$2,481.99 for MEDICAL. Ms. Adcock seconded the motion and the motion passed unanimously.

F 33. Orleans 14-128

Mr. Downing made a motion to award \$1,596.84 for MEDICAL. Mr. DiBenedetto seconded the motion and the motion passed unanimously.

F 34. Orleans 14-129

Ms. Williams made a motion to award \$844.07 for MEDICAL. Ms. Adcock seconded the motion and the motion passed unanimously.

F 35. Orleans 14-130

Ms. Williams made a motion to award \$1,264.46 for MEDICAL. Ms. Adcock seconded the motion and the motion passed unanimously.

F 36. St. Charles 12-001

Ms. Adcock made a motion to award \$150.00 for MENTAL HEALTH and to close the mental health portion of the case as it has reached its maximum eligibility. Ms. Williams seconded the motion and the motion passed unanimously.

F 37. St. Charles 13-029

Ms. Williams made a motion to award \$600.00 for MENTAL HEALTH and to make the mental health provider aware that this case is nearing its mental health maximum eligibility. Mr. Downing seconded the motion and the motion passed unanimously. The board also agreed to request an Updated Mental Health Treatment Plan as of 02/14/15.

F 38. St. Charles 14-034

Mr. Davis made a motion to award \$425.00 for MENTAL HEALTH. Ms. Adcock seconded the motion and the motion passed unanimously. The board also agreed to request an Updated Mental Health Treatment Plan as of 01/25/15.

F 39. St. Charles 14-035

Mr. Davis made a motion to award \$425.00 for MENTAL HEALTH. Ms. Adcock seconded the motion and the motion passed unanimously. The board also agreed to request an Updated Mental Health Treatment Plan as of 01/25/15.

F 40. St. Charles 14-058

Ms. Williams made a motion to deny under authority of R.S. 46:1809 B(3)(b) (failed or refused cooperation). Mr. DiBenedetto seconded the motion and the motion passed unanimously.

F 41. St. Charles 14-059

Ms. Adcock made a motion to approve the eligibility of this claimant. Mr. Davis seconded the motion and the motion passed unanimously.

F 42. St. Martin 15-001

Ms. Williams made a motion to approve the eligibility of this claimant. Ms. Adcock seconded the motion and the motion passed unanimously.

V. ITEMS FOR FULL DISCUSSION

F 43. St. Martin 15-002

Ms. Williams made a motion to approve the eligibility of this claimant. Mr. DiBenedetto seconded the motion and the motion passed unanimously.

F 44. St. Tammany 14-020

Ms. Williams made a motion to defer ruling awaiting police report. Mr. Davis seconded the motion and the motion passed unanimously.

F 45. Tangipahoa 14-002

Ms. Williams made a motion to defer ruling awaiting outcome of trial. Mr. DiBenedetto seconded the motion and the motion passed unanimously.

F 46. Terrebonne 14-011

Ms. Williams made a motion to approve the eligibility of this claimant. Mr. Davis seconded the motion and the motion passed unanimously.

F 47. Vermilion 14-009

Mr. Davis made a motion to defer ruling awaiting documentation showing the victim was present during the crime (victim not listed on police report). Ms. Adcock seconded the motion and the motion passed unanimously.

F 48. Vermilion 14-011

Mr. Davis made a motion to approve the eligibility of this claimant. Mr. DiBenedetto seconded the motion and the motion passed unanimously.

F 49. Vermilion 14-012

Mr. Davis made a motion to approve the eligibility of this claimant. Mr. Downing seconded the motion and the motion passed unanimously.

VI. LATE ADDITIONS

L 1. Caddo 14-064

Ms. Adcock made a motion to award \$676.86 for WAGE. Ms. Williams seconded the motion and the motion passed unanimously.

L 2. Calcasieu 15-004

Ms. Adcock made a motion to approve the eligibility of this claimant. Ms. Williams seconded the motion and the motion passed unanimously.

L 3. Calcasieu 15-005

Ms. Adcock made a motion to approve the eligibility of this claimant. Ms. Williams seconded the motion and the motion passed unanimously.

L 4. Jefferson 14-031

Ms. Williams made a motion to award \$150.00 for MENTAL HEALTH. Mr. Downing seconded the motion and the motion passed unanimously.

L 5. Lafourche 14-036

Mr. Davis made a motion to award \$5,000.00 for FUNERAL. Ms. Adcock seconded the

VI. LATE ADDITIONS

motion and the motion passed unanimously.

L 6. Orleans 14-007

Mr. Davis made a motion to award \$5,000.00 for WAGE. Ms. Adcock seconded the motion and the motion passed unanimously.

L 7. Ouachita 14-010

Mr. Davis made a motion to award \$2,580.59 for MEDICAL, \$300.00 for AMBULANCE TRANSPORT (MEDICAL). Ms. Adcock seconded the motion and the motion passed unanimously.

L 8. Calcasieu 14-077

Ms. Adcock made a motion to approve the eligibility of this claimant. Mr. Davis seconded the motion and the motion passed unanimously.

L 9. Iberia 14-019

Ms. Williams made a motion to approve the eligibility of this claimant. Mr. DiBenedetto seconded the motion and the motion passed unanimously. The Board also requested that a death certificate be submitted before they will consider payment of any claims.

L 10. Jefferson 15-002

Mr. DiBenedetto made a motion to deny under authority of LAC22:8.301(A)(1)(a)(i) (illegal activity). Ms. Williams seconded the motion and the motion passed unanimously.

L 11. Orleans 14-111

Mr. Davis made a motion to award \$5,000.00 for FUNERAL. Ms. Adcock seconded the motion and the motion passed unanimously.

L 12. Orleans 14-131

Ms. Williams made a motion to defer ruling awaiting complete paperwork on case. Mr. DiBenedetto seconded the motion and the motion passed unanimously.

L 13. Orleans 14-132

Ms. Williams made a motion to defer ruling awaiting complete paperwork on claim. Mr. DiBenedetto seconded the motion and the motion passed unanimously.

L 14. Orleans 14-133

Ms. Williams made a motion to defer ruling awaiting police report. Ms. Adcock seconded the motion and the motion passed unanimously.

V. ITEMS FOR FULL DISCUSSION

L 15. Orleans 14-136

Ms. Williams made a motion to award \$300.00 for AMBULANCE TRANSPORT (MEDICAL), \$2,567.49 for MEDICAL. Ms. Adcock seconded the motion and the motion passed unanimously.

VI. LATE ADDITIONS

L 16. St. Charles 14-055

Ms. Adcock made a motion to approve the eligibility of this claimant. Ms. Williams seconded the motion and the motion passed unanimously.

L 17. St. Charles 14-060

Ms. Williams made a motion to approve the eligibility of this claimant. Mr. Davis seconded the motion and the motion passed unanimously.

L 18. Vernon 14-001

Ms. Adcock made a motion to award \$4,644.63 for FUNERAL. Ms. Williams seconded the motion and the motion passed unanimously.

VII. OTHER BUSINESS

The Board discussed the standardization of forensic exams. The Board also agreed to pay 100% of forensic exam expenses until the Legislature makes decisions regarding who is responsible for paying these expenses.

The Board reaffirmed its policy regarding emergency awards. The emergency award applications are not available online and should only be handled through the sheriff's offices.

The Board discussed payment of extra-duty reimbursement for law enforcement officers who have been injured in the line of duty and decided to review the Ethics Code.

Ms. Williams made a motion to adjourn the meeting. Mr. Davis seconded the motion. Ms. Polak adjourned the meeting at 11:30 a.m.