

# **M I N U T E S**

**MEETING DATE:** June 11, 2013

**MEMBERS PRESENT:** Mr. Lamarr Davis, Ms. Mary L. Fanara, Mr. Rustin Legendre, Ms. Ann Polak, Ms. Carolyn Stapleton,

**MEMBERS ABSENT:** Ms. Nancy Adcock, Mr. Carroll DiBenedetto, Sr., Mr. Kenneth Jones, Mr. Jimmy Pohlmann, Ms. Sharon Rodi, Ms. Lucille Williams,

**STAFF PRESENT:** Robert Wertz, Carla Trahan, Margaret Watson

**GUESTS PRESENT:** Erich Duchmann, Sami Riley, Daphne Buras, Timothy Russell, Vickie Russell, Damon P. Johnson, Sr., Stephanie Minto, Troy Gibson

## **I. CALL TO ORDER**

Mr. Davis called the meeting of the Crime Victims Reparations Board to order at 9:10 a.m.

## **II. APPROVAL OF MINUTES OF PREVIOUS MEETING**

Ms. Polak made a motion to approve the minutes of the previous meeting. Ms. Stapleton seconded the motion and the motion passed unanimously.

**III. APPEALS**

**A 1. Caddo 13-020**

Ms. Polak made a motion to uphold the appeal and to approve the eligibility of this claimant. Mr. Legendre seconded the motion and the motion passed unanimously.

**A 2. Orleans 12-054**

Ms. Polak made a motion to uphold the appeal. The motion failed for lack of a second. Ms. Stapleton made a motion to go into executive session. Ms. Fanara seconded the motion. The Board went into executive session. Ms. Polak made a motion to return to open session. Ms. Stapleton seconded the motion. The Board returned to open session. Ms. Polak made a motion to uphold the appeal and to award \$5,000.00 for FUNERAL. Ms. Stapleton seconded the motion and the motion passed unanimously.

**A 3. Orleans 12-087**

Mr. Legendre made a motion to uphold the appeal and to award \$1,398.61 for WAGE. Ms. Stapleton seconded the motion and the motion passed unanimously.

**IV. EMERGENCY CONFIRM/DENY**

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

**V. ITEMS FOR FULL DISCUSSION**

**F 1. Acadia 12-005**

Ms. Polak made a motion to deny under authority of LAC22: XIII.301(A)(1)(a) (felony convictions). Mr. Legendre seconded the motion and the motion passed unanimously.

**F 2. Acadia 13-002**

Ms. Stapleton made a motion to defer ruling awaiting supplemental report from law enforcement. Ms. Fanara seconded the motion and the motion passed unanimously.

**F 3. Ascension 13-001**

Ms. Polak made a motion to award \$2,500.00 for FUNERAL. The claim amounts were reduced by 50 % for contribution. Mr. Legendre seconded the motion and the motion passed unanimously.

**F 4. Ascension 13-002**

Ms. Stapleton made a motion to award \$84.23 for MEDICAL but to defer the hospital claim to await outcome of worker's compensation claim. Ms. Fanara seconded the motion and the motion passed unanimously.

**F 5. Caddo 12-037**

Ms. Fanara made a motion to award \$188.00 for AMBULANCE TRANSPORT (MEDICAL). Ms. Stapleton seconded the motion and the motion passed unanimously.

**F 6. Caddo 13-001**

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

**V. ITEMS FOR FULL DISCUSSION**

**F 7. Caddo 13-012**

Ms. Fanara made a motion to award \$406.01 for MEDICAL. Ms. Stapleton seconded the motion and the motion passed unanimously.

**F 8. Caddo 13-016**

Ms. Stapleton made a motion to award \$920.70 for MEDICAL. Ms. Polak seconded the motion and the motion passed unanimously.

**F 9. Caddo 13-026**

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

**F 10. Caddo 13-027**

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

**F 11. Caddo 13-028**

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

**F 12. Calcasieu 12-081**

Ms. Polak made a motion to award \$365.98 for MEDICAL. Ms. Fanara seconded the motion and the motion passed unanimously.

**F 13. Calcasieu 13-005**

Ms. Polak made a motion to deny under authority of R.S. 46:1809 B(4)(a) (victim contribution). Ms. Stapleton seconded the motion and the motion passed unanimously.

**F 14. Calcasieu 13-013**

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

**F 14. Calcasieu 13-013**

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

**F 15. Calcasieu 13-017**

Ms. Polak made a motion to award \$2,435.00 for FUNERAL. Mr. Legendre seconded the motion and the motion passed unanimously.

**F 16. Calcasieu 13-019**

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

**F 17. Calcasieu 13-020**

Ms. Polak made a motion to award \$5,000.00 for FUNERAL. Mr. Legendre seconded the motion and the motion passed unanimously. The board agreed to waive the one year deadline for applying for reparations.

**V. ITEMS FOR FULL DISCUSSION**

**F 18. East Baton Rouge 10-149**

Ms. Stapleton made a motion to award \$8,251.11 for MEDICAL. Ms. Fanara seconded the motion and the motion passed unanimously. The board also agreed to mark the case as "closed".

**F 19. East Baton Rouge 13-006**

Ms. Stapleton made a motion to defer claims awaiting receipt of Claim Form for Medical Expenses. Ms. Polak seconded the motion and the motion passed unanimously.

**F 20. East Baton Rouge 13-010**

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

**F 21. East Baton Rouge 13-016**

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

**F 22. East Baton Rouge 13-017**

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

**F 23. Grant 13-002**

Ms. Polak made a motion to defer claims awaiting receipt of Claim Form for Medical Expenses. Ms. Stapleton seconded the motion and the motion passed unanimously.

**F 24. Iberia 12-027**

Ms. Fanara made a motion to award \$1,167.10 for MEDICAL, \$300.00 for AMBULANCE TRANSPORT (MEDICAL). Mr. Legendre seconded the motion and the motion passed unanimously.

**F 25. Iberia 13-005**

Ms. Polak made a motion to award \$3,583.40 for MEDICAL, \$150.00 for AMBULANCE TRANSPORT (MEDICAL). Ms. Stapleton seconded the motion and the motion passed unanimously.

**F 26. Iberia 13-011**

Ms. Stapleton made a motion to defer ruling awaiting supplemental report from law enforcement. Ms. Polak seconded the motion and the motion passed unanimously.

**F 27. Jefferson 13-009**

Ms. Stapleton made a motion to award \$2,920.05 for FUNERAL. Ms. Polak seconded the motion and the motion passed unanimously.

**F 28. Lafourche 06-050**

Ms. Polak made a motion to award \$337.50 for MENTAL HEALTH. Ms. Fanara seconded the motion and the motion passed unanimously.

**F 29. Lafourche 12-023**

Ms. Stapleton made a motion to award \$300.00 for MENTAL HEALTH, \$163.20 for

**V. ITEMS FOR FULL DISCUSSION**

**MEDICAL MILEAGE.** Ms. Fanara seconded the motion and the motion passed unanimously.

**F 30. Lafourche 12-076**

Ms. Stapleton made a motion to deny under authority of R.S. 46:1809 B(1) (not a compensable expense). Mr. Legendre seconded the motion and the motion passed unanimously.

**F 31. Lafourche 13-005**

Ms. Stapleton made a motion to award \$837.66 for MEDICAL, \$300.00 for AMBULANCE TRANSPORT (MEDICAL). Ms. Polak seconded the motion and the motion passed unanimously.

**F 32. Lafourche 13-009**

Ms. Polak made a motion to award \$1,405.40 for FUNERAL. Ms. Stapleton seconded the motion and the motion passed unanimously.

**F 33. Lafourche 13-010**

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

**F 34. Lafourche 13-011**

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

**F 35. Lafourche 13-012**

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

**F 36. Lafourche 13-013**

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

**F 37. Lafourche 13-014**

Ms. Stapleton made a motion to award \$679.67 for MEDICAL. Ms. Polak seconded the motion and the motion passed unanimously.

**F 38. Lafourche 13-016**

Ms. Stapleton made a motion to defer claims awaiting mental health Initial Treatment Plan. Ms. Polak seconded the motion and the motion passed unanimously.

**F 39. Orleans 09-121**

Ms. Polak made a motion to deny under authority of LAC22: XIII.301(A)(1)(a) (felony convictions). Ms. Fanara seconded the motion and the motion passed unanimously.

**F 40. Orleans 12-106**

Ms. Polak made a motion to award \$1,002.51 for MEDICAL, \$300.00 for AMBULANCE TRANSPORT (MEDICAL) but to defer the LOST WAGE claim until the Disability Verification Form and proper wage/tax documents have been received. Ms. Stapleton seconded the motion and the motion passed unanimously.

**V. ITEMS FOR FULL DISCUSSION**

**F 41. Orleans 13-003**

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

**F 42. Orleans 13-008**

Ms. Polak made a motion to award \$4,474.00 for FUNERAL. Mr. Legendre seconded the motion and the motion passed unanimously.

**F 43. Orleans 13-016**

Ms. Polak made a motion to award \$3,496.10 for MEDICAL. Ms. Fanara seconded the motion and the motion passed unanimously. The board also agreed to mark the case as "closed".

**F 44. Orleans 13-017**

Ms. Polak made a motion to award \$1,964.00 for FUNERAL. Ms. Fanara seconded the motion and the motion passed unanimously.

**F 45. Orleans 13-030**

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

**F 46. Plaquemines 12-005**

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

**F 47. Plaquemines 12-006**

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

**F 48. Rapides 13-001**

Ms. Fanara made a motion to award \$1,026.50 for FUNERAL. Ms. Polak seconded the motion and the motion passed unanimously.

**F 49. Rapides 13-005**

Ms. Fanara made a motion to award \$2,640.82 for MEDICAL, \$300.00 for AMBULANCE TRANSPORT (MEDICAL). Ms. Polak seconded the motion and the motion passed unanimously.

**F 50. Sabine 13-005**

Ms. Fanara made a motion to defer ruling awaiting more information from law enforcement and proof of lost wages. Ms. Polak seconded the motion and the motion passed unanimously.

**F 51. St. Charles 13-003**

Ms. Polak made a motion to deny under authority of R.S. 46:1809 B(4)(a) (victim contribution / illegal activity). Mr. Legendre seconded the motion and the motion passed unanimously.

V. ITEMS FOR FULL DISCUSSION

**F 51. St. Charles 13-003**

Ms. Polak made a motion to deny under authority of R.S. 46:1809 B(4)(a) (victim contribution / illegal activity). Mr. Legendre seconded the motion and the motion passed unanimously.

**F 52. St. Charles 13-011**

Ms. Polak made a motion to defer ruling awaiting more information from law enforcement. Ms. Stapleton seconded the motion and the motion passed unanimously.

**F 53. St. Charles 13-014**

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

**F 54. St. Helena 12-002**

Ms. Polak made a motion to defer claims awaiting receipt of copy of insurance policy, insurance adjustor's report, and documentation of ownership (su. Ms. Stapleton seconded the motion and the motion passed unanimously.

**F 55. St. Martin 12-012**

Ms. Stapleton made a motion to award \$2,327.86 for MEDICAL. Ms. Polak seconded the motion and the motion passed unanimously.

**F 56. St. Mary 13-006**

Ms. Polak made a motion to defer ruling awaiting receipt of Claim Form for Medical Expenses. Ms. Stapleton seconded the motion and the motion passed unanimously.

**F 57. St. Tammany 11-009**

Ms. Polak made a motion to award \$26.00 for MEDICAL. Ms. Fanara seconded the motion and the motion passed unanimously.

**F 58. St. Tammany 12-015**

Ms. Polak made a motion to award \$369.30 for MEDICAL. Estimate approved for: \$768.50 for MEDICAL, \$1,250.00 for MENTAL HEALTH. Ms. Stapleton seconded the motion and the motion passed unanimously.

**F 59. St. Tammany 13-001**

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

**F 60. Tangipahoa 12-010**

Ms. Polak made a motion to award \$15,000.00 for WAGE. Mr. Legendre seconded the motion and the motion passed unanimously. The board agreed to increase the case maximum to \$25,000.

**F 61. Webster 13-003**

Ms. Fanara made a motion to deny under authority of R.S. 46:1809 B(4)(a) (victim contribution). Ms. Polak seconded the motion and the motion passed unanimously.

## VII. OTHER BUSINESS

The Board discussed "Pardons" vs. "Expungement."

Chief Fanara made a motion to adjourn the meeting. Ms. Stapleton seconded the motion. Mr. Davis adjourned the meeting at 10:37 a.m.