



State of Louisiana Crime Victims Reparations Board MINUTES

MEETING DATE: May 13, 2014

MEMBERS PRESENT: Ms. Nancy Adcock, Mr. Lamarr Davis, Mr. Carroll DiBenedetto, Sr., Mr. Tyler Downing, Ms. Mary L. Fanara, Ms. Ann Polak, Ms. Sharon Rodi, Ms. Carolyn Stapleton, Ms. Lucille Williams,

MEMBERS ABSENT: N/A

STAFF PRESENT: Robert Wertz, Carla Trahan, Haley Plauche, Margaret Watson

GUESTS PRESENT: Erich Duchmann, Jessica Thornhill, Kent Walkart, Stephanie Minto, Keva Vessel, Brenda Shexnayder, Daphne Buras, Jada Keller, Walt Hollis

I. CALL TO ORDER

Mr. Davis called the monthly meeting of the Crime Victims Reparations Board for the date of May 13, 2014 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. Adcock 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. Mr. DiBenedetto seconded the motion and the motion passed unanimously.

V. ITEMS FOR FULL DISCUSSION

F 1. Acadia 14-002

Ms. Polak 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 2. Bossier 11-032

Ms. Adcock made a motion to approve the eligibility of this claimant. Ms. Polak seconded the motion and the motion passed unanimously. The Board also requested that the victim's social security number be submitted.

F 3. Bossier 14-001

Ms. Adcock made a motion to approve the eligibility of this claimant. Mr. DiBenedetto seconded the motion and the motion passed 9 to 2 with no abstentions. The board agreed to waive the one year deadline for applying for reparations.

F 5. Caddo 13-039

Ms. Adcock made a motion to defer claims awaiting Workers Compensation information. Ms. Polak seconded the motion and the motion passed unanimously.

F 6. Caddo 13-075

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 7. Caddo 14-001

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

F 8. Caddo 14-003

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

F 9. Caddo 14-004

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

F 10. Caddo 14-007

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

V. ITEMS FOR FULL DISCUSSION

F 11. Caddo 14-008

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

F 12. Caddo 14-009

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

F 13. Caddo 14-010

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 14. Caddo 14-011

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

F 15. Caddo 14-012

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

F 16. Caddo 14-013

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

F 17. Caddo 14-014

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

F 18. Caddo 14-015

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

F 19. Caddo 14-016

Ms. Adcock made a motion to approve the eligibility of this claimant. Ms. Williams seconded the motion and the motion passed unanimously. The Board also requested that Workers Compensation information be submitted before approving any future claims.

F 20. Caddo 14-017

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

F 21. Caddo 14-018

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

F 22. Caddo 14-020

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

V. ITEMS FOR FULL DISCUSSION

F 23. Caddo 14-022

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

F 24. Calcasieu 10-018

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

F 25. Calcasieu 12-068

Ms. Polak made a motion to award \$375.00 for MENTAL HEALTH. Mr. DiBenedetto seconded the motion and the motion passed 8 to 1 with no abstentions.

F 26. Calcasieu 13-056

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

F 27. Calcasieu 13-065

Ms. Polak 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 28. Calcasieu 13-082

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

F 29. Calcasieu 14-005

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

F 30. Calcasieu 14-006

Ms. Polak made a motion to approve the eligibility of this claimant. Ms. Rodi seconded the motion and the motion passed 8 to 1 with no abstentions.

F 31. Calcasieu 14-008

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

F 32. Calcasieu 14-011

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

F 33. Calcasieu 14-013

Ms. Polak made a motion to award \$112.50 for MENTAL HEALTH. Ms. Williams seconded the motion and the motion passed unanimously.

F 34. Calcasieu 14-017

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

V. ITEMS FOR FULL DISCUSSION

F 35. Calcasieu 14-018

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

F 36. Calcasieu 14-021

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

F 37. East Baton Rouge 13-059

Ms. Stapleton made a motion to award \$4,112.90 for MEDICAL. Ms. Fanara seconded the motion and the motion passed unanimously. The board agreed to waive the one year deadline for applying for reparations.

F 38. East Baton Rouge 13-090

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

F 39. East Baton Rouge 13-095

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

F 40. East Baton Rouge 14-004

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

F 41. East Baton Rouge 14-005

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

F 42. East Baton Rouge 14-011

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

F 43. East Baton Rouge 14-013

Ms. Stapleton 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 44. East Baton Rouge 14-015

Ms. Stapleton made a motion to approve the eligibility of this claimant. Ms. Polak seconded the motion and the motion passed unanimously. The board agreed to waive the one year deadline for applying for reparations.

F 45. East Baton Rouge 14-016

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

F 46. Iberville 14-001

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

V. ITEMS FOR FULL DISCUSSION

F 47. Jefferson 13-038

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

F 48. Jefferson 14-003

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

F 49. Jefferson 14-008

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

F 50. Jefferson 14-009

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

F 51. Lafourche 13-068

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

F 52. Lafourche 14-005

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

F 53. Lafourche 14-006

Ms. Adcock made a motion to deny under authority of R.S. 46:1809 B(1) (no evidence of crime (against Ms. Zeringue)). Mr. DiBenedetto seconded the motion and the motion passed 8 to 1 with no abstentions.

F 54. Lafourche 14-007

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

F 55. Lafourche 14-008

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

F 56. Lafourche 14-009

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

F 57. Lafourche 14-010

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

F 58. Lafourche 14-011

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

V. ITEMS FOR FULL DISCUSSION

F 59. Lafourche 14-012

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

F 60. Lafourche 14-013

Mr. DiBenedetto made a motion to defer ruling awaiting a traffic report. Ms. Adcock seconded the motion and the motion passed unanimously.

F 61. Lafourche 14-014

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

F 62. Lafourche 14-015

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

F 63. Lafourche 14-016

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

F 64. Orleans 10-111

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

F 65. Orleans 11-073

Ms. Rodi made a motion to award \$141.67 for MEDICAL. Ms. Williams seconded the motion and the motion passed unanimously.

F 66. Orleans 12-094

Ms. Rodi made a motion to award \$1,897.52 for FUNERAL. Ms. Williams seconded the motion and the motion passed unanimously.

F 67. Orleans 13-063

Ms. Polak made a motion to approve eligibility for total and permanent disability and to award \$3,579.46 for LOST WAGE REIMBURSEMENT and to pay \$5,000 per month to the claimant for the next four months. Mr. DiBenedetto seconded the motion and the motion passed 8 to 1 with no abstentions.

F 68. Orleans 13-094

Ms. Rodi made a motion to award \$3,944.75 for FUNERAL. Ms. Polak seconded the motion and the motion passed unanimously.

F 69. Orleans 13-115

Ms. Rodi made a motion to award \$249.60 for WAGE, \$1,329.78 for MEDICAL and to defer reimbursement of the claim for Dr. Wiley until an itemized bill is received.. Ms. Stapleton seconded the motion and the motion passed unanimously.

F 70. Orleans 14-012

Ms. Polak made a motion to defer ruling awaiting more information from law

V. ITEMS FOR FULL DISCUSSION

enforcement. Ms. Fanara seconded the motion and the motion passed unanimously.

F 71. Orleans 14-013

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

F 72. Orleans 14-029

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

F 73. Ouachita 13-020

Ms. Rodi made a motion to award \$10,000.00 for MEDICAL. Ms. Adcock seconded the motion and the motion passed unanimously. The board also agreed to mark the case as "closed".

F 74. Ouachita 13-021

Ms. Adcock made a motion to award \$58.54 for MEDICAL, \$300.00 for AMBULANCE TRANSPORT (MEDICAL). Ms. Rodi seconded the motion and the motion passed unanimously.

F 75. Sabine 13-010

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

F 76. St. Charles 13-029

Ms. Rodi made a motion to award \$825.00 for MENTAL HEALTH. Ms. Williams seconded the motion and the motion passed unanimously.

F 77. St. Charles 13-045

Mr. DiBenedetto made a motion to award \$4,500.00 for FUNERAL. Ms. Polak seconded the motion and the motion passed unanimously.

F 78. St. Charles 13-046

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

F 79. St. Charles 13-048

Ms. Stapleton made a motion to defer ruling awaiting supplemental police reports. Ms. Adcock seconded the motion and the motion passed unanimously.

F 80. St. Charles 13-049

Ms. Rodi made a motion to award \$375.00 for MENTAL HEALTH. Mr. DiBenedetto seconded the motion and the motion passed unanimously.

F 81. St. Charles 14-003

Ms. Polak 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 82. St. Charles 14-005

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

F 83. St. Charles 14-006

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

F 84. St. Charles 14-007

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

F 85. St. Charles 14-010

Ms. Polak made a motion to approve the eligibility of this claimant. Ms. Rodi seconded the motion and the motion passed 8 to 1 with no abstentions.

F 86. St. Charles 14-014

Ms. Polak 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 87. St. John The Baptist 14-001

Mr. DiBenedetto made a motion to approve the eligibility of this claimant. Ms. Polak seconded the motion and the motion passed 8 to 0 with 1 abstention.

F 88. St. Martin 14-001

Ms. Adcock made a motion to approve the eligibility of this claimant. Ms. Polak seconded the motion and the motion passed unanimously. The Board also requested that Workers Compensation information be submitted before they will consider any future claims.

F 89. St. Martin 14-002

Ms. Polak made a motion to award \$560.00 for WAGE, \$1,079.08 for MEDICAL. Ms. Fanara seconded the motion and the motion passed unanimously.

F 90. St. Mary 13-010

Ms. Polak made a motion to award \$4,813.35 for MEDICAL. Mr. DiBenedetto seconded the motion and the motion passed unanimously.

F 91. St. Mary 13-015

Ms. Fanara made a motion to defer ruling awaiting a supplemental police report. Ms. Polak seconded the motion and the motion passed unanimously.

F 92. St. Tammany 14-001

Ms. Polak made a motion to award \$1,646.40 for WAGE. Ms. Rodi seconded the motion and the motion passed unanimously.

F 93. Tangipahoa 13-003

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.

V. ITEMS FOR FULL DISCUSSION

F 94. Terrebonne 13-016

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

F 95. Washington 13-020

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

F 96. Webster 13-006

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

VI. LATE ADDITIONS

L 1. Caddo 13-072

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

L 2. Caddo 14-006

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

L 3. Calcasieu 13-067

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

L 4. Calcasieu 13-071

Mr. Downing made a motion to deny under authority of R.S. 46:1809 B (3)d (claimant was offender/accessory). Mr. DiBenedetto seconded the motion and the motion passed unanimously.

L 5. East Baton Rouge 11-053

Ms. Stapleton made a motion to defer claims awaiting secondary victim application for Jared Parker. Ms. Adcock seconded the motion and the motion passed unanimously.

L 6. Iberia 13-025

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

L 7. Iberia 13-026

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

L 8. Iberville 13-004

Ms. Stapleton made a motion to award \$243.75 for MEDICAL, \$163.25 for WAGE. Ms. Fanara seconded the motion and the motion passed unanimously.

VI. LATE ADDITIONS

L 9. Lafourche 13-066

Ms. Polak made a motion to approve the eligibility of this claimant. Ms. Rodi seconded the motion and the motion passed 6 to 2 with 1 abstention. The Board also requested that Workers Comp information be submitted before they will consider future claims.

L 10. Lafourche 13-069

Ms. Polak 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 Workers Comp information be submitted before they will consider future claims.

L 11. Lafourche 13-071

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

L 12. Lafourche 13-072

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

L 13. Lafourche 13-073

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

L 14. Lafourche 13-074

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

L 15. Lafourche 13-075

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

L 16. Lafourche 13-076

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

L 17. Lafourche 13-077

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

L 18. Orleans 13-068

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

L 19. Orleans 14-006

Ms. Fanara made a motion to award \$89.00 for MEDICAL, \$382.40 for WAGE. Mr. DiBenedetto seconded the motion and the motion passed unanimously.

L 20. Orleans 14-008

Mr. DiBenedetto made a motion to award \$555.07 for MEDICAL but to deny the reimbursement claims for Holiday Inn and American Airlines R.S. 46:1809 B(1) (not a

VI. LATE ADDITIONS

compensable expense). Ms. Polak seconded the motion and the motion passed 8 to 1 with no abstentions.

L 21. St. Charles 13-053

Ms. Polak made a motion to award \$75.00 for MENTAL HEALTH. Ms. Rodi seconded the motion and the motion passed unanimously. The board also agreed to request an Updated Mental Health Treatment Plan as of 06/20/14.

L 22. St. Martin 14-003

Ms. Williams made a motion to deny under authority of R.S. 46:1809 B(1) (crime definition). Ms. Adcock seconded the motion and the motion passed unanimously.

VII. OTHER BUSINESS

The Board discussed the appeal letter from Dawn Chadwick requesting payment of services rendered. Ms. Polak made a motion to deny the appeal. Mr. DiBenedetto seconded the motion. The motion to deny passed unanimously.

Ms. Adcock made a motion to adjourn the meeting. Ms. Rodi seconded the motion. Mr. Davis adjourned the meeting at 11:38 a.m.