



# State of Louisiana Crime Victims Reparations Board

**MEETING DATE:** September 9, 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. Lucille Williams,

**MEMBERS ABSENT:** Ms. Carolyn Stapleton

**STAFF PRESENT:** Carla Trahan, Margaret Watson, Haley Plauche

**GUESTS PRESENT:** Mrs. Davis, Erich Duchmann, Jessica Thornhill

## **I. CALL TO ORDER**

Mr. Davis called the monthly meeting of the Crime Victims Reparations Board for the date of 09/09/14 to order at 9:05 am.

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

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

III. APPEALS

**A 1. Bossier 14-007**

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

IV. EMERGENCY CONFIRM/DENY

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

V. ITEMS FOR FULL DISCUSSION

**F 1. Beauregard 13-007**

Ms. Adcock made a motion to deny under authority of R.S. 46:1809 A (claimant had no losses). Ms. Williams seconded the motion and the motion passed unanimously.

**F 2. Caddo 14-045**

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

**F 3. Caddo 14-046**

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

**F 4. Caddo 14-047**

Ms. Adcock made a motion to defer ruling awaiting more information from Law Enforcement. Mr. DiBenedetto seconded the motion and the motion passed unanimously.

**F 5. Caddo 14-048**

Ms. Adcock 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 6. Caddo 14-049**

Ms. Adcock 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.

Ms. Rodi entered the meeting.

**F 7. Calcasieu 12-094**

Ms. Polak made a motion to award \$1,220.00 for MEDICAL. Ms. Williams seconded the motion and the motion passed unanimously.

**F 8. Calcasieu 13-010**

Ms. Polak made a motion to award \$900.00 for MENTAL HEALTH. Ms. Adcock seconded the motion and the motion passed unanimously.

**F 9. Calcasieu 14-048**

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

V. ITEMS FOR FULL DISCUSSION

**F 10. Claiborne 14-004**

Ms. Adcock made a motion to approve eligibility, to award \$262.50 for MENTAL HEALTH and to deny the funeral claim R.S. 46:1809 (claimant had no out of pocket expenses.) Ms. Polak seconded the motion and the motion passed unanimously.

**F 11. Concordia 13-007**

Ms. Polak made a motion to approve eligibility but to defer the claims awaiting itemized invoices from them mental health providers. Mr. Downing seconded the motion and the motion passed unanimously.

**F 12. Desoto 14-001**

Ms. Williams made a motion to approve eligibility and to defer claims awaiting a death certificate. Ms. Polak seconded the motion and the motion passed unanimously.

**F 13. East Baton Rouge 12-038**

Ms. Polak made a motion to award \$340.00 for MENTAL HEALTH and to defer the remaining sessions awaiting an Updated Mental Health Treatment Plan as of 06/03/14. Ms. Adcock seconded the motion and the motion passed unanimously.

**F 14. East Baton Rouge 14-001**

Ms. Polak 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.

**F 15. East Baton Rouge 14-008**

Ms. Polak made a motion to award \$443.00 for MENTAL HEALTH. Ms. Adcock seconded the motion and the motion passed unanimously.

**F 16. East Baton Rouge 14-017**

Mr. DiBenedetto made a motion to deny, but withdrew the motion. Ms. Polak made a motion to approve eligibility; motion died for lack of a second. Ms. Adcock made a motion to deny under authority of LAC22:8.301(A)(1)(a)(i) (illegal activity). Mr. DiBenedetto seconded the motion and the motion passed 7 to 1 with no abstentions.

**F 17. East Baton Rouge 14-018**

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

**F 18. East Baton Rouge 14-060**

Ms. Polak made a motion to defer claims awaiting a Mental Health Initial Treatment Plan, clarification of insurance, and a detailed pharmacy invoice. Ms. Rodi 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 14-084**

Mr. DiBenedetto made a motion to approve the eligibility of this claimant. Ms. Williams 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 20. East Baton Rouge 14-095**

Mr. DiBenedetto made a motion to deny under authority of R.S. 46:1809 B(1) (crime definition). Ms. Fanara seconded the motion and the motion passed 6 to 1 with no abstentions.

**F 21. East Baton Rouge 14-096**

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

**F 22. Iberia 14-001**

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

**F 23. Iberia 14-006**

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

**F 24. Jefferson 14-006**

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

**F 25. Jefferson 14-014**

Ms. Polak made a motion to deny under authority of R.S. 46:1809 A (claimant had no losses). Ms. Rodi seconded the motion and the motion passed unanimously.

**F 26. Lafayette 13-019**

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

**F 27. Lafourche 14-019**

Ms. Adcock made a motion to award \$310.00 for MENTAL HEALTH. Ms. Polak seconded the motion and the motion passed unanimously.

**F 28. Lafourche 14-032**

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

**F 29. Natchitoches 12-007**

Ms. Polak made a motion to award \$718.75 for MENTAL HEALTH, \$133.35 for MEDICAL. Ms. Adcock seconded the motion and the motion passed unanimously.

**F 30. Natchitoches 13-003**

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

**F 31. Natchitoches 14-004**

Ms. Adcock made a motion to deny under authority of R.S. 46:1809 B(1) (no evidence of

V. ITEMS FOR FULL DISCUSSION

crime). Mr. DiBenedetto seconded the motion and the motion passed unanimously.

**F 32. Orleans 10-103**

Ms. Rodi made a motion to award \$1,575.00 for FUNERAL. Ms. Polak seconded the motion and the motion passed unanimously. The board agreed to waive the one year deadline for applying for reparations.

**F 33. Orleans 13-026**

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

**F 34. Orleans 13-111**

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

**F 35. Orleans 14-051**

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

**F 36. Ouachita 14-001**

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

**F 37. Sabine 13-015**

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

**F 38. St. Charles 12-001**

Ms. Polak made a motion to award \$375.00 for MENTAL HEALTH. Ms. Williams seconded the motion and the motion passed unanimously.

**F 39. St. Charles 13-029**

Ms. Polak made a motion to award \$675.00 for MENTAL HEALTH. Ms. Rodi seconded the motion and the motion passed unanimously.

**F 40. St. Charles 14-028**

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

**F 41. St. Charles 14-029**

Ms. Adcock made a motion to deny under authority of R.S. 46:1809 B(3)(b) (failed or refused cooperation). Mr. Downing seconded the motion and the motion passed 6 to 2 with no abstentions.

**F 42. St. Martin 14-004**

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

V. ITEMS FOR FULL DISCUSSION

**F 43. Tangipahoa 12-008**

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

**F 44. Tangipahoa 14-002**

Ms. Polak made a motion to defer ruling awaiting information on possible criminal history. Ms. Adcock seconded the motion and the motion passed unanimously.

**F 45. Terrebonne 14-005**

Ms. Polak made a motion to award \$2,500.00 for FUNERAL, \$2,350.00 for MEDICAL, \$150.00 for AMBULANCE TRANSPORT (MEDICAL). Mr. DiBenedetto seconded the motion and the motion passed unanimously. The claims were paid with a 50% penalty for contribution.

VI. LATE ADDITIONS

**L 1. Caddo 14-050**

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

**L 2. Calcasieu 14-016**

Ms. Polak made a motion to approve eligibility but to defer payment of the funeral home claim awaiting information from the funeral home. Ms. Adcock seconded the motion and the motion passed unanimously.

**L 3. Calcasieu 14-032**

Ms. Polak made a motion to award \$3,552.95 for FUNERAL. Ms. Rodi seconded the motion and the motion passed unanimously.

**L 4. Calcasieu 14-050**

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

**L 5. Calcasieu 14-055**

Ms. Polak made a motion to approve the eligibility of this claimant. Ms. Rodi seconded the motion and the motion passed unanimously. The Board requested that insurance information be submitted with any future claims.

**L 6. East Baton Rouge 14-027**

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

**L 7. East Baton Rouge 14-028**

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

**L 8. East Baton Rouge 14-031**

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

**VI. LATE ADDITIONS**

**L 9. Iberville 13-004**

Ms. Polak made a motion to award \$223.18 for MEDICAL. Ms. Adcock seconded the motion and the motion passed unanimously.

**L 10. Jefferson 14-011**

Ms. Fanara made a motion to defer ruling awaiting information on possible felony history and information on payment of funeral expenses. Ms. Polak seconded the motion and the motion passed unanimously.

**L 11. Lafourche 14-037**

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

**L 12. Lafourche 14-038**

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

**L 13. Lafourche 14-039**

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

**L 14. Lafourche 14-040**

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

**L 15. Orleans 14-009**

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

**L 16. Orleans 14-017**

Ms. Polak made a motion to award \$75.76 for MENTAL HEALTH, \$300.00 for AMBULANCE TRANSPORT (MEDICAL), \$733.12 for MEDICAL. Estimate approved for: \$3,850.00 for MEDICAL. Ms. Rodi seconded the motion and the motion passed unanimously.

**L 17. Orleans 14-033**

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

**L 18. Orleans 14-037**

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

**L 19. Orleans 14-040**

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

**L 20. Orleans 14-042**

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

VI. LATE ADDITIONS

motion and the motion passed unanimously.

**L 21. Orleans 14-049**

Ms. Williams made a motion to award. Estimate approved for: \$5,000.00 for CATASTROPHIC PROPERTY. Mr. DiBenedetto seconded the motion and the motion passed unanimously.

**L 22. St. Charles 14-033**

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

**L 23. St. Charles 14-015**

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

**L 24. St. Charles 14-034**

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

**L 25. St. Charles 14-035**

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

**L 26. Ascension 13-009**

Ms. Polak made a motion to award \$72.50 for MENTAL HEALTH, \$3,040.00 for WAGE. Ms. Fanara seconded the motion and the motion passed unanimously.

V. ITEMS FOR FULL DISCUSSION

**L 27. Caddo 14-023**

Ms. Rodi made a motion to award \$2,898.06 for MEDICAL, \$3,572.00 for WAGE. Ms. Adcock seconded the motion and the motion passed unanimously.

VI. LATE ADDITIONS

**L 28. Caddo 14-032**

Ms. Adcock made a motion to award \$3,102.38 for FUNERAL. Ms. Polak seconded the motion and the motion passed unanimously.

**L 29. Orleans 13-100**

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

**L 30. Calcasieu 14-057**

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

**Lafourche**

Ms. Adcock made a motion to defer claims awaiting . Mr. Davis seconded the motion and the motion passed unanimously.



**VI. LATE ADDITIONS**

**VII. OTHER BUSINESS**

The board discussed eligibility of violent crime vs. non-violent crime. After Mrs. Thornhill researched the issue the board decided that crimes must be violent in order to qualify for CVR. The board discussed total and permanent disability definitions and necessary documents. Mrs. Thornhill will research the issue further.

Mr. DiBenedetto made a motion to adjourn the meeting. Mrs. Adcock seconded the motion. Mr. Davis Adjourned the meeting at 11:15 am.