

STATE OF LOUISIANA
CRIME VICTIMS REPARATIONS BOARD

**ANNUAL REPORT
FISCAL YEAR 2017**

(STATE EMBLEM)

LOUISIANA COMMISSION ON LAW ENFORCEMENT
POST OFFICE BOX 3133
BATON ROUGE, LOUISIANA 70821

www.lcle.la.gov/cvr

This public document was published at a total cost of \$_____. Three hundred (300) copies of this public document were published in this first printing at a cost of \$_____. The total cost of all printings of this document, including reprints is \$_____. This document was published for the Crime Victims Reparations Board, Louisiana Commission on Law Enforcement, Post Office 3133, Baton Rouge, Louisiana 70821 by the Division of Administration, State Printing Office to provide a report of the Board's activities for FY 2017 under authority of LA R.S. 46:1818. This material was printed in accordance with the standards for printing by state agencies established pursuant to LA R.S. 43:31.

Crime Victims Reparations Board
State of Louisiana

JOHN BEL EDWARDS
Governor



JIM CRAFT
EXECUTIVE DIRECTOR

To: **Honorable John Bel Edwards**
Governor, State of Louisiana

Honorable Members of the Legislature
State of Louisiana

We have the honor to submit the annual report of the Louisiana Crime Victims Reparations Board. This report is submitted pursuant to the provisions of LA R.S. 46:1818 and covers the period of July 1, 2016, through June 30, 2017.

The total amount of funds collected for FY 2017 was \$2,881,455.16. In FY 2017, 1327 claims were paid and a total of \$1,840,524 was awarded. The average total per award was \$1,387. Funds for the Crime Victims Reparations Program are not state appropriated funds and are mainly derived from costs levied on criminal court cases and from federal grants.

Sincerely,

A handwritten signature in cursive script that reads "Amanda Tonkovich".

Amanda Tonkovich
Chair

BOARD MEMBERS

The Crime Victims Reparations Board is under the jurisdiction of the Louisiana Commission on Law Enforcement and is domiciled in Baton Rouge. The Board is composed of the Executive Director of the Louisiana Commission on Law Enforcement or his designee; seven representatives from each of the congressional districts in the state; a representative of the elderly; and a representative at large. The Board members are appointed by the governor and their terms run concurrent with that of the governor.

The membership of the Crime Victims Reparations Board in FY 2017 was:

Amanda Tonkovich, Chair
New Orleans, Louisiana
2nd Congressional District

Linda Gautier
Baton Rouge, Louisiana
Designee of LCLE Executive Director

Carolyn Stapleton
Zachary, Louisiana
6th Congressional District

Tameka White
Hammond, Louisiana
1st Congressional District

Gary "Stitch" Guillory
Westlake, Louisiana
At-Large Member

Rena Hebert
Lafayette, Louisiana
3d Congressional District

Audrey Thibodeaux
Breau Bridge, Louisiana
Elderly Representative

Bobby Igo, Jr.
Shreveport, Louisiana
4th Congressional District

Catalene Theriot
New Iberia, Louisiana
Victims & Citizens Against Crime

Lisa Kiper
Winnsboro, Louisiana
5th Congressional District

Carla Shorty
New Orleans, LA
At-Large Member

TABLE OF CONTENTS

	Page
Crime Victims Reparations Act	1
Funding	1
Eligibility to Apply for Awards.....	2
Application Requirements.....	2
Prohibited Awards.....	3
Denying or Reducing Awards.....	3
Expenses.....	3
Processing.....	4
Public Information Awareness..	5
National and International Affiliation	5
Collections, Grants, and Awards.....	6
Claims Processed..	7
Claim Denials.....	8
Receipts by Parish.	9
Applications by Parish.....	11
Awards by Parish.....	13
Claims by Dollar Amount....	15
Claims by Crime Type.....	15
Claims by Gender	16
Claims by Age.....	16
Amount Awarded by Expenses.....	17

CRIME VICTIMS REPARATIONS ACT

The Louisiana Crime Victims Reparations Act provides for monetary compensation for economic losses to victims of crimes involving personal injury and to their dependents in cases of death. It also permits recovery for economic losses incurred as a result of a good faith effort to prevent a crime.

The maximum award allowable is \$10,000 for any one case, although the Board may extend an award to a maximum allowable of \$25,000 for those victims whose injuries are total and permanent. Claims are reduced by all collateral sources, such as medical and hospitalization insurance payments, social security benefits, disability income insurance, worker's compensation and other sources of benefits.

FUNDING

Income for the compensation fund is composed primarily of monies paid as costs levied on criminal court cases. A cost of not less than fifty dollars (\$50) for felonies and seven dollars and fifty cents (\$7.50) for violations of misdemeanors and municipal and parish ordinances is levied, except traffic violations other than those driving offenses defined in Title 14 of the Louisiana Revised Statutes of 1950 which result in a conviction. Other components of the fund include federal grants, court-ordered restitution from criminals, donations and interest.

Act 634 (CHC 811.2) of 1993 created the Victims of Juvenile Crime Compensation Fund. Courts which levy the cost (not to exceed \$15) must remit one-third of the amount collected to the Crime Victims Reparation Fund.

The Crime Victims Reparations Board manages a small fund and must insure that these dollars are disbursed as equitably and fairly as possible. The Board has adopted standard operating procedures to keep the fund solvent and help contain these costs while insuring equitable disbursements among crime victims and their families.

AWARDS

Eligibility:

A person who believes he or she is a victim of a crime which involved the use of force or threat of force and resulted in personal injury and/or loss of income; the victim's legal representative; or, in the case of death, a dependent or the dependent's legal representative may make application to the Board for an award.

A claim may be filed regardless of whether the offender is known, has been arrested, and/or has been found guilty.

The crime must:

1. involve the use of force or threat of use of force **or**
2. result in personal injury, death, or catastrophic property loss **and**
3. result in expenses covered by the statute and not reimbursable by any other source.

Vehicular crimes (motor vehicle, boat or aircraft) are not included unless they involve a DWI/DUI offense, a hit-and-run offense, the injuries or death were intentionally inflicted with a vehicle, or the crime was caused by an operator fleeing the scene of a crime in which he knowingly participated.

Victims of terrorist acts are also eligible to apply for awards.

Application Requirements:

1. The crime must have been committed in Louisiana after July 16, 1982 or happened to a Louisiana resident in a place with no compensation program.
2. The crime must be reported to law enforcement officials within 72 hours unless it was an act of sexual violence or there is a valid reason for a later reporting.
3. The application must be filed within one year from the date of the crime.
4. The required information must be provided on the application.
5. The losses must not be reimbursable from any other source such as insurance, social security, Medicare, Medicaid, civil suit or restitution.
6. The victim or claimant must cooperate with the reasonable requests of law enforcement officials.

Awards Are Prohibited If:

1. The victim/claimant does not comply with the application requirements as listed in the previous section.
2. The victim is the offender or an accessory, or an award would unjustly benefit either the offender or the accessory.
3. The victim is confined in any type of correctional facility.

An Award Could Be Denied or Reduced If:

1. The Board finds that the victim's behavior at the time of the crime or the victim's past criminal activity caused or contributed to the incident.
2. The victim was operating a vehicle at the time of the crime without the required insurance.
3. The victim was not wearing a seat belt as required by state law.
4. The victim was a willing passenger in a vehicle driven by an intoxicated driver.

Expenses:

Expenses which may be reimbursed include those:

1. For personal injury:
 - a) medical, hospital, nursing, physical therapy, psychiatric care, or counseling;
 - b) actual loss of past earnings and anticipated loss of future earnings because of a disability resulting from the personal injury or the receipt of medically indicated services for a minor child related to the personal injury;
 - c) care of child or dependent
 - d) counseling or therapy for the parent(s) or sibling(s) of a child who is the victim of a sex crime
 - e) loss of support for a child victim of a sexual crime not otherwise compensated for as a pecuniary loss for personal injury
2. As a consequence of death:
 - a) funeral, burial, cremation expenses;
 - b) loss of support to one or more dependents not otherwise compensated for personal injury loss;
 - c) care of children, enabling the surviving spouse of a victim or the legal custodian or caretaker of the deceased victim's child or children to engage in lawful employment where that expense is not otherwise compensated for as a pecuniary loss for personal injury;
 - d) counseling or therapy for any surviving family member of the victim or any person in a close relationship to such victim
 - e) crime scene cleanup
3. Expenses of the victim associated with the collection and securing of crime scene evidence or with cleanup of the crime scene.

Expenses which may not be reimbursed for any reason include:

1. Property losses, except for a catastrophic property loss which is limited to the loss of the victim's abode provided it is owned and occupied by the victim;
2. Pain and suffering;
3. Attorney fees, except when they are part of an order from a hearing or awarded by a court of law.

Processing

Applications are distributed, received, and investigated by the Sheriff's Office in the parish where the crime occurred. As part of their investigative responsibilities, the sheriff's office obtains a copy of the law enforcement agency report on the crime, verifies all the expenses submitted and insurance or any other collateral sources that the claimant may have received, and makes a recommendation based on the investigation.

The application is then submitted to the Crime Victims Reparations Board's office where the Program Manager reviews the submitted documents, prepares a summary, and places the application on a monthly docket to be reviewed and considered by the entire Board. Applications are reviewed by the Board at its regular meeting and the Board votes to either award or deny. However, they may also vote to continue the case pending further information or they may order a hearing.

The victim/claimant is notified in writing of the Board's decision. The Board administrative assistant prepares the award checks which are distributed to the respective Sheriff's offices from which they are sent to the victims and/or providers. The victim/claimant has the right to appeal the decision of the Board within 60 days or appeal directly to District Court within 30 days. If an appeal to the board is denied, further appeal to District Court in Baton Rouge is allowed under the Administrative Procedures Act.

Provisions are made for payment of emergency awards up to \$500 in cases where urgency is apparent. Emergency awards are rendered upon the recommendation of the sheriff's investigator and concurrence of the Board member for the area involved.

Supplemental claims may be submitted for additional expenses incurred after the original award has been made. The aggregate total cannot exceed the maximum caps as per the statute. The supplemental claims are processed in the same manner as original claims.

PUBLIC INFORMATION AWARENESS

Act 383 of 1992 mandated that the Crime Victims Reparations Board prepare a brochure enumerating victims' rights. These brochures are available in sheriff's offices, police departments, hospitals, doctor's offices, as well as other service agencies.

Public service announcements are distributed to all radio and television stations licensed to broadcast in Louisiana.

The Crime Victims Reparations (CVR) Board maintains a website on the CVR Program which includes information available to the public, such as, who may qualify, how to apply for reparations, as well as whom to contact for assistance.

The Crime Victims Reparations Board and the Louisiana Commission on Law Enforcement periodically publishes a statewide Victim/Elderly Services Directory. The directory contains an updated extensive cross-reference of service agencies available to the citizens of Louisiana. The directory, along with other CVR information can be accessed on the web at www.lcle.la.gov/cvr.

NATIONAL AND INTERNATIONAL AFFILIATION

The Louisiana Crime Victims Reparations Board is a member of the National Association of Crime Victims Compensation Boards.

COLLECTIONS, GRANTS, AND AWARDS

	Revenues Collected*	VOCA Federal Grant	Total Funds Awarded
FY 1983	299,568.00	-	33,645.86
FY 1984	664,354.60	-	240,536.41
FY 1985	588,258.62	-	195,403.74
FY 1986	727,224.55	77,000.00	575,579.73
FY 1987	698,437.94	114,000.00	865,164.07
FY 1988	618,320.12	222,000.00	765,528.74
FY 1989	749,507.52	222,000.00	703,750.60
FY 1990	699,292.42	326,000.00	1,028,644.11
FY 1991	831,859.37	220,000.00	1,222,260.81
FY 1992	990,399.86	206,000.00	1,154,816.42
FY 1993	902,340.70	405,000.00	1,001,715.07
FY 1994	981,722.02	371,000.00	932,886.17
FY 1995	953,435.24	203,000.00	804,814.04
FY 1996	1,231,208.99	203,000.00	739,748.57
FY 1997	1,230,602.06	100,000.00	1,129,641.47
FY 1998	1,272,676.39	190,000.00	1,074,564.13
FY 1999	1,418,764.04	331,000.00	1,422,911.50
FY 2000	1,504,539.62	314,000.00	1,351,160.69
FY 2001	1,502,417.87	389,000.00	1,722,806.17
FY 2002	1,354,813.47	429,000.00	1,827,829.86
FY 2003	1,270,467.21	988,000.00	1,699,068.00
FY 2004	1,329,320.46	771,000.00	1,740,998.77
FY 2005	1,364,766.16	773,000.00	1,698,379.47
FY 2006	1,425,526.38	689,000.00	1,719,949.45
FY 2007	1,422,986.09	683,000.00	2,184,876.97
FY 2008	1,405,677.59	757,000.00	2,350,613.77
FY 2009	1,300,947.77	896,000.00	2,243,905.65
FY 2009		233,894.00	**
FY 2010	1,337,016.17	863,000.00	2,096,355.89
FY 2011	1,478,418.96	833,000.00	2,261,506.65
FY 2012	1,319,110.00	386,000.00	1,733,135.35
FY 2013	1,341,106.21	607,000.00	2,063,395.52
FY 2014	1,158,205.80	404,000.00	1,670,724.02
FY 2015	1,091,107.00	484,000.00	1,155,296.34
FY 2016	1,066,283.50	506,000.00	1,032,616.01
FY 2017	2,881,455.16	247,000.00	1,840,524.12
TOTALS	40,412,137.86	14,442,894.00	46,284,754.14

** Recovery Act-OVCFY09 VOCA

CLAIMS PROCESSED

	Approved	Denied	Deferred
FY 1983	11	14	0
FY 1984	69	21	0
FY 1985	80	21	4
FY 1986	213	21	5
FY 1987	332	36	11
FY 1988	317	49	13
FY 1989	267	59	11
FY 1990	387	82	25
FY 1991	450	78	13
FY 1992	479	118	21
FY 1993	495	231	20
FY 1994	488	216	23
FY 1995	409	177	22
FY 1996	364	118	3
FY 1997	462	97	3
FY 1998	445	139	0
FY 1999	540	119	0
FY 2000	570	99	0
FY 2001	693	105	75
FY 2002	792	107	132
FY 2003	760	165	421
FY 2004	702	204	10
FY 2005	725	158	160
FY 2006	680	155	111
FY 2007	791	109	173
FY 2008	924	122	225
FY 2009	671	210	232
FY 2010	738	205	204
FY 2011	827	229	207
FY 2012	598	213	128
FY 2013	588	175	391
FY 2014	564	127	226
FY 2015	488	122	300
FY 2016	476	90	570
FY 2017	1113	90	527
TOTALS	18,508	4,281	4,266

**ELIGIBILITY DENIALS
2017**

1	No evidence crime was committed	1
2	Passenger with impaired driver	0
3	Crime not reported within time specified by statute	1
4	Lack of cooperation with law enforcement	5
5	Victim/Claimant was offender or accessory	0
6	Claim not filed timely	0
7	Victim contribution	33
8	Loss recouped from collateral source	1
9	Does not meet definition of crime	6
10	Pecuniary loss not covered by statute	0
11	Unable to determine pecuniary loss sustained	0
12	Exceeds or does not meet limits on awards defined in rules	0
13	Victim is a career criminal	0
14	Victim had felony conviction within the last five years	43
15	Crime previous to chapter date	0
TOTAL		90

**RECEIPTS BY PARISH
FY 2017**

Parish	TOTAL AMOUNT RECEIVED	
	Fines/Fees	Restitution
Acadia	12,398.76	0.00
Allen	7,927.90	0.00
Ascension	23,406.05	0.00
Assumption	4,745.00	0.00
Avoyelles	4,850.44	0.00
Beauregard	4,737.63	0.00
Bienville	3,512.50	0.00
Bossier	25,200.66	1,121.47
Caddo	71,432.12	1,846.00
Calcasieu	40,203.16	2,907.40
Caldwell	2,720.00	0.00
Cameron	2,104.00	0.00
Catahoula	3,458.96	0.00
Claiborne	4,443.60	0.00
Concordia	8,918.54	0.00
DeSoto	7,418.50	0.00
East Baton Rouge	58,062.51	236.80
East Carroll	1,626.50	0.00
East Feliciana	7,469.55	835.81
Evangeline	7,822.59	76.85
Franklin	16,477.50	0.00
Grant	7,225.86	0.00
Iberia	12,765.17	0.00
Iberville	5,226.04	0.00
Jackson	2,642.32	0.00
Jefferson	107,201.34	0.00
Jefferson Davis	4,499.25	0.00
Lafayette	38,802.60	475.00
Lafourche	24,847.70	463.37
Lasalle	4,571.98	0.00
Lincoln	10,315.17	0.00
Livingston	23,638.74	0.00
Madison	5,940.50	0.00
Morehouse	6,321.84	0.00
Natchitoches	4,324.10	0.00
Orleans	48,742.46	0.00
Ouachita	29,530.23	29.91
Plaquemines	5,245.00	0.00
Pointe Coupee	3,402.50	0.00

RECEIPTS BY PARISH FY 2017 (Cont'd.)

	<u>Fines/Fees</u>	<u>Restitution</u>
Rapides	32,510.90	0.00
Red River	1,547.50	0.00
Richland	6,744.18	0.00
Sabine	6,741.11	0.00
St. Bernard	6,620.76	0.00
St. Charles	4,383.16	0.00
St. Helena	1,441.15	0.00
St. James	2,307.50	0.00
St. John the Baptist	13,740.16	0.00
St. Landry	14,914.88	0.00
St. Martin	8,030.74	0.00
St. Mary	13,879.42	0.00
St. Tammany	48,046.63	0.00
Tangipahoa	17,475.85	600.00
Tensas	985.00	0.00
Terrebonne	24,471.35	258.88
Union	3,656.76	0.00
Vermillion	7,870.55	0.00
Vernon	18,496.80	0.00
Washington	9,638.74	0.00
Webster	7,998.83	149.27
West Baton Rouge	3,251.12	80.15
West Carroll	2,691.26	0.00
West Feliciana	8,607.50	0.00
Winn	3,646.00	0.00
TOTALS	<u>933,877.12</u>	<u>9,080.91</u>
Fines/Fees		933,877.12
Restitution (Parish)		9,080.91
Restitution (Federal Court)		10,049.97
Civil Suit Recovery		0.00
Donations		0.00
Prior Year Refund		0.00
Prison Enterprises		0.00
Angola Break-In		0.00
Juvenile Crime Compensation		0.00
Unclaimed Gaming Prizes		1,923,211.16
Interest		5,236.00
TOTAL		<u>\$2,881,455.16</u>

**APPLICATIONS BY PARISH
FY 2017**

Parish	Eligibility			
	Total	Approved	Denied	Other
Acadia	4	4	0	0
Allen	1	1	0	0
Ascension	28	21	2	5
Assumption	1	0	0	1
Avoyelles	2	2	0	0
Beauregard	12	7	0	5
Bienville	2	1	0	1
Bossier	76	58	0	18
Caddo	245	175	4	66
Calcasieu	193	115	21	57
Caldwell	0	0	0	0
Cameron	0	0	0	0
Catahoula	0	0	0	0
Claiborne	16	16	0	0
Concordia	6	2	0	4
DeSoto	12	7	0	5
E. Baton Rouge	368	238	14	116
E. Carroll	0	0	0	0
E. Feliciana	5	5	0	0
Evangeline	2	0	0	2
Franklin	3	3	0	0
Grant	1	1	0	0
Iberia	29	9	1	19
Iberville	13	11	0	2
Jackson	3	2	0	1
Jefferson	33	12	3	18
Jeff. Davis	3	1	0	2
Lafayette	70	55	6	9
Lafourche	31	22	0	9
Lasalle	0	0	0	0
Lincoln	23	18	0	5
Livingston	10	7	0	3
Madison	2	0	0	2
Morehouse	5	5	0	0
Natchitoches	10	10	0	0
Orleans	246	126	37	83
Ouachita	21	14	1	6
Plaquemines	7	0	2	5
Pointe Coupee	7	6	0	1

APPLICATIONS BY PARISH (Cont'd.)
FY 2017

Parish	Eligibility			
	Total	Approved	Denied	Other
Rapides	24	20	0	4
Red River	1	0	1	0
Richland	1	1	0	0
Sabine	8	7	0	1
St. Bernard	4	3	0	1
St. Charles	63	25	1	37
St. Helena	5	1	0	4
St. James	2	0	0	2
St. John	3	1	0	2
St. Landry	5	4	1	0
St. Martin	14	12	0	2
St. Mary	4	2	1	1
St. Tammany	10	8	0	2
Tangipahoa	18	14	0	4
Tensas	1	0	1	0
Terrebonne	10	3	2	5
Union	1	0	0	1
Vermilion	14	9	1	4
Vernon	25	19	0	6
Washington	5	4	0	1
Webster	19	17	0	2
W. Baton Rouge	4	4	0	0
W. Carroll	0	0	0	0
W. Feliciana	6	3	1	2
Winn	3	2	0	1
TOTALS	1740	1113	100	527

**AWARDS BY PARISH
FY 2017**

Parish	AWARDS	
	Count*	Amount
Acadia	4	\$3,200.00
Allen	1	1,017.19
Ascension	21	22,421.30
Assumption	1	1,948.73
Avoyelles	2	1,272.00
Beauregard	9	10,499.56
Bienville	4	2,000.00
Bossier	68	65,378.15
Caddo	198	215,059.83
Calcasieu	120	117,152.72
Caldwell	0	0.00
Cameron	0	0.00
Catahoula	0	0.00
Claiborne	15	19,125.97
Concordia	2	8,074.00
DeSoto	9	8,922.78
E. Baton Rouge	320	443,773.50
E. Carroll	0	0.00
E. Feliciana	4	1,400.00
Evangeline	1	275.00
Franklin	3	20,194.20
Grant	1	1,000.00
Iberia	12	13,238.47
Iberville	10	31,265.32
Jackson	2	1,000.00
Jefferson	21	29,282.64
Jeff. Davis	4	4,148.50
Lafayette	58	101,606.99
Lafourche	12	27,864.36
Lasalle	0	0.00
Lincoln	23	16,000.00
Livingston	11	19,787.40
Madison	0	0.00
Morehouse	4	5,284.30
Natchitoches	10	5,284.12
Orleans	184	348,650.02
Ouachita	13	35,925.12
Plaquemines	4	2,000.00
Pointe Coupee	6	11,655.00

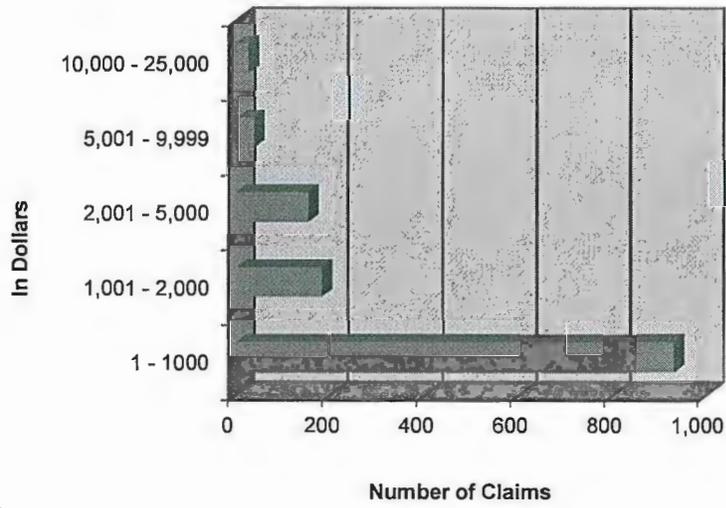
**AWARDS BY PARISH (Cont'd.)
FY 2017**

Parish	AWARDS	
	Count*	Amount
Rapides	22	30,290.48
Red River	0	0.00
Richland	1	2,775.95
Sabine	7	12,135.44
St. Bernard	2	2,091.76
St. Charles	30	42,032.20
St. Helena	2	4,449.35
St. James	1	500.00
St. John	1	455.00
St. Landry	3	20,674.52
St. Martin	15	35,094.13
St. Mary	2	4,972.98
St. Tammany	6	14,127.42
Tangipahoa	13	36,007.29
Tensas	0	0.00
Terrebonne	4	3,040.15
Union	1	500.00
Vermilion	8	9,060.63
Vernon	21	13,283.80
Washington	3	1,982.59
Webster	17	6,000.00
W. Baton Rouge	4	1,842.06
W. Carroll	0	0.00
W. Feliciana	6	2,400.00
Winn	1	1,101.20
TOTALS	1,327	\$1,840,524.12

** Includes both state and federal funds. Does not include refund adjustments.

* This count includes supplemental awards based on previous years' eligibility.

CLAIMS BY DOLLAR AMOUNT



CLAIMS BY CRIME TYPE

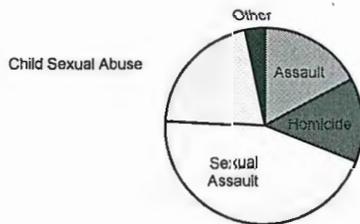
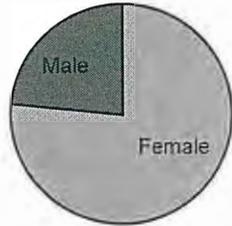
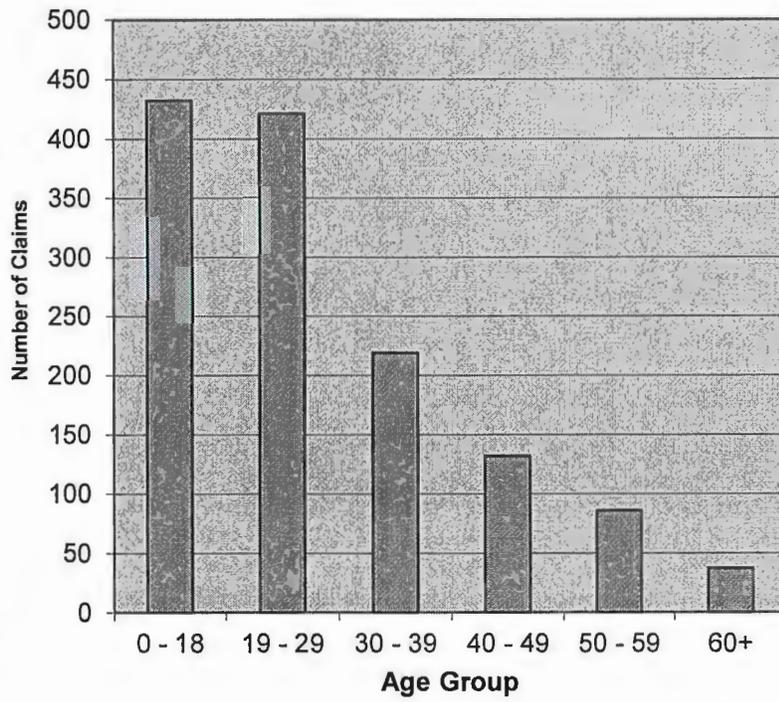


CHART BY GENDER



CLAIMS BY AGE



AWARDED BY EXPENSE TYPE

