

M I N U T E S

MEETING DATE: March 12, 2013

MEMBERS PRESENT: Ms. Nancy Adcock, Mr. Lamarr Davis, Mr. Carroll DiBenedetto, Sr., Ms. Mary L. Fanara, Mr. Rustin Legendre, Ms. Ann Polak, Ms. Sharon Rodi, Ms. Lucille Williams,

MEMBERS ABSENT: Mr. Kenneth Jones, Mr. Jimmy Pohlmann, Ms. Carolyn Stapleton,

STAFF PRESENT: Robert Wertz, Carla Trahan, Margaret Watson

GUESTS PRESENT: Erich Duchmann, Kent Wolkart, Audrey Thibodeaux, Gail McDaniel, Denise Boudreaux, Danielle Stewart, Joseph Murry III, Nancy Michel, Stephanie Minto-Gibson

I. CALL TO ORDER

Mr. Davis called the monthly meeting of the Crimes Victims Reparations Board for the date of March 12, 2013 to order at 9:30 a.m.

II. APPROVAL OF MINUTES OF PREVIOUS MEETING

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

III. APPEALS

NONE

IV. EMERGENCY CONFIRM/DENY

Ms. Rodi 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. Bossier 12-017

Ms. Adcock made a motion to award \$1,029.53 for MEDICAL. Mr. DiBenedetto seconded the motion and the motion passed unanimously.

F 2. Caddo 12-024

Ms. Adcock made a motion to award \$5,432.40 for MEDICAL. Ms. Polak seconded the motion and the motion passed unanimously. The board also agreed to mark the case as "closed".

F 2. Caddo 12-024

Ms. Adcock made a motion to award \$1,545.59 for MEDICAL. Ms. Polak seconded the motion and the motion passed unanimously. The board also agreed to mark the case as "closed".

F 2. Caddo 12-024

Ms. Adcock made a motion to award \$300.00 for AMBULANCE TRANSPORT (MEDICAL), \$2,722.01 for MEDICAL. Ms. Polak seconded the motion and the motion passed unanimously. The board also agreed to mark the case as "closed".

F 3. Caddo 12-032

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

F 4. Caddo 12-035

Ms. Adcock made a motion to award \$9,700.00 for MEDICAL, \$300.00 for AMBULANCE TRANSPORT (MEDICAL). Ms. Williams seconded the motion and the motion passed unanimously. The board also agreed to mark the case as "closed".

F 5. Caddo 12-042

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

F 6. Caddo 12-043

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

F 7. Caddo 12-052

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

V. ITEMS FOR FULL DISCUSSION

F 8. Caddo 12-059

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

F 9. Caddo 12-062

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

F 10. Caddo 13-007

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

F 11. Caddo 13-011

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

F 12. Caddo 13-012

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

F 13. Caddo 13-013

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

F 14. Caddo 13-016

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

F 15. Calcasieu 11-014

Ms. Polak made a motion to award \$280.00 for MEDICAL. Estimate approved for: \$2,482.18 for MEDICAL. Ms. Williams seconded the motion and the motion passed unanimously.

F 16. Calcasieu 11-021

Ms. Polak made a motion to award \$988.64 for MEDICAL. Ms. Adcock seconded the motion and the motion passed unanimously.

F 17. Calcasieu 12-055

Ms. Polak made a motion to award. Estimate approved for: \$7,995.00 for MEDICAL. Ms. Fanara seconded the motion and the motion passed unanimously.

F 18. Calcasieu 12-074

Ms. Polak made a motion to award \$6,029.42 for MEDICAL, \$247.27 for AMBULANCE TRANSPORT (MEDICAL). Ms. Adcock seconded the motion and the motion passed unanimously.

F 19. Calcasieu 12-086

Ms. Polak made a motion to deny under authority of R.S. 46:1809 B(1) (crime definition).

V. ITEMS FOR FULL DISCUSSION

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

F 20. Calcasieu 12-087

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

F 21. Calcasieu 13-004

Ms. Polak made a motion to approve eligibility but the defer the claim until information on Medicaid payment/denial could be received. Ms. Fanara seconded the motion and the motion passed unanimously.

F 22. Calcasieu 13-006

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

F 23. Calcasieu 13-010

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

F 24. Cameron 12-001

Ms. Polak made a motion to award \$105.00 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 12/29/12.

F 25. East Baton Rouge 11-024

Ms. Polak made a motion to award \$600.00 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 05/01/12.

F 26. East Baton Rouge 11-085

Ms. Fanara made a motion to award \$4,500.00 for FUNERAL, \$5,000.00 for SUPPORT. Mr. DiBenedetto seconded the motion and the motion passed unanimously. The board also agreed to mark the case as "closed".

F 27. East Baton Rouge 12-083

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

F 28. East Baton Rouge 12-091

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

F 29. East Baton Rouge 13-005

Mr. DiBenedetto made a motion to award \$2,402.94 for WAGE. Ms. Fanara seconded the motion and the motion passed unanimously.

F 30. East Feliciana 12-012

Mr. DiBenedetto made a motion to award \$4,346.10 for FUNERAL. Ms. Polak seconded the motion and the motion passed unanimously.

V. ITEMS FOR FULL DISCUSSION

F 31. Iberia 12-008

Ms. Fanara made a motion to award \$720.36 for MEDICAL MILEAGE. Ms. Adcock seconded the motion and the motion passed unanimously.

F 32. Iberia 12-011

Ms. Polak made a motion to award \$4,139.00 for FUNERAL. Ms. Fanara seconded the motion and the motion passed unanimously.

F 33. Iberia 12-027

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

F 34. Iberia 13-005

Mr. DiBenedetto made a motion to deny. Ms. Williams seconded the motion. The motion failed. Mr. DiBenedetto made a motion to approve the eligibility of this claimant. The claim amounts were reduced by 50 % for contribution. Ms. Rodi seconded the motion and the motion passed unanimously.

F 35. Iberville 13-001

Ms. Polak made a motion to award \$2,500.00 for FUNERAL. The claim amounts were reduced by 50 % for contribution. Ms. Rodi seconded the motion and the motion passed 6 to 1 with no abstentions.

F 36. Jefferson 12-015

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

F 37. Jefferson 13-001

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

F 38. Lafayette 12-029

Ms. Polak made a motion to approve eligibility. Ms. Rodi seconded the motion. The motion failed. Ms. Polak made a motion to defer ruling awaiting more information. Ms. Williams seconded the motion and the motion passed unanimously.

F 39. Lafayette 12-030

Ms. Polak made a motion to award \$4,700.00 for MEDICAL, \$300.00 for AMBULANCE TRANSPORT (MEDICAL), \$5,000.00 for FUNERAL. Ms. Fanara seconded the motion and the motion passed unanimously. The board also agreed to mark the case as "closed".

F 40. Lafayette 12-034

Ms. Williams made a motion to award \$1,697.00 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 41. Lafourche 12-009

Ms. Polak made a motion to award \$270.00 for MENTAL HEALTH. Ms. Fanara

V. ITEMS FOR FULL DISCUSSION

seconded the motion and the motion passed unanimously. The board also agreed to request an Updated Mental Health Treatment Plan as of 01/16/13.

F 42. Lafourche 12-053

Ms. Polak made a motion to award \$300.00 for AMBULANCE TRANSPORT (MEDICAL), \$49.00 for MEDICAL. Ms. Fanara seconded the motion and the motion passed unanimously.

F 43. Lafourche 12-083

Ms. Williams 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 44. Lafourche 12-092

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

F 45. Natchitoches 12-008

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

F 46. Orleans 12-026

Ms. Rodi made a motion to award \$5,513.16 for WAGE, \$3,247.93 for MEDICAL. Ms. Polak seconded the motion and the motion passed unanimously. The board also agreed to mark the case as "closed".

F 47. Orleans 12-052

Ms. Rodi made a motion to award \$95.34 for MEDICAL but to defer payment of the ambulance expense until an itemized invoice is received. Ms. Polak seconded the motion and the motion passed unanimously.

F 48. Orleans 12-072

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

F 49. Orleans 12-086

Ms. Polak made a motion to award \$4,500.00 for FUNERAL. Ms. Rodi seconded the motion and the motion passed 7 to 1 with no abstentions.

F 50. Orleans 12-099

Ms. Rodi made a motion to award \$4,431.75 for FUNERAL. Ms. Fanara seconded the motion and the motion passed unanimously.

F 51. Orleans 12-100

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

F 52. Orleans 13-012

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

V. ITEMS FOR FULL DISCUSSION

F 53. Rapides 12-020

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

F 54. St. Charles 13-001

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

F 55. St. Charles 13-005

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

F 56. St. Helena 12-002

Ms. Williams made a motion to award \$3,996.50 for FUNERAL. Ms. Fanara seconded the motion and the motion passed unanimously.

F 57. St. Helena 12-004

Ms. Williams made a motion to defer. Ms. Adcock seconded the motion. The motion failed. Ms. Rodi made a motion to approve. Ms. Polak seconded the motion. The motion failed. Ms. Williams made a motion to defer ruling awaiting more information from law enforcement (location of victim). Ms. Adcock seconded the motion and the motion passed 5 to 2 with no abstentions.

F 58. St. John The Baptist 12-008

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

F 59. St. Landry 12-003

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

F 60. St. Landry 12-007

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

F 61. St. Landry 12-009

Ms. Fanara made a motion to award \$10,000.00 for MEDICAL. Ms. Williams seconded the motion and the motion passed unanimously.

F 62. St. Landry 12-010

Ms. Adcock made a motion to defer ruling awaiting more information from law enforcement (victim's name is not in the police report). Ms. Williams seconded the motion and the motion passed unanimously.

F 63. St. Martin 12-010

Ms. Rodi made a motion to award \$1,038.87 for CRIME SCENE CLEANUP. Ms. Williams seconded the motion and the motion passed unanimously.

V. ITEMS FOR FULL DISCUSSION

F 64. St. Tammany 12-013

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

F 65. Tangipahoa 12-009

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

F 66. Vermilion 12-009

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

F 67. Webster 12-005

Mr. Legendre made a motion to award \$3,000.00 for FUNERAL. Ms. Adcock seconded the motion and the motion passed unanimously.

VI. LATE ADDITIONS

L 1. Orleans 12-084

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

VII. OTHER BUSINESS

Mr. DiBenedetto made a motion to adjourn the meeting. Ms. Adcock seconded the motion. Mr. Davis adjourned the meeting at 10:55 a.m.