



# State of Louisiana Crime Victims Reparations Board MINUTES

**MEETING DATE:** November 18, 2014

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

**MEMBERS ABSENT:** , , Mr. Tyler Downing, Ms. Carolyn Stapleton,

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

**GUESTS PRESENT:** Erich Duchmann, Kent Wolkart, Alice Davis, Stephanie Minto-Gibson, Keva Sims, Jane Wood, Nancy Michel, Vickie Johnson, Jeddie Smith, Sammie Riley

## **I. CALL TO ORDER**

The monthly meeting of the Crime Victims Reparations Board for the date of November 18, 2014, was called to order by Mr. Davis at 9:15 a.m.

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

Ms. Williams made a motion to approve the minutes of the previous regular meeting. Ms. Fanara seconded the motion and the motion passed unanimously. Ms. Adcock made a motion to approve the minutes of the Special Meeting held on October 28, 2014. Ms.

### III. APPEALS

NONE

### IV. EMERGENCY CONFIRM/DENY

Ms. Williams 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 14-007

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 2. Caddo 13-072

Ms. Adcock made a motion to award \$858.00 for MEDICAL, \$153.72 for WAGE. Ms. Williams seconded the motion and the motion passed unanimously.

#### F 3. Caddo 14-025

Ms. Adcock made a motion to award \$22.94 for MEDICAL. Ms. Williams seconded the motion and the motion passed unanimously.

#### F 4. Caddo 14-030

Ms. Adcock made a motion to award \$10,000.00 for SUPPORT payable in two monthly installments of \$5,000. Ms. Williams seconded the motion and the motion passed unanimously. The board agreed to waive the one year deadline for applying for reparations.

#### F 5. Caddo 14-043

Ms. Adcock made a motion to award \$6,181.96 for MEDICAL, \$1,353.52 for WAGE. Ms. Williams seconded the motion and the motion passed unanimously.

#### F 6. Caddo 14-045

Ms. Adcock made a motion to award. Estimate approved for: \$1,500.00 for MEDICAL. Ms. Williams seconded the motion and the motion passed unanimously.

#### F 7. Caddo 14-047

Ms. Adcock made a motion to award \$314.86 for MEDICAL, \$20.00 for MENTAL HEALTH, \$66.74 for CRIME EVIDENCE. Ms. Polak seconded the motion and the motion passed unanimously.

#### F 8. Caddo 14-055

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

#### F 9. Caddo 14-056

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 10. Caddo 14-057**

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

**F 11. Caddo 14-060**

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

**F 12. Caddo 14-061**

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 14-062**

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

**F 14. Calcasieu 11-032**

Ms. Polak made a motion to award \$1,275.00 for MENTAL HEALTH. Ms. Rodi seconded the motion and the motion passed unanimously.

**F 15. Calcasieu 12-094**

Ms. Polak made a motion to approve the eligibility of this claimant. Ms. Rodi seconded the motion and the motion passed unanimously. The board agreed to increase the case maximum to \$25,000.

**F 16. Calcasieu 13-033**

Ms. Polak made a motion to award \$225.00 for MENTAL HEALTH. Ms. Fanara seconded the motion and the motion passed unanimously.

**F 17. Calcasieu 13-055**

Ms. Polak made a motion to award \$4,068.09 for MEDICAL. Ms. Fanara seconded the motion and the motion passed unanimously.

**F 18. Calcasieu 13-061**

Ms. Polak made a motion to award \$300.00 for MENTAL HEALTH. Mr. DiBenedetto seconded the motion and the motion passed unanimously.

**F 19. Calcasieu 14-058**

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

**F 20. Desoto 14-001**

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

**F 21. Desoto 14-002**

Ms. Adcock made a motion to award \$465.52 for MEDICAL. Ms. Polak seconded the motion and the motion passed unanimously.



**V. ITEMS FOR FULL DISCUSSION**

**F 22. East Baton Rouge 13-040**

Ms. Polak made a motion to defer claims awaiting insurance information. Ms. Adcock seconded the motion and the motion passed unanimously. The board also agreed to request an Updated Mental Health Treatment Plan as of 02/27/14.

**F 23. East Baton Rouge 14-077**

Ms. Fanara made a motion to defer ruling awaiting seatbelt information. Mr. DiBenedetto seconded the motion and the motion passed 6 to 1 with no abstentions.

**F 24. East Baton Rouge 14-109**

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

**F 25. East Baton Rouge 14-114**

Ms. Polak made a motion to defer ruling awaiting medical records from the hospital. Ms. Williams seconded the motion and the motion passed unanimously.

**F 26. East Baton Rouge 14-117**

Mr. DiBenedetto 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 27. East Feliciana 14-005**

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

**F 28. Iberia 14-014**

Ms. Polak made a motion to defer ruling awaiting more information from law enforcement (a supplemental police report). Ms. Williams seconded the motion and the motion passed unanimously.

**F 29. Jefferson 14-010**

Ms. Polak made a motion to award \$6,626.50 for MEDICAL. Ms. Rodi seconded the motion and the motion passed unanimously.

**F 30. Jefferson 14-019**

Ms. Rodi made a motion to award \$2,268.04 for MEDICAL. Ms. Polak seconded the motion and the motion passed unanimously.

**F 31. Jefferson 14-029**

Ms. Rodi made a motion to award. Estimate approved for: \$1,600.00 for MEDICAL. Mr. DiBenedetto seconded the motion and the motion passed unanimously.

**F 32. Lafayette 14-013**

Mr. DiBenedetto 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 33. Lafourche 14-012**

Mr. DiBenedetto made a motion to award \$300.00 for AMBULANCE TRANSPORT (MEDICAL), \$494.81 for MEDICAL. Ms. Fanara seconded the motion and the motion

**V. ITEMS FOR FULL DISCUSSION**

passed unanimously.

**F 34. Lafourche 14-019**

Mr. DiBenedetto made a motion to award \$590.00 for MENTAL HEALTH. Ms. Williams seconded the motion and the motion passed unanimously.

**F 35. Lafourche 14-044**

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

**F 36. Lafourche 14-045**

Ms. Rodi made a motion to award \$3,307.20 for WAGE. Ms. Williams seconded the motion and the motion passed unanimously.

**F 37. Madison 14-001**

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

**F 38. Madison 14-004**

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.

**F 39. Madison 14-005**

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

**F 40. Orleans 14-007**

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

**F 41. Orleans 14-019**

Ms. Rodi made a motion to award \$1,816.50 for MEDICAL. Ms. Williams seconded the motion and the motion passed unanimously.

**F 42. Orleans 14-022**

Ms. Rodi made a motion to award \$2,308.00 for MEDICAL expenses with a reduction in payment due to possible double-billing. Ms. Adcock seconded the motion and the motion passed unanimously.

**F 43. Orleans 14-029**

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

**F 44. Orleans 14-076**

Mr. DiBenedetto 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.



**V. ITEMS FOR FULL DISCUSSION**

**F 44. Orleans 14-076**

Mr. DiBenedetto 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 45. Orleans 14-077**

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

**F 46. Orleans 14-083**

Ms. Rodi made a motion to award \$730.80 for WAGE. Ms. Polak seconded the motion and the motion passed unanimously.

**F 47. Ouachita 14-002**

Ms. Polak made a motion to award \$9,399.89 for MEDICAL, \$600.00 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 48. Rapides 13-012**

Ms. Fanara made a motion to defer ruling awaiting an Initial Treatment Plan from 10/17/13 and a Treatment Update as of 4/17/14 from your mental health provider. Ms. Rodi seconded the motion and the motion passed unanimously.

**F 49. Sabine 13-016**

Ms. Polak made a motion to award \$509.65 for MEDICAL. Ms. Fanara seconded the motion and the motion passed unanimously.

**F 50. St. Tammany 14-001**

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

**F 51. St. Tammany 14-008**

Ms. Polak made a motion to award \$1,936.76 for MEDICAL, \$45.24 for MEDICAL MILEAGE, \$1,238.40 for WAGE. Ms. Fanara seconded the motion and the motion passed unanimously.

**F 52. West Baton Rouge 14-002**

Ms. Polak made a motion to award \$1,338.04 for MEDICAL. Mr. DiBenedetto seconded the motion and the motion passed unanimously.

**VI. LATE ADDITIONS**

**L 1. Caddo 14-048**

Ms. Polak made a motion to award \$900.00 for MENTAL HEALTH. Ms. Adcock seconded the motion and the motion passed unanimously. The board also agreed to mark the case as "closed".

**L 2. Jefferson 14-025**

Ms. Polak made a motion to approve the eligibility of this claimant. Ms. Williams

## VI. LATE ADDITIONS

seconded the motion and the motion passed unanimously.

### L 3. Orleans 98-044

Ms. Polak made a motion to award \$1,192.93 for WAGE. Ms. Rodi seconded the motion and the motion passed unanimously. The board also agreed to mark the case as "closed".

### L 4. Orleans 14-045

Ms. Rodi made a motion to award \$7,227.73 for MEDICAL, \$1,032.31 for AMBULANCE TRANSPORT (MEDICAL), \$7,892.64 for WAGE. Ms. Polak seconded the motion and the motion passed unanimously. The board agreed to increase the case maximum to \$25,000.

## VII. OTHER BUSINESS

The Board discussed issues relating to Sexual Assault crimes. The victim should incur NO costs and receive NO bills. Forensic examination costs should be set statewide (by DHH).

Ms. Polak made a motion to adjourn the meeting. Ms. Adcock seconded the motion. Mr. Davis adjourned the meeting at 11:28 a.m.