



# State of Louisiana Crime Victims Reparations Board MINUTES

**MEETING DATE:** June 16, 2015

**MEMBERS PRESENT:** Ms. Nancy Adcock, Mr. Carroll DiBenedetto, Sr., Mr. Tyler Downing, Ms. Ann Polak, Ms. Sharon Rodi, Ms. Keva Sims, Ms. Amanda Tonkovich, Ms. Lucille Williams,

**MEMBERS ABSENT:** Mr. Lamarr Davis,

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

**GUESTS PRESENT:** Erich Duchmann, Jeddie Smith, Vickie Johnson, Damon Johnson, Jane Wood, Rikee Ruffin, Stephanie Minto

## **I. CALL TO ORDER**

Ms. Polak called the meeting of the Crime Victims Reparations Board for the date of June 16, 2015 to order at 9:05 a.m.

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

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

### III. APPEALS

#### A 1. Orleans 14-142

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

#### A 2. St. Martin 15-004

Mr. Downing made a motion to overturn the previous decision and to approve the eligibility of this claimant. Ms. Rodi seconded the motion and the motion passed unanimously.

### IV. EMERGENCY CONFIRM/DENY

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

### V. ITEMS FOR FULL DISCUSSION

#### F 1. Avoyelles 15-002

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.

#### F 2. Beauregard 13-010

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

#### F 3. Bossier 14-011

Ms. Adcock made a motion to approve the eligibility of this claimant. Any claim payments will be reduced by 50 % for contribution. Ms. Williams seconded the motion and the motion passed unanimously.

#### F 4. Caddo 14-064

Ms. Adcock made a motion to award \$1,736.02 for MEDICAL. Ms. Williams seconded the motion and the motion passed unanimously.

#### F 5. Caddo 15-024

Ms. Adcock made a motion to award \$153.73 for WAGE. The requested claim to reimburse for five days of lost wages was reduced to payment of two days of lost wages because no information was included from a physician or mental health provider documenting the necessity of missing five days of work. Ms. Sims seconded the motion and the motion passed unanimously.

#### F 6. Caddo 15-028

Ms. Adcock made a motion to defer ruling awaiting a death certificate and more information from law enforcement. Mr. Downing seconded the motion and the motion passed unanimously.

## V. ITEMS FOR FULL DISCUSSION

### F 7. Caddo 15-029

Ms. Adcock made a motion to award \$400.00 for MENTAL HEALTH. Ms. Williams seconded the motion and the motion passed unanimously.

### F 8. Caddo 15-030

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 15-032

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

### F 10. Calcasieu 11-032

Mr. DiBenedetto made a motion to award \$1,127.11 for MENTAL HEALTH. Ms. Adcock seconded the motion and the motion passed unanimously.

### F 11. Calcasieu 13-061

Ms. Williams made a motion to award \$825.00 for MENTAL HEALTH. Mr. Downing seconded the motion and the motion passed unanimously. The Board also requested that the mental health provider be made aware that the total paid for mental health expenses to date is \$2,400 and that the maximum allowable mental health expenses is \$2,500.

### F 12. Calcasieu 14-075

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

### F 13. Calcasieu 15-019

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

### F 14. Calcasieu 15-020

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

### F 15. Calcasieu 15-021

Mr. Downing made a motion to approve the eligibility of this claimant. Ms. Sims seconded the motion and the motion passed unanimously. The Board is also concerned about why no arrest has been made and would like to obtain information as to the reason for this.

### F 16. Calcasieu 15-022

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

### F 17. Calcasieu 15-023

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

## V. ITEMS FOR FULL DISCUSSION

### F 18. Calcasieu 15-024

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

### F 19. Calcasieu 15-025

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

### F 20. Calcasieu 15-027

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

### F 21. Calcasieu 15-028

Ms. Adcock made a motion to approve the eligibility of this claimant. Any claim payments will be reduced by 50 % for contribution. Ms. Williams seconded the motion and the motion passed unanimously. The Board also requested that a death certificate be submitted.

### F 22. Calcasieu 15-029

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

### F 23. Calcasieu 15-030

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

### F 24. Calcasieu 15-031

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

### F 25. Calcasieu 15-032

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

### F 26. Calcasieu 15-033

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

### F 27. Calcasieu 15-034

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

### F 28. Claiborne 14-010

Ms. Adcock made a motion to deny under authority of R.S. 46:1809 B(1) (crime definition) and under authority of LAC22:8.301(A)(1)(a)(ii) (felony convictions). Ms. Sims seconded the motion and the motion passed unanimously.

**V. ITEMS FOR FULL DISCUSSION**

**F 29. Concordia 14-003**

Ms. Tonkovich made a motion to award \$357.28 for WAGE. Ms. Rodi seconded the motion and the motion passed unanimously.

**F 30. East Baton Rouge 14-030**

Mr. DiBenedetto made a motion to approve the eligibility of this claimant. Ms. Rodi seconded the motion and the motion passed 7 to 0 with 1 recusal

**F 31. Iberia 14-014**

Ms. Rodi made a motion to award \$3,000.00 for WAGE. Ms. Adcock seconded the motion and the motion passed unanimously.

**F 32. Jefferson 14-020**

Ms. Rodi made a motion to approve the eligibility of this claimant. Mr. DiBenedetto seconded the motion and the motion passed unanimously. The Board requested that a death certificate be submitted.

**F 33. Jefferson 14-024**

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

**F 34. Jefferson 14-033**

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

**F 35. Jefferson 14-041**

Ms. Rodi made a motion to award \$3,492.99 for WAGE. Mr. Downing seconded the motion and the motion passed unanimously.

**F 36. Jefferson 14-043**

Ms. Rodi made a motion to award \$2,600.69 for FUNERAL. Ms. Sims seconded the motion and the motion passed unanimously.

**F 37. Jefferson 15-009**

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

**F 38. Lafayette 13-010**

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

**F 39. Lafayette 14-018**

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

**F 40. Lafourche 14-018**

Ms. Rodi made a motion to approve the eligibility of this claimant. Ms. Sims 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 41. Lafourche 15-016

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

### F 42. Lafourche 15-017

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

### F 43. Livingston 14-008

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

### F 43. Livingston 14-008

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

### F 44. Orleans 13-034

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

### F 45. Orleans 13-061

Ms. Rodi made a motion to award \$1,130.00 for MENTAL HEALTH. Ms. Tonkovich seconded the motion and the motion passed unanimously. The board also agreed to request an Updated Mental Health Treatment Plan as of 06/01/15.

### F 46. Orleans 13-069

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

### F 47. Orleans 13-134

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

### F 48. Orleans 13-135

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

### F 49. Orleans 13-137

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

### F 50. Orleans 13-138

Ms. Rodi made a motion to approve the eligibility of this claimant but to request a supplemental police report. Ms. Williams seconded the motion and the motion passed unanimously.

### F 51. Orleans 14-007

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

**V. ITEMS FOR FULL DISCUSSION**

**F 52. Orleans 14-045**

Ms. Adcock made a motion to award \$3,878.97 for WAGE. Ms. Williams seconded the motion and the motion passed unanimously. The board also agreed to mark the case as "closed".

**F 53. Orleans 14-061**

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

**F 54. Orleans 14-069**

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

**F 55. Orleans 14-071**

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

**F 56. Orleans 14-077**

Ms. Rodi made a motion to award \$1,444.30 for WAGE. Ms. Tonkovich seconded the motion and the motion passed unanimously.

**F 57. Orleans 14-082**

Ms. Williams 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 58. Orleans 14-088**

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

**F 59. Orleans 14-099**

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

**F 60. Orleans 14-148**

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

**F 61. Orleans 14-151**

Mr. DiBenedetto made a motion to deny. The motion failed. Ms. Rodi made a motion to approve the eligibility of this claimant. Ms. Tonkovich seconded the motion and the motion passed 7 to 1 with no abstentions.

**F 62. Orleans 14-152**

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

**F 63. Orleans 14-154**

Ms. Rodi made a motion to approve the eligibility of this claimant but to request a supplemental police report. Ms. Tonkovich seconded the motion and the motion passed

## V. ITEMS FOR FULL DISCUSSION

unanimously.

### F 64. Orleans 14-155

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

### F 65. Orleans 14-156

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

### F 66. Orleans 14-159

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

### F 67. Orleans 14-160

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

### F 68. Orleans 14-161

Ms. Sims made a motion to approve the eligibility of this claimant but to request that a supplemental police report be submitted to the Board. Mr. Downing seconded the motion and the motion passed unanimously.

### F 69. Orleans 14-162

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

### F 70. Orleans 14-164

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

### F 71. Orleans 15-003

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

### F 72. Orleans 15-005

Ms. Sims made a motion to approve eligibility but to defer payment of the Lost Wages claim until an Employment Verification Form is received. Mr. DiBenedetto seconded the motion and the motion passed unanimously.

### F 73. Orleans 15-027

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

### F 74. Ouachita 14-016

Ms. Adcock made a motion to award \$300.00 for MEDICAL, \$1,870.00 for FUNERAL. Ms. Sims seconded the motion and the motion passed unanimously.

**V. ITEMS FOR FULL DISCUSSION**

**F 75. Rapides 14-001**

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

**F 76. Rapides 14-003**

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

**F 77. St. Bernard 15-001**

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

**F 78. St. Charles 15-008**

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

**F 79. St. Charles 15-012**

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

**F 80. St. Charles 15-013**

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

**F 81. St. Charles 15-014**

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

**F 82. St. Charles 15-015**

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

**F 83. St. Charles 15-016**

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

**F 84. St. John The Baptist 15-002**

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

**F 85. St. Landry 14-008**

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

**F 86. St. Martin 15-006**

Ms. Rodi 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 87. St. Mary 15-001

Ms. Rodi made a motion to approve the eligibility of this claimant. Ms. Tonkovich seconded the motion and the motion passed 6 to 2 with no abstentions.

### F 88. St. Tammany 13-021

Mr. Downing made a motion to award \$2,246.40 for WAGE. Ms. Williams seconded the motion and the motion passed unanimously.

### F 89. St. Tammany 15-006

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

### F 90. St. Tammany 15-007

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

### F 91. Terrebonne 13-007

Ms. Williams made a motion to award \$256.08 for AMBULANCE TRANSPORT (MEDICAL), \$154.00 for MEDICAL. Ms. Adcock seconded the motion and the motion passed unanimously.

### F 92. Winn 14-001

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

## VI. LATE ADDITIONS

### L 1. Calcasieu 13-067

Mr. Downing made a motion to award \$525.00 for MENTAL HEALTH. Ms. Williams seconded the motion and the motion passed unanimously. The board also agreed to request an Updated Mental Health Treatment Plan as of 06/16/15.

## V. ITEMS FOR FULL DISCUSSION

### L 2. Calcasieu 15-008

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

## VI. LATE ADDITIONS

### L 3. East Baton Rouge 15-008

Ms. Sims made a motion to award \$334.56 for MEDICAL MILEAGE. Ms. Williams seconded the motion and the motion passed unanimously.

### L 4. St. Charles 14-034

Mr. Downing made a motion to award \$595.00 for MENTAL HEALTH. Ms. Rodi seconded the motion and the motion passed unanimously.

**VI. LATE ADDITIONS**

**L 5. St. Charles 14-035**

Mr. Downing made a motion to award \$595.00 for MENTAL HEALTH. Ms. Williams seconded the motion and the motion passed unanimously.

**V. ITEMS FOR FULL DISCUSSION**

**L 6. Vermilion 14-009**

Ms. Rodi made a motion to award \$240.00 for MENTAL HEALTH, to deny the expense for genetics testing, and to defer the remaining medical expenses for detailed information. Mr. Downing seconded the motion and the motion passed unanimously.

**VI. LATE ADDITIONS**

**L 7. Calcasieu 14-063**

Ms. Adcock made a motion to award \$450.00 for MENTAL HEALTH. Mr. Downing seconded the motion and the motion passed unanimously. The board also agreed to request an Updated Mental Health Treatment Plan as of 04/06/15.

**L 8. Ascension 14-004**

Ms. Williams made a motion to award \$6,000.00 for WAGE. Mr. DiBenedetto seconded the motion and the motion passed unanimously.

**L 9. Iberville 15-003**

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

**L 10. Iberia 15-003**

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

**L 11. East Baton Rouge 14-076**

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

## VII. OTHER BUSINESS

The Board discussed how to pay lost wages reimbursement claims for a week or less when there is no Disability Verification Form. The Board discussed the renewal of Dr. Erich Duchmann's contract. Mr. DiBenedetto made a motion to renew Dr. Duchmann's contract. Ms. Williams seconded the motion and the motion passed unanimously. The Board ruled to skip the July, 2015 Board meeting due to financial issues but to return to the normal meeting schedule of the 2nd Tuesday of each month in August, 2015.

Ms. Rodi made a motion to adjourn the meeting. Ms. Williams seconded the motion. Ms. Polak adjourned the meeting at 11:50 a.m.