**BOBBY JINDAL**
GOVERNOR

**JOEY WATSON**
EXECUTIVE DIRECTOR

# State of Louisiana
# Crime Victims Reparations Board
## MINUTES

**MEETING DATE:** **August 11, 2015**

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

**MEMBERS ABSENT:** , , Ms. Nancy Adcock, Mr. Lamarr Davis, Ms. Lucille Williams,

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

**GUESTS PRESENT:** Erich Duchmann, Kent Wolkart, Jane Wood, Rikee Ruffin, Stephanie Minto-Gibson, Jade Mariano

### I. CALL TO ORDER

Ms. Rodi called the Crime Victims Reparations Board meeting for the date of August 11, 2015, to order at 9:15 a.m. The five Board members present, acting as a committee,

### II. APPROVAL OF MINUTES OF PREVIOUS MEETING

Mr. Downing made a motion to approve the minutes of the previous Board meeting. Ms. Rodi seconded the motion and the motion was passed unanimously.

## III. APPEALS

### A 1. Lafayette 14-016

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

### A 2. Orleans 14-107

Mr. DiBenedetto made a motion to deny for illegal activity. The motion failed. Ms. Sims made a motion to defer ruling awaiting supplemental police report. Mr. DiBenedetto seconded the motion and the motion passed unanimously.

## IV. EMERGENCY CONFIRM/DENY

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

## V. ITEMS FOR FULL DISCUSSION

### F 1. Ascension 14-006

Mr. Downing made a motion to award $1,225.39 for WAGE, $8,474.61 for MEDICAL, $300.00 for AMBULANCE TRANSPORT (MEDICAL). Mr. DiBenedetto seconded the motion and the motion passed unanimously.

### F 2. Ascension 15-003

Mr. Downing made a motion to award $5,000.00 for LOST WAGE REIMBURSEMENT. Ms. Sims seconded the motion and the motion passed unanimously. The board agreed to increase the case maximum to $25,000.

### F 3. Bossier 15-003

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

### F 4. Caddo 14-003

Ms. Sims made a motion to award $2,972.73 for MEDICAL, $300.00 for AMBULANCE TRANSPORT (MEDICAL). Ms. Tonkovich seconded the motion and the motion passed unanimously.

### F 5. Caddo 15-035

Mr. DiBenedetto 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 6. Caddo 15-036

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

### F 7. Caddo 15-037

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

## V. ITEMS FOR FULL DISCUSSION

**F 8. Caddo 15-038**

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

**F 9. Caddo 15-039**

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

**F 10. Calcasieu 14-002**

Ms. Sims made a motion to award $300.00 for AMBULANCE TRANSPORT (MEDICAL), $83.05 for MEDICAL. Ms. Tonkovich seconded the motion and the motion passed unanimously.

**F 11. Calcasieu 14-003**

Mr. Downing made a motion to deny under authority of LAC22:8.301(A)(1)(a)(ii) (felony convictions) and under authority of R.S. 46:1809 B(3)(b) (failed or refused cooperation). Mr. DiBenedetto seconded the motion and the motion passed unanimously.

**F 12. Calcasieu 14-021**

Ms. Sims made a motion to award $750.00 for MENTAL HEALTH. Ms. Tonkovich seconded the motion and the motion passed unanimously.

**F 13. Calcasieu 14-024**

Mr. Downing made a motion to award $415.39 for MEDICAL. Ms. Sims seconded the motion and the motion passed unanimously.

**F 14. Calcasieu 14-044**

Ms. Tonkovich made a motion to award $7,013.10 for MEDICAL, $2,686.90 for WAGE, $300.00 for AMBULANCE TRANSPORT (MEDICAL). Ms. Sims seconded the motion and the motion passed unanimously.

**F 15. Calcasieu 14-046**

Mr. Downing made a motion to award $612.82 for MEDICAL, $300.00 for AMBULANCE TRANSPORT (MEDICAL). Ms. Tonkovich seconded the motion and the motion passed unanimously.

**F 16. Calcasieu 14-070**

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

**F 16. Calcasieu 14-070**

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

**F 17. Calcasieu 15-005**

Ms. Sims made a motion to award $25.00 for MENTAL HEALTH. Mr. Downing seconded the motion and the motion passed unanimously.

## V. ITEMS FOR FULL DISCUSSION

**F 18. Calcasieu 15-018**

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

**F 19. Calcasieu 15-037**

Ms. Sims 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 19. Calcasieu 15-037**

Ms. Sims 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 19. Calcasieu 15-037**

Ms. Sims 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 20. Calcasieu 15-038**

Mr. DiBenedetto made a motion to defer ruling awaiting police report. Mr. Downing seconded the motion and the motion passed unanimously.

**F 21. Calcasieu 15-043**

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

**F 22. Calcasieu 15-044**

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

**F 23. Calcasieu 15-045**

Mr. Downing made a motion to defer ruling awaiting location of victim. Ms. Sims seconded the motion and the motion passed unanimously.

**F 24. Calcasieu 15-046**

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

**F 25. Calcasieu 15-049**

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

**F 26. Calcasieu 15-050**

Mr. DiBenedetto made a motion to defer ruling awaiting outcome of criminal charges. Ms. Sims seconded the motion and the motion passed unanimously.

**F 27. Calcasieu 15-053**

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

## V. ITEMS FOR FULL DISCUSSION

**F 28. Calcasieu 15-056**

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

**F 29. East Baton Rouge 13-087**

Mr. DiBenedetto made a motion to award $2,738.51 for MEDICAL. Mr. Downing seconded the motion and the motion passed 5 to 0 with 1 recusal.

**F 30. East Baton Rouge 13-088**

Mr. DiBenedetto made a motion to approve eligibility, award $29.15 for MEDICAL (to Pathology Group of Louisiana), but to defer payment of the claim to Our Lady of the Lake Regional Medical Center until an itemized invoice is received. Mr. Downing seconded the motion and the motion passed 5 to 0 with 1 recusal.

**F 31. East Baton Rouge 14-003**

Mr. DiBenedetto made a motion to award $898.33 for MEDICAL, $150.00 for AMBULANCE TRANSPORT (MEDICAL). The claim amounts were reduced by 50 % for contribution. Mr. Downing seconded the motion and the motion passed 5 to 0 with 1 recusal.

**F 32. East Baton Rouge 14-023**

Mr. DiBenedetto made a motion to award $1,103.19 for MEDICAL. Ms. Tonkovich seconded the motion and the motion passed 5 to 0 with 1 recusal.

**F 33. East Baton Rouge 14-138**

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

**F 34. East Carroll 15-001**

Mr. Downing made a motion to approve the eligibility of this claimant. Ms. Tonkovich seconded the motion and the motion passed unanimously. The Board also requested that a death certificate be submitted with any future claims.

**F 35. Iberia 14-012**

Mr. DiBenedetto made a motion to award $2,340.00 for WAGE. Ms. Sims seconded the motion and the motion passed unanimously.

**F 36. Iberia 15-006**

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

**F 37. Iberia 15-007**

Mr. Downing made a motion to approve the eligibility of this claimant. Ms. Tonkovich seconded the motion and the motion passed unanimously. The Board also requested that the entire case be returned to them with any future claims.

**F 38. Iberville 15-004**

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

## V. ITEMS FOR FULL DISCUSSION

**F 39. Jefferson 14-004**

Mr. Downing made a motion to award $75.90 for MEDICAL. Ms. Tonkovich seconded the motion and the motion passed unanimously.

**F 40. Jefferson 14-041**

Ms. Sims made a motion to award $2,763.01 for WAGE. Ms. Tonkovich seconded the motion and the motion passed unanimously.

**F 41. Jefferson 15-014**

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.

**F 42. Lafourche 12-015**

Ms. Tonkovich made a motion to award $300.00 for AMBULANCE TRANSPORT (MEDICAL), $991.38 for MEDICAL. Mr. Downing seconded the motion and the motion passed unanimously.

**F 43. Lafourche 15-005**

Mr. DiBenedetto made a motion to award $5,949.60 for WAGE. Mr. Downing seconded the motion and the motion passed unanimously.

**F 44. Lafourche 15-018**

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

**F 45. Lafourche 15-019**

Mr. DiBenedetto made a motion to deny under authority of R.S. 46:1809 B(1) (no evidence of crime) and under authority of LAC22:8.301(A)(1)(a)(iii) (victim contribution). Ms. Sims seconded the motion and the motion passed unanimously.

**F 46. Lafourche 15-020**

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

**F 47. Orleans 14-007**

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

**F 48. Orleans 14-011**

Ms. Tonkovich made a motion to award $300.00 for AMBULANCE TRANSPORT (MEDICAL), $819.84 for MEDICAL. Ms. Sims seconded the motion and the motion passed unanimously.

**F 49. Orleans 14-016**

Ms. Sims made a motion to award $6,046.70 for MEDICAL. Ms. Tonkovich seconded the motion and the motion passed unanimously.

## V. ITEMS FOR FULL DISCUSSION

**F 50. Orleans 14-018**

Ms. Tonkovich made a motion to award $300.05 for MEDICAL. Ms. Sims seconded the motion and the motion passed unanimously.

**F 51. Orleans 14-078**

Mr. Downing 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.

**F 52. Orleans 14-102**

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

**F 53. Orleans 14-108**

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

**F 54. Orleans 14-115**

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

**F 55. Orleans 14-119**

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

**F 56. Orleans 14-122**

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

**F 57. Orleans 14-146**

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

**F 58. Orleans 14-163**

Mr. Downing made a motion to approve the eligibility of this claimant. Ms. Tonkovich seconded the motion and the motion passed 5 to 1 with no abstentions.

**F 59. Sabine 13-014**

Ms. Tonkovich made a motion to award $432.06 for MEDICAL. Ms. Sims seconded the motion and the motion passed unanimously.

**F 60. Sabine 14-004**

Ms. Sims made a motion to defer claims awaiting a completed and signed Disability Verification Form signed by the victim's doctor (not by the victim) and documentation from the health provider showing dates of service matching the medical mileage claim. Mr. Downing seconded the motion and the motion passed unanimously.

**F 61. St. Bernard 15-002**

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

## V. ITEMS FOR FULL DISCUSSION

**F 62. St. Charles 15-010**

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

**F 63. St. Charles 15-017**

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

**F 64. St. Charles 15-018**

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

**F 65. St. Charles 15-019**

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

**F 66. St. Charles 15-020**

Mr. DiBenedetto made a motion to defer ruling awaiting a supplemental police report. Ms. Sims seconded the motion and the motion passed unanimously.

**F 67. St. Charles 15-022**

Mr. Downing made a motion to defer ruling awaiting an update on the victim's living situation (is she still living with the offender?). Ms. Tonkovich seconded the motion and the motion passed unanimously.

**F 68. St. Charles 15-023**

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

**F 69. St. Charles 15-024**

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

**F 70. St. Charles 15-025**

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

**F 71. St. Charles 15-026**

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

**F 72. St. Charles 15-027**

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

**F 73. St. Charles 15-028**

Ms. Sims 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 74. St. Charles 15-029**

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

**F 75. St. Charles 15-030**

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

**F 76. St. Charles 15-031**

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

**F 77. St. Charles 15-032**

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

**F 78. St. Charles 15-033**

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

**F 79. St. Charles 15-034**

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 15-035**

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

**F 81. St. Charles 15-038**

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

**F 82. St. Charles 15-039**

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

**F 83. St. Charles 15-040**

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

**F 84. St. Charles 15-041**

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

**F 85. St. Helena 12-003**

Ms. Sims made a motion to award $2,500.00 for FUNERAL. The claim amounts were reduced by 50 % for contribution. Mr. Downing seconded the motion and the motion passed unanimously.

## V. ITEMS FOR FULL DISCUSSION

**F 86. St. James 14-003**

Ms. Sims made a motion to award $9,700.00 for MEDICAL, $300.00 for AMBULANCE TRANSPORT (MEDICAL). Ms. Tonkovich seconded the motion and the motion passed unanimously.

**F 87. St. Mary 13-005**

Ms. Sims made a motion to award $9,400.00 for MEDICAL, $600.00 for AMBULANCE TRANSPORT (MEDICAL). Ms. Tonkovich seconded the motion and the motion passed unanimously. The board also agreed to mark the case as "closed".

**F 88. St. Mary 13-014**

Ms. Sims made a motion to defer ruling awaiting supplemental police report. Mr. Downing seconded the motion and the motion passed unanimously.

**F 89. St. Tammany 15-008**

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

**F 90. St. Tammany 15-009**

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

**F 91. St. Tammany 15-010**

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

**F 92. St. Tammany 15-011**

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

**F 93. Tangipahoa 14-003**

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 94. Washington 14-005**

Mr. Downing made a motion to award $325.60 for MEDICAL. Ms. Sims seconded the motion and the motion passed unanimously.

## VII. OTHER BUSINESS

When the sixth Board member, who was unavoidably detained, arrived, she took control of the meeting and reviewed the recommendations of the committee. Mr. Downing made a motion to make the recommendations permanent. Ms. Rodi seconded the motion. The motion passed unanimously.

CHAR13-029 -- Mr. Downing made a motion to extend the mental health treatment maximum from $2,500 to a maximum of up to $5,000. Ms. Sims seconded the motion and the motion passed unanimously.

Mr. Wertz discussed new rules regarding sexual assault.

Mr. Downing made a motion to adjourn the meeting. Ms. Tonkovich seconded the motion. Ms. Polak adjourned the meeting at 11:25 a.m.