

M I N U T E S

MEETING DATE: August 14, 2012

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. Carolyn Stapleton, Ms. Lucille Williams,

MEMBERS ABSENT: Mr. Kenneth Jones, Mr. Jimmy Pohlmann,

STAFF PRESENT: Carla Trahan, Margaret Watson

GUESTS PRESENT: Doug Lauter, Tina Fruge, Kent Wolkart, Jade Moriana, Tiffany Veal, Vernon Stevens, Greg Maurin, Sami Riley, Mindy Aldridge, Jena Copponex, Erich Duchmann

I. CALL TO ORDER

The monthly meeting of the Crime Victims Reparations Board for the date of August 14, 2012, was called too order by Mr. Davis at 9:15 a.m.

II. APPROVAL OF MINUTES OF PREVIOUS MEETING

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

III. APPEALS

A 1. Calcasieu 12-011

Mr. DiBenedetto 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.

A 2. Concordia 12-001

Mr. DiBenedetto made a motion to deny under authority of R.S. 46:1809 B(1) (crime definition). Ms. Stapleton seconded the motion and the motion passed 8 to 0 with 1 abstention.

A 3. East Baton Rouge 12-011

Ms. Polak made a motion to award \$2,381.52 for FUNERAL. Estimate approved for: \$1,758.00 for FUNERAL. Ms. Rodi seconded the motion and the motion passed 8 to 0 with 1 abstention.

A 4. Orleans 11-161

Ms. Polak made a motion to award \$5,000.00 for FUNERAL. Ms. Rodi seconded the motion and the motion passed 7 to 1 with 1 abstention.

A 5. Orleans 11-184

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

V. ITEMS FOR FULL DISCUSSION

F 1. Assumption 11-010

Ms. Williams made a motion to award \$5,522.10 for MEDICAL. Ms. Fanara seconded the motion and the motion passed unanimously.

F 2. Assumption 12-001

Ms. Polak made a motion to award \$3,669.89 for MEDICAL. Ms. Williams seconded the motion and the motion passed unanimously.

F 3. Avoyelles 11-004

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

F 4. Beauregard 11-003

Ms. Polak made a motion to award \$1,041.90 for FUNERAL. Ms. Stapleton seconded the motion and the motion passed unanimously.

F 5. Beauregard 11-010

Ms. Stapleton made a motion to award \$1,072.24 for MEDICAL. Ms. Williams seconded the motion and the motion passed unanimously.

V. ITEMS FOR FULL DISCUSSION

F 6. Bossier 12-003

Ms. Adcock made a motion to award \$299.56 for MEDICAL. Ms. Williams seconded the motion and the motion passed unanimously.

F 7. Bossier 12-004

Ms. Adcock made a motion to award \$2,500.00 for FUNERAL. Mr. Legendre seconded the motion and the motion passed unanimously.

F 8. Bossier 12-011

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

F 9. Caddo 11-044

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

F 10. Caddo 11-053

Ms. Adcock made a motion to approve the eligibility of this claimant. The claim amounts were reduced by 50 % for contribution. Ms. Williams seconded the motion and the motion passed 6 to 3 with no abstentions. The board agreed to waive the one year deadline for applying for reparations.

F 11. Caddo 11-068

Ms. Adcock made a motion to deny under authority of R.S. 46:1809 B(1) (no evidence of crime). Mr. DiBenedetto seconded the motion and the motion passed unanimously.

F 12. Caddo 12-001

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

F 13. Caddo 12-007

Ms. Adcock made a motion to award \$624.23 for MEDICAL. Mr. Legendre seconded the motion and the motion passed unanimously.

F 14. Caddo 12-021

Ms. Adcock made a motion to defer ruling awaiting more information. Ms. Polak seconded the motion and the motion passed unanimously.

F 15. Calcasieu 08-015

Ms. Polak made a motion to award \$780.29 for WAGE. Ms. Fanara seconded the motion and the motion passed unanimously.

F 16. Calcasieu 08-022

Ms. Polak made a motion to award \$600.00 for MENTAL HEALTH. Mr. Legendre seconded the motion and the motion passed unanimously. The Board declined to make a decision on increasing the maximum eligibility but requested updated letters specifically stating total and permanent disability status.

F 17. Calcasieu 09-066

Ms. Polak made a motion to award \$912.50 for MENTAL HEALTH. Ms. Rodi seconded

V. ITEMS FOR FULL DISCUSSION

the motion and the motion passed unanimously. The Board also made a motion to only consider mental health claims with dates of service through the end of October, 2012.

F 18. Calcasieu 11-068

Mr. DiBenedetto made a motion to award \$431.76 for MEDICAL, \$22.50 for MENTAL HEALTH. Ms. Polak seconded the motion and the motion passed unanimously.

F 19. Calcasieu 12-002

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

F 20. Calcasieu 12-007

Ms. Polak made a motion to award \$562.32 for MEDICAL. The claim amounts were reduced by 50 % for contribution. Ms. Stapleton seconded the motion and the motion passed unanimously.

F 21. Calcasieu 12-014

Ms. Polak made a motion to award \$1,294.77 for MEDICAL. Ms. Fanara seconded the motion and the motion passed unanimously.

F 22. Calcasieu 12-017

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 23. Calcasieu 12-025

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

F 24. Calcasieu 12-026

Ms. Polak made a motion to deny under authority of R.S. 46:1809 B(1) (no evidence of crime). Ms. Fanara seconded the motion and the motion passed unanimously. The Board would like the claimant to know that this stated victim is a secondary victim and may be eligible for services under CALC12-027.

F 25. Calcasieu 12-027

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

F 26. Calcasieu 12-031

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

F 27. Calcasieu 12-032

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

F 28. Calcasieu 12-035

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

V. ITEMS FOR FULL DISCUSSION

F 29. Concordia 12-008

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

F 30. Desoto 12-001

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 31. Desoto 12-002

Ms. Adcock made a motion to approve the eligibility of this claimant. Mr. DiBenedetto seconded the motion and the motion passed unanimously. The Board also requested that they receive the entire case with any future claims.

F 32. East Baton Rouge 10-032

Ms. Stapleton made a motion to award \$514.08 for MEDICAL MILEAGE. Estimate approved for: \$12,824.40 for MEDICAL. Ms. Fanara seconded the motion and the motion passed unanimously.

F 33. East Baton Rouge 10-088

Ms. Stapleton made a motion to award \$241.01 for MEDICAL. Mr. Legendre seconded the motion and the motion passed unanimously.

F 34. East Baton Rouge 12-004

Ms. Stapleton made a motion to award \$1,018.93 for MEDICAL. Ms. Polak seconded the motion and the motion passed unanimously.

F 35. East Baton Rouge 12-021

Ms. Stapleton made a motion to award \$9,500.00 for WAGE. Ms. Rodi seconded the motion and the motion passed unanimously.

F 36. East Baton Rouge 12-023

Ms. Stapleton made a motion to award \$300.00 for AMBULANCE TRANSPORT (MEDICAL), \$9,700.00 for MEDICAL. Mr. DiBenedetto seconded the motion and the motion passed unanimously.

F 37. East Baton Rouge 12-026

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

F 38. East Baton Rouge 12-035

Ms. Stapleton made a motion to award \$9,200.00 for MEDICAL, \$300.00 for AMBULANCE TRANSPORT (MEDICAL). Mr. Legendre seconded the motion and the motion passed unanimously. The board also agreed to mark the case as "closed".

F 39. East Baton Rouge 12-045

Ms. Stapleton made a motion to award \$1,132.74 for CHILD CARE. Ms. Fanara seconded the motion and the motion passed unanimously.

F 40. East Baton Rouge 12-048

Ms. Stapleton 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 41. Iberia 12-004

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 42. Iberia 12-006

Ms. Stapleton made a motion to award \$2,347.52 for WAGE, \$2,653.45 for MEDICAL, \$300.00 for AMBULANCE TRANSPORT (MEDICAL). Mr. Legendre seconded the motion and the motion passed unanimously.

F 43. Iberia 12-008

Ms. Rodi made a motion to award \$5,256.70 for MEDICAL but to defer \$720.36 in mileage reimbursement awaiting justification documentation. Ms. Adcock seconded the motion and the motion passed unanimously.

F 44. Iberville 12-002

Ms. Stapleton made a motion to award \$1,395.05 for MEDICAL. Ms. Fanara seconded the motion and the motion passed unanimously.

F 45. Iberville 12-003

Mr. Legendre 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 46. Jefferson Davis 12-002

Ms. Stapleton made a motion to award \$5,000.00 for FUNERAL. Ms. Williams seconded the motion and the motion passed unanimously. The board agreed to waive the one year deadline for applying for reparations.

F 47. Lafayette 12-007

Ms. Rodi made a motion to award \$2,600.55 for CATASTROPHIC PROPERTY. Ms. Fanara seconded the motion and the motion passed unanimously.

F 48. Lafourche 10-159

Ms. Fanara made a motion to award \$130.00 for MENTAL HEALTH, \$28.80 for MEDICAL MILEAGE, \$408.84 for MEDICAL. Ms. Stapleton seconded the motion and the motion passed unanimously.

F 49. Lafourche 11-078

Ms. Rodi made a motion to award \$150.00 for MENTAL HEALTH, \$53.04 for MEDICAL MILEAGE. Ms. Adcock seconded the motion and the motion passed unanimously.

F 50. Lafourche 11-083

Ms. Rodi made a motion to award \$112.50 for MENTAL HEALTH, \$20.40 for MEDICAL MILEAGE. Mr. Legendre seconded the motion and the motion passed unanimously.

F 51. Lafourche 12-005

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

F 52. Lafourche 12-009

Ms. Polak made a motion to approve the eligibility of this claimant. Ms. Stapleton seconded the motion and the motion passed 8 to 0 with 1 abstention.

V. ITEMS FOR FULL DISCUSSION

F 53. Lafourche 12-011

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

F 54. Lafourche 12-012

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

F 55. Lafourche 12-013

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

F 56. Lafourche 12-023

Ms. Polak made a motion to award \$262.50 for MENTAL HEALTH, \$122.40 for MEDICAL MILEAGE. Ms. Adcock seconded the motion and the motion passed unanimously.

F 57. Lafourche 12-024

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

F 58. Lafourche 12-025

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

F 59. Lafourche 12-026

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

F 60. Lafourche 12-030

Mr. DiBenedetto made a motion to defer ruling awaiting information regarding the age of the offender. Ms. Fanara seconded the motion and the motion passed unanimously.

F 61. Lafourche 12-034

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

F 62. Lafourche 12-036

Ms. Williams made a motion to award \$150.00 for MENTAL HEALTH. Ms. Stapleton seconded the motion and the motion passed unanimously.

F 63. Lafourche 12-037

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

F 64. Lafourche 12-038

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

F 65. Livingston 12-001

Ms. Polak made a motion to award \$300.00 for AMBULANCE TRANSPORT (MEDICAL),

V. ITEMS FOR FULL DISCUSSION

\$2,976.75 for MEDICAL. Ms. Adcock seconded the motion and the motion passed unanimously.

F 66. Madison 11-007

Ms. Fanara made a motion to defer ruling awaiting police report. Ms. Williams seconded the motion and the motion passed unanimously.

F 67. Morehouse 12-001

Ms. Williams 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 68. Natchitoches 12-001

Ms. Adcock made a motion to award \$3,668.58 for MEDICAL. Ms. Williams seconded the motion and the motion passed unanimously.

F 69. Orleans 10-090

Ms. Rodi made a motion to award \$5,706.27 for WAGE. Ms. Williams seconded the motion and the motion passed unanimously.

F 70. Orleans 10-138

Ms. Polak made a motion to award \$4,425.65 for FUNERAL. Ms. Rodi seconded the motion and the motion passed unanimously.

F 71. Orleans 11-105

Ms. Stapleton 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 72. Orleans 11-122

Ms. Fanara made a motion to award \$5,000.00 for FUNERAL. Mr. Legendre seconded the motion and the motion passed 8 to 1 with no abstentions. The board agreed to waive the one year deadline for applying for reparations.

F 73. Orleans 11-176

Ms. Williams made a motion to award \$638.40 for MEDICAL, \$300.00 for AMBULANCE TRANSPORT (MEDICAL). Ms. Polak seconded the motion and the motion passed unanimously.

F 74. Orleans 11-182

Ms. Rodi made a motion to award \$2,696.23 for MEDICAL. Ms. Fanara seconded the motion and the motion passed unanimously.

F 75. Orleans 11-300

Ms. Rodi made a motion to award \$3,975.55 for FUNERAL. Mr. DiBenedetto seconded the motion and the motion passed unanimously.

F 76. Orleans 12-006

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

F 77. Orleans 12-033

Mr. DiBenedetto made a motion to award \$900.00 for FUNERAL. Ms. Stapleton

V. ITEMS FOR FULL DISCUSSION

seconded the motion and the motion passed unanimously.

F 78. Orleans 12-054

Ms. Rodi made a motion to defer claims awaiting information on who paid for the funeral. Ms. Polak seconded the motion and the motion passed unanimously.

F 79. Orleans 12-093

Ms. Rodi made a motion to award \$108.03 for MEDICAL. Ms. Fanara seconded the motion and the motion passed unanimously.

F 80. Ouachita 12-003

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

F 81. Rapides 09-006

Ms. Polak made a motion to award \$142.80 for MEDICAL MILEAGE, \$156.49 for MEDICAL. Ms. Fanara seconded the motion and the motion passed unanimously.

F 82. Rapides 12-001

Ms. Fanara made a motion to award \$300.00 for AMBULANCE TRANSPORT (MEDICAL), \$238.75 for MEDICAL, \$83.05 for OTHER, \$2,756.16 for WAGE. Ms. Williams seconded the motion and the motion passed unanimously.

F 83. Rapides 12-011

Ms. Fanara made a motion to award \$6,031.78 for MEDICAL. Ms. Williams seconded the motion and the motion passed unanimously.

F 84. St. Charles 12-018

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

F 85. St. John The Baptist 12-001

Ms. Adcock made a motion to defer ruling awaiting information on auto liability insurance. Ms. Rodi seconded the motion and the motion passed unanimously.

F 86. St. Landry 11-012

Ms. Polak made a motion to award \$450.00 for MENTAL HEALTH. Ms. Williams seconded the motion and the motion passed unanimously.

F 87. St. Landry 12-001

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 88. St. Martin 11-016

Ms. Polak made a motion to award \$195.89 for WAGE. Ms. Rodi seconded the motion and the motion passed unanimously.

F 89. St. Martin 11-017

Mr. DiBenedetto made a motion to award \$2,439.00 for FUNERAL. Ms. Williams seconded the motion and the motion passed unanimously.

V. ITEMS FOR FULL DISCUSSION

F 89. St. Martin 11-017

Mr. DiBenedetto made a motion to award \$152.29 for AMBULANCE TRANSPORT (MEDICAL). Ms. Williams seconded the motion and the motion passed unanimously.

F 90. St. Martin 12-004

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

F 91. St. Tammany 12-006

Ms. Stapleton made a motion to award \$4,290.51 for MEDICAL, \$113.91 for MEDICAL MILEAGE. Ms. Williams seconded the motion and the motion passed unanimously.

F 92. Tangipahoa 11-022

Ms. Stapleton made a motion to defer claims awaiting Claim Form For Medical, Mental Health and Funeral Expenses. Ms. Fanara seconded the motion and the motion passed unanimously.

F 93. Tangipahoa 12-002

Ms. Stapleton made a motion to defer ruling awaiting more information. Ms. Williams seconded the motion and the motion passed unanimously.

F 94. Tangipahoa 12-004

Mr. DiBenedetto made a motion to award \$4,633.00 for FUNERAL. Ms. Williams seconded the motion and the motion passed unanimously.

F 95. Terrebonne 12-002

Mr. DiBenedetto made a motion to deny under authority of R.S. 46:1809 B(1) (no evidence of crime). Ms. Fanara seconded the motion and the motion passed unanimously.

F 96. Terrebonne 12-003

Ms. Polak made a motion to award \$133.00 for MEDICAL. Ms. Fanara seconded the motion and the motion passed unanimously. The Board also requested that the victim be referred to "The Haven" sexual assault program.

F 97. Vermilion 12-002

Ms. Polak made a motion to award \$9,500.00 for CATASTROPHIC PROPERTY. Mr. DiBenedetto seconded the motion and the motion passed unanimously. The board also agreed to mark the case as "closed".

F 98. Washington 12-001

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

L 1. East Baton Rouge 12-002

Ms. Stapleton made a motion to award \$595.94 for MEDICAL, \$308.29 for MEDICAL MILEAGE. Ms. Polak seconded the motion and the motion passed unanimously.

VI. LATE ADDITIONS

L 2. Jefferson 12-010

Ms. Rodi made a motion to deny under authority of R.S. 46:1809 B(1) (no evidence of crime). Mr. DiBenedetto seconded the motion and the motion passed unanimously.

L 3. Jefferson 12-013

Mr. DiBenedetto made a motion to award \$8,000.00 for WAGE. Ms. Polak seconded the motion and the motion passed unanimously.

L 4. Calcasieu 11-025

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

VII. OTHER BUSINESS

Lost Wages/Childcare Expenses -- details were discussed regarding Implementation of these claims.

Mr. DiBenedetto made a motion a adjourn the meeting. Ms. Adcock seconded the motion. Mr. Davis adjourned the meeting at 11:30 a.m.