

M I N U T E S

MEETING DATE: June 11, 2013

MEMBERS PRESENT: Mr. Lamarr Davis, Ms. Mary L. Fanara, Mr. Rustin Legendre, Ms. Ann Polak, Ms. Carolyn Stapleton,

MEMBERS ABSENT: Ms. Nancy Adcock, Mr. Carroll DiBenedetto, Sr., Mr. Kenneth Jones, Mr. Jimmy Pohlmann, Ms. Sharon Rodi, Ms. Lucille Williams,

STAFF PRESENT: Robert Wertz, Carla Trahan, Margaret Watson

GUESTS PRESENT: Erich Duchmann, Sami Riley, Daphne Buras, Timothy Russell, Vickie Russell, Damon P. Johnson, Sr., Stephanie Minto, Troy Gibson

I. CALL TO ORDER

Mr. Davis called the meeting of the Crime Victims Reparations Board to order at 9:10 a.m.

II. APPROVAL OF MINUTES OF PREVIOUS MEETING

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

III. APPEALS

A 1. Caddo 13-020

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

A 2. Orleans 12-054

Ms. Polak made a motion to uphold the appeal. The motion failed for lack of a second. Ms. Stapleton made a motion to go into executive session. Ms. Fanara seconded the motion. The Board went into executive session. Ms. Polak made a motion to return to open session. Ms. Stapleton seconded the motion. The Board returned to open session. Ms. Polak made a motion to uphold the appeal and to award \$5,000.00 for FUNERAL. Ms. Stapleton seconded the motion and the motion passed unanimously.

A 3. Orleans 12-087

Mr. Legendre made a motion to uphold the appeal and to award \$1,398.61 for WAGE. Ms. Stapleton seconded the motion and the motion passed unanimously.

IV. EMERGENCY CONFIRM/DENY

Ms. Stapleton 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 12-005

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

F 2. Acadia 13-002

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

F 3. Ascension 13-001

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

F 4. Ascension 13-002

Ms. Stapleton made a motion to award \$84.23 for MEDICAL but to defer the hospital claim to await outcome of worker's compensation claim. Ms. Fanara seconded the motion and the motion passed unanimously.

F 5. Caddo 12-037

Ms. Fanara made a motion to award \$188.00 for AMBULANCE TRANSPORT (MEDICAL). Ms. Stapleton seconded the motion and the motion passed unanimously.

F 6. Caddo 13-001

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

V. ITEMS FOR FULL DISCUSSION

F 7. Caddo 13-012

Ms. Fanara made a motion to award \$406.01 for MEDICAL. Ms. Stapleton seconded the motion and the motion passed unanimously.

F 8. Caddo 13-016

Ms. Stapleton made a motion to award \$920.70 for MEDICAL. Ms. Polak seconded the motion and the motion passed unanimously.

F 9. Caddo 13-026

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

F 10. Caddo 13-027

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

F 11. Caddo 13-028

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

F 12. Calcasieu 12-081

Ms. Polak made a motion to award \$365.98 for MEDICAL. Ms. Fanara seconded the motion and the motion passed unanimously.

F 13. Calcasieu 13-005

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

F 14. Calcasieu 13-013

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

F 14. Calcasieu 13-013

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

F 15. Calcasieu 13-017

Ms. Polak made a motion to award \$2,435.00 for FUNERAL. Mr. Legendre seconded the motion and the motion passed unanimously.

F 16. Calcasieu 13-019

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

F 17. Calcasieu 13-020

Ms. Polak made a motion to award \$5,000.00 for FUNERAL. Mr. Legendre 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 18. East Baton Rouge 10-149

Ms. Stapleton made a motion to award \$8,251.11 for MEDICAL. Ms. Fanara seconded the motion and the motion passed unanimously. The board also agreed to mark the case as "closed".

F 19. East Baton Rouge 13-006

Ms. Stapleton made a motion to defer claims awaiting receipt of Claim Form for Medical Expenses. Ms. Polak seconded the motion and the motion passed unanimously.

F 20. East Baton Rouge 13-010

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

F 21. East Baton Rouge 13-016

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

F 22. East Baton Rouge 13-017

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

F 23. Grant 13-002

Ms. Polak made a motion to defer claims awaiting receipt of Claim Form for Medical Expenses. Ms. Stapleton seconded the motion and the motion passed unanimously.

F 24. Iberia 12-027

Ms. Fanara made a motion to award \$1,167.10 for MEDICAL, \$300.00 for AMBULANCE TRANSPORT (MEDICAL). Mr. Legendre seconded the motion and the motion passed unanimously.

F 25. Iberia 13-005

Ms. Polak made a motion to award \$3,583.40 for MEDICAL, \$150.00 for AMBULANCE TRANSPORT (MEDICAL). Ms. Stapleton seconded the motion and the motion passed unanimously.

F 26. Iberia 13-011

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

F 27. Jefferson 13-009

Ms. Stapleton made a motion to award \$2,920.05 for FUNERAL. Ms. Polak seconded the motion and the motion passed unanimously.

F 28. Lafourche 06-050

Ms. Polak made a motion to award \$337.50 for MENTAL HEALTH. Ms. Fanara seconded the motion and the motion passed unanimously.

F 29. Lafourche 12-023

Ms. Stapleton made a motion to award \$300.00 for MENTAL HEALTH, \$163.20 for

V. ITEMS FOR FULL DISCUSSION

MEDICAL MILEAGE. Ms. Fanara seconded the motion and the motion passed unanimously.

F 30. Lafourche 12-076

Ms. Stapleton made a motion to deny under authority of R.S. 46:1809 B(1) (not a compensable expense). Mr. Legendre seconded the motion and the motion passed unanimously.

F 31. Lafourche 13-005

Ms. Stapleton made a motion to award \$837.66 for MEDICAL, \$300.00 for AMBULANCE TRANSPORT (MEDICAL). Ms. Polak seconded the motion and the motion passed unanimously.

F 32. Lafourche 13-009

Ms. Polak made a motion to award \$1,405.40 for FUNERAL. Ms. Stapleton seconded the motion and the motion passed unanimously.

F 33. Lafourche 13-010

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

F 34. Lafourche 13-011

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

F 35. Lafourche 13-012

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

F 36. Lafourche 13-013

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

F 37. Lafourche 13-014

Ms. Stapleton made a motion to award \$679.67 for MEDICAL. Ms. Polak seconded the motion and the motion passed unanimously.

F 38. Lafourche 13-016

Ms. Stapleton made a motion to defer claims awaiting mental health Initial Treatment Plan. Ms. Polak seconded the motion and the motion passed unanimously.

F 39. Orleans 09-121

Ms. Polak 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 40. Orleans 12-106

Ms. Polak made a motion to award \$1,002.51 for MEDICAL, \$300.00 for AMBULANCE TRANSPORT (MEDICAL) but to defer the LOST WAGE claim until the Disability Verification Form and proper wage/tax documents have been received. Ms. Stapleton seconded the motion and the motion passed unanimously.

V. ITEMS FOR FULL DISCUSSION

F 41. Orleans 13-003

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

F 42. Orleans 13-008

Ms. Polak made a motion to award \$4,474.00 for FUNERAL. Mr. Legendre seconded the motion and the motion passed unanimously.

F 43. Orleans 13-016

Ms. Polak made a motion to award \$3,496.10 for MEDICAL. Ms. Fanara seconded the motion and the motion passed unanimously. The board also agreed to mark the case as "closed".

F 44. Orleans 13-017

Ms. Polak made a motion to award \$1,964.00 for FUNERAL. Ms. Fanara seconded the motion and the motion passed unanimously.

F 45. Orleans 13-030

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

F 46. Plaquemines 12-005

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

F 47. Plaquemines 12-006

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

F 48. Rapides 13-001

Ms. Fanara made a motion to award \$1,026.50 for FUNERAL. Ms. Polak seconded the motion and the motion passed unanimously.

F 49. Rapides 13-005

Ms. Fanara made a motion to award \$2,640.82 for MEDICAL, \$300.00 for AMBULANCE TRANSPORT (MEDICAL). Ms. Polak seconded the motion and the motion passed unanimously.

F 50. Sabine 13-005

Ms. Fanara made a motion to defer ruling awaiting more information from law enforcement and proof of lost wages. Ms. Polak seconded the motion and the motion passed unanimously.

F 51. St. Charles 13-003

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

V. ITEMS FOR FULL DISCUSSION

F 51. St. Charles 13-003

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

F 52. St. Charles 13-011

Ms. Polak made a motion to defer ruling awaiting more information from law enforcement. Ms. Stapleton seconded the motion and the motion passed unanimously.

F 53. St. Charles 13-014

Ms. Stapleton 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 54. St. Helena 12-002

Ms. Polak made a motion to defer claims awaiting receipt of copy of insurance policy, insurance adjustor's report, and documentation of ownership (su. Ms. Stapleton seconded the motion and the motion passed unanimously.

F 55. St. Martin 12-012

Ms. Stapleton made a motion to award \$2,327.86 for MEDICAL. Ms. Polak seconded the motion and the motion passed unanimously.

F 56. St. Mary 13-006

Ms. Polak made a motion to defer ruling awaiting receipt of Claim Form for Medical Expenses. Ms. Stapleton seconded the motion and the motion passed unanimously.

F 57. St. Tammany 11-009

Ms. Polak made a motion to award \$26.00 for MEDICAL. Ms. Fanara seconded the motion and the motion passed unanimously.

F 58. St. Tammany 12-015

Ms. Polak made a motion to award \$369.30 for MEDICAL. Estimate approved for: \$768.50 for MEDICAL, \$1,250.00 for MENTAL HEALTH. Ms. Stapleton seconded the motion and the motion passed unanimously.

F 59. St. Tammany 13-001

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

F 60. Tangipahoa 12-010

Ms. Polak made a motion to award \$15,000.00 for WAGE. Mr. Legendre seconded the motion and the motion passed unanimously. The board agreed to increase the case maximum to \$25,000.

F 61. Webster 13-003

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

VII. OTHER BUSINESS

The Board discussed "Pardons" vs. "Expungement."

Chief Fanara made a motion to adjourn the meeting. Ms. Stapleton seconded the motion. Mr. Davis adjourned the meeting at 10:37 a.m.