



# State of Louisiana Crime Victims Reparations Board M I N U T E S

**MEETING DATE:** July 8, 2014

**MEMBERS PRESENT:** Mr. Lamarr Davis, Mr. Carroll DiBenedetto, Sr., Mr. Tyler Downing, Ms. Sharon Rodi, Ms. Carolyn Stapleton,

**MEMBERS ABSENT:** , Ms. Nancy Adcock, Ms. Mary L. Fanara, Ms. Ann Polak, Ms. Lucille Williams,

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

**GUESTS PRESENT:** Erich Duchmann, Jessica Thornhill, Ed Gonzales, Ms. Lamarr Davis, Keva Sims

## **I. CALL TO ORDER**

Mr. Davis called the monthly meeting of the Crime Victims Reparations Board for the date of July 8, 2014 to order at 9:20 a.m.

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

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

### III. APPEALS

#### A 1. Orleans 14-012

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

#### A 2. St. Martin 14-003

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.

### IV. EMERGENCY CONFIRM/DENY

Mr. DiBenedetto 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. Assumption 14-001

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

#### F 2. Assumption 14-002

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

#### F 3. Assumption 14-003

Mr. Downing made a motion to award \$282.67 for MEDICAL. Ms. Stapleton seconded the motion and the motion passed unanimously.

#### F 4. Assumption 14-004

Ms. Stapleton made a motion to award \$769.90 for MEDICAL. Ms. Rodi seconded the motion and the motion passed unanimously.

#### F 5. Caddo 13-039

Ms. Stapleton made a motion to award \$2,969.62 for WAGE. Ms. Rodi seconded the motion and the motion passed unanimously.

#### F 6. Caddo 13-060

Ms. Stapleton made a motion to award \$223.20 for WAGE. Mr. Downing seconded the motion and the motion passed unanimously.

#### F 7. Caddo 13-069

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

#### F 8. Caddo 13-070

Ms. Stapleton made a motion to defer claims awaiting information on Medicaid payments or denials. Ms. Rodi seconded the motion and the motion passed unanimously.

**V. ITEMS FOR FULL DISCUSSION**

**F 9. Caddo 14-018**

Ms. Stapleton made a motion to award \$4,500.00 for FUNERAL. Ms. Rodi seconded the motion and the motion passed 4 to 1 with no abstentions.

**F 10. Caddo 14-028**

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

**F 11. Caddo 14-031**

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

**F 12. Caddo 14-032**

Ms. Rodi made a motion to defer ruling awaiting death certificate. Mr. Downing seconded the motion and the motion passed unanimously.

**F 13. Caddo 14-033**

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

**F 14. Caddo 14-034**

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

**F 15. Caddo 14-035**

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

**F 16. Calcasieu 13-066**

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

**F 17. Calcasieu 14-022**

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

**F 18. Calcasieu 14-030**

Ms. Stapleton made a motion to deny under authority of R.S. 46:1809 B(3)(b) (failed or refused cooperation) and R.S. 46:1809 B(1) (no evidence of crime). Mr. DiBenedetto seconded the motion and the motion passed unanimously.

**F 19. Calcasieu 14-035**

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.

**V. ITEMS FOR FULL DISCUSSION**

**F 20. Calcasieu 14-038**

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

**F 21. Calcasieu 14-039**

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

**F 22. East Baton Rouge 12-038**

Ms. Stapleton made a motion to award \$637.50 for MENTAL HEALTH. Ms. Rodi seconded the motion and the motion passed unanimously.

**F 23. East Feliciana 14-003**

Ms. Stapleton made a motion to deny under authority of R.S. 46:1809 B(3)(b) (failed or refused cooperation). Mr. Downing seconded the motion and the motion passed unanimously.

**F 24. Iberia 13-026**

Ms. Stapleton made a motion to award \$10,000.00 for MEDICAL. Mr. DiBenedetto seconded the motion and the motion passed unanimously. The board also agreed to mark the case as "closed".

**F 25. Iberia 14-006**

Ms. Stapleton made a motion to defer ruling awaiting outcome of law enforcement investigation and district attorney's office investigation. Mr. Downing seconded the motion and the motion passed unanimously.

**F 26. Iberia 14-008**

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

**F 27. Jefferson 13-039**

Ms. Rodi made a motion to award \$480.00 for WAGE. Mr. Downing seconded the motion and the motion passed unanimously.

**F 28. Jefferson 14-005**

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

**F 29. Jefferson 14-017**

Ms. Rodi made a motion to deny under authority of R.S. 46:1809 B (3) e (filed late -- past the one-year filing deadline). Mr. DiBenedetto seconded the motion and the motion passed unanimously.

**F 30. Lafourche 14-022**

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

**V. ITEMS FOR FULL DISCUSSION**

**F 31. Lafourche 14-023**

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

**F 32. Lafourche 14-024**

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

**F 33. Livingston 14-006**

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

**F 34. Orleans 12-095**

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

**F 35. Orleans 13-068**

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

**F 36. Orleans 13-077**

Ms. Rodi made a motion to award \$440.55 for MEDICAL. Mr. Downing seconded the motion and the motion passed unanimously.

**F 37. Ouachita 14-004**

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

**F 38. St. Charles 14-018**

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

**F 39. St. Charles 14-020**

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

**F 40. St. Martin 13-007**

Ms. Rodi made a motion to award \$1,108.00 for FUNERAL. Ms. Stapleton seconded the motion and the motion passed unanimously.

**F 41. St. Martin 14-005**

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

**F 42. St. Mary 13-016**

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

## V. ITEMS FOR FULL DISCUSSION

### F 43. St. Tammany 14-001

Ms. Rodi made a motion to award \$1,545.60 for WAGE. Mr. Downing seconded the motion and the motion passed unanimously.

### F 44. Tangipahoa 14-001

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

### F 45. Terrebonne 14-001

Ms. Stapleton made a motion to award \$2,753.00 for MEDICAL. Mr. Downing seconded the motion and the motion passed unanimously.

### F 46. Terrebonne 14-006

Ms. Stapleton made a motion to defer ruling awaiting grand jury decision. Ms. Rodi seconded the motion and the motion passed unanimously.

### F 47. Vermilion 14-004

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

### F 48. Washington 14-006

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

### F 49. Washington 14-007

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

### F 50. Washington 14-008

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

### F 51. Washington 14-009

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

### F 52. West Feliciana 14-001

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

## VI. LATE ADDITIONS

### L 1. Caddo 14-036

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.

## VI. LATE ADDITIONS

### L 2. Caddo 14-037

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

### L 3. Caddo 14-038

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.

### L 4. Calcasieu 14-040

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

### L 5. East Baton Rouge 10-077

Ms. Rodi made a motion to defer claims awaiting necessary documentation regarding total and permanent disability and documentation for claims including documentation from therapist showing necessity for service dogs and training of service dogs. Mr. DiBenedetto seconded the motion and the motion passed 3 to 0 with 2 abstentions. Ms. Rodi made a motion to authorize payment of an independent mental health evaluation should it be deemed necessary by the Board's mental health consultant. Mr. Downing seconded the motion and the motion passed unanimously. Mr. DiBenedetto seconded the motion and the motion passed 3 to 0 with 2 abstentions.

### L 6. East Baton Rouge 10-078

Ms. Rodi made a motion to defer claims awaiting necessary documentation regarding total and permanent disability and documentation for claims including documentation from therapist showing necessity for service dogs and training of service dogs. Mr. DiBenedetto seconded the motion and the motion passed 3 to 0 with 2 abstentions. Ms. Rodi made a motion to authorize payment of an independent mental health evaluation should it be deemed necessary by the Board's mental health consultant. Mr. Downing seconded the motion and the motion passed unanimously. Mr. DiBenedetto seconded the motion and the motion passed 3 to 0 with 2 abstentions.

### L 7. East Baton Rouge 14-068

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

### L 8. West Baton Rouge 14-001

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

### L 9. Orleans 11-073

Ms. Rodi made a motion to award \$5,618.77 for WAGE. Ms. Stapleton seconded the motion and the motion passed unanimously. The board also agreed to mark the case as "closed".

### L 10. Orleans 13-063

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

**VI. LATE ADDITIONS**

**L 11. Orleans 14-029**

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

**L 12. Orleans 14-038**

Ms. Rodi made a motion to award \$1,100.00 for FUNERAL. Ms. Stapleton seconded the motion and the motion passed unanimously.

**L 13. St. Martin 14-006**

Ms. Stapleton 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.

**L 14. St. Tammany 12-015**

Ms. Stapleton made a motion to award \$874.29 for MEDICAL, \$58.44 for MEDICAL MILEAGE. Mr. Downing seconded the motion and the motion passed unanimously.

**L 15. Vermilion 14-003**

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

**L 16. Vermilion 14-005**

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

## **VII. OTHER BUSINESS**

Other Business: MADI06-005 Ms. Rodi made a motion to deny the request for a waive of repayment. Mr. Downing seconded the motion and the motion passed unanimously.