

M I N U T E S

MEETING DATE: **May 12, 2009**

MEMBERS PRESENT: Ms. Nancy Adcock, Mr. Lamarr Davis, Mr. Carroll DiBenedetto, Sr.,
Ms. Mary L. Fanara, Mr. Ben Garris, Mr. Kenneth Jones, Jimmy
Pohlmann, Ms. Ann Polak, Ms. Sharon Rodi, Ms. Lucille Williams,

MEMBERS ABSENT: Ms. Carolyn Stapleton,

STAFF PRESENT: Robert Wertz, Linda Gautier, Carla Domingue

GUESTS PRESENT: Erich Duchmann, PhD, Mechelle Delahoussaye, Kent Wolkart, Brian
Brocato, Capt. Alex Norman, Melvin Legaux, Linda Legaux, Latina
Jolivett,

I. CALL TO ORDER

The May 12, 2009 meeting of the Crime Victims Reparations Board was called to order at 9:30 a.m. by Mr. Lamarr Davis.

II. APPROVAL OF MINUTES OF PREVIOUS MEETING

Ms. Polak 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. Jefferson 09-002

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

A 2. Orleans 08-118

Ms. Polak made a motion to go into executive session. Ms. Adcock seconded the motion. Ms. Polak made a motion to return to open session. Ms. Williams seconded the motion. Ms. Adcock made a motion to award \$5,000.00 for FUNERAL. Ms. Williams seconded the motion and the motion passed unanimously.

A 3. Orleans 09-007

Mr. Garris made a motion to defer ruling awaiting outcome of trial. Mr. Jones seconded the motion and the motion passed unanimously.

A 4. Orleans 09-027

Ms. Polak made a motion to defer ruling awaiting information on burial policy. Mr. Garris seconded the motion and the motion passed unanimously.

IV. EMERGENCY CONFIRM/DENY

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

V. ITEMS FOR FULL DISCUSSION

F 1. Beauregard 08-009

Mr. Jones made a motion to award \$240.00 for MENTAL HEALTH. Ms. Williams seconded the motion and the motion passed unanimously.

F 2. Bossier 06-024

Mr. Jones made a motion to award \$520.00 for MENTAL HEALTH and to request that a letter be sent to the provider stating that only cases through June 30, 2009 would be considered by the Board for payment. Ms. Fanara seconded the motion and the motion passed unanimously.

F 3. Bossier 09-013

Ms. Polak made a motion to award \$165.00 for MENTAL HEALTH. Ms. Adcock seconded the motion and the motion passed unanimously.

F 4. Bossier 09-016

Mr. Jones 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.

F 5. Bossier 09-017

Ms. Adcock made a motion to award \$52.00 for MEDICAL. Mr. Jones seconded the motion and the motion passed unanimously.

F 6. Caddo 09-002

Mr. Jones made a motion to award \$325.00 for MENTAL HEALTH. Ms. Adcock seconded the motion and the motion passed unanimously.

V. ITEMS FOR FULL DISCUSSION

F 7. Caddo 09-003

Mr. Jones made a motion to award \$325.00 for MENTAL HEALTH. Ms. Adcock seconded the motion and the motion passed unanimously.

F 8. Caddo 09-004

Mr. Jones made a motion to award \$65.00 for MENTAL HEALTH. Ms. Adcock seconded the motion and the motion passed unanimously.

F 9. Caddo 09-005

Mr. Jones made a motion to award \$65.00 for MENTAL HEALTH. Ms. Adcock seconded the motion and the motion passed unanimously.

F 10. Caddo 09-017

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

F 11. Calcasieu 08-035

Ms. Polak made a motion to defer claims awaiting updated mental health treatment plan as of November 20, 2008. Mr. Jones seconded the motion and the motion passed unanimously.

F 12. Calcasieu 08-040

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

F 13. Calcasieu 09-004

Ms. Polak made a motion to award \$75.00 for MENTAL HEALTH. Mr. DiBenedetto seconded the motion and the motion passed unanimously.

F 14. Calcasieu 09-022

Mr. Jones made a motion to award \$240.00 for MENTAL HEALTH. Ms. Williams seconded the motion and the motion passed unanimously.

F 15. Concordia 09-003

Mr. Garris made a motion to defer ruling awaiting outcome of court proceedings. Mr. Jones seconded the motion and the motion passed unanimously.

F 16. East Baton Rouge 09-009

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

F 17. East Baton Rouge 09-010

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

F 18. East Baton Rouge 09-014

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

F 19. Jefferson 08-014

Mr. Jones made a motion to award \$1,666.00 for MEDICAL. Ms. Williams seconded the

V. ITEMS FOR FULL DISCUSSION

motion and the motion passed unanimously.

F 20. Jefferson 09-007

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

F 21. Jefferson 09-009

Mr. Jones made a motion to award \$3,725.00 for FUNERAL. Ms. Rodi seconded the motion and the motion passed unanimously.

F 22. Lafourche 08-012

Mr. Jones made a motion to award \$750.00 for MENTAL HEALTH. Jim Pohlmann seconded the motion and the motion passed unanimously.

F 23. Lafourche 08-046

Ms. Polak made a motion to defer claims awaiting initial mental health treatment plan. Ms. Rodi seconded the motion and the motion passed unanimously.

F 24. Lafourche 08-075

Mr. Jones made a motion to award \$346.00 for MENTAL HEALTH. Ms. Fanara seconded the motion and the motion passed unanimously.

F 25. Lafourche 09-019

Ms. Polak made a motion to award \$56.00 for MEDICAL. Mr. Garris seconded the motion and the motion passed unanimously.

F 26. Lafourche 09-020

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

F 27. Lafourche 09-021

Mr. Jones made a motion to defer ruling awaiting more information from law enforcement regarding case. Mr. Garris seconded the motion and the motion passed unanimously.

F 28. Lafourche 09-022

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

F 29. Lafourche 09-023

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

F 30. Lafourche 09-024

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

F 31. Lafourche 09-025

Mr. Jones 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 32. Lafourche 09-026

Mr. Garris made a motion to approve the eligibility of this claimant but elected to only pay providers. Mr. Jones seconded the motion and the motion passed unanimously.

F 33. Livingston 09-006

Ms. Polak made a motion to award \$900.00 for MENTAL HEALTH and to request an updated mental health treatment plan as of 5/24/09. Ms. Fanara seconded the motion and the motion passed unanimously.

F 35. Orleans 09-010

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

F 36. Orleans 09-012

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

F 37. Orleans 09-061

Mr. Jones made a motion to award \$212.00 for MEDICAL. Ms. Rodi seconded the motion and the motion passed unanimously.

F 38. Orleans 09-063

Ms. Rodi made a motion to award \$1,050.78 for MEDICAL. Mr. Jones seconded the motion and the motion passed unanimously. The board also agreed to mark the case as "closed".

F 39. Orleans 09-071

Mr. Jones made a motion to defer ruling awaiting outcome of trial. Mr. Garris seconded the motion and the motion passed unanimously.

F 40. Orleans 09-073

Mr. Jones made a motion to defer ruling awaiting supplemental police report. Mr. Garris seconded the motion and the motion passed unanimously.

F 41. Rapides 09-005

Ms. Polak made a motion to award \$3,984.78 for MEDICAL, \$300.00 for AMBULANCE TRANSPORT (MEDICAL). Ms. Williams seconded the motion and the motion passed unanimously.

F 42. Richland 09-003

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

F 43. St. Martin 09-013

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

F 44. St. Martin 09-014

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

V. ITEMS FOR FULL DISCUSSION

F 45. St. Tammany 09-006

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 46. Tangipahoa 08-024

Ms. Adcock made a motion to uphold the 50% contribution discount decided at an earlier Board meeting and to award \$75.00 for MEDICAL. Mr. Jones seconded the motion and the motion passed unanimously.

F 47. Vermilion 09-011

Ms. Adcock made a motion to deny under authority of R.S. 46:1809 B(4)(a) (victim contribution). Mr. DiBenedetto seconded the motion and the motion passed 9 to 1 with no abstentions.

F 48. Washington 09-017

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

L 1. Bossier 09-012

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

L 2. Caddo 09-013

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

L 3. Caddo 09-015

Ms. Adcock made a motion to award \$4,500.00 for FUNERAL. Mr. Jones seconded the motion and the motion passed 9 to 1 with no abstentions.

L 4. Calcasieu 09-015

Ms. Polak made a motion to award \$1,262.88 for WAGE, \$49.20 for MEDICAL. Mr. Jones seconded the motion and the motion passed unanimously.

L 5. East Baton Rouge 09-004

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

L 6. East Baton Rouge 09-016

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

L 7. East Baton Rouge 09-017

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

L 8. East Baton Rouge 09-032

Ms. Polak made a motion to award \$9,400.00 for MEDICAL, \$600.00 for AMBULANCE TRANSPORT (MEDICAL). Mr. DiBenedetto seconded the motion and the

V. ITEMS FOR FULL DISCUSSION

motion passed unanimously. The board also agreed to mark the case as "closed".

L 9. Iberia 08-066

Ms. Adcock made a motion to award \$2,737.60 for WAGE. Mr. Jones seconded the motion and the motion passed unanimously.

L 10. Jefferson 09-008

Ms. Rodi made a motion to award \$270.90 for MEDICAL, \$300.00 for AMBULANCE TRANSPORT (MEDICAL). Mr. DiBenedetto seconded the motion and the motion passed 8 to 1 with 1 abstention.

L 11. Lafourche 08-081

Mr. Jones made a motion to award \$2,285.80 for MEDICAL, \$156.31 for MEDICAL MILEAGE. Ms. Rodi seconded the motion and the motion passed unanimously.

L 12. Lafourche 07-078

Ms. Polak made a motion to award \$117.39 for MENTAL HEALTH and to request an updated mental health treatment plan as of 11/17/08. Mr. Garris seconded the motion and the motion passed unanimously.

L 13. Orleans 09-056

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

L 14. Orleans 09-060

Mr. Jones made a motion to defer ruling awaiting more information. Ms. Rodi seconded the motion and the motion passed unanimously. The Board also suggested referring the victim to Crescent House.

L 15. Orleans 09-069

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

L 16. Orleans 08-149

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

L 17. Orleans 09-055

Mr. Jones made a motion to deny under authority of R.S. 46:1809 B(4)(a) (victim contribution / illegal activity). Ms. Williams seconded the motion and the motion passed 9 to 1 with no abstentions.

L 18. Orleans 09-058

Ms. Polak made a motion to award \$2,090.05 for FUNERAL. Ms. Fanara seconded the motion and the motion passed unanimously.

L 19. Ouachita 08-017

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

V. ITEMS FOR FULL DISCUSSION

L 20. St. John The Baptist 09-003

Mr. Jones made a motion to award \$6,800.00 for WAGE. Mr. Garris seconded the motion and the motion passed unanimously.

L 21. St. John The Baptist 09-004

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

L 22. St. Mary 09-001

Ms. Fanara made a motion to award \$120.00 for MEDICAL. Ms. Adcock seconded the motion and the motion passed unanimously.

L 23. Tangipahoa 09-017

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

L 24. Terrebonne 09-011

Mr. Jones made a motion to award \$447.69 for MEDICAL. Ms. Adcock seconded the motion and the motion passed unanimously.

L 25. Vermilion 09-009

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

L 26. Vermilion 09-010

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

L 27. Union 09-005

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

VII. OTHER BUSINESS