

STATE OF LOUISIANA  
CRIME VICTIMS REPARATIONS BOARD

ANNUAL REPORT  
FISCAL YEAR 2018

**(STATE EMBLEM)**

LOUISIANA COMMISSION ON LAW ENFORCEMENT  
POST OFFICE BOX 3133  
BATON ROUGE, LOUISIANA 70821

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**Crime Victims Reparations Board**  
State of Louisiana

**JOHN BEL EDWARDS**  
GOVERNOR



**JIM CRAFT**  
EXECUTIVE DIRECTOR

**To: Honorable John Bel Edwards**  
**Governor, State of Louisiana**

**Honorable Members of the Legislature**  
**State of Louisiana**

**We have the honor to submit the annual report of the Louisiana Crime Victims Reparations Board. This report is submitted pursuant to the provisions of LA R.S. 46:1818 and covers the period of July 1, 2017, through June 30, 2018.**

**The total amount of funds collected for FY 2018 was \$2,963,790.51. In FY 2018, 3195 claims were paid and a total of \$2,392,019 was awarded. The average total per award was \$749. Funds for the Crime Victims Reparations Program are not state appropriated funds and are mainly derived from costs levied on criminal court cases and from federal grants.**

Sincerely,

A handwritten signature in cursive script that reads "Amanda Tonkovich".

**Amanda Tonkovich**  
**Chair**

## BOARD MEMBERS

The Crime Victims Reparations Board is under the jurisdiction of the Louisiana Commission on Law Enforcement and is domiciled in Baton Rouge. The Board is composed of the Executive Director of the Louisiana Commission on Law Enforcement or his designee; six representatives from each of the congressional districts in the state; a representative of the elderly; and two at-large members. The Board members are appointed by the governor and their terms run concurrent with that of the governor.

The membership of the Crime Victims Reparations Board in FY 2018 was:

Amanda Tonkovich, Chair  
New Orleans, Louisiana  
2nd Congressional District

Linda Gautier  
Baton Rouge, Louisiana  
Designee of LCLE Executive Director

Carolyn Stapleton  
Zachary, Louisiana  
6th Congressional District

Tameka White  
Hammond, Louisiana  
1st Congressional District

Gary "Stitch" Guillory  
Westlake, Louisiana  
At-Large Member

Rena Hebert  
Lafayette, Louisiana  
3d Congressional District

Audrey Thibodeaux  
Breux Bridge, Louisiana  
Elderly Representative

Bobby Igo, Jr.  
Shreveport, Louisiana  
4th Congressional District

Catalene Theriot  
New Iberia, Louisiana  
Victims & Citizens Against Crime

Lisa Kiper  
Winnsboro, Louisiana  
5th Congressional District

Carla Shorty  
New Orleans, LA  
At-Large Member

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## **CRIME VICTIMS REPARATIONS ACT**

The Louisiana Crime Victims Reparations Act provides for monetary compensation for economic losses to victims of crimes involving personal injury and to their dependents in cases of death. It also permits recovery for economic losses incurred as a result of a good faith effort to prevent a crime.

The maximum award allowable is \$10,000 for any one case, although the Board may extend an award to a maximum of \$25,000 for those victims whose injuries are total and permanent. Claims are reduced by all collateral sources, such as medical and hospitalization insurance payments, social security benefits, disability income insurance, worker's compensation and other sources of benefits.

## **FUNDING**

The Crime Victims Reparations Board manages a small fund and must insure that these dollars are disbursed as equitably and fairly as possible. The Board has adopted standard operating procedures to keep the fund solvent and help contain these costs while insuring equitable disbursements among crime victims and their families.

Income for the compensation fund is composed primarily of monies paid as costs levied on criminal court cases. For felonies, not less than fifty dollars (\$50) and seven dollars and fifty cents (\$7.50) for misdemeanors and violations of municipal and parish ordinances. Other components of the fund include federal grants, court-ordered restitution from criminals, donations and interest.

Act 186 of 2015 provides that unclaimed gaming prizes may be used for the payment of forensic medical examinations.

Act 634 (CHC 811.2) of 1993 created the Victims of Juvenile Crime Compensation Fund. Courts which levy the cost (not to exceed \$15) must remit one-third of the amount collected to the Crime Victims Reparation Fund.

# AWARDS

## Eligibility:

A person who believes he or she is a victim of a crime which involved the use of force or threat of force and resulted in personal injury and/or loss of income; the victim's legal representative; or, in the case of death, a dependent or the dependent's legal representative may make application to the Board for an award.

A healthcare provider may file an application for reimbursement of expenses for a forensic medical exam

A claim may be filed regardless of whether the offender is known, has been arrested, and/or has been found guilty.

The crime must:

1. involve the use of force or threat of force or any human trafficking related offense and
2. result in personal injury, death, or catastrophic property loss **and**
3. result in expenses covered by the statute and not reimbursable by any other source.

Vehicular crimes (motor vehicle, boat or aircraft) are not included unless they involve a DWI/DUI offense, a hit-and-run offense, the injuries or death were intentionally inflicted with a vehicle, or the crime was caused by an operator fleeing the scene of a crime in which he knowingly participated.

Victims of terrorist acts are also eligible to apply for awards.

## Application Requirements:

1. The crime must have been committed in Louisiana after July 16, 1982 or happened to a Louisiana resident in a place with no compensation program.
2. The crime must be reported to law enforcement officials within 72 hours unless it was an act of sexual violence or there is a valid reason for a later reporting.
3. The application must be filed within one year from the date of the crime.
4. The required information must be provided on the application.
5. The losses must not be reimbursable from any other source such as insurance, social security, Medicare, Medicaid, civil suit or restitution.
6. The victim or claimant must cooperate with the reasonable requests of law enforcement officials.

### **Awards Are Prohibited If:**

1. The victim/claimant does not comply with the application requirements as listed in the previous section.
2. The victim is the offender or an accessory, or an award would unjustly benefit either the offender or the accessory.
3. The victim is confined in any type of correctional facility.

### **An Award Could Be Denied or Reduced If:**

1. The Board finds that the victim's behavior at the time of the crime or the victim's past criminal activity caused or contributed to the incident.
2. The victim was operating a vehicle at the time of the crime without the required insurance.
3. The victim was not wearing a seat belt as required by state law.
4. The victim was a willing passenger in a vehicle driven by an intoxicated driver.

### **Expenses:**

Expenses which may be reimbursed include those:

1. For personal injury:
  - a) medical, hospital, nursing, physical therapy, psychiatric care, or counseling;
  - b) actual loss of past earnings and anticipated loss of future earnings because of a disability resulting from the personal injury or the receipt of medically indicated services by a victim related to the personal injury;
  - c) care of child or dependent
  - d) counseling or therapy for the parent(s) or sibling(s) of a child who is the victim of a sexual crime
  - e) loss of support for a child victim of a sexual crime not otherwise compensated for as a pecuniary loss for personal injury
2. As a consequence of death:
  - a) funeral, burial, cremation expenses;
  - b) loss of support to one or more dependents not otherwise compensated for personal injury loss;
  - c) care of children, enabling the surviving spouse of a victim or the legal custodian or caretaker of the deceased victim's child or children to engage in lawful employment where that expense is not otherwise compensated for as a pecuniary loss for personal injury;
  - d) counseling or therapy for any surviving family member of the victim or any person in a close relationship to such victim
  - e) crime scene cleanup



3. Expenses of the victim associated with the collection and securing of crime scene evidence or with cleanup of the crime scene.

Expenses which may not be reimbursed for any reason include:

1. Property losses, except for a catastrophic property loss which is limited to the loss of the victim's abode provided it is owned and occupied by the victim;
2. Pain and suffering;
3. Attorney fees, except when they are part of an order from a hearing or awarded by a court of law.

## **Processing**

Applications are distributed, received, and investigated by the Sheriff's Office in the parish where the crime occurred. As part of their investigative responsibilities, the sheriff's office obtains a copy of the law enforcement agency report on the crime, verifies all the expenses submitted and insurance or any other collateral sources that the claimant may have received, and makes a recommendation based on the investigation.

The application is then submitted to the Crime Victims Reparations Board's office where the Program Manager reviews the submitted documents, prepares a summary, and places the application on a monthly docket to be reviewed and considered by the entire Board. Applications are reviewed by the Board at its regular meeting and the Board votes to either award or deny. However, they may also vote to continue the case pending further information or they may order a hearing.

The victim/claimant is notified in writing of the Board's decision. The Board administrative assistant prepares the award checks which are distributed to the respective Sheriff's offices from which they are sent to the victims and/or providers. The victim/claimant has the right to appeal the decision of the Board within 60 days or appeal directly to District Court within 30 days. If an appeal to the board is denied, further appeal to District Court in Baton Rouge is allowed under the Administrative Procedures Act.

Provisions are made for payment of emergency awards up to \$500 in cases where urgency is apparent. Emergency awards are rendered upon the recommendation of the sheriff's investigator and concurrence of the Board member for the area involved.

Supplemental claims may be submitted for additional expenses incurred after the original award has been made. The aggregate total cannot exceed the maximum caps as per the statute. The supplemental claims are processed in the same manner as original claims.

## **PUBLIC INFORMATION AWARENESS**

Act 383 of 1992 mandated that the Crime Victims Reparations Board prepare a brochure enumerating victims' rights. These brochures are available in sheriff's offices, police departments, hospitals, doctor's offices, as well as other service agencies.

Public service announcements are distributed to all radio and television stations licensed to broadcast in Louisiana.

The Crime Victims Reparations (CVR) Board maintains a website on the CVR Program which includes information available to the public, such as, who may qualify, how to apply for reparations, as well as whom to contact for assistance.

The Crime Victims Reparations Board and the Louisiana Commission on Law Enforcement periodically publishes a statewide Victim/Elderly Services Directory. The directory contains an updated extensive cross-reference of service agencies available to the citizens of Louisiana. The directory, along with other CVR information can be accessed on the web at [www.lcle.la.gov/cvr](http://www.lcle.la.gov/cvr).

## **NATIONAL AND INTERNATIONAL AFFILIATION**

The Louisiana Crime Victims Reparations Board is a member of the National Association of Crime Victims Compensation Boards.

**COLLECTIONS, GRANTS, AND AWARDS**

	<b>Revenues Collected*</b>	<b>VOCA Federal Grant</b>	<b>Total Funds Awarded</b>
FY 1983	299,568.00	-	33,645.86
FY 1984	664,354.60	-	240,536.41
FY 1985	588,258.62	-	195,403.74
FY 1986	727,224.55	77,000.00	575,579.73
FY 1987	698,437.94	114,000.00	865,164.07
FY 1988	618,320.12	222,000.00	765,528.74
FY 1989	749,507.52	222,000.00	703,750.60
FY 1990	699,292.42	326,000.00	1,028,644.11
FY 1991	831,859.37	220,000.00	1,222,260.81
FY 1992	990,399.86	206,000.00	1,154,816.42
FY 1993	902,340.70	405,000.00	1,001,715.07
FY 1994	981,722.02	371,000.00	932,886.17
FY 1995	953,435.24	203,000.00	804,814.04
FY 1996	1,231,208.99	203,000.00	739,748.57
FY 1997	1,230,602.06	100,000.00	1,129,641.47
FY 1998	1,272,676.39	190,000.00	1,074,564.13
FY 1999	1,418,764.04	331,000.00	1,422,911.50
FY 2000	1,504,539.62	314,000.00	1,351,160.69
FY 2001	1,502,417.87	389,000.00	1,722,806.17
FY 2002	1,354,813.47	429,000.00	1,827,829.86
FY 2003	1,270,467.21	988,000.00	1,699,068.00
FY 2004	1,329,320.46	771,000.00	1,740,998.77
FY 2005	1,364,766.16	773,000.00	1,698,379.47
FY 2006	1,425,526.38	689,000.00	1,719,949.45
FY 2007	1,422,986.09	683,000.00	2,184,876.97
FY 2008	1,405,677.59	757,000.00	2,350,613.77
FY 2009	1,300,947.77	896,000.00	2,243,905.65
FY 2009		233,894.00	**
FY 2010	1,337,016.17	863,000.00	2,096,355.89
FY 2011	1,478,418.96	833,000.00	2,261,506.65
FY 2012	1,319,110.00	386,000.00	1,733,135.35
FY 2013	1,341,106.21	607,000.00	2,063,395.52
FY 2014	1,158,205.80	404,000.00	1,670,724.02
FY 2015	1,091,107.00	484,000.00	1,155,296.34
FY 2016	1,066,283.50	506,000.00	1,032,616.01
FY 2017	2,881,455.16	247,000.00	1,840,524.12
FY 2018	2,963,790.51	233,000.00	2,392,018.62
<b>TOTALS</b>	<b>43,375,928.37</b>	<b>14,675,894.00</b>	<b>48,676,772.76</b>

\*\* Recovery Act-OVCFY09 VOCA

## CLAIMS PROCESSED

	Approved	Denied	Deferred
FY 1983	11	14	0
FY 1984	69	21	0
FY 1985	80	21	4
FY 1986	213	21	5
FY 1987	332	36	11
FY 1988	317	49	13
FY 1989	267	59	11
FY 1990	387	82	25
FY 1991	450	78	13
FY 1992	479	118	21
FY 1993	495	231	20
FY 1994	488	216	23
FY 1995	409	177	22
FY 1996	364	118	3
FY 1997	462	97	3
FY 1998	445	139	0
FY 1999	540	119	0
FY 2000	570	99	0
FY 2001	693	105	75
FY 2002	792	107	132
FY 2003	760	165	421
FY 2004	702	204	10
FY 2005	725	158	160
FY 2006	680	155	111
FY 2007	791	109	173
FY 2008	924	122	225
FY 2009	671	210	232
FY 2010	738	205	204
FY 2011	827	229	207
FY 2012	598	213	128
FY 2013	588	175	391
FY 2014	564	127	226
FY 2015	488	122	300
FY 2016	476	90	570
FY 2017	1,113	90	527
FY 2018	2,881	54	552
	<u>21,389</u>	<u>4,335</u>	<u>4,818</u>

**ELIGIBILITY DENIALS  
2018**

1	No evidence crime was committed	2
2	Passenger with impaired driver	0
3	Crime not reported within time specified by statute	0
4	Lack of cooperation with law enforcement	0
5	Victim/Claimant was offender or accessory	0
6	Claim not filed timely	0
7	Victim contribution	4
8	Loss recouped from collateral source	4
9	Does not meet definition of crime	7
10	Pecuniary loss not covered by statute	5
11	Unable to determine pecuniary loss sustained	0
12	Exceeds or does not meet limits on awards defined in rules	0
13	Victim is a career criminal	0
14	Victim had felony conviction within the last five years	10
15	Crime previous to chapter date	0
<b>TOTAL</b>		<b>32</b>

**RECEIPTS BY PARISH  
FY 2018**

<u>Parish</u>	<b>TOTAL AMOUNT RECEIVED</b>	
	<u>Fines/Fees</u>	<u>Restitution</u>
Acadia	10,912.01	0.00
Allen	6,811.47	0.00
Ascension	23,240.51	0.00
Assumption	5,530.00	0.00
Avoyelles	5,797.50	0.00
Beauregard	5,266.67	0.00
Bienville	3,119.50	0.00
Bossier	23,572.52	0.00
Caddo	53,007.68	3,739.11
Calcasieu	43,879.60	10,495.57
Caldwell	4,494.50	0.00
Cameron	2,954.82	0.00
Catahoula	2,584.00	0.00
Claiborne	3,411.50	1,363.19
Concordia	5,466.04	0.00
DeSoto	4,976.25	0.00
East Baton Rouge	46,483.87	1,039.60
East Carroll	1,983.54	0.00
East Feliciana	8,482.26	395.28
Evangeline	7,834.09	0.00
Franklin	13,532.50	0.00
Grant	7,409.84	0.00
Iberia	8,335.36	0.00
Iberville	10,949.48	0.00
Jackson	3,959.00	0.00
Jefferson	95,081.09	0.00
Jefferson Davis	4,132.75	0.00
Lafayette	35,943.49	982.89
Lafourche	22,930.49	50.00
Lasalle	2,337.04	0.00
Lincoln	8,650.64	0.00
Livingston	23,702.14	0.00
Madison	4,456.00	0.00
Morehouse	3,321.55	0.00
Natchitoches	3,015.00	0.00
Orleans	45,252.36	0.00
Ouachita	24,914.94	0.00
Plaquemines	5,957.50	0.00
Pointe Coupee	3,596.01	0.00

## RECEIPTS BY PARISH FY 2018 (Cont'd.)

<u>Parish</u>	<u>TOTAL AMOUNT RECEIVED</u>	
	<u>Fines/Fees</u>	<u>Restitution</u>
Rapides	23,073.99	0.00
Red River	2,665.00	162.50
Richland	9,679.43	0.00
Sabine	5,628.15	0.00
St. Bernard	7,528.50	0.00
St. Charles	4,382.72	0.00
St. Helena	911.41	0.00
St. James	2,532.50	0.00
St. John the Baptist	17,099.38	0.00
St. Landry	14,937.82	0.00
St. Martin	7,373.82	0.00
St. Mary	13,040.05	0.00
St. Tammany	46,215.55	0.00
Tangipahoa	20,183.24	100.00
Tensas	880.00	0.00
Terrebonne	19,823.74	940.44
Union	4,451.31	0.00
Vermilion	11,415.79	0.00
Vernon	23,912.75	0.00
Washington	8,495.17	0.00
Webster	7,020.92	228.78
West Baton Rouge	6,606.85	0.00
West Carroll	2,310.93	0.00
West Feliciana	7,770.00	0.00
Winn	3,226.50	0.00
<b>TOTALS</b>	<u>868,451.03</u>	<u>19,497.36</u>
Fines/Fees		868,451.03
Income From Sexual Assault Fund		2,047,395.38
Restitution (Parish)		19,497.36
Restitution (Federal Court)		10,707.24
Civil Suit Recovery		0.00
Donations		0.00
Prior Year Refund		0.00
Prison Enterprises		0.00
Angola Break-In		0.00
Juvenile Crime Compensation		0.00
Unclaimed Gaming Prizes		0.00
Interest		17,739.50
<b>TOTAL</b>		<u>\$2,963,790.51</u>

**APPLICATIONS BY PARISH  
FY 2018**

Parish	Eligibility			
	Total	Approved	Denied	Other
Acadia	7	4	0	3
Allen	1	1	0	0
Ascension	52	48	0	4
Assumption	9	8	1	0
Avoyelles	5	5	0	0
Beauregard	6	3	2	1
Bienville	5	3	0	2
Bossier	81	69	1	11
Caddo	206	143	4	59
Calcasieu	126	72	3	51
Caldwell	0	0	0	0
Cameron	0	0	0	0
Catahoula	1	0	0	1
Claiborne	7	4	0	3
Concordia	3	1	0	2
DeSoto	7	7	0	0
E. Baton Rouge	378	233	14	131
E. Carroll	1	1	0	0
E. Feliciana	23	12	0	11
Evangeline	3	3	0	0
Franklin	0	0	0	0
Grant	2	1	1	0
Iberia	28	15	0	13
Iberville	3	2	0	1
Jackson	2	2	0	0
Jefferson	516	490	0	26
Jeff. Davis	10	6	1	3
Lafayette	91	77	1	13
Lafourche	81	65	1	15
Lasalle	9	4	2	3
Lincoln	15	12	0	3
Livingston	144	138	0	6
Madison	2	0	0	2
Morehouse	2	0	1	1
Natchitoches	14	11	0	3
Orleans	775	651	16	108
Ouachita	12	10	0	2
Plaquemines	33	33	0	0
Pointe Coupee	14	12	0	2



**APPLICATIONS BY PARISH (Cont'd.)**  
**FY 2018**

Parish	Eligibility			
	Total	Approved	Denied	Other
Rapides	38	29	0	9
Red River	0	0	0	0
Richland	0	0	0	0
Sabine	5	4	0	1
St. Bernard	68	68	0	0
St. Charles	77	54	1	22
St. Helena	11	7	0	4
St. James	28	26	1	1
St. John	49	44	1	4
St. Landry	6	6	0	0
St. Martin	19	13	0	6
St. Mary	17	11	1	5
St. Tammany	171	168	0	3
Tangipahoa	127	122	1	4
Tensas	0	0	0	0
Terrebonne	77	75	0	2
Union	3	2	0	1
Vermilion	18	15	0	3
Vernon	5	3	0	2
Washington	46	46	0	0
Webster	12	11	0	1
W. Baton Rouge	17	13	1	3
W. Carroll	1	1	0	0
W. Feliciana	13	12	0	1
Winn	5	5	0	0
<b>TOTALS</b>	<b>3,487</b>	<b>2,881</b>	<b>54</b>	<b>552</b>

**AWARDS BY PARISH  
FY 2018**

Parish	AWARDS	
	Count*	Amount
Acadia	4	\$11,400.00
Allen	1	450.00
Ascension	49	27,633.72
Assumption	8	7,792.67
Avoyelles	4	8,537.35
Beauregard	5	7,078.00
Bienville	4	19,530.00
Bossier	88	72,692.26
Caddo	177	198,815.54
Calcasieu	101	94,175.71
Caldwell	0	0.00
Cameron	0	0.00
Catahoula	0	0.00
Claiborne	8	4,962.47
Concordia	3	30,482.08
DeSoto	7	3,400.00
E. Baton Rouge	349	338,871.21
E. Carroll	0	0.00
E. Feliciana	17	9,470.55
Evangeline	3	6,113.75
Franklin	0	0.00
Grant	1	305.45
Iberia	23	35,921.86
Iberville	1	10,000.00
Jackson	2	7,542.06
Jefferson	494	210,183.73
Jeff. Davis	6	4,149.73
Lafayette	85	86,914.54
Lafourche	66	36,482.45
Lasalle	4	5,008.96
Lincoln	15	7,250.00
Livingston	139	59,366.51
Madison	0	0.00
Morehouse	1	5,000.00
Natchitoches	11	5,500.00
Orleans	708	563,859.55
Ouachita	9	18,685.54
Plaquemines	32	10,196.64
Pointe Coupee	13	16,542.40

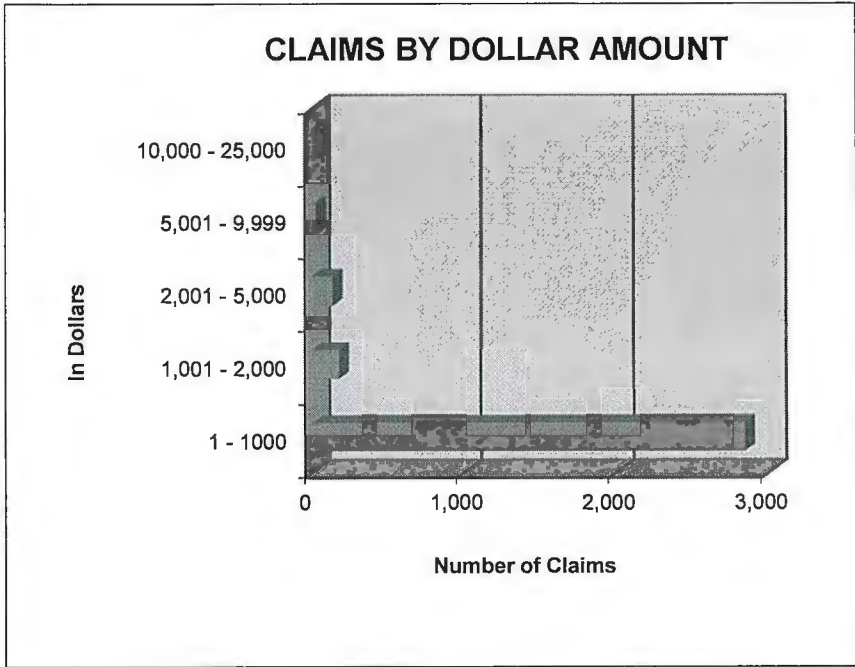
**AWARDS BY PARISH (Cont'd.)  
FY 2018**

Parish	AWARDS	
	Count*	Amount
Rapides	32	38,258.23
Red River	0	0.00
Richland	0	0.00
Sabine	5	3,696.70
St. Bernard	70	28,132.49
St. Charles	46	27,959.70
St. Helena	9	5,125.96
St. James	26	8,461.59
St. John	44	18,771.20
St. Landry	7	22,726.19
St. Martin	18	28,169.89
St. Mary	11	4,132.99
St. Tammany	171	68,462.86
Tangipahoa	125	78,303.21
Tensas	1	249.62
Terrebonne	76	38,576.09
Union	1	500.00
Vermilion	20	30,981.39
Vernon	7	7,951.33
Washington	46	31,183.48
Webster	12	4,700.00
W. Baton Rouge	12	9,505.00
W. Carroll	1	116.05
W. Feliciana	11	5,690.08
Winn	6	6,049.84
<b>TOTALS</b>	<b>3,195</b>	<b>\$2,392,018.62</b>

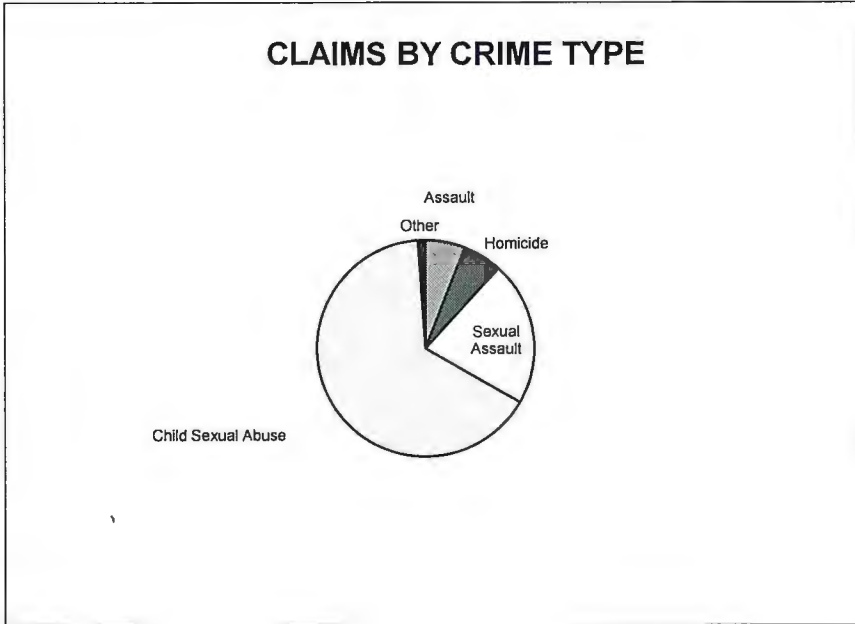
\*\* Includes both state and federal funds. Does not include refund adjustments.

\* This count includes supplemental awards based on previous years' eligibility.

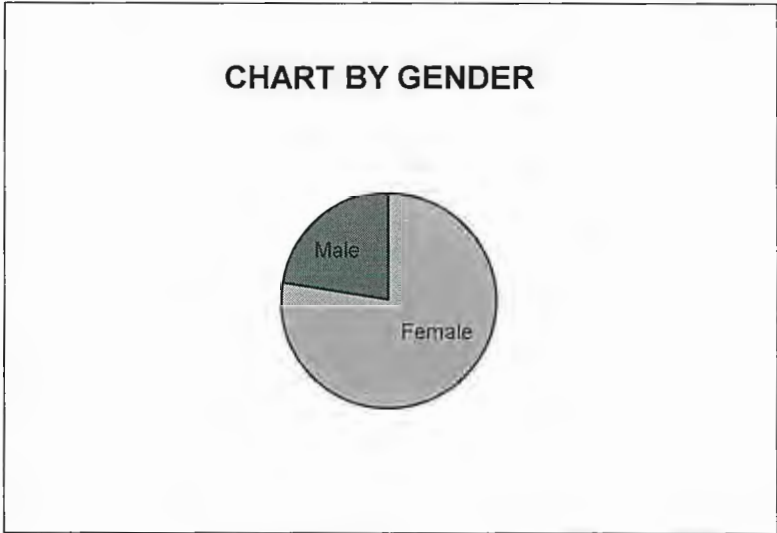
CLAIMS BY DOLLAR AMOUNT	
1 - 1000	2,841
1,001 - 2,000	174
2,001 - 5,000	134
5,001 - 9,999	26
10,000 - 25,000	20
	<u>3,195</u>



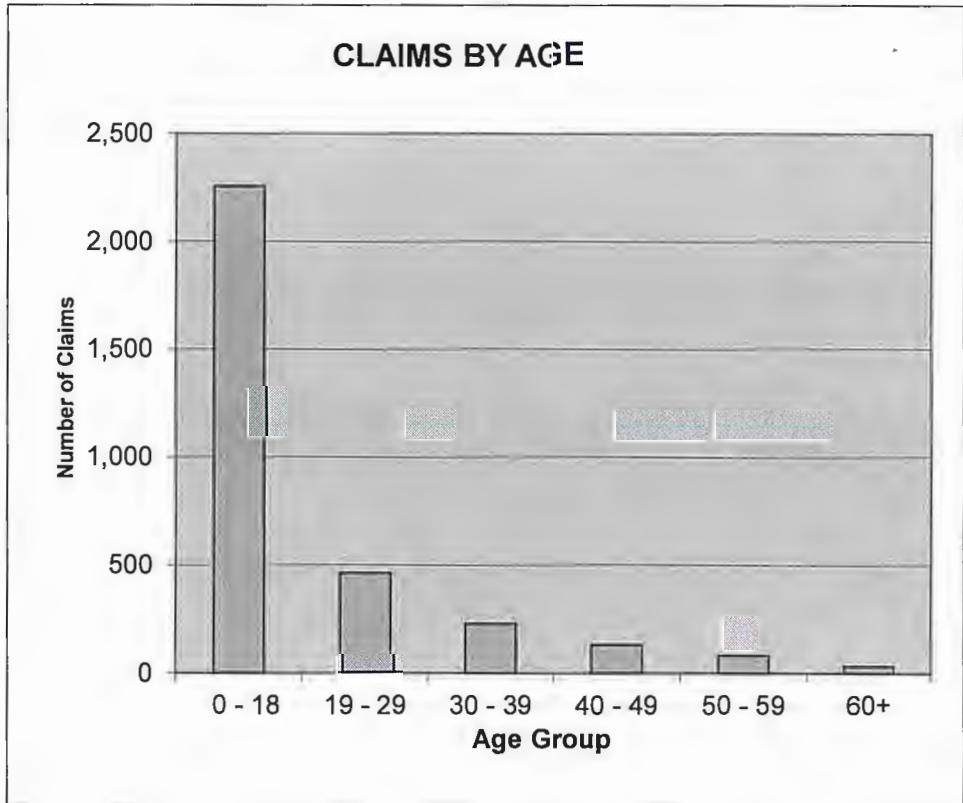
CRIME TYPE	
Assault	191
Homicide	185
Sexual Assault	688
Child Sexual Abuse	2,097
Other	34
	<u>3,195</u>



SEX OF VICTIM	
Female	2,477
Male	718
	<u>3,195</u>



CLAIMS BY AGE	
0 - 18	2,255
19 - 29	462
30 - 39	229
40 - 49	133
50 - 59	83
60+	33
	<u>3,195</u>



**AMOUNT AWARDED  
BY EXPENSE TYPE**

Medical	1,758,770
Funeral	294,926
Support and Wage	281,638
Mental Health	21,733
Medical Transport	10,984
Catastrophic Property	6,102
Relocation, etc.	17,866

2,392,019

**AWARDED BY EXPENSE TYPE**

