

STATE OF LOUISIANA  
CRIME VICTIMS REPARATIONS BOARD

**ANNUAL REPORT  
FISCAL YEAR 2009**

**(STATE EMBLEM)**

LOUISIANA COMMISSION ON LAW ENFORCEMENT  
1885 WOODDALE BOULEVARD, SUITE 1230  
BATON ROUGE, LOUISIANA 70806

[www.lcle.la.gov/cvr](http://www.lcle.la.gov/cvr)

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TO: Honorable Bobby Jindal  
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, 2008, through June 30, 2009.

The total amount of funds collected for FY 2009 was \$1,376,009. In FY 2009, 896 claimants were paid and a total of \$2,243,905 was awarded. The average total per award was \$2,504. 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,

Lamarr Davis  
Chairman

## 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; seven representatives from each of the congressional districts in the state; a representative of the elderly; and a representative at large. 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 2009 was:

Lamarr Davis, Chairman  
Hodge, Louisiana  
At-Large Member

Ben Garris  
St. Francisville, Louisiana  
Designee of LCLE Executive Director

Mary Fanara  
Bunkie, Louisiana  
5th Congressional District

Sharon Rodi  
Metairie, Louisiana  
1st Congressional District

Carolyn Stapleton  
Zachary, Louisiana  
6th Congressional District

Kenneth Jones  
Harvey, Louisiana  
2nd Congressional District

Ann Polak  
Lake Charles, Louisiana  
7th Congressional District

Jimmy Pohlmann  
Chalmette, Louisiana  
3d Congressional District

Lucille Williams  
Shreveport, Louisiana  
Elderly Representative

Nancy Adcock  
Shreveport, Louisiana  
4th Congressional District

Carroll DiBenedetto, Sr.  
Baton Rouge, Louisiana  
Victims & Citizens Against Crime

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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 allowable 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**

Income for the compensation fund is composed primarily of monies paid as costs levied on criminal court cases. A cost of not less than fifty dollars (\$50) for felonies and seven dollars and fifty cents (\$7.50) for violations of misdemeanors and municipal and parish ordinances is levied, except traffic violations other than those driving offenses defined in Title 14 of the Louisiana Revised Statutes of 1950 which result in a conviction. Other components of the fund include federal grants, court-ordered restitution from criminals, donations and interest.

Act 634 (CHC 811.2) of the 1993 Louisiana Legislature 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 Victim Reparations Fund.

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.

# 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 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 use of force **or**
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, or the injuries or death were intentionally inflicted with a vehicle, which includes a crime 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 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, sick or annual leave, 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 on the previous page.
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 implication of 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;
  - c) care of children, enabling a victim or the spouse, but not both, to engage in gainful employment.
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 to engage in lawful employment, where that expense is not otherwise compensated for personal injury loss;
  - d) counseling or therapy for any surviving family member or cohabiter of the victim.
3. Expenses of the victim associated with the collection and securing of crime scene evidence.



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 secretary 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 the 1992 Louisiana Legislature 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 which includes information available to the public on the CVR Program, such as, who may qualify, how to apply for reparations, as well as who to contact for assistance.

The Crime Victims Reparations Board and the Louisiana Commission on Law Enforcement 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, the National Organization for Victim Assistance, and the National Victim Center for Victims of Crime.

## COLLECTIONS, GRANTS, AND AWARDS

	Collected*	Grant	Awarded
FY 1983	\$299,568.00	\$0.00	\$33,645.86
FY 1984	664,354.60	0.00	240,536.41
FY 1985	588,258.62	0.00	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
<b>TOTALS</b>	<b>\$28,739,435.06</b>	<b>\$9,879,000.00</b>	<b>\$32,431,200.24</b>

\*Includes fines, fees, interest and donations.

## CLAIMS PROCESSED

	Awarded	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
<b>TOTALS</b>	<b>13,116</b>	<b>3,030</b>	<b>1,713</b>

**CLAIM DENIALS  
FY 2009**

1	No evidence crime was committed	16
2	Victim has outstanding bench warrant	0
3	Crime not reported within time specified by statute	2
4	Lack of cooperation with law enforcement	34
5	Victim/Claimant was offender or accessory	0
6	Claim not filed timely	4
7	Victim contribution	87
8	Loss recouped from collateral source	2
9	Does not meet definition of crime	11
10	Pecuniary loss not covered by statute	3
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	20
14	Victim had felony conviction within the last five years	84
15	Other	0
<b>TOTAL</b>		<b>263</b>

**RECEIPTS BY PARISH  
FY 2009**

<b>Parish</b>	<b>TOTAL AMOUNT RECEIVED</b>	
	<b>Fines/Fees</b>	<b>Restitution</b>
Acadia	\$44,681.54	\$0.00
Allen	7,713.87	0.00
Ascension	51,602.50	90.00
Assumption	6,322.50	0.00
Avoyelles	6,845.00	0.00
Beauregard	10,273.44	872.75
Bienville	2,976.00	0.00
Bossier	34,133.28	0.00
Caddo	86,778.70	5,718.00
Calcasieu	54,549.79	327.00
Caldwell	4,172.50	0.00
Cameron	5,089.70	0.00
Catahoula	2,162.81	0.00
Claiborne	5,579.08	1,708.06
Concordia	5,112.50	0.00
DeSoto	5,177.50	0.00
E. Baton Rouge	58,346.75	12,843.95
E. Carroll	3,917.00	0.00
E. Feliciana	8,932.50	0.00
Evangeline	12,468.72	1,332.91
Franklin	6,915.00	978.00
Grant	9,112.02	0.00
Iberia	23,387.75	1,325.00
Iberville	8,547.64	0.00
Jackson	4,447.25	0.00
Jefferson	134,149.77	0.00
Jeff. Davis	7,009.80	0.00
Lafayette	42,326.55	9,102.42
Lafourche	46,000.49	0.00
Lasalle	10,515.30	0.00
Lincoln	14,101.23	0.00
Livingston	20,697.00	0.00
Madison	2,184.00	0.00
Morehouse	6,609.07	0.00
Natchitoches	7,725.50	0.00
Orleans	44,888.86	0.00
Ouachita	49,601.95	90.00
Plaquemines	12,462.50	0.00
Pointe Coupee	1,320.00	0.00

**RECEIPTS BY PARISH (Cont'd.)  
FY 2009**

Parish	Fines/Fees	Restitution
Rapides	45,241.56	0.00
Red River	3,015.50	0.00
Richland	8,384.89	0.00
Sabine	7,158.00	0.00
St. Bernard	7,285.00	0.00
St. Charles	10,204.54	0.00
St. Helena	1,840.42	0.00
St. James	4,575.00	50.00
St. John the Baptist	8,678.00	0.00
St. Landry	21,173.53	0.00
St. Martin	14,288.04	56.38
St. Mary	26,785.02	0.00
St. Tammany	70,969.23	350.00
Tangipahoa	26,414.50	892.00
Tensas	1,809.50	0.00
Terrebonne	39,975.55	0.00
Union	7,587.38	0.00
Vermilion	9,665.50	2,249.52
Vernon	27,099.60	1,516.05
Washington	13,946.16	0.00
Webster	14,744.88	1,458.00
W. Baton Rouge	5,813.38	0.00
W. Carroll	5,764.69	0.00
W. Feliciana	2,522.50	0.00
Winn	6,208.00	0.00
<b>TOTALS</b>	<b>\$1,259,987.73</b>	<b>\$40,960.04</b>

Fines/Fees	\$1,259,987.73
Restitution (Parish)	\$40,960.04
Restitution (Federal Court)	15,363.55
Civil Suit Recovery	0.00
Donations	10,462.27
Prior Year Refund	28,604.37
Prison Enterprises	6,415.12
Angola Break-In	0.00
Juvenile Crime Compensation	0.00
Interest	14,216.00
<b>TOTAL</b>	<b>\$1,376,009.08</b>

**APPLICATIONS BY PARISH  
FY 2009**

Parish	Eligibility			
	Total	Approved	Denied	Other
Acadia	3	1	0	2
Allen	4	3	0	1
Ascension	2	1	0	1
Assumption	5	2	2	1
Avoyelles	1	1	0	0
Beauregard	12	5	0	7
Bienville	0	0	0	0
Bossier	37	30	7	0
Caddo	85	48	18	19
Calcasieu	68	55	7	6
Caldwell	0	0	0	0
Cameron	3	1	2	0
Catahoula	0	0	0	0
Claiborne	7	5	2	0
Concordia	19	15	0	4
DeSoto	7	6	1	0
E. Baton Rouge	97	59	9	29
E. Carroll	1	1	0	0
E. Feliciana	4	1	1	2
Evangeline	6	4	1	1
Franklin	2	2	0	0
Grant	0	0	0	0
Iberia	38	17	0	21
Iberville	4	3	1	0
Jackson	0	0	0	0
Jefferson	34	18	4	12
Jeff. Davis	1	1	0	0
Lafayette	26	13	7	6
Lafourche	100	88	8	4
Lasalle	0	0	0	0
Lincoln	5	0	2	3
Livingston	5	4	1	0
Madison	7	4	2	1
Morehouse	6	3	1	2
Natchitoches	2	0	0	2
Orleans	222	100	83	39
Ouachita	19	12	0	7
Plaquemines	1	0	0	1
Pointe Coupee	2	2	0	0



**APPLICATIONS BY PARISH (Cont'd.)**  
**FY 2009**

Parish	Eligibility			
	Total	Approved	Denied	Other
Rapides	32	27	3	2
Red River	1	0	1	0
Richland	3	3	0	0
Sabine	15	1	0	14
St. Bernard	2	2	0	0
St. Charles	15	6	1	8
St. Helena	4	2	1	1
St. James	1	0	1	0
St. John	13	7	5	1
St. Landry	24	10	10	4
St. Martin	34	23	8	3
St. Mary	11	9	1	1
St. Tammany	24	19	4	1
Tangipahoa	25	10	1	14
Tensas	0	0	0	0
Terrebonne	12	7	3	2
Union	7	1	1	5
Vermilion	21	15	5	1
Vernon	5	5	0	0
Washington	13	8	4	1
Webster	4	3	1	0
W. Baton Rouge	8	5	1	2
W. Carroll	0	0	0	0
W. Feliciana	3	2	0	1
Winn	1	1	0	0
<b>TOTALS</b>	<b>1113</b>	<b>671</b>	<b>210</b>	<b>232</b>

**AWARDS BY PARISH  
FY 2009**

Parish	AWARDS	
	Count*	Amount
Acadia	4	\$1,151.26
Allen	3	3,672.26
Ascension	3	10,135.01
Assumption	3	1,614.94
Avoyelles	1	5,540.00
Beauregard	11	17,627.80
Bienville	0	0.00
Bossier	29	31,293.94
Caddo	87	202,777.62
Calcasieu	83	136,997.75
Caldwell	0	0.00
Cameron	1	676.77
Catahoula	0	0.00
Claiborne	7	17,222.97
Concordia	19	71,364.39
DeSoto	6	18,062.38
E. Baton Rouge	80	268,611.13
E. Carroll	1	4,704.25
E. Feliciana	1	500.00
Evangeline	5	20,741.05
Franklin	2	6,779.60
Grant	0	0.00
Iberia	40	66,564.11
Iberville	4	3,815.85
Jackson	0	0.00
Jefferson	25	84,320.34
Jeff. Davis	1	5,000.00
Lafayette	18	46,808.05
Lafourche	90	131,783.30
Lasalle	0	0.00
Lincoln	0	0.00
Livingston	6	13,500.00
Madison	3	14,988.82
Morehouse	5	12,834.65
Natchitoches	2	1,000.00
Orleans	120	377,606.76
Ouachita	16	39,906.45
Plaquemines	0	0.00
Pointe Coupee	1	4,383.00

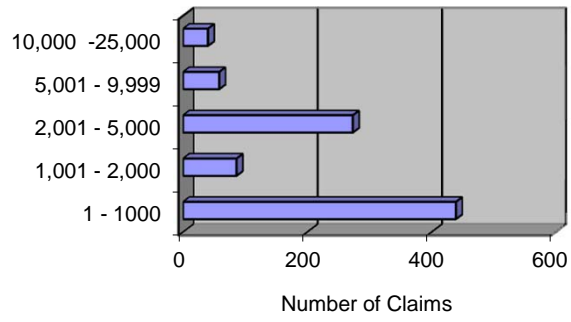
**AWARDS BY PARISH (Cont'd.)  
FY 2009**

Parish	AWARDS	
	Count*	Amount
Rapides	35	173,133.84
Red River	0	0.00
Richland	2	6,998.27
Sabine	16	12,820.61
St. Bernard	2	10,638.06
St. Charles	18	13,049.06
St. Helena	3	12,070.29
St. James	0	0.00
St. John	6	18,864.64
St. Landry	12	44,753.42
St. Martin	11	14,083.39
St. Mary	13	34,735.42
St. Tammany	29	68,203.04
Tangipahoa	17	52,995.74
Tensas	0	0.00
Terrebonne	10	37,453.48
Union	4	2,000.00
Vermilion	17	15,070.17
Vernon	5	28,042.32
Washington	8	42,500.00
Webster	3	6,422.43
W. Baton Rouge	5	14,368.44
W. Carroll	0	0.00
W. Feliciana	2	9,218.58
Winn	1	4,500.00
<b>TOTALS</b>	<b>896</b>	<b>\$2,243,905.65</b>

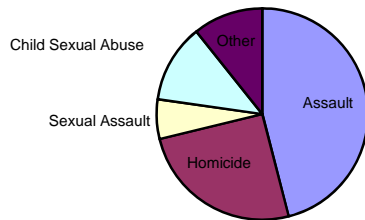
\*\* Includes both state and federal funds. Does not include refund adjustments.

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

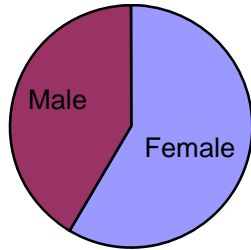
CLAIMS BY DOLLAR AMOUNT



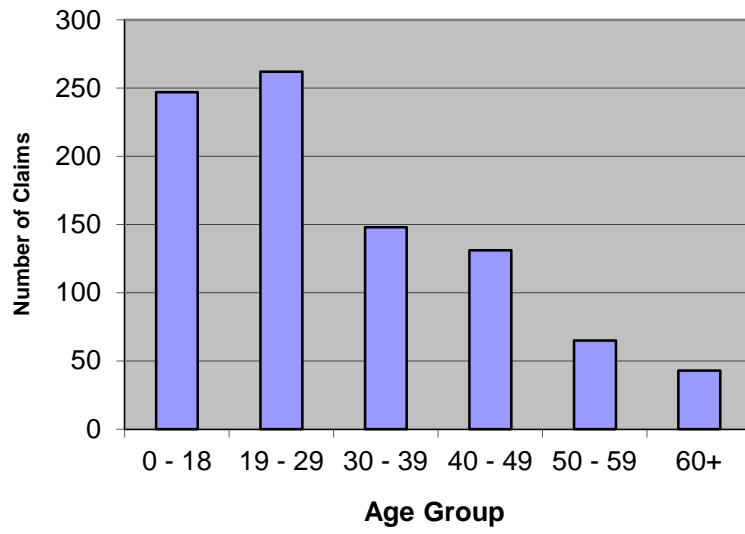
CLAIMS BY CRIME TYPE



**CHART BY GENDER**



**CLAIMS BY AGE**



## AWARDED BY EXPENSE TYPE

