BOBBY JINDAL
GOVERNOR

JOEY WATSON
EXECUTIVE DIRECTOR

State of Louisiana
Crime Victims Reparations Board
MINUTES

MEETING DATE: June 10, 2014

MEMBERS PRESENT: Mr. Lamarr Davis, Mr. Carroll DiBenedetto, Sr., Ms. Mary L. Fanara, Ms. Ann Polak, Ms. Carolyn Stapleton,

MEMBERS ABSENT: Ms. Nancy Adcock, Mr. Tyler Downing, Ms. Sharon Rodi, Ms. Lucille Williams,

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

GUESTS PRESENT: Jennifer Poor, Erich Duchmann, Jessica Thornhill, Kent Wolkart, Daphne Buras, Ms. Lamarr Davis, Chris Sasser

I. CALL TO ORDER

Mr. Davis called the monthly meeting of the Crime Victims Reparations Board to order at 9:34 a.m.

II. APPROVAL OF MINUTES OF PREVIOUS MEETING

Ms. Polak made a motion to apprrove the minutes of the previous meeting. Mr. DiBenedetto seconded the motion. The motion passed unanimously.

III. APPEALS

A 1. St. Martin 13-007

Ms. Fanara made a motion to uphold the appeal, reversing its previous decision regarding the 50% penalty, and to award $783.00 for FUNERAL. Mr. DiBenedetto 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. Ms. Fanara seconded the motion and the motion passed unanimously.

V. ITEMS FOR FULL DISCUSSION

F 1. Ascension 14-001

Ms. Polak made a motion to award $4,582.45 for FUNERAL. Mr. DiBenedetto seconded the motion and the motion passed unanimously.

F 2. Bossier 10-004

Ms. Polak made a motion to award $337.50 for MENTAL HEALTH. Ms. Fanara seconded the motion and the motion passed unanimously. The board also agreed to request an Updated Mental Health Treatment Plan as of 04/08/14.

F 3. Bossier 10-005

Ms. Fanara made a motion to award $112.50 for MENTAL HEALTH. Ms. Stapleton seconded the motion and the motion passed unanimously. The board also agreed to request an Updated Mental Health Treatment Plan as of 04/22/14.

F 4. Bossier 10-006

Ms. Polak made a motion to award $187.50 for MENTAL HEALTH. Ms. Fanara seconded the motion and the motion passed unanimously. The board also agreed to request an Updated Mental Health Treatment Plan as of 04/28/14.

F 5. Bossier 13-006

Ms. Stapleton made a motion to award $585.14 for MENTAL HEALTH. Ms. Fanara seconded the motion and the motion passed unanimously. The board agreed to waive the one year deadline for applying for reparations. The board also agreed to request an Updated Mental Health Treatment Plan as of 08/29/13.

F 6. Bossier 13-012

Ms. Polak made a motion to award $118.79 for MEDICAL. Ms. Stapleton seconded the motion and the motion passed unanimously.

F 7. Bossier 13-016

Ms. Polak made a motion to award $3,563.09 for FUNERAL. Ms. Fanara seconded the motion and the motion passed unanimously.

F 8. Bossier 14-005

Ms. Stapleton 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 9. Caddo 13-071

Ms. Fanara made a motion to award $4,000.00 for FUNERAL. Ms. Polak seconded the motion and the motion passed unanimously.

F 10. Caddo 13-073

Ms. Stapleton made a motion to defer ruling awaiting additional information from law enforcement. Mr. DiBenedetto seconded the motion and the motion passed unanimously.

F 11. Caddo 14-005

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

F 12. Caddo 14-021

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

F 13. Caddo 14-023

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

F 14. Caddo 14-024

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

F 15. Caddo 14-025

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

F 16. Caddo 14-026

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

F 17. Caddo 14-027

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

F 18. Caddo 14-029

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

F 19. Caddo 14-030

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

F 20. Calcasieu 13-081

Ms. Polak made a motion to award $200.00 for AMBULANCE TRANSPORT (MEDICAL), $90.75 for MEDICAL. Ms. Stapleton seconded the motion and the motion passed unanimously.

V. ITEMS FOR FULL DISCUSSION

F 21. Calcasieu 14-007

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

F 22. Calcasieu 14-009

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

F 23. Calcasieu 14-010

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

F 24. Calcasieu 14-015

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

F 25. Calcasieu 14-026

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

F 26. Calcasieu 14-029

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

F 27. Calcasieu 14-034

Ms. Polak made a motion to defer ruling awaiting outcome of district attorney's office review. Ms. Stapleton seconded the motion and the motion passed unanimously.

F 28. East Baton Rouge 14-009

Ms. Stapleton made a motion to award $1,118.40 for WAGE, $250.97 for MEDICAL. Mr. DiBenedetto seconded the motion and the motion passed unanimously.

F 29. East Baton Rouge 14-044

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

F 30. East Baton Rouge 14-045

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

F 31. East Baton Rouge 14-046

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

F 32. East Feliciana 14-001

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

V. ITEMS FOR FULL DISCUSSION

F 33. East Feliciana 14-002

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

F 34. Iberia 14-005

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

F 35. Iberville 14-001

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

F 36. Iberville 14-003

Ms. Polak 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.

F 37. Iberville 14-004

Ms. Stapleton made a motion to defer ruling awaiting police report (including supplemental report). Ms. Polak seconded the motion and the motion passed unanimously.

F 38. Jefferson 14-015

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

F 39. Lafayette 14-006

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

F 40. Lafourche 13-065

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

F 41. Lafourche 13-078

Ms. Stapleton made a motion to approve the eligibility of this claimant. Ms. Polak seconded the motion and the motion passed unanimously. The Board also requested that the victim file any future claims through Workers' Compensation insurance before filing with Crime Victims Reparations.

F 42. Lafourche 13-079

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

F 43. Lafourche 14-002

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

F 44. Lafourche 14-003

Ms. Stapleton made a motion to approve the eligibility of this claimant. Ms. Fanara

V. ITEMS FOR FULL DISCUSSION

seconded the motion and the motion passed unanimously.

F 45. Lafourche 14-017

Ms. Polak made a motion to award $179.62 for MEDICAL. Ms. Stapleton seconded the motion and the motion passed unanimously.

F 46. Lafourche 14-019

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

F 47. Lafourche 14-020

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

F 48. Lafourche 14-021

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

F 49. Livingston 14-002

Ms. Stapleton made a motion to approve the eligibility of this claimant with the provision that a police report be submitted before any future claims will be considered. Ms. Polak seconded the motion and the motion passed unanimously.

F 50. Livingston 14-003

Ms. Stapleton made a motion to approve the eligibility of this claimant with the provision that a police report be submitted before any future claims will be considered. Ms. Polak seconded the motion and the motion passed unanimously.

F 51. Livingston 14-005

Ms. Stapleton made a motion to approve the eligibility of this claimant with the provision that a police report be submitted before any future claims will be considered. Ms. Polak seconded the motion and the motion passed unanimously.

F 52. Orleans 11-115

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

F 53. Orleans 13-113

Ms. Polak made a motion to award $2,761.81 for FUNERAL. Ms. Fanara seconded the motion and the motion passed unanimously.

F 54. Orleans 13-123

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

F 55. Orleans 14-003

Ms. Stapleton made a motion to award $8,352.00 for WAGE, $1,648.00 for MEDICAL. Mr. DiBenedetto seconded the motion and the motion passed unanimously. The board also agreed to mark the case as "closed".

V. ITEMS FOR FULL DISCUSSION

F 56. Orleans 14-007

Ms. Polak made a motion to defer ruling awaiting additional information regarding payment of total and permanent disability. Mr. DiBenedetto seconded the motion and the motion passed unanimously.

F 57. Orleans 14-020

Ms. Polak made a motion to award $1,535.66 for MEDICAL. Ms. Stapleton seconded the motion and the motion passed unanimously.

F 58. Orleans 14-022

Ms. Stapleton made a motion to waive the one-year filing deadline, to approve eligibility but to defer payment of the claim awaiting an itemized invoice from Medical Center of Louisiana at New Orleans. Mr. DiBenedetto seconded the motion and the motion passed unanimously.

F 59. Orleans 14-024

Ms. Polak made a motion to defer ruling awaiting information on the S.A.N.E. grant payment. Ms. Stapleton seconded the motion and the motion passed unanimously.

F 60. Orleans 14-028

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 61. Orleans 14-029

Ms. Polak made a motion approve the claimant's request for total and permanent eligibility and to award $25,000.00 for FUTURE LOST WAGES payable in $5,000 monthly increments over the next five months, beginning this month. Ms. Stapleton seconded the motion and the motion passed unanimously.

F 62. St. Charles 14-012

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

F 63. St. Charles 14-013

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

F 64. St. Charles 14-015

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

F 65. St. Charles 14-016

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

F 66. St. Charles 14-017

Ms. Stapleton 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 67. St. Landry 14-003

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

F 68. St. Landry 14-004

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

F 69. St. Mary 13-015

Ms. Stapleton made a motion to award $3,907.22 for FUNERAL. Ms. Polak seconded the motion and the motion passed unanimously.

F 70. Terrebonne 14-005

Ms. Polak made a motion to approve the eligibility of this claimant with a 50 % penalty on any future claims for contribution (no seat belt used). Ms. Stapleton seconded the motion and the motion passed unanimously.

F 71. Winn 14-001

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

VI. LATE ADDITIONS

L 1. Caddo 14-004

Ms. Stapleton made a motion to award $1,922.00 for MEDICAL. Ms. Polak seconded the motion and the motion passed unanimously.

L 2. East Baton Rouge 14-066

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

L 3. Orleans 13-063

Ms. Polak made a motion to award $5,000.00 for WAGE. Ms. Fanara seconded the motion and the motion passed unanimously.

L 4. Orleans 13-068

Ms. Polak made a motion to award $5,000.00 for WAGE. Ms. Fanara seconded the motion and the motion passed unanimously.

L 5. Orleans 14-012

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

L 6. Sabine 13-013

Ms. Stapleton made a motion to award $3,250.00 for FUNERAL. Ms. Polak seconded the motion and the motion passed unanimously.

VI. LATE ADDITIONS

L 7. St. Charles 11-069

Mr. DiBenedetto made a motion to deny under authority of R.S. 46:1809 B (3) e (filed late). Ms. Fanara seconded the motion and the motion passed unanimously.

VII. OTHER BUSINESS

The Board discussed Future Lost Wages in regards to Total and Permanent Disability. The Board also discussed researching the S.A.N.E. grant and what it pays for.

Ms. Polak made a motion to adjourn the meeting. Ms. Fanara seconded the motion. Mr. Davis adjourned the meeting at 11:27 a.m.