



State of Louisiana
Crime Victims Reparations Board
MINUTES

MEETING DATE: January 14, 2014

MEMBERS PRESENT: Ms. Nancy Adcock, Mr. Lamarr Davis, Mr. Carroll DiBenedetto, Sr., Mr. Rustin Legendre, Ms. Ann Polak, Ms. Sharon Rodi, Ms. Lucille Williams,

MEMBERS ABSENT: Ms. Mary L. Fanara, Ms. Carolyn Stapleton,

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

GUESTS PRESENT: Erich Duchmann, Jessica Thornhill, Kent Wolkart, Stephanie Minto, Pam Schmitt, Pat Baudoin, Marco Balducci, Jacinta Gonzalez

I. CALL TO ORDER

The monthly meeting of the Crime Victims Reparations Board for the date of January 14, 2014, was called to order by Mr. Davis at 9:18 a.m.

II. APPROVAL OF MINUTES OF PREVIOUS MEETING

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

III. APPEALS

A 1. Caddo 13-045

Ms. Adcock made a motion to reverse the Board's previous decision and approve the eligibility of this claimant. Mr. DiBenedetto seconded the motion and the motion passed unanimously.

A 2. Orleans 13-077

Ms. Adcock made a motion to delay review of this appeal until the arrival of the claimant. Ms. Polak seconded the motion. After the arrival of the claimant and discussion of the appeal, Ms. Rodi made a motion to enter Executive Session. Mr. DiBenedetto seconded the motion. The Board entered Executive Session. Ms. Adcock made a motion to re-enter Open Session. Ms. Polak seconded the motion. The Board re-entered Open Session. Ms. Rodi made a motion to reverse the Board's previous decision and to approve the eligibility of this claimant. Ms. Polak seconded the motion and the motion passed 4 to 3 with no abstentions.

IV. EMERGENCY CONFIRM/DENY

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

V. ITEMS FOR FULL DISCUSSION

F 1. Acadia 13-005

Mr. DiBenedetto made a motion to award \$300.00 for AMBULANCE TRANSPORT (MEDICAL), \$3,399.58 for MEDICAL, \$102.00 for MEDICAL MILEAGE. Ms. Polak seconded the motion and the motion passed unanimously.

F 2. Ascension 13-006

Ms. Polak made a motion to approve the eligibility of this claimant. Ms. Williams seconded the motion and the motion passed unanimously. The Board also requested that the entire case be returned to them with any future claims.

F 3. Caddo 13-043

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

F 4. Caddo 13-063

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

F 5. Caddo 13-064

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

F 6. Caddo 13-065

Ms. Adcock 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 7. Calcasieu 11-070

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

F 8. Calcasieu 12-031

Ms. Polak made a motion to award \$712.50 for MENTAL HEALTH. Ms. Williams seconded the motion and the motion passed unanimously.

F 9. Calcasieu 13-057

Ms. Polak made a motion to award \$382.50 for MENTAL HEALTH. Ms. Adcock seconded the motion and the motion passed unanimously. The board also agreed to request an Updated Mental Health Treatment Plan as of 09/14/13.

F 10. Calcasieu 13-059

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

F 11. Concordia 13-005

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

F 12. East Baton Rouge 13-021

Ms. Polak 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 unanimously.

F 13. East Baton Rouge 13-037

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

F 14. East Baton Rouge 13-054

Ms. Polak made a motion to award \$5,000.00 for FUNERAL, \$4,500.00 for SUPPORT. Ms. Adcock seconded the motion and the motion passed unanimously.

F 15. East Baton Rouge 13-061

Mr. DiBenedetto made a motion to award \$6,836.47 for MEDICAL. Ms. Polak seconded the motion and the motion passed unanimously.

F 16. East Baton Rouge 13-064

Ms. Polak made a motion to defer ruling awaiting more information regarding medical bills. Mr. Legendre seconded the motion and the motion passed unanimously.

F 17. East Baton Rouge 13-065

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

F 18. East Baton Rouge 13-066

Ms. Polak made a motion to defer ruling awaiting more information. Mr. DiBenedetto seconded the motion and the motion passed unanimously.

V. ITEMS FOR FULL DISCUSSION

F 19. East Baton Rouge 13-069

Mr. DiBenedetto made a motion to award \$3,323.72 for MEDICAL. Ms. Williams seconded the motion and the motion passed unanimously.

F 20. Iberia 13-018

Ms. Polak made a motion to award \$393.50 for CRIME EVIDENCE. Ms. Adcock seconded the motion and the motion passed unanimously.

F 20. Iberia 13-018

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

F 21. Jefferson 13-021

Ms. Polak made a motion to deny the appeal of the 50% penalty under authority of R.S. 46:1809 B(4)(a) (victim contribution). Ms. Williams seconded the motion and the motion passed 6 to 1 with no abstentions.

F 22. Jefferson 13-026

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

F 23. Jefferson 13-027

Ms. Rodi made a motion to award \$10,000.00 for WAGE. Ms. Polak seconded the motion and the motion passed unanimously.

F 24. Jefferson 13-030

Ms. Rodi made a motion to award \$1,280.00 for WAGE. Ms. Adcock seconded the motion and the motion passed unanimously.

F 25. Jefferson Davis 13-026

Ms. Rodi made a motion to award \$90.00 for MENTAL HEALTH, \$201.45 for MEDICAL MILEAGE. Ms. Polak seconded the motion and the motion passed unanimously. The board also agreed to request an Updated Mental Health Treatment Plan as of 01/15/14.

F 26. Lafayette 08-010

Ms. Rodi made a motion to award \$444.42 for MEDICAL. Ms. Adcock seconded the motion and the motion passed unanimously.

F 27. Lafourche 13-044

Ms. Williams made a motion to award \$836.66 for MEDICAL. Mr. DiBenedetto seconded the motion and the motion passed unanimously.

F 28. Lafourche 13-045

Ms. Polak made a motion to award \$35.00 for MEDICAL. Ms. Williams seconded the motion and the motion passed unanimously.

F 29. Lafourche 13-057

Mr. DiBenedetto made a motion to defer ruling awaiting incident report specifically seatbelt

V. ITEMS FOR FULL DISCUSSION

information. Ms. Williams seconded the motion and the motion passed unanimously.

F 30. Orleans 13-023

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

F 31. Orleans 13-040

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

F 32. Orleans 13-048

Ms. Rodi made a motion to award \$2,300.00 for WAGE. Mr. Legendre seconded the motion and the motion passed unanimously.

F 33. Orleans 13-057

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.

F 34. Orleans 13-064

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

F 35. Orleans 13-087

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

F 36. Orleans 13-106

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

F 37. Orleans 13-108

Ms. Rodi made a motion to award \$10,000.00 for WAGE. Ms. Adcock seconded the motion and the motion passed unanimously.

F 38. St. Charles 12-001

Ms. Polak made a motion to award \$450.00 for MENTAL HEALTH. Ms. Williams seconded the motion and the motion passed unanimously. The board also agreed to request an Updated Mental Health Treatment Plan as of 11/11/13.

F 39. St. Charles 13-027

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

F 40. St. Charles 13-034

Ms. Polak 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

F 41. St. Helena 12-003

Mr. DiBenedetto made a motion to defer ruling awaiting information on criminal history and outcome of court decision. Ms. Polak seconded the motion and the motion passed unanimously.

F 42. St. Landry 13-003

Ms. Polak made a motion to defer ruling awaiting more information. Mr. DiBenedetto seconded the motion and the motion passed unanimously.

F 43. St. Mary 13-012

Mr. DiBenedetto made a motion to defer ruling awaiting more information. Ms. Adcock seconded the motion and the motion passed unanimously.

F 44. St. Tammany 13-007

Ms. Polak made a motion to award \$375.00 for MENTAL HEALTH. Ms. Williams seconded the motion and the motion passed unanimously. The board also agreed to request an Updated Mental Health Treatment Plan as of 11/13/13.

F 45. Terrebonne 13-002

Ms. Polak made a motion to award \$1,983.61 for MEDICAL. Mr. DiBenedetto seconded the motion and the motion passed unanimously.

VI. LATE ADDITIONS

L 1. Calcasieu 10-006

Mr. DiBenedetto made a motion to award \$1,412.50 for MENTAL HEALTH. Ms. Polak seconded the motion and the motion passed unanimously.

VII. OTHER BUSINESS

The Board discussed eligibility of undocumented persons and options of changing the administrative rules regarding such.

The Board also discussed FSAs and elected to consider each case on an individual basis based upon the details of the FSA.

Mr. DiBenedetto made a motion to adjourn the meeting. Ms. Polak seconded the motion. Mr. Davis adjourned the meeting at 11:35 a.m.