

M I N U T E S

MEETING DATE: **March 13, 2012**

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

MEMBERS ABSENT: Ms. Nancy Adcock, Mr. Kenneth Jones, Mr. Jimmy Pohlmann, Ms.
Sharon Rodi, Ms. Lucille Williams,

STAFF PRESENT: Robert Wertz, Carla Trahan, Margaret Watson

GUESTS PRESENT: Erich Duchmann, PhD, Mechelle Delahoussaye, Tiffany Veal, Latina
Jolivett

I. CALL TO ORDER

The monthly meeting of the Crime Victims Reparations Board for the date of March 13, 2012 was called to order at 9:22 a.m. by Mr. Davis.

II. APPROVAL OF MINUTES OF PREVIOUS MEETING

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

III. APPEALS

A 1. Calcasieu 10-038

Ms. Polak made a motion to award \$4,614.00 for FUNERAL. Ms. Stapleton seconded the motion and the motion passed unanimously.

IV. EMERGENCY CONFIRM/DENY

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

V. ITEMS FOR FULL DISCUSSION

F 1. Assumption 11-009

Ms. Polak made a motion to award \$117.46 for MEDICAL, \$300.00 for AMBULANCE TRANSPORT (MEDICAL). Ms. Stapleton seconded the motion and the motion passed unanimously.

F 2. Bossier 09-010

Ms. Stapleton made a motion to award \$175.00 for MEDICAL. Ms. Fanara seconded the motion and the motion passed unanimously.

F 3. Caddo 12-001

Ms. Stapleton made a motion to defer ruling awaiting supplemental investigative report from law enforcement. Ms. Fanara seconded the motion and the motion passed unanimously.

F 4. Caddo 12-002

Ms. Polak made a motion to defer ruling awaiting supplemental investigative report from law enforcement. Ms. Stapleton seconded the motion and the motion passed unanimously.

F 5. Calcasieu 11-002

Ms. Polak made a motion to award \$262.50 for MENTAL HEALTH. Mr. DiBenedetto seconded the motion and the motion passed unanimously.

F 5. Calcasieu 11-002

Ms. Polak made a motion to award \$225.00 for MENTAL HEALTH. Mr. DiBenedetto seconded the motion and the motion passed unanimously.

F 6. Calcasieu 11-037

Ms. Polak made a motion to award \$1,305.78 for MEDICAL. Ms. Stapleton seconded the motion and the motion passed unanimously.

F 7. Calcasieu 11-064

Ms. Polak made a motion to award \$150.00 for MENTAL HEALTH. Ms. Fanara seconded the motion and the motion passed unanimously.

F 8. Calcasieu 11-082

Ms. Polak made a motion to approve the eligibility of this claimant. Mr. DiBenedetto seconded the motion and the motion passed unanimously. The IBoard also requested that Staff send them the entire case with any future claims.

V. ITEMS FOR FULL DISCUSSION

F 9. Calcasieu 11-083

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

F 10. Calcasieu 11-084

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

F 11. Calcasieu 11-085

Ms. Polak 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 12. Catahoula 11-001

Ms. Fanara made a motion to award \$1,945.00 for FUNERAL. Ms. Polak seconded the motion and the motion passed unanimously.

F 13. Concordia 12-002

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

F 14. East Baton Rouge 10-063

Ms. Stapleton made a motion to award \$350.00 for MEDICAL. Ms. Polak seconded the motion and the motion passed unanimously.

F 15. East Baton Rouge 10-120

Ms. Stapleton made a motion to defer claims awaiting mental health Initial Treatment Plan. Ms. Polak seconded the motion and the motion passed unanimously.

F 16. East Baton Rouge 11-008

Ms. Stapleton made a motion to award \$170.00 for MENTAL HEALTH. Ms. Fanara seconded the motion and the motion passed unanimously.

F 17. East Baton Rouge 11-060

Ms. Stapleton made a motion to award \$568.27 for MEDICAL, \$21.60 for MEDICAL MILEAGE. Mr. DiBenedetto seconded the motion and the motion passed unanimously.

F 18. East Baton Rouge 11-061

Mr. DiBenedetto made a motion to award \$168.87 for MEDICAL. Ms. Stapleton seconded the motion and the motion passed unanimously.

F 19. East Baton Rouge 11-065

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

F 20. East Baton Rouge 11-074

Ms. Stapleton made a motion to award \$507.50 for MENTAL HEALTH. Ms. Fanara seconded the motion and the motion passed unanimously.

F 21. East Baton Rouge 11-075

Ms. Stapleton made a motion to defer claims awaiting . Mr. DiBenedetto seconded the

V. ITEMS FOR FULL DISCUSSION

motion and the motion passed unanimously.

F 22. East Baton Rouge 11-090

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

F 23. East Baton Rouge 12-005

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

F 24. East Baton Rouge 12-006

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

F 25. East Baton Rouge 12-008

Ms. Stapleton 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 26. Iberia 11-005

Ms. Polak made a motion to award \$1,511.48 for MEDICAL, \$150.47 for OTHER. Ms. Stapleton seconded the motion and the motion passed unanimously.

F 27. Jefferson Davis 12-001

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

F 28. Lafourche 11-089

Ms. Fanara made a motion to approve the eligibility of this claimant. Ms. Polak seconded the motion and the motion passed 5 to 1 with no abstentions.

F 29. Lafourche 12-006

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

F 30. Lafourche 12-007

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

F 31. Lafourche 12-008

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

F 32. Orleans 10-188

Ms. Polak made a motion to deny under authority of R.S. 46:1809 B(3)(b) (failed or refused cooperation). Ms. Stapleton seconded the motion and the motion passed unanimously. The Board also requested that the victim be referred to a domestic violence program.

F 33. Orleans 11-073

Ms. Polak made a motion to award \$432.85 for MEDICAL but to deny lost wages

V. ITEMS FOR FULL DISCUSSION

because the claimant had no loss (R.S. 46:1809 B (3)(e)). Ms. Fanara seconded the motion and the motion passed unanimously.

F 34. Orleans 11-107

Ms. Stapleton made a motion to deny eligibility. Mr. DiBenedetto seconded the motion. The motion failed. Ms. Polak made a motion to approve. Mr. Davis seconded the motion. The motion failed. Ms. Fanara made a motion to defer ruling awaiting more information from law enforcement. Mr. DiBenedetto seconded the motion and the motion passed unanimously.

F 35. Orleans 11-110

Ms. Polak made a motion to award \$10,000.00 for WAGE. Ms. Fanara seconded the motion and the motion passed unanimously. The board agreed to increase the case maximum to \$25,000.

F 36. Orleans 11-112

Ms. Polak made a motion to defer claims awaiting insurance information. Ms. Stapleton seconded the motion and the motion passed unanimously.

F 37. Orleans 11-120

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

F 38. Orleans 11-140

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

F 39. Orleans 11-143

Ms. Polak made a motion to award \$119.13 for OTHER. Mr. DiBenedetto seconded the motion and the motion passed unanimously.

F 40. Orleans 11-145

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

F 41. Orleans 11-146

Ms. Polak made a motion to award \$48.68 for OTHER. Ms. Stapleton seconded the motion and the motion passed unanimously.

F 42. Orleans 11-147

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

F 43. Orleans 11-149

Ms. Stapleton 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 44. Orleans 11-153

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

V. ITEMS FOR FULL DISCUSSION

seconded the motion and the motion passed unanimously.

F 45. Pointe Coupee 12-001

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

F 46. St. Charles 11-017

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

F 47. St. Charles 11-056

Ms. Fanara made a motion to award \$450.00 for MENTAL HEALTH, \$751.43 for MEDICAL, \$800.00 for WAGE. Ms. Stapleton seconded the motion and the motion passed unanimously.

F 48. St. Martin 10-020

Ms. Polak made a motion to award \$659.00 for MEDICAL. Ms. Stapleton seconded the motion and the motion passed unanimously.

F 49. St. Martin 11-017

Ms. Polak made a motion to award \$68.50 for FUNERAL. Ms. Fanara seconded the motion and the motion passed unanimously.

F 50. Tangipahoa 11-021

Ms. Polak made a motion to award \$35.97 for OTHER, \$2,500.00 for CATASTROPHIC PROPERTY. Mr. Legendre seconded the motion and the motion passed 4 to 1 with 1 abstention.

F 51. Tangipahoa 11-023

Ms. Polak made a motion to defer claims awaiting death certificate. Ms. Stapleton seconded the motion and the motion passed unanimously.

VI. LATE ADDITIONS

L 1. Caddo 10-003

Ms. Polak made a motion to award \$300.00 for AMBULANCE TRANSPORT (MEDICAL), \$35.07 for MEDICAL. Mr. DiBenedetto seconded the motion and the motion passed unanimously.

L 2. Caddo 11-065

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

L 3. Caddo 11-067

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

L 4. Caddo 11-068

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

VI. LATE ADDITIONS

L 5. Caddo 11-069

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

L 6. Caddo 11-073

Ms. Polak made a motion to deny under authority of R.S. 46:1809 B(3)(b) (failed or refused cooperation). Ms. Stapleton seconded the motion and the motion passed unanimously. The Board also requested that the victim be referred to Rape Crisis Center in Shreveport.

L 7. Caddo 11-074

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

L 8. Caddo 11-075

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

L 9. Caddo 11-076

Ms. Polak made a motion to approve the eligibility of this claimant. Ms. Stapleton seconded the motion and the motion passed unanimously. The Board also made the decision to pay only providers on this case.

L 10. Caddo 11-077

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

L 11. Calcasieu 11-072

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

L 12. East Baton Rouge 11-087

Ms. Stapleton made a motion to award \$3,890.55 for FUNERAL. Ms. Polak seconded the motion and the motion passed unanimously.

L 13. East Baton Rouge 12-002

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

L 14. Ouachita 11-016

Ms. Polak made a motion to award \$1,829.43 for MEDICAL. Ms. Stapleton seconded the motion and the motion passed unanimously.

V. ITEMS FOR FULL DISCUSSION

L 15. Orleans 11-013

Ms. Stapleton made a motion to award \$3,479.38 for MEDICAL, \$349.86 for MEDICAL MILEAGE. Ms. Fanara seconded the motion and the motion passed unanimously.

VI. LATE ADDITIONS

L 16. Calcasieu 11-043

Ms. Polak made a motion to award \$593.74 for MEDICAL. Estimate approved for: \$2,839.32 for MEDICAL. Ms. Fanara seconded the motion and the motion passed unanimously.

VII. OTHER BUSINESS

Ms. Polak made a motion to adjourn the meeting. Ms. Fanara seconded the motion. Mr. Davis adjourned the meeting at 11:08 a.m.