

M I N U T E S

MEETING DATE: September 14, 2010

MEMBERS PRESENT: Ms. Nancy Adcock, Mr. Lamarr Davis, Mr. Carroll DiBenedetto, Sr., Ms. Mary L. Fanara, Mr. Joey Watson, Mr. Jimmy Pohlmann, Ms. Ann Polak, Ms. Sharon Rodi, Ms. Lucille Williams,

MEMBERS ABSENT: Mr. Kenneth Jones, Ms. Carolyn Stapleton,

STAFF PRESENT: Robert Wertz, Linda Gautier, Carla Trahan

GUESTS PRESENT: Erich Duchmann, PhD, Tiffany Veal, Mechelle Delahoussaye, Wayne Babin, Katherine Green

I. CALL TO ORDER

The meeting of the Crime Victims Reparations Board for the date of September 14, 2010, was called to order by Mr. Davis at 9:05 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. Claiborne 09-007

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.

A 2. Claiborne 09-008

Ms. Polak made a motion to award \$223.78 for MEDICAL, \$224.64 for MEDICAL MILEAGE, \$684.74 for WAGE. The claim amounts were reduced by 50 % for contribution. Mr. DiBenedetto seconded the motion and the motion passed unanimously.

A 3. Orleans 10-125

Ms. Adcock 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.

IV. EMERGENCY CONFIRM/DENY

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

V. ITEMS FOR FULL DISCUSSION

F 1. Bossier 09-032

Ms. Adcock made a motion to award \$52.08 for MEDICAL. Mr. DiBenedetto seconded the motion and the motion passed unanimously.

F 2. Bossier 10-016

Ms. Adcock made a motion to award \$774.31 for MEDICAL. Ms. Rodi seconded the motion and the motion passed unanimously.

F 3. Bossier 10-018

Ms. Rodi made a motion to award \$1,376.38 for MEDICAL, \$150.00 for AMBULANCE TRANSPORT (MEDICAL). The claim amounts were reduced by 50 % for contribution. Mr. DiBenedetto seconded the motion and the motion passed 6 to 3 with no abstentions.

F 4. Caddo 10-019

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

F 5. Calcasieu 08-062

Ms. Polak made a motion to award \$75.00 for MENTAL HEALTH. Mr. DiBenedetto seconded the motion and the motion passed unanimously.

F 6. Calcasieu 09-078

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 01/29/10.

F 7. Calcasieu 10-017

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

V. ITEMS FOR FULL DISCUSSION

unanimously.

F 8. Calcasieu 10-021

Ms. Polak made a motion to award \$940.47 for MENTAL HEALTH, \$2,951.69 for MEDICAL TRAVEL (MEDICAL), \$6,107.84 for MEDICAL. Ms. Adcock seconded the motion and the motion passed unanimously. The board also agreed to mark the case as "closed".

F 9. East Feliciana 08-001

Ms. Polak made a motion to award \$344.30 for MEDICAL. Ms. Williams seconded the motion and the motion passed unanimously.

F 10. East Feliciana 10-005

Ms. Polak made a motion to award \$5,589.78 for MEDICAL. Ms. Williams seconded the motion and the motion passed unanimously.

F 11. Iberia 10-002

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

F 12. Iberia 10-020

Ms. Maggio made a motion to award \$300.00 for AMBULANCE TRANSPORT (MEDICAL), \$872.90 for MEDICAL, \$5,000.00 for FUNERAL. Ms. Williams seconded the motion and the motion passed unanimously.

F 13. Jefferson 10-020

Ms. Fanara made a motion to defer ruling awaiting more information. Mr. DiBenedetto seconded the motion and the motion passed 8 to 1 with no abstentions.

F 14. Lafourche 05-065

Mr. DiBenedetto made a motion to award \$800.00 for MENTAL HEALTH. Ms. Fanara seconded the motion and the motion passed unanimously. The board also agreed to mark the case as "closed".

F 15. Lafourche 05-066

Mr. DiBenedetto made a motion to award \$800.00 for MENTAL HEALTH. Ms. Fanara seconded the motion and the motion passed unanimously. The board also agreed to mark the case as "closed".

F 16. Lafourche 08-039

Ms. Polak made a motion to award \$1,695.00 for MENTAL HEALTH. Mr. Pohlmann seconded the motion and the motion passed unanimously. The board also agreed to mark the case as "closed".

F 17. Lafourche 08-070

Ms. Polak made a motion to award \$2,800.00 for MENTAL HEALTH, \$545.36 for MEDICAL MILEAGE. 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 18. Lafourche 08-074

Ms. Polak made a motion to award \$800.00 for MENTAL HEALTH. Ms. Fanara seconded the motion and the motion passed unanimously. The board also agreed to mark the case as "closed".

F 19. Lafourche 08-076

Ms. Polak made a motion to award \$800.00 for MENTAL HEALTH. Ms. Fanara seconded the motion and the motion passed unanimously.

F 20. Lafourche 08-093

Ms. Adcock made a motion to defer claims awaiting treatment review. Ms. Maggio seconded the motion and the motion passed unanimously.

F 21. Lafourche 09-036

Mr. Pohlmann made a motion to award \$487.50 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 03/30/10.

F 22. Lafourche 09-050

Ms. Polak made a motion to award \$300.00 for AMBULANCE TRANSPORT (MEDICAL), \$56.00 for MEDICAL. Ms. Rodi seconded the motion and the motion passed unanimously.

F 23. Lafourche 09-054

Ms. Rodi made a motion to award \$800.00 for MENTAL HEALTH. Ms. Polak seconded the motion and the motion passed unanimously.

F 24. Lafourche 09-056

Mr. DiBenedetto made a motion to award \$300.00 for AMBULANCE TRANSPORT (MEDICAL), \$383.60 for MEDICAL. Ms. Adcock seconded the motion and the motion passed unanimously.

F 25. Lafourche 09-062

Ms. Polak made a motion to award \$412.30 for MEDICAL. Ms. Rodi seconded the motion and the motion passed unanimously.

F 26. Lafourche 10-009

Ms. Fanara made a motion to award \$378.74 for MEDICAL, \$270.28 for CRIME EVIDENCE, \$300.00 for AMBULANCE TRANSPORT (MEDICAL). Ms. Rodi seconded the motion and the motion passed unanimously.

F 27. Lafourche 10-010

Ms. Adcock made a motion to award \$184.28 for MEDICAL, \$195.28 for CRIME EVIDENCE. Ms. Fanara seconded the motion and the motion passed unanimously.

F 28. Lafourche 10-057

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

F 29. Lafourche 10-058

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

V. ITEMS FOR FULL DISCUSSION

the motion and the motion passed unanimously.

F 30. Lafourche 10-077

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

F 31. Lafourche 10-081

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

F 32. Livingston 10-007

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

F 33. Orleans 08-125

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

F 34. Orleans 09-001

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

F 35. Orleans 09-065

Ms. Rodi made a motion to award \$595.00 for MENTAL HEALTH. Ms. Polak seconded the motion and the motion passed unanimously.

F 36. Orleans 09-140

Mr. DiBenedetto 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 37. Orleans 09-154

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

F 38. Orleans 09-217

Ms. Williams 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 39. Orleans 09-221

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

F 40. Orleans 09-234

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

F 41. Orleans 10-013

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

V. ITEMS FOR FULL DISCUSSION

F 42. Orleans 10-022

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

F 43. Orleans 10-070

Ms. Maggio made a motion to award \$2,807.78 for FUNERAL. Ms. Polak seconded the motion and the motion passed unanimously.

F 44. Orleans 10-071

Ms. Maggio 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 45. Orleans 10-086

Ms. Maggio 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 46. Orleans 10-096

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

F 47. Orleans 10-097

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

F 48. Orleans 10-098

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

F 49. Orleans 10-102

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

F 50. Orleans 10-103

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

F 51. Orleans 10-104

Ms. Rodi 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 52. Orleans 10-106

Ms. Maggio 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 53. Orleans 10-107

Ms. Adcock 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 54. Orleans 10-108

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

V. ITEMS FOR FULL DISCUSSION

unanimously.

F 55. Orleans 10-109

Ms. Rodi made a motion to defer claims awaiting supplemental report from law enforcement. Ms. Polak seconded the motion and the motion passed unanimously.

F 56. Orleans 10-117

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

F 57. Orleans 10-120

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

F 58. Orleans 10-121

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

F 59. Orleans 10-122

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

F 60. Orleans 10-123

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

F 61. Ouachita 10-006

Ms. Polak made a motion to award \$3,681.86 for FUNERAL. Ms. Maggio seconded the motion and the motion passed unanimously.

F 62. Richland 10-001

Ms. Adcock made a motion to deny under authority of R.S. 46:1809 B(4)(a) (victim contribution / illegal activity). Ms. Rodi seconded the motion and the motion passed 6 to 3 with no abstentions.

F 63. St. Charles 10-029

Mr. Dibenedetto made a motion to defer this case for more information. Ms. Polak seconded the motion. The motion failed. Ms. Rodi made a motion to approve the eligibility of this claimant. Ms. Fanara seconded the motion and the motion passed 7 to 2 with no abstentions. The Board also requested that a supplemental report be included with any requests for payment.

F 64. St. Charles 10-030

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

F 65. St. Charles 10-031

Ms. Williams made a motion to approve the eligibility of this claimant. Ms. Fanara seconded the motion and the motion passed 8 to 1 with no abstentions.

V. ITEMS FOR FULL DISCUSSION

F 66. St. John The Baptist 09-001

Mr. DiBenedetto made a motion to award \$10,000.00 for CATASTROPHIC PROPERTY. Ms. Fanara seconded the motion and the motion passed unanimously. The board also agreed to mark the case as "closed".

F 67. St. John The Baptist 10-001

Ms. Polak made a motion to award \$231.77 for CRIME EVIDENCE. Ms. Rodi seconded the motion and the motion passed unanimously.

F 68. St. Landry 10-003

Ms. Adcock made a motion to defer ruling awaiting claim investigator review and police report. Mr. DiBenedetto seconded the motion and the motion passed unanimously.

F 69. St. Landry 10-005

Ms. Adcock made a motion to approve. Ms. Williams seconded the motion. Ms. Adcock made a motion to reconsider. Ms. Rodi seconded the motion. Ms. Maggio made a motion to defer ruling awaiting police report. Ms. Fanara seconded the motion and the motion passed unanimously.

F 70. St. Martin 10-005

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

F 71. Tangipahoa 09-017

Ms. Rodi made a motion to award \$52.50 for MEDICAL. Ms. Maggio seconded the motion and the motion passed unanimously.

F 72. Tensas 10-001

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

F 73. Vermilion 09-016

Ms. Fanara made a motion to award \$2,905.22 for MEDICAL, \$57.00 for AMBULANCE TRANSPORT (MEDICAL). Ms. Polak seconded the motion and the motion passed unanimously.

F 74. Vermilion 09-027

Ms. Fanara made a motion to award \$4,961.26 for MEDICAL, \$600.00 for AMBULANCE TRANSPORT (MEDICAL). Ms. Rodi seconded the motion and the motion passed unanimously.

F 75. Winn 10-002

Ms. Rodi made a motion to deny. Mr. DiBenedetto seconded the motion. The motion failed. Ms. Adcock made a motion to award \$5,000.00 for FUNERAL. The claim amounts were reduced by 50 % for contribution. Ms. Maggio seconded the motion and the motion passed unanimously.

VI. LATE ADDITIONS

L 1. Caddo 10-020

Ms. Adcock made a motion to approve the eligibility of this claimant. Ms. Maggio

VI. LATE ADDITIONS

seconded the motion and the motion passed unanimously.

L 2. Calcasieu 09-083

Ms. Adcock made a motion to award \$7,297.16 for AMBULANCE TRANSPORT (MEDICAL), \$510.63 for MEDICAL. Ms. Polak seconded the motion and the motion passed unanimously.

L 3. Calcasieu 10-020

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

L 4. Calcasieu 10-033

Mr. DiBenedetto made a motion to award \$2,992.21 for MEDICAL. The claim amounts were reduced by 50 % for contribution. Ms. Maggio seconded the motion and the motion passed unanimously.

L 5. Concordia 10-002

Ms. Polak made a motion to award \$166.06 for MEDICAL MILEAGE. Mr. DiBenedetto seconded the motion and the motion passed unanimously.

L 6. East Baton Rouge 09-099

Ms. Polak made a motion to award \$3,999.70 for FUNERAL. Ms. Maggio seconded the motion and the motion passed unanimously.

L 7. East Carroll 10-001

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

L 8. Jefferson 10-019

Ms. Polak made a motion to award \$60.00 for MEDICAL. Estimate approved for: \$5,906.00 for MEDICAL. Ms. Rodi seconded the motion and the motion passed 7 to 2 with no abstentions.

L 9. Lafayette 03-002

Ms. Polak made a motion to award \$1,909.69 for MEDICAL. Ms. Fanara seconded the motion and the motion passed unanimously.

L 10. Lafayette 07-007

Mr. DiBenedetto made a motion to award \$74.42 for MEDICAL, \$629.23 for MENTAL HEALTH. Ms. Maggio seconded the motion and the motion passed unanimously. The board also agreed to mark the case as "closed".

L 11. Lafourche 10-083

Ms. Fanara made a motion to award \$154.17 for MEDICAL. Ms. Adcock seconded the motion and the motion passed unanimously.

L 12. Lafourche 10-085

Ms. Maggio made a motion to award \$365.17 for MEDICAL. Estimate approved for: \$3,550.00 for MEDICAL. Ms. Fanara seconded the motion and the motion passed unanimously. The Board also requested that insurance payment be verified before the

VI. LATE ADDITIONS

estimate is paid.

L 13. Lafourche 10-086

Mr. DiBenedetto made a motion to award \$4,850.00 for MEDICAL, \$150.00 for AMBULANCE TRANSPORT (MEDICAL). The claim amounts were reduced by 50 % for contribution. Ms. Maggio seconded the motion and the motion passed unanimously.

V. ITEMS FOR FULL DISCUSSION

L 14. Livingston 09-019

Ms. Fanara made a motion to award \$5,401.97 for WAGE, \$2,643.88 for MEDICAL. Ms. Polak seconded the motion and the motion passed unanimously.

VI. LATE ADDITIONS

L 15. Orleans 09-180

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

L 16. Orleans 10-127

Ms. Fanara made a motion to award \$485.93 for WAGE. Mr. Pohlmann seconded the motion and the motion passed unanimously.

L 17. Pointe Coupee 10-003

Ms. Polak made a motion to award \$3,949.58 for MEDICAL, \$300.00 for AMBULANCE TRANSPORT (MEDICAL). Ms. Maggio seconded the motion and the motion passed unanimously.

L 18. Rapides 09-017

Ms. Maggio made a motion to defer claims awaiting complete police report and prescription information. Ms. Rodi seconded the motion and the motion passed unanimously.

L 19. Tangipahoa 10-011

Ms. Maggio made a motion to award \$192.40 for WAGE. Ms. Polak seconded the motion and the motion passed unanimously.

L 20. Terrebonne 08-009

Ms. Adcock made a motion to award \$1,752.03 for MEDICAL, \$193.00 for AMBULANCE TRANSPORT (MEDICAL). Ms. Maggio seconded the motion and the motion passed unanimously.

L 21. Terrebonne 10-008

Mr. DiBenedetto made a motion to award \$1,930.99 for MEDICAL, \$150.00 for AMBULANCE TRANSPORT (MEDICAL). The claim amounts were reduced by 50 % for contribution. Mr. Pohlmann seconded the motion and the motion passed 6 to 3 with no abstentions.

L 22. Pointe Coupee 10-001

Mr. Pohlmann made a motion to award \$470.00 for MENTAL HEALTH. Ms. Fanara seconded the motion and the motion passed unanimously.

VI. LATE ADDITIONS

L 23. East Baton Rouge 10-054

Ms. Polak made a motion to award. Estimate approved for: \$1,791.25 for MEDICAL.
Ms. Maggio seconded the motion and the motion passed unanimously.

L 24. East Baton Rouge 10-077

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

VII. OTHER BUSINESS

CALC09-017 - Request from mental health provider regarding independent psychological evaluation. Ms. Polak made a motion to waive the \$2,500 mental health maximum without an independent mental health evaluation. Mr. DiBenedetto seconded the motion and the motion passed unanimously.

VERM09-015 - Attorney request to waive repayment of funds awarded by CVR. Mr. DiBenedetto made a motion to deny the request. Ms. Adcock seconded the motion and the motion passed unanimously.

The Board discussed ORLE09-131
and the letter that is to be sent to the judge.

The Board entered Executive Session. Mr. DiBenedetto made a motion to re-enter General Session. Ms. Williams seconded the motion. Mr. DiBenedetto made a motion to adjourn the meeting. Ms. Maggio seconded the motion. Mr. Davis adjourned the meeting at 12:30 p.m.