

M I N U T E S

MEETING DATE: **November 9, 2010**

MEMBERS PRESENT: Mr. Lamarr Davis, Ms. Debbie Maggio, Ms. Ann Polak, Ms. Sharon Rodi, Ms. Carolyn Stapleton,

MEMBERS ABSENT: Ms. Nancy Adcock, Mr. Carroll DiBenedetto, Sr., Ms. Mary L. Fanara, Mr. Kenneth Jones, Mr. Jimmy Pohlmann, Ms. Lucille Williams,

STAFF PRESENT: Robert Wertz, Linda Gautier, Carla Trahan

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

I. CALL TO ORDER

Mr. Lamarr Davis called the Board meeting of the Crime Victims Reparations Board to order at 9:15 a.m.

II. APPROVAL OF MINUTES OF PREVIOUS MEETING

Ms. Rodi made a recommendation to approve the minutes of the previous Board meeting. Ms. Polak seconded the recommendation and the recommendation passed unanimously.

III. APPEALS

A 1. Calcasieu 10-031

Ms. Polak made a recommendation to approve. Ms. Rodi seconded the recommendation. Ms. Stapleton made a recommendation to reconsider. Ms. Maggio seconded the recommendation. Ms. Stapleton made a recommendation to defer ruling awaiting further Board consideration. Ms. Maggio seconded the recommendation and the recommendation passed unanimously.

A 2. Jefferson 10-018

Ms. Rodi made a recommendation to approve. Ms. Polak seconded the motion. Ms. Rodi made a recommendation to rescind. Ms. Rodi made a recommendation to defer ruling awaiting further Board consideration. Ms. Polak seconded the recommendation and the motion passed unanimously.

A 3. Orleans 10-106

Ms. Rodi made a recommendation to defer ruling awaiting further Board consideration. Ms. Polak seconded the recommendation and the recommendation passed unanimously.

IV. EMERGENCY CONFIRM/DENY

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

V. ITEMS FOR FULL DISCUSSION

F 1. Ascension 10-004

Ms. Rodi made a recommendation to award \$7,043.24 for MEDICAL, \$300.00 for AMBULANCE TRANSPORT (MEDICAL). Ms. Polak seconded the recommendation and the recommendation passed unanimously.

F 2. Assumption 09-003

Ms. Polak made a recommendation to award \$675.00 for MENTAL HEALTH, \$371.75 for MEDICAL MILEAGE. Ms. Rodi seconded the recommendation and the recommendation passed unanimously. The board also agreed to request an Updated Mental Health Treatment Plan as of 06/14/10.

F 3. Caddo 10-008

Ms. Polak made a recommendation to award \$240.00 for MENTAL HEALTH. Ms. Rodi seconded the recommendation and the recommendation passed unanimously. The board also agreed to request an Updated Mental Health Treatment Plan as of 09/16/10.

F 4. Caddo 10-021

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

F 5. Caddo 10-033

Ms. Rodi made a recommendation to award \$1,097.02 for MEDICAL. Ms. Polak seconded the recommendation and the recommendation passed unanimously.

F 6. Calcasieu 09-041

Ms. Polak made a recommendation to award \$375.00 for MENTAL HEALTH. Ms. Rodi

V. ITEMS FOR FULL DISCUSSION

seconded the recommendation and the recommendation passed unanimously. The board also agreed to request an Updated Mental Health Treatment Plan as of 11/30/10.

F 7. Calcasieu 09-042

Ms. Polak made a recommendation to award \$300.00 for MENTAL HEALTH. Ms. Rodi seconded the recommendation and the recommendation passed unanimously. The board also agreed to request an Updated Mental Health Treatment Plan as of 11/30/10.

F 8. Calcasieu 09-046

Ms. Polak made a recommendation to award \$445.00 for MENTAL HEALTH. Ms. Rodi seconded the recommendation and the recommendation passed unanimously.

F 9. Calcasieu 09-056

Ms. Polak made a recommendation to award \$300.00 for MENTAL HEALTH. Ms. Rodi seconded the recommendation and the recommendation passed unanimously. The board also agreed to mark the case as "closed".

F 10. Calcasieu 09-076

Ms. Polak made a recommendation to award \$225.00 for MENTAL HEALTH. Ms. Rodi seconded the recommendation and the recommendation passed unanimously. The board also agreed to request an Updated Mental Health Treatment Plan as of 09/01/10.

F 11. Calcasieu 10-011

Ms. Polak made a recommendation to award \$4,953.59 for MEDICAL. Ms. Stapleton seconded the recommendation and the recommendation passed unanimously.

F 12. Calcasieu 10-032

Ms. Polak made a recommendation to award \$586.20 for MEDICAL. Ms. Rodi seconded the recommendation and the recommendation passed unanimously.

F 13. Claiborne 10-003

Ms. Rodi made a recommendation to award \$371.70 for MEDICAL. Ms. Polak seconded the recommendation and the recommendation passed 5 to 0 with 1 abstention.

F 14. Desoto 10-004

Ms. Rodi made a recommendation to deny under authority of R.S. 46:1809 B(4)(a) (victim contribution). Ms. Stapleton seconded the recommendation and the recommendation passed 5 to 0 with 1 abstention.

F 15. East Baton Rouge 07-036

Ms. Polak made a recommendation to award \$600.00 for MENTAL HEALTH. Ms. Rodi seconded the recommendation and the recommendation passed 5 to 0 with 1 abstention.

F 16. East Baton Rouge 08-033

Ms. Rodi made a recommendation to award \$577.50 for MENTAL HEALTH. Ms. Maggio seconded the recommendation and the recommendation passed 5 to 0 with 1 abstention.

F 17. East Baton Rouge 09-049

Ms. Polak made a recommendation to award \$425.00 for MENTAL HEALTH. Ms. Maggio seconded the recommendation and the recommendation passed 5 to 0 with 1 abstention. The board also agreed to request an Updated Mental Health Treatment Plan

V. ITEMS FOR FULL DISCUSSION

as of 08/19/10.

F 18. East Baton Rouge 09-111

Ms. Maggio made a recommendation to award \$3,929.15 for FUNERAL. Ms. Rodi seconded the recommendation and the recommendation passed 5 to 0 with 1 abstention.

F 19. East Baton Rouge 10-023

Ms. Polak made a recommendation to award \$9,700.00 for MEDICAL, \$300.00 for AMBULANCE TRANSPORT (MEDICAL). Ms. Rodi seconded the recommendation and the recommendation passed 5 to 0 with 1 abstention.

F 20. East Baton Rouge 10-061

Ms. Rodi made a recommendation to award \$2,680.00 for FUNERAL in correction of an error and also to authorize CVR staff to contact the Attorney General's office in an effort to obtain repayment of funeral expenses paid to the incorrect claimant. Ms. Polak seconded the recommendation and the recommendation passed 5 to 0 with 1 abstention.

F 21. East Baton Rouge 10-063

Ms. Polak made a recommendation to award \$1,153.60 for WAGE. Ms. Rodi seconded the recommendation and the recommendation passed 5 to 0 with 1 abstention.

F 22. East Baton Rouge 10-078

Ms. Rodi made a recommendation to approve the eligibility of this claimant. Ms. Polak seconded the recommendation and the recommendation passed 5 to 0 with 1 abstention.

F 23. East Baton Rouge 10-079

Ms. Rodi made a recommendation to award \$4,524.17 for MEDICAL. Ms. Maggio seconded the recommendation and the recommendation passed 5 to 0 with 1 abstention.

F 24. East Baton Rouge 10-080

Ms. Rodi made a recommendation to approve the eligibility of this claimant. Ms. Polak seconded the recommendation and the recommendation passed 5 to 0 with 1 abstention.

F 25. East Baton Rouge 10-086

Ms. Rodi made a recommendation to approve the eligibility of this claimant. Ms. Polak seconded the recommendation and the recommendation passed 5 to 0 with 1 abstention.

F 26. East Baton Rouge 10-090

Ms. Rodi made a recommendation to award \$1,879.87 for MEDICAL. Ms. Maggio seconded the recommendation and the recommendation passed 5 to 0 with 1 abstention.

F 27. East Baton Rouge 10-094

Ms. Rodi made a recommendation to award \$2,600.07 for FUNERAL. Ms. Maggio seconded the recommendation and the recommendation passed 5 to 0 with 1 abstention.

F 28. Iberia 10-017

Ms. Stapleton made a recommendation to award \$3,114.67 for WAGE. Ms. Maggio seconded the recommendation and the recommendation passed unanimously.

F 29. Iberia 10-028

Ms. Stapleton made a recommendation to award \$1,084.89 for MEDICAL. Ms. Rodi

V. ITEMS FOR FULL DISCUSSION

seconded the recommendation and the recommendation passed unanimously.

F 30. Jefferson 10-023

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

F 31. Lafayette 10-011

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

F 32. Lafayette 10-013

Ms. Polak made a recommendation to award \$1,275.40 for MEDICAL, \$300.00 for AMBULANCE TRANSPORT (MEDICAL). Ms. Rodi seconded the recommendation and the recommendation passed unanimously.

F 33. Lafayette 10-017

Ms. Stapleton made a recommendation to award \$1,997.80 for MEDICAL, \$300.00 for AMBULANCE TRANSPORT (MEDICAL). Ms. Maggio seconded the recommendation and the recommendation passed unanimously.

F 34. Lafayette 10-024

Ms. Stapleton made a recommendation to deny. The recommendation died for lack of a second. Ms. Maggio made a recommendation to defer ruling awaiting further Board consideration. Ms. Polak seconded the recommendation and the recommendation passed unanimously.

F 35. Lafourche 09-054

Ms. Polak made a recommendation to award \$150.00 for MENTAL HEALTH. Ms. Maggio seconded the recommendation and the recommendation passed unanimously. The board also agreed to request an Updated Mental Health Treatment Plan as of 08/03/10.

F 36. Lafourche 10-067

Ms. Polak made a recommendation to award \$264.62 for WAGE. Ms. Maggio seconded the recommendation and the recommendation passed unanimously.

F 37. Lafourche 10-068

Ms. Rodi made a recommendation to award \$684.06 for WAGE. Ms. Polak seconded the recommendation and the recommendation passed unanimously.

F 38. Lafourche 10-075

Ms. Polak made a recommendation to award \$1,300.93 for MEDICAL. Ms. Rodi seconded the recommendation and the recommendation passed unanimously.

F 39. Lafourche 10-100

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

F 40. Lafourche 10-101

Ms. Stapleton made a recommendation to award \$2,677.32 for MEDICAL. Ms. Rodi seconded the recommendation and the recommendation passed 5 to 1 with no

V. ITEMS FOR FULL DISCUSSION

abstentions.

F 41. Lafourche 10-102

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

F 42. Lafourche 10-103

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

F 43. Lafourche 10-105

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

F 44. Lafourche 10-108

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

F 45. Lafourche 10-109

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

F 46. Lafourche 10-110

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

F 47. Lafourche 10-111

Ms. Polak made a recommendation to award \$337.50 for MENTAL HEALTH. Ms. Rodi seconded the recommendation and the recommendation passed unanimously.

F 48. Lafourche 10-135

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

F 49. Natchitoches 10-005

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

F 50. Orleans 10-039

Ms. Rodi made a recommendation to award \$648.12 for MEDICAL, \$300.00 for AMBULANCE TRANSPORT (MEDICAL). Ms. Polak seconded the recommendation and the recommendation passed unanimously.

F 51. Orleans 10-051

Ms. Rodi made a recommendation to defer ruling awaiting supplemental police report. Ms. Maggio seconded the recommendation and the recommendation passed unanimously.

F 52. Orleans 10-118

Ms. Rodi made a recommendation to deny under authority of R.S. 46:1809 B(1) (no

V. ITEMS FOR FULL DISCUSSION

evidence of crime). Ms. Maggio seconded the recommendation and the recommendation passed unanimously.

F 53. Orleans 10-129

Ms. Rodi made a recommendation to award \$979.37 for MEDICAL. Ms. Maggio seconded the recommendation and the recommendation passed unanimously.

F 54. Orleans 10-139

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

F 55. Orleans 10-142

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

F 56. St. Charles 09-022

Ms. Polak made a recommendation to award \$75.00 for MENTAL HEALTH. Ms. Rodi seconded the recommendation and the recommendation passed unanimously.

F 57. St. Charles 10-039

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

F 58. St. Charles 10-040

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

F 59. St. John The Baptist 10-003

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

F 60. St. Landry 10-007

Ms. Polak made a recommendation to award \$3,250.10 for MEDICAL. Ms. Maggio seconded the recommendation and the recommendation passed unanimously.

F 61. St. Martin 10-002

Ms. Stapleton made a recommendation to award \$2,139.57 for MEDICAL, \$300.00 for AMBULANCE TRANSPORT (MEDICAL). Ms. Polak seconded the recommendation and the recommendation passed unanimously.

F 62. St. Martin 10-007

Ms. Stapleton made a recommendation to deny under authority of R.S. 46:1809 B(1) (crime definition). Ms. Polak seconded the recommendation and the recommendation passed unanimously.

F 63. St. Mary 10-007

Ms. Stapleton made a recommendation to award \$5,000.00 for FUNERAL. Ms. Polak

V. ITEMS FOR FULL DISCUSSION

seconded the recommendation and the recommendation passed unanimously.

F 64. St. Tammany 10-015

Ms. Stapleton made a recommendation to award \$111.77 for WAGE. Ms. Rodi seconded the recommendation and the recommendation passed unanimously.

F 65. Terrebonne 10-010

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

F 66. Vermilion 10-007

Ms. Polak made a recommendation to approve eligibility. Ms. Maggio seconded the recommendation. Ms. Polak made a recommendation to reconsider. Ms. Maggio seconded the recommendation. Ms. Polak made a recommendation to defer ruling awaiting further Board consideration. Ms. Maggio seconded the recommendation and the recommendation passed unanimously.

F 67. Vermilion 10-015

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

VI. LATE ADDITIONS

L 1. Bossier 10-025

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

L 2. Caddo 10-022

Ms. Stapleton made a recommendation to award \$473.54 for MEDICAL, \$300.00 for AMBULANCE TRANSPORT (MEDICAL). Ms. Polak seconded the recommendation and the recommendation passed unanimously.

L 3. Caddo 10-024

Ms. Stapleton made a recommendation to award \$693.74 for MEDICAL. Ms. Maggio seconded the recommendation and the recommendation passed unanimously.

L 4. Caddo 10-029

Ms. Stapleton made a recommendation to award \$818.90 for MEDICAL. Ms. Polak seconded the recommendation and the recommendation passed unanimously.

L 5. Calcasieu 08-022

Ms. Polak made a recommendation to award \$150.00 for MENTAL HEALTH. Mr. Maggio seconded the recommendation and the recommendation passed unanimously.

L 6. Calcasieu 10-037

Ms. Polak made a recommendation to award \$2,800.00 for WAGE, \$2,685.00 for MEDICAL. Ms. Stapleton seconded the recommendation and the recommendation passed unanimously.

VI. LATE ADDITIONS

L 7. East Baton Rouge 09-110

Ms. Polak made a recommendation to award \$4,500.00 for FUNERAL. Ms. Rodi seconded the recommendation and the recommendation passed 5 to 0 with one abstention.

V. ITEMS FOR FULL DISCUSSION

L 8. East Baton Rouge 10-032

Ms. Polak made a recommendation to award \$268.00 for MEDICAL and to approve two estimates for a total of \$4,689.00 for MEDICAL. Ms. Maggio seconded the recommendation and the recommendation passed 5 to 0 with one abstention.

VI. LATE ADDITIONS

L 9. East Baton Rouge 10-087

Ms. Rodi made a recommendation to approve the eligibility of this claimant. Ms. Polak seconded the recommendation and the recommendation passed 5 to 0 with one abstention.

L 10. East Baton Rouge 10-088

Ms. Rodi made a recommendation to approve the eligibility of this claimant. Ms. Polak seconded the recommendation and the recommendation passed 5 to 0 with one abstention.

L 11. Franklin 10-002

Ms. Stapleton made a recommendation to award \$2,720.00 for MEDICAL. Ms. Maggio seconded the recommendation and the recommendation passed unanimously.

L 12. Lafourche 10-033

Ms. Polak made a recommendation to award \$10.50 for MEDICAL. Ms. Maggio seconded the recommendation and the recommendation passed unanimously.

L 13. Lafourche 10-088

Ms. Polak made a recommendation to award \$292.50 for MENTAL HEALTH. Ms. Rodi seconded the recommendation and the recommendation passed unanimously.

L 14. Lafourche 10-127

Ms. Stapleton made a recommendation to defer ruling awaiting further Board consideration. Ms. Polak seconded the recommendation and the recommendation passed unanimously.

L 15. Livingston 08-007

Ms. Stapleton made a recommendation to award \$3,312.63 for FUNERAL. Ms. Polak seconded the recommendation and the recommendation passed unanimously.

L 16. Natchitoches 10-010

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

VI. LATE ADDITIONS

L 17. Orleans 10-140

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

L 18. Orleans 10-141

Ms. Polak made a recommendation to award \$10,000.00 for CATASTROPHIC PROPERTY. Ms. Maggio seconded the recommendation and the recommendation passed unanimously.

L 19. Ouachita 10-012

Ms. Stapleton made a recommendation to award \$3,279.50 for MEDICAL. Ms. Rodi seconded the recommendation and the recommendation passed unanimously.

L 20. Rapides 10-012

Ms. Polak made a recommendation to award \$6,734.79 for MEDICAL, \$300.00 for AMBULANCE TRANSPORT (MEDICAL). Ms. Stapleton seconded the recommendation and the recommendation passed unanimously.

L 21. St. Charles 10-038

Ms. Stapleton made a recommendation to award \$90.54 for MEDICAL. Ms. Polak seconded the recommendation and the recommendation passed unanimously.

V. ITEMS FOR FULL DISCUSSION

L 22. St. Charles 10-042

Ms. Polak made a recommendation to award \$293.81 for WAGE, \$332.66 for MEDICAL. Ms. Maggio seconded the recommendation and the recommendation passed unanimously.

L 23. St. John The Baptist 09-006

Ms. Stapleton made a recommendation to award \$4,756.42 for MEDICAL, \$62.40 for MEDICAL MILEAGE. Ms. Polak seconded the recommendation and the recommendation passed unanimously.

VI. LATE ADDITIONS

L 24. St. Landry 10-008

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

V. ITEMS FOR FULL DISCUSSION

L 25. St. Tammany 10-011

Ms. Polak made a recommendation to award \$667.43 for MEDICAL, \$1,877.50 for MENTAL HEALTH, \$144.00 for MEDICAL MILEAGE. Ms. Rodi seconded the recommendation and the recommendation passed unanimously.

VI. LATE ADDITIONS

L 26. Tangipahoa 10-019

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

L 27. West Feliciana 10-002

Ms. Polak made a recommendation to award \$3,997.64 for FUNERAL, \$100.00 for MEDICAL, \$1,445.00 for MENTAL HEALTH, \$319.68 for MEDICAL MILEAGE. Ms. Stapleton seconded the recommendation and the recommendation passed unanimously.

L 28. Lafourche 10-088

Ms. Polak made a recommendation to award \$40.00 for MENTAL HEALTH. Ms. Rodi seconded the recommendation and the recommendation passed unanimously.

VII. OTHER BUSINESS

OTHER BUSINESS #1

The mental health provider for CALC08-062 has requested an extension. Ms. Polak made a recommendation to approve that request up to \$2,500. Ms. Stapleton seconded the recommendation and the recommendation passed unanimously.

OTHER BUSINESS #2

The mental health provider for CALC08-073 has requested an extension. Ms. Polak made a recommendation to approve the request up to \$2,500. Ms. Stapleton seconded the recommendation and the recommendation passed unanimously.

OTHER BUSINESS #3

The claimant for CHAR09-034 has requested that maximum eligibility be raised to \$25,000 due to total and permanent disability. Ms. Polak made a recommendation to approve the request. Ms. Stapleton seconded the recommendation and the recommendation passed unanimously.

The Board also discussed proposed changes administrative rules.

Ms. Stapleton made a motion to adjourn the meeting. Ms. Polak seconded the motion. Mr. Davis adjourned the meeting at 11:55 a.m.

Mr. Carroll DiBenedetto reviewed the applications for reparations on Friday, November 12, 2010, at the CVR Board office.