

M I N U T E S

MEETING DATE: December 13, 2011

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

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

STAFF PRESENT: Robert Wertz, Carla Trahan, Margaret Watson

GUESTS PRESENT: Mechelle Delahoussaye, Robert Buhl, Wayne Babin, Kent Wolkart, Tiffany Veal, Latina Jolivett, Tamara Jackson, Robin Hayes, Charlene Ellis

I. CALL TO ORDER

The meeting of the Crime Victims Reparations Board for the date of December 13, 2011, was called to order at 9:15 a.m. by Mr. Davis.

II. APPROVAL OF MINUTES OF PREVIOUS MEETING

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

VI. LATE ADDITIONS

Bossier

Computer software error.

V. ITEMS FOR FULL DISCUSSION

. Bossier 11-033

Software error.

III. APPEALS

A 1. Ouachita 11-009

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

V. ITEMS FOR FULL DISCUSSION

F 1. Allen 11-001

Ms. Polak 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 2. Ascension 11-003

Ms. Maggio made a motion to award \$3,614.60 for MEDICAL. Ms. Adcock seconded the motion and the motion passed unanimously.

F 3. Bossier 11-012

Ms. Williams made a motion to award \$1,338.31 for FUNERAL. Ms. Polak seconded the motion and the motion passed unanimously.

F 4. Bossier 11-028

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

F 5. Bossier 11-031

Ms. Maggio made a motion to approve the eligibility of this claimant. The claim amounts were reduced by 50 % for contribution. Ms. Adcock seconded the motion and the motion passed 7 to 2 with no abstentions.

F 6. Caddo 11-043

Ms. Adcock 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 7 to 2 with no abstentions.

F 7. Calcasieu 10-053

Ms. Polak made a motion to award \$375.00 for MENTAL HEALTH. Ms. Maggio seconded the motion and the motion passed unanimously.

V. ITEMS FOR FULL DISCUSSION

F 8. Calcasieu 11-033

Ms. Maggio made a motion to deny under authority of LAC22: XIII.301(A)(1)(a) (felony convictions) and under authority of R.S. 46:1809 B(4)(a) (victim contribution). Ms. Polak seconded the motion and the motion passed unanimously.

F 9. Calcasieu 11-034

Ms. Polak made a motion to award \$404.43 for MEDICAL. The claim amounts were reduced by 50 % for contribution. Ms. Fanara seconded the motion and the motion passed unanimously.

F 10. Calcasieu 11-038

Ms. Polak 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 11. Calcasieu 11-067

Ms. Polak made a motion to approve eligibility. Ms. Rodi seconded the motion. The motion failed. Mr. DiBenedetto made a motion to deny under authority of R.S. 46:1809 B (3) (crime reported late). Ms. Maggio seconded the motion and the motion passed 8 to 1 with no abstentions.

F 12. Calcasieu 11-071

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

F 13. Calcasieu 11-074

Ms. Maggio made a motion to defer ruling awaiting supplemental report from law enforcement. Mr. DiBenedetto seconded the motion and the motion passed unanimously.

F 14. East Baton Rouge 11-069

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

F 15. East Baton Rouge 11-073

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

F 16. East Baton Rouge 11-075

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

F 17. Lafourche 08-055

Ms. Polak made a motion to award \$400.00 for WAGE, \$775.00 for MENTAL HEALTH, \$87.36 for MEDICAL MILEAGE. Ms. Maggio seconded the motion and the motion passed unanimously. The board also agreed to mark the case as "closed".

F 18. Lafourche 11-074

Ms. Polak made a motion to award \$262.50 for MENTAL HEALTH, \$70.38 for MEDICAL MILEAGE. Ms. Fanara seconded the motion and the motion passed unanimously.

V. ITEMS FOR FULL DISCUSSION

F 19. Lafourche 11-084

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

F 20. Lafourche 11-085

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

F 21. Lafourche 11-092

Ms. Maggio made a motion to defer ruling awaiting additional investigative information. Ms. Polak seconded the motion and the motion passed unanimously.

F 22. Lincoln 11-001

Ms. Fanara made a motion to award \$639.80 for MEDICAL. Ms. Polak seconded the motion and the motion passed unanimously.

F 23. Orleans 11-032

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

F 24. Orleans 11-086

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

F 25. Orleans 11-087

Ms. Rodi made a motion to award \$4,779.00 for FUNERAL. Ms. Maggio seconded the motion and the motion passed unanimously.

F 26. Orleans 11-088

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

F 27. Orleans 11-098

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

F 28. Orleans 11-105

Ms. Rodi made a motion to defer ruling awaiting more information regarding investigation. Ms. Polak seconded the motion and the motion passed unanimously.

F 29. Orleans 11-125

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

F 30. Orleans 11-126

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

F 31. Orleans 11-127

Ms. Rodi made a motion to deny under authority of R.S. 46:1809 B(1) (crime definition).

V. ITEMS FOR FULL DISCUSSION

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

F 32. Orleans 11-128

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

F 33. Ouachita 11-007

Ms. Maggio made a motion to award \$113.96 for AMBULANCE TRANSPORT (MEDICAL), \$760.00 for MENTAL HEALTH, \$403.91 for MEDICAL, \$1,523.00 for FUNERAL, \$6,798.99 for SUPPORT. Mr. DiBenedetto seconded the motion and the motion passed unanimously. The board also agreed to request an Updated Mental Health Treatment Plan as of 09/09/11.

F 34. Rapides 11-011

Ms. Polak made a motion to award \$9,200.00 for MEDICAL, \$300.00 for AMBULANCE TRANSPORT (MEDICAL). Ms. Maggio seconded the motion and the motion passed unanimously. The board also agreed to mark the case as "closed".

F 35. Rapides 11-012

Ms. Polak made a motion to award \$5,000.00 for FUNERAL. Ms. Rodi seconded the motion and the motion passed 7 to 2 with no abstentions.

F 36. Rapides 11-016

Ms. Polak made a motion to award \$640.00 for MEDICAL. Ms. Williams seconded the motion and the motion passed unanimously.

F 37. St. Charles 11-045

Mr. DiBenedetto made a motion to award \$150.00 for MENTAL HEALTH. Ms. Rodi seconded the motion and the motion passed unanimously.

F 38. St. Charles 11-066

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

F 39. St. Charles 11-067

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

F 40. St. Landry 11-008

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

F 41. St. Landry 11-013

Mr. DiBenedetto made a motion to award \$5,000.00 for FUNERAL. Ms. Rodi seconded the motion and the motion passed 8 to 0 with 1 abstention.

F 42. St. Landry 11-015

Mr. DiBenedetto made a motion to award \$5,000.00 for FUNERAL. Ms. Rodi seconded the motion and the motion passed 8 to 0 with 1 abstention.

V. ITEMS FOR FULL DISCUSSION

F 43. St. Mary 11-003

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

F 44. St. Tammany 09-023

Ms. Polak made a motion to award \$300.00 for MENTAL HEALTH. Ms. Adcock seconded the motion and the motion passed unanimously. The Board also requested that the mental health provider be made aware that the mental health maximum allowable is approaching.

F 45. Tangipahoa 10-017

Mr. DiBenedetto made a motion to award \$1,480.00 for FUNERAL. The claim amounts were reduced by 50 % for contribution. Ms. Maggio seconded the motion and the motion passed unanimously.

F 46. Tangipahoa 11-023

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

F 47. West Baton Rouge 11-001

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

VI. LATE ADDITIONS

L 1. Bossier 10-010

Mr. DiBenedetto made a motion to award \$225.00 for MENTAL HEALTH, \$43.20 for MEDICAL MILEAGE. Ms. Adcock seconded the motion and the motion passed unanimously. The board also agreed to request an Updated Mental Health Treatment Plan as of 05/18/11.

IV. EMERGENCY CONFIRM/DENY

L 2. Bossier 11-033

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

VI. LATE ADDITIONS

L 3. Calcasieu 07-031

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

L 4. Calcasieu 11-009

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.

L 5. Calcasieu 11-014

Ms. Polak made a motion to award \$1,540.00 for MEDICAL. Ms. Maggio seconded the motion and the motion passed unanimously.

V. ITEMS FOR FULL DISCUSSION

L 6. Calcasieu 11-043

Ms. Maggio made a motion to award \$4,621.14 for WAGE. Ms. Polak seconded the motion and the motion passed unanimously. The board agreed to increase the case maximum to \$25,000.

VI. LATE ADDITIONS

L 7. Calcasieu 11-058

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 mark the case as "closed".

L 8. Calcasieu 11-062

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

L 9. Calcasieu 11-088

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

L 10. Catahoula 11-001

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

L 11. East Baton Rouge 09-014

Ms. Polak made a motion to award \$893.49 for MEDICAL. Ms. Adcock seconded the motion and the motion passed unanimously.

L 12. East Baton Rouge 10-054

Ms. Maggio made a motion to award \$4,341.00 for MEDICAL. Ms. Adcock seconded the motion and the motion passed unanimously.

L 13. East Baton Rouge 10-060

Ms. Adcock made a motion to award \$9,330.00 for MEDICAL, \$170.00 for MEDICAL MILEAGE. Ms. Polak seconded the motion and the motion passed unanimously. The board also agreed to mark the case as "closed".

L 14. East Baton Rouge 10-088

Ms. Polak made a motion to award \$225.00 for MENTAL HEALTH. Ms. Rodi seconded the motion and the motion passed unanimously. The board also agreed to request an Updated Mental Health Treatment Plan as of 12/02/11.

L 15. East Baton Rouge 11-074

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

L 16. East Baton Rouge 11-078

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.

VI. LATE ADDITIONS

L 17. Evangeline 11-005

Ms. Polak made a motion to award \$2,170.00 for FUNERAL, \$300.00 for AMBULANCE TRANSPORT (MEDICAL), \$7,151.20 for MEDICAL. Ms. Adcock seconded the motion and the motion passed unanimously.

L 18. Evangeline 11-006

Ms. Maggio made a motion to award \$9,700.00 for MEDICAL, \$300.00 for AMBULANCE TRANSPORT (MEDICAL). Ms. Adcock seconded the motion and the motion passed unanimously. The board also agreed to mark the case as "closed".

L 19. Iberia 11-015

Ms. Polak made a motion to award \$393.60 for MEDICAL MILEAGE, \$2,099.42 for WAGE. Ms. Maggio seconded the motion and the motion passed unanimously.

L 20. Iberia 11-018

Ms. Polak made a motion to award \$493.36 for MEDICAL. Ms. Adcock seconded the motion and the motion passed unanimously.

L 21. Iberville 10-009

Mr. Pohlmann made a motion to award \$100.00 for MEDICAL. Ms. Fanara seconded the motion and the motion passed unanimously.

L 22. Jefferson 11-033

Ms. Rodi made a motion to award \$5,625.73 for MEDICAL. Ms. Polak seconded the motion and the motion passed unanimously.

L 23. Jefferson 11-034

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

L 24. Jefferson 11-036

Ms. Rodi 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 25. Lafourche 11-075

Ms. Polak made a motion to award \$4,393.42 for FUNERAL. Ms. Rodi seconded the motion and the motion passed unanimously.

V. ITEMS FOR FULL DISCUSSION

L 26. Orleans 10-199

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

L 27. Orleans 11-007

Ms. Rodi made a motion to award \$608.00 for WAGE. Ms. Maggio seconded the motion and the motion passed unanimously.

VI. LATE ADDITIONS

L 28. Orleans 11-010

Ms. Rodi made a motion to award \$788.00 for MEDICAL. Ms. Williams seconded the motion and the motion passed unanimously.

L 29. Orleans 11-113

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

L 30. Orleans 11-131

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

L 31. Jefferson 11-035

Ms. Polak made a motion to award \$3,975.00 for FUNERAL. Ms. Fanara seconded the motion and the motion passed unanimously.

L 32. Rapides 07-016

Ms. Fanara made a motion to award \$1,285.85 for MEDICAL. Ms. Williams seconded the motion and the motion passed unanimously. The board also agreed to mark the case as "closed".

L 33. Rapides 09-006

Ms. Fanara made a motion to award \$182.48 for MEDICAL, \$99.96 for MEDICAL MILEAGE. Ms. Adcock seconded the motion and the motion passed unanimously.

L 34. Rapides 11-003

Ms. Fanara made a motion to award \$454.05 for MEDICAL. Mr. Pohlmann seconded the motion and the motion passed unanimously.

L 35. Rapides 11-005

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

L 36. Rapides 11-013

Ms. Fanara made a motion to award \$3,039.46 for WAGE, \$1,724.69 for MEDICAL. Ms. Maggio seconded the motion and the motion passed unanimously.

L 37. Red River 10-001

Ms. Fanara made a motion to award \$3,220.00 for FUNERAL. Ms. Adcock seconded the motion and the motion passed unanimously.

L 38. Red River 10-002

Ms. Adcock made a motion to award \$3,220.00 for FUNERAL. Ms. Maggio seconded the motion and the motion passed unanimously.

L 39. Red River 11-002

Ms. Fanara made a motion to award \$3,241.70 for MEDICAL. Ms. Polak seconded the motion and the motion passed unanimously.

L 40. Sabine 11-010

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

VI. LATE ADDITIONS

the motion and the motion passed unanimously.

L 41. St. Landry 11-009

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

L 42. St. Tammany 10-022

Ms. Polak made a motion to award \$1,201.20 for MEDICAL. Ms. Maggio seconded the motion and the motion passed unanimously.

L 43. Orleans 11-099

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.

L 44. Orleans 11-033

Mr. DiBenedetto made a motion to award \$412.50 for MENTAL HEALTH, \$412.16 for WAGE. Ms. Polak seconded the motion and the motion passed unanimously.

VII. OTHER BUSINESS

An emergency award application for NATC11-004 was discussed and approved.

Mr. Pohlmann made a motion to adjourn the meeting. Mr. DiBenedetto seconded the motion. Mr. Davis adjourned the meeting at 10:45 a.m.