

155690



FY 1994 ANNUAL REPORT

NCJRS

AUG 9 1995

ACQUISITIONS

**CRIME VICTIMS REPARATIONS BOARD
LOUISIANA COMMISSION ON LAW ENFORCEMENT**

155690

**U.S. Department of Justice
National Institute of Justice**

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TO: Honorable Edwin W. Edwards
Governor, State of Louisiana

Honorable Members of the Legislature
State of Louisiana

We have the honor to submit the annual report of the Louisiana Crime Victims Reparations Board. This report is submitted pursuant to the provisions of R.S. 46:1818 and covers the period of July 1, 1993 through June 30, 1994.

The total amount of funds collected for FY 1994 was \$981,722.02. In FY 1994, seven hundred twenty seven (727) claims were reviewed and a total of \$932,886.17 was awarded. The average total per award was \$1,283.20. Funds for the Crime Victims Reparations Program are not state appropriated funds and are mainly derived from costs levied on criminal court cases.

Crime victims' assistance programs continue to emerge throughout the state. The Board believes that close coordination of all victims' programs is essential to maximize services to victims and minimize costs for the administration of the programs.

Sincerely,

F. J. Benoit
Chairman

BOARD MEMBERS

The Crime Victims Reparations Board is under the jurisdiction of the Louisiana Commission on Law Enforcement and is domiciled in Baton Rouge. The board is composed of the Executive Director of the Louisiana Commission on Law Enforcement or his designee; seven members, one from each of the congressional districts in the state; a representative of the elderly; and a representative at large. The Board members are appointed by the governor for terms concurrent with the governor's.

The following members constituted the Crime Victims Reparations Board in FY 1994:

Fernest J. Benoit, Chairman
Breaux Bridge, Louisiana
7th Congressional District

Herman J. Roberts, Vice-Chairman
Cecilia, Louisiana
Representative - Elderly

Michael A. Ranatza
Baton Rouge, Louisiana
Executive Director - LCLE

Rose M. Montgomery
Harvey, Louisiana
1st Congressional District

Almenia Freeman
Baton Rouge, Louisiana
4th Congressional District

George Hubbell
New Orleans, Louisiana
2nd Congressional District

Lamarr Davis
Hodge, Louisiana
5th Congressional District

Elze Olivier
Houma, Louisiana
3rd Congressional District

David K. Hollingsworth, Ph.D.
Baton Rouge, Louisiana
6th Congressional District

Julius Guillory
Opelousas, Louisiana
At-Large

STAFF

Rosanna M. Hollingsworth, Program Manager
Lolethia O. Turnipseed, Secretary

TABLE OF CONTENTS

	Page
Crime Victims Act	1
Funding	1
Eligibility to Apply for Awards	2
Application Requirements	2
Prohibited Awards	3
Denying or Reducing Awards	3
Expenses	3
Processing	4
Public Information Awareness	5
National and International Affiliation	5
Collections, Grant, Awards	6
Claims Processed	7
Denials	8
Receipts by Parish - FY 1994	9
Awards by Parish - FY 1994	11
Claims by Sex	13
Claims by Age	13
Amount Awarded by Expenses	14
Claims by Dollar Amount	14
Claims by Crime Type	15
Sample Summaries of FY 1994 Claim Decisions	16

CRIME VICTIMS REPARATIONS ACT

The Louisiana Crime Victims Reparations Act provides for monetary compensation for economic losses to victims of crimes involving personal injury and to their dependents in cases of death. It also permits recovery for economic losses incurred as a result of a good faith effort to prevent a crime. However, it excludes persons acting within the scope of their employment which includes the duty to protect the public safety.

The maximum award allowable is \$10,000.00 for any one claim. The Board may extend an award to \$25,000.00 for victims whose injuries are total and permanent. Such claims are reduced by all collateral sources such as medical and hospitalization insurance payments, social security benefits, disability income insurance, workmen's compensation and other sources of benefits.

FUNDING

Income for the compensation fund is composed primarily of monies paid as costs levied on criminal court cases. A cost of not less than fifty dollars for felonies and seven dollars fifty cents for violations of misdemeanors and municipal and parish ordinances is levied, except traffic violations other than those driving offenses defined in Title 14 of the Louisiana Revised Statutes of 1950 which result in a conviction. Other components of the fund include federal grant, court-ordered restitution from criminals, donations and interest.

Act 684 of the 1992 La. Legislature created the Victims of Juvenile Crime Compensation Fund. Courts which levy the cost not to exceed \$15 must remit one-third of the amount collected to the Crime Victims Reparations Fund.

The Crime Victims Reparations Board manages a small fund and must insure that these dollars are disbursed as equitably and fairly as possible. The Board adopted standard Operating Procedures to keep the fund solvent and help contain these costs while insuring equitable disbursements.

ELIGIBILITY TO APPLY FOR AWARDS

A person who believes he or she is a victim of a crime which involved the use of force or threat of force and resulted in personal injury and/or loss of income; the victim's legal representative; or, in the case of death, a dependent or the dependent's legal representative may make application to the Board for an award.

A claim may be filed regardless of whether the offender is known, has been arrested, and/or has been found guilty.

The crime must:

1. involve the use of force or threat of use of force and
2. result in personal injury, death, or catastrophic property loss and
3. result in expenses covered by the statute and not reimbursable by any other source.

Vehicular crimes (motor vehicle, boat or aircraft) are not included unless they involve a DWI offense, a hit and run offense, are caused by a driver who is fleeing apprehension by law enforcement, or the injuries were intentionally inflicted with a vehicle.

APPLICATION REQUIREMENTS

1. The crime must have been committed in Louisiana after July 16, 1982, or happened to a Louisiana resident in a place with no compensation program.
2. The crime must be reported to law enforcement officials within 72 hours unless there is a valid reason for a later reporting.
3. The application must be filed within one year from the date of the crime.
4. The required information must be provided on the application.
5. The losses must not be reimbursable from any other source such as insurance, sick or annual leave, social security, Medicare, Medicaid, civil suit, or restitution.
6. The victim or claimant must cooperate with the reasonable requests of law enforcement officials.

AWARDS ARE PROHIBITED IF:

1. The victim does not comply with the application requirements above.
2. The victim or claimant is the offender or an accessory, or an award would unjustly benefit either the offender or the accessory.
3. The victim is confined in any type of correctional facility.
4. The victim's employment includes the duty to protect the public safety and the victim is acting within the scope of his employment.

AN AWARD COULD BE DENIED OR REDUCED IF:

1. The Board finds the implication of the victim's behavior at the time of the crime or the victim's past criminal activity caused or contributed to the incident.
2. The victim was operating a vehicle at the time of the crime without the required insurance.
3. The victim was not wearing a seat belt as required by state law.
4. The victim was a willing passenger in a vehicle driven by an intoxicated driver.

EXPENSES

Expenses which may be reimbursed include those:

1. For personal injury:
 - a) medical, hospital, nursing, physical therapy, psychiatric care, or counseling;
 - b) actual loss of past earnings and anticipated loss of future earnings because of a disability resulting from the personal injury;
 - c) care of children enabling a victim or the spouse, but not both, to engage in gainful employment.
2. As a consequence of death:
 - a) funeral, burial, cremation expenses;
 - b) loss of support to one or more dependents not otherwise compensated for personal injury loss;
 - c) care of children enabling the surviving spouse to engage in lawful employment, where that expense is not otherwise compensated for personal injury loss;
 - d) counseling or therapy for any surviving family member of the victim or any person in close relationship to such victim, if the person was physically present and directly observed the commission of the crime.
3. Expenses of the victim associated with the collection and securing of crime scene evidence.

Expenses which may not be reimbursed for any reason include:

1. Property losses except for a catastrophic property loss which is limited to the loss of the victim's abode provided it is owned and occupied by the victim;
2. Pain and suffering;
3. Attorney fees except when they are part of an order from a hearing or awarded by a court of law.

PROCESSING

Applications are distributed, received, and investigated by the Sheriff's Office in the parish where the crime occurred. As part of their investigative responsibilities, the sheriff's officer obtains a copy of the law enforcement agency report on the crime, verifies all the expenses submitted and insurance or any other collateral sources that the claimant may have received; and makes a recommendation based on the investigation.

The application is then submitted to the Crime Victims Reparations Board's office where the Program Manager reviews the submitted documents, prepares a summary, and places the application on a monthly docket to be reviewed and considered by the entire Board. Applications are reviewed by the Board at its regular meeting, which is open to the public. The Board votes to either award or deny; however, they may also vote to continue the case for further information or may order a hearing.

The victim/claimant is notified in writing, usually within seven days, of the Board's decision. The Board secretary prepares the award checks which are distributed to the Law Enforcement District Program Directors who in turn direct them to the respective Sheriff's office from which they are sent to the victims and/or providers. The process takes four to six weeks from the Board meeting decision date. The victim/claimant has the right to appeal the decision of the Board within 60 days. Further appeal is allowed to District Court in Baton Rouge under the Administrative Procedures Act.

Provisions are made for payment of emergency awards up to \$500.00 in cases where urgency is apparent. Emergency awards are made upon the recommendation of the sheriff's investigator and concurrence of the Board Member for the area involved.

Supplemental applications may be submitted for additional expenses incurred after the original award has been made. The aggregate total cannot exceed the maximum caps as per the statute. The supplementals are processed in the same manner as original claims.

PUBLIC INFORMATION AWARENESS

A substantial effort was begun in FY 1985 to inform Louisiana citizens of its compensation program to assist victims of crime. In this regard, the general mass media, radio, television, newspapers, speeches, etc., have been most helpful. In spite of our public relations effort, it is quite apparent that there are many victims of crime in this state who are still not aware of benefits of the Act. Thousands of brochures and posters have been distributed to various agencies that provide services to victims throughout the state. In addition, Act 383 of the 1992 La. Legislature mandated that the Crime Victims Reparations Board is to prepare a brochure enumerating victim's rights and listing the victim assistance services available specific to each parish. The victims rights information was created as an insert to the Crime Victims Reparations pamphlet. More than 15,000 pamphlets with victims rights inserts were sent to law enforcement agencies and district attorneys offices across the state for distribution.

Public service announcements were developed and distributed in 1990 to all radio and television stations licensed to broadcast in Louisiana.

In April, 1994, the Crime Victims Reparations Board, in conjunction with the Louisiana Coalition Against Domestic Violence, the Louisiana Council on Child Abuse, the Louisiana Foundation Against Sexual Assault, Mothers Against Drunk Driving, and Seniors and Lawmen Together/Elderly Crime Victim Assistance, hosted a breakfast in recognition of victims of crime in Louisiana as part of National Crime Victims Rights Week.

NATIONAL & INTERNATIONAL AFFILIATION

The Louisiana Crime Victims Reparations Board is a member of the National Association of Crime Victims Compensation Boards, the International Association of Crime Victims Compensation Boards, National Organization for Victim Assistance, and the National Victim Center. Dr. David K. Hollingsworth, Board Member, served on the Board of Directors of the National Association. Mr. George Hubbell, Board Member, is Co-chairman of the International Association.

COLLECTIONS, GRANT, AND AWARDS

	Revenues Collected*	VOCA Federal Grant	Total Funds Awarded
FY 1983	\$299,568.00		\$33,645.86
FY 1984	664,354.60		240,536.41
FY 1985	588,258.62		195,403.74
FY 1986	727,224.55	77,000.00	575,579.73
FY 1987	698,437.94	114,000.00	865,164.07
FY 1988	618,320.12	222,000.00	765,528.74
FY 1989	749,507.52	222,000.00	703,750.60
FY 1990	699,292.42	326,000.00	1,028,644.11
FY 1991	831,859.37	220,000.00	1,222,260.81
FY 1992	990,399.86	206,000.00	1,154,816.42
FY 1993	902,340.70	405,000.00	1,001,715.07
FY 1994	981,722.02	371,000.00	932,886.17
TOTALS	\$8,751,285.72	\$2,163,000.00	\$8,719,931.73

*Fines, restitution, interest, donations

CLAIMS PROCESSED

	Claims Awarded	Claims Denied	Claims Deferred
FY 1983	11	14	0
FY 1984	69	21	0
FY 1985	80	21	4
FY 1986	213	21	5
FY 1987	332	36	11
FY 1988	317	49	13
FY 1989	267	59	11
FY 1990	387	82	25
FY 1991	450	78	13
FY 1992	479	118	21
FY 1993	495	231	20
FY 1994	488	216	23
<hr/>			
TOTALS	3598	946	146

DENIALS

Crime not reported within time specified by statute	2
Lack of cooperation with law enforcement	7
Victim/claimant was offender or accessory	5
Claim not filed timely	10
Victim contribution	116
Loss recouped from collateral source	13
Does not meet definition of crime	19
Pecuniary loss not covered by statute	3
Unable to determine pecuniary loss sustained	20
Does not meet or exceeds limits on awards defined in rules	2
Denied appeal	19
TOTAL	216

**RECEIPTS BY PARISH
FY 1994**

PARISH	TOTAL AMOUNT RECEIVED
Acadia	20,979.28
Allen	5,907.50
Ascension.	22,734.22
Assumption	3,746.50
Avoyelles.	10,301.92
Beauregard	11,902.50
Bienville	2,728.50
Bossier	17,559.00
Caddo	56,315.76
Calcasieu	56,177.46
Caldwell	2,852.50
Cameron	3,762.50
Catahoula	3,285.00
Claiborne	5,819.50
Concordia	4,680.00
DeSoto	5,812.50
East Baton Rouge	50,453.25
East Carroll	2,401.50
East Feliciana.	3,596.35
Evangeline	9,814.48
Franklin	7,319.50
Grant	2,382.00
Iberia	14,111.55
Iberville	7,064.50
Jackson	5,991.08
Jefferson	104,428.67
Jefferson Davis	9,874.30
Lafayette	47,869.48
Lafourche	13,845.50
LaSalle	3,030.00
Lincoln	8,919.74
Livingston	16,345.50
Madison	4,089.50
Morehouse	9,869.85
Natchitoches	5,346.20
Orleans	33,481.36

RECEIPTS BY PARISH FY 1994

PARISH	TOTAL AMOUNT RECEIVED
Ouachita	45,351.44
Plaquemines	3,940.00
Pointe Coupee	5,029.50
Rapides	23,291.60
Red River	607.50
Richland	8,978.50
Sabine	2,845.00
St. Bernard	6,766.00
St. Charles	8,862.15
St. Helena	1,555.00
St. James	2,642.50
St. John the Baptist	14,385.50
St. Landry	19,878.56
St. Martin	7,895.00
St. Mary	20,726.32
St. Tammany	46,138.48
Tangipahoa	26,881.68
Tensas	2,096.75
Terrebonne	32,304.81
Union	6,642.00
Vermillion	20,633.75
Vernon	40,192.50
Washington	18,093.41
Webster	6,005.00
West Baton Rouge	5,917.00
West Carroll	2,498.12
West Feliciana	2,110.00
Winn	4,655.00
 TOTALS	 \$981,722.02

**AWARDS BY PARISH
FY 1994**

Parish	Total Amount		Number of Claims		
	Awarded*	Total^	Awarded**	Denied^	Deferred
Acadia	\$ 2,148.14	3	1	2	0
Allen	8,010.85	5	3	2	0
Ascension	4,582.50	3	3	0	0
Assumption	9,961.62	1	1	0	0
Avoyelles	545.00	3	2	1	0
Beauregard	6,261.26	7	7	0	0
Bienville	0.00	0	0	0	0
Bossier	5,272.80	8	4	3	1
Caddo	155,093.09	113	61	49	3
Calcasieu	70,683.08	45	33	10	2
Caldwell	195.00	1	1	0	0
Cameron	0.00	2	0	2	0
Catahoula	0.00	0	0	0	0
Claiborne	15,017.07	8	5	3	0
Concordia	3,106.50	4	2	1	1
DeSoto	0.00	0	0	0	0
East Baton Rouge	86,855.35	65	54	10	1
East Carroll	0.00	0	0	0	0
East Feliciana	400.18	3	2	1	0
Evangeline	2,000.00	1	1	0	0
Franklin	6,640.00	7	4	3	0
Grant	659.35	1	1	0	0
Iberia	19,813.13	16	15	0	1
Iberville	830.80	4	3	1	0
Jackson	636.45	1	1	0	0
Jefferson	78,648.80	57	31	24	2
Jefferson Davis	1,192.58	4	3	0	1
Lafayette	37,369.01	25	20	5	0
Lafourche	2,602.88	4	3	1	0
LaSalle	7,516.77	3	3	0	0
Lincoln	10,128.36	3	3	0	0
Livingston	10,741.47	9	6	3	0
Madison	0.00	1	1	0	0
Morehouse	0.00	0	0	0	0
Natchitoches	8,938.02	7	5	2	0
Orleans	158,026.18	143	70	67	6

Parish	Total Amount	Total [^]	Number of Claims		
	Awarded*		Awarded**	Denied [^]	Deferred
Ouachita	12,361.74	12	9	2	1
Plaquemines	0.00	0	0	0	0
Pointe Coupee	1,255.22	4	3	1	0
Rapides	22,468.21	16	14	2	0
Red River	4,053.75	2	2	0	0
Richland	2,629.07	3	3	0	0
Sabine	2,854.52	1	1	0	0
St. Bernard	4,924.97	6	6	0	0
St. Charles	120.00	2	2	0	0
St. Helena	5,547.13	2	1	0	1
St. James	630.00	1	1	0	0
St. John the Baptist	2,117.22	2	1	0	1
St. Landry	29,741.07	15	13	2	0
St. Martin	22,367.03	19	19	0	0
St. Mary	16,782.45	8	6	1	1
St. Tammany	8,550.49	13	7	6	0
Tangipahoa	36,926.12	26	26	0	0
Tensas	0.00	0	0	0	0
Terrebonne	7,380.62	5	4	1	0
Union	12,459.20	3	2	1	0
Vermillion	3,120.00	8	8	0	0
Vernon	0.00	0	0	0	0
Washington	8,000.00	9	4	5	0
Webster	14,721.12	9	7	2	0
West Baton Rouge	0.00	4	0	3	1
West Carroll	0.00	0	0	0	0
West Feliciana	0.00	0	0	0	0
Winn	0.00	0	0	0	0

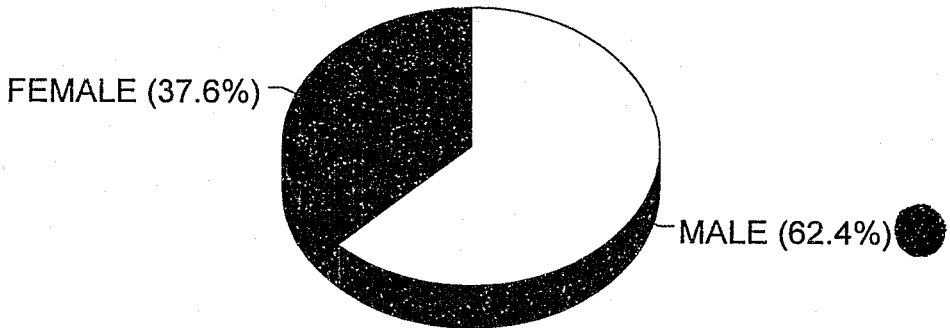
TOTAL	\$932,886.17	727	488	216	23
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*Includes both State
and Federal funds.

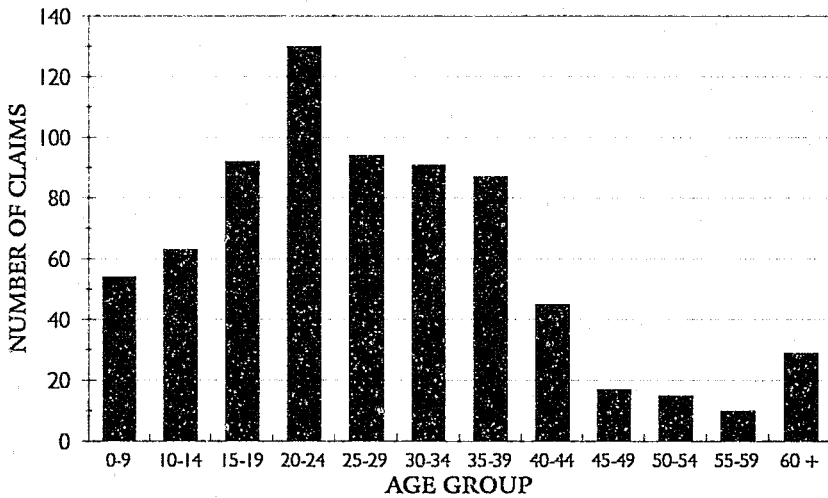
**Includes initial and
supplemental applications.

[^]These columns include appealed
applications.

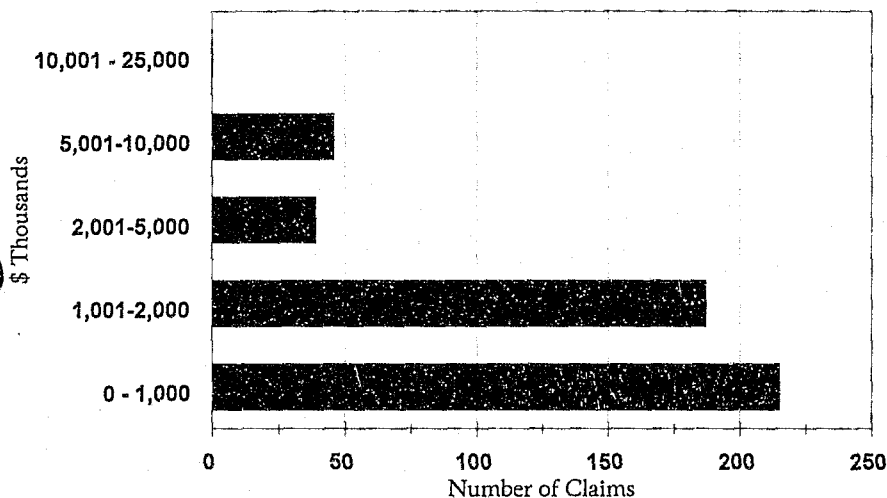
CLAIMS BY SEX



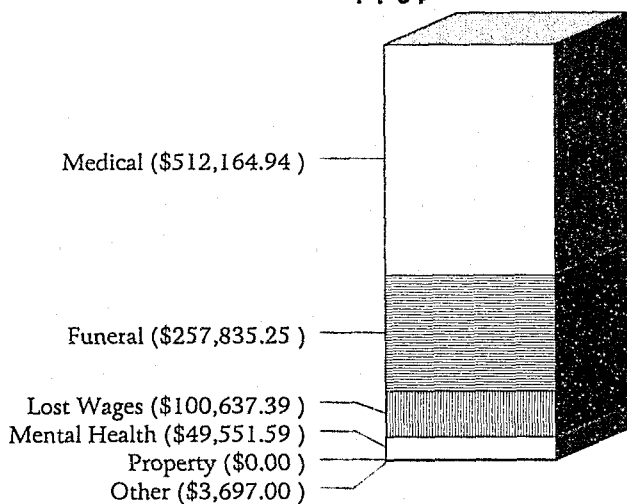
CLAIMS BY AGE FY 94



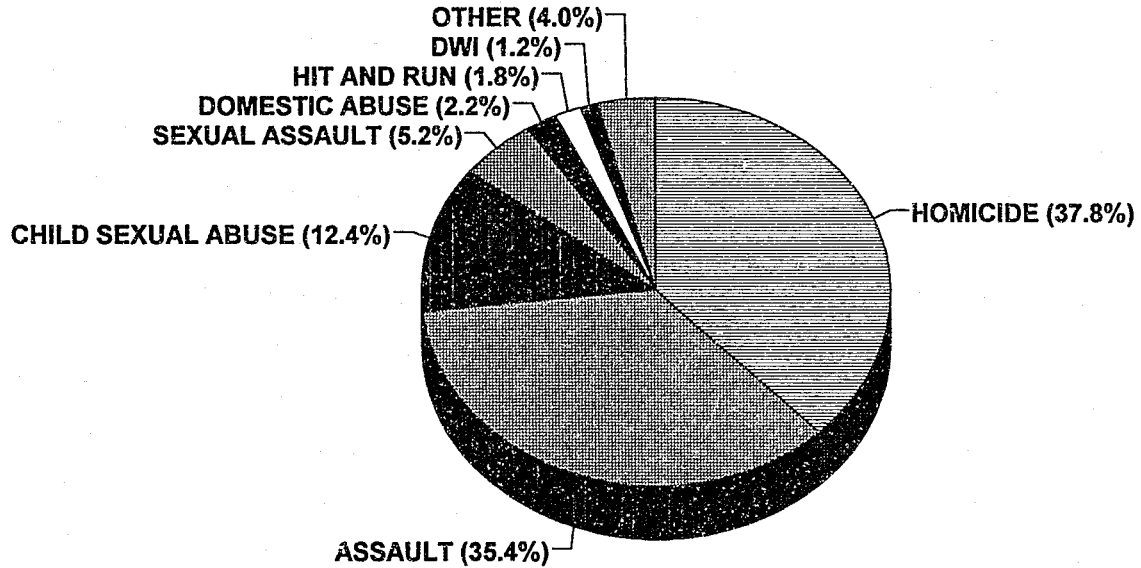
CLAIMS BY DOLLAR AMOUNT FY 94



AMOUNT AWARDED BY EXPENSES FY 94



CLAIMS BY CRIME CATEGORY FY 94



SAMPLE SUMMARIES

Acadia 94-001

Claimant is the mother of a 16 year old female who was sexually abused by her step-father over a period of several years. The step-father was charged with indecent behavior and was awaiting trial.

BOARD ACTION: Awarded \$780 for counseling expenses.

Ascension 94-002

Claimant is the wife of a 36 year old victim. The couple had arrived home after closing their business. As the man entered his home, he realized that someone was inside, yelled to his wife to run, and was shot twice and killed by the intruders. Three men were charged with 1st degree murder and aggravated burglary.

BOARD ACTION: Awarded \$2000 for funeral expenses.

Assumption 92-001

Claimant, male, 55, and his brother-in-law got into an argument at the victim's home. The man threw a pot of hot water on the victim causing 2nd degree burns. The assailant was apprehended and charged with 2nd degree battery to which he pled guilty. Restitution was not ordered.

BOARD ACTION: Awarded \$9,961.62 for medical expenses.

Avoyelles 94-001

Claimant is the mother of a 14 year old female who was molested by her great uncle while baby sitting his grandchild. The man was convicted of sexual battery and indecent behavior and sentenced to 1 year DOC.

BOARD ACTION: Awarded \$495 for counseling expenses.

Beauregard 94-001

Claimant, male, 21, and a friend were walking in a park when the victim was attacked and beaten by 3 unknown males.

BOARD ACTION: Awarded \$732.35 for medical expenses.

Bossier 93-006

Claimant is the mother of a 39 year old male bartender who was shot in the head during an armed robbery. The victim was in a coma. Police had no suspects.

BOARD ACTION: Deferred pending Medicaid payments.

Caddo 93-026

The victim, a 14 year old female, left her home with friends without parental knowledge or permission. Alcohol was purchased. The group went to an apartment. The victim and an 18 year old male went into a bedroom and engaged in sexual intercourse. When the victim arrived home, the parents were waiting. The male was charged with sexual battery and contributing to the delinquency of a minor. He pled guilty to carnal knowledge and was sentenced to 18 months, suspended, 2 years probation.

BOARD ACTION: Denied for victim contribution and no use of force.

Caddo 93-054

The victim, a 25 year old handicapped male, was assaulted by a neighbor. During the assault, he was grabbed, his sweater was torn, and he was pushed to the ground breaking one of his leg braces. The offender was charged with simple criminal damage to property.

BOARD ACTION: Awarded \$307.58 for medical expenses.

Caldwell 93-011

Claimant is the mother of a 4 year old female who was sexually abused by the teenage son of her baby sitter. Charges against the juvenile were pending.

BOARD ACTION: Awarded \$195 for medical expenses.

Calcasieu 93-021

Claimant is the mother of a 15 year old male who was killed in a triple homicide. The assailant was charged with 3 counts of 1st degree murder.

BOARD ACTION: Awarded \$2000 for funeral expenses.

Cameron 93-001

The victim is a 37 year old male. An acquaintance beat the victim after the man was told that the victim had molested a juvenile relative. The victim was charged with molestation of a juvenile and the other man was charged with second degree battery. The charges were still under investigation.

BOARD ACTION: Denied for victim contribution.

Claihorne 93-002

Claimant is the mother of a 19 year old male who was the passenger in a single car auto accident in which he was killed. The driver was charged with negligent homicide.

BOARD ACTION: Denied as the incident is not covered by the statute.

Concordia 93-005

Claimant is the sister of a 36 year old man who was found lying in the highway, bleeding profusely from the head. The victim died from the injuries. The incident was under investigation as a hit and run.

BOARD ACTION: Awarded \$2000 for funeral expenses.

East Baton Rouge 93-030

Claimant is the mother of a 36 year old male who was shot and killed at his residence. The man had answered a knock at his door and had let enter a neighbor. As the neighbor's small child was entering, unknown assailants in a passing car opened fire, striking this victim.

BOARD ACTION: Awarded \$556.32 for funeral expenses.

East Feliciana 93-001

The victim, a 24 year old female, was beaten in her home by her former boyfriend. He hit her with a stick and brick fracturing her nose, cheekbone, eye sockets and hand. He was charged with aggravated battery.

BOARD ACTION: Denied as there were no compensable out-of-pocket expenses.

Evangeline 93-007

The claimant is the husband of a 63 year old woman who was killed in her convenience store during an armed robbery. The assailants hacked the woman with a machete and shot her in the head. The assailant was charged with 2nd degree murder.

BOARD ACTION: Awarded \$2000 for funeral expenses.

Franklin 94-002

The victim, a 29 year old male, and a friend were drinking and deer hunting out of season. The friend shot at a deer but the bullet struck the victim. The friend was charged with negligent injury and hunting deer in closed season.

BOARD ACTION: Denied for victim contribution through illegal activity.

Grant 93-001

Claimant is the mother of a 4 year old female who was molested the previous year by her stepfather. The man was charged with molestation of a juvenile.

BOARD ACTION: Deferred for mental health treatment plan justification; rescheduled when justification returned; board awarded \$659.35 for medical and counseling expenses but denied lost wages because not covered by statute.

Iberia 93-005

Claimant is the father of a 10 year old boy who died in a fire in his home. Evidence suggested that the mother's boyfriend started the fire in which the child, his mother, and the boyfriend died.

BOARD ACTION: Awarded \$2000 for funeral expenses.

Iberville 93-002

The victim, a 68 year old female, awoke to find a man in her bedroom. The man hit her in the head with an object. He was later located and charged with aggravated burglary, found guilty, and sentenced to 10 years, credit for time served and is now in rehabilitation.

BOARD ACTION: Awarded 160.22 for medical expenses.

Jackson 93-011

The victim, a 28 year old female, was raped. The offender was apprehended and charged with aggravated rape and aggravated burglary.

BOARD ACTION: Awarded \$636.45 for medical expenses but denied lost wages sought by the victim's husband as those are not covered by the statute.

Jefferson 93-026

Claimant is the mother of an 11 year old boy who was sexually abused over a year's time by a neighborhood teenager. The incident included fondling, oral copulation and anal penetration. The victim was threatened with bodily harm if he told. The juvenile offender pled guilty to charges of aggravated rape, crimes against nature and sexual battery and was awaiting sentencing.

BOARD ACTION: Awarded \$430 for counseling expenses.

Jefferson Davis 93-005

Claimant is the mother of a 5 year old girl who was fondled on one occasion by a 12 year old at church. the offender was charged with child molestation. It appeared that his sentence consisted of monthly counseling.

BOARD ACTION: Awarded \$367.83 for medical and counseling expenses.

Lafayette 93-013

The victim, a 35 year old male, was shot several times by unknown offenders while riding his bike home.

BOARD ACTION: Awarded \$10,000 for medical expenses.

Lafourche 93-005

This victim, a 21 year old male, had part of his ear shot off. The assailant was charged with attempted 2nd degree murder.

BOARD ACTION: Awarded \$874.58 for medical expenses and lost wages.

LaSalle 94-001

The victim, a 39 year old male, and his brother got into an argument while visiting at their sister's home. The brother went inside, got a gun, and shot the victim in the legs. The victim was permanently disabled as a result. The brother was charged with aggravated battery but pled guilty to 2nd degree battery.

BOARD ACTION: Awarded \$7,166.77 for lost wages and medical expenses.

Livingston 93-002

Claimant is the father of a 24 year old woman strangled to death by her husband. The man then, with his two children in the car, drove around with the woman's body in the trunk for most of the day before dumping the body in the woods. The man was charged with 2nd degree murder.

BOARD ACTION: Awarded \$2000 for funeral expenses.

Natchitoches 93-003

The claimant, a 44 year old female, alleged that she was abducted at gunpoint by a man who jumped into her car at an intersection, was forced to drive to a remote area, and was raped. No evidence was found to support any allegations. Furthermore, the report contained several inconsistencies.

BOARD ACTION: Denied as there was no evidence a crime was committed.

Orleans 94-038

The victim, a 36 year old Scottish male, was vacationing in the United States with his pregnant common law wife. The couple had arrived the day before from California. After dinner the victim went sightseeing alone. He was later found dead, having been beaten in the head and robbed. No one was apprehended. The claimants were the woman and her infant child.

BOARD ACTION: Awarded \$10,000 for child care and loss of support.

Ouachita 93-005

This 41 year old female victim was asleep in her apartment when a man broke in and forcibly raped her. During the struggle, she bit him. She broke free and jumped through a window, sustaining multiple lacerations to her body which required surgery. The man was apprehended and charged with forcible rape and aggravated burglary. The burglary charge was dismissed and he pled guilty to forcible rape and was sentenced to 15 years with 5 years of no possible parole or probation.

BOARD ACTION: Awarded \$1288.99 for medical expenses.

Pointe Coupee 93-002

Claimant is the mother of a 25 year old male victim. The statements of the offender and witnesses indicated that they drove up to a convenience store where the victim approached them using fighting words. The victim then reached into his pocket as if for a weapon. The offender then pulled his gun and shot the victim, killing him. An open knife was found in the victim's pocket. The offender was charged with 2nd degree murder but no true bill was found.

BOARD ACTION: Denied for victim contribution.

Rapides 93-006

Claimant, is the mother of a 1 year old boy who, along with his 2 and 3 year old brothers, was shot and killed by his grandmother in her home. The grandmother committed suicide.

BOARD ACTION: Awarded \$459.96 for funeral expenses.

Red River 93-001

This 43 year old female victim and her husband had been having marital difficulties for a few months and so had taken separate bedrooms. On the day of the incident, they argued. Later that evening, the husband forced his wife to have intercourse. She got angry, attempted to damage their waterbed with nail clippers, threw the clippers at her husband, walked away, and then turned back. Her husband then shot her once in the face and in both arms. He was charged with attempted 2nd degree murder.

BOARD ACTION: Awarded \$3731.66 for medical expenses and denied other expenses claimed which were not compensable under the statute.

Richland 94-001

Claimant is the mother of a 28 year old male victim. A couple was visiting at the home of friends where the victim was staying. The couple argued. The victim repeatedly asked for a cigarette. The male visitor went outside, retrieved a gun, shot into the floor and then shot the victim in the back of the head while the victim was seated on the sofa watching television. The offender was indicted by the grand jury on charges of 2nd degree murder.

BOARD ACTION: Awarded \$2000 for funeral expenses.

Sabine 93-003

This victim, a 25 year old female, accepted a ride from the offender. In the vehicle he propositioned her and she refused. He grabbed her and she slapped him. He began beating her, took her to his home, raped her, and threatened to kill her. He was charged with aggravated rape and attempted 1st degree murder.

BOARD ACTION: Awarded \$3054.52 for medical expenses and lost wages.

St. Bernard 93-013

Claimant is the mother of a 16 year old male who was beaten in a park. The victim and several friends were sitting at the park when 2 males approached, talked for a few minutes, and then attacked the group, kicking this victim in the head. The offenders were apprehended and charged with 2nd degree battery.

BOARD ACTION: Awarded \$382.19 for medical expenses.

St. Charles 93-003

Claimant is the mother of a 12 year old girl who was sexually abused for 3 years by the elderly neighbor who baby sat her in his home while her mother worked. The man was found not guilty of aggravated rape and aggravated crime against nature but charges of oral sexual battery and sexual battery were still pending.

BOARD ACTION: Awarded \$60 for counseling expenses.

St. Helena 93-002

This victim, a 35 year old female, was raped at knife point in her home. The assailant was apprehended and charged with aggravated rape.

BOARD ACTION: Deferred for mental health treatment records.

St. James 93-001

Claimant is the mother of a 12 year old female who was molested by her step-father. Charges were brought.

BOARD ACTION: Awarded \$630 for counseling expenses.

St. John the Baptist 93-002

Claimant is the mother of a 16 year old male who was shot and killed. The assailant was charged with 1st degree murder.

BOARD ACTION: Awarded \$2117.22 for funeral and medical expenses.

St. Landry 93-010

This victim, a 20 year old female, was out with her boyfriend and 2 other males. One of the males pulled a gun and shot the other male. The victim's boyfriend managed to escape from the car. The victim was forced to drive to an unknown location where she was raped, and then drive to another location where she was raped again. The man then took the car keys and left her there with the body of the other male he killed. The offender was apprehended and charged with rape of this victim.

BOARD ACTION: Awarded \$2604.70 for medical expenses.

St. Martin 93-012

Claimant is the husband of a 36 year old female who died from a gunshot wound to the head. There was an argument in the parking lot outside the victim's place of employment. She went out to stop the argument. Shots were fired from cars leaving the parking lot and she was one of the persons shot. One offender was charged with 2nd degree murder, another with attempted 2nd degree murder and four others were charged with accessories after the fact.

BOARD ACTION: Awarded \$2,000.00 for funeral expenses.

St. Mary 93-008

The victim, a 23 year old male, was involved in a fight during which he was hit in the head with a baseball bat. The offender was charged with and found guilty of aggravated battery.

BOARD ACTION: Denied for victim contribution through mutual combat and felony conviction, and for filing past the one year deadline.

St. Tammany 93-006

Claimant is the mother of a 5 year old son who died from injuries received from being struck by a vehicle. The child was on his bike, stopped by the side of the road, when a car crossed the center lane, struck the child, and fled the scene. The offender was apprehended and charged with hit and run, negligent homicide and sentenced to 5 years hard labor, suspended, 5 years probation, 6 months in parish jail and restitution for hospital and funeral bills.

BOARD ACTION: Denied due to availability of collateral resources.

Tangipahoa 93-023

This victim, a 33 year old male, was driving on the interstate when his car collided with another car traveling in his lane. The victim's arm was amputated as a result of the injuries sustained. The offender was sentenced to 6 months on DWI charges and 6 months on charges of negligent injury. Sentences were to run consecutively with no credit for time served.

BOARD ACTION: Awarded \$2227.30 for medical and other expenses.

Terrebonne 93-005

When this 53 year old female went outside to greet her husband, two unknown males approached and struck them both in the head with a baseball bat and stole the husband's brief case and bag which contained approximately \$6000. This victim's injuries required a craniotomy. No one was apprehended.

BOARD ACTION: Awarded \$3809.05 for medical expenses.

Union 93-001

This 30 year old female was shot by the man with whom she lived. She lost the use of her arm as a result of the injury. The man was charged with attempted 2nd degree murder.

BOARD ACTION: Awarded \$3536 for lost wages.

Vermilion 93-005

Claimant is the mother of a 9 year old girl who was sexually assaulted while being baby sat at the offender's home. The man attempted to have vaginal intercourse which resulted in bruising. The grand jury found a true bill on the charges of intimidating a witness, sexual battery, and molestation of a juvenile.

BOARD ACTION: Awarded \$480 for counseling expenses.

Washington 94-002

Claimant is the wife of a 33 year old male victim found dead in his vehicle. It is believed that gunshots were fired at him from a moving vehicle and that he was dead when his car struck a tree. The offender pled guilty to 2nd degree murder and was awaiting sentencing.

BOARD ACTION: Awarded \$2000 for funeral expenses.

Webster 94-002

This 45 year old female was at her home with three other people when one of the males became offensive. The victim asked him several times to leave but he refused. Although the witness' stories differ, it appears that the offender picked up a hammer and struck the victim in the head several times before leaving. He was charged with aggravated battery.

BOARD ACTION: Awarded \$910.11 for medical expenses.

West Baton Rouge 93-002

Claimant is the wife of a 50 year old man who was struck and killed by an automobile. The victim, who was highly intoxicated, stepped into the path of the oncoming vehicle. The driver stopped at the scene. No citations were issued.

BOARD ACTION: Denied because it is not a statutorily compensable crime.