



State of Louisiana
Cemetery Response Task Force
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Ryan M. Seidemann, J.D., Ph.D., R.P.A.
Chairman

Cemetery Response Task Force
Meeting Minutes
May 27, 2021

Members Present:

Lucy McCann – Louisiana Cemetery Board (LCB) Member
Ryan M. Seidemann – Louisiana Department of Justice (DOJ) Member
Gustave Lehmann – Louisiana Department of Health (LDH) Member
Ginesse Listi – LSU FACES Laboratory (FACES) Member
Amy Dawson – Governor’s Office of Homeland Security & Emergency Preparedness (GOHSEP), Member

Others Present:

Christine Halling – Louisiana Department of Justice (DOJ) Designee
Henry Yennie – Louisiana Department of Health (LDH)
Bonnie East – Louisiana Department of Health (LDH)

Members/Designees Absent:

C. Shane Evans – EBR Coroner, Louisiana Coroner’s Association (LCA) Designee

1. Meeting Start time: 2:08 PM

Chairman, Ryan Seidemann, called the meeting of the Statewide Cemetery Response Task Force (“CRTF”) to order at 2:08 PM. A quorum of members was present.

2. Past Minutes:

The minutes from the December 14, 2020, meeting were reviewed and unanimously approved, as amended, on a motion of Ms. McCann (LCB) and a second of Dr. Listi (FACES).

3. Old business:

Chair Seidemann (DOJ) announced that Carol Walker (LDH) has left the employ of LDH and her role on the Task Force has been assumed by Gustave Lehmann (LDH), the designee for that agency. Dr. Seidemann (DOJ) asked that Mr. Lehmann (LDH) seek a formal appointment letter to become the actual member, but that he was welcome to serve in his official capacity as designee in the meantime.

Chair Seidemann (DOJ) undertook a review of Laura/Delta/Zeta impacts and response. Dr. Seidemann (DOJ) reported that only two cemeteries were known to have been impacted by Zeta—Holt and St. Vincent, both in Orleans Parish. Holt’s repairs will be managed under PA and St. Vincent exercised its right under the law to manage its own response. Ms. Halling (DOJ) provided a review of the Laura/Delta data:

Cemeteries surveyed:	279
Cemeteries with impacts:	173 (62% of those surveyed)
Cemeteries repaired:	23 (13% of damaged cemeteries)
Cemeteries in-repair:	26 (15% of damaged cemeteries)
Cemeteries without claimants:	80 (47% of damaged cemeteries)
Cemeteries in-processing:	44 (25% of damaged cemeteries)
Graves impacted:	2,901
Graves repaired:	363 (13% of those impacted)
Graves with paperwork processing:	533 (18% of those impacted)
Graves missing claimants:	495 (17% of those impacted)
Graves in-processing:	1,505 (52% of those impacted)
Recovered remains/caskets:	75
Estimated missing remains/caskets:	50-125
Claims processed by CRTF	896 (31% of those impacted)
Cemeteries submitted by CRTF:	49 (28% of those impacted)
Administratively closed cemeteries:	23 (13% of those impacted)

Dr. Seidemann (DOJ) noted that FEMA is terribly bottlenecked. It is suspected that this is because the funerals team at FEMA were also tasked to manage COVID claims. The CRTF is receiving questions from claimants regarding delays, but cannot answer these questions due to the nature of FEMA's opaque review process. Dr. Seidemann (DOJ) reviewed casket recovery efforts with assistance from State Police and volunteers. Dr. Seidemann (DOJ) reported that about half of the recovered caskets are identified based on exterior evidence. The remainder will need to be identified through other means. Ms. Halling (DOJ) explained the nature of administrative closures: They are cemeteries that are covered under PA or have been managed by the cemetery or families. This category also includes cemeteries that have been fully completed through the IA process. Dr. Seidemann (DOJ) indicated that prospective work for this event will be paperwork and identification of remains. He also expressed his appreciation to FACES for assistance in prior mapping efforts.

Dr. Seidemann (DOJ) also reported on the status of 2016 flood response. Of the 74 impacted cemeteries, 72 cemeteries have been completely restored. One of those left is in Independence and simply requires one reinterment. The CRTF is working with the contractor now to accomplish this goal. The other cemetery that is outstanding is in Bogalusa. The contractor is nonresponsive and we are considering options to move this matter forward.

3. New business:

Chair Seidemann (DOJ) reported on May 2021 floods in the southwest part of the State. Some flooding occurred in Orange Grove Cemetery, but no vaults or caskets left their grave spaces. The CRTF is also monitoring possible impacts to Niblett's Bluff Cemetery in Calcasieu as a result of the Toledo Bend floodgates being open. Amy Dawson (GOHSEP) noted that there is no disaster emergency declaration for the May floods. The declaration is being considered now.

Dr. Seidemann (DOJ) introduced the CRTF logo designed by Danielle Bennett at DOJ. He asked for any comments or objections to the use of the logo. None were voiced. There was general approval of the logo.

Dr. Seidemann (DOJ) reported that a white paper has been completed reviewing the legal authority of the CRTF and asked whether any members wanted a copy. Several voiced a request for a copy of the paper.

Dr. Seidemann (DOJ) raised the need for a CRTF Web site. There was general agreement that a Web site was needed. Lucy McCann (LCB) indicated that this would make the CRTF forms more visible and accessible for the public.

Dr. Seidemann (DOJ) indicated that he believes that the CRTF should ask for a formal opinion from the Louisiana Ethics Administration to ensure that the members have no reporting requirements in a manner consistent with his experience with the Louisiana Geographic Information Systems Council. Dr. Seidemann (DOJ) indicated that he believes that the CRTF is similarly exempt from the reporting requirements as the Ethics Administration found was the case with the GIS Council. Both Lucy McCann (LCB) and Amy Dawson (GOHSEP) participated in this discussion and there was general approval for the sending of this letter.

Dr. Seidemann (DOJ) raised the question of how to handle non-federally-declared disaster responses. The major problem for such events is that the CRTF is without funding to leverage from FEMA for repairs in these instances. He indicated that, in such a situation, the CRTF is likely in an advisory role only—one that simply informs cemetery operators and families of what options, though minimal, may exist for them. Dr. Seidemann (DOJ) also discussed the general question of whether State funds could be used to abate public safety problems raised by cemetery damage in the event of a disaster without federal funding. Dr. Seidemann (DOJ) observed that, as an activated subject matter expert, the CRTF is authorized, even in non-federally-funded events, to assist and direct local response and to undertake identification work to assist with any public safety response work. Dr. Seidemann (DOJ) asked for a resolution from the CRTF that states and finds that public safety is at risk after disaster events are substantially impacted by the disaster. He indicated that he believes that this action should give some cover, under La. Const. art. VII, sec. 14(A), to respond to such events. Lucy McCann (LCB) moved in favor of this motion and Amy Dawson (GOHSEP) seconded. The motion passed unanimously. Henry Yennie indicated that a meeting with Dr. Cantor may be useful in this regard just to advise him of the public safety risks that might be involved in such events.

Dr. Seidemann (DOJ) reviewed some possible legislative amendments that could be considered for future revisions to the CRTF statute. Among the issues raised were: (1) a public records exemption for human remains imagery; (2) authority to promulgate regulations; (3) providing the CRTF with the power to authorize deviations from certain Title 8 provisions for cemetery repair by contractors undertaking work under FEMA grants; (4) exemptions from the need for burial transit permit requirements in disaster events; and (5) a partial name change. Lucy McCann (LCB) indicated that a possible fix for the burial transit permit requirement could simply be an exemption from the cost requirements.

4. Next meeting:

Unknown at this time. Members will gauge availability and set up the next meeting for a post-storm season meeting date.

5. Adjourn

Dr. Listi (FACES) moved to adjourn and Ms. McCann (LCB) seconded. The vote to adjourn was unanimous and the meeting ended at 3:02 PM.