

NEW MEXICO CRIME VICTIMS REPARATION COMMISSION



THE QUARTERLY

Happy Independence Day from the staff at the New Mexico Crime Victims Reparation Commission!



NM District Attorney's Training

The New Mexico Crime Victims Reparation Commission staff will be scheduling with each District Attorney's office throughout the state and meeting with their victim advocates to inform them on legislative changes and how to enhance assistance to victims of violent crimes with the compensation application process.



Expand and Develop!

The New Mexico Crime Victims Reparation Commission has received its fiscal year 2015 VOCA Victim Assistance Formula Grant allocation of \$12,981,209, a substantial increase from the prior fiscal year award of \$3,292,298. This large infusion of funds will allow us the opportunity to expand on existing programs, as well as develop and enhance new programs to support victim services efforts within the state.

NM CVRC 2015 Hosted Trainings

August 10, 2015

Grant Webinar 9-10 am

August 11, 2015

Compensation Webinar 9-10 am

October 16, 2015

Grants/Comp. Training in Gallup 9-11am

November 12, 2015

Grant Webinar 9-10 am

November 13, 2015

Compensation Webinar 9-10 am

December 11, 2015

Grants/Comp. Training at CVRC 9-11am

Go to CVRC website to register.

Priority Processing

CVRC announces a new process on Priority Processing for compensation applications. We have partnered with District Attorney's Office's throughout the state to expedite crime victim applications on homicide cases. An important next step in CVRC's efforts to improve the efficiency in the processing of applications. We were able to pilot this project with DA offices in the state and we were able to determine eligibility for these cases within 72 hours. CVRC's officially rolled out this project on July 1, 2015 and all the pertinent information is on our website. We have conducted trainings throughout the state and will continue to do as needed. We also would encourage Victim Advocates from around the state to please contact our agency for any questions or assistance with this project and ask that you speak with Valerie Martinez or Moises Valdez. Our hope is to lessen the burden and to assist and support families during these difficult times.

Summer Safety!

-Avoid sun exposure during peak sun hours (10 AM - 6 PM).

-Sunscreen should be applied liberally 30 minutes before going out in the sun, and reapplied every two hours or sooner if swimming, sweating or toweling off. Look for products with UVA and UVB protection and an SPF of at least 15.

-Keeping well hydrated is very important.

-Keep in mind that children can drown in many different water sources including: bathtubs, toilets, buckets, baby pools, backyard swimming pools, community pools, streams.

-Teach children to avoid running out from between parked cars.

-Always hold your child's hand near any moving or parked vehicles.

-Never leave your child alone in a car, not even for a minute. The temperature inside your car can rise 20 degrees and cause heatstroke in the time it takes you to run in and out of the store.

-Internet/Yahoo

Exciting New Legislative Changes to the Crime Victims Reparation Act (Section 31-22-8 NMSA 1978)

Beginning July 1, 2015 the Crime Victims Reparation Commission enumerated crimes have been added to and changed as shown below in order to assist more victims of crime. This brings the number of enumerated crimes to eighteen.

- stalking (from aggravated stalking)
- assault against a household member
- battery against a household member
- human trafficking (added in 2013)
- dangerous use of explosives resulting in bodily injury
- removed aggravated arson leaving arson resulting in bodily injury

The next change concerns an exception to the two-year limit for filing a compensation application once a crime has been committed. The commission may extend the time limit *for good cause shown by a victim or claimant*. This is particularly important for victims of child abuse who are now adults but an application was never submitted on their behalf. As of July 1, 2015 a victim who was not informed about crime victims reparation in a timely manner may submit an application with a statement requesting a filing exception stating the good cause. These exceptions will be considered on a case-by-case basis by the commission.

The last change to the Act is the addition of a court assessed and collected mandatory crime victims reparation fee or penalty assessment for individuals convicted of felony and/or misdemeanor offenses. An individual convicted of a felony shall pay a crime victims reparation fee of \$75.00, and if convicted of a misdemeanor, the fee is \$50.00. These funds will be deposited in the crime victims reparation fund. The intent of the fee is to increase monies available to our agency to assist victims with expenses incurred as a result of their victimization. The hope is that with the availability of these funds, the commission will be able to increase the costs allowed for various expenses such as funeral from \$6,000 to \$7,500 and mileage reimbursement from \$.20 per mile to the state rate, which is currently \$.46 per mile.

The New Mexico Crime Victims Reparation Commission believes these statute changes will allow us to better serve victims of crime and their families.

Not Guilty: A letter to my assaulter

Ione Wells uses a personal experience to launch our #NotGuilty campaign

Ione Wells, #NotGuilty on Friday 24th April 2015 Cherwell-Oxford's Independent Student Newspaper

Photograph: Cherwell

TW: Sexual Assault

I cannot address this letter to you, because I do not know your name. I only know that you have just been charged with serious sexual assault and prolonged attack of a violent nature. And I have one question. When you were caught on CCTV following me through my own neighbourhood from the Tube, when you waited until I was on my own street to approach me, when you clapped your hand around my face until I could not breathe, when you pushed me to my knees until my face bled, when I wrestled with your hand just enough so that I could scream. When you dragged me by my hair, and when you smashed my head against the pavement and told me to stop screaming for help, when my neighbour saw you from her window and shouted at you and you looked her in the eye and carried on kicking me in the back and neck. When you tore my bra in half from the sheer force you grabbed my breast, when you didn't reach once for my belongings because you wanted my body, when you failed to have my body because all my neighbours and family came out, and you saw them face-to-face. When CCTV caught you running from your attempted assault on me... and then following another woman twenty minutes later from the same tube station before you were arrested on suspicion. When I was in the police station until 5am while you were four floors below me in custody, when I had to hand over my clothes and photographs of the marks and cuts on my naked body to forensic teams – did you ever think of the people in your life?

I don't know who the people in your life are. I don't know anything about you. But I do know this: you did not just attack me that night. I am a daughter, I am a friend, I am a girlfriend, I am a pupil, I am a cousin, I am a niece, I am a neighbour, I am the employee who served everyone down the road coffee in the café under the railway. All the people who form those relations to me make up my community, and you assaulted every single one of them. You violated the truth that I will never cease to fight for, and which all of those people represent – that there are infinitely more good people in the world than bad.

This letter is not really for you at all, but for all the victims of attempted or perpetrated serious sexual assault and every member of their communities. I'm sure you remember the 7/7 bombings. I'm also sure you'll remember how the terrorists did not win, because the whole community of London got back on the Tube the next day. You've carried out your attack, but now I'm getting back on my tube.

My community will not feel we are unsafe walking back home after dark. We will get on the last tube home, and we will walk up our streets alone, because we will not ingrain or submit to the idea that we are putting ourselves in danger in doing so. We will continue to come together, like an army, when any member of our community is threatened, and this is a fight you will not win.

Community is a force we all underestimate. We get our papers every day from the same newsagents, we wave to the same woman walking her dog in the park, we sit next to the same commuters each day on the tube. Each individual we know and care about may take up no more than a few seconds of each day, but they make up a huge proportion of our lives. Somebody even once told me that, however unfamiliar they appear, the faces of our dreams are always faces we have seen before. Our community is embedded in our psyche. You, my attacker, have not proved any weakness in me, or my actions, but only demonstrated the solidarity of humanity.

Tomorrow, you find out whether you're to be held in prison until your trial, because you pleaded 'not guilty' and pose a threat to the community. Tomorrow, I have my life back. As you sit awaiting trial, I hope that you do not just think about what you have done. I hope you think about community. Your community – even if you can't see it around you every day. It is there. It is everywhere. You underestimated mine. Or should I say ours? I could say something along the lines of, 'Imagine if it had been a member of your community,' but instead let me say this. There are no boundaries to community; there are only exceptions, and you are one of them.

Cherwell Life is starting a campaign with Ione this term. We are asking for articles under the theme of 'NOT GUILTY'. We encourage responses considering assault, victim-blaming and community. Whether you have experienced assault, or wish supply some positive thinking, please do respond, just as Ione has done. We are hoping to create a presence on Facebook, Twitter, and our website, in order to establish a strong force of community overriding misdirected victim characterisation. Submissions to lifestyle@cherwell.org

Important Information!

It is extremely important for advocates to continue to assist victims/claimants with filing compensation applications within two years from the date of incident, even if the victims have collateral sources such as health insurance and their bills are covered. Once a compensation application is approved for eligibility, CVRC can assist victims in the future with services and expenses up to the \$20,000 cap. Expenses such as **loss of wages, reimbursement of co-pays, travel for medical appointments and court dates** are not covered by insurance but are just some of the expenses ELIGIBLE under compensation. It may be that an application is placed in INACTIVE status due to collateral sources. However, if those sources change or they cannot cover some of the out-of-pocket expenses of the victim, then the victim/claimant can contact CVRC and if eligible, these expenses can then be reimbursed. It is a viable source of financial assistance to victims that should not be overlooked since there is no time limit to it!

NM Crime Victims Reparation Commission Board Members:

Marron Lee, Esq, Chair
Robin Edwards M.D, Vice Chair
Stuart Feltman, Members at Large
Erica Jorgensen-Forde, Members at Large
Raul Ortiz, former Law Enforcement Officer