

MICHELLE LUJAN GRISHAM
GOVERNOR



FRANK ZUBIA
DIRECTOR

STATE OF NEW MEXICO
CRIME VICTIMS REPARATION COMMISSION
6200 Uptown Blvd. NE Suite #210
Albuquerque, NM 87110
Meeting Called to Order

On September 26, 2019 Commission Chair Lee called the regular monthly meeting of the New Mexico Crime Victims Reparation Commission to order at 10:00 a.m.

The following Commission Members were present:

Marron Lee, Commission Chair
Dr. Robin Edward, Commission Vice-Chair
Erica Jorgensen, Commission Member (Absent)
Mark Myers, Commission Member (Telephonic)

The following NMCVRC staff members were present:

Frank Zubia, Director
MaryEllen Garcia, Grants Bureau Chief
Moises Valdez, Compensation Bureau Chief
Cindy Mok, Chief Financial Officer
Debra Yepa, State Investigator
Pamela Brendler, State Investigator
Joann Ziegler, Administrative Secretary
Lourdes McKenna, VOCA Grant Administrator

Guest

Katherine Lewin, reporter from The Santa Fe New Mexican

Review Agenda

The agenda was reviewed by Commission Chair Lee. Commission Vice-Chair Edward moved to approve the agenda. Commission Chair Lee seconded the motion. The motion passed unanimously.

Review and Approval of August 27, 2019 Commission Meeting Minutes

The Commission meeting minutes were reviewed for August 27, 2019 by Commission Chair Lee. Commission Vice-Chair Edward moved to approve the minutes. Commission Chair Lee seconded the motion. The motion passed unanimously.

Public Comment

None

Agency Financial Report

Ms. Mok updated the Commission about the FY 2020 budget position in victim payments for the period of July 1, 2019 to September 26, 2019. The agency has a beginning budget of \$2,620,585. The total amount for victim payouts to date is \$556,914, leaving an available year-end balance of \$87,753.

Ms. Mok updated the Commission on the status on Crime Victims Fund. The agency received a total of \$139,735 in Crime Victims Fund for the period of July 1, 2018 to September 26, 2019, which broken down by type as follow:

Restitution: \$15,944

Corrections: \$93,882

Civil Settlement: \$1,123

Penalty Assessment: \$28,787

Total received: \$139,735

New Business**Office for Victims of Crime (OVC) Site Visit September 9-13, 2019**

Director Zubia updated the Commission regarding the Office for Victims of Crime site visit. Brian Sass-Hurst, Grants Management Specialist, with the Office for Victims of Crime was at CVRC beginning September 9, 2019 and had an exit conference on September 12, 2019. Mr. Sass-Hurst had reviewed a couple of recommendations, which will be included within his letter within the next 45 days. CVRC complied with requested information from the FY 2016 and FY 2017 both for our VOCA Victim Assistance funding which is administered through our grants department and our VOCA Compensation funding, administered through our compensation department.

Agency Annual Audit, McCabe CPA Group, LLC September 30, 2019

Director Zubia informed the Commission of the agency's annual audit visit. The audit is being conducted by McCabe CPA Group, who will start on September 30, 2019. This annual agency audit CVRC receives. CVRC has began collecting preliminary information in regards to our agency. Ms. Mok added McCabe CPA is in the pre audit stages.

Towing and Impound Fees

Director Zubia updated the Commission regarding towing and impound fees that have been submitted by victims of crime to our agency. In the past we have reviewed and considered these fees's on a case by case basis and addressed as needed but we want to obtain direction from the Commission on how to proceed. Director Zubia deferred to Compensation Bureau Chief Moises Valdez. Mr. Valdez met with Sergeant Rick Ingram from Albuquerque Police Department homicide unit. CVRC has questioned why, if law enforcement is taking vehicles as evidence, they are not covering the impound fees for crime victims. Sergeant Ingram spoke with the City of Albuquerque Risk Management Division and they advised him that the city is not responsible for those fees. They are deferring those cost to crime victims and or their families. Several years ago we did some research and Robin Brassie, prior Deputy Director, reached out to the Public Regulation Commission (PRC). The PRC does not waive the fees but they do have a policy and procedure in place. CVRC has retained the documentation from the PRC and will continue to monitor those fees to ensure the towing companies are not gouging and we can defer the individual's to PRC if need be. CVRC requested the Commission's direction regarding these costs on behalf of crime victims moving forward. Commission Chair Lee requested CVRC contact the Mayor's Office to further discuss these costs. The four current cases, Commission Chair Lee directed staff to process those payments and report at the next Commission Meeting the status of the meeting with the City of Albuquerque.

Funeral/Burial Expenses, Proposed Policy and Procedure (Voting Item)

Director Zubia brought to the Commission the voting item on funeral/burial expenses. Director Zubia wanted to propose to the Commission as previously stated, jewelry will remain as ineligible expense, but that we consider food and paper products to be bought for a reception and clothing for the deceased and we want to set a limit on these expenses. It was suggested food would be limited to \$1000 and clothing for the deceased in the amount of \$500. Commission Vice Chair Edward asked if they were both in the cap on burial and funeral expenses. Director Zubia informed the Commission that these expenses would still fall within the \$6000 cap. Commission Vice Chair Edward made the motion to approve and Commission Chair Lee seconded the motion. The motion was passed unanimously.

Business

Services, Training, Officers, Prosecutors Violence Against Women Act (STOP VAWA)/Sexual Assault Services Program (SASP) Formula Grants / Victims of Crime Act Victim Assistance / State Funding Grants: Sexual Assault Services (SAS), Human Trafficking (HT), Civil Legal, and Intimate Partner Death Review Team

Ms. Garcia, Grants Bureau Chief, informed the Commission of the following:

The FFY 2020 VOCA Victim Assistance Continuation Application were due Friday, September 20, 2019 for awards effective Tuesday, October 1, 2019 through September 30, 2020. All but one program submitted their application. Street Safe submitted a letter declining continuation funding. Applications are submitted, negotiated, and awarded through the NMCVRC WebGrants Online System. Ms. Garcia also informed the Commission that the subrecipient award process has been streamlined, with the awards going out electronically through the system once the Commission provides final approval of the awards.

The FY2020 VOCA Continuation Awards were presented and approved by the Commission. Commission Vice-Chair Edward moved to approve the minutes. Commission Chair Lee seconded the motion. The motion passed unanimously.

The FY 2019 VOCA Victim Assistance Award for \$14,600,213 has been received and accepted by NMCVRC. The award period is October 1, 2019 through September 30, 2022.

NMCVRC in collaboration with the 2nd Judicial District Attorney's Office applied for and received a FY19 National Sexual Assault Kit Initiative in the amount of \$1,000,000. The award period is October 1, 2019 through September 30, 2022.

The second VOCA Grants Administrator, Ms. Lourdes McKenna has started September 9, 2019. Ms. McKenna has already begun completing the OVC Grants Financial Management Training, the OVC TTAC Training and is becoming familiar with the programs and projects funded by this office. The Grants Program Specialist financial position has posted and closed Thursday, September 26, 2019.

The Junior Bill Appropriation of \$50,000.00 for a sexual assault nurse examiner program in Hobbs, New Mexico has been transferred to NMCVRC. A contract amendment has been initiated to ensure the New Mexico Coalition of Sexual Assault Programs can administer these funds to the newly formed program in this community.

The Grants Bureau Chief and Director attended the National Coalition Against Domestic Violence 2019 Voices in Action Conference in Washington DC, September 15-18, 2019.

Agency Personnel Matters

Director Zubia updated the Commission on personnel matters and introduced Ms. Lourdes McKenna, the new VOCA Grant Administrator. Director Zubia informed the Commission that the agency currently has a total of six vacant positions, including four new positions that need to be created. They are Victim Advocate, (2) Grants

Program Specialist, (2) State Investigators, and Financial Specialist. CVRC is working closely with State Personal Office to fill the positions as quickly as possible. Director Zubia wanted to commend Ms. Mok on doing a great job working with State Personal Office.

Executive Session

At 10:45 a.m., Commission Vice Chair Edward made a motion to enter into Executive Session. Commission Chair Lee seconded the motion.

A poll of the Commission Members was made as follows: Commission Chair Lee, aye, Commission, aye, Commission Vice Chair Edward, aye, Commission Member Myers aye.

At 10:55 p.m., Commission Chair Lee made a motion to come out of Executive Session. Commission Vice Chair Edward seconded the motion. The motion passed unanimously.

Commission Vice Chair Edward stated that pursuant to Section 10-15-1(J) NMSA 1978 the matters discussed in the closed meeting (Executive Session) were limited only to those specified in the motion for closure.

Actions on Items Discussed in Executive Session (Voting Item)

192369 – Appeal

Commission Chair Lee made the motion to deny Claim #192369 and Commission Vice Chair Edward seconded the motion. The motion was passed unanimously.

200677 – Good Cause

Commission Chair Lee made the motion to approve Claim #200677 and Commission Vice Chair Edward seconded the motion. The motion was passed unanimously.

194964– Good Cause

Commission Chair Lee made the motion to approve with restrictions to only counseling, Claim #194964 and Commission Vice Chair Edward seconded the motion. The motion was passed unanimously.

200390 – Good Cause

Commission Chair Lee made the motion to approve Claim #200390 and Commission Vice Chair Edward seconded the motion. The motion was passed unanimously.

200399 – Good Cause

Commission Chair Lee made the motion to approve, with restrictions, Claim #200399 and Commission Vice Chair Edward seconded the motion. The motion was passed unanimously.

The next Commission meeting has been scheduled for Thursday, October 24, 2019 at 10:00 a.m. at 6200 Uptown Blvd. N.E., Suite #210, Albuquerque, NM in the conference room.

Adjourned

Commission Vice Chair Edward moved to adjourn the Commission meeting. Commission Chair Lee seconded the motion. The motion to adjourn passed unanimously.

The meeting adjourned at 10:59 a.m.

APPROVED: Marron Lee DATE: 10.23.19
Marron Lee, Commission Chair