

STATE OF NEW MEXICO  
CRIME VICTIMS REPARATION COMMISSION

MICHELLE LUJAN GRISHAM  
GOVERNOR



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STATE OF NEW MEXICO  
CRIME VICTIMS REPARATION COMMISSION  
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Albuquerque, NM 87110

**Video Conferencing Platform – Zoom Meeting**

In accordance with the COVID-19, State of New Mexico Public Health Emergency- Executive Order 2020-004 Crime Victims Reparation Commission Virtual Meeting information was posted with detailed instructions on the CVRC Website for members of the public to attend and listen via telephone, live streaming or other similar technologies.

**Virtual Meeting Called to Order**

On August 27, 2021, Commission Chair Lee called the August virtual meeting of the New Mexico Crime Victims Reparation Commission to order at 10:02 a.m. Commission Chair Lee announced the names of those members of the public body who are participating remotely.

The following Commission Members were present via webcast:

Marron Lee, Commission Chair  
Mark Myers, Commission Vice Chair  
Erica Jorgensen, Commission Member

The following NMCVRC staff members were present via webcast:

Frank Zubia, Director  
Moises Valdez, Compensation Bureau Chief  
MaryEllen Garcia, Grants Bureau Chief  
Cindy Mok, Chief Financial Officer  
Debra Yepa, State Investigator  
Rose Martinez, Compensation Management Analyst

**Review Agenda**

The agenda was reviewed by Commission Chair Lee and Commission Members and was unanimously approved by the Commission.

**Review and Approval of May 27, 2021, Commission Meeting Minutes**

The Commission Chair Lee reviewed the Commission meeting minutes for May 27, 2021, with the Commission members. Commission Member Jorgensen made a motion to approve the meeting minutes. Commission Vice Chair Myers seconded the motion. The motion passed unanimously.

**Public Comment**

None

**Agency Financial Report**

Ms. Mok updated the Commission regarding the FY2021 budget position on victim payments for the period of July 1, 2020, to June 30, 2021, was \$2,284,460 closing out the fiscal year. The victim payment budget started in the amount of \$2,503,589. The remaining available budget balance is \$219,129 which will be carried over to FY2022.

Ms. Mok informed the Commission that CVRC payout amount for victims for FY2020 totaled \$2.7 million, this amount reflected a 17% decrease in victim payouts.

FY 2021 Crime Victim Fund payments received for the period of July 1, 2021, to June 30, 2021, by type:

Restitution: \$41,968

Corrections: \$415,499

Civil Settlement: \$42,493

Penalty Assessment: \$270,968

Total received: \$770,928

Ms. Mok reviewed with the Commission the Crime Victim Fund report. CVRC collected a total amount of \$770,928. The Crime Victim Fund did not meet the budget revenue target for the fiscal year. Ms. Mok stated that CVRC's FY 2021 collection of Crime Victim Fund decreased by 15% compared to FY 2020.

Commission Chair Lee inquired why and what is behind the decrease in the Crime Victim Fund? Mr. Zubia informed the Commission that he speculates the decrease is associated with the courts where closed at the beginning of the health pandemic and after some considerably time slowly began conducting virtual hearings and trials during this fiscal year. Mr. Zubia stated that logically speaking, he anticipates the deficiency will improve when the courts are completely open. CVRC receives most of its revenue from the Administrative Office of the Courts (AOC). Mr. Zubia informed the Commission that when the courts are not operating at their full capacity, the result has been a decline in revenue to the Crime Victim Fund.

Commission Chair Lee stated and referred to speaking logically and with high expectations, that CVRC will regain the 15% loss in revenue when the courts begin operating at full capacity. Mr. Zubia concurred with this statement and informed the Commission that he will continue to keep the Commission updated with new developments.

### **FY 2023 Budget Request Overview**

Ms. Mok outlined for the Commission the FY2023 Budget Request Overview report for the period beginning on July 01, 2022, thru June 30, 2023. Ms. Mok informed the Commission the following changes and requests in this FY2023 budget request:

1. Per the recommendation from our Legislative Finance Committee (LFC) analyst, CVRC has reorganized the agency's budget in FY 2023 to realign our resources properly to our program's objectives. CVRC has two program codes, P706 and P707. The program code P706 is associated with all Victim Compensation related transactions. The program code P707 is associated with all Grants administration related transactions. Ms. Mok informed the Commission that the FY 2023 budget includes the restructure program codes are requested by the LFC.
2. This budget request includes the \$5 million state appropriation for sexual assault services. The New Mexico Coalition of Sexual Assault Program (NMCSAP) reached out to CVRC to request this additional funding to develop and enhance services and focus on underserved and rural areas. Mr. Zubia informed the Commission that this budget increase will involve preliminary meetings with New Mexico Sexual Assault Services and their leadership to obtain additional detailed information. CVRC will also meet with Governor's office to discuss the requested funding increase and provide the Governor's office with additional information. Mr. Zubia informed the Commission that depending on the outcome from these meetings, the figures and information could change. Mr. Zubia will keep the Commission informed.
3. Due to the public health emergency order that implemented a statewide hiring freeze and a budget reduction in FY2020 and FY2021. CVRC was required to revert vacancy savings in the personnel category. The hiring freeze has recently lifted, and our agency is working closely with State Personnel Office (SPO) to begin the hiring process on the vacant positions. CVRC is requesting the amount of \$314,000 to fill the agency's personnel vacant positions.

Ms. Mok informed the Commission that these requests will increase our state appropriation budget by 79%. The overall budget will be increased by 14%.

Commission Chair Lee articulated the importance and the significance of maintaining CVRC's credibility and reputation. She stated that this is a key factor in requesting additional funding for another agency. Commission Chair Lee cautioned CVRC to be wise and careful to not lose our credibility. Commission Chair Lee strongly advised that CVRC be 100% confident to ensure this is the correct step in proceeding forward with this budget increase request.

Ms. Mok informed the Commission that the FY2023 budget request is due by September 1, 2021.

**FY 2021 Audit Status**

Ms. Mok updated the Commission regarding CVRC's new audit firm. The new accounting firm is Baldwin Accounting and Consulting, LLC. Mr. Lee Baldwin is the contact person. CVRC will have an audit entrance meeting today, at 1:30 P.M. Ms. Mok stated that Mr. Zubia, Commission Chair Lee, Mr. Valdez, and Ms. Garcia will attend the meeting.

Ms. Mok informed the Commission that the field work schedule for the audit will be available by mid-September.

**New Business**

**Proposed Commission Meeting Date December 9, 2021**

Mr. Zubia informed the Commission that we must re-schedule a meeting to replace the cancellation of the June Commission meeting. Mr. Zubia proposed a meeting date to be schedule for December 9, 2021. The December Commission meeting will coincide with CVRC's Christmas party. Commission Chair Lee, Commission Vice Chair Myers, and Commission Member Jorgensen agreed to the proposed meeting date.

**Advocacy In Action Conference 2021**

Mr. Zubia updated the Commission regarding the Advocacy In Action (AIA) virtual conference, which was held on August 3-5, 2021. Mr. Zubia informed the Commission that the planning and organizing of the AIA conference is quite extensive and requires lots of time and attention to detail. The planning and programming of the conference is the work of our coalition partners, victim services organizations and our staff which included Ms. Garcia, Mr. Valdez and Ms. Jacqueline Sanchez.

Mr. Zubia reminded the Commission that CVRC had to cancel contracts and the venue for the AIA Conference last year due to COVID. This was done ten days prior, and it was an extremely stressful decision which involved a lot of damage control. Despite these disappointments and cancellations from last year, CVRC was able to obtain quality keynote speakers and produced an outstanding and successful AIA virtual conference.

Mr. Zubia stated that CVRC was able to secure some outstanding speakers at a decreased rate due to the conference being virtual. However, there were some costly services like sign language interpretation and the closed caption feature. Mr. Zubia stated to the Commission that the AIA conference was a big success and will be the last one that will be conducted in this manner. Mr. Zubia added that our agency is looking for different and meaningful ways in providing enhanced services and training to include rural areas of the state to replace this conference. In addition, this conference takes a lot of time away from victims and is overwhelming to the CVRC staff. With this statement, Mr. Zubia believes that making this conference the last one is the right move.

Mr. Valdez gave his perspective to the Commission about the conference. Mr. Valdez agreed that securing quality speakers and the breakout sessions were helpful in the success of this conference. He added that the speakers gave quality presentations and the participates seemed to enjoy the conference. Mr. Valdez added that it was a different experience not working the technical side of the conference as he has done previously. Mr. Valdez agreed that overall, it was one of the best conferences he has been a part of.

Ms. Garcia shared with the Commission that one of the favorite keynote speakers was Ms. Isabelle Wilkerson. Ms. Wilkerson gave an exceptional presentation and Ms. Garcia expressed how fortunate and honored she was to interview her and read her book

Mr. Zubia stated that Isabelle Wilkerson presentation was extremely good. Ms. Wilkerson is a popular author of the book "*Caste...The Origins of Our Discontents*". Another great speaker was Victor River Rivas, he also gave a great presentation that was powerful. Mr. Rivas is an actor and is also a survivor of domestic and child abuse.

Ms. Garcia was ecstatic and stated that the AIA conference was phenomenal. Ms. Garcia informed the Commission that the conference had registered 650 attendees with the highest number of attendees participating in a session was 525. Ms. Garcia stated she was presenting and facilitating and working the back end with Kesselman Jones where she witnessed some of the technical issues. Along with the conference speakers, there was also great self-care speakers and breakout sessions. Another speaker, Dream Hampton who did a documentary on high profiles cases like the RJ Kelly and the impact of sexual violence and abuse of power.

Ms. Garcia also stated that some presentations were overwhelming and stressful to hear and participants watching from home could trigger some difficult moments and CVRC made every effort to have mental health and self-care information easily accessible.

Ms. Garcia also concurred with Mr. Zubia that she is happy this is the last conference. CVRC is always striving to provide training to our participants in reasonable ways and meaningful.

Commission Chair Lee congratulated the CVRC staff for doing a great job with the success of the AIA virtual conference.

**Business**

**Grants Update (VOCA, VAWA, SASP and State)**

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

The Grants Bureau Chief continues to participate on the Board of the Association of VAWA Administrators.

The Grants Department continues to provide technical assistance to program and projects that are funded through CVRC state and federal funding.

The FFY2022 VOCA Victim Assistance Continuation Solicitations were reviewed by the deadline and all programs submitted in accordance with the continuation application.

All state contracts for FY2022 were effective July 1, 2021. The State Grant Administrator, Marivel Baca, has worked closely with all projects to ensure they have current budgets and will complete their fourth year of their award.

All STOP VAWA and SASP contracts for FY2022 were effective July 1, 2021.

The FY2023 Competitive Solicitations for the State Sexual Assault and Human Trafficking funds will be issued in January of 2022 for a four-year competitive cycle. Drafts of the solicitations are being developed.

The #VOCAFix was signed into legislation July 22, 2021. As a result, CVRC was able to apply for a no-cost, one year extension of its 2018 awards. This will reduce the FFY2023 projected cuts from 15-18%, as opposed to the 47% projected.

The Grants Bureau Chief completed a three-year project with the Office on Violence Against Women and Resource Sharing Project for the Sexual Assault Services Program training curriculum for state administrators regarding the sexual violence across the lifespan.

The Grants Bureau Chief informed the Commission that the Grants Department is experiencing personnel changes with two resignations. The Grants department is looking forward in filling these positions with a focus on being more effective and efficient.

**FFY2022 VOCA Victim Assistance Final Awards (Voting Item)**

Ms. Garcia informed the Commission that the FFY2022 VOCA Victim Assistance Final Award is a voting item.

Commission Chair Lee asked for a motion for the FFY2022 VOCA Victim Assistance Final Award. Commission Vice Chair Myers made a motion to approve, and Commission Member Jorgensen seconded the motion. The motion passed unanimously.

**DVRC UPDATE**

Ms. Garcia updated the Commission regarding organizational issues within the Domestic Violence Resources Center (DVRC) since December 2020. CVRC continues to work with this organization. The New Mexico Coalition Against Domestic Violence is also working to assist DVRC with structure and helping this organization to understand the core mission and what it means to provide services to domestic and intimate partner survivors. Currently, DVRC has no case management or counseling staff. In the last couple of months, they have lost much of their staff.

Ms. Garcia informed the Commission that an internal analysis showed that 72% of the issues at DVRC involve interpersonal conflict between management, leadership and staff. The remaining percent is dealing with the ethical violations and that is the reason they left the agency.

Ms. Garcia informed the Commission that CVRC will be conducting a full site visit in collaboration with CYFD. Our agency will be seeking copies of their procedures, policies, best practices, and planning to be submitted to CVRC for review. When CVRC receives this submission, our agency will be reviewing the documents. Ms. Garcia informed the Commission that this process could take a few weeks to start and is looking for this to be in early September.

Commission Chair Lee asked Ms. Garcia what is this organization doing without proper staffing? Ms. Garcia stated that the advocates are working with the victims by providing on scene crisis intervention to domestic violence victims. Crisis stabilization and assisting with order of protection.

### **La Casa Update**

Ms. Garcia informed the Commission that she was pleased with the La Casa and their continued progress. The La Casa board and leadership took a firm stance with the civil rights violation and some ethical boundaries. La Casa immediately put staff on administrative leave and hired an employment attorney. During this investigation, the Executive Director resigned prior to the impending termination and two other staff members were terminated as a result.

Ms. Garcia informed the Commission that La Casa has hired an interim Executive Director, Marcie Davis. Ms. Davis has done a lot of work across the state and nationally. She has worked with disability and trauma informed services and has displayed great organizational skills. Ms. Davis understands this is an interim position and that she is there to repair the organization and development.

Ms. Davis secured leadership training for the staff from Office Victims of Crime trauma informed services for the staff and the board and technical assistance. La Casa has been proactive and conducted a forensic audit on their own and discovered that there was no mismanagement or fraudulent activity with their funding. Ms. Davis and the staff at La Casa have been keeping CVRC informed and updated.

Commission Chair Lee was content in hearing the update on La Casa and the great progress that they are making

Commission Chair Lee thanked Ms. Garcia for the great work that she does.

### **Executive Session**

At 10:40 a.m., Commission Chair Lee asked for a motion to enter Executive Session. Commission Vice Chair Myers made a motion to enter Executive Session, Commission Member Jorgensen seconded the motion. Motion passed unanimously to enter Executive Session.

A poll of the Commission members was made as follows: Commission Member Jorgensen, aye, Commission Vice Chair Myers, aye, and Commission Chair Lee, aye.

At 10:50 a.m., Commission Chair Lee asked for a motion to come out of Executive Session. Commission Vice Chair Myers made a motion to come out of Executive Session and Commission Member Jorgensen seconded the motion. The motion passed unanimously.

Commission Chair Lee 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)**

212238 – Determination of Eligibility

213044 – Good Cause

Commission Chair Lee reviewed with Commission Members Claim #212238 for Determination of Eligibility. The consensus of the Commission is to deny Determination of Eligibility request. The motion to deny passed unanimously.

Commission Chair Lee reviewed with Commission Members Claim #213044 for Good Cause. The consensus of the Commission is to approve this claim. The motion to approve passed unanimously.

**Commission Meeting May 27, 2021**

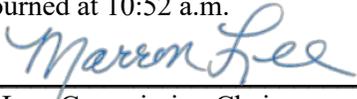
A Poll of the Commission members was made as follows: Commission Chair Lee, aye, Commission Member Jorgensen, aye, Commission Vice Chair Myers, aye.

The next Commission meeting has been scheduled for Thursday, September 23, 2021, at 10:00 a.m. at 6200 Uptown Blvd. N.E., Suite #210, Albuquerque, NM in the conference room. The Commission meeting could change to a virtual meeting depending on direction from the Attorney General.

**Adjourned**

Commission Member Jorgensen moved to adjourn the Commission meeting. Commission Vice Chair Myers seconded the motion. The motion to adjourn passed unanimously.

The virtual meeting adjourned at 10:52 a.m.

APPROVED:  DATE: 8/26/2021  
Marron Lee, Commission Chair