

STATE OF NEW MEXICO
CRIME VICTIMS REPARATION COMMISSION

MICHELLE LUJAN GRISHAM
GOVERNOR



FRANK ZUBIA
DIRECTOR

STATE OF NEW MEXICO
CRIME VICTIMS REPARATION COMMISSION
6200 Uptown Blvd. NE Suite #210
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 September 23, 2021, Commission Chair Lee called the September virtual meeting of the New Mexico Crime Victims Reparation Commission to order at 10:04 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 August 26, 2021, Commission Meeting Minutes

The Commission Chair Lee reviewed the Commission meeting minutes for August 26, 2021, with the Commission members. Commission Vice Chair Myers made a motion to approve the meeting minutes. Commission Member Jorgensen seconded the motion. The motion passed unanimously.

Public Comment

None

Agency Financial Report

FY 23 Agency Appropriation Request

Ms. Mok outlined for the Commission the FY2023 Agency Appropriation Request for the period beginning on July 01, 2022, thru June 30, 2023. Ms. Mok informed the Commission the following change:

In the September 2021 Commission meeting, Ms. Mok presented to the Commission that CVRC will request \$5.3 million in State General Appropriation for FY 2023. Ms. Mok informed the Commission that after a the meeting with the Governor's office on September 28, 2021, CVRC has adjusted the budget request increase amount to \$5.4 million in State General

Commission Meeting September 23, 2021

Appropriation, which is an increase of 82.07%. This budget request was submitted on September 1, 2021 to Department of Finance and Administration (DFA) and the Legislative Finance Committee (LFC).

Commission Chair Lee inquired as to what the response was to our agency's request for this increase of funding. Mr. Zubia informed the Commission that CVRC presented this request to the Governor's Office, DFA, and LFC, they appeared to understand the need and understand the request for additional appropriation. CVRC will be presenting the FY 2023 budget to the LFC subcommittee. The first hearing will be held on Thursday, October 28, 2021. Mr. Zubia informed the Commission that it will be streamed for the public to watch.

Ms. Mok updated the Commission regarding the FY 2022 budget position on victim payments for the period of July 1, 2021, to September 23, 2021. The victim payment budget started in the amount of \$2,482,658, the victim total payouts as of September 10, 2021 was \$537,926. The remaining available budget balance is \$1,944,733. Ms. Mok informed the Commission that with the current rate of spending, we project a year-end budget balance of \$135,463 will be carried over to FY2023.

Ms. Mok informed and updated the Commission on the Crime Victim Fund report. In the months of July and August 2021. We received a total of \$57,934. CVRC has not received any payments from the Correction Department for the months of July, and August 2021 as of today's date. Ms. Mok explained to the Commission that the delay is possibly due to the year-end process and closing the state fiscal year at the Correction Department. Ms. Mok is anticipating that we will receive the payment by October.

FY 2022 Crime Victim Fund payments received for the period of July 1, 2021, to September 23, 2021, by type:

Restitution: \$10,316

Corrections: \$55

Civil Settlement: \$13,204

Penalty Assessment: \$34,360

Total received: \$57,934

Commission Chair Lee requested an update on the research analysis concerning this decrease in funds. Mr. Zubia informed the Commission that he had a meeting with some members of the Administrative Office of the Courts (AOC). Mr. Zubia stated that an October meeting is scheduled with the upper management for further discussion.

Commission Chair Lee expressed concern regarding rate in which CVRC is receiving penalty assessment, as this is a fund that is are statutorily committed to CVRC. Commission Chair Lee indicated that determining the cause should take high priority for the leadership of CVRC, as the decrease in crime victim fund payments will impact the agency. These funds are statutorily mandated and are important for the continued financial assistance to the victims of violent crime that CVRC assists.

Commission Vice Chair Myers and Commission Member Jorgensen concurred with Commission Chair Lee and stated that CVRC needs to apply concentrate efforts work with the Administrative Office of the Courts (AOC) to collect the statutory crime victim funds.

Mr. Zubia updated the Commission that the Council of Governments is conducting an analysis and he did not want to duplicate the process with the research from UNM.

Mr. Zubia informed the Commission that he will prioritize this issue and will have an answer for the Commission at the October's Commission meeting.

New Business

Agency Personnel Matters

Mr. Zubia informed the Commission that CVRC have lost two employees from the Grants Department in the month of July 2021. CVRC is in the process of filling four positions. Mr. Zubia informed the Commission that the job advertisements have been posted and most will close today.

Business

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

Ms. Garcia informed the Commission the following:

The Grants Bureau Chief continues to participate on the Board of the Association of VAWA Administrators (AVA). AVA has been hosting a series of peer to peer calls about the VAWA Implementation Planning Process and the Grants Bureau Chief has been facilitating those conversations.

The Statewide Implantation Planning meetings have begun. The first meeting was held September 8, 2021. A second meeting will be held September 24, 2021. Meetings will be scheduled with tribal advocates, tribal governments, law enforcement, victim services, prosecutors and community-based services over the next several months. These meetings will help establish the 2021-2025 Statewide Implementation Plan.

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

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 and Impact on New Mexico was presented at the Advocacy In Action Conference.

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.

DVRC UPDATE

Ms. Garcia presented an update to the Commission on the Domestic Violence Resource Center (DVRC). Ms. Garcia informed the Commission that they do not have any counselors currently on staff. DVRC is working to stabilize and review the core mission of the agency. CVRC is continuing to work with DVRC. DVRC continues to work with the New Mexico Coalition Against Domestic Violence to improve the provision of services. Ms. Garcia informed the Commission that she will be conducting a site visit in the fall to review their policies, procedures, practices, and financial reports. Based on the site visit, CVRC will make recommendations.

La Casa Update

Ms. Garcia presented an update to the Commission on the progress at La Casa. Ms. Garcia informed the Commission that CVRC continues to work with their interim leadership, Marcie Davis. La Casa has also hired a chief financial officer for the agency and are working to be fiscally compliant. La Casa is working to build leadership with an organizational compacity and is training the staff to understand what victim services entails. La Casa continues to communicate with CVRC and is working with our agency and working through the grievances that occurred.

Commission Chair Lee thanked Ms. Garcia for her great work.

Executive Session

At 10:21 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 Vice Chair Myers, aye, Commission Member Jorgensen, aye, and Commission Chair Lee, aye.

At 10:30 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.

Commission Meeting September 23, 2021

Actions on Items Discussed in Executive Session (Voting Item)

212502 – Determination of Enumerated Crime; Good Cause

212900 – Determination of Enumerated Crime; Good Cause

220175 – Good Cause

Commission Chair Lee reviewed with Commission Members Claim #212502 for Determination of Enumerated Crime, Good Cause. The consensus of the Commission is to approve with restrictions (counseling and limited medication) set forth by the Commission for the Determination of Enumerated Crime, Good Cause request. The motion to approve with restrictions was passed unanimously.

Commission Chair Lee reviewed with Commission Members Claim #212900 for the Determination of Enumerated Crime/ Good Cause. The consensus of the Commission is to deny this claim. The motion to deny passed unanimously.

Commission Chair Lee reviewed with Commission Members Claim #220175 for Good Cause. The consensus of the Commission is to approve this claim for Good Cause. The motion to approve passed unanimously.

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

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

APPROVED:  DATE: 9/23/2021
Marron Lee, Commission Chair