

STATE OF NEW MEXICO
CRIME VICTIMS REPARATION COMMISSION

MICHELLE LUJAN GRISHAM
GOVERNOR



FRANK ZUBIA
DIRECTOR

AMENDED

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 January 31, 2022, Commission Chair Lee called the January virtual meeting of the New Mexico Crime Victims Reparation Commission to order at 10:05 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
Pamela Brendler, State Investigator
Rose Martinez, Compensation Management Analyst

Review Agenda

The agenda for today's meeting was reviewed by Commission Chair Lee who requested to change the agenda and begin with item #7 Business, until the Commission meeting had quorum of all the Commission Members.

Business

Grants Status Report (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. AVA has been hosting a series of Peer to Peer calls in reference to the VAWA Implementation Planning Process and the Grants Bureau Chief has been facilitating those conversations.

The Statewide Implementation Planning process is still underway. We will be meeting 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, which should be adopted before the end of April 2022.

A meeting was held with statewide sexual assault service providers and the leadership of the New Mexico Coalition of Sexual Assault Programs to review the upcoming solicitation for state appropriated sexual assault funding. This meeting reviewed the efficiency and need of sexual assault programs to continue with deliverable based billing for the next two fiscal years and then review the data elements established with a data working group.

Commission Chair Lee, interrupted to inform that Commission Member Jorgensen had joined the meeting and we had a quorum.

The VOCA Assistance Administrators Bi-Annual Summit was held, and the Grants Administration team was in attendance. During the meeting the Office of Inspector General announced they would be conducting site visits with subrecipient agencies of states over the next year. They will be reaching out to states over the next few months to capture subrecipient data and will then select the agencies to conduct visits with.

The STOP VAWA 2021 Annual Report requests have been sent to all STOP VAWA agencies to be submitted by February 18, 2022. These will be reviewed and submitted to the Office on Violence Against Women with our annual report prior to the March 30th deadline.

The SASP 2021 Annual Report requests have been sent to all SASP agencies to be submitted by February 18, 2022. These will be reviewed and submitted to the Office on Violence Against Women with our annual report prior to the March 30th deadline.

The VOCA Victim Assistance Annual Performance Measure report was submitted to the Office for Victims of Crime prior to the December 30th deadline.

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

Office of Inspector General (OIG) Audit of Sub Recipients

Ms. Garcia informed the Commission that the Office of Inspector General (OIG) announced they will be conducting site visits with subrecipients agencies of states over the next year. They will reach out to states over the next few months to capture subrecipient data and will select the agencies to conduct visits with.

La Casa Status Report

Ms. Garcia informed the Commission about the progress of La Casa. La Casa continues to work with an outside consultant who is working with the agency's Board to establish solvency of the agency. They have hired a CFO and the agency continues to recruit for a new Executive Director. The agency has conducted numerous trainings regarding the delivery of trauma informed services and working to improve financial practices of the agency. CVRC and CYFD have been in communication with the consultant agency regarding Board training, recruitment, agency financial management, staff training, and increasing the efficiency of the agency.

Roberta's Place Status Report

Ms. Garcia informed the Commission about the progress of Roberta's Place. Roberta's Place has also hired an outside consultant who is working with the agency's Board to establish solvency of the agency. CVRC and CYFD have been in communication with the consultant agency regarding the Board training, recruitment, agency financial management, staff training and increasing efficiency. The consultant has submitted numerous grant application for the agency to improve the shelter for ADA compliance and improve safety for survivors.

Review and Approval of December 16, 2021, Commission Meeting Minutes

The Commission meeting minutes were reviewed for December 16, 2021, by the Commission. 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

Ms. Mok updated the Commission regarding the FY2022 budget position report regarding victim payments for the period of July 1, 2021, through January 19, 2022. The victim payment budget started in the amount of \$2,482,658. The total amount for victim payouts as of January 19, 2022, is \$1,284,657. There are twenty-four weeks remaining in the fiscal year with a projected victim expense amount of \$1,085,784. At the current rate for victim payouts, CVRC projects a remaining budget balance of \$112,218 that will be carried over into the next fiscal year.

Ms. Mok reviewed with the Commission the Crime Victim Fund payments status report. As of January 19, 2022, the agency has collected a total amount of \$349,505 in Crime Victim Fund, CVRC received the December 2021 payment from the Department of Corrections after this report was prepared. Ms. Mok informed the Commission that the December 2021 payment from Department of Corrections will be reflected on next month's financial report.

FY 2022 Crime Victim Fund payments received for the period of July 01, 2021 to January 19, 2022, by type:

Restitution: \$39,922

Corrections: \$183,369

Civil Settlement: \$14,281

Penalty Assessment: \$111,933

Total received: \$349,505

Agency Budget Hearing

Ms. Mok informed the Commission that on January 12, 2022, Mr. Zubia presented our FY 2023 Budget for the House Appropriations Finance sub-committee. The sub-committee has adopted the recommendation proposed by the Legislative Finance Committee (LFC) to include \$1 million recurring general fund appropriation for the sexual assault programs statewide. The LFC also recommended \$1.3 million appropriation from the early childhood education and care fund for services for child victims of sexual assault and child advocacy centers, contingent on the passage of legislation expanding the uses of that fund.

Mr. Zubia informed the Commission that he will provide a status report regarding the collection of fees and fines at the February Commission meeting.

Mr. Zubia informed the Commission that there is a follow up regarding the agency budget hearing in front of the Legislature in January. There are concerns in accessing the early childhood education and care fund. If the legislation does not expand the allowable uses of the fund, our agency will receive \$1 million instead of \$2.3 million for the sexual assault service programs statewide. Mr. Zubia will inform the Commission with any new information and will have an update at the next meeting.

FY 2021 Audit Status

Ms. Mok informed the Commission that CVRC has received confirmation from the Office of the State Auditor (OSA) on our agency's FY 2021 audit report with no additional inquiries. The audit report has been posted on OSA's website.

Commission Chair Lee thanked Ms. Mok for her work.

New Business

Commission Election for Chair (Voting Item)

Mr. Zubia requested a nomination for Commission Chair. Commission Vice Chair Myers made the motion to re-elect Commission Chair Marron Lee, and Commission Member Jorgensen seconded the motion. Commission Chair Lee accepted the nomination. The motion to re-elect Commission Chair Lee passed unanimously.

Mr. Zubia requested a nomination for Commission Vice Chair. Commission Chair Lee made a motion to re-elect Vice Chair Myers and Commission Member Jorgensen seconded the motion. Commission Vice Chair Myers accepted the nomination. The motion to re-elect Commission Vice Chair Myers passed unanimously.

Adoption of 2022 Open Meetings Resolution (Voting Item)

Commission Vice Chair Myers moved to approve the Adoption of the 2022 Open Meetings Resolution. Commission Member Jorgensen seconded the motion. The poll of the Commission was as follows: Commission Chair Lee, aye, Commission Vice Chair Myers, aye, Commission Member Jorgensen, aye. The motion passed unanimously.

Adoption of 2022 Commission Code of Conduct

Commission Vice Chair Myers moved to approve the Adoption of the 2022 Commission Code of Conduct. Commission Member Jorgensen seconded the motion. The poll of the Commission was as follows: Commission Chair Lee, aye, Commission Vice Chair Myers, aye, Commission Member Jorgensen, aye. The motion passed unanimously.

Review and Approve Compensation Guide for Eligibility Determination and Expense Policies (Voting Item)

Mr. Valdez presented to the Commission the *Compensation Guide for Eligibility Determination and Expense Policies* for a vote. These policies are the guideline in determining eligibility when applications are submitted to Crime Victims Reparation Commission. The policies reviewed by the Commission were as follows: *Expenses Paid for Primary and Secondary Claims, Compensation Application Eligibility Determination, Medical Expense Policy, Counseling Expense Policy, Dental Expense Policy, Funeral/Burial Expense Policy, Medicine Man Policy, Eyeglasses Policy, Travel/Airfare/Lodging/Meals Policy, Loss of Wages (LOW)Policy, Loss of Support (LOS)Policy, Relocation and Rental Assistance Program (RRAP)Policy, Alternative Medicine Policy, Childcare Policy, Security Device Policy, Crime Scene Cleanup Policy, Replacement Services Policy, Medication Management Policy, Medicinal Marijuana Policy, Service Animals Policy, Boarding/Kenneling Policy.*

Commission Chair Lee called for a vote to approve the *Compensation Guide for Eligibility Determination and Expense Policies* as presented. Vice Chair Myers made a motion to approve, and Commission Member Jorgensen seconded the motion. The motion passed unanimously.

Executive Session

At 10:20 a.m., Commission Vice Chair Myers made a motion to enter into Executive Session. Commission Member Jorgensen seconded the motion.

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

At 10:22 a.m., Commission Chair Lee asked for a motion to come out of Executive Session. Commission Member Jorgensen made a motion to come out of Executive Session and Commission Vice Chair Myers seconded the motion. The motion passed unanimously.

Commission Meeting January 31, 2022

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)

213161 - Determination of Contributory Issues (previously tabled)

221499 – Good Cause

221649 – Good Cause

Commission Chair Lee reviewed with the Commission Claim #213161 for Determination of Contributory Issues that was tabled at a prior meeting. Commission Vice Chair Myers made a motion to deny Claim #213161. Commission Member Jorgensen seconded the motion. The motion to deny passed unanimously.

Commission Chair Lee reviewed with the Commission Claim #221499 for Good Cause. Commission Vice Chair Myers made a motion to approve Claim #221499. Commission Member Jorgensen seconded the motion. The motion to approve passed unanimously.

Commission Chair Lee reviewed with the Commission Claim #221649 for Good Cause. Commission Vice Chair Myers made a motion to approve, Claim #221649. Commission Member Jorgensen seconded the motion. The motion to approve passed unanimously.

The next Commission meeting has been scheduled for Thursday, February 17, 2022, 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 10:24 a.m.

APPROVED:  DATE: 1.31.2022
Marron Lee, Commission Chair