

SUSANA MARTINEZ  
GOVERNOR



FRANK ZUBIA  
DIRECTOR

ROBIN BRASSIE  
DEPUTY DIRECTOR

STATE OF NEW MEXICO  
CRIME VICTIMS REPARATION COMMISSION  
6200 Uptown Blvd. NE, Suite 210  
Albuquerque, NM 87110

Meeting Called to Order

On July 27, 2017 Commission Chair Marron Lee called the regular monthly meeting of the New Mexico Crime Victims Reparation Commission to order at 10:39 AM

The following Commission Members were present

Marron Lee, Commission Chair  
Dr. Robin Edward, Commission Vice Chair  
Louise Tracey-Hosa, Commission Member

The following Commission staff members were present

Frank Zubia, Director of CVRC  
Robin Brassie, Deputy Director  
Cindy Mok, Chief Financial Officer  
MaryEllen Garcia, VAWA Grant Administrator  
Melissa Ewer, VOCA Grant Administrator  
Moises Valdez, State Investigator Supervisor  
Jacqueline Sanchez, State Investigator  
Debra Yepa, State Investigator  
Johnny Romero, State Investigator  
Marivel Baca, Grants Program Specialist

Also Present

John Grubestic, Assistant Attorney General

Absent

Erica Jorgensen-Forde, Commission Member  
Raul Ortiz, Commission Member  
Samantha Acuff, State Investigator Supervisor

Anne Matson, Compensation Management Analyst documented the meeting.

Review and Approval of June 22, 2017 Commission Meeting Minutes.

The minutes for the June 22, 2017 Commission Meeting were reviewed. Commission Vice Chair Dr. Edward moved to approve the minutes. Commission Member Louise Tracey-Hosa seconded the motion. The motion passed unanimously.

**Public Comment**  
No Discussion

**Agency Financial Report**

**Agency 2017 Fiscal Year Closeout**

Ms. Mok informed the Commission of the following:

The beginning budget for victim payouts was \$2,606,481. The total amount for victim payouts was \$2,045,011 leaving an available year-end balance of \$561,470, which is carried over for FY2018.

Victim payments for FY2017 totaled \$2,045,011 compared to \$2,007,354 in FY2016. This was an increase in victim payments of \$37,657 or a 2% increase.

Our agency reverted \$48,352 from position vacancy savings back to the State General Fund in FY2017 as requested by Department of Finance and Administration (DFA).

**Payments received in Crime Victims Fund by Type:**

Restitution and Correction: \$562,302 for FY2017 compared to \$472,114 for FY2016 for an increase of \$90,188 or a 19% increase.

Civil Settlement: \$13,341 for FY2017 compared to \$31,077 for FY2016 for a decrease of \$17,736 or a 57% increase.

Penalty Assessment from AOC: \$355,595 for FY2017 compared to \$213,673 for FY2016 for an increase of \$141,922 or 66% increase.

Penalty Assessment from DOC: \$35,038 for FY2017 compared to \$24,476 for FY2016 for an increase of \$10,562 or 43% increase.

Total received is \$966,276 for FY2017 compared to \$741,340 for FY2016 for an increase of \$224,936 or 30% increase.

**Business**

**Services, Training, Officers, Prosecutors Violence Against Women Act (STOP VAWA)/Sexual Assault Services Program (SASP) Formula**

Ms. Garcia informed the Commission of the following:

The 2017-2020 Implementation Plan incorporated public comments and edits and was adopted on June 19, 2017. This plan was submitted with the FY2017 STOP VAWA application on June 26, 2017 to the Office on Violence Against Women for funding in accordance with the solicitation requirements.

The FY2017 STOP VAWA and SASP projects ended June 30, 2017 and final invoices have been processed.

The FY2018 STOP VAWA and SASP projects began July 1, 2017. The first invoices for this award period are due August 10, 2017.

A Grant reporting training was held for CVRC subgrantees in Taos at Community Against Violence on July 11, 2017.

A Grant reporting training was held for CVRC subgrantees in Albuquerque at All Faiths Receiving Home on July 18, 2017.

The federal award period for the FY2013 STOP VAWA award has ended. The close out package will be submitted prior to the 90-day close out period. All funds have been expended.

**Victims of Crime Act Victim Assistance (VOCA VA)**

Ms. Ewer informed the Commission of the following:

A grant application and all required attachments for the FFY2017 VOCA Victim Assistance funding allocation was submitted through the online Grants Management System (GMS) before the July 18, 2017 deadline. New Mexico's allocation amount for the FFY17 award will be \$12,081,746. This is a reduction of \$2,469,823, or a 17% cut from the FFY16 amount of \$14,551,569 and closer to the FFY15 allocation amount of \$12,981,609.

The June VOCA invoices from subgrantees that have been received timely and accurately have been processed for payment. Proper procedures have been followed in accordance with the end of the state fiscal year, although the VOCA grants follow the federal fiscal year ending September 30, 2017.

There were many responses to the request for proposals (RFP #18-780-P707-0000000050) for competitive and continuation VOCA funding for FFY18 using the 2016 federal award that was issued on May 30, 2017 with a due date of July 3, 2017. An abbreviated special circumstances extension until July 7, 2017 at noon was offered to the two continuation subgrantees who failed to submit their continuation applications by the July 3, 2017 deadline. Applicants whose submissions were immediately discovered to have formatting compliance problems were also provided an opportunity to submit by the noon July 7, 2017 deadline. A total of 115 written questions and answers related to the RFP were distributed to interested parties. Five proposal reviewers made up the proposal review committee. Sixty competitive applications were reviewed by the committee. The committee convened on July 24, 2017 to discuss final recommendations to be presented to the Commission for competitive funding. A total of 60 continuation applications were received in accordance with the RFP guidelines. Recommendations for preliminary awards are being presented as a voting item at today's Commission meeting.

The second Grants Program Specialist position has been filled by Marivel Baca, who started on July 17, 2017.

**VOCA Fiscal Year 2018 Preliminary Award Recommendation (Voting Item)**

Commission Vice Chair Dr. Edward made a motion to approve the VOCA Fiscal Year 2018 Preliminary Award Recommendation. Commission Member Ms. Tracey-Hosa seconded the motion. The motion passed unanimously.

**RRAP Status**

Mr. Valdez informed the Commission that in FY2017 we have received 21 non-compensation applications assisting victims of domestic violence, sexual assault and human trafficking with a total payout of \$46,606. Mr. Valdez added that we have also received 94 compensation applications assisting victims of domestic violence, sexual assault and human trafficking for a total of \$221,792.

**Priority Processing Claims**

Ms. Sanchez informed the Commission that in FY2017 we received 44 priority processing applications. The total payout was \$210,341. Ms. Sanchez added that of the 44 applications received 25 were from the 2<sup>nd</sup> Judicial District. Ms. Sanchez added that for FY2018 we have received seven priority processing applications, five of which are from the 2<sup>nd</sup> Judicial District and none of the victims were minors. The total payout is \$40,570.

**Victim Towing Charges**

Ms. Garcia informed the Commission that the Public Regulation Commission (PRC) has received numerous complaints regarding towing companies and the costs they charge for towing vehicles. Some of the complaints have been due to issues about itemization charges, fraudulent charges, added fees, etc. Ms. Brassie added that

we have invited the PRC to come to our agency and educate us on this issue. Ms. Brassie also stated she is continuing her research into how other states handle towing charges. She will keep the Commission updated.

New Business

Personnel/Introduction of New Staff

Mr. Zubia introduced Johnny Romero, State Investigator and Marivel Baca, Grants Program Specialist to the Commission. Mr. Zubia added that another new employee, Yesenia Renteria, was not present. Mr. Zubia added that we have one vacancy for State Investigator and are currently working with the State Personnel Office (SPO).

Introduction of 2018 Legislative Change to Statute "Failure to Render Aid"

Debra Yepa, State Investigator gave an example of a hit and run case that she had processed in which we were unable to assist the victim because failure to render aid did not fall under our statute. Mr. Zubia added that last fiscal year, we had 18 claims that we were unable to approve under our current statute. He is hoping to introduce this issue to legislation.

Tutoring Expense for Victims

Mr. Valdez provided a letter submitted by a Court Appointed Special Advocate (CASA) from New Mexico Kids Matter in which there were concerns for a child in CYFD custody who was neglected by his/her parents. As a result of this neglect, the child is functioning well below his/her age group in school. It was requested that our agency consider this a justifiable expense. A discussion was held by the Commission and it was the general consensus that there are other agencies better suited to provide services to victims in this situation.

Executive Session

Executive Session was not held.

A poll of the Commission Members was made as follows:

A poll of the Commission was not held.

The next Commission meeting is scheduled for Thursday, August 24, 2017 at 10:00 AM at 6200 Uptown Blvd. NE, Suite 210, Albuquerque, NM in the conference room.

Adjourned

Commission Vice Chair Dr. Edward moved to adjourn the meeting. Commission Member Ms. Tracey-Hosa seconded the motion. The motion passed unanimously.

The meeting adjourned at 11:30 AM

APPROVED: Marron Lee DATE: 8/25/17  
Marron Lee, Chair