

SUSANA MARTINEZ
GOVERNOR



FRANK ZUBIA
DIRECTOR

ROBIN BRASSIE
DEPUTY DIRECTOR

AMENDED NOVEMBER 2016 MINUTES

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

Meeting Called to Order

On November 17, 2016, Commission Chair Marron Lee called the regular monthly meeting of the New Mexico Crime Victims Reparation Commission to order at 10:03 a.m.

The following Commission Members were present

Marron Lee, Chair
Erica Jorgensen-Forde, Commission Member
Louise Tracey-Hosa, Commission Member

The following Commission staff members were present

Frank Zubia, Director of CVRC
Robin Brassie, Deputy Director
MaryEllen Garcia, VAWA Grant Administrator
Melissa Ewer, VOCA Grant Administrator
Moises Valdez, Reparation Officer Supervisor
Jacqueline Sanchez, Reparation Officer Advanced
Martha Burgos-Torres, Financial Specialist

John Grubestic, Assistant Attorney, Attorney General's Office

Absent

Dr. Robin Edward, Vice Chair
Raul Ortiz, Commission Member

Dorothy Padilla, CPO documented the meeting.

Review Agenda

Commission Chair Ms. Lee moved to approve agenda. Commission Member Erica Jorgensen-Forde seconded the motion. The motion passed unanimously.

Review and Approval of October 26, 2016 Commission Meeting Minutes.

The minutes for the October 26, 2016 Commission Meeting were reviewed and approved. Commission Member Ms. Jorgensen-Forde moved to approve the minutes. Commission Member Louise Tracey-Hosa seconded the motion. The motion passed unanimously.

Public Comment

No Discussion

Commission Chair Ms. Lee requested introduction of two new members at the table. Mr. Zubia introduced new employee Ms. Martha Burgos-Torres, she transferred from NM Corrections with 18 years of service. Mr. Zubia invited her to address the Commission and speak about herself. Mr. Zubia introduced Mr. John Grubestic, Assistant Attorney General from the Attorney General's Office. Mr. Zubia invited him to address the Commission and speak about himself.

Mr. Zubia requested that the Commission introduce and give a brief bio to our new AG representative, Mr. John Grubestic and new employee, Ms. Martha Burgos-Torres.

Agency Financial Report

Mr. Zubia informed the Commission that Ms. Cindy Mok along with Ms. Suzanne Lopez are attending a required training by the Office of Victims of Crime, OVC in Washington, DC.

Mr. Zubia presented the agency budget. The beginning FY17 budget was \$2,561,250.00. After paying out a total of \$906,280.00 in victim payouts, our available budget balance is \$1,654,970.00. Based on the current rate of victim payouts, we will have a projected budget balance of \$134,116.00 at the end of FY 17.

Mr. Zubia updated the Commission on the status of restitution and penalty assessment.

Currently we have received the following for the month of November. Refer to Crime Victims Fund (revenue)

Budget Status worksheet:

Restitution: \$1,705.07

Penalty assessment: \$760.00

Total received is \$2,465.07

Mr. Zubia was told that the reason for the decrease of money received in the restitution and penalty assessment fund was due to position turnover in the financial department at the NM Corrections Department. Mr. Zubia stated that David Jablonski was newly appointed as acting cabinet secretary at the NM Corrections Department. Mr. Grubestic inquired if the penalty assessments are mandatory fees. Commission Chair Ms. Lee stated yes, fees are mandatory and that the Administrative Office of the Court is looking for clarification on how the law was written. It was passed July 1, 2015 but Mr. Arthur Pippen has offered an opinion on how it is interpreted. We received \$50 the first month the law was passed.

Mr. Zubia attended a hearing with Legislative Finance Committee, LFC on the funding for the Rental and Relocation Program. We currently receive \$125,000.00 to assist with rental and relocation for domestic violence, sexual assault, human trafficking victims here in the State of New Mexico. There is a recommendation to increase the funding by an additional \$125,000.00. This will be considered during the 2017 Session.

Business**Status of Grants**

Ms. Garcia informed the Commission of the following:

A total of six Statewide Implementation Planning Stakeholder Focus Groups were conducted, with 139 participants across the spectrum of victim service providers. The statewide needs assessment survey ends this month. The planning and information gathering phase for the 2017 - 2020 Statewide Implementation Plan for VAWA will be completed with data from the implementation meetings and the survey received. The majority of the participants expressed concern on budget cuts, increase to employees' salaries and the need for rural services.

Ms. Ewer informed the Commission of the following:

Ms. Ewer received notice from a Mr. Joel Hall, Grant Program Manager at the Office for Victims of Crime that he will conduct an in-depth programmatic audit of the VOCA Victim Assistance and VOCA Victim Compensation Programs. Mr. Hall will spend three days at NMCVRC during the week of February 13, 2017.

The Office of Victims of Crime (OVC) Performance Management Tool (PMT) data from VOCA Victim Assistance subgrantees for the final quarter of the FFY16 award cycle was entered and approved in the PMT system by the deadline of November 15, 2016.

October VOCA invoices have been received and processed.

Ms. Ewer informed the Commission that a VOCA subgrantee, Esperanza Shelter for Battered Families continues to be unresponsive to requests from our agency. Ms. Ewer has sent a certified letter placing the organization on probation and scheduling a meeting with the executive director, finance director, and board chair. The grants department will continue to be consistent when placing an organization on probation and the Commission will be updated on the status of this subgrantee's compliance with the terms of their probation.

Ms. Ewer briefly reiterated about the Statewide Implementation Planning meetings in collaboration with the VAWA administrator and the site visits that were done during their travels.

Priority Processing Status

Mr. Zubia deferred to Ms. Sanchez to provide the update on the agency's priority processing. Ms. Sanchez said that from July 2016 to October 2016 the payout was \$61,215.89. We have received two November priority processing requests totaling \$7,000. Mr. Zubia stated that they are currently working on a complicated case from Las Cruces. The current turnaround time to approve is averaging three hours. Mr. Zubia and Ms. Sanchez conducted a presentation for the Thana To Practice Board Funeral Home. They were asked by the board to return on December 2, 2016 to present to a larger group that will be in attendance. Mr. Zubia stated that it is important to continue educating on the services that NMCVRC provides and to explain the challenges on why we cannot provide immediate payment to the funeral homes even though this is what they require.

Ms. Brassie worked on a case that was received as a priority processing request in which the incident happened on the Navajo Nation. Ms. Brassie was told that if deceased was a victim of a crime that the Navajo Nation would no longer pay and refer the family to our agency. Ms. Brassie stated that we are not considered payer of last resort when a crime is committed on Indian Country. They may provide assistance in the amount of \$2,500.00. Mr. Zubia will continue to work on relations with the Navajo Nation.

Mr. Zubia explained the purpose of priority processing to Mr. Grubestic. Mr. Zubia stated that Ms. Sanchez, Mr. Valdez, Ms. Brassie and himself handle these cases. Each case is thoroughly reviewed and a determination

is made. Overall, CVRC received applications for 159 homicides in FY16. Currently for FY17 we have received 21 for priority processing but 105 total.

Rent and Relocation Status

Mr. Valdez informed the Commission that to date, we have paid out a total of \$46,528 in relocation and rental expenses. Type of claims received; 21 domestic violence, 15 sexual assault and 0 human trafficking with 30 being female and 6 males. Mr. Zubia explained further in regards to the expansion for the use of the human trafficking money to include domestic violence and sexual assault victims. There is a recommendation to increase the funding by an additional \$125,000.00. This will be considered during the 2017 Session. Mr. Zubia stated that final touches on the Memorandum of Agreement, MOA for the Relocation and Rental Assistance Program, RRAP are near. The agencies that will be part of this process are: La Piñon, Albuquerque SANE, S.A.F.E. House and The Life Link.

Agency Personnel Status

Mr. Zubia stated that all personnel transactions have been outsourced to the State Personnel Office and Susan Garcia has been assigned to our agency. We will be conducting interviews for the State Investigator Supervisor position. Mr. Zubia also informed staff that Nicole Paulson, a State Investigator resigned. We will be advertising for this position. The grants department has a need for additional staff. The plan is to hire another Program Specialist and Financial Analyst for the grants department.

Executive Session

Commission Member Ms. Jorgensen-Forde moved to enter into Executive Session, Commission Member Ms. Louise Tracey-Hosa seconded the motion.

A poll of the Commission Members was made as follows: Commission Member Louise Tracey-Hosa, aye; Commission Chair Ms. Lee, aye and Commission Member Ms. Jorgensen-Forde, aye.

At 11:02 AM the Commission entered into Executive Session.

At 11:04 AM Commission Member Ms. Jorgensen-Forde made a motion to come out of Executive Session. Commission Member Louise Tracey-Hosa seconded the motion. The motion passed unanimously.

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

Claims

Commission Chair Ms. Lee stated it was the will of the Commission to deny the following claim(s): Claim 1. Commission Member Ms. Jorgensen-Forde moved to deny the claim. Commission Member Louise Tracey-Hosa seconded the motion. The motion passed unanimously.

Mr. Grubestic requested that the agency revisit the formatting and verbiage of the meeting. Commission Chair Ms. Lee stated that we will continue to conduct the commission meetings as previously suggested by the AG's Office and we will continue with the current format for the executive session.

The next Commission meeting is scheduled for Thursday, January 12, 2017 at 10:00 AM at 6200 Uptown Blvd. NE, Suite 210, Albuquerque, NM in the conference room. Proposed meeting dates for 2017 will go out in packet for next meeting.

Adjourned

Commission Member Ms. Jorgensen-Forde moved to adjourn the meeting. Commission Member Louise Tracey-Hosa seconded the motion. The motion passed unanimously.

The meeting adjourned at 11:23 AM

APPROVED:



DATE:

11/2/17

Marron Lee, Chair