

SUSANA MARTINEZ
GOVERNOR



FRANK ZUBIA
DIRECTOR

ROBIN BRASSIE
DEPUTY DIRECTOR

(AMENDED)

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

Meeting Called to Order

On May 30, 2018 Commission Chair Ms. Marron Lee called the regular monthly meeting of the New Mexico Crime Victims Reparation (CVRC) Commission to order at 10:08 a.m.

The following Commission Members were present:

Marron Lee, Commission Chair
Dr. Robin Edward, Commission Vice-Chair (Telephonic)
Erica Jorgensen-Forde, Commission Member
Mark Myers, Commission Member (Telephonic)
Nivia Thames, Commission Member

The following Commission staff members were present:

Frank Zubia, Director
Cindy Mok, Chief Financial Officer
MaryEllen Garcia, VAWA Grant Administrator
Melissa Ewer, VOCA Grant Administrator
Dorothy Padilla, Procurement Manager
Moises Valdez, State Investigator Supervisor
Samantha Acuff, State Investigator Supervisor
Debra Yepa, State Investigator
Jacqueline Sanchez, Restitution and Recovery Officer

Absent:

Robin Brassie, Deputy Director

Rose Martinez, Administrative Secretary documented the meeting.

Introduction of New Board Member Nivia Thames

Mr. Zubia introduced Commission Member Ms. Nivia Thames to the other Commission Members. Commission Member Ms. Nivia Thames gave a brief history of working at the 2nd Judicial District Attorney's Office and currently at the State Personnel Office. She is familiar with CVRC and the work it does with victims and she is pleased to be on the Commission.

Review Agenda

The agenda was reviewed by Commission Chair Ms. Marron Lee. Commission Member Ms. Erica Jorgensen-Forde made a motion to omit the appeal listed in item number nine since the claimant is unable to appear. Commission Member Mr. Mark Myers seconded the motion. The motion passed unanimously.

Review and Approval of April 5, 2018 Commission Meeting Minutes

The meeting minutes for the April 5, 2018 Commission Meeting were reviewed and approved by Commission Chair Ms. Marron Lee. Commission Member, Ms. Erica Jorgensen-Forde moved to approve the minutes as written. Commission Member Mr. Mark Myers seconded the motion. The motion passed unanimously.

Public Comment

Director Zubia informed the Commission of an appeal that had reached the third step of the appeal process. The claimant wanted to attend the commission meeting today but was unable to make it. She has requested to appear at a later date after she has reviewed the victim's compensation file. A discussion was held. Commission Chair Ms. Marron Lee emphasized that it is imperative that decisions must be made based on the law.

Agency Financial Report

Ms. Mok, Chief Financial Officer, informed the Commission that the FY18 beginning budget for victim payouts was \$2,391,978. The total amount for victim payouts to date is \$1,779,657 leaving an available year-end balance of \$377,263.

Payments received for the period of July 1, 2017 to May 29, 2018 in Crime Victims Fund by Type:

Restitution and Correction: \$487,842.24

Civil Settlement: \$16,626.64

Penalty Assessment: \$325,245.38

Donations: \$75.00

Total received: \$829,789.26

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

Ms. Garcia, VAWA Administrator informed the Commission of the following:

The FY2019 STOP VAWA and SASP Preliminary Awards were emailed on April 5, 2018. CVRC did not receive any protests regarding these awards. Competitive and continuation subgrantees have submitted the requested information during this preliminary award period and will receive FY2019 contracts with a July 1, 2018 start date.

The FY2018 STOP VAWA Solicitation was released and is due June 12, 2018. The application will be submitted to the Office on Violence Against Women in accordance with the sequence of events. The award for FY2018 is \$1,360,802.00 an increase of \$19,515.00

The FY2018 SASP Solicitations was released and due by May 31, 2018. The application was submitted May 29, 2018 to the Office on Violence Against Women in accordance with the sequence of events. The award for FY2018 is \$369,243.00 with a reduction of \$136.00 from FY2018.

FY2019 STOP VAWA Final Awards (Voting Item)

Commission Member Ms. Erica Jorgensen-Forde made a motion to approve the FY2019 STOP VAWA Final Awards. Commission Member Ms. Nivia Thames seconded the motion. The motion passed unanimously.

FY2019 SASP Final Award (Voting Item)

Commission Member Ms. Erica Jorgensen-Forde made a motion to approve the FY2019 SASP Final Award. Commission Member Ms. Nivia Thames seconded the motion. The motion passed unanimously.

Victims of Crime Act Victim Assistance (VOCA VA)

Ms. Ewer, VOCA Administrator informed the Commission of the following:

The April VOCA invoices from subgrantees have been processed for payment. The 2nd quarter statistical report data was reviewed and entered into the PMT system by the deadline of May 15, 2018.

VOCA/VAWA site visits were conducted at SAFE House and Los Alamos Police Department. A VOCA site visit was conducted at the 2nd Judicial District Attorney's Office and additional VOCA site visit interviews were conducted with Youth Heartline staff in Raton.

The VOCA Grant Administrator participated in the FY2019 State-funded Sexual Assault Services proposal review process.

The VOCA Grant Administrator submitted a completed FY2018 application to the Office for Victims of Crime for the state's VOCA Victim Assistance allocation. A substantial increase in funds is expected and a competitive Request for Proposal (RFP) will be released next month. Mr. Zubia proposed to the Commission that with the allocation of funds increasing to 21 million as compared to 12 million dollars in the 2017 award. The agency will need to acquire additional staff positions. Additional information will follow.

The VOCA Grant Administrator attended several meetings and trainings during the reporting period, including a presentation on victim rights at NIA/Resource Center for Victims of Violent Death, a legal advocacy training held by the NM Coalition Against Domestic Violence and an Advocating for the Sexual Assault Survivor within the Criminal Justice System training held by the NM Coalition of Sexual Assault Programs.

Mr. Zubia asked new Commission Member Ms. Nivia Thames to participate in the next RFP peer review process. Commission Chair Ms. Marron Lee informed Commission Member Ms. Nivia Thames that a member of the Commission always participates in the RFP peer review process in order to represent the Commission.

State Sexual Assault Services (SAS) RFP Final Award (Voting Item)

Ms. Padilla, Procurement Manager, informed the Commission of the following:

The State Sexual Assault Service RFP, was issued on March 26, 2018 with a deadline of April 26, 2018. The Proposal Review Committee met on May 7, 2018. We received 13 proposals and of the 13, all projects were recommended for funding, pending Commission approval. Contracts will be prepared with a goal of July 1, 2018 start date. Mr. Zubia updated the Commission regarding the SAS name change. The General Services Division informed CVRC that changes cannot be made in the middle of a contract process. If changes were made now, it would delay or jeopardize the current RFP process. Mr. Zubia will keep the Commission updated when changes are allowable.

Mr. Zubia and Commission Chair Ms. Marron Lee thanked Ms. Padilla for the great job she is doing.

Commission Member Ms. Erica Jorgensen-Forde made a motion to approve the FY2019 State Sexual Assault Services (SAS) Final Award. Commission Member Ms. Nivia Thames seconded the motion. The motion passed unanimously.

New Business**Restitution Update**

Mr. Zubia informed the Commission regarding updates to improve CVRC's restitution program. Restitution and Recovery Officer Jacqueline Sanchez traveled to Idaho to obtain new ideas to implement for CVRC's program. Ms. Sanchez informed the Commission that the Idaho Restitution Program works closely with their Attorney General's Office. Idaho is able to put liens on offenders' property and send out monthly restitution billing invoices to offenders on what is owed. Discussion followed.

Open House Event for New Expansion Friday June 29, 2018

Mr. Zubia informed the Commission that the combination Open House and Robin Brassie's retirement event that will take place on Friday, June 29, 2018. The event will be held from 3:00-6:00 p.m.

Human Trafficking Memorial HM89

Mr. Zubia informed the Commission on the Human Trafficking Memorial HM89. CVRC is working with the Attorney General's Office and service providers to address Legislators on how to improve services to victims of human trafficking in New Mexico. Training will be conducted in July and August with The Lifelink and Transitional Living. Mr. Zubia informed the Commission he will provide updated information.

Human Trafficking Request for Proposal (RFP)

Mr. Zubia informed the Commission about the Human Trafficking RFP that would allow non-profit agencies to cover the cost of the following services: housing, economic, education, mental health, substance abuse, and civil legal, that would best benefit victims of human trafficking. A discussion followed.

VOCA Victim Assistance Administrative Contract for SANE Exams

Mr. Zubia informed the Commission that Ms. Kim Alaburda, the Director of the New Mexico Coalition of Sexual Assault Programs requested assistance from our agency. She reported that in March 2018 the NM Health and Human Services Department, Behavioral Health Services had a \$323,000 shortfall in reimbursing statewide SANE exams due to a 25% increase in SANE services this fiscal year. No new funding would be available until July 1, 2018. CVRC issued a contract for \$135,000 using VOCA Victim Assistance Administrative funding to offset the shortfall for victims who do not report to law enforcement. Those who report to law enforcement will submit compensation applications in order for compensation funding to pay for their SANE exams. Discussion followed.

Executive Session

Commission Member Ms. Erica Jorgensen-Forde moved to enter in to Executive Session, Commission Member Ms. Nivia Thames seconded the motion. The motion passed unanimously.

A poll of the Commission Members was made as follows: Commission Chair Ms. Marron Lee, aye and Commission Vice Chair Dr. Robin Edward, aye and Commission Member Ms. Erica Jorgensen-Forde, aye, and Commission Member Ms. Nivia Thames, aye.

At 11:25 a.m. the Commission entered in to Executive Session.

At 11:44 a.m. Commission Chair Ms. Marron Lee made a motion to come out of Executive Session. Commission Member Ms. Erica Jorgensen-Forde seconded the motion. The motion passed unanimously.

Commission Member Ms. Erica 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.

Action on Items Discussed in Executive Session (Voting Item)

- a. 17-12-03496
 - b. Catastrophic Cap 17-04-00875
- Appeal: 16-12-02931

Commission Chair Ms. Marron Lee made the motion to deny claim #17-12-03496 and to approve catastrophic cap claim #17-04-00875. Commission Member Ms. Erica Jorgensen-Forde seconded the motion. The motions passed unanimously.

The Commission voted unanimously to table Appeal Claim #16-12-02931 until next Commission Meeting.

The next Commission meeting is scheduled for Thursday, June 21, 2018 at 10:00 a.m. at 6200 Uptown Blvd. N.E., Suite #210, Albuquerque, NM in the conference room.

Adjourned

Commission Member Ms. Erica Jorgensen-Forde moved to adjourn the meeting. Commission Vice-Chair Dr. Robin Edward seconded the motion. The motion passed unanimously.

The meeting adjourned at 11:44 a.m.

APPROVED: Marron Lee DATE: 6.21.18
Marron Lee, Commission Chair