

**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

Meeting Called to Order

On November 28, 2018 Commission Chair Ms. Marron Lee called the regular monthly meeting of the New Mexico Crime Victims Reparation Commission to order at 10:04 a.m.

The following Commission Members were present:

Marron Lee, Commission Chair
Erica Jorgensen, Commission Member
Mark Myers, Commission Member (Telephonic)
Nivia Thames, Commission Member

The following Commission Members were absent:

Dr. Robin Edward, Commission Vice-Chair

The following Commission staff members were present:

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

Rose Martinez, Management Analyst, documented the meeting.

Review Agenda

The agenda was reviewed by Commission Chair Lee. Commission Member Jorgensen moved to approve the agenda. Commission Member Thames seconded the motion. The motion passed unanimously.

Review and Approval of October 25, 2018 Commission Meeting Minutes

The minutes for the October 25, 2018 Commission Meeting were reviewed by Commission Chair Lee. Commission Member Jorgensen moved to approve the minutes. Commission Member Thames seconded the motion. The motion passed unanimously.

Public Comment

None

Agency Financial Report

Ms. Mok updated the Commission about the FY 2019 beginning budget for victim payouts and the amount was \$2,342,678. The total amount for victim payouts to date is \$515,633 leaving an available year-end balance of \$749,554.

Payments received for the period of July 1, 2017 to November 28, 2018 in Crime Victims Fund by Type:

Restitution: \$26,260.16

Corrections: \$180,322.67

Civil Settlement: \$9,100.00

Penalty Assessment: \$102,509.55

Total received: \$318,192.38

Mr. Zubia informed the Commission that he met with Ms. Mok regarding the difference in victim compensation payments as compared to last year. A discussion was held with the Commission regarding the different crimes that occurred in this fiscal year and payouts compared to last year. Ms. Mok informed the Commission she will gather information and provide a comparison the next Commission meeting.

Ms. Mok informed the Commission that the state audit is complete and there are no comments to report at this time. Commission Chair Lee thanked Ms. Mok for her hard work.

Business

Services, Training, Officers, Prosecutors Violence Against Women Act (STOP VAWA), Sexual Assault Services Program (SASP) Formula Grants. Ms. Garcia, Grants Bureau Chief informed the Commission of the following:

The Coalition to Stop Violence Against Native Women came into the NMCVRC to review their new VAWA funded Advocate Coordinator position.

There is continued collaboration with Minnesota Coalition Against Sexual Assault (MNCASA) regarding the Online Learning Discovery of best practices for Sexual Assault Services. MNCASA and the Office on Violence Against Women have requested that Ms. Garcia serve as a subject matter expert in Minnesota on December 16-18, 2018 to produce the learning modules.

Ms. Garcia informed the Commission that a number of agencies look up to NMCVRC for assistance and guidance. Advocates from Mescalero Apache Nation came to the office with questions regarding their new tribal VOCA set-aside.

Commission Chair Lee thanked Ms. Garcia for the great job she is doing.

Victims of Crime Act Victim Assistance (VOCA VA)

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

The September VOCA invoices from subgrantees have been processed for payment and federal fiscal year 2018 has been successfully closed. The 2015 Federal award was fully expended by the deadline of September 30,

2018. The FY18 fourth quarter PMT statistical report data will be entered into the OVC PMT website by the deadline of November 15, 2018.

All VOCA subgrantees started their awards for FFY19 on October 1, 2018. All subgrantees with approved budgets have been emailed copies of their fully executed contracts for their records. Projects will be funded out of both 2016 and 2017 federal awards. A wish list solicitation has been issued for one-time non-recurring costs in order to expend reverted 2016 funds in a timely manner.

All subgrantee budgets for compliance have been reviewed against their special conditions and were provided technical assistance for revisions as needed.

An Emergency Fund training held at the NMCVRC to ensure that everyone was informed of the correct policies and procedures for accessing Emergency Funds. Director Zubia informed the Commission that this is the first time that our agency fully expended all Emergency Funds for the fiscal year.

State Funding Grants: Sexual Assault Services (SAS), Human Trafficking (HT)
Ms. Dorothy Padilla, Procurement Manager informed the Commission of the following:

The October invoices are being received and processed for the State Sexual Assault Service Program, with no major issues noted at this time. The Arc of New Mexico and the progress that they have made.

Director Zubia informed the Commission that Ms. Padilla's has been working hard and he commends her on the great job she is doing.

NMCVRC has not yet received any invoices for the Human Trafficking.

Director Zubia informed the Commission that The LifeLink submitted VOCA Victim Assistance invoices with expenses that are ineligible for reimbursement. NMCVRC continues to work with LifeLink to provide technical assistance to avoid future issues. Director Zubia commended the Grants staff for the thorough inspection of invoices that are submitted and finding ineligible items.

2019 Commission Meeting Dates

Director Zubia presented the dates for Commission meetings for 2019 to the Commission Members. The following are the dates:

Opening day for 2019 Legislative Session is January 15, 2019

January 10, 2019	June 27, 2019	October 24, 2019
February 28, 2019	July 25, 2019	November 21, 2019
March 28, 2019	August 22, 2019	
April (AIA 4/22-4-25)	September 26, 2019	
May 9, 2019		

Agency Personnel Matters

Director Zubia updated the Commission on personnel matters. Director Zubia informed the Commission that there are three (3) vacancies in our agency. Those positions are state investigator, administrative secretary, and the VOCA Administrator. Director Zubia informed the Commission that Jacqueline Sanchez has been promoted to State Investigator Supervisor and Rose Martinez has been promoted to Management Analyst.

Commissioner Jorgensen congratulated Ms. Martinez and Sanchez on their promotion.

New Business

Director Zubia introduced to the Commission the agency's new State Investigator, Pamela Brendler

Statute Enhancement (31-22-14 (A & F) (1 &2)

NMCVRC will be proposing a legislative change 31-22-14 (A & F) (1 &2) NMSA 1978. The proposed language will be reviewed at the next meeting.

Executive Session

At 10:54 a.m. Commission Chair Lee 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 Chair Lee, aye, and Commission Member Jorgensen, aye, and Commission Member Myers, aye, Commission Member Thames, aye

At 11:04 a.m. Commission Chair Lee made a motion to come out of Executive Session. Commission Member Jorgensen seconded the motion. The motion passed unanimously.

Commission Member Jorgensen 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)

Case #191175

The Commission confirmed that Statue and Legislative intent for *Failure to Render Aid*, under the Reparation Act, Section 66-7-201 NMSA 1978 in the Executive Session must include a criminal intent. The Commission voted not to expand this Statue to include automobile accidents, which are civil matters. Commission Chair Lee requested a motion to approve this clarification, Commission Member Jorgensen made the motion to adopt this clarification and Commission Member Thames seconded the motion. The motion passed unanimously.

The next Commission meeting is scheduled for Thursday, January 10, 2019 at 10:00 a.m. at 6200 Uptown Blvd. N.E., Suite #210, Albuquerque, NM in the conference room.

Adjourned

Commission Member Jorgensen moved to adjourn the Commission meeting. Commission Member Thames seconded the motion. The motion passed unanimously.

The meeting adjourned at 11:39 a.m.

APPROVED: Marron Lee DATE: 1.10.19
Marron Lee, Commission Chair