

MICHELLE LUJAN GRISHAM
GOVERNOR



FRANK ZUBIA
DIRECTOR

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

Meeting Called to Order

On November 21, 2019 Commission Chair Lee called the regular monthly meeting of the New Mexico Crime Victims Reparation Commission to order at 10:00 a.m.

The following Commission Members were present:

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

The following NMCVRC staff members were present:

Frank Zubia, Director
MaryEllen Garcia, Grants Bureau Chief
Cindy Mok, Chief Financial Officer
Jacqueline Sanchez, State Investigator Supervisor
Debra Yepa, State Investigator
Pamela Brendler, State Investigator
Joann Ziegler, Administrative Secretary

Review Agenda

The agenda was reviewed and amended by Commission Chair Lee. Commission Chair Lee moved to approve the agenda as amended. Commission Vice Chair Edward seconded the motion. The motion passed unanimously.

Review and Approval of October 23, 2019 Commission Meeting Minutes

The Commission meeting minutes were reviewed and amended for October 23, 2019 by Commission Chair Lee. Commission Vice Chair Edward moved to approve the minutes. Commission Chair Lee seconded the motion. The motion passed unanimously.

Public Comment

None

Agency Financial Report

Ms. Mok updated the Commission about the FY2020 victim payment budget position for the period of July 1, 2019 to November 20, 2019. The agency started the fiscal year with the beginning budget of \$2,620,585. The total amount for victim payouts to date is \$951,197, and leaving an available year-end balance of \$1,669,388.

Ms. Mok updated the Commission on the status on Crime Victims Fund. The agency received a total of \$328,512 in Crime Victim Fund for the period of July 1, 2019 to October 23, 2019, which broke down by type as follows:

Restitution: \$26,494

Corrections: \$182,539

Civil Settlement: \$1,123

Penalty Assessment: \$118,356

Total received: \$328,512

New Business

2020 Commission Meetings Dates

Director Zubia advised the Commission on the Commission Meeting dates for the calendar year of 2020. The following dates are:

January 16

February 27

March, no meeting due to AIA

April 9

May 28

June 25

July 23

August 27

September 24

October 22

November 19

Commission Chair Lee moved to approve the Commission Meeting dates for calendar year of 2020. Commission Vice Chair Edward seconded the motion. The motion passed unanimously.

Business

Grants Department Updates

Ms. Garcia, Grants Bureau Chief, informed the Commission of the following:

The FFY2019 final quarterly VOCA Victim Assistance Performance Measurement Tool reports were reviewed, entered and submitted to the U.S. Department of Justice Programs on Friday, November 15, 2019.

A contract with the University of New Mexico has been executed to conduct a two-year research project on the Incidence of Sexual Assault on Individuals with Disabilities. This project is a result of a special appropriation for FY2020 and FY2021.

The Office for Victims of Crime held a Regional VOCA Victim Assistance Administrators meeting in Santa Fe, New Mexico, November 6-7, 2019. Director Zubia, Moises Valdez, Compensation Bureau Chief, Cindy Mok, CFO and MaryEllen Garcia, Grant Bureau Chief attended and co-hosted this meeting.

Status-Agency Annual Audit, McCabe CPA Group, LLC

Director Zubia updated the Commission of the agency's FY 2019 annual audit. They exit conference for the audit has gone well. There are no findings. The final report will be sent to the Commission electronically when it is available. Director Zubia wanted to give credit to Ms. Mok, Ms. Garcia, and staff who have done an exceptional job to provide everything that was requested by the auditor.

Office for Victims of Crime (OVC) Site Visit

Director Zubia updated the Commission on the OVC site visit. The agency has responded to the VOCA Compensation site visit recommendation. Our rules and regulations states that unless the Commission approved, the agency is not allowed to include clothing as part of the funeral expenses. This issue was brought up to the Commission in which it had been allowed for the State Investigators to make the determination, as long as the expense is included within the six thousand dollars (\$6,000) threshold for funereal expenses. Director Zubia also informed the Commission that the agency has not received the site visit report for the VOCA Assistance, but a conference call has been scheduled for November 26, 2019 with the leadership of OVC. Director Zubia will keep the Commission updated.

Status- Office Expansion

Director Zubia gave a status on the office expansion. The leadership from the Facilities Management Division (FMD) of the General Services Department is scheduled to visit our office December 5, 2019 to assess the new office space. FMD does not like the agency to exercise the final five-years extension option, due to the concern of the long-term commitment. The landlord requested to exercise this option because he agreed to absorb all the tenant improvement cost for the expansion. The tenant improvement cost could be over the amount of \$60,000, which the agency does not have the budget to accommodate. Director Zubia will keep the Commission apprised to the office expansion.

Agency Personnel Matters

Director Zubia updated the Commission on personnel matters. We were assigned a new HR Consultant from State Personal Office (SPO), who is not familiar to our agency's processes and needs. In addition, we were informed by SPO that they will terminate their HR shared services with our agency as of January 1, 2020. SPO will be assisting agencies during this transition. They also advised agencies to start requesting funding for a new FTE to provide HR services. Since the administrative department will be having a new financial position this fiscal year, the agency will modify duties on this position to include the responsibility. Director Zubia will keep the Commission apprised to all personal matters.

Director Zubia introduced the Victim Advocate to the Commission, Bianca Olona-Elwell, she has a background in social work she did community school advocacy for a charter school . We are very excited to have her.

Executive Session

At 10:26 a.m., Commission Chair Lee made a motion to enter into Executive Session. Commission Vice Chair Edward seconded the motion.

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

At 10:45 a.m., Commission Chair Lee made a motion to come out of Executive Session. Commission Vice Chair Edward seconded the motion. The motion passed unanimously.

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)

192941 – Request for Additional Therapy

Commission Chair Lee made the motion to deny the Request for Additional Therapy Claim #192941 and Commission Vice Chair Edward seconded the motion. The motion was passed unanimously.

200308 – Determine Enumerated Crime

Commission Chair Lee made the motion to deny due to no crime enumerated Claim #200308 and Commission Vice Chair Edward seconded the motion. The motion was passed unanimously.

200352– Good Cause

Commission Chair Lee made the motion to table it until the next commission meeting. Claim #200352 and Commission Vice Chair Edward seconded the motion. The motion was passed unanimously.

201065 – Good Cause

Commission Chair Lee made the motion to approve Claim #201065 and Commission Vice Chair Edward seconded the motion. The motion was passed unanimously.

201243 – Good Cause

Commission Chair Lee made the motion to deny Claim #201243 and Commission Vice Chair Edward seconded the motion. The motion was passed unanimously.

The next Commission meeting has been scheduled for Thursday, January 16, 2019 at 10:00 a.m. at 6200 Uptown Blvd. N.E., Suite #210, Albuquerque, NM in the conference room.

Adjourned

Commission Chair Lee moved to adjourn the Commission meeting. Commission Vice Chair Edward seconded the motion. The motion to adjourn passed unanimously.

The meeting adjourned at 11:01 a.m.

APPROVED: Marron Lee DATE: 1.16.20
Marron Lee, Commission Chair