

MICHELLE LUJAN GRISHAM
GOVERNOR



FRANK ZUBIA
DIRECTOR

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

Video Conferencing Platform– Zoom Meeting

In accordance with the COVID-19, State Public Health Emergency- Executive Order 2020-004

New Mexico Crime Victims Reparation Commission Virtual Meeting information was posted with detailed instructions on the CVRC Website for members of the public to attend and listen via telephone, live streaming or other similar technologies.

Virtual Meeting Called to Order

On July 23, 2020, Commission Chair Lee called the July virtual meeting of the New Mexico Crime Victims Reparation Commission to order at 10:01a.m. Commission Chair Lee announced the names of those members of the public body who are participating remotely.

The following Commission Members were present via a video conferencing platform:

Marron Lee, Commission Chair
Mark Myers, Commission Vice Chair
Erica Jorgensen, Commission Member

The following NMCVRC staff members were present via a video conferencing platform:

Frank Zubia, Director
Moises Valdez, Compensation Bureau Chief
Cindy Mok, Chief Financial Officer
Rose Martinez, Compensation Management Analyst

Review Agenda

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

Review and Approval of February 27, 2020 Commission Meeting Minutes

The Commission meeting minutes were reviewed for June 25, 2020 by Commission Chair Lee. Commission Member Jorgensen moved to approve the minutes. Commission Vice Chair Myers seconded the motion. The motion passed unanimously.

Public Comment

None

Agency Financial Report

Approved FY21 Agency

Ms. Mok updated the Commission on the victim payment summary report for FY 2020 . The agency closed out the year with payouts totaling \$2,750,200. The Crime Victim fund balance of \$129,000 was used to close out the rest of the year. In comparison, to the FY2019 budget, CVRC did see an increase of 52% in victim payments.

Ms. Mok also updated the Commission with the Crime Victims Fund Budget Status report. The payments received were lower than the projected amount of \$944,000. The breakdown of the payments received to close out the year are categorized by type for FY 2020 as noted below:

Restitution: \$55,797

Corrections: \$510,347

Civil Settlement: \$7,784

Penalty Assessment: \$329,517

Total received: \$903,445

Commission Chair Lee requested information from Mr. Zubia and Ms. Mok regarding victim expenses that are driving the high costs in victim payouts. Mr. Zubia stated to the Commission that the final numbers have not been updated as of yet, Ms. Mok is in the process of finalizing. The largest victim expenses for the past four years, continues to be funeral expenses, followed by loss of wages and rent and relocation.

Final Agency Budget FY21

Ms. Mok updated the Commission regarding the FY21 budget, which includes cuts from the State Budget Division, Department of Finance Administration(DFA). CVRC was informed that there will be a 4% budget cut to the General Operating Budget. In addition, the 4% wage increase for all state employees was removed. The Commission was given a breakdown of the funding sources of the agency and how the adjustments were calculated into the operating budget. During the special session, a 1% wage increase was added for state employees who earned \$50,000 or less. Adjustments were also made to the retirement contributions fund. During the Legislative Special Session, they appropriated \$6.6 million to our agency and added adjustments and cuts to the budget. Federal Funds did not have any budget cuts and no adjustments were made to the Crime Victims Fund. After all the adjustments were made, our agency's budget is at \$25.2 million. When the upcoming Legislature Session starts in January, there could be additional budget adjustment.

Mr. Zubia updated the Commission in regards to the budget and spending. The Legislative Finance Committee (LFC) and DFA analyst stated there will be a forthcoming additional budget adjustment in January, with our agency only allowed to spend 50% of the budget. Mr. Zubia thanked Cindy for her hard work, and noted that she was able to use the personnel vacancy savings and the fund balance to assist with the budget balance. This was approved by LFC and DFA. Mr. Zubia informed the Commission that our agency was able to utilize the extra funds and vacancy savings for this budget cut and the agency will not see a significant effect for this fiscal year.

Commission Chair Lee stated that she appreciates all the hard work that Ms. Mok is doing, and thoughtfulness of planning, and ensuring that our agency moved so forward and in a comfortable place. However, this agency needs to have the monies to "weather the storm". Commission Chair Lee stated that as a Commission needs to have a serious conversation on what we do with our budget. It appears that it will be affected for years to come. With the economy and the crime rate rising, our agency needs to position itself where we will have clean audits and balanced check books. We cannot position ourselves where we will be struggling. Commission Chair Lee stated that she is confident that Ms. Mok will do a great job with the agency budget moving forward. Our Commission needs to be pro-active and careful in the spending and make plans for a least a five-year instability. If the economy crashes the crime goes up, we will see an increase in criminal activity. Commission Chair Lee asked Commission Vice-Chair Meyers and Commission Member Jorgensen if they agreed. They stated that they did.

Mr. Zubia informed Commission that Linda Freeman with the Sentencing Commission, informed him that a Fines and Fees Justice Center office has opened a satellite office in New Mexico, with offices in New York and Florida. This agency is strongly advocating that fines and fees be reassessed and is also proposing that our agency fees be eliminated. Commission Chair Lee stated that this is all part of the “defund police” and the “new movement” to erode the impending laws and order in our society. This new office that will be coming to New Mexico and is looking at our state as a progressive hot spot because they have the leadership in place. Commission Chair Lee stated when someone is convicted of a crime, they believe that they are victimized by having to pay fees and fines. They are trying not to pay these fees. Mr. Zubia stated to the Commission that he is assembling the Sexual Assault Coalitions, New Mexico Coalition Against Domestic Violence and the Coalition to Stop Violence Against Native Women who strongly oppose the elimination of all fines and fees and what their objectives are. The coalitions will continue to collaborate with our agency to educate the Legislature on what our agency has been able to do with these additional fines and fees.

New Business**Business****Grants Updates (VOCA, VAWA, SASP and State)**

Director Zubia update the Commission for Ms. Garcia, Grants Bureau Chief’s absence on the following:

Mr. Zubia thanked the Grant Department and commended Marivel Baca, State Grant Administrator, for her hard work and ensuring that everyone was on target. Commission Chair Lee and the Commission are impressed and thanked her for her hard work as well.

The Grants department continues to hold weekly zoom meetings to facilitate immediate access to resources, best practices and trauma informed services during the COVID-19 health pandemic.

The Grants Bureau Chief has participated in the national weekly calls with the Office on Violence Against Women to address concerns related to the COVID-19 crisis.

The Grants Bureau Chief has been participating in a working group with Children, Youth, and Families, the New Mexico Coalition Against Domestic Violence and the Coalition to Stop Violence Against Native Women as the statewide domestic violence service definition manual.

The VOCA VA continuation cycle timeline is being prepared and will be sent out to subrecipients for FFY2021.

All FY2020 State Funds submitted their final June 30th invoices, which have been processed. CVRC is not reverting any funds back to the state this fiscal year.

FY2020 VAWA and SASP final invoices were submitted and reviewed.

All FY2021 STOP VAWA, SASP and State projects began July 1, 2020.

The Office for Victims of Crime Performance Management Data for first quarter was reviewed and corrections made by agencies, per the request of OVC PMT. Agencies have submitted their second quarter data, which was due May 31, 2020. The data was submitted by July 15, 2020.

Executive Session

At 10:23 a.m., Commission Vice Chair Meyers 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 Vice Chair Myers, aye, Member Jorgensen, aye, Commission Chair Lee, aye.

At 10:30 a.m., Commission Member Jorgensen made a motion to come out of Executive Session. Commission Vice Chair Myers 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)

Commission Chair Lee made the motion to approve claim #202905, Commission Member Jorgensen seconded the motion. The motion passed unanimously.

Commission Chair Lee made the motion not to approve claim #203624, Commission Member Jorgensen seconded the motion. The motion passed unanimously.

The next Commission meeting has been scheduled for Thursday, August 27, 2020 at 10:00 a.m. at 6200 Uptown Blvd. N.E., Suite #210, Albuquerque, NM in the conference room. This could change to a virtual meeting depending on direction from the Attorney General.

Adjourned

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

The virtual meeting adjourned at 10:31 a.m.

APPROVED: Marron Lee DATE: 07/23/20
Marron Lee, Commission Chair