

STATE OF NEW MEXICO
CRIME VICTIMS REPARATION COMMISSION

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 of New Mexico Public Health Emergency- Executive Order 2020-004 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 March 25, 2021, Commission Chair Lee called the March virtual meeting of the New Mexico Crime Victims Reparation Commission to order at 10:03 a.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 webcast:

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

The following NMCVRC staff members were present via webcast:

Frank Zubia, Director
Moises Valdez, Compensation Bureau Chief
MaryEllen Garcia, Grants Bureau Chief
Cindy Mok, Chief Financial Officer
Pamela Brendler, State Investigator
Rose Martinez, Compensation Management Analyst

Review Agenda

The agenda was reviewed by Commission Chair Lee and Commission Members and was unanimously approved by all Commission Members.

Review and Approval of March 25, 2021 Commission Meeting Minutes

The Commission meeting minutes were reviewed for March 25, 2021 by the Commission. Commission Member Jorgensen made a motion to approve the meeting minutes. Commission Vice Chair Myers seconded the motion. The motion passed unanimously.

Public Comment

None

Agency Financial Report

Ms. Mok updated the Commission regarding the FY2021 budget position report on victim payments for the period of July 1, 2020 through March 24, 2021. The victim payment budget started in the amount of \$2,503,589. The total amount for victim payouts as of March 24, 2021 is \$1,630,348. The remaining available budget is \$873,241 with fifteen weeks remaining to close out the fiscal year. At the current rate of payouts, CVRC projects a remaining budget balance of \$167,155 that will be carried over into the next fiscal year.

Commission Meeting March 25, 2021

Ms. Mok reviewed with the Commission the Crime Victim Fund payments status report. As of today, Ms. Mok informed the Commission that CVRC has collected \$484,611 in payments which is below the target amount projected from the beginning of the fiscal year.

FY 2021 Crime Victim Fund payments received for the period of July 01, 2020 to March 24, 2021 by type:

Restitution: \$32,345

Corrections: \$278,580

Civil Settlement: \$22,493

Penalty Assessment: \$151,194

Total received: \$484,611

New Business

New Mexico VINE Program

Mr. Zubia updated the Commission regarding a meeting discussing funding of the statewide automated victim notification system, VINE. There are two state agencies who no longer want to support funding for this project, they are Department of Homeland Security (DHS) and the Children, Youth, and Family Department (CYFD). In a follow up meeting, the Department of Public Safety (DPS) advised the committee that they will support the VINE project for the next fiscal year however, will not be supporting it in the future fiscal years. The Department of Public Safety (DPS) also acknowledged that they do not utilize the VINE program, therefore will no longer continue supporting it.

Mr. Zubia informed the Commission that he informed the Deputy Secretary of DPS that CVRC supports four victim advocate positions within his department. Mr. Zubia expressed his disappointment with the DPS victim advocates not utilizing the VINE program to serve their victims. In addition, Mr. Zubia notified the Deputy Secretary that utilizing this service is a contractual requirement of the agency as well as a part of the constitution of our state. The DPS Deputy Director was not aware of this requirement and was not aware that DPS will be reverting \$60,000 back to CVRC. These funds could have potentially been utilized to support the VINE project.

Mr. Zubia informed the Commission that this meeting generated a heightened awareness to the importance of the VINE program. The Secretary of the Department of Information and Technology (DoIt) was disappointed and frustrated knowing that these state agencies are not willing to support the VINE project. He informed the committee members that he will follow up with the Governor's office with his concerns. He stated that these state agencies who are not supporting this project have funds available through general appropriations to support it. After he meets with the Governor's office there will be a follow up meeting with the state agencies.

Mr. Zubia informed the Commission that the Secretary for DoIt stated to the committee that the amount of money for this project is \$119,000 per agency. This amount is minimal in comparison to a lawsuit filed by a victim who was hurt or killed and was not notified that the offender was released. These lawsuits could result in pay outs reaching millions of dollars. Mr. Zubia did concur with this statement.

Mr. Zubia informed the Commission that CVRC will support the VINE project and sustain the project for the next state fiscal year starting July 1, 2021. The Commission will be updated with new information in reference to the VINE project. At this time, CVRC has not had a follow up meeting with the committee members that were present. They are Children, Youth and Family (CYFD), Department of Homeland Security (DHS), Department of Public Safety (DPS), Department of Corrections, and the Department of Information and Technology (DoIt).

Mr. Zubia informed the Commission that he is proposing to get the funding appropriations from these agencies to CVRC to sustain the VINE project. This would only be considered with permission from the Commission, CVRC will consider submitting this request when CVRC's fiscal budget is presented in September. The amount requested would be an additional \$400,000.

Commission Chair Lee clearly stated that CVRC cannot afford to fund and host this entire project. The VINE project is not a requirement outlined in the Commission's duties to fund and manage. Therefore, this project should not have a permanent residency with CVRC.

Commission Chair Lee added that the Department of Corrections should carry the primary responsibility for managing the VINE program and maintaining the data for notifying victims. Also included should be the District Attorney's offices.

Commission Meeting March 25, 2021

CVRC is a victim compensation program and should not be put in the same category as the VINE program. Allowing CVRC to be placed in this category will potentially put our enterprise at risk in the future financially. Commission Chair Lee's affirmed that the Commission's priority is CVRC.

Commission Chair Lee stated that she would be receptive to having more discussions regarding the VINE program before making a concrete decision in proposing additional funds to host the VINE project through CVRC.

Mr. Zubia provided the Commission with the structure of the VINE project currently and added that the parent company for VINE is APPRISS. The Department of Information and Technology (DoIT) has handled the infrastructure for 8 years. Commission Chair Lee stated that it is logical for DoIT to remain the prime agency receiving funding for VINE.

Mr. Zubia deferred to Ms. Garcia for a response concerning the VINE program. Ms. Garcia referred to Commission Chair Lee and Mr. Zubia highlighting important information regarding CVRC working with the Department of Information and Technology along with the other state agencies. She informed the Commission that a major agency was missing from these discussions. This agency is the Administrative Office of the District Attorneys (AODA). Ms. Garcia stated that it is disappointing that the AODA is missing from this conversation and are not active participants and that victims have to use multiple platforms to receive notification, which is their constitutional right.

Ms. Garcia explained in detail that CVRC should work with these vested parties to secure legislation to enable and ensure cooperation by mandating these agencies full cooperation in supporting VINE. The current agencies that who want to withdraw their support for VINE are The Department of Public Safety (DPS), Children, Youth, and Family (CYFD), and the Department of Homeland Security (DHS). These agencies clearly do not recognize the importance and their responsibility to support and fund the victim notification system (VINE).

Ms. Garcia discussed with the Commission that securing legislation to mandate and ensure compliance from these agencies through the Department of Information and Technology (DoIT). They currently have the infrastructure. Ms. Garcia stated that all agencies including CVRC, the Domestic Violence and Sexual Assault Coalitions, and other victim service agencies should be involved to ensure participation and compliance with this mandate to serve all victims in New Mexico. In addition, if these agencies do not meet and comply with the mandates, legislative consequences could be put in place to enforce compliance from these state agencies. At the present time, the Correction Department is carrying the heavy burden. Ms. Garcia stated that it is disappointing that the Department of Public Safety and other partners are unaware of the importance of the VINE project in meeting the needs of victims.

Commission Chair Lee did concur with Mr. Zubia and Ms. Garcia that getting legislation for the VINE program is a great idea to ensure we take care of victims across the state.

Mr. Zubia informed the Commission that he will provide additional information with any new developments concerning the VINE program.

Proposed Commission Date Change

Mr. Zubia informed the Commission concerning Commission meeting date changes. The new Commission meeting date request is April 29, 2021 instead of April 22, 2021. The second date change is the Commission Meeting date scheduled for November 25, 2021 will be changed to November 18, 2021. The Commission agreed unanimously to approve the date changes.

Business

SAFE House

Grant Bureau Chief Ms. Garcia updated the Commission regarding the SAFE House. The attorney's investigation report is complete and has been received by CVRC, however the report has not been reviewed due to unforeseen circumstances that occurred.

Ms. Garcia informed the Commission that she spoke to the attorney, and it appears to contain good news and she will update the Commission with the findings at the next meeting.

Catholic Charities

Commission Meeting March 25, 2021

Ms. Garcia updated the Commission about Catholic Charities submitting their invoice in a timely manner. The Grant department assisted Catholic Charities with this issue. They continue to work to resolve this issue and they are progressing.

Ms. Garcia informed the Commission that Catholic Charities has a clear understating of the importance of communication with the Grants department. This will ensure we can assist their agency with questions or concerns when they arise.

Domestic Violence Resource Center (DVRC)

Grant Bureau Chief MaryEllen Garcia updated the Commission regarding the Domestic Violence Resource Center. They have not submitted their formal response to the Grant Department. They also initiated assistance from the Coalition of Domestic Violence. Ms. Garcia has not heard from them, possibly due to her absence from the office, she will contact them.

Ms. Garcia informed the Commission that she will provide information at the next Commission meeting.

Grants Update (VOCA, VAWA, SASP and State)

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

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 continues to participate in the national calls with the Office on Violence Against Women to address concerns related to COVID-19 crisis.

The Grants Bureau Chief continues to participate on the Board of the Association of VAWA Administrators.

The Grants Department continues to provide technical assistance to program and projects that are funded through CVRC state and federal funding.

The FFY2022 STOP VAWA Request for Proposal was issued on January 13, 2021, with a due date of February 26, 2021. The SASP Request for proposal will be issued by January 15, 2021, with a due date of February 26, 2021. A VAWA Question and Answer session was held in advance of the solicitation being issued, as well as a grant writing webinar. Both were recorded and provided as assistance in the development of their solicitations.

The State Solicitation for Civil Legal Services was issued on Monday, January 25, 2021. Applications are due March 4, 2021.

Proposal Reviews for the STOP VAWA, SASP, and State Civil Legal awards were held March 23-24, 2021. Preliminary recommendations are being presented to the Commission on March 25, 2021

FY2022 STOP VAWA Final Awards (Voting Item)

The New Mexico Crime Victims Reparation Commission received thirty-five (5) competitive proposals for the STOP VAWA # 2020-WF-AX-0048 WebGrants RFP ID #04566 Solicitation. Of these applications, twelve (12) were deemed eligible by the proposal review committee as not adhering to the mandatory Certification of Consultation requirement. A proposal review committee reviewed and scored the proposal in accordance with the request for proposal guidelines, which included mandatory allocation and statutory funding priorities. The proposal review committee recommended thirteen (13) of the proposals be presented to the Commission for preliminary approval.

The New Mexico Crime Victims Reparation Commission received fourteen (14) continuation applications in accordance with the guidelines of the Request for Proposals under the STOP VAWA #202-WF-AX-0048 WebGrants RFP ID #04566 Solicitation. A list of recommended competitive and continuation subrecipients for FY2022 has been provided to the Commission.

Commission Chair Lee and the Commission reviewed the FY2022 STOP VAWA Final Award, Commission Vice Chair Myers made a motion to approve, and Commission Member Jorgensen seconded the motion. The motion passed unanimously.

FY2022 SASP Final Award (Final Award (Voting Item))

Commission Meeting March 25, 2021

The New Mexico Crime Victims Reparation Commission received on (1) competitive application in accordance with the guidelines of the Request for Proposals under the SASP # 2020-KF-AX-0013 Web Grants # 04719 Solicitation. A proposal review committee reviewed and scored the proposal in accordance with the request for proposal guidelines, which included mandatory allocation and statutory funding priorities. The proposal review committee recommended supporting this proposal and to present it to the Commission for preliminary approval. A list of the recommended competitive subrecipient for FY2022 has been provided to the Commission.

Commission Chair Lee and the Commission reviewed the FY2022 SASP Final Award, Commission Vice Chair Myers made a motion to approve, and Commission Member Jorgensen seconded the motion. The motion passed unanimously.

FY2022 Civil Legal Helpline/Civil Legal Service Award (Voting Item)

The New Mexico Crime Victim Reparation Commission received one (1) competitive application in accordance with the guidelines of the Request for Proposals under the Civil Legal Helpline and Civil Legal Services for victims of Domestic Violence, Sexual Assault, Stalking and Dating Violence State RFP22-780-P706-2000. A proposal review committee reviewed and scored the proposal in accordance with the request for proposal guidelines, which included mandatory allocation and statutory funding priorities. The proposal review committee recommended supporting this proposal and to present it to the Commission for preliminary approval. A list of the recommended competitive subrecipient for FY2022 has been provided to the Commission.

Commission Chair Lee and the Commission reviewed the FY2022 Civil/Legal Helpline Final Award, Commission Vice Chair Myers made a motion to approve, and Commission Member Jorgensen seconded the motion. The motion passed unanimously.

Commission Chair Lee complimented Ms. Garcia and the Grants department and expressed how pleased she was with the great work Ms. Garcia did with the proposals. Commission Chair Lee added that she was pleased with how organized the process went and how the new system was easy to manage.

Executive Session

Mr. Zubia informed the Commission that there are no claims that will be reviewed today.

Actions on Items Discussed in Executive Session (Voting Item)

None

The next Commission meeting has been scheduled for Thursday, April 29, 2021 at 10:00 a.m. at 6200 Uptown Blvd. N.E., Suite #210, Albuquerque, NM in the conference room. The Commission meeting could change to a virtual meeting depending on direction from the Attorney General.

Adjourned

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

The virtual meeting adjourned at 10:27 a.m.

APPROVED:  DATE: 4/29/21
Marron Lee, Commission Chair