

STATE OF NEW MEXICO
CRIME VICTIMS REPARATION COMMISSION

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STATE OF NEW MEXICO
CRIME VICTIMS REPARATION COMMISSION
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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 October 22, 2020, Commission Chair Lee called the September virtual meeting of the New Mexico Crime Victims Reparation Commission to order at 10:00 a.m. 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
Debra Yepa, State Investigator
Rose Martinez, Compensation Management Analyst

Review Agenda

The agenda was reviewed by Commission Chair Lee and made a motion to the approve the agenda, Commission Vice Chair Myers seconded the motion. The motion passed unanimously.

Review and Approval of September 24, 2020 Commission Meeting Minutes

The Commission meeting minutes were reviewed for September 24, 2020 by the Commission. Vice Chair Myers made a motion to approve the meeting minutes. Commission Chair Lee seconded the motion. The motion passed unanimously.

Public Comment

None

Agency Financial Report

Ms. Mok updated the Commission on the FY 2021 budget position on victim payments for the period of July 1, 2020 through October 22, 2020. The victim payment budget began in the amount of \$2,503,589. The total amount for victim payouts as of today is \$680,621, which leaves a budget balance of \$1,822,968 for the remaining fiscal

year. At the current rate of payouts, our agency projects a deficit of \$55,555 at the end of this fiscal year. CVRC will request additional budget authority in this Legislature to use the Crime Victim Fund balance to balance the budget.

FY 2021 Crime Victim Fund payments received for the period of July 1, 2020 to October 22, 2020 by type:

Restitution: \$12,390

Corrections: \$115,365

Civil Settlement:\$1,108

Penalty Assessment: \$58,419

Total received: \$187,282

Ms. Mok informed the Commission that CVRC continues to see a decrease in payments received in the first quarter of this fiscal year. As discussed in the last Commission meeting, the contributing factor in the decrease of penalty assessment payments are related to the closure of the courts. As of today, CVRC received about \$54,000 below the budgeted revenue amount.

Commission Chair Lee inquired on what specific plans are in place, and what are the next steps concerning the decrease in revenue from Administrative Office of the Courts (AOC). Mr. Zubia informed the Commission that he contacted Tony Ortiz, previous Director of the New Mexico Sentencing Commission. Mr. Ortiz recommended that our agency contact Paul Guerin, Director for The Center for Applied Research & Analysis, at the University of New Mexico (UNM). Mr. Zubia informed the Commission that CVRC leadership team contacted Mr. Guerin, who has thirty-three years of experience in the criminal justice field. Our agency discussed with Mr. Guerin his agency conducting a gap analysis to determine why CVRC is not receiving the penalty assessments on a consistent basis and in line with the original projections. Mr. Guerin was receptive, confident and enthusiastic that he and his team would be able to conduct the gap analysis for our agency and will work out logistics with CVRC. Mr. Zubia informed the Commission that he will update them with any new developments.

New Business

Office for Victims of Crime Compensation Assessment Award

Mr. Valdez informed the Commission that at the beginning of this year, the Office of Victim of Crimes (OVC) opened a request for proposals for states to request funding for an assessment of their compensation programs. With assistance from Director Zubia, Ms. Garcia, Grants Bureau Chief, and Ms. Mok, Chief Financial Officer, the agency was able to submit a proposal. Our agency connected with Grace Call, Director of the Council of State Governments (CSG) Justice Center. CSG also assisted our agency with the passing of House Bill 342. CVRC's proposal was submitted in early July and CVRC was notified in late September by OVC that we were awarded \$350,000. The project award is for three-years. Ms. Call has assigned staff member Jess Gonzales Brecker, as the lead person to assist our agency with this project. During the course of the three-years, there will be assessments conducted to determine gaps geographically and also individually to determine why we are not getting applications and who is not being notified of our services. Within this assessment there will be a review of the penalty assessments along with the restitution recovery that have had decreases in payments. This assessment will link together with the UNM project. In addition, the agency will be working to develop implementation plans, focus groups, and will utilize all the data gathered to be shared between agencies. Mr. Valdez expressed to the Commission that he is optimistic and looking forward to placing the plan together to execute this project and is confident that it will be a smooth transition due to the familiarity of our agency and our data program.

Commission Chair Lee was excited to hear the great news and congratulated Mr. Valdez and expressed to him that he will find some fascinating gaps in services that are out there. Commission Chair Lee shared an example of a disappointing experience that she encountered with some of the CYFD agencies that appear to not be familiar with our agency. Mr. Valdez informed the Commission that through training, CVRC has been working with these agencies to ensure that they submit applications for these children to be approved for services. He will research and determine what the next steps will be with these agencies to educate them with the application process.

Proposed 2021 Commission Meeting Dates (see attachment)

Mr. Zubia presented to the Commission proposed 2021 Commission Meeting dates.

*Opening day for the 2021 New Mexico Legislative Session begins January 19, 2021 through March 20, 2021.

The Commission Meeting dates are listed:

January 14, 2021,

February 25, 2021

March 25, 2021

April 22, 2021

May 27, 2021

June 24, 2021

No July Commission Meeting (Virtual AIA Conference)

August 26, 2021

September 23, 2021

October 28, 2021

November 25, 2021

Commission Chair Lee and the Commission reviewed the proposed dates for the 2021 Commission meeting and gave permission to post the dates as presented.

Business

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 the COVID-19 crisis.

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

The Grants Bureau Chief presented in a panel discussion to the American Indian Chamber of Commerce of New Mexico on October 21, 2020 to address Domestic Violence During COVID and the workplace.

Youth Vision, a CASA program in the Grants Community, received notification from the Administrative Office of the Courts (AOC) that they are no longer be an accredited CASA program in the state. As a result, VOCA Victim Assistance would be their only source of sustained funding. Per the VOCA Victim Assistance guidelines, this makes the program ineligible to be a VOCA VA subrecipient. The Grants Bureau Chief is recommending we terminate their FFY2021 award.

Status of Youth Visions VOCA Assistance FFY 2021

The Grants Bureau Chief Ms. Garcia provided detailed information to the Commission on the recommendation to terminate Youth Visions VOCA Assistance FFY2021 award. Ms. Garcia informed that the agency's funding from the Administrative Office of the Courts was terminated and the agency will no longer be a CASA accredited program. As a result, VOCA Victim Assistance would be their only source of viable funding. This makes the agency, per the VOCA Victim Assistance rules ineligible for funding.

Mr. Zubia and Ms. Garcia informed the Commission that there are numerous concerns with the agency such as activities not being performed since March, inaccurate information about current board members, bonus's for staff that were not voted on and numerous other concerns. Mr. Zubia agreed that CVRC should terminate their funding with our office.

Commission Chair Lee asked Ms. Garcia to update her on the guidelines that VOCA Victim Assistance requires to determine termination and whether this would be a voting item by the Commission. Voting to fund these

