

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 Friday, October 29, 2021, Commission Chair Lee called the October virtual meeting of the New Mexico Crime Victims Reparation Commission to order at 10:01 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  
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 Commission Members and was unanimously approved by the Commission.

**Review and Approval of September 23, 2021, Commission Meeting Minutes**

The Commission Chair Lee reviewed the Commission meeting minutes for September 23, 2021, with the Commission members. Commission Vice Chair Myers made a motion to approve the meeting minutes. Commission Member Jorgensen seconded the motion. The motion passed unanimously.

**Public Comment**

None

**Agency Financial Report**

Ms. Mok updated the Commission regarding the FY 2022 budget position on victim payments for the period of July 1, 2021, to October 29, 2021. The victim payment budget started in the amount of \$2,482,658, the victim total payouts as of October 22, 2021, was \$779,481. The remaining available budget balance is \$1,703,178.

## Commission Meeting October 29, 2021

Ms. Mok informed the Commission that there are 35 weeks remaining in the FY 2022 fiscal year. and with the current rate of spending, our agency projects a year-end budget balance of \$152,925 that will be carried over to FY2023.

Ms. Mok reported at the previous Commission meeting that CVRC had not received payment from the Corrections Department for a few months. After a follow-up with the Corrections Department, our agency received a payment for the months of July, August, and September in the amount of \$112,239. Ms. Mok informed the Commission that in this quarter, the agency's revenue is \$31,000 below the projected revenue, which is approximately 14%.

Commission Chair Lee enquired why the penalty assessment amounts appear to be different from the month of August and September within the range of \$400 to \$500. Ms. Mok responded to the Commission that the average monthly payment from Administrative Office of the Courts (AOC) is approximately \$20,000 a month. Ms. Mok presented the Commission with the exact amounts received from AOC.

Commission Chair Lee thanked Ms. Mok.

Mr. Zubia stated to the Commission that the AOC are having delays and are continuing virtual operations. Mr. Zubia speculated to the Commission that their operation procedures changed because of the health pandemic which could have affected the way in which fees and fines were collected and in the delay in submitting the decreased amount of funds to our agency.

FY 2022 Crime Victim Fund payments received for the period of July 1, 2021, to October 29, 2021, by type:

Restitution: \$14,065

Corrections: \$112,239

Civil Settlement: \$13,204

Penalty Assessment: \$57,170

Total received: \$196,678

### **FY21 Agency Audit**

Ms. Mok informed the Commission that CVRC will have an exit conference on the audit of our agency on November 1, 2021. The agency's audit is also due by 5:00 pm on the same day. This year the auditors reviewed the VOCA and VAWA funding programs in the Grants Department and requested much more source documentation. The auditors also requested reviewing vouchers and deposits from CVRC administration.

Commission Chair Lee expressed concern with CVRC's audit exit taking place the same day it is due. Commission Chair Lee stated that it is unacceptable and CVRC's priority should be not to allow this to continue since the last audit firm was not compliant. Mr. Zubia informed the Commission that due to unforeseen circumstances the auditor had to push completion of the audit to the due date.

Mr. Zubia informed the Commission that at the present time it does not appear that CVRC will have any findings or recommendations and will submit the audit on time.

Mr. Zubia requested that a Commission member be present during the audit exit conference. Commission Chair Lee asked Mr. Zubia and Ms. Mok to inform Commission Vice Chair Myers or Commission Member Jorgensen on a time that the audit conference will take place.

### **New Business**

#### **UNM Institute for Social Research**

Mr. Zubia informed the Commission that CVRC is working with UNM Institute for Social Research Director. Preliminary conversations and scope of work are currently being assessed to ensure a comprehensive research project on the collection of penalty assessments and the procedures of the Administrative Office of the Courts (AOC) and the Department of Corrections (DOC). Mr. Zubia informed the Commission that he anticipates having the scope of work approved by UNM Institute for Social Research and a contract in place by January 2022. Mr. Zubia added that the anticipated cost for this research is \$20,000 and CVRC will proceed forward with this research project.

**Real Time Solutions Enhancement to CVRC Website (ADA Compliant)**

Mr. Zubia informed the Commission that CVRC is in the process of working with Real Time Solutions for enhancement and preparing to upgrade the CVRC website to become ADA Compliant (The Americans with Disability Act). Mr. Zubia stated that a victim with disabilities contacted CVRC's about the website and stated it was not ADA compliant for individuals with disabilities. Mr. Zubia informed the Commission that an enhancement to CVRC'S website has not been done for three years and starting date is in January 2022.

**Business**

**Grants Reports on (VOCA, VAWA, SASP, and State)**

**Mr. Zubia informed the Commission the following:**

The Grants Bureau Chief continues to participate on the Board of the Association of VAWA Administrators (AVA). AVA has been hosting a series of Peer to Peer calls in reference to the VAWA Implementation planning Process and the Grants Bureau Chief has been facilitating many of those conversations.

The Statewide Implantation planning meetings have begun. The first meetings were held September 8<sup>th</sup> and 24<sup>th</sup>, 2021. A series of five regional meetings were held between October 22<sup>nd</sup> through 26<sup>th</sup> of 2021. With the final meeting being held November 1, 2021. Meetings will be scheduled with tribal advocates, tribal governments, law enforcement, victim services, prosecutors and community-based services over the next several months. These meetings will help establish the 2021- 2025 Statewide Implementation Plan.

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

The FY2023 Competitive Solicitations for the State Sexual Assault and Human Trafficking funds will be issued in early 2022 for a four-year competitive cycle. Drafts of the solicitations are being developed and finalized.

**2021-2025 Statewide Implementation Plan**

The New Mexico Crime Victims Reparation Commission is tasked with developing a statewide implementation plan for our STOP Violence Against Woman Act (VAWA) grant program, human trafficking, intimate partner death review, and victims of crime. To develop a comprehensive statewide plan, establish funding priorities and learn about the needs within the state, we are hosting a series of regional meetings via zoom and ensure COVID safe practices.

Anyone who works with victims of crime, in any capacity, are invited to participate. We are hosting each of these meetings to discuss concerns within the geographic regions in which you serve. If you serve statewide, you are invited to participate in any or all of these meetings. If you cannot attend you specific region, you can choose to join another meeting, or request a meeting with CVRC directly.

This planning process will help guide the funding priorities for the STOP Violence Against Woman Act (VAWA) grant program, the Victims of Crime Act (VOCA) Victim Assistance grant program, Sexual Assault Services Program (SASP) grant program, and state funding for sexual violence, human trafficking, intimate partner death review, and victim of crime.

These Statewide Implementation training meetings, dates and times can be found on CVRC's website: [www.cvrc.state.nm.us](http://www.cvrc.state.nm.us)

**Roberta's Place Inc.**

Mr. Zubia informed the Commission that a grievance was submitted concerning Roberta's Place in Grants. A letter was submitted with the allegations that Roberta's Place has a hostile work environment and is mismanaging funds. Currently, we are working with CYFD, and the domestic violence coalition and a letter of concern was sent to Roberta's Place board members.

Mr. Zubia informed the Commission that during some preliminary reviews or information requested from Roberta's Place, it was discovered that there had not been a board meeting for over 18 months. In addition, upon reviewing documents there are more concerns that are surfacing and deadlines that had been missed. CVRC is in the process of conducting an audit of their financials. Mr. Zubia informed the Commission that he will keep them up to date with any new developments.

**Commission Meeting October 29, 2021**

**Executive Session**

At 10:24 a.m., Commission Chair Lee asked for a motion to enter Executive Session. Commission Member Jorgensen made a motion to enter Executive Session, Commission Vice Chair Myers seconded the motion. Motion passed unanimously to enter Executive Session.

A poll of the Commission members was made as follows: Commission Member Jorgensen, aye, Commission Vice Chair Myers, aye, and Commission Chair Lee, aye.

At 10:25 a.m., Commission Chair Lee asked for a motion to come out of Executive Session. Commission Member Jorgensen made a motion to come out of Executive Session and 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)**

220646- Good Cause

Commission Chair Lee reviewed with Commission Members Claim #220646 for Good Cause. The consensus of the Commission to approve the claim for Good Cause. The motion to approve was passed unanimously.

A Poll of the Commission members was made as follows: Commission Member Jorgensen aye, Commission Vice Chair Myers, aye, Commission Chair Lee, aye.

The next Commission meeting has been scheduled for Thursday, November 18, 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 Vice Chair Myers moved to adjourn the Commission meeting; Commission Member Jorgensen seconded the motion. The motion to adjourn passed unanimously.

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

APPROVED: Marron Lee DATE: 10/29/2021  
Marron Lee, Commission Chair