

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 November 18, 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
MaryEllen Garcia, Grants Bureau Chief
Moises Valdez, Compensation Bureau Chief
Debra Yepa, State Investigator
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 the Commission.

Review and Approval of October 29, 2021, Commission Meeting Minutes

Commission Chair Lee reviewed the Commission meeting minutes for October 29, 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 November 18, 2021. The victim payment budget started in the amount of \$2,482,658, the victim total approved

Commission Meeting November 18, 2021

payouts as of November 18, 2021, was \$955,581. At the current average rate of victim payouts, a projected remaining budget balance is \$84,876 and will be carried over to FY 2023.

Ms. Mok informed the Commission that CVRC has not received the October 2021 payments from the Department of Corrections and Administrative Offices of the Courts, which CVRC is expecting to receive these payments by the end of November 2021. Ms. Mok will update the Commission at the next meeting.

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FY 2022 Crime Victim Fund payments received for the period of July 1, 2021, to November 17, 2021, by type:

Restitution: \$18,346

Corrections: \$112,239

Civil Settlement: \$13,204

Penalty Assessment: \$57,705

Total received: \$201,494

FY21 Agency Audit Status

Ms. Mok updated the Commission on the audit report which was submitted to the Office of the State Auditor (OSA) by the deadline date of November 1, 2021, with no findings. Ms. Mok informed the Commission that after OSA reviews the audit report, they will provide an approval for our agency to release the audit report. This typically occurs in January. Ms. Mok also thanked Commission Vice Chair Mr. Meyers for his participation in the exit audit conference.

Commission Vice Chair Myers stated that the exit audit conference did not take a long time and it went well.

Commission Chair Lee reiterated the importance of the expectations of the auditors. They are required to be accurate and should be submitting the audit in a timely manner, but not on the same day it was due.

Mr. Zubia informed the Commission that he communicated the concerns and expectations of CVRC to the auditor. This auditor and his firm requested more than the usual number of samples to familiarize themselves to our agency. They are looking forward to assisting us for the next audit and assured CVRC that subsequent audits would be submitted in a more timely manner.

Commission Chair Lee thanked Ms. Mok for a good report.

New Business

Proposed 2022 Commission Meeting Dates

Mr. Zubia presented to the Commission the proposed Commission Meeting dates for the upcoming 2022 year. The Commission will review the dates.

The following dates are proposed: *January 20, 2022, February 17, 2022, March 17, 2022, April 21, 2022, May 19, 2022, June 16, 2022, August 18, 2022, September 15, 2022, October 20, 2022, November 17, 2022.*

Business

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

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

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

The Statewide Implantation Planning regional meetings were held in October and the first of November. A series of five regional meetings were held. Meetings have started and will continue 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- 2022-5 Statewide Implementation Plan.

The quarterly Performance Measure Tools (PMT) were submitted, reviewed and approved for the fourth quarter of the VOCA Victim Assistance FFY2021 awards.

The match waivers for the FFY2022 VOCA Victim Assistance awards are being processed.

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

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

Roberta's Place Inc.

Ms. Garcia updated the Commission concerning Roberta's Place Inc. A grievance was submitted to CVRC regarding concerns of hostile work environment and mismanagement of funds by Roberta's Place in Grants. A joint letter was presented to Roberta's Place from CYFD and CRVC. In this letter, the joint agencies requested documents from the Board of Roberta's Place.

Ms. Garcia informed the Commission that Roberta's Place Board is seeking to secure an outside consultant and CPA firm to assist during this transition.

Commission Chair Lee stated that Roberta's Place is vital to the area. She complimented CVRC's continued assistance with this agency to re-organize.

Mr. Zubia informed the Commission that he does not want Roberta's Place to be unsuccessful and CVRC is assisting to ensure that we get Roberta's Place on the right track for success. Mr. Zubia will keep the Commission informed.

Executive Session

At 10:26 a.m., Commission Chair Lee asked for a motion to enter Executive Session. Commission Vice Chair Myers made the motion to enter Executive Session, Commission Member Jorgensen seconded the motion. Motion passed unanimously to enter Executive Session.

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

At 10:41 a.m., Commission Chair Lee asked for a motion to come out of Executive Session. Commission Vice Chair Myers made a motion to come out of Executive Session and Commission Member Jorgensen 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)

203978 – Request for Additional Therapy

213161 – Homicide – Use of Office of the Medical Investigator (OMI) Summary

220007 – Homicide – Unknown Law Enforcement Agency Reported To

Commission Chair Lee reviewed with Commission Members Claim #203978 requesting additional therapy. The consensus of the Commission is to approve the request for additional therapy. The motion to approve was passed unanimously.

Commission Chair Lee reviewed with Commission Members Claim #213161, a homicide case requesting the use of the Office of the Medical Investigator (OMI) report summary to determine eligibility. The consensus of the Commission was to table this request pending further information regarding possible video recording and any law enforcement involvement.

Commission Chair Lee reviewed with Commission Members Claim #220007, which is a homicide case with an unknown law enforcement agency who investigated and is required for determining eligibility. The consensus of the Commission is to deny this claim. The motion to deny was passed unanimously.

Commission Meeting November 18, 2021

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

The next Commission meeting has been scheduled for Friday, December 10, 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 10:43 a.m.

APPROVED:  DATE: 11/18/2021
Marron Lee, Commission Chair