

STATE OF NEW MEXICO  
CRIME VICTIMS REPARATION COMMISSION

MICHELLE LUJAN GRISHAM  
GOVERNOR



FRANK ZUBIA  
DIRECTOR

STATE OF NEW MEXICO  
CRIME VICTIMS REPARATION COMMISSION  
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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 February 17, 2022, Commission Chair Lee called the February virtual meeting of the New Mexico Crime Victims Reparation Commission to order at 10:05 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  
Debra Yepa, State Investigator  
Pamela Brendler, State Investigator  
Rosemarie Sanchez, Administrative Secretary  
Joanna Garcia, Grants Program Specialist  
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 January 31, 2022, Commission Meeting Minutes**

Commission Chair Lee reviewed the Commission meeting minutes for January 31, 2022, with the Commission. Commission Member Jorgensen made a motion to approve the meeting minutes and Commission Vice Chair Myers seconded the motion. The motion to approve the minutes passed unanimously.

**Public Comment**

None

**Agency Financial Report**

Ms. Mok updated the Commission regarding the FY2022 budget position report regarding victim payments for the period of July 1, 2021, through February 17, 2022. The victim payment budget started in the amount of \$2,482,658. The total amount for victim payouts as of February 17, 2022, is \$1,444,176. There are 20 weeks remaining in the fiscal year with a projected victim expense amount of \$917,355. At the current rate for victim payouts, CVRC projects a remaining budget balance of \$121,127 that will be carried over into the next fiscal year.

Ms. Mok reviewed with the Commission the Crime Victim Fund payments status report. As of February 17, 2022, the agency has collected a total amount of \$401,310 in the Crime Victim Fund. CVRC will receive the January payment from the Department of Corrections at the end of this month.

FY 2022 Crime Victim Fund payments received for the period of July 01, 2021 to February 17, 2022, by type:

Restitution: \$44,020

Corrections: \$215,912

Civil Settlement: \$14,281

Penalty Assessment: \$127,097

Total received: \$401,310

**Agency Budget Status**

Ms. Mok informed the Commission of the agency's FY23 budget status. The FY23 budget was passed by both House and Senate. It is headed to the Governor's office for review and signature. As of today, CVRC will receive \$3.6 million to the agency's General Fund. Ms. Mok informed the Commission that at the next meeting she will report how the appropriation will be allocated. In addition, our agency will receive \$1.5 million in special appropriations.

Ms. Mok informed the Commission that this year's Legislature also passed a Junior Bill that will appropriate \$960,000 to our agency. Ms. Mok re-iterated that she will have a breakdown of the appropriation at the next meeting.

Commission Chair Lee stated she was able to review the report via email. It will be reviewed at the next Commission meeting.

**New Business**

**UNM Institute for Social Research**

Mr. Zubia informed the Commission that the UNM Institute for Social Research assessment of the fines and fees was scheduled to start in February. With the Legislative Session also scheduled for February, our agency had to reassess the timing of the survey. In addition, during this session, some bills were being introduced to eliminate fines and fees which is a major concern for CVRC.

Mr. Zubia informed the Commission that last year's Legislative session, House Bill #183 was introduced and was passed by both houses and signed by the Governor. This bill eliminated fines and fees for juvenile offenders along with the application fee for public defenders.

Mr. Zubia informed the Commission that the Administrative Office of the Courts (AOC) collected some crime data statistics. The data reports that in 2011 there was an 80% conviction rate in New Mexico, however in 2020 it was 59% and in 2021 it was at 54%.

Mr. Zubia informed the Commission that this crime data will change the range of information sought by the UNM Social Research study. Mr. Zubia will keep the Commission informed with any new developments.

## Commission Meeting February 17, 2022

Mr. Zubia informed the Commission that he and Ms. Garcia have been actively engaged in all the Legislative Committee meeting regarding House Bill #81. CVRC had concerns with this bill, the bill has removed the Crime Victims Reparation Fee, the Domestic Violence Treatment Fee (which aids offenders), and the DWI Prevention Fee from consideration. We believed this bill would cause unintended consequences and disrupt a funding stream that supports victim services in New Mexico.

Mr. Zubia informed the Commission that House Bill #81 was scheduled to go before the Senate Health and Public Affairs Committee on Tuesday, and it was not presented. At this point, it appears as though it did not pass-through Senate committees.

Mr. Zubia, Ms. Garcia, Mr. Valdez, and Ms. Mok collaborated efforts and sent out emails to all the legislatures who would be hearing HB81 and what services we offer and how it may effect victims. In this Legislative session there were a lot of criminal justice bills presented. Mr. Zubia will keep the Commission apprised with any new information.

Commission Chair Lee was relieved that this bill did not pass, however, our agency needs to continue to educate the Legislatures about our services. Mr. Zubia informed the Commission that our agency wants to move forward and continue to educate these Legislatures in person starting in March.

Mr. Zubia informed the Commission that he will provide updates at the next Commission meeting.

### **Agency Personnel Status**

Mr. Zubia informed the Commission that CVRC has hired two new staff members. Mr. Zubia introduced Joanna Garcia who has been hired in the Grants Department as a Grant Program Specialist. He also introduced Rosemarie Sanchez who was hired in the Administrative Department as Administrative Secretary. Commission Chair Lee and Commission members welcomed the new staff members.

Mr. Zubia informed the Commission that our agency has a new assigned Human Resource Consultant at the State Personnel Office, Ms. Angela Ortega. Mr. Zubia stated that he is impressed with Ms. Ortega and her efficiency.

Mr. Zubia stated to the Commission that our agency has restarted the hiring process after two years. CVRC is looking to start the hiring process for the Compensation Department.

### **Business**

#### **Grants Status Report (VOCA, VAWA, SASP and State)**

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

The FFY2023 STOP VAWA Request for Proposal was issued on January 21, 2022, with a due date of March 28, 2022. A Grant Writing Webinar was recorded and released with the issuance of the solicitation.

The State Human Trafficking Scope of Work has been sent to general services for a determination. The solicitation will be issued in March for a state FY 2023.

The Sexual Assault Services Scope of Work is in draft and will be send to general services for a determination. The solicitation will be issued in March for a state FY 2023.

A meeting was held with statewide sexual assault service providers and the leadership of the New Mexico Coalition of Sexual Assault Programs to review the upcoming solicitation for state appropriated sexual assault funding. This meeting reviewed the efficiency and need of sexual assault programs to continue with deliverable based billing for the next two (2) fiscal years and then review the data elements established with a data working group.

## Commission Meeting February 17, 2022

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 about the VAWA Implementation Planning Process and the Grants Bureau Chief has been facilitating those conversations.

The Statewide Implantation Planning process is still underway. We will be meeting 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, which should be adopted before the end of April.

The STOP VAWA 2021 Annual Report requests have been sent to all STOP VAWA agencies to be submitted by February 18, 2022. These will be reviewed and submitted to the Office on Violence Against Women with our annual report prior to the March 30<sup>th</sup> deadline.

The SSASP 2021 Annual Report requests have been sent to all SASP agencies to be submitted by February 18, 2022. These will be reviewed and submitted to the Office on Violence Against Women with our annual report prior to the March 30<sup>th</sup> deadline.

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

Ms. Garcia informed the Commission that CVRC will be applying for OVC that issued solicitation for civil legal assistance to be submitted in March. Ms. Garcia will update the Commission on this solicitation and possibly others at the next meeting.

Commission Chair Lee thanked Ms. Garcia for doing a great job. Commission Chair Lee will have a Commission member participate in the proposal review.

Commission Chair Lee inquired if there was a status update on La Casa and Roberta's Place. Ms. Garcia informed the Commission that La Casa is in the process of hiring a new Executive Director.

Ms. Garcia informed the Commission that Roberta's Place has been successfully working with their consultant and is doing well. Our agency has requested information on the status of the board recruitment process. Ms. Garcia will provide an update at the next Commission meeting.

Ms. Garcia informed the Commission that she met with the New Mexico Coalition of Sexual Assault Programs in reference to a sexual assault provider in the eastern part of the state that is struggling under a hospital's operating model. They are operating under the local hospital's 501(c)(3) status as opposed to an independent 501(c)(3).

Ms. Garcia informed the Commission that our agency has recommended for many years that they become independent from the hospital. The New Mexico Coalition of Sexual Programs is assisting this program to become independent with their own 501(c)(3) status. The New Mexico Coalition of Sexual Programs understands that in a hospital setting it is difficult for this program to operate the way it should.

Ms. Garcia stated she has meetings weekly with all three coalitions and they all understand that it is difficult for rape crisis services to operate in a hospital setting and should be independent from the hospital.

In addition, Ms. Garcia informed the Commission that through her weekly meeting with the coalitions, they are expressing the stress of the pandemic with telework, tele-services, and crime rising and its impact on victim services staff. They are looking for ways to assist with the stress.

## Commission Meeting February 17, 2022

Ms. Garcia shared with the Commission that a meeting with the New Mexico Coalition Against Domestic Violence. Mr. David Garvin, Battering Intervention Coordinator, reported that he was attending a national conference and he was proud to be in the position to say that New Mexico is not in a catastrophe funding situation as most of these programs are and he shared this on a national level. This conference represented 47 out of 56 battering interventions states and territories.

Commission Chair Lee complimented Ms. Garcia on the great job and planning she implemented for our state. Commission Chair Lee conveyed to Ms. Garcia that she should be proud of the work she is doing.

### Executive Session

At 10:32 a.m., Commission Chair Lee asked for a motion to enter into Executive Session. Commission Vice Chair Myers made the motion and Commission Member Jorgensen seconded the motion.

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

At 10:43 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)

180111 – Request for Additional Therapy

221386 – Good Cause

221720 – Good Cause

Commission Chair Lee reviewed with the Commission claim #180111 request for additional therapy. The consensus of Commission is to approve this claim for the request for additional therapy. The motion to approve was passed unanimously.

Commission Chair Lee reviewed with the Commission claim #221386 for Good Cause. The consensus of Commission was to table this request for good cause until further information is acquired. The motion to table was passed unanimously.

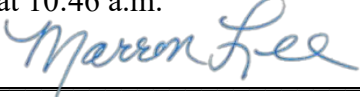
Commission Chair Lee reviewed with the Commission claim #221720. The consensus of the Commission is to deny claim #221720 for no crime enumerated and lack of cooperation. The motion to deny passed unanimously.

The next Commission meeting has been scheduled for Thursday, March 17, 2022, at 10:00 a.m. which will be a virtual meeting.

### Adjourned

Commission Chair Lee adjourned the meeting.

The virtual meeting adjourned at 10:46 a.m.

APPROVED:  DATE: 2.17.2022  
Marron Lee, Commission Chair