

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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Meeting Called to Order

On August 25, 2022, Director Zubia called the August meeting of the New Mexico Crime Victims Reparation Commission to order at 10:00 a.m. Director Zubia announced the names of New Commission members of the public body and acknowledged those who are participating in person and remotely.

The following New Commission Members were present:

Allyn Summa, Commission Chair
David Karst, Commission Vice Chair
Randal W. Brown M.D., Commission Member
Sheriff Kim K. Stewart, Commission Member
Cody Rogers, Attorney, Commission Member

The following NMCVRC staff members were present:

Frank Zubia, Director
MaryEllen Garcia, Grants Bureau Chief
Moises Valdez, Compensation Bureau Chief
Cindy Mok, Chief Financial Officer
Lourdes McKenna, VOCA Grant Administrator
Pamela Brendler, State Investigator Supervisor
Debra Yepa, State Investigator
Leslie Valenzuela, State Investigator
Felicia Vigil, Victim Advocate

The following attendees were present via webcast:

Rose Martinez, Compensation Management Analyst
Delilah Tenorio, Assistant Attorney General's Office
Dawn Martinez, Community Member
Cambri Syling, Kids Inc. Employee
Alicia Valdez, Community Member

Review Agenda

The agenda was reviewed by Commission Members and was unanimously approved by the Commission. Commission Member Summa made a motion to approve the agenda. Commission Member Brown seconded the motion. The motion to approve the agenda passed unanimously. Roll call vote of the Commission is as follows: Commission Chair Summa, aye, Commission Vice Chair Karst, aye, Commission Member Brown, Commission Member Stewart, aye, Commission Member Rogers, aye.

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Ms. Tenorio read the statute, referencing the *Open Minutes Act* to the newly appointed Commission that grants the new Commission members the authority to approve the Commission Meeting Minutes from June 19, 2022.

Review and Approval of June 19, 2022, Commission Meeting Minutes

Commission Members reviewed the Commission meeting minutes for June 19, 2022. Commission Member Rogers made a motion to approve the meeting minutes. Commission Member Summa seconded the motion. The motion to approve the minutes passed unanimously.

Roll call vote of the Commission is as follows: Commission Summa, aye, Commission Member Karst, aye, Commission Member Stewart, aye, Commission Member Rogers, aye, Commission Member Brown, aye.

Public Comment

Mr. Zubia explained to Ms. Alisha Valdez that she has three minutes to address the Commission. Ms. Valdez addressed the Commission with a public comment requesting additional service as a result of her victimization. The Commission will review and appoint a Commission Member to meet with Ms. Valdez.

Agency Financial Report

Ms. Mok updated the Commission regarding the fiscal year end FY22 budget position report regarding victim payments for the period of July 1, 2021, through June 30, 2022. The victim payment budget started in the amount of \$2,482,658. The total amount of victim payouts as of June 30, 2022, is \$2,454,524. The remaining balance for the FY22 is \$28,135.

FY22 AND FY23 Victim Payment Budget Position

Ms. Mok provided detailed information to the Commission for the FY2022 and FY2023 Crime Victim Fund Budget position report regarding victim payments for the period of July 1, 2022, through August 16, 2022. The victim payment budget+ started in the amount of \$2,308,200. The total amount for victim payouts as of August 16, 2022, is \$376,688. The remaining balance is \$1,931,512.

Ms. Mok provide the Commission the FY2023 budget position report regarding victim payments for the period of July 01, 2022, through August 16, 2022. The victim payment budget started in the amount of \$2,308,200. The total amount of victim payouts as of August 16, 2022, is \$376,688. The remaining budget balance is \$1,931,512

FY22 AND FY 23 Crime Victim Fund Budget

Ms. Mok presented the FY 2022 Crime Victim Fund Budget Status report to the Commission. Below are the payments received for the period of July 01, 2021, to June 30, 2022, by type:

Restitution: \$86,951

Corrections: \$418,817

Civil Settlement: \$14,694

Penalty Assessment: \$243,139

Total received: \$763,601

Ms. Mok presented the FY 2023 Crime Victim Fund Budget Status report to the Commission. Below are the payments received for the period of July 01, 2022, to August 16, 2022, by type:

Restitution: \$6,709

Corrections: \$0

Civil Settlement: \$4,945

Penalty Assessment: \$3,527

Total received: \$15,181

FY24 Proposed Budget Request

Ms. Mok presented the FY24 Budget Request Overview spreadsheet to the Commission. CVRC proposed an increase of \$4.4 million in State General Appropriation to support the increased demand of sexual assault and

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human trafficking victim service programs, care and support for crime victims and CVRC personnel and operation costs. The FY24 budget request is due on September 1, 2022. Ms. Mok will provide update to the Commission at the next meeting.

FY22 Agency Audit

Ms. Mok informed the Commission that CVRC will begin the agency FY22 audit which will be conducted by Baldwin Accounting and Consulting LLC. This audit is due to the State Auditor Office by November 1, 2022. The Commission will be apprised of the audit entrance and audit exit meetings.

New Business

Commission Election for Chair and Co-Chair (Voting Item)

Mr. Zubia presented to the Commission the nomination of Allyn Summa for Commission Chair. Commission Member Karst made a motion to accept and approve this nomination and Commission Member Rogers seconded the motion. Commission Member Karst volunteered for Commission Vice Chair. Commission Member Brown made a motion for approval of the new appointees and Commission Member Rogers seconded the motion. Commission Chair Summa and Commission Vice Chair Karst accepted the nomination. The motion to approve the new nominees was accepted unanimously.

The roll call vote of the Commission is as follows: Commission Chair Summa, aye, Commission Vice Chair Karst, aye, Commission Member Brown, Commission Member Stewart, aye, Commission Member Rogers, aye.

Adoption of August 2022 Open Meetings Resolution (Voting Item)

Commission Member Brown moved to approve the Adoption of the 2021 Open Meetings Resolution. Commission Chair Summa seconded the motion. The motion passed unanimously.

The roll call vote of the Commission is as follows: Commission Chair Summa, aye, Commission Vice Chair Karst, aye, Commission Member Brown, Commission Member Stewart, aye, Commission Member Rogers, aye.

Adoption of August 2022 Commission Code of Conduct (Voting Item)

Commission Member Karst moved to approve the Adoption of the 2021 Commission Board Code of Conduct. Commission Chair Summa seconded the motion. The motion was passed unanimously.

The poll of the Commission is as follows: Commission Chair Summa, aye, Commission Vice Chair Karst, aye, Commission Member Brown, Commission Member Stewart, aye, Commission Member Rogers, aye.

Review and Approve Compensation Guide for Eligibility Determination and Expense Policies (Voting Item)

Director Zubia to the Commission the *Compensation Guide for Eligibility Determination and Expense Policies* that CVRC uses to determine eligibility. There were no questions or discussions. Commission Member Brown made a motion to approve the *Compensation Guide for Eligibility Determination and Expense Polices* and Commission Chair Summa seconded the motion. The motion passes unanimously.

The roll call vote of the Commission is as follows: Commission Chair Summa, aye, Commission Vice Chair Karst, aye, Commission Member Brown, Commission Member Stewart, aye, Commission Member Rogers, aye.

Business

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

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

Ms. Garcia provided detailed information regarding the process and determination in funding various projects around the state. The Grants department has issued several state and federal solicitations this year.

FFY2023 VOCA Victim Assistance Preliminary Awards (Voting Item)

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Ms. Garcia reviewed with the Commission the FFY 2023 VOCA Victim Assistance Preliminary Award and answered questions from the Commission. Ms. Garcia informed the Commission that there were seventy-nine VOCA Victim Assistance Preliminary Awards presented, and seventy agencies received the award.

Ms. Garcia informed the Commission that this was a voting item.

Commission Chair Summa made a motion to approve the FY2023 VOCA Victim Assistance Preliminary Awards, and Commission Vice Chair Karst seconded the motion. The motion was passed unanimously.

The poll of the Commission was as follows: Commission Chair Summa, aye, Commission Vice Chair Karst, aye, Commission Member Brown, aye, Commission Member Stewart, aye, Commission Member Rogers, aye.

Agency Personnel Status

Mr. Zubia informed the Commission that CVRC in the process of hiring six additional staff members. Mr. introduced new staff member Felicia Vigil, Victim Advocate. Mr. Zubia will keep the Commission informed with any new information.

At 10:45 a.m., Commission Chair Summa made a motion to enter into Executive Session. Commission Member Rogers Chair seconded the motion to enter Executive Session.

A roll call vote of the Commission Members was made as follows: Commission Chair Summa, aye, Commission Vice Chair Karst, aye, Commission Member Brown, Commission Member Stewart, aye, Commission Member Rogers, aye.

Commission Chair Summa 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.

At 12:33 p.m., Commission Chair Summa made a motion to come out of Executive Session. Commission Vice Chair Karst seconded the motion. The motion passed unanimously

Actions on Items Discussed in Executive Session (Voting Item)

201980
222514
223154
230208
230419

Director Zubia reviewed with the Commission claim #201980 and advised a meeting would be set between the victim and Commission Member Roges. The roll call vote of the Commission is as follows: Commission Chair Summa, aye, Commission Vice Chair Karst, aye, Commission Member Brown, Commission Member Stewart, aye, Commission Member Rogers, aye.

Director Zubia reviewed with the Commission claim #222514 for denial. The consensus of Commission is to deny claim #222514f or No Crime Enumerated. The motion to deny was passed unanimously.

The roll call vote of the Commission is as follows: Commission Chair Summa, aye, Commission Vice Chair Karst, aye, Commission Member Brown, Commission Member Stewart, aye, Commission Member Rogers, aye.

Director Zubia reviewed with the Commission claim #223154 for denial. The consensus of Commission is to deny claim #223154 for No Crime Enumerated. The motion to deny was passed unanimously.

