

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

Meeting Called to Order

On November 17, 2023, Commission meeting retreat was held at the El Dorado Hotel, in Santa Fe, New Mexico. Commission Chair Summa called the November meeting of the New Mexico Crime Victims Reparation Commission to order at 10:05 a.m.

Commission Chair Summa announced the names of the Commission members of the public body and acknowledged those who are participating in person and remotely.

The following Commission Members were present:

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

The following NMCVRC staff members were present:

Frank Zubia, Director
Donna Richmond, Grants Bureau Chief
Cindy Mok, Chief Financial Officer
Jacqueline Sanchez, State Investigator Supervisor (Virtual)
Pamela Brendler, State Investigator Supervisor (Virtual)
Debra Yepa, State Investigator (Virtual)
Leslie Valenzuela, State Investigator (Virtual)
Rose Martinez, Compensation Management Analyst (Virtual)

Review Agenda

Commission Members reviewed the agenda and Commission Chair Summa asked for a motion to approve the agenda. Commission Member Rogers made the motion to approve. Commission Vice Chair Karst seconded the motion. The motion to approve the agenda was passed unanimously.

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

Review and Approval of October 26, 2023, Commission Meeting Minutes

Commission Chair Summa and Commission members reviewed the Commission meeting minutes for October 26, 2023. Commission Member Brown made a motion to approve the meeting minutes. Commission Vice Chair Karst seconded the motion. The motion to approve the minutes passed unanimously.

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

Commission Member Stewart abstained from the vote.

Public Comment

No Public Comment

Agency Financial Report

Ms. Mok updated the Commission regarding the fiscal year FY2024 budget position report regarding victim payments for the period of July 1, 2023, through November 13, 2023.

The victim payment budget started in the amount of \$2,579,000. The compensation victim batch payouts as of October 27, 2023, is in the amount of \$1,063,764 with available budget of \$1,515,236.

In addition, Ms. Mok informed the Commission that CVRC's weekly projected payouts are \$53,000. Ms. Mok stated that there are 35 weeks remaining in the fiscal year with a projected total of \$1,864,235 to close out FY2024.

Ms. Mok informed the Commission that CVRC will have a negative balance of \$348,999 if we continue at the current weekly payout.

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, 2023, to November 13, 2023, by type:

Restitution: \$26,067

Corrections: \$155,252

Civil Settlement: \$8,172

Penalty Assessment: \$42,977

Total received: \$232,468

Ms. Mok reviewed the Crime Victims Funds Status report with the Commission, totaling \$232,468.

Ms. Mok informed the Commission that payments received from the Department of Corrections have been inconsistent. This is likely due to the Department of Corrections' new computer software system.

In addition, Ms. Mok informed the Commission that the Administrative Office of the Courts (AOC) penalty assessment payments received are listed through September and are lower than expected.

In conclusion, Ms. Mok stated that the FY2024 Crime Victim Fund budget projected \$315,000 in funds and has a deficit of \$82,532 in funds received as of today's date.

Mr. Zubia informed the Commission that the judges have started not imposing the fines and fees that affect our agency's Crime Victim Fund.

FY23 CVRC Annual Agency Audit

Ms. Mok was pleased to announce to the Commission that the FY23 CVRC Annual agency's audit had no findings. Ms. Mok stated that this was the fifth audit of the year.

Mr. Zubia added that the auditing firm asked for extensive information on samples from state and federal programs. The auditor inspected every CVRC program associated with compensation and assistance.

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Mr. Zubia shared with the Commission a comment the auditor gave him and Ms. Mok: Our record keeping is immaculate. In addition, the auditor expressed that our invoices, policies, and procedures are well explained and kept in order.

Mr. Zubia complimented Ms. Mok and the staff for doing a great job and said it was a team effort.

Ms. Mok and Mr. Zubia thanked the Commission and Commission Chair Summa for participating in the exit audit.

Commission Chair Summa and Commission thanked the staff for a great job.

Mr. Zubia informed the Commission that CVRC can provide a draft copy of the audit if requested by Commission Members. Typically, CVRC provides a final approved copy when it is sent to our agency.

New Business**NM CVRC Rules and Regulations (Proposed Changes)**

Mr. Zubia informed the Commission of CVRC rules and regulations and proposed changes.

Mr. Zubia informed the Commission that Attorney General Tenorio will attend the afternoon session to review proposed changes with the Commission.

In addition, Mr. Zubia informed the Commission that he anticipates these proposed changes will be available before the Legislative Session starts in January 2024.

Business**2024 Proposed Commission Meeting Dates (Voting item)**

The following dates are proposed meeting dates for the year 2024:

January 25, 2024, February 22, 2024, March 28, 2024, April 25, 2024, May 23, 2024, June 27, 2024, August 22, 2024, September 26, 2024, October 24, 2024, November 21, 2024

Mr. Zubia provided the proposed dates for the 2024 Commission meetings. Commission meetings were held on the fourth Thursday of the month, enacted last year.

Mr. Zubia informed the Commission that perhaps Commission Meetings could be held quarterly. If necessary, emergency meetings can also be scheduled. The Commission will review this at a later time.

Commission Chair Summa asked for a motion to approve the Commission Meeting dates. Commission Member Brown made a motion to approve. Commission Vice Chair Karst seconded the motion. The motion to approve the Commission meeting dates was passed unanimously.

The roll call vote of the Commission was as follows:

Commission Chair Summa, aye; Commission Vice Chair Karst, aye; Commission Member Stewart, aye; Commission Member Brown, aye; Commission Member Rogers, aye.

Mr. Zubia informed the Commission that the meeting dates will be posted on the CVRC website.

Grants Status Report (VOCA, VAWA, SASP and State (Not Listed On Agenda))

Mr. Zubia informed the Commission that this was posted on the CVRC website and must be listed on the agenda.

Mr. Zubia asked the Commission if they wanted to change the agenda to review the Grants Status Report.

Commission Chair Summa and the Commission agreed to review the Grant reports at the next meeting. Therefore, it will not be reviewed during the Commission meeting.

Executive Session

At 10:25 a.m., Commission Chair Summa asked for a motion to enter Executive Session. Commission Vice Chair Karst made a motion and Commission Member Brown seconded the motion.

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

At 11:30 a.m., Commission Chair Summa made a motion to come out of Executive Session. Commission Vice Chair Karst seconded the motion. The motion passed unanimously.

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.

Actions on Items Discussed in Executive Session (Voting Item)

233101

233166

233065

240537

Mr. Zubia reviewed with the Commission claim #233101. The will of the Commission regarding claim #233101 was to deny. The motion to deny was passed unanimously.

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

Mr. Zubia reviewed with the Commission claim # 233166. The will of the Commission regarding claim #233166 was to deny. The motion to deny was passed unanimously.

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

Mr. Zubia reviewed with the Commission claim #233065. The will of the Commission regarding claim #233065 was to deny. The motion to deny was passed unanimously.

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

Mr. Zubia reviewed with the Commission claim #240537. The will of the Commission regarding claim #240537 was to deny. The motion to deny was passed unanimously.

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

The next Commission meeting has been scheduled tentatively for Thursday, January 25, 2024, at 10:00 a.m. at 6200 Uptown Blvd. N.E., Suite #210, Albuquerque, NM in the conference room. This could change to a virtual meeting depending on direction from the Attorney General.

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Mr. Zubia probed the Commission regarding mailing out the monthly Commission packets. All Commission members stated that they preferred the Commission packet be emailed to them before the monthly meetings.

Adjourned

Commission Chair Summa adjourned the November meeting.

The Commission meeting adjourned at 11:28 a.m.

DocuSigned by:
 APPROVED: Allyn Summa - Commison Chair DATE: 1/29/2024
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 Commission Chair Summa