

CVRA Board Meeting
Wolf Creek Pineview Lodge
Eden, Utah
June 19, 2013

Present:

Loydene Berg	Lyndsey Green	Cecilia Gutierrez	Judy Black
Dave Fowers	JoAnn Huber	Patti Jensen	Jennifer Menteer
Michael Madsen	Tisha Littlewood	Pauli Romine	Julie Summers
Diane Stuart	Mark McDermott	Susana Salgado	Mimi Ujiie
Gary Scheller	Dale Oyler	Dianne Snow	Christine Watters
Connie Wettlaufer	Dana Thomas		Lana Taylor, AG's Office

Absent:
Chet Loftis

1. Approval of March 21, 2013 Minutes

A motion was made by Diane Stuart, seconded by Loydene Berg, to approve the minutes of the March 21, 2013 Board meeting as written.

2. Open and Public Meetings Law Training

Lana Taylor, Attorney General's Office

GRAMA Classifications/Subrogation Discussion

Lana provided the required annual training on the Utah Open and Public Meetings statute. The CVRA Board meets all the requirements of a public body and must, per statute, conduct business in an open and public forum. Workshops, telephone conference calls, and all electronic meetings must be open to the public. The meeting agenda must be posted at the site of the meeting and on the Utah Public Meetings website 24 hours prior to the meeting. A topic must be listed as an agenda item for the Board to take any action. If an emergency meeting is held, the reason for the meeting must be explained in the minutes. UOVC must have an administrative rule in place in order to conduct electronic meetings. Meetings can only be closed for a few clearly defined reasons within the statute which must be stated in the motion to close. The Chair must sign an affidavit to close the meeting and a motion made to close. Individuals would be excluded from a closed session. All decisions made during the closed portion of the meeting must be stated on the record when the meeting is reopened to the public. The entire meeting must be recorded and minutes created. An exception would be when the Chair signs an affidavit to close the meeting, no minutes or recording are required of the closed session. The recording of the meeting must be posted online within three days of the meeting. Minutes must be available and posted online within thirty days of the meeting. After approval by the Board, minutes must be online within three days.

UOVC victim claim files are generally classified as private/controlled. The statute does not specifically state that all records discussed by the CVRA Board are private/controlled records. Lana explained that initial police reports contain contact information and list the victims by name in the report. GRAMA requests received by UOVC typically go to Scott Reed or Lana Taylor with the Attorney General's office. Both Lana and Scott are contacted to help with subpoenas received by UOVC. The need for staff training conducted by Lana or Scott on court appearances was suggested.

3. Restitution and Subrogation Report

Dana Thomas

Dana discussed the Restitution Unit and the progress that has been made this year. She demonstrated the updates to the UOVC Victim Database. Dana demonstrated the screens that have been added to help with tracking information related to the offender, courts, and restitution/subrogation payments and payment schedules. The ability to run reports on all the data entered into the restitution screens will be a great help in tracking dollar amounts and other data. Restitution is coming in at around a 5.3% collection rate. This is about one year behind Mel's projection of 7.5%. Dana is projecting the rate of collection to be around 15% by 2014. The unit uses many tools to help with increasing the collection of restitution such as reports from the Administrative Office of the Courts, the UCIJS database, the online Court Exchange program, and State Debt Collection. The goals for the unit are to utilize the state tax intercept program more, possibly get an in-house attorney to work with the unit, and promote more legislative actions to help in the collection of restitution.

A motion was made by Diane Stuart, seconded by Dave Fowers, to close the meeting for the review of claims. All in favor. Motion passed.

4. Review of Claims (Closed Meeting)

a. 1014268

JoAnn Huber

A request was made by the father of the victim for additional loss of wages and an extension of travel costs over the maximum allowed. A motion was made by Diane Stuart, seconded by Dave Fowers, to pay \$12.00 per hour to the father for full time care of the son for a total of no more than 17 weeks. An additional \$1000 for travel expenses was approved for the father and the son. All in favor. Motion passed.

b. 1015164

Dana Thomas

A settlement check in the amount of \$2,598.32 was received to cover the full amount of the lien. Dana brought this claim before the Board so that a determination could be made on whether the claim should be left open for further payments or closed at this time. **A motion was made by Diane Stuart, seconded by Dave Fowers, to close the case, no further claims will be considered for payment. All in favor. Motion passed.**

c. 1013630

Dana Thomas

Dana recommended that the Board waive the entire lien on this claim. **A motion was made by Dave Fowers, seconded by Loydene Berg, to waive the entire lien. The claim should remain open to allow the immediate family to receive mental health counseling if necessary. All in favor. Motion passed.**

d. 1002833

Dana Thomas

The attorney for the victim agreed to take a 20% reduction, which would mean that UOVC would receive payment from the settlement of \$8,070.04. Dana asked the Board to approve the 20% reduction of UOVC's lien on this claim. **A motion was made by Loydene Berg, seconded by Diane Stuart, to accept the negotiated amount of \$8,070.04 as payment of the lien on this claim. All in favor. Motion passed.**

e. 1009916

Dana Thomas

Dana recommended that the entire lien on this claim be waived and the claim remain open for payments. **A motion was made by Dave Fowers, seconded by Diane Stuart, to accept the recommendation and waive the entire lien on the claim. The claim should remain open to allow for further payments. All in favor. Motion passed.**

A motion was made by Loydene Berg, seconded by Dave Fowers, to reopen the meeting. All in favor. Motion passed.

5. Assistance Grant Presentations

Christine Watters

Christine said that 80% of staff time in the Victim Assistance program is spent administering grant funding. They are responsible for around 150 grant contracts. Her staff will give presentations on data and statistics from the annual reports of each grant program. The VOCA and USASP committee allocation requests will be presented for Board review and approval. A brief report on training and the UCOVC will also be given. Handouts were provided for each topic of discussion.

a. 2013 Victim of Crime Act Grant Award Allocations

Jennifer Mentee

Jennifer reported that due to an anticipated cut in funding for the VOCA grants, subgrantees were told to reduce funding requests for 2013 by 10%. A two process system was used for the 2013 applications: a fast track process for existing subgrantees and a competitive process for new programs. Fast track applicants needed their requests to be 10% less than their last year's award amount. UOVC received 84 fast track applications requesting \$3,412,420.66 and 9 new program applications requesting \$262,058.40. The VOCA Screening and Allocation committees recommended funding all 84 applications at the requested amount of \$3,412,420.66. The committees recommended funding 5 new program applications totaling \$100,864.14. UOVC's Victim Advocate

Unit grant for \$89,270.00 was self-funded and did not go through the competitive process. Based upon the CVRA approval, the total amount of funds awarded will be \$3,602,555.69. Jennifer noted that although VOCA funding runs on a one year cycle, this year they awarded two years of funding for stability purposes. Barring a huge cut from VOCA, they would get the amount awarded for two years. **After review of the committee recommendations, a motion was made by Diane Stuart, seconded by Dave Fowers, to approve the VOCA recommendations as presented. All in favor. Motion passed.**

b. Sexual Assault Services Program USASP

Mimi Ujiie

The USASP grant is a special two year grant in the amount of \$150,000. It is funded out of the State General Fund and was granted as a result of lobbying by recovery crisis centers. Five agencies were recommended to receive a total of \$75,000 in USASP funding from this year's RFP process. **A motion was made by Diane Stuart, seconded by Loydene Berg, to approve the individual recommended amounts as presented. All in favor. Motion passed.**

c. Mimi, Jennifer and Julie provided an update on the program statistics from each of the three assistance grants from the data reported in their respective 2011 Annual Reports.

d. Julie gave a report on the 2012 Utah Victim Assistance Academy held at the HYATT House in Sandy, Utah. Thirty-nine participants from six different types of agencies attended. The academy provides basic victimology training. The cost of the academy comes mostly from the VOCA grant administrative funds. Julie said they used the Adult Learning Model and the participants really enjoyed the topics that were covered. The presenters did an excellent job to make this year's academy a success.

e. Christine spoke about SWAVO, the Statewide Advocates for Victims Organization. The organization was formed to advance the professional development of Utah crime victim advocates through training, networking and support. The organization is comprised of a ten member steering committee that plans the training events held throughout the year for victim advocates across the state. The trainings are held at different locations such as Moab, Logan and the Salt Lake City area to enable advocates from all areas of the state to attend.

6. Evidence Based Treatment Training

Dave Fowers/Gary Scheller

Dave talked about best practice evidence based treatment not being available for adults as it is for children. UOVC is funding a lot of therapy for adults and we have no quality control in place. There should be a way to prove if the therapy is effective and accurate. Dave suggested that perhaps the CVRA Board could provide funding for some training with best practice for therapists, insurance companies and other agencies. With the permission and advocacy of the Board, there could be a coordinated effort to train. We could adopt or develop a standard so that adult victims would be able to get research based treatment. Gary said that different interest groups such as the Children's Justice Centers have said there is research based evidence showing that the cognitive behavior therapy is really the best way to go with a majority of the children. Only certain therapists provide this type of therapy and often they are not on the panels of the parent's insurance. By expanding the provider base, more therapists would be on the different insurance panels and more available to victims. The solution could be to take around \$50,000 and train 20 to 30 therapists. Find the standards and bring already trained therapists up to standard. By following the children's model, we could begin to look at where the standards ought to be. Gary said UOVC has some non-lapsing funds that could help with what the programs already have established, continue that and use that as the learning base.

7. Financial Update

Gary Scheller

Gary discussed statistical data from State FINET reports on revenue and expenditure totals for FY13 to date. The total revenue was 8.2 million dollars and the total victim benefit expenditure was 6.5 million dollars. A list of victim benefits by payment type showed that over 65% of the victim benefit expenditures fall within the top three benefit categories. Some savings could be realized when the Affordable Health Care Act becomes effective. Comparing the current victim benefit payout totals for this year to the numbers reported in the annual reports for

Board Minutes FY 11 and FY 12, UOVC is pretty consistent in the amount of expenditures for victim benefits. He said that if UOVC were to realize an increase in revenue, it would come in the area of restitution payments. Gary and Ron Gordon will prepare to go before the Appropriations Subcommittee to show how benefits to victims have needed to be cut. In 2005 legislation was passed that allowed funds from the CVR Trust Fund to be used for reasons other than victim payments/services. Gary said we need to work toward having the language of the legislation revert back to the original statute, which allowed the Fund to be used only for victim payments/services.

8. Advocacy Center Report

Pauli Romine/Cecilia Gutierrez

The Advocacy Center is now staffed by two full-time victim advocates funded by the VOCA grant, Pauli Romine and Cecilia Gutierrez. Pauli is responsible for the grant reporting and Cecilia manages the volunteers. To date this quarter, the Advocacy Center provided 2000 services to just over 645 victims. The year-to-date totals are 12300 services provided to 3300 victims. 2500 were primary victims and 830 were secondary victims. Some of the services they provided were crisis counseling, referrals to other agencies, personal advocacy, assisting with compensation applications, follow-up with victims and answering general questions.

9. Conferences and Trainings

Gary Scheller

Gary talked about the upcoming trainings/conferences that are available to staff. He asked that Board members contact him if they had an interest in attending any of the conferences. The upcoming conferences are: SWAVO Victim Advocate Training, July 11, Logan, Utah; National Association of VOCA Victim Assistance Conference, August 20-22, St Louis, Missouri; National Compensation Conference, September 11- 13, Portland, Oregon; National Organization for Victim Assistance (NOVA), September 15-18, Columbus, Ohio; and the Four Corners Indian Country Conference, September, Arizona.

Next Meeting: October 10, 2013

Meeting Adjourned