

# NEW MEXICO SENTENCING COMMISSION

## JUVENILE COMMITTEE

11:00 a.m.  
September 16, 2015

Heights Community Center  
823 Buena Vista SE  
Albuquerque

Committee Members Present	Committee Members Absent	Others Attending	NMSC Staff
Bob Cleavall, Chair	Cindy Aragon	Richard Pugh, LOPD	Tony Ortiz
Todd Heisey	Marron Lee	Professor Yael Cannon, UNM School of Law	Linda Freeman
Michael Heitz, (for CYFD Secretary Monique Jacobson)		Jason Rael, LOPD	Amir Chapel
David Schmidt			
Jorge Alvarado, Chief Public Defender			
Judge John Romero			
Gail Armstrong			

**Welcome.** Bob Cleavall, Chair, called the meeting to order at 11:00 a.m. Committee members, guests and staff introduced themselves.

**Approval of minutes for the June 24, 2015 meeting.** The minutes for the previous committee meeting were approved by consensus.

**Staff Report.** Linda Freeman and Amir Chapel provided an update on the research project regarding adverse childhood experiences (ACE's), a collaborative effort between CYFD, the UNM School of Law, the UNM School of Medicine and the NM Sentencing Commission. The goal is to finalize this work by years end. During the ensuing discussion, the following points were made:

- the John Paul Taylor Early Childhood Task Force is also working on issues related to adverse childhood experiences;
- what services and programs can best be utilized to address adverse childhood experiences, which include abuse, neglect, substance abuse in the home, and incarcerated parents; and
- the NM Department of Health has just published an ACE fact sheet and it can be found online.

Next, staff advised committee members that the interim legislative Courts, Corrections and Justice Committee will host a juvenile justice summit at the University of New Mexico. The day-long meeting will take place on September 23<sup>rd</sup>, at the Student Union Building. An agenda for this meeting is posted on the New Mexico Legislature's web site.

**Follow-up discussion regarding a memorial that addresses child sex trafficking.** Judge John Romero advised the committee members that he will soon attend a conference on the topic of child sex trafficking. Information provided at the conference will be useful for crafting a memorial. There was an ensuing discussion and the following points were made:

- children are rarely prosecuted for the offense of prostitution; and
- data would help policy makers to better understand the extent of child sex trafficking in New Mexico.

**Discussion regarding the feasibility of a statewide Juvenile Defense Unit to handle "serious youthful offender" and "youthful offender" cases.** Jorge Alvarado led a discussion regarding this subject. He noted that in the Rio Grande corridor (Santa Fe, Albuquerque, Las Cruces), there are assistant public defenders who have developed expertise in defending serious youthful offender and youthful offender cases. That is not always the case in outlying areas of the state. Also, these cases involve unique procedures and the clients face the possibility of adult convictions. The goal for the Law Office of the Public Defender (LOPD) is to provide a quality defense in all of these cases. To that end, the LOPD has included funding for a statewide Juvenile Defense Unit in its FY 2017 appropriation request. The requested funds would be for one managing attorney and four staff attorneys. If funded, these attorneys would travel throughout the state to provide defense services for LOPD clients charged as youthful offenders or serious youthful offenders.

**Briefing on the work of the J. Paul Taylor Early Childhood Task Force.** Professor Yael Cannon briefed the committee members. Professor Cannon and Tara Ford are the Co-Chairs of the task force, which is in its third year of work on early childhood issues. CYFD and the University of New Mexico Health Services Center are both represented on the task force. The members of the task force focus on public health issues facing young children and the availability of education and prevention programs for those children. The task force is currently analyzing Medicaid law and whether there are opportunities to better leverage Medicaid dollars. That may include the expansion of early health check-ups for Medicaid eligible children, to assess their developmental, emotional and social needs. The task force is also looking at mental health programs for children in the state of Massachusetts. During the ensuing discussion, the following points were made:

- the current Medicaid system in New Mexico is tied to specific diagnoses. The task force recommends that this be changed and that an emphasis be placed on using Medicaid dollars for prevention programs instead;
- the task force has asked the Legislative Finance Committee to research the current availability of Medicaid funded screening services for young children in the state; and
- there is interest in creating a pilot screening program for newborns in a region of the state where children are at high risk.

**Other business.** Professor Yael Cannon serves on the Children's Court Rules Committee, chaired by Tara Ford. The Children's Court Rules Committee is appointed by the NM Supreme Court to develop and propose rules for that court's consideration. The committee has developed

a significant number of revisions to the Children's Court Rules during the past two years and Professor Cannon will provide that information to the members of the Juvenile Committee.

**Next meeting.** Staff will poll the committee members regarding a date and time for the next meeting, to be held in mid-December 2015.

**Adjourn.** The meeting adjourned at 12.50 p.m.