



## Minutes of the Meeting of the Juvenile Committee

**10:00 a.m.**  
**May 16, 2023**

via Zoom

Committee Members Present	Committee Members Absent	Others Attending	NMSC Staff
Bob Cleavall (NMSC), Chair	Cindy Aragon (State Bar) <i>(proxy carried by April Land)</i>	Eva Buchwald (NM Coalition for Fair Sentencing of Youth)	Douglas Carver
Corey Adams (CYFD)	Diana Garcia (NMDAA)	Nick Costales	Keri Thiel
April Land (UNMSOL)	Sheriff Glenn Hamilton (NM Counties)	Erik Rivera (La Placitas Institute/ABQ Youth Justice Collaborative)	
Angela “Spence” Pacheco (Speaker)	Scott Patterson (AOC)	Richard Lindahl (JJAC consultant)	
Hon. William Parnall (Children’s Court)	Dennica Torres (LOPD)		
David Schmidt (Pro Tem)			

**I. Welcome and Introductions.** Bob Cleavall, Chair, called the meeting to order at 10:12 a.m.

**II. Approval of Minutes for the March 28, 2023 meeting.** The minutes for the previous Committee meeting were approved by consensus.

**III. Staff Report.**

Douglas Carver, Deputy Director, New Mexico Sentencing Commission (NMSC), informed the Committee that the Commission’s Executive Committee had recently met and discussed a draft policy on proxies in Commission and Commission subcommittee meetings. The policy will be brought before the Commission at an upcoming meeting for approval.

Keri Thiel, Staff Attorney, NMSC, informed the Committee that there had been 50 applications for crime reduction grants, requesting approximately \$5.8 million, against \$3.5 million available to disburse in for FY24.

#### **IV. Amendments to the Juvenile Community Corrections Grant Fund.**

Chair Cleavall opened the discussion by noting that the Commission has a mandate to propose changes to both the adult and juvenile criminal justice systems in the state. The discussion at this meeting was a continuation of the discussion concerning the Juvenile Community Corrections Grant fund from the December Committee meeting. Committee discussions have centered around changing the language in Section 33-9A-3(B) NMSA 1978 to expand the universe of recipients for these grants so that they are available to children beyond solely “adjudicated delinquents”, as the present statutory language holds. Members of the Committee generally agree that the language should be broadened, and discussed various formulations to ensure that the proper groups of children were captured. The conversation in the end coalesced around inserting “department referred youth” into the statute. Chair Cleavall asked Deputy Director Carver to send the suggested language to the members of the Committee for consideration; the Committee will vote on the language to put into a formal bill draft at its upcoming meeting.

Members of the Committee asked questions about and discussed the problem of providers stepping away as they do not have clients; how much money was in the Juvenile Community Corrections Grant Fund and how much was reverted; wanting to avoid confusion with the families in need of services section of statute or other funding mechanisms; the desire to help parents who have children in the criminal justice system and the need for parents to have a place in the community to access services they might need; that there are more referrals in communities with strong involvement with families in need of services; the importance of diversion to keep children out of the criminal justice system; what “referrals” might encompass; and the need to avoid creating new silos.

#### **V. Juvenile Parole Board.**

Chair Cleavall opened the discussion by noting that when the Juvenile Parole Board was changed to its current format, the changes were made to align New Mexico with the Cambiar standards. There is now a concern that there is not much voice for public members on the board. David Schmidt noted that the intent of those who wish to return juvenile parole decisions to something along the lines of the former Juvenile Parole Board is to ensure that an independent agency was making those decisions, not the Children, Youth and Families Department (CYFD). CYFD, he continued, should be principally involved with getting a child ready to go before the board. Additionally, superintendents of institutions should not be the primary voices when considering whether a juvenile is granted parole, which is the case at present. Without independent voices, the child has no spokesperson for his or her needs.

Members of the Committee asked questions about and discussed whether the changes needed were more administrative or legislative in nature; whether outside observers were allowed in parole review hearings any longer; and whether children have meaningful representation in hearings, especially whether they have an attorney present, as is their right.

**VI. Next Meeting.** The Committee will schedule its next meeting for some time towards the end of June.

**VII. Adjourn.** The meeting adjourned at 11:16 a.m.