



**Minutes of the Meeting of the
Juvenile Committee
10:00 a.m.
March 28, 2023**

via Zoom

Committee Members Present	Committee Members Absent	Others Attending	NMSC Staff
Bob Cleavall (NMSC), Chair	Cindy Aragon (State Bar)	Sam Bregman, 2 nd Judicial District DA	Linda Freeman
Diana Garcia (NMDAA)	Alisa Lauer (CYFD)	Denali Wilson (ACLU)	Douglas Carver
Sheriff Glenn Hamilton (NM Counties)	Angela “Spence” Pacheco (Speaker)	Jeff Vescovi	Keri Thiel
April Land (UNMSOL)		Hon. John Romero (ret’d.)	
Scott Patterson (AOC)		Eva Buchwald (NM Coalition for Fair Sentencing of Youth)	
Hon. Alma Cristina Roberson			
David Schmidt (Pro Tem)			
Dennica Torres (LOPD)			

I. Welcome and Introductions. Bob Cleavall, Chair, called the meeting to order at 10:04 a.m.

II. Approval of Minutes for the December 6, 2022 meeting. The minutes for the previous Committee meeting were approved by consensus.

III. Staff Report.

Linda Freeman, Executive Director, New Mexico Sentencing Commission (NMSC), informed the Committee that she had met with Dr. Jennifer Perillo, professor at the University of New Mexico (UNM), about two possible projects concerning the parole hearing process with juveniles who were convicted as adults. With SB 64 coming into law, there will be more of the hearings in the near future. The two studies are: 1) an evaluation of the implementation process; and 2) an examination of issues of equity and disparity in the sentencing of juveniles as adults. The second study would have a retrospective element to see if there are any patterns involving which juveniles end up being sentenced as adults. Executive Director Freeman said that the Commission should have the resources to get the study off the ground, and would likely seek a special appropriation in the coming fiscal year to further support the study.

Douglas Carver, Deputy Director, NMSC, informed the Committee that the application process for the next round of crime reduction grants had started, and that there would be a convening of members of Criminal Justice Coordinating Councils (CJCCs) and recipients of crime reduction grants on April 19, 2023. He encouraged attendees of the meeting to get word back to their communities about the crime reduction grants application process.

On the studies of juveniles sentenced as adults, members of the Committee asked questions about and discussed the re-establishment of the old Juvenile Parole Board, confidentiality of identities, and from whence the data would be obtained.

IV. Committee Work Plan for 2023.

Chair Cleavall opened the discussing by noting that Committee member David Schmidt had mentioned examining the structure of the Juvenile Parole Board as a work plan item, especially reviewing whether the Juvenile Parole Board should be re-constituted in a form resembling its old structure. April Land, UNM School of Law, suggested returning to the question of transportation of juveniles for hearings from juvenile detention centers that the Committee has discussed in the past. Judge Alma Cristina Roberson agreed that an examination of the Juvenile Parole Board would be warranted, especially in light of the work that the Children's Court Improvement Commission was doing to update the Children's Code. Judge Roberson also suggested that the Committee discuss the problem of finding evaluators for juveniles, noting that there is only one person for competency evaluations, and no one for amenability. Mr. Schmidt also suggested that the Committee look at changes in the confidentiality statutes surrounding criminal proceedings for juveniles.

V. Discussion of Juvenile Legislation from 2023 Legislative Session.

Deputy Director Carver informed the Committee that there were three juvenile justice bills passed during the 2023 Legislative Session: 1) SB 64, which abolished life without parole as a sentencing option for juveniles, and established a system for parole review hearings for juveniles sentenced as adults (signed by the Governor); 2) HB 9, which made it a crime for someone to make a firearm negligently accessible to a minor (signed by the Governor); and 3) SB 388, which raises the age limit at which a child may be held in custody from 11 years old to 12 (awaiting the Governor's signature). Deputy Director Carver also noted that SB 316, making changes to the Juvenile Community Corrections Grant Fund, and SB 339, regarding the Juvenile Continuum Grant Fund, engendered a fair bit of discussion during the Session, though they did not pass.

Members of the Committee asked questions about and discussed SB 388, wondering why the age was not raised to 13, which is the age around which the national discussion is centered; the Juvenile Community Corrections Grant Fund; and the problems with the proposed amendments in SB 316 and SB 229.

VI. Return to In-Person Meetings in 2023?

Chair Cleavall reminded the Committee that they used to meet in a conference room at the Children's Court on Second Street. He said that the next meeting would be via Zoom, but that the Committee would look to do in person meetings in the future, or examine the possibility of hybrid Zoom and in person meetings.

VII. Next Meeting. The Committee will schedule its next meeting for some time in late April or early May.

IX. Adjourn. The meeting adjourned at 11:23 a.m.