



**Minutes of the Meeting of the
Juvenile Committee
10:00 a.m.
June 20, 2023**

via Zoom

Committee Members Present	Committee Members Absent	Others Attending	NMSC Staff
Cindy Aragon, Chair	Diana Garcia (NMDAA)	George Davis	Linda Freeman
Corey Adams (CYFD)	Sheriff Glenn Hamilton (NM Counties)	Nick Costales	Douglas Carver
Bob Cleavall, NMSC Chair	Hon. Alma Cristina Roberson (Children’s Court)	Gabriel Davila (CYFD)	Keri Thiel
April Land (UNMSOL)	Dennica Torres (LOPD)	Harlena Reed (CYFD)	
Angela “Spence” Pacheco (Speaker)		Kristin Jones (CYFD)	
Scott Patterson (AOC)		Liz Hamilton (CYFD)	
David Schmidt (Pro Tem)		Bronwyn Neeser (BHSD)	
		Kim McManus (BHSD)	

I. Welcome and Introductions. Cindy Aragon, Chair, called the meeting to order at 10:03 a.m.

II. Approval of Minutes for the May 16, 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 Grants Committee had met and awarded grants to 26 of the 50 applications received for crime reduction grants. Details of the work of the Grants Committee will be given at the upcoming meeting of the full Sentencing Commission. He also informed the Committee that he and Executive Director Linda Freeman had been participating in discussions relating to the possibility of the Crime and Justice Institute working in New Mexico on a justice reinvestment initiative.

IV. Amendments to the Juvenile Community Corrections Grant Fund. (*voting item*)

NMSC Chair Cleavall opened the discussion by noting that the language to amend Section 33-9A-3(B) NMSA 1978 to expand the universe of recipients for these Juvenile Community Corrections Grant Fund grants so that they are available to children beyond solely “adjudicated delinquents”, as the present statutory language holds, had been discussed at the December and May meetings of the Committee. Draft language was circulated to members of the Committee prior to this meeting. The draft language would insert “or department referred youth” into Section 33-9A-3(B) after “adjudicated delinquents”. If members of the Committee agree to the amendment, the bill will be presented to the full Commission at its next meeting.

Members of the Committee asked questions about and discussed that an investigation by the Children, Youth, and Families Department some time ago determined that the term “adjudicated” would cover children who were no longer on probation, but who had once been adjudicated; who approves the grants awarded from the fund; the time period for which grants were given (it had been seven years, but is now four years); how CYFD tracks what happens with the programs funded by the fund; concerns about there being more referrals; that the Juvenile Community Corrections Grant Fund is not limited to children who have gone through the Delinquency Act; how referrals work for Families in Need of Services; and whether CYFD could lay out a specific framework for who would receive services. As there were still some concerns expressed about the implications of the new language, Chair Aragon suggested that those who might be interested in discussing this language further meet in a working group; Deputy Director Carver will reach out to members to gauge interest in such a working group.

Upon a motion by Bob Cleavall, NMSC Chair, seconded by Scott Patterson, Administrative Office of the Courts (AOC), the new language for the statute was approved by a vote of 7-0.

V. Issues With Evaluators for Juveniles.

NMSC Chair Cleavall opened the discussion by noting that Judge Alma Cristina Roberson, who had brought up this issue, was not able to attend today’s meeting. Chair Aragon noted that there was an issue statewide with forensic evaluations for competency and amenability. Mr. Patterson, AOC, discussed the differences between treating to competency and a forensic assessment; the need for uniformity in how these assessments are presented; the need to educate the criminal justice system on what these assessments did, and did not, assess, especially that they were not comprehensive assessments. Kristin Jones, CYFD, discussed how contracts for these evaluations work; she added that there had been recent approval for a rate increase from \$750 per forensic evaluation to \$2,000; the adult rate has gone from \$725 per evaluation to \$1,250. She noted that there were now four state contracts for forensic evaluations. Dr. Bronwyn Neeser, BHSD, discussed the five-year plan to incorporate changes to evaluations, increasing the number of people available to perform evaluations, and assessing what best practices might be around telehealth options versus the need for in person elements of evaluations.

Members of the Committee and attendees asked questions about and discussed the differences between treating to competency and a forensic assessment; the lack of forensic evaluators; the pay disparity between adult and juvenile evaluators; what the Sentencing Commission might be able to do to help with this problem; whether there had been consideration of having tiers of rates for different levels of crimes; the importance of acknowledging the developmental aspect to evaluations of juveniles; the partnership of CYFD with the Juvenile Subcommittee of the Mental Health Committee of the Supreme Court; the historical problems with New Mexico’s workforce in this area; the need for better communication and education across agencies; the use of out-of-state evaluators, the problems that arise with licensure issues and whether individuals are being assessed with the proper cultural lens; the importance of in person evaluations for juveniles; how telehealth options might assist to fulfill needs and what best practices might

look like with telehealth evaluations; whether a bill might be needed to address possible statutory barriers; and the need for cross-system collaboration.

VI. Next Meeting. The Committee will schedule its next meeting for September 12, 2023.

VII. Adjourn. The meeting adjourned at 11:33 a.m.