

# NEW MEXICO SENTENCING COMMISSION

## JUVENILE COMMITTEE

10:00 a.m.  
April 28, 2015

State Bar Center  
5121 Masthead NE  
Albuquerque

Committee Members Present	Committee Members Absent	Others Attending	NMSC Staff
Bob Cleavall, Chair	Leighann Lenti, (for PED Sec. Hanna Skandera)	Jennifer Saavedra, CYFD	Tony Ortiz
Todd Heisey	Cindy Aragon	Professor Yael Cannon, UNM School of Law	Linda Freeman
CYFD Secretary Monique Jacobson	Marron Lee	Professor April Land, UNM Law School	Amir Chapel
David Schmidt		Dr. George Davis, CYFD	
Jorge Alvarado, Chief Public Defender			
Judge John Romero			

**Welcome.** Bob Cleavall, Chair, called the meeting to order at 10:10 a.m. Committee members, guests and staff introduced themselves.

**Approval of minutes for the November 6, 2014 meeting.** The minutes for the previous committee meeting were approved by consensus.

**Staff Report.** The federal Department of Justice (DOJ) has just released proposed, revised guidelines regarding processes for Native American youth involved in abuse and neglect investigations and cases. DOJ will take public comment on the proposed guidelines during a meeting to be held from 1.00-4.00 p.m., on May 5<sup>th</sup>. The meeting will take place in Albuquerque, at the Bureau of Indian Affairs complex (near 12<sup>th</sup> Street and I-40).

Next, Jorge Alvarado briefed committee members on a funding shortfall (\$900,000) in the current fiscal year faced by the Law Offices of the Public Defender (LOPD). The budget deficit has necessitated a hiring freeze by the department and the LOPD will meet with the State Board of Finance to request a loan to address the shortfall. Mr. Alvarado advised the committee members that for the remainder of FY 2015, the LOPD may suspend the assignment of cases involving out-of-custody juvenile offenders to contract attorneys. He noted that under the

provisions of the Indigent Defense Act, a presiding judge may appoint counsel anyway and then stay the proceedings until the beginning of FY 2016 (July 1, 2015). Committee members noted their concerns regarding potential delays and the likelihood of case dismissals and subsequent appeals.

Next, Amir Chapel, Professor Yael Cannon and Dr. George Davis briefed the committee on a research study that is a collaborative effort between CYFD, the UNM School of Law, the UNM School of Medicine and the NM Sentencing Commission. The purpose of the study is to enhance understanding of the incarcerated juvenile justice population in order to better meet their needs. The study will focus on the following questions: 1) What sorts of victimization have New Mexico's juvenile-justice involved adolescents experienced?; 2) What are the needs of this population?; 3) In what ways do incarcerated juveniles differ from the general population with respect to victimization? Sentencing Commission staff, working with the other entities, hopes to publish the study later this year.

Finally, Chairman Cleavall noted that Mike Vigil and Mark Donatelli no longer serve on the NM Sentencing Commission. He took the opportunity to publicly thank them for their years of service.

**Remarks from CYFD Secretary Monique Jacobson.** Secretary Jacobson briefed the committee on her vision for the Children, Youth and Families Department. CYFD's core mission will be to improve the quality of life for children in our state, by working to minimize trauma and maximize health and happiness. The department will place a renewed emphasis on measuring performance. And in a structural change, behavioral health will no longer be a stand-alone division. It will be integrated into the operations of early childhood services, child protective services and juvenile justice services. Also, an emphasis will be placed on improving information sharing among divisions at CYFD.

Secretary Jacobson then outlined five operating principles for the department:

- 1) Focus on the basics, which will include getting caseloads in line with national standards, reducing vacancy rates, and providing ongoing training for staff.
- 2) Improve prevention efforts, in an effort to avoid future tragedies.
- 3) Improve communication with law enforcement agencies, including development of a virtual desktop that will allow law enforcement agencies to access CYFD data.
- 4) Improve internal financial discipline, to avoid reversion of general fund dollars and make the best use of funds appropriated to the department. She noted that CYFD's FY 2016 operating budget is the largest in the department's history.
- 5) Improve community outreach and engagement.

Following the Secretary's remarks, committee members offered congratulations on her appointment by the Governor and confirmation by the New Mexico Senate. They also welcomed her to the effort to improve the quality of life for New Mexico's children, and pledged to work with her. Several committee members noted the Secretary's tireless efforts during the 2015 legislative session.

**Development of work plan for the 2015 interim.** The committee members discussed subjects it wants to explore during the 2015 interim, including the following:

-request a briefing from the Judiciary's task force regarding expansion of Juvenile Detention Alternatives Initiatives (JDAI) throughout the state;

-work on areas of mutual interest, including legislative proposals, with CYFD;

-the Law Office of the Public Defender (LOPD) is exploring the creation of a statewide Juvenile Defense Unit that would handle serious youthful offender and youthful offender cases. The Chief Public Defender welcomes ideas and support for this initiative;

-request a briefing from the J. Paul Taylor Early Childhood Task Force, which will be reconvened by the UNM Health Sciences Center (see Senate Memorial 69) (2015); and

-later in the 2015 interim, request a briefing from CYFD and other interested parties regarding behavioral health services for youth.

**Next meeting.** Staff will poll committee members on possible meetings dates in late June 2015. And staff will explore the possibility of holding the meeting at the Bernalillo County Youth Services Center in Albuquerque.

**Adjourn.** The meeting adjourned at 12.20 p.m.