

# NEW MEXICO SENTENCING COMMISSION

## JUVENILE COMMITTEE

11:00 a.m.  
December 17, 2015

Nusenda Credit Union  
4100 Pan American Highway  
Albuquerque

Committee Members Present	Committee Members Absent	Others Attending	NMSC Staff
Bob Cleavall, Chair	Cindy Aragon	Traci Neff, San Juan county	Tony Ortiz
Todd Heisey	Marron Lee	Professor Yael Cannon, UNM School of Law	Linda Freeman
Monique Jacobson, CYFD Secretary	Gail Armstrong	Nick Costales, CYFD	Amir Chapel
David Schmidt		George Davis, CYFD	
Richard Pugh, LOPD		Brian O'Neill, CYFD	
Judge John Romero		Jason Rael, LOPD	
		Eva Buchwald, LOPD	
		David Richter, LOPD	

**Welcome.** Bob Cleavall, Chair, called the meeting to order at 11:05 a.m. Committee members, guests and staff introduced themselves.

**Approval of minutes for the September 16, 2015 meeting.** The minutes for the previous committee meeting were approved by consensus.

### **Staff Report.**

Pre-filing of legislation began on December 15<sup>th</sup> and forty-four bills have already been introduced.

The Legislative Finance Committee has initiated an evaluation of juvenile justice services in New Mexico. The evaluation will analyze the cost effectiveness of facility and community interventions and their impact on recidivism.

**Update on sports programs at the Youth Diagnostic and Detention Center (YDDC) and overview of behavioral health services for youth.** CYFD Secretary Monique Jacobson briefed the committee members. She reminded the members that sports programs were temporarily suspended due to an escape by two YDDC residents during transport to an off-site sporting

event. During the suspension period, the department reviewed and revised policies regarding sports programs at YDDC. At this time, the basketball and wrestling teams have resumed competition. Currently, all basketball games and wrestling matches are held at YDDC. Next year, the department will assess the possibility of travel to off-site games and matches. The department is also collecting data in an effort to measure the benefits of participating in sports programs. Secretary Jacobson noted that girls will have an opportunity to participate in the sports programs and that the department is also looking into the creation of a debate team.

With regard to behavioral health services for youth, CYFD is currently working on a county-by-county assessment of available services, including the accessibility of existing services. The department will build an inventory of behavioral health services and make it available to field services staff. CYFD is also coordinating with the NM Human Services Department to expand the menu of behavioral services for youth and their families.

Finally, Secretary Jacobson told the committee members that she had to leave to meet with a young woman at a boutique, run by Project Zoe. Organizations, schools, churches and other groups may refer at-risk girls between the ages of 13-25 to the boutique. Each appointment is private and tailored to the young lady. Project Zoe also offers workshops that encourage personal growth and development of self-worth.

**Update on the Juvenile Detention Alternatives Initiative (JDAI) assessment in San Juan county.** Traci Neff and Nick Costales briefed the committee members. They reminded the members that the NM Supreme Court, NM Association of Counties and CYFD recently executed a Memorandum of Understanding regarding expansion of JDAI principles in the juvenile justice system. San Juan county was the first county selected to go through a JDAI system assessment and Traci has been a leader in that effort. During the assessment, twenty-six key stakeholders in San Juan county were interviewed. The data and information gleaned from the interviews were published and the findings included the following:

- there is an immediate need for a Data Committee to measure outcomes in the San Juan county juvenile justice system;
- it is apparent that Native American youth are over-represented in the San Juan county juvenile justice system;
- there must be ongoing efforts to engage with the Navajo Nation on juvenile justice issues and procedures in San Juan county; and
- there is a need to educate judges and other criminal justice partners in San Juan county on the use of risk assessment instruments when youth are detained by law enforcement.

Nick Costales also stressed the value of the risk assessment instruments and the importance of ongoing education regarding their use. He noted that Bernalillo county will succeed San Juan as the next county to undergo a JDAI assessment.

**Discussion of juvenile-justice related legislation likely to be introduced during the 2016 legislative session.** Legislation that addresses the following subjects are likely to be introduced during the upcoming, 30-day legislative session:

- increased sentences for battery on a CYFD worker;
- allow for the tolling of time when a juvenile absconds from supervised release and a warrant has been issued;
- increased penalties for child abuse;

- mandatory removal of children from an emergency home placement if all adults in the home do not submit to a criminal background check;
- provision of penalties for the intentional sending of any pictures of intimate body parts to a child;
- provision of individual counts for each separate instance of sexual exploitation of children; and
- provision of authority to local governments to enact a curfew ordinance.

**Next meeting.** Staff will poll the committee members regarding a date and time for the next meeting, to be held in April 2016.

**Adjourn.** The meeting adjourned at 1:05 p.m.