



**Minutes of the Meeting of the
Juvenile Committee
1:00 p.m.
January 24, 2020**

**New Mexico Counties
444 Galisteo St.
Santa Fe, NM**

Committee Members Present	Committee Members Absent	Others Attending	NMSC Staff
Bob Cleavall (NMSC), Chair	Cindy Aragon (State Bar)	Grace Philips (NM Counties)	Linda Freeman
Catherine Begaye, for Hon. Marie Ward (on phone)	Diana Garcia (NMDAA)		Douglas Carver
Hon. Marci Beyer (DMCJA) (on phone)	Sheriff Manuel Gonzales III (NMAC)		
Nick Costales (for CYFD)	Traci Neff (NMAC)		
April Land (UNMSOL)	Angela “Spence” Pacheco (Speaker)		
Jason Rael (LOPD)	Hon. William Parnall		
David Schmidt (Pro Tem)	Hon. John J. Romero, Jr.		
Ron West (Senate Minority)			

I. Welcome and Introductions. Bob Cleavall, Chair, called the meeting to order at 1:04 p.m.

II. Approval of Minutes for the December 12, 2019 meeting. The minutes for the previous committee meeting were approved by consensus.

III. Staff Report.

There was no staff report presented at the meeting.

IV. Possible Legislation Related to Juvenile Justice Issues.

Chair Cleavall opened this topic with a brief discussion of the two pieces of legislation that were possibly going to be introduced by Sen. Bill O’Neill concerning serious youthful offenders and the re-establishment of the old Juvenile Parole Board. He noted that neither was put on the Governor’s call. Members of the committee noted that the committee could work on a draft bill concerning serious useful offenders themselves – the sticking point in the group who had been working with Sen. O’Neill was who would make the final decision, the board or the original judge in the matter.

Grace Philips, General Counsel, New Mexico Counties, discussed House Memorial 14 and Senate Memorial 15, which are requesting that New Mexico Counties study and make recommendations on juvenile detention cost sharing, transportation of detained youth, improved court processes, and alternatives to juvenile detention. Ms. Philips provided the committee with a handout, “Statewide Impact of County Juvenile Detention Facility Closures”, that showed the population in the state’s juvenile detention facilities over the last ten years, reflecting a high of a total of 4,143 juveniles detained in 2011 to the 2019 total of 1,597 detained (male high was 3,193 detained, female 949, both in 2011; the most recent numbers from 2019 were a total of 1,240 males detained, 357 female – some of these number might represent individuals who were detained more than one time). The handout also shows that in FY2019 there were 288 juvenile detention beds in the state; the average county juvenile daily population is 126, and the average Federal juvenile daily population is 16. The total spent by all counties in FY2019 on juvenile detention was \$18.5 million; of this, the amount for the eight counties that have juvenile detention facilities totaled \$16.5 million, representing 89% of the cost. The back of the handout showed which counties have juvenile detention facilities, and which counties or other authorities (such as pueblos or tribes, Federal agencies) utilize each of these facilities.

Ms. Philips noted that 15 years ago there were 14 juvenile detention facilities, but now there were only six, and by the summer there would probably only be four. She stated that the drop in numbers overall was good news, but that the counties that had facilities were shouldering a disproportionate part of the burden for the rest of the state. The counties have been discussing the issue of the closure of juvenile detention facilities for some time – something that happened without any planning or thought; of particular concern has been the issues surrounding transportation of juveniles, as has been discussed on previous occasions by the committee. An informal group assembled to address the issues involved, which included Justice Barbara Vigil; Bennett Baur, the Chief Public Defender; Children, Youth and Families Department (CYFD) Secretary Brian Blalock; Nick Costales, Deputy Director of Field Services (CYFD); and representatives from the counties. The group met three or four times, discussing the funding imbalance, transportation issues, and problems in court processes. The memorials are intended to raise awareness in the Legislature of the complexities around these issues. Ms. Philips added that these discussions need to include a broader audience, including the Municipal League. The Supreme Court supports the memorials. At present, Ms. Philips noted, the facilities in San Juan County, Bernalillo County, and Lea County were going to stay open, but it was unclear whether Dona Ana intended to remain open.

Members of the committee asked questions about and discussed which juveniles end up in which facilities, who the arresting authorities were for juveniles who are detained, the role of municipalities, what kinds of beds were missing (such as treatment beds, or substance abuse), the role of the state in creating a transportation team, the status of the pilot program to conduct hearings by video conference, the problems with hearings by video conference, whether judges were fully aware of the issues raised by the closing of juvenile detention centers, whether there should be a harder look at which juveniles are being placed in detention, serious issues that are involved when children are separated by long distances from their parents and other family, the possibility of turning some of these detention centers into treatment facilities using Federal dollars, whether counties that were closing the facilities were reinvesting the saved dollars into

treatment options or other services for juveniles, how monies from either the Crime Reduction Grant Act or other monies available for data integration that the NMSC has available could help, and what CYFD might be able to do to assist.

Mr. Costales discussed that there was one bill in particular that had CYFD interest, SB 146, which related to kinship guardianships, providing for subsidized guardianships, establishing eligibility criteria for guardianship assistance payments, and providing for guardianship assistance agreements.

VI. Next Meeting. The committee scheduled its next meeting for March 13, 2020.

VII. Adjourn. The meeting adjourned at 2:32 p.m.