



**Minutes of the Meeting of the
Juvenile Committee
10:00 a.m.
June 17, 2024**

**Children Youth and Families Department Pinetree Complex,
Building 4, Room 143
4501 Indian School Rd. NE, Albuquerque**

Committee Members Present	Committee Members Absent	Others Attending	NMSC Staff
Cindy Aragon, Chair	Ramona Martinez (Pro Tem)	Terrance McArty (CYFD)	Linda Freeman
Bob Cleavall, NMSC Chair	Bridget McKenney (NMDAA)	Hakim Bellamy	Nancy Shane
Ambrosio Castellano (Speaker)	Angela “Spence” Pacheco (Speaker)	Nick Costales	Jeremy Seymour
Sheriff Glenn Hamilton (ret’d.) (NM Counties)		Monica Hamilton	
April Land (UNMSOL)		Lindsey Jones	
Krista Lawrence (Governor)		Carmela Romero	
Scott Patterson (CYFD)			
David Richter (LOPD)			
Hon. Alma Cristina Roberson (Children’s Court)			

I. Welcome and Introductions. Cindy Aragon, Chair, called the meeting to order at 10:00 am.

II. Approval of Minutes for the April 3, 2024 meeting. The minutes for the last Committee meeting were approved by unanimous vote.

III. Staff Report.

Linda Freeman, Executive Director, New Mexico Sentencing Commission (NMSC), said that there were no items to present for the staff report.

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

NMSC Chair Cleavall informed the Committee that the Committee had looked at making amendments to the Juvenile Community Corrections Grant Fund Act in a bill introduced, but not passed, in the last

Legislative Session; and that bill expanded the Act to be open to any youth referred by the Children, Youth and Families Department (CYFD) rather than just adjudicated youth. After speaking with CYFD staff, he realized that more parts of the Act needed revision, as some of what is described in the Act did not occur under current practices, especially the language around a statewide panel; additionally, other elements of the Act need to be clarified. Nick Costales added that in the days where there were up to 800 kids in facilities, then there was no shortage of children for whom these monies might be made available, but with the drop in numbers of juveniles confined in facilities, it made sense for the language to be broadened. The changes to broaden the scope of the Act would allow kids in protective services to access funds, as well as kids in child welfare services. Chair Cleavall suggested putting together a subcommittee or working group to go through the Act and make all of the necessary changes. He informed the Committee that Rep. Liz Thompson had agreed to carry the bill again in the upcoming Legislative Session.

Members of the Committee asked questions about and discussed the panels that are part of the present Act and how they were supposed to work under the current language; freeing up monies to help youth beyond those who are adjudicated; being careful not to unintentionally add restrictions to the use of these funds; who might be useful to participate in the working group; and how to make the existence of the programs for which the funds dedicated under the Act are available more known in the juvenile justice community.

Upon a motion by April Land, University of New Mexico Law School, seconded by Hon. Alma Cristina Roberson, the Committee unanimously voted to table the bill for now, pending the formation of a committee to review the whole Act, with a focus on releasing as much money as can be made available for community services.

V. Supervised Release of Adjudicated Delinquent Offenders.

NMSC Chair Cleavall informed the Committee that through various conversations that he has had with various parts of the juvenile justice system, including with people at Eagle Nest and with juvenile probation officers, it seems that the time designated in statute for supervised release is not enough to provide proper assistance to justice-involved youth. He wanted to sound out the members of the Committee on the merits of extending the length of supervision for these youth. This initiated a vigorous discussion among members of the Committee about the possible strengths and weaknesses of the proposal.

Members of the Committee asked questions about and discussed that supervised released was added to the statute to ensure that CYFD would be incentivized to put children into some kind of services; whether instead of increasing the length of supervision, the length of incarceration should be decreased; that many people providing services feel that youth would benefit from more time on supervision; that many kids do well during incarceration and would probably benefit from an earlier release; that there can be issues with the length of time that it takes for a commitment order to be finalized, which shortens the time that a facility has to work with a juvenile; that a commitment is similar to a long-term treatment program, and if the child is not getting six to twelve months of after care, best practices are not being followed, and the entire process needs to be examined in this light; the need for services in rural communities; the mechanics of petitioning for early release; what incentives are provided for good behavior; that responsibility for caring for and treating a juvenile has to be shared among all partners in the system; that there is a lack of communication between CYFD and the public defender for the child, until such time as the child is at risk of being violated; that best practices include for a child's attorney to remain involved with the child after the case is resolved; that the primary responsibility for a child's well being lies with the state; the capacity that the Law Offices of the Public Defender (LOPD) has to manage their client load; and that states like Kentucky have a post-dispositional juvenile unit, which would be a great institution to develop in the New Mexico LOPD.

VI. Children, Youth, and Families Department EMS Program.

Terrance McArty, Emergency Medical Services (EMS) Director, CYFD, informed the Committee about the details of EMS program run by the department. The program was founded in Oakland, California to provide services and training to underserved youth. It has been established in New Mexico for ten years, and in that time has run 20 cohorts, two a year. To be qualified to participate in the program, the youth must be a resident of New Mexico between the ages of 18 and 26, have a high school diploma or a GED, and must be from an underprivileged family situation or a juvenile who is or has been involved with the criminal justice system.

The mission of the program is to create pathways for success for system-involved youth while addressing the shortage of EMS providers. The program additionally hopes to be a way to close race and gender disparities in emergency medicine and the public health field. Training is done by the University of New Mexico (UNM). Importantly, teaching techniques have been adapted to the learning styles of the target population. Mentorship is conducted by Albuquerque Fire and Rescue. The program also works with the state Department of Indian Affairs and Department of Health.

The program lasts for five months, with start dates in December and June. Training occurs on the UNM campus. There is an option for students to earn a stipend of up to \$1,000/month if they meet certain incentives. The program maintains two five-bedroom apartments – one for girls, one for boys – to house students from outside of Albuquerque.

A mental health component is included in the program, where a wellness provider works with the participants on a number of issues through case management services, biweekly one-on-one assessments, as well as a monthly assessment that includes goal planning. Yoga, massage, and acupuncture are also provided. Mr. McArty said that they are working on getting a fitness provider to help the participants to be prepared to pass the physical training entrance requirements for EMS work.

Mr. McArty said that the mentorship aspects of the program have been great. The Chief of the Albuquerque Fire Department is happy to work with the kids in the program and pairs up the youth with appropriate mentors. One of these mentors was formerly in a youth detention center himself when he was young. The mentors help with job readiness and other life skills. They meet with their mentees twice a month. The kids also go every Friday to the work out at the Fire Academy to see what it is like.

The wellness component is important. It incorporates a healing circle, sometimes with separate groups for the boys and the girls, sometimes with all of the kids together, led by a psychologist. There are also one-on-one sessions for individual therapy.

Another element of the program is life coaching. This focuses on social and cultural awareness, personal development, managing conflict and stress, and professional career development.

The Emergency Medical Technician (EMT) training is comprised of 380 hours of classroom instruction, plus 20 hours of clinics and ride-alongs. The ride-alongs are the most impactful for the kids.

The program is looking to incorporate an educational diagnostician into the program, as many of the youth in the program have learning disabilities and other challenges. Sometimes the kids are not forthcoming with these needs, which poses its own set of challenges. An educational diagnostician could help to ameliorate these concerns.

The program is highly adaptive. The instructors teach to where the kids are. Most weeks there is classroom instruction from 8:00am – noon. There is wellness instruction throughout the week, facilitated by mentors and coaches. Monday's schedule includes one-on-one instruction and a review of lessons from the previous week. There are also simulated job fairs so that the kids will gain a sense of what a job fair entails.

A big draw for the program is the National Registry component. If someone gets onto that registry, he or she can work anywhere in the country. If a youth has trouble passing the test to get on the National Registry, the program will still work with the program participant to obtain a job in the field, and will continue to work with the youth so that they might eventually pass the required examination.

Members of the Committee asked questions about and discussed whether you had to be off probation, or completely “off paper”, to participate in the program (the answer was, not necessarily); housing for the program participants after the program ended; how the kids learn about the program; the application process; what points of contact the youth have with CYFD before joining the program; cohort sizes; and whether the kids are tested for drugs (they are about a month in, but are given a chance to get clean if they test positive that first time).

VII. Juvenile Justice in New Mexico – Public Defenders’ Perspective.

David Richter, LOPD Juvenile Division, discussed his department’s perspective on juvenile justice issues in New Mexico. He informed the Committee that he had been a juvenile public defender for around 19 years before becoming a Children’s Court attorney at CYFD shortly before the pandemic, and then returned to LOPD in 2023. He said that the landscape of juvenile justice changed more in those three years than in the prior 19. The pandemic caused disconnections throughout the community and wiped out services. Virtual court became more of a standard practice, which has made it more difficult for community groups to be involved in the process and more difficult for connections to be made with families of the juveniles. Interviews that are conducted virtually are less informative than ones that had been done in person. Schooling at the juvenile detention center, which is critically important, has been interrupted.

He also informed the Committee that there has been a change in the types of cases; there are a lot more cases involving serious crimes. These problems, he added, have been thought about for many years. The New Mexico Statistical Analysis Center published a working paper in 1998 with the title “Controlling New Mexico Juveniles’ Possession of Firearms”. Social media, though, has made obtaining a gun easier for juveniles since that paper was published. He also noted that one aspect of the problem that is not often discussed is that many kids get their guns from adults in their lives, and the huge number of guns that are presently available. Longer sentences, however, are not the best solution for the problem. In the days of the “superpredator” concept, a lot of money was thrown at the problem of juvenile crime that did not in the end help. Longer sentences do not seem to have a deterrent effect. There needs to be more to the solution than simply long sentences.

Members of the Committee asked questions about and discussed that while filing numbers are up compared to recent years, they still have not reached pre-pandemic levels, aside from firearms offenses; whether there are differences in what cases are actually being filed; what Administrative Office of the Courts data might show for juvenile filings and adjudications; the number of juveniles being committed; and issues surrounding literacy.

VIII. Next Meeting. The Committee tentatively scheduled its next meeting for August 21, 2024, for a tour of the Youth Diagnostic Development Center.

IX. Adjourn. The meeting adjourned at 11:55 a.m.