



**Minutes of the Meeting of the
Juvenile Committee
10:00 a.m.
October 24, 2024**

**Juvenile Justice Center (Children's Court)
5100 2nd St NW, Albuquerque, NM 87107**

Committee Members Present	Committee Members Absent	Others Attending	NMSC Staff
Cindy Aragon, Chair	Ambrosio Castellano (Speaker)	Nick Costales (JJAC)	Douglas Carver
Bob Cleavall, NMSC Chair	Angela "Spence" Pacheco (Speaker)	Carmela Romero (Bernalillo County)	Keri Thiel
Hubert "Troy" Gray (NMDAA)	Scott Patterson (CYFD)	Christopher Baca (CYFD-JCC)	
Sheriff Glenn Hamilton (ret'd.) (NM Counties)	David Richter (LOPD)	Bronwyn Neeser (Hive Consulting)	
April Land (UNMSOL)	Hon. Alma Cristina Roberson (Children's Court)	Kimberly McManus (Hive Consulting)	
Krista Lawrence (Governor)		Rebecca Guay (NMDOJ)	
Ramona Martinez (Pro Tem)		Tracy Chavez (Stronger Together, Never Alone)	
		Tom Swisstack (JJAC) (did not sign in but attended)	

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

II. Approval of Minutes for the June 17, 2024 and August 20, 2024 meetings. The minutes for the last two committee meetings were approved by unanimous vote.

III. Staff Report.

Douglas Carver, Acting Director, New Mexico Sentencing Commission (NMSC), informed the members of the committee that the Commission's long-time Executive Director, Linda Freeman, had retired on September 30, 2024. Acting Director Carver also informed the members of the committee that the budget hearing in front of the Legislative Finance Committee (LFC) the previous day seemed to go well. LFC has changed the format of these presentations for small agencies. Under the new format, a member of the LFC staff presents the agency's budget, and if members of the subcommittee hearing that budget had a question,

they will ask it of and representative of the agency who was present. There were no questions about the NMSC budget. In addition, Acting Director Carver let the members of the committee know that the NMSC Grants Committee had met the previous day and had awarded 14 grants for approximately \$1.2 million.

Acting Director Carver further informed the members of the committee that the committee had received an invitation from the Planning Team for the Youth Justice Summit being organized by the Council of State (CSG) Governments Justice Center. The goal of the New Mexico Youth Justice and Adolescent Services Listening Tour is to educate state leaders on what works to improve public safety and youth and family outcomes; share national trends and best practices; and identify shared priorities for improving New Mexico's juvenile justice system and preventive services for adolescents statewide. The Planning Team has requested that members of the committee who are interested in participating in a listening session contact a member of the Planning Team; the committee is slotted for November 20 at 9:30 am at the Second Judicial Children's Court. Members of the committee discussed the previous work CSG has done in New Mexico, with both the juvenile and adult system.

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

Bob Cleavall, Chair, NMSC, informed the members of the committee that last year the Juvenile Committee and the full Sentencing Commission supported a bill, which was introduced by Rep. Liz Thomson, to expand the uses of the juvenile community corrections grant fund. The bill was not found germane so it did not progress through the Session. The Juvenile Community Corrections Grant Act has not been looked at in years. Since the Legislative Session, Chair Cleavall worked with Louis Pacias, Bianca Padilla, and Chair Aragon, all of CYFD, and Acting Director Carver to develop this draft, going through the Act line by line, to bring the Act up to date and expand its scope. The hope is to take this draft to the full Sentencing Commission so that it can go forward as a Sentencing Commission bill. Chair Cleavall said that he has secured a sponsor.

Members of the committee and guests at the meeting had a discussion over the definition of "youth", expressing the concern that the draft defining "youth" as under 22 would exclude people from services, which can be provided up to age 25. The members of the committee agreed that the definition of "youth" should be changed to "a person who is less than twenty-six years old".

Members of the committee and guests at the meeting had also had a discussion of how to achieve maximum flexibility for the monies in the fund, and how to ensure that youth involved with protective services and crossover youth are covered. The discussion revolved around the phrasing "prevention, intervention and diversion services related to juvenile justice" that appears twice in the changes to the language in Section 33-9A-4 NMSA 1978, which concerns the criteria for applications to the fund. The members of the committee agreed to strike the clause "related to juvenile justice" where it appeared in that section.

Upon a motion by Sheriff Glenn Hamilton (ret'd.), seconded by April Land, University of New Mexico School of Law, the committee unanimously endorsed approving the amended draft of the Juvenile Community Corrections Grant Act changes bill for consideration by the full Sentencing Commission at its next meeting.

V. Possible Juvenile Legislation in 2025 Legislative Session.

Acting Director Carver discussed the bills from the 2024 Legislative Session that could possibly be seen again in the 2025 Session as they seemed to have some traction in the Legislature. He reviewed the list created for the NMSC Legislative Committee and pulled out any juvenile-related bill on the list. Of the 19

total pieces of legislation he reviewed (18 bills, 1 Senate Joint Resolution), the following bills seemed most likely to be revived in the upcoming Session.

HB 106, introduced by Rep. Reeb, concerning investigations of children exposed to fentanyl. This was a CCJ bill. It passed House Judiciary, but never got out of House Appropriations and Finance. A NMSC Legislative Committee memo was drafted for this bill.

HB 116, introduced by Rep. Thomson, concerning human trafficking and sex offenders. This bill had a House Executive Message from Governor. It passed House Consumer & Public Affairs and House Judiciary, but didn't get heard on Floor.

HB 282, introduced by Rep. Dixon, concerning the Sex Offender Registration and Notification Act (SORNA). This bill had a House Executive Message from Governor. It passed House Consumer & Public Affairs, but never got out of House Judiciary.

SB 178, introduced by Sen. Ivey-Soto, concerning the sealing of records for firearms offenses. This bill had a Senate Executive Message from Governor. It passed Senate Health and Public Affairs, but never got out of Senate Judiciary.

SB 204, also introduced by Sen. Ivey-Soto, concerning prohibiting firearms in parks and playgrounds. This bill had a Senate Executive Message from Governor. It passed Senate Health and Public Affairs, but never got out of Senate Judiciary.

SJR6, introduced by Sen. Ortiz y Pino, amending state Constitution to create a new Children, Youth, and Families Department (CYFD) and a Children, Youth, and Families Commission. Although it never made it out of Senate Judiciary, reform of CYFD has been very much in the news and something like this proposal could well be introduced, and as it is a Joint Resolution, the Governor would be unable to veto it.

Members of the committee asked questions about and discussed the Senate Memorial 5 task force which is looking at all aspects of the Children's Code; the proposals for changes to many areas of juvenile justice that Bernalillo County District Attorney Sam Bregman has been discussing, which will be brought before the full Sentencing Commission at its December meeting; and whether DA Bregman's proposals should be discussed by this committee.

VI. Discussion of Juvenile Committee Priorities.

Chair Aragon gave the members of the committee an overview of presentations that had been made to the committee over the past year and site visits that the committee had made. She noted the value of the committee hearing from experts like Dr. Bronwyn Neeser to make better-informed decisions about juvenile justice issues. She solicited input from members of the committee on areas on which the committee might focus in the coming year.

Members of the committee discussed addressing competency for juveniles; problems with children involved in the juvenile justice system who come from troubled homes; examining where the system is broken in providing services and how to get service providers to connect and pool resources; the importance of implementing policies through pilot projects; how the Juvenile Justice Advisory Committee and the NMSC Juvenile Committee might work together; that the committee should consider visiting program providers; the need for law enforcement to have a better sense of what services might be available for children who come into contact with law enforcement when their actions do not rise to the level of a delinquent act; the need to examine the statutes surrounding families in need of court ordered services; the better use of risks

and needs assessments; the need to work from the bottom up; the problems with the kids who are now incarcerated being incarcerated far from their families; the need for confidential places for incarcerated kids to conduct Zoom calls; how children with intellectual disabilities do not fit into the competency system; the need to look at the sealing of records statute; the importance of engaging with the whole family; the importance of data; the need to learn what other states are doing; and whether the NMSC's crime reduction grants program could consider juvenile program grants.

VII. Next Meeting

The committee has scheduled its next meeting for Wednesday, December 4, 2024 from 10:00 am to 1:00 pm at a location to be determined. The main items on the agenda will be a discussion of the committee's strategic plan for the coming year and an update on what juvenile-related legislation might be introduced in the 2025 Legislative Session.

VIII. Adjourn. The meeting adjourned at 12:04 p.m.