

MINUTES OF THE NEW MEXICO JUVENILE JUSTICE ADVISORY COMMITTEE

Thursday, June 17, 2021 10:00 AM
Virtual Meeting via ZOOM

I. Call to Order at 10:00AM – Douglas Mitchell, Chair

II. Roll Call for Quorum: Cindy Varela, Grants Management Unit Manager

A quorum was established with the following members present:

Members Present

Douglas Mitchell, Chair	Anthony Trujillo, Vice Chair	Helen Cheromiah
Danielle Trujillo	Tom Swisstack	Keryl Work
Honorable Alan Kirk	Roshanna Toya	May Sagbakken
Sarah Gettler	Moneka Stevens	Ted Lovato
Honorable Angie Schneider	John Schoeppner for Albino Garcia Jr.	
Anna Maria Marshall		

Members Absent

Michelle Torres	Ron West	Jenavieve Salas
Oscar Gonzalez	Ruben Barreras	Joel Hamilton

Guests in Attendance

Robert Nunez	Bianca Padilla	Lisa Zuhn
Carmela Romero	Grace Telles	Greg White
Judy Lovato	Desa Malina	Julie Raborn
Kristian Price	Nina Neil	Shelley Meeks
Jeanne Masterson		

Staff in Attendance

William Kearney, Special Programs Manager/JJ Specialist	Consuelo Garcia, Grants Manager
Cindy Varela, Grants Management Unit Manager	Louis Pacias, Grants Manager
Patti Vowell, Statewide JDAI Coordinator	Samantha Rendon, Grants Manager
Amanda Gray, Operations Research Analyst	Samantha Lucas, Compliance Coordinator
	Jeff Kolenda, Operations Research Analyst

III. Welcome and Approval of Agenda:

Chairman Doug Mitchell welcomed all.

Chairman Mitchell moved to amend the Agenda to include a “Statement from the Chair” as item No. X, thus making Public Comment item # XI and Adjournment item # XII. Mr. Swisstack seconded the motion. Mr. Mitchell called for any discussion. There was none. Roll call vote was conducted by Ms. Cindy Varela. Motion carried unanimously.

IV. Approval of Minutes:

December 3, 2020: Judge Alan Kirk moved to approve the December 3, 2020 minutes as drafted. Mr. John Schoeppner, alternate for Albino Garcia Jr., moved to approve the minutes as amended by Mr. Garcia. Ms. Moneka Stevens seconded this second motion. Roll call vote conducted by Ms. Varela. The second motion carried with all voting “yes,” except Chair Mitchell voting “no”.

March 18, 2021: Judge Angie Schneider moved to approve the March 18, 2021 minutes as drafted. Judge Alan Kirk seconded the motion. Roll call vote conducted by Ms. Varela. Motion carried with all “yes”, except Moneka Stevens and John Schoeppner abstaining.

June 4, 2021: Motion to approve the minutes of the June 4th, 2021, meeting made by Judge Kirk and seconded by Judge Schneider. Judge Schneider asked that one change be made updating the reference to the Planning Retreat from March to April. Roll call vote conducted by Ms. Varela. Motion carried with all “yes”, except Moneka Stevens abstaining.

V. JJAC Subcommittee Updates:

a) Executive Subcommittee-Doug Mitchell, Chair

Mr. Mitchell reported that the Executive Subcommittee met June 9th, received Subcommittee updates, discussed the letter received from the Los Alamos Juvenile Justice Advisory board, identified action items and set agenda items for the meeting.

b) Board Development Subcommittee

Ms. Sarah Gettler reported that the Subcommittee has been working on adjustments to the JJAC By-Laws, particularly Article VII, addressing Subcommittees and Article XI, addressing Conflict of Interest, and noted that the Subcommittee hopes to bring the changes to the full Committee for a vote at the next meeting. Chair Mitchell suggested Committee members communicate suggestions to Ms. Gettler for Board Development Subcommittee consideration.

c) Grants & Programs Subcommittee- Judge Alan Kirk

Judge Kirk reported on subcommittee activity, including awaiting SFY 2021 budget figures, continuum expenditure trends, coordinator turnover, and differences between urban and rural continuums.

ACTION ITEM - Approval of Curry County Funding: Judge Kirk shared Curry County’s progress with their Continuum Board and interest in applying for funding for SFY 2022. Judge Kirk moved that Curry County’s budget request for three years be tentatively approved for \$57,997.80 annually, on the condition that Curry County completes all of the requirements through Grants Management staff. Ms. Roshanna Toya seconded the motion. After discussion, roll call vote was conducted by Ms. Varela. Motion carried unanimously.

d) System Improvement Subcommittee- John Schoeppner and Tom Swisstack

John Schoeppner, alternate for Albino Garcia Jr., shared the Subcommittee has been developing the self-assessment discussed at the last quarterly JJAC meeting, discussing system improvement and that Mr. Garcia would like to have the disproportionate issue housed in the System Improvement Subcommittee. Mr. Swisstack noted that the disproportionate issue is the responsibility of the JJAC as a whole and the responsibility of all the Subcommittees to work collaboratively to address this issue. Mr. Swisstack stated that he personally is in support of examining the issues that may be causing some of the disparities within the system, but this has to be done by every Subcommittee within their sections so the Executive Subcommittee can assess this holistically and from a larger viewpoint, and that this could be accomplished by all of the Subcommittees reporting to the Executive Subcommittee with the specifics of what they are doing to address these issues. Mr. Swisstack reiterated that he stated in their meeting that he believed all Subcommittees should be working on segments of these issues.

Mr. Schoeppner stated he believed that Mr. Garcia’s point was that race equity has never been a central focus of JJAC, so if there was one Subcommittee driving it, it would remain a major focus until a point of racial and ethnic equity is reached in the treatment of juveniles within the juvenile justice system. Mr. Schoeppner stated that he believed Mr. Garcia agreed that every Subcommittee should be involved, but that Mr. Garcia felt one Subcommittee should be leading this effort and it should be the System Improvement Subcommittee.

Mr. Mitchell stated that the Subcommittee with the primary responsibility in this area is the Executive Subcommittee, which all of the other Subcommittees report to, and this is the structure under which JJAC as a whole functions.

May Sagbakken shared discussions with the Children and Youth Commission in Santa Fe and the need for training regarding gender issues, another equity issue that needs to be addressed.

Mr. Schoeppner commented that he believed the point Mr. Garcia was trying to make is that there needs to be a Subcommittee designed to deal specifically with these issues to avoid this being lost with the Executive Subcommittee.

e) Planning & Legislative Subcommittee

Judge Schneider shared about the successful April planning retreat and development and approval of the Three-Year Plan (JJAC Goals and Objectives) in the Special Meeting held June 4th, 2021.

Judge Angie Schneider reported that the Subcommittee had their series of “Lunch & Learns” in March and April to hear juvenile crime and survey data presentations in preparation for the Strategic Planning retreat in mid-April to draft three-year plan goals and objectives. The culmination of the work was the Special Meeting on June 4th, 2021, where members reviewed the draft, finalized the goals and objectives, and unanimously accepted the final goals and objectives. Judge Schneider thanked the Subcommittee and the entire JJAC for all their hard work on this, which has resulted in a good governing template.

Judge Schneider stated that hopefully the Subcommittee will be meeting again in July, where they will move on to next steps.

- VI. **Non-JJAC Meeting Chat Messages** – Mr. Kearney described the issue, posed by Albino Garcia Jr., that chat messages by non-JJAC members during the Special Meeting on 06/04/2021, were shared during the meeting. Mr. Kearney added that Vice-Chair Anthony Trujillo also requested clarification.

Mr. Kearney explained that JJAC is an Advisory Committee and CYFD is the State Agency designated by the Governor to the Justice Department, so there are essentially three audiences at any given meeting – JJAC, CYFD JJS leadership and staff representing the designated State Agency, and the Public. Mr. Kearney described how CYFD administers, participates in and supports meetings such as the one today and that CYFD staff contribute to informed discussions by adding clarification and information about Federal and State Statutes, administrative code, the by-laws, etc., explaining that this may be provided by interjection either verbally or within the chat, as was the case during the June 4th meeting.

Mr. Schoeppner stated that he believed Mr. Garcia was concerned about transparency. Ms. Stevens asked for clarification if this was about the chat being saved and made public similar to the minutes of the meeting. Mr. Anthony Trujillo stated that his issue was there were comments regarding the vote on additions and deletions to the document being discussed and there was some clarification offered by Mr. Costales with respect to one of the goals and the Committee accepted this. The question Mr. Garcia raised was could the Committee vote on something proposed by a non-member, which could be considered Public Comment, which Mr. Trujillo also questioned. Mr. Trujillo stated that Mr. Kearney answered his concern in the Executive Subcommittee meeting, and that Mr. Kearney had explained this again earlier in today’s meeting, that Staff is there to provide information and clarification, which was all Mr. Costales had done during the June 4th Special JJAC meeting.

Judge Schneider stated that she had not been part of that exchange as she had left the meeting early but made note of the distinction between members of the Committee asking Staff members for input as opposed to Staff members interjecting as part of the dialogue. Mr. Kearney explained that the comments were put into the chat and then shared verbally during the meeting within the context of the flow of the meeting, in regard to where something could be placed, such as in the By-Laws. Mr. Kearney added that this falls within the function of the designated State Agency, giving options and alternatives, and no action was actually taken on this point.

Mr. Mitchell asked if there were further discussion and noted that this was not an action item, but hopefully clarification has been provided.

VII. Los Alamos Letter – Mr. Kearney shared background of addressing the Los Alamos concerns with the fiscal agent and the Coordinator, and subsequently the County Counsel with CYFD General Counsel for the Los Alamos JJAB. He additionally described the changeover from Excel spreadsheets to the new grant management system including NM Department of IT review and CYFD IT involvement. Mr. Kearney shared that the management of records, platform requirements, aggregate non-identifying data reports, and performance and outcome measures are built into the system.

Mr. Mitchell stated that this was discussed in the Executive Subcommittee meeting and they received historical perspective from Judge Kirk. Mr. Mitchell asked if there were other comments or concerns but reminded the Committee that this was not an action item. Judge Kirk expressed his concern with respect to keeping youth from being part of a record in order to protect their future and gave an example of a case in Los Alamos. Mr. Mitchell said he did not personally believe there would be a satisfactory resolution and suggested that if a Committee member would like an action item added to the Agenda of the next JJAC meeting they should do so.

VIII. Updates – Written reports submitted by staff

a) State Executive and Legislative Update – Nick Costales, Deputy Director JJS

Chair Mitchell asked Judge Schneider if there were changes needed in the Children’s Code. Judge Schneider indicated there is a need for legislative and statutory changes in a number of areas in the Children’s Code and would like for all members of the JJAC to weigh-in and engage in dialogue concerning this. Judge Schneider stated that this would be an item of discussion at the Planning and Legislative Subcommittee’s next meeting.

b) Federal Update – Bill Kearney, Special Programs Manager/Juvenile Justice Specialist

ACTION ITEM - Approval of RED Plan: Mr. Kearney explained that the CYFD Federal RED Plan is required annually by OJJDP, and the report format is responsive to the OJJDP requirements. Mr. Lovato moved to approve the RED Plan. Judge Kirk seconded the motion. Mr. Mitchell called for discussion and there was none. Ms. Varela conducted the roll call vote. Motion carried with all “yes”, except Moneka Stevens and John Schoeppner abstaining.

ACTION ITEM - Approval of 2019 and 2020 Annual Reports: Mr. Mitchell called for a motion to approve both reports. Mr. Swisstack so moved. Mr. Anthony Trujillo seconded. Mr. Mitchell called for discussion.

Mr. Kearney shared these reports cover 2019 and 2020 and are similar to other past year reports. He noted that the Planning and Legislative Subcommittee now has the annual reporting responsibility. Mr. Kearney also noted that the timing is good for this Subcommittee to examine and propose the annual report format begin to align with the format of the new Strategic Plan starting with the 2021 annual report.

Judge Kirk noted he would like to see the JDAI Leadership Team MOU involve city law enforcement like the sheriffs are involved through New Mexico Counties.

Ms. Sagbakken expressed concern about the high number of grievances and incident reports at the Bernalillo County Detention Center for both years, with no comment or follow up provided.

Judge Schneider asked when the report is due. Mr. Kearney responded that the annual reports need to be posted on the public website by July 13th, when the Title II Formula Grant application is submitted.

Judge Schneider moved to table approval of these reports and call a Special Meeting. Mr. Schoepner seconded the motion. Mr. Mitchell restated the motion, that this item is to be tabled, so members have a chance to further review the reports, and a special meeting be called before 07/13/2021 for a vote. Judge Schneider asked to amend the motion to schedule the meeting with enough time in the event that there were requested changes. Mr. Kearney asked that a deadline be set for comments or changes to be submitted with respect to meeting the 07/13/2021 deadline. Judge Schneider suggested that comments and concerns should be shared with all Committee members, but that a deadline for submitting these was very reasonable due to the time-sensitive nature of these reports. Mr. Mitchell asked Mr. Kearney to send a follow-up email to all Committee members outlining this process, noting the specific dates by which this feedback must be submitted, as well as setting a specific date for the Special Meeting for which a quorum can be established.

Roll call vote was conducted by Ms. Varela. Motion carried unanimously.

c) Juvenile Detention Alternatives Initiative – Patti Vowell, Statewide JDAI Coordinator

No questions or comments.

d) Grants Management Unit Update - Cindy Varela, Grants Management Unit Manager

No questions or comments.

e) Detention and Compliance Monitoring Update – Samantha Lucas, Compliance Coordinator

No questions or comments.

IX. Statement by the Chair – Mr. Mitchell shared that he has been on JJAC for 10 years and Chair for three and a half years. He let the Committee know that he has some health issues that he is dealing with which has caused him to reassess how he spends his time, and he has notified the Governor that he will be leaving the Committee at the end of June. Mr. Mitchell stated that he continues to believe in the work of this Committee and that there have been tremendous strides made here in New Mexico, noting that he has been involved with the Juvenile Justice System since 1973, and that he believes things are moving in the right direction and will continue to do so. He encouraged Committee members to continue to examine data and explore options based on the data. Mr. Mitchell expressed his confidence that the new Chair will be able to take the Committee in the right direction and that hopefully with a new Chair things can get back on track toward serious dialogue and less emotion.

Members expressed their thanks to Mr. Mitchell for his many years of work within the juvenile justice system and specifically for his work on JJAC and wished him well.

Mr. Kearney shared that the Governor’s Office has appointed Anthony Trujillo as the new JJAC Chair, effective July 1st. Mr. Trujillo has been the Vice-Chair for the past year as well as serving on the Race Equity Statement Work Group and the Planning and Legislative Subcommittee. Mr. Kearney noted that Mr. Trujillo has an extensive background with work at the local Juvenile Justice Board level and chaired the Santa Fe Board.

Mr. Trujillo thanked Mr. Mitchell for his many years of service and dedication to the work over all these years. Mr. Trujillo expressed looking forward to the work ahead, working with all the Committee members, and he is encouraged to see so many people willing to do this important work.

X. Continuum Coordinator Update

Carmela Romero, Bernalillo County Continuum Coordinator, shared that Coordinators are meeting monthly, with Grants Management Unit and some Grants & Program Subcommittee members attending. Ms. Romero shared that Continuum sites throughout the state are presenting at each meeting. Ms. Romero extended an invitation to all the Committee members to join the Coordinators monthly meetings to learn more about the Continuum sites.

Ms. Romero stated that the Continuums are just beginning their fiscal year with the Grants Management Unit, submitting items such as subcontracts or other start-up items that need completion, in addition to completing their annual reports as they approach the end of the previous fiscal year.

Mr. Mitchell asked Ms. Romero if Coordinator retention had been discussed. Ms. Romero replied that that item is on the schedule of their next Coordinator Leadership Team meeting. She noted that the Leadership Team was also thinking about a survey to gather information from the Coordinators regarding this element and other issues that have arisen during the pandemic. They look forward to being able to provide more information to the Committee after their next meeting.

Judge Schneider asked if there had been a good response to these meetings. Ms. Romero replied that there, as the Coordinators are given enough time and preparation to attend the meetings. Judge Schneider responded that she was happy to hear this and that the Coordinators need that support and camaraderie, and thanked Ms. Romero for their efforts.

XI. Public Comment

Mr. Mitchell asked if there was any public comment. Mr. Greg White from Los Alamos commented to the earlier agenda item that the chat can be recorded if the chat window is open on the side and the meeting is being recorded. Mr. White also stated that he agreed with Judge Kirk regarding his comments on the Los Alamos letter and that minor things that happen can affect someone later in life. Mr. White thanked all of the JJAC members for their work for the youth of New Mexico and especially Chair Mitchell for his work and wished him well.

XII. Adjournment

Mr. Mitchell thanked everyone for their participation.

Motion to adjourn was made by Mr. Mitchell and seconded by Mr. Swisstack. Ms. Varela conducted the roll call vote. Motion carried unanimously. Meeting adjourned at 11:37 p.m.

The next proposed meeting to be held on Thursday, September 16, 2021, 10:00 a.m. – 2:00 p.m.

Minutes Approved on 9/20/2021

by: Anthony Trujillo
Anthony Trujillo, Chair