

MINUTES OF THE
JUVENILE JUSTICE ADVISORY
COMMITTEE MEETING

July 15, 2013

This meeting of the Juvenile Justice Advisory Committee meeting was called to order at approximately 9:00 a.m. by Chair Sharon Stover at the Children, Youth and Families Department, Maloof Building, Conference Room, Albuquerque, NM 87107.

A quorum was present as follows:

Members Present:

Sharon Stover
Deborah Bogosian
Esther Aguirre-Stewart for Alma Cortez
Helen Cheromiah
Monnica Garcia
Anna Marie Loughead
Ron Lucero
Douglas Mitchell
Amy Orlando
Erica Padilla
Wilson Quintana
John Richmond
Hilda Pacheco Peoples for Freddie Romero
Angie Schneider-Cook
David Schmidt

Member(s) Excused:

Todd Heisey
Robert Miller, Jr.
Sasha Pellerin
Alexandria Salazar

Others Present:

Arturo Naegelin, Juvenile Justice Service
Richard Lindahl, Liaison Juvenile Justice Board
Linda Kennedy, JJS Administrative Support
Patti Vowell, CYFD
Amber Parker, Doña Ana County
Sharon Marinuzzi, Los Alamos JJAB
Sandra Stewart, CYFD
Gerri DuPree, Bernalillo County
Tamera Marcantel, CYFD
Darrell Gasaway, Lincoln County

Alan Kirk, Los Alamos, JJV
Darrell Gasaway, Lincoln County
Michele Rael, Sandoval County
Steve Brooks, CYFD
Susie Gallegos Cibola County

[Sign-in Sheet on file with Department]

III. Welcome, Introductions and Public Comments

Chair Stover commended staff and thanked the committee for their efforts. She said she looked forward to continued success in the future.

Those present introduced themselves.

Ms. DuPree announced that the Restorative Justice meeting scheduled in Bernalillo has been rescheduled to September 6th.

IV. Election of JJAC Vice-Chair

Ms. Bogosian nominated Ron Lucero. Ms. Loughead seconded and with no other nominations, Ron Lucero was acclaimed JJAC Vice Chair.

V. Approval of Minutes: June 18, 2013

Ms. Orlando moved to approve the June 18, 2013 minutes as published. Her motion was seconded by Ms. Garcia and passed by unanimous voice vote.

VI. FY 2014 Budget Update and Continuum Sites Highlights

Mr. Naegelin referred to the JJAC three-year plan budget which is the base budget used in the Title II Formula Grant submitted to the federal government. He reviewed the priority programs: general areas of juvenile justice system improvements, disproportionate minority contact, Native American programs/pass-through, rural area juvenile program, gender-specific services, delinquency prevention, state advisory group allocation, and planning and administration.

Mr. Richmond referred to a recent mother/daughter circle that occurred in Deming as a great success. With cost efficiency in mind, Mr. Naegelin asked that JJAC's gender specific subcommittee consider presenting trainings rather than paying a consultant.

Mr. Naegelin reviewed the different funding by the grant period, grant award, obligations and current balance of the Formula Title II, JJAB, General Continuum Funds.

Mr. Schmidt informed the Board that the House Budget Committee reduced the FY14 budget by 50 percent. He urged stringency when forecasting the budget. Senator Udall serves on the House Budget Committee and Mr. Schmidt recommended communicating with the Senator's office.

Referring to the Continuum sites, Mr. Naegelin said after the approved contracts there is \$648,218 in the fund. Awarding the continuum sites at full request would result in a balance of \$437,000. He reminded the Board that these funds do not revert to the general fund. Two new continuum sites maybe added, San Juan and Carlsbad, and receive start up funding in the amount of \$25,000. Cibola and Socorro are the two newest continuum sites in rural communities. They

have been funded to conduct a community assessment to determine gaps. He said he and Mr. Lindahl will provide technical assistance to the new continuum sites.

Mr. Naegelin said the continuum sites' quarterly reports will need to address the specific parameters within the requirements. Those sites not meeting the requirements may be placed on probation or special watch. Mr. Schmidt agreed that sites should be held accountable for funds and programs. He proffered that it was JJAC who should develop a plan and expectations for the continuums rather than place Mr. Naegelin in a position to impose penalties. Mr. Naegelin clarified that he was only talking about JJAC related funding.

Chair Stover agreed that JJAC needs to develop overall policies and noted that the sites have increased from seven to 21 while the budget decreased.

VII. Subcommittee Reports

A. Grant Review Subcommittee

i. Consideration of approval to increase funding levels for FY14 Continuum Site RFI Applications

[Exhibit 1: Grant Review Subcommittee recommendations]

Grant Review Subcommittee Chair Ron Lucero said that the rural nature of much of New Mexico makes compliance with the state's procurement outlines difficult. The grant review process focused on JJAC core values to insure compliance with state and federal funding, namely, DMC (disproportionate minority contact) and sight and sound separation of juveniles from adults.

The subcommittee was able to fund an additional \$234,794 with an emphasis on rural sites.

Mr. Lucero reviewed the recommended additional funding [*Exhibit 1*] and justification for the request to the following 12 sites: Bernalillo County, Los Alamos, City of Santa Fe, Lincoln County, Rio Arriba County, City of Las Cruces, Chaves County, Sandoval County, Torrance County Valencia County, City of Socorro and Cibola County.

Mr. Naegelin confirmed that the 12 sites were up-to-date in reporting requirements.

Mr. Schmidt questioned the appropriateness of JJAC funding a school resource officer (SRO) as requested by Cibola County. Does JJAC know whether the officer is certified, licensed or trained? Mr. Lucero said the SRO appears as an HJM 21 initiative. Mr. Naegelin said he is strongly recommending that the SROs receive the national resource officer training to ensure that they are trained in preventative measures. He hoped the school or county would take over the expense of that position. At this point JJAC is paying the salary. The SRO will be a Cibola County employee and work at the middle school.

Mr. Schmidt said he was not questioning the validity of the position but rather JJAC paying for the officer. This concern was echoed by Mr. Quintana, Mr. Mitchell, and Ms. Loughead.

Mr. Mitchell said experience has shown that once an officer is placed in the school the school criminalizes behavior issues rather than manages them.

Speaking as an SRO, Ms. Cheromiah mentioned that she is employed by Roswell Police Department.

Ms. Padilla expressed concern that the presence of the SRO may not be in students' best interest.

Mr. Mitchell mentioned the Bernalillo County Sheriff's Department was being sued for civil rights violation because the SRO is arresting students for low-level offenses. He said there were a lot of issues percolating around the SROs.

Ms. Garcia said the SRO position sounds good in theory but if arrests are increased it may warrant further consideration.

The liability issue was discussed.

In response to the discussion, Chair Stover suggested holding off approving the SRO funding

Ms. Cheromiah said she would support paying for training and certification through the NASRO for the SRO.

In the course of the discussion it was mentioned that Cibola is in the process of hiring a SRO who will be a county employee, fully certified officer also teaching prevention programs at the middle school. The principal will have the ultimate discipline authority over the students.

Mr. Naegelin said JJAC has already awarded Cibola for the hiring of a SRO.

A discussion ensued about the SRO listed on funding requests and that JJAC may need to set specific parameters of what they will and will not fund.

Mr. Lucero said the subcommittee discussed not supporting the actual salary of the SRO but was in favor of providing the necessary training. Mr. Naegelin said the county not JJAC will be responsible for the SRO.

Mr. Mitchell moved to approve recommendations 1-11 [*Exhibit 1*] and advise Cibola County to come back with a cost estimate for the training relative to the SRO position to seek additional funding. Ms. Bogosian seconded.

Ms. Stewart said she reviewed each of the RFIs thoroughly on behalf of the cabinet secretary and the information provided within the RFIs lacked consistency. She said without a template it was difficult to understand exactly how the funds will be expended. Further she understood the continuum sites were led to believe full funding would be granted and have moved forward with that. She strongly suggested a template in the RFI process so JJAC can account for all

expenditures.

The motion passed by majority [12-3] show of hands.

In an effort to expedite the process, Ms. Stewart said she forwarded her recommendation to the cabinet secretary. That recommendation included funding Cibola County's SRO. She indicated that she sat in on the grant review committee discussions and reviewed each RFI. Mr. Mitchell expressed concern that JJAC's action as an advisory board had little importance if the recommendation was already forwarded.

ii Consideration of approval of issuance of new Request For Information (RFI) for FY14 Continuum Sites requesting new programs, expansion of existing programs and new continuum site applications

Mr. Lucero said the subcommittee is recommending new RFI language to expand the opportunities for new or existing sites to tap additional monies.

Mr. Naegelin expected the RFI could be developed in September with awards in November and processing contracts in December. The funds would likely be distributed in January 2014.

Speaking on behalf of the continuum coordinators, Ms. Parker requested that any timeline within the RFI be strictly adhered to.

It was acknowledged that site data may not be available for this RFI.

Ms. Garcia moved to approve the issuance of a new RFI for FY14 continuum sites. Her motion was seconded by Ms. Bogosian and passed without opposition.

B. Data Subcommittee

i. Consideration of adapting new basic data performance measure standards for the Continuum Sites

Ms. Parker provided an update stating the coordinators are working on definitions of terms – recidivism, youth served – to better measure the success and concerns of each programs. The data performance reports are submitted monthly to Mr. Naegelin and need to be standardized. She understood CYFD has retained someone to work on the data collection issue. Standard definitions will provide better numbers for New Mexico. The ultimate goal is for each continuum to submit a one-page data-based document containing the required measures for the grantors.

Ms. Rael said the subcommittee hopes to provide the necessary data with further accountability within the narrative and quarterly reports.

It was recommended that JJAC review and accept the single-sheet data collection when finalized.

ii. Consideration of funding to automate the Continuum Sites data performance measures collection system (CYFD) known as SARA for generating useful statistics

Ms. Marcantel said the challenge is reporting on successes and challenges. The federal government wants numbers and local government prefers narratives. SARA, the database system that produces the risk assessment data for detention, contains a component that can be developed and usable for all the continuum sites. CYFD hired a new research and data analyst that has been working on this issue with staff. She understood there was \$50,000 available for the SARA consultant to put the template together and load it in the database.

Ms. Vowell reviewed the timeline for going live with the software and estimated it would take one year. She said the department has history and confidence with the contractor that the task can be achieved in one year within the estimated \$50,000.

Mr. Kirk said it was important that the data demonstrate to the legislators what these diversion programs are saving the state in court costs, JPO costs, medical costs, etc. Mr. Naegelin agreed and said standards are needed in that and a figure can be provided.

Ms. Orlando moved to approve the funding to automate the Continuum Sites data with SARA for \$50,000. Mr. Richmond seconded and the motion passed by unanimous voice vote.

C. Native American Subcommittee

i. Consideration of funding an application on the Integration of Cultural Services and Behavioral Health Services for native American Youth Project - \$25,000

Mr. Quintana said the subcommittee has been unable to meet, however, they discussed a few areas of concern by phone. There had been better representation from the Native American communities but with the downturn in the economy it seemed the funding for these communities was reduced.

Bernie Teba, CYFD Tribal Liaison, said state law requires culturally appropriate services for any American Indian child in custody of protective services, in the jurisdiction which is juvenile justice service or removed from the home for behavioral health services. New Mexico is on the cutting edge in providing state/tribal collaborative services.

Mr. Teba said the proposed project will allow for data development and evaluation on the efficacy of the culturally appropriate services being provided. He discussed work occurring with First Nations – a tribally based federally qualified provider – and CYFD. First Nations serves as the behavioral health provider for the state’s Native American clients. There is baseline data starting from 2005 and the proposal is to determine the cost effectiveness of culturally appropriate health services and the relative impact to decreasing the rate of recidivism. National

Indian Tribal Health Fair Association is interested in the data.

Also present was Norman Quixote from the Center for Native American Health.

Chair Stover said the request was for \$25,000 and Mr. Naegelin confirmed the funding was available.

Mr. Teba said \$5,000 of the request was initially earmarked to attend a conference that has passed and those funds will be redirected into the research evaluation program.

Mr. Schmidt said JJAC expended a great deal of money in the development of intergovernmental agreements mandated by the Children's Code and failed to see the connection with the request and JJAC. Mr. Teba said the clients are within the juvenile justice system. Hopefully, the data will reveal positive results in behavioral health services to Native Americans going back into the community. He noted that JJAC has funded similar activities in the past.

Ms. Loughead mentioned a federally-funded facility First Nations will be opening in Taos for Native American children. She said without statistics it was troublesome to approve the proposal. Mr. Teba said that the proposal was about collating data to demonstrate efficacy of the programs. He verified that the programs First Nations provides are being funded by the federal government.

Dr. Sunstone, New Mexico First Nations' medical director, said the proposal is to improve the behavioral health outcomes and decrease recidivism rates among Native American incarcerated youth. The idea was to use a model that integrated both cultural values and behavioral health counseling services incorporating evidence-based practices. The proposal includes tracking quantitative and qualitative the outcomes of the integrated care model with a focus on discharge services.

Mentioning that JJAC has been a source of funding to help Native Americans in the past and having wrap-around services is paramount to reducing recidivism, Ms. Orlando moved to approve the request. The motion failed lacking a second.

Dr. Sunstone assured the Committee that this project is not replicating any existing data.

Mr. Teba said there is an array of services that First Nations would provide with incarceration being the last alternative. Native American delinquent youth in facilities were committed by a state judge and in the majority of the cases those youth are domiciled on the reservation.

Mr. Naegelin said transition services require additional review, however, the intergovernmental agreements have been funded by JJAC and dovetail with this proposal. Mr. Teba noted that Jemez has committed four youth from their tribal court; Mescalero delinquent youth have stayed within the community with behavioral health and school based services. CYFD's goal is to keep the Native American youth in their community.

Ms. Orlando moved to approve the funding in the amount of \$25,000 for the integration of cultural services and behavioral health services for Native American youth. Mr. Mitchell seconded.

Mr. Schmidt requested the removal of \$5,000 from the contract since the conference has already occurred. The movant and seconder accepted the amendment.

The motion to approve the request in the amount of \$20,000 passed by majority voice vote.

ii. Funding of Jemez Valley Program through the Sandoval Continuum Site FY14 funded award - \$50,000

Mr. Naegelin said the Grant Review Subcommittee reviewed this request and recommends that the funding come directly through the pass-through on the Title II Formula Grant.

Ms. Rael said this program mirrors the Bernalillo High School program which has a learning lab which is used rather than suspension to keep the youth in education. Rather than going through the due process hearing, the youth goes to the learning lab and receives early intervention assessment along with the parents. The program has been very successful in Bernalillo. If funded, at-risk youth suspended from school and youth referred to the juvenile probation office will be served through this program. It was estimated there were 50 to 75 students that will be serviced yearly and data will be collected to determine whether future funding is warranted.

Mr. Mitchell moved to approve the \$50,000 for the Jemez Valley Program. Ms. Bogosian seconded and the motion passed by unanimous voice vote.

iii. Update on the Sandoval County prevention of underage drinking POW WOW in collaboration with the Local Collaborative 16 including all 8 Pueblos and the Navajo Nation

Mr. Quintana said the Pow Wow occurred in May and was very successful. He recommended in the future that an alternative to the Pow Wow be explored since it doesn't relate to the New Mexico Native American population. Mr. Naegelin said he would pass that on to the event planners.

D. Youth Subcommittee

i. Update on JJAC Youth Subcommittee June 28 and 29 Ruidoso Retreat

Erica Padilla, Youth Subcommittee Chair, said the purpose of the retreat was to gain momentum and recruit youth for the subcommittee. She said there were 15 participants at the two-day retreat and it was tremendously successful. The subcommittee has six adult and 13 youths (under the age of 23) working as a partnership. She reviewed the topics the youth subcommittee will be

working on. Ms. Padilla said the retreat resulted in the subcommittee creating a strong team of people.

Mr. Richmond said the subcommittee is utilizing “group me” an advanced texting service. He said the retreat was very successful and the trainer/coach, Mary Louise Romero, was terrific.

Ms. Schneider-Cook and Mr. Lindahl attended the retreat and shared the promise the group demonstrated.

D. Disproportionate Minority Contract DMC Subcommittee

i. Introduction of Steven R. Brooks, new Statewide DMC Coordinator, CYFD Data Analysis Unit

Mr. Naegelin introduced Steven Brooks and said he will be reporting on the federal system for DMC and working closely with JJAC on projects.

Mr. Brooks said the position is new to the state, he has worked in the field for many years and is eager to work on the project.

ii. Phase II DMC project development with the US Department of Justice, Office of Juvenile Justice Delinquency Prevention – and possible coordination and collaboration with the Burns Institute

Mr. Naegelin said JJAC may be collaborating with Burns Institute from San Francisco and the Bernalillo Youth Services Center and integrate the visit with DMC Coordinator Andrea Coleman. Phase II will be the continuation of the Phase I projects initiating DMC project development. The notion is to expand on the data and determine whether the data matches the disparities.

VIII. Other Business

A. Chair Report

Chair Stover asked that the Committee consider holding a retreat and she distributed suggested goals, topics and invited participants. Ms. Orlando, Ms. Loughhead and Mr. Richmond volunteered to work with the Chair on this idea.

Chair Stover mentioned a JDAI conference she attended and offered to make available conference information.

B. Coalition for Juvenile Justice Conference New Mexico presentation in Washington, DC

Ms. Parker said the state was represented by four individuals who presented the New Mexico

Juvenile Justice Continuum Model – developing a diversity framework through community collaboration and innovation. The presentation was developed with continuums throughout the state and they discussed the history of the continuum concept – how the stakeholders come together, continuum board development and the benefit of concept to the community and CYFD. She said they met with state legislators’ staff members and it was an excellent conference.

C. Mileage and/or Honorarium Form

Ms. Kennedy said the forms will be emailed to the participants.

IX. Schedule Next JJAC Meeting

The next JJAC meeting/retreat was tentatively scheduled for October 21st and 22nd.

X. Public Comment

None was received.

XI. Adjournment

Having completed the agenda and with no further business to come before the Committee, Chair Stover declared this meeting adjourned at 1:15 p.m.

D R A F T

subject to approval