



# Agenda

DATE 10/8/13 TIME 3:38pm

SERVED BY Richard DeMella

RECEIVED BY [Signature]

## **SANTA FE REGIONAL JUVENILE JUSTICE BOARD**

**October 17, 2013**

**5:15 P.M. - 6:15 P.M.**

**CYFD Offices**

**1920 FIFTH STREET**

- I. Call to Order
- II. Roll Call
- III. Approval of Agenda
- IV. Introductions of Board Members and Guests
- V. Approval of minutes of September 19, 2013
- VI. Financial Report – Richard De Mella
  - A. Budget – Detailed Budget and Financial Report
  - B. Approve of Financial Report
- VII. Training for Board on Open Meetings Act- Geno Zamora, City Attorney, City of Santa Fe
- VIII. Next meeting November 21, 2013
- IX. Adjournment

**PERSONS WITH DISABILITIES IN NEED OF ACCOMMODATIONS, CONTACT THE CITY CLERK'S OFFICE AT 955-6520, FIVE (5) WORKING DAYS PRIOR TO MEETING DATE.**

## REGIONAL JUVENILE JUSTICE BOARD MEETING - INDEX

---

<b>Cover Page</b>		1
<b>Call to Order and Roll Call</b>	<b>Meeting was called to order at 5:15 PM by the Chair. A quorum was declared by verbal roll call.</b>	2
<b>Approval of Agenda</b>	<i>Ms Gonzales moved to approve the agenda as presented, second by Mr. Jackson, motion carried by unanimous voice vote.</i>	2
<b>Introduction of Members and Guests</b>	<i>Reflected in Roll Call and List of Attendees</i>	2
<b>Approval of Minutes September 19. 2013</b>	<i>Ms. Gonzales moved to approve the minutes as presented, second by Mr. Dickson, motion carried by unanimous voice vote. One abstention as Board Member was not present.</i>	3
<b>Financial Report Exhibit A1&amp;2</b>	<i>Ms. Gonzales moved to approve the financial report as presented, second by Ms. Trujillo, motion carried by unanimous voice vote.</i>	3
<b>Training on Board for Open Meetings Act</b>	<b>Provided by City Attorney, Geno Zamora</b>	3-7
<b>Next Meeting</b>	<b>November 21, 2013</b>	7
<b>Adjournment</b>	<b>The Regional Juvenile Justice Board adjourned at 6:45 pm</b>	7-8

**SANTA FE REGIONAL JUVENILE JUSTICE BOARD**

**OCTOBER 17, 2013**

**5:15 – 6:45 PM**

**Minutes**

- I. The Santa Fe Regional Juvenile Justice Board was called to order at 5:15 pm by the Chair at the CYFD Offices, 1920 Fifth Street, Santa Fe, NM. A quorum was present and reflected in roll call.**

**II. ROLL CALL**

**Present:**

Anthony Trujillo, Chair

Linda Trujillo

Mary Ellen Gonzales

Boni Armijo

Mark Dickson

Jennifer Romero

Sam Jackson

**Not Present:**

Councilor Bill Dimas

Tommy Rodriguez

Mark Caldwell

Judge Mary Marlow Sommers

Deputy Chief William Johnson

**Others Present:**

Geno Zamora, City Attorney

Jessica Sanchez, Santa Fe Police Department

Richard Lindahl, Regional Juvenile Justice Advisory Committee

Richard DeMella, Staff Liaison

Anna Serrano for Fran Lucero

**III. Approval of Agenda**

***Ms Gonzales moved to approve the agenda as presented, second by Mr. Jackson, motion carried by unanimous voice vote.***

**IV. Introductions of Board Members and Guests (verbally and noted above)**

**V. Approval of Minutes – September 19, 2013**

***Ms. Gonzales moved to approve the minutes as presented, second by Mr. Dickson, motion carried by unanimous voice vote. One abstention as Board Member was not present.***

**VI. Financial Report – Richard DeMella**

**a. Budget – Detailed Budget and Financial Report**

Detailed program invoice was provided to the Board members for review and approval. Mr. DeMella noted that Gender Specific Training was held today and billing would follow. The Tutoring line item to be discussed under the Program Committee Report. Mentoring Program with Community Schools; contract has been delivered and they will provide a monthly report to the Board. Consulting Services is for Mr. Jack Ortega Services. Day Reporting is with the County, the MOA is in process.

The Board was provided with the ICM Output and Performance Measures and the Day Reporting Output and Performance Measure for their review. The reports will be presented to the Committee on a monthly basis. (Exhibit A-1 & 2). Mr. Jackson commented that the Day Reporting numbers are normally low in August and September as they do a big push to get kids back in school and they escalate by Xmas break.

**b. Approval of Financial Report**

***Ms. Gonzales moved to approve the financial report as presented, second by Ms. Trujillo, motion carried by unanimous voice vote.***

**VII. Training for Board on Open Meetings Act – Geno Zamora, City Attorney**

Mr. Zamora noted that he has sent an electronic copy of the handout to all board members at their e-mail addresses. Mr. Zamora stated that he has been making contact with all the City Boards and Committees training in primarily three areas; Ethics, Open Meetings and Inspection of Public Records. Your role as board members with the Juvenile Justice Board subject you to those three laws. It is very important to understand them and be aware that they exist. Mr. Zamora stated that he would provide them with guidelines on how to conduct themselves as good board members, what ethic issues will routinely cross their path, what are meeting issues that cross the path and what is the Inspection of Public Records Act.

***(Presentation verbally on the Ethics Ordinance, the New Mexico Governmental Conduct Act, New Mexico Open Meetings Act and the New Mexico Inspection of Public Records Act.)***

Mr. Zamora stated that although this Board is Advisory and in most interpretations Open Meetings Act may not apply, but the City of Santa Fe Governing Body has adopted by Policy that all its Boards and Committees must comply with the Open Meetings Act. Code of Ethics definitely applies to the Board as they are Public Officials; it is what is called, Governmental Body Members under the definition.

The Chair commented; that in the past there was a concern as the Advisory Board receives State, City and Federal funding. Mr. Zamora stated that he does not understand entirely of the Juvenile Justice Board. Typically when I am presenting, out of 55 Boards, about 47 are advisory. The issue comes in, they consider it and make recommendations to the Governing Body to follow through on and the Governing Body and the City Council have the ultimate decision. Mr. DeMella clarified is that they work off the agreement that CYFD gives them. Prior to this, an RFP comes out and the Regional Juvenile Justice Board applies and specifies the programs. When approved by CYFD we receive an agreement on which programs they will work with. Mr. Zamora stated; when you make a decision on an agenda item, is that subject to a final decision by the Council or another governing body? Mr. DeMella said no, this is the board that makes that decision.

Gifts: General Rule – shall not accept gifts. Gift cards are monetary and in acceptance. Giving gift cards in a program situation is OK, caution to no give gift cards to city employees.

Mr. Zamora touched on the Political Activity and ethical restrictions. You do not want an employee reporting any improper campaigning or pressure. No use of city resources for campaigns. It was clarified that on your own time, you can participate.

Issue of Honorariums: In your capacity with the Juvenile Justice Board and you are asked to speak on any issues. You can speak on the board's behalf but you cannot be paid to do so. Should there be any reimbursement in the event you travel outside of the city/state, you must report to the City Clerk any travel reimbursements and it will be posted to the web. According to best practices it is professional courtesy to disclose the invitation during a board meeting.

Mr. Zamora stated that the Ethics Review Compliance Board for the City of Santa Fe reviews all complaints and they make recommendations if it should be removal or up to \$500 fine per occurrence. Governmental Conduct is a New Mexico statute and applies to municipal officers. Penalties are different; there are fines in the thousands of dollars. General rules are the same; the public has to have trust in you and your actions. "Cash in Bags" is one of the largest violations and leads to external enforcement by the District Attorney or the Attorney General.

Open Meetings Act: Agenda's and Deadlines to Post the Agenda's

It is important to know how to conduct yourselves in business; we are social and we interact in a very natural way. Open meetings act forces us as board members to act in a very unnatural way because it puts transparency in public information ahead of our normal interaction. It means as a general rule is that a representative government is dependent upon the board electorate so that people are entitled to the greatest possible information regarding the actions of this board and every board in the city and so they need to know what the official acts are of the officers that represent them. The formulation of public policy or the conduct of business by a governmental body shall be conducted in the open and not in closed meetings. All members of this body, a quorum of this body shall be public in meetings and all persons shall be permitted to attend and listen should they wish and usual efforts should be made to accommodate them. A couple of new items; by state law Agenda's must be published 72 hours in advance of a meeting, if it is not the meeting will be postponed. If it is published and it is missing items and it is not published in 72 hours, you cannot hear those items. Emergency has to be an unperceived circumstance. (Definition was described). You have to submit your notice of emergency meeting to the Attorney General and the Attorney General within 10 days will tell you if it was a legitimate reason or not. If it was not a legitimate reason it will dissolve every action taken at that meeting. As a general rule the Chair sets the Agenda items for discussion. There was a question related to taking Action on an Item that has not been posted. The City Attorney stated that action items need to be posted and set on the next meeting agenda. An Executive Session needs to be cleared through the City Attorney's office. The City Attorney did offer more detailed discussion regarding closed session requests and personnel matters. The City Attorney discussed the quorum and representation of the board in discussion board business if a quorum exists. Communications by a board member by e-mail to a quorum of the board discussing policy would be a violation of the open meetings act. This is where normal interaction turns in to artificial interaction because we have a law about transparency. A communication from Staff to the Board that is informative say talking about the agenda or meeting notice; that is a violation of the open meetings act. The Board Member that says, I just reviewed the agenda, I don't like the vendor that is in item 4 for the following reasons.... If you want to communicate an item on the agenda, the best practice and advice to the Boards is that communication goes directly from yourself to the Chair and to the staff member, but not as a communication to everybody. Other examples is if a Board Member has a presentation, invitation, periodical or information that they would like to share with the board in between meetings would be to send it to staff and cc the Chair. Sub-committees should be at least quorum minus 1. Minutes are governed by statute and minutes should be prepared within 10 days, they are not official until approved at the next meeting. Licenses, if you have licensing authority you would go in to Executive Session to discuss the issues of suspension, removal or revocation of a license. Personnel, discussion of personnel matters, hiring, promotion, demotion, dismissal, assignment, resignation or investigation, employees, final action must be out in public. Procurement, certain discussions can be held but the final action has to be in public. If you issue an RFP and you wish to discuss the evaluation of the RFP, you may do so; I don't always advise that you do so and you

may do it in Executive Session so long as the final decision is done in public in an open session. Litigation, Attorney-Client privilege discussions regarding threatened or pending litigation, transfer of rural property and water rights, those can be discussed in Executive Session but, 1) must be on your agenda, 2) you must take an individual vote to go in to the record and that record has to be preserved. You can only discuss those items, you cannot discuss any other items in Executive Session. When you come out of Executive Session you have to make a declaration that 1) we only talked about those issues, 2) we took no final action and then there is a motion to come back in to session. Those notes are not recorded internally except under a resolution adopted by the city, the recorder must record who participated in the Executive Session, who was in the room. Board Members, if you had to pull in staff, if you had to pull in a procurement consultant, anyone of that sort, there has to be a roster of who went in to Executive Session and it has to be published within the Minutes.

Ultimately, violation of the Open Meetings Act has penalties enforced outside the city, the Attorney General, the DA. This includes misdemeanors and attorneys and costs. If you violate the Open Meetings Act in your action, the real penalty is they undo your actions.

Inspection of Public Records: The general rule is this; a public record that relates to your business may be inspected if you're in the business of this board may be inspected by the public. Reports, Agenda, etc., they are all public records to conduct business of this board. The City Attorney referred again to e-mails, say the email from a board member to the Chair asking to have a presentation included in the Agenda; that is a public record. If someone wants to see that whether it is the media or any member of the public they can file a public records request. You would be contacted to produce these e-mails and there are criminal penalties if you say no way, I am deleting them. Words of caution, because e-mails in conducting public business are public record, please be mindful of that. Be professional in your e-mail. It was noted that under the Records Retention Act you would keep an e-mail communication regarding business for 3-years.

It was clarified that in the case of the composite of this board, many represent agencies, it was recommended that you use the professional business email address.

**Q: Sub-Committee Authority** – A sub-committee does not have decision making authority, it is not a quorum and can't be a quorum. A quorum of the body is the only group that has the ability to make a final decision on behalf of the body. You can come up with a recommendation and submit to the Board. The Chair may direct that a sub-committee meet in the interim between meetings and present a recommendation, provide your report for adoption at the next meeting. That is proper practice. A sub-committee letting the board know what they are going to do without Board approval is not recommended. A Chair for the sub-committee can be set for purposes of setting the Agenda for that sub-committee meeting.

**Q:** If an under aged person is presenting at this meeting, as in many cases they come and share their life stories, is this part of the public record. The City Attorney recommended that the individuals be given the right to not disclose their names, that they are informed that information is presented is public record. They could say, "I appear anonymously, please do not use my name and here is my story." If they come in and give you a letter and say "here is my story", I would like that part of the record. They have to be mindful that it will be part of the public record. There is the professional rule that confidential information should remain confidential. Juvenile information in the paper is only done by practice by the newspapers. We do not have authority in a police report under any circumstances to reflect a juvenile offenders record.

**Q:** If a member leaves and you lose a quorum can you act on any business remaining? No, the loss of a quorum does not allow you to take action on any items.

**Q:** Can you add an item to the Agenda. The City Attorney clarified that you cannot add an item to the Agenda because the public must have notice prior to the meeting. You can move items in the Agenda, you can postpone, motion and second to conduct that business. It is not recommended to move items on the agenda in order of items, moving the last to the first can create complications.

The City Attorney reiterated that following Best Practices is the best advice to follow.

Staff clarified that they need to have the agenda to City Clerk's – 8 days in advance.

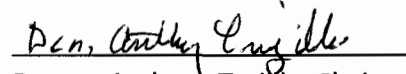
The City Attorney clarified that all sub-committee action needs to be brought to the Juvenile Justice Board for final approval.

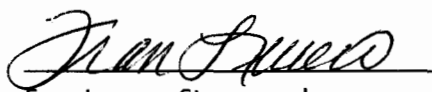
**VIII. Next meeting – November 21, 2013.**

**IX. Adjournment**

There being no further business to come before the Regional Juvenile Justice Board, the Chair called for adjournment at 6:40 pm.

Signature:

  
Deacon Anthony Trujillo, Chair

  
Fran Lucero, Stenographer



**Day Reporting Output and Performance Measures**  
**FY 14 (July 1, 2013-June 30, 2014)**  
**For the Month of: September 2013 (20 Days)**

	Output Measure	Description	Documentation/Data	Month	Year To Date
1	Number of Day Reporting (DR) cases Served	Number of DR clients served monthly and cumulatively during the reporting period.	List DR clients on monthly basis. In some cases this may be a duplicated count.	11	21
2	Gender of youth served	Separate the number of DR youth served by gender	Document the gender of each DR client.	8M, 3F	14M, 7F
3	Ethnicity of youth served	Separate the number of DR youth served by ethnicity	Document the ethnicity of each DR client. A-Anglo, N-Native American, H-Hispanic, S-Asian, F-African American, O- Other	9H, 2N	17H,1A, 1F, 2N
4	Average Daily Attendance	Calculate the ADA for the month and year to date	Determine the number of students attending DR for each day of the month. Total up all the students for each day and divided by the number days DR operated for the month.	2.4	2.5
5	Number and percent of DR clients that complete their individual duration of time in DR	Number and percent of DR clients that complete their individual DR assigned days with the program.	Document the number of youth that complete their individual DR assigned days. In some cases this may be duplicated count	10	14

September 1-24<sup>th</sup>, 2013

*Exhibit A -1*

**Day Reporting Output and Performance Measures**  
**FY 14 (July 1, 2013-June 30, 2014)**  
**For the Month of: August 2013 (22 Days)**

	Output Measure	Description	Documentation/Data To Date	Month	Year To Date
1	Number of Day Reporting (DR) cases Served	Number of DR clients served monthly and cumulatively during the reporting period.	List DR clients on monthly basis. In some cases this may be a duplicated count.	6	10
2	Gender of youth served	Separate the number of DR youth served by gender	Document the gender of each DR client.	2M, 4F	6M, 4F
3	Ethnicity of youth served	Separate the number of DR youth served by ethnicity	Document the ethnicity of each DR client. A-Anglo, N-Native American, H-Hispanic, S-Asian, F-African American, O- Other	4H, 1A, 1F	8H,1A, 1F
4	Average Daily Attendance	Calculate the ADA for the month and year to date	Determine the number of students attending DR for each day of the month. Total up all the students for each day and divided by the number days DR operated for the month.	1.6	2.6
5	Number and percent of DR clients that complete their individual duration of time in DR	Number and percent of DR clients that complete their individual DR assigned days with the program.	Document the number of youth that complete their individual DR assigned days. In some cases this may be duplicated count	4	4

**Intensive Community Monitoring Output and Performance Measures**  
(FY 2013)  
**For the Month of: September 2013**

	Output Measure	Description	Documentation/Data	Month	Year To Date
1	Number of ICM referrals	Unduplicated count of ICM referrals received during the reporting period	Document monthly new, carry-over and closed ICM cases. In addition maintain a year to date cumulative case data.	5	13
2	Number of ICM cases served	Number of ICM served monthly and cumulatively during the reporting period.	Listed clients on monthly caseload list as new, carry-over and closed. Year to date cumulative caseloads are all the closed cases year to date plus all the new and carry over clients for the current month.	1	2
3	Gender of youth served	Separate the number of youth served by gender.	Document the gender of each ICM client.	4 Male 1 female	9M 3F
4	Ethnicity of youth served	Separate the number of youth served by ethnicity.	Document the ethnicity of ICM client. A-Anglo, N-Native American, H-Hispanic, S-Asian, F-African American, O-other.	5- H	13 H
5	ICM clients that complete the ICM requirements.	Number of ICM clients that complete the program requirements during the term of supervision.	Document the total number that completed the ICM requirements.	1	2
6	ICM clients that reoffend during ICM supervision.	Number and percent of ICM clients that are arrested for a new delinquent offense.	Document the total number served and those that reoffend. Divide the total served number into the reoffender number.	0	0
8	ICM clients that. that reoffend within 30 days of completing the program	Number and percent of ICM clients who are charged with a new delinquent act or formal probation violation.	Document the total number served and those charged with formal probation violation. Divide the total number of clients served into the probation violation number.	1 Absconded	1 AB
	ICM clients that. that reoffend within 90 days of completing the program	Number and percent of ICM clients who are charged with a new delinquent act or formal probation violation.	Document the total number served and those charged with formal probation violation. Divide the total number of clients served into the probation violation number.	0	N/A
11	ICM clients that complete the ICM requirements and completed probation.	Number and percent of ICM clients that complete ICM and complete probation successfully.	Document the total number completing ICM services. Divide the total number ICM completions into the total number ICM clients that complete probation successfully.		

Prepared by MARY LOUISE ROMERO Title ICM MONITOR

Date 10/13

Funding Amount 47,600

Exhibit A-2

**Intensive Community Monitoring Output and Performance Measures  
(FY 2013)**

**For the Month of: August 2013**

	Output Measure	Description	Documentation/Data	Month	Year To Date
1	Number of ICM referrals	Unduplicated count of ICM referrals received during the reporting period	Document monthly new, carry-over and closed ICM cases. In addition maintain a year to date cumulative case data.	7	7
2	Number of ICM cases served	Number of ICM served monthly and cumulatively during the reporting period.	Listed clients on monthly caseload list as new, carry-over and closed. Year to date cumulative caseloads are all the closed cases year to date plus all the new and carry over clients for the current month.	1	1
3	Gender of youth served	Separate the number of youth served by gender.	Document the gender of each ICM client.	5 Male 2 female	5 M 2 F
4	Ethnicity of youth served	Separate the number of youth served by ethnicity.	Document the ethnicity of ICM client. A-Anglo, N-Native American, H-Hispanic, S-Asian, F-African American, O-other.	7- H	7 H
5	ICM clients that complete the ICM requirements.	Number of ICM clients that complete the program requirements during the term of supervision.	Document the total number that completed the ICM requirements.	1	1
6	ICM clients that reoffend during ICM supervision.	Number and percent of ICM clients that are arrested for a new delinquent offense.	Document the total number served and those that reoffend. Divide the total served number into the reoffender number.	0	
8	ICM clients that. that reoffend within 30 days of completing the program	Number and percent of ICM clients who are charged with a new delinquent act or formal probation violation.	Document the total number served and those charged with formal probation violation. Divide the total number of clients served into the probation violation number.	0 reoffended during interim	NA
	ICM clients that. that reoffend within 90 days of completing the program	Number and percent of ICM clients who are charged with a new delinquent act or formal probation violation.	Document the total number served and those charged with formal probation violation. Divide the total number of clients served into the probation violation number.	0	NA
11	ICM clients that complete the ICM requirements and completed probation.	Number and percent of ICM clients that complete ICM and complete probation successfully.	Document the total number completing ICM services. Divide the total number ICM completions into the total number ICM clients that complete probation successfully.		

Prepared by MARY LOUISE ROMERO

Title ICM MONITOR

Date 8/13

Funding Amount 47,600