

Board Meeting Minutes

March 26, 2024

Chairman Anaya called the second quarterly meeting of the Adult Parole Board to order at 9:08 AM on Tuesday, March 26, 2024.

Roll called by Director Roberta Cohen

Board Members Present

Abram Anaya, Chairman
Caryn Apodaca
Brandi Castillo
Janet Chandler
Amy Lopez
Roberta Lucero - Ortega
Mary Jaramillo-Barraza
Dorothy Pouges
Carol Slavens
Ann Murray
Van Rocco

Agency Staff Present

Roberta Cohen, Director
Others to be identified later.

Meetings conducted in person, public meetings conducted in accordance with the public meetings Act, NMSA 1978 Sections 10-15-1 to 10-15-4. The chair requested that board members raise their hand when requesting to speak and to identify themselves when speaking. All votes will be through a roll call vote. Any members of the public that want to speak were asked to state their name and affiliation.

Approval of Agenda – Motion to adopt and approve the agenda by member Chandler, Second by member Apodaca. Passed unanimously.

Roll Call

Approval of Minutes – Director Cohen has distributed the minutes from the last two meetings, July 25, 2023, and November 28, 2023, were distributed and everyone should have had an opportunity to review have minutes, Chair Anaya asked if anyone had any changes or corrections to the minutes. Seeing none, member Apodaca motioned to approve the minutes, second by Castillo.

Chairs' Report – The Chair welcomed two new members in, Van Rocco and Roberta Ortega-Lucero. Board members and staff went around and introduced themselves to the new members.

Chairman Anaya gave an update on Senate Bill 64, which is the state statute 31-21-10 involving giving serious youthful offenders' an opportunity for parole. As of the first week of April 2024, we are now in compliance with identifying and reviewing all 37 individual candidates that were affected by this new requirement. The chairman would like to thank members Amy Lopez, Caryn Apodaca and Brandy Castillo

for their assistance. The four of them were able to meet the first four parolees affected by the new statute this year at the legislature. In what was described as a refreshing and a truly inspired experience.

A copy of the board's policy regarding the open meetings act was included in the board's materials. A couple of noteworthy points of the policy are about meetings. Due to staffing issues and a lack of members on the board we missed a couple of meetings due to the failure to have a quorum of members available for meetings. Teleconference participation and responding to group emails. As a reminder, any time a member replies to group email they are effectively creating an open meeting. Members are encouraged to utilize the equipment given to them by the state rather than using their personal cell phone or other electronic equipment. Usage of personal equipment does make their equipment open to being subpoenaed and searched as part of the state IPRA's laws. Also, if you send any type of group text or message to more than a few members of the board that message is now open to be included as public information. Chairman Anaya goes into a few more specifics of the board's information and with no additional question pushes to move to approve of the board's official open meetings policy. A motion to adopt and approve this policy is made by member Apodaca and seconded. A roll call vote is taken and passed by the adult parole board.

Certificates of Parole of Conditions. Everyone received a copy of the most updated information regarding certificates of parole and conditions. Members are reminded not to make any notes on the paperwork during preparation or during the actual hearings as much of that information on that information included is confidential such as medical conditions, victim information and transitional planning. Members are reminded that the minutes go to the PPO and the parolee so try to be as clear as possible. If members are seeking a specific direction they are encouraged to write them clearly in the minutes. Member Apodaca adds for members to please try and be clear when making changes or making corrections to their minutes please put a line through any errors, as sometimes they can be hard to understand the intention.

The chairman added when setting conditions, we try to be an intuitive board, please read the file to understand the history and try to set the needs on what is best for that individual. Members are reminded to set the conditions on what are the primary needs of the individual. If too much is set on their plate, then we are setting them up for failure. Chairman Anaya noted that in his discussions with violators the primary reason they abscond from their parole is due to them receiving too many required terms being placed on them for parole. Additionally, it should be noted that many of the requirements must be paid for by the parolee in addition to the other fees they are assessed and charged. Members are reminded to be cognizant of the financial limitations of the parolees due to the type of jobs available to them. Members are encouraged to continue using their professional judgement when setting the terms of the release and selecting programming. While keeping in mind that programming should focus on the primary issue. Examples were given where an inmate was given a parenting class when they had no children, or a 7-time DWI inmate that was given an anger management programming when his problem was with alcohol not with anger. Member Lucero-Ortega brought to the discussion that in situations where female inmates often return to their families after being released, the opportunity to take a parenting class might be a very valuable resource to aid them with coping to life when they gain the additional pressures of reuniting with their families. Chairman Anaya complemented the perspective and encouraged the usage of that type of programming in those situations. Member Slavens wanted to address a previously mentioned example, where an inmate was given an anger management class based off a domestic violence charge in his priors from 10 years earlier. She is of the belief that it isn't fair to be punitive of something they have done in the past and that we should focus on the charges they are serving time for now. Member Chandler discussed the opportunities where she had discussed with the

inmate on the advantages of parenting class and that many times the inmate would agree as to the benefit from that type of training. Member Castillo continued the discussion that often when she makes the recommendation for parenting. It's sometimes because the inmate did not have a parenting model themselves and they could benefit from the examples and exercises provided in that class. She wants them to know what good parenting looks like because many did not have an example of it in their past. APB Staff Manager Rael joins the discussion, and she agrees with the added benefit of making offenders take a parenting class to aid in their healing and their transition back to their families after discussing it with them during their hearing. She reports that based off her experiences listening in on the hearings is that you get a lot more of the inmates on board when you have a discussion with them as to their needs upon release. Additionally, she mentioned a shift in the way many inmates react to the board during hearings. She observes them looking to their board members more as an elder with knowledge to share and after a discussion of their terms, by the end of the hearing the inmate is usually onboard with the plan. Member Lopez commented that in recent months she has changed the way she handled her cases by eliminating a hard lined zero tolerance focus on certain requirements and began engaging with the inmate more on how we can best serve them by involving them and utilizing their feedback back in developing their parole plan. Chairman Anaya liked the idea empowering the inmate through engaging their participation in developing the plan by encouraging them to take ownership and provides a buy-in on the plan. Member Chandler added that another thing she does is tell her people if they can think of anything they may need to before going in for their assessment, they should tell their PO when they go in for processing. She doesn't want to make it a term but if they feel it will help them, they should mention it at that time. Member Castillo tells her people that they should make use of their time while in prison to take these types of classes as they will count for credit for their future hearings.

Members are encouraged to be mindful when using the term, zero tolerance. In their conditions. We have had recent communications with new PPOs and learned that they are very exact in following whatever is included in the minutes to be enforced. For example, if you write zero tolerance for number 6 and they come in with a dirty urine test for something light like marijuana, they will be revoked and brought back in. If you put down an emphasis to try and keep themselves clean and there can be some type of graduated sanctions, put in place before returning them to prison. The exceptions to this rule are victims and weapons.

Member Ortega-Lucero commented that since being on the board she has noted a lack of formalness between the facility and the board. Additionally, she feels it would be very helpful to have some input from the classification officer prior to setting these conditions as they are typically more aware of a variety of knowledge that isn't in the file and/or the inmate may forget to communicate to the board.

Chairman Anaya shared his recent experience with the youthful/juvenile offenders' cases and remarked on how you could easily see the difference in having representation by how well the packets were more complete by included all their paperwork from their trainings, in-house behaviors, and programming. It was a more complete offender file that gave the review committee a much more complete perspective than what is currently provided by Corrections. The chair further encouraged members to talk to their offenders and see if they can get some additional information out of them regarding what might not be included in their file.

APB Office Manager Rael added that she agrees with member Ortega-Lucero and see's the problem coming from a reorganization at DOC's unit managers that oversees classification she and Director have been participating in trainings to assist the facilities with Parole Board expectations.

Member Lopez asked if there is anything, with regards to parole violations for juveniles being released, if there is anyone that needs be involved out of the ordinary since they are juveniles. Chair Anaya responded that the state statute is only to the meaningful opportunity for parole of the life sentence. Once that opportunity has been given, they must follow all the rules of parole as everyone else does. These individuals must comply with the 5-year parole term and conditions. Member Lopez asked if these individuals could write to the board if they violate and ask for re-parole. Chair Anaya said yes, they can apply for reconsideration to parole. For parole reconsideration hearings, the Board will go off what is recommended during the PV hearing on how long until the person can apply for re-parole.

End of Chairs' report.

Directors' Report- The position of management analyst and Business operations manager are in the process of being completed and filled in the next few weeks. IT update- OMNI is moving forward. Currently, facilities have moved back into CMIS due to not being able to complete the releases correctly in ONMI. Information will be entered into both systems for the time being. Director Cohen asked board members if they have had any questions regarding VPNs, Y drive, and if they are able to access the information for hearings easily. Member Jaramillo-Barraza stated that she is having trouble at times. Member Lopez stated the members In Grants are okay in accessing information, but sometimes they have a problem of echoing during hearings if they have 2 computers up and running at the same time. Ms. Rael will work with board members to fix the issues, if a solution cannot be found, she will contact IT for help. Member Lopez asked about the paperwork board members filled out to have access to Odyssey. Director Cohen and Ms. Rael will be in contact with former Director Bigej to see if members have been approved for access.

Director Cohen stated that Ms. Bigej was working on the bill that was drafted asking the legislature for more money for the parole board. She is currently waiting to hear it if has been approved to go to the legislative session.

End of Director Report.

Boards comments and concerns- Member Apodaca brought to attention the award Chair Anaya received for the parole board. Chair Anaya thanked the hard work that was put forward to juvenile parole rule change in 2020 and everything the parole board has done. Chair Anaya was awarded the leadership award. Member Murray asked for clarification on the email that was sent about mileage. Chair Anaya responded that the new DFA analyst along with the previous executive director determined that time spent traveling to and from hearings, or any other time for a meeting is not permissible as time towards per diem. If the legislation passes, the board members will be compensated for traveling time, time processing files, and file review.

Chair Anaya stated that he and Director Cohen did speak to see if it can be rectified. Member Jaramillo-Barraza asked about the time frame to receive pay. Director Cohen stated that since Ms. Bigej entered her new role, having her sign vouchers was no longer viable, thus the reason the board did not get paid until Mrs. Cohen was authorized to approve the vouchers. Now that the Director has authorization, payment will be approved once Per Diem is sent in.

Member Murray brought up the issue of the halfway house, Transition for living. There is no supervision and drugs are present. Chair Anaya agreed, stating that he will ask the individual if TFL is the only option, the board does not want to set these people for failure with that location. Chair Anaya asked the board to help bring documentation forward showing the failure of the location, so that we can either improve the success rate of the facility or close it down.

Member Lopez asked for an update in board member Ring. Unfortunately, her situation has not improved. Member Rings' term expires in February and a decision was made not to reappoint her.

Member Murray gave appreciation for the way files are now sent to board members in the Y drive instead of physical files being sent through the mail. Director Cohen stated the process of files will change once ONMI is up and running better. There will be less repetitive documentation for offenders, making review easier.

Ms. Rael asked the board to please reach out if they have any questions about the office or any about the corrections side of any process.

No further discussions.

No Public comment.

Next meeting will be schedules July 2024. Please reach out to the Chair or Director Cohen if you have anything you want to add to the next meeting.

Meeting Adjourned 10:53 AM.

Approved:



Chair



Executive Director

