

**MINUTES OF THE**  
**SANTA FE COUNTY**  
**DWI PLANNING COUNCIL**

**February 23, 2011**

**Santa Fe, New Mexico**

This meeting of the Santa Fe County DWI Planning Council was called to order by Yvonne Ortiz, Acting Chair at approximately 8:15 a.m. on the above-cited date at 2052 S. Galisteo, Santa Fe, New Mexico.

The following members were present:

**Members Present:**

Yvonne Ortiz, Acting Chair  
Donna Morris  
Sgt. Louis Carlos

**Member(s) Excused:**

None

**Staff Present:**

Becky Beardsley, Program Coordinator  
Steve Shepherd, Health and Human Services Director  
Joseph Gutierrez, Community Services Director  
Frank Magourilos, Prevention Program Supervisor  
Joyce Varela, DWI Accountant

**Others Presents:**

Mary Justice, Christus St. Vincent CARE Connection  
Cynthia Delgado, Santa Fe Underage Drinking Prevention Alliance, Community Liaison  
Diego Lopez, Hands Across Cultures  
Sgt. Diego Lucero, Santa Fe County Sheriff's Department  
Sgt. Alan Mascarenas, Santa Fe City Police Department  
Shelley Mann-Lev, Santa Fe Public Schools – Underage Drinking Prevention Alliance

**III. AGENDA**

Ms. Morris moved to approve. Sgt. Carlos seconded and the motion passed by unanimous voice vote.

Mr. Shepherd noted that the agenda as presented is the standard County format.

#### **IV. MATTERS FROM THE PUBLIC**

Ms. Delgado made the following announcements regarding this evening's City Council meeting:

- The Santa Fe Public School SWAT team from Capital High School will be making a presentation on the safety of Airport Road regarding alcohol retail density
- The Nuisance Abatement Ordinance amendment will be brought forward

Ms. Delgado noted that the high school presentation is very interesting and suggested the Planning Council consider hearing it.

#### **V. MATTERS FROM THE COUNCIL**

Ms. Morris asked whether Ms. Mann-Lev's position with the Santa Fe Public School system removes her eligibility to serve on the Council.

Ms. Beardsley said the program has not provided direct funding to the SFPS but rather contracted with independent programs. She confirmed that the state regulations prohibit voting members from receiving program funding, and a year wait period is required to fund programs for elected officials and/or individuals serving in decision making capacities to receive program funding.

Mr. Shepherd said the County does not have a specific prohibition; however, he anticipated the Commission would not appoint members that have a financial stake in the program.

Ms. Beardsley said the regulations recognize the Sheriff's Department as a County entity which is allowed to serve on the Council while DWI program staff cannot. In addition Law Enforcement receives CDWI funds which do not have the same restrictions.

Ms. Delgado said it certainly makes sense that Planning Council members are not voting on funds for their own organization.

Mr. Shepherd said Council members can recuse themselves from voting.

Sgt. Carlos recalled a recent presentation from the County's legal department regarding voting.

Ms. Morris referred to the recommendation regarding the FY2011 funding request from Hands Across Cultures whose executive director is a recent former County Commissioner. Mr. Shepherd said Hands Across Cultures will in all probability not be funded.

Ms. Mann-Lev said the SFUDPA request is not for the public schools but instead a community-based training through a third-party. Ms. Beardsley concurred and said no money will go to the SFPS.

In light of the current conversation, Ms. Mann-Lev withdrew her membership application to the Planning Council. Recognizing that 13,500 of the community's highest risk youth are in Santa Fe's public schools she said her participation would be as a non-member.

Mr. Shepherd said the County Commission has not addressed the resolution that enacted the DWI Planning Council and at this point the existing resolution applies.

## **VI. INFORMATIONAL ITEMS**

### **A. Legislative Update**

Ms. Beardsley said there are approximately 89 alcohol-related bills staff is tracking. She mentioned the minors under the influence bill that has momentum but neither house has acted on it. A bill to reduce the penalty of serving alcohol to minors has been introduced making it a felony offense at the third incident for individuals who are certified servers but still a felony for everyone else on the first offense. The bill gives the licensed server a break on the first and second offenses. She stated that while some disagree with the concept stating a licensed server especially should abide by the law she stated that the liquor industry has cited some instances in which the bartender has served someone underage without knowing they are underage. She stated this could be avoided if the server was more attentive but also stated that perhaps this would result in more citations since law enforcement may be more likely to cite for a misdemeanor than a felony. The bill is being pushed by the liquor industry which is finding it difficult to hire servers since they are getting a felony offense for serving a minor.

A bill was introduced to expunge DWI felony offenses after seven years. Ms. Beardsley noted this is as particularly problematic in that information on repeat offenders will be removed.

Also introduced were bills that would increase the liquor excise tax and create a local option.

Ms. Beardsley said HB2 (budget bill) moves \$1 million from the DWI programs to the drug courts. In 2007 a portion of the DWI program funds was carved out for the drug courts. When a request for an increase was made the State decided to take the drug court allocation out of the county portion and put it in the general fund portion and thereby reduced the amount of the increase from the requested 45% to 41.5% to reflect this change. This year there is a statewide budget shortfall and funds for Drug Courts are being sought again from the portion allocated for the counties. Following a recent meeting with the Administrative Office of the Courts in which the counties agreed to help the drug courts again, the AOC has agreed to push the 5-day rule regarding judgments and sentences hard thus speeding up the process of getting people out of jail, saving the counties a great deal of money.

Ms. Beardsley said she couldn't predict which bills had a strong chance of passing and mentioned what had been a strong bill introduced by Peter Wirth was amended with a clause to revoke driver's licenses for undocumented individuals, essentially killing the bill. An update will be given at the next meeting.

## **VII. ACTION ITEMS**

### **A. Fiscal Year 2011 Budget: Re-budget options**

*[Exhibit 1: NM Liquor Excise Tax Revenue Distribution projection]*

Ms. Beardsley reviewed the 2011 and 2012 budgets. She noted FY2011 delineates distribution, projected expenses and the difference. There is a projected \$205,236 for re-budgeting FY 2012. She cautioned the Council that if the distribution is less than anticipated the County must provide the extra money to cover those expenses. She recommended identifying priorities and holding back on those items that are less crucial in the event the funds run short.

Ms. Beardsley said county DWI programs are planning to meet with DFA to determine whether they can reapply for unused funds. Reapplication has been a practice but there is no guarantee. In the past, programs had used remaining funds at the end of the year on quick purchases because there wasn't time to implement contracts or other valuable projects. With this new practice of being able to apply for reverted funds and use them the following year, funds are being utilized more efficiently and effectively.

Regarding FY 2012, Ms. Beardsley identified the submitted LDWI budget with a projected shortfall of \$87,456 if the allocations are made to the drug courts. She reviewed the bare projected expenses that were based on this year's actuals and noted that number can match the worst case scenario and stated that the bare bones numbers do not allow for expansion. She does not anticipate receiving LDWI competitive grant monies. The LDWI Detox grant is a guaranteed amount of \$300,000 by statute and will be subcontracted to CHRISTUS St. Vincent. Screening fees are collected from the DWI offenders and the figure was based on 2011's budget. The fees pay for a portion of one of the compliance officers' position. The CDWI funding is unknown until April/May so the 2011 figures were used as a projection. CDWI funding (\$40,000) covers BIA checkpoints and saturation patrols, City of Santa Fe underage operations, law enforcement officer DWI training, and supplies to law enforcement for field-testing and alcohol-related operations.

A question was posed whether the Sheriff's Department would lose the DWI unit if funding not received. Ms. Beardsley said the federal grant agreement signed a few years ago when we received federal funding for additional positions requires that the positions must be funded but she doesn't know the specifics of the terms. She said LDWI funding must be used for an active law enforcement officer on the street.

Sgt. Lucero said the Sheriff's office has issued a new schedule for the DWI unit and the entire unit will be on the street.

Ms. Beardsley pointed out the FY12 funding is approximately \$97,000 down from FY11. She attributed that to the reduction in GRT. In total FY12 is \$320,000 less than FY11. She was confident that staff and essential programs would not be cut.

Ms. Beardsley explained the re-budgeting activities that will occur following the Governor signing off on the budget.

Sgt. Carlos announced a shoulder tap operation was scheduled pre-Spring break.

Regarding a question as to whether the ignition interlock indigent fund is operational, Ms. Beardsley described the previous lack of criteria for determining indigence to qualify for the interlock ignition program. She stated that the program was administered through the State's Traffic Safety bureau and lacking criteria the program went bankrupt and into the red. The DWI programs provided \$250,000 in assistance and \$300,000 is allocated annually from the liquor excise tax fund. Eligibility criteria and limits on what can be paid for installation and removal are now in place and it is anticipated that the program will begin operations again around July.

Referring to the current funding requests, Ms. Beardsley said assistance in the amount of \$183,225 has been requested. She reviewed the nine requests highlighting the three projects that received previous approval from the Planning Council. She noted that all projects, even those previously approved, were on the table for consideration.

Hands Across Cultures	\$ 25,000
SFPS – Family Training	\$ 6,000 – previously approved and implemented
SFUDPA – Prom/Grad Initiative	\$ 10,225*
SFUDPA – Social Norms Campaign Dev.	\$ 22,000
<u>DWI Staff projects</u>	
DWI Prevention – Evaluator/Strat Plan	\$ 25,000 – previously approved
DWI Prevention – Prepay media ads/FY12	\$ 15,000 – previously approved
DWI Screen – ADE Seats	\$ 5,000 – previously approved
DWI CPE – CADDy increase	\$ 60,000 – previously approved
DWI DPE – Purchase copy machine	\$ 15,000 – previously approved

[\* actual amount \$8,015 – less available postage reducing the amount below \$8,000]

Ms. Beardsley identified the projects that have potential 2012 follow up costs such as the Social Norms Campaign with an addition \$72,000 and the Evaluator/Strategic Plan, \$25,000. She stated that as the budget stands there are no additional funds to continue these projects.

Mr. Magourilos distributed the scope of work for the FY11 project [*Exhibit 2*] and the qualifications of the external evaluator. He said the evaluator is critical to the project. The strategic plan will cover a three-year period.

Ms. Mann-Lev said she understood that aside from Hands Across Cultures requests, the programs as presented are eligible for funding and if the funds available are not allocated there is a high likelihood that the funds will be available FY12.

Ms. Mann-Lev explained that although the \$70,000+ slated for FY12 Social Norms Campaign was not budgeted there should be funds available from salaries and benefits savings since three prevention specialists were budgeted but only 2.5 are working. She advocated that the funds be used for prevention and she understood from Mr. Magourilos that the Social Norms Campaign was the highest priority.

Mr. Magourilos concurred with Ms. Mann-Lev regarding the prevention specialist. He said the half-time position could be utilized for more than the Social Norms program.

Ms. Beardsley noted that the projected budget already included a reduction in salaries and benefits to reflect that cost reduction.

Regarding the CADDy program, Ms. Beardsley said it is viewed as effective with the ridership more than tripling. She said the program is more expensive than anticipated and will need to be discussed during the strategic plan. Ms. Delgado suggested business participate in the program.

Sgt. Carlos moved to ratify the previous approvals and approve the other requests with County's legal determining the eligibility for Hands Across Cultures. Ms. Morris seconded. [This motion was withdrawn]

Under discussion Ms. Mann-Lev said the education committee proposed the Social Norms Campaign without a clear understanding of the strategic plan's scope of work. She asked that the \$22,000 slated for the Social Norms Campaign be held over until next fiscal year.

Ms. Morris said if included in the strategic plan the Social Norms Campaign will move forward this fiscal year.

The motion was clarified as follows: All previously approved items were reapproved; the Prom/Graduation program is approved; the Social Norms Campaign is on hold pending the outcome of the Strategic Plan; and pending legal review Hands Across Cultures is approved. [This motion was withdrawn]

In the event Hands Across Cultures cannot be funded, Mr. Shepherd asked where those funds should be allocated. Sgt. Carlos said if funding the program violates state statute he suggested evenly distributing the \$25,000 amongst the approved projects.

**Sgt. Carlos moved to ratify the previous approvals, approve the two SFUDPA requested projects; and the \$25,000 for Hands Across Cultures be equally reallocated (\$3,125) to projects approved for FY11. Ms. Morris seconded.**

Under discussion of the motion Sgt. Carlos said he wanted to use the money this fiscal year and not risk losing it.

Ms. Beardsley said budget adjustments are not impossible but can be very time consuming so she prefers to do them once. She also stated that it may not be possible to increase some of the projects since they are fixed costs but will proceed as directed to the extent possible.

Having reviewed the funding requests, Ms. Delgado said the two areas that are underfunded are the strategic plan and the Social Norm Campaign and she suggested increasing those allocations.

Ms. Mann Lev said the prevention program has committed to developing an alcohol lesson that would supplement the life skills training. Originally teachers were slated to present the lesson but she suggested a contractor be made available this year to address the 150 eligible

classes. She felt confident a contractor or prevention staff could have the logistics worked out in the next few weeks.

Ms. Beardsley recommended developing the concept further for future consideration.

The motion passed by unanimous [3-0] voice vote.

**B. DWI Planning Council Membership**

Each of the Council members reviewed their top choices. Following discussion, Sgt. Carlos moved that the Board endorse the appointments of:

- Ken Coleman
- Jim Jackson
- Lisa Wooldridge
- Richard deMella
- Michael Sisneros
- Juan Blea
- Allen Steele
- Diego Lopez

Ms. Morris seconded and the motion passed by unanimous [3-0] voice vote.

**ANNOUNCEMENTS**


**Law Enforcement/Adjudication** – March 31, 2011 - 1:00 p.m.

**Next PC meeting** – March 31, 2011 – 8:30 to 10:30

**ADJOURNMENT**

This meeting was declared adjourned at approximately 10:15 a.m.

Approved by:

  
 Yvonne Ortiz, Acting Chair  
 DWI Planning Council

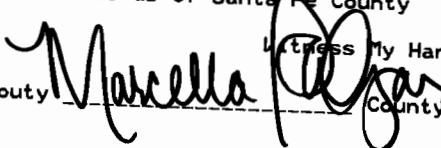
Submitted by:

Karen Farrell, Wordswork



COUNTY OF SANTA FE ) DWI MINUTES  
 STATE OF NEW MEXICO ) ss PAGES: 11

I Hereby Certify That This Instrument Was Filed for  
 Record On The 14TH Day Of June, 2011 at 04:17:47 PM  
 And Was Duly Recorded as Instrument # 1637467  
 Of The Records Of Santa Fe County

Witness My Hand And Seal Of Office  
 Deputy  Valerie Espinoza  
 County Clerk, Santa Fe, NM

SFC CLERK RECORDS 14/2011

### **SFC DWI Prevention Program; Evaluator Scope of Work**

1. The Evaluator will be responsible for training/facilitating the development of a Strategic Plan. The Strategic Plan will be developed in a two-day workshop with the Strategic Planning Task Force. There may need to be 5 Strategic sub-plans to independently address the five SFC Communities that will be assessed.
2. The Evaluator will be responsible for collecting data and developing Needs Assessments to include Santa Fe, Pojoaque, Edgewood, Moriarty, and Tribal SFC Communities (as available).
3. An Evaluation Manual consisting of 4 parts: Programmatic Information, Evaluation Tools, Program Documentation, and Administrative Information, will be developed by the Evaluator to ensure that program staff have all the necessary tools to implement the program, ensure quality evaluation processes are maintained, and prepare the program for audits, site visits and other scrutiny.
4. The Evaluator will be responsible for developing an overall Evaluation Plan and a Logic Model to be utilized by staff.
5. The Evaluator will lead the development of the Needs Assessment, Capacity Building, and Strategic Planning.
6. The Evaluator will be physically available to present data and relevant information at all SFC DWI Prevention Program required Audits.
7. The Evaluator will be responsible for utilizing Statisticians, Data Managers, and other professional staff, to carry out the overall evaluation plan.
8. The Evaluator will provide quarterly reports to the SFC DWI Coordinator.



9. Provide feedback, technical assistance, and support staff in the evaluation and implementation of the goals and objectives on a monthly basis or as needed.
10. Provide on-site visits and/or telephone contact on a monthly basis.
11. The Evaluator will assist in the Re-application process by developing an updated Evaluation Plan and a Logic Model when needed.
12. The Evaluator will develop a Power Point presentation of the Needs Assessment Highlights and Gaps in Data and present to the community, BCC, and others as needed.
13. The Evaluator will also develop evaluation tools/instruments for the direct service grants to be utilized in FY12.

**Evaluator Skills Criteria-Specific to ATODA Prevention:**

**Strategic Plan Initiation/Facilitation-**Expertise in facilitating and lead in the creation of a strategic plan

**Process Evaluation-** Expertise and experience in collecting information and evaluating the extent to which the process of the prevention activity exceeded, achieved, or fell short of expectations, and the implications for this process on outcomes

**Psychometrics/Instrumentation-** Experience and expertise in the development and application of instruments that reliably collect valid information from individual sources

**Statistical Analyses/Modeling-** Experience and expertise in the selection, use, and interpretation of appropriate statistical techniques to analyze quantitative data. This must be more than the ability to "plug in" standard formulas or techniques, and includes understanding of how unevaluated factors may influence results

**Stochastic Modeling-** Experience and expertise in the selection, use, and interpretation of models that organize randomly-selected observations into a probability framework. This type of evaluation is useful when there are a large number of uncontrolled observations, such as nighttime single car crashes, a typical measure of the success of prevention of driving under the influence

**Interview Facilitation-** Experience and expertise in eliciting and interpreting valid and

reliable information from the interview process. This may include key informant interviews, individual participant interviews, telephone and community intercepts, group sessions such as focus groups, and iterative processes such as Delphi technique, etc.

**Impact Evaluation-** Experience and expertise in identifying and measuring the probable impact of a program on larger community processes. For example, assuming that only a portion of juvenile crime is committed by prospective participants in a prevention activity, impact evaluation must be able to assess the extent to which changes in the overall incidence of juvenile crime reflects the impact of the success of failure of the program. In addition, impact evaluation must incorporate unplanned impacts, such as declining participation in a competing youth development activity as a result of recruitment of youth into the prevention effort.

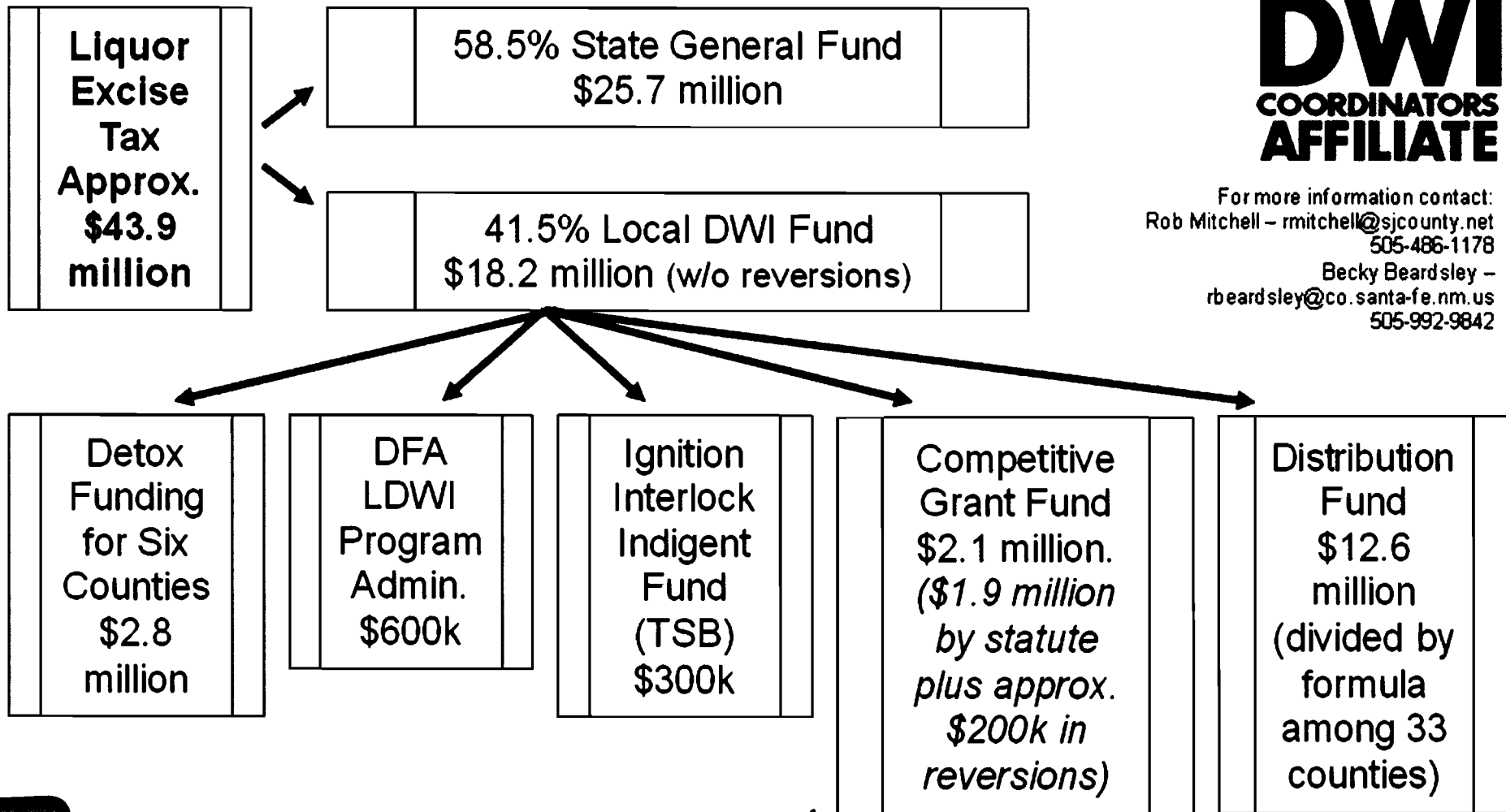
**Cost-Benefit/Cost-Effectiveness Evaluation-** Expertise and experience in determining the economic implications of the prevention effort.

**Policy Analysis-** Expertise and experience in examining the effects of authoritative decisions affecting outcomes, including worksite policies, community policies, and government laws, regulations, and ordinances. These include both intended and unintended consequences, and variation resulting from enforcement or lack of enforcement.

# New Mexico Liquor Excise Tax Revenue Distribution – FY2012 Projection

**NEW MEXICO  
DWI  
COORDINATORS  
AFFILIATE**

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- 1) Prevention 2) Law Enforcement 3) Compliance Monitoring 4) Screening & Tracking 5) Alternative Sentencing 6) Coordination, Planning & Evaluation 7) Alcohol-Related Domestic Violence 8) DWI-Related Treatment 9) DWI-Related Drug Courts