

COUNTY OF SANTA FE)
STATE OF NEW MEXICO) ss

DWI MINUTES
PAGES: 7

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MINUTES OF THE

SANTA FE COUNTY

DWI PLANNING COUNCIL

July 8, 2010

Santa Fe, New Mexico

This meeting of the Santa Fe County DWI Planning Council was called to order by Allan Wheeler, Chair at approximately 8:40 a.m. on the above-cited date at 2052 S. Galisteo, Santa Fe, New Mexico.

The following members were present:

Members Present:

Allan Wheeler, Chairman
Donna Bevacqua-Young
Marti Rodriguez
Donna Morris
Shelley Mann-Lev
Sgt. Louis Carlos
Diego Lopez [8:50 arrival]

Member(s) Excused:

Jon Paul Romero
Sgt. Joe McLaughlin
Yvonne Ortiz

Staff Present:

Becky Beardsley, Program Coordinator

Others Present:

Sgt. Clifton Coleman, Santa Fe County Sheriff's Department
Sgt. Alan Mascareñas, Santa Fe PD

AGENDA

Ms. Bevacqua-Young stated she would be discussing legislation under items from the floor. The agenda was approved by consensus.



APPROVAL OF MINUTES:

May 13, 2010

Ms. Morris moved to approve and Judge Rodriguez seconded. The motion carried unanimously.

May 25, 2010

Ms. Morris moved approval. Ms. Bevacqua-Young seconded and the motion passed by unanimous voice vote.

OLD BUSINESS

A. City and County Addressing Alcohol Abuse Board Resolution

Chairman Wheeler stated he was particularly concerned about this resolution and suggested that the matter be discussed in terms of its history, purpose and what is known about it. He invited everyone to give a three-minute synopsis of their views. A vote will be held at 10:15 and the remaining agenda matters can be covered after that.

Chair Wheeler asked where the resolution came from and its purpose. Ms. Beardsley stated the resolution emerged out of the City-County Task Force on addressing alcohol. The task force was formed a year ago following the teen deaths on Old Las Vegas Highway. She read a recommendation from that group: "To accomplish this we are recommending that once again the governing body of the City of Santa Fe and the Board of County Commissioners of Santa Fe County establish an ongoing board of key decision makers and community leaders whose purpose is to maintain the focus of the community on the issue of alcohol abuse, provide oversight of existing programs and collaborate on new opportunities to address the problem of alcohol abuse in Santa Fe County. This board would provide oversight and direction to the Santa Fe County DWI program ensuring that the work and objectives of the Santa Fe City and County Addressing Alcohol Abuse continue to move forward."

Ms. Beardsley was told of the recommendation and advised she would be getting more information as it became available. In April she received the text of the resolution. At that time efforts were afoot to streamline all committees, and she asked various people in the County how this new board would fit. Guidelines from LDWI, CDWI and the enabling resolution all address the DWI PC and its membership and role. With no further input from her the resolution was placed on the BCC agenda. Ms. Beardsley stated she had no hand in writing this resolution and had reservations regarding the potential oversight and additional bureaucracy. "This planning council already has the authority to do a lot of the things that are in the resolution."

She said, however, that there are times when the PC lacks the authority of decision makers and elected officials. She said the board isn't a bad idea as long as the PC can still do its job and can work in conjunction with the board. She noted she had revised the resolution so that the board has broader authority, not just over the DWI program. She speculated that the board as contemplated could help gather greater resources and help the PC accomplish its goals.

Ms. Beardsley said it is in the power of the BCC to create or dissolve the PC as they see fit. The contemplated board would be able to look at treatment, taxation, legislation, and countywide activities as well as any other issue related to alcohol. She said they have already accomplished things since their formation, such as a community wide survey on treatment. There are certain things that could be done that neither she nor the PC have the authority to do because they require statutory changes or must be done within organizations other than the County.

Chair Wheeler said the PC is the group charged with reducing DWI and has an excellent track record. He felt the BCC's not involving the group was a "real slap in the face." Ms. Beardsley reminded him that she was not consulted either and instead learned of the decisions ex post facto yet she is supposed to be the expert in the community. She has had to defend the program from numerous attacks and justify expenses and decisions.

Ms. Beardsley said, however, that she could see the value of the proposed board in that it could take on the responsibility for things she can't do, such as changing policy. She indicated that the criticism began after the last high-profile crash. People in the community felt more was needed, and the finger-pointing began.

[Mr. Lopez joined the meeting.]

Ms. Beardsley noted that Santa Fe County is different from other areas in that most fatalities here are caused by repeat offenders.

Sgt. Mascareñas interjected that a warrant roundup was to be held on repeat offenders in the coming days.

Ms. Beardsley detailed the difficulty in obtaining records to prove prior offenses, the problems with Municipal Court which prevent some convictions from being counted as priors and the most recent problems with Magistrate Court record keeping which all contribute to the problem of repeat offenders.

Getting back to the resolution, Ms. Beardsley pointed out that the level of people contemplated for the board are not going to want to come to monthly meetings and delve into the minutiae of day to day procedures, preferring to tackle big picture issues when asked why the elected officials and those to serve on the Board could not just joint the existing PC.

Sgt. Carlos said he was disgusted when he first read the resolution, believing that the planning council would be replaced. He advocated standing up and voicing their powers to the BCC. He lauded Ms. Beardsley's help in securing equipment and extra monies for law enforcement.

Ms. Morris was also disgusted and said it seemed like a struggle for financial resources. Ms. Beardsley said ultimately, the County is the fiscal agent and has the final say. She is required to justify her proposed expenditures. Not all suggestions can be turned into reality. She again referred to the program's positive track record. She reminded the group that the County was waiting for a recommendation on the resolution and she would present any decision the committee makes, but the BCC will make its own decision.

Sgt. Carlos asked what the planning council could do to support Ms. Beardsley. Ms. Beardsley said she was aware the task force quickly accomplished things that the planning council could never do. She added she needed both the support the planning council offers, and the pull of the higher officials. Some of the things she is asked to do can only be done on the state level. She asked the committee if they thought they could accomplish the goals listed on the resolution, such as community-wide treatment studies and prevention activities, etc. The consensus was that the PC cannot.

Chair Wheeler suggested he and Ms. Beardsley meet with the Commissioners to ask them about the scope of work.

Speaking from the point of view of the City Police Department, Sgt. Carlos stated they are not empowered to deal with the entire county. Ms. Beardsley reiterated that there are bigger issues at stake and neither she nor the planning council has the authority to handle them.

Ms. Morris said she doubted the Commissioners were truly informed on the matter at hand and supported meeting with the BCC. Ms. Beardsley speculated that the Commissioners probably were not in support of the proposed board having oversight over the program funding, but she has modified that part of the resolution.

Chair Wheeler stated more programs fail than succeed; the BCC should be offered the opportunity to learn from their collective experience.

Mr. Lopez said he understood the idea was to get influential people involved in the process, but there is a tendency for them to eventually delegate their responsibilities. There is no guarantee of a lasting commitment.

Ms. Beardsley said the question is: Can the planning council accomplish the stated goals? Currently there is a task force, but after the resolution three Councilor and two Commissioners will have to sit on the board. If the planning council feels they are sufficiently effective they will have to back it up.

Ms. Bevacqua-Young referred the duties and responsibilities listed on page 2 under C, and asked whether the planning council had reviewed those. She asked who was on the task force and Ms. Beardsley passed around the list.

Sgt. Coleman asked why the task force didn't just go ahead and proceed with their plans. He said they appeared to be creating cogs, not wheels, and that it seemed like a smokescreen. He said he supported the work of the planning council. Judge Segura is not in favor of the proposed board, noting the good work done by planning council.

Ms. Beardsley indicated there is a desire to formalize the task force and assign staff to it to ensure continuity. Otherwise, the momentum could be lost. As it stands, Cynthia Delgado is convening the meetings but that will eventually change.

Chair Wheeler stated the task force has not asked the planning council whether the ideas they are suggesting have been tried before. Ms. Beardsley said that during the past year she has talked about various issues with them as they have been proposed and explained which things have been tried, results, barriers, etc. As a result their list of projects was subsequently shortened. So there has been input and education on an ongoing basis to a certain degree.

Ms. Bevacqua-Young speculated when the administration changes the position of Drug Czar might be eliminated. She volunteered to contact people on the task force list. Chair Wheeler said this new plan sounds like “more political smoke.”

Ms. Mann-Lev pointed out she participated in the task force and the elected officials were willing to advocate and use their power to focus attention on the problems. She noted that planning council members did not come to listen to the reports at the public meetings. “The responsibility is mutual.” Ms. Beardsley said she made the planning council aware of the task force meetings and keep them informed of the projects/progress.

Judge Rodriguez indicated the resolution could work to their advantage. The Commission needs to be made aware that they have been doing their job, but the new board with elected officials could play a very positive role as well. She recommended getting a Supreme Court Judge involved as this could effect change.

Ms. Bevacqua-Young asked to be included in the meeting with the Commissioners. Ms. Beardsley said she didn’t think meetings to discuss this individually with the Commissioners would take place. She reminded the PC that they had asked for a written recommendation and after three meetings to discuss this that is what is expected. She stated that she was more than willing to discuss the recommendation with the Commissioners on an individual basis but stated that coordinating meetings with several people would be difficult. She reminded the committee that the group could be reduced to five people in the overall reorganization.

Ms. Morris said she felt any recommendation was premature prior to the Commission getting a true picture of the situation and the history of the planning council. Chair Wheeler agreed it would be better to delay the vote until they found out what the BCC wants of them.

Ms. Beardsley outlined the two outstanding issues: a recommendation on a higher-level board; and what will happen in the County reorganization. She did not think meeting with the Commissioners would be effective. She asked for what the members think they can accomplish, and she can pass along those thoughts to the Commissioners. They will then have to vote on the resolution.

Sgt. Carlos reminded the committee that this could be used to their advantage in that some of the tasks can be outsourced. In the meantime, they press on until the situation becomes clarified. He said they need to come up with a recommendation one way or the other.

Sgt. Carlos moved to approve the resolution [*Exhibit 1*] as amended by Ms. Beardsley. Judge Rodriguez seconded.

Judge Rodriguez added if the planning council does nothing they will appear indecisive and all their credibility will be lost.

Ms. Beardsley asked if the committee still contemplated recommending doing away with the resolution. Sgt. Carlos stated he didn't think the issue would go away, and there was no point in upsetting the heavy hitters. Mr. Lopez agreed that formation of the new board was inevitable, but they should try to make them accountable. Ms. Beardsley said thus far the task force members do not seem to be passing the buck. This could be a good opportunity to sustain momentum. If the recommendation is to void the resolution the planning council has to be prepared to take on all the responsibility for the goals.

Ms. Bevacqua-Young reiterated that they need to visit the goals and weigh them against their resources. Ms. Beardsley said she didn't feel they have neither the resources nor the authority. The PC members agreed.

Chair Wheeler said he would vote for the resolution as modified by Ms. Beardsley. Ms. Mann-Lev stated this is a chance for the higher-ups to be better informed and to encourage collaboration.

Judge Rodriguez said the planning council could hold the board accountable.

The motion to forward the resolution, as amended with a positive recommendation passed unanimously.

Ms. Morris said she voted in favor in spite of her reservations on how it was presented to them.

OLD BUSINESS

Announcing that she was now working for the Attorney General's office, Ms. Bevacqua-Young solicited ideas from the committee on what issues should be tackled.

Ms. Mann-Lev stated she met with Phil Baca from AG's office about pending legislative issues such as minors in possession laws and minors visibly intoxicated. Additionally, alcohol taxes continue to be a can of worms. Ms. Beardsley noted that previous proposed legislation to increase overall alcohol tax has the program funding remaining flat while the general fund gets the increases. This ensures that the liquor industry will fight any increases.

STAFF REPORTS

Coordinator's Report & Financial Report

Ms. Beardsley said she has been working on the aforementioned resolution, as well as attending meetings on multiple offenders, working on magistrate court issues, the 1800 missing abstracts, outstanding DWI warrants, compliance monitoring programs, and the budget.

Financial Report

Reports will not be ready until the beginning of August in order to consolidate the year-end information. Approximately \$70,000 will be reverted with the understanding that they can reapply for the funds. They have just received \$150,000 via a competitive grant from reverted funds.

Prevention Report [Exhibit 2]

Ms. Beardsley said they could discuss the prevention statistics at the September meeting.

Teen Court Report

Ms. Beardsley said she has not yet received the information and will send it out with the financial reports when available.

ANNOUNCEMENTS

Prevention – to be called for special topics

Law Enforcement/Adjudication – August 11, 2010, 1:00 pm

Screening/Treatment – to be called for special topics

Next PC meeting – September 2, 2010 – 8:30 to 10:30 (tentative)

Sgt. Mascareñas elaborated on the planned warrant roundup, outlining the problems involved with incorrect names and addresses.

ADJOURNMENT

This meeting was declared adjourned at approximately 10:40 a.m.

Approved by:

Allan Wheeler, Chair
DWI Planning Council

Yvonne Ortiz for *allan wheeler*

Submitted by:

Debbie Doyle, Wordswork



TEST:

Valerie Espinoza VT
VALERIE ESPINOZA
COUNTY CLERK