



Village of Los Lunas, Valencia County DWI PROGRAM

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3445 Lambros Loop, Los Lunas, NM 87031 ~ (Office) 505-352-7723 ~ (Fax) 505-352-3590

DWI PLANNING COUNCIL MEETING

March 8, 2023

12:05 pm

EXECUTIVE MEMBERS PRESENT:

Robert Mundy, CWC, St. Matthew's Episcopal Church	Carol Claus, Community Wellness Council (CWC)
John Chavez, Belen Magistrate Court	Victoria Flores, YDI, Teen Court
Ryan Gray, Los Lunas Police Dept.	Catalina Nunez Valencia Shelter Services (By Proxy – Brissa Sotelo)
Heather Benavidez, State Treasurer's Office	Mike Milam, Valencia County Clerk
Esther Padilla, NMSP	Pamela Skinner, Community Wellness Council (CWC)

EXECUTIVE MEMBERS ABSENT:

Ragon Espinoza, Children Youth and Families	Chelsey Meyer, MADD New Mexico (Excused)

GENERAL MEMBERSHIP:

Noelle Chavez, H2 Academics	Marisha Maez, DWI Drug Court
Thomas Bizzell, NMSP	Karyn Sullivan, Department of Health
Joann Cordova—Sanchez, VLL VC DWI	Michelle Gonzales, VLL VC DWI
Cheryl Luna, VLL VC DWI	Judge Miles Tafoya, Los Lunas Magistrate Court
Wilford Crain, Veteran Affairs	Nathan DeLeon, Veteran Affairs
Paulette Jaramillo, Los Lunas Magistrate Court	Stefanie Baca, Los Lunas Magistrate Court
Rayven Ward	Angela Ramirez, VLL VC DWI
JoAnn Griego, Presbyterian Community Health	Ginny Adame, VLL VC DWI
Lori Kurtz, VLL VC DWI	Scott Bowen, District Attorney's Office
Katrina Fuller, Ideal Option	

President Mundy opened the meeting at 12:05pm, with a full quorum.

Self-introductions.

Review of agenda. Motion to approve the agenda was moved by Heather Benavidez; 2nd by Esther Padilla. No discussion. All in Favor. Approved.

Review and approval of December 14, 2022 minutes. Motion to approve the minutes was moved by Carol Claus, 2nd by Esther Padilla. No discussion. All in Favor. Approved.

New Business:

Update on Legislative Session -- By Ms. Ginny Adame

- The following Legislative Bills relative to liquor excise tax were discussed:
 - HB 547 -- Under the proposed bill, the distributions of the net receipts attributable to the liquor excise tax are as follows:
 - 37.25% Local DWI Grant Fund (down from 45%)
 - 0.5% Municipalities in a class A county with a population of 30,000 – 60,000

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4.25% Drug Court Fund (down from 5%)

58.0% Alcohol harms alleviation fund

The effective date is July 1, 2024 (Withdrawn from committee or daily calendar for subsequent action);

- HB 230 -- Under the proposed bill, the distributions of the net receipts attributable to the liquor excise tax

are as follows:

Percent Distribution of Liquor Excise Tax Revenue Earmarked Use:

12% Local DWI Grant Fund

0.25% Municipalities in a class A county with a population of 30,000 – 60,000

1.5% Drug Court Fund

86.25% Alcohol harms alleviation fund remaining at the end of fiscal year 2024 shall revert (Recommend Do Pass?);

- HB 315 -- creates the community reinvestment grant fund (CRGF) and the substance use disorder prevention and treatment fund (SUDPTF) with revenue earmarks to both

funds. HB315 diverts a total of 33 percent of cannabis excise tax revenue to the newly created

funds, split evenly (each fund receives 16.5 percent of cannabis excise tax revenue).

This bill does not contain an effective date, and as a result, would go into effect June 16, 2023,

(90 days after the Legislature adjourns) if signed (Recommended Do Pass).

- HB 321 -- distributes the liquor excise tax as follows: 60 percent to the local DWI grant fund (up from 45 percent); 10 percent to the drug court fund (up from 5 percent); and 30 percent to the Human Services Department for the state medicaid program (a new distribution). The bill removes the distributions to class A municipalities (currently only Farmington) and to the general fund (currently roughly 49.5 percent). This bill does not increase the liquor excise tax rate. (Recommended Do Pass?);

- HB 470 -- creates the DWI Act in a recompiled Motor Vehicle Code (Chapter 66 NMSA 1978) by proposing new, recompiling existing, and amending new sections. For the DWI Act, HB470 overhauls offenses and sentencing for DWI by liquor, drugs, or a combination of both. HB470 also creates concurrent jurisdiction for first, second, and third DWI offenses between the magistrate and district courts; provides a new penalty for DWI with a teenage minor in the vehicle' and allows emergency medical technicians and certified phlebotomists perform the blood test. (HCPAC: Reported by committee with Do Not Pass but with a Do Pass recommendation on Committee Substitution);

- HB 484 -- amends multiple sections of the Motor Vehicle Code to prevent driving with cannabis or controlled substances or metabolites in the blood, in addition to alcohol concentrations. HB484 strikes language in 66-8-102 of state statute to make it unlawful for a person under the influence of alcohol or drug to drive a vehicle, whether capable of

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driving the vehicle or not. The bill adds “delta-9-tetrahydrocannabinol or delta-9-tetrahydrocannabinol metabolite or a controlled substance or metabolite concentration” to various sections of law, including the Implied Consent Act, to include driving under the influence of cannabis or other drug under provisions concerning drunken driving. While existing blood alcohol concentration limits remain in law under HB484, the bill does not set out limits for cannabis, controlled drugs, or their metabolites, making driving with any amount unlawful. The bill does not contain an effective date and, as a result, would go into effect June 16, 2023, (90 days after the Legislature adjourns) if signed into law. (Tabled)

- SB 61 -- The Senate Tax, Business, and Transportation Committee amendment to Senate Bill 61 adds a 24.75 percent distribution of the liquor excise tax receipts to the substance abuse education fund and reduces the distribution to the domestic violence victims fund from 49.5 percent to 24.75 percent. The STBTC amendment also increases the tax rate of products produced by local microbrewers, small winegrowers, and craft distillers to gradually bring the rate up to the base rate for non-local products as the size of producer increases. Under the amended bill, the distributions of the net receipts attributable to the liquor excise tax are as follows:

Percent Distribution of Liquor Excise Tax

Revenue Earmarked Use

45% Local DWI Grant Fund

0.5% Municipalities in a class A county with a population of 30,000 – 60,000

5% Drug Court Fund

24.75% Domestic Violence Victims Fund

24.75% Substance Abuse Education Fund

The effective date of this bill is July 1, 2023 (No Recommendation)

- SB 190 -- would appropriate \$300 thousand from the general fund to the Human Services Department (HSD) to study the demand for substance abuse treatment and to create a substance abuse treatment plan that determines the number of treatment facilities, types of treatment services, geographic distribution of services, and funding necessary to address the demand for substance abuse treatment in New Mexico. (Recommend Do Pass)
- SB 220 -- adds new distributions of liquor excise tax receipts to counties for the
- provision of alcohol and substance abuse prevention and treatment in proportion to county size and to a new county alcohol and substance abuse prevention and treatment fund to be administered by the Human Services Department (HSD). Under the proposed bill, the distributions of the net receipts attributable to the liquor excise tax are as follows:
Percent Distribution of Liquor Excise Tax
Revenue Earmarked Use
45% Local DWI Grant Fund

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0.5% Municipalities in a class A county with a population of 30,000 – 60,000
5% Drug Court Fund
24% Counties – for alcohol and substance abuse prevention and treatment
24% County alcohol and substance abuse prevention and treatment fund (HSD)
1.5% General Fund
The effective date of this bill is July 1, 2023 (Recommend a Do Pass)

- Discussion.

Rocket Teen Center Presentation -- by Noelle Chavez

- Rocket Teen Center opened in October 2022, providing the following services:
 - Behavioral Health
 - Sport and Fitness Programs
 - Mentoring Program (Big Brother Big Sister coming soon)
 - Health and Wellness Classes
 - Art Classes
 - Library (All Faiths provided furniture/seating)
 - Gaming Room (grant received with TNT Boxing and the Youth Success Core)
 - Community Garden
 - Cooking Classes
 - Upgraded clothing and shoe closet, and food outreach program
 - 30+ community partners
 - Special thanks to City of Belen and Belen Consolidated Schools for working greatly with Program
- H2 Academic Solutions Scholarship Fund Program:
 - There are 3-5 people available to assist with many different services, to include bilingual services:
 - Pride Club (H2AS Cross Program)
 - Proud young Activists (H2AS Cross Program)
 - STEAM (H2AS Cross Program)
 - Venture Lab
 - Clothing and Shoe Closet
 - Gas Cards
 - Hygiene and Food Assistance
 - Homelessness Supports
 - Utility and Vehicle Support (must be vetted)
 - Application Assistance
 - Grant Writing: Training and support
 - Financial Sponsorship
 - Ms. Pamela Skinner advised that the Section 8 Housing application process is overwhelming. The Resource Center can assist with this.
- Congratulations to H2 Academics for being a leader in providing much needed services within the County.

On-Going Updates:

- **District Attorney's Office** – by Mr. Scott Bowen, Assistant District Attorney
 - More DWIs being filed, with approximately 5 to 1 Misdemeanor to Felony level;

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- The Very Reverend Mundy asked if convictions are falling through;
- ADA Bowen advised that things are improving at the DA's office. There are more cannabis cases coming through, and advised that Implied Consent still applies. He also stated that we are in need of more Drug Recognition Experts (DREs);
- Sergeant Ryan Gray shared that DREs within the county are down to three (3) from 6 or 7 previously (DREs are with Belen PD, Bosque Farms PD, and Los Lunas PD). Sgt. Gray also shared that there will be a DRE school held in April (out of state). Additionally, ARIDE (Advanced Roadside Impaired Driving Enforcement) classes are a prerequisite for DRE, and an ARIDE refresher course can be done online.
- Ms. Ginny advised that the DWI Program is available to assist in any way possible in an effort to increase the conviction rate and reduce recidivism.

Treatment – by Ms. Joann Cordova-Sanchez:

- 3rd quarter v. 2nd quarter:
 - Active: 62 v. 57;
 - Referred: 28 (LL-21, Bel-7) v. 37 (LL-23, Bel-10, Self-1)
 - Successful Discharges: 11 v. 16
 - No Treatment Required: 3 v. 2
 - Referred to other Agencies: 3 v. 6
 - Non Compliance Discharge: 4 v. 1
- Groups are Tuesday (5 clients) and Wednesday (7 clients) facilitated by two part time therapists
- Angela is certified for Acu-Detox, a form of acupuncture.
- The program is still hybrid due to many clients working out of state; however, working on bringing more clients in-person.

Drug Court – by Ms. Marisha Maez:

- Currently there are 12 participants, with one on bench warrant;
- As of March 7, 2023, the DWI Drug Court Program has a 6.1% recidivism rate;
- Reaching out to the DA's office and defense attorneys to possibly receive referrals as early as possible;
- Possible Certification as early as next week;
- DWI Drug Court panel has been doing a lot of on-line training.

Local/State Law Enforcement Update

By Sergeant Ryan Gray with Los Lunas PD:

- DRE school will be held in California in April;
- Checkpoints are back up with two (2) completed and five (5) to go;
- MADD New Mexico is part of the checkpoints;
- The Los Lunas Police Department's DWI Command Center RV was damaged by wind when its roof was blown off.

By Agent Thomas Bizzell with NMSP:

- Focus has been on tobacco operations and education;
- Biweekly liquor checks. Partnering with the DWI Program's Underage Taskforce to conduct sales to minors and to intoxicated persons;
- Warrant roundup operation is planned in the Spring/Summer timeframe;

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- Agent Bizzell thanked the DA's office for the work they are doing on DWIs, and stated that law enforcement officer matters also apply to DWIs being dismissed.

YDI/Teen Court/Youth Coalition Update – by Ms. Victoria Flores:

- Teen Court is now being held in person;
- There are 12 youth volunteering to train as prosecutors and defense attorneys;
- Referrals are accepted from any agency for youth 13-17 for misdemeanor offenses only. Largest referrals pertain to vaping, public affray, and battery;
- Looking to create Teen Court in Belen;
- H2 Academics is a big partner with Teen Court.

Prevention/Enforcement – by Ms. Ginny Adame:

Prevention:

- Continuing on with CWC and 100% Community Initiative. Have worked with community to present data on the leading causes of death for adults and youth in Valencia County throughout VC through a number of community events. Community selected (3) top priorities to focus on for the next 3-5 year cycle:
 - 1) Mental Health Services (Access and Utilization)
 - 2) Substance Use Harms Prevention (including alcohol)
 - 3) Increased Healthy Food Access and Consumption
- Next CWC Community Health Improvement Planning Crunch will be held on March 28th at the Peralta Methodist Church from 10:00-2:00pm. We will be focusing on the 3 priorities, identifying root causes, and starting the process of developing a community driven plan to address the 3 priorities over the next 3-5 years building in how we will measure our progress and evaluation of our work.
- Youth Success Core/TNT Boxing & Youth Mentoring Center:
 - We have had a number of cohorts go through the YSC Envision Your Future curriculum and our team has identified the need to add a media literacy component based upon so increases in violence and disrespectful behavior a portion of which has been fueled by a social media presence Andrew Tate who champions a number of unhealthy ideologies about how to treat women, what it means to be a 'real' man, and how to treat LGBTQ people. A number of East Coast schools have identified the same issues and are working on programming to address this harmful cultlike following of Andrew Tate and the increases in violence. Our media literacy program will focus on helping youth identify how people are manipulated by what they see/hear on social media to include advertisements both formal and informal. We will teach youth to dissect media, find the hidden or not so hidden messages and then see how it reflects on their mindset about themselves and others. We plan to pilot this program with the recent group of youth moving through YSC. Updates will be brought forward.

Enforcement:

- Since the last DWI PC on December 14th to present the following operations have taken place:
 - Compliance Check (12/16/2023) with (3) Selling or giving alcohol to Minors along with (6) other traffic citations.
 - Three (3) Minors in Possession of Alcohol, (2) Assault with a deadly weapon, (2) Arrests, (2) Aggravated fleeing, (2) No Insurance, (1) Speeding, and (1) Suspended Registration.
- Proms are coming up along with hopes of SIU training and another Warrant Round up.

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Compliance – by Ms. Lori Kurtz:

- Introduced our newest Misdemeanor Compliance Officer, Ms. Michelle Gonzales, who started her employment in December 2022. She has been a blessing to our Program;
- Announced the confirmation of state Accreditation of our Misdemeanor Compliance Program and presented the Certificate. Ms. Cheryl Luna was thanked for her continued assistance throughout the process.

Open Discussion/Topics for Next Meeting:

- Judge John Chavez recognized Valencia Shelter Services (VSS) for their long-term partnership;
- Ms. Katrina with Ideal Option advised that she would like to provide a presentation on their program;
- Mr. Nathan DeLeon with Veteran Affairs stated that the VA will be reengaging in Valencia County. 10% of the veterans seen at the VA are from Valencia County;
- Sgt. Ryan Gray shared information regarding the ‘Cops v. Fire’ boxing evening to be held at Rebel Arena in Albuquerque on April 29, 2023.

Motion moved by Heather Benavidez to adjourn meeting, 2nd by Carol Claus; All Approved. Meeting adjourned at 1:20pm.

MINUTES ARE IN DRAFT FORM AND ARE NOT OFFICIAL UNTIL THEY ARE APPROVED BY THE DWI PLANNING COUNCIL.

Reviewed and Approved by DWI Planning Council:

Dated: _____

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