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December 3, 2006

SUBJECT: Minutes of November 9, 2006 LAPS Drug Testing meeting

TO: Distribution

1.0 Introduction

1.1 This meeting was held at 11:30 am on Thursday, November 9, 2006. Meeting was held in Conference Room A at the Los Alamos Public Schools (LAPS) Central Office.

1.2 Purpose: This meeting was a follow-up to the Thursday, July 27, 2006 and Thursday, September 28, 2006 meetings to discuss options to reduce drug and alcohol use by LAPS students. There was no agenda for the meeting so there was much discussion of specifics related to the incident wherein a number of our students were cited for MIP by the police. This led to suspension of participation for 45 days for a number of athletes and others.

1.3 Meeting attendees included Dr. Jim Anderson, LAPS Superintendent, Wayne Byers, LAPD, Alan Kirk, Municipal Judge/Coach, Barb Marcille, Teen Court, Chuck Ney, LAPD, Morrie Pongratz, LAPS Board of Education, Tommy Rodriguez, Juvenile Probation Officer, Lynne Saccaro, principal, LAHS, Sharon Stover, JJAB, and Georgina Williams, LAPS Prevention Specialist.

2.0 Discussion

SPEAKER #1 – We need a level of consistency between testing positive and MIP citations. Currently we have “45 days or remainder of season” for MIP – would we have that for testing positive too?

SPEAKER #2 – drug testing is more uniform and therefore more fair.

SPEAKER #3 – School district policies ranges – “presence” whether charged or not? Robert Abney is meeting with students – there is an impact because of the citations.

SPEAKER #4 – police need probable cause (to cite?) – that’s less than needed for conviction – the “charge” implies and investigation will ensue. Referred to JPPO after citation is still not convicted. We have a lack of structures for kids – pulling them from an activity could remove the structure they need. Could LAPS have a lesser sanction pending conviction?

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SPEAKER #5 – The JPPO has options – may have a preliminary inquiry – can handle youth charged with up to 3 misdemeanors informally at the JPPO level. Family/youth can decide not to participate in Teen Court, etc. (diversion programs) at which point they would be referred to the D.A. The D.A. will ask if there is enough proof for conviction. Is it worth the D.A.’s time when there are more serious crimes? What is the JPPO’s recommendation?

SPEAKER #1 – That looks like a lot of guilty youth will “get off” by not choosing the alternatives/diversion. We should say “the matter is under investigation”. Youth in athletics and activities are more likely to refuse to cooperate with the JPPO because of the LAPS sanctions and then they “get off” and get no help.

SPEAKER #6 – judication can take a long time

SPEAKER #7 – should we have a lesser sanction?

SPEAKER #3 – need sanctions plus a suspension from activities

SPEAKER #4 - graduated sanctions? A judge once told me about the three classes of miscreants. There’s the NORP’s – Normal Ordinary Regular People – they get the message – 75% of them are NORP’s. We need some sanctions for them – punitive, behavioral and treatment. Then there’s the “slugs” – they adapt – sanctions may not deter them. You need to disrupt their schedule so they cannot adapt. About 20% are “slugs”. Then there are the “slicks” – they are never caught – they are the final 5% - when you catch ’em - “hang ’em”. They won’t change. Consider graduated sanctions – if they push the system and get caught twice you hit ’em hard. Diversion programs act promptly – I’m concerned about the time it takes with sports seasons, etc.

SPEAKER #8 – for treatment you need to refer them to a licensed therapist.

SPEAKER #4 – the JJAB could find money for that.

SPEAKER #7 – There’s a double jeopardy when they get penalized by the state and by the schools.

SPEAKER #1 – When the LAPD changed their policy (to cite?) maybe LAPS should have modified our policy because there’s a wider net being cast.

SPEAKER #6 – the new policy of LAPD makes the students more accountable.

SPEAKER #1 – the JJAB is a good place to develop policy.

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SPEAKER #2 – I favor using the sanction change to get drug testing into the policy.

SPEAKER #3 – I'm concerned about changing the rules of the game in the middle of the year.

SPEAKER #1 – I guess that depends upon whether you relaxing or toughening the sanctions.

SPEAKER #9 – I support SPEAKER #3 – don't change the policy in an emotional situation.

SPEAKER #3 – All the meetings with parents have occurred.

SPEAKER #6 – the JJAB was looking for action.

SPEAKER #9 – the LAPD has been getting support. We've tipped the scales into our favor in terms of changing the culture. He appreciates that folks stood behind the LAPD in this instance.

SPEAKER #3 – Even the parents do not argue with LAPD.

SPEAKER #7 – Harsh sanctions lead to a defensive stance – sends a bad message – be defensive.

SPEAKER #4 – Don't mingle the state and LAPS processes. LAPS does not have to prove beyond a reasonable doubt.

9.0 Next steps:

9.1 Next meeting is Thursday, December 7 at 11:30 am in Conference Room A at Central Office.

10.0 Distribution

Robert Abney, LAPS Athletic Director
Dr. Jim Anderson, Superintendent LAPS
Wayne Byers, LAPD
Alan Kirk, Municipal Judge/Coach
Barb Marcille, Teen Court
Lynne Saccaro, Principal, LAHS
David Sims, LAC DWI Program Coordinator
Sharon Stover, JJAB

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Georgina Williams, LAPS Prevention Specialist