



June 3, 2022

Barbara Vigil, Cabinet Secretary for CYFD  
1120 Paseo de Peralta  
Suite N-554  
Santa Fe, NM 87502

VIA ELECTRONIC MAIL TO: [barbara.vigil@state.nm.us](mailto:barbara.vigil@state.nm.us)

In Re: Guns at schools

Dear Secretary Vigil,

There is never a reason for a child to take a firearm to school. In the wake of the tragedies at Sandy Hook Elementary in Connecticut (2012), Stoneman Douglas High in Parkland, Florida, (2018), Aztec High School (2017), Roswell's Berrendo Middle School (2014), Albuquerque's Washington Middle School (2021) and West Mesa High School (2022), and most recently at Robb Elementary School in Uvalde, Texas, it is extremely concerning that the Children Youth and Family Department's (CYFD) risk assessment instrument (RAI) does not authorize detention for minors who bring firearms onto school campuses. We cannot continue to do the same thing and expect better outcomes. Since 2020, firearm related deaths are the leading cause of death for children and adolescents (ages 1 - 19), surpassing motor vehicle crashes, drug overdoses, or cancer. New Mexico needs risk assessment instruments that are responsive to the violence being experienced by our communities and that address the danger presented by firearms at our schools and in the hands of our youth.

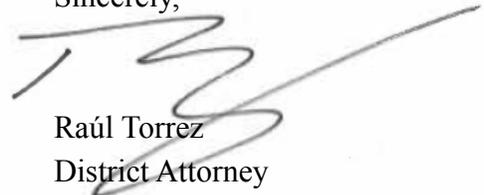
The day after the shooting in Uvalde, a student was found with a ghost gun with an extended magazine loaded with twenty bullets at Volcano Vista High School. Following the protocol to determine whether to detain a juvenile, the responding law enforcement officer requested authority from CYFD to take the juvenile into detention. CYFD's RAI returned a score of "3, low-risk" for this individual. The RAI requires a score of 12 or greater to authorize detention.

Certain charges by themselves score a 12. However, shockingly, the unlawful carrying of a deadly weapon on school premises is not among them.

If the RAI recommends release for juveniles who take guns to school, what steps does CYFD take to ensure the young person's and the public's safety? Considering that CYFD did not authorize detention in the case at Volcano Vista, has CYFD conducted a home visit to make sure he does not have access to other firearms? Does he have mental or behavioral health issues requiring services? What supervision protocols are in place to monitor him while he is in the community?

We are coordinating with our law enforcement partners to use the resources available to us to keep the community safe. In the Volcano Vista case we are expediting the filing of charges, but seeing the result of the RAI raises serious questions about how many other times a young person has been released after taking a gun to school. It also raises the broader question of how many times a young person with a gun anywhere in our community was released. Accordingly, we request a list of every instance within the last year in Bernalillo County where the RAI did not recommend detention for 1) young people who brought a firearm onto a school campus and 2) young people in possession of a firearm anywhere in our community. We further request an immediate re-evaluation and amendment of the RAI to treat guns at schools and in the hands of juveniles with the seriousness they deserve.

Sincerely,

A handwritten signature in black ink, appearing to read 'Raúl Torrez', is written over the typed name and title.

Raúl Torrez  
District Attorney

Cc: Chief Harold Medina, Albuquerque Police Department, [hmedina@cabq.gov](mailto:hmedina@cabq.gov)  
Sheriff Manuel Gonzales III, Bernalillo County Sheriff's Office, [mxgonzales@bernco.gov](mailto:mxgonzales@bernco.gov)