DUST DANGER

Intense dust storms that cause highway wrecks, such as the one last week that killed three people, are not uncommon in the town of Picacho, Ariz., between Tucson and Phoenix.



Behavioral health provider cuts staff

Ariz. firm blames 'revenue shortfalls'

By Deborah Baker Journal Capitol Bureau

An Arizona company brought in by the Human Ser-vices Department to replace some New Mexico behavioral

health nonprofits is laying off staff.
Valle del Sol, which pro-vides services in communi-ties including Los Lunas, Bernalillo, Española, Taos and Raton, confirmed it has reduced its workforce but refused to provide details. CEO Kurt Sheppard said the decision was based on "reve-nue" and "rightsizing opera-

tions in New Mexico."
"Current consumer census
did not justify maintaining
current staffing patterns,"
Sheppard told the **Journal** in
an email.

Sheppard toot the over-an email. He said Valle del Sol has 120 staff in New Mexico, and as services "are stabilized and continue to grow" additional staff may be recruited. The Human Services

Department halted Medicaid payments to 15 nonprofits in June after an audit that the department said showed over-billing, mismanagement and possible fraud. Arizona firms brought in by HSD took over

12 of those operations. Advocates for the mentally ill and addicted say the ensuing upheaval in the system has interrupted services to clients. Edward Church, a therapist in Los Lunas with Valle
del Sol — formerly Valencia
Counseling Services — was
laid off effective Oct. 24. The
letter he received from Valle
del Sol said the company had
hoped to keep all its employees, but "unfortunately, this
is not possible due to revenue
shortfalls."
Church said eight employ-Church said eight employ-

ees were laid off at the Los Lunas site, including three therapists. He also contended that the client caseload in Los Lunas has dwindled to less than 400, and that it used to be upwards of 1,000 under Valen-cia Courseling Sewines. cia Counseling Services.

Church said the layoffs leave the Los Lunas office with the

See BEHAVIORAL on PAGE C2

WINTER VISITORS SETTLE IN



The deep-throated calls of sandhill cranes fill Albuquerque's North Valley as the big birds adjust to their cold-season residence at Candelaria Farms, adjacent to the Rio Grande Nature Center. The first birds were spotted in early October flying over and have now settled in, according to Nature Center Director Beth Dillingham.

Catholic Church urges support of abortion ban

Analyst says stance could boost turnout at the polls

By James Monteleone
Journal Staff Writer

Religious leaders are taking a front seat in Albuquerque's debate of the proposed ban on abortions after 20 weeks that voters will decide at the polls on Nov. 19. New Mexico's top Catholic Church leader threw his support behind the proposed ordi-nance on Sunday and urged churchgoers to hosal to the polls to help nass, the referredum.

nance on Sunday and urged cnurengoers to head to the polls to help pass the referendum. Archbishop Michael J. Sheehan, who heads the Archdiocese of Santa Fe, celebrated a "pro-life" Mass in Albuquerque on Sun-day and called on Catholics to help restrict abortion laws that he said currently attract women from around the country to Albu-

querque to receive later-term abortions.

"I encourage all the people of Albuquerque to support the proposed ordinance to ban late-term abortion after the 20th week. These chil-dren are able to feel pain and suffer greatly when aborted," Sheehan said in a statement.

SHEEHAN:

Sheehan commended the effort of political organizers to collect sufficient petitions and get the proposed ordinance on a city ballot. Early voting has begun.

Debate ha

The archbishop said debate over the ordi-nance has helped educate the public about

The Catholic Church typically does not

weigh in on election debates to endorse candidates, but the church routinely has advocated its stance on issues such as its strong opposition to standing abortion policies.

New Mexico political analyst Brian Sanderoff, president of Research & Polling Inc., said the advocacy from the Catholic Church could boost turnout at the polls.

"People will make up their own minds based on their own values, regardless of what their bishops or priests might say." Sanderoff said. "However, many of the faithful could be inspired by the priests and bishops, and that could increase turnout."

Meanwhile, a coalition of opposition groups

couta increase turnout."

Meanwhile, a coalition of opposition groups organized against the proposed 20-week abortion ban known as "Respect ABQ Women" has highlighted a number of local religious leaders who oppose the ban.

See CHURCH on PAGE C2

Full reservoirs buoy optimism of farmers along Pecos

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Journal Staff Write Farmers in Eddy County are planting hay Farmers in Eddy County are planting hay this fall, a gesture of optimism on the lower Pecos River in southeastern New Mexico after three years of record drought. The planting, on land that has been left fallow in recent years because of a lack of water, comes after massive September rains filled reservoirs on the Pecos.

"They know we'll have water next year," Dudley Jones, manager of the Carlsbad Irrigation District, said of his district's farmers. Located aft the southern end of the Pecos in

Located at the southern end of the Pecos in

New Mexico, the Carlsbad farming district has had a tough few years. Precipitation from Oct. 1, 2010 through Sept. 30 was the driest three-year stretch in the region since record-keeping began in the late 1800s, according to federal weather records. Conflicts with the district's upstream neighbors have been one of the results, as Carlsbad-area farmers pushed this year for the state to curtail water use in the Roswell-Artesia area in an effort to try to ensure that more water makes it downstream.

Heavy September rains caused the turnaround, according to Greg Lewis, Pecos Basin manager for the New Mexico Interstate Stream Commission. Every Nov. 1, Lewis looks at the amount of water currently in storage in the four major Pecos reservoirs upstream of Carlsbad and makes an initial projection of how much water will be avail-able for farmers next year.

able for farmers next year.

Last year at this time, the amount of water was "practically nothing." This year, Lewis said Monday, there's already enough water to make it likely the Carlsbad Irrigation District will get a full allocation of water even if there's a bad winter.

That also is good news for Lewis' agency, which is under fire because of problems with a state program to pump water from the ground to augment the river's flow during dry years.

See FULL RESERVOIRS on PAGE C2

Education chief: Evals not fed issue

U.S. secretary: 'You have to look at multiple factors'

By MIKE BUSH

In an interview last week with a New York school teacher, U.S. Secretary of Education Arne Duncan went out of his way to praise New York state's teacher evaluation system, which bases only 20 percent of its evaluation on student achievement.

which bases only 20 percent of its evaluation on student achievement.

He did not mention New Mexico's controversial teacher evaluation system in which 50 percent depends on student achievement — even though he was asked specifically about it — but said the federal government would never impose a particular standard on the states.

Many teachers in New Mexico are unhappy with the state's new system because they say the 50 percent requirement places too much weight on student achievement. New Mexico's two teachers' unions either have taken, or are considering taking, legal action to halt the program, and many teachers and officials with Albuquerque Public Schools — the state's largest district — have been outspoken in their opposition to the evaluation program.

In a video circulated widely amone New

program.

In a video circulated widely among New Mexico's educational establishment on Monday, Joiselle Cunningham, a teacher from

See EDUCATION on PAGE C2

City Council OKs seizing cars used in prostitution crime

By DAN McKay Journal Staff Write

BY DAN MCKAY
Journal Staff Writer

Pimps, johns and prostitutes may soon face more than just an arrest when caught by Albuquerque police.

An ordinance approved by city councilors late Monday would allow officers to seize any motor vehicle used in a prostitution crime. It was sponsored jointly by councilors Roxanna Meyers and Ken Sanchez.

"This is a citywide problem," Meyers said, pointing out sting operations conducted throughout Albuquerque.

Sanchez said he sees prostitutes every day on West Central, where he works. Police need more options for attacking the problem, he said.

Albuquerque police Lt. Lee Brown said he doesn't expect to target the prostitutes themselves. Instead, he'll focus on seizing the vehicles of pimps or johns when the vehicle is used in the course of the crime.

The council voted 8-1 in favor of the ordinance, with Roy Gardunio in dissent.

Gardunio raised questions about people wrongly accused of a crime and the possibil-

See COUNCIL on PAGE C2

Free listings online offered

Got an event you want people to know about? Use the free listings on ABQjournal.com — type ABdjournal.com — types of calendars include charitable events, concerts, sports, worship and others. You can list your event and include a photo and website link. Go to the Venue tab for the calendar link.



Flying the colors

The flag should be flown at full staff today.

'The Language of Architecture'

Daniel Libeskind, an internationally acclaimed architect, will speak on "The Language of Architecture," at the University of New Mexico's Woodward Hall at 5:30 p.m. Thursday. The event is free and open to the public. Libeskind's buildings include the Jewish Museum in Berlin, the extension to the Denver Art Museum and the Ground Zero Master Plan in New York.

'Remorseful animal lover' Defense attorneys in closing arguments said John McCluskey, convicted of killing an Oklahoma couple, is a "remorseful animal lover" damaged by an abusive childhood and brain defects.

Page C2

Help for the Holidays

Help for the Holidays
Nonprofit organizations are invited to submit their holiday volunteer and donation needs to the Albuquerque Journal for inclusion in the annual Help for the Holidays column to run Sundays, Dec. 1 through Dec. 22. Each item will be published once. All submissions are due by 5 p.m. Nov. 18. Include a brief description of the nonprofit's services, its need for volunteers and its need for donations, as well as address, phone number and possible website. Email Items to mitrown@abqjournal.com or mall to Madelon Brown, Albuquerque Journal, P.O. Drawer J, Albuquerque, NM 87103.



Ouote of the day

"I'll take responsibility for what I do, and I want you to take responsibility for what you do."

Bernalillo County Commissioner
Debbie O'Malley to county
Treasurer Manny Ortiz, subject of
the commission's no-confidence

AROUND **NEW MEXICO**

Females missing from center

Three female teenagers who walked away from their court-ordered stay at the Albuquerque Reintegration Center near Interstate 25 and Griegos were still missing late Monday and State Police are looking for them, according to a Department of Public Safety spokesman. They went missing just before midnight Saturjaw.

Saturday,
Marriah Parrah, 17, was last seen wearing a
black shirt, blue jeans and white Jordan tennis
shoes; Claudia Morales, 19, was last seen wearing
a black shirt, gray jeans, black shoes and a gray
jacket, and Angel Rodriguez, 18, was last seen
wearing a black shirt, gray jeans, and black and
purple Jordan tennis shoes, according to DPS
spokesman Tony Lynn. Anyone who sees them
should contact State Police, Lynn said.

Testing concerns raised

An Albuquerque Public Schools information session on new graduation requirements issued by the state quickly evolved into a call for change at La Cueva High School on Monday night. The event, which drew about 200 parents, teachers and community members, explained new graduation requirements issued by the Public Education Department this year.

Students are now required to take Standard

Students are now required to take Standard Based Assessments in core subjects such as English and math, as well as end-of-course exams, according to APS. Many parents at Monday's meeting were concerned about their kids taking more tests and about a lack of clarity about tested material.

LYbriefing

JOURNAL AND WIRE REPORTS



Runners jog at the University of New Mexico's Johnson Field as storm clouds build up over the East Mountains on Sunday.

Several Board of Education members and politicians attended the forum, and APS officials agreed with many parent concerns.

"We really feel like the testing is extreme, but

right now in order to get our kids diplomas we're just trying to give them every safety net possible, that's what we have to do now as a district," said Carrie Menapace, policy analyst for APS.

Church backs ban on abortion

Respect ABQ Women, which includes New Mexico affiliates of the American Civil Liberties Union, Planned Parenthood and the League of Women Voters, says at least 24 local reli-gious leaders or faith groups have voiced opposition to the proposed abortion ban and endorsed the group's effort to vote down the ordinance.

Several of the religious leaders represent local Presbyterian, Unitarian and Jewish congregations.

"Some of our strongest sup-porters are people of faith," said Micah McCoy, a spokesman for Respect ABQ Women. "It's important to recognize there is a range of beliefs on this issue, a diversity of beliefs ... Recognizing that people of faith are not a monolith when it comes to this issue is part of the reason we've had such a strong response from our faith community here in Albuquerque."

Defense: McCluskey unable to reason properly

Associated Press
John McCluskey is not the vicious pit bull or three-time loser that prosecutors have made him out to be, according to his defense attorneys. Rather, they said Monday that the Arizona inmate convicted of killing an Oklahoma couple while on the run in New Mexico is a remorseful animal lover unable to properly reason because of his abusive childhood and brain defects.
"Like all of us in this room, he is a human being," attorney Teri Duncan

human being," attorney Teri Duncan said in closing arguments in the first

phase of McCluskey's sentencing trial in federal court. "With flaws, but a human being nonetheless."
Duncan also quoted one of her favorite childhood books, "Bless Me, Ultima," where one of the characters teaches that "when you understand, you see it is not evil."
She said jurors should spare McCluskey the death penalty not of out of sympathy, but out of understanding of how his brain works and his inability to control his impulses.
Prosecutor Michael Warbel, however, argued that McCluskey was thinking clearly when he planned his escape from prison and the result-

ing violent rampage that included the carjacking and murders of Gary and Linda Haas of Tecumseh, Okla, as they passed through New Mexico in August 2010 on an annual camping trip to Colorado.

"We are talking about what he intended when he pointed that gun at Gary Haas and shot him in the head. We are talking about what he intended when he pointed that gun at Linda Haas and pulled the trigger twice," Warbel said.

Warbel reminded jurors that in the first phase of the sentencing trial they are simply deciding whether McCluskey is eligible for the death

penalty, not whether to impose it. It's a fact-finding exercise, not an emotional one, the prosecutor said. McCluskey, 48, was convicted by the same jury on Oct. 7 of 20 counts of aggravated murder, carjacking and other charges. The panel began deliberating his eligibility for the death sentence midday Monday. In an effort to spare McCluskey from the possibility of execution, the defense called several neurological experts over the last week in support of their argument that McCluskey is incapable of controlling his impulses or their argument that McCluskey is incapable of controlling his impulses and making reasoned decisions due to brain abnormalities, emotional

and physical abuse, and a long history of drug and alcohol abuse.

Duncan said he loves dogs and horses, and as a teen got a job at a horse track until his father made him quit because of "alcohol issues."

quit occause of "aiconoi issues."

Prosecutors on Thursday called to the witness stand Johns Hopkins neurologist Barry Gordon to dispute the defense's experts. He told jurors he had interviewed McCluskey, conducted an exam and reviewed the convict's brain imaging scans and health history, and concluded McCluskey does have the capacity to control himself.

Behavioral health staff cut

equivalent of two full-time therapists to juggle

some 380 clients.
"As we are in a competitive environment, we do not want to disclose the details of the layoffs," Sheppard said in his email. Nor would he comment on Church's assertion about the reduction in the number of people being served.
"What is important is we have worked to provide services to every nerson who presents

provide services to every person who presents for services," Sheppard wrote. "We have not

turned away anyone who is enrolled with a

He said the focus of the services now being provided is "based on a truly assessment driven model, versus a past history of cookie cutter treatment plane". cutter treatment plans.

Human Services Department spokesman Human Services Department spokesman Matt Kennicott said the new Arizona agencies "are now billing at the appropriate level, no longer siphoning additional funds out of the Medicaid system, and consumers continue to get the care they need."

program is that it "take into account a teachprogram is that it take into account a teach-er's impact on growth in student achievement. Our previous system did not account for the increase in achievement that a teacher's instruction led to during the year a student

Moreover, she said, the NMTEACH evalua-

Moreover, she said, the NMTEACH evaluation program strives to "recognize and honor New Mexico's most effective teachers."

One of the often-repeated criticisms of the program is that it was foisted upon teachers by nonteachers, Gov. Susana Martinez and Public Education chief Hanna Skandera Moreover, say the critics, while teachers may be asked for their input, they are not listened to

Duncan, in his remarks, said, "That's

Duncan, in his remarks, said, "That's always so important to me that teachers be listened to, (that) they be part of the conversation. It shouldn't be top down, but where teachers are helping to shape these things. I think there is tremendous buy-in between both districts and states that are doing this serve themethous his is not down.

spent in the classroom.

Education chief: Evals not fed issue

harlem, asked Duncan: "In New Mexico, 50 percent of teacher evaluations will be tied to student achievement data and many teachers (are) concerned about this. Was the 50 percent a mandate from the federal government, and, if not, how would you like to see states tie student achievement data and teacher evaluations?"
"Well, first to be clear, it was never a mandate from us, never has been, never will be, asid Duncan. "What we ve always said is that we should be looking at multiple measures for whether it's teacher evaluation or principal evaluation or looking at districts or schools or, ultimately, states. You have to look at multiple factors."

or ultimately, states. You have to look at multiple factors:
Duncan said he is "less interested in looking at actual scores, but how much are students improving in a single year? Are they getting better? Are graduation rates going up? Are dropout rates going down?"
He continued: "We have to look at a whole host of factors, including teacher leadership, teachers' (professional development). What are they doing to contribute to the broader school community? We approve states like New York in their Race to the Top application that had 20 percent of teacher evaluation being based upon student achievement results. So we have a lot of flexibility there."
Almee Barabe, spokeswoman for the state Public Education Department, said in an email that a primary goal of the New Mexico

very thoughtfully. But when this is top down, that doesn't work well in education or, frankly, in any other sphere as well.' 1y, in any other sphere as well." Barabe said the NMTEACH system was created with input from teachers, principals, superintendents and union members. Cunningham, the Harlem teacher, was on a Southwest bus tour with Duncan before speaking with him Oct. 31.

Martinez campaigning across NJ with Christie

ov. Susana Martinez spent Monday barnstorming across New Jersey with fellow Republican Gov. Chris Christie. With New Jersey's

With New Jersey's gubernato-rial election set for today, Christie and Martinez traveled the election's eve, making



DAN BOYD

eve, making stops at ral-lies and cam-paign offices in at least six different towns. The governor's trip could be the latest evidence of a burgeoning political alliance. Christie, who has been touted as a possible 2016 GOP presidential candidate, had previously appeared at a campaign stop in Roswell with Martinez about a month

gubernatorial election Martinez returned the favor this week, though the

favor this week, though the Christic campaign will pay for the travel costs of Marti-nez and her husband. Chuck Franco, Martinez political adviser Jay McCleskey said. A Christic campaign spokesman told the Newark-based Star-Ledger that having Martinez on the campaign trail would help the Christic campaign make a statement about the "non-traditional support" it is receiving. receiving.

traditional support ITs receiving.
Martinez is the nation's first elected Latina governor. The New Jersey trip was not Martinez's first out-of-state trip on behalf of another gubernatorial candidates. She also traveled to Washington last year to stump for Republican Rob McKenna, who ended up losing his race. Martinez, who left New Mexico on Sunday, is scheduled to return to the state

today, McCleskey said.

Education summit

While New Mexico's gover-nor was in New Jersey, chief executives from several other states were gathering at a downtown Santa Fe hotel on Monday.

Monday.

Oklahoma Gov. Mary Fallin, Utah Gov. Gary Herbert and American Sanoa Gov. Lolo Matalasi Moliga attended the single-day summit at the Inn at Loretto, which was focused on aligning education with future workforce needs.

Martinez was listed as a cohost of the summit — along with Fallin — but did not attend.

Instead, Lt. Gov. John San-chez and Public Education Secretary-designate Hanna Skandera both took part in the summit on Martinez's behalf, the governor's spokes-man Enrique Knell said.

Council OKs seizing vehicles

ity of someone losing their car if a family member borrows it without their knowledge.

"I think we're treading on thin ice to make these assumptions," he said.

tions," he said.

Brown said the ordinance does have an "innocent owner" provision that would allow someone to get their car back. He said he envisions seizing vehicles from Johns who are caught in sting operations using undercover officers.

using undercover officers.
Meyers said police helped write the ordinance.
The ordinance relies on the city's civil authority to "abate nuisances." For years, the city has used its anti-nuisance authority to demolish dilapidated houses, seize cars driven by drunken drivers and target other activities.

The DWI seizure program has survived court challenges, city officials said.

city officials said.
Earlier this year, the American Civil Liberties Union
of New Mexico raised legal
questions about the proposed
prostitution ordinance, partly
because it allows the city to
seize a vehicle upon the driver's arrest, without a conviction. But no one spoke against
the proposed during Monday's the proposal during Monday's council meeting.

council meeting.

The proposal calls for declaring vehicles used in prostitution as the "instrumentality of the nuisance."

A vehicle would be subject to seizure or forfeiture if its driver or passenger has been arrested for prostitution, patronizing prostitutes, promoting prostitution or accepting the earnings of a prostitute.

The ordinance says the Police Department may seize the vehicle during an arrest and offer it back with an "immobilization device," such as a boot. The owner would sign an agreement with the city and pay a fee, which isn't specified in the ordinance.

The city however wouldn't

The city, however, wouldn't be required to offer the immobilization option to every offender.

offender.

Instead, a police officer could seize the vehicle and serve the person with a "Notice of Forfeiture" and also mail it to the registered owner of the vehicle.

The owner, in turn, could contest the seizure by requesting an administrative hearing for \$50. The hearing officer would determine whether the police officer had probable cause to seize the vehicle.

Full reservoirs buoy farmers' hopes

Carlsbad farmers are angry because the program delivered too little water. Meanwhile residents around the pump field complain that it has lowered area water tables, hurting their ability to pump the water they need for their homes and ranches. Lewis' calculation suggests there will be no need for pumping in 2014.

"I am pleased (delighted, really) to be able

to provide a less dire Pecos ... update than has been the case for the past three years," Lewis wrote in an email to water managers detailing the calculation.

But Lewis warned that the September rains, while filling reservoirs, have not erased the impacts of three years of drought. Much of the eastern New Mexico river valley remains in moderate to severe drought after three warm, dry years, and a dry, warm winter is projected by federal forecasters, Lewis noted.