

**MINUTES
of the
THIRD MEETING
of the
COURTS, CORRECTIONS AND JUSTICE COMMITTEE**

**August 22-24, 2023
New Mexico Farm and Ranch Heritage Museum
4100 Dripping Springs Road
Las Cruces**

The third meeting of the Courts, Corrections and Justice Committee was called to order by Senator Joseph Cervantes, chair, on August 22, 2023 at 9:45 a.m. at the New Mexico Farm and Ranch Heritage Museum in Las Cruces.

Present

Sen. Joseph Cervantes, Chair
Rep. Christine Chandler, Vice Chair (8/22)
Rep. Eliseo Lee Alcon (8/23, 8/24)
Rep. Janelle Anyanonu (8/22, 8/23)
Sen. Gregory A. Baca (8/22)
Rep. Alan T. Martinez
Rep. Andrea Reeb
Rep. Andrea Romero (8/23, 8/24)
Rep. Angelica Rubio (8/22, 8/23)
Sen. Antoinette Sedillo Lopez

Advisory Members

Rep. John Block
Rep. Micaela Lara Cadena
Sen. Katy M. Duhigg (8/22, 8/23)
Sen. Daniel A. Ivey-Soto (8/22, 8/23)
Rep. Willie D. Madrid
Sen. Mimi Stewart (8/22, 8/23)

Guest Legislators

Sen. Harold Pope
Rep. Joanne J. Ferrary (8/23, 8/24)

(Attendance dates are noted for members not present for the entire meeting.)

Staff

Nancy Martinez, Researcher, Legislative Council Service (LCS)
Sean Dolan, Staff Attorney, LCS
Domenica Nieto, Assistant Librarian, LCS
Yessica Marquina, Intern, LCS

Absent

Rep. Gail Chasey
Sen. Antonio Maestas
Sen. Bill B. O'Neill
Sen. Cliff R. Pirtle
Rep. William "Bill" R. Rehm

Rep. Cynthia Borrego
Rep. Ambrose Castellano
Rep. D. Wonda Johnson
Sen. Linda M. Lopez
Rep. Stefani Lord
Rep. Tara L. Lujan
Rep. Reena Szczepanski
Sen. Peter Wirth

Guests

The guest list is in the meeting file.

Handouts

Handouts and other written testimony are in the meeting file and are posted on the legislature's website.

References to Webcast

The time reference noted next to each agenda item in this document is cross-referenced to the webcast of the committee meeting, which can be found at www.nmlegis.gov, under the "Webcast" tab. The presentations made and committee discussions for agenda items can be found on the recorded webcast for this meeting.

Tuesday, August 22

At the Front — Cannabis on the Texas/Mexico Border (9:55 a.m.)

Javier Perea, mayor, City of Sunland Park, provided an overview of issues in southern New Mexico, including cannabis, human trafficking, crime and other related border issues.

Tour of the J. Paul Taylor Juvenile Detention Center (11:07 a.m.)

Committee members toured the J. Paul Taylor Juvenile Detention Center.

County Immigration Facilities Dignity Not Detention Act: No Detention for Civil Immigration Violations — Senate Bill 172 (2023 Legislative Session) (1:33 p.m.)

Mr. Dolan presented a summary of Senate Bill 172 (2023) and the legislative actions taken. Sophia Genovese, managing attorney, New Mexico Immigrant Law Center; Jovanny Sebastian Hernandez, community organizer (Chaparral), New Mexico Dream Team; Ian Philabaum, co-director, Anticarceral Legal Organizing Program, Innovation Law Lab; R.B. Nichols, county attorney, Otero County; Janice Y. Barela, county manager, Torrance County; and Kate Fletcher, county manager, Cibola County, presented opposing views regarding this bill, including the legal and financial impacts of Senate Bill 172 (2023) or any similar legislation. The presentation materials can be found here:

<https://www.nmlegis.gov/Committee/Handouts?CommitteeCode=CCJ&Date=8/22/2023&ItemNumber=3>.

Third Judicial District Overview (3:32 p.m.)

The Honorable Conrad F. Perea, chief judge, Third Judicial District, provided the court's perspective on detention centers and the court's ability to hear cases quickly.

New Mexico Corrections from the Outside (4:02 p.m.)

Hugh Dangler, contract attorney, LCS, provided a summary of the research and reports he has compiled, including his recommendations. Mr. Dangler answered committee members' questions regarding his research. The presentation can be found here:

<https://www.nmlegis.gov/handouts/CCJ%20082223%20Item%204%20New%20Mexico%20Corrections%20from%20the%20Outside.pdf>.

Recess

The meeting recessed at 4:53 p.m.

Wednesday, August 23**Reconvene**

Senator Cervantes reconvened the meeting at 9:25 a.m.

Overview of the Cannabis Regulation Act (9:30 a.m.)

Mr. Dolan and Senator Duhigg presented a summary of legislation regarding cannabis introduced during the 2023 regular session and a comprehensive overview of the Cannabis Regulation Act. The presentation can be found here:

<https://www.nmlegis.gov/handouts/CCJ%20082223%20Item%205%20Overview%20of%20the%20Cannabis%20Regulation%20Act.pdf>.

Automatic Expungement of Cannabis Case Records and Cannabis Control Division (10:45 a.m.)

Celina Jones, general counsel, Administrative Office of the Courts; Linda Trujillo, superintendent, Regulation and Licensing Department (RLD); Todd Stevens, director, Cannabis Control Division, RLD; and Robert Sachs, legal counsel, Cannabis Control Division, RLD, presented an overview of the work of the Cannabis Control Division, including license types and enforcement procedures, and a review of changes to the cannabis record expungement system. The presentation can be found here:

<https://www.nmlegis.gov/handouts/CCJ%20082223%20Item%208%20RLD%20Cannabis%20Udate.pdf>.

Current Cannabis Market Conditions (1:22 p.m.)

Senator Duhigg presented a summary of the condition of the cannabis market in New Mexico, including sale rates, competition and market saturation. The presentation can be found here:

<https://www.nmlegis.gov/handouts/CCJ%20082223%20Item%209%20The%20Data%20Heard%20State%20of%20NM%20Market%20July%202023.pdf>.

Approval of Minutes (2:19 p.m.)

The committee unanimously approved the minutes of the July 17-18, 2023 meeting.

Cannabis Industry Panel Discussion (2:20 p.m.)

Senator Duhigg; Ben J. Lewinger, executive director, New Mexico Cannabis Chamber of Commerce; Dan Pabon, chief policy and regulatory affairs officer, Schwazze New Mexico, LLC; Robert Duran, Head Space Distribution, LLC; Alisa Tafoya, Desert Flower Growers, LLC; and Robbie Tafoya, Desert Flower Growers, LLC, discussed the state of the cannabis industry in New Mexico, including their individual perspectives and stories regarding the industry and potential changes to the law. The panelists also answered questions from committee members.

Legislative Recommendations for the Upcoming Legislative Session (3:43 p.m.)

Senator Duhigg led an open committee discussion reviewing the information presented during the panels and ideas for potential legislation to propose in 2024.

Recess

The meeting recessed at 4:14 p.m.

Thursday, August 24**Reconvene**

Senator Cervantes reconvened the meeting at 9:20 a.m.

Border Security Update — Narcotic and Human Trafficking Trends (9:21 a.m.)

Rob Drager, director, Intel Support Center, High Intensity Drug Trafficking Area Program; Jason Stevens, special agent, Homeland Security Investigations, United States Department of Homeland Security; and W. Troy Weisler, chief, New Mexico State Police, presented information regarding issues their respective agencies are seeing along the border, potential legislative fixes and areas for cooperation and improvement. The presentation materials can be found here:

<https://www.nmlegis.gov/Committee/Handouts?CommitteeCode=CCJ&Date=8/22/2023&ItemNumber=12>.

Corrections Department Update (11:08 a.m.)

Alisha Tafoya Lucero, secretary, Corrections Department; Melanie Martinez, deputy secretary, Corrections Department; Carlos Lazarin, deputy warden, Southern New Mexico Correctional Facility; and Gary Maciel, director, Adult Prisons Division, Corrections Department, answered committee members' questions regarding the status of the Corrections Department.

Adjournment

There being no further business before the committee, the meeting adjourned at 12:06 p.m.