

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

**November 12-13, 2024
State Capitol
Room 307 and Senate Chamber
Santa Fe**

The eighth meeting of the Courts, Corrections and Justice Committee was called to order by Representative Christine Chandler, chair, on October 9, 2024 at 9:32 a.m. in Room 307 of the State Capitol in Santa Fe.

Present

Rep. Christine Chandler, Chair
Sen. Joseph Cervantes, Vice Chair (11/12)
Rep. Janelle Anyanonu
Rep. Gail Chasey
Sen. Antonio Maestas
Rep. Alan T. Martinez
Sen. Greg Nibert
Rep. Andrea Reeb
Rep. William "Bill" R. Rehm
Sen. Antoinette Sedillo Lopez

Absent

Rep. Eliseo Lee Alcon
Sen. Bill B. O'Neill
Rep. Andrea Romero
Rep. Angelica Rubio

Advisory Members

Rep. John Block
Rep. Cynthia Borrego
Rep. Micaela Lara Cadena (11/12)
Sen. Katy M. Duhigg
Sen. Linda M. López (11/12)
Rep. Tara L. Lujan
Rep. Willie D. Madrid
Sen. Peter Wirth

Rep. Ambrose Castellano
Rep. William A. Hall II
Rep. Jared A. Hembree
Sen. Daniel A. Ivey-Soto
Rep. D. Wonda Johnson
Rep. Stefani Lord
Sen. Cliff R. Pirtle
Sen. Mimi Stewart
Rep. Reena Szczepanski

Guest Legislators

Rep. Cristina Parajón (11/12)
Rep. Joseph Sanchez (11/12)

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

Staff

Nancy Martinez, Bill Drafter, Legislative Council Service (LCS)

Sean Dolan, Staff Attorney, LCS

Simon Suzuki, Staff Attorney, LCS

Domenica Nieto, Research Assistant, LCS

Minutes Approval

Because the committee will not meet again this year, the minutes for this meeting have not been officially approved by the committee.

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, November 12

Welcome and Introductions (9:32 a.m.)

Representative Chandler welcomed everyone and asked committee members to introduce themselves.

EXECUTIVE SESSION (Closed Meeting): Judicial Buy-Back Policy (Pending Litigation) (9:35 a.m.)

Counseling Compact (11:28 a.m.)

Senator Maestas; Jeannie Montoya, L.L.P.C., government relations chair, New Mexico Counseling Association; Aprille Woodson, Ph.D., J.D., L.P.C., N.C.C., program manager, Ethics, American Counseling Association; and Nahale Kalfas, legal counsel, Counseling Compact, presented an overview of what the Counseling Compact is, how it works and ways it could be incorporated in New Mexico. The presentation materials can be found here:

<https://www.nmlegis.gov/Committee/Handouts?CommitteeCode=CCJ&Date=11/12/2024&ItemNumber=1>.

Office of the Secretary of State — Implementation and Priorities Update (1:06 p.m.)

Maggie Toulouse Oliver, secretary of state, Office of the Secretary of State; Lindsey Bachman, director, Legislative and Executive Affairs, Office of the Secretary of State; and Mandy Vigil, election director, Office of the Secretary of State, presented an overview of state elections held in 2024, spoke about potential proposals for the future and answered committee members' questions. The presentation materials can be found here:

<https://www.nmlegis.gov/Committee/Handouts?CommitteeCode=CCJ&Date=11/12/2024&ItemNumber=3>.

Bernalillo County District Attorney Bill Proposals (2:01 p.m.)

Sam Bregman, district attorney, Second Judicial District, and Troy Gray, deputy district attorney, Second Judicial District, presented on bill proposals for the Second Judicial District. Mr. Bregman answered questions about the district's bill proposals, which include proposals regarding human trafficking, delinquency and other amendments to the Children's Code, possession of a handgun and unlawful weapon modification. The committee engaged in a full discussion regarding the pros and cons of each bill, and members asked questions regarding the feasibility and constitutionality of each bill. The presentation materials can be found here:

<https://www.nmlegis.gov/Committee/Handouts?CommitteeCode=CCJ&Date=11/12/2024&ItemNumber=4>.

Privacy, Public Safety and Civil Liberties: Perspectives on Police Surveillance Technology (3:30 p.m.)

Daniel Williams, policing policy advocate, American Civil Liberties Union of New Mexico (ACLU-NM); Jazmyn Taitingfong, attorney, ACLU-NM; and John Allen, sheriff, Bernalillo County, presented different perspectives on police surveillance technology. Mr. Williams and Ms. Taitingfong spoke about constitutional protections and potential issues with police surveillance technology. He answered questions regarding how the technology has been deployed in other jurisdictions, what legislation has been passed and what the ACLU-NM believes is best for New Mexico. Sheriff Allen presented a law enforcement perspective and spoke about how various technologies can assist police officers. The presentation materials can be found here:

<https://www.nmlegis.gov/Committee/Handouts?CommitteeCode=CCJ&Date=11/12/2024&ItemNumber=5>.

Increasing Penalties for Automobile Thefts (4:07 p.m.)

Representative Borrego, Sheriff Allen and Representative Sanchez presented a bill that had previously been introduced regarding penalties for the unlawful taking of a vehicle. The committee engaged in a brief discussion about potential issues with the bill and its enforcement. The presentation materials can be found here:

<https://www.nmlegis.gov/Committee/Handouts?CommitteeCode=CCJ&Date=11/12/2024&ItemNumber=2>.

Public Comment (4:34 p.m.)

A list of individuals who made public comment is available in the meeting file.

Recess

The meeting recessed at 4:45 p.m.

Wednesday, November 13**Reconvene**

Representative Chandler reconvened the meeting at 9:16 a.m in the senate chamber of the State Capitol.

Proposed Improvements to the Night Sky Protection Act (9:17 a.m.)

Senator Elizabeth "Liz" Stefanics; Peter Lipscomb, vice chair, New Mexico Chapter, DarkSky International; and Galen Gisler, council member, New Mexico Chapter, DarkSky International, presented potential changes to the Night Sky Protection Act, discussed why the changes are necessary and answered questions regarding the legislation. The presentation materials can be found here:

<https://www.nmlegis.gov/Committee/Handouts?CommitteeCode=CCJ&Date=11/12/2024&ItemNumber=7>.

Proposed Changes to the Anti-Donation Clause (10:01 a.m.)

Senator Gerald Ortiz y Pino and Representative Kathleen Cates presented potential changes to the Anti-Donation Clause of the Constitution of New Mexico, provided an overview and history of the Anti-Donation Clause and discussed the potential impacts of the proposed legislation. The presentation materials can be found here:

<https://www.nmlegis.gov/Committee/Handouts?CommitteeCode=CCJ&Date=11/12/2024&ItemNumber=8>.

Findings and Recommendations of the House Memorial 40 (2023) and House Memorial 45 (2024) Federal Prison Rape Elimination Act of 2003 (PREA) Task Force (10:35 a.m.)

Elena Rubinfeld, J.D., legal director, New Mexico Coalition of Sexual Assault Programs, and Roman Varela, M.B.A., administrator, PREA Task Force, Bernalillo County Metropolitan Detention Center, presented a brief overview of the work the PREA Task Force has completed. The group reviewed the task force meetings and discussed agreements and disagreements among committee members.

Police Powers for the Cannabis Control Division of the Regulation and Licensing Department (11:10 a.m.)

Senator Maestas presented current issues with enforcement in the Cannabis Control Division and discussed the pros and cons of the Regulation and Licensing Department having its own enforcement power.

Approval of Minutes (11:17 a.m.)

The committee unanimously approved the minutes of the October 9-11, 2024 meeting.

Criminal Offender Employment Act: Caregivers Exemption Proposal (1:14 p.m.)

Shelley Strong, general counsel, Early Childhood Education and Care Department, presented an overview of the hiring and background check process the department administers for each employee. Ms. Strong discussed why legislation regarding background checks is needed and answered questions on the procedures of the hiring process. The presentation materials can be found here:

<https://www.nmlegis.gov/Committee/Handouts?CommitteeCode=CCJ&Date=11/12/2024&ItemNumber=11>.

Data-Driven Decisions in Criminal Justice: The Future of Data Governance in New Mexico (1:31 p.m.)

Michael Smith, director, Institute for Complex Additive Systems Analysis (ICASA), New Mexico Institute of Mining and Technology (New Mexico Tech); Stephanie Maez, manager, Data Governance Project, ICASA, New Mexico Tech; Jeriah McKenna, research scientist, ICASA, New Mexico Tech; and Charles Brook, senior software developer, ICASA, New Mexico Tech, discussed the ways technology is used for data-driven decisions regarding criminal justice in New Mexico. The panel presented on how data is currently shared and used and discussed possible ways to improve the system. The presentation materials can be found here:

<https://www.nmlegis.gov/Committee/Handouts?CommitteeCode=CCJ&Date=11/12/2024&ItemNumber=12>.

Local Law Enforcement Perspectives (2:40 p.m.)

Paul Joye, chief, Santa Fe Police Department, and Adan Mendoza, sheriff, Santa Fe County, discussed their perspectives on public safety issues, including what is and is not working, what can be improved and ways to help officers of the department. The presentation materials can be found here:

<https://www.nmlegis.gov/Committee/Handouts?CommitteeCode=CCJ&Date=11/12/2024&ItemNumber=13>.

Public Comment (4:11 p.m.)

A list of individuals who made public comment is available in the meeting file.

Adjournment

There being no further business before the committee, the meeting adjourned at 4:14 p.m.