

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

**September 27-29, 2023
Continuing Education Building
University of New Mexico
1634 University Boulevard NE
Albuquerque**

The fourth meeting of the Courts, Corrections and Justice Committee was called to order by Representative Christine Chandler, vice chair, on September 27, 2023 at 9:17 a.m. in the Continuing Education Building at the University of New Mexico (UNM).

Present

Rep. Christine Chandler, Vice Chair
Rep. Eliseo Lee Alcon
Rep. Janelle Anyanonu
Sen. Gregory A. Baca (9/27, 9/29)
Rep. Gail Chasey
Sen. Antonio Maestas (9/28, 9/29)
Rep. Alan T. Martinez (9/27)
Sen. Bill B. O'Neill (9/28, 9/29)
Rep. Andrea Reeb
Rep. William "Bill" R. Rehm
Rep. Andrea Romero (9/27, 9/29)
Sen. Antoinette Sedillo Lopez

Absent

Sen. Joseph Cervantes, Chair
Sen. Cliff R. Pirtle
Rep. Angelica Rubio

Advisory Members

Rep. John Block
Rep. Cynthia Borrego
Rep. Micaela Lara Cadena
Rep. Ambrose Castellano (9/28)
Sen. Daniel A. Ivey-Soto
Sen. Linda M. Lopez
Rep. Stefani Lord
Rep. Tara L. Lujan (9/28)
Rep. Willie D. Madrid
Sen. Mimi Stewart (9/27, 9/28)
Sen. Peter Wirth

Sen. Katy M. Duhigg
Rep. D. Wonda Johnson
Rep. Reena Szczepanski

Guest Legislators

Rep. Marian Matthews (9/28)
Sen. Shannon D. Pinto (9/28)

(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

Domenica Nieto, Assistant Librarian, LCS

Yessica Marquina, Intern, LCS

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.

Wednesday, September 27

Artificial Intelligence (R)evolution: How Did We Get Here, and Where Are We Going? (9:21 a.m.)

Melanie Moses, Ph.D., professor, Department of Computer Science, UNM, and external faculty, Santa Fe Institute (SFI), presented an overview of the history of artificial intelligence and an explanation of where that technology might lead. The presentation can be found here:

[https://www.nmlegis.gov/handouts/CCJ%20092723%20Item%201%20AI%20\(R\)evolution %20How%20did%20we%20get%20here%20and%20where%20are%20we%20going.pdf](https://www.nmlegis.gov/handouts/CCJ%20092723%20Item%201%20AI%20(R)evolution%20How%20did%20we%20get%20here%20and%20where%20are%20we%20going.pdf).

Predictive Policing (10:52 a.m.)

Sarah Brayne, Ph.D., associate professor, Department of Sociology, University of Texas-Austin, presented information regarding how data is collected and used for predictive policing, a summary of how the process works and ideas for improvement. The presentation can be found here:

<https://www.nmlegis.gov/handouts/CCJ%20092723%20Item%202%20Predictive%20Policing.pdf>.

Welcoming Remarks (12:34 p.m.)

Camille Carey, dean, UNM School of Law, welcomed the committee to UNM and discussed what is new at the law school.

Transparency and Fairness in Criminal Justice and Housing (1:12 p.m.)

Cristopher Moore, Ph.D., professor, SFI, and member, Interdisciplinary Working Group on Algorithmic Justice, explained how algorithms work, how weighing algorithms can change outcomes and accuracy and how to properly understand the results of algorithms in the right context. The presentation can be found here:

<https://www.nmlegis.gov/handouts/CCJ%20092723%20Item%203%20Transperancy%20and%20Fairness%20in%20Criminal%20Justice%20and%20Housing.pdf>.

The Politics of Algorithmic Justice (2:41 p.m.)

Kathy L. Powers, Ph.D., associate professor, UNM, presented on the uses and purposes of algorithms, how these systems affect different people and how the systems are developed. The presentation can be found here:

<https://www.nmlegis.gov/handouts/CCJ%20092723%20Item%204%20Powers%20politics%20of%20algorithmic%20justice.pdf>.

Implications of Artificial Intelligence as Applied to the Legal Profession (3:29 p.m.)

Sonia M. Gipson Rankin, J.D., Esq., professor, School of Law, UNM, presented information regarding the implementation of artificial intelligence in the legal profession, including ways artificial intelligence has already been used and where the field may be going. The presentation can be found here:

<https://www.nmlegis.gov/handouts/CCJ%20092723%20Item%205%20Implications%20of%20Artificial%20Intelligence%20as%20Applied%20to%20the%20Legal%20Profession.pdf>.

Recess

The meeting recessed at 4:09 p.m.

Thursday, September 28

Reconvene

Representative Chandler reconvened the meeting at 8:44 a.m.

The New Superintendent's Vision, Priorities and Emerging Policy Initiatives (8:46 a.m.)

Alice T. Kane, superintendent of insurance, Office of Superintendent of Insurance, summarized her past experiences and gave a roadmap of how the superintendent views the agency.

Probation and Parole: A National Perspective (9:46 a.m.)

Maura McNamara, policy manager, Crime and Justice Institute, and Jessie Halladay, senior policy specialist, Crime and Justice Institute, provided a national perspective on

community supervision, evidence-based practices and state examples of probation and parole systems. The presentation can be found here:

<https://www.nmlegis.gov/handouts/CCJ%20092723%20Item%207%20Probation%20and%20Parole-%20A%20National%20Perspective.pdf>.

Probation and Parole Bills Introduced in the 2023 Legislative Session (11:13 a.m.)

Mr. Dolan presented a summary of bills related to probation and parole that were introduced during the 2023 legislative session.

Panel Discussion — Technical Violations Bill (Senate Bill 84 (2023)) (11:25 a.m.)

Timothy L. Rose, district attorney, Tenth Judicial District; Kim Chavez-Cook, appellate defender, Public Defender Department; Douglas Carver, deputy director, New Mexico Sentencing Commission; Alisha Tafoya Lucero, secretary, Corrections Department; and Melanie Martinez, deputy secretary, Corrections Department, led a committee discussion about various issues regarding how Senate Bill 84 (2023) was developed, including what had been proposed and cut.

Understanding the Role of the Parole Board in the Reentry Process (1:31 p.m.)

Sheila Lewis, J.D., former chair, Parole Board, and retired appellate defender, Public Defender Department, discussed the differences between parole and probation, gave a history of model inmates who had succeeded on parole or probation and how the Parole Board makes decisions regarding parole. The presentation can be found here:

<https://www.nmlegis.gov/handouts/CCJ%20092723%20Item%2010%20Understanding%20the%20Role%20of%20the%20Parole%20Board%20in%20the%20Reentry%20Process.pdf>.

What Reentry Looks Like from an Inmate's Perspective (1:46 p.m.)

Reilly Johnson, life sentence parolee, was asked a series of questions from Ms. Lewis regarding his time in prison, the difficulties in being granted parole and how he succeeded in and out of prison.

Bringing the Miami Model to New Mexico: Using Diversion Treatment and Prevention to Deter Crime and Jail and Emergency Room Overcrowding and Ultimately Find Better Court-Supported Behavioral Health Solutions (3:02 p.m.)

Connie Elizabeth Vigil, behavioral health master plan coordinator, Bernalillo County Behavioral Health Committee, and president, Greater Albuquerque Business Alliance; Laura Carlisle, O.T./L., board member, National Alliance on Mental Illness, and behavioral health specialist, Bernalillo County Behavioral Health Committee; and Eric Olivas, commissioner, District 5, Bernalillo County Board of County Commissioners, provided information on the steps

taken by the Miami Model to treat and prevent substance use and how that might work in New Mexico. The presentation materials can be found here:

<https://www.nmlegis.gov/Committee/Handouts?CommitteeCode=CCJ&Date=9/27/2023&ItemNumber=12>.

Recess

The meeting recessed at 4:35 p.m.

Friday, September 27

Reconvene

Representative Chandler reconvened the meeting at 9:07 a.m.

Approval of Minutes (9:08 a.m.)

The committee unanimously approved the minutes of the August 22-24, 2023 meeting.

Approval for Sending Letter (9:09 a.m.)

The committee unanimously approved the drafting of a letter to executive agencies regarding their use of artificial intelligence, if any.

The Cannabis Tax Distribution Act and the Creation of a Cannabis Equity Fund, a Community Reinvestment Grant Fund and a Substance Use Disorder Prevention and Treatment Fund (9:12 a.m.)

Representative Romero and Emily Kaltenbach, senior director, State Advocacy and Criminal Legal Reform, Drug Policy Alliance, discussed pros and cons of cannabis tax going straight to the General Fund, as opposed to many other states who earmark cannabis taxes for various purposes.

Implementation of Senate Bill 64 (2023) (10:25 a.m.)

Denali Wilson, staff attorney, American Civil Liberties Union of New Mexico; Stephen Taylor, executive director, (De)Serving Life; Mark Lovato, general counsel, Corrections Department; Melanie Martinez; and Gary Maciel, director, Adult Prisons Division, Corrections Department, discussed what is and is not working in implementing parole for juveniles previously given a life sentence without the possibility of parole.

Adjournment

There being no further business before the committee, the meeting adjourned at 12:05 p.m.