

HOUSE JOINT MEMORIAL 44

**51ST LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2013**

INTRODUCED BY

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A JOINT MEMORIAL

REQUESTING THE SECRETARY OF CHILDREN, YOUTH AND FAMILIES TO  
FORM A TASK FORCE TO STUDY THE REHABILITATIVE NEEDS OF  
JUVENILES WHO COMMIT SERIOUS CRIMES AND TO PROPOSE ANY  
NECESSARY STATUTORY OR ADMINISTRATIVE CHANGES THAT WILL PROMOTE  
THE SUCCESSFUL REHABILITATION OF THESE YOUTHFUL OFFENDERS AND  
WILL PROTECT THE SAFETY OF NEW MEXICO COMMUNITIES.

WHEREAS, serious criminal acts committed by youthful  
offenders threaten New Mexico communities and public safety, in  
general, both when the acts are committed and when the  
offenders are prematurely released from custody; and

WHEREAS, it is in the best interests of youthful offenders  
and the public, and it is also consistent with fiscal  
responsibility, that youthful offenders be rehabilitated, if  
possible, in order to lower recidivism and to return them to

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1 their communities as peaceful and productive members; and

2 WHEREAS, New Mexico should provide its judges with as many  
3 effective tools as possible to carry out the mandates of the  
4 Delinquency Act, consistent with the goals of promoting public  
5 safety and individual accountability and rehabilitation of  
6 youthful offenders; and

7 WHEREAS, some youthful offenders in New Mexico commit  
8 criminal acts while in custody, against other juveniles and  
9 against the juvenile justice services staff of the children,  
10 youth and families department, and are resistant to their own  
11 rehabilitation, posing a significant risk of harm to themselves  
12 and to the community upon their required release at the age of  
13 twenty-one;

14 NOW, THEREFORE, BE IT RESOLVED BY THE LEGISLATURE OF THE  
15 STATE OF NEW MEXICO that the secretary of children, youth and  
16 families be requested to convene a task force to study dual or  
17 blended sentencing changes that will promote the rehabilitation  
18 of adjudicated youthful offenders and the safety of persons  
19 housed with them, and of persons working with them, reduce  
20 recidivism, reduce disproportionate minority contact and  
21 enhance public safety; and

22 BE IT FURTHER RESOLVED that the task force accomplish its  
23 purpose with the participation of stakeholders, who are to  
24 represent as many different perspectives as possible and who  
25 are to be brought together to share their expertise on these

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1 issues; and

2 BE IT FURTHER RESOLVED that the task force include  
3 representatives from the children, youth and families  
4 department's juvenile justice division, including an employee  
5 representative working on the floor of each facility of the  
6 department; the administrative office of the courts; the New  
7 Mexico supreme court; the New Mexico district judges  
8 association; the department of public safety; the  
9 administrative office of the district attorneys; the public  
10 defender department; a local law enforcement agency; a county  
11 juvenile detention administrator; the corrections department; a  
12 county adult detention administrator; a nonprofit organization  
13 serving the legal needs of youth and their families; a  
14 representative from the Corinne Wolfe children's law center;  
15 the New Mexico tribal-state judicial consortium; the New Mexico  
16 sentencing commission; the juvenile justice advisory committee;  
17 and the New Mexico council on crime and delinquency; state  
18 legislators from both parties; and other interested parties as  
19 appropriate; and

20 BE IT FURTHER RESOLVED that the task force report its  
21 findings and recommendations to the appropriate interim  
22 legislative committee before October 2013; and

23 BE IT FURTHER RESOLVED that a copy of this memorial be  
24 transmitted to the secretary of children, youth and families.

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