

HOUSE CONSUMER AND PUBLIC AFFAIRS COMMITTEE SUBSTITUTE FOR
HOUSE JOINT MEMORIAL 44

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

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 and other changes that will promote the
18 rehabilitation of adjudicated youthful offenders and the safety
19 of persons housed with them, and of persons working with them,
20 reduce 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 a children,
5 youth and families department employee working on the floor of
6 a juvenile justice facility, either a youth care specialist I
7 or II, a supervisor or a manager; the administrative office of
8 the courts; the New Mexico supreme court; the New Mexico
9 district judges association; the department of public safety;
10 the administrative office of the district attorneys; the public
11 defender department; a local law enforcement agency; a county
12 juvenile detention administrator; the corrections department; a
13 county adult detention administrator; a nonprofit organization
14 serving the legal needs of youth and their families; a
15 nonprofit advocacy group serving the needs of youth and their
16 families; a representative from the Corinne Wolfe children's
17 law center; the New Mexico tribal-state judicial consortium;
18 the New Mexico sentencing commission; the juvenile justice
19 advisory committee; and the New Mexico council on crime and
20 delinquency; state legislators from both parties; and other
21 interested parties as appropriate; and

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

25 BE IT FURTHER RESOLVED that a copy of this memorial be

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1 transmitted to the secretary of children, youth and families.

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