

1 AN ACT

2 RELATING TO CRIMINAL JUSTICE REFORM; REQUIRING THE NEW MEXICO
3 SENTENCING COMMISSION TO CREATE A DATA-SHARING NETWORK FOR
4 CRIMINAL JUSTICE DATA; ADDING THREE MEMBERS TO THE NEW MEXICO
5 SENTENCING COMMISSION; AMENDING A SECTION OF THE MENTAL
6 HEALTH AND DEVELOPMENTAL DISABILITIES CODE; SPECIFYING THAT
7 PHOTOGRAPHS, FINGERPRINTS AND PALM PRINTS ARE BIOMETRIC
8 IDENTIFYING INFORMATION OF AN ARRESTED PERSON; PROVIDING
9 REQUIREMENTS FOR THE CONTENT AND DISPOSITION OF ARREST
10 RECORDS; REQUIRING THE DEPARTMENT OF PUBLIC SAFETY TO SHARE
11 DATA WITH THE NEW MEXICO SENTENCING COMMISSION; ENACTING THE
12 CRIME REDUCTION GRANT ACT; CREATING CRIMINAL JUSTICE
13 COORDINATING COUNCILS IN EACH JUDICIAL DISTRICT; REQUIRING
14 CERTAIN STATE AGENCIES TO ISSUE RULES AND REPORT ANNUALLY.

15
16 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

17 SECTION 1. Section 9-3-10 NMSA 1978 (being Laws 1977,
18 Chapter 257, Section 11, as amended) is amended to read:

19 "9-3-10. NEW MEXICO SENTENCING COMMISSION--CREATION--
20 MEMBERSHIP--DUTIES.--

21 A. There is created the "New Mexico sentencing
22 commission".

23 B. The New Mexico sentencing commission shall be
24 composed of twenty-seven members. Appointed members shall
25 serve at the pleasure of the appointing authority. The

1 commission shall reflect reasonable geographical and urban-
2 rural balances and regard for the incidence of crime and the
3 distribution and concentration of law enforcement services in
4 the state. The commission shall consist of the following
5 individuals or their designees:

6 (1) the attorney general;

7 (2) a district attorney appointed by the New
8 Mexico district attorney's association or its successor
9 agency;

10 (3) the chief public defender;

11 (4) two district court judges, one of whom
12 shall be a children's court judge, appointed by the district
13 and metropolitan judges association or its successor agency;

14 (5) a magistrate judge appointed by the
15 chief justice of the supreme court;

16 (6) the dean of the university of New Mexico
17 school of law;

18 (7) the secretary of corrections;

19 (8) the secretary of public safety;

20 (9) the secretary of children, youth and
21 families;

22 (10) the secretary of public education;

23 (11) a representative from the behavioral
24 health services division of the human services department;

25 (12) a county sheriff appointed by the

1 executive director of New Mexico counties;

2 (13) two public members appointed by the
3 governor, one of whom shall be designated as chair of the New
4 Mexico sentencing commission by the governor;

5 (14) three public members appointed by the
6 president pro tempore of the senate;

7 (15) one public member appointed by the
8 minority floor leader of the senate;

9 (16) three public members appointed by the
10 speaker of the house of representatives;

11 (17) one public member appointed by the
12 minority floor leader of the house of representatives;

13 (18) two public members appointed by the
14 chief justice of the supreme court;

15 (19) one public member who is Native
16 American and a practicing attorney, appointed by the
17 president of the state bar association; and

18 (20) one public member appointed by the
19 governor who is a representative of a New Mexico victims'
20 organization.

21 C. A majority of the members of the New Mexico
22 sentencing commission constitutes a quorum for the
23 transaction of commission business.

24 D. The New Mexico sentencing commission shall:

25 (1) hold meetings at times and for periods

1 as the commission deems necessary;

2 (2) hire staff as needed to assist the
3 commission in the performance of its duties;

4 (3) prepare an annual budget;

5 (4) establish policies for the operation of
6 the commission and supervision of the activities of
7 commission staff;

8 (5) advise the executive, judicial and
9 legislative branches of government on policy matters relating
10 to criminal and juvenile justice;

11 (6) make recommendations to the legislature
12 concerning proposed changes to laws relating to the criminal
13 and juvenile justice systems that the commission determines
14 would improve those systems;

15 (7) annually assess, monitor and report to
16 the legislature on the impact of any enacted sentencing
17 standards and guidelines on state and local correctional
18 resources and programs and the need for further sentencing
19 reform;

20 (8) when developing proposed sentencing
21 reform:

22 (a) study sentencing models in other
23 jurisdictions;

24 (b) study the Criminal Sentencing Act,
25 the Criminal Code and all other New Mexico statutes relating

1 to criminal law, criminal sentencing, criminal procedure and
2 probation and parole;

3 (c) review past studies or reports
4 regarding proposed changes to the Children's Code, the
5 Criminal Code, the Criminal Sentencing Act or other New
6 Mexico statutes relating to criminal law, criminal
7 sentencing, criminal procedure or probation and parole;

8 (d) study past and current criminal
9 sentencing and release practices and create a statistical
10 database for simulating the impact of various sentencing
11 policies;

12 (e) study the full range of prison,
13 nonprison and intermediate sanctions;

14 (f) determine the principal purpose for
15 criminal sanctions;

16 (g) rank criminal offenses by degree of
17 seriousness;

18 (h) determine the role of criminal
19 history in making criminal sentencing decisions;

20 (i) define dispositional policy that
21 determines when adult felony offenders are confined in state
22 prisons and county jails or sentenced to nonprison and
23 intermediate sanctions;

24 (j) establish the length of criminal
25 sentences;

1 (k) establish the appropriate use of
2 community service and fines;

3 (l) structure proposed sentencing
4 guidelines to ensure consistency in all aspects of criminal
5 sentencing policy;

6 (m) assess the impact of commission
7 recommendations to modify criminal sentencing policy on the
8 availability of and need for correctional resources and
9 programs;

10 (n) use the expertise of a national or
11 state organization with experience in sentencing reform; and

12 (o) present proposed legislation or
13 recommendations regarding sentencing reform to the
14 appropriate legislative interim committee;

15 (9) monitor any enacted sentencing
16 guidelines with respect to uniformity and proportionality;

17 (10) conduct research relating to the use
18 and effectiveness of any enacted guidelines, prosecution
19 standards, offense charging, plea bargaining, sentencing
20 practices, probation and parole practices and any other
21 matters relating to the criminal justice system;

22 (11) serve as a clearinghouse for the
23 systematic collection, analysis and dissemination of
24 information relating to felony offense charges, plea
25 agreements, convictions, sentences imposed, incarceration

1 time actually served and actual and projected inmate
2 population in the state correctional system;

3 (12) review all proposed legislation that
4 creates a new criminal offense, changes the classification of
5 an offense or changes the range of punishments for an offense
6 and make recommendations to the legislature as to whether
7 proposed changes would improve the criminal and juvenile
8 justice system;

9 (13) contingent upon the availability of
10 funding, provide impact estimates, incorporating prison
11 population projections, on all proposed legislation that has
12 the potential to affect correctional resources;

13 (14) create and maintain a data-sharing
14 network to receive, store, analyze and disseminate criminal
15 justice data for and between participating criminal justice
16 and behavioral health agencies for the purpose of evaluating
17 local and statewide criminal justice systems and programs and
18 supporting, encouraging and accomplishing information sharing
19 among criminal justice agencies and criminal justice
20 coordinating councils;

21 (15) provide data analysis as requested by
22 criminal justice agencies and criminal justice coordinating
23 councils; and

24 (16) promulgate rules governing the data-
25 sharing network and data analysis pursuant to Paragraphs (14)

1 and (15) of this subsection. The rules shall include
2 procedures to:

3 (a) fulfill any requirements related to
4 data privacy, security and protection so that information
5 access and sharing is permitted for authorized purposes, as
6 defined by law, court order or for business practices that
7 are a necessary component of the requesting agency's duties
8 and functions and is compatible with the purpose and
9 expectations of use under which the information was
10 collected;

11 (b) guide participating agencies to
12 ensure accuracy, completeness, currency and reliability of
13 information reported to the data-sharing network;

14 (c) allow data querying and reporting
15 tools for those authorized users who want to perform
16 statistical analysis of some of the data collected and
17 retained;

18 (d) provide safeguards to actively
19 monitor and record: 1) access and use of the network's
20 services and systems; and 2) the nature of information
21 exchanges using the network; and

22 (e) identify and recognize authorized
23 users who access the network.

24 E. The members of the New Mexico sentencing
25 commission shall be paid pursuant to the Per Diem and Mileage

1 Act and shall receive no other perquisite, compensation or
2 allowance.

3 F. The New Mexico sentencing commission is
4 administratively attached to the office of the governor."

5 SECTION 2. Section 29-3-8 NMSA 1978 (being Laws 1978,
6 Chapter 87, Section 1, as amended) is amended to read:

7 "29-3-8. BIOMETRIC IDENTIFYING INFORMATION OF PERSONS
8 ARRESTED--STATE ARREST RECORDS--DISPOSITION.--

9 A. A booking facility shall electronically collect
10 biometric identifying information from a person arrested for
11 the following crimes prior to the person's release:

12 (1) the commission of a criminal offense
13 amounting to a felony;

14 (2) the commission of a criminal offense not
15 amounting to a felony but punishable by imprisonment for more
16 than six months under the laws of the state or a political
17 subdivision of the state; or

18 (3) the violation of a provision of Section
19 66-8-102 NMSA 1978 or the violation of a municipal or county
20 ordinance prescribing criminal penalties for driving while
21 under the influence of intoxicating liquor or drugs.

22 B. Biometric identifying information shall be
23 obtained each time a person is arrested.

24 C. At the time biometric identifying information
25 is collected, the booking facility shall create an arrest

1 record with a state arrest tracking number provided by the
2 department. The arrest record shall include:

- 3 (1) the date of arrest;
- 4 (2) the state arrest tracking number
5 assigned to the arrest record;
- 6 (3) the state personal identification number
7 assigned to the arrestee by the department;
- 8 (4) the arrestee's biometric identifying
9 information; and
- 10 (5) a completed description with charge code
11 of each offense charged.

12 D. The department shall promulgate rules
13 addressing:

- 14 (1) collection of biometric identifying
15 information;
- 16 (2) submission of biometric identifying
17 information;
- 18 (3) creation of a state personal
19 identification number system to identify a person arrested
20 and charged with a crime and ensure that the same state
21 personal identification number is assigned to the person
22 regardless of the number of times the person is arrested or
23 the location of the arrest within the state; and
- 24 (4) creation of a state arrest tracking
25 number system for each arrest record.

1 E. At booking, the booking facility shall
2 immediately forward the arrest record and any other
3 information required by department rule to the department.

4 F. The department shall immediately provide the:

5 (1) biometric identifying information to the
6 federal bureau of investigation in Washington, D.C.;

7 (2) state personal identification number to
8 agencies at all levels of government that are engaged in the
9 apprehension, prosecution or defense, adjudication,
10 incarceration or rehabilitation of criminal offenders; and

11 (3) arrest record to the administrative
12 office of the district attorneys for submission to the
13 appropriate prosecuting authority.

14 G. Biometric identifying information shall be
15 collected from an inmate who is charged with a felony or
16 misdemeanor offense while incarcerated, and the jail or
17 corrections facility shall forward the offender's biometric
18 identifying information to the department.

19 H. The administrative office of the courts shall
20 provide to the department the disposition of all criminal
21 cases assigned a state arrest tracking number. The
22 disposition shall be provided in electronic format, promptly
23 upon the conclusion of the case.

24 I. The administrative office of the district
25 attorneys shall provide to the department the disposition of

1 all criminal cases assigned a state arrest tracking number
2 when the district attorney decides not to file charges in the
3 case. The disposition shall be provided in electronic format
4 promptly upon a district attorney's decision not to file
5 charges in the case.

6 J. The department shall forward the disposition of
7 all criminal cases to the federal bureau of investigation and
8 the national crime information center within five business
9 days of receipt.

10 K. Law enforcement agencies, the administrative
11 office of the courts and the administrative office of the
12 district attorneys shall allow the department access to their
13 records for the purpose of auditing those records to ensure
14 compliance with the provisions of this section.

15 L. As used in this section:

16 (1) "biometric identifying information"
17 means physical characteristics used in verifying the identity
18 of an individual, including photographs, fingerprint
19 impressions and palm print impressions;

20 (2) "booking facility" means a jail, police
21 station, sheriff's office or other place of detention;

22 (3) "charge code" means the unique code
23 assigned to the crime from the master charge code table
24 distributed by the New Mexico justice information sharing
25 council;

1 (4) "state arrest tracking number" means an
2 incident-based unique number assigned to the arrest; and

3 (5) "state personal identification number"
4 means a unique number assigned to the arrestee based on the
5 arrestee's biometric identifying information."

6 SECTION 3. Section 29-3-11 NMSA 1978 (being Laws 2007,
7 Chapter 37, Section 1) is amended to read:

8 "29-3-11. UNIFORM CRIME REPORTING SYSTEM ESTABLISHED--
9 DUTIES OF DEPARTMENT.--

10 A. The department of public safety shall develop,
11 operate and maintain a uniform crime reporting system and
12 shall be the central repository for the collection, storage,
13 retrieval and analysis of crime incident and arrest reports
14 generated by all law enforcement agencies in this state. The
15 system shall be operational as of January 1, 2008.

16 B. The department shall:

17 (1) compile statistical data and forward
18 such data as required to the federal bureau of investigation
19 or the appropriate department of justice agency in accordance
20 with standards and procedures of the national system;

21 (2) provide forms, standards and procedures
22 and related training to state and local law enforcement
23 agencies as necessary for the agencies to report incident and
24 arrest activity for inclusion in the statewide system;

25 (3) in conjunction with the New Mexico

1 sentencing commission, annually publish a report on the
2 nature and extent of crime in New Mexico and submit the
3 report to the governor and to the legislature;

4 (4) maintain the privacy and security of
5 information in accordance with applicable state and federal
6 laws;

7 (5) provide the New Mexico sentencing
8 commission access to the data collected and maintained by the
9 department; and

10 (6) establish rules as necessary to
11 implement the provisions of this section.

12 C. Every law enforcement agency in the state
13 shall:

14 (1) submit crime incident reports to the
15 department of public safety on forms or in the format
16 prescribed by the department;

17 (2) submit any other crime incident
18 information as may be required by the department of public
19 safety; and

20 (3) use the unique code assigned to the
21 crime from the master charge code table distributed by the
22 New Mexico justice information sharing council for the
23 automated fingerprint identification system and use uniform
24 crime incident reporting as provided by the department for
25 all incidents and arrests.

1 D. The annual report and other statistical data
2 reports generated by the department shall be made available
3 to state and local law enforcement agencies, the
4 administrative office of the courts and the general public."

5 SECTION 4. Section 43-1-19 NMSA 1978 (being Laws 1977,
6 Chapter 279, Section 18, as amended) is amended to read:

7 "43-1-19. DISCLOSURE OF INFORMATION.--

8 A. Except as otherwise provided in the code, no
9 person shall, without the authorization of the client,
10 disclose or transmit any confidential information from which
11 a person well acquainted with the client might recognize the
12 client as the described person, or any code, number or other
13 means that can be used to match the client with confidential
14 information regarding the client.

15 B. Authorization from the client shall not be
16 required for the disclosure or transmission of confidential
17 information in the following circumstances:

18 (1) when the request is from a mental health
19 or developmental disabilities professional or from an
20 employee or trainee working with a person with a mental
21 disability or developmental disability, to the extent that
22 the practice, employment or training on behalf of the client
23 requires access to such information is necessary;

24 (2) when such disclosure is necessary to
25 protect against a clear and substantial risk of imminent

1 serious physical injury or death inflicted by the client on
2 the client's self or another;

3 (3) when the disclosure is made pursuant to
4 the provisions of the Assisted Outpatient Treatment Act,
5 using reasonable efforts to limit protected health
6 information to that which is minimally necessary to
7 accomplish the intended purpose of the use, disclosure or
8 request;

9 (4) when the disclosure of such information
10 is to the primary caregiver of the client and the disclosure
11 is only of information necessary for the continuity of the
12 client's treatment in the judgment of the treating physician
13 or certified psychologist who discloses the information;

14 (5) when such disclosure is to an insurer
15 contractually obligated to pay part or all of the expenses
16 relating to the treatment of the client at the residential
17 facility. The information disclosed shall be limited to data
18 identifying the client, facility and treating or supervising
19 physician and the dates and duration of the residential
20 treatment. It shall not be a defense to an insurer's
21 obligation to pay that the information relating to the
22 residential treatment of the client, apart from information
23 disclosed pursuant to this section, has not been disclosed to
24 the insurer;

25 (6) when the request is from a physician, a

1 licensed psychologist or a qualified mental health
2 professional licensed for independent practice and
3 responsible for the continuity of care of inmates with a
4 mental or developmental disability who are in a jail or
5 corrections facility, and the disclosure is only of
6 information necessary for the continuity of the client's
7 treatment in the judgment of an equally qualified treating
8 professional who discloses the information;

9 (7) when such disclosure is by a physician,
10 a licensed psychologist or a qualified mental health
11 professional licensed for independent practice and
12 responsible for the treatment of inmates in a jail or
13 corrections facility to another equally qualified treating
14 professional responsible for the continuation of care of the
15 inmate upon the inmate's release from a jail or corrections
16 facility, and the disclosure is only of information necessary
17 for the continuity of the client's treatment in the judgment
18 of the treating professional who discloses the information;
19 or

20 (8) when the disclosure is made to a
21 governmental agency, its agent or a state educational
22 institution, a duly organized state or county association of
23 licensed physicians or dentists, a licensed health facility
24 or staff committees of such a facility for the purpose of
25 research, subject to the provisions of Section 14-6-1 NMSA

1 1978 and subject to the review of an institutional review
2 board in compliance with the federal Health Insurance
3 Portability and Accountability Act of 1996 or any succeeding
4 legislation.

5 C. No authorization given for the transmission or
6 disclosure of confidential information shall be effective
7 unless it:

8 (1) is in writing and signed; and

9 (2) contains a statement of the client's
10 right to examine and copy the information to be disclosed,
11 the name or title of the proposed recipient of the
12 information and a description of the use that may be made of
13 the information.

14 D. The client has a right of access to
15 confidential information and has the right to make copies of
16 any information and to submit clarifying or correcting
17 statements and other documentation of reasonable length for
18 inclusion with the confidential information. The statements
19 and other documentation shall be kept with the relevant
20 confidential information, shall accompany it in the event of
21 disclosure and shall be governed by the provisions of this
22 section to the extent they contain confidential information.
23 Nothing in this subsection shall prohibit the denial of
24 access to such records when a physician or other mental
25 health or developmental disabilities professional believes

1 and notes in the client's medical records that such
2 disclosure would not be in the best interests of the client.
3 In any such case, the client has the right to petition the
4 court for an order granting such access.

5 E. Where there exists evidence that the client
6 whose consent to disclosure of confidential information is
7 sought is incapable of giving or withholding valid consent
8 and the client does not have a guardian or treatment guardian
9 appointed by a court, the person seeking such authorization
10 shall petition the court for the appointment of a treatment
11 guardian to make a substitute decision for the client, except
12 that if the client is less than fourteen years of age, the
13 client's parent or guardian is authorized to consent to
14 disclosure on behalf of the client.

15 F. Information concerning a client disclosed under
16 this section shall not be released to any other person,
17 agency or governmental entity or placed in files or
18 computerized data banks accessible to any persons not
19 otherwise authorized to obtain information under this
20 section.

21 G. Nothing in the code shall limit the
22 confidentiality rights afforded by federal statute or
23 regulation.

24 H. A person appointed as a treatment guardian in
25 accordance with the Mental Health and Developmental

1 Disabilities Code may act as the client's personal
2 representative pursuant to the federal Health Insurance
3 Portability and Accountability Act of 1996, Sections
4 1171-1179 of the Social Security Act, 42 U.S.C. Section
5 1320d, as amended, and applicable federal regulations to
6 obtain access to the client's protected health information,
7 including mental health information and relevant physical
8 health information, and may communicate with the client's
9 health care providers in furtherance of such treatment."

10 SECTION 5. SHORT TITLE.--Sections 5 through 10 of this
11 act may be cited as the "Crime Reduction Grant Act".

12 SECTION 6. DEFINITIONS.--As used in the Crime Reduction
13 Grant Act:

14 A. "commission" means the New Mexico sentencing
15 commission; and

16 B. "grant administration agency" means a state
17 agency that receives appropriations for grants to criminal
18 justice coordinating council members for the purposes
19 specified in the Crime Reduction Grant Act.

20 SECTION 7. CRIMINAL JUSTICE COORDINATING COUNCILS
21 CREATED--COMPOSITION--DUTIES.--

22 A. A criminal justice coordinating council is
23 created for each judicial district and may include
24 representation from within the district for:

25 (1) each court in the district;

1 (2) the district attorney;
2 (3) the district public defender office;
3 (4) law enforcement agencies;
4 (5) jails;
5 (6) correctional facilities;
6 (7) behavioral health programs; or
7 (8) other agencies and entities agreed upon
8 by the council.

9 B. Each criminal justice coordinating council
10 shall be convened by the chief judge of the district court in
11 the judicial district.

12 C. Each criminal justice coordinating council
13 shall select a chair at its first meeting. The first meeting
14 of each council shall take place by August 1, 2019, and the
15 council shall subsequently meet at the call of the chair, but
16 not less than ten months per year.

17 D. Each criminal justice coordinating council
18 shall organize itself and adopt rules in a manner appropriate
19 to accomplish its duties pursuant to the Crime Reduction
20 Grant Act.

21 E. A criminal justice coordinating council shall,
22 to the extent possible, develop a strategic plan to meet the
23 requirements of this section and shall:

24 (1) review the criminal justice system in
25 the judicial district, including judicial processes, law

1 enforcement, community corrections alternatives and
2 sufficiency of jail and detention facilities;

3 (2) identify criminal justice system
4 problems in the judicial district;

5 (3) develop data-driven policies and
6 evidence-based best practices designed to improve public
7 safety outcomes, cost-effective responses to crime and fair
8 and efficient adjudication processes;

9 (4) apply as necessary to grant
10 administration agencies for crime reduction grants pursuant
11 to the Crime Reduction Grant Act;

12 (5) facilitate sharing of criminal justice
13 information between agencies as permitted by law; and

14 (6) in consultation with the commission,
15 develop data-sharing agreements and methods of data sharing
16 to allow system-wide analysis of criminal justice operations
17 within the judicial district and throughout the state.

18 F. Executive agencies and the administrative
19 office of the courts shall provide prompt responses to
20 criminal justice coordinating council requests for
21 information.

22 **SECTION 8. APPLICATIONS FOR GRANTS--**
23 **PURPOSES--CONDITIONS.--**

24 A. A member of a criminal justice coordinating
25 council with the consent of the council may apply to a grant

1 administration agency for a grant to accomplish any of the
2 enumerated purposes provided in Subsection B of this section.

3 B. Crime reduction grants may be made to:

4 (1) develop, expand and improve evidence-
5 based treatment and supervision alternatives to
6 incarceration;

7 (2) reduce barriers to participation by
8 criminal offenders in preprosecution diversion or specialty
9 court programs;

10 (3) develop or improve pretrial service
11 programs; and

12 (4) purchase equipment or provide training
13 to support any of the purposes provided in this section.

14 C. Crime reduction grants shall be conditioned on
15 the criminal justice coordinating council and the recipient
16 member complying with the following:

17 (1) using not more than five percent of a
18 grant for administrative costs of the recipient;

19 (2) in consultation with the commission,
20 developing data-sharing agreements and methods of data
21 sharing among criminal justice agencies and with the
22 commission to allow system-wide analysis of criminal justice
23 operations within the judicial district and statewide;

24 (3) using or developing evidence-based best
25 practices for any programs operated with crime reduction

1 grants;

2 (4) developing performance measures in
3 consultation with the commission and the grant administration
4 agency relevant to the grantee's application;

5 (5) collecting data to evaluate the
6 effectiveness of programs operated with crime reduction
7 grants;

8 (6) evaluating quarterly the process,
9 outputs, outcomes and other performance measures of programs
10 funded with grants for compliance with all provisions of the
11 Crime Reduction Grant Act;

12 (7) providing a quarterly report to the
13 commission for review and comparison with other programs
14 receiving grants for similar purposes; and

15 (8) providing an annual report to the grant
16 administration agency by October 1 of each year regarding
17 program outcomes from use of the grant.

18 D. The commission shall assist with the
19 implementation of data-sharing agreements to ensure
20 compliance with crime reduction grants.

21 E. Each grant administration agency shall identify
22 and require the use or development of evidence-based best
23 practices for programs operated with crime reduction grants
24 distributed by that grant administration agency.

25 F. A grant administration agency may consider any

1 outcome reported to it by a grant recipient from a previous
2 year in making a determination of whether to make subsequent
3 grants or the amount of a subsequent grant.

4 SECTION 9. RULES.--The New Mexico sentencing
5 commission, in consultation with each grant administration
6 agency, shall promulgate uniform procedural rules necessary
7 to administer the provisions of the Crime Reduction Grant
8 Act. Each grant administration agency shall adopt the
9 uniform procedures along with other grant award criteria
10 unique to the grant administration agency.

11 SECTION 10. REPORTS.--

12 A. Each grant administration agency shall report
13 to the commission annually by November 1 of each year
14 regarding the:

15 (1) applications for grants made during the
16 previous fiscal year by each criminal justice coordinating
17 council;

18 (2) purpose and amount of each grant
19 approved by the grant administration agency for each member
20 for the previous fiscal year; and

21 (3) processes, outputs and outcomes
22 resulting from the use of the grant.

23 B. The commission shall report to the legislature
24 annually by December 1 of each year regarding the data-
25 sharing network, including data derived from crime reduction

