

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

**September 28-30, 2022
State Capitol, House Chamber
Santa Fe**

The fifth meeting of the Courts, Corrections and Justice Committee was called to order by Representative Gail Chasey, co-chair, on September 28, 2022 at 9:51 a.m. in the House Chamber of the State Capitol in Santa Fe.

Present

Sen. Joseph Cervantes, Co-Chair
Rep. Gail Chasey, Co-Chair
Rep. Eliseo Lee Alcon
Rep. Linda Garcia Benavides
Rep. Antonio Maestas (9/28, 9/29)
Sen. Bill B. O'Neill
Sen. Cliff R. Pirtle (9/29, 9/30)
Rep. William "Bill" R. Rehm
Rep. Debra M. Sariñana
Rep. Christine Trujillo

Absent

Rep. Karen C. Bash
Rep. Zachary J. Cook
Sen. Daniel A. Ivey-Soto
Sen. Mark Moores
Sen. Antoinette Sedillo Lopez

Advisory Members

Sen. Gregory A. Baca (9/29)
Rep. Christine Chandler (9/28, 9/29)
Sen. Katy M. Duhigg (9/28, 9/29)
Rep. Kelly K. Fajardo (9/28, 9/29)
Sen. Linda M. Lopez
Rep. Roger E. Montoya
Sen. Mimi Stewart (9/28, 9/29)
Sen. Peter Wirth (9/28)

Rep. Micaela Lara Cadena
Sen. Jacob R. Candelaria
Rep. Doreen Y. Gallegos
Rep. T. Ryan Lane
Rep. Georgene Louis
Rep. Andrea Romero
Rep. Patricia Roybal Caballero

Guest Legislator

Sen. Siah Correa Hemphill (9/29, 9/30)

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

Staff

Sean Dolan, Staff Attorney, Legislative Council Service (LCS)
Christopher Copeland, Staff Attorney, LCS
Nancy Martinez, Research Assistant, LCS
Hexuan Li, 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 28

Update from the New Mexico Association of Counties Regarding Recent Reports on Staffing Issues and Recent Inmate Deaths (10:11 a.m.)

Grace Philips, general counsel, New Mexico Association of Counties, presented information regarding staffing, detention booking numbers, available beds and county jail costs. The presentation can be found here:

<https://www.nmlegis.gov/handouts/CCJ%20092822%20Item%201%20County%20Detention%20Facility%20Report.pdf>.

Update from the Children, Youth and Families Department (CYFD) Regarding Recent Changes and Response to Child Deaths (1:36 p.m.)

Barbara Vigil, secretary, CYFD, presented an update regarding changes recently implemented, staffing and retention issues, focuses of the CYFD this year and ways to improve the department. Eric Chenier, principal analyst, Legislative Finance Committee (LFC), and Nathan Eckberg, program evaluator, LFC, presented the CYFD's fourth quarter report card and discussed issues surrounding repeated child maltreatment and evidence-based options to address child maltreatment. The presentation materials can be found here:

<https://www.nmlegis.gov/Committee/Handouts?CommitteeCode=CCJ&Date=9/28/2022&ItemNumber=2>.

Public Comment (3:46 p.m.)

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

Approval of Minutes (3:58 p.m.)

Upon a motion duly made and seconded, and without any objections, the committee approved the minutes of the August 22-24, 2022 and September 1, 2022 meetings.

Recess

The meeting recessed at 3:59 p.m.

Thursday, September 29

Update from the Administrative Office of the Courts (AOC) (9:39 a.m.)

The Honorable C. Shannon Bacon, chief justice, New Mexico Supreme Court, and Artie Pepin, director, AOC, presented the court's legislative priorities, changes to magistrate court judge qualifications, judicial compensation, expungement, the court's budget and a review of recent successes by the courts.

Update from the Public Defender Department (PDD) and the New Mexico District Attorney Association (NMDAA) Regarding the State of Crime in New Mexico and National Public Defender Staffing Issues (1:45 p.m.)

Marcus Montoya, president, NMDAA; Henry Valdez, director, NMDAA; Thomas J. Clear III, chair, Public Defender Commission; Bennett J. Baur, chief public defender, PDD; and Steve Hanlon, principal, Lawyer Hanlon, and national expert on public defender workloads, presented a review of a recent study regarding understaffing of public defender offices nationwide and in New Mexico, a five-year plan to reduce representation deficiency in the state, district attorneys' staffing issues, budget requests and a review of crime in the state. The presentation materials can be found here:

<https://www.nmlegis.gov/Committee/Handouts?CommitteeCode=CCJ&Date=9/28/2022&ItemNumber=4>.

Public Comment (4:38 p.m.)

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

Recess

The meeting recessed at 4:42 p.m.

Friday, September 30

Presentation by Child Protection Ombudsman of Colorado (CPOC) (10:02 a.m.)

Jordan Steffen, deputy ombudsman, CPOC, presented an overview of the Colorado child protection ombud system, including how the office works and how the statute was structured, and he answered questions regarding the office. The presentation materials can be found here:

<https://www.nmlegis.gov/Committee/Handouts?CommitteeCode=CCJ&Date=9/28/2022&ItemNumber=5>.

Corrections Overview (1:44 p.m.)

Alisha Tafoya Lucero, secretary, Corrections Department (NMCD); Morgen Jaco, director, Reentry Division, NMCD; David Gonzales, deputy director, Corrections Industries

Division, NMCD; Melanie Martinez, director, Adult Probation and Parole Division, NMCD; Haven Scogin, community corrections administrator, Adult Probation and Parole Division, NMCD; and Carissa McGee, program specialist, Peer Education Project, Project ECHO, University of New Mexico Health Sciences Center, provided information regarding the NMCD's merging of private prisons with the state prison system, reentry collaboration, parole programs, housing support and work that is being done to lower recidivism rates. The presentation materials can be found here:

<https://www.nmlegis.gov/Committee/Handouts?CommitteeCode=CCJ&Date=9/28/2022&ItemNumber=6>.

Adjournment

There being no further business before the committee, the meeting adjourned at 4:44 p.m.