



## MEMORANDUM

**To:** Members of the Courts, Corrections & Justice Committee

**From:** Linda Freeman, Executive Director, NMSC & Douglas Carver, Deputy Director, NMSC

**Date:** 23 July 2021

**Re:** Update on progress of Criminal Code revision

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In order to keep the members of the Courts, Corrections, and Justice Committee (CCJ) updated on the work the New Mexico Sentencing Commission (NMSC) has undertaken towards revising the New Mexico Criminal Code, the NMSC will periodically transmit memoranda to CCJ on the status of the effort. This is the first of those memoranda.

The New Mexico Sentencing Commission has undertaken the following in order to fulfill its mandate to revise New Mexico's Criminal Code and related statutes:

1. Formed a new subcommittee, the Criminal Code Update Committee (CCUC), to take the lead on the Code revision. Chaired by Angela Pacheco, former District Attorney for the First Judicial District, the CCUC is made up of members of the NMSC's Reform Committee, representing a cross-section of the state's criminal justice system.
2. Contracted with the Robina Institute of Criminal Law and Criminal Justice (<https://robinainstitute.umn.edu/>) to provide advice on the process to update New Mexico's criminal law statutes and undertake comparative research for CCUC.
3. Distributed a survey concerning New Mexico's criminal justice system to criminal justice practitioners and advocates throughout the state –we have received over 200 survey responses.
4. Convened the first meeting of the CCUC (July 15, 2021), at which Kelly Mitchell, Executive Director of the Robina Institute, presented her report "Examining Offense Classification Schemes", which discussed offense classifications in other states in comparison to New Mexico's system, and discussed the relationship between offense classification and sentencing.

5. Two further meetings of the CCUC are scheduled – the meeting on July 29 will involve a presentation of the results of the survey; the meeting on August 12 will be a discussion of the scope of work for the committee.
6. Created a dedicated web site for the CCUC – agendas and minutes for the committee’s meetings will be posted there, as well as research materials and other documents related to the committee’s work.

Please feel free to contact us if further information is needed. Linda can be reached at: [lffreema@unm.edu](mailto:lffreema@unm.edu); Douglas can be reached at: [dhmcarver@unm.edu](mailto:dhmcarver@unm.edu).