

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

**July 30, 2020
Video Conference Meeting**

The first meeting of the Courts, Corrections and Justice Committee was called to order by Representative Gail Chasey, co-chair, on July 30, 2020 at 10:05 a.m. by video and audio conference via an online platform.

Present

Sen. Joseph Cervantes, Co-Chair
Rep. Gail Chasey, Co-Chair
Rep. Eliseo Lee Alcon
Rep. Karen C. Bash
Sen. Jacob R. Candelaria
Rep. Dayan Hochman-Vigil
Sen. Linda M. Lopez
Rep. Antonio Maestas
Rep. William "Bill" R. Rehm
Sen. Sander Rue
Sen. Antoinette Sedillo Lopez

Absent

Rep. Deborah A. Armstrong
Sen. Gregory A. Baca
Rep. Zachary J. Cook

Advisory Members

Rep. Alonzo Baldonado
Rep. Georgene Louis
Sen. Richard C. Martinez
Sen. Bill B. O'Neill
Rep. Andrea Romero
Rep. Patricia Roybal Caballero
Rep. Christine Trujillo
Sen. Peter Wirth

Sen. William F. Burt
Rep. Brian Egolf
Rep. Doreen Y. Gallegos
Sen. Daniel A. Ivey-Soto
Sen. William H. Payne
Sen. Mimi Stewart

Staff

Mark Peralta-Silva, Staff Attorney, Legislative Council Service (LCS)
Elisabeth Johnson, Staff Attorney, LCS
Erin Bond, Research Assistant, 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.

Thursday, July 30

Update from the New Mexico Sentencing Commission (NMSC) (10:10 a.m.)

Angela "Spence" Pacheco, chair, Reform Committee, NMSC; Linda Freeman, executive director, NMSC; and Douglas Carver, deputy director, NMSC, provided the committee with a presentation regarding the prison population update and a briefing on issues concerning fines and fees. The presentation can be found here:

<https://www.nmlegis.gov/handouts/CCJ%20073020%20Item%201%20Slide%2015%20of%20NM%20Sentencing%20Commission%20Reformmittee%20Presentation%20July%202020.pdf.pdf>

Comments from committee members included the following:

- the NMSC should keep this committee updated on issues concerning fines and fees;
- the issue of fines and fees should be looked at from a constitutional law perspective; and
- understanding racial and ethnic data is important to understanding the prison population.

Policy Spotlight: Prison Classification (11:30 a.m.)

Cally Carswell, program evaluator, Legislative Finance Committee (LFC), and Jon Courtney, deputy director, Program Evaluation, LFC, provided the committee with a presentation regarding prison classification. The presentation can be found here:

https://www.nmlegis.gov/handouts/CCJ%20073020%20Item%202%20CCJ%20Presentation_07_30_20_Inmate%20Classification.pdf

Comments from committee members included the following:

- the committee should look at the financial relationship with private prisons at some point; and
- committee members would like to hear from the Corrections Department regarding the production of face masks and whether those masks are being resold to the Department of Health at a higher rate.

Update from the Judiciary: Maintaining Court Operations during COVID-19 (1:30 p.m.)

Michael E. Vigil, chief justice, New Mexico Supreme Court; Judith K. Nakamura, justice, New Mexico Supreme Court; Lynette Paulman-Rodriguez, director, Human Resources Division, Administrative Office of the Courts (AOC); and Celina Jones, general counsel, AOC,

provided the committee with a presentation regarding maintaining court operations during COVID-19.

Comments from committee members included the following:

- some tenants are misinformed about the stay on writs of restitution issued by the courts, partially due to messaging;
- issues with rent and evictions also affect businesses and commercial properties, and more support with these issues is needed;
- it might be helpful for someone to explain Supreme Court Order No. 20-8500-007 to landlords and tenants because there seems to be some general confusion;
- it is important to bring court reform bills back for the upcoming legislative session;
- there are concerns with the bar exam and licensing new attorneys and whether a majority of those taking the bar exam are coming in from out of state and will need to quarantine;
- there is a need to increase judicial salaries; and
- there are issues with the behavior of some sheriffs in the courtroom, especially regarding following public health safety protocols.

Update from New Mexico SAFE: Criminal Justice Reform and Police Reform (3:25 p.m.)

Paul Haidle, executive director, New Mexico Criminal Defense Lawyers Association (NMCDLA); Rikki-Lee Chavez, legislative coordinator, NMCDLA; and Emily Kaltenbach, senior director, Drug Policy Alliance, provided the committee with a presentation regarding criminal justice and police reform. The presentation materials can be found here:

<https://www.nmlegis.gov/Committee/Handouts?CommitteeCode=CCJ&Date=7/30/2020&ItemNumber=4>.

Comments from committee members included the following:

- it is important to make an effort to involve victims in these discussions; and
- the committee may need to look into the Department of Game and Fish statutes.

Public Comment

The committee did not hear public comment because there were no commenters.

Adjournment

There being no further business before the committee, the meeting adjourned at 4:20 p.m.