

**MINUTES
of the
FIFTH MEETING
of the
LEGISLATIVE HEALTH AND HUMAN SERVICES COMMITTEE**

**September 24-25, 2020
Video Conference Meeting**

The fifth meeting of the Legislative Health and Human Services Committee was called to order by Senator Gerald Ortiz y Pino, chair, on September 24, 2020 at 9:10 a.m. by video and audio conference via an online platform.

Present

Sen. Gerald Ortiz y Pino, Chair
Rep. Deborah A. Armstrong, Vice Chair
(9/24)
Rep. Gail Armstrong
Rep. Joanne J. Ferrary
Rep. D. Wonda Johnson (9/24)
Sen. Bill B. O'Neill

Absent

Sen. Gregg Fulfer
Sen. Cliff. R. Pirtle

Advisory Members

Rep. Rachel A. Black
Rep. Micaela Lara Cadena
Rep. Rebecca Dow (9/24)
Rep. Doreen Y. Gallegos (9/24)
Rep. Miguel P. Garcia (9/24)
Sen. Linda M. Lopez (9/24)
Rep. Tara L. Lujan
Sen. Mary Kay Papen
Sen. Nancy Rodriguez
Rep. Patricia Roybal Caballero
Sen. Antoinette Sedillo Lopez
Sen. Elizabeth "Liz" Stefanics
Rep. Elizabeth "Liz" Thomson

Rep. Phelps Anderson
Rep. Karen C. Bash
Rep. Zachary J. Cook
Sen. Gay G. Kernan
Rep. Rodolpho "Rudy" S. Martinez
Sen. Mark Moores
Sen. Michael Padilla
Rep. Andrea Romero
Rep. Gregg Schmedes
Sen. William P. Soules
Sen. Bill Tallman
Rep. Christine Trujillo

Guest Legislator

Rep. Marian Matthews

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

Staff

Andrea Lazarow, Legislative Council Service (LCS)
Sabina Gaynor, LCS

Nancy Martinez, LCS

Handouts

Handouts and other written testimony are in the meeting file and posted on the legislature's website.

Thursday, September 24

Welcome and Introductions (9:10 a.m.)

Senator Ortiz y Pino and Representative Deborah A. Armstrong welcomed committee members and attendees.

Serving Domestic Abuse Survivors (9:24 a.m.)

Kay Gomolak, executive director, Center of Protective Environment; Pam Wiseman, executive director, New Mexico Coalition Against Domestic Violence; and Marcos Zubia, director of development, Esperanza Shelter, provided a presentation regarding serving New Mexico domestic violence survivors. Additional information on this presentation can be found here:

[https://www.nmlegis.gov/handouts/LHHS%20092420%20Item%201%20HHS%20Survey%20Reformat%20PDF%20\(1\).pdf](https://www.nmlegis.gov/handouts/LHHS%20092420%20Item%201%20HHS%20Survey%20Reformat%20PDF%20(1).pdf).

Questions and comments from committee members addressed the following topics:

- whether immigrants are afraid of seeking services due to potential interactions with United States Immigration and Customs Enforcement (ICE);
- problems that renters face when addressing landlord-tenant issues;
- a need for more volunteer attorneys providing services to domestic violence survivors;
- whether rapid COVID-19 testing would affect practices at panelists' organizations;
- the benefits of rapid COVID-19 testing should be addressed in the 60-day legislative session;
- the struggles of constituents and the need for more services to prevent abuse;
- the current need for funding and steps taken in the past when funding was lacking;
- whether the funding reported by panelists includes donations;
- whether there is a system in place to track those who are not able to receive services and how safety planning addresses the issues;
- it is difficult for victims to face their abusers in court proceedings; a remote video platform would be useful in the future;
- how the panelists collected data showing the number of people who do not seek legal remedies due to fear;
- whether nongovernmental agencies use federal Coronavirus Aid, Relief, and Economic Security Act (CARES Act) money;

- the potential for negotiating discounted rates with empty hotels to provide services to those who seek shelter via domestic abuse programs;
- a request for suggestions for legislation that could be useful for these programs;
- concerns regarding reparative justice from childhood to adulthood and what services survivors are being offered;
- the fear survivors experience due to abusers knowing where they live and difficulties locating attorneys who will address these civil legal issues;
- addressing the histories of abusers;
- how legislation can be used to leverage the limited funds that comprehensively address domestic violence;
- previous legislation that was passed to fund programs for survivors of domestic violence and the importance of continuing to fund those programs;
- whether programs serving domestic violence victims can help those individuals keep their pets while in transition; and
- requests for the progress report on firearm legislation from the previous session.

Serving Child Abuse Survivors (11:14 a.m.)

Martha Braniff, Children's Trust Fund; Carrie-Leigh Cloutier, chief executive officer (CEO), Chaves County CASA; Miranda [redacted], CASA youth ambassador; and Liana Star, CASA youth ambassador, provided a presentation on serving child abuse survivors during the COVID-19 pandemic. Presentation materials can be found here:

<https://www.nmlegis.gov/Committee/Handouts?CommitteeCode=LHHS&Date=9/24/2020&ItemNumber=2>.

Questions and comments from committee members addressed the following topics:

- police officers not having training to address child abuse issues;
- whether the federal government and state governments are working together to address child trafficking;
- how child advocacy centers receive funding and which entities are involved;
- how CASA advocates are involved in termination of parental rights cases and adoptions;
- how CASA addresses underreported child abuse cases during school closures;
- the costs to fund an individual volunteer for a single year;
- if there is additional funding, how the program could grow to address other needs of children;
- whether Children's Court sufficiently addresses each case or if there is additional need;
- policies of past programs; and
- whether remaining money from citizen review boards could be diverted to CASA.

Public Comment (1:30 p.m.)

There were no public comments.

Serving Sexual Assault Survivors (1:32 p.m.)

Angel Charley, executive director, Coalition to Stop Violence Against Native Women; Alexandria Taylor, M.P.A., deputy director, New Mexico Coalition of Sexual Assault Programs; and Stephanie Villalobos, Valencia Shelter Services, presented on practices implemented to serve sexual assault survivors during the COVID-19 pandemic. The presentation can be found here:

<https://www.nmlegis.gov/handouts/LHHS%20092420%20Item%203%20Addressing%20Sexual%20Violence%20During%20Covid.pdf>.

Questions and comments from committee members addressed the following topics:

- justice for victims was not addressed even though funding was provided;
- providing more resources under the current system has not yielded change;
- concern that no federal CARES Act money was provided to address the issues that the panelists discussed;
- a request that the new report from the New Mexico Coalition of Sexual Assault Programs be sent to committee staff to be distributed to committee members;
- whether new methods of engaging the public have led to an increase in individuals seeking services or if there was an increase in occurrences of abuse and severity of sexual assault due to the COVID-19 pandemic;
- a request that the organizations provide data in the coming years regarding isolation as a cause of increased use of services due to the COVID-19 pandemic; and
- whether the Sexual Assault Survivor's Bill of Rights (House Bill 135, 2019) has been implemented.

Approval of Minutes (3:04 p.m.)

Upon a motion by Senator Ortiz y Pino, seconded and with no objections, the minutes of the September 16, 2020 meeting were approved.

Combating Human Trafficking (3:05 p.m.)

Michael DeBernardi, Psy.D., M.S., The Life Link; Susan Loubet, executive director, New Mexico Women's Agenda; Anthony Maez, special agent in charge, New Mexico Internet Crimes Against Children Task Force and New Mexico Human Trafficking Task Force, Office of the Attorney General; Lynn Sanchez, L.P.C.C., director, Human Trafficking Aftercare, The Life Link, and co-chair, New Mexico Human Trafficking Task Force, Office of the Attorney General; and Frank Zubia, director, Crime Victims Reparation Commission, provided a presentation to the committee on efforts made to combat human trafficking. The presentation can be found here:

<https://www.nmlegis.gov/handouts/LHHS%20092420%20Item%204%20NM%20HT%20Legislative%20Handhout.pdf>.

Questions and comments from committee members addressed the following topics:

- the status of the New Mexico Victim's Rights Project;
- how children detained in ICE facilities are being protected from the risk of trafficking;
- whether panelists have gathered information on other vulnerable populations, such as those at risk for eviction, and taken steps to protect them;
- an observation that mediation is not appropriate for addressing abuse;
- whether the legislation referred to in the presentation was heard during the 2020 regular legislative session;
- a request that the panelists provide data regarding the number of arrests and convictions for trafficking, the ethnic background of the convicted and the lengths of sentences;
- limitations on services available for victims who are undocumented immigrants; and
- how many victims of trafficking were on probation or parole.

Recess

The committee recessed at 5:00 p.m.

Friday, September 25

Reconvene, Welcome and Introductions (9:07 a.m.)

Senator Ortiz y Pino reconvened the meeting and welcomed committee members and attendees.

Fighting Food Insecurity (9:20 a.m.)

Lorenzo Alba, executive director, Casa de Peregrinos; Gloria Ann Begay, Diné Food Sovereignty Alliance; Representative Ferrary; Helga Garza, director, Agri-Cultura Network, and executive committee member, New Mexico Food and Agriculture Policy Council; Lily Irvin-Vitela, president and executive director, New Mexico First; and Mag Strittmatter, president and CEO, Roadrunner Food Bank, provided a presentation to the committee regarding efforts made to address food insecurity during the COVID-19 pandemic. The presentation materials can be found here:

<https://www.nmlegis.gov/Committee/Handouts?CommitteeCode=LHHS&Date=9/24/2020&ItemNumber=5>.

Questions and comments from committee members addressed the following topics:

- what food needs the budget provided by the panelists addresses and the anticipated budget shortfall;
- a statement that there should be several bills instead of one large bill;
- a rural caucus should be involved in this issue because it is difficult to distribute food in rural parts of the state;
- this presentation should be provided to the Legislative Education Study Committee;
- whether food security programs consider sustainability and economic development issues;
- the correlation between hunger-related memorials and the work of task forces; and
- the need to assist land grants to recoup costs for sustaining farming.

Addressing the Eviction Crisis (11:16 a.m.)

Maria Griego, attorney and director of economic equity, New Mexico Center on Law and Poverty; Isidoro Hernandez, executive director, New Mexico Mortgage Finance Authority; Serge Martinez, professor of law, University of New Mexico School of Law; and Representative Angelica Rubio provided the committee with a presentation on the eviction crisis during the COVID-19 pandemic. The presentation materials can be found here:

<https://www.nmlegis.gov/Committee/Handouts?CommitteeCode=LHHS&Date=9/24/2020&ItemNumber=6>.

Questions and comments from committee members addressed the following topics:

- an observation that both landlords and tenants suffer stress due to the economic impact of COVID-19 pandemic restrictions;
- concern that mobile home park owners prevent tenants from ending leases and how current statutes cover mobile home parks;
- the time limit for extending Community Development Block Grant assistance to tenants;
- whether mobile home parks are covered under New Mexico Mortgage Finance Authority oversight;
- protections for tenants need to be implemented to address change of ownership or lease terms;
- whether the legislation presented will address the foreclosure process;
- the existence of fair processes for lenders and homebuyers;
- the effect of short-term rentals on affordable housing; and
- the possibility of a new interim committee addressing affordable housing and homelessness being recommended to the New Mexico Legislative Council.

Public Comment (1:46 p.m.)

Comments from members of the public included concerns about the following topics:

- Secora Nefish, New Mexico Thrives, stated that food infrastructure must be addressed with legislation;
- Erin Foster-West, National Young Farmers Coalition, stated that there must be support for farmers and ranchers; and
- Scott Bunton, member, board of directors, The Food Depot, stated that hunger existed before the COVID-19 pandemic and became worse after, perpetuating unmet needs.

Services for Veterans (1:49 p.m.)

Bobby Ehrig, CEO, Veterans Integration Centers; Sonya Smith, deputy secretary, Veterans' Services Department (VSD); and Jemia Warner, director, Health Care Coordination Division, VSD, provided a presentation to the committee on services for veterans during the COVID-19 pandemic. The presentation materials can be found here:

<https://www.nmlegis.gov/Committee/Handouts?CommitteeCode=LHHS&Date=9/24/2020&ItemNumber=7>.

Questions and comments from committee members addressed the following topics:

- which rural counties are covered by the medical transportation grant;
- how many veterans in the state are women;
- the current rate of suicide among veterans;
- a request for information on housing availability in Albuquerque and availability for veterans seeking services from the VSD;
- whether deceased homeless veterans are provided with a respectful burial; and
- the age range of those who seek services.

Services for the Homeless (2:52 p.m.)

Rachel Biggs, policy director, Albuquerque Health Care for the Homeless, Inc.; Hank Hughes, executive director, New Mexico Coalition to End Homelessness; and Nicole Martinez, executive director, Mesilla Valley Community of Hope, provided a presentation to the committee on services for the homeless during the COVID-19 pandemic. The presentation materials can be found here:

<https://www.nmlegis.gov/Committee/Handouts?CommitteeCode=LHHS&Date=9/24/2020&ItemNumber=8>.

Questions and comments from committee members addressed the following topics:

- a request that panelists explain why the state moratorium lasts until the pandemic ends but the federal one does not;
- whether the increased demand for naloxone is due to new prescriptions or refills;
- medical respite;
- the timetable of the Gateway Center and other resources;

- housing without conditions as an effective way to end homelessness;
- what law enforcement is doing when homeless people are reported to be sleeping in public spaces;
- cost savings for police departments if less time were spent on non-criminal activity;
- a request that presenters assist in providing legislation language to address homelessness;
- preparations for flu season and the availability of a COVID-19 vaccine; and
- whether the panelists will be prioritizing hate crime legislation.

Adjournment

There being no further business before the committee, the meeting adjourned at 4:30 p.m.