

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

**July 17-18, 2023  
Inn of the Mountain Gods  
287 Carrizo Canyon Road  
Mescalero**

The second meeting of the Courts, Corrections and Justice Committee was called to order by Senator Joseph Cervantes, chair, on July 17, 2023 at 9:59 a.m. at the Inn of the Mountain Gods in Mescalero.

**Present**

Sen. Joseph Cervantes, Chair  
Rep. Christine Chandler, Vice Chair  
Rep. Eliseo Lee Alcon  
Rep. Janelle Anyanonu  
Sen. Gregory A. Baca (7/17)  
Rep. Gail Chasey (7/17)  
Sen. Cliff R. Pirtle (7/18)  
Rep. Andrea Reeb  
Sen. Antoinette Sedillo Lopez

**Absent**

Sen. Antonio Maestas  
Rep. Alan T. Martinez  
Sen. Bill B. O'Neill  
Rep. William "Bill" R. Rehm  
Rep. Andrea Romero  
Rep. Angelica Rubio

**Advisory Members**

Rep. John Block  
Rep. Micaela Lara Cadena  
Rep. Ambrose Castellano  
Sen. Daniel A. Ivey-Soto  
Rep. Stefani Lord  
Rep. Willie D. Madrid

Rep. Cynthia Borrego  
Sen. Katy M. Duhigg  
Rep. D. Wonda Johnson  
Sen. Linda M. Lopez  
Rep. Tara L. Lujan  
Sen. Mimi Stewart  
Rep. Reena Szczepanski  
Sen. Peter Wirth

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

**Guest Legislator**

Rep. Harlan Vincent

**Staff**

Nancy Martinez, Researcher, Legislative Council Service (LCS)  
Sean Dolan, Staff Attorney, LCS  
Domenica Nieto, Assistant Librarian, LCS  
Yessica Marquina, Intern, LCS  
Ian Carrillo, 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](http://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.

## **Monday, July 17**

### **Mescalero Detention Planning and Program (10:17 a.m.)**

Duane T. Duffy, secretary, Tribal Council, Mescalero Apache Tribe, introduced members of the Tribal Council in the audience, provided an overview of the tribal justice system, the tribal branches of government and issues with criminal jurisdiction and provided an update on the building of a detention facility. The presentation can be found here:

<https://www.nmlegis.gov/handouts/CCJ%20071723%20Item%201%20Mescalero%20Apache%20Tribe%20Justice%20System.pdf>.

### **Update on Congressional Redistricting Litigation: *Republican Party of New Mexico v. Michelle Lujan Grisham*, S-1-SC-39481 (11:07 a.m.)**

Lucas M. Williams, partner, Hinkle Shanor LLP, and Ann Cox Tripp, associate attorney, Hinkle Shanor LLP, provided an update regarding this litigation, including a history of the filings, a summary of the rulings so far and a brief schedule of upcoming deadlines.

### **Review of 2023 Bill Introductions for the Children, Youth and Families Department (CYFD) (12:03 p.m.)**

Mr. Dolan presented a summary of bills that were introduced in the 2023 legislative session that affected the CYFD.

### **CYFD Reforms and Programs (1:24 p.m.)**

Teresa Casados, acting secretary, CYFD, and Julie A. Sakura, general counsel, CYFD, provided an update regarding the changes that Ms. Casados would like made and expressed optimism about working with the legislature.

### **Approval of Minutes (2:55 p.m.)**

Upon a motion made and seconded, and without any objections, the committee unanimously approved the minutes of the June 5, 2023 meeting.

### **Legislative Finance Committee (LFC) Report 2023 and Updates (2:56 p.m.)**

John Campbell, program evaluator, LFC, and Micaela Fischer, program evaluation manager, LFC, summarized the recent LFC report on juvenile justice and juvenile facilities, including progress made, changes from the last report, CYFD caseloads and recommendations for further improvement. The presentation can be found here:

[www.nmlegis.gov/handouts/CCJ%20071723%20Item%202%20Progress%20Report%20Juvenile%20Justice%20Facilities.pdf](http://www.nmlegis.gov/handouts/CCJ%20071723%20Item%202%20Progress%20Report%20Juvenile%20Justice%20Facilities.pdf).

### **CYFD in Collaboration with the New Mexico Courts (3:24 p.m.)**

Beth Gillia, executive director, Office of Family Representation and Advocacy (OFRA), provided an overview of the OFRA, contracts with attorneys for children, advocacy for foster children and work that the OFRA hopes to do.

### **Kevin S. Settlement: History and Performance Measures (4:14 p.m.)**

Gary D. Housepian, chief executive officer, Disability Rights New Mexico, and Bette Fleishman, executive director, Pegasus Legal Services for Children, summarized the *Kevin S.* settlement agreement, reviewed a new agreement reached with the state on a corrective action plan and answered questions from committee members. The presentation materials can be found here:

<https://www.nmlegis.gov/Committee/Handouts?CommitteeCode=CCJ&Date=7/17/2023&ItemNumber=7>.

### **Recess**

The meeting recessed at 5:13 p.m.

## **Tuesday, July 18**

### **Reconvene**

Senator Cervantes reconvened the meeting at 8:48 a.m.

### **Federal Courts' Jurisprudence on Second Amendment in 2023 (8:53 a.m.)**

Senator Ivey-Soto and Brandon Cummings, 2023 legislative analyst, Senate Judiciary Committee, presented an overview of New Mexico and federal gun rights and a summary of *New York State Rifle and Pistol Assoc. v. Bruen* and related firearms cases. The presentation can be found here:

<https://www.nmlegis.gov/handouts/CCJ%20071723%20Item%208%20Federal%20Courts%20Jurisprudence%20on%20Second%20Amendment%20in%202023.pdf>.

### **Proposed Laws Related to Firearms (10:57 a.m.)**

Jason R. Bowie, secretary, Department of Public Safety; Senator Ivey-Soto; Mr. Cummings; Mr. Dolan; and David Pucino, deputy chief counsel, Giffords Law Center, provided an overview of specific kinds of firearms, legislation introduced during the 2023 session, assault

weapons, age restrictions on firearms purchases, waiting periods for firearm purchases, background checks on firearm sales and federal law immunity for manufacturers and sellers. The presentation can be found here:

<https://www.nmlegis.gov/handouts/CCJ%20071723%20Item%209%20Proposed%20Laws%20Related%20to%20Firearms.pdf>.

**Adjournment**

There being no further business before the committee, the meeting adjourned at 2:36 p.m.