



**New Mexico State Legislature
Corrections Oversight and Justice Committee**

**2003
INTERIM REPORT**

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Work Plan, Meeting Schedule & Budget

June 24, 2003

2003 APPROVED
WORK PLAN, MEETING SCHEDULE AND BUDGET
for the
CORRECTIONS OVERSIGHT AND JUSTICE COMMITTEE

Membership

The Corrections Oversight and Justice Committee was created by the legislative council on May 13, 2003. The committee members are:

Rep. W. Ken Martinez, Co-Chair
Sen. Michael S. Sanchez, Co-Chair
Rep. Thomas A. Anderson
Rep. Joseph Cervantes

Rep. Ron Godbey
Sen. Carroll H. Leavell
Sen. Richard C. Martinez
Sen. William H. Payne

Advisory Members

Sen. Ben D. Altamirano
Rep. Gail C. Beam
Sen. Mary Jane M. Garcia
Sen. Gay G. Kernan
Sen. Cisco McSorley
Rep. Al Park
Rep. Jane Powdrell-Culbert

Sen. Lidio G. Rainaldi
Sen. Shannon Robinson
Sen. H. Diane Snyder
Rep. Sheryl Williams Stapleton
Rep. Mimi Stewart
Rep. Thomas E. Swisstack
Rep. Joe Thompson

Work Plan

During the 2003 interim, the Corrections Oversight and Justice Committee will:

- (1) oversee implementation of the recommendations set forth in the January 14, 2000 document entitled "The Consultants' Report on Prison Operations in New Mexico Correctional Institutions";
- (2) assess the feasibility of expanding community corrections programming as a means to reduce the inmate population;
- (3) monitor other issues related to the operation of public and private correctional facilities, including:

(a) the corrections department's short-term and long-term plans to manage an inmate population that is close to exceeding the number of available prison beds;

(b) whether the corrections department plans to expand the availability of therapeutic communities and other substance abuse programs for inmates; and

(c) the corrections department's plans for improving recruitment and retention of correctional officers;

(4) monitor issues related to criminal justice;

(5) examine issues related to uninsured motorists; and

(6) recommend legislation or changes, if they are found to be necessary, to the legislature.

2003 Proposed Meeting Schedule and Budget

June 19	Santa Fe	\$ 844.96 (actual)
July 17-18	Los Lunas/Albuquerque	3,074.92
August 20-21	Santa Rosa	3,283.36
September 18-19	Grants	3,194.08
October 16-17	Santa Fe	3,099.04
November 19-20	Santa Fe	<u>3,099.04</u>
Total		\$16,595.40*
Total Budget Approved		\$10,000.00

*This amount does not include the \$17,234.52 budget required for per diem and mileage for advisory members.

Agendas

**TENTATIVE AGENDA
for the
CORRECTIONS OVERSIGHT AND JUSTICE COMMITTEE**

**June 19, 2003
Room 309, State Capitol**

Thursday, June 19

10:00 a.m.	CALL TO ORDER —Representative W. Ken Martinez and Senator Michael S. Sanchez, Co-chairs
10:15 a.m.	DEVELOPMENT OF COMMITTEE WORK PLAN, MEETING SCHEDULE AND BUDGET
12:00 noon	ADJOURN

Revised: June 25, 2003

**TENTATIVE AGENDA
for the
SECOND MEETING
of the
CORRECTIONS OVERSIGHT AND JUSTICE COMMITTEE**

**July 17, 2003
Central New Mexico Correctional Facility
1525 Morris Road
Los Lunas, New Mexico**

**July 18, 2003
Transitional Reporting Center
3311 Candelaria NE, Suite A
Albuquerque, New Mexico**

Thursday, July 17

- 10:00 a.m. CALL TO ORDER
—Senator Michael S. Sanchez and Representative W. Ken Martinez,
Co-Chairs
- 10:15 a.m. WELCOME
—Warden Ron Lytle, Central New Mexico Correctional Facility
- 10:30 a.m. REPORT FROM THE CORRECTIONS DEPARTMENT
—Secretary Joe Williams, Corrections Department
- 1) THE DEPARTMENT'S STRATEGIC PLAN
 - 2) CURRENT POPULATION FIGURES FOR MALE AND FEMALE INMATES AND POPULATION FORECASTS FOR FY 2004 AND FY 2005
 - 3) IMPLEMENTATION OF AN EARLY RELEASE PROGRAM FOR APPROPRIATE INMATES
 - 4) THE CORRECTIONS POPULATION CONTROL COMMISSION
 - 5) SETTLEMENT OF A LAWSUIT CONCERNING CONDITIONS OF INCARCERATION FOR LEVEL 5 AND LEVEL 6 INMATES
 - 6) THE DEPARTMENT'S PLAN TO EXPAND SUBSTANCE ABUSE COUNSELING AND TREATMENT [IN LIGHT OF HJC/HB 117 (2003)]
 - 7) A PROPOSAL TO REDUCE THE NUMBER OF POSTAGE STAMPS PROVIDED TO INMATES

8) AN OVERVIEW OF COMMUNITY CORRECTIONS
PROGRAMMING IN NEW MEXICO

- 12:30 p.m. BREAK FOR LUNCH
- 1:30 p.m. CONTINUE THE REPORT FROM THE CORRECTIONS
DEPARTMENT
- 4:00 p.m. PUBLIC COMMENT
- 4:30 p.m. RECESS

Friday, July 18

- 9:30 a.m. TOUR OF THE TRANSITIONAL REPORTING CENTER IN
ALBUQUERQUE
- 10:00 a.m. REPORT REGARDING PROGRAMMING AT THE TRANSITIONAL
REPORTING CENTER AND COMMUNITY CORRECTIONS
PROGRAMS OPERATED BY BEHAVIORAL INTERVENTIONS,
INC., IN OTHER JURISDICTIONS
- 11:30 a.m. PUBLIC COMMENT
- 12:00 noon ADJOURN

**TENTATIVE AGENDA
for the
THIRD MEETING
of the
CORRECTIONS OVERSIGHT AND JUSTICE COMMITTEE**

**August 20-21, 2003
Joseph's Restaurant
865 Will Rogers Drive
Santa Rosa, New Mexico**

Wednesday, August 20

- 10:00 a.m. **CALL TO ORDER**
 —Senator Michael S. Sanchez and Representative W. Ken Martinez,
 Co-chairs, Corrections Oversight and Justice Committee
- 10:10 a.m. **WELCOME**
 —Jose A. Campos, Mayor of the City of Santa Rosa and Representative
 for District 63
 —Les Houston, Lobbyist for Wackenhut Corrections Corporation
- 10:30 a.m. **REPORT REGARDING WACKENHUT'S OPERATIONS IN NEW
MEXICO**
 —Wayne Calabrese, President, Wackenhut Corrections Corporation
- 11:00 a.m. **REPORT REGARDING OPERATIONS AT THE GUADALUPE
COUNTY CORRECTIONAL FACILITY**
 —Warden Erasmo Bravo, Guadalupe County Correctional Facility
- 11:30 a.m. **REPORT REGARDING MONITORING OF THE GUADALUPE
COUNTY AND LEA COUNTY CORRECTIONAL FACILITIES**
 —Mike Vigil, State Monitor for the Guadalupe County Correctional
 Facility
 —Don Caviness and Chuck Landrum, State Monitors for the Lea County
 Correctional Facility
- 12:00 noon **LUNCH**

- 1:00 p.m. REPORT FROM THE NEW MEXICO SENTENCING COMMISSION
— NEW DUTIES FOR THE COMMISSION — REPORT
CONCERNING SENTENCING REFORM PROPOSALS UNDER
CONSIDERATION BY THE COMMISSION
—Joseph Caldwell, Chair, New Mexico Sentencing Commission
—Michael Hall, Executive Director, New Mexico Sentencing
Commission
- 2:30 p.m. REPORT REGARDING THE GUADALUPE COUNTY AND LEA
COUNTY CORRECTIONAL FACILITIES — EDUCATION
PROGRAMS — THERAPEUTIC COMMUNITIES — CORRECTIONS
INDUSTRIES PROGRAMS
—Nicolas Raven, Educational Programming for the Guadalupe County
Correctional Facility
—Sandra McFadden, Educational Programming for the Lea County
Correctional Facility
—Mike Kebodeaux and Paula Burns, Therapeutic Communities at the
Guadalupe County and Lea County Correctional Facilities
—Raven Douglas, Corrections Industries at the Guadalupe County
Correctional Facility
- 4:30 p.m. PUBLIC COMMENT
- 5:00 p.m. RECESS
- Thursday, August 21**
- 8:00 a.m. BREAKFAST
- 9:00 a.m. REPORT REGARDING THE USE OF WATER RESTRAINT
SYSTEMS IN CORRECTIONAL FACILITIES
—Dennis H. Berglund, Hydro-Force, Inc.
—Tom Campbell, Hydro-Force, Inc.
- 10:15 a.m. REPORT FROM THE CORRECTIONS DEPARTMENT REGARDING
STRATEGIES TO ENHANCE CORRECTIONS INDUSTRIES
(SEE HJM 47 [2003])
—Secretary Joe Williams, Corrections Department
- 11:15 a.m. PUBLIC COMMENT
- 11:45 a.m. TOUR OF THE GUADALUPE COUNTY CORRECTIONAL FACILITY
- 1:00 p.m. ADJOURN

**TENTATIVE AGENDA
for the
FOURTH MEETING
of the
CORRECTIONS OVERSIGHT AND JUSTICE COMMITTEE**

**September 18-19, 2003
Auditorium in the Walter K. Martinez Memorial Hall
New Mexico State University-Grants Branch
1500 N. 3rd Street
Grants, New Mexico**

Thursday, September 18

- 10:00 a.m. **CALL TO ORDER**
—Representative Ken Martinez and Senator Michael S. Sanchez, Co-Chairs
- 10:10 a.m. **REPORT REGARDING CORRECTIONS CORPORATION OF AMERICA (CCA) PRISON OPERATIONS IN NEW MEXICO — OPERATIONS AND PROGRAMMING AT THE NEW MEXICO WOMEN'S CORRECTIONAL FACILITY**
—Ed Mahr, Lobbyist for CCA
—Laurie Shanblum, Regional Director, CCA
—Bill Snodgrass, Warden, New Mexico Women's Correctional Facility
- 11:30 a.m. **REPORT FROM ADVOCATES FOR FEMALE INMATES**
—Angie Vachio, Executive Director, Peanut Butter and Jelly Family Services
- 12:30 p.m. **LUNCH**
- 2:00 p.m. **REPORT FROM THE SECRETARY OF CORRECTIONS — CREATION OF A NEW OFFICE WITHIN THE CORRECTIONS DEPARTMENT TO TRACK ISSUES SPECIFIC TO FEMALE INMATES — INMATE POPULATION FORECAST AND ITS EFFECT ON THE OPERATING BUDGET FOR THE CORRECTIONS DEPARTMENT — CAPITAL OUTLAY REQUESTS FOR THE DEPARTMENT — DATA REGARDING SEX OFFENDERS PLACED ON PROBATION OR PAROLE**
—Secretary Joe Williams, Corrections Department
- 3:00 p.m. **UPDATE ON THE DNA IDENTIFICATION SYSTEM**
—John Krebsbach, Chair, DNA Oversight Committee
- 3:30 p.m. **PUBLIC COMMENT**

4:00 p.m. TOUR OF THE WESTERN NEW MEXICO CORRECTIONAL FACILITY

5:00 p.m. RECESS

Friday, September 19

9:00 a.m. REPORT REGARDING REGULATION OF METHADONE CLINICS AND ISSUES RELATED TO METHADONE PROTOCOLS
—Dr. Pamela Martin, Director, Behavioral Services Division, Health Department

10:00 a.m. REPORT REGARDING PROPOSALS FOR TREATMENT OF SEX OFFENDERS
—Dr. Pamela Martin, Director, Behavioral Services Division, Health Department

11:00 a.m. REPORT REGARDING TREATMENT MODELS FOR SEX OFFENDERS USED IN OTHER JURISDICTIONS — DATA ON SEX OFFENDERS WHO ARE CURRENTLY INCARCERATED
—Michael Hall, Executive Director, New Mexico Sentencing Commission

11:30 a.m. PUBLIC COMMENT

12:00 noon ADJOURN

**TENTATIVE AGENDA
for the
FIFTH MEETING
of the
CORRECTIONS OVERSIGHT AND JUSTICE COMMITTEE**

**October 16-17, 2003
Room 321, State Capitol
Santa Fe**

Thursday, October 16

- 10:00 a.m. **CALL TO ORDER**
—Senator Michael S. Sanchez and Representative W. Ken Martinez,
 Co-Chairs
- 10:10 a.m. **REPORT REGARDING ISSUES RELATED TO UNINSURED MOTORISTS**
(see HJM 87, 2003)
—Frank Estrada, Planning and Special Programs Chief, Motor Vehicle Division,
 Taxation and Revenue Department
—Ken Ortiz, Manager of the Financial Compliance Program, Motor Vehicle
 Division, Taxation and Revenue Department
—Bob Feldman, President, Nevada General Insurance Company, Auto Insurance
 America
—Representative Larry A. Larranaga
—John Gaherty, Supervisor for the Consumer Relations Insurance Bureau,
 Public Regulation Commission
—Roger Buelow, Vice President, Mountain States Mutual
—Ann Conway, Legislative Counsel, State Farm Insurance
—Andres Valdez, New Mexico Vecinos United
- 12:00 noon **LUNCH**
- 1:30 p.m. **REPORT REGARDING PROPOSED ADDITIONAL JUDGESHIPS AND
OTHER JUDICIAL INITIATIVES**
—The Honorable Petra Jimenez Maes, Chief Justice of the New Mexico
 Supreme Court
—The Honorable Jim Wechsler, Chief Judge of the New Mexico Court of
 Appeals
—The Honorable John Brennan, Chief Judge of the Second Judicial District
—The Honorable Judith Nakamura, Chief Judge of the Bernalillo
 County Metropolitan Court
—Gina Maestas, Director of the Administrative Office of the Courts
—Debra Goeller, Chief Information Officer, Judicial Information Division

- 3:00 p.m. REPORT REGARDING IMPLEMENTATION OF THE IGNITION
INTERLOCK LICENSING ACT
—Connie Torres, Motor Vehicle Division, Taxation and Revenue
Department
- 3:45 p.m. REPORT REGARDING THE STATUS OF THE INTERLOCK DEVICE FUND
—Gloria Halama, Local Government Division, Department of Finance and
Administration
—Michael Sandoval, Acting Bureau Chief, Traffic Safety Bureau,
Department of Transportation
- 4:15 p.m. PUBLIC COMMENT
- 4:30 p.m. RECESS

Friday, October 17

- 9:00 a.m. REPORT REGARDING THE GOVERNOR'S PROPOSALS FOR
LEGISLATION CONCERNING SEX OFFENDERS
—Jessica Sutin, Health Advisor, Office of the Governor
—Bob Schwartz, Crime Advisor, Office of the Governor
—John Wheeler, General Counsel, Department of Public Safety
—Nick D'Angelo, Chief Counsel, Corrections Department
- 11:00 a.m. FOLLOW-UP REPORT FROM THE NEW MEXICO SENTENCING
COMMISSION REGARDING SEX OFFENDER TREATMENT MODELS
USED IN OTHER JURISDICTIONS
—Michael Hall, Executive Director, New Mexico Sentencing Commission
- 11:30 a.m. RESPONSE FROM THE AMERICAN CIVIL LIBERTIES UNION
REGARDING THE GOVERNOR'S SEX OFFENDER PROPOSALS
—Diane Wood, Lobbyist for the American Civil Liberties Union
- 12:00 noon PUBLIC COMMENT
- 12:30 p.m. ADJOURN

Revised: November 17, 2003

**TENTATIVE AGENDA
for the
SIXTH MEETING
of the
CORRECTIONS OVERSIGHT AND JUSTICE COMMITTEE**

**November 19-20, 2003
Room 309, State Capitol
Santa Fe**

Wednesday, November 19

- 10:00 a.m. CALL TO ORDER
—Senator Michael S. Sanchez and Representative W. Ken Martinez,
 Co-Chairs
- 10:10 a.m. REPORT REGARDING ISSUES RELATED TO PRIVATE
OPERATION OF PRISONS IN NEW MEXICO
—Joshua Miller, Labor Economist, American Federation of State, County
 and Municipal Employees
- 11:15 a.m. FILM REGARDING THE SECOND CHANCE PROGRAM:
A PRISON-BASED TREATMENT PROGRAM FOR INMATES THAT
ADDRESSES SUBSTANCE ABUSE
- 11:30 a.m. REPORT FROM THE NEW MEXICO SENTENCING COMMISSION
—Michael Hall, Executive Director, New Mexico Sentencing Commission
- 12:00 noon LUNCH
- 1:30 p.m. REPORT FROM THE NEW MEXICO ASSOCIATION OF COUNTIES
—Samuel Montoya, Executive Director, New Mexico Association of
 Counties
- 2:30 p.m. REPORT REGARDING FUNDING FOR REPRESENTATION OF
INDIGENT DEFENDANTS IN CAPITAL FELONY CASES
—Roger Bargas, Attorney at Law
—John Bigelow, Chief Public Defender
- 3:30 p.m. REPORT REGARDING A PROPOSAL TO IMPOSE LAW
ENFORCEMENT ARREST FEES TO FUND SERVICE OF WARRANTS
—Senator Shannon Robinson
- 4:15 p.m. PUBLIC COMMENT
- 4:30 p.m. RECESS

Thursday, November 20

- 9:00 a.m. REPORT FROM THE METROPOLITAN CRIMINAL JUSTICE
COORDINATING COUNCIL
—Barri Roberts, Executive Director, Metropolitan Criminal Justice
 Coordinating Council
- 9:45 a.m. REPORT REGARDING CHILDREN OF INCARCERATED PARENTS
—Angie Vachio, Executive Director, Peanut Butter and Jelly
—Dianne Rivera-Valencia, Deputy Secretary, Children, Youth and Families
 Department
- 10:15 a.m. REPORT REGARDING ISSUES ATTENDANT TO RECRUITING AND
RETAINING ASSISTANT PUBLIC DEFENDERS AND ASSISTANT
DISTRICT ATTORNEYS
—John Bigelow, Chief Public Defender
—Lemuel Martinez, District Attorney for the Thirteenth Judicial District
- 11:00 a.m. CONSIDERATION OF LEGISLATIVE PROPOSALS GENERATED
DURING THE INTERIM
—(see memorandum in committee members' files)
- 12:00 noon ADJOURN

Minutes

MINUTES

**of the
FIRST MEETING
of the
CORRECTIONS OVERSIGHT AND JUSTICE COMMITTEE**

**June 19, 2003
Room 309, State Capitol**

The first meeting of the corrections oversight and justice committee was called to order by Representative W. Ken Martinez, co-chair, and Senator Michael S. Sanchez, co-chair, on June 19, 2003 at 10:10 a.m. in room 309 of the state capitol.

PRESENT

Rep. W. Ken Martinez, Co-chair
Sen. Michael S. Sanchez, Co-chair
Rep. Thomas A. Anderson
Rep. Ron Godbey

Advisory members

Rep. Gail C. Beam
Sen. Cisco McSorley
Rep. Al Park
Sen. Lidio G. Rainaldi
Rep. Joe Thompson

ABSENT

Rep. Joseph Cervantes
Sen. Carroll H. Leavell
Sen. Richard C. Martinez
Sen. William H. Payne

Sen. Ben D. Altamirano
Sen. Mary Jane M. Garcia
Sen. Gay G. Kernan
Rep. Jane E. Powdrell-Culbert
Sen. Shannon Robinson
Sen. H. Diane Snyder
Rep. Sheryl Williams Stapleton
Rep. Mimi Stewart
Rep. Thomas E. Swisstack

Staff

Tony Ortiz
Maha Khoury
Elizabeth Holmes

Guests

The guest list is attached to the original minutes.

Representative Martinez and Senator Sanchez welcomed committee members and guests. Senator Sanchez asked the committee for comments on the proposed work plan. Following a discussion among the committee members of possible agenda items, the chair asked for input from the audience. Senator Sanchez directed staff to compile a list of the items mentioned by the committee members and people in the audience.

The committee then reviewed possible dates and locations for meetings during the 2003 interim. The committee agreed to meet on July 17-18 in Los Lunas and Albuquerque, August 20-21 in Santa Rosa, September 18-19 in Grants, October 16-17 in Santa Fe and November 19-20 in Santa Fe. Upon a motion made, without objection, the work plan and meeting dates were adopted. The proposed work plan, meeting schedule and budget will be presented to the legislative council during its meeting on June 24, 2003.

The committee adjourned at 11:10 a.m.

**MINUTES
of the
SECOND MEETING
of the
CORRECTIONS OVERSIGHT AND JUSTICE COMMITTEE**

**July 17, 2003
Central New Mexico Correctional Facility
1525 Morris Road
Los Lunas, NM**

**July 18, 2003
Transitional Reporting Center
3311 Candelaria NE, Suite A
Albuquerque, NM**

The second meeting of the Corrections Oversight and Justice Committee was called to order by Representative W. Ken Martinez, co-chair, and Senator Michael S. Sanchez, co-chair, on July 17, 2003 at 10:30 a.m. at the Central New Mexico Correctional Facility (CNMCF).

PRESENT

Rep. W. Ken Martinez, Co-Chair (July 17)
Sen. Michael S. Sanchez, Co-Chair
Rep. Thomas A. Anderson
Rep. Joseph Cervantes (July 17)
Rep. Ron Godbey
Sen. Richard C. Martinez

ABSENT

Sen. Carroll H. Leavell
Sen. William H. Payne

Advisory Members

Rep. Gail C. Beam (July 18)
Sen. Mary Jane M. Garcia
Rep. Al Park (July 17)
Rep. Jane E. Powdrell-Culbert (July 18)
Sen. Lidio G. Rainaldi
Rep. Sheryl Williams Stapleton
Rep. Thomas E. Swisstack
Rep. Joe Thompson

Sen. Ben D. Altamirano
Sen. Gay G. Kernan
Sen. Cisco McSorley
Sen. Shannon Robinson
Rep. Mimi Stewart

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

Staff

Tony Ortiz
Elizabeth Holmes
Maha Khoury

Guests

The guest list is attached to the original minutes.

Thursday, July 17

Committee Business

Senator Sanchez and Representative Martinez welcomed committee members and guests.

Warden Ron Lytle, CNMCF

Warden Lytle welcomed committee members and guests to the CNMCF.

Report from the Corrections Department

Secretary Joe Williams, Deputy Secretary Lawrence Trujillo, Deputy Secretary Irma Sedillo and Deputy Secretary Elmer Bustos, all of the New Mexico Corrections Department (NMCD), discussed NMCD's strategic plan, goals and objectives. The department will focus its efforts on controlling New Mexico's prison population, addressing issues unique to female inmates and reducing the department's exposure to litigation.

New Mexico's prison population is on the rise. The current administration has publicly stated that it has no intention of building additional prisons to accommodate the growing inmate population. Secretary Williams recommended several alternatives to incarceration. NMCD is in the process of finalizing policies and procedures to determine criteria for controlled, early release of eligible inmates. Secretary Williams also mentioned the possibility of making changes to sentencing laws to slow the expansion of the inmate population. He noted that he serves on the Sentencing Reform Subcommittee of the New Mexico Sentencing Commission.

While the female inmate population is much smaller than its male counterpart, its population is also on the rise. Secretary Williams also noted that management of female inmates presents a unique set of issues. Consequently, NMCD has created an office within the department that deals solely with female inmate issues.

Secretary Williams also briefed the committee regarding settlement of the *Ayers* case. The *Ayers* case involved conditions of incarceration for Level V and Level VI inmates and provision of mental health services to the inmate population. Secretary Williams and Mark Donatelli, attorney for the inmates, both expressed their general satisfaction with the terms of the *Ayers* settlement.

Finally, Secretary Williams briefed the committee on a proposed policy change to reduce the number of stamps provided by the department to male inmates. The proposed policy change has been recommended by the Governor's Policy Review Commission as a cost-saving measure. Secretary Williams noted concerns raised by committee members regarding the proposal. He also stated that the department will soon begin providing stamps to female inmates, who have not received them in the past.

Public Comment

The committee received public comment. See staff notes attached to the original minutes for information regarding public comment.

The committee recessed at 2:00 p.m.

Friday, July 18

The committee reconvened at Behavioral Interventions' (BI) Transitional Reporting Center (TRC) in Albuquerque. The meeting commenced at 10:00 a.m.

Report Regarding Programming at the Transitional Reporting Center and Community Corrections Programs Operated by Behavioral Interventions, Inc.

JoAnn Vigil, program director of BI, reported on the different programs provided at the TRC. BI provides counseling and treatment services, urine analysis and space for probation and parole officers, and will soon institute a sex offender program. She also noted that BI provides a program for the second judicial district's drug court participants.

Jim Anderson, vice president of BI's reentry programs, gave the committee an overview of BI's services, including community corrections and electronic monitoring. Mr. Anderson discussed reentry programs and alternatives to incarceration developed in collaboration between BI and state corrections departments. Lastly, he briefed the committee on the different electronic devices available and used by state and local law enforcement agencies to monitor offenders.

Ann Moser, BI's vice president of field services, provided the committee with information on domestic violence programs administered by BI in other jurisdictions.

Public Comment

The committee received public comment. See staff notes attached to the original minutes for more information regarding public comment.

Site Tour of BI's TRC in Albuquerque

The committee conducted a site visit of BI's TRC in Albuquerque.

The committee adjourned at 1:30 p.m.

**MINUTES
of the
THIRD MEETING**

**of the
CORRECTIONS OVERSIGHT AND JUSTICE COMMITTEE**

**August 20-21, 2003
Santa Rosa High School
Santa Rosa**

The third meeting of the Corrections Oversight and Justice Committee was called to order by Representative W. Ken Martinez, co-chair, on August 20, 2003 at 10:30 a.m. at Santa Rosa High School.

PRESENT

Rep. W. Ken Martinez, Co-Chair
Rep. Thomas A. Anderson
Rep. Joseph Cervantes
Rep. Ron Godbey
Sen. Richard C. Martinez
Sen. William H. Payne

ABSENT

Sen. Michael S. Sanchez, Co-Chair
Sen. Carroll H. Leavell

Advisory members

Rep. Gail C. Beam
Sen. Mary Jane M. Garcia
Sen. Cisco McSorley (Aug. 20)
Rep. Al Park
Rep. Jane E. Powdrell-Culbert
Sen. Lidio G. Rainaldi
Rep. Sheryl Williams Stapleton
Rep. Mimi Stewart
Rep. Joe Thompson (Aug. 20)

Sen. Ben D. Altamirano
Sen. Gay G. Kernan
Sen. Shannon Robinson
Rep. Thomas E. Swisstack

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

Staff

Tony Ortiz
Elizabeth Holmes

Guests

The guest list is attached to the original minutes.

Wednesday, August 20

Committee Business

Representative Martinez welcomed committee members and guests. Jose A. Campos, mayor of the city of Santa Rosa and representative for District 63, welcomed committee members and guests. Les Houston, lobbyist for Wackenhut Corrections Corporation, also welcomed committee members and guests.

Report Regarding Wackenhut's Operations in New Mexico

Wayne Calabrese, president of Wackenhut Corrections Corporation, reported on Wackenhut's operations in New Mexico. Mr. Calabrese touched on such topics as expansion costs, the inmate classification system, an hourly wage increase for correctional officers and the prison's local economic impact.

Report Regarding Operations at the Guadalupe County Correctional Facility (GCCF)

Warden Erasmo Bravo focused his remarks on facility operations and programs. He also mentioned the GCCF's corrections industries program, which consists of a print shop that produces stationery.

Report Regarding Monitoring of the GCCF and Lea County Correctional Facility (LCCF)

Mike Vigil, state monitor for the GCCF, and Don Caviness and Chuck Landrum, state monitors for the LCCF, reported on the monitoring they perform at those facilities. The GCCF and LCCF must comply with policies set out by the New Mexico Corrections Department (NMCD) that address inmate discipline, classification, health care and education. In addition, both facilities have developed security operations and inmate programs that are in compliance with NMCD policies. The monitoring methodology includes monthly self-monitoring, audits, security staffing reports and an inmate mood assessment. By working with the NMCD and Wackenhut, the GCCF and LCCF have averaged greater than a 90 percent monthly compliance rate for the past two years.

Report from the New Mexico Sentencing Commission

Michael Hall, executive director of the New Mexico Sentencing Commission (NMSC), introduced commission members and staff who were present at the meeting. Mr. Hall advised the committee that the commission will continue to focus on criminal justice research. The NMSC will also advise the executive and judicial branches and make recommendations to the legislature on proposed changes to criminal law.

The NMSC publishes annual reports, including a report on earned meritorious deductions for inmates. Finally, Mr. Hall discussed the biggest challenge facing the NMSC. He stated that the databases used by different entities in the New Mexico criminal justice system are not wholly integrated. He looks forward to working with the legislature and other agencies to centralize the storage of criminal justice data.

Report Regarding GCCF and LCCF Education Programs, Therapeutic Communities and Corrections Industries Programs

Nicolas Raven provided the committee with an overview of educational programming at the GCCF. The GCCF's education department offers academic and vocational classes. Academic courses include adult basic education programs and life skills programs. Vocational

programs include interior and exterior building trades, plumbing repair and basic electricity training.

Mike Kebodeaux, Paula Burns and Sandra McFaddan discussed therapeutic communities. The basic therapeutic community consists of a structured daily schedule, with several group or individual meetings. Inmates who volunteer and enroll in therapeutic communities are required to hold a job, participate in a 12-step recovery program and participate in academic or vocational programs.

Mr. Raven provided the committee with an overview of corrections industries programs available to inmates.

For additional information regarding the presentations, see staff notes and materials distributed to committee members.

Public Comment

The committee received public comment. See staff notes attached to the original minutes for more information regarding public comment.

The committee recessed at 5:30 p.m.

Thursday, August 21

The committee reconvened at Santa Rosa High School in Santa Rosa at 9:00 a.m.

Report Regarding the Use of Water Restraint Systems in Correctional Facilities

Dennis Berglund and Tom Campbell briefed the committee on the evolving use of water restraint systems in correctional facilities. Their company, Hydro-Force, Inc., provides the California corrections department with water restraint systems and training in the use of the systems. Mr. Berglund provided the committee with approximately 20 minutes of video footage that illustrated the use of the systems to quell disturbances in California prisons.

Mr. Berglund noted that the water restraint systems provide correctional officers with a quick, efficient and safe method to break up inmate fights. The effectiveness of the system is heightened when the active ingredient in chile peppers is added to the stream of water.

Report from the Corrections Department Regarding Strategies to Enhance Corrections Industries

Secretary of Corrections Joe Williams discussed his plans for corrections industries programs. He noted that he wants to integrate corrections industries programming with the "successful offender after release program". Also, he noted that the department is studying the implementation of apprenticeship programs, including welding, auto mechanics, license plate manufacture, culinary arts and carpentry.

For additional information regarding the presentations, see staff notes and materials distributed to committee members.

Tour of the GCCF

Warden Bravo and his staff provided the committee members with a tour of the GCCF.

The committee adjourned at 2:00 p.m.

**MINUTES
of the**

- 27 -

**FOURTH MEETING
of the
CORRECTIONS OVERSIGHT AND JUSTICE COMMITTEE**

**September 18-19, 2003
NMSU – Grants Branch
Grants, NM**

The fourth meeting of the corrections oversight and justice committee was called to order by Representative W. Ken Martinez, co-chair, and Senator Michael S. Sanchez, co-chair, on September 18, 2003 at 10:30 a.m. at New Mexico state university (NMSU), Grants branch.

PRESENT

Rep. W. Ken Martinez, Co-Chair
Sen. Michael S. Sanchez, Co-Chair
Rep. Thomas A. Anderson
Rep. Ron Godbey
Sen. Richard C. Martinez

ABSENT

Rep. Joseph Cervantes
Sen. Carroll H. Leavell
Sen. William H. Payne

Advisory members

Rep. Gail C. Beam (September 18)
Rep. Jane E. Powdrell-Culbert
Sen. Lidio G. Rainaldi (September 18)
Rep. Sheryl Williams Stapleton (September 18)
Rep. Mimi Stewart (September 19)
Rep. Joe Thompson

Sen. Ben D. Altamirano
Sen. Mary Jane M. Garcia
Sen. Gay G. Kernan
Sen. Cisco McSorley
Rep. Al Park
Sen. Shannon Robinson
Rep. Thomas E. Swisstack

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

Staff

Tony Ortiz
Elizabeth Holmes

Guests

The guest list is attached to the original minutes.

Thursday, September 18

Committee Business

Representative Martinez and Senator Sanchez welcomed committee members and guests.

Report Regarding Corrections Corporation of America's (CCA) Operations in New Mexico

Laurie Shanblum, regional director of CCA, reported on CCA's operations in New Mexico. CCA operates three correctional facilities, two in Cibola county and one in Torrance county. She stressed the significant economic impact that CCA's facilities have on the communities in these counties. Ed Mahr, lobbyist for CCA, reminded the committee that the New Mexico women's correctional facility (NMWCF) in Grants was the first privately managed women's facility in the world and is used as a model for women's correctional facilities. Ms. Shanblum informed the committee that the Torrance county facility recently purchased drug dogs to assist in its daily operations.

Report From Advocate for Female Inmates

Angie Vachio, executive director for Peanut Butter and Jelly family services, reported on the barriers that female inmates face when they are discharged from prison and reintegrated into their communities. Unlike their male counterparts, female inmates do not have a reintegration or controlled release program and this may contribute to the high recidivism rate seen within the female offender population. Ms. Vachio also advocated for a review of the classification system used for female inmates. She asserted that while most female inmates are nonviolent offenders, they are classified at high levels. As a means to address these issues, she proposed that a women's controlled release and reintegration center be established in the Rio Grande corridor. Ms. Vachio urged the committee to support a memorial that would call for a study of these issues.

Mareen Saunders, attorney at law, addressed the importance of understanding the factors that cause female inmates to commit criminal offenses. In an attempt to better understand female inmates, she suggested that an assessment of a female inmate's mental health be required upon entering a correctional facility. Ms. Saunders also urged the committee to study the possibility of reducing incarceration for technical parole violations. Finally, Ms. Saunders noted that funds have not yet been distributed that the legislature appropriated for the construction of a family visitation facility and provision of transportation for children of incarcerated mothers.

Report from the Secretary of Corrections

Joe Williams, secretary, corrections department (NMCD), updated the committee on the activities of the NMCD. With the new administration, NMCD has implemented a female offender services division. Irma Lucero is the division director. The division's goals are to provide oversight of the NMWCF and La Entrada de Amistad, address gender specific issues regarding female inmates and develop a monitoring tool to collect information on recidivism rates for female inmates.

Lawrence Trujillo, deputy secretary of administration, NMCD, discussed prison population growth and NMCD budget issues. The New Mexico prison population growth leveled off during the past spring and prison population projections have been lowered. However, the NMCD will still request a budget increase. Mr. Trujillo mentioned two reasons for

the budget increase. The department is in need of additional probation and parole officers. There are currently 41 vacant positions for probation and parole officers. A second issue concerns the expiration of funds realized pursuant to federal grant programs. State funding will be necessary to continue programs and services that were formerly supported by federal money.

Ms. Lucero provided the committee with information on NMCD's sex offender services. A sex offender placed on probation or parole is required to participate in a treatment program. The sex offender is also required to report directly and regularly to a supervisor. NMCD has sex offender treatment programs and several pilot projects are being implemented, including a sex offender reentry initiative.

Update on the DNA Identification System

John Krebsbach, chair, DNA oversight committee, advised the committee on the status of the DNA identification system. He briefed the committee on successful investigations and arrests that have been realized due to the existence of a DNA database for convicted felons.

Mr. Krebsbach also noted that information in the DNA database can be used to exonerate individuals accused of a crime.

Public Comment

The committee received public comment. See staff notes attached to the original minutes for more information regarding public comment.

The committee recessed at 5:00 p.m.

Friday, September 19

The committee reconvened at NMSU, Grants branch, in Grants at 9:30 a.m.

Report Regarding Regulation of Methadone Clinics and Protocols

Dr. Pamela Martin, director of the behavioral services division at the department of health (DOH), and Dr. J. Mitchell Simson, MD, reported on methadone clinics and their protocols. DOH estimates that there are 13,000 active heroin addicts in the state, the majority of whom are females. Dr. Martin and Dr. Simson both noted that drug addiction is amenable to treatment and that the state needs to identify a range of prevention and intervention programs. Opiate replacement therapy (ORT) is one form of intervention, and the goal is to reduce illegal heroin use and the crime, disease and death associated with heroin addiction. Dr. Martin and Dr. Simson advocated for the use of ORT in New Mexico's jails and prisons as a means to reduce recidivism and high-risk behaviors. They also stressed the need for outpatient services and extended treatment periods.

Report Regarding Proposals for Treatment of Sex Offenders

Dr. Martin and Dr. Donald D. Montoya, sexual offender treatment program (STOP) director at the Las Vegas medical center, provided the committee with information on sex offenders. Dr. Montoya clarified many of the myths that surround sex offenders. He asserted that some sex offenders can be treated by replacing deviant behavior with socially acceptable behavior. Dr. Montoya discussed the need for collaboration between various state agencies and the public to better provide treatment for sex offenders. He suggested that the legislature create a

sex offender management board and develop policies that are consistent at state and local government agency levels. Dr. Montoya also discussed the criteria for sex offenders who seek to participate in STOP.

Report Regarding Treatment Models for Sex Offenders

Michael Hall, executive director of the New Mexico sentencing commission, Claudia McKay and Colby Phillips provided the committee with a brief research overview of sex offender treatment approaches and programs. Mr. Phillips cited Minnesota's civil commitment and lifetime supervision statutes and Colorado's sexual offender management board as possible models to be used in New Mexico.

Public Comment

The committee received public comment. See staff notes attached to the original minutes for more information regarding public comment.

The committee adjourned at 2:00 p.m.

**MINUTES
of the
FIFTH MEETING
of the
CORRECTIONS OVERSIGHT AND JUSTICE COMMITTEE**

**October 16-17, 2003
Room 321, State Capitol**

The fifth meeting of the corrections oversight and justice committee was called to order by Representative W. Ken Martinez, co-chair, on October 16, 2003 at 10:20 a.m. in room 321, state capitol.

PRESENT

Rep. W. Ken Martinez, Co-Chair
Sen. Michael S. Sanchez, Co-Chair
Rep. Thomas A. Anderson
Rep. Joseph Cervantes
Rep. Ron Godbey
Sen. Carroll H. Leavell
Sen. Richard C. Martinez

ABSENT

Sen. William H. Payne

Advisory members

Sen. Mary Jane M. Garcia
Sen. Cisco McSorley (October 17)
Rep. Al Park (October 17)
Sen. Lidio G. Rainaldi
Rep. Sheryl Williams Stapleton
Rep. Mimi Stewart
Rep. Thomas E. Swisstack (October 16)
Rep. Joe Thompson

Sen. Ben D. Altamirano
Rep. Gail C. Beam
Sen. Gay G. Kernan
Rep. Jane E. Powdrell-Culbert
Sen. Shannon Robinson

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

Staff

Tony Ortiz
Elizabeth Holmes
Maha Khoury

Guests

The guest list is attached to the original minutes.

Thursday, October 16

Committee Business

Representative Martinez welcomed committee members and guests.

Report Regarding Issues Related to Uninsured Motorists

Ken Ortiz and Frank Estrada, representing the motor vehicle division (MVD) of the taxation and revenue department, provided the committee with an overview of the Mandatory Financial Responsibility Act. They also discussed enhanced enforcement of that act via the development and utilization of an insurance identification database.

John Gaherty, supervisor for the consumer relations insurance bureau of the public regulation commission, and Representative Larry A. Larranaga briefed the committee on their concerns regarding uninsured motorist laws. They both noted that New Mexico's high rate of uninsured motorists is due in part to the high cost of auto insurance in a state with modest incomes. Mr. Gaherty and Representative Larranaga suggested the committee study possible reforms to auto insurance laws and specifically mentioned the possibility of instituting "mini" auto insurance policies.

Bob Feldman, president of Nevada general insurance company, described the problems Nevada faced before passing uninsured motorist legislation. He is of the opinion that the legislation has provided positive effects to the state and its residents. Mr. Feldman recommended the committee require insurance cards before the issuance of driver's licenses and implement a higher civil penalty for noncompliance.

Roger Buelow, vice president of mountain states mutual, and Ann Conway, state farm insurance legislative counsel, echoed the previous presenters' concerns regarding the high cost of auto insurance and the need for higher civil penalties for noncompliance.

Andres Valdez, New Mexico vecinos united, summarized his concerns regarding the uninsured motorist laws.

Report Regarding Proposed Additional Judgeships and Other Judicial Initiatives

The Honorable Petra Maes, chief justice of the New Mexico supreme court, and Jim Wheeler reviewed the priorities of the judicial branch, including adequate base budgets, salary increases for staff and judges, replacement of federal funds and expansion of drug courts, new judgeships and adequate staffing levels. The judiciary asked the committee to sponsor two bills relating to the replacement of federal funds and expansion of drug courts.

The administrative office of the courts, magistrate, metropolitan and district courts shared with the committee their specific budgetary needs to fund their various programs.

Report Regarding Implementation of the Ignition Interlock Licensing Act

Maria Martinez, Kurt Sanchez and Connie Torrez, representing MVD, reported on implementation of the Ignition Interlock Licensing Act. The act has been fully implemented and ignition interlock licenses have been issued throughout the state. The MVD is considering the addition of a "school and work" restriction to ignition interlock licenses.

Public Comment

The committee received public comment. See staff notes attached to the original minutes

for more information regarding public comment.

The committee recessed at 5:30 p.m.

Friday, October 17

The committee reconvened at 9:30 a.m. in room 321, state capitol.

Report Regarding the Status of the Interlock Device Fund

Gloria Halama, local government division of the department of finance and administration, and Michael Sandoval, acting bureau chief of the traffic safety bureau of the department of transportation, provided the committee with a report regarding the status of the interlock device fund. Mr. Sandoval summarized the operation of the ignition interlock device program and provided the committee with a list of approved ignition interlock device manufacturers and providers. Mr. Sandoval reminded the committee that the program is still in its beginning stages and changes to the program may be necessary to make it as efficient as possible.

Report Regarding the Governor's Proposals for Legislation Concerning Sex Offenders

Jessica Sutin, health advisor to the governor, Bob Schwartz, crime advisor to the governor, John Wheeler, general counsel for the department of public safety, and Nick D'Angelo, chief counsel for the corrections department, briefed the committee on the governor's proposed legislation concerning sex offenders. They outlined the provisions of measures intended to create a sex offender management board, extend probation and parole terms and increase criminal sanctions for sex offenses committed against children. The committee endorsed the proposals regarding creation of a sex offender management board and extended probation and parole terms for sex offenders.

Follow-Up Report From the New Mexico Sentencing Commission Regarding Sex Offender Treatment

Michael Hall, executive director of the New Mexico sentencing commission, reported on sex offender treatment models used in other jurisdictions.

Response From the American Civil Liberties Union (ACLU) Regarding the Governor's Sex Offender Proposal

Diane Wood, lobbyist for the ACLU, reported on the ACLU's position regarding the governor's sex offender proposals.

Public Comment

The committee received public comment. See staff notes attached to the original minutes for more information regarding public comment.

The committee adjourned at 3:00 p.m.

**MINUTES
of the
SIXTH MEETING
of the
CORRECTIONS OVERSIGHT AND JUSTICE COMMITTEE**

November 19-20, 2003

State Capitol

Santa Fe, NM

The sixth meeting of the Corrections Oversight and Justice Committee was called to order by Senator Richard C. Martinez on November 19, 2003 at 10:20 a.m. in Room 309, State Capitol.

PRESENT

Rep. W. Ken Martinez, Co-Chair
Rep. Thomas A. Anderson
Rep. Ron Godbey
Sen. Richard C. Martinez

ABSENT

Sen. Michael S. Sanchez, Co-Chair
Rep. Joseph Cervantes
Sen. Carroll H. Leavell
Sen. William H. Payne

Advisory members

Rep. Gail C. Beam
Sen. Cisco McSorley
Rep. Al Park
Sen. Lidio G. Rainaldi
Sen. Shannon Robinson (November 19)
Rep. Mimi Stewart
Rep. Joe Thompson (November 20)

Sen. Ben D. Altamirano
Sen. Mary Jane M. Garcia
Sen. Gay G. Kernan
Rep. Jane E. Powdrell-Culbert
Rep. Sheryl Williams Stapleton
Rep. Thomas E. Swisstack

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

Staff

Tony Ortiz
Elizabeth Holmes
Alicia Collins

Guests

The guest list is attached to the original minutes.

Wednesday, November 19, 2003

Committee Business

Senator Martinez welcomed committee members and guests.

Film Regarding the Second Chance Program

The committee viewed a film on the Second Chance Program, a prison-based treatment

program for inmates that addresses substance abuse problems. This film was brought to the committee by Representative Anna Marie Crook after she visited a prison in Mexico that had implemented the program. Lawrence Trujillo, deputy secretary of the Corrections Department (DOC), said DOC is studying the possibility of using this program in the Roswell facility that will eventually house felony DWI offenders.

Report Regarding Private Prisons in New Mexico

Joshua Miller, labor economist for the American Federation of State, County and Municipal Employees (AFSCME), discussed his concerns regarding private prison operations in New Mexico. Ed Mahr, lobbyist for Corrections Corporation of America, and Les Houston, lobbyist for Wackenhut, were given the opportunity to respond to Mr. Miller's assertions.

Report Regarding a Proposal to Impose Law Enforcement Arrest Fees to Fund Service of Warrants

Senator Shannon Robinson presented a bill draft that would allow for assessment of a law enforcement arrest fee when a person is arrested pursuant to the service of outstanding bench warrants issued by a metropolitan or magistrate court. Two funds would be created in the state treasury for the purpose of paying law enforcement agencies for serving outstanding warrants. Metropolitan Court would administer the Metropolitan Court Arrest Fee Fund while the Administrative Office of the Courts would administer the Magistrate Court Arrest Fee Fund.

Report From the New Mexico Sentencing Commission (NMSC)

Claudia McKay, staff attorney for the NMSC, provided the committee with an overview of work undertaken by the NMSC since a sex offender management board was created during the special session. Ms. McKay distributed a report that summarizes information on the status of sex offender registries in the 50 states and the District of Columbia.

Report From the New Mexico Association of Counties

Sam Montoya, executive director of the New Mexico Association of Counties, reported on several pieces of legislation his group plans to propose during the 2004 session. One proposal seeks to secure state funds to reimburse counties for the cost of extraditing, transporting and housing state inmates in county detention centers.

Mr. Montoya told the committee that the NMSC would also like to pursue tax reform proposals that were discussed by the Blue Ribbon Tax Reform Commission during the 2003 interim. The first proposal would extend the local option liquor excise tax to all New Mexico counties. The second proposal would restructure the county local option gross receipts tax by consolidating the 13 categories into eight categories and authorizing a one-eighth increment of county gross receipts tax for general purposes.

Public Comment

The committee received public comment. See staff notes attached to the original minutes for more information regarding public comment.

The committee recessed at 4:50 p.m.

Thursday, November 20, 2003

The committee reconvened at 9:30 a.m. in Room 309, State Capitol.

Report From the Metropolitan Criminal Justice Coordinating Council

Barri Roberts, executive director of the Metropolitan Criminal Justice Coordinating Council (MCJCC), provided the committee with an overview of MCJCC's systems research initiatives. MCJCC has implemented a systems approach that attempts to utilize limited justice system resources in the most effective manner by implementing projects that depend on collaborative interagency planning. Ms. Roberts summarized various data systems, programs and research being conducted by the MCJCC.

Report Regarding Recruiting and Retaining Assistant Public Defenders and Assistant District Attorneys

John Bigelow, chief public defender, and Lemuel Martinez, district attorney for the Thirteenth Judicial District, discussed the problem of recruiting and retaining recent law school graduates in public defender and assistant district attorney positions. They attribute this trend to the debt students incur in law school and the low-paying salaries for new public defenders and assistant district attorneys. Mr. Bigelow and Mr. Martinez suggested the committee study the possibility of a state student loan repayment program to help attract and retain lawyers in state government. Representative Martinez offered an alternative option and recommended that the Public Employees Retirement Association conduct a cost analysis for initiating a 20-year retirement plan for public defenders and district attorneys.

Report Regarding Children of Incarcerated Parents

Angie Vachio, executive director of Peanut Butter and Jelly, and Dianne Rivera-Valencia, deputy secretary of Children, Youth and Families (CYFD), reported on findings from Senate Joint Memorial 15 (2003), which created a task force that studied issues faced by children of incarcerated parents. The 48-member task force established work groups that focused on identification and referral, insurance verification, legal issues, data collection and performance measures. Through input from the task force, Ms. Vachio and Ms. Rivera-Valencia recommended the state develop a tracking system for these children. Annie Murray asked the committee to continue the work of the task force. In addition, she suggested the committee consider revoking the provision in the Kinship and Guardianship Act that keeps incarcerated parents from caring for their children following release.

Consideration of Legislative Proposals

The committee reviewed the legislative proposals presented to it during the 2003 interim and made decisions regarding which of those proposals would be sponsored as committee bills. A record of the committee's actions on the legislative proposals is attached to the original minutes.

The committee adjourned at 12:00 p.m.

Legislative Proposals

New Mexico Legislative Council Service
411 State Capitol
Santa Fe, New Mexico 87501
(505) 986-4600
November 24, 2003

TO: Corrections Oversight and Justice Committee Members

FROM: Tony Ortiz

SUBJECT: COMMITTEE ACTION ON LEGISLATIVE PROPOSALS GENERATED

DURING THE 2003 INTERIM

The following list is a summary of action taken on legislative proposals presented to the corrections oversight and justice committee during the 2003 interim:

1) Proposal to appropriate money or reallocate resources for the operation of a controlled release and reintegration program for female inmates, to be located in the Rio Grande corridor. (New Mexico Women's Justice Project) (**Adopted**)

2) Proposal for a joint memorial to encourage cooperation between executive agencies to facilitate the reintegration of parolees into their communities and to study barriers to the reintegration of parolees into their communities. (New Mexico Women's Justice Project) (**Adopted**)

3) Proposal for a joint memorial to study the feasibility of including a behavioral health component in programming provided at the women's correctional facility and the girl's school. (New Mexico Women's Justice Project) (**Adopted**)

4) Proposal to amend the statutes to provide treatment instead of incarceration for technical parole violators. (New Mexico Women's Justice Project) (**Adopted**, contingent upon receipt of a governor's message)

5) Proposal to appropriate fifty thousand dollars (\$50,000) for the operation of an overnight family visitation center at the women's correctional facility. (New Mexico Women's Justice Project) (**Adopted**)

6) Proposal to appropriate two million one hundred twenty-six thousand dollars (\$2,126,000) for the purpose of providing salary increases to staff who work in the state courts.

(Chief Justice Petra Maes) (**Adopted**)

7) Proposal to appropriate one million nine hundred fifty-eight thousand dollars (\$1,958,000) for the purpose of providing salary increases to justices, judges and hearing officers. (Chief Justice Petra Maes) (**Adopted**)

8) Proposal to establish five new judgeships throughout the state, with an accompanying appropriation of one million two hundred sixty-nine thousand dollars (\$1,269,000). (Chief Justice Petra Maes) (**Adopted**)

9) Proposal to impose law enforcement arrest fees as a means to fund service of outstanding warrants. (Senator Shannon Robinson) (**No action**)

10) Proposal to enact a County Detention Facility Reform Act, which establishes a formula to reimburse counties for the expense of housing state inmates. (New Mexico Association of Counties) (**No action**)

11) Proposal to provide all counties with authority to conduct elections regarding imposition of a local option liquor excise tax. (New Mexico Association of Counties) (**No action**)

12) Proposal to restructure county gross receipts local option taxes, including the county correctional facility gross receipts tax. (New Mexico Association of Counties) (**Adopted**) (This proposal was also adopted by the Revenue Stabilization and Tax Policy Committee)

13) Proposal to create a capital felony representation fund and appropriate five hundred seventeen thousand dollars (\$517,000) to that fund. The chief public defender would be authorized to use money in the fund to contract for representation in capital felony cases. (New Mexico Criminal Defense Lawyers Association) (**Adopted**)

14) Proposal to establish a student loan assistance repayment program for

assistant district attorneys and assistant public defenders. (New Mexico District Attorneys Association and the Public Defender Department) (**No action**)

15) Proposal for a joint memorial to request additional work by a task force that is studying issues that impact children of incarcerated parents. (Department of Corrections and the New Mexico Women's Justice Project) (**Adopted**)

16) Proposal to amend current law regarding guardianships and kinships to clarify restoration of parental rights for inmates upon release from incarceration. (New Mexico Women's Justice Project) (**No action**)