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State of New Mexico

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OFFICE OF
SECRETARY OF STATE

Susana Martinez
Governor

April 6, 2017

HOUSE EXECUTIVE MESSAGE NO. 29

The Honorable Brian Egolf, Jr., Speaker of the House and
Members of the House of Representatives
State Capitol Building
Santa Fe, NM 87501

Honorable Speaker Egolf and Members of the House:

Pursuant to the Constitution of the State of New Mexico, Article IV, Section 22, I hereby VETO and return HOUSE FLOOR SUBSTITUTE FOR HOUSE JUDICIARY COMMITTEE SUBSTITUTE FOR HOUSE BILL 175, as amended, enacted by the Fifty-Third Legislature, First Session, 2017.

House Bill 175 ("HB 175") would codify the "Restricted Housing Act," limiting and, in some cases, banning the use of isolated confinement. HB 175 oversimplifies and misconstrues isolated confinement in such a way so as to eliminate flexibility and endanger the lives of inmates and staff alike.

For example, HB 175 establishes a complete ban on placing a minor in "restricted housing." However, it is possible that a serious youthful offender could be sentenced to incarceration within an adult facility. If such an inmate poses a threat to, or actually engages in a pattern of harmful behavior toward the inmate, other inmates, or staff, HB 175 would prevent the correctional facility staff from utilizing restricted housing for this inmate.

Because of the threat to safety that this bill poses to inmates as well as the hard-working men and women who keep our communities safe, I hereby veto HB 175.

Respectfully yours,

A handwritten signature in black ink that reads "SMartinez".

Susana Martinez
Governor

HOUSE EXECUTIVE MESSAGE NO. 29
The Honorable Brian Egolf, Jr.
April 6, 2017,
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RECEIVED FROM THE OFFICE OF THE GOVERNOR

Time: 9:09 a.m. p.m.
Date: April 6th, 2017

By [Signature]
Secretary of State

Time: 11:51 a.m. p.m.
Date: April 6, 2017

By [Signature]
Chief Clerk of the House