

HOUSE BILL 175

56TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2023

INTRODUCED BY

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This document may incorporate amendments proposed by a committee, but not yet adopted, as well as amendments that have been adopted during the current legislative session. The document is a tool to show amendments in context and cannot be used for the purpose of adding amendments to legislation.

ENDORSED BY THE COURTS, CORRECTIONS AND JUSTICE COMMITTEE

AN ACT

RELATING TO THE CRIME REDUCTION GRANT ACT; ELIMINATING THE GRANT ADMINISTRATION AGENCY; CREATING THE CRIME REDUCTION GRANT FUND; MAKING AN APPROPRIATION.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

SECTION 1. Section 31-28-2 NMSA 1978 (being Laws 2019, Chapter 192, Section 6) is amended to read:

"31-28-2. [~~DEFINITIONS~~] DEFINITION.--As used in the Crime .223127.1SAAIC February 27, 2023 (10:11am)

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Reduction Grant Act, [~~A~~] "commission" means the New Mexico sentencing commission [~~and~~

~~B. "grant administration agency" means a state agency that receives appropriations for grants to criminal justice coordinating council members for the purposes specified in the Crime Reduction Grant Act]."~~

SECTION 2. Section 31-28-3 NMSA 1978 (being Laws 2019, Chapter 192, Section 7) is amended to read:

"31-28-3. CRIMINAL JUSTICE COORDINATING COUNCILS
CREATED--COMPOSITION--DUTIES.--

A. A criminal justice coordinating council is created for each judicial district and [~~may~~] shall include representation from within the district for:

- (1) each court in the district;
- (2) the district attorney;
- (3) the district public defender office;
- (4) law enforcement agencies;
- (5) jails;
- ~~[(6) correctional facilities;~~
- ~~(7)]~~ (6) behavioral health programs; [~~or~~] and
- ~~[(8)]~~ (7) other agencies and entities agreed

upon by the council.

B. Each criminal justice coordinating council shall be convened by the chief judge of the district court in the judicial district. The commission shall assist in the

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organization of the criminal justice coordinating councils.

C. Each criminal justice coordinating council shall select a chair at its first meeting. The first meeting of each council shall take place by August 1, 2019, and the council shall subsequently meet at the call of the chair, but not less than ten months per year.

D. Each criminal justice coordinating council shall organize itself and adopt rules in a manner appropriate to accomplish its duties pursuant to the Crime Reduction Grant Act.

E. A criminal justice coordinating council shall [~~to the extent possible~~] develop a strategic plan to meet the requirements of this section and shall:

(1) review the criminal justice system in the judicial district, including judicial processes, law enforcement, community corrections alternatives and sufficiency of jail and detention facilities;

(2) identify criminal justice system problems in the judicial district;

(3) develop data-driven policies and evidence-based best practices designed to improve public safety outcomes, cost-effective responses to crime and fair and efficient adjudication processes;

(4) [~~apply as necessary to grant administration agencies~~] facilitate applications from its

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members for crime reduction grants pursuant to the Crime Reduction Grant Act;

(5) facilitate sharing of criminal justice information between agencies as permitted by law; and

(6) in consultation with the commission, develop data-sharing agreements and methods of data sharing to allow system-wide analysis of criminal justice operations within the judicial district and throughout the state.

F. Executive agencies and the administrative office of the courts shall provide prompt responses to criminal justice coordinating council requests for information."

SECTION 3. Section 31-28-4 NMSA 1978 (being Laws 2019, Chapter 192, Section 8, as amended) is amended to read:

"31-28-4. APPLICATIONS FOR GRANTS--PURPOSES--
CONDITIONS.--

A. A member of a criminal justice coordinating council with the consent of the council may apply to [~~a grant administration agency~~] the commission for a grant to accomplish any of the enumerated purposes provided in Subsection B of this section.

B. Crime reduction grants may be made to:

(1) develop, expand and improve evidence-based treatment and supervision alternatives to incarceration;

(2) reduce barriers to participation by criminal offenders in preprosecution diversion or specialty

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court programs;

(3) develop or improve pretrial service programs;

(4) develop or improve coordination of services between law enforcement agencies and treatment programs;

(5) establish law enforcement crisis intervention teams;

(6) coordinate access to programs for transitional or reentry homes for individuals recently released from incarceration;

(7) recruit or retain law enforcement officers, prosecutors, public defenders, corrections officers and mental health workers;

(8) develop or expand digitized records;

(9) develop or expand the ability of a criminal justice coordinating council member to share data with, and access data on, the statewide criminal justice data integration platform;

~~(8)~~ (10) develop or expand data-driven policing programs and pretrial services;

~~(9)~~ (11) staff a criminal justice coordinating council; and

~~(10)~~ (12) purchase equipment or provide training to support any of the purposes provided in this

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section.

C. Crime reduction grants shall be conditioned on the criminal justice coordinating council and the recipient member complying with the following:

- (1) using not more than five percent of a grant for administrative costs of the recipient;
- (2) in consultation with the commission, developing data-sharing agreements and methods of data sharing among criminal justice agencies and with the commission to allow system-wide analysis of criminal justice operations within the judicial district and statewide;
- (3) using or developing evidence-based best practices for any programs operated with crime reduction grants;
- (4) developing performance measures in consultation with the commission [~~and the grant administration agency~~] relevant to the grantee's application;
- (5) collecting data to evaluate the effectiveness of programs operated with crime reduction grants;
- (6) evaluating quarterly the process, outputs, outcomes and other performance measures of programs funded with grants for compliance with all provisions of the Crime Reduction Grant Act;
- (7) providing a quarterly report to the commission for review and comparison with other programs

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receiving grants for similar purposes; and

(8) providing an annual report to the [~~grant administration agency~~] commission by October 1 of each year regarding program outcomes from use of the grant.

D. The commission shall assist with the implementation of data-sharing agreements to ensure compliance with crime reduction grants.

~~[E. Each grant administration agency shall identify and require the use or development of evidence-based best practices for programs operated with crime reduction grants distributed by that grant administration agency.]~~

~~F. A grant administration agency]~~ E. The commission may consider any outcome reported to it by a grant recipient from a previous year in making a determination of whether to make subsequent grants or the amount of a subsequent grant."

SECTION 4. Section 31-28-5 NMSA 1978 (being Laws 2019, Chapter 192, Section 9) is amended to read:

"31-28-5. RULES.--The [~~New Mexico sentencing~~] commission [~~in consultation with each grant administration agency~~] shall promulgate uniform procedural rules necessary to administer the provisions of the Crime Reduction Grant Act. [~~Each grant administration agency shall adopt the uniform procedures along with other grant award criteria unique to the grant administration agency.]~~"

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SECTION 5. Section 31-28-6 NMSA 1978 (being Laws 2019, Chapter 192, Section 10) is amended to read:

"31-28-6. REPORTS.--[A. ~~Each grant administration agency~~] The commission shall report to the [~~commission~~] legislature annually by November 1 of each year regarding the:

[~~(1)~~] A. applications for grants made during the previous fiscal year by each criminal justice coordinating council;

[~~(2)~~] B. purpose and amount of each grant approved by the [~~grant administration agency~~] commission for each member for the previous fiscal year; and

[~~(3)~~] C. processes, outputs and outcomes resulting from the use of the grant.

[~~B. The commission shall report to the legislature annually by December 1 of each year regarding the data-sharing network, including data derived from crime reduction grant data-sharing agreements.~~]"

SECTION 6. A new section of the Crime Reduction Grant Act is enacted to read:

"[NEW MATERIAL] CRIME REDUCTION GRANT FUND CREATED--
PURPOSE.--The "crime reduction grant fund" is created as a nonreverting fund in the state treasury. The fund consists of appropriations, gifts, grants and donations. The commission shall administer the fund, and money in the fund is
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the commission to administer the provisions of the Crime Reduction Grant Act and award crime reduction grants to members of criminal justice coordinating councils to spur local innovation in criminal justice reform, pursuant to the Crime Reduction Grant Act. Expenditures from the fund shall be made on warrant of the secretary of finance and administration pursuant to vouchers signed by the chair of the commission or the chair's authorized representative. The commission may expend no more than three percent of the balance of the fund each fiscal year for administering the Crime Reduction Grant Act. No money in the fund may be expended in any way except as provided by the Crime Reduction Grant Act."