

**TENTATIVE AGENDA
for the
TENTH MEETING
of the
CRIMINAL JUSTICE REFORM SUBCOMMITTEE
of the
COURTS, CORRECTIONS AND JUSTICE COMMITTEE**

**November 12, 2014
Room 321, State Capitol
Santa Fe**

Wednesday, November 12

9:00 a.m. **Call to Order and Introductions**
—Senator Lisa A. Torracco and Representative Antonio "Moe" Maestas,
Co-Chairs

9:15 a.m. **Criminal Justice Reform — Consideration of Legislation**
—Members of the Criminal Justice Reform Subcommittee (CJRS)

Bills to be discussed — this list was determined at the October CJRS meeting:

1. A bill concerning month-to-month good time while on probation, allowing someone who has had 30 days of supervised probation without incident to have 30 days removed from the length of his or her required probation.
2. A bill creating the crime of aggravated battery with permanent injury, with a zero-year to six-year sentence.
3. A bill to address the issue of geriatric parole (see also No. 17).
4. A bill addressing issues surrounding halfway houses and transitional living — the Halfway House and Transitional Living Act.
5. A bill reintroducing the Accuracy of Eyewitness Procedure Act (see SB 490, 2013).
6. A bill concerning revenge pornography, with the essential element of requiring permission to distribute by the subject of the photograph.
7. A bill to examine the eligibility for earned meritorious deductions.
8. A bill to create a gross misdemeanor/high misdemeanor in state statute.
9. A bill reclassifying certain crimes that are at present fourth degree felonies to high

misdemeanors (see No. 8).

10. A bill mandating that the Corrections Department (NMCD) make high school equivalency credential classes available.

11. A bill requiring the Human Services Department to allow for the suspension of Medicaid for incarcerated individuals.

From the list of Legislative Finance Committee (LFC) recommendations:

12. Require the NMCD to implement a valid risk and needs assessment and use the information to place inmates in appropriate prison programming and community programming upon re-entry.

13. Require the NMCD to offer evidence-based (define) in-prison programming, including:

- a. adult education;
- b. vocational education;
- c. substance abuse treatment;
- d. corrections industries; and
- e. cognitive behavioral therapy.

14. Require the NMCD to spend 50% of its prison programming budget on evidence-based programs and services.*

15. Tie good time awards to completion (rather than simply participation) of evidence-based programs and services.

16. Update statute to provide judges the ability to sentence inmates to NMCD prison facilities only if offenders are sentenced to one year or more after accounting for any period of the sentence being suspended or deferred and any credit for presentence confinement.

17. Amend the geriatric and medical parole statute to require the NMCD to evaluate inmates eligible for medical and geriatric parole and submit the list to the Parole Board for consideration.

18. Require the NMCD to spend 50% of its Adult Community Corrections Act services funding on evidence-based (define) programs and services within four years.*

19. Amend statutory intensive supervision requirements to require offenders to participate in community treatment services based on the results of the NMCD use of a valid risk and needs assessment.

20. Transfer drug court funding currently in the NMCD budget to the judicial branch to continue support for the Second and Eleventh judicial districts (General Appropriations Act change).

* Note that the initial LFC recommendation for Nos. 14 and 18 was 80%.

12:00 noon **Lunch**

Note that the subcommittee will take regular breaks throughout the meeting in order that legislators can consult with advocates and constituents.

4:00 p.m. **Public Comment**

4:30 p.m. **Adjourn**