PROPOSED DRAFT 2027 LEGISLATION TO MODERNIZE THE NM CRIMINAL JUSTICE SYSTEM:

THE CRIMINAL JUSTICE INSTITUTE AT UNM

CCJ INTERIM COMMITTEE 11/6/2026

CITIZEN'S INITIATIVE

- Initiated by Indivisible SOS Santa Fe, activist women concerned about crime, police and public deaths, community violence.
- 5 years of meetings with law enforcement and other stakeholders, interviews, focus groups, research, consults with other states and experts, prior legislation (Certification Board & Training Council 2023 with Maestas, 2026 HM 13 with Romero, 2024-2025 law enforcement training legislation not messaged or failed), and auditing judiciary committee and CCJ hearings.
- Increased sharing and interest with broad range of advocacy groups and stakeholders state-wide.
- Dozen industrialized countries launched 10-year plans to modernize mostly related to corrections. 4 states created partial system long term planning bodies.
- Build on national and international research and experience, recent NM legislative work
- Stakeholders have a lot of hypotheses/ideas and need venue to get them evaluated

A SYSTEMS APPROACH TO PUBLIC SAFETY

- The Criminal Justice System is Fragmented:
  - ✓ Prevention/Rehabilitation from community through corrections, including Diversion Programs at all levels and Re-entry.
  - ✓ First Response (911/988) Dispatch, Mobile Crisis
  - ✓ Law Enforcement (sheriffs, municipals, state police, state agencies, colleges, tribes)
  - ✓ District Attorneys and Public Defenders
  - ✓ Courts (Magistrate, Municipal, District, Specialty)
  - ✓ Corrections, Probation & Parole, any community corrections programs.
- Operated and funded by state agencies, counties, judicial districts, municipalities, non-profits
- Workforce operates in siloes with limited coordination—20th century structure
- Limited state policy and regulation

SYSTEM FAILURES

- Broad agreement among stakeholders on System Failures:
  - ✓ Unacceptably high levels of serious crime
  - ✓ Unacceptably high rates of recidivism
  - ✓ Inadequate prevention and consequences for low level offenders
  - ✓ Inadequate data and system evaluation
  - ✓ Inadequate workforce and technological capacity
  - ✓ Inadequate training and credentialing
  - ✓ Inadequate links among the siloes in the system leading to inefficiency and system failures.
  - ✓ Inadequate oversight and accountability for system performance
  - ✓ Inefficient use of resources
- System analysis follows the offender through the system to define specific failures that can be addressed through legislation: policy, structure, resources

REALISTIC ASSESSMENT

- System agencies are under-resourced and have been for decades
- Fragmentation reduces incentive to evaluate alternatives and update—agencies don't learn from each other or collaborate except at the case level.
- Not sufficient supply of lawyers, can't attract from other states.
- Not sufficient supply of law enforcement officers, can't attract from other states.
- Lack of prestige, respect, frustration, career paths, challenges retention—Increasing compensation isn't enough.
- Local agencies don't have resources to do everything (recruit, train, outreach, assess alternatives)…everyone working hard, doing their best but limited time to evaluate and solve problems, and many problems have broader roots.

WHAT NEEDS TO CHANGE?

- Standardized data to identify problems & develop solutions.
- Sufficient & and appropriate mix of staff to move alleged offenders through the system.
- Update technology to leverage staff resources, track cases, and coordinate across agencies.
- Create civilian/non-lawyer positions to leverage scarce staff resources (e.g., public safety aides, investigators, forensic specialists, navigators, case managers), and develop credentialing.
- Modernize training and credentialing of workforce below JD, create career paths.
- Expand sustainable prevention and develop statewide prevention & diversion policy
- Decrease recidivism with appropriate corrections rehabilitation and re-entry programs
- Decrease inappropriate dismissal rates.
- Ensure services and consequences for low level offenses pre-arrest to decrease case loads.
- Engage next generation leaders in piloting system improvements. Bring innovations from other states/nations to NM.
- Increase transparency & accountability.

PROPOSED LEGISLATION IN PROCESS

- CORE Bill: Criminal Justice Institute at UNM (Independent of Regents) Commissioners appointed by Executive, Legislature, & Judiciary
  - ✓ Incorporates membership & scope of Sentencing Commission
  - ✓ Expansion to policy & planning authority charged with 10-year modernization plan and implementation oversight
- Four Phases with deadlines, reporting, & specified scope of work
  - ✓ Appropriation to expand staff & consultant resources.
  - ✓ Executive Planning Committee (oversight and system monitoring)
  - ✓ 5 Standing Committees to plan and make recommendations to Legislature, Governor, & Courts
    - Capacity & Innovation (composition/size workforce & technology, expansion of prevention, diversion, rehabilitation throughout system)
    - Credentialing (training, certification, continuing education, career path—modernization)
    - System Finance (structure local/state, potential federal, & use of grants)
    - Information (standardization, system performance metrics, dashboard)
    - Juvenile System

LEGISLATIVE STRATEGY

- Bill to create state level framework for pre-arrest diversion by first responders (Deflection)
  - ✓ Offers low level offenders alternative to arrest/detention, referrals to services with case management follow-through…if no follow-through on agreement, charges are filed and prosecuted.
  - ✓ Pilot in 5+ counties with funding for case managers & evaluation for state-wide replication.
  - ✓ Special appropriation to Institute Phase I to implement Pilots
- Special appropriation to Institute for Capacity Studies Phase I
- Special appropriation to Institute for Analysis of Training and Credentialing needs for workforce Phase I

EXPECTED OUTCOMES (HYPOTHETICAL)

- Year #1 2027-2028
  - ✓ Members appointed, committees begin meeting, setting specific objectives
  - ✓ Procurements for studies funded by special appropriations
  - ✓ Staff hiring
  - ✓ Environmental scan: research, data collection, surveys
  - ✓ Deflection Pilot applications
  - ✓ Mutual reporting between Institute & judicial district coordinating councils
  - ✓ Rules & Procedures
- Year #2 2028-2029
  - ✓ Committees work on scope of policy work, identify additional information needs
  - ✓ Procurements start producing data input to committees
  - ✓ Consultants identified and contracted
  - ✓ Staff hiring completed
  - ✓ Deflection Pilots implemented—Baseline data developed (e.g., caseloads by type), Evaluation and data reporting design.
  - ✓ Recommendations for procurements/funding for critical updating of training, continuing education based on expert assessments.

EXPECTED OUTCOMES

- Phase 2: 2029-2031
  - ✓ Staff and consultants support regular committee work.
  - ✓ Additional studies or data needs identified
  - ✓ Procedures established with system agencies for reporting/data sharing.
  - ✓ Work on performance metric design and standardization begins
  - ✓ Credentialing assessments used to recommend changes to credentialing policy, requirements, training/continuing education programs, and curricula development
  - ✓ Capacity target development including standardization of new positions and team structures, calendar out by agency type, including regionalization of specialized resources.
  - ✓ Technology upgrades needed, transition plans and cost.
  - ✓ Identify potential for federal funding
  - ✓ Criteria for grant funding related to modernizing system
  - ✓ Identify scope of state and local funding and costs for short term and intermediate targets

EXPECTED OUTCOMES

- Phase 3 2031-2033
  - ✓ Initiate new grant programs for target innovations with evaluations
  - ✓ Develop funding strategies to address capacity targets
  - ✓ Design career paths for workforce
  - ✓ Design appropriate centralization for credentialing and education of workforce—consider transition to higher ed—ensure ongoing modernization
  - ✓ Design appropriate centralization for outreach, recruiting, and pipeline development
  - ✓ Continue work on system performance metrics, initiate data reporting in phases, testing
  - ✓ Implement needed technology upgrades
  - ✓ Deflection program evaluation reporting & recommendations
  - ✓ Policy framework for prevention/rehabilitation programs & funding strategy
  - ✓ Evaluation strategy for monitoring capacity/productivity

EXPECTED OUTCOMES

- Phase 4 2033-2037
  - ✓ Annual reporting, evaluations of all programs.
  - ✓ Recommendations, policy, financing and implementation strategy for centralizing credentialling, education, career paths for workforce
  - ✓ Recommendations, policy, financing and implementation strategy for recruiting & pipeline
  - ✓ Recommendations, policy, financing and implementation strategy for capacity targets, criteria for growth, sustainability.
  - ✓ Design for system performance dashboard, phased implementation, final in 2036
  - ✓ Reporting on implementation monitoring and oversight, policy implications, agency structural/coordinating issues.
  - ✓ Policy briefs emerging out of grant programs, coordinating councils, committee work.
  - ✓ Facilitate consultations on operational issues with agencies.
  - ✓ Recommendations for future functions of institute.