A MEMORIAL

REQUESTING THE LEGISLATIVE FINANCE COMMITTEE TO CONVENE A TASK FORCE TO DEVELOP A TEN-YEAR PLAN AND FUNDING STRATEGY TO ADDRESS MODERNIZATION AND SYSTEMIC PROBLEMS IN THE NEW MEXICO CRIMINAL JUSTICE SYSTEM THAT INTERFERE WITH SYSTEM PERFORMANCE, PUBLIC SAFETY AND EQUAL JUSTICE UNDER THE LAW.

WHEREAS, *Policy Spotlight: Felony Arrests and Outcomes*, a report by the legislative finance committee, examines levels of serious crime in New Mexico in comparison to other states; and

WHEREAS, *Policy Spotlight: Felony Arrests and Outcomes* documents major impediments in the processing of individuals arrested for crimes across law enforcement, district attorney offices, the courts and corrections and reveals high rates of case dismissals both prior to and at adjudication, resulting in repeat offenses that often escalate in violence over time; and

WHEREAS, *Policy Spotlight: Felony Arrests and Outcomes* describes a lack of consistent reporting of crime, case dismissals and case dispositions across the criminal justice system, despite such reporting being required by law and necessary for the legislature, the executive and the courts to clearly identify justice system performance problems; and

WHEREAS, the *New Mexico Law Enforcement Academy Job Task*

and Curriculum Analysis final report published by the international association of directors of law enforcement external assessment under contract to the department of public safety concluded that initial law enforcement certification training is outdated and misaligned with national standards, contributing to an undertrained public safety workforce that is not consistently prepared to provide scientifically valid evidence or respond effectively to evolving criminal activity, and continuing education and advanced and specialized training were found to be similarly outdated; and

WHEREAS, training and education functions for criminal justice system positions, currently located within operating agencies, are understaffed and underfunded and should be transferred to institutions of higher education to allow for updated and enforceable standards; and

WHEREAS, program evaluation reports conducted by the legislative finance committee have been shared with legislative interim committees, and the testimony of experts indicates consistently high vacancy and turnover rates in critical positions within the criminal justice system statewide, exacerbating inadequate responses to community needs, delays in case processing and adjudication and challenges in safely managing corrections and community reentry functions; and

WHEREAS, local agencies with significant vacancy and turnover rates lack both the resources and expertise to evaluate alternative staffing strategies and deploy effective recruiting strategies; and

WHEREAS, justice system positions are largely shaped by diverse local practices and, with limited local exceptions, have not adapted to twenty-first-century challenges, failing to provide clear career pathways to retain existing personnel or attract talented youth and mid-career professionals and contributing to the loss of experienced New Mexico professionals to other states; and

WHEREAS, the lack of oversight for law enforcement, prosecution, adjudication and corrections undermines public confidence in the criminal justice system; and

WHEREAS, presentations by the New Mexico association of counties, the New Mexico municipal league and other stakeholders report high rates of litigation and settlement costs for alleged civil rights violations across the criminal justice system, posing a threat to the financial viability of local governments;

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF NEW MEXICO that the legislative finance committee be requested to convene a task force to develop a ten-year plan and funding strategy to address and modernize systemic problems in the New Mexico

criminal justice system that interfere with system performance, public safety and equal justice under the law; and

BE IT FURTHER RESOLVED that the legislative finance committee be requested to develop and lead a task force to develop recommendations for the legislature to:

A. establish a planning and oversight strategy to elaborate and monitor implementation of the plan;

B. create a funding strategy to support the plan; and

C. identify critical first legislative actions responsive to key critical issues; and

BE IT FURTHER RESOLVED that the task force consist of representation from stakeholders within the criminal justice system and interested citizens that represent the geographic and cultural diversity of the state, including justice system prevention program leaders, 911 agency leaders, law enforcement agency leadership, tribal and pueblo law enforcement, the New Mexico state police division of the department of public safety, prosecutors, diversion program leaders, public defender and defense bar leadership, juvenile probation and parole leaders, juvenile detention center leaders, magistrate and district court judges, specialty court and children's court judges, correctional officer leadership, probation officer leadership, representation of

sentencing commission, interested citizens at large and legislators; and

BE IT FURTHER RESOLVED that the membership not exceed thirty members and that applicants be selected by four legislators, one from each party within the house of representatives and senate to be appointed by the speaker of the house and the president pro tempore of the senate in consultation with the legislative finance committee staff assigned to administer the task force; and

BE IT FURTHER RESOLVED that the legislative finance committee leadership for the task force be requested to provide opportunities to present information and recommendations to the task force by the administrative office of the courts, the administrative office of the district attorneys, the corrections department, the department of public safety, the children, youth and families department, the state department of justice, the higher education department, the regulation and licensing department, the New Mexico association of counties and the New Mexico municipal league; and

BE IT FURTHER RESOLVED that the task force elect a chair and co-chair to facilitate task force decision making on recommendations and that legislative finance committee staff develop agendas and prepare materials for task force deliberations with input from members, as well as

consultation with experts; and

BE IT FURTHER RESOLVED that recommendations be made regarding establishing a fund to be invested such that income generated will support the goals established by the task force; and

BE IT FURTHER RESOLVED that the task force's goals include:

A. establishing a planning and oversight body to integrate local planning into a state-level modernization plan for the justice system and monitor implementation for at least ten years;

B. establishing a process for modernizing justice system position descriptions, educational requirements and staffing adequacy;

C. ensuring ongoing updating of all educational curriculum and training methods to national standards and best practices;

D. establishing a planning function at the judicial district level to adapt and link state programs to meet local needs and link that planning system to the system established in 2025 for behavioral health services as administered by the administrative office of the courts;

E. identifying work groups and a process to define standardized data elements needed to evaluate system performance at system institutions and for the system as a

whole;

F. establishing a process to plan for career paths for justice system professionals, with linkage to the state college system; and

G. recommending legislation for the 2027 legislative session to address the most immediate needs related to these goals; and

BE IT FURTHER RESOLVED that the task force be requested to submit a report on its findings and recommendations to the interim committee that studies courts, corrections and justice issues by November 26, 2026 and by January 5, 2027 to the governor and the legislature for consideration during the first session of the fifty-eighth legislature; and

BE IT FURTHER RESOLVED that copies of this memorial be transmitted to the staff of the legislative finance committee, the office of the governor, the attorney general, the administrative office of the courts, the administrative office of the district attorneys and the chief public defender.