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_____ BILL

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

INTRODUCED BY

DISCUSSION DRAFT

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
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,

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1 Chapter 192, Section 7) is amended to read:

2 "31-28-3. CRIMINAL JUSTICE COORDINATING COUNCILS
3 CREATED--COMPOSITION--DUTIES.--

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

- 7 (1) each court in the district;
- 8 (2) the district attorney;
- 9 (3) the district public defender office;
- 10 (4) law enforcement agencies;
- 11 (5) jails;
- 12 ~~[(6) correctional facilities;~~
- 13 ~~(7)]~~ (6) behavioral health programs; ~~[or]~~ and
- 14 ~~[(8)]~~ (7) other agencies and entities agreed
15 upon by the council.

16 B. Each criminal justice coordinating council shall
17 be convened by the chief judge of the district court in the
18 judicial district. The commission shall assist in the
19 organization of the criminal justice coordinating councils.

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

25 D. Each criminal justice coordinating council shall

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1 organize itself and adopt rules in a manner appropriate to
2 accomplish its duties pursuant to the Crime Reduction Grant
3 Act.

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

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

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

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

17 (4) ~~[apply as necessary to grant~~
18 ~~administration agencies]~~ facilitate applications from its
19 members for crime reduction grants pursuant to the Crime
20 Reduction Grant Act;

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

23 (6) in consultation with the commission,
24 develop data-sharing agreements and methods of data sharing to
25 allow system-wide analysis of criminal justice operations

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1 within the judicial district and throughout the state.

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

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

7 "31-28-4. APPLICATIONS FOR GRANTS--PURPOSES--
8 CONDITIONS.--

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

14 B. Crime reduction grants may be made to:

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

17 (2) reduce barriers to participation by
18 criminal offenders in preprosecution diversion or specialty
19 court programs;

20 (3) develop or improve pretrial service
21 programs;

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

25 (5) establish law enforcement crisis

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1 intervention teams;

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

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

8 (8) develop or expand digitized records;

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

13 [~~8~~] (10) develop or expand data-driven
14 policing programs and pretrial services;

15 [~~9~~] (11) staff a criminal justice
16 coordinating council; and

17 [~~10~~] (12) purchase equipment or provide
18 training to support any of the purposes provided in this
19 section.

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

23 (1) using not more than five percent of a
24 grant for administrative costs of the recipient;

25 (2) in consultation with the commission,

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1 developing data-sharing agreements and methods of data sharing
2 among criminal justice agencies and with the commission to
3 allow system-wide analysis of criminal justice operations
4 within the judicial district and statewide;

5 (3) using or developing evidence-based best
6 practices for any programs operated with crime reduction
7 grants;

8 (4) developing performance measures in
9 consultation with the commission [~~and the grant administration~~
10 ~~agency~~] relevant to the grantee's application;

11 (5) collecting data to evaluate the
12 effectiveness of programs operated with crime reduction grants;

13 (6) evaluating quarterly the process, outputs,
14 outcomes and other performance measures of programs funded with
15 grants for compliance with all provisions of the Crime
16 Reduction Grant Act;

17 (7) providing a quarterly report to the
18 commission for review and comparison with other programs
19 receiving grants for similar purposes; and

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

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

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

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

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

12 "31-28-5. RULES.--The ~~[New Mexico sentencing]~~ commission
13 ~~[in consultation with each grant administration agency]~~ shall
14 promulgate uniform procedural rules necessary to administer the
15 provisions of the Crime Reduction Grant Act. ~~[Each grant~~
16 ~~administration agency shall adopt the uniform procedures along~~
17 ~~with other grant award criteria unique to the grant~~
18 ~~administration agency.]"~~

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

21 "31-28-6. REPORTS.--~~[A. Each grant administration~~
22 ~~agency]~~ The commission shall report to the ~~[commission]~~
23 legislature annually by November 1 of each year regarding the:

24 ~~[A.]~~ A. applications for grants made during the
25 previous fiscal year by each criminal justice coordinating

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1 council;

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

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

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

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

13 "[NEW MATERIAL] CRIME REDUCTION GRANT FUND CREATED--
14 PURPOSE.--The "crime reduction grant fund" is created as a
15 nonreverting fund in the state treasury. The fund consists of
16 appropriations, gifts, grants and donations. The commission
17 shall administer the fund, and money in the fund is
18 appropriated to the commission to administer the provisions of
19 the Crime Reduction Grant Act and award crime reduction grants
20 to members of criminal justice coordinating councils to spur
21 local innovation in criminal justice reform, pursuant to the
22 Crime Reduction Grant Act. Expenditures from the fund shall be
23 made on warrant of the secretary of finance and administration
24 pursuant to vouchers signed by the chair of the commission or
25 the chair's authorized representative. The commission may

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1 expend no more than three percent of the balance of the fund
2 each fiscal year for administering the Crime Reduction Grant
3 Act. No money in the fund may be expended in any way except as
4 provided by the Crime Reduction Grant Act."