

**MINUTES
of the
FIRST MEETING
of the
COURTS, CORRECTIONS AND JUSTICE COMMITTEE**

**June 7, 2006
Room 307, State Capitol
Santa Fe**

The first meeting of the Courts, Corrections and Justice Committee for the 2006 interim was called to order on Wednesday, June 7, 2006, in Room 307 of the State Capitol in Santa Fe.

Present

Rep. Joseph Cervantes, Co-Chair
Sen. Cisco McSorley, Co-Chair
Sen. Rod Adair
Rep. Thomas A. Anderson
Rep. Gail Chasey
Sen. Carroll H. Leavell
Sen. Richard C. Martinez
Rep. Al Park
Sen. Lidio G. Rainaldi
Sen. H. Diane Snyder
Rep. Peter Wirth

Advisory Members

Rep. Hector H. Balderas
Sen. Mary Jane M. Garcia
Rep. Jane E. Powdrell-Culbert
Rep. Sheryl Williams Stapleton
Rep. Mimi Stewart

Absent

Sen. Leonard Tsosie
Rep. Eric A. Youngberg

Sen. Ben D. Altamirano
Sen. Kent L. Cravens
Sen. John T.L. Grubesic
Sen. Clinton D. Harden, Jr.
Sen. Gay G. Kernan
Sen. Linda M. Lopez
Rep. W. Ken Martinez
Sen. Gerald Ortiz y Pino
Sen. William H. Payne
Rep. Bill Rehm
Sen. John C. Ryan
Sen. Michael S. Sanchez
Rep. Thomas E. Swisstack
Sen. James G. Taylor

Staff

Maha Houry
Evan Blackstone
Sarah Salazar

Guests

The guest list is in the meeting file.

Copies of all handouts and written testimony are in the meeting file.

Call to Order

Senator McSorley, co-chair, welcomed committee members and guests and called the meeting to order at 10:20 a.m.

Overcrowding at the Women's Correctional Facility

Maureen A. Sanders, attorney for the American Civil Liberties Union (ACLU) and the New Mexico Women's Justice Project (WJP), discussed the overcrowding at the women's correctional facility in Grants and the transfer of women inmates from Grants to the Cornell facility in Albuquerque. The New Mexico Corrections Department (NMCD) transferred the inmates in response to a lawsuit filed by the ACLU and the WJP. The lawsuit claims the department has violated the Corrections Population Control Act by not convening the Corrections Population Control Commission to address the overcrowding that, it is claimed, has existed for approximately one year. Ms. Sanders updated the committee on the lawsuit; the actions taken by the department; the status of opening the new Camino Nuevo facility for women; the manner in which the women inmates were moved; the conditions of confinement; issues of good time; academic credits; visitation, exercise; and lack of programs. Ms. Sanders discussed the requirements of the Corrections Population Control Act, claiming that the department has failed to comply with the mandates of that law. Ms. Sanders further stated that the department has failed to participate in or provide gender-specific programming for women.

Jolene Gonzales, acting secretary, NMCD, responded to the comments made by Ms. Sanders and explained the actions taken by the department to respond to the overcrowding. James Brewster, chief deputy general counsel for the department, affirmed that the Corrections Population Control Commission has not met to address the overcrowding issue and confirmed that the commission has met only once since its creation in 2002. Erma Sedillo, deputy secretary of operations, NMCD, talked about the programs that are being offered at the women's facilities. She described the programs that are being planned for Camino Nuevo and NMCD's efforts to make the facility and programming more gender-specific. Elmer Bustos, director of adult prisons, NMCD, described moving the women inmates from the Grants facility to Cornell. He defended the department's actions and said the move to Camino Nuevo will probably be handled in a similar manner.

Committee members sought clarification on many issues, including the number of inmates, capacities of different facilities, population growth, NMCD staff, parole plans, programming for women and the legal duties created in the Corrections Population Control Act that have been ignored by the department.

2006 Interim Work Plan and Meeting Schedule

Committee members and staff discussed the interim work plan. Members requested that certain issues be addressed this coming interim. They also discussed meeting dates and locations. Staff will present the committee's proposed work plan to the Legislative Council on June 28 for its approval.

Adjournment

The committee adjourned at 1:00 p.m.