

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

**July 25-27, 2022
State Capitol, Senate Chamber
Santa Fe**

The second meeting of the Courts, Corrections and Justice Committee was called to order by Representative Gail Chasey, co-chair, on July 25, 2022 at 10:29 a.m. in the Senate Chamber of the State Capitol in Santa Fe.

Present

Sen. Joseph Cervantes, Co-Chair (7/25, 7/26)
Rep. Gail Chasey, Co-Chair
Rep. Eliseo Lee Alcon
Rep. Antonio Maestas
Sen. Bill B. O'Neill
Sen. Cliff R. Pirtle (7/26)
Rep. William "Bill" R. Rehm (7/25, 7/26)
Rep. Debra M. Sariñana (7/25, 7/26)
Rep. Christine Trujillo (7/25, 7/26)

Advisory Members

Rep. Christine Chandler
Sen. Katy M. Duhigg (7/26)
Rep. Kelly K. Fajardo (7/25, 7/26)
Sen. Linda M. Lopez (7/27)
Sen. Mimi Stewart (7/26)

Absent

Rep. Karen C. Bash
Rep. Zachary J. Cook
Sen. Daniel A. Ivey-Soto
Sen. Mark Moores
Sen. Antoinette Sedillo Lopez

Sen. Gregory A. Baca
Rep. Micaela Lara Cadena
Sen. Jacob R. Candelaria
Rep. Doreen Y. Gallegos
Rep. T. Ryan Lane
Rep. Georgene Louis
Rep. Roger E. Montoya
Rep. Andrea Romero
Rep. Patricia Roybal Caballero
Sen. Peter Wirth

Guest Legislators

Rep. Stefani Lord (7/26)
Rep. Randall T. Pettigrew (7/25, 7/26)

(Attendance dates are noted for members not present for the entire meeting.)

Staff

Sean Dolan, Staff Attorney, Legislative Council Service (LCS)
Nancy Martinez, Research Assistant, LCS

Guests

The guest list is in the meeting file.

Handouts

Handouts and other written testimony are in the meeting file and are posted on the legislature's website.

References to Webcast

The time reference noted next to each agenda item in this document is cross-referenced to the webcast of the committee meeting, which can be found at www.nmlegis.gov, under the "Webcast" tab. The presentations made and committee discussions for agenda items can be found on the recorded webcast for this meeting.

Monday, July 25

Approval of Agenda and Minutes (10:40 a.m.)

Upon a motion duly made and seconded, and without any objections, the committee approved the agenda for the meeting as well as the minutes of the June 2, 2022 meeting.

Update from the Legislative Finance Committee (LFC) Regarding Crime and Public Safety Legislation (10:42 a.m.)

Jon Courtney, deputy director for program evaluation, LFC, and Ellen Rabin, fiscal analyst, LFC, provided the committee with a presentation regarding the current state of crime and safety legislation, with a focus on House Bill (HB) 68 (2022). The presentation materials can be found here:

<https://www.nmlegis.gov/Committee/Handouts?CommitteeCode=CCJ&Date=7/25/2022&ItemNumber=1>.

Review and Update Regarding Implementation of HB 68 (2022) and Future Directions (1:42 p.m.)

Marcus Montoya, president, New Mexico District Attorney Association; Celia Perry, manager, Statewide Pretrial Program, Administrative Office of the Courts (AOC); Gilbert Jaramillo, pretrial data analyst, AOC; Kim Chavez Cook, appellate defender, Public Defender Department; Benjamin Baker, deputy secretary and interim director, New Mexico Law Enforcement Academy; and Jason Greenlee, general counsel, Department of Public Safety, provided the committee with information regarding how HB 68 (2022) is being implemented and gave suggestions for future improvements. The presentation materials can be found here:

<https://www.nmlegis.gov/Committee/Handouts?CommitteeCode=CCJ&Date=7/25/2022&ItemNumber=2>.

Public Comment (3:46 p.m.)

A list of individuals making public comment is available in the meeting file.

Recess

The committee recessed at 3:52 p.m.

Tuesday, July 26**Update on National Gun Laws and States' Ability to Regulate Guns (9:18 a.m.)**

Anne Teigen, director, Criminal Justice Program, National Conference of State Legislatures, provided the committee with a presentation regarding current national laws after recent United States Supreme Court decisions, trends in legislation that states are passing and what states can do to regulate guns. The presentation can be found here:

<https://www.nmlegis.gov/handouts/CCJ%20072522%20Item%203%20NCSL%20Review%20of%20National%20Firearm%20Laws.pdf>.

Summary of *New York State Rifle & Pistol Association, Inc. v. Bruen* (10:20 a.m.)

Brandon Cummings, analyst, Senate Judiciary Committee, provided the committee with a brief summary of a recent United States Supreme Court decision, *New York State Rifle & Pistol Association, Inc. v. Bruen*.

Update on the Effectiveness of Current Gun Violence Initiatives (11:00 a.m.)

Matthew Broom, deputy chief, Department of Public Safety; Sheila Lewis, J.D., extreme risk protection order trainer, New Mexicans to Prevent Gun Violence; Sheriff Glen Hamilton, legislative liaison, New Mexico Sheriffs' Association; and Miranda Viscoli, co-president, New Mexicans to Prevent Gun Violence, provided the committee with information regarding how current gun laws are being used in New Mexico and provided thoughts on future programs.

Public Comment (11:45 a.m.)

A list of individuals making public comment is available in the meeting file.

Addressing Gun Violence in New Mexico (1:37 p.m.)

Ms. Viscoli; Richard Miskimins, M.D., assistant professor of surgery, University of New Mexico Health Sciences Center; Ari Davis, policy advisor, Johns Hopkins Center for Gun Violence Solutions; Aryan Showers, director, Office of Policy and Accountability, Department of Health (DOH); Rachel Wexler, acting bureau chief, Injury and Behavioral Epidemiology Bureau, DOH; Lieutenant Ryan Nelson, Narcotics Section, Albuquerque Police Department (APD); and Deputy Commander Jason Janopoulos, Special Investigations Section, APD, provided the committee with different perspectives on what is currently being done and what can

be done in the future to address gun violence in New Mexico. The presentation materials can be found here:

<https://www.nmlegis.gov/Committee/Handouts?CommitteeCode=CCJ&Date=7/25/2022&ItemNumber=6>.

Proposed Legislation to Combat Gun Violence in New Mexico (3:30 p.m.)

Representative Pamela Herndon; Representative Dayan Hochman-Vigil; Ms. Viscoli; and Regina Griego, survivor member lead, New Mexico Chapter, Moms Demand Action, presented two potential bills to combat gun violence, one regarding safe storage of guns and another creating an office of gun violence prevention.

Recess

The committee recessed at 4:52 p.m.

Wednesday, July 27

Update on the Corrections Department (9:23 a.m.)

Gary Maciel, director, Adult Prisons Division, Corrections Department; Chelsea White, deputy warden, Western New Mexico Correctional Facility; Mark Gentry, warden, Northeast New Mexico Correctional Facility; and Wence Asonganyi, health services administrator, Adult Prisons Division, Corrections Department, answered committee members' questions regarding mail service in prisons and meals received by prisoners.

Review of the Corrections Department's Quarterly Report (10:23 a.m.)

Ellen Rabin, fiscal analyst, LFC, provided the committee with a review of LFC's Corrections Department Quarterly Report for fiscal year 2022 Q3. The report can be found here:

<https://www.nmlegis.gov/handouts/CCJ%20072522%20Item%209%20770%20-%20NMCD%20FY22%20Q3%20Report%20Card%20FINAL%2006062022.pdf>.

Testimony from Family Members of Incarcerated Individuals Regarding Reported Lack of Meals and Access to Mail (11:08 a.m.)

Diana Crowson and Barron Jones, senior policy strategists, American Civil Liberties Union of New Mexico, provided the committee with information from incarcerated individuals regarding issues with receiving and sending mail and issues with a lack of meals.

Adjournment

There being no further business before the committee, the meeting adjourned at 11:55 a.m.