

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

**September 27-29, 2021
State Capitol, House Chambers
Santa Fe**

The fifth meeting of the Courts, Corrections and Justice Committee was called to order by Representative Gail Chasey, co-chair, on September 27, 2021 at 9:29 a.m. in the House Chambers of the State Capitol in Santa Fe.

Present

Sen. Joseph Cervantes, Co-Chair
Rep. Gail Chasey, Co-Chair
Rep. Eliseo Lee Alcon
Rep. Karen C. Bash
Sen. Daniel A. Ivey-Soto
Sen. Bill B. O'Neill (9/28, 9/29)
Rep. Debra M. Sariñana
Sen. Antoinette Sedillo Lopez
Rep. Christine Trujillo

Absent

Rep. Zachary J. Cook
Sen. Mark Moores
Sen. Cliff R. Pirtle
Rep. William "Bill" R. Rehm

Advisory Members

Sen. Gregory A. Baca (9/27, 9/29)
Rep. Alonzo Baldonado
Rep. Christine Chandler (9/29)
Rep. Kelly K. Fajardo
Sen. Linda M. Lopez
Rep. Georgene Louis
Rep. Roger E. Montoya (9/28)
Rep. Andrea Romero (9/27, 9/29)
Sen. Mimi Stewart

Rep. Deborah A. Armstrong
Rep. Micaela Lara Cadena
Sen. Jacob R. Candelaria
Sen. Katy M. Duhigg
Rep. Doreen Y. Gallegos
Rep. T. Ryan Lane
Rep. Antonio Maestas
Rep. Patricia Roybal Caballero
Sen. Peter Wirth

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

Staff

Elisabeth Johnson, Staff Attorney, Legislative Council Service (LCS)
Sean Dolan, Staff Attorney, LCS
Erin Bond, Research Assistant, LCS

Guests

The guest list is in the meeting file.

Handouts

Handouts and other written testimony are in the meeting file and 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, September 27

Law Enforcement Use of Force: Research and Statistics (9:30 a.m.)

Amber Widgery, program principal, Criminal Justice Program, National Conference of State Legislatures, provided the committee with a presentation regarding law enforcement use of force. The presentation can be found here:

<https://www.nmlegis.gov/handouts/CCJ%20092721%20Item%201%20Law%20Enforcement%20Use%20of%20Force%20.pdf>.

Public Comment (11:38 a.m.)

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

Tour: Department of Public Safety (DPS) Facilities and Use-of-Force Simulation (2:00 p.m.)

Jason Bowie, secretary-designate, DPS; Troy Weisler, acting deputy secretary, DPS; Tim Johnson, chief, New Mexico State Police (NMSP); and Robert Thornton, deputy chief, NMSP, provided the committee with a tour of the New Mexico Law Enforcement Academy facilities and demonstrated multiple use-of-force simulations.

Recess

The committee recessed at 4:45 p.m.

Tuesday, September 28 — Joint Meeting with the Legislative Health and Human Services Committee (LHHS)

Overview of Ombud Models for Child Welfare Departments in the United States (9:34 a.m.)

Mary Ann Shaening, Ph.D., Shaening & Associates, Inc., and Carl E. Ayers, senior strategic consultant, Casey Family Programs, provided the committee with a presentation regarding a Children, Youth and Families Department ombud. The presentation documents can be found here:

<https://www.nmlegis.gov/Committee/Handouts?CommitteeCode=CCJ&Date=9/27/2021&ItemNumber=3>.

Members noted that the title of the presentation was confusing and that this was not a proposal from the Children, Youth and Families Department, but rather a proposal for a children's ombud.

Update from the New Mexico Coalition of Sexual Assault Programs (11:06 a.m.)

Stacy Blazer-Clark, executive director, La Pinon Sexual Assault Recovery Services; Alexandria Taylor, deputy director, New Mexico Coalition of Sexual Assault Programs; and Stephanie Villalobos, executive director, New Mexico Coalition of Sexual Assault Programs, provided the committee with an update from the New Mexico Coalition of Sexual Assault Programs. The presentation can be found here:

<https://www.nmlegis.gov/handouts/CCJ%20092721%20Item%204%20NMCSAP.pdf>.

Working Lunch: Bernalillo County Department of Behavioral Health Services (12:50 p.m.)

Margarita Chavez-Sanchez, M.S., director, Department of Behavioral Health Services, Bernalillo County, provided the committee with a presentation regarding the Bernalillo County Department of Behavioral Health Services. The presentation can be found here:

<https://www.nmlegis.gov/handouts/CCJ%20092721%20Item%205%20BernCo%20BH%20Sevices.pdf>.

Public Comment (1:52 p.m.)

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

Update from the Crime Victims Reparation Commission (CVRC) (2:01 p.m.)

Frank Zubia, director, CVRC, and MaryEllen Garcia, chief, Grants Bureau, CVRC, provided the committee with an update from the CVRC. The presentation documents can be found here:

<https://www.nmlegis.gov/Committee/Handouts?CommitteeCode=CCJ&Date=9/27/2021&ItemNumber=6>.

Child Testimony (2:57 p.m.)

Matt Baca, chief counsel, Office of the Attorney General; Brittany DuChaussee, assistant attorney general, Special Prosecutions Division, Office of the Attorney General; Representative Tara L. Lujan; and Senator Lopez provided the committee with a presentation regarding child testimony.

Recess

The committee recessed at 4:31 p.m.

Wednesday, September 29 — Joint Meeting with the LHHS

Update on County Jails and Behavioral Health Services for the Incarcerated (9:21 a.m.)

Ms. Chavez-Sanchez; Grace Philips, general counsel, New Mexico Counties; Wenceslaus Asonganyi, health services administrator, Corrections Department; and Wendy Price, Psy.D.,

chief, Behavioral Health Bureau, Corrections Department, provided the committee with an update on county jails and behavioral health services for the incarcerated. The presentation documents can be found here:

<https://www.nmlegis.gov/Committee/Handouts?CommitteeCode=CCJ&Date=9/27/2021&ItemNumber=8>.

Approval of Minutes (9:40 a.m.)

Upon a motion made and seconded, and without any objections, the committee approved the minutes of the September 13, 2021 meeting.

Kevin S. Settlement Updates (11:00 a.m.)

Angela Medrano, deputy secretary, Human Services Department; Barbara J. Vigil, secretary-designate, Children, Youth and Families Department; Jesselyn Friley, staff attorney, Public Counsel; George Davis, M.D., child psychiatrist; and Carrisa Tashiro, staff attorney, Disability Rights New Mexico, provided the committee with an update on the *Kevin S.* settlement. The presentation documents can be found here:

<https://www.nmlegis.gov/Committee/Handouts?CommitteeCode=CCJ&Date=9/27/2021&ItemNumber=9>.

Public Comment (1:32 p.m.)

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

Making Police Encounters Safer for Individuals with Disabilities and Behavioral Health Issues (1:39 p.m.)

Barron Jones, senior policy strategist, American Civil Liberties Union of New Mexico, and Maxwell Kauffman, attorney, Disability Rights New Mexico, provided the committee with a presentation regarding the community perspective on law enforcement encounters with individuals with disabilities or behavioral health issues.

Kathy Yardman, sergeant, NMSP; Thomas McClelland, sergeant, NMSP; and Matt Dietzel, acting commander, Crisis Intervention Section, Albuquerque Police Department, provided the committee with a presentation regarding law enforcement training and services for interactions involving individuals with disabilities or behavioral health issues. The presentation documents can be found here:

<https://www.nmlegis.gov/Committee/Handouts?CommitteeCode=CCJ&Date=9/27/2021&ItemNumber=10>.

Adjournment

There being no further business before the committee, the meeting adjourned at 3:16 p.m.