

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

**August 10, 2020  
Video Conference Meeting**

The first meeting of the Criminal Justice Reform Subcommittee of the Courts, Corrections and Justice Committee was called to order by Senator Sander Rue, co-chair, on August 10, 2020 at 9:15 a.m. by video and audio conference via an online platform.

**Present**

Rep. Antonio Maestas, Co-Chair  
Sen. Sander Rue, Co-Chair  
Rep. Alonzo Baldonado  
Rep. Gail Chasey  
Sen. Richard C. Martinez  
Sen. Antoinette Sedillo Lopez

**Absent**

Sen. Gregory A. Baca  
Rep. Zachary J. Cook

**Advisory Members**

Sen. Bill B. O'Neill  
Rep. William "Bill" R. Rehm

**Staff**

Mark Peralta-Silva, Staff Attorney, Legislative Council Service (LCS)  
Elisabeth Johnson, 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 are posted on the legislature's website.

**Monday, August 10**

**The Use of Algorithms in Policymaking (9:20 a.m.)**

Cristopher Moore, professor, Science Board, Santa Fe Institute; Kathy L. Powers, associate professor of political science, University of New Mexico; and Paul Guerin, director, Center for Applied Research and Analysis, Institute for Social Research, University of New

Mexico, provided the subcommittee with a presentation regarding the use of algorithms in policymaking. The presentation can be found here:

<https://www.nmlegis.gov/handouts/CJRS%20081020%20Item%201%20criminal-justice-reform-subcommittee-presentation%20Transparency%20and%20Fairness%20in%20Algorithms%20and%20Criminal%20Justice.pdf>.

Comments from subcommittee members included the following:

- family ties, especially in the Latino community, are a key factor in an individual's success; and
- there is indication that Bernalillo County is only using parts of the Arnold Public Safety Assessment and is not using the tool in totality.

#### **Criminal Justice Reform: Fines and Fees (10:35 a.m.)**

Monica Ault, New Mexico state director, Fines and Fees Justice Center, provided the subcommittee with a presentation regarding fines and fees in relation to criminal justice reform. The presentation can be found here:

<https://www.nmlegis.gov/Committee/Handouts?CommitteeCode=CJRS&Date=8/10/2020&ItemNumber=2>.

Comments from subcommittee members included the following:

- fines and fees should be addressed along with the minimum wage; and
- there may be benefit to turning the collection of fines and fees over to a private collection agency.

#### **Peace Officer's Employer-Employee Relations Act and Police Accountability (1:30 p.m.)**

Bob Martinez, commissioner, Public Safety Advisory Commission, and Detective Shaun Willoughby, Albuquerque Police Department, provided the subcommittee with a presentation regarding the Peace Officer's Employer-Employee Relations Act and police accountability.

#### **Police Accountability and Qualified Immunity (2:30 p.m.)**

Jay Schweikert, policy analyst, Project on Criminal Justice, Cato Institute, provided the subcommittee with a presentation regarding police accountability and qualified immunity. The presentation can be found here:

<https://www.nmlegis.gov/Committee/Handouts?CommitteeCode=CJRS&Date=8/10/2020&ItemNumber=4>.

Comments from subcommittee members included the following:

- a statement of legislative intent may be helpful in getting a qualified immunity bill passed because it may signal to the public what the purpose of the bill is;
- the financial impact of a qualified immunity bill is a complicated subject; and
- there may be a way to pass a qualified immunity bill in a bipartisan manner.

**Public Comment (2:28 p.m.)**

The subcommittee heard public comments from the following:

- Margaret Strickland, criminal defense attorney;
- Barron Jones, American Civil Liberties Union of New Mexico; and
- Grace Philips, general counsel, New Mexico Counties.

**Adjournment**

There being no further business before the subcommittee, the meeting adjourned at 3:46 p.m.