

1 SENATE JOINT MEMORIAL 49

2 46TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2004

3 INTRODUCED BY

4 Manny M. Aragon

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10 A JOINT MEMORIAL

11 REQUESTING THAT THE METROPOLITAN CRIMINAL JUSTICE COORDINATING
12 COUNCIL REPORT TO AN INTERIM LEGISLATIVE COMMITTEE REGARDING A
13 STUDY OF STATE COMPETENCY LAWS.

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15 WHEREAS, the metropolitan criminal justice coordinating
16 council, among its duties, examines criminal justice statutes
17 that impact the efficient and equitable administration of
18 justice in Bernalillo county; and

19 WHEREAS, the Albuquerque city council recently proposed a
20 resolution concerning the imposition of a public safety gross
21 receipts tax and the voters adopted the resolution; and

22 WHEREAS, a percentage of the proceeds from the public
23 safety gross receipts tax is dedicated for crime prevention,
24 including prevention and treatment programs for mentally ill
25 persons; and

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1 WHEREAS, mentally ill persons often find themselves in the
2 criminal justice system because of inadequate community
3 resources; and

4 WHEREAS, the proceeds from the public safety gross
5 receipts tax will provide the criminal justice community with
6 an opportunity to improve resources and services for mentally
7 ill persons; and

8 WHEREAS, there are issues in state law regarding mental
9 illness, competency determinations and civil commitment
10 procedures that merit review to better address public safety
11 needs and the needs of mentally ill persons; and

12 WHEREAS, forty-three other states have studied and revised
13 their laws regarding procedures for mentally ill persons who
14 come into contact with the criminal justice system; and

15 WHEREAS, the metropolitan criminal justice coordinating
16 council, in partnership with behavioral health service
17 providers and advocates for the mentally ill, resolves to study
18 competency laws in other states, including New York's Kendra's
19 Law, in order to better address public safety needs and the
20 needs of mentally ill persons in New Mexico;

21 NOW, THEREFORE, BE IT RESOLVED BY THE LEGISLATURE OF THE
22 STATE OF NEW MEXICO that the metropolitan criminal justice
23 coordinating council be requested to periodically report to the
24 legislative corrections oversight and justice committee during
25 the 2004 interim; and

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BE IT FURTHER RESOLVED that a copy of this memorial be transmitted to the executive director of the metropolitan criminal justice coordinating council.

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