

NEW MEXICO SENTENCING COMMISSION

August 27, 2019 MINUTES

Nusenda Credit Union
 4100 Pan American Highway
 Albuquerque, NM
 10:00 a.m.

Members Present	Members Absent	Others Attending	NMSC Staff Present
Shammara Henderson, Chair	Cindy Aragon (State Bar)	Ronald Schranz (Burt & Co. CPA)	Linda Freeman
Bob Cleavall, Vice Chair	Hon. Marci Beyer (DMCJA)	Misty Schuck (Burt & Co. CPA)	Amanda Armstrong
Bennet Baur (LOPD)	Anne Kelly (AGO)	Jason Rael (LOPD)	Douglas Carver
Nick Costales (CYFD)	Ryan Stewart (NMPED)	Regina Chacon (DPS)	Zach Grant
Mark Donatelli (Speaker)			
Claire Harwell (Governor)			
Hon. Cristina Jaramillo (DMCJA)			
Celina Jones (for NM SCT)			
Paul Kennedy (NM Supreme Court)			
April Land (UNM SOL)			
Michael Lilley (Pro Tem)			
Angela "Spence" Pacheco (Speaker)			
Grace Philips (for NM Counties)			
Anthony Romero (for NMCD)			
Nina Safier (Governor)			
David Schmidt (Pro Tem)			
Mark Shea (DPS)			
Martin Suazo (Pro Tem)			

John Sugg (House Minority)			
Ron West (Senate Minority)			
Clint Wellborn (NMDAA) (by phone)			

I. Welcome and Introductions. The meeting began at 10:03 a.m. Chair Shammara Henderson welcomed members, guests, and staff to the meeting.

II. Approval of minutes for the May 1, 2019 meeting. The minutes of the meeting were approved by voice vote.

III. Staff Report.

FY 2021 Appropriation Request (voting item).

Executive Director Linda Freeman, New Mexico Sentencing Commission (NMSC), outlined the budget priorities for the Commission and gave an overview of the steps that have been taken to launch the crime reduction grants process envisioned by the Crime Reduction Grant Act. She noted that there was a disconnect between the language in the Crime Reduction Grant Act and the junior bill budgetary language that gave the NMSC monies for crime reduction grants. She also informed the Commission that the sponsors of the bill that created the Crime Reduction Grant Act had the hope that in the future the Act would be funded through the NMSC budget rather than the junior bill.

Zach Grant, Data Integration Program Manager, NMSC, informed the Commission of the work he had done to inaugurate the grants process under the Crime Reduction Grant Act. He reached out to each judicial district’s Criminal Justice Coordinating Councils (CJCC), and visited five of the districts. In the end, eleven of the state’s thirteen CJCCs submitted some form of application, for a total of over \$700,000 in application requests, a sum almost double the monies for crime reduction grants in the budget passed in the 2019 Legislative Session. The Grants Committee – the newly-created subcommittee of the NMSC formed to award and oversee the grants – was scheduled to meet immediately upon the conclusion of full Commission meeting. Executive Director Freeman and Mr. Grant both expressed that there was a need for more robust funding for the Crime Reduction Grant Act, monies that should be part of the NMSC budget.

Members of the Commission asked questions about and discussed the budgetary needs of the Commission, the workings of the crime reduction grants process, and the need for a subcommittee of the Commission for strategic and budgetary planning

The NMSC budget request for FY 2021 will be:

- \$649,600 general fund appropriation for the NMSC base budget;
- \$750,000 recurring to fund the Crime Reduction Grant Act;
- \$1,000,000 non-recurring, non-reverting to fund the Crime Reduction Grant Act; and
- \$510,000 for statewide data integration projects.

The FY 2021 appropriation request was approved by voice vote.

FY 2021 Strategic Plan (voting item).

Executive Director Freeman informed the Commission that the updated Strategic Plan includes the new NMSC responsibilities regarding data integration, new projects undertaken by NMSC staff, and the work of the re-formed Reform Committee. The FY 2021 Strategic Plan was approved by voice vote.

FY 2021 Resolution Regarding Notice of Open Meetings (voting item).

The FY 2021 resolution regarding notice of open meetings was approved by voice vote.

Update on New Data Integration Responsibilities.

This item was integrated into the report on the FY 2021 Appropriation Request.

Research Update.

There was no research update given.

Report from National Association of Sentencing Commissions Conference, August 5-7.

This item was deferred, to be covered in Item IV of the agenda.

Additional Staff Report Items.

Douglas Carver, Deputy Director, NMSC, updated the Commission on the progress of filling its membership. He noted that all but two positions have been filled on the Commission – missing are the Magistrate Judge appointment needed from the Supreme Court and appointee of the Behavioral Health Services Division. He noted that the Governor has not yet made her appointments to the Sex Offender Management Board.

IV. Gender Specific and Trauma Informed Practices in New Mexico.

The presentations by Haven Scogin, Community Corrections Administrator, New Mexico Corrections Department (NMCD), and Cory Lee, Executive Director, Crossroads for Women, formed the core of the panel that was organized by Executive Director Freeman for the August National Association of Sentencing Commissions conference.

Ms. Scogin's presentation, "Gender Responsive and Trauma-Informed Changes", detailed the work NMCD was conducting to ensure their programming was aligned with the needs of the correctional population. She discussed the history of the NMCD population, and the realization that the growing female population required increased attention to gender responsiveness. She discussed the COMPAS risk/needs assessment, the profile of the female population at NMCD, programming offered in prison and in the community, and NMCD's partnership with Crossroads for Women.

Ms. Lee gave an overview of Crossroads for Women. Their mission is to provide comprehensive, integrated services to empower women emerging from incarceration to achieve safe, healthy, and fulfilling lives in the community, for themselves and their children. Their service delivery models are focused on trauma-informed care, gender responsiveness, harm reduction, and wrap-around services. She discussed the history of Crossroads, gave an overview of their programs, and discussed the partnership with NMCD.

V. Report from the Juvenile Committee:

Bob Cleavall, Chair of the Juvenile Committee, updated the Commission on the work of the Committee. He informed the Commission that the committee last met on August 15, with a focus on two issues: concerns surrounding the increased transportation of juvenile defendants due to the closure of juvenile detention centers across the state, and the effects of the reduction in usage of Juvenile Drug Courts in the state.

VI. Report from the Justice Information Sharing Council:

Regina Chacon, Chair of the Justice Information Sharing Council (JISC), stated that while JISC had not met lately, the members have been working on the Consolidated Offender Query (COQ). The Department of Public Safety received \$150,000 from the Legislature during the 2019 Legislative Session, and has received a grant for work with the Second Judicial District. The Department of Public Safety has memoranda of understanding with district attorney offices to attach their information and update it and use it. The COQ project is about to move into its second phase, which will involve a credentialed public view for the Law Offices of the Public Defender and defense attorneys. JISC hopes to give a presentation to the NMSC on the COQ once the public view is more fully established.

VII. Report from the Legislative Committee:

Martin Suazo, Chair of the Legislative Committee, informed the Commission that the committee meets every Tuesday through the bill introduction deadline during the Legislative Session.

VIII. Report from the Sex Offender Management Board:

Deputy Director Carver, Acting Chair of the SOMB, updated the Commission on the work of the Board. He noted that the Board had not met recently as the prior Governor's appointees had left

the Board and the new Administration has not yet made appointments to the SOMB. Once the Governor has made her appointments to the Board, the Board will resume its meetings. Mr. Carver will follow up with the Governor's office to request that those appointments be made.

IX. Report from the Sentencing Reform Committee:

Angela Pacheco, Chair of the Sentencing Reform Committee, updated the Commission on the work of the Committee. She told the Commission that the committee held its first meeting on August 19, 2019 and will be meeting approximately every two weeks. The committee will first focus on Probation and Parole matters as there is legislative interest in pursuing reforms in that area. The committee wants to come to decisions based on data, devoid of biases and opinions.

X. Public Comment. There was no public comment.

XI. Schedule Next Meeting. The next meeting was set for December 3, 2019, at 10 a.m.; the Commission hopes to have agency presentations on legislative proposals at that meeting.

XII. Adjourn. The meeting adjourned at 11:52 a.m.