



**Minutes of the Meeting of the
New Mexico Sentencing Commission
10:00 a.m.
December 2, 2021**

via Zoom

Members Present	Members Absent	Others Attending	NMSC Staff Present
Hon. Edward Chavez (retd.), Chair	Corey Adams (CYFD)	Kim Chavez Cook (LOPD)	Linda Freeman
Bob Cleavall, Vice Chair	Cindy Aragon (State Bar)	Paul Guerin (UNM ISR-CARA)	Douglas Carver
Marit Andrews (for PED)	Sheriff Mark Cage (House Minority)	Tamar Ginossar (UNM ISR)	Nancy Shane
Bennett Baur (LOPD)	Michael Lilley (Pro Tem)	Helen De La Cerda (UNM ISR-CARA)	Keri Thiel
Hon. Daniel A. Bryant (DMCJA)	Anita Mesa (BHSD)	Amber Farrell (FFJC)	
Karen Cann (NMCD)	Angela "Spence" Pacheco (Speaker)	Grace Philips (NM Counties)	
Regina Chacon (DPS)	Clint Wellborn (NMDAA)	Melanie Martinez (NMCD)	
Hon. John Chavez (NM SCt)		E. Samuels	
Jason Clack (AOC) (NM SCt)			
Mark Donatelli (Speaker of the House)			
Sheriff Glenn Hamilton (NM Counties)			
Claire Harwell (Governor)			
Brady Horn (NM SCt)			
Anne Kelly (AGO)			
April Land (UNMSOL)			
Nina Safier (Governor)			

David Schmidt (Pro Tem)			
Martin Suazo (Pro Tem)			
Hon. Fred T. Van Soelen (DMCJA)			
Ron West (Senate Minority)			

I. Welcome and Introductions. The meeting was called to order at 10:01 a.m. Chair Hon. Edward Chavez (retd.) welcomed members, guests, and staff to the meeting.

II. Approval of minutes for the October 7, 2021 meeting. The minutes of the meeting were approved by unanimous vote.

III. Staff Report.

Linda Freeman, Executive Director, New Mexico Sentencing Commission (NMSC), informed the Commission that information concerning the county reimbursement was going to be sent that day. She also noted that NMSC staff were working on a literature review concerning violence intervention programs. Additionally, the confined population report was with the Corrections Department for review and would be released shortly.

She also updated the Commission on the data integration project, noting that the NMSC had signed an agreement with the Administrative Office of the Courts (AOC) and that NMSC staff meet bi-weekly with DataXchange staff. The top priority is implementing the state identification number throughout the various systems. The primary hurdle to that work is the ability of the AOC and the Administrative Office of the District Attorneys to pull the state identification number into their systems electronically. A pilot project with a single District Attorneys’ Office will likely be launched to figure out the best processes.

Executive Director Freeman then introduced Keri Thiel, the new staff attorney with the Commission. She then turned the floor over to Paul Guerin, Director, Center for Applied Research and Analysis at the University of New Mexico, to discuss the report they conducted with dollars from the NMSC concerning the public safety assessment and preventative detention. Director Guerin discussed the work updating the data sets, and informed the committee that there would be two reports: the first would follow the public safety assessment to validate the tool and to assess whether it was predictive; the second would be broader, and include looking at rebuttable presumptions and firearms charges.

IV. Bills Endorsed by the Courts, Corrections, and Justice Committee.

Douglas Carver, Deputy Director, NMSC informed the Commission that the Legislature’s interim Courts, Corrections, and Justice Committee (CCJ) had endorsed 18 bills at its final meeting of the interim. Three of the bills were the Commission bills concerning medical and geriatric parole, fines and fees, and the creation of a fund for the crime reduction grant acts. He invited Jason Clack of the AOC to discuss their five bills endorsed by CCJ, and then gave a brief overview of the remaining bills.

V. Legislation Proposed by Member Agencies.

Grace Philips, General Counsel, New Mexico Counties, and Sheriff Glenn Hamilton discussed six pieces of legislation that New Mexico Counties would be proposing for the Legislative Session. This legislation included: restoring the Detention Reimbursement Fund to its original \$5 million balance; reimbursement for prisoner transportation and extradition, required by Section 4-44-18(C) NMSA 1978; a request that dollars for Reach, Intervene, Support, and Engage (RISE) funding for behavioral health and medical services be made permanent and expanded; a request that Law Enforcement Protection Fund dollars be made non-reverting, like a similar fund is for firefighters, so that the balance could grow for larger purposes and be used more appropriately; creating a courthouse fund to better fund county courthouses; creating a task force to examine moving the state towards a unified jail and prison system.

Members of the Commission asked about and discussed how rebuttable presumption changes might affect the county jails; the problems associated with understaffing of jails; and the provision of security at the county courthouses.

VI. Report from the Legislative Committee

Chair Martin Suazo informed the Commission that there were no changes to the membership of the committee. He also stated that the committee would be meeting via Zoom again this Legislative Session, but otherwise the committee processes would be as normal.

VII. Public Comment.

There was no public comment offered.

VIII. Next Meeting.

The committee scheduled its next meeting for March 31, 2021.

IX. Adjourn. The meeting adjourned at 11:25 a.m.