



**Minutes of the Meeting of the
Reform Committee
10:00 a.m.
July 16, 2020**

via Zoom

Committee Members Present	Committee Members Absent	Others Attending	NMSC Staff
Angela “Spence” Pacheco, Chair	Neal Bowen (BHSD)	Bob Cleavall (NMSC)	Linda Freeman
Bennett Baur (LOPD)		Ellen Rabin (LFC)	Douglas Carver
Karl Brooks (AOC)		Megan Dorsey	
Mark Donatelli		Kim Chavez Cook (LOPD)	
Claire Harwell		Barron Jones (ACLU)	
April Land (UNMSOL)		Kandace Littlefoot	
Mike Lilley		Monica Ault (Fines & Fees Justice Ctr.)	
Mark Probasco (AGO)		Mark Peralta-Silva (LCS)	
Nina Safier		Adrienne Turner (LOPD)	
Alisha Tafoya Lucero (NMCD)		Melanie Martinez (NMCD)	
Henry Valdez (AODA)			

I. Welcome and Introductions. Angela Pacheco, Chair, called the meeting to order at 10:05 a.m.

II. Approval of Minutes for the July 8, 2020 meeting. The minutes for the previous committee meeting were approved by consensus.

III. Staff Report. Linda Freeman, Executive Director of the New Mexico Sentencing Commission (NMSC), informed the committee that there were 11 responses to the survey on possible work plan items that was sent to members. Of those responses, work on fines and fees had the most votes, work on diversion programs and drug crimes tied for next place, and work on broad-based reforms and data collection tied for the next spot. She also noted that the committee’s work was included in the new performance measures for the NMSC that had been worked out with the Legislative Finance Committee (LFC) and the Department of Finance and Administration; if approved, these measures will go into effect for FY 2022.

Douglas Carver, Deputy Director, NMSC, informed the committee that the Courts, Corrections, and Justice Committee (CCJ) and its Criminal Justice Reform Subcommittee (CJRS) were about to start their meetings. Sen. Sander Rue, a co-chair of CJRS, has reached out to let the NMSC know that he was interested in NMSC input to CJRS's work.

Bob Cleavall, Acting Chair, NMSC, noted that the Reform Committee was re-created in order to empower the NMSC mission in its statutes to bring reform ideas to government policy makers; he stated that his hope was that the committee would work on drafting legislation for introduction in the Legislative Session.

IV. Work Plan for 2020.

Chair Pacheco opened the discussion by noting that from the discussion during the last meeting, and from discussions last year, there seemed to be a consensus among the committee members to address the issues surrounding fines and fees in the criminal justice system. Monica Ault, New Mexico Director of the Fines and Fees Justice Center, noted that her organization had compiled a list of all fines and fees imposed in the state, from Magistrate, Municipal, and District Courts, and was working on a list for Municipal Courts. They also are starting to examine where fines and fees plug into budgets of state and local government. She added that the landscape of fines and fees was vast – it could include everything from traffic citations to court fees to booking fees in county jails; the world of correctional fees is deep in New Mexico, as well as across the country. She said the Fines and Fees Justice Center would be happy to share their research and data with the committee.

Members of the committee discussed how the system of fines and fees seemed out of date – it was ineffective, a hodge-podge, counter-intuitive, and counter-productive; the importance of finding either alternate sources of funding for any fines or fees abolished, or demonstrating how they were not cost effective, as they cost more to collect than they brought in; the need to get input from any organization or institution that presently received income from the fines and fees charged in the state; the state of the data on fines and fees; and the importance of considering the impact of fines and fees on the juvenile justice system.

When the conversation moved to other topics, Mr. Carver noted that the committee should consider for each whether it was interested in proposing legislation or bringing a possible problem or alternative method of addressing a situation to the attention of policy makers. Members of the committee also discussed the need to think of short term and long-term goals, and balancing the need to be reactive to criminal justice proposals that might be introduced in legislation and making an impact in moving the state towards new approaches for criminal justice issues.

Chair Pacheco and NMSC Acting Chair Cleavall both noted that it was important for a delegation from the NMSC to meet with the Governor's office to discuss the Commission's role in general, and the Reform Committee's work in particular.

Ms. Ault agreed to make a formal presentation to the committee on fines and fees in New Mexico at the committee's next meeting. She noted that a recent Brennan Center report on fines and fees had information from Socorro, Bernalillo, and Santa Fe Counties included in it. Ms. Freeman noted that she had forwarded the report to committee members.

Members of the committee also discussed what criminal justice legislation might be introduced in the next Legislative Session; how to ensure the work of the Reform Committee is on the radar of both the Legislature and the Executive; what "reform" means to each member of the committee; the possibilities of

new priorities for the Courts with the appointment of a new Chief Justice; the importance of members of the committee working in harmony towards agreed goals, on projects that have committee consensus; the importance of scheduling, keeping in mind both the schedule for CCJ, and, if any proposals have a financial impact, the schedule of the LFC; and the importance of the committee meeting frequently, perhaps every two weeks.

Mr. Carver said that he would send out a notice to the committee members to see what their thoughts were on the remaining four topics that had high votes in the poll. He also noted that the NMSC had committed to working on the issues surrounding the collection of race and ethnicity data, and that he would continue that work and report to the committee.

V. Next Meeting. The committee scheduled its next meeting for 10:00 a.m., July 23, 2020.

VI. Adjourn. The meeting adjourned at 11:35 a.m.