

# NEW MEXICO SENTENCING COMMISSION

December 7, 2017 MINUTES

Nusenda Credit Union  
 4100 Pan American Highway  
 Albuquerque, NM  
 10:00 AM

Members Present	Members Absent	Others Attending	NMSC Staff Present
Bob Cleavall, Vice Chair	Marron Lee	Amir Chapel (LFC)	Linda Freeman
Bennet Baur (LOPD)	Cindy Aragon (State Bar)	Jim Brewster (NMCD)	Douglas Carver
Hon. Marci Beyer (DCJA) (by phone)	April Land (UNM SOL)	Monica Ewing (LCS)	Amanda Armstrong
Nick J. Costales (for CYFD)	Michael Lilley (Pro Tem)	Theresa Rogers (LFC)	Conner Tuttle
Hon. Miles Hanisee	Amy Orlando (Governor)		
David Jablonski (NMCD)	Christopher Ruzowski (NMPED)		
Hon. Cristina Jaramillo (DCJA) (by phone)			
Paul Linnenburger (for Speaker)			
Angela "Spence" Pacheco (Speaker)			
David Schmidt (Pro Tem)			
Ken Stalter (for AG)			
Martin Suazo (Pro Tem)			
Chris Vigil (for AOC)			
Scott Weaver (DPS)			
Clint Wellborn (NMDAA)			
Frank Zubia (Governor)			
Patrick ? (for NMAC)			

**I. Welcome:** The meeting began at 10:05 a.m. Vice Chair Bob Cleavall welcomed members, guests, and staff to the meeting.

**II. Approval of Minutes:** The minutes of the August 23, 2017 meeting were approved.

**III. Staff Report:**

NMSC Executive Director Linda Freeman noted that Judge Cristina Jaramillo and Judge Marci Beyer had been appointed to the commission by the New Mexico District Judges Association.

Executive Director Freeman informed the commission that the NMSC staff and the Statistical Analysis Center were moving from their present location to a building towards the center of the University of New Mexico campus as the present location, shared with the rest of the Institute for Social Research, was overcrowded and had some physical plant issues.

Executive Director Freeman discussed the success of the 2017 National Association of Sentencing Commissions Conference, which was hosted by the NMSC.

Executive Director Freeman discussed the FY 2017 audit for the Commission. The audit resulted in one material weakness regarding adequate reporting of contract revenue; this involved the complexities of the different UNM accounting systems and the state's SHARE system.

Executive Director Freeman also reported on the FY 2019 budget request. The NMSC requested a flat budget of \$499,600. The initial hearing on this request went well; the full hearing is scheduled for January 10, 2018.

Executive Director Freeman reported for the Sex Offender Management Board. She discussed the intended scope for the Board. The board intends, to extend an invitation to New Mexico's tribes for collaboration on sex offender management, to enable discussion with the Otero sex offender facility, and to pursue research and communication on the use of risk assessments throughout the criminal justice system on sex offenders. The NMSC staff will also begin an updated sex offender recidivism study.

Executive Director Freeman gave an update on the research the NMSC has conducted. The Prison Population report was presented to the Legislature's interim Courts, Corrections, and Justice Committee in September. The County Detention Act report will have its disbursements made in January. The Controlled Release report is on the NMSC website. The Earned Meritorious Deductions report is with the Corrections Department for review. The Commission has also worked with the Legislative Finance Committee on their report evaluating Drug Courts; Maria Griego of the LFC offered to brief the Commission on their findings. Finally, the Commission is progressing on its evaluation of the Santa Fe LEAD program, due to be completed in late Spring or early Summer.

#### **IV. Discussion of criminal and juvenile justice proposals likely to be introduced during the 2018 Legislative Session:**

NMSC Deputy Director Douglas Carver gave summaries of the criminal justice-related bills that had been endorsed by the Courts, Corrections, and Justice Committee. The endorsed bills concerned the following:

1. Revised DWI blood test requirements;
2. Appropriation – study needs for trafficking victims;
3. Appropriation – services for trafficking victims;
4. Liquor excise tax distribution for Drug Courts; and
5. Bail presumption – leaving scene of an accident.

#### **V. Report from the Legislative Committee:**

Martin Suazo, Chair of the Legislative Committee, updated the Commission on the work of the Committee. He noted that the first meeting would be January 23, 2018, at 10:00 a.m. in the conference room of the Administrative Office of the Courts in Santa Fe, and then would meet for every Tuesday afterwards for the remaining of the Legislative Session.

#### **VI. Report from the Justice Information Sharing Council:**

Regina Chacon, Chair of JISC, updated the Commission on the work of the Council. She discussed the presentation given at JISC's last meeting concerning the criminal history clearinghouse, which was created to support the bail bond amendment. The reports are drawn from a variety of criminal justice databases, and is now in use in 21 counties in the state.

#### **VII. Report from the Juvenile Committee:**

Bob Cleavall, Chair of the Legislative Committee, updated the Commission on the work of the Committee. He noted that the committee has mental health issues as one of its top priorities. The recent meetings gave insight on these issues, with reports from the LFC and from Bryce Pittenger of the Behavioral Health Division of the Children, Youth and Families Department. The Committee also heard presentations from the Bernalillo County Sherriff's Office about their GHOST Unit, which combats human trafficking of youth, and their School Resource Officers. The next meeting of the Committee will be in March.

#### **VIII. Report from the Sex Offender Management Board:**

Deputy Director Carver updated the Commission on the work of the Board. There was a wide-ranging discussion of the use of risk and needs assessments in sex offender treatment. Three action items were outlined for NMSC staff: 1) provide a review of assessments for sex offenders from the SMART office; 2) provide the Board a summary of the past five years of legislative changes to sex offender statuses; and 3) provide an overview of the cases involving sex

offenders under consideration by the United States Supreme Court. The Board also reviewed the 2017 scope of work, with the plan to create a scope of work for 2018 at the Board's next meeting, to be held in April 2018.

**IX. Public Comment:** There was no public comment.

**X. Next Meeting:** The next meeting was set for April 11, 2018 at 10 a.m. at the Nusenda Credit Union

**XI. Adjourned:** The meeting adjourned at 11:03 a.m.