

**THIRD JUDICIAL DISTRICT COURT
COUNTY OF DONA ANA
STATE OF NEW MEXICO**

**D-307-CV-2019-01611
(Miscellaneous)**

IN THE MATTER OF: THE CRIMINAL JUSTICE COORDINATING COUNCIL

**AGENDA
THIRD JUDICIAL DISTRICT
CRIMINAL JUSTICE COORDINATING COUNCIL**

**JANUARY 20, 2021
NOON TO 1:00 P.M.**

Chair: Judge Joel Cano, Doña Ana County Magistrate Court
Chief Judge Manuel I. Arrieta, Third Judicial District Court

Via Google Meet

AGENDA:

Roll Call

Agency	Member
<i>Third Judicial District Court</i>	Judge Arrieta, Stacey Madson, Samantha Woodward, Lindsey Saiz, David Borunda, Yadira Holguin
<i>Dona Ana Magistrate Court</i>	Judge Cano, Leticia Padilla
<i>Anthony Municipal Court</i>	Antonio Cervantes
<i>Hatch Municipal Court</i>	Absent
<i>Las Cruces Municipal Court</i>	Absent
<i>Town of Mesilla Municipal Court</i>	Absent
<i>Sunland Park Municipal Court</i>	Maria Rubio
<i>Third Judicial District Attorney's Office</i>	Gerald Byers, AJ Salazar, Yvette Sierra
<i>Law Office of Public Defender</i>	Absent
<i>Dona Ana Sheriff's Department</i>	Sheriff Kim Stewart
<i>Las Cruces Police Department</i>	Chief Paul Brock
<i>New Mexico State Police Department</i>	Absent
<i>New Mexico State University Police Dept</i>	Absent
<i>Sunland Park Police Department</i>	Absent
<i>Anthony Police Department</i>	Chief Ordonez
<i>Mesilla Marshall's</i>	Absent
<i>Hatch Police Department</i>	Absent
<i>Dona Ana County Codes Enforcement</i>	Marie Lou Ward
<i>Dona Ana County Detention Center</i>	Bryan Baker
<i>Dona Ana County Defense Bar</i>	Michael Stout

<i>Mesilla Valley Regional Dispatch</i>	Robert Milks
<i>CYFD</i>	Richard Johnson
<i>City of Las Cruces</i>	Jocelyn Garrison
<i>Dona Ana County Compliance</i>	Chelo Guerrero
<i>Memorial Medical Center</i>	Absent
<i>Behavioral Health</i>	Joel Diemer
<i>La Casa</i>	Absent
<i>Department of Finance & Administration</i>	Jamie Kruger
<i>Adult Probation and Parole</i>	Gina Franco
<i>VIVITROL/MAT</i>	Absent
<i>Aprendamos Intervention Team</i>	Daniel Hurtado, Alejandra Covarrubias-Parra

1. Approval of December Minutes

- Michael Stout motions to approve the December minutes
- Judge Arrieta seconds motion
- *December minutes approved 12:10 pm*

2. Chief Paul Brock [10 minutes]

- *Las Cruces Police Department Updates*
- Is there an increase in property crimes? Is there an increase in any other identifiable crimes?
 - a. 20% increase in property crime in 2020 versus 2019 (this is a preliminary estimate because they are still running data for 2020)
 - b. Additional increase in:
 1. Non-residential burglary
 2. Breaking and entering
 3. Auto burglary
 4. Vehicle thefts
 - c. 25% increase in aggravated assaults (preliminary estimate)
 - d. Violent crime is down 10% from 2019
- Is the dictation or transcription of both original police reports and supplemental police reports keeping up with demand?
 - a. 7-8% increase in calls for service, which creates more police reports and therefore more transcription demand
 - b. The transcriptionists were falling slightly behind due to COVID restrictions
- Can the police officers keep up with the required intakes at the District Attorney's office?
 - a. COVID restrictions have impacted the police department, as well as personnel changes
- What challenges do they have that the CJCC Members could help with?

- a. There is a lack of consistency regarding the requirements of the police department and the acceptance of felony intakes at the courts. Chief Brock suggested improving communication between the various agencies (the police department, District Attorney's office, and the courts) to try to eliminate the issue. Additionally, the telephonic preliminary hearing are very time consuming.
 - [Email: PBrock@las-cruces.org](mailto:PBrock@las-cruces.org)
3. Chief Deputy District Attorney, AJ Salazar [10 minutes]
- *Third Judicial District Attorney's Office Updates*
 - How will the DA's address the backlog in 2021?
 - a. Mr. Salazar emphasized the importance of reinstating Grand Juries across multiple days
 - b. The DA's office has a backlog of 1,000 cases and are going to ask for two Grand Jury panels across multiple days
 - Will their human resources keep up with Grand Juries when they restart?
 - a. Two additional attorneys recruited for the intake division
 - b. Mr. Salazar asked for court's assistance in the additional Grand Jury days, specifically additional bailiffs and reporters
 - Is the DA's office keeping up with discovery demands by opposing counsel?
 - a. There are several issues with providing discovery to opposing counsel; sometimes there is an overlap with law enforcement and the DA's office is not getting the discovery in a timely manner
 - b. The DA's office will start copying discovery on DVD to expedite the process
 - c. The DA's office will start charging for delivery of discovery
 - What if any challenges do they have that the CJCC members could help with?
 - a. Mr. Salazar emphasized the need for Grand Jury panels at least four times a week to overcome the backlog
 - [Email: GByers@da.state.nm.us](mailto:GByers@da.state.nm.us)
4. Chelo Guerrero [10 minutes]
- Dona Ana County Compliance Updates
 - What if any issues are you experiencing involving matters of house arrest?
 - a. The Compliance program does not have the capacity to supervise individuals placed on house arrest 24/7 or report violations in a timely manner

- b. The only vendor that they can refer people to is not local and has up-front costs
- What have you identified as casual factors regarding a high rate of domestic violence cases without supervised probation?
 - a. They often have to refer people back to the courts or to law enforcement
 - b. Ms. Guerrero wants to remind everybody that Dona Ana County Compliance does have the resources to supervise domestic violence defendants and can refer them to services
 - c. They agrees with La Casa, Inc. that something must be done, and that we need to develop a better system for the community
- Email: consuelog@donaanacounty.org
- 5. Michael Stout [10 minutes]
 - *Pretrial Interviews of Witnesses*
 - *Sentencing Procedures*
 - a. Discovery is a logistical mess and there needs to be a better process to get a resolution
 - b. The procedure should be clarified so that counsel knows where the discovery is coming from and what's required
 - c. Parties need to cooperate with each other and with scheduling issues
 - d. The sentence imposed on a defendant needs to be the most effective sentence, not the most harsh or the most lenient
 - e. Mr. Stout disagrees with the effectiveness of Grand Juries versus Preliminary Hearings and urges the DA's office to not be in a rush to get back to Grand Juries as soon as possible
 - Email: michael@mlstoutlaw.com
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Judge Arrieta: Jury trials will resume in February and if any agencies have any problems with their role in jury trials then please communicate with the Courts so that issue can be resolved

Judge Arrieta: motions to adjourn

Michael Stout: seconds the motion to adjourn

Adjourned at 1:02 pm

Next Meeting February 17, 2021