

THIRD JUDICIAL DISTRICT COURT

COUNTY OF DOÑA 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

June 16, 2021

12:00 p.m. to 1:00 p.m.

AGENDA:

Called to order: 12 pm

Roll Call

Agency	Member
<i>Third Judicial District Court</i>	Tiffany McMinn, Stacey Madson, David Borunda, Chief Judge Arrieta, Brandi Sanchez, Lindsey Saiz
<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>	Judge Goldbaum, Dawn Schults
<i>Town of Mesilla Municipal Court</i>	Absent
<i>Sunland Park Municipal Court</i>	Absent
<i>Third Judicial District Attorney's Office</i>	Yvette Sierra, Gerald Byers
<i>Law Office of Public Defender</i>	Kris Knutson
<i>Dona Ana Sheriff's Department</i>	Absent
<i>Las Cruces Police Department</i>	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>	Chief Thornton
<i>Dona Ana County Codes Enforcement</i>	Chelo Guerrero
<i>Dona Ana County Detention Center</i>	Brian 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>	Absent
<i>Dona Ana County Compliance</i>	Yolanda Salas
<i>Memorial Medical Center</i>	Absent
<i>Community Service Corps</i>	Absent
<i>Behavioral Health</i>	Joel Dimer
<i>La Casa</i>	Absent
<i>Department of Finance & Administration</i>	Absent
<i>Adult Probation and Parole</i>	Gina Franco
<i>VIVITROL/MAT</i>	Absent
<i>Aprendamos Intervention Team</i>	Absent
<i>Dona Ana County Health & Human Serv.</i>	Jamie Michael

1. Approval of May Minutes

- **Michael Stout:** moves for approval of minutes
- **Judge Arrieta:** seconds approval
 - Approved May 2021 minutes by acclimation at 12:06 pm

2. Honorable Chief Judge Arrieta [20 minutes]

- Court COVID-19 Updates
 - *Updates for district court and from state;*
 - May 17th - email from Michael Vigil (Supreme Court) — required in person attendance for judges on May 21st; judges can still have remote hearings but they must be conducted from chambers
 - June 30 or 31st: all personnel from district courts are required to return to in-person and not work remotely; may be medical exceptions
 - May be a precursor to opening up the courts for in-person attendance for everyone — may occur in July or August
 - COVID variant may have an effect on courts as well as the state's current COVID protocols; there may be restrictions and delays in opening

- Close to 80% vaccinated within our court system
- No more temperature check when entering the building - just have to pass screening questions
- Need to have a plan to submit to ERT before major changes implemented
 - Having jury trials; certain kind of CR hearings are in-person
 - Majority of hearings are still being done remotely
- Pre-Trial Services Updates
 - Soft landing date approaching
 - Employees hired for open positions
 - Will serve the judges, DAs, PDs, and other personnel involved in CR system prior to adjudication; starts from the moment that the individual is booked in jail; PTS will be notified in Albuquerque; background checks will be in judge's offices the next morning; judges will be able to determine whether supervision will be required or not
 - Provided for cases where there are non-violent offenders
 - Allows defendants to stay out in the community, go to work, take care of families, etc. without interruption for detention

3. **Joel Diemer [10 minutes]**

- Discussion: Forming a working group of critical decision-makers to explore implementation of the Sequential Intercept Model Protocols introduced by Mr. Scott Patterson (Administrative Office of the Courts)
 - 1. Interest in making this a model
 - 2. Thinks we should set up a working group (not a committee) comprised of only people who are decision makers in the system - not the public, not just anybody interested, but decision makers to lay out the possibilities and have people agree on a subset of possibilities (100%) that they will do what they decide on
 - 8-12 people who make decisions about whether something will happen or not
- *Judge Arrieta*: happy that Mr. Diemer brought this subject up; sequential intercept model really involves the community and seeks to avoid people being left out in the streets/not having resources to help them by involving different agencies; summit sponsored by AOC later this year will discuss the sequential intercept model;
 - Dona Ana County has a lot of agencies that deal with mental health but they don't work together

- Working group would be great if they first identify who they are and what they do, figure out what stage of the intercept model they fit in, and how they can work together to get people through the stages of the sequential intercept model
- Those that might be interest can send an email to Mr. Diemer
- *Joel Diemer*: thinks the first step needs to be a sit-down and talk with the people who make decisions; those people need to be in agreement 100% - not through consensus
- *Michael Stout*: what is the authority of the group? How do they get the jurisdiction to take these steps?
- *Judge Arrieta*: Would not be a legal process in any way - would simply be all of the separate agencies and services coming together and agreeing to work in certain areas
- *Jaime Michael*: The County did work with policy research associates that used the sequential intercept model; would really like to work with this group and it needs to include criminal justice and mental health issues; would like to workshop to update their model

4. **Gerald Byers, Third Judicial District Attorney [20 minutes]**

- Transport Orders
 - *Guidance on transporting prisoners*
 - 1. Probation revocation hearings are turned around in a quick period of time; the structure of this order requires the DA's to generate a transport order within 45 days; DA would like to help facilitate streamlining this
 - 2. If they get notice less than 30 days that they need to transport someone - will their office be okay? Because it is less than the 45 days
 - Emergency situations - will this order require 45 days notice? It can't because it's an emergency situation; the 45 days does not apply to those types of hearings; applies more to cases where there are docket hearings or hearings that will allow more time for a 45 day transport order to be issued; trying to avoid surprising transport orders and trying to minimize the expense of transporting people when they're not ready for trial; should be okay
- *Jaime Michael*: crisis triage center that the county built has contracted with a healthcare provider (RI International); operates 12 other crisis facilities in the country; have experts operating their facility for them; have been hiring

and training since March; almost fully staffed; will be ready for a soft opening within the next 5-10 days; anyone who is experiencing a mental health crisis will be welcomed into the facility

- **Judge Arrieta:** Would a motion would be in order to approve Mr. Diemer to start work on a draft of a working group and report at the next meeting?
 - Michael Stout: moves to have Mr. Diemer propose a working group for the council to approve
 - Judge Arrieta: seconds the motion
 - Motion approved by acclimation at 12:54 pm

Adjourned: 12:57 pm

Next Meeting July 21, 2021