

**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**

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

**MARCH 20, 2024  
12:00 P.M. TO 1:00 P.M.**

Chair: Judge Joel Cano, Doña Ana County Magistrate Court  
Chief Judge Conrad F. Perea, Third Judicial District Court

**AGENDA:**

Called to order at 12:00 pm

**ROLL CALL:**

<b><i>AGENCY</i></b>	<b><i>MEMBER</i></b>
<i>Third Judicial District Court</i>	Chief Judge Perea, Brandi Sanchez, Bernice Ramos, Angelique Padilla, Samantha Woodward
<i>Doña Ana County Magistrate Court</i>	Judge Cano, Jackie Douglas, Judge Wingenroth
<i>Anthony Municipal Court</i>	Miriam Munoz, Judge Holguin
<i>Hatch Municipal Court</i>	
<i>Las Cruces Municipal Court</i>	Judge Filosa, Milissa Caldwell
<i>Town of Mesilla Municipal Court</i>	
<i>Sunland Park Municipal Court</i>	
<i>Third Judicial District Attorney's Office</i>	Gerald Byers, Yvette Lomeli
<i>Law Office of the Public Defender</i>	Ashlee Placencio
<i>Doña Ana County Sheriff's Department</i>	Major Jon Day
<i>Las Cruces Police Department</i>	
<i>New Mexico State Police Department</i>	

<i>New Mexico State University Police Department</i>	
<i>Sunland Park Police Department</i>	
<i>Anthony Police Department</i>	
<i>Mesilla Marshal's Department</i>	
<i>Hatch Police Department</i>	
<i>Doña Ana County Codes Enforcement</i>	Bryan Hulsey
<i>Doña Ana County Detention Center</i>	Bryan Baker
<i>Doña Ana County Defense Bar</i>	Michael Stout
<i>Mesilla Valley Regional Dispatch</i>	Robert Milks
<i>CYFD</i>	
<i>City of Las Cruces</i>	
<i>Doña Ana County Compliance Division</i>	
<i>Memorial Medical Center</i>	
<i>Community Service Corps</i>	
<i>Behavioral Health</i>	Joel Diemer
<i>La Casa, Inc.</i>	
<i>Department of Finance &amp; Administration</i>	
<i>Adult Probation &amp; Parole Office</i>	
<i>Juvenile Probation Office</i>	Richard Johnson, Brandon Morales
<i>Doña Ana County Health &amp; Human Services</i>	
<i>New Mexico Coalition Against Domestic Violence</i>	Flor Gonzalez
<i>New Mexico Sentencing Commission</i>	
<i>(De)Serving Life</i>	Stephen Taylor
<i>Other</i>	

## 1. Approval of February 2024 Minutes

- a. Major Jon Day motions for approval
- b. Bryan Hulsey seconds
  - i. **Approved at 12:06 pm**

## 2. Stephen Taylor, (De)serving Life

### a. CRAG Request Endorsement for (De)Serving Life

- i. **Stephen Taylor** introduces self & advises a legal nonprofit reentry advocacy organization that works with individuals who are eligible for early release under new law that allows individuals sentenced to life in prison as children a chance for an early parole hearing
- ii. Advises previously presented in April 2023 & received unanimous support from CJCC for request for funding under CRAG; Currently requesting CJCC support for funding under CRAG for upcoming fiscal year
- iii. Advises organization has grown by currently implementing new parole reform in state & being able to represent approximately thirty (30) individuals impacted by new law; Individuals have had parole hearings before parole board & eight (8) individuals have been granted parole from prison sentences imposed
- iv. Advises now really focused on supporting the needs of individuals coming home as adults; Individuals have completed decades of time in corrections department as teenagers & their needs/challenges faced are significant; Individuals are experiencing many emotional & socioeconomic issues
- v. Advises currently focused on providing robust case management services by ensuring individuals are successful & living vibrant/healthy lives pursuing dreams; Working to get as much information from individuals to understand challenges in order to begin scaling up to work with other individuals beyond the juvenile population
- vi. Advises long term vision is to collect data around findings of individuals' needs, share data statewide, and map services/support within state to create manual; Manual can then be utilized by individuals around reentry services including support providers within the district & statewide
- vii. Advises main focus is on healing & the safety of the community; Organization is ensuring individuals being released are held accountable & supported so they can be successful to live a life with meaning
- viii. **Michael Stout** thanks Mr. Taylor for presentation; Advises not at February 2024 meeting, but reviewed minutes
- ix. **Michael Stout** moves for item to be taken off table & motions to approve support as previously did of grant proposal for funding from CRAG for (De)Serving Life
- x. **Judge Cano** reviews February 2024 minutes indicating Gerald Byers moved to table item at meeting; Advises currently have movement to remove item from table status to action status; Questions if Mr. Byers is supportive of movement
- xi. **Gerald Byers** advises supportive of movement & seconds that item be moved from tabled to being actively considered
- xii. **Judge Cano** reiterates Michael Stout motions & Gerald Byers seconds the item being tabled to an action item; Questions any oppositions; No opposition; Item now moved from pending tabled item to active item
- xiii. **Gerald Byers** reviews that it was mentioned primary functions of the program is individuals going back into the community are held accountable & to enhance

- public safety; Questions clarity on how two objectives are accomplished since public safety & accountability are currently moving targets
- xiv. **Stephen Taylor** advises understands that those words are tossed around; Advises currently seeing through this process that individuals inside prison culture are allowed to be honest with themselves about the harm they caused and the ripple effect in the community
  - xv. Advises accountability is honesty & moving forward in a way that is honest with one's self; Advises individuals coming out of prison who are not honest with themselves try to do things in an almost stubborn type of approach where they repeat mistakes that they made before & usually return to prison in short order due to not taking accountability and/or being honest with themselves; Organization supports individuals in a better way for accountability
  - xvi. Advises individuals who spend decades in prison see like a turnstile of other individuals coming & going from prison by seeing individuals they know leave & those same individuals come back in a repeated pattern
  - xvii. Reiterates accountability is honesty & if organization is able to get in touch with individuals through case management system services can be provided; Advises trust is developed with each client & this allows them to open up about honesty, what they are really facing, and what are their needs/challenges; Advises this allows for moving forward & assistance through case management by planning accordingly so individuals don't reach a point of giving up; Advises organization wants to continue to grow as best as possible
  - xviii. **Judge Cano** asks if any other questions for Mr. Taylor; No questions
  - xix. **Judge Cano** requests letter of support to be drafted by Mr. Taylor for circulation of signature; Asks if any opposition regarding letter of support for (De)Serving Life; No opposition

### 3. Ashlee Placencio, Law Office of the Public Defender

#### a. CJCC Grant Proposal Approval Request

- i. **Ashlee Placencio** advises LOPD is requesting approval for grant proposal to NM Sentencing Commission for Crime Reduction Act
- ii. Advises requesting thirty-five thousand one hundred dollars (\$35,100); Advises grant proposal is for two (2) reasons & would like opportunity to explain reasoning as well as what money would be funding
- iii. Advises main reason is for attorney recruitment, retention & training for criminal defense; Advises both retention & recruitment have been difficult, but LOPD has had success with going to different law schools nationwide during career fairs to recruit individuals to apply at LOPD of NM; Advises many attorneys come from different jurisdictions end up loving Las Cruces, Doña Ana County, and New Mexico
- iv. Advises also have career fairs for LOPD staff members where staff travel statewide & nationwide to recruit staff members; Advises attempt to get individuals from other jurisdictions to have a lot of diversity within the office
- v. Advises funding would also be utilized for retention training; Advises LOPD sends attorneys who recently graduated from law school to either Albuquerque or Sana Fe to be trained in typical cases that would be seen for DWI's & domestic violence in Magistrate Court as well as some felony cases that would be seen in District Court

- vi. Advises another issue coming across is clients being irate & de-escalation is really important especially with the American Bar Association & National Association of Public Defense; Advises attorneys attending training to deescalate situations especially with clients who have mental health & behavioral issues
- vii. Advises LOPD needs assistance in being able to pay for these type of trainings & reasoning for the request of grant funding
- viii. **Judge Cano** asks if any questions for Ms. Placencio
- ix. **Michael Stout** asks what happened with any legislative requests for budget to include this same type of money
- x. **Ashlee Placencio** advises unsure of answer to that specific question, but is aware that in the past the LOPD office has paid for attorneys to attend trainings with LOPD budget; Advises unsure if some type of allocation has happened, but aware LOPD is requesting grant funding from NM Sentencing Commission through Crime Reduction Act
- xi. **Michael Stout** motions to approve request of LOPD for funding from CRAG
- xii. **Gerald Byers** seconds
- xiii. **Judge Cano** asks if any opposition; No opposition; Approved unanimously

### **Judge Cano reminds CJCC next meeting is April 17, 2024**

### **Judge Cano asks CJCC Members if any announcements**

**Joel Diemer:** Advises recently had a theft to residence & based on location of residence suspect individual using a drone to scope out the area; Questions if this is happening elsewhere. Advises this will be a problem going forward.

Judge Cano asks CJCC if any members have recently experienced a theft from their property- No response; Advises in agreement & saw a national TV station indicating people are using drones to check on homes of rich individuals to plan hitting those homes.

**Gerald Byers:** Advises meeting held at District Court to discuss the concern about refileing indictments & language agreed upon that is being implemented within the new filings/documents.

Michael Stout asks what it means to refile an indictment and/or what is the context- Gerald Byers explains there is no definition for the term “refiling” within the case management rule, but the issue must be procedurally handled. Advises Chief Judge Perea called a gathering for individuals involved to bring clarity associated with the necessity of another probable cause finding. Advises under LR3-303 if a case dismissed without prejudice for any reasoning the District Attorney’s office was taking it back to Grand Jury for a second finding of probable cause. Provides an example if there is a conviction & a defense attorney brings up Habeas Corpus, etc. the dismissal of case without prejudice is a final order on the merits & therefore does not require a secondary finding of probable cause if it is going to be reinstated. Advises the result of the meeting determined guidance to the District Attorney’s office from the Court indicating going back to Grand Jury would not be required if refileing within six (6) months, but if refileing occurs after six (6) months then it is necessary for a second/independent finding of probable cause to proceed. Advises the language within new filings and Orders of Dismissals will represent this determination & will be parallel; therefore proceedings as directed.

### **Michael Stout moves for adjournment**

### **Major Jon Day seconds**

- **Adjourned at 12:39 pm**