

**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**

**APRIL 17, 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:

<i>AGENCY</i>	<i>MEMBER</i>
<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
<i>Anthony Municipal Court</i>	Miriam Munoz
<i>Hatch Municipal Court</i>	
<i>Las Cruces Municipal Court</i>	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>	Kristofer Knutson
<i>Doña Ana County Sheriff's Department</i>	Sheriff Kim Stewart, Captain Jerod Houston
<i>Las Cruces Police Department</i>	Lieutenant Peter Bradley
<i>New Mexico State Police Department</i>	

<i>New Mexico State University Police Department</i>	Deputy Chief Justin Dunivan
<i>Sunland Park Police Department</i>	
<i>Anthony Police Department</i>	Sergeant Arturo Guerrero
<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>	
<i>CYFD</i>	
<i>City of Las Cruces</i>	
<i>Doña Ana County Compliance Division</i>	Chelo Guerrero
<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 & Administration</i>	
<i>Adult Probation & Parole Office</i>	
<i>Juvenile Probation Office</i>	
<i>Doña Ana County Health & Human Services</i>	
<i>New Mexico Coalition Against Domestic Violence</i>	Flor Gonzalez
<i>New Mexico Sentencing Commission</i>	
<i>(De)Serving Life</i>	
<i>Other</i>	

1. Approval of March 2024 Minutes

- a. Michael Stout motions for approval
- b. Kristofer Knutson seconds
 - i. **Approved at 12:06 pm**

2. Kristofer Knutson, Law Office of the Public Defender

a. Update on CJCC Convening

- i. **Kristofer Knutson** advises went to 2024 CJCC Convening in Albuquerque & there was a lot of useful information
- ii. Advises there was items on behavioral health, mental health issues, and how justice system has an effect upon minorities
- iii. Advises one of the presentations focused on was grants & statutory obligations
- iv. Advises reviewed statute & bylaws, and CJCC's responsibility is to follow bylaws & statutes
- v. Advises want to provide information & then can be directed on how to be more in compliance with statute

b. Topic of Bylaws Regarding Annual Vote

- i. **Kristofer Knutson** reviews Article Four (4) that states that CJCC has to elect Chair, Vice Chair & Secretary annually
- ii. Advises not aware CJCC has had elections, but can easily remedy by setting date annually & individuals who want to run can announce intent to run at meeting prior to election
- iii. Advises indicates that CJCC Voting Members shall elect
- iv. Reviews Article Five (5) that states Executive Committee Meetings shall be held regularly but not less than quarterly
- v. Advises can remedy this or change the bylaws where don't have to have Executive Committee Meetings

c. General Statute of CJCC

- i. **Kristofer Knutson** advises read statute in detail
- ii. Reviews NMSA 31-28-3 & its requirements of selecting chair, adopting rules, and developing a strategic plan
- iii. Advises unsure what a strategic plan for the Third District CJCC & if one has been developed
- iv. Reviews Section E of statute that states review the criminal justice system, identify criminal justice system problems, develop data-driven policies, applying for grants & sharing of justice information
- v. Advises need to take a look at statutory requirements because this are all shalls & shalls are a requirement
- vi. Advises there is money through NM Sentencing Commission & CRAG, and want to highlight some plans in other jurisdictions that are interesting
- vii. Advises funding in the Eight District to purchase new platform for discovery retention & distribution across all law enforcement agencies called Justice Premiere; Advises would like to do something about getting a new platform for discovery
- viii. Advises funding to continue providing GPS equipment; Advises heard Pretrial Services is having a hard time with people breaking charging units & cutting off the GPS

- ix. Advises funding in the Fourth District for DWI Treatment Court for a hygiene closet & bike program for individuals who can't drive anymore to get to DWI Court
- x. Advises funding in the Second District & now Twelfth District for treatment & social services for individuals aged eighteen to twenty-five (18-25) who have felony charges called Youth Court
- xi. Advises funding in the Second District for a charter school to go into the jails to assist individuals with obtaining GED & housing vouchers; After individuals were released if obtained GED they would receive a housing voucher for a place to live as long as they continued with classes including entering into community college classes
- xii. **Judge Cano** advises went to same meeting last year & provided copies of all materials to Chief Judge Perea
- xiii. Discusses the annual elections of officials; Recommendation that Chair be elected on an annual basis & it not be a judge or someone who works in the Courts; Advises can be anybody that is part of standing CJCC & futuristic nominations should be include someone that is not a judge or strong/lead capacity at any Court
- xiv. **Chief Judge Perea** advises recalls conversation and the need to give Judge Cano a break & request for new Chair person; Advises in agreement that it should be someone that is not a judge but a justice partner
- xv. Advises need to have an election for a new chair & new officers
- xvi. **Judge Cano** advises has been chair for 4 ½ years & time to start thinking about a new chair outside of the Court; Advises at discretion of Chief Judge Perea to handle & take nominations
- xvii. **Judge Cano** asks if any questions concerning annual elections of officials
- xviii. **Michael Stout** advises CJCC needs to follow rules or change them; Advises have set of bylaws that Judge Osborne & Michael Stout were involved in granting initially
- xix. Advises know Judge Arrieta liked the old criminal justice partners groups that met for lunch; Advises CJCC is legally required entity has legal requirements to operate which is to follow bylaws
- xx. Advises changed bylaws to include eliminating the Executive Committee; Advises Judge Arrieta indicated there was not a need a Vice Chair or Secretary
- xxi. Advises understanding is only have a Chair but do not have a Vice Chair or Secretary which means there is no Executive Committee because it consisted of those offices
- xxii. Advises on elections topic CJCC can set elections & bylaws state to have annual elections of officers from the voting members; Disagrees with Judge Cano that the District Judge does not have a role in terms of setting elections
- xxiii. Advises according to current bylaws elections set by present chair according to the Open Meetings Act then the eight (8) voting members elect the chair & other officer
- xxiv. Advises rules can be changed, but should follow current rules; Advises should notify public; Suggests set a time pursuant to Open Meetings Act & take nominations then have honest discussion if want to follow bylaws o change them
- xxv. **Judge Cano** advises not living in or operating in a perfect world/environment but substantially in compliance with statue & there is always room for improvement; Advises Chief Judge Perea has authority over judicial district & his guidance will assist to getting CJCC to a more perfect environment

- xxvi. **Chief Judge Perea** agrees with both Kristofer Knutson & Michael Stout that we should comply with the statute & bylaws
- xxvii. Reviews NMSA 31-28-3 Section B it states the chief judge has limited responsibilities expect to convene a coordinating council which has been done & is effective, but can make many improvements
- xxviii. Advises aware that Judge Cano has been chair for four (4) plus years & deserves a break if he chooses
- xxix. Advises in agreement with Judge Cano that a judge should not be a part of these committee as far as guiding it; Advises believes guidance should come from committee itself & should have a Chair, Vice Chair & Secretary to run as the bylaws state
- xxx. Advises when hear about grant proposals it's a great opportunity to get it done & have committee be a sponsor to help these groups
- xxxi. Advises Pretrial Services falls under District Court & utilized by Magistrate Court, if can assist with a hygiene closet & also replacement of the ankle monitors; Advises out of District Court's budget purchased many charges & it would be great to have a grant to purchase those & have them in stock
- xxxii. Advises the recommendation of Mr. Stout of having a meeting to visit bylaws & amending them as needed should be the first step then with those recommendations to go for an election; Advises should take a step back & start a new
- xxxiii. **Judge Cano** asks if anyone has any commentary/suggestions they'd like to provide
- xxxiv. **Kristofer Knutson** advises in agreement with Mr. Stout that CJCC needs a Chair, Vice Chair & Secretary; Advises someone has been keeping minutes so that would be the Secretary, but quarterly meetings may not be doable so would suggest just meetings as necessary
- xxxv. **Sheriff Kim Stewart** advises concurs with Chief Judge Perea that we could do so much more with additional elected bodies
- xxxvi. Reiterates Mr. Knutson mentioning the things we could be doing or the things we should be looking into; It's easy to say "Let's do this" but it other people to make things happens
- xxxvii. Questions if CJCC were to apply for grants who would manage those grants because it is a lot of back & forth to maintain compliance; States it is wonderful to dream big but other have to dream with us
- xxxviii. **Judge Cano** advises all of that makes sense because we would need someone to write grant applications, a grant administer, and auditors; States it is not an easy process
- xxxix. Advises CJCC has been very lucky that there has not been a visit from the Supreme Court saying not substantially compliant; States think they like how things operate in Doña Ana County, NM; Reiterates it is not perfect but it is close to perfect
 - xl. **Michael Stout** advises in agreement with Chief Judge Perea that CJCC has a lot of great ideas & a lot of people have opinions; In agreement with Chief Judge Perea's suggestion to get CJCC together to review present bylaws
 - xli. Advises the role of Secretary is an official role under bylaws that role is a member of the council; Advises these details need to be reviewed & can't make changes on the fly because would be in violation of the Open Meetings Act
 - xlii. Advises Chief Judge Perea's suggestion to take a step back & get everyone organized on how things will be done & who will be involved then place those

suggestions on the agenda for a vote then subsequently place the election on the agenda for a vote

- xl.iii. **Judge Cano** would like to hear from Sheriff Stewart about comment made regarding donating fourteen (14) bikes
- xliv. **Sheriff Kim Stewart** advises can donate things away with the approval of the commission; States however with their cost it would be such that she wouldn't need the approval of the commission
- xlv. **Judge Cano** advises will share offer with Judge Rossario & Chief Judge Perea can do the same with District Court
- xlvi. **Joel Diemer** advises would like to go back to Mr. Knutson's comments & reference to the bylaws; Advises when organization was formed it was assumed that entity would be instrumental in seeing some of these things as being ongoing in other district this organization would be instrumental seeing those things happening; Don't have resources to do it; If going to revisit bylaws; Should see if there are some ways could have some agency when it comes to deciding whether we should pursue grants for certain things or not
- xlvii. **Judge Cano** advises great recommendation from Mr. Diemer; Requests Samantha Woodward on comment made in chat
- xlviii. **Samantha Woodward** advises when Pretrial Services program first launched applied for grant awarded by NM Sentencing Commission & received monies to assist with IT & electronic monitoring; States would like to reach out to NM Sentencing Commission to inquire about process to reapply
- xlix. **Judge Cano** advises when looking at the composite makeup of CJCC it is very inclusive of agencies; States some of the agencies do not participate as much in meetings; States could consider reaching out to other agencies within composite makeup of this group to discuss tapping into resources & maybe they are more willing to assist than CJCC may think
 - 1. Advises considerate of the shalls within the body of statue; States may not be as formal as need to be, but reiterates there is room for more & can go higher
 - li. Advises Mr. Knutson reviewed strategic planning & covered six (6) points in Section E; State unable to vote on because not on the agenda & would be violation
 - lii. Advises Chief Judge Perea & Judge Cano will start to put things in motion to futuristically being more compliant with the shalls within the statue
 - liii. Reiterates will reach out to his coordinator at Magistrate Court & Chief Judge Perea can reach out to his coordinator at District Court to coordinate with Sheriff Stewart; States the hygiene closet is a great idea; Requests Samantha Woodward to make further application for grants to assist with ankle bracelet technology

Judge Cano reminds CJCC next meeting is May 15, 2024

Judge Cano asks CJCC Members if any announcements

Sheriff Kim Stewart: States she believes the DASO victims' advocates need to be housed at the District Court because they face the challenge of going to the Court then back to the main station & then back again to the Court if needing help with orders, etc. States after discussion with Chief Story he would put one to two (1-2) LCPD advocates at the Court. States she believes it should be a one-stop shop. States she obtained funding to convert an area within the District Court into an office space, but has since lost it due to not acting quickly. Advises there is some space located at the north end of the first floor that is beyond Courtroom 1 that could be easily converted.

-Judge Cano asks how many people in total between DASO & LCPD would need housing within the Court?

-Per Sheriff Stewart indicates maximum four (4); Advises can do with three (3); Advises LCPD would send one (1) & DASO would send two (2).

- Judge Cano asks if Ms. Ramos unable to provide furniture within budget if Sheriff Stewart willing to assist?

-Per Sheriff Stewart might be able to provide furniture, etc.

-Per Chief Judge Perea advises Sheriff Stewart has been asking for about a year & states statutorily the board of county commissioners of a county must provide the District Court with a facility. States it is very clear that the authority lies with the board of county commissioners & have worked hard to secure \$5.1 million dollars to assist the board of county commissioners of Doña Ana County to add an addition to the existing courthouse for more space. States some resistance from the county commissioners because they want to request \$100 million plus dollars to build a brand new courthouse, which would bring more space. States not within purview to request victims' advocates be housed at District Court because it may have an appearance of conflict/impropriety even though fundamental purpose is to provide services. States the truth is the District Court does not have space & second truth is about to go into a space analysis conducted by the Doña Ana County to determine space available & space unable to utilize due to safety concerns. States cannot move on these things because of behind the scenes implications.

-Per Bernice advises unable to use storage rooms as offices due to ventilation needs & at a point where the Court does not have enough cubicles for clerks, but working diligently to obtain funding to assist with the expansion. States have a meeting this afternoon for space study & happy to include Sheriff Stewart in these meetings.

-Sheriff Stewart advises she is not involved in any discussions so she would not have a way of knowing this was part of some bigger plan but appreciates the explanation given.

Joel Diemer: States if CJCC had a strategic plan it would have goals & objectives that would be considered low hanging fruit; States for example the issue of space the solution could possibly be a temporary building rather than wait five (5) years for this service to be provided. States that CJCC could be more effective & concerned too much time spent on the details of whether there is a need to address the bylaws. States CJCC not actually being effective by providing better or new services because not looking at that. States understood that to be the comments from Mr. Knutson. Suggests some form of meeting to discuss. States developing a strategic plan would take time, but there are things out there that can probably be done quickly if CJCC had the right information and/or the right people in the room. States before CJCC is carried away with the idea that nothing can be done there may be hacks that would assist with better services being provided. States CJCC needs to look into all possibilities as well as wait for buildings to be built.

-Per Judge Cano reiterates even though CJCC somewhat informal not perfect CJCC is substantially compliant; Reviews statue & provides examples of compliance; States there is room for improvement

Michael Stout moves for adjournment

Bryan Baker seconds

● **Adjourned at 12:56 pm**