

Meeting of the Criminal Procedure and Sentencing Subcommittee

May 29, 2024 at 2:00pm

Members Present: Michael Gailor (co-chair), Mike Chase (co-chair), Judge Robin Pavia (Commission chair), John Santa (Commission vice-chair), Anna VanCleave, Gary Roberge, Deborah Sullivan, Bryan Sperry, Robert Cristiano, Mike Hines, Subira Gordon, Judge Harmon, Joe Garibaldi.

Staff: Alex Tsarkov, Patricia O'Rourke

Guests: Kelly Bradford, Joy Willis

AGENDA

I. MEETING CONVENED

- Michael Gailor convened the meeting at 2:02pm.

II. APPROVAL OF MINUTES FROM 3.8.2024 MEETING

- The meeting minutes from the 3.8.2024 meeting were approved.

III. PRETRIAL JUSTICE SYSTEM IN NEW MEXICO

- Kelly Bradford, New Mexico AOC Director, Court Services Division and Joy Willis, Managing Attorney, Criminal Division, Second Judicial District Court provided the Commission with a presentation that outlined: (1) the general goals of pretrial justice, (2) New Mexico's pretrial legal framework, (3) the National Institute of Correction's essential elements of a pretrial justice system, (4) New Mexico's risk assessment system and pretrial services agency, and (5) performance measures pre- and post-pretrial reform implementation.
- Eugenia Garcia, Michael Jones, Martin Cronin, Rob Cristiano, John Santa, Marc Pelka, Patrick Griffin, and Michael Gailor asked clarifying questions regarding New Mexico's pretrial system. These questions included inquiries regarding court scheduling, current pretrial incarceration rates, a victim's ability to participate in pretrial release hearings, research on rebuttable presumptions of dangerousness, and other topics.

IV. CONNECTICUT HATE CRIME STATUTES

- Alex Tsarkov presented on the scope and the status of the Commission's draft report on Connecticut hate crime statutes, outlining the four questions posed by the Connecticut Hate Crimes Advisory Council.

V. UPDATE ON PRETRIAL JUSTICE REPORT

- Michael Gailor and Alex Tsarkov provided the Commission with an update on the progress of the pretrial justice report.

VI. DELEGATION SITE VISIT TO D.C.

- There will be a Commission led trip to Washington D.C. September 11, 2024 to September 13, 2024. Attendees will be meeting with pretrial justice stakeholders and conducting court observations.

VII. SENTENCING COMMISSION SYMPOSIUM

- The Commission announced a call for speakers and panel suggestions for the upcoming symposium on Nov. 21st, hosted at the University of Connecticut School of Law. The topic of this year's symposium is pretrial justice.

VIII. OTHER BUSINESS

- Adjourned at 3:48pm.