**Board Meeting Minutes**

**July 25, 2023**

Chairman Anaya called the 2nd quarterly meeting of the Adult Parole Board to order at 9:07 AM on Tuesday July 25, 2023.

Roll called by Director Bigej:

**Board Members Present**

Abram Anaya, Chair

Caryn Apodaca

Brandy Castillo

Janet Chandler

Mary Jaramillo-Barraza

Amy Lopez

Ronald Lucero

Dorothy Pouges

**Agency Staff Present**

Brianne Bigej, Director

Melody Valdez (Via Zoom)

Rosan Duran (Viz Zoom)

Bethany Sandoval (Via Zoom)

Pilar Ornelas, Assistant attorney general

Special Guest – Diego Jimenez, Department of finance

Meeting conducted in person, public meeting conducted in accordance with the public meetings Act, NMSA 1978 sections 10-15-1 to 10-15-4. The chair requested that members identify themselves when they speak. He asked that members raise their hand when requesting to speak. All votes will be through a roll call vote. Any members of the public that want to speak were asked to state their name and affiliation.

**Approval of Agenda-** Moved by Member Lucero, Second by Member Apodaca. Passed unanimously.

**Approval of Minutes-** March 3rd, 2023 meeting. Moved by Member Apodaca, second by Member Lopez. Passed Unanimously.

**Chairs’ Report –** Membership update was the first on the agenda, Board Member Floyd Sena has resigned from the Parole Board, Mr. Sena was apart of the parole board for 4 years. This brings the Board to 10 active board members to conduct hearings. Chairman Anaya has put multiple requests to Boards and Commissions to fill the vacant spaces, so the board is back to a full board of 15 members. Board member Ring requested to not be a part of hearings for the months of July and August due to family medical emergencies. Mrs. Ring will be placed back on the calendar when she is able to join again. Chairman Anaya informed the Board that Business Operation Specialist Melody Valdez has resigned from the Parole Board staff. Ms. Valdez was a part of staff for 12 years; she received praises and thanks from the Chair and Board members.

Next topic for the Chair’s report was ECA hearings. The Chair used to be the only one to review and send a recommendation to the Governor’s office for the individual. The process has now been changed since June to include a panel which changes it to have 3 board members to conduct a hearing. Once the hearing is conducted, the panel will decide if the person deserves to have an Executive Clemency. After the decision has been made, the Chair will write a letter to the Governor’s office of the outcome of the hearing and the recommendation that the Board has for the individual. These cases have been limited to 4 a day due to the longer process for these hearings.

**Legislative update-** Senate bill 64 31-21-10.2 implementation. This give youthful offenders a chance to parole and changes the amount of time they must wait for their hearing. The offender is now eligible for a hearing within 15 years and it is dependent on what transpired in the case. If there are multiple victims from their crime, they must wait 25 years to see the Board. The offender can see the Board in 20 years if there is another crime, they committed with murder such as criminal sexual penetration. Currently there is 35 offenders that are eligible for these types of hearings to date. The statute provides these individuals the right to council and to be present during hearings as well as the right to have testimony from character witnesses and professionals I.E doctors, religious leaders, and therapists.

The Board has decided at the beginning of October there will be 3 hearings a day, twice a month for these offenders. By implementing this, the Board will complete the backlog of these hearings by March 2024. Member Chandler asked if there will be a substantial amount of paperwork uploaded for the hearings. Chair Anaya responded yes and the material will be provided by the legal representative for the offender. Chair Anaya stated that these hearings will be recorded so that a copy can be provided to the offender if they choose to appeal the hearing.

Individuals that meet the statues criteria must receive some type of opportunity whether it be therapy or education. These hearings have been stalled so that the offenders can get these resources before seeing the Board. The order of the hearings will start with the ones that have been impacted the most and have passed the 15-year mark. The offenders that have just reached the 15-year mark will be heard later towards March. Member Castillo asked if it would be held against the offender if they have been asking for the resources but have not had access. Chair Anaya responded the Board will carefully look at all factors and see if the offender is actively trying. If the offender is denied parole, they can come back in front of the Board in 5 years. If granted parole, they will have a 5-year parole term from the moment of release from prison.

**Next Topic**- Parole plan and housing difficulties have been a problem especially with sex offenders. If the offender is not able to parole to a private residence the only option is La Posada. At this time La Posada has a long wait list which can have an offender waiting years for a bed. If an offender has an out of state living approval for a state facility, the Board will accept the approval. Offenders that wish to transfer out of state do not have to live with a family member. It is up to the receiving state to investigate properly the friend or acquaintance the offender wishes to live with.

Regarding the living situation for sex offenders, the Department of Corrections reached out to Chair Anaya and asked for the word bus stop be removed from the SO-1 forms so it would open more housing opportunities for the sex offenders.

Chair Anaya called for a motion of the Board to implement this change of item 21 on the SO-1 forms. Motioned by member Apodaca, Second by Member Chandler. Passed Unanimously.

Chair Anaya stated to the Board that if there are any concerns about the halfway housing that comes to their attention, to email Ms. Havin Scogin and CC Director Bigej and himself so they are also aware of the issues and concerns and any beneficial outcomes they would like to see.

**Next Topic** – When you have an inmate becoming disruptive or unacceptable behavior during a hearing, the members have the right to end the hearing immediately or have the individual removed. If it is a witness or a victim participation and they become disruptive or combative as well, the members will use their judgement and ask the individual to calm down or they will be asked to leave the hearing.

End of Chair report.

**Directors Report** – Director Bigej stated she will be including all members in the email she is sending to DFA about the annual report in September.

The medical and geriatric program has been the only big change for the Board is the age requirement changing from 65 to 55. The legislature wants to know how many offenders are ill and are granted this type of release from prison. The legislature has made requests from the Board in regards of performance measures such as the number or serious youthful offenders sentenced as adults are granted parole, and the performance measure of parole hearings and how many parole certificates are being issued including parole discharges. Director Bigej wanted the number of all hearings to be a performance measure, but it was not added.

Director Bigej wanted to switch the number of informational meetings with victims and victim advocate agencies to just measure the number of meeting conducted with victim and victim services altogether. At the end of August, the requests from the legislature will be available to view. If approved by the legislature, they will not go into effect until fiscal year 2025. Member Lucero asked who would be reviewing the information that is being submitted. Mr. Ornelas of DFA responded that DFA and his LFC counterpart will be the ones to review the information as it is part of budget processing.

There was a discussion regarding the request of money from the legislature for the time the Board members put in the prepping for hearings.

**IT Update** - OMNI is going to have the database updated and the Parole Board will have its own function where staff can pull what is needed for hearings. This week staff will be in training on this new process. Director Bigej asked Board members if there were any problems with the use of the laptops or with accessing the Y drive. Member Apodaca stated that she has been having trouble with the VPN and access to the Y drive. Member Lopez stated that she has no issues but the frustration is the connections during hearings such as video and audio. Director Bigej responded she will get these issues resolved and be in contact with IT regarding the connection issues.

The Department of Corrections just received their license to host Zoom meetings and has given the Parole Board access to host meetings. Sex offender hearings will be conducted this way first to see if all future hearings can be switched to Zoom instead of WebEx or Cisco.

Chair Anaya stated that if there is an issue with the video system where the Board member is, not to wait over an hour for the system to try to reboot. If the system cannot be backed up in half an hour, Hearings for the day will be done. If the facility is having an issue, switch over to anther facility to continue hearings. Contact the facility that was having issues after to see if their system is back up to conduct hearings.

**Board comments and Concerns-** Member Chandler asked for a copy of the sex offender contract. Director Bigej stated staff will send more copies after the form has been updated. Chair Anaya asked for the Board to receive all new updated forms needed for hearings.

The Board was advised if they need office supplies to email Rosan Duran and CC the Director. The Board will be able to connect to the office printers soon, it is just a matter of setting up the connection with IT.

Per Diem can be filled out with personal or state laptops, it is preferred to be filled out using the state laptops.

**No further discussion.**

**No Public Comment.**

Next meeting will be scheduled November 2023. Please reach out to the Chair or the Director if you have anything you want to ass to the next meeting.

**Meeting adjourned at 11:38 AM**.