

***A STATE IN CRISIS: CONFRONTING NEW
MEXICO'S CRIME EPIDEMIC AND
RESTORING PUBLIC SAFETY***



***A LEGISLATIVE ROADMAP
TO RESTORE PUBLIC SAFETY
IN NEW MEXICO***

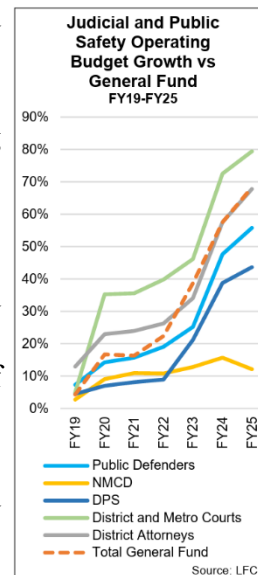
Prepared for the New Mexico Legislative Public Safety Task Force

EXECUTIVE SUMMARY

New Mexico is facing a public safety crisis of historic proportions. Crime rates are consistently above the national average, particularly in Albuquerque, Las Cruces, and Santa Fe. Key drivers include violent repeat offenders, judicial failures, homelessness, untreated behavioral health conditions, and pervasive drug trafficking linked to Mexican cartels.

Research shows swift and certain justice in law enforcement and prosecution are crucial to reducing crime and maintaining public trust. Achieving long-term improvements in public safety requires interventions targeting drivers of criminal behavior, including mental illness and drug addiction. Despite repeated promises, increased funding, and multiple legislative sessions dedicated to public safety over the last five years, the state has failed to deliver meaningful results. Law enforcement remains under-resourced, courts continue to release repeat violent offenders, and behavioral health systems fail to provide structured, effective, accountable treatment. Taxpayers, residents, and businesses continue to bear the costs of these failures.

This report analyzes these drivers, highlights systemic deficiencies, and offers a common sense legislative roadmap focused on restoring public safety.



Specific legislative proposals include reforming judicial practices to ensure accountability and improve clearance rates, empowering law enforcement through recruitment, training, and modernization, addressing homelessness and addiction with treatment tied to accountability, and disrupting cartel-driven drug networks. These reforms are designed to be actionable, measurable, and focused on protecting citizens while holding criminals accountable. By implementing these policies, New Mexico can reclaim its communities, restore confidence in government, and safeguard the welfare of its residents and improve quality of life.

Public Safety Legislative Task Force



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I. INTRODUCTION

Key Takeaways:

- Violent crime in New Mexico is rising sharply in urban and rural areas.
 - Judicial failures, law enforcement challenges, homelessness, and drug trafficking are the primary drivers.
 - Legislative action is urgently needed to restore public safety and community confidence.
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Crime in New Mexico has reached alarming levels, creating a public crisis that affects families, communities, and businesses. Although New Mexico has invested heavily - approximately \$829 million from FY23 to FY25 – in criminal justice reform, public safety, victim services, and outcomes remain mixed and systemic issues continue to hamper progress.¹ Violent crime, property crime, and drug-related offenses persist across the state, with Bernalillo County disproportionately contributing to criminal activity.

Despite significant appropriations over the past four years for law enforcement, to prioritize treatment, improve the swiftness and certainty of justice, and provide for victim and community needs, New Mexicans are still not safe. New Mexico's criminal justice continues to struggle to respond effectively to intersecting challenges. This surge has eroded public confidence in the ability of law enforcement and the courts to maintain order, while placing a tremendous burden on social services and local economies. Despite these failures, the Democrat-controlled Legislature continues to remain unwilling to hold players in the system accountable.

This report examines some of the primary drivers of crime in New Mexico: homelessness and behavioral health issues, the influence of drug trafficking and cartel activity, systemic failures in the judiciary, and under-resourced and overstretched law enforcement. This report provides a comprehensive legislative roadmap aimed at restoring public safety, ensuring accountability for criminals, and supporting the recovery of communities across the state.

II. CRIME TRENDS AND DATA

Key Takeaways:

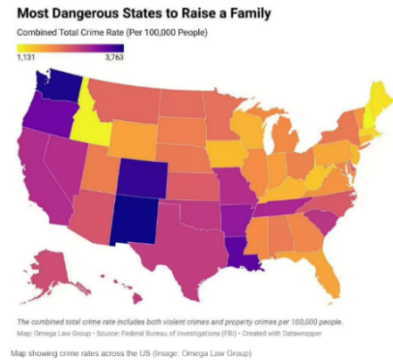
- Violent crime in Albuquerque, Las Cruces, and Santa Fe has increased significantly over the past five years.
- Repeat offenders are responsible for a disproportionate share of violent crime.
- Property crime and drug-related offenses are on the rise, linked to addiction and cartel activity.
- Fentanyl and methamphetamine are creating both public health and safety crises.

¹https://www.nmlegis.gov/Entity/LFC/Documents/Session_Publications/Budget_Recommendations/fy26%20vol1%20for%20web.pdf

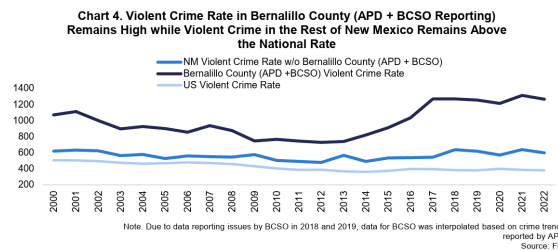
Highlighted Statistic Example:

“In Albuquerque, homicides increased by 25% from 2022 to 2024, and vehicle thefts rose 18% statewide during the same period.”

Violent crime has surged in New Mexico in recent years, with murders, aggravated assaults, and robberies surging particularly in Albuquerque, Las Cruces, and Santa Fe. Statewide data from the Department of Public Safety confirms violent crime is above the national average, with aggravated assault, robbery, and homicide steadily increasing in urban counties. In New Mexico, repeat offenders are disproportionately responsible for the most violent crime, highlighting deficiencies in pretrial release practices and inconsistencies in sentencing.

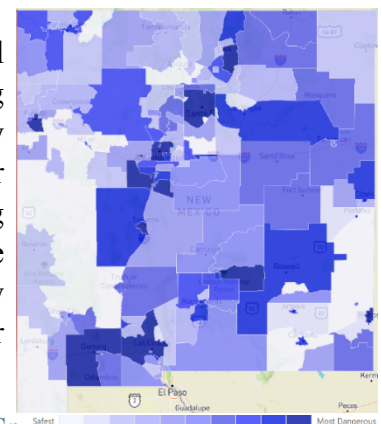


The state’s rankings are largely driven by crime in Bernalillo County, which remains higher than the rest of New Mexico and the national rate. Albuquerque Police Department data shows that from 2018 to 2024, violent crime increased sharply, with homicides up more than 80 percent, aggravated assaults rising more than 30 percent, and robberies trending upward after pandemic lows.²



Juvenile and young adult offenders – particularly ages 18 to 25 – constitute a disproportionate share of violent crime offenders.³

Property crime has similarly escalated, with residential and commercial burglaries, vehicle thefts, and theft from individuals becoming increasingly common. In Albuquerque, property crimes like burglary and auto theft have declined slightly but remain among the highest per capita in the nation. Many of these offenses are linked to drug addiction, as individuals resort to theft to support their substance abuse habits. For example, and alarmingly, LFC reported 65 percent of New Mexico’s incarcerated population had a substance abuse disorder



² <https://www.nmlegis.gov/handouts/ALFC%20071524%20Item%202%20Policy%20Sp%20Bernalillo%20County%20Criminal%20Justice%20System%20Update.pdf>

³ <https://www.koat.com/article/albuquerque-homicide-murder-numbers-data-2024/63451412?>

compared with only 9 percent of the state's general population.⁴ The proliferation of fentanyl, methamphetamine, and other opioids has created not only a public health crisis but also a public safety emergency. Law enforcement data indicate that cartel-linked networks dominate the distribution of these substances, increasing the likelihood of violent incidents and theft in our neighborhoods.

Crime data, however, in the state is often inconsistent. Despite a state law that requires every police department to turn in reports to the state Department of Public Safety, (DPS) a number of local law enforcement agencies fail to do so each year. In 2022, Legislative Finance Committee staff reported only 35 of 51 police departments were consistently reporting.⁵ DPS has not made a uniform crime report summary publicly available on their website since 2020.⁶

Inconsistent crime and ballistic reporting by local law enforcement has hampered effective criminal investigations.⁷ This has led to a decrease in the number of crimes solved over time, as the rate of solving violent crimes has steadily dropped over the last ten years.⁸ During the 2024 interim, Governor Lujan Grisham demanded the Legislature enact a second law that would have required crime reporting.

A number of other issues continue to prevent the state from having a consistently accurate, real-time picture of crime trends. For example, the multi-year transition to a new federal reporting system and limited juvenile data provided to the New Mexico Sentencing Commission continues to impact data quality. Other issues include technical issues and staffing issues in local agencies and differing definitions of crimes between state statutes and federal guidelines.

The consequences of data collection and reporting failures is tangible: declining crime-solving rates, increasing public distrust, and a state that cannot accurately assess or address criminal trends. The lack of accountability and accurate data demonstrates a state government that is reactive rather than proactive, failing to prioritize public safety.

⁴https://www.nmlegis.gov/Entity/LFC/Documents/Program_Evaluation_Reports/Performance%20Update%20-%20Bernalillo%20County%20Criminal%20Justice%20System%20Update,%20July%202024.pdfhttps://efaidnbmnnnibpcajpcglclefindmkaj/https://www.nmlegis.gov/Entity/LFC/Documents/Program_Evaluation_Reports/Performance%20Update%20-%20Bernalillo%20County%20Criminal%20Justice%20System%20Update,%20July%202024.pdf

⁵ <https://www.dps.nm.gov/107-uniform-crime-reports/>
<https://www.nmlegis.gov/handouts/ALFC%20072022%20Item%208%20Status%20on%20Crime%20in%20New%20Mexico%20and%20Crime%20Prevention.pdf>

⁶ <https://www.dps.nm.gov/107-uniform-crime-reports/>

⁷ <https://www.governor.state.nm.us/2024/07/17/gov-lujan-grisham-convenes-special-legislative-session-to-address-urgent-public-safety-issues/>

⁸ <https://www.police1.com/crime/legislative-report-finds-n-m-s-sagging-crime-clearance-rate-holds-back-public-safety-initiatives>

III. DRIVERS OF CRIME

A. Homelessness, Addiction, and Behavioral Health

Key Takeaways:

- Homelessness, untreated mental illness, and addiction contribute directly to theft, vandalism, and public disorder.
- Housing-first programs without accountability have failed to reduce drug addiction.
- Courts rarely mandate treatment, leaving high-risk individuals to cycle through shelters, jails, and hospitals.

Highlighted Statistic Example:

“Over 60% of homeless individuals in Albuquerque reported untreated mental illness. Forty-five percent reported recent drug use, according to local service provider surveys.”

The intersections of homelessness, addiction, and behavioral health have created persistent public safety and economic challenges in New Mexico. Despite substantial state spending and years of policy experimentation, homelessness continues to rise while communities remain less safe, and businesses bear the costs of policy failure. Politicized approaches have prioritized ideology over accountability – keeping many homeless individuals trapped in dependency rather than helping them achieve recovery and self-sufficiency.

Homelessness in New Mexico has increased dramatically in recent years. The 2024 point-in-time count showed a 20.5 percent increase compared with 2023, which itself reflected a 42 percent jump over 2022, including an 83 percent increase in Albuquerque alone.⁹ While 2025 data are still being finalized, preliminary reports suggest the crisis continues to deepen, with an expanded seven-day count period expected to reveal even higher numbers. Analysts believe these official counts underestimate the true scale of homelessness – by a factor of two to four –



⁹ <https://www.petedinelli.com/2023/10/09/2023-point-in-time-count-of-homeless-finds-3842-unhoused-in-new-mexico-2394-unhoused-in-albuquerque-83-increase-from-last-year-city-spends-millions-a-year-as-homelessness-increases/#:~:text=2023%20Point%20In%20Time%20Count%20Of%20Homeless,Spends%20Millions%20A%20Year%20As%20Homelessness%20Increases;https://www.krqe.com/news/new-mexico/federal-report-new-mexico-sees-20-increase-in-homelessness/#:~:text=According%20to%20the%20report%2C%20the,time%20high%20for%20the%20state;https://www.petedinelli.com/2023/10/09/2023-point-in-time-count-of-homeless-finds-3842-unhoused-in-new-mexico-2394-unhoused-in-albuquerque-83-increase-from-last-year-city-spends-millions-a-year-as-homelessness-increases/>

when compared to hospital and service-provider data.¹⁰ The New Mexico Department of Health estimates 60 percent of homeless patients identified in hospitals reside in Bernalillo County, underscoring how concentrated the crisis has become in the metro area.¹¹

Within the homeless population, behavioral health and addiction issues are pervasive. Surveys show 46 percent of homeless individuals who are unsheltered report serious mental illness and 44 percent report substance abuse issues, with considerable overlap of the two – yielding as much as 89 percent combined in some samples.¹² Studies consistently find that two-thirds of homeless individuals suffer from a mental health disorder, and at least one in five has a serious mental illness that, left untreated, leads to victimization, repeated interaction with the criminal justice system, and premature death.¹³ The magnitude of these numbers makes clear that homelessness in New Mexico is not primarily a housing-supply issue – it is a symptom of untreated addiction, mental illness, and failed public policy.

New Mexico’s treatment infrastructure is woefully inadequate. The City of Albuquerque’s 2024 Recovery Housing Study identified 42 recovery residences in the region but concluded that “available treatment options do not meet the scale of need.” Similarly, the Legislative Finance Committee found that only about one in three New Mexicans with a substance abuse disorder receive treatment.¹⁴ Feasibility studies and county reports estimate a substantial psychiatric bed shortfall of more than several hundred statewide, and detox facilities remain extremely limited.¹⁵ These capacity failures leave law enforcement, hospitals, and shelters as the default caregivers for people in crisis. Even when local initiatives show promise – such as Bernalillo County’s jail-based Addiction Treatment Program, which significantly reduced repeat bookings among participants – they remain isolated and underfunded.

These systemic gaps have direct public-safety and economic consequences. Individuals living without stable housing and battling untreated behavioral health conditions often engage in property theft, vandalism, trespassing, and aggressive public behavior. Residents and business owners across New Mexico report daily encounters with public intoxication, harassment, and open drug use, which ensure public spaces are no longer safe. Downtown districts struggle to

¹⁰ <https://sourcenm.com/briefs/new-state-study-suggests-homelessness-far-undercounted-in-new-mexico/>

¹¹ <https://www.nmhealth.org/data/view/report/2971/>

¹² <https://www.petedinelli.com/2023/06/16/nm-sun-dinelli-guest-column-new-mexico-has-48-increase-in-homeless-new-mexico-needs-a-behavioral-health-treatment-court-and-mental-health-hospital-bernalillo-county-behavioral-health-initiative/>

¹³ https://www.tac.org/wp-content/uploads/2016/09/TAC_ORPA_ResearchSummary_Homelessness.pdf

¹⁴ https://www.cabq.gov/health-housing-homelessness/documents/recover-housing-study_final.pdf; <https://www.nmlegis.gov/handouts/LHHS%20091823%20Item%2013%20LFC%20Substance%20Use%20Report.pdf>

¹⁵ <https://sourcenm.com/2024/09/24/new-mexicos-only-detox-for-young-people-set-to-open/>

attract customers as businesses face the costly burden of cleaning up human waste, discarded needles, and drug paraphernalia. During its operation, Coronado Park in Albuquerque cost taxpayers approximately \$700,000 annually in cleanup, bussing, and security expenses. The city also spent another \$860,000 per year cleaning underpasses and public spaces impacted by encampments. These are real costs borne by law-abiding residents, not the offenders themselves.¹⁶

Policy responses have all too often failed to address root causes. “Housing First” programs, though well-intentioned, prioritize access to permanent housing without prerequisites like sobriety or treatment participation. In practice, they create a pipeline to dependency rather than recovery—rewarding service volume rather than successful outcomes. Programs are funded based on the number of individuals served rather than whether those individuals achieve sobriety, stability, or reduced criminal involvement. The result is predictable: rising homelessness, persistent disorder, and eroding public confidence.

Compounding these failures, New Mexico courts rarely mandate treatment or supervise compliance. Many homeless individuals facing criminal charges are found incompetent to stand trial and are released without intervention, often reoffending within days or weeks. For those who are prosecuted, fragmented coordination between law enforcement, behavioral health, and housing agencies results in limited follow-up and no consistent path to recovery. This revolving-door approach drains public resources while leaving neighborhoods and businesses to deal with the consequences.

For those that are not found incompetent, the fragmentation of social services across multiple agencies further undermines the effectiveness of these efforts, as law enforcement, behavioral health providers, and housing programs often operate in silos.

While the Behavioral Health Reform and Investment Act (2025) was a step toward acknowledging and addressing these problems, its implementation remains in early stages and will take years to implement effectively. State agencies are still developing the required gap analyses and struggling to coordinate care delivery systems. Competency-evaluation reforms are being rolled out statewide, but procedural delays and lack of facilities continue to undermine progress.

The increase in homelessness throughout the state has been intractable despite significant taxpayer investment in treatment and housing. Taxpayers continue to send millions to address the homeless crisis in urban cities including Albuquerque, Las Cruces, and Santa Fe and are beginning to be asked to fight homelessness in other communities throughout the state. While countless New Mexicans - including property and business owners - have demanded action from local governments, they appear to be getting nowhere. In fact, the City of Albuquerque has used

¹⁶ <https://www.kob.com/new-mexico/city-officials-estimate-cleanup-cost-of-albuquerque-park-at-700k-per-year/>;
<https://www.koat.com/article/albuquerque-spending-clean-underpasses-homeless/43318410>

Code Enforcement to respond to some complaints, rather than police, giving Notice to property owners that they will instead be fined for the homeless encampments. These punitive actions of local governments demonstrate an unwillingness to protect law-abiding citizens.

Addressing these challenges requires aligning compassion with accountability. Courts must require participation in behavioral health and addiction treatment for high-risk individuals, and the state must expand detoxification, inpatient psychiatric, and recovery-housing capacity. Enforcement of public-order laws – paired with treatment mandates – protects communities while promoting recovery. Additionally, cities and counties must be held accountable for their failures to enforce local ordinances that are designed to protect the private property rights of New Mexico’s citizens. Only by restoring expectations of responsibility and enforcing meaningful consequences can New Mexico reverse the cycle of addiction, disorder, and decay. When accountability and compassion work together, New Mexico can begin to reclaim its public spaces, protect small businesses, and restore safety and dignity for its law-abiding citizens.

B. Violent and Repeat Offenders, Judicial Leniency, and the Cycle of Violence

Key Takeaways:

- Courts often release violent offenders pending trial, leading to tragic, repeat and often violent additional offenses.
- Sentencing inconsistencies erode public confidence.
- Plea bargains and case dismissals are applied inconsistently.

Highlighted Statistic Example:

“In Bernalillo County, 40% of individuals charged with violent crimes were released pretrial, with 25% committing additional offenses within six months.”

New Mexico’s violent crime crisis is not the result of isolated incidents – it is the predictable outcome of years of lenient sentencing, ineffective supervision, and judicial decisions that prioritize offenders over victims. Despite repeated promises of reform, state policies have failed to confront the small but dangerous subset of violent, repeat offenders who commit the majority of serious crimes. The result has been a system that recycles the same individuals through arrest, release, and re-offense, while law-abiding citizens shoulder the consequences.

Despite national data showing a 15 percent decline in violent and property crime between 2023 and 2024, Albuquerque reported no decline in violent crime, a 13 percent increase in property crime, and a 31 percent increase in motor vehicle thefts.¹⁷ Though the Albuquerque Police Department is reporting a decline in crime this year compared with 2024, Bernalillo County continues to drive crime statistics, with its violent crime rate remaining well above both the state

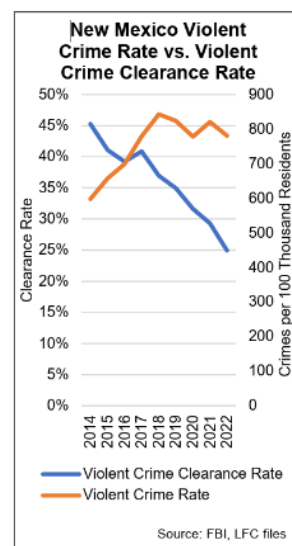
¹⁷https://www.nmlegis.gov/Entity/LFC/Documents/Session_Publications/Budget_Recommendations/fy26%20vol1%20for%20web.pdf

and national averages. Albuquerque reports a majority of violent offenders in the metro area are between the ages of 18 and 25 years old.¹⁸ While not considered a violent crime, DWI court recidivism rates have increased since 2023, though are lower than recidivism rates for individuals leaving jails and prisons.¹⁹ This statistic underscores the urgency of targeting repeat-offender cohorts and reconsidering pretrial release policies for high-risk age groups.

Public safety outcomes depend heavily on how the criminal justice system functions – from law enforcement to prosecution to the courts. Yet in New Mexico, the system designed to protect law-abiding citizens too often fails to deliver accountability or deterrence. Judicial agencies, including courts, district attorney offices, and public defender offices, are chronically understaffed and burdened by case backlogs. They are often poorly positioned to implement best practices for case management that could reduce delays in the flow of cases through the system.

The unwillingness or inability of the judiciary to consistently hold violent offenders accountable is a major factor in New Mexico's crime surge. Courts frequently release individuals charged with violent crimes pending trial, in part because of changes to the constitution that made detaining violent felons more difficult. While policy discussions have centered on creating a "rebuttable presumption" in which a dangerous defendant would have to prove there are conditions of release that will protect the community, the Legislature has been unwilling to consider these policy proposals. The Legislature also continues to fail to address this revolving door criminal system in meaningful way, signaling to criminals it is unlikely they will be subject to any jail time for their criminal behavior.

Sentencing practices continue to vary widely within and across judicial districts, eroding public confidence in the judicial system and their safety. For example, LFC analysis found the criminal justice system in Bernalillo County has an accountability gap where arrests, criminal convictions, and prison admissions do not keep pace with trends in criminal activity. LFC goes on to state this accountability gap is problematic because it means the criminal justice system is not effectively holding offenders accountable.²⁰ Cases are also often dismissed for various reasons, including insufficient evidence and lack of victim or witness cooperation.²¹



¹⁸ <https://www.koat.com/article/albuquerque-homicide-murder-numbers-data-2024/63451412?>

¹⁹ https://www.nmlegis.gov/Entity/LFC/Documents/Session_Publications/Budget_Recommendations/fy26%20vol1%20for%20web.pdf

²⁰ https://www.nmlegis.gov/Entity/LFC/Documents/Program_Evaluation_Reports/Performance%20Update%20-%20Bernalillo%20County%20Criminal%20Justice%20System%20Update,%20July%202024.pdf

²¹ https://www.nmlegis.gov/Entity/LFC/Documents/Session_Publications/Budget_Recommendations/fy26%20vol1%20for%20web.pdf

Pretrial release policies have contributed to high recidivism rates, with repeat offenders committing additional violent or property crimes while awaiting trial. Plea bargains and case dismissals are often applied inconsistently, reducing the deterrent effect of the criminal justice system. Pretrial and diversion programs are affected by judiciary-wide staffing and retention.

These operational weaknesses, compounded by policy failures, allow violent and repeat offenders to remain free and emboldens them to commit more crime, while victims and communities live in heightened fear. Addressing these failures requires a comprehensive approach: reforming pretrial detention standards to ensure public safety, establishing consistent sentencing guidelines and mandatory minimums for violent offenses, providing additional resources for prosecutors, and increasing transparency in judicial decision-making. By implementing these reforms, the state can ensure that violent offenders are held accountable and that the public regains confidence in the courts.

C. Drug Trafficking, Cartel Influence, and Property Crimes

Key Takeaways:

- Mexican cartels dominate New Mexico’s drug market.
- Fentanyl and methamphetamine distribution fuels addiction and violent crime.
- Legislative and law enforcement action is critical to disrupt trafficking networks.

Highlighted Statistic Example:

“Fentanyl seizures in New Mexico increased 50% between 2022 and 2024, reflecting growing cartel activity.”

Mexican drug cartels continue to dominate New Mexico’s drug market, exploiting our 180 miles of shared international border with Mexico, using the state as a corridor for the distribution of illicit drugs.²² Fentanyl, heroin, and methamphetamine are the most significant drug threat to New Mexico, with a significant increase in fentanyl importation over the past several years. The Juarez and Sinaloa cartels continue to exert the most control over drug trafficking in New Mexico. Drug distribution networks in New Mexico are affiliated with these two major cartels and dominate local drug markets, fueling addiction and associated violent crime. Interstate 25 serves as a major drug corridor for transportation for vehicle and human couriers to smuggle drugs through and between ports of entry, though significant aircraft activity also brings drugs into the state. Of similar concern, cartels are also using human smuggling as a primary revenue stream – they coerce or exploit migrants to transport drugs across the border, effectively doubling the profitability of these operations.

²² <https://www.justice.gov/usao-nm/pr/us-attorneys-office-district-new-mexico-weekly-immigration-and-border-crimes-report-22#:~:text=Under%20current%20leadership%2C%20public%20safety,assault%20and%20violence%20against%20children.>

Rather than supporting federal efforts to secure our southern border and prohibit the influx of dangerous drugs into the state, in 2019 Governor Lujan Grisham ordered the state's National Guard to withdraw most of its troops from the southern border.²³ Since that time, several of the state's largest drug busts have been made by federal law enforcement agencies. Earlier this year, 2.7 million fentanyl pills, 11.5 kilograms of concentrated fentanyl powder (or the equivalent of about 3.8 million fentanyl pills), 7 pounds of methamphetamine, and multiple kilograms of heroin and cocaine, luxury vehicles and more than \$600 thousand in cash were seized by the DEA in Albuquerque.²⁴ Sixteen people connected to the operation – all of whom were associated with the Sinaloa cartel – were arrested. And just last week, a New Mexico man who was the leader of a transnational criminal organization with ties to the Sinaloa Drug Cartel was sentenced to life in prison for running an Albuquerque drug distribution organization that smuggled more than 1,500 pounds of methamphetamine from Mexico into the state in 2020 and 2021.²⁵

Addressing this threat requires coordinated action. Strengthening state-level anti-cartel operations, enhancing penalties for drug trafficking, and supporting prevention and community recovery initiatives are critical. Legislative measures should empower law enforcement, disrupt distribution networks, and provide citizens with protection from the harms caused by the drug trade. Drug intelligence, interdiction, investigation and prosecution efforts must be better coordinated between federal, state and local law enforcement agencies, and more New Mexico counties should petition to become part of the federal High Intensity Drug Trafficking Areas (HIDTA) program (currently, only 17 counties participate).²⁶

D. Property and Drug Crimes

Key Takeaways:

- Drug addiction is a primary motivation for property crime, with juvenile involvement increasing.
- Fentanyl and methamphetamine trafficking fuels neighborhood crime.
- Bail reforms have allowed offenders to return to crime cycles, perpetuating public safety risks.

Highlighted Statistic Example:

²³<https://www.nbcnews.com/news/us-news/new-mexico-governor-withdraws-national-guard-border-slams-trump-s-n968336>

²⁴ <https://www.kob.com/new-mexico/new-details-on-busted-drug-operation-operating-in-new-mexico/>; <https://www.justice.gov/usao-nm/pr/largest-fentanyl-bust-dea-history-authorities-seize-over-400-kilograms-fentanyl-record>; <https://www.ice.gov/news/releases/new-mexico-dto-leader-sinaloa-cartel-ties-sentenced-life-federal-prison>

²⁵<https://www.elpasotimes.com/story/news/crime/2024/10/28/new-mexico-drug-trafficker-alex-barraza-smiley-tied-sinaloa-drug-cartel-life-sentence/75896353007/>

²⁶ <https://www.dps.nm.gov/programs/high-intensity-drug-trafficking-area-program/>

“Law enforcement reports indicate that over 70% of property crime in Las Cruces is connected to individuals with active substance use disorders.”

Property crime in New Mexico is closely linked to drug addiction. Individuals struggling with substance abuse often resort to theft, burglary, and vehicle theft to fund their habits. Juvenile involvement in property crime has also increased, indicating the need for early intervention and preventive programs targeting at-risk youth. Although property crimes in Albuquerque declined roughly 18 percent from 2018 to 2023, those gains were temporary and fragile. The recent uptick in property crime coincides with increases in drug offenses, suggesting that the underlying driver remains unresolved.²⁷

Drug-related offenses, particularly those involving fentanyl and methamphetamine, are driving neighborhood-level crime and compounding the public safety crisis. Over the last 5 years, some of the most significant drug busts in the state’s history have occurred. For example, in 2022, a drug bust in the South Valley of Albuquerque netted more than 1 million fentanyl pills – the largest fentanyl seizure in FBI history – along with more than 140 pounds of methamphetamine.²⁸ And in 2025, the DEA made an even larger record-breaking drug bust in Albuquerque, seizing more than 2.7 million fentanyl pills.²⁹

Cartels often minimize their risk through the use of low-level individuals for drug distribution. These hierarchical business-like structures delegate the most dangerous tasks to people at the bottom, who are often exploited and easily replaceable. However, law enforcement reports show that low-level offenders - though often high-risk - are often released under state prosecution systems and current bail reforms, which perpetuates cycles of addiction and property crime. State sentencing laws also give judges significant discretion in sentencing decisions, often resulting in very little jail time for low-level distributors of drugs. And when there are large quantities of drugs seized by law enforcement, federal agencies are brought in to ensure swift and just criminal penalties are imposed to hold drug dealers accountable for the harm they have committed.

Effective interventions must combine enforcement and treatment. Mandatory sentencing for repeat offenders, diversion programs linked to treatment and accountability, and community education initiatives focused on drug prevention can reduce the prevalence of property and drug-related crime while fostering safer neighborhoods.

²⁷<https://www.nmlegis.gov/handouts/ALFC%20071524%20Item%202%20Policy%20Spotlight%20-%20Bernalillo%20County%20Criminal%20Justice%20System%20Update.pdf>

²⁸<https://www.fbi.gov/contact-us/field-offices/albuquerque/news/press-releases/search-warrants-target-violent-street-and-prison-gangs>

²⁹<https://www.dea.gov/stories/2025/2025-05/2025-05-07/dea-seizes-record-setting-number-fentanyl-pills-albuquerque-new>

IV. Law Enforcement Challenges and Needed Reforms

Key Takeaways:

- Recruitment and retention crises have left police departments understaffed.
- Officers face risk of being sued, low pay, and high stress, which undermine effectiveness.
- Modernized equipment and improved training are essential to restoring public safety.

Highlighted Statistic Example:

“Albuquerque PD reported a 15% officer vacancy rate in 2024, limiting patrol coverage in high-crime neighborhoods.”

Law enforcement agencies in New Mexico face significant challenges, including recruitment and retention difficulties, inadequate training, limited resources, and the risk of being sued that discourage proactive policing. Officers frequently operate under high stress and low morale, which undermines effectiveness and erodes community trust.

Municipal law enforcement agencies report ongoing high vacancy rates. They continue to face challenges in recruiting, with fewer and less qualified applicants to choose from. Early retirements are rising. These reported staffing shortages often lead to mandatory overtime, cuts to specialized units, and reduced capacity for proactive policing, which leads to more burnout.³⁰ These recruitment and retention challenges threaten public safety and officer wellbeing.

Multiple factors are reported to contribute to recruitment and retention issues statewide. Given the state’s revolving door for many offenders, officers often feel demoralized, like their work is undervalued or seen as ineffective. Expanded duties – officers serving as de facto social workers, substance abuse experts, mental health responders, adolescent behavioral health experts, and homeless intervention specialists – are often required without adequate training or structural support. Legal risks created by the New Mexico Civil Rights Act have created liability concerns for many law enforcement agencies statewide in addition to increased workload responding to public records requests, which diverts funding away from policing. Policymaking is often not forward looking and comprehensive, but rather a knee jerk reaction to isolated events. And finally, fewer young people are interested in law enforcement as a career. Additionally, other legal risks (the potential for officers to be criminally charged for acting within the scope of their duties), low and disparate pay, and fragmented support systems dissuade applicants.

Legislative solutions must focus on strengthening law enforcement capacity. Recruitment and retention incentives, including signing bonuses and career development programs, can attract qualified personnel, while expanding training and professional standards ensures readiness for

³⁰<https://www.nmlegis.gov/handouts/CCJ%20063025%20Item%203%20NMML%20Presentation.pdf>

complex public safety challenges. Legal protections, including qualified immunity or state indemnification, can shield officers from personal liability, restoring morale and confidence.

Additionally, modernization of equipment, technology, and communications infrastructure is essential. Upgraded vehicles, body cameras, forensic tools, and integrated data systems enhance operational efficiency and improve coordination across agencies. By empowering law enforcement in these ways, New Mexico can increase public safety while reducing crime rates statewide.

IX. Legislative Roadmap and Policy Agenda for 2025–2026

Key Takeaways:

- Judicial reforms: pretrial detention standards, sentencing consistency, transparency.
- Law enforcement: recruitment, training, modernization, restore qualified immunity
- Behavioral health: treatment programs tied to accountability, expanded infrastructure.
- Anti-cartel measures: interdiction, penalties, prevention programs.

Highlighted Statistic Example:

“States with accountability-based treatment programs have reduced repeat offenses by up to 35%, demonstrating the effectiveness of combining treatment with oversight.”

Over the past five years, New Mexico has invested billions of taxpayer dollars in public safety, behavioral health, and homeless initiatives. Despite the introduction of more than 100 bills since the 2021 legislative session aimed at holding criminals accountable, very few have been enacted; of those bills that have been enacted, very few have targeted New Mexico’s violent crime problem or the state’s drug problem. The Democrat-controlled Legislature’s actions have done relatively little to make New Mexico safer; violent crime remains among the highest in the nation, property crime is out of control, and law-abiding citizens increasingly feel unprotected. At the same time other mechanisms that hold criminals accountable for their impacts on the community – like criminal court fines and fees – have been eliminated. Appendix A includes the public-safety related bills that were introduced by the Legislature since 2021.

The state’s policy approach has too often emphasized process over performance, funding over outcomes, and compassion without accountability. A new legislative roadmap is needed – one that restores public confidence in the rule of law, ensures accountability at every level of government, and delivers results that can be measured in safer communities and stronger families.

A comprehensive legislative agenda must address the multiple drivers of crime in New Mexico.

1. Judicial Accountability

- **Judicial Performance Dashboard:** Establish a statewide, publicly accessible judicial performance database tracking pretrial release decisions, rearrest rates, and sentencing outcomes by judge. This transparency will allow the public to see how judicial decisions affect community safety.
- **Reform Pretrial Detention:** Amend the state constitution to create a clear presumption of detention for individuals charged with serious violent crimes or who have multiple prior arrests within a short time period.
- **Performance-Based Judicial Retention:** Require judicial retention evaluations to include objective data on recidivism and pretrial release failures, not just peer or attorney reviews.

2. Enforce Accountability in Homelessness and Behavioral Health Spending

New Mexico's homelessness and addiction response has become a fragmented bureaucracy with little connection between funding levels and public outcomes. The state must stop rewarding inefficiency and start measuring success by recovery, safety, and reduced public burden. Legislative priorities should include:

- **Performance-Based Behavioral Health Funding:** Tie state grants and contracts to measurable outcomes—such as reduced recidivism, sustained sobriety, and successful reentry—not the number of “services offered.”
- **Treatment Mandates for Repeat Offenders:** Require courts to mandate behavioral health or substance-abuse treatment as a condition of probation or diversion for individuals repeatedly charged with disorderly or drug-related offenses.
- **Integrated Accountability Reporting:** Direct the Department of Health, Human Services, and Public Safety agencies to publish a unified annual report on homelessness, addiction, and mental health outcomes, with funding tied to demonstrated improvements.
- **Expand Detox and Secure Treatment Capacity:** Prioritize capital funding for detoxification and secure inpatient psychiatric facilities to relieve pressure on jails and emergency rooms.

3. Protect Law-Abiding Citizens and Restore Public Order

Residents and small businesses bear the costs of state failure—through theft, vandalism, and reduced safety in public spaces. The Legislature must reaffirm that protecting the public is the government's first responsibility. Legislative priorities should include:

- **Public Encampment Enforcement:** Prohibit unsanctioned homeless encampments on public property and require municipalities to enforce anti-camping laws while offering treatment-based shelter alternatives.
- **Nuisance Property Reform:** Expand local authority to close or remediate nuisance properties repeatedly associated with criminal activity or encampments.
- **Private Property Safety Tax Credit:** Provide targeted tax relief or grants for property owners disproportionately burdened by public disorder prevention and cleanup costs.

4. Align Sentencing and Supervision with Public Safety Goals

The state's current sentencing framework too often releases violent and repeat offenders prematurely while offering inadequate support for rehabilitation. Legislative priorities should include:

- **Habitual Offender Sentencing Reform:** Reinstate meaningful sentence enhancements for repeat violent offenders.
- **Mandatory Post-Release Supervision:** Require structured supervision and treatment for individuals released from custody after violent or drug-related convictions, ensuring continuity of care and accountability.
- **Data-Driven Parole Decisions:** Direct the Parole Board to integrate law enforcement and court data into risk assessments, prioritizing public safety above all else.

5. Empower Local Governments and Law Enforcement

Local jurisdictions are on the front lines of the crime and addiction crisis but are constrained by state mandates and inconsistent funding. Legislative priorities should include:

- **Flexible Law Enforcement Funding:** Convert certain categorical grants into block grants, allowing local agencies to direct resources where they are most needed—whether for officers, technology, or community policing.
- **Recruitment and Retention Incentives:** Expand the law enforcement loan repayment program and provide rural recruitment incentives to address severe officer shortages.
- **Information Sharing Mandate:** Require state behavioral health and public safety agencies to share data with local police and courts to improve tracking of high-risk individuals.

The Legislature should prioritize these reforms in the 2026 legislative session and follow up with oversight hearings, data review, and the creation of a joint task force on border crime and drug trafficking in 2026. Public engagements during the interim must emphasize law, order, and accountability, reinforcing confidence in government while ensuring measurable improvements in public safety. Appendix B includes a number of proposals included above that the Task Force endorsed to be prioritized during the 2026 legislative session.

X. CONCLUSION AND CALL TO ACTION

Key Takeaways:

- Immediate legislative action is required to address the multiple drivers of crime.
- Accountability, law enforcement empowerment, behavioral health treatment, and anti-cartel measures must be implemented concurrently.
- Decisive reform will protect families, restore public confidence, and uphold the rule of law.

“New Mexico’s residents deserve communities where law-abiding citizens are protected, criminals are held accountable, and public safety is restored. The time for leadership and bold legislative reform is now.”

New Mexico’s public safety crisis demands immediate and decisive action. The combination of judicial failures, law enforcement challenges, untreated behavioral health issues, and cartel influence has left families, businesses, and communities vulnerable. The Legislature has a moral obligation to restore safety by implementing reforms that ensure accountability, empower law enforcement, and provide effective treatment for those struggling with addiction or mental illness.

Decisive action on these fronts will reduce crime, restore public confidence, and protect the fundamental rights of law-abiding citizens. New Mexico’s residents deserve a state where communities are safe, criminals are held accountable, and the rule of law is upheld. The time for legislative leadership and bold reform is now.

APPENDIX A: List of Legislation to Improve Public Safety Introduced During the 2021 through 2025 Sessions

During the 2021- 2025 legislative sessions, legislators introduced more than 150 proposals to address public safety within New Mexico. These proposals were necessary to keep New Mexican’s safe from one of the worst violent crime problems in the nation. Yet, of the legislation introduced, only a handful of bills were signed into law (highlighted yellow below) and approximately 15 other bills passed either the House or the Senate. One anti-crime proposal was vetoed by the governor.

2025 Regular Session

HB 8	CRIMINAL COMPETENCY & TREATMENT	Christine Chandler Joy Garratt Cynthia Borrego Kathleen Cates Charlotte Little	[4] HJC-HJC [5] DNP-CS/DP [6] PASSED/H (48-20)- SJC-SJC [8] DP/a - fl/aa- PASSED/S (38-3)- h/cncrd SGND BY GOV (Feb. 27) Ch. 4.
HB 16	FENTANYL TRAFFICKING SENTENCES	Charlotte Little Cynthia Borrego	[4] HGEIC/HJC-HGEIC- DP-HJC API.
HB 31	FOURTH DEGREE FELONY FOR SHOOTING THREAT	Joy Garratt Brian G. Baca Andrea Reeb	HPREF [2] HCPAC/HJC-HCPAC [3] w/o rec-HJC API.
HB 50	PENALTIES FOR VEHICLE THEFTS	Cynthia Borrego Joseph L. Sanchez Art De La Cruz	HPREF [2] HCPAC/HJC-HCPAC [3] DP-HJC API.

<u>HB 102</u>	VIOLENT FELONIES FOR MERITORIOUS DEDUCTION	Andrea Reeb Nicole Chavez John Block	HPREF [2] HCPAC/HJC-HCPAC [4] DP-HJC [7] DP [17] PASSED/H (60-4) [19] SJC-SJC [23] DP [25] PASSED/S (40-0) SGND BY GOV (Apr. 7) Ch. 29.
<u>HB 103</u>	BATTERY ON PEACE OFFICER PENALTY	Andrea Reeb Nicole Chavez John Block	HPREF [2] HCPAC/HJC-HCPAC [4] DP-HJC [5] DP [10] PASSED/H (66-1) [11] SJC/SFC-SJC API.
<u>HB 104</u>	CRIMES AGAINST PEACE OFFICER DEFINITIONS	Andrea Reeb Nicole Chavez Luis M. Terrazas Gabriel Ramos John Block	HPREF [2] HCPAC/HJC-HCPAC [4] DP-HJC [7] DP [11] PASSED/H (57-6)- SJC/SFC-SJC API.
<u>HB 105</u>	TRAFFIC OFFENSE VIDEO TESTIMONY	Andrea Reeb	HPREF [2] HCPAC/HJC-HCPAC API.
<u>HB 106</u>	DWI BLOOD TESTING	Andrea Reeb	HPREF [2] HHC/HJC-HHC [4] DP/a-HJC API.
<u>HB 107</u>	PENALTY FOR DRUG TRAFFICKING & DEATH	Andrea Reeb Nicole Chavez Luis M. Terrazas Gabriel Ramos Elaine Sena Cortez	HPREF [2] HCPAC/HJC-HCPAC API.
<u>HB 134</u>	DELINQUENCY ACT CHANGES	Andrea Reeb Nicole Chavez Art De La Cruz Cynthia Borrego Andrea Reeb Nicole Chavez	HPREF [2] HCPAC/HJC-HCPAC API.
<u>HB 136</u>	FENTANYL EXPOSURE AS CHILD ABUSE	Luis M. Terrazas Gabriel Ramos Rebecca Dow	HPREF [2] HCPAC/HJC-HCPAC API.
<u>HB 163</u>	ADDITIONS TO "DELINQUENT ACT"	Andrea Reeb William A. Hall II Nicole Chavez	[2] HCPAC/HJC-HCPAC API.
<u>*HB 165</u>	DENIAL OF BAIL HEARINGS & PRESUMPTIONS	Nicole Chavez Andrea Reeb Art De La Cruz	[2] HCPAC/HJC-HCPAC API.
<u>HB 166</u>	FELON IN POSSESSION OF FIREARMS PENALTIES	Nicole Chavez Andrea Reeb	[2] HCPAC/HJC-HCPAC API.

HB 190	VICTIMS OF CRIME ACT CHANGES	Art De La Cruz Dayan Hochman-Vigil	[2] HCPAC/HJC/HAFC-HCPAC API.
HB 231	ADDITIONAL CRIMES FOR REPARATIONS	Randall T. Pettigrew Nicole Chavez Andrea Reeb	[3] HCPAC/HJC-HCPAC API.
HB 248	CARRYING A FIREARM WHILE TRAFFICKING	Randall T. Pettigrew Joseph L. Sanchez Art De La Cruz Elaine Sena Cortez	[3] HCPAC/HJC-HCPAC API.
HB 274	TRAFFICKING FENTANYL AS 1ST DEGREE FELONY	Jay C. Block Rod Montoya John Block Alan T. Martinez	[4] HCPAC/HJC-HCPAC API.
HB 278	VOLUNTARY MANSLAUGHTER EXCLUSIONS	Nicole Chavez Nicole Chavez	[4] HCPAC/HJC-HCPAC API.
HB 280	ADDITIONAL VIOLENT FELONIES	Andrea Reeb Harlan Vincent Cathrynn N. Brown	[4] HCPAC/HJC-HCPAC API.
HB 318	PENALTY FOR RESISTING OR EVADING OFFICERS	Stefani Lord John Block	[4] HCPAC/HJC-HCPAC API.
HB 321	PENALTY FOR CARELESS DRIVING & DEATH	Stefani Lord John Block	[4] HCPAC/HJC-HCPAC API.
HB 322	INCREASE PENALTIES FOR CERTAIN CRIMES	Stefani Lord John Block Harlan Vincent Catherine J. Cullen	[4] HCPAC/HJC-HCPAC API.
HB 332	UNLAWFUL SQUATTING	Rod Montoya Jonathan A. Henry	[4] HCPAC/HJC-HCPAC API.
*HB 381	PRETRIAL DETENTION PRESUMPTION	Stefani Lord William A. Hall II John Block	[5] HCPAC/HJC-HCPAC API.
HB 383	EXPOSURE TO FENTANYL USE AS CHILD ABUSE	Stefani Lord John Block	[5] HCPAC/HAFC-HCPAC API.
HB 445	VICTIMS OF CRIME ACT CHANGES	Nicole Chavez Antonio Maestas	[7] HJC/HAFC-HJC API.

HB 496	FELON IN POSSESSION OF FIREARM PENALTY	Joy Garratt	[7] HCPAC/HJC-HCPAC API.
HB 525	SECOND DEGREE HOMICIDE BY VEHICLE	Meredith A. Dixon	[8] HCPAC/HJC-HCPAC API.
HB 547	BASIC SENTENCE IN VIOLENT CRIMES	Rod Montoya Andrea Reeb	[8] HCPAC/HJC-HCPAC API.
HB 549	CRIME OF CARRYING A GUN WHILE TRAFFICKING	Meredith A. Dixon Cynthia Borrego	[8] HCPAC/HJC-HCPAC API.
HJR 9	DENIAL OF BAIL, CA	Alan T. Martinez	[2] HGEIC/HJC-HGEIC API.
HJR 14	DENIAL OF BAIL, CA	Stefani Lord John Block Nicole Chavez	[4] HGEIC/HJC-HGEIC API.
HJR 22	DENIAL OF BAIL, CA	Andrea Reeb William A. Hall II	[15] HGEIC/HJC-HGEIC API.
SB 17	PAROLE & PAROLE BOARD CHANGES	Leo Jaramillo Nicole Chavez Andrea Romero	[1] SHPAC/SJC-SHPAC [4] DP/a-SJC [6] DP/a [8] PASSED/S (38-0)- HCPAC/HJC-HCPAC [11] DP/a-HJC [16] DP [17] PASSED/H (63-0) [19] s/cncrd VETO.
SB 18	CRIME OF SWATTING	Craig W. Brandt Steve D. Lanier Catherine J. Cullen	[1] SJC/SFC-SJC [11] DNP-CS/DP-SFC- DP [13] PASSED/S (36-0) [15] HCPAC/HJC-HCPAC [18] DP-HJC API.
SB 32	UNLAWFUL POSSESSION OF STOLEN FIREARM	Antonio Maestas	[2] SJC/SFC-SJC API.
SB 35	SEPARATE SHOOTING FROM MOTOR VEHICLE CRIMES	Antonio Maestas	[2] SJC/SFC-SJC API.
SB 70	ADD RACKETEERING CRIMES	Craig W. Brandt Catherine J. Cullen	[2] SJC/SFC-SJC [11] DNP-CS/DP-SFC- DP/a [13] fl/a- PASSED/S (38-0) [14] HGEIC/HJC-HGEIC [16] DP-HJC [18] DP [19] PASSED/H (60-0) SGND BY GOV (Apr. 9) Ch.128.
SB 74	TIME LIMIT FOR PROSECUTING CERTAIN CRIMES	Antoinette Sedillo Lopez Harold Pope Jeff Steinborn Cindy Nava	[2] SJC/SFC-SJC API.
SB 94	STATUTE OF LIMITATIONS FOR CERTAIN SEX CRIMES	Antoinette Sedillo Lopez Angel M. Charley Nicole Tobiassen	[2] SHPAC/SJC-SHPAC [9] DP-SJC API.
SB 95	FENTANYL DEALING WITH DEATH AS CAPITAL CRIME	Crystal Brantley Antonio Maestas	[2] SJC/SFC-SJC API.

SB 153	AGGRAVATED BURGLARY & HOME INVASION CRIMES	Nicole Chavez E. Diane Torres-Velazquez	[2] SJC/SFC-SJC API.
SB 187	DEATH PENALTY FOR MURDER OF PEACE OFFICER	Crystal Brantley	[2] SJC/SFC-SJC API.
SB 228	FELONY FOR CERTAIN THEFTS	George K. Muñoz	[2] SHPAC/SJC/SFC-SHPAC API.
SB 253	FELONS IN POSSESSION OF A FIREARM	Craig W. Brandt Joseph L. Sanchez	[4] SHPAC/SJC/SFC-SHPAC API.
SB 326	DELINQUENCY ACT CHANGES	Pete Campos	[4] SHPAC/SJC/SFC-SHPAC API.
SB 329	RECRUITMENT OF CHILD INTO GANGS	Nicholas A. Paul	[4] SJC/SFC-SJC API.
SB 330	STREET GANG ACTIVITY SENTENCING	Nicholas A. Paul	[4] SJC/SFC-SJC API.
SB 341	DEATH PENALTY FOR CERTAIN CRIMES	Jay C. Block	[4] SHPAC/SJC/SFC-SHPAC API.
SB 375	PROBATION & PAROLE CHANGES	Antonio Maestas	[6] SJC/SFC-SJC [15] DP-SFC [17] DP [19] PASSED/S (25-11) [17] HJC-HJC [18] DP/a [19] PASSED/H (58-7) [25] s/ cncrd SGND BY GOV (Apr. 7) Ch. 79.
SJR 14	DENIAL OF BAIL, CA	Pat Woods	[8] SRC/SJC-SRC API.

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HB 43	CATALYTIC CONVERTER ENGRAVING TOOLS	William "Bill" R. Rehm Harlan Vincent Andrea Romero	HPREF [2] HJC/HAFC-HJC [3] DP/a-HAFC API.
*HB 44	PRETRIAL DETENTION PRESUMPTION	William "Bill" R. Rehm Harlan Vincent Stefani Lord John Block	HPREF [2] not prntd-HRC API.
HB 45	EMBEZZLEMENT FOR ANOTHER'S USE	William "Bill" R. Rehm Harlan Vincent	HPREF [2] not prntd-HRC API.
HB 46	FELON IN POSSESSION OF FIREARM PENALTY	William "Bill" R. Rehm Harlan Vincent Andrea Reeb	HPREF [2] not prntd-HRC [4] w/drn-prntd-ref- HCPAC/HJC-HCPAC API.
HB 47	UNLAWFUL FIREARMS WHILE TRAFFICKING	William "Bill" R. Rehm Randall T. Pettigrew Harlan Vincent	HPREF [2] not prntd-HRC API.
HB 56	CLARIFY CRIME OF TRESPASS	Cathrynn N. Brown Randall T. Pettigrew Harlan Vincent	HPREF [2] not prntd-HRC API.

HB 65	CANNABIS CRIME REASONABLE SUSPICION	Andrea Reeb	HPREF [2] not prntd-HRC API.
HB 66	CANNABIS IN DELINQUENCY ACT	Andrea Reeb	HPREF [2] not prntd-HRC API.
HB 69	CRIME OF ORGANIZED RESIDENTIAL THEFT	Mark Duncan Harlan Vincent	HPREF [2] not prntd-HRC API.
HB 77	REINSTATE DEATH PENALTY	John Block Harlan Vincent Stefani Lord	HPREF [2] not prntd-HRC API.
HB 80	CRIMES AGAINST PUBLIC SERVICE WORKERS	John Block	HPREF [2] not prntd-HRC API.
HB 87	COMBINE MOTOR VEHICLE CRIMES FOR SENTENCING	Cynthia Borrego Joseph L. Sanchez Art De La Cruz Linda M. López Stefani Lord	HPREF [2] not prntd-HRC API.
HB 109	CRIMES PUNISHABLE BY DEATH	Harlan Vincent John Block	HPREF [2] not prntd-HRC API.
HB 116	HUMAN TRAFFICKING & SEXUAL EXPLOITATION CRIME	Elizabeth "Liz" Thomas Marian Matthews Tara Jaramillo	HPREF [2] not prntd-HRC [3] w/drn-prntd-ref- HCPAC/HJC-HCPAC [4] DP-HJC [8] DP API.
HB 155	THREE STRIKES LAW	William "Bill" R. Rehm	[2] not prntd-HRC API.
HB 183	NEGLIGENT USE OF DEADLY WEAPONS	Charlotte Little Yanira Gurrola	[2] not prntd-HRC [5] w/drn-prntd-ref- HCPAC/HJC-HCPAC API.
HB 198	FELON IN POSSESSION OF FIREARM PENALTY	Dayan Hochman-Vigil Tara Jaramillo	[2] HCPAC/HJC-HCPAC API.
B 200	SECOND DEGREE MURDER SENTENCING	Patricia A. Lundstrom Harry Garcia Ambrose Castellano Joseph L. Sanchez	[2] not prntd-HRC API.
HB 206	PENALTIES FOR CERTAIN SEX OFFENSES	Andrea Reeb Ambrose Castellano Rod Montoya William "Bill" R. Rehm Dayan Hochman-Vigil	[3] not prntd-HRC API.

HB 316	FELON IN POSSESSION OF FIREARM PENALTY	Charlotte Little Tara Jaramillo Javier Martínez William "Bill" R. Rehm	[9] not introduced [9] withdrawn HJC [12] DNP-CS/DP [13] PASSED/H (54-11) [9] SJC-SJC API.
HJR 3	REQUIREMENTS FOR DENIAL OF BAIL, CA	Randall T. Pettigrew Stefani Lord John Block	HPREF [2] HGEIC/HJC-HGEIC API.
SB 66	PENALTY FOR SHOOTING THREAT	Craig W. Brandt	[1] SCC/SJC/SFC-SCC [4]germane-SJC [7] DP-SFC API.
SB 73	DEATH PENALTY FOR MURDERING POLICE	Craig W. Brandt	[1] SCC/SHPAC/SJC/SFC-SCC API.
SB 96	INCREASE ATTEMPTED MURDER PENALTY	Antonio Maestas Cynthia Borrego	[1] SCC/SHPAC/SJC/SFC-SCC [2]germane-SHPAC [6] DP-SJC [10] DP-SFC- w/dm [12] PASSED/S (32-4) [14] HJC-HJC [15] DP - PASSED/H (49-18) SGND BY GOV (Mar. 4) Ch. 51.
SB 97	CRIMES OF SHOOTING AT AND FROM MOTOR VEHICLES	Antonio Maestas	[1] SCC/SHPAC/SJC/SFC-SCC API.
SB 102	RACKETEERING ACT CHANGES	Craig W. Brandt	[1] SCC/SHPAC/SJC/SFC-SCC [2]germane-SHPAC [4] DP-SJC API.
SB 122	REBUTTABLE PRESUMPTION AGAINST RELEASE	Craig W. Brandt Mark Moores	[1] SCC/SHPAC/SJC/SFC-SCC [2]germane-SHPAC API.
SB 154	SEXUAL ASSAULT INVESTIGATIONS	David M. Gallegos Daniel A. Ivey-Soto	[2] SCC/SHPAC/SJC-SCC API.
SB 190	DWI ACT	Craig W. Brandt Dayan Hochman-Vigil Andrea Reeb William "Bill" R. Rehm	[2] SCC/SHPAC/SJC-SCC [3]germane-SHPAC [4] DP/a-SJC [7] DNP-CS/DP [8] PASSED/S (26-8) [13] HJC-HJC API.
SB 195	FELONY ENTERING RETAIL ESTABLISHMENTS	George K. Muñoz Michael Padilla	[2] SCC/SHPAC/SJC/SFC-SCC-germane-SHPAC API.
SB 255	CRIME OF STUDENT ATHLETE HARASSMENT	Mark Moores	[4] SCC/SJC/SFC-SCC [6]germane-SJC API.
SB 261	STAYED ADULT SENTENCES & YOUTHFUL OFFENDER	Gregory A. Baca Craig W. Brandt	[4] SCC/SHPAC/SJC-SCC API.
SB 271	REPEAT FELONY OFFENDER NO BOND HOLD	Daniel A. Ivey-Soto Joseph Cervantes	[6] SCC/SHPAC/SJC-SCC-germane-SHPAC- DP/a-SJC [10] DNP-CS/DP [12] PASSED/S (27-1) [15] HJC-HJC- DP - PASSED/H (57-10) SGND BY GOV (Mar. 4) Ch. 53

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SB 5	ADD RACKETEERING DEFINITIONS	Craig W. Brandt Mark Moores Gregory A. Baca Crystal Brantley	[1] SJC-SJC API.
SB 6	DISTRIBUTION OF FENTANYL AS CAPITAL FELONY	Crystal Brantley Steven McCutcheon II	[1] SJC-SJC API.
SB 12	CRIMES IN EVACUATION ZONES	Cliff R. Pirtle	[1] SCC/SJC-SCC API.
SB 14	FENTANYL TRAFFICKING SENTENCING	Crystal Brantley Steven McCutcheon II	[1] SJC-SJC API.
SB 17	LAW ENFORCEMENT CRIME REPORTING	Mark Moores	[1] SJC-SJC API.
SB 18	FELON IN POSSESSION OF FIREARM PENALTIES	Mark Moores	[1] SJC-SJC API.
SJR 1	DENIAL OF BAIL, CA	Ron Griggs Greg Nibert	[1] SCC-SCC API.
2023 Regular Session			
HB 55	ORGANIZED RETAIL CRIME	William "Bill" R. Rehm Joshua N. Hernandez Randall T. Pettigrew Stefani Lord Andrea Reeb	HPREF [2] HCEDC/HJC-HCEDC [11] DNP-CS/DP-HJC API.
HB 58	ADDITIONAL VIOLENT FELONIES	William "Bill" R. Rehm Stefani Lord Andrea Reeb	HPREF [2] HCPAC/HJC-HCPAC API.
HB 59	UNLAWFUL FIREARMS WHILE TRAFFICKING	William "Bill" R. Rehm Randall T. Pettigrew Andrea Reeb Joy Garratt	HPREF [2] HCPAC/HJC-HCPAC API.
HB 60	ENHANCED SENTENCING FOR FENTANYL	William "Bill" R. Rehm Randall T. Pettigrew Stefani Lord	HPREF [2] HCPAC/HJC-HCPAC API.
HB 61	FELON IN POSSESSION OF FIREARM PENALTY	William "Bill" R. Rehm Stefani Lord Andrea Reeb	HPREF [2] HCPAC/HJC-HCPAC API.
HB 72	POSSESSION OF SEMIAUTOMATIC FIREARM CONVERTED	Patricia Roybal Caballero Linda M. López	HPREF [2] HJC/HAFC-HJC API.

	CONVERTER	Eleanor Chávez	
HB 74	PRETRIAL DETENTION HEARINGS	Dayan Hochman-Vigil	HPREF [2] HCPAC/HJC-HCPAC API.
		Candy Spence Ezzell	
		Cathrynn N. Brown	
B 153	LIVESTOCK LARCENY SEPARATE OFFENSES	Jimmy G. Mason	[2] HAAWC/HJC-HAAWC [3] w/o rec-HJC [11] DNP-CS/DP - PASSED/H (55-2) [10] SJC/SFC-SJC API.
		Alan T. Martinez	
		Luis M. Terrazas	
HB 154	CANNABIS USE AS CHILD DELINQUENT ACT	Andrea Reeb	[2] HHHHC/HJC-HHHHC API.
		William "Bill" R. Rehm	
HB 155	AGGRAVATED BATTERY ON PEACE OFFICER PENALTY	Andrea Reeb	[2] HCPAC/HJC-HCPAC [4] DP-HJC [6] DP [10] PASSED/H (61-0) [8] SJC/SFC-SJC API.
		William "Bill" R. Rehm	
B 158	DWI TESTING REQUIREMENTS	Andrea Reeb	[2] HTPWC/HJC-HTPWC [13] DNP-CS/DP-HJC [16] DP/a API.
		William "Bill" R. Rehm	
HB 175	CRIME REDUCTION ACT CHANGES & FUND	Andrea Romero	[2] HJC/HAFC-HJC [3] DP-HAFC [11] DP/a [13] PASSED/H (66-0) [12] SFC-SFC- DP [20] PASSED/S (36-0) SGND BY GOV (Mar. 30) Ch. 60.
		Dayan Hochman-Vigil	
		Joy Garratt	
HB 212	DRUG TRAFFICKING & FIREARM PENALTY	Martin Hickey	[3] HCPAC/HJC-HCPAC API.
		William "Bill" R. Rehm	
		Charlotte Little	
		Ambrose Castellano	
HB 225	"CRIMINAL OFFENSE" DEFINITION	William "Bill" R. Rehm	[3] HCPAC/HJC-HCPAC [10] DP/a-HJC API.
		Cynthia Borrego	
		Marian Matthews	
HB 234	ROBBERY & ORGANIZED RETAIL CRIME	Javier Martínez	[3] HCEDC/HJC-HCEDC [4] DP/a-HJC [12] DNP-CS/DP [13] PASSED/H (62-3) [10] SJC/SFC-SJC [18] DP/a-SFC- DP [20] PASSED/S (38-0) [18] h/cncrd SGND BY GOV (Apr. 6) Ch.194.
		Natalie Figueroa	
		Antonio Maestas	
		Meredith A. Dixon	
HB 339	CARELESS DRIVING RESULTING IN DEATH	Stefani Lord	[4] HTPWC/HJC-HTPWC [10] DP-HJC API.
		Mark Duncan	
		William "Bill" R. Rehm	
HB 397	CRIME OF ORGANIZED RESIDENTIAL THEFT	Marian Matthews	[6] HCPAC/HJC-HCPAC API.
		Tanya Mirabal Moya	
		Harlan Vincent	
HB 445	HUMAN TRAFFICKING & SEX	Elizabeth "Liz" Thomas	[7] HCPAC/HJC-HCPAC [11] DP-HJC

HB 449	OFFENDERS	Susan K. Herrera	API.
HB 458	FELONS & FIREARMS PENALTIES	William "Bill" R. Rehm Luis M. Terrazas Tara L. Lujan	[8] HCPAC/HJC-HCPAC API.
HB 470	DWI ACT	D. Wonda Johnson Daniel A. Ivey-Soto	[8] HCPAC/HJC-HCPAC [11] DNP-CS/DP-HJC API.
HB 484	DWI WITH CONTROLLED CIRCUMSTANCES	William "Bill" R. Rehm Andrea Reeb	[10] HCPAC/HJC-HCPAC API.
HB 485	CHILD SEX OFFENSE PENALTIES	Ambrose Castellano William "Bill" R. Rehm Rod Montoya	[10] HCPAC/HJC-HCPAC API.
HB 491	PENALTIES FOR VEHICLE THEFTS	Cynthia Borrego Joseph L. Sanchez Art De La Cruz William "Bill" R. Rehm	[10] HCPAC/HJC-HCPAC API.
HB 509	PRETRIAL DETENTION PRESUMPTION	Andrea Reeb Marian Matthews Art De La Cruz	[10] HCPAC/HJC-HCPAC API.
HJR 9	DENIAL OF BAIL, CA	Andrea Reeb William "Bill" R. Rehm Stefani Lord	[2] HGEIC/HJC-HGEIC [3] w/o rec-HJC API.
SB 123	REBUTTABLE PRESUMPTION AGAINST RELEASE	Linda M. López Meredith A. Dixon	SPREF [1] SHPAC/SJC/SFC-SHPAC API.
SB 174	PRETRIAL RELEASE HEARING STANDARDS	Gregg Schmedes	[2] SHPAC/SJC/SFC-SHPAC [7] DNP-CS/DP-SJC API.
SB 199	LIVESTOCK LARCENY SEPARATE OFFENSES	Pat Woods Crystal Brantley	[3] SJC/SFC-SJC API.
SB 363	VOLUNTARY MANSLAUGHTER EXCLUSIONS	Antonio Maestas	[7] SHPAC/SJC-SHPAC [12] DP-SJC API.
SB 513	CREATE CRIME OF SWATTING	Craig W. Brandt	[8] not prntd-SHPAC [9] w/drn - ref SJC/SFC-SJC [15] DNP-CS/DP-SFC- w/drn [16] PASSED/S (39-1) [17] HCPAC/HJC-HCPAC [18] DP-HJC API.
2022 Regular Session			
*HB 5	PRETRIAL RELEASE CONDITIONS	Marian Matthews Meredith A. Dixon William "Bill" R. Rehm	[2] not prntd-HRC- w/drn -germane-prntd- - ref HGEIC/HJC-HGEIC [4] DP-HJC [7] DNP-CS/DP-API.

		Linda M. López	HJC [7] DNP-CS/DP API.
		Natalie Figueroa	
		William "Bill" R. Rehm	
HB 25	CHANGE SOME STATUTES OF LIMITATION	Stefani Lord	HPREF [2] not prntd-HRC- nt germane.
		Rebecca Dow	
HB 26	UNLAWFUL FIREARMS WHILE TRAFFICKING	William "Bill" R. Rehm	HPREF [2] not prntd-HRC-germane-prntd- - ref HCPAC/HJC/HAFC-HCPAC API.
		William "Bill" R. Rehm	
*HB 27	PRETRIAL RELEASE OF CERTAIN PERSONS	Stefani Lord	HPREF [2] not prntd-HRC-germane-prntd- - ref HCPAC/HJC/HAFC-HCPAC API.
		Rebecca Dow	
HB 28	FELON IN POSSESSION OF FIREARM PENALTY	William "Bill" R. Rehm	HPREF [2] not prntd-HRC-germane-prntd- - ref HCPAC/HJC/HAFC-HCPAC API.
		William "Bill" R. Rehm	
HB 29	ORGANIZED RETAIL CRIME	Stefani Lord	HPREF [2] not prntd-HRC API.
		William "Bill" R. Rehm	
HB 31	ADDITIONAL VIOLENT FELONIES	Stefani Lord	HPREF [2] not prntd-HRC API.
HB 68	CRIMINAL CODE CHANGES	Meredith A. Dixon	HPREF [2] HCPAC/HJC/HAFC-HCPAC [4] w/o rec/a-HJC [6] DNP-CS/DP-HAFC [7] DP [8] fl/a- PASSED/H (50-17) [11] SJC-SJC [17] DP/a [19] fl/aa- PASSED/S (41-0) [8] h/cncrd SGND BY GOV (Mar. 9) Ch. 56.
		Pamelya Herndon	
		Marian Matthews	
		Daymon Ely	
HB 79	SECOND DEGREE MURDER TIME & SENTENCING	Antonio "Moe" Maestas	HPREF [2] HCPAC/HJC/HAFC-HCPAC [3] DP-HJC [5] DP-HAFC [7] DP - PASSED/H (66-0) [11] SJC-SJC API.
		William "Bill" R. Rehm	
		Katy M. Duhigg	
		Marian Matthews	
		T. Ryan Lane	
HB 99	CRIME OF THREATENING A JUDGE	Dayan Hochman-Vigil	[2] not prntd-HRC- w/drn -germane-prntd- - ref HCPAC/HJC/HAFC-HCPAC [4] DP/a-HJC [5] HAFC ref w/drn- HJC [6] DP [8] PASSED/H (59-7) [11] SJC-SJC API.
		Javier Martínez	
		Derrick J. Lente	
		Gail Chasey	
HB 140	NO 2ND DEGREE MURDER PROSECUTION TIME LIMIT	William "Bill" R. Rehm	[2] HCPAC/HJC/HAFC-HCPAC [5] DP-HJC API.
		Marian Matthews	
		William "Bill" R. Rehm	
HJR 4	DENIAL OF BAIL, CA	Rebecca Dow	HPREF [2] HGEIC/HJC-HGEIC API.
		Stefani Lord	
		Randall T. Pettigrew	

SB 34	THREAT OF SHOOTING	Craig W. Brandt	F
SB 156	STANDARD FOR PRETRIAL RELEASE	Gregg Schmedes	[4] SCC/SHPAC/SJC-SCC-germane-SHPAC [7] DNP-CS/w/o rec-SJC API.
SB 167	YOUTHFUL OFFENDER & STAYED ADULT SENTENCE	Gregory A. Baca	[4] SCC/SHPAC/SJC-SCC-germane-SHPAC API.
*SB 189	PRETRIAL RELEASE REBUTTABLE PRESUMPTION	Linda M. López Mark Moores	[6] SCC/SHPAC/SJC-SCC-germane-SHPAC API.
2021 Regular Session			
HB 56	SEX OFFENDER & HUMAN TRAFFICKING CHANGES	Georgene Louis Elizabeth "Liz" Thomson	HPREF [1] HCPAC/HJC/HAFC-HCPAC [2] DP-HJC [3] HAFC ref w/dm- HJC [4] DP/a [7] PASSED/H (63-3) [9] SJC/SFC-SJC
HB 58	ADDITIONAL VIOLENT FELONIES	William "Bill" R. Rehm	HPREF [1] HCPAC/HJC/HAFC-HCPAC
HB 59	HABITUAL FELONY OFFENDER CONSIDERATION	William "Bill" R. Rehm	HPREF [1] HCPAC/HJC-HCPAC
HB 62	PROSECUTION TIME LIMIT FOR CERTAIN FELONIES	William "Bill" R. Rehm	HPREF [1] HCPAC/HJC-HCPAC
HB 63	DWI BLOOD TESTING	William "Bill" R. Rehm	HPREF [1] HCPAC/HJC-HCPAC
HB 64	UNLAWFUL USE OF BODY ARMOR	William "Bill" R. Rehm	HPREF [1] HCPAC/HJC-HCPAC
HB 80	PRETRIAL DETENTION REBUTTABLE PRESUMPTION	William "Bill" R. Rehm	HPREF [1] HCPAC/HJC-HCPAC
HB 81	UNLAWFUL WEAPONS WHILE TRAFFICKING	William "Bill" R. Rehm	HPREF [1] HCPAC/HJC/HAFC-HCPAC
HB 144	DAMAGE TO PROPERTY BY THEFT	Meredith A. Dixon Antonio "Moe" Maestas William "Bill" R. Rehm Natalie Figueroa Joshua N. Hernandez	[2] HCPAC/HJC/HAFC-HCPAC [3] DP/a-HJC [6] HAFC ref w/dm- HJC- - DP/a [9] PASSED/H (65-0) [11] SJC/SFC-SJC
HB 145	CRIME OF ILLEGALLY DISMANTLING A VEHICLE	Meredith A. Dixon William "Bill" R. Rehm Joy Garratt Natalie Figueroa	[2] HCPAC/HJC/HAFC-HCPAC- DP-HJC [6] DP-HAFC- w/dm [7] fl/a- PASSED/H (68-0) [11] SJC/SFC-SJC
HB 187	DRUGGED DRIVING PENALTIES	William "Bill" R. Rehm Cathrynn N. Brown	[2] HCPAC/HJC-HCPAC
HB 293	INCREASE CERTAIN MANDATORY MINIMUM SENTENCES	Stefani Lord William "Bill" R. Rehm Rachel A. Black	[6] HCPAC/HJC/HAFC-HCPAC
HJR 4	CONDITIONS FOR DENIAL OF PAROLE	William "Bill" R. Rehm	HPREF [1] HSEIC/HJC-HSEIC
SB 142	THREAT OF SHOOTING	Craig W. Brandt	[3] SHPAC/SJC/SFC-SHPAC [5] DP/a-SJC

<u>*SB 252</u>	CREATE CRIME OF LOOTING	<u>Gregory A. Baca</u>	[3] SHPAC/SJC/SFC-SHPAC
<u>SB 344</u>	CRIME OF VEHICULAR MANSLAUGHTER	<u>Martin Hickey</u>	[5] SHPAC/SJC/SFC-SHPAC

APPENDIX B

The following represents a list of statutory and constitutional changes endorsed by the Task Force for consideration during the 2026 legislative session.

Bills Related to Criminal Sentencing

Expand Definition of “Fentanyl” in Fentanyl Trafficking Sentence Enhancement Statute to Include all Fentanyl-Related Substances. The current use of “fentanyl” in Section 31-18-27 excludes other substances that are chemically similar to fentanyl but are referred to with other technical terms. The bill would expand the definition to include all fentanyl-related substances to ensure the sentence enhancement was an available tool for trafficking those substances as well.

Establish “Clear and Convincing” Burden of Proof for a Judge to Find Mitigating Circumstances to Decrease a Criminal Sentence. There is currently no evidentiary burden of proof in law for a judge to meet when determining whether any mitigating circumstances exist to decrease a criminal defendant’s basic sentence; however, a judge has to find beyond a reasonable doubt that an aggravating circumstance exists to increase the basic sentence. The amendment would require a judge to find by clear and convincing evidence that a mitigating circumstance exists to decrease the basic sentence.

Establish a Mandatory Minimum Term of Incarceration for Second and Subsequent Felony Convictions. The bill would require a judge to impose a minimum period of imprisonment based on the basic sentence for a convicted felon who is charged with and found guilty of committing a second or subsequent second degree or third-degree felony. The bill would prohibit a judge from suspending the mandatory imprisonment term.

Establish a Mandatory Minimum Term of Incarceration for Drug Trafficking that Results in Death. This bill would establish a mandatory minimum term of incarceration for a person convicted of drug trafficking that resulted in the death of another person.

Remove the 10-Year Lookback Period in the Habitual Offender Statute (232757.1). Currently, the Criminal Sentencing Act allows sentence enhancements for habitual offenders (individuals who have prior felony convictions). However, the law only considers felony convictions that have occurred in the past 10 years.

The bill removes the 10-year look back period, allowing a prosecuting attorney to seek sentence enhancements for second subsequent offenses regardless of when prior offenses occurred.

Bills to Increase Criminal Penalties

Increased Penalty for Distributing Schedule I or II narcotics or Methamphetamine to a Minor. The bill increases the penalty from a second-degree felony to a first-degree felony for any adult convicted of distributing to a minor any Schedule I and II controlled substances that is a narcotic or methamphetamine. This would increase the basic sentence from nine years imprisonment to a mandatory 18-year imprisonment for distributing opiates, heroin, fentanyl, cocaine, and methamphetamines to minors.

Increase Penalties for a Felon in Possession of a Firearm. The bill will increase the penalty for any felon convicted of being in possession of a firearm and establish a minimum term of imprisonment that a judge will not be able to suspend, for a person previously convicted of a serious violent offense who subsequent is convicted of being in possession of a firearm.

Bill to Generally Improve Public Safety

Strengthen the New Mexico All Source Intelligence Center. The bill will establish statutory requirements for New Mexico's fusion center, the New Mexico All Source Intelligence Center, to provide intelligence analysis to advance public safety response to threats in the states, including case support, criminal information reports, and threat assessments, focusing on drug crimes, human trafficking, criminal gangs, cyber threats, terrorism, and mass threats of violence. The bill would also require the NMAISIC to provide threat management and community engagement resources across the state.

Constitutional Resolutions

Bail Reform to Address When Pretrial Conditions of Release May be Denied and to Create a Constitutional Rebuttable Presumption for Violent and Dangerous Offenses. Currently, the constitution prohibits denial of release for a criminal defendant if the prosecutor cannot demonstrate by clear and convincing evidence that there are no conditions of release that will reasonably protect the safety of any other person or the community. This places an extremely high burden on the prosecutor. The amendment will loosen these requirements to require the

prosecutor to present by clear and convincing evidence that release conditions will not reasonably protect the safety of any other person or the community or that the person is a flight risk. Additionally, the bill will shift the burden to a defendant who is charged with a dangerous or violent felony (as defined by law at a future date) to prove by a preponderance of the evidence that release conditions will reasonably protect the safety of any other person or the community.

Establish a Constitutional Provision to Return Property Taxes Paid by a Property Owner Damaged by a County's or Municipality's Failure to Enforce their Nuisance Ordinances. The constitutional resolution mirrors a law passed by referendum in Arizona. The constitutional resolution would allow a property owner to apply for a reimbursement of their property taxes if the property owner has incurred and documented reasonable expenses to mitigate the effects of municipality's or county's failure to enforce their "public nuisance" ordinances. Only that portion of taxes collected by the city or county that fails to act would be subject to reimbursement.