



New Mexico CRIMINAL DEFENSE LAWYERS ASSOCIATION

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President
Richard Pugh
Albuquerque

March 23, 2020

President-Elect
Angelica Hall
Albuquerque

The Office of Governor Michelle Lujan Grisham
New Mexico State Capitol, Room 400
490 Old Santa Fe Trail
Santa Fe, NM 87501

Vice President
Jennifer Burrill
Santa Fe

Dear Governor Lujan Grisham,

Treasurer
Jonathan Ibarra
Albuquerque

Jurisdictions across the country are realizing that it is urgently necessary to reduce their prison and jail populations prior to the inevitable outbreak of COVID-19 in their correctional facilities and we urge you to do the same. This practical step is necessary, not only to save lives but also to relieve the pressure on understaffed facilities with limited medical resources and reduce the risk of disorder and even riots. A reduction in the prison population would also reduce the inevitable risk an outbreak poses to corrections officers, their families and everyone with whom they come into contact outside their respective facilities.

Secretary
Marc Lowry
Albuquerque

Executive Director
Cathy Ansheles

Legislative Coordinator
Rikki-Lee Chavez

Los Angeles County has already reduced its jail population by 6% and continues in its reduction efforts. They have no reported cases in their institutions yet. Last week, at the Santa Rita Jail in Dublin, California 247 prisoners were approved for early release with modified sentences and an additional 67 were released on their own recognizance, awaiting trial. The Ohio Supreme Court Chief Justice Maureen O'Connor asked local judges to help reduce jail populations by setting lower bonds and Ohio's Hamilton County Sheriff has been releasing low-risk, nonviolent inmates who are not charged with sex crimes. These steps have successfully reduced the jail population at the Hamilton County Justice Center by about 600. In Spokane, Washington, an emergency order has released dozens of people from the County Jail. Pennington County in South Dakota is taking extreme measures to release almost all offenders with no violent history who have not been arrested on a violent offense and issuing citations instead of arrests for all misdemeanors other than domestic violence assaults. The Cook County Jail in Chicago has already released several detainees who are being held on low-level non-violent offenses and who are extremely vulnerable to the virus, including a pregnant woman. At the Jefferson County jail in Louisville, Kentucky, 110 pre-trial detainees have been released. In Florida, the Department of Corrections is temporarily not accepting new inmates into its prisons. Florida jails have been releasing inmates, including 44 from the Lake County Jail and 164 from the Hillsborough County Jail. Salt Lake City is about to release 200 people from its jail, reportedly to free up space for when the infection reaches their facility. Numerous other institutions around the country have begun release efforts and many more are in the planning stages of doing so. They are not waiting for the infection to arrive because the release process will prove to be far more complicated at that time.

Additionally, riots are quickly becoming more commonplace in the world's prisons and jails due to the complications and panic this virus has caused globally. Just yesterday, a riot at a

jail in Bogota, Columbia killed 23 inmates and left another 83 injured after prisoners demanded the government take their healthcare concerns seriously. Riots at Italian jails killed 12 prisoners earlier this month.

NMCDLA urges you to use whatever power you have to urgently begin releasing New Mexico's inmates. As Governor, you have direct control of the prison system and the duty to protect all New Mexicans. We recommend you immediately cut through the red tape of the current parole process to initiate fast track paroles of non-violent offenders and those with pre-existing medical conditions. We urge you to use your executive powers to grant executive clemency or commutation of sentence under §31-21-17, to release anyone currently serving sentences for drug related crimes.

We understand you are limited in your ability to release pre-trial detainees. However, you can still send a strong message to DA's and courts across the state should you publicly suggest they start looking for people who are eligible for immediate release pending trial. There are many individuals around the state who are in jail for failing to pay fines, for missing court dates or for technical violations of probation. These inmates are all excellent candidates for release if the public was just urged to look for them. I attach the information of one such example we found in just a few minutes of looking. This man is mentally ill, and his case has been dismissed, but he is currently in jail because he failed to appear for court. This man, along with many others like him, poses no threat to our communities and is simply waiting for the impending outbreak of COVID- 19 to hit him as he serves time in jail.

The State of New Mexico will be in a better position to deal with an inevitable outbreak in our prison and jail systems if these people are released *before* this deadly virus arrives.

Sincerely,

Richard Pugh
Richard Pugh Law Office
President, New Mexico Criminal Defense Lawyers Association

Bennett J. Baur
Chief Public Defender, State of New Mexico
Past President, New Mexico Criminal Defense Lawyers Association

Matthew E. Coyte
Coyte Law, P.C.
Past President, New Mexico Criminal Defense Lawyers Association

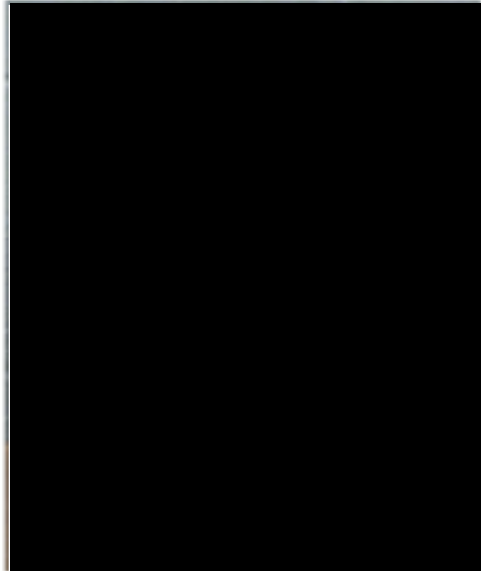
Margaret Strickland
Attorney at Law
Past President, New Mexico Criminal Defense Lawyers Association

Nancy Hollander
Freedman Boyd Hollander Goldberg Urias & Ward P.A.
Member, New Mexico Criminal Defense Lawyers Association

Enclosures

BOOKING DETAILS

Booking No:
[200001585](#)
Booking
Date/Time: 03-05-20 14:34



PERSONAL INFORMATION

Name: [REDACTED]

Address: LAS CRUCES , NM 88005

Sex: M Race: I

Hair: BLK Eyes: BRO Height: 507 Weight: 204
Skin: WHITE

AGE: 26

CHARGES

Statute: 55D	Failure to Appear	Charge Type: MIS
Arrest Location: [REDACTED]		
Arrest Date/Time: 03-05-20 13:37	Arrest Agency: LCPD	Judge: MUNICIPAL
Warrant No: 000010199	Warrant: M	Warrant Type: BENCH WARRANT
Court Case: 190004333	Court: J.C.	Court Date:

5:38

LTE

donaanacounty.org

Court Case: 190004333	Court: LC MUNI	Court Date: 03/19/2020
Bond Amount:	Bond Type: JUDGE	Bail Amount: NA

Statute: 55D	Failure to Appear	Charge Type: MIS
Arrest Location: [REDACTED]		
Arrest Date/Time: 03-05-20 13:37	Arrest Agency: LCPD	Judge: MUNICIPAL
Warrant No: 000010189	Warrant: M	Warrant Type: BENCH WARRANT
Court Case: 190004164	Court: LC MUNI	Court Date: 03/19/2020
Bond Amount:	Bond Type: JUDGE	Bail Amount: NA

ELECTED OFFICIALS

Commissioners Assessor Clerk Probate Judge Sheriff
Treasurer

DEPARTMENTS

Elected Officials Administration Law and Safety
Community Services Public Works

STATE OF NEW MEXICO
COUNTY OF DOÑA ANA
THIRD JUDICIAL DISTRICT

STATE OF NEW MEXICO,

Plaintiff,

vs.

TAJOE RAMON NEVAREZ,

Defendant.

No. D-307-CR-201901136

Judge Conrad F. Perea

NOLLE PROSEQUI

COMES NOW the State of New Mexico, by and through, Arthur Van Haselen III, Assistant District Attorney, and enters a nolle prosequi without prejudice, in the above-numbered and -styled cause as a result of the defendant's February 4, 2020 assessment, and the resulting finding that he is not competent to stand trial.



Arthur Van Haselen III
Assistant District Attorney
845 N. Motel Blvd., 2nd Floor
Las Cruces, NM 88007
575-524-6370 Ext. 1115

CERTIFICATE OF DELIVERY

I hereby certify that I have delivered a true and correct copy of the foregoing to defense counsel, Ashlee M. Placencio, on the date of this filing.



Arthur Van Haselen III
Assistant District Attorney

fvm 2019-3591



STATE OF NEW MEXICO
COUNTY OF DOÑA ANA
THIRD JUDICIAL DISTRICT

STATE OF NEW MEXICO,

Plaintiff,

vs.

TAJOE RAMON NEVAREZ,

Defendant.

No. D-307-CR-201901310

Judge Conrad F. Perea

NOLLE PROSEQUI

COMES NOW the State of New Mexico, by and through, Arthur Van Haselen III, Assistant District Attorney, and enters a nolle prosequi without prejudice, in the above-numbered and -styled cause as a result of the defendant's February 4, 2020 assessment, and the resulting finding that he is not competent to stand trial.



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CERTIFICATE OF DELIVERY

I hereby certify that I have delivered a true and correct copy of the foregoing to defense counsel, Ashlee M. Placencio, on the date of this filing.



Arthur Van Haselen III
Assistant District Attorney

fvm 2019-4250

