

The Legislature
of the
State of New Mexico

48th Legislature, 2nd Session

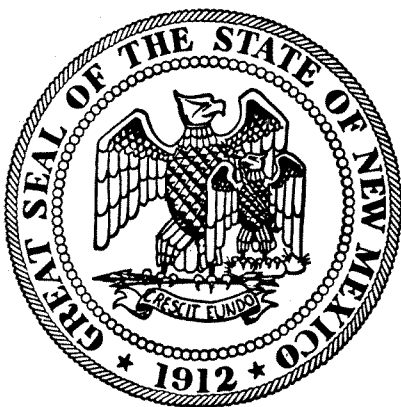
LAWS 2008

CHAPTER _____

HOUSE MEMORIAL 39

Introduced by

REPRESENTATIVE ANTONIO "MOE" MAESTAS



1 A MEMORIAL

2 DIRECTING STATE AGENCIES TO COMPLY WITH THE CRIMINAL OFFENDER
3 EMPLOYMENT ACT AND TO COOPERATE WITH THE WORKFORCE SOLUTIONS
4 DEPARTMENT ON THE CONSISTENT APPLICATION OF THAT ACT.

5
6 WHEREAS, research has shown that obtaining gainful
7 employment for a person released from prison is a key factor
8 in rehabilitation, reducing recidivism and ensuring the safety
9 and security of New Mexico citizens; and

10 WHEREAS, individuals released from prison encounter many
11 barriers when seeking employment or a lawful trade, occupation
12 or profession; and

13 WHEREAS, in 2007, pursuant to House Memorial 41 and
14 Senate Joint Memorial 4, the secretary of workforce solutions
15 convened a task force to review barriers to public employment
16 for persons with criminal convictions and to make
17 recommendations for removing those barriers while protecting
18 the public; and

19 WHEREAS, the task force found that state agencies are
20 inconsistently applying the provisions of the Criminal
21 Offender Employment Act, including Subsection B of
22 Section 28-2-4 NMSA 1978, which provides for a presumption of
23 sufficient rehabilitation for certain individuals; and

24 WHEREAS, currently, implementation of the Criminal
25 Offender Employment Act is limited due to a lack of

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1 understanding and inconsistent interpretation of the law;

2 NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF
3 REPRESENTATIVES OF THE STATE OF NEW MEXICO that each state
4 agency be directed to comply with all of the provisions of the
5 Criminal Offender Employment Act, and to apply the presumption
6 of sufficient rehabilitation set forth in that act; and

7 BE IT FURTHER RESOLVED that each state agency cooperate
8 with the workforce solutions department and the task force
9 formed pursuant to House Memorial 41 and Senate Joint Memorial
10 4 in the 2007 session to develop a better understanding of and
11 to consistently apply the provisions of the Criminal Offender
12 Employment Act; and

13 BE IT FURTHER RESOLVED that copies of this memorial be
14 transmitted to the secretary of workforce solutions, the
15 office of the governor and the executive head of every state
16 agency.

S/ BEN LUJAN
BEN LUJAN, SPEAKER
HOUSE OF REPRESENTATIVES

S/ STEPHEN R. ARIAS
STEPHEN R. ARIAS, CHIEF CLERK
HOUSE OF REPRESENTATIVES

MAILED BY EN 3:57

SECRETARY OF STATE
OFFICE OF THE
CLERK