

CIVIL RIGHTS COMMISSION

October 16, 2020
Via Go to Meeting

1. CALL TO ORDER

The first meeting of the Risk Management Advisory Board called to order at 2:04 pm by Richard Bosson, Chair of the Civil Rights Commission. The meeting was held via GoToMeeting due to the current public health restrictions.

2. ROLL CALL

Roll call indicated the presence of a quorum as follows:

Commission Members Present:

Richard Bosson, Chair
Mark Baker, Vice Chair
Denise Torres
Zackeree Kelin
Senator Steve Neville
Gerald Byers
Victor J. Rodriguez
Kim Stewart
Judge Stan Whitaker

Members Excused:

Others Present:

Raul Burciaga, Legislative Council Service
Mark Tyndall, Risk Management Division Director
Secretary Ken Ortiz, General Services Department
Steve Kopelman, Executive Director-NM Counties
Brandon Huss, Chief , Litigation Bureau-NM Counties
John Chino, John J. Gallagher & Company
Maureen Sanders, Sanders & Westbrook
Katherine Wray, Wray Law, PC
Alexandra Smith, Counsel to the Commission
Abby Bannon-Schneebeck, Law Student Intern
Jacques Chouinard, Law Student Intern

3. APPROVAL OF AGENDA

With all members in agreement the minutes were passed unanimously by voice vote.

4. APPROVAL OF MINUTES

With all members in agreement the minutes were passed unanimously by voice vote.

5. FISCAL IMPACT OF CIVIL RIGHTS ACTIONS

- **RISK MANAGEMENT DIVISION (RMD), GENERAL SERVICES DEPARTMENT (GSD); KEN ORTIZ, CABINET SECRETARY, MARK TYNDALL, RMD DIVISION DIRECTOR**

Secretary Ortiz introduced the GSD Team. RMD is responsible for providing coverage for all state agencies, some colleges and universities, local public bodies and various boards and commissions. Within RMD there are four litigation attorneys and some paralegals. There are contracts in place with forty-nine outside law firms.

Mr. Tyndall stated he is new to his position. Mr. Maule will speak about the specifics of the civil rights related cases.

Mr. Maule explained they have expanded the data from FY12-present to show the trends. They are averaging 250-275 cases per fiscal year (FY) that include a civil rights component to it. It is broken down by agency, which included lawsuits and claims. Claims that were related to the tort claims act, Section 1983 of the Federal Civil Rights Act, and other civil rights statutes. This will also include employment claims.

Mr. Maule stated the percentage of claims that include civil rights components are about 17-18% of their cases. The amounts paid in either a settlement or judgement are broken down by FY. They cannot tell by the data if the case settled or if there was a judgement. They take very few cases to trial so there is not an exact percentage. The data shows a stark difference in FY16 with a dramatic reduction in settlement values. In the last several years they see an average of \$3-3.5 million per FY. The data for the last five years will show cases still working through appeals or are stayed for some reason.

Mr. Maule explained that they cannot track plaintiffs' attorney's fees. He stated that they are sometimes thirty percent of fees, but they have also seen fees that are around 40% without trial and 50% with trial. They gave a baseline average of 30% of settlements for their cases. For defense attorney's fees they have started to decrease since they make a greater effort to resolve matters before they go to trial.

Mr. Tyndall discussed the coverages that are provided in civil rights cases. They are self-insured which makes it simpler. They do not have any excess coverage or reinsurance. The liability of coverage certificate can be viewed via a link that will be sent out to commission members. The premiums are determined by RMD by actual exposure and actual experience of an entity. Mr. Tyndall explained the formula used (70% of experience and 30% projected exposure). Each agency pays different premiums. RMD has not conducted any actuarial studies related to civil rights with the exception of the development studies.

Mr. Tyndall discussed there is not any cost sharing on civil rights cases. If there is an employment case where they need to pay wages, the agency will pay that. If there is a settlement, they will work with the agency to pay it back. However, if there is a finding surrounding 41-4-4 against a law enforcement officer RMD covers it all. For preventive measures, they do not provide direct training at the law enforcement academy, but perhaps they should. The RMD has a loss prevention program that trains state employees annually.

They went back through the last five years and ran a query on civil rights claims.

Mr. Tyndall explained the fields they pulled the data from are not specific. They pulled the top ten cases. Mr. Maule states there are actually less than ten. There were three employment-including whistleblower claims and civil rights laws.

Mr. Maule discussed one case against DPS which cited 41-4-4 and settled for \$925,000. Another DPS case had language disallowing the 1983 claim and settled for \$900,000 and wanted to stay out of federal court. Mr. Maule explained that in a CYFD case that settled for \$2.4 million, there were several federal rights cited relating to care, custody and control of children. The other actions were not on point for a 1983 claim but they were alleged federal violations.

Judge Whitaker asked if these included attorney's costs.

Mr. Maule explained they did not include defense costs or plaintiffs' fees. They would evaluate and estimate an amount. Mr. Tyndall stated they can pull that data and enter it.

Ms. Smith asked for clarification on if the plaintiffs' attorneys' fees are taken out of the amounts of the settlements and judgements, and Mr. Maule stated that yes, they were.

Mr. Tyndall explained that they work with the actuary to contemplate the range of variables and increments with each. They will give you a probability curve. The most important question they will have is what are the potential upper bounds. There will be a huge difference between increasing a cap rather than removing it.

Mr. Baker asked if as they look at a new cause of action that is broad (a 1983 analog claim, with attorney's fees, punitive damages and no cap) if the difference for RMD is in providing a remedy when the defendant could not claim qualified immunity. Mr. Tyndall explained the public liability fund cases are not related to those at all.

Mr. Kelin asked about the claims brought under 1983 and under the torts claim act. He asked if they all have a personal injury or wrongful death component to them.

Mr. Maule explained they many of them do, but many of them are employment cases.

Mr. Kelin asked if there are any out of Section 41-4-4 or 1983. Mr. Maule stated generally that is the case.

Mr. Rodriguez asked if there is a constant balance on the fund and if they could handle more claims.

Mr. Tyndall explained there is an actuarial study and in any given year there is a healthy amount based on what the actuaries predict. He said they are around 91% usually of what the actuarial study projects.

It is set to account for what they will have in outstanding liabilities. They would have to readjust reserve levels.

Chair Bosson asked if they have enough in the fund to withstand a significant increase in exposure.

Mr. Tyndall believes it is significant. The legislature has taken from that fund to cover other funding. He stated the fund only exists according to the legislature.

Chair Bosson how would they increase the fund.

Mr. Tyndall stated they would have to increase the premiums of each agency. Ultimately it comes from the taxpayers.

Judge Whitaker asked if they train the agencies on civil rights or can they ensure that as a requirement.

Mr. Tyndall explained there is training for all state employees. There is not a specific training for law enforcement.

Judge Whitaker asked can they require a mandate associated with coverage.

Mr. Tyndall stated there is not that he is aware of. Who they cover is mandated by statute. He will check the basic levels of training.

Mr. Maule explained there is mandatory civil rights training for each state employee. They can visit with the agencies and provide a presentation annually. However, they are not required to go through Risk Management.

Judge Whitaker asked if it is tailored for each agency?

Mr. Maule stated it is a general training.

Senator Neville asked if they anticipate claimants getting more if they go through the federal route and if it would go up because of legal fees or more claims.

Mr. Maule stated it would be a combination of both. On the cases he discussed some could not withstand the scrutiny of the court.

Chair Bosson asked if there is a civil rights bill passed and the legislature asks what are the costs, how would they respond. Would they keep the premiums the same and then gain experience and adjust it later?

Mr. Tyndall explained that they would have to have that discussion, there are elements to the formula. If there is an act, they can adjust the formula to add in the liabilities, however, it is unlikely they would not change them. There are things they would recommend.

Chair Bosson asked about law enforcement and can they go before them and they ask how much it would cost?

Mr. Tyndall stated that he will also circle back to the changes in the law they will take to the actuary for analysis.

Chair Bosson asked if the legislature were to ask how much more money they would they need to appropriate to RMD for these cases, what would they say.

Mr. Tyndall stated they would give them that fiscal impact and they would have to base it on changes of the statute and provided that they do not have the necessary level of specificity. It would depend on the bill.

Mr. Maule stated while they cannot give the exact number on their top ten slide with the 1983 violations, five of them were law enforcement related.

Judge Whitaker asked if the range is 30-50% of the claims.

Mr. Maule stated yes, it is around that range. With the modifications of the definitions of law enforcement officer that expands to correctional officers, the definition would need to be determined by the legislature.

Ms. Smith asked if the top ten cases included employment cases.

Mr. Maule stated they call it top ten there are only seven. Three of the seven were employment related and did not have a 1983 component.

Mr. Kelin asked if the employment claim would change if there is a private right of action. If it is for back wages, is that paid by RMD or by the agency?

Mr. Maule stated that if it were taken to trial and involved back wages it would be the agency, it should have been budgeted for.

Ms. Stewart asked if a DPS case results in a settlement, does anyone go to the Chief of state police or whomever is responsible to discuss how to mitigate or improve or prevent it from happening again in the future. She stated that it was her experience that this did not happen.

Mr. Tyndall stated he is not sure of those discussions in the past. He has to sign off for settlements over \$25,000 and the Cabinet Secretary also needs to sign. He is willing to do so and it is something they try to apply across the board.

Ms. Stewart asked if the defendant were to use the language stating they will admit no wrongdoing. Is it standard language? That conveys a lot to the public.

Mr. Maule explained admitting liability entails consequences. If liability is found, specific damages are involved. Some cases involve fee shifting. The cost of defending that case makes it so they cannot continue defending it.

Ms. Stewart stated that is a big disconnect, it could help those who do not read it that way.

Mr. Baker added this an area where public settlements are public. They can see if there was a problem resolved or not. There were times where there were no settlement policies and they refused to settle them. There were some issues that were found to have contributed to the problem and not to improvement.

Senator Neville suggested there is some interest from law enforcement for review of the officer's records. Perhaps it can be formalized at a centralized location. Some are interested in looking into those who have previous issues.

Mr. Byers stated his agency benefits from services from RMD. If there was a need for additional funds, what, if any, input would the agencies have in the development or agreement to a new premium. If there is a need for an increased budget, is it possible that increased premiums to RMD will affect operating budgets.

Mr. Tyndall explained that is potentially true. There are different ways for special appropriations.

Mr. Kelin asked if there was an actuarial study done when they changed the tort claims act.

Mr. Tyndall explained he is not sure he will go back and look.

Ms. Smith asked that they share their slides.

- **NEW MEXICO COUNTIES (STEVE KOPELMAN, EXECUTIVE DIRECTOR; BRANDON HUSS, CHIEF LITIGATION BUREAU; JOHN CHINO, (JOHN J. GALLAGHER & CO.)**

Mr. Kopelman explained Ms. Phillips is on vacation this week. Mr. Kopelman stated under 41-4-12 there is a state court remedy for civil rights violations against law enforcement. Those changes were just complete this year. Mr. Kopelman stated if they pass a bill under the state constitution with no caps, with punitives and with attorney's fees, there will not be any re-insurance market. The State is in a fiscal crisis. There are several counties with reduced GRT. The schools are also in crisis, this would be a bad time to pass a bill that would put more liability

on public entities. They will have a report to this commission in a few weeks, the actuaries' preliminary assessment states the annual cost would be 50-75% higher. They ask the commission to be cautious and prudent in their recommendation.

Mr. Kopelman explained the cases range from 2007. There have been several recent cases at the jails for excessive force ranging between \$1.6 and \$15 million. Detention is the largest area of exposure. If a bill with no caps is passed it brings up the state's liability.

Ms. Smith asked about the inadequate mental health treatment claims. What are those cases?

Mr. Kopelman explained first that these are older cases. He then stated that there is a standard of care in the correction facilities. They have worked on this issue with the jails. The jails have turned into mental health hospitals. It is hard to get therapists to go into County detention centers. They have been working with them and the results have been improving.

Ms. Smith asked why the damages are so high, are they solitary confinement or suicide?

Mr. Kopelman stated the cases vary and some conditions get worse while in jail. Some of the situations were bad and very serious.

Mr. Kelin asked do they get indemnity from private providers?

Mr. Kopelman stated in some cases the provider will pay part of the settlement. Some older contracts were not drafted well, they had to fight to get a contribution from a third party. Even if the medical provider is inadequate the county is on the line regardless.

Mr. Baker asked if these cases were while in jail. Mr. Kopelman stated yes mostly.

Mr. Baker asked if something particularly bad happened when the settlement or judgements were particularly high. Mr. Kopelman said yes that is correct they did settle.

Mr. Baker asked if rather than have the risk the county could recognize it and cover it.

Mr. Kopleman said yes.

Mr. Baker asked if the County does not want the people who are harmed to be left without a remedy. Mr. Kopelman stated that is correct, now they have the additional state remedy.

Mr. Huss explained the civil rights cases when there is a medical provider that had the appropriate care they be brought in and they attempt to seek to indemnify if there was bad care and they did not do anything about it. There are arguments that they are liable.

Mr. Huss discussed the types of cases, they were segregation cases. The big case was from Dona Ana County that was settled while the appeal was pending. Many of them are people with mental health issues, the majority have a special management issue.

Mr. Huss wanted to touch on some topics they were not able to discuss at the last meeting. The 41-4-4 mentions bad conduct. It places the responsibility back on to the public and it allows in a limited context the opportunity for them to get any of their money back. Even if the limited context were to allow them to recover money from the bad actor it would be almost impossible for an officer or individual to pay it back.

Mr. Huss explained the negativity surrounding qualified immunity. It is interesting to think of qualified immunity as something to correct but the legislature is balancing the taxpayer dollars and the right of the person who was wronged. Mr. Huss stated counties are forced to operate in a number of difficult areas. One is detention centers, the vast majority of claims come from there but they are also responsible to hold the individuals and at times there are claims.

Mr. Huss suggests a hypothetical of the kinds of claims they commonly defend. In the alternative, there is the idea that they can use the 41-4-12 and two federal claims. However, qualified immunity only applies to one of the three claims against the individual—only to the officer in his individual capacity. Even if they granted qualified immunity, punitives are not available. Mr. Huss had his staff research New Mexico civil rights claims from 2015. Out of 296 there were 83 that raised qualified immunity, it was granted 47% of the time.

Mr. Huss explained he pulled the 10th Circuit's recitation from a published case. He has seen the courts raise the question of whether the person who committed the bad act knew they were wrong. For every case where an egregious act was unknown, should they be in front of the court? This is a useful doctrine for government cases, he does not think the 10th circuit sees it as a hunt for the right case.

Mr. Baker asked if he was aware of Judge Browning's writing on qualified immunity about the 10th Circuit sending signals where it needs to be identical to a previous case. He has written at length on the need for nearly identical facts.

Mr. Huss has read his concept. He would never challenge it, he handled them in the past and he repeatedly saw them rejecting the concept to find the same fact pattern. His final point was to refer them to a case of the New Mexico Court of Appeals and legal articles about what would cases look like if there was a private cause of action. Now they see that the legislature made changes to the tort claims act and it has been interesting to debate the amendment. Mr. Huss asked if a claim goes farther than a Monell claim they remand it back to State court.

Mr. Chino showed a map of the United States showing the hardening of the reinsurance market. Mr. Chino showed a chart with the cycle of pools in response to the hard market. They will see similar price increases as they did in the mid-80's. They showed a chart showing the increases of excess liability. The flat rates have been raised 30%. This year they will see a 39% increase.

Mr. Chino explained if they lose the law enforcement reinsurance all the counties will have \$2 million in limits. Mr. Chino stated reinsurance is not tax payer money; they pay their claims

within 30 days. Their asset base is tremendous. If they lose that, he believes victims will be worse off.

Mr. Baker asked if his declaration is that there will be no reinsurance if New Mexico passes an analog to Section 1983.

Mr. Chino stated he is not stating that, he is the insurance broker for the NM Counties, City of Albuquerque, City of Santa Fe, Bernalillo County and a small agency in Albuquerque. The City of Albuquerque and RMD do not have reinsurance. He is not sure if the NMML and NMPSIA will be able to continue, he feels their ability will be hampered. NM Counties will lose their current reinsurers. The new attachment would be above \$5 million.

Mr. Baker understood it to be what is in the New Mexico Civil Rights Act.

Mr. Chino stated following the last meeting he spoke to some reinsurers who state that if there are any changes to the law they would be out.

Mr. Kelin asked about the detention side changes after large judgments. He asked has there been a loss prevention effort in law enforcement. On an annual basis, do they go over the claims and use them as teaching examples?

Mr. Kopelman stated they go back to analyze the big cases. They also do proactive loss prevention, if there is an ongoing issue they revise policies.

Mr. Rodriguez said reading 41-4-4 as a non-lawyer he understands it as qualified immunity for the officer because the agency will pay for what the officer is exposed to.

Mr. Huss stated yes that is correct.

Mr. Rodriguez asked if they have seen a change in lawsuits or has there been no change?

Mr. Huss stated it certainly changes focus, but an individual officer changes their day to day behavior they would not know.

- **MAUREEN SANDERS, SANDERS & WESTBROOK, PC**

Ms. Sanders introduced herself, she comes from a law enforcement family and has been an employee of the State. While she was at the Attorney General's Office, she led the Civil Division. She worked for several other entities and schools. She has represented a medical insurance pool and several public entities. Consideration of adoption of this is a three-legged stool. The victim of a violation guaranteed by the NM Constitution, the behavior and the desire to hold them accountable and change behavior, and lastly the fiscal impact if passed. For the most part, it is whatever the public entities decide it will be. They might find it confusing. First passage of the civil rights act will cost nothing until a public employee violates someone's

constitutional rights. There may be some instances of defense costs where an unfounded lawsuit that could not be currently brought under existing law could be brought.

Ms. Sanders explained minimization by changing behavior and insuring against financial risk.

Each local entity makes the choice of how to manage their risk. Insurance involves risk transference and risk distributions. Ms. Sanders gave an example of both. Ms. Sanders explained some are entities are self-insured for an amount and rely on an insurance company for the rest. Other entities have decided to purchase liability coverage to manage their risk. They have not provided any data, and the association's presentation focused only on the fiscal impact as if they were only insurers.

Ms. Sanders explained the local governments should have public policy concerns related to safety. It should not just be dollars and cents. What is good governmental policy? She begs to differ with the sky is falling attitude. The damages and injuries incurred by one bringing a lawsuit in which they claim violations often have numerous claims. Tort claims, federal constitutional claims and discrimination. Each claim is an avenue to the same damages and injuries, therefore, they may have different defenses. If a civil rights act is passed, it will provide another claim but the financial hit to the public entity may not differ. The counties' policies would include civil rights act policies. Premiums and coverage availability is in the hands of the public entities. Those premiums are tied to the loss history.

Ms. Sanders stated the tort claims act offers sovereign immunity to the entities unless there is a waiver. Two waivers are often used, the maintenance of property and the law enforcement waiver. The maintenance of property waiver has been used in many school lawsuits or employment lawsuits. The law enforcement waiver is often used in excessive force cases. The tort claim is limited to bodily injury personal injury and wrongful death. The recent changes do not expand coverage for those kinds of damages. The new version expands who is a law enforcement officer. The courts will have to sort out some meaning of the new language.

Ms. Sanders discussed that litigants can disagree as to what is covered under the act such as reputational harm. There is a cap leaving the victims holding the bag. Ms. Sanders discussed her concern with exclusions. RMD's policy has a sexual abuse exclusion. Who covers CYFD when a child is abused while in foster care? Does CYFD cover that? These decisions of the exclusions are made by the public entity. These decisions on the flip-side determine what the public entity has to retain as its own risk.

Ms. Sanders discussed the reinsurance of the NM Counties. The policy only covers the law enforcement and a multi-line pool coverage. The law enforcement policy is not \$2 million, there is a \$3 million per occurrence coverage from the reinsurer and a \$15 million pool wide annual aggregate. Each county would be covered. This coverage is covered by a \$657.00 per year, per officer.

- **KATHERINE WRAY, WRAY LAW, PC**

Ms. Wray stated after the last commission meetings, she looked into the approximate claims that are already litigated and performed a search. She went over six years of claims and went from January 2015 to September 2020 using civil rights and prisoner civil rights code. She then got the list and excluded American with Disabilities Act, Title IX, IDEA claims, Title VII, employment with no due process claims, and ended up with a big pile of Section 1983 cases. She found documents within the docket and ended up with 1,691 civil rights cases. It is important to realize what it means that she looked at that time frame. The lawsuits were filed between January 1, 2015 and September 2020. It is the cases filed in those years.

Ms. Wray created a spreadsheet showing the location or area. Ms. Wray broke them down into law enforcement claims, prisoner claims and others, and if a qualified immunity motion was filed. Ms. Wray discussed cases that were undefended. She was able to eliminate the pro se cases. Ms. Wray found that out of the cases, 24% were law enforcement related, 24% were attributed to jail. It could be healthcare or transport safety or safety in the prison. Any cases against judges or prosecutors were placed in other. Cases that she placed in other cases include against teachers, CYFD, Racing Commission, First Amendment cases and voting cases.

Ms. Wray showed a chart showing the law enforcement cases that were dismissed. Many of them are pro se cases. Ms. Wray stated there is a pending category that is limited- they are not resolved yet. There is a remanded category sent back to State court.

Ms. Wray discussed the chart showing the verdicts. In the time frame there are older cases that resolved in the same time period. She has information and facts and if they are interested, she is happy to send them. There was one defense verdict that was in favor of the State Police and costs were awarded to the State. There was one that came down in 2018 and it was a medical assistant who was held at the jail. Ms. Wray can only speak to what is on the docket not the particulars of the awards.

Ms. Wray discussed cases broken down between governmental entities. The outliers where there are concentrated cases are Bernalillo County and Albuquerque. In cases with qualified immunity motions there was 16%. It may not be fair to take it from the calculated amount of cases. Ms. Wray did a calculation out of the entire pile of cases and then again out of the cases defended.

Ms. Wray discussed the qualified immunity motion outcomes. When it is granted what happens? 58% of the cases they were dismissed. In 22% they were settled or voluntarily dismissed. Ms. Wray showed variations of breakdowns of qualified immunity grants. Ms. Wray found that of the cases where there was a qualified immunity grant, 54 of them were in law enforcement cases. Ms. Wray showed the issues of finding sufficient facts and whether the law was established at the time of the investigations. Ms. Wray stated there are not enough cases to make a financial difference. The number of motions and grants that lead to dismissals do not seem worth it financially. But they are worth it to the people who have been injured. This portion of the research is troubling.

Ms. Smith asked why they are expensive and delayed. Ms. Wray explained that the state actors are intended to be immune from suit. When a qualified immunity defense is filed, there is a motion for stay discovery. That is often granted. They can appeal any denial of qualified immunity to make sure the officer gets the immunity and stop the case. Then they can file a second qualified immunity motion at the summary judgment stage and appeal again.

Mr. Kelin asked if the amount of money that is available is decreased and if there is potential for the County exposure to be increased? Ms. Wray stated yes.

Ms. Wray stated some cases were disposed of while the qualified immunity motion was pending, she is unsure if they settled for more or less. When a qualified immunity motion was not filed, the cases settle more often.

Ms. Sanders stated assuming a civil rights act passes and there is a fiscal impact, one option is that each public entity continues their policies to cover them and waits to see what the costs are. Second the legislature may set up a monitoring system so they will have actual data before deciding how to allocate money to address the fiscal impact. Another possibility is to set up a reinsurance pool with strict underwriting rules. Or perhaps each agency purchases individual coverage for each officer based on their loss history. If the legislature has broader concerns, there may well be other options for teachers and social workers.

Until they have a few years of experience, they could recommend to the legislature that each insuring entity have strong policies and training that would go a long way towards preventing claims. Sometimes they were not taught any differently and if each entity changed and held the employees accountable, this could impact costs.

Ms. Sanders stated paying a judgment is not the only way to hold public employees accountable. The law enforcement academy has previously failed to offer proper training or require suspensions and revocations. The legislature can recommend they do and audit them. Loss prevention efforts address the three-legged stool. They can also recommend the creation of a database to keep track of history. There are national databases in place now. They currently have a pass the trash mentality and that can jeopardize coverage. Years ago, NMSPIA had a coverage dispute between a school district and a potential possible claim.

Ms. Sanders stated this commission and the legislature need to make a public policy decision. Not just based on fiscal considerations. She asked, does it make sense to guarantee rights through the constitution without offering a mechanism to enforce those rights?

6. COMMITTEE DISCUSSION (COMMISSION MEMBERS)

None.

7. OTHER BUSINESS (COMMISSION MEMBERS)

None.

8. NEXT MEETING (COMMISSION MEMBERS)

Chair Bosson explained the next meeting will be Friday October 23, 2020. They will take votes on the questions in HB5. Chair Bosson would like to have a presentation from the Law Enforcement Academy. They can limit them to time, once they open it up for discussion, they will take some time.

Ms. Smith states they will hear from the Law Enforcement Agency and Robin Hammer, and if there are suggestions as to what they would like to hear from them in particular, let her know.

Chair Bosson suggested members send that in an email.

Ms. Stewart is unclear what they will vote on. She thought they were submitting suggestions.

Chair Bosson stated the questions are in the actual bill what they have requested a report on.

8. ADJOURN

With all business concluded Mr. Rodriguez moved to adjourn at 5:15 p.m. with a second from Ms. Torres.

Signed and approved:

/s/ Justice Bosson, Chair