



Office of the Governor

MICHELLE LUJAN GRISHAM

Criminal Competency & Treatment

House Bill 4

**Sponsors: Senators Brantley, Cervantes,
Representatives Chandler, Anaya and Reeb**

OVERVIEW

House Bill 4 significantly rewrites sections of the Criminal Code related to criminal competency, establishing a detailed flowchart outlining the court's actions regarding determination, commitment, and treatment. The bill also broadens the range of crimes for which a defendant may be criminally committed.

DESIRED RESULTS

- Reduce the crime
- Restore competency
- Provide individuals with a second chance at life, once they are held accountable
- Recognize that most individuals won't seek treatment on their own, so intervention is necessary

WHY NOW?

- More than 18,000 criminal cases in New Mexico have been dismissed on competency grounds since 2017
- This has resulted in at least 1,500 repeat offenders

PRIME EXAMPLE

"Puentes has racked up close to 90 criminal cases over the years. But in close to half of those, the courts found him unfit or incompetent to stand trial."

—Brittany Costello, KOB4

A DUTY TO PROTECT

"I would argue that we not only have a duty to protect the public, but we also have a duty to protect those cannot protect themselves. and this bill would help do both of those things"

—Chief Troy Weisler, New Mexico State Police

"Competency. It's the ultimate revolving door, and we see it every day. It's not fair to the victims. It's not fair to the community. And it's not fair to the people suffering from mental illness. Once their case is dismissed, currently, there is no way to get them the help they need. That needs to change."

—Sam Bregman, Bernalillo County District Attorney

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