

**State of New Mexico
Corrections Department**

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"We commit to the safety and well-being of the people of New Mexico by doing the right thing, always."

Press Release

May 3, 2012

Re: NMCD Investigation into Inappropriate Release of Inmate

"Public safety is a main priority for the New Mexico Corrections Department. This incident is very disturbing and is being thoroughly investigated. The people of New Mexico can be assured mistakes of this sort are not acceptable. Staff disciplinary action will be taken, if necessary."

-Jerry Roark
Adult Prisons Director
New Mexico Corrections Department

Offender Don Gutierrez (DOB 3/21/78) was released from Southern New Mexico Correctional Facility on 12/7/11. He failed to show up, as he was required, at the Probation and Parole Office in Albuquerque the next day (12-8-11) so Probation and Parole issued an Arrest & Hold for Gutierrez.

So far, an internal investigation by the New Mexico Corrections Department shows Gutierrez should have been incarcerated for approximately two more years.

On Wednesday (5/2/12), the Bernalillo District Attorney's Office informed the New Mexico Corrections Department that Gutierrez should not have been released. Gutierrez' probation had been revoked for another case he had pending.

Gutierrez was arrested for new charges of residential burglary on February 18, 2012. He was in custody at the Metropolitan Detention Center. On Wednesday (5/2/12), Gutierrez was transferred from MDC to the Central New Mexico Correctional Facility in Los Lunas.

I will update you about any developments in this investigation.

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Courage **R**esponsibility **E**thics **D**edication - **CRED**ibly serving the public safety of New Mexico
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