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## FISCAL IMPACT REPORT

SPONSOR: Martinez DATE TYPED: 2/28/01 HB 769  
 SHORT TITLE: Minimum Parole Period for Juveniles SB \_\_\_\_\_  
 ANALYST: Dunbar

### APPROPRIATION

Appropriation Contained		Estimated Additional Impact		Recurring or Non-Rec	Fund Affected
FY01	FY02	FY01	FY02		
		See Administrative Implications			

(Parenthesis ( ) Indicate Expenditure Decreases)

### SOURCES OF INFORMATION

Child Youth and Families Department  
 Attorney General  
 Juvenile Parole Board  
 Administrative Office of the Courts  
 Public Defender

### SUMMARY

#### Synopsis of Bill

This bill amends the children’s code to establish that every youth released from a juvenile facility that CYFD operates serve at least three month parole period, the ability to extend one year commitment, and clarifying that parents are permitted to receive law enforcement reports.

The purpose of the bill is to allow all juveniles to be supervised on parole for a period of ninety days to advance the child’s reintegration into the community. This bill does not appropriate any funds.

#### Significant Issues

JPD has become aware through records reviews that juveniles who have been returned to the community without parole supervision and community intervention are returning to the institutions on second and third commitments. A reason provided is that these juvenile are not receiving a continuum of services from the institution to the community.

## **PERFORMANCE IMPLICATIONS**

Recommitment performance measure will be impacted in CYFD and therefore, this measure will have to be adjusted.

Currently the Juvenile Parole Board (JPB) performs initial 40-day reviews and six month reviews on all committed juveniles. This is in addition to other types of reviews which amount to 1000 plus reviews a year. It is through these reviews that the JPB discovered the need for this legislation. JPD believes that the legislation will improve efforts of reintegrating these juvenile into the community.

## **FISCAL IMPLICATIONS**

There is not any appropriations in this bill.

## **ADMINISTRATIVE IMPLICATIONS**

The workload of the Juvenile Parole Board (JPB) would increase. Currently 350 juveniles are released each fiscal year without parole and returned to their perspective communities. These juveniles are currently housed at four institutions: YDDC, Camino Nuevo Youth Center, New Mexico Boys School, and Camp Sierra Blanca. This bill will increase hearings by at least four hearing dates a month; one at each institution( doubling the amount of hearing). JPB currently paroles approximately 250 juveniles a year. Juveniles paroled under this bill would not require a regular hearing where a decision is needed on whether to grant or deny parole but instead on setting parole conditions.

JPD indicates that the agency could absorb the extra workload at the current time.. However, from the information provided by JPD on additional hearings that will be required by the passage of this legislation , the agency will probably need a new hearing officer position.

## **OTHER SUBSTANTIVE ISSUES**

CYFD states that the legislation requires that every youth reenter the community pursuant to a parole agreement. Therefore, the legislation provides incentive for those youths who are complying with their rehabilitation plan to be rewarded with parole, and for those youths who are not complying with their rehabilitation plan to be released to the community upon expiration of their commitment period, but pursuant to a parole agreement.

The AG's office points out the amendment to paragraph E would allow the court to extend either a short-term or a long-term commitment for additional periods of one year until the child reaches the age of 21. As the statute now reads the court can only extend the commitment of a child who was previously given a long-term commitment. The amendment appears to be designed to give the court greater discretion in treating a child given either a short-term and long-term commitment.

The Public Defender supports this legislation as necessary to safeguard the welfare of the child and/or the public interest. The Public Defender says that a period of time that assists a child's reintegration into a community will help prevent recidivism and provide a framework for long term fiscal benefits by diminishing juvenile delinquency dockets.

BD/njw