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FISCAL IMPACT REPORT

SPONSOR: S.	IC	DATE TYPED:	03/13/01	HB	
SHORT TITLE: Crime Victim Notifica		ation		SB	19/SJCS
	ANALYST:				Rael

APPROPRIATION

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

(Parenthesis () Indicate Expenditure Decreases)

Duplicates/Relates to Appropriation in The General Appropriation Act

SOURCES OF INFORMATION

Corrections Department (CD) Attorney General's Office (AGO) Administrative Office of the District Attorneys (AODA) Children, Youth and Families Department (CYFD) Administrative Office of the Courts (AOC)

<u>No Response</u> Parole Board (PB) Juvenile Parole Board (JPB) Crime Victims Reparations Commission (CVRC) Department of Public Safety (DPS)

SUMMARY

Synopsis of Bill

The Crime Victim Notification Act would require the attorney general's office, when appropriate, to provide crime victims with information about victims rights in the New Mexico Constitution and Chapter 31, a copy of the charge filed, the procedural steps involved in a prosecution, and, if requested, notice of scheduled court proceedings.

The bill also amends sections of the Victims of Crime Act for criminal proceedings, escapes and releases from incarceration. For court proceedings, the bill includes the Attorney General's Office as an agency a court must contact before a court criminal proceeding. When an inmate or delinquent child escapes from the Children, Youth and Families Department or the Corrections Department, instead of notifying the local district attorney, the agencies will notify the Administrative Office of the

Senate Bill 19/SJCS -- Page 2

District Attorneys and they, in turn, will notify the local district attorney. For releases or consideration of releases, the parole boards will notify the Administrative Office of the District Attorneys instead of each district attorney in the state. The Administrative Office of the District Attorneys will notify individual attorneys and they, in turn, will notify any victims. The time periods for notification are extended to reflect the additional steps in the process.

FISCAL IMPLICATIONS

See Administrative Implications below.

ADMINISTRATIVE IMPLICATIONS

The Corrections Department is concerned that the bill requires that the information travel from the Parole Board to the Corrections Department to the Administrative Office of the District Attorney creates an additional layer of process and procedures that may be unnecessary.

The Corrections Department reports that it would have to develop new administrative protocols to collect information from the adult Parole Board. At the present time, the Department is informed of Parole Board decisions via individual parole certificates issued for each inmate; these certificates are forwarded to the respective institutions where the inmate to be paroled is housed. The Board does not forward a unified list of inmates who are to be paroled to the Central Office of the Corrections Department. New procedures and practices would have to be developed to centrally track the decisions of the Parole Board to assure that the Attorney General and the Administrative Office of the District Attorney is notified when inmates from the Department's institutions are to be paroled.

TECHNICAL ISSUES

- 1. The Corrections Department would recommend the following change: Strike new material 31-26-12(C) and retain existing subsection (C), as amended.
- 2. Page 2, line 13 after "office" insert ", or the attorney general's office, when appropriate".

FAR/ar