NOTE: As provided in LFC policy, this report is intended for use by the standing finance committees of the legislature. The Legislative Finance Committee does not assume responsibility for the accuracy of the information in this report when used in any other situation.

Only the most recent FIR version, excluding attachments, is available on the Intranet. Previously issued FIRs and attachments may be obtained from the LFC office in Suite 101 of the State Capitol Building North.

FISCAL IMPACT REPORT

| SPONSOR: | Campos | | DATE TYPED: | 02/25/01 | HB | |
|--------------|--------|--------------------------------|-------------|----------|------|----------|
| SHORT TITLE: | | Study Parole Board Composition | | | SB | SJM65 |
| ANALYST: | | | | | YST: | Trujillo |

SOURCES OF INFORMATION

LFC Files

SUMMARY

Synopsis of Bill

SJM65 requests that the Legislature conduct a study to determine whether the composition of the Parole Board should be revised.

Significant Issues

Laws 1975, Chapter 194 (Sections 31-21-23 through 31-21-25 NMSA 1978) created the full-time Parole Board.

In 1999 the Board was changed from a full time salaried board to a voluntary board due to the Board mostly acting on determinate sentencing rather than indeterminate sentencing. The review of case files was handled through staff with parole board members spending less time at institutions and conducting full day hearings.

Laws 1999, Chapter 20, amended the statute to read "The purpose of the Parole Board Act [31-21-22 to 31-21-26 NMSA 1978] is to create a professional parole board." The Parole Board consists of nine members appointed by the governor with the consent of the senate. The members serve for six years. To provide for staggered terms, three of the initially appointed members including the chairman, are appointed for six years, three members for four years and three members for two years. Thereafter all members shall be appointed for six year terms.

Members of the Parole Board receive per diem and mileage as provided for nonsalaried public officers in the Per Diem and Mileage Act in lieu of actual expenses for transportation, lodging and subsistence while on official business of the Board.

The Board is responsible for conducting parole release hearings, parole revocation hearings, executive clemency referrals and parole discharge reviews. The Board is also responsible for notifying the district attorney offices whenever an inmate is scheduled for a hearing. District attorneys are responsible for notifying victims in their districts.

The Board's powers and duties are to grant, deny or revoke parole, conduct investigations, summon witnesses, maintain records and adopt rules and regulations for the effectual discharge of the duties of the Board.

LAT/njw