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FISCAL IMPACT REPORT

SPONSOR Chavez DATE TYPED 2/11/05 HB 695

SHORT TITLE Increase Parole Board Membership SB _____

ANALYST Peery

APPROPRIATION

Appropriation Contained		Estimated Additional Impact		Recurring or Non-Rec	Fund Affected
FY05	FY06	FY05	FY06		
			See Narrative		

(Parenthesis () Indicate Expenditure Decreases)

SOURCES OF INFORMATION

LFC Files

Responses Received From

Department of Finance Administration (DFA)

Parole Board (PB)

SUMMARY

Synopsis of Bill

House Bill 695 changes statute to increase the number of parole board members from 9 to 15, and to have five members appointed every two years. The proposed legislation requires members to serve until their successors have been appointed and qualified.

PERFORMANCE IMPLICATIONS

PB reports without the expansion in parole board members, the board will be unable to accomplish its mission as required by statute. By statute, at least 2 members must be present at each hearing. The hearings are held at 15 institutions in 8 separate locations throughout the state – Hobbs, Roswell, Santa Rosa, Los Lunas, Estancia, Grants, Las Cruces and Santa Fe. PB states with nine volunteer members, it has become impossible to successfully send two members to every hearing as required, especially when illness or other absences occur.

FISCAL IMPLICATIONS

PB report quarterly board meetings per diem expenses and mileage would increase at approximately \$2,000-\$2,500 yearly. PB states for regularly scheduled hearing the per diem and mileage would likely decrease due to board members no longer having to travel great distances for hearings or scheduling extra days in order to accommodate travel schedules.

DFA states depending on the length and time of travel, additional per diem and mileage funds may be needed for the six additional members.

ADMINISTRATIVE IMPLICATIONS

PB reports only minor administrative changes would be needed relating to communication with the additional board members.

OTHER SUBSTANTIVE ISSUES

PB states the board members are volunteers that generally have other work responsibilities, or they are retired. PB reports the retirees are frequently faced with health issues which impacts their availability.

PB reports adding more board members would make possible a geographic representation with reasonable accessibility to the institutions. Currently, the majority of parole board members reside in the Albuquerque and Santa Fe area. By statute, the governor appoints the board members and is not required to consider the geographic location of members.

DFA states a temporary provision exists in Section 2 that allows members of the parole board serving on July 1, 2005 to continue to serve until their term expire and their successors have been appointed and qualified.

ALTERNATIVES

PB states they envision using video technology when that process becomes available; however, that is not yet the case and it does not appear that video technology will be available in the near future.

In November 2004, NMCD in conjunction with the Adult Parole Board successfully conducted the first live video conference hearings for seven inmates at the Lea County Correctional Facility. Representatives from the Governor's Office and the Attorney General's Office were also present. On January 6, 2005, victims were present for the first time during a Parole Board hearings conducted via video conferencing. The room was set up to accommodate the victims so that they were off screen.

LFC's IT Special Appropriation recommends \$250,000 from general fund for the State Parole Board to implement timely parole hearings through video conferencing technology to permit offenders to be released when they have completed all the requirements of their basic sentence, reduce travel time and risk, and increase scheduling flexibility.