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FISCAL IMPACT REPORT

SPONSOR Martinez DATE TYPED 2/7/05 HB _____

SHORT TITLE Earned Meritorious Deduction Authority SB 599

ANALYST Peery

APPROPRIATION

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

(Parenthesis () Indicate Expenditure Decreases)

SOURCES OF INFORMATION

LFC Files

Response Received From

New Mexico Corrections Department (NMCD)

No Responses

Administrative Office of the Courts (AOC)

Administrative Office of the District Attorneys (AODA)

New Mexico Sentencing Commission (NMSC)

SUMMARY

Synopsis of Bill

Senate Bill 599 would give the Corrections Department more administrative flexibility by allowing the Department to engage in the following administrative functions: (1) award inmates earned meritorious deductions known as good time, (2) award good time during periods of prison lock down, (3) award lump sum awards to certain inmates, and (4) forfeit and restore inmates' good time. The bill allows the Department to engage in these administrative functions based on the recommendations and/or approval of the prison's classification supervisor instead of the entire classification committee, the prison warden or warden's designee, and the director of adult prisons division or designee of the director.

PERFORMANCE IMPLICATIONS

NMCD states the proposed legislation would essentially help streamline and make more efficient the Department's awarding of good time and related administrative processes.

ADMINISTRATIVE IMPLICATIONS

NMCD reports the proposed legislation will reduce administrative workload of the classification committee, wardens and director of adult prisons by allowing delegation of these administrative functions to qualified Department designees, thereby increasing administrative efficiency and overall efficiency of programs.

OTHER SUBSTANTIVE ISSUES

NMCD reports the proposed legislation would give them the following administrative flexibility:

- Allow inmates to become eligible for earned meritorious deductions by actively participating in programs recommended by the classification supervisor and approved by the warden's designee;
- Allow inmates to earn good time based on the recommendations of the classification supervisor and the approval of the warden's designee;
- To have warden's designee determine if a locked down inmate, unable to participate in programs, should continue to be awarded good time;
- To have classification supervisor and the warden's designee make recommendations as to the number of days lump sum awards for inmates;
- To have the director of adult prison's designee approve or determine lump sum awards;
- To deny eligibility for good time to any prisoner not actively participating in programs recommended and approved by classification supervisor;
- To forfeit up to 90 days of an inmate's good time based on the recommendations of the classification supervisor and the warden's designee and the final approval of the designee of the director of the adult prisons division; and
- To restore lost good time based on the recommendation of the classification supervisor, the approval of the warden's designee, and the final approval of the director of the adult prisons division.

RLP/njw