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FISCAL IMPACT REPORT

ORIGINAL DATE 3/5/07

SPONSOR Swisstack LAST UPDATED _____ HM 68

SHORT TITLE Offender Rehab & Recidivism Reduction SB _____

ANALYST Peery-Galon

APPROPRIATION (dollars in thousands)

Appropriation		Recurring or Non-Rec	Fund Affected
FY07	FY08		
NA	NA	NA	NA

(Parenthesis () Indicate Expenditure Decreases)

SOURCES OF INFORMATION

LFC Files

Response Received From

New Mexico Sentencing Commission (NMSC)

No Responses Received From

New Mexico Corrections Department

New Mexico Municipal League

New Mexico Association of Counties

SUMMARY

Synopsis of Bill

House Memorial 68 requests the New Mexico Sentencing Commission to study and make recommendations for needed community services and programs, including housing which supports offender rehabilitation and reintegration into our communities. The memorial requests the commission to study and make recommendations on programs and services needed to effectuate a reduction in recidivism rates and to provide support for the early release of nonviolent offenders into the community. Also, the memorial states the commission is to report its findings and recommendations to the appropriate interim legislative committee no later than November 2007.

FISCAL IMPLICATIONS

The early release of nonviolent prisoners would reduce the prison population and increase the caseloads of probation and parole officers. NMCD reports the annual cost of incarcerating an inmate is \$23,867 per year for a male and \$21,651 per year for a female. The cost per client in probation and parole for a standard supervision program is \$1,467 per year, for an intensive

supervision program is \$3,383 per year, for a NMCD community corrections program is \$3,503 per year, for a privately-owned community corrections program is \$7,917 per year, and for male and female residential community corrections program is \$39,401 per year.

SIGNIFICANT ISSUES

The New Mexico Sentencing Commission report “Estimated Number of Offenders in New Mexico Corrections Department Facilities in November 2006 Eligible for Controlled Release” states 69 nonviolent offenders with a level 1 custody assignment had a projected release date, 12 months or less, that would have made them eligible for controlled release. Further, the report shows 160 nonviolent offenders with a level 2 final custody assignment had a projected release that would have made them eligible for controlled release. Offenders serving time on a drug possession conviction comprised the largest group followed by burglary convictions and fraud convictions. The analysis did not include violent offenders, sex offenders, DWI offenders or individuals serving time on a drug trafficking offense.

PERFORMANCE IMPLICATIONS

The memorial could have an impact on the following performance measures for the New Mexico Corrections Department:

- Percent of prisoners reincarcerated within 12 months of being released from the New Mexico Corrections Department prison system into community supervision or discharged. The fiscal year actual for this performance measure was 30.24 percent.
- Percent of prisoners reincarcerated within 24 months of being released from the New Mexico Corrections Department prison system into community supervision or discharged. The fiscal year actual for this performance measure was 38.22 percent.
- Percent of prisoners reincarcerated within 36 months of being released from the New Mexico Corrections Department prison system into community supervision or discharged. The fiscal year actual for this performance measure was 46.72 percent.

ADMINISTRATIVE IMPLICATIONS

The New Mexico Sentencing Commission report the commission is capable of performing the report using existing staff, including University of New Mexico undergraduates and graduate students, for the research.

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

The memorial has a relationship to House Joint Memorial 61 – Research Adult Probation & Parole Services.

OTHER SUBSTANTIVE ISSUES

On February 19, 2007, the New Mexico Corrections Department had 153 in-house parolees. In-house parolees are prisoners that are serving out parole time while in a state correctional facility. In-house parolees that serve out their parole in prison are discharged into the community under no supervision. These in-house parolees are difficult to release due to lack of housing assistance, substance abuse programs, mental health programs and sex offender programs. In-house parolees are often awaiting program beds.