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## FISCAL IMPACT REPORT

ORIGINAL DATE 3/6/07

SPONSOR Chasey LAST UPDATED \_\_\_\_\_ HB HM 72

SHORT TITLE Study Independent Corrections Oversight SB \_\_\_\_\_

ANALYST Peery-Galon

### APPROPRIATION (dollars in thousands)

Appropriation		Recurring or Non-Rec	Fund Affected
FY07	FY08		
	NFI		

(Parenthesis ( ) Indicate Expenditure Decreases)

Duplicates House Joint Memorial 37 – Correctional Facility Independent Oversight.

### SOURCES OF INFORMATION

LFC Files

#### Responses Received From

New Mexico Corrections Department (NMCD)

New Mexico Sentencing Commission (NMSC)

#### No Response Received From

Attorney General’s Office (AGO)

### SUMMARY

#### Synopsis of Bill

House Memorial 72 requests the attorney general to appoint and chair a task force to study the feasibility and effectiveness of forming an independent entity that would oversee the status and conditions of New Mexico’s correctional facilities, and if the task force finds that it would be feasible and effective to form an independent entity that it specify the composition and nature of the entity regarding expertise, and the areas and methods of oversight. The taskforce is to report its findings to the appropriate interim committee no later than November 2008.

### SIGNIFICANT ISSUES

NMCD state the memorial “appears to make a number of erroneous, unsupported or misleading findings or assumptions about New Mexico prisons.” NMCD reports the department has nothing to hide and will cooperate fully with any independent oversight entity created as a result of the proposed memorial.

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NMCD states the department is already reviewed by a variety of entities and laws. NMCD makes regular presentations to the interim Courts, Corrections and Justice Committee. Also, NMCD regularly provides information to the Legislative Finance Committee, Correction Population Control Commission and other committees on its operations and performance. NMCD reports the department is subject to the Inspection of Public Records Act and regularly provides requested information to the press and members of the public.

### **CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP**

House Memorial 72 is a duplication of House Joint Memorial 37 titled “Correctional Facility Independent Oversight.”

### **OTHER SUBSTANTIVE ISSUES**

NMCD states if the proposed memorial is enacted, the department requests its representatives be able to provide information, ideas and recommendations to the attorney general’s task force. NMCD states the department’s viewpoints should be considered and evaluated by any task force, just as the task force should consider and evaluate the viewpoints of other groups and individuals.

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