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FISCAL IMPACT REPORT

ORIGINAL DATE 1/21/08

SPONSOR Rawson LAST UPDATED _____ HB _____

SHORT TITLE Expand Third District Juvenile Drug Court SB 12

ANALYST C. Sanchez

APPROPRIATION (dollars in thousands)

Appropriation		Recurring or Non-Rec	Fund Affected
FY08	FY09		
\$0	\$27.2	Recurring	General Fund

(Parenthesis () Indicate Expenditure Decreases)

Duplicates part of a larger Drug Court bill which will be a Courts, Corrections and Justice Committee bill on behalf of the Judiciary but which has not yet been assigned a number.

SB 12 relates to SB10, Additional Third Judicial District Judgeship, because it appropriates \$217.535 from the General Fund to the Third Judicial District Court for an additional District Judgeship for expenditure in fiscal year 2009.

SB12 relates to SB11, Additional Third District Court Staff, because it appropriates \$392.4 from the General Fund to the Third Judicial District Court for seven full-time positions for expenditure in fiscal year 2009.

SB12 relates to HB 144, Additional Drug Court Resources, because it appropriates \$1026.0 to expand family, juvenile, and adult drug courts in the First, Second, Third, Fourth, Fifth, Seventh, Eighth, Eleventh, Twelfth, and Thirteenth Judicial Districts.

SOURCES OF INFORMATION

LFC Files

Responses Received From

Administrative Office of the Courts (AOC)

Department of Corrections (DOC)

SUMMARY

Synopsis of Bill

Senate Bill 12 seeks to appropriate \$27,200 to the Administrative Office of the Courts (AOC) to enhance the juvenile drug court program at the Third Judicial District Court.

FISCAL IMPLICATIONS

SB 12 appropriates \$27,200 in recurring general funds for a 0.5 FTE at the third judicial district court. Any unexpended or unencumbered balance remaining at the end of FY09 shall revert to the general fund.

SIGNIFICANT ISSUES

According to the AOC, the Juvenile Drug Court program at the Third Judicial District is the oldest juvenile drug court in New Mexico, having been in existence since 1997. During that time, the program has worked with over 400 participants, ages 12 –18. In keeping with the nationally recognized success of such drug court programs, the Third's Juvenile Drug Court has high success, graduation and educational rates for the most recent fiscal year. In FY07, the program had a three-year-post-graduation recidivism rate of 15.5% (which equates to an 85% success rate of its graduates) and a graduation rate of 68%. In addition, 100% of its program graduates were either enrolled in school, had completed their GED or had graduated from high school. For the AOC, compiling data on participants' criminal and substance abuse history, program activities and success after the program is time consuming but essential to ongoing operations of a drug court program. Such data allows a program to review its operating procedures and philosophy with an eye towards program improvements, provide reports to the judge and other criminal justice entities involved in the program and provide the statutorily mandated performance measures to the AOC and LFC.

The 0.5 FTE funded by this appropriation would be for a Data Entry Clerk position to maintain the Juvenile Drug Court database and enter all new drug court data. The position will be responsible for maintaining the database, entering data and furnishing data queries as required by the Program Director, AOC and others. A program surveillance officer is currently attempting to perform these database duties, but such data entry and ad hoc reporting activities are affecting the surveillance officer's ability to perform surveillance, a function essential to the successful monitoring of the court-ordered activities of the participants.

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

This specific funding request will be included in a Drug Court Courts, Corrections and Justice Committee bill on behalf of the Judiciary. That bill has not yet been assigned a number, but will contain this funding request for the Third Judicial District along with funding requests for a large number of other New Mexico drug court programs.

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL

Fewer drug offenders will receive the treatment and attention they need. Thus, they may violate their probation or parole conditions and be sent to prison, thus impacting New Mexico's prison population.