

A MEMORIAL

REQUESTING THAT AN INTERIM LEGISLATIVE COMMITTEE STUDY MOVING THE PROBATION DUTIES OF THE ADULT PROBATION AND PAROLE DIVISION OF THE CORRECTIONS DEPARTMENT TO THE JUDICIAL BRANCH.

WHEREAS, according to the Pew research center, between 1982 and 2007, the number of people on probation or parole nearly doubled to more than five million nationwide; and

WHEREAS, the corrections department reported that nearly twenty thousand New Mexicans were on probation or parole for fiscal year 2008; and

WHEREAS, while the number of people entering prison in New Mexico is declining, the number of people on probation or parole has grown by more than three percent in the last decade; and

WHEREAS, the corrections department, an executive agency, is charged with monitoring persons on probation but has no authority to enforce probation violations; and

WHEREAS, the judiciary is charged with enforcing probation violations but has no authority to monitor a person on probation until a violation has occurred; and

WHEREAS, the probation system may be more efficient if a single branch of government were charged with monitoring persons on probation as well as enforcing probation violations;

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF NEW MEXICO that the New Mexico legislative council direct the appropriate interim legislative committee to study moving the duties of the adult probation and parole division of the corrections department, as they relate to monitoring persons on probation to the judicial branch of government; and

BE IT FURTHER RESOLVED that the committee work with the corrections department and the administrative office of the courts to determine the feasibility of moving the adult probation and parole division's probation duties to the judicial branch; and

BE IT FURTHER RESOLVED that copies of this memorial be transmitted to the New Mexico legislative council, the administrative office of the courts and the corrections department.