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AN ACT

RELATING TO CORRECTIONS; INCREASING THE MAXIMUM CASE LOAD OF
A PROBATION AND PAROLE OFFICER WORKING IN INTENSIVE
SUPERVISION PROGRAMS FROM TWENTY TO FORTY OFFENDERS.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

SECTION 1. Section 31-21-13.1 NMSA 1978 (being Laws
1988, Chapter 62, Section 3, as amended) is amended to read:

"31-21-13.1. INTENSIVE SUPERVISION PROGRAMS.--

A. As used in this section, "intensive supervision
programs" means programs that provide highly structured and
intense supervision, with stringent reporting requirements,
of certain individuals who represent an excessively high
assessment of risk of violation of probation or parole,
emphasize meaningful rehabilitative activities and reasonable
alternatives without seriously increasing the risk of
recidivist crime and facilitate the payment of restitution by
the offender to the victim. "Intensive supervision programs"
include house arrest programs or electronic surveillance
programs or both.

B. The corrections department shall implement and
operate intensive supervision programs in various local
communities. The programs shall provide services for
appropriate individuals by probation and parole officers of
the corrections department. The corrections department shall

1 promulgate rules and regulations to provide that the officers
2 providing these services have a maximum case load of forty
3 offenders and to provide for offender selection and other
4 criteria. The corrections department may cooperate with all
5 recognized law enforcement authorities and share all
6 necessary and pertinent information, records or documents
7 regarding probationers or parolees in order to implement and
8 operate these intensive supervision programs.

9 C. For purposes of this section, a judge
10 contemplating imposition of an intensive supervision program
11 for an individual shall consult with the adult probation and
12 parole division of the corrections department and consider
13 the recommendations before imposing such probation. The
14 adult probation and parole division of the corrections
15 department shall recommend only those individuals who would
16 have otherwise been recommended for incarceration for
17 intensive supervision programs. A judge has discretion to
18 impose an intensive supervision program for an individual,
19 regardless of recommendations made by the adult probation and
20 parole division. Inmates eligible for parole, or within
21 twelve months of eligibility for parole, or inmates who would
22 otherwise remain in a correctional institution for lack of a
23 parole plan or those parolees whose parole the board would
24 otherwise revoke are eligible for intensive supervision
25 programs. The provisions of this section do not limit or

1 reduce the statutory authority vested in probation and parole
2 supervision as defined by any other section of the Probation
3 and Parole Act.

4 D. There is created in the state treasury the
5 "corrections department intensive supervision fund" to be
6 administered by the corrections department upon vouchers
7 signed by the secretary of corrections. Balances in the
8 corrections department intensive supervision fund shall not
9 revert to the general fund. Beginning July 1, 1988, the
10 intensive supervision programs established pursuant to this
11 section shall be funded by those supervision costs collected
12 pursuant to the provisions of Sections 31-20-6 and 31-21-10
13 NMSA 1978. The corrections department is specifically
14 authorized to hire additional permanent or term full-time
15 equivalent positions for the purpose of implementing the
16 provisions of this section."

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