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HOUSE MEMORIAL 75

51ST LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2014

INTRODUCED BY

Emily Kane

A MEMORIAL

REQUESTING THAT THE ADMINISTRATIVE OFFICE OF THE COURTS CONVENE
A TASK FORCE TO SURVEY PRACTICES AND PROGRAMS WITH REPORTED
ABILITY TO LOWER DWI RECIDIVISM FOR POTENTIAL IMPLEMENTATION OR
EXPANSION WITHIN THE NEW MEXICO CRIMINAL JUSTICE SYSTEM.

WHEREAS, New Mexico has a continuing problem with persons
driving under the influence of alcohol or drugs; and

WHEREAS, there is a high rate of recidivism by those who
drive under the influence of alcohol or drugs; and

WHEREAS, the number of persons who drive under the
influence of alcohol or drugs presents a grave public health
crisis in the state; and

WHEREAS, according to the department of health, one-
fourth of driving under the influence of intoxicating liquor or
drugs offenders will be rearrested for the same offense within

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1 five years; and

2 WHEREAS, according to the national statistics from mothers
3 against drunk driving, each DWI offender is estimated to have
4 driven under the influence an average of eighty-seven times
5 before arrest; and

6 WHEREAS, repeat offenders of DWI laws represent a serious
7 threat to themselves and to the public; and

8 WHEREAS, according to the national highway traffic safety
9 administration and department of health methodologies, alcohol-
10 and drug-involved crashes result in over one billion dollars
11 (\$1,000,000,000) of economic loss to New Mexicans each year;
12 and

13 WHEREAS, the national highway traffic safety
14 administration recommends the implementation of DWI drug court
15 programs as an effective means of reducing the recidivism of
16 DWI offenders, and the New Mexico judiciary has operational DWI
17 drug court programs in seven jurisdictions; and

18 WHEREAS, as part of New Mexico's ongoing push to reduce
19 recidivism for driving under the influence of intoxicating
20 liquor and drugs, the state is examining implementing new and
21 innovative policies such as the 24/7 sobriety and drug
22 monitoring program that has been introduced with great success
23 in other rural western states; and

24 WHEREAS, the legislative finance committee has been
25 working with the Pew charitable trusts and the MacArthur

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1 foundation on evidence-based policymaking through the results
2 first initiative; and

3 WHEREAS, it would be a great aid to the legislature and to
4 policymakers in New Mexico to have comprehensive data
5 concerning how cases involving driving under the influence of
6 intoxicating liquor or drugs progress through the state's
7 courts;

8 NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF
9 REPRESENTATIVES OF THE STATE OF NEW MEXICO that the
10 administrative office of the courts be requested to convene a
11 task force to undertake a review of research results concerning
12 programs that have shown positive outcomes, such as South
13 Dakota's 24/7 sobriety and drug monitoring program and similar
14 new and innovative programs, and to consult with experts
15 knowledgeable about such programs and their effectiveness; and

16 BE IT FURTHER RESOLVED that the administrative office of
17 the courts be requested to conduct a survey of New Mexico DWI
18 sentencing and probation management practices to evaluate the
19 efficacy of introducing and expanding these practices; and

20 BE IT FURTHER RESOLVED that the administrative office of
21 the courts be requested to report to the appropriate
22 legislative committee in the 2014 interim on the findings of
23 the task force and the feasibility of implementing best
24 practices to reduce DWI recidivism; and

25 BE IT FURTHER RESOLVED that copies of this memorial be

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1 transmitted to the administrative office of the courts, the
2 secretary of health, the secretary of transportation and the
3 secretary of corrections.

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