

1 HOUSE BILL 387

2 **56TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2023**

3 INTRODUCED BY

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5 Natalie Figueroa

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10 AN ACT

11 MAKING AN APPROPRIATION TO THE DEPARTMENT OF FINANCE AND  
12 ADMINISTRATION TO REDUCE THE BACKLOG OF OUTSTANDING FELONY  
13 WARRANTS.

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

16 SECTION 1. APPROPRIATION.--

17 A. Twenty million dollars (\$20,000,000) is  
18 appropriated from the general fund for expenditure in fiscal  
19 year 2024 to the department of finance and administration to  
20 fund efforts to reduce the backlog of outstanding felony  
21 warrants. The department of finance and administration shall  
22 disburse the appropriated money to the following entities in  
23 the following amounts:

24 (1) ten million dollars (\$10,000,000), seven  
25 million dollars (\$7,000,000) of which shall be reserved for

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1 police agencies in Bernalillo county, including the Albuquerque  
2 police department and the Bernalillo county sheriff's office,  
3 to the:

4 (a) Albuquerque police department for  
5 overtime compensation;

6 (b) Bernalillo county sheriff's office  
7 for warrant backlog entry and overtime compensation;

8 (c) office of the second judicial  
9 district attorney for data cleanup;

10 (d) law offices of the public defender  
11 within Bernalillo county;

12 (e) administrative office of the courts,  
13 including the second judicial district court and the Bernalillo  
14 county metropolitan court, for data cleanup related to felony  
15 warrant backlog efforts, advertising and conducting safe  
16 surrender events at which a person with an outstanding warrant  
17 may resolve an outstanding warrant by safe surrender;

18 (f) Bernalillo county metropolitan  
19 detention center; and

20 (g) adult probation and parole division  
21 of the corrections department within Bernalillo county; and

22 (2) ten million dollars (\$10,000,000) to:

23 (a) the New Mexico state police division  
24 of the department of public safety within any county;

25 (b) county sheriffs' offices within any

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1 county;

2 (c) municipal police departments within  
3 any county;

4 (d) district courts within any district;

5 (e) district attorney offices within any  
6 district;

7 (f) law offices of the public defender  
8 department within any county;

9 (g) detention facilities within any  
10 county;

11 (h) the administrative office of the  
12 courts for all district courts and magistrate courts statewide  
13 for data cleanup and advertising and conducting safe surrender  
14 events at which a person with an outstanding warrant may  
15 resolve an outstanding warrant by safe surrender; and

16 (i) the adult probation and parole  
17 division of the corrections department to assist efforts  
18 throughout the state within any other county or municipality  
19 not described in Paragraph (1) of this subsection, where funds  
20 are needed for felony warrant backlog efforts.

21 B. The department of finance and administration  
22 shall disburse funds to the New Mexico state police division of  
23 the department of public safety, county sheriff's offices and  
24 municipal police departments that submit documentation  
25 detailing how the funds will be used to reduce the felony

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1 warrant backlog. The documentation shall demonstrate how the  
2 requesting agency will:

3 (1) focus on resolving previous crimes while  
4 keeping dangerous criminals from committing new crimes;

5 (2) use any disbursed funds to pay overtime  
6 costs;

7 (3) specify the total personnel cost of  
8 operations, which shall include the number of officers who will  
9 be involved, the estimated number of hours an officer would be  
10 involved in an operation and the average pay per officer; and

11 (4) specify the number of outstanding felony  
12 warrants the law enforcement agency intends to address.

13 C. When determining whether to disburse funds to a  
14 requesting agency, the department of finance and administration  
15 shall consider the following factors of the felony warrants and  
16 alleged perpetrator:

17 (1) the severity of the alleged crime;

18 (2) the date the outstanding warrant was  
19 issued;

20 (3) whether the alleged perpetrator is a  
21 repeat offender; and

22 (4) whether the alleged crime was a violent  
23 crime such as homicide, aggravated battery with a deadly  
24 weapon, aggravated assault with a deadly weapon, robbery,  
25 kidnapping, felony domestic violence, auto theft or burglary.

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D. The department of finance and administration shall disburse funds to district courts, law offices of the public defender department, district attorney offices and detention facilities that submit documentation establishing a need for the funds and proposing a comprehensive plan on how to use the funds. The requesting agency shall detail how additional arrests will affect the agency and how the requested funds will alleviate any additional burden imposed by additional arrests performed by other agencies.