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HOUSE MEMORIAL

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

INTRODUCED BY

DISCUSSION DRAFT

A MEMORIAL

REQUESTING THAT THE NEW MEXICO SUPREME COURT CONSIDER HOW
RECIDIVISM RATES MIGHT BE INCORPORATED INTO THE NEW MEXICO
JUDICIAL PERFORMANCE EVALUATION COMMISSION PROCESS.

WHEREAS, according to the corrections department, over
one-half of inmates released from prison will be back within
five years; and

WHEREAS, forty-four percent of corrections department
inmates are returning offenders with an average of three prison
stays per inmate, although some offenders have had as many as
eleven prison stays; and

WHEREAS, recidivism by prison inmates in New Mexico
imposes substantial social costs and a tremendous financial
burden on the state; and

WHEREAS, reducing recidivism by ten percent could save

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1 eight million three hundred thousand dollars (\$8,300,000) in
2 prison costs alone and could reduce victimization costs by an
3 estimated forty million dollars (\$40,000,000); and

4 WHEREAS, New Mexico's metropolitan court judges, district
5 court judges, court of appeals judges and supreme court
6 justices maintain their seats on the bench after a contested
7 election by means of a retention election; and

8 WHEREAS, the New Mexico judicial performance evaluation
9 commission issues a report on all New Mexico judges and
10 justices facing a retention election; and

11 WHEREAS, the New Mexico judicial performance evaluation
12 commission makes one of four evaluations of a judge or justice
13 facing a retention election: retain; do not retain; no
14 opinion; or insufficient time in current position to evaluate;
15 and

16 WHEREAS, New Mexico judicial performance evaluation
17 commission evaluations are based on performance in four main
18 areas: legal ability; fairness; communication skills; and
19 preparation, attentiveness, temperament and control over
20 proceedings; and

21 WHEREAS, the New Mexico judicial performance evaluation
22 commission's mandate derives both from supreme court order and
23 from the will of the residents of the state through the
24 addition of the retention provision pursuant to Article 6,
25 Section 33 of the constitution of New Mexico;

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