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FISCAL IMPACT REPORT

SPONSOR: Thompson DATE TYPED: 03/01/01 HB 880
 SHORT TITLE: Bernalillo Crime Lab and Records Facility SB _____
 ANALYST: Padilla

APPROPRIATION

| Appropriation Contained | | Estimated Additional Impact | | Recurring or Non-Rec | Fund Affected |
|-------------------------|----------|-----------------------------|----------|----------------------|---------------|
| FY01 | FY02 | FY01 | FY02 | | |
| | \$ 200.0 | | \$ 200.0 | Recurring | General Fund |

(Parenthesis () Indicate Expenditure Decreases)

SOURCES OF INFORMATION

LFC Files
 Bernalillo County Sheriff’s Department
 Department of Public Safety (DPS)
 Bernalillo County Metropolitan Court

No response received:

Department of Finance and Administration (DFA)

SUMMARY

Synopsis of Bill

House Bill 880 appropriates \$200.0 from the general fund to DFA’s Local Government Division for the purpose of providing operating costs for the Bernalillo county sheriff’s crime lab and records facility.

Significant Issues

Bernalillo county and the city of Albuquerque are jointly building a new crime lab and records facility, to be located in proximity to the Albuquerque Police Department’s academy. Bernalillo county contributed \$3 million of the total \$10 million+ cost of the facility. Construction of the new facility is three-quarters complete.

Under a 1935 state law (Section 29-3-4 NMSA 1978), the Department of Public Safety’s crime lab and other state agency facilities are obligated to provide free criminal laboratory services to all law enforcement officers of the state. Counties and municipalities rely on DPS’ crime lab for many of these services. Backlogs and insufficient service at the state crime lab have caused difficulties for local law enforcement bodies, leaving them to find alternative ways of securing services, especially

for important cases. Bernalillo county has apparently opted to join with Albuquerque and provide its own crime lab services. Once the new facility opens, Bernalillo county will not use the state crime lab for most services.

DPS reports that the State crime lab worked on only 18 cases for Bernalillo county last year.

Bernalillo county believes the appropriation of \$200.0 in this bill for a portion of the first-year operational expenses of the new facility is an appropriate trade-off for not sending cases to the state crime lab.

FISCAL IMPLICATIONS

The appropriation of \$200.0 contained in this bill is a recurring expense to the general fund. Any unexpended or unencumbered balance remaining at the end of fiscal year 2002 shall revert to the general fund.

ADMINISTRATIVE IMPLICATIONS

DPS believes the administrative implications of the new Bernalillo crime lab on DPS' operations will be negligible, given that the state crime lab currently processes so few Bernalillo county cases.

OTHER SUBSTANTIVE ISSUES

The LFC January, 2001 budget document noted the following about the state crime lab:

The crime lab directly affects criminal justice cases at both the state and local law enforcement levels. Backlogs and delays jeopardize the ability of prosecutors and the defense attorneys to process cases.

Bernalillo County Metropolitan Court notes that it could be argued that the new facility will assist the Bernalillo county sheriff's office to better, and more expeditiously, prepare forensic evidence analysis for use at trial court procedures. On the other hand, it says, it might be better to use the appropriation in this bill to improve existing facilities or to create a *regional* crime lab that would serve city, county and state law enforcement officers in Bernalillo county.

POSSIBLE QUESTIONS

1. How do Bernalillo county and the city of Albuquerque plan to share the operational expenses of the new joint crime lab in Bernalillo county?

LP/njw