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FISCAL IMPACT REPORT

SPONSOR: Rodriguez DATE TYPED: 02/28/03 HB _____

SHORT TITLE: Santa Fe County Teen Court SB 782

ANALYST: Hayes

APPROPRIATION

Appropriation Contained		Estimated Additional Impact		Recurring or Non-Rec	Fund Affected
FY03	FY04	FY03	FY04		
	\$55.0			Recurring*	General Fund

(Parenthesis () Indicate Expenditure Decreases)

Duplicates HB 875

SOURCES OF INFORMATION

Responses Received From

Administrative Office of the Courts (AOC)
 Department of Finance and Administration (DFA)
 Department of Health (DOH)

SUMMARY

Synopsis of Bill

Senate Bill 782 appropriates \$55.0 from the general fund to the Local Government Division of the Department of Finance and Administration for the purpose of funding Santa Fe County's teen court program.

Significant Issues

1. Teen court is a program designed for first-time teen offenders to keep their records clean. A jury composed of local teens does not decide innocence or guilt of an offender, but assesses the sentence of the offender. The offender must openly admit commission of a delinquent act in front of the teen jury. If the offender admits to a delinquent act, accepts the "sentence" of the teen jury and successfully completes it, then the delinquent act is dismissed and the offender pays no fine.

2. Teen courts exist in other jurisdictions around the state, but are often funded by either the county or municipality in which they operate. It is questionable whether the State of New Mexico should be permanently funding teen courts, although legislators acknowledge the merits of the program's goals. Start-up funding has been provided to districts or counties in the past, but the expectation is that counties, schools, volunteers, municipalities or other community-based organizations will provide continued support for teen court programs.
3. According to DOH, there are currently 22 teen courts in operation around New Mexico. Many of them have received funding from DFA's DWI grant program (in addition to county and municipal funding). The Santa Fe County teen court should consider applying for funding from DFA's DWI grant program to support it in lieu of the state's general fund.
4. It may be that local municipal courts are the most appropriate to fund and administer teen court programs since they mainly involve misdemeanor violations.
5. Neither DFA nor AOC provided any information regarding teen courts in their responses to the LFC. Therefore, it is unclear whether the funding requested in this bill is a one-time request or if the state has been providing yearly funding to Santa Fe's teen court through DFA's Local Government Division.
6. No performance data has been provided to the LFC regarding the number of teen court participants, rate of teens completing the program, if offenders commit additional delinquent acts, etc.; therefore, the level of success of teen courts is unknown.

FISCAL IMPLICATIONS

The appropriation of \$55.0 contained in this bill is a recurring expense to the general fund. Any unexpended or unencumbered balance remaining at the end of fiscal year 2004 shall revert to the general fund.

DUPLICATION

HB 875 duplicates this legislation requesting funding for Santa Fe's teen court.

CMH/lis