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FISCAL IMPACT REPORT

ORIGINAL DATE 1/27/06

SPONSOR Altamirano LAST UPDATED _____ HB _____

SHORT TITLE Grant County Restorative Justice Program SB 239

ANALYST McSherry

APPROPRIATION (dollars in thousands)

Appropriation		Recurring or Non-Rec	Fund Affected
FY06	FY07		
	\$181.0	Recurring	General Fund

(Parenthesis () Indicate Expenditure Decreases)

Duplicates Appropriation in the General Appropriation Act
Relates to Appropriation in the General Appropriation Act

ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)

	FY06	FY07	FY08	3 Year Total Cost	Recurring or Non-Rec	Fund Affected
Total		80.5	Indeterminate	\$80.5	Recurring	General Fund

(Parenthesis () Indicate Expenditure Decreases)

SOURCES OF INFORMATION

LFC Files

Responses Received From

Administrative Office of the Courts (AOC)

SUMMARY

Synopsis of Bill

Senate Bill 239 appropriates \$181,000 from the general fund to the 6th Judicial District Court for the purpose of funding pilot programs for juvenile and adult offender restorative justice services in Grant County.

FISCAL IMPLICATIONS

The appropriation of \$181,000 contained in this bill is a recurring expense to the general fund. Any unexpended or unencumbered balance remaining at the end of fiscal year 2007 shall revert to the general fund.

AOC cites an additional amount of \$80,509 as needed to fully fund the proposed program. This amount would fund a program manager to oversee the proposed pilot program.

SIGNIFICANT ISSUES

This proposal was not included in the judiciary's "unified budget." It is not clear if the proposal is a district priority after unified budget requests, or if it is in addition to unified budget requests, or if it was just not prioritized by the judiciary budget committee.

According to AOC, the proposed pilot program would repair the harm done by crime, provide closure for victims, hold offenders accountable, contribute to increased victim and public safety and build a stronger sense of community.

AOC cites the following as the values and principals of "restorative justice:"

- Crime is an act that harms people and affects the community. It is not only breaking the law.
- Victims of crime should have the opportunity to face the person who caused them harm.
- The offender is accountable to the victim and community for the harm he or she has caused.
- Effort must be made to repair the harm and restore all parties affected to the extent possible.
- Effective response to crime includes building offender competency.
- Building offender competency/skills serves to reduce the need for further criminal justice intervention.

AOC cites the following as benefits of restorative justice:

- Victim opportunity to face their offenders, ask questions, and express the impact of the crime on themselves and their family
- Community voice in the cause and effect of crime in their neighborhoods
- A reduction in repeat offenses by offenders
- Participants indicate high satisfaction for the process

AOC asserts that the proposed program in Grants would provide a model which could be replicated in other NM counties.

PERFORMANCE IMPLICATIONS

Performance indicators for this program could be "recidivism of participating offenders,"

ADMINISTRATIVE IMPLICATIONS

According to AOC, the 6th judicial district would need a director for this program and the funding for a director is not included in the appropriation.

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

This bill conflicts with the judiciary unified budget.

OTHER SUBSTANTIVE ISSUES

AOC suggests that the pilot program would be provided support by community volunteers and donations.

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL

The restorative justice program proposed would not be funded and would likely not begin as a pilot program in FY07.

POSSIBLE QUESTIONS

1. How does a restorative justice program rank among the judiciary's priorities?
2. How was Grant County selected as the pilot county for the proposed programs?
3. Would other governmental and non-governmental agencies be involved in the proposed pilot program?
4. How would the 6th district track the success of the proposed program and would a full, non-pilot program be more expensive than the proposed appropriation and additional \$80.5 thousand?

EM/yr