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FISCAL IMPACT REPORT

ORIGINAL DATE 2/2/2018

SPONSOR Ely LAST UPDATED _____ HB 252

SHORT TITLE Criminal Justice & Public Safety Task Force SB _____

ANALYST Edwards

APPROPRIATION (dollars in thousands)

Appropriation		Recurring or Nonrecurring	Fund Affected
FY18	FY19		
\$100.0	\$0	Nonrecurring	General Fund

(Parenthesis () Indicate Expenditure Decreases)

ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)

	FY18	FY19	FY20	3 Year Total Cost	Recurring or Nonrecurring	Fund Affected
Total	\$0.0	\$96.0	\$0.0	\$96.0	Nonrecurring	General Fund

(Parenthesis () Indicate Expenditure Decreases)

Relates to HJM 1.

SOURCES OF INFORMATION

LFC Files

Responses Received From

Administrative Office of the Courts (AOC)

SUMMARY

Synopsis of Bill

HB 252 appropriates \$100 thousand from the general fund to the Administrative Office of the Courts for expenditure in FY18 and FY19 to convene a criminal justice and public safety task force and contract for services necessary to perform the work of the task force. Unexpended funds at the end of fiscal year 2019 revert to the general fund.

FISCAL IMPLICATIONS

AOC estimates the costs associated with facilitating and managing the task force are estimated at \$96 thousand for a 0.50 FTE contract facilitator/project manager.

SIGNIFICANT ISSUES

AOC provided the following detailed analysis:

HB 252 appropriates funding for a criminal and public safety task force (task force), proposed by HJM 16, to: (1) identify issues of primary concern within the state's criminal justice and public safety systems and (2) develop a strategic plan to ameliorate those concerns. The joint memorial requires that the task force be convened by April 1, 2018 and that a report and specific recommendations for improvements to the state's criminal justice and public safety systems be submitted to the legislature no later than October 15, 2018. The task force is to be chaired by a representative of the courts, and members are to include: the attorney general; the president of the New Mexico district attorneys association; the chief public defender; the secretary of corrections; the secretary of public safety; the secretary of children, youth, and families; the secretary of health; the secretary of human services; the executive director of the association of counties; and the executive director of the municipal league.

The memorial requires the task force to "identify the issues of primary concern within the state's criminal justice and public safety systems and to develop a strategic plan to ameliorate those concerns, including measurable outcomes to help ensure that public investments in improvements to that system are as efficient and effective as possible." NMRA 21-304A provides that "A judge shall not accept appointment to a governmental committee, board, commission, or other governmental position, unless it is required by law, or is one that concerns the law, the legal system, or the administration of justice." The committee commentary acknowledges the value of judges accepting appointments to entities that concern the law, the legal system or the administration of justice but cautions that:

"Even in such instances, however, a judge should assess the appropriateness of accepting an appointment, paying particular attention to the subject matter of the appointment and the availability and allocation of judicial resources, including the judge's time commitments, and giving due regard to the requirements of the independence and impartiality of the judiciary."

Any representative of the courts, appointed by the Chief Justice to chair the task force, will be required to operate within the limited confines of this rule and may therefore be required to limit the scope of the work assigned to the task force.

Given the complexity of the crime problem and the scope of the task force's responsibilities, the memorial's October 15 deadline may not provide adequate time for the thorough review and evaluation of the issues contemplated by the memorial.

The complexity of the problem, the breadth of representation on the task force, and the limited amount of time available to complete the work, will require significant

administrative support to assure the task force accomplishes the tasks specified in the memorial. Data and relevant information will need to be gathered from each of the stakeholders and organized and presented to the task force for review and study; meetings will need to be professionally facilitated to maximize the time and efforts of task force members; and meeting notes and action items distributed in time for members to plan for and prepare for the next meeting. Additionally, in order to avoid duplicating efforts, the task force will at a minimum to coordinate with the LFC analysts responsible for researching the crime problem in Bernalillo County, the Legislature's committee on criminal justice reform, and the Bernalillo County Criminal Justice Review Commission.

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