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**SENATE JOINT MEMORIAL 61**  
**45TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2002**  
**INTRODUCED BY**  
**Joseph J. Carraro**

**A JOINT MEMORIAL**

REQUESTING THAT THE ADULT PAROLE BOARD PROVIDE TESTIMONY TO AN  
APPROPRIATE INTERIM COMMITTEE REGARDING POLICY REASONS FOR  
IMPLEMENTING A SYSTEM OF INDETERMINATE SENTENCING.

**WHEREAS, the current system of determinate sentencing,  
which requires that a judge pronounce a sentence for a  
specific term of incarceration, became law in New Mexico in  
1979; and**

**WHEREAS, prior to 1979, New Mexico used a system of  
indeterminate sentencing, which meant that the judge imposed a  
sentence with a lower and upper range of years; and**

**WHEREAS, under the system of indeterminate sentencing,  
the adult parole board decided when an offender was released  
from prison; and**

**WHEREAS, in New Mexico today, recidivism rates for**

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1 offenders remain unsatisfactorily high, which arguably  
2 reflects a failure to rehabilitate offenders while they are  
3 incarcerated for a specific term; and

4 WHEREAS, given those high recidivism rates, it may be  
5 advisable to consider a return to indeterminate sentencing and  
6 a return to the adult parole board's authority to decide  
7 release dates for offenders;

8 NOW, THEREFORE, BE IT RESOLVED BY THE LEGISLATURE OF THE  
9 STATE OF NEW MEXICO that the adult parole board be requested  
10 to provide testimony to an appropriate interim committee  
11 regarding policy reasons for implementing a system of  
12 indeterminate sentencing; and

13 BE IT FURTHER RESOLVED that a copy of this memorial be  
14 transmitted to the executive director of the adult parole  
15 board.

16 - 2 -