

<b>LFC Requester:</b>	<b>Scott Sanchez</b>
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**AGENCY BILL ANALYSIS - 2025 REGULAR SESSION**

**WITHIN 24 HOURS OF BILL POSTING, UPLOAD ANALYSIS TO**  
[AgencyAnalysis.nmlegis.gov](http://AgencyAnalysis.nmlegis.gov) and email to [billanalysis@dfa.nm.gov](mailto:billanalysis@dfa.nm.gov)  
*(Analysis must be uploaded as a PDF)*

**SECTION I: GENERAL INFORMATION**

*{Indicate if analysis is on an original bill, amendment, substitute or a correction of a previous bill}*

**Date Prepared:** 6 FEB 2025 *Check all that apply:*  
**Bill Number:** HB 280 Original  Correction   
 Amendment  Substitute

**Sponsor:** Nicole Chavez, Andrea Reeb, Harlan Vincent **Agency Name and Code** 790 – Department of Public Safety  
**Short Title:** Expand definition of violent felony, 3 strikes **Person Writing** Randy Larcher  
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**SECTION II: FISCAL IMPACT**

**APPROPRIATION (dollars in thousands)**

Appropriation		Recurring or Nonrecurring	Fund Affected
FY25	FY26		
NFI	NFI	N/A	N/A

(Parenthesis ( ) indicate expenditure decreases)

**REVENUE (dollars in thousands)**

Estimated Revenue			Recurring or Nonrecurring	Fund Affected
FY25	FY26	FY27		
NFI	NFI	NFI	N/A	N/A

(Parenthesis ( ) indicate revenue decreases)

**ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)**

	FY25	FY26	FY27	3 Year Total Cost	Recurring or Nonrecurring	Fund Affected
<b>Total</b>	NFI	NFI	NFI	NFI	N/A	N/A

(Parenthesis ( ) Indicate Expenditure Decreases)

Duplicates/Conflicts with/Companion to/Relates to:  
 Duplicates/Relates to Appropriation in the General Appropriation Act: Identical to 2024 HB155.

## **SECTION III: NARRATIVE**

### **BILL SUMMARY**

Expands the definition of "violent felony" under the Criminal Sentencing Act to include new specific crimes and allows the parole of geriatric prisoners sentenced to mandatory life imprisonment.

### **FISCAL IMPLICATIONS**

None .

### **SIGNIFICANT ISSUES**

None.

### **PERFORMANCE IMPLICATIONS**

DPS supports this bill. Expanding the definition of violent felonies would create a clearer framework for identifying crimes that pose significant threats to public safety. This could improve the effectiveness of law enforcement efforts by ensuring that repeat offenders or those committing serious violent crimes are adequately punished. The amendment could act as a deterrent, especially if it brings more crimes under the "violent felony" umbrella. This could help reduce crime rates by discouraging individuals from committing these offenses.

The bill's three strikes law—imposing life imprisonment after a defendant's third violent felony conviction—aims to protect the public by ensuring that repeat offenders face long-term or permanent incarceration. By doing so, it acts as a deterrent for potential criminals who might otherwise consider committing violent felonies. By eliminating the possibility of parole (except under strict circumstances like geriatric or medical parole), the bill ensures that violent felons, after multiple offenses, no longer pose a risk to the community once they have been convicted and sentenced.

The bill expands the definition of violent felonies to include certain serious crimes that could have been overlooked in past sentencing practices. It adds the following crimes to the definition of "violent felony" allowing for the possibility of life imprisonment: voluntary manslaughter, involuntary manslaughter, aggravated battery, shooting at a dwelling or occupied building resulting in great bodily harm, aggravated battery against a household member, abuse of a child that results in great bodily harm to the child, negligent abuse of a child that results in the death of a child, intentional abuse of a child, robbery while armed with a deadly weapon (no great bodily harm), aggravated arson, aggravated battery upon a peace officer, homicide by vehicle, great bodily harm by vehicle, and injury to a pregnant woman by vehicle. By expanding the definition of "violent felony," this bill creates fairness across the system, treating crimes that cause significant harm with the severity they deserve. Moreover, implementing more stringent sentencing measures for violent felons for a larger amount of crimes under this bill will directly contribute to reducing violent crime in the long run by incapacitating those who continue to commit serious offenses.

New Mexico sentences for violent crime are significantly lower than those of other states or the federal government even though we have the second highest violent crime rate according to the most recently available statistics. According to the *New Mexico Criminal Justice Data Snapshot* report released on January 6, 2025 by the Bureau of Justice Assistance of the U.S. Department of Justice and the Council of State Governments, for the most recent year with available data the average amount of time served for a violent crime in New Mexico was 40% lower than the national average. The average time period served was 2.7 years when the national average is 4.5 years served. DPS believes the enhancement of sentences for violent crime would assist in lowering the state's high violent crime rate.

**ADMINISTRATIVE IMPLICATIONS**

None.

**CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP**

None.

**TECHNICAL ISSUES**

None.

**OTHER SUBSTANTIVE ISSUES**

None.

**ALTERNATIVES**

None.

**WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL**

Status Quo will remain.

**AMENDMENTS**

None.