

LFC Requester:	Scott Sanchez
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AGENCY BILL ANALYSIS - 2025 REGULAR SESSION

WITHIN 24 HOURS OF BILL POSTING, UPLOAD ANALYSIS TO

AgencyAnalysis.nmlegis.gov and email to 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: 1/23/25 *Check all that apply:*
Bill Number: SB 17 Original Correction
 Amendment Substitute

Sponsor: L. Jaramillo/N. Chavez **Agency Name and Code:** NM CVRC/ 78000
Short Title: Parole and Parole Board Changes **Number:** _____
Person Writing: Claire Harwell/Frank Zubia
Phone: 505-553-1223 **Email:** Frank.Zubia@cvrc.nm.gov

SECTION II: FISCAL IMPACT

APPROPRIATION (dollars in thousands)

Appropriation		Recurring or Nonrecurring	Fund Affected
FY25	FY26		
0	0	0	0

(Parenthesis () indicate expenditure decreases)

REVENUE (dollars in thousands)

Estimated Revenue			Recurring or Nonrecurring	Fund Affected
FY25	FY26	FY27		
0	0	0	0	0

(Parenthesis () indicate revenue decreases)

ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)

	FY25	FY26	FY27	3 Year Total Cost	Recurring or Nonrecurring	Fund Affected
Total	0	0	0	0	0	0

(Parenthesis () Indicate Expenditure Decreases)

Duplicates/Conflicts with/Companion to/Relates to: n/a
Duplicates/Relates to Appropriation in the General Appropriation Act: n/a

SECTION III: NARRATIVE

BILL SUMMARY

The bill concerns parole for inmates sentenced to life imprisonment and labels a 30 year period a “life sentence” in NM. The bill establishes factors for parole: risk and readiness for parole, rule compliance within the relevant institution, participation in available educational/vocational programming, maturity, rehabilitation, and fitness for reentry into society. This law would require the parole board to hear from the victim’s surviving family or their representative if they wish to participate in the parole consideration process. The bill makes a nonsubstantive grammatical change regarding circumstances of the offense. The bill broadens the consideration of the inmate’s past offenses by compelling consideration of the inmate’s entire criminal history rather than only those offenses which may classify the inmate as a habitual offender. The bill renumbers some sections without changing their meaning.

The bill addresses removal of a parole board member by adding the possibility of removal by the board instead of solely by the action of the governor. The removal process outlined is to be overseen by the NM Supreme Court and must be based on board member incompetence, neglect of duties, or malfeasance in office by the parole board member. The accused board member must be given notice and the opportunity to be heard on the allegations. A board member is also subject to removal by impeachment.

The proposed law specifies that per diem for board members is available for scheduled board meetings and hearings.

A new portion of the proposed law would require scheduling to avoid holding hearings on the deceased victim’s birthday or the day of their death.

Synopsis:

The bill establishes a list of factors to be considered in making determinations about parole for offenders sentenced to life imprisonment. The bill also delineates a process for removing a parole board member, along with establishing when a board member may claim per diem reimbursement. The bill also

FISCAL IMPLICATIONS

None for CVRC.

Note: major assumptions underlying fiscal impact should be documented.

Note: if additional operating budget impact is estimated, assumptions and calculations should be reported in this section.

SIGNIFICANT ISSUES

Since victims of crime are entitled to address the court at every stage of the proceedings, the addition of permitting their surviving family members to address the Parole Board would seem a logical part of providing them access to decision makers on cases that impact them or their loved ones.

PERFORMANCE IMPLICATIONS

CVRC already provides funds for travel to attend these hearings.

ADMINISTRATIVE IMPLICATIONS

None noted.

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

n/a

TECHNICAL ISSUES

None noted.

OTHER SUBSTANTIVE ISSUES

None noted.

ALTERNATIVES

None noted.

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL

The Parole Board will be without guidance about what factors to consider at these hearings and only the governor will have the power of removal of a board member.

AMENDMENTS

Express authorization for virtual participation by victims' families and representatives.

Permitting participation virtually may be emotionally comforting, not having to address the offender in person or be intimidated, possible retraumatizing the victim's family and keeping their anonymity and for them to be around family for support. This would also minimize victims's families coming into contact with offender supports. Virtual participation would allow for improved engagement and have more individuals that were directly effected be able to participate in the process.