

LFC Requester:	
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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}

Check all that apply:

Original Amendment
Correction Substitute

Date Prepared: 2025-02-10
Bill No: SB322

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SECTION II: FISCAL IMPACT

APPROPRIATION (dollars in thousands)

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

REVENUE (dollars in thousands)

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

ESTIMATED ADDITIONAL OPERATION BUDGET (dollars in thousands)

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

Duplicates/Conflicts with/Companion to/Relates to:

Duplicates/Relates to Appropriation in the General Appropriation Act:

SECTION III: NARRATIVE

BILL SUMMARY

SB 322 adds to 32A-2-4 Detention Facilities Standards. CYFD is statutorily obligated to certify the four existing detention homes in NM.

This measure amends 32A-2-4 by adding language to the statute regarding protocols for strip or body cavity searches.

Specifically, SB 322 requires that strip or body cavity searches only be performed if:

- 1) probable cause exists that there is dangerous contraband that could not otherwise be discovered and
- 2) the authorization to conduct this search would have to be with the permission of the Superintendent/ Director or designee.

It also requires that the least invasive means are utilized when performing a search and that an incident report regarding the search must be completed.

The measure also restricts cameras in the resident's shower or toilet area of a detention facility.

FISCAL IMPLICATIONS

There would be no fiscal impact on CYFD if this measure were to be enacted. JJ has a full-time staff that provides the work to certify detention homes and CYFD can ensure this measure becomes part of the detention standards certification.

SIGNIFICANT ISSUES

There is no significant issue to enact this bill as this requirement will be added to the existing protocols/procedures for searches.

PERFORMANCE IMPLICATIONS

This function added to the JJ staff person would become another of the many standards required for a Detention Facility to become certified.

It should be noted the JJ Correctional Facilities have very similar policies currently in place in regard to searches.

ADMINISTRATIVE IMPLICATIONS

The Detention Standards would have to be updated by adding this requirement.

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

None.

TECHNICAL ISSUES

None.

OTHER SUBSTANTIVE ISSUES

None.

ALTERNATIVES

None.

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL

Once the body scanners in our juvenile detention facilities are in operation, strip searches and body cavity searches will not be necessary.

As it is, juvenile detention facilities have policies similar to the language in this bill.

AMENDMENTS

None.