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## FISCAL IMPACT REPORT

SPONSOR Park DATE TYPED 2/3/04 HB 211

SHORT TITLE Escape Form Community Corrections Programs SB \_\_\_\_\_

ANALYST Reynolds-Forte

### APPROPRIATION

Appropriation Contained		Estimated Additional Impact		Recurring or Non-Rec	Fund Affected
FY04	FY05	FY04	FY05		
			Indeterminate	Recurring	General Fund

(Parenthesis ( ) Indicate Expenditure Decreases)

### SOURCES OF INFORMATION

LFC Files

#### Responses Received From

Corrections Department  
 Attorney General's Office  
 Administrative Office of the Courts  
 Public Defender's Office

### SUMMARY

#### Synopsis of Bill

House Bill 211 adds new language which applies to persons released from prison before completing their basic prison term in order to participate in a community corrections program or intensive supervision program. A prisoner who absconds or escapes from the program before completing their basic prison term will be charged with escape. Conviction of this charge will be a fourth degree felony.

The bill has a July 1, 2004 effective date.

#### Significant Issues

The Corrections Department notes that in the event of prison overcrowding, they are prepared to implement a controlled release program that would place inmates convicted of non-violent offenses to community corrections or intensive supervision programs, as allowed under current law. However, under present law, an inmate who was released into such a program before completing his basic sentence and then absconded or escaped from program supervision would not be

in violation of the criminal law. Such misconduct should be a criminal offense in order to deter such conduct and to instill public confidence in the program.

### **FISCAL IMPLICATIONS**

The Corrections Department estimates that if they implement the controlled release program, the bill could slightly increase costs if a program participant absconded from supervision and then was convicted of escape. The Department anticipates that the number of convictions for the new offense would be small, perhaps 0 to 3 each year.

The contract/private prison annual costs of incarcerating an inmate based upon Fiscal Year 03 actual expenditures is \$20,720 per year for males. The cost per client to house a female inmate at a privately operated facility is \$26,313 per year. Because state owned prisons are essentially at capacity, any net increase in inmate population will be housed at a contract/private facility.

The cost per client in Probation and Parole for a standard supervision program is \$1,452 per year. The cost per client in Intensive Supervision programs is \$2,852 per year. The cost per client in department-operated Community Corrections programs is \$4,371 per year. The cost per client in privately-operated Community Corrections programs is \$9,151 per year. The cost per year for male and female residential Community Corrections programs is \$20,725.

On the other hand, it could slightly reduce costs if it gave the Department additional confidence and comfort in the controlled release programs, and implementation of the programs followed, resulting in a slightly smaller prison population.

### **ADMINISTRATIVE IMPLICATIONS**

The Department of Corrections believes that there could be an additional burden placed on the Probation and Parole Division, which must supervise and follow up on participant compliance and any program violations, including absconding and escaping from the program.

**PRF/yr**