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FISCAL IMPACT REPORT

SPONSOR Vigil DATE TYPED 2-14-05 HB 924

SHORT TITLE Las Vegas Medical Center Sex Offender Program SB _____

ANALYST Collard

APPROPRIATION

Appropriation Contained		Estimated Additional Impact		Recurring or Non-Rec	Fund Affected
FY05	FY06	FY05	FY06		
\$659.0				Recurring	General Fund

(Parenthesis () Indicate Expenditure Decreases)

SOURCES OF INFORMATION

LFC Files

Responses Received From

Public Defender Department (NMPD)

Corrections Department (NMCD)

SUMMARY

Synopsis of Bill

House Bill 924 appropriates \$659 thousand from the general fund to DOH for the purpose of funding 6.5 full-time FTE to staff the sex offender treatment program and overhead costs at Las Vegas Medical Center. This bill contains an emergency clause.

Significant Issues

NMPD indicates, based on extensive research, the Sexual Offender Management Board (SOMB) identified in-patient treatment as an essential component for reducing the sexual assault rate in New Mexico. Following a national trend, SOMB concluded that the most reliable way to reduce the number of sex crimes committed is to reduce the number of people interested in committing these crimes. Incarceration temporarily removes offenders from the community but without any treatment, their return to the community put those communities at risk.

Several years ago, the Legislature made an appropriation to build and staff the sexual offender program at Las Vegas Medical Center, a 24-bed sex offender treatment facility for sex offenders leaving NMCD. The new, secured facility was built, but the funds for staffing the program were

inadequate and only 14 beds were opened. This appropriation would enable the program to use the full 24-bed capacity for which the facility was designed and built.

SOMB's research determined that the program had achieved significant positive results with the population it treated. The program had identified and was using the "best practices" supported by imperial research and was, by all measures, cost-effective. Fully funding the program was recommended by SOMB because it would increase the number of individuals who could be treated and could enable the program to serve as a state-of-the-art training facility for other programs in New Mexico and nationally.

PERFORMANCE IMPLICATIONS

NMPD notes anything that reduces the number of individuals committing sex crimes reduces the caseloads of Public Defender attorneys. Sexual assault cases are among the most expensive cases handled by NMPD because so many of them go to trial, require the use of experts on both sides, and can only be assigned to the most highly trained (i.e., most expensive) attorneys.

NMCD indicates the provisions of this bill will have a positive effect on NMCD's Probation and Parole Division and will enhance the division's ability to supervise sex offenders.

FISCAL IMPLICATIONS

The appropriation of \$659 thousand contained in this bill is a recurring expense to the general fund. The money is appropriated "for expenditure in fiscal year 2005 and subsequent fiscal years." Any unexpended or unencumbered balance remaining at the end of a fiscal year shall revert to the general fund.

NMCD indicates enactment of the bill will likely result in decreased costs of incarcerating sex offenders in the department. The availability of additional beds at the program at Las Vegas Medical Center may allow the Parole Board to approve more parole plans for incarcerated sex offenders.

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL?

NMCD notes many sex offenders will be required to do in-house parole at various department facilities due to the lack of secure treatment beds in the community. Sex offenders that complete their parole in-house subsequently return to the streets without the type of supervision that enhances the offender's treatment/improvement or community safety.

KBC/yr:lg