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## FISCAL IMPACT REPORT

SPONSOR Rainaldi ORIGINAL DATE 1/25/06  
LAST UPDATED \_\_\_\_\_ HB \_\_\_\_\_  
SHORT TITLE 11<sup>th</sup> Judicial District Pre-trial Services SB 214  
ANALYST McSherry

### APPROPRIATION (dollars in thousands)

Appropriation		Recurring or Non-Rec	Fund Affected
FY06	FY07		
	\$192.1	Recurring	General Fund

(Parenthesis ( ) Indicate Expenditure Decreases)

### SOURCES OF INFORMATION

LFC Files

### SUMMARY

#### Synopsis of Bill

Senate Bill 214 appropriates \$192,100 from the general fund to the 11<sup>th</sup> Judicial District Court for the purpose of providing salary and benefits to three employees for a pre-trial services program.

### FISCAL IMPLICATIONS

The appropriation of \$192,100 contained in this bill is a recurring expense to the general fund. Any unexpended or unencumbered balance remaining at the end of fiscal year 2007 shall revert to the general fund.

### SIGNIFICANT ISSUES

The pre-trial program currently exists at the 11<sup>th</sup> District in San Juan County and is funded with County support. The District contends that the County will likely no longer fund the program.

According to the 11<sup>th</sup> District the pre-trial services program assists the processing of cases by screening of adult felony arrestees for release suitability, provide the court with written report with release recommendations and other options, and supervise defendants who the court considers to be at a high risk of failure.

## **PERFORMANCE IMPLICATIONS**

The desired improvement in performance that the pre-trial services is designed to provide is to maximize defendant release rates at the earliest possible time after arrest while minimizing failure to appear and danger to the community.

A comparison of districts that do not use a pre-trial services rate of release versus the 11<sup>th</sup>'s rate of release would be a valuable comparison of the programs performance. This information has not been provided.

## **ADMINISTRATIVE IMPLICATIONS**

According to the District, all district judges and some magistrate judges rely heavily on the information provided pertaining to defendants appearing before them.

## **ALTERNATIVES**

It is possible that the county or other entity would continue to fund the program.

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

The pre-trial services program at the 11<sup>th</sup> Judicial District Court may cease to exist.

## **POSSIBLE QUESTIONS**

1. How many other districts have a pre-trial services program? Are they funded by the counties?
2. Would the 11<sup>th</sup> District benefit more from retaining a pre-trial services program more than another district would from gaining a program?
3. How was the need for a pre-trial services program determined when the program was initiated?
4. What is the current cost to the county to run the pre-trial services program? What savings has the county realized since the implementation of the program?
5. Do the county savings exceed the county costs for increased incarceration due to a decreased rate of release?
6. What is the 11<sup>th</sup> Judicial District's rate of release as compared to other districts without a pre-trial services division?

EM/yr