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HOUSE MEMORIAL 12

50TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2011

INTRODUCED BY

Antonio "Moe" Maestas

A MEMORIAL

REQUESTING THAT AN INTERIM LEGISLATIVE COMMITTEE STUDY MOVING
THE PROBATION DUTIES OF THE ADULT PROBATION AND PAROLE DIVISION
OF THE CORRECTIONS DEPARTMENT TO THE JUDICIAL BRANCH.

WHEREAS, according to the Pew research center, between
1982 and 2007, the number of people on probation or parole
nearly doubled to more than five million nationwide; and

WHEREAS, the corrections department reported that nearly
twenty thousand New Mexicans were on probation or parole for
fiscal year 2008; and

WHEREAS, while the number of people entering prison in New
Mexico is declining, the number of people on probation or
parole has grown by more than three percent in the last decade;
and

WHEREAS, the corrections department, an executive agency,

underscoring material = new
~~[bracketed material] = delete~~

1 is charged with monitoring persons on probation but has no
2 authority to enforce probation violations; and

3 WHEREAS, the judiciary is charged with enforcing probation
4 violations but has no authority to monitor a person on
5 probation until a violation has occurred; and

6 WHEREAS, the probation system may be more efficient if a
7 single branch of government were charged with monitoring
8 persons on probation as well as enforcing probation violations;

9 NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF
10 REPRESENTATIVES OF THE STATE OF NEW MEXICO that the New Mexico
11 legislative council direct the appropriate interim legislative
12 committee to study moving the duties of the adult probation and
13 parole division of the corrections department, as they relate
14 to monitoring persons on probation to the judicial branch of
15 government; and

16 BE IT FURTHER RESOLVED that the committee work with the
17 corrections department and the administrative office of the
18 courts to determine the feasibility of moving the adult
19 probation and parole division's probation duties to the
20 judicial branch; and

21 BE IT FURTHER RESOLVED that copies of this memorial be
22 transmitted to the New Mexico legislative council, the
23 administrative office of the courts and the corrections
24 department.