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## FISCAL IMPACT REPORT

SPONSOR McSorely ORIGINAL DATE 3/6/2017  
 LAST UPDATED \_\_\_\_\_ HB \_\_\_\_\_

SHORT TITLE Criminal Justice Reform Subcommittee SM 66

ANALYST Rogers

### ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)

|              | FY17 | FY18 | FY19 | 3 Year<br>Total Cost | Recurring or<br>Nonrecurring | Fund<br>Affected |
|--------------|------|------|------|----------------------|------------------------------|------------------|
| <b>Total</b> | NFI  | NFI  | NFI  | NFI                  | NFI                          | NFI              |

(Parenthesis ( ) Indicate Expenditure Decreases)

### SOURCES OF INFORMATION

LFC Files

#### Responses Received From

Administrative Office of the District Attorney (AODA)  
 New Mexico Corrections Department (NMCD)  
 New Mexico Sentencing Commission (NMSC)  
 Office of the Attorney General (OAG)

### SUMMARY

#### Synopsis of Memorial

Senate Memorial 66 requests that the legislative criminal justice reform subcommittee be reconvened. The subcommittee previously held meetings in 2013 and 2014. If reconvened by the Legislative Council, the subcommittee will meet during the 2017 interim. The committee would report at regular intervals to the appropriate interim legislative committee examining criminal justice matters in the 2017 legislative interim period.

The memorial requests that the subcommittee report to the appropriate interim committee in October 2017 with proposed legislation for the 2018 legislative session so that the committee can have adequate time to consider such legislation for endorsement.

### FISCAL IMPLICATIONS

The memorial does not contain an appropriation. Carrying out the intent of the memorial should not require additional resources.

**SIGNIFICANT ISSUES**

NMCD states “while the memorial does not state the exact scope of topics to be considered or covered by the subcommittee, the memorial does contain findings of the perceived need to reform the criminal justice system using the evidence based analysis of programs in order to create a criminal justice system that best serves the people of New Mexico; that New Mexico's criminal statutes are in some cases out dated and often confusing and conflicting; that many statutes criminalizing behavior are not included in the criminal code; and that there is a recognized need for criminal penalties to be examined to ensure that there is a proper balancing of penalties. It is presumed that the subcommittee will examine the areas specified in the findings of the memorial in some fashion.”

NMSC explains if the criminal justice reform subcommittee is reconvened during the 2017 interim, the Commission will be a resource for the work of the subcommittee. In 2013 and 2014, Commission staff briefed the subcommittee on multiple occasions. In particular, see the attached article, entitled “Information for the Justice Reform Effort in New Mexico” (April 2014) (copy submitted with this document). Since, 2014, the Sentencing Commission has authored additional studies that may inform the work of the subcommittee.

TR/al