

LFC Requester:	
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AGENCY BILL ANALYSIS - 2025 REGULAR SESSION

**WITHIN 24 HOURS OF BILL POSTING, UPLOAD ANALYSIS TO AgencyAnalysis.nmlegis.gov and email to billanalysis@dfa.nm.gov
(Analysis must be uploaded as a PDF)**

SECTION I: GENERAL INFORMATION

{Indicate if analysis is on an original bill, amendment, substitute or a correction of a previous bill}

Check all that apply:

Original **Amendment**
Correction **Substitute**

Date Prepared: 2025-01-30
Bill No: HB204

Sponsor(s) Meredith A. Dixon
: Andrea Reeb

Agency Name and Code CYFD 69000
Number:
Person Writing Kathleen Hardy
Analysis:
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Short Title: REFUSAL OF CERTAIN
PRETRIAL STATEMENTS

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SECTION II: FISCAL IMPACT

APPROPRIATION (dollars in thousands)

Appropriation		Recurring or Nonrecurring	Fund Affected
FY24	FY25		
0	0		
0	0		

REVENUE (dollars in thousands)

Estimated Revenue			Recurring or Nonrecurring	Fund Affected
FY24	FY25	FY26		
0	0	0		

0	0	0		
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ESTIMATED ADDITIONAL OPERATION BUDGET (dollars in thousands)

	FY24	FY25	FY26	3 Year Total Cost	Recurring or Nonrecurring	Fund Affected
Total	0	0	0	0		

Duplicates/Conflicts with/Companion to/Relates to:

Duplicates/Relates to Appropriation in the General Appropriation Act:

SECTION III: NARRATIVE

BILL SUMMARY

HB204 creates a new section of the Victims of Crime Act that gives child victims, child witnesses, and adult victims the right to refuse pretrial interviews in criminal cases. This means that children cannot be forced to give statements before trial, and adults victims may object to doing so. If an adult victim refuses, the court may allow written questions to be answered in a recorded forensic interview. The bill also ensures that defendants cannot contact victims directly and that victims have the right to set certain conditions for any interviews they agree to. If a victim refuses to be interviewed, that refusal cannot be used against the victim at trial.

FISCAL IMPLICATIONS

In reference to CYFD Juvenile Justice, there is no fiscal impact due to not interviewing any of the victims in the JJ system.

SIGNIFICANT ISSUES

There are no significant issues on the Protective Services side as this bill is about victims testifying in criminal cases. This bill will help reduce the burden on children in our care by limiting the number of pretrial interviews they are required to participate in. Additionally, it will reduce the number of subpoenas children receive. As far as Juvenile Justice with victims, when law enforcement sends a referral to the JJ office that pertains to issues surrounding victims where restitution may be required, CYFD sends out a victim impact statement. Once received, CYFD forwards the victim impact statement to the Children's Court attorney who is doing the prosecution.

PERFORMANCE IMPLICATIONS

None at this time.

ADMINISTRATIVE IMPLICATIONS

None at this time.

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

None at this time.

TECHNICAL ISSUES

None noted at this time.

OTHER SUBSTANTIVE ISSUES

None at this time.

ALTERNATIVES

None at this time.

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL

There are no consequences for CYFD.

AMENDMENTS

None

at

this

time.