Bill Analysis 2017 Regular Session

SPONSOR: Rep. Monica Youngblood

SHORT TITLE: Reinstate Death Penalty

SYNOPSIS OF BILL: Reinstates death penalty for capital felonies; provides for separate sentencing hearing for trier of fact to consider aggravation and mitigation; aggravating circumstances include death of peace officers, victims under 18, and correctional employees/contractors; sentence of death automatically reviewed by supreme court; death administered through lethal injection.

WEAKNESSES: HB72 fails every element of the SAFE test and is the ultimate misguided public safety proposal. The legislature would better spend its energy on more thoughtful proposals designed to truly reduce crime in our communities.

- Support for the death penalty has plummeted nationally over the last two decades, largely because of a deepening understanding among policy makers and the general public that it is expensive and ineffective.
- Prior Fiscal Impact Reports for reinstating the death penalty estimated that the total three-year cost of this law would be over $7 million. That money is better spent on other more rational public safety initiatives.
- The vast majority of law enforcement professionals believe that the death penalty does nothing to deter crime. A survey of police chiefs nationwide ranked the death penalty lowest among competing approaches to increasing public safety – behind increasing the number of police officers, reducing drug abuse, and creating a better economy with more jobs.
- Reinstatement would waste resources that would be better spent helping New Mexican communities, lifting them out of poverty, and greatly lowering the prevalence of serious crime.

ADDITIONAL INFO: In 2009, after many years of legislative debate, New Mexico repealed the death penalty. In the late summer of 2016, less than three months before the general election, the governor announced she would push to reinstate the death penalty. In October 2016, she called a special legislative session, which was intended to address a crisis in the state's budget, which most legislators in both parties sought to resolve. Instead, just weeks before the election, the governor generated a highly public effort in attempting to push through this proposal, to the detriment of bipartisan budget solutions.   In her 2017 state of the state address, the governor linked death penalty reinstatement to recent high profile deaths of children and police officers.

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(OVER)

Safer	Apolitical	Fiscally-Responsible	Evidence Based	Grade
The majority of law enforcement professionals believe that the death penalty does nothing to deter crime.	In 2009 New Mexico repealed the death penalty. In the summer of 2016, less than three months before a general election, the governor announced that she would push to reinstate the death penalty.	The Fiscal Impact Report for HB7 estimated that the total three-year cost of this law would be over $7 million.	Support for the death penalty has plummeted nationally over the last two decades, largely because of a deepening understanding among policy makers and the general public that it is expensive and ineffective.	F