

SB216

nmSAFE

Making New Mexico safe for all children & families

A

Bill Analysis 2017 Regular Session

***Amended 2/21/17**

SPONSOR: Sen. Bill O'Neill

SHORT TITLE: Parole Board Procedures

SYNOPSIS OF BILL: This bill shifts the burden of proof in parole proceedings for inmates that have been sentenced to life imprisonment. Current law requires the parole board, after the inmate has served 30 years, to 1) hold a parole hearing; 2) consider certain information related to the crime for which they were convicted; and 3) before recommending parole, make a finding that parole is in the best interests of the inmate and society in general. SB 216 says that after 30 years, the inmate "shall be paroled" unless the inmate is unwilling or unable to fulfill the obligations of a law-abiding citizen. In making that determination, SB 216 clarifies that parole may not be denied solely on the fact that the inmate intentionally took the life of another person.

STRENGTHS: This bill seeks to address rapid growth in the prison population by potentially paroling more inmates that have already served 30 years or more of their life sentence. According to their 2016 legislative report, NMCD will experience growth of 1.2% in the male and 15.6% in the female population in FY17 over FY15 and NMCD will be at 98% capacity by July 2016.

This bill also seeks to address skyrocketing healthcare costs for aging inmates. According to the 2015 Legislative Finance Committee Report on Corrections, spending on inmate healthcare has increased almost 20 percent in the last decade, and New Mexico is typically in the top 15 nationally on inmate health care. By reducing the number of aging inmates, this legislation may bring down inmate health care costs.

This bill also would decrease corrections spending generally by paroling more inmates instead of continuing to incarcerate older inmates many of whom do not pose a danger to society anymore. LFC states that New Mexico spends approximately 10% of its budget on corrections. A prisoner serving time costs New Mexico \$100 per day while a parolee under the most stringent supervision costs \$20 per day.

<u>S</u>afer	<u>A</u>political	<u>F</u>iscally-Responsible	<u>E</u>vidence Based	Grade
<p>This bill has the potential for dramatic savings to the State of New Mexico which should be redistributed to fund strategies proven to address crime long-term (i.e., early childhood education, substance abuse treatment, behavioral health services, etc.).</p>	<p>N/A</p>	<p>Healthcare costs for inmates are skyrocketing and New Mexico prisons are at or near capacity. This legislation may reduce the number of incarcerated inmates, particularly older inmates that have served 30 years of their sentence.</p>	<p>Corrections and LFC data shows 1) New Mexico needs to reduce its prison population; 2) New Mexico needs to spend less on inmate health care; and 3) parole costs significantly less than incarceration. Studies also show that post-release arrests decrease as an individual ages, so after serving 30 years of a life imprisonment sentence, inmates should have the chance to be paroled because they will often pose little threat in returning to society.</p>	<p>A</p>