

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

SENATE MEMORIAL 89

52ND LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2015

INTRODUCED BY

Stuart Ingle

A MEMORIAL

REQUESTING THE ADMINISTRATIVE OFFICE OF THE COURTS, THE NEW MEXICO ASSOCIATION OF COUNTIES AND THE CURRY COUNTY COURT COMPLIANCE DEPARTMENT TO STUDY THE TRANSFER OF COUNTY EMPLOYEES TO THE MAGISTRATE COURTS TO OPERATE COMPLIANCE PROGRAMS.

WHEREAS, under current New Mexico law, certain offenders are sentenced to terms of probation with specific probation conditions; and

WHEREAS, county governments have employed individuals to work with the magistrate courts in the capacity of court compliance officers; and

WHEREAS, the duties and responsibilities of court compliance officers include monitoring certain offenders convicted of misdemeanors, including pre- and post-sentencing reports, residential and employment visits and collection of

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

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

1 program costs; and

2 WHEREAS, the county compliance employees are not hired,
3 trained or supervised by the courts; and

4 WHEREAS, counties have independent hours of operation and
5 different rules, procedures and requirements than the courts;
6 and

7 WHEREAS, county rules for employees, including compliance
8 officers, may be inconsistent with the requirements necessary
9 to monitor the conditions of probation; and

10 WHEREAS, the fees collected by the county compliance
11 employees are used to fund operations of the county compliance
12 operations;

13 NOW, THEREFORE, BE IT RESOLVED BY THE SENATE OF THE STATE
14 OF NEW MEXICO that the administrative office of the courts, the
15 New Mexico association of counties and the Curry county court
16 compliance department be requested to study the ramifications
17 of the transfer of county employees to the magistrate courts to
18 operate compliance programs and possible fiscal systems in
19 which program costs collected by compliance officers are
20 deposited into a nonreverting fund created in the state
21 treasury to be administered by the administrative office of the
22 courts to fund compliance operations and propose legislation to
23 the legislative finance committee and any other appropriate
24 interim legislative committee not later than October 1, 2015;
25 and

.200109.1

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

1 BE IT FURTHER RESOLVED that copies of this memorial be
2 transmitted to the co-chairs of the New Mexico legislative
3 council, the administrative office of the courts, the New
4 Mexico association of counties and the Curry county court
5 compliance department.

6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25