



April 3, 2019

Honorable Michelle Lujan Grisham  
Governor  
State of New Mexico  
490 Old Santa Fe Trail, Room 400  
Santa Fe, NM 87501

**RE: House Bill 564**

Dear Governor Grisham:

I write to express Right on Crime's support of the policies in House Bill 564. HB 564 will lower recidivism in New Mexico by tackling the issue of increased prison admissions resulting from probation revocations for technical violations.

Right on Crime started in 2010. Our *Statement of Principles* was signed by conservative leaders such as Jeb Bush, Newt Gingrich, Rick Perry, Bill Bennett, Grover Norquist, and J.C. Watts, as well as leading experts in the criminal justice field such as John DiLulio and George Kelling. It explains how conservative principles, and indeed those shared by many Americans across the spectrum, such as personal responsibility, limited government, and accountability should apply to criminal justice policy. Our focus areas include:

- 1) maximizing the public safety return on the dollars spent on criminal justice,
- 2) giving victims a greater role in the system through restorative justice approaches and improving the collection of restitution, and
- 3) combating overcriminalization by limiting the growth of non-traditional criminal laws.

Right on Crime's mission is to highlight how these principles apply at all levels of government. In our efforts, we have worked closely for nearly a decade with elected officials of both parties as well as many groups on the other end of the ideological spectrum. Indeed, illustrating the bipartisan appeal of this issue, our leadership met with President Barack Obama and most recently this year with President Trump.

HB 564 takes a common sense approach to community supervision but in no way eliminates it or undermines the discretion of courts and probation officers. As you know, HB 564:

- Lowers recidivism by updating how less serious, technical probation violations are handled.
- Defines technical violations and non-technical violations, and differentiates the responses to each, giving judges, and probation and parole officers more options

to punish violations.

- Requires NMCD to develop a consistent incentives and sanctions system for technical violations, ensuring objective, consistent responses to behavior, government predictability and transparency, and reduced probation caseloads.
- Allows officers more discretion by distinguishing between high-risk and low-risk offenders and gives officers the authority to sanction someone to the local jail for up to 90 days for violations.

Government is at its most restrictive and least effective when it returns probationers to prison for a missed appointment or a failed drug test. Probation is needed because it is often the best chance for a state to reduce recidivism and make communities safer, but probation policies and practices must be modernized to best serve the interests of public safety, taxpayers, and justice.

Around the nation, 22 states have seen significant benefits from their respective updates to probation administration that reflect important research findings. We know, for example, that revoking someone to prison for minor technical violations can make them more of a risk to society by destabilizing positive, pro-social factors in their life, such as employment, family, and housing. Furthermore, studies have demonstrated that the swiftness and sureness of sanctions is far more effective in changing behavior than the duration, and that positive incentives are even more impactful.

House Bill 564 is a step in the right direction for New Mexico. The success of similar reforms in other states suggests that, if HB564 is signed into law, New Mexico will experience significant fiscal savings while increasing community safety. Right on Crime supports these policies and is happy to discuss them further with you.

Best Regards,



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