

**Albuquerque Journal**  
**Thursday, April 12, 2007**

## **Prison Overcrowding Bills Get Pocket Vetoes**

**By Trip Jennings**

*Journal Capitol Bureau*

SANTA FE— Gov. Bill Richardson effectively killed oversight of prison overcrowding by pocket vetoing two bills that would have saved a state commission charged with addressing inmate overpopulation, advocates said.

But Richardson's office said it won't go along with the early release of prisoners that the commission can order.

The Legislature passed legislation to keep the Population Control Commission from ceasing to exist July 1.

State law requires the state corrections agency to convene the commission once there is prison overcrowding. The commission has the authority to compile a list of nonviolent offenders for early release to ease overcrowding, which is why Richardson vetoed the bills by not approving them with his signature— the so-called pocket veto— his office said Wednesday.

"Releasing prisoners from jail prematurely is not an option," said spokesman Allan Oliver. "Unfortunately, this bill would have made it easier for nonviolent offenders to get out of jail before serving out their sentences."

The commission met several times last year but only after the state courts forced the issue following a lawsuit alleging overcrowded conditions at a Grants women's corrections facility.

One lawmaker blamed the bills' demise on lobbying by the corrections agency.

"I am just assuming the Corrections Department lobbied the governor," said Rep. Mimi Stewart, D-Albuquerque, who was involved in last year's lawsuit. "I think it is unfortunate that the Corrections Department wants no help from anyone, wants no oversight and is not moving toward reducing recidivism."

Prisons spokeswoman Tia Bland declined to respond to the accusations or to say whether the agency lobbied the governor.

A sponsor of one of the two bills said he was disappointed at seeing the commission disappear.

"Darn it. I thought the governor was going to sign that," said Sen. Richard Martinez, D-Española, who is a commission member.

Prison overcrowding has become a problem in recent years.

Last year, the corrections agency endorsed plans to expand a privately run prison facility near Santa Rosa to help relieve overcrowding at other prisons in Las Cruces and Hobbs.

Diane Wood, a lobbyist for the American Civil Liberties Union, which filed last year's lawsuit, lamented the commission's imminent demise.

"It means the commission is dead and gone and no one will have oversight on overcrowding," she said. "Many of the men's prisons are bumping right up on overcrowding."