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443

QUAY COUNTY MISDEMEANOR PROBATION PROGRAM

AMENDED QUAY COUNTY ORDINANCE NO. 32

AN ORDINANCE AMENDING A MISDEMEANOR COMPLIANCE PROGRAM, ESTABLISHING GUIDELINES, FISCAL RESPONSIBILITY AND CONTRACTOR RELATIONSHIP.

WHEREAS, the legislature of the State of New Mexico has authorized the Counties to establish a misdemeanor compliance program; and

WHEREAS, the Magistrate Court for Quay County has requested that such a program be established in Quay County to assist the Court in promoting rehabilitation, providing supervision and reducing recidivism of persons placed on supervised probation for the commission of misdemeanors; and

WHEREAS, the County wishes to establish such a program and minimize the expense to the citizens of Quay County.

IT IS THEREFORE ORDAINED BY THE GOVERNING BODY OF QUAY COUNTY:

1. ESTABLISHMENT OF THE QUAY COUNTY MISDEMEANOR COMPLIANCE PROGRAM

Pursuant to Section 30-20-5.1 NMSA, 1978, there is created in Quay County a misdemeanor compliance program. Said program shall conform to and be limited in scope by said section and by all guidelines and regulations established for such programs by the Administrative Office of the Courts.

2. EMPLOYEE

Quay County shall secure appropriate staff to fulfill necessary services and duties herein. Such person or persons may be full time or part time as determined as necessary by the County Manager. The County Manager may delegate supervisors as necessary—employment is subject to the Quay County Personnel Ordinance.

3. PROGRAM NAME

The program shall be called the “Quay County Misdemeanor Probation Program” hereinafter called the QCMPP.

4. TITLE

The employee shall be referred to as "Misdemeanor Probation Monitor" hereinafter referred to as MPM.

5. GOAL

To ensure compliance of court ordered sentences and conditions of probation imposed on those defendants sentenced to probation on offenses included in Section 30-20-5.1, NMSA.

6. TRAINING AND CERTIFICATION:

The AOC will work with State, local and other governmental agencies to provide training and certification of MPM's. The MPM shall attend such training as necessary to meet all guidelines of the AOC.

7. FUNDING SOURCES

State statute permits judges to order probationers to pay from \$15 to \$30 per month (.50 to \$1.00 per day) probation costs. These fees shall be the used for funding and compensation herein. The fees are to be collected by the MPM and are to be deposited at the Quay County Treasurer's Office.

8. CHAIN OF COMMAND

The MPM shall report directly to the Magistrate at the Quay County Magistrate Court on all court related issues and to the County Manager or other designee on all other issues.

9. AUTHORITY

The Misdemeanor Probation program shall operate subject to the guidelines as established by the Administrative Office of the Courts, the Magistrate Court shall also be subject to specific probation conditions and guidelines of the Magistrate and District Court Judges.

10. EMERGENCY CLAUSE

Pursuant to NMSA 1978, 4-37-9 C (Cum. Supp. 1999), the Board of County Commissioners hereby declares it is necessary for the public peace, health, safety and welfare that this Ordinance take effect immediately after passage. Any Proclamation Accordingly, this Ordinance shall become effective immediately on its passage, recordation and authentication, as provided by NMSA 1978, 4-37-9 C (Cum. Supp. 1999)

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WITNESS our hands this 26th day of February, 2004.

Grace E. Madrid
Grace Madrid

Franklin McCasland
Franklin McCasland

Jeffery L. Lewalling
Jeff Lewalling



ATTEST:
Jeannette Maddaford
Jeannette Maddaford,
Quay County Clerk



STATE OF NEW MEXICO } SS
COUNTY OF QUAY }

I hereby certify that this instrument was filed
for record at 11:00 o'clock A. M.

and duly recorded
FEB 26 2004
New Mexico page 943-445 of the re- cord book 107
of said county

Jeannette Maddaford County Clerk
Dated: _____