



New Mexico Safety Valves

IMPORTANT NOTE: Laws change frequently, and this may not be an up-to-date description of safety valves available. Talk with a lawyer in your state if you have questions about safety valves.

Code Section	Offense	Terms of Safety Valve
§ 31-18-17(A)	<p>Habitual offender who has committed a noncapital felony and has one prior felony conviction.</p> <p>Carries a mandatory minimum prison sentence of 1 year.</p>	<p>The mandatory minimum prison sentence cannot be suspended or deferred, unless the court makes a specific finding that:</p> <p>(1) the prior felony conviction and the current felony conviction are both for nonviolent felony offenses AND</p> <p>(2) justice will not be served by imposing a mandatory sentence of imprisonment AND</p> <p>(3) there are substantial and compelling reasons, stated on the record, for departing from the mandatory minimum sentence.</p>