

The Legislature
of the
State of New Mexico

50th Legislature, 2nd Session

LAWS 2012

CHAPTER _____

HOUSE HEALTH AND GOVERNMENT AFFAIRS COMMITTEE

SUBSTITUTE FOR HOUSE JOINT MEMORIAL 20

Introduced by



1 A JOINT MEMORIAL

2 REQUESTING THE BERNALILLO COUNTY BOARD OF COUNTY COMMISSIONERS
3 TO CREATE A PILOT PROJECT TO STREAMLINE CASE MANAGEMENT
4 SYSTEMS, ESTABLISH AN ALTERNATIVE INCARCERATION FACILITY AND
5 CREATE TREATMENT OPTIONS AND ALTERNATIVE INCARCERATION,
6 TRANSITIONAL LIVING AND REINTEGRATION PROGRAMS FOR QUALIFIED
7 INDIVIDUALS; REQUESTING THE NEW MEXICO SENTENCING COMMISSION
8 TO ASSIST AND ADVISE THE BERNALILLO COUNTY BOARD OF COUNTY
9 COMMISSIONERS AND TO STUDY THE EFFECTS OF THE PILOT PROJECT.
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11 WHEREAS, New Mexico law requires that county jails be
12 used for the detention of every person who is charged with or
13 has been sentenced for a crime; and

14 WHEREAS, the shortage of treatment options and lack of
15 alternative incarceration programs and transitional living and
16 reintegration programs cause individuals facing criminal
17 charges or probation violations to remain incarcerated longer;
18 and

19 WHEREAS, a study released in March 2005 found that it
20 costs counties an estimated thirty million dollars
21 (\$30,000,000) to house felony arrestees; and

22 WHEREAS, the Bernalillo county metropolitan detention
23 center has significantly exceeded its intended capacity for a
24 number of years despite efforts to reduce population; and

25 WHEREAS, in 2011, the legislature passed House Joint

1 Memorial 4 and House Joint Memorial 17, which called for the
2 creation of two task forces to research, analyze and identify
3 opportunities to alleviate burdens on county jails by reducing
4 delays in case management systems and developing strategies to
5 more effectively assist individuals with mental health issues;
6 and

7 WHEREAS, it will be difficult to fully implement some of
8 the suggested changes of the task forces because they are
9 unproven and may require changes to existing state law; and

10 WHEREAS, it is important for the criminal courts, county
11 jails and law enforcement agencies in Bernalillo county to
12 have a committee of interested parties create a pilot project
13 that has the tools available to streamline case management
14 systems, effectively expand existing treatment and
15 diversionary programs and implement new treatment options and
16 alternative incarceration, transitional living and
17 reintegration programs; and

18 WHEREAS, the regional correctional center in Bernalillo
19 county is vacant and could be renovated into an alternative
20 incarceration facility for new mental health and substance
21 abuse treatment options and alternative incarceration,
22 transitional living and reintegration programs;

23 NOW, THEREFORE, BE IT RESOLVED BY THE LEGISLATURE OF THE
24 STATE OF NEW MEXICO that the Bernalillo county board of county
25 commissioners be requested to create a pilot project that will

1 streamline case management systems, evaluate and potentially
2 expand existing treatment and diversionary programs, establish
3 an alternative incarceration facility and implement new mental
4 health and substance abuse treatment options and alternative
5 incarceration, transitional living and reintegration programs;
6 and

7 BE IT FURTHER RESOLVED that the Bernalillo county board
8 of county commissioners hold a series of forums to gather and
9 review information related to the formation of the pilot
10 project; and

11 BE IT FURTHER RESOLVED that the forums include
12 representatives from the second judicial district court of New
13 Mexico, the Bernalillo county metropolitan court, the office
14 of the district attorney of the second judicial district, the
15 chief public defender, the administrative office of the
16 courts, the New Mexico criminal defense lawyers association,
17 the interagency behavioral health purchasing collaborative,
18 the New Mexico association of counties, the Bernalillo county
19 metropolitan detention center, the forensic intervention
20 consortium of Albuquerque, local law enforcement,
21 neighborhoods adjacent to the facility and any other
22 interested parties; and

23 BE IT FURTHER RESOLVED that the New Mexico sentencing
24 commission be requested to:

25 A. begin collecting data on jail populations,

1 average length of stay, recidivism, crime rates, case flow and
2 any other relevant data;

3 B. conduct research on current case management
4 practices and policies;

5 C. evaluate the viability and effectiveness of the
6 pilot project; and

7 D. report its findings to the steering committee
8 and the Bernalillo county board of county commissioners on or
9 before February 1, 2014; and

10 BE IT FURTHER RESOLVED that the forums periodically
11 present best practices for the pilot project to the Bernalillo
12 county board of county commissioners; and

13 BE IT FURTHER RESOLVED that the Bernalillo county board
14 of county commissioners report a final plan for the pilot
15 project to judicial representatives on or before October 1,
16 2012; and

17 BE IT FURTHER RESOLVED that copies of this memorial be
18 transmitted to the Bernalillo county board of county
19 commissioners, the second judicial district court of New
20 Mexico, the Bernalillo county metropolitan court, the office
21 of the district attorney of the second judicial district, the
22 chief public defender, the administrative office of the
23 courts, the New Mexico criminal defense lawyers association,
24 the interagency behavioral health purchasing collaborative,
25 the New Mexico association of counties, the Bernalillo county

1 metropolitan detention center, the forensic intervention
2 consortium of Albuquerque, the New Mexico sentencing
3 commission and the office of the governor.

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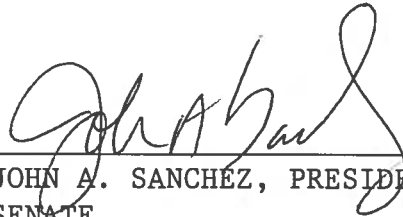
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