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SENATE MEMORIAL 7

55TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2021

INTRODUCED BY

Bill B. O'Neill

A MEMORIAL

REQUESTING THE NEW MEXICO LEGISLATIVE COUNCIL TO APPOINT A JOINT SUBCOMMITTEE OF THE INTERIM COMMITTEE THAT ADDRESSES ISSUES OF COURTS, CORRECTIONS AND JUSTICE AND THE INTERIM COMMITTEE THAT ADDRESSES ISSUES OF ECONOMIC AND RURAL DEVELOPMENT TO STUDY STRATEGIES TO MITIGATE THE ECONOMIC CONSEQUENCES OF CLOSING PRIVATE PRISONS.

WHEREAS, three decades after private prisons rose in popularity with a cost savings promise of twenty to thirty percent, the federal department of justice and the federal government accountability office concluded that privatization of prisons has resulted in savings on the order of one percent, which was achieved by lowered staffing levels; and

WHEREAS, there are seven private prisons in New Mexico: Guadalupe county correctional facility in Santa Rosa, Lea

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1 county correctional facility in Hobbs, northwest New Mexico
2 correctional center in Grants, Otero county prison facility and
3 Otero county processing center in Chaparral, Torrance county
4 detention facility in Estancia and Cibola county correctional
5 center in Milan; and

6 WHEREAS, in 2007, after New Mexico invested heavily in
7 privatizing incarceration, the legislative finance committee
8 determined that private contractors were charging New Mexico
9 higher per diem rates than other states, and those contracts
10 were never renegotiated for lowered rates; and

11 WHEREAS, when Estancia's private prison closed between
12 2017 and 2019, the loss of two hundred three jobs caused
13 substantial workforce displacement in the area and reduced
14 Torrance county's tax revenue significantly, while increasing
15 the cost and burden on the Torrance county sheriff's office;
16 and

17 WHEREAS, the closure of private prisons is a national
18 movement supported by the new administration in Washington,
19 D.C.; and

20 WHEREAS, with the closure of private prisons, the state
21 would have a unique opportunity to reallocate some correctional
22 resources to improve and support evidence-based community
23 interventions and other initiatives that would result in using
24 state correctional funding more effectively; and

25 WHEREAS, although private prisons have not lived up to

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1 their promise to be cost-effective or to be a significant
2 economic driver, their loss will have a substantial effect on
3 the state correctional system and state and local economies,
4 and the state will need to find ways to mitigate those effects,
5 including the consequences of closures on state prisons,
6 private prison employees and local economies;

7 NOW, THEREFORE, BE IT RESOLVED BY THE SENATE OF THE STATE
8 OF NEW MEXICO that the New Mexico legislative council be
9 requested to appoint a joint subcommittee of the interim
10 committee that addresses issues of courts, corrections and
11 justice and the interim committee that addresses issues of
12 economic and rural development to examine the state and local
13 economic impacts and the effects on families and communities of
14 ending private prison contracts in New Mexico; and

15 BE IT FURTHER RESOLVED that part of that examination
16 include studying measures that may be taken to mitigate the
17 economic impacts, including attention to potential local
18 economic diversification measures and business supports;
19 potential correctional improvements, such as decriminalization
20 initiatives, reducing inmate overclassification, evidence-based
21 alternatives to incarceration, changes in parole revocation
22 policies and evidence-based community interventions; and
23 workforce displacement needs, such as access to job training,
24 livable wages and short-term social and mental health services;
25 and

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1 BE IT FURTHER RESOLVED that the governor be requested to
2 support the subcommittee's efforts by asking the local
3 government division of the department of finance and
4 administration, the economic development department, the
5 corrections department and other agencies of state government
6 to assist the subcommittee; and

7 BE IT FURTHER RESOLVED that the subcommittee be requested
8 to report its findings and recommendations to the interim
9 committees, the New Mexico legislative council, the legislative
10 finance committee and the governor by October 15, 2021; and

11 BE IT FURTHER RESOLVED that copies of this memorial be
12 transmitted to the governor and the director of the legislative
13 council service for distribution to the New Mexico legislative
14 council, the interim committee that addresses issues of courts,
15 corrections and justice and the interim committee that
16 addresses issues of economic and rural development.