



# New Mexico Treatment Courts Report: FY2022



**NEW MEXICO COURTS**  
The Judicial Branch of New Mexico

SEPTEMBER 2022

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AOC Department for Therapeutic Justice  
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# NM Treatment Court Summary


 New Mexico Treatment Courts, also traditionally known as Problem Solving Courts or Drug Courts, are collaborative justice programs operating under the district, magistrate and municipal courts



Eddy County Magistrate DWI Drug Court Team

 Treatment Courts include programs established according to the treatment-based Drug Court model intended to serve justice-involved individuals whose criminal activity is driven by underlying substance misuse or mental health issues<sup>1</sup>

 Treatment Courts incorporate a multidisciplinary team approach to integrate current evidence-based best practices from both the criminal justice and behavioral health disciplines

 Types of Treatment Courts in NM include: Adult, Young Adult, Juvenile, Family Dependency, Domestic/Family Violence, Veterans, DWI, and Mental/Behavioral Health

 In FY2022, there were 56 Treatment Courts operating in NM that served 1,260 justice-involved individuals at a cost-per-client-per-day of \$32.91.

 In FY2022, NM treatment courts operated at approximately 46% of capacity.

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<sup>1</sup> These courts are differentiated from specialty courts that do not follow the established drug court model.

# Treatment Court Descriptions by Type

NOTE: Numbers in parentheses indicate the number of that court type in NM in FY22

## Adult Drug Court (23)

These court programs offer individuals the opportunity to enter long-term drug treatment and agree to court supervision rather than receiving a jail sentence. The intensive program requires participants to maintain recovery, take on responsibilities, and work towards lifestyle changes. Under the

supervision and authority of the court, their progress is monitored. Ultimately, drug courts reduce crime and affect real, positive change in people’s lives.<sup>2</sup>



## Behavioral / Mental Health Treatment Court (6)

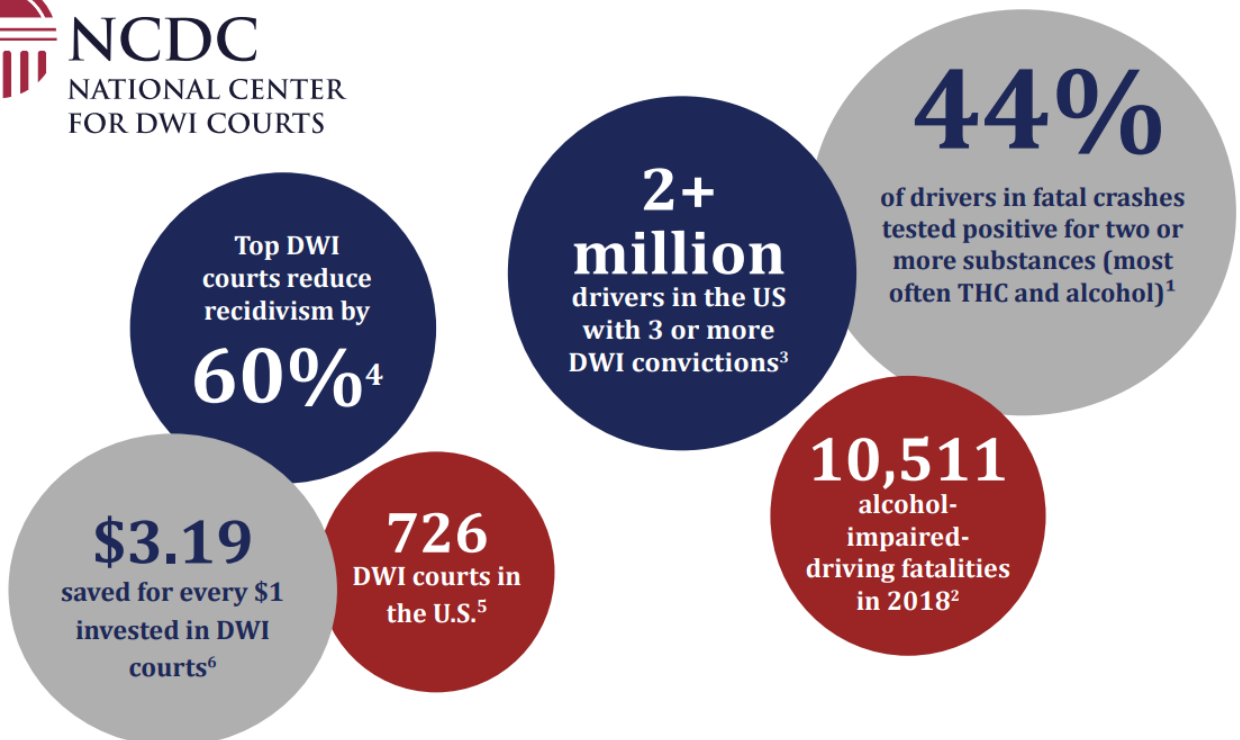
Modeled after the traditional drug court model and developed in response to the over representation of justice-involved individuals with mental illness, these treatment courts divert select defendants into judicially supervised, community-based treatment. Defendants are invited to participate in the treatment court following screening and assessment, and may decline participation.

## DWI Drug Court (12)

DWI Courts are specialized, post-conviction court programs that provide a structure of appropriate treatment, supervision, and accountability. These specialty courts follow the well-established Drug Court model and are based on

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the premise that drunk driving can be prevented if the underlying causes of the DWI offending (e.g., substance dependence and mental health issues) are identified and addressed. The population that these courts are developed for are DWI offenders who are not deterred by traditional sanctions and are most resistant to behavior change (demonstrated by their multiple convictions). These offenders are classified as high risk/high need. Each DWI Court participant will have an individualized supervision and treatment plan that is designed to address both their risk level and their needs.<sup>3</sup>



SOURCE: [https://www.nadcp.org/wp-content/uploads/2020/03/DWI-Court-Fact-Sheet\\_2020.pdf](https://www.nadcp.org/wp-content/uploads/2020/03/DWI-Court-Fact-Sheet_2020.pdf)

### Family / Domestic Violence Court (2)

Domestic violence courts (DVCs) follow the problem-solving court model and offer alternative judicial processing for individuals accused of domestic violence. DVCs seek to reduce both general recidivism and violent domestic recidivism among individuals charged with a domestic violence offense.

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<sup>2</sup> <https://ndcrc.org/what-are-drug-courts/>

<sup>3</sup> <https://www.responsibility.org/end-impaired-driving/solutions/treatment-and-rehabilitation/dwi-courts/>

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### **Family Dependency Court (3)**

Family treatment courts, also known as family drug courts and dependency drug courts, utilize a multidisciplinary, collaborative approach to serve parents and families who enter the child welfare system due to parental substance use disorders.<sup>4</sup>

### **Healing to Wellness Court (1)**

Tribal Healing to Wellness Courts, also known as drug courts, have proliferated within Indian country during the last two decades. The drug court model, beginning within state courts, was later adapted for tribes to better allow for the diversity of cultures, languages, needs, governance structures, and laws. Essentially, a Tribal Healing to Wellness Court, like a state drug court, integrates substance abuse treatment with the criminal justice system to provide substance-abusing offenders judicially supervised treatment and transitional services through the use of intense supervision, sanctions and incentives, and drug testing in a non-punitive setting.<sup>5</sup>

### **Juvenile Drug Treatment Court (6)**

Juvenile drug courts were established in the mid-1990s, following in the footsteps of adult drug courts established in the late '80s and early '90s. Juvenile drug courts aim to divert young people from incarceration by creating a regimen that typically includes treatment, court supervision, drug testing, and family or community linkages. Though youth drug courts evolved out of those established for adults, there are some key differences. In addition to substance use treatment, they typically take into account family involvement, coordination with school systems, and community partnerships.<sup>6</sup>

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<https://www.childwelfare.gov/topics/systemwide/courts/specialissues/drug/#:~:text=Family%20treatment%20courts%2C%20also%20known,to%20parental%20substance%20use%20disorders.>

<sup>5</sup> <https://nicic.gov/tribal-healing-wellness-courts-policies-and-procedures-guide>

<sup>6</sup> <https://www.samhsa.gov/homelessness-programs-resources/hpr-resources/juvenile-drug-courts-help-youth>

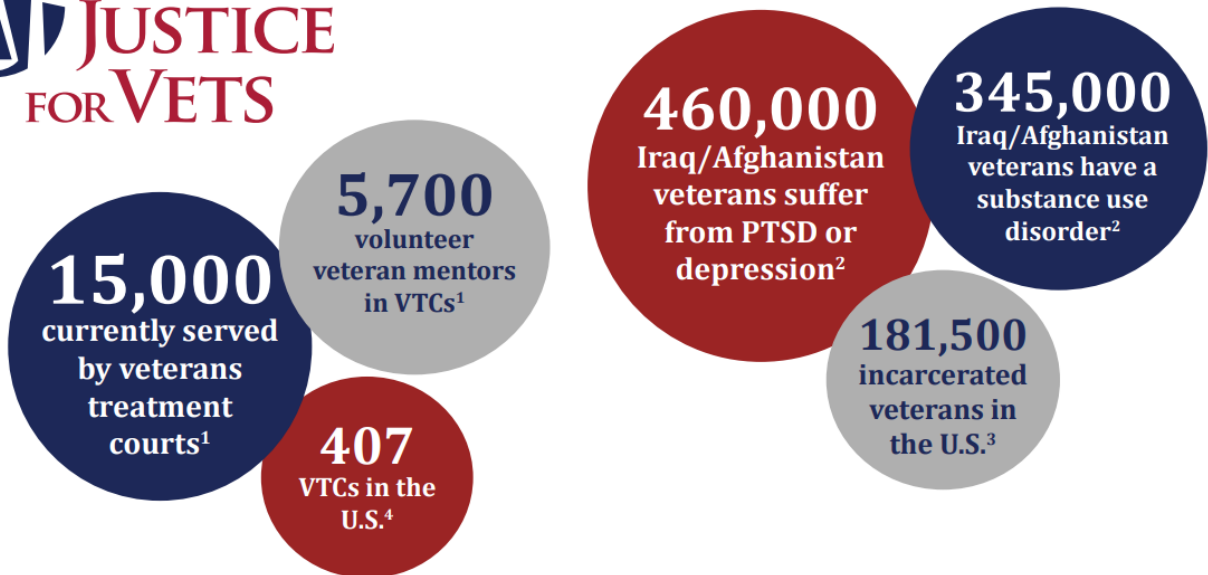


### Veterans Treatment Court (3)

The veterans treatment court model requires regular court appearances, as well as mandatory attendance at treatment sessions, and frequent and random testing for drug and alcohol use. Veterans respond favorably to this structured environment, given their past experiences in the Armed Forces.



However, a few will struggle, and it is exactly those veterans who need a veterans treatment court program the most. Without this structure, these veterans will reoffend and remain in the criminal justice system. The veterans treatment court is able to ensure they meet their obligations to themselves, the court, and their community.<sup>7</sup>



SOURCE: [https://www.nadcp.org/wp-content/uploads/2020/02/Veterans-Treatment-Court-Fact-Sheet\\_2020.pdf](https://www.nadcp.org/wp-content/uploads/2020/02/Veterans-Treatment-Court-Fact-Sheet_2020.pdf)

### NM Young Adult Court<sup>8</sup> (1)

The Young Adult Court is a voluntary specialty court program designed for individuals ages 18-25 that have been arrested in Bernalillo County, are facing

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felony criminal charges, and are in particular need of treatment, social services, the development of pertinent life skills, and a support system to help them thrive in the community. The program has pre and post plea tracks in hope to divert its participants out of the criminal justice system by providing young adults with the treatment, training and support needed to address their recovery from substance use disorder(s), mental health disorder(s), or other behavioral issues that they may be struggling with. Additionally, the program assists its participants in engaging with educational opportunities, vocational training, stable employment, and housing security. The Young Adult Court seeks to accomplish these goals through the coordination of a collaborative, multi-agency team that includes agencies such as: Albuquerque Police Department, Bernalillo Sheriff's Office, Public Defenders Office, District Attorney's Office, CNM, Duke City Recovery Toolbox, Pinwheel Healing, Crossroads, Turning Point, and other Treatment agencies, Heroin Awareness, Violence Intervention Program, Gun Violence Task Force, and Youth Development Inc.

## History and Milestones:

### 1989

- The first drug court started in Dade County, Florida
- 1992 – First women’s drug court opens in Kalamazoo, MI
- 1993 – First community court opens in Brooklyn, NY

### 1994

- Founding of the National Association of Drug Court Professionals (NADCP)

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<sup>7</sup> <https://justiceforvets.org/what-is-a-veterans-treatment-court/>

<sup>8</sup> This description references the only Young Adult Court in New Mexico



## 1995

- U.S. Department of Justice established the Drug Courts Program Office (DCPO)
- **First DWI Drug Court opens in Dona Ana County, New Mexico**
- First Juvenile Drug Treatment Court (JDTC) opens in Visalia, CA
- First Family Drug Court (FDC) opens in Reno, NV
- 1996 – First NADCP mentor court
- 1996 – First felony Domestic Violence Court (DVC) opens in Brooklyn, NY

## 1997

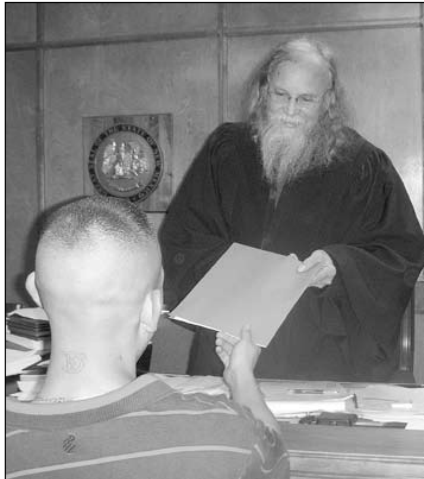
- First tribal Healing To Wellness Court (HTWC) opens in Fort Hall, ID
- *Defining Drug Courts: The Key Components* released by the NADCP, DCPO, and Bureau of Justice Assistance (BJA)
- 1998 – National Drug Court Institute (NDCI) founded
- 2000 – Proposed Standard 2.77 – Procedures in Drug Treatment Court is released by the American Bar Association

## 2001

- 16 Strategies for Juvenile Drug Courts is released by the NADCP and the National Council of Juvenile and Family Court Judges



- First juvenile mental health treatment court (MHTC) opens in Santa Clara County, CA



*Hon. John Pope congratulates a drug court graduate, circa 2002*

- **Juvenile Justice Services (JJS) probation office supervisor and Judge John Pope assembled a team to establish the Valencia County Juvenile Drug Court which officially opened in February of 2002**

## 2002

- **Recognizing that more than 20 drug courts were operating in the state, the NM Supreme Court orders the establishment of the Drug Court Advisory Committee (DCAC) “for the purpose of proposing uniform rules, guidelines, and procedures for New Mexico Drug Courts...”**
- **October 31 - Initial draft of the drug court standards are submitted to the Supreme Court**

## 2004

- **Revised version of the New Mexico Judiciary Drug Court Standards are released**

# New Mexico Judiciary

## Drug Court Standards

Original: January 16, 2004

Revised and Approved: September 4, 2013

## 2006

- **NM Chief Justice Richard J. Bossan announced Supreme Court approval the 5-Year Plan for Growth of New Mexico Drug Courts – with 30 such programs around the state, operating in 18 of the state’s 33 counties, the Supreme Court encouraged the establishment of drug courts in the remaining 15 counties**
- **The NM Legislature replaced lapsing federal funding at eight drug court programs and institutionalized them with recurring state funds**

## 2007

- **National Center for DWI Courts founded (NCDC)**

## 2008

- First Veterans Treatment Court (VTC) opens in Buffalo, NY
- **The New Mexico Association of Drug Court Professionals (NMADCP) is formed to support professional development through statewide conferences**



## 2009

- First NM Court Officer Basic Training (COBT) course is offered for all court officers and misdemeanor compliance program court compliance officers as a collaborative effort of the New Mexico Association of Counties (NMAC) Local DWI Coordinators Affiliate, the AOC, and the Department of Finance & Administration (DFA)

## 2010

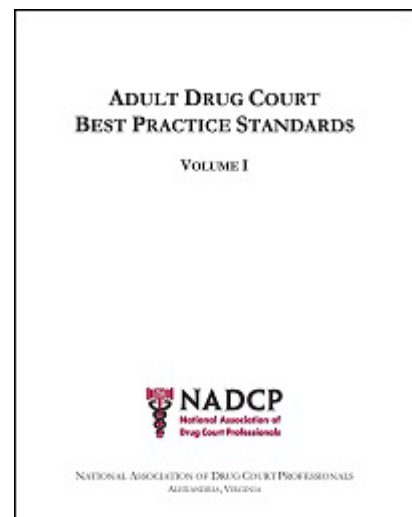
- National Drug Court Resource Center (NDCRC) opens
- Justice for Vets is founded

## 2011

- Multisite Adult Drug Court Evaluation finds that drug courts:
  - Reduce crime
  - Reduce substance abuse
  - Improve family functioning
  - Improve employment

## 2013

- The NADCP publishes the *Adult Drug Court Best Practice Standards, Volume 1*
- **Updated *New Mexico Judiciary Drug Court Standards* are released**





## NEW MEXICO DRUG COURT STANDARDS

Approved October 26, 2016

### 2014

- *Tribal Healing to Wellness Courts: The Key Components* is published
- **49 drug courts and three pilot programs are operating in 26 of NM's 33 counties**

### 2015

- The NADCP publishes the *Adult Drug Court Best Practice Standards, Volume 2*

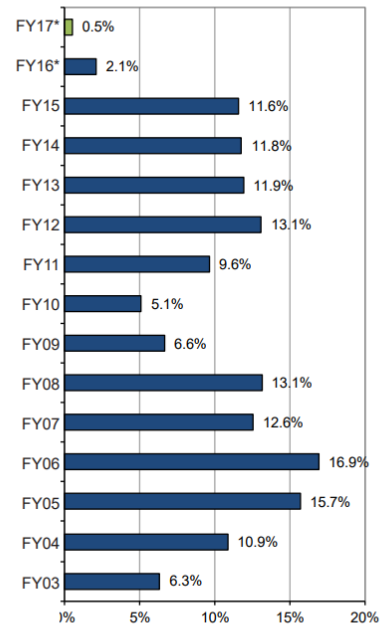
### 2016

- **New Mexico Drug Court Standards are released**
- The *LFC Newsletter* quotes the Senate Finance Committee Chair stating, "The courts themselves are stretched so thin that some court officials – perhaps more candid than administrators in the executive branch – are concerned the justice system will soon be neither a system nor just," while also noting judicial agency cutbacks to drug courts

### 2017

- *10 Key Components of Veterans Treatment Courts* is published
- **NM began a restructuring of drug court service and support to include increased professional development opportunities and local jurisdiction contact**
- **New Mexico collaborated with NPC Research to become the first state to pilot the implementation of certification and peer review as complimentary quality engagement initiatives**

General Fund Reserve Balances as a Percent of Recurring Appropriations



\*Estimated based on August 2016 consensus estimates and special session action.

SOURCE:

<https://www.nmlegis.gov/entity/lfc/Documents/NewsLetter/LFCDec16.pdf>

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## 2018

- *Adult Drug Court Best Practice Standards, Volumes 1& 2* (revised) are published
- In the 2018 legislative session, the New Mexico Legislature passed House Bill 35 which amended Section 7-1-6.40 NMSA 1978 and added a distribution from the statewide liquor excise tax of 5 percent to a new drug court fund administered by the Administrative Office of the Courts (AOC) beginning fiscal year 2020
- 10-84 Solutions is contracted to create, test, and implement an Officer Safety and Support Application (OSSA) to enhance safety and reduce administrative burden for treatment court field supervision / surveillance officers

## 2019

- *Family Treatment Court Best Practice Standards* is published
- NM initiated the RFP process to identify a statewide information management and support solution for all treatment courts

## 2020



- NM consolidated magistrate and district courts
- NM selected and began implementation of a statewide information management and support solution

***NOTE: As of 2022, only 59.6% of states/territories have a statewide information management system which stores necessary treatment court participant information.<sup>9</sup>***



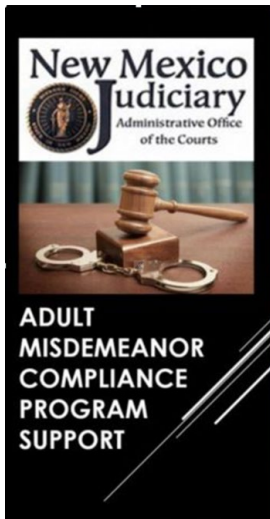
- NM AOC hired a statewide BH program manager within the Court Services Division (CSD)
- The Department for Therapeutic Justice (DTJ) was formed within the Court Services Division (CSD) of the Administrative Office of the Courts (AOC)

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<sup>9</sup> DeVall, K., Lanier, C., & Baker, L. (2022, July 20). *Painting the Current Picture: A National Report on Treatment Courts in the United States, Highlights & Insights*. Issuu. Retrieved August 18, 2022, from [https://issuu.com/ndcrc/docs/pcp\\_2022\\_highlightsinsights\\_digitalrelease](https://issuu.com/ndcrc/docs/pcp_2022_highlightsinsights_digitalrelease)

- **DTJ Goals:**

- **Change the trajectory of, and create a new destination for, both justice-involved individuals and the justice system itself**
- **[Re]Form systems and transform people**
- **Protect and enhance the quality of life for those serving within the justice system and being served by it**



*The Department for Therapeutic Justice seeks to create empowering partnerships within jurisdictions where our mutual investment enhances public safety, helps others, saves lives, and strengthens communities*

- **With the start of the COVID-19 pandemic, the DTJ enhanced support services with treatment court professionals and expanded services to other criminal justice partners, providing 124.8 hours of supportive meetings and professional development with 4,619 attendees**
- **DTJ hired a statewide program manager to focus on data system implementation, meaningful use of analytics, and ongoing feature enhancement**

## 2021

- **Comprehensive revision of the drug court standards are released as the *New Mexico Treatment Court Standards***
- **Implementation of a revised certification process as the centerpiece of DTJ quality engagement initiatives**
- **DTJ began providing standardized implementation sessions for all new NM Treatment Courts that highlight best practices related to all aspects of the treatment court operation**





- DTJ hired a Statewide Program Manager to focus on the ongoing certification project
- DTJ hired a statewide program manager to focus on the development of alumni programming and support systems, and serve as a liaison to leverage Medicaid services
- DTJ began recruitment of local jurisdictions to participate in a Risk-Need-Responsivity Framework Pilot Project, held initial organizational meetings, and initiated collaboration with the National Drug Court Institute (NDCI) for continuing support
- Council of State Treatment Court Coordinators (CSTCC) is chartered by the Conference of Chief Justices (CCJ) and the Conference of State Court Administrators (COSCA) for the purpose of improving the performance of treatment courts around the country
- The NM DTJ Senior Statewide Program Manager is named to the inaugural Executive Committee of the CSTCC



## 2022

- Hosted a virtual kick-off event with NDCI to expose all treatment courts and misdemeanor compliance programs to the core concepts of Risk-Need-Responsivity
- Posted for a Statewide Program Manager position to focus on the Risk-Need-Responsivity Framework Pilot / Multi-track Treatment Court Enhancement, COMPAS implementation, and Recovery Capital Mapping initiative
- Posted for a Business Specialist II position to assist with the logistics of quality engagement initiatives (such as new program implementation, certification, professional development events, etc.), fiscal and data projects (performance measures, reports, etc.), alumni services (meeting coordination and support), managing content within a web-based learning platform, and supporting other DTJ projects
- Anticipated release of the updated Officer Safety and Support Application (OSSA) as part of DIMS *nForm* application. In addition to providing both active and passive safety features as well as increased efficiency, the DTJ will coordinate a research project to determine the general impact of field work on program outcomes and measure the relational quality of field interactions
- Ongoing review and revision of the NM Treatment Court Standards, in consultation with NPC Research and other Subject Matter Experts (SMEs), for a target release in calendar year 2023

# FY22 NM Treatment Court Performance Measures

NM Treatment Court Standard 8-7: For every fiscal year, the AOC will provide to the New Mexico Legislature treatment court information defined as performance measures for all New Mexico treatment courts. The data shall be collected in two categories: all information to determine whether treatment courts are meeting their mission, goals, and service definitions which measure strengths and weaknesses in every treatment court as established by the AOC for all New Mexico treatment courts; and recidivism and graduation rate, among other measures, which will be used for legislative budgeting purposes.



Program Type (Nbr)	Recidivism (Intent-to-treat)	Recidivism (Graduate)	Cost-per-Client-per-Day	Number of Grads	Grad Rate	Employment at Graduation	Active Clients (Point-in-Time on June 30, 2022)
Adult/Young Adult (23)	22.25%	12.18%	\$26.12	129	43.43%	92.68%	375
DV / Family Violence (2)	12.50%	12.50%	64.09	11	64.71	81.82%	5
DWI (12)	8.32%	6.95%	\$34.90	115	82.18%	91.61%	152
Family Dependency (3)	7.35%	7.69%	\$65.35	4	19.05%	100%	13
Juvenile (6)	15.49%	4.90%	\$81.85	11	40.74%	54.55% <sup>10</sup>	28
Veterans (3)	8.85%	5.38%	\$65.35	27	81.33%	95.83%	20
Healing To Wellness (1)	10.26%	10.26%	\$48.49	28	93.33%	89.29%	15
Statewide (56) <sup>11</sup>	17.18%	9.73%	\$32.91	325	57.22%	92.68%	608

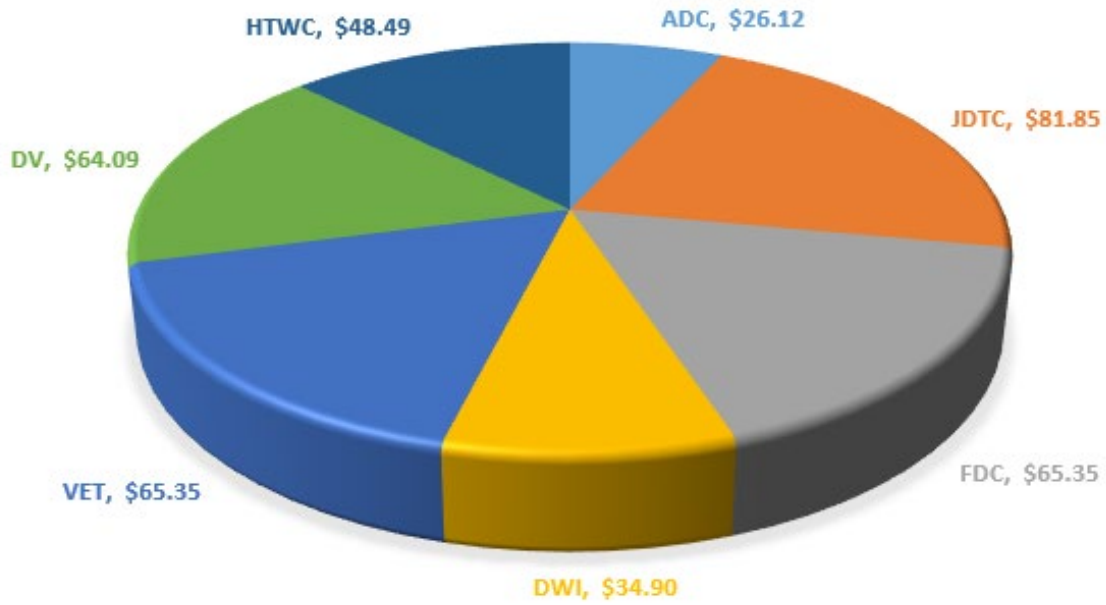
NOTE: Data for mental/behavioral health treatment courts and 4 new programs are not reflected in this chart

\*\* Reflects

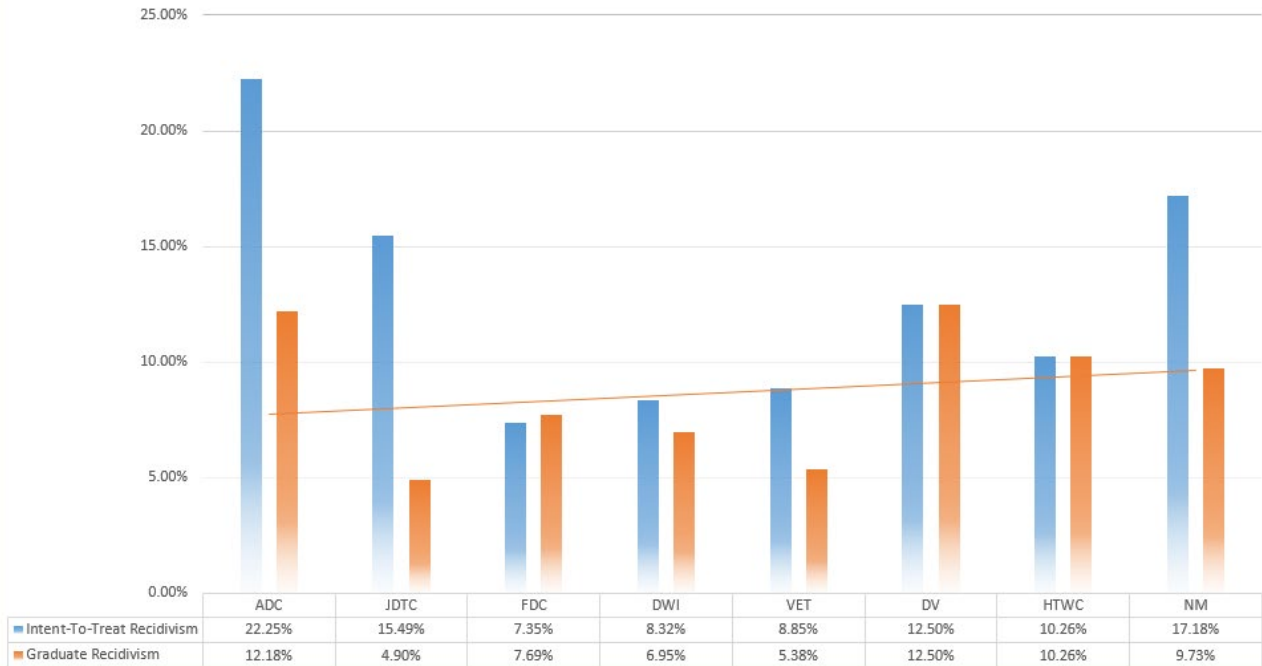
<sup>10</sup> Juvenile Drug Treatment Courts track education at graduation rather than employment

<sup>11</sup> Total includes 6 Mental/Behavioral Health Treatment Courts

### NM TREATMENT COURTS: COST-PER-CLIENT-PER-DAY BY TYPE - FY2022

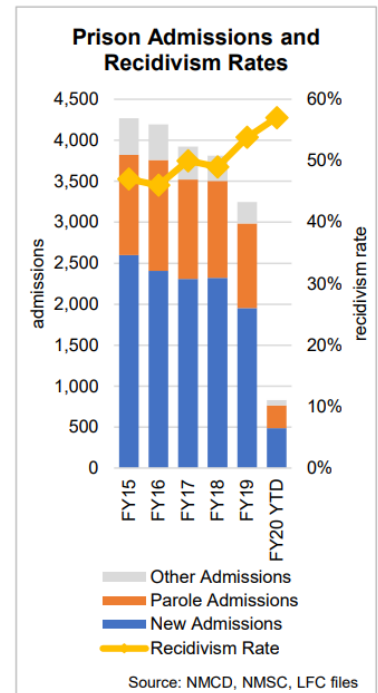


### NM TREATMENT COURTS: RECIDIVISM BY TYPE - FY2022

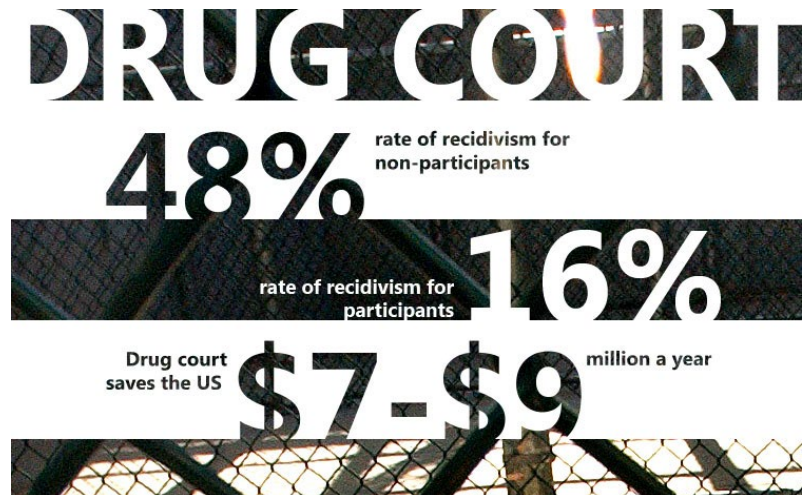


## NM Performance Measures – Comments & Context

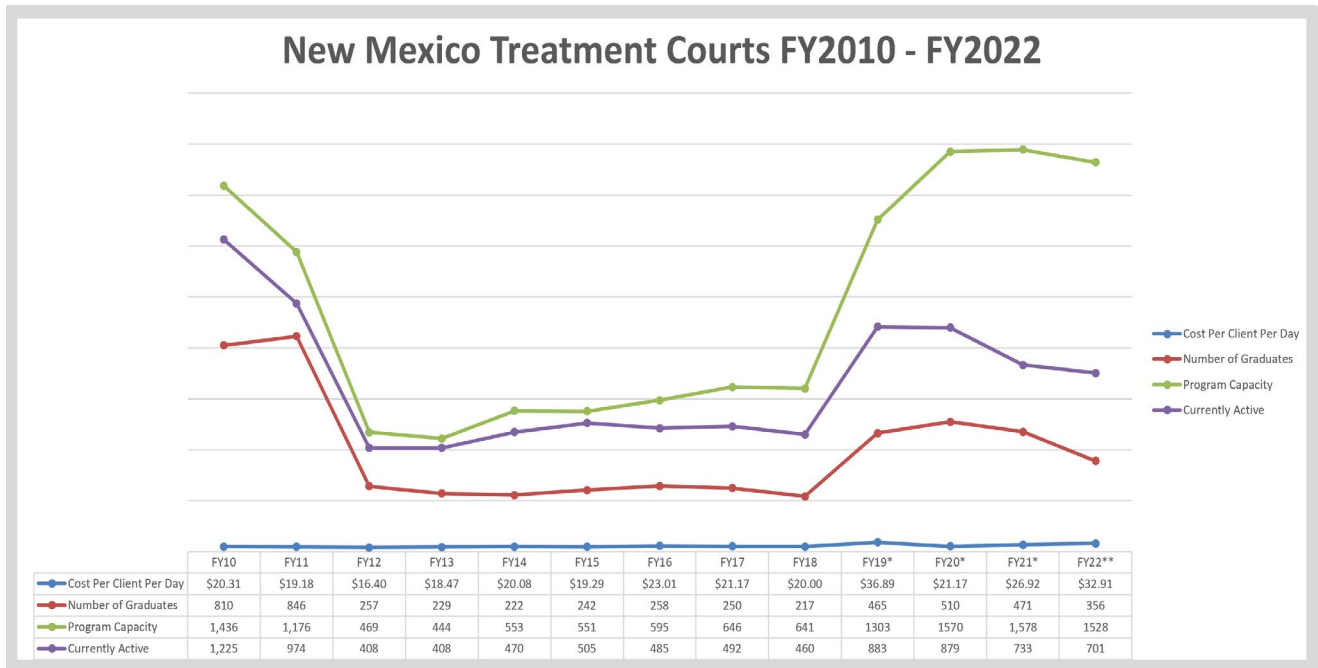
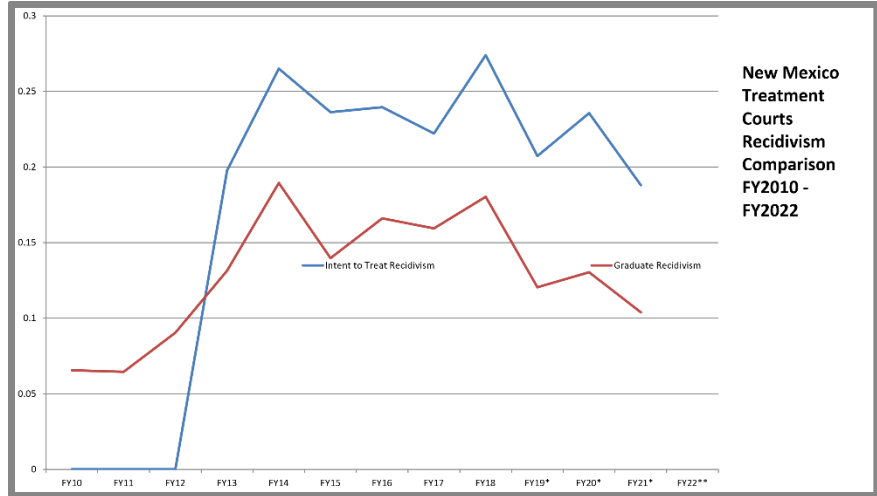
- As shown in the recidivism and cost-per-client figures below, drug courts are 4 times less expensive than prison, yet more than twice as effective in reducing recidivism.
- More research has been published on the effects of Adult Drug Courts than all other criminal justice programs *combined*.
- Nationwide, for every \$1 invested in Drug Court, taxpayers save as much as \$3.36 in avoided criminal justice costs alone, and up to \$12 when including offset victimization and healthcare service utilization costs.<sup>12</sup>
- The NM LFC calculated a cost-benefit ratio of \$1:\$9.35 for Adult Drug Courts and \$1:\$5.06 for Juvenile Drug Courts<sup>13</sup>.
- Average NM Treatment Court Cost-Per-Client-Per-Day in FY22 was **\$32.91**, and for Mental / Behavioral Health Courts was **\$31.42**
  - Average NM daily cost of incarceration is \$95.80
  - Average NM daily cost of detention is \$64.76<sup>14</sup>
- Average NM Treatment Court *Intent-To-Treat* Recidivism Rate is **17.18%** during the three-years post-program exit (FY2022); Mental / Behavioral Health Courts is **24.37%**
  - Three-year reincarceration rate of New Mexico Corrections Department (FY2020) is 57%<sup>15</sup>
  - The average three-year Treatment Court *Graduate* Recidivism rate is only **9.73%**
  - The average three-year Mental / Behavioral Health Treatment Court *Graduate* Recidivism rate is only **20.59%**
- Average NM Treatment Court Graduation Rate in FY22 was **57.22%**, and for Mental / Behavioral Health Courts was **46.97%**
  - National average for drug court graduation rates in 2019 was 59.70%<sup>16</sup>



SOURCE: *New Mexico Legislative Finance Committee Performance Report Card – NM Corrections Department, First Quarter, Fiscal Year 2020*



# Multiyear Comparative Data



<sup>12</sup> The Urban Institute. (2008). *To Treat or Not to Treat: Evidence on the Prospects of Expanding Treatment for Drug-Involved Offenders*.

<sup>13</sup> LFC Results First, January 2017

<sup>14</sup> Cost of detention calculated by the New Mexico Sentencing Commission as part of the Detention Facility Reimbursement Act

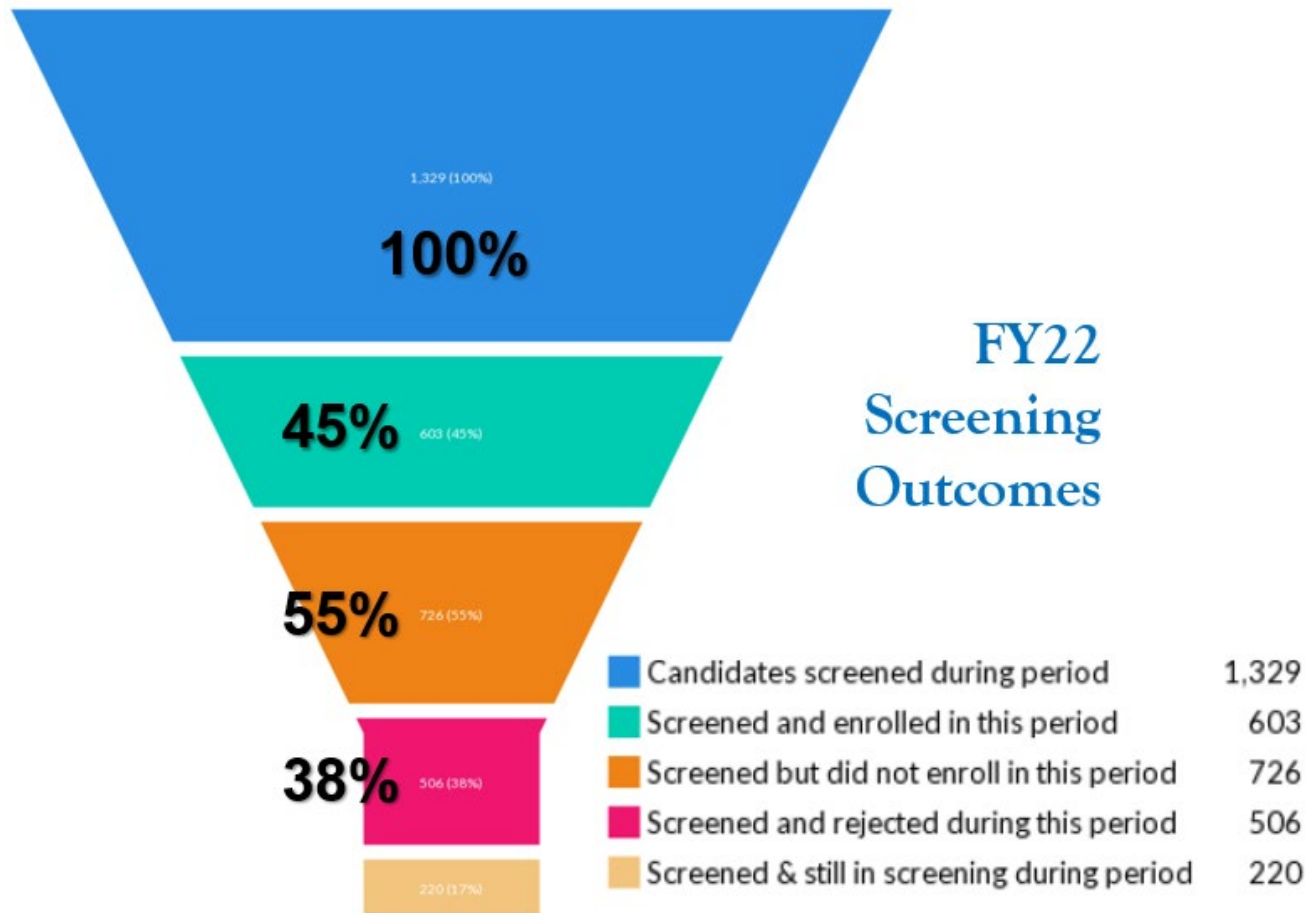
<sup>15</sup> [https://nmlegis.gov/Entity/LFC/Documents/Agency\\_Report\\_Cards/770%20-%20NMCD%20FY20%20Q1.pdf](https://nmlegis.gov/Entity/LFC/Documents/Agency_Report_Cards/770%20-%20NMCD%20FY20%20Q1.pdf)

<sup>16</sup> DeVall, K., Lanier, C., & Baker, L. (2022, July 20). *Painting the Current Picture: A National Report on Treatment Courts in the United States, Highlights & Insights*. Issuu. Retrieved August 18, 2022, from

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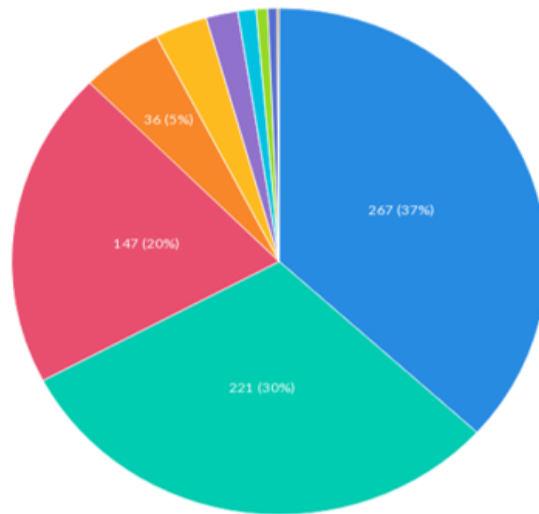
# FY2022 Performance Data & Analytics

NM treatment court program staff and contractors are required to use a statewide information management system. This system was implemented during the 2021 calendar year and is continually being enhanced to provide efficiency for the end user and quality data analytics.



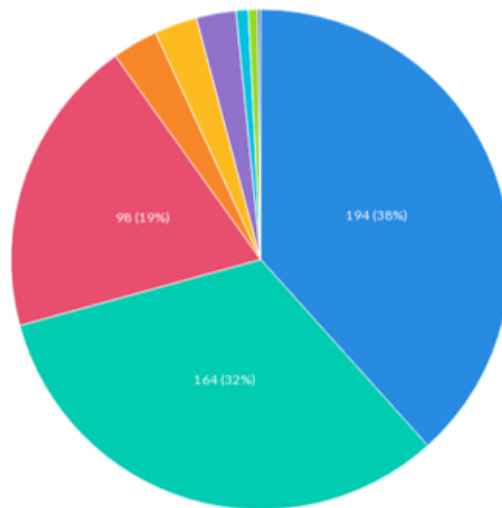
Screened But Not Inducted During The Period By Race

White (German, Irish, English, etc.)	267
Hispanic, Latino, or Spanish Origin (Mexican, Mexican American, Puerto Rican, Cuban, Argentinea...	221
American Indian or Alaska Native (Navajo, Maya, Tlingit, Cherokee, Quechua, Pueblo, Apache etc.)	147
N/A	36
Black or African American (African American, Haitian, Nigerian, Afro-Caribbean, etc.)	23
Asian Indian	14
Some other race or origin	8
Prefer not to answer	5
Multi-racial	4
Vietnamese	1



Screened and Rejected During The Period By Race

White (German, Irish, English, etc.)	194
Hispanic, Latino, or Spanish Origin (Mexican, Mexican American, Puerto Rican, Cuban, Argentinea...	164
American Indian or Alaska Native (Navajo, Maya, Tlingit, Cherokee, Quechua, Pueblo, Apache etc.)	98
Black or African American (African American, Haitian, Nigerian, Afro-Caribbean, etc.)	15
Asian Indian	14
N/A	13
Multi-racial	4
Some other race or origin	3
Prefer not to answer	1



## Screened and rejected during this period - Rejection reason

Screened and Rejected During The Period By Reason

Other	195
Referral to other facility	82
Criminal History	65
Unable To Locate	50
Participant Refusal	30
Treatment Rejected	27
Resides out of County	24
New Crime/Charge	12
Mental Illness	11
Jurisdiction	4
Prosecutorial Refusal	3
Change Prohibition	1

## NM Treatment Courts FY2022 Discharged Participants by Outcome

Participants discharged successfully	Participants Discharged Neutrally	Participants Discharged Unsuccessfully
<b>327</b>	<b>67</b>	<b>271</b>
Age at discharge Min: 14 Avg: 37 Max: 74	Age at discharge Min: 15 Avg: 34 Max: 62	Age at discharge Min: 13 Avg: 33 Max: 63

**Successful** = Completed all treatment court expectations; graduated

**Neutral** = Discharged due to extenuating circumstances, such as death, end of probation exposure, transfer to another program or higher level of care, etc.

**Unsuccessful** = Did not complete all treatment court expectations; terminated



**NM Treatment Courts FY2022  
Discharged Participants:  
Outcomes by Gender**

DischargeType  
■ Successful  
■ Neutral  
■ Unsuccessful



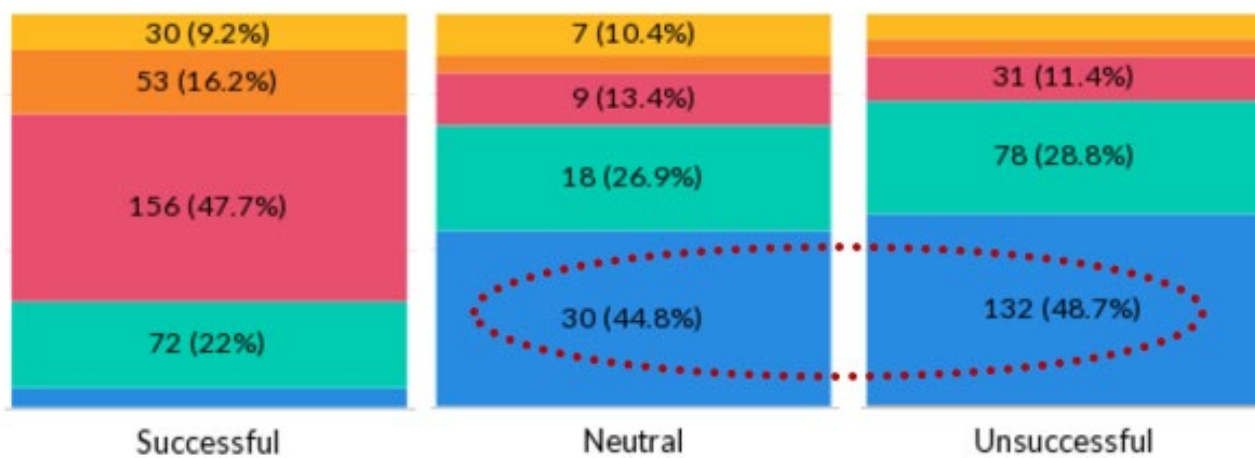
**NM Treatment Courts FY2022  
Discharged Participants:  
Outcomes by Program  
Duration**

DischargeType  
■ Successful  
■ Neutral  
■ Unsuccessful



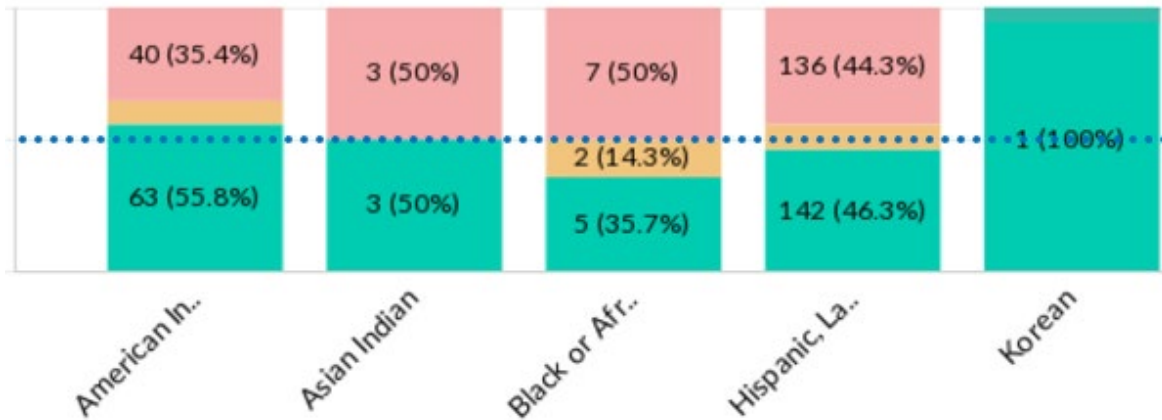
## NM Treatment Courts FY2022 Discharged Participants: Outcomes by Program Duration

- ✓ 00-06 months
- ✓ 07-12 months
- ✓ 13-18 months
- ✓ 19-24 months
- ✓ 25 months or more



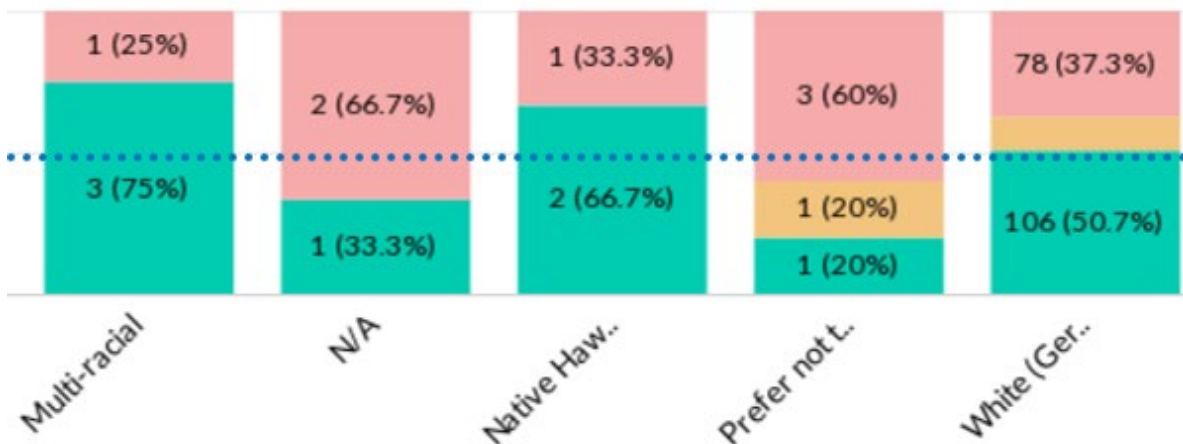
**NM Treatment Courts FY2022  
Discharged Participants:  
Outcomes by Race  
Chart 1**

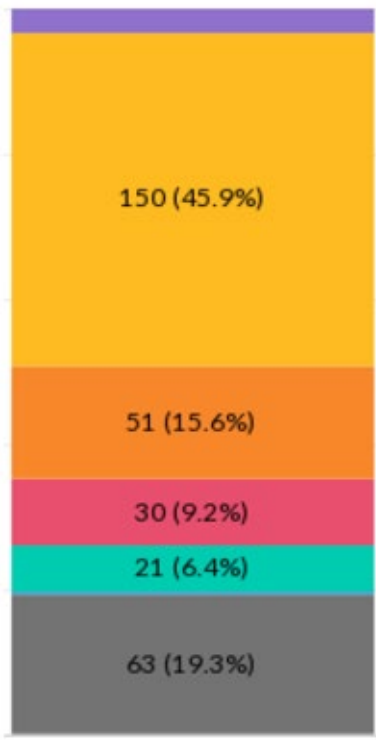
DischargeType  
■ Successful  
■ Neutral  
■ Unsuccessful



**NM Treatment Courts FY2022  
Discharged Participants:  
Outcomes by Race  
Chart 2**

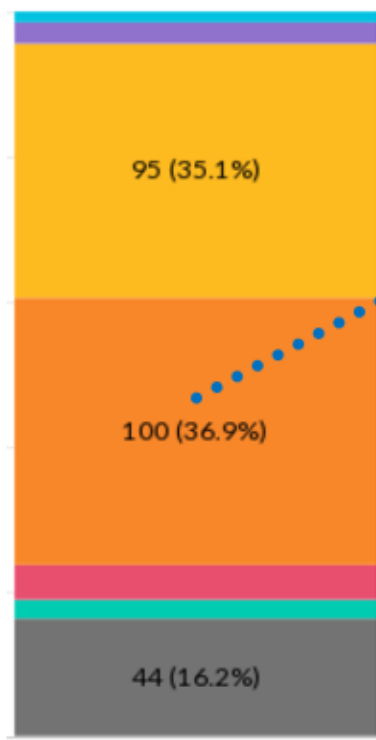
DischargeType  
■ Successful  
■ Neutral  
■ Unsuccessful





Successful

### NM Treatment Courts FY2022 Discharged Participants: Outcomes by Education



Unsuccessful

- Unknown
- Advanced Degree (Masters/Phd.) C...
- College Grad - 4 Yr Program Compl...
- College Grad - 2 Yr Program Compl...
- High School (Did not Complete)
- High School, Alternative School or G...
- Trade or Technical School Completed

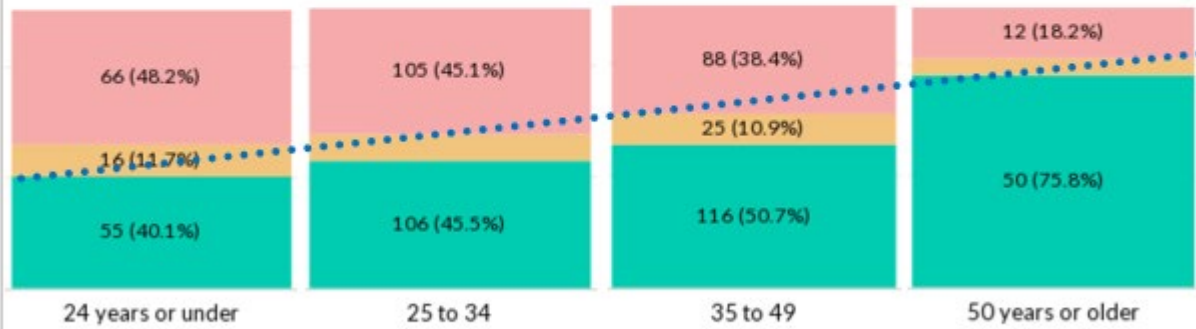
## NM Treatment Courts FY2022 Discharged Participants: Outcomes by Age

DischargeType

Successful

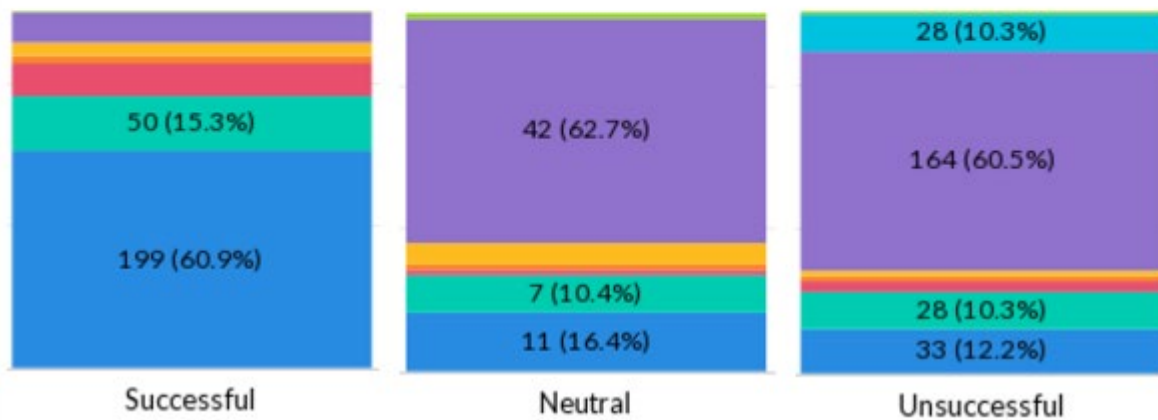
Neutral

Unsuccessful

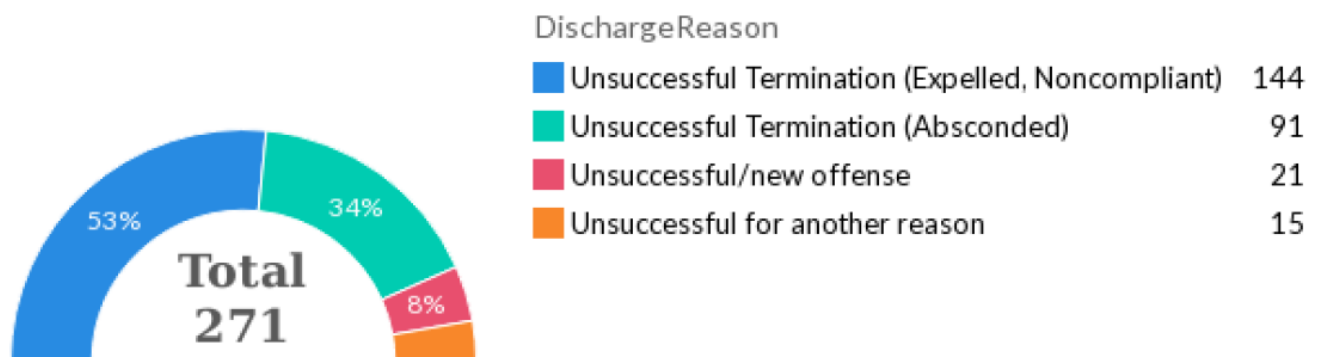


## NM Treatment Courts FY2022 Discharged Participants: Outcomes by Employment

- Employed Full Time > Or = 35 Hours...
- Employed Part Time < 35 Hours/We...
- Not In Labor Force (Retired,Disabled...
- Self-Employed
- Student Full Time
- Unemployed
- Unknown
- Volunteer



### Discharged participants by DischargeReason- Unsuccessful



<b><u>CAPACITY DATA</u></b>			
Total # of Programs	53		
# of Programs at <b>+100% to 75%</b> of Capacity	10	18.87%	
# of Programs at <b>74% to 50%</b> of Capacity	11	20.75%	39.62%
# of Programs at <b>49% to 25%</b> of Capacity	18	33.96%	73.58%
# of Programs at <b>less than 25%</b> of Capacity	14	26.42%	100.00%
<b><u>GRADUATION DATA</u></b>			
# of Programs w/ active participants	53		
# of Programs w/ 1 to 4 graduates	24	45.28%	
# of Programs w/ 5 to 10 graduates	7	13.21%	
# of Programs w/ 10+ graduates	14	26.42%	
# of Programs w/ no graduates	8	15.09%	
# of graduates who had employment after graduation	332	93.3%	

# Fiscal Report

## Context

- Treatment court operational budgets are managed at the district court level and include dedicated base-budget funding to support treatment courts
- Local district treatment court funding is supplemented by state monies managed by the AOC
- Supplemental funding has remained largely unchanged for approximately 10 years
- In the 2018 legislative session, the New Mexico Legislature passed House Bill 35 which amended Section 7-1-6.40 NMSA 1978 and added a distribution from the statewide liquor excise tax of 5 percent to a new drug court fund administered by the Administrative Office of the Courts (AOC) beginning fiscal year 2020
- The *NM Treatment Court Standards* include an Appendix governing supplemental funds

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## Statewide Support

- The AOC-DTJ manages statewide contracts in of support local jurisdictions
  - Statewide informational management and support solution
  - Risk and Need Triage (RANT) screening instrument
  - Global Appraisal of Individual Needs Short Screener (GAIN-SS) instrument
  - PACT 2.0 juvenile risk assessment
  - COMPAS risk assessment and case planning tool (scheduled for FY2023)
  - Contracts with subject matter experts and entities for evaluation, professional development, and other best practice implementation
- Supplemental funding is available for gaps and needs identified through the various quality engagement initiatives managed by the AOC-DTJ
- The AOC-DTJ manages resources strategically to assure sustainability of NM treatment courts with reducing or retiring federal funds

## FY2022 Treatment Court State Funding

### General Fund Allocations

The allocation from the state General Fund (GF) has remained steady at around \$1.45 million for a decade or more.

For approximately 15 years prior to the legislative action in 2018, the GF allocation was supplemented by funds redistributed from the Local DWI Grant Fund to the AOC for the operation of drug courts.

### Liquor Excise Tax Distributions

In FY2020, distributions equal to 5% of the state liquor excise tax began supporting treatment courts. Transfers are made on a monthly basis into a non-reverting drug court fund. The total annual transfers are noted below:

- FY2020: \$2,480,883.40
- FY2021: \$2,469,432.67
- FY2022: \$2,306,764.48 (June distribution not yet received)



## Fund Balance & Projections

- The balance of the non-reverting drug court fund is currently approximately \$2.4 million
- This balance will begin decreasing as early as this current FY
- Significant expenditures include:
  - Statewide information management solution (special appropriation is expiring next FY): \$400,000 recurring
  - Implementation (to include initial training) and ongoing licensing of the COMPAS risk assessment: \$210,000 (FY23) and recurring \$60,000
  - 3<sup>rd</sup> Judicial District Veterans Treatment Court federal funding expires next FY: \$347,000 recurring
  - McKinley County Magistrate DWI Drug Court funding from TSD expires 09/30/2023: \$200,000+ recurring
  - Rio Arriba County Magistrate DWI Drug Court funding from TSD expires 09/30/2024: \$200,000+ recurring
- The non-reverting Drug Court Fund balance increases due to:
  - Annual increases of liquor excise tax revenue
  - Unspent supplemental funds

FY2020			FY2021			FY2022		
Budget	Balance	% Remaining	Budget	Balance	% Remaining	Budget	Balance	% Remaining
\$ 2,698,700.00	\$ 522,856.73	19.4%	\$ 2,698,700.00	\$ 705,341.44	26.1%	\$ 2,698,700.00	\$ 586,522.76	21.7%
	\$ 522,856.73			\$1,228,198.17			1,814,720.93	

NOTE: FY 20 marks both the beginning of the pandemic and the first year post-consolidation.

## Research & Evaluation Initiatives

Standard 8-3: The Statewide Treatment Court Program Manager should work with a qualified, independent evaluator to conduct appropriate evaluations of treatment courts, given available funding.

### Consultation with the NPC Research

- Reviewed the Datagain Drug Information Management System (DIMS) for fidelity of essential data collection and potential for meaningful use
- Participated in a DTJ Quarterly Review, along with analysts from the Legislative Finance Committee (LFC) and representatives from the New Mexico Sentencing Commission to consider key performance measure data and the capacity of DIMS to collect it

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### **Coordination with the New Mexico Sentencing Commission (NMSC) & Institute for Social Research (ISR)**

- FY22 – Reviewed current data in DIMS and established a baseline for future ongoing evaluation of treatment court programs based upon national best practices and the New Mexico Treatment Court Standards
- FY23 – Individual programs evaluations will commence beginning with the 8<sup>th</sup> JD / Taos Adult Drug Court

### **Coordination with DIMS and NPC Research**

- FY21 – NPC Research evaluated the Officer Safety & Support Application (OSSA) for useable data points in studying the impact of field services
- FY22 – Coordinated with DIMS to assume the OSSA project and develop it within the *nForm* application
- FY23 – Beta testing of the OSSA will be completed and the app will be incorporated into all field services connected with treatment courts
- FY24 – NPC Research will evaluate data collected from the OSSA for initial findings

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# Certification & Alignment with the NM Treatment Court Standards

The certification process is one element of a quality engagement infrastructure designed to assess the alignment of treatment court programs with best practice standards.

## Benefits of Certification

- Measures and ensures alignment with NM standards
- Incorporates consistent, research-based criteria for assessing quality
- Demonstrates the congruence of treatment court programs with legislative and judiciary funding priorities
- Identifies areas for improvement, expansion, and/or enhancement
- Informs both the programs and the AOC where additional resources, technical assistance, and training would enhance service provision

## The Process of Certification

- Program certification is required by the *NM Treatment Court Standards* (Standards)
- Each treatment court is listed on a master calendar for certification
- Certification “windows” open quarterly and typically include a review cohort of 5-7 programs
- Pre-window webinars, open to all program coordinators but focused on the upcoming cohort, are conducted a month prior to the certification windows
- Evaluation of the program’s alignment with the Standards occurs primarily through an audit of the program policies & procedures, participant handbook, and various forms.
- The audit is conducted by the Department of Therapeutic Justice team with each team member evaluating an area of the program wherein that individual has subject matter expertise
- Alignment is scored and recorded on a spreadsheet that calculates the degree of alignment expressed as a percentage

- The percentage of alignment for mandatory and recommended practices dictates the level of certification awarded as noted below:

## New Mexico Treatment Courts Certification Tiers

Tier	Requirements
<b>BRONZE</b>	≥ 96% Mandatory & ≥ 91% Recommended
<b>SILVER</b>	≥ 98% Mandatory & ≥ 93% Recommended
<b>GOLD</b>	≥ 100% Mandatory & ≥ 95% Recommended
<b>PLATINUM</b>	100% of both Mandatory & Recommended

**Provisional Certification** is granted for programs with ≤ 96% of mandatory items and ≤ 90% of recommended items

- Ongoing training and technical assistance is available for courts in preparation for the certification process
- Information, forms, FAQs, and a preparatory self-check survey are available for access at <https://treatmentcourts.nmcourts.gov/nm-drug-court-certification/>

## NM Treatment Courts Certification Status

The NM certification process is the most thorough and supportive project of its kind in the nation. Restructured after the release of the comprehensive treatment court standards revision, the certification process began reviewing programs in July, 2021.

Following a three month evaluation window measuring the program’s alignment with the NM Treatment Court Standards, one of four certification tiers is awarded, or a provisional status is declared. Programs receiving a Provisional certification must

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**complete an action plan and meet bi-monthly with AOC –DTJ staff to document progress toward alignment with the standards.**

**PLATINUM TIER**

- No courts have yet been awarded Platinum status

**GOLD TIER**

- 8<sup>th</sup> JD / Taos Adult Drug Court [Window Jul. 2021; Certified Dec. 2021]

**SILVER TIER**

- Bernalillo County Metropolitan DWI Court [Window Jul. 2021; Certified Dec. 2021]

**BRONZE TIER**

- Bernalillo County Metropolitan Healing To Wellness Court [Window Jan. 2022; Certified Dec. 2021]
- Bernalillo County Metropolitan Veterans Treatment Court [Window Jul. 2021; Certified Dec. 2021]
- Bernalillo County Metropolitan DV Treatment Court [Window Jan. 2021; Certified Mar. 2022]
- 5<sup>th</sup> JD / Eddy County Magistrate DWI Drug Court [Window Jan. 2021; Provisional Mar. 2022; Certified Jul. 2022]
- 1<sup>st</sup> JD / Santa Fe Mental Health Treatment Court [Window Jan. 2021; Provisional Mar. 2022; Certified Aug. 2022]

**PROVISIONAL**

- 13<sup>th</sup> JD / Sandoval Adult Drug Court [Window Jul. 2021; Provisional Jan. 2022]
- 6<sup>th</sup> JD / Grant Hybrid DWI/Adult Drug Court [Window Jan. 2021; Provisional Mar. 2022]
- 7<sup>th</sup> JD / Socorro Hybrid DWI/Adult Drug Court [Window Jan. 2021; Provisional Mar. 2022]
- 11<sup>th</sup> JD / San Juan Magistrate DWI Drug Court [Window Jan. 2021; Provisional Mar. 2022]
- 11<sup>th</sup> JD / San Juan Mental Health Treatment Court [Window Jan. 2021; Provisional Mar. 2022]
- 1<sup>st</sup> JD / Rio Arriba Adult Drug Court [Window Jan. 2021; Provisional Mar. 2022]
- 13<sup>th</sup> JD / Valencia Magistrate DWI Drug Court [Window Jan. 2021; Provisional Mar. 2022]
- 13<sup>th</sup> JD / Cibola Hybrid DWI/Adult Drug Court [Window Apr. 2021; Provisional Jun. 2022]
- 13<sup>th</sup> JD / Sandoval Mental Health Treatment Court [Window Apr. 2021; Provisional Jun. 2022]
- 2<sup>nd</sup> JD / Mental Health Treatment Court [Window Apr. 2021; Provisional Jun. 2022]

# 2022

<b>JUL</b>	2nd JD	Juvenile DTC
	3rd JD - Dona Ana	Juvenile DTC
	11th JD - San Juan	Juvenile DTC
	13th JD - Cibola	Juvenile DTC
	13th JD - Sandoval	Juvenile DTC
	13th JD - Valencia	Juvenile DTC
	2nd JD	Hybrid DWI/ADC
Bernalillo Metro Court	MHTC DWI	

<b>OCT</b>	1st JD - Santa Fe	Adult Drug Court
	2nd JD - Bernalillo	Designated DWI Court
	2nd JD - Bernalillo	Young Adult Court
	8th JD - Raton	Hybrid DWI/ADC
	12th JD - Lincoln	Hybrid DWI/ADC
	Dona Ana Mag - Las Cruces	Designated DWI Court
	3rd JD - Las Cruces	Veterans Treatment Court

<b>JAN</b>	3rd JD - Dona Ana	Hybrid DWI/ADC
	4th JD - Las Vegas	Hybrid DWI/ADC
	4th JD San Miguel Mag	Designated DWI Court
	5th JD - Chaves	Adult Drug Court
	6th JD - Hidalgo	Adult Drug Court
	6th JD - Luna	Adult Drug Court

# 2023

<b>APR</b>	3rd JD - Dona Ana	Family
	5th JD - Lea	Family
	11th JD - San Juan	Hybrid DWI/ADC
	12th JD - Otero	Veterans Treatment Court
	13th JD - Cibola	Family
	1st Santa Fe Municipal Court	Designated DWI Court

<b>JUL</b>	1st JD Santa Fe Magistrate	Designated DWI Court
	7th JD -Torrance Mag	Designated DWI Court
	7th JD - Sierra	Hybrid DWI/ADC
	7th JD - Torrance	Hybrid DWI/ADC
	12th JD - Otero	Hybrid DWI/ADC

<b>OCT</b>	7th JD - Sierra MAG	MHTC
	9th JD - Roosevelt	Adult Drug Court
	11th JD - Farmington Municipal	Designated DWI Court
	9th JD - Curry	Hybrid DWI/ADC

<b>JAN</b>	12th JD - Otero (Alamogordo)	MHTC
	13th JD - Valencia	Hybrid DWI/ADC
	Bernalillo Metro Court	MHTC

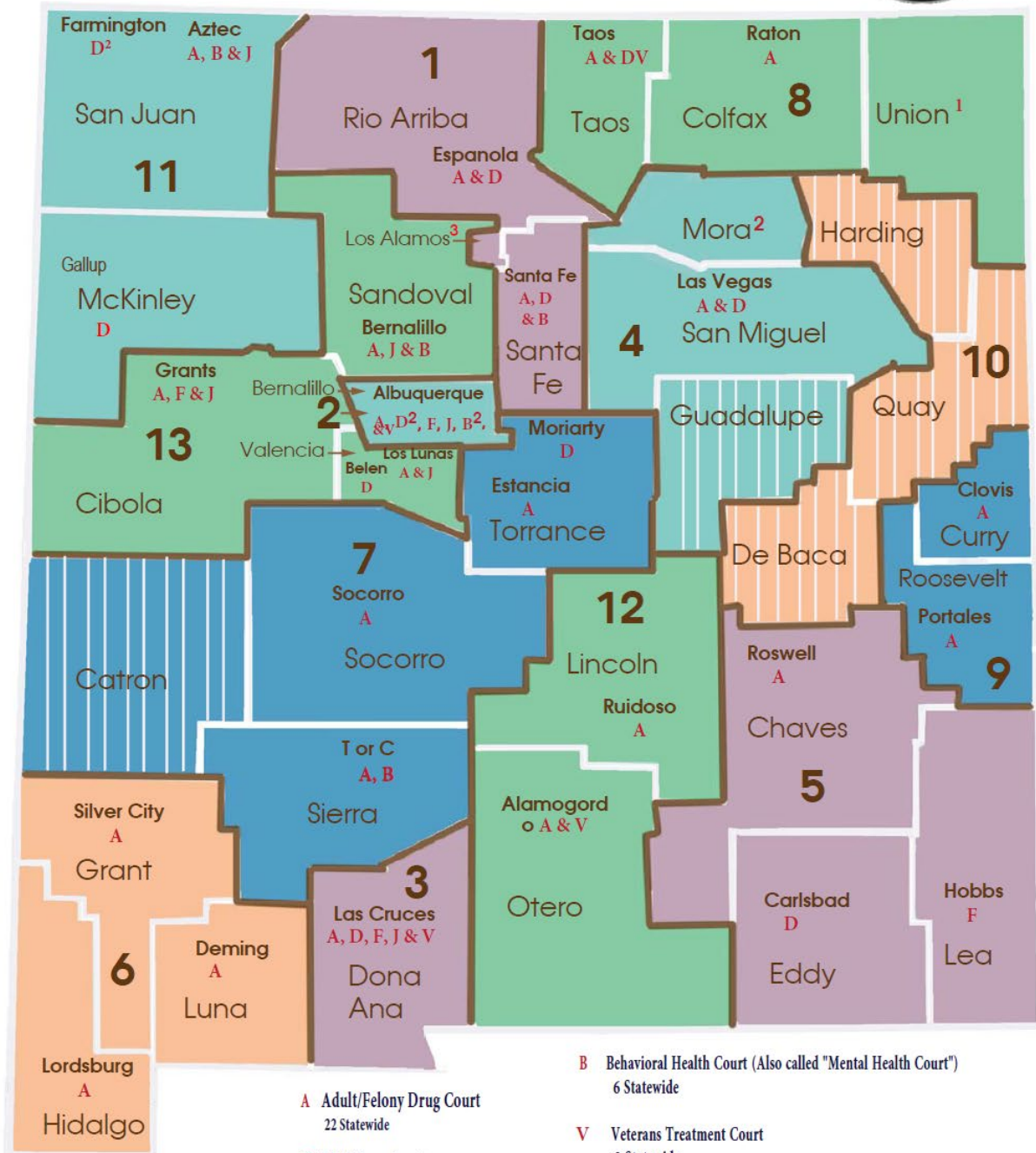
# 2024

<b>APR</b>	1st JD - Rio Arriba MAG	Designated DWI Court
	11th JD - McKinley MAG	Healing to Wellness Court

# NEW MEXICO TREATMENT COURTS

## DISTRICT, METROPOLITAN, MAGISTRATE & MUNICIPAL PROGRAMS IN THE STATE'S 13 JUDICIAL DISTRICTS

As of April, 2022, 28 counties and 12 of the state's 13 judicial districts have at least one drug court program. Five counties (striped) and one judicial district (the 10<sup>th</sup>) do not yet.



**J** Juvenile Drug Court  
6 Statewide

**DV** Domestic/Family Violence Court  
2 Statewide

**A** Adult/Felony Drug Court  
22 Statewide

**D** DWI Drug Court  
12 Statewide

**F** Family Dependency Drug Court  
4 Statewide

**B** Behavioral Health Court (Also called "Mental Health Court")  
6 Statewide

**V** Veterans Treatment Court  
3 Statewide

**1** Union County residents are served by Colfax County Drug Courts

**2** Mora County residents are served by San Miguel County Drug Courts

**3** Los Alamos County residents are served by Rio Arriba County Drug Courts



**Therapeutic Justice**  
/Thera'pyoōdik/ /'jestəs/



*Therapeutic Justice is the healing, transformative administration of law.*