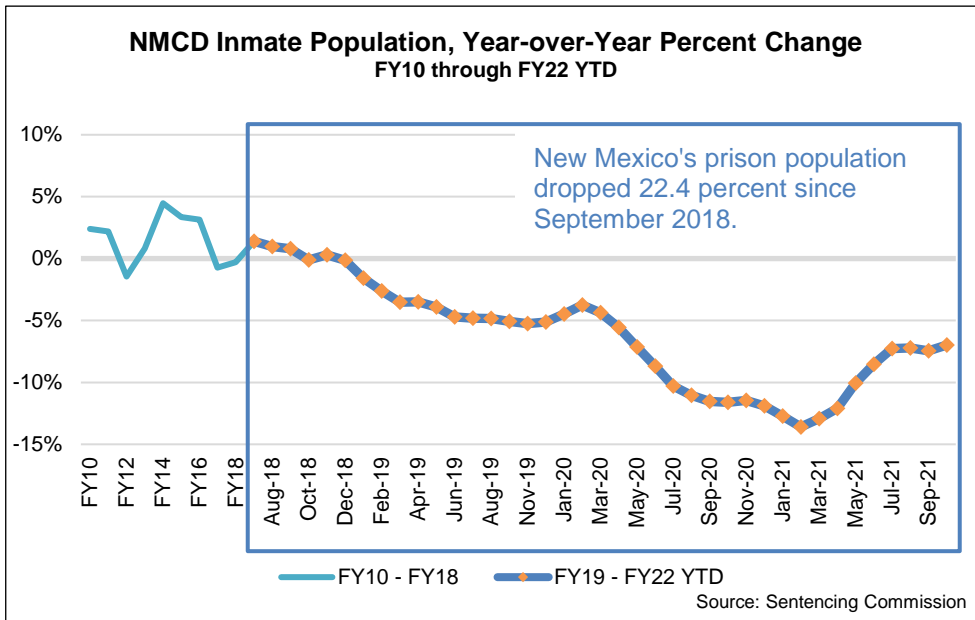


ACTION PLAN

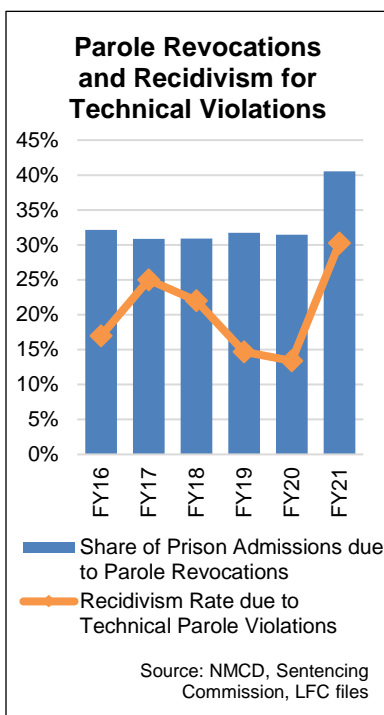
Submitted by agency?	Yes
Timeline assigned?	No
Responsibility assigned?	No

Corrections Department

In the first quarter of FY22, the Corrections Department (NMCD) continued to see its inmate population fall, while also reporting a small improvement in offender recidivism. The agency continues to struggle with high vacancy rates, which rose among public and private correctional officers and probation and parole officers in the first quarter of FY22 compared with last quarter. Errors in the agency’s prior reporting and continued issues in reporting results in accordance with LFC and DFA direction create difficulties in analyzing some areas of NMCD’s performance.



New Mexico’s prison population has been falling since September 2018 and had dropped over 8 percent by March 2020, even before the impacts of the Covid-19 pandemic on adjudications and early releases. In FY21, the state’s inmate population averaged 6,051 (5,489 men and 561 women), a reduction of 11.5 percent compared with the FY20 average and 18.2 percent lower than the high in FY16. An average of 1,600 state prison beds were empty in FY21 as a result of these declines. In October 2021, the state’s prisons held an average of 5,743 inmates (5,211 men and 532 women), a 0.1 percent decrease compared with September and a 7 percent decrease compared with October 2020.



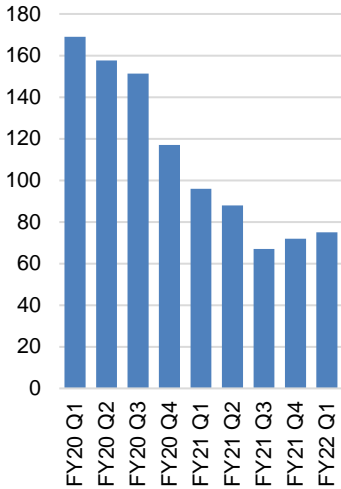
NMCD took over operations at Guadalupe County Correctional Facility and Northwest New Mexico Correctional Facility (now called Western New Mexico Correctional Facility South) in November 2021. The impacts of these takeovers on the agency’s performance measures—which will likely be particularly evident in measures of correctional officer vacancy rates—will begin to be seen in the second quarter.

Inmate Management and Control

NMCD reports there were no serious inmate assaults this quarter, reflecting significant improvement. However, it is possible the agency has increased its standard for what it considers a reportable assault, which would skew these results. For FY22, DFA and LFC implemented a change to the language for the measures of serious inmate-on-inmate and inmate-on-staff assaults that was not intended to change the standard of reporting assaults. However, in its FY22 performance monitoring plan, NMCD changed the definition of assaults it would report from those requiring “outside medical treatment” to those requiring “admission to the hospital.” It is not clear if this change was implemented and, if so, how that change may have impacted this quarter’s results.

This quarter, NMCD reported a small reduction in overall recidivism compared with the fourth quarter of FY21. Although recidivism due to new offenses has increased 0.5

Estimated Number of Release-Eligible Inmates Incarcerated Past Release Date by Quarter



Source: NMCD, LFC files

Inmate Education and Programming

After improving steadily over the course of FY21, inmate participation in educational, cognitive, vocational, and college programs fell this quarter, with just 37 percent of eligible inmates participating compared with 47 percent in the last quarter of FY21. Similarly, while the number of inmates who earned a high school equivalency certificate improved between the third and fourth quarters of FY21, in the first quarter of FY22 only 20 inmates earned a certificate, a 32 percent reduction compared with FY21's quarterly average and 18 fewer than would be needed to be on track to achieve the agency's FY22 target of 150 certificates earned.

Covid-19 in Prisons

After months of reporting very low rates of Covid-19 infection among prisoners, NMCD now reports 54 active cases and its first death in months.

percentage points since the previous quarter, recidivism due to technical parole violations fell 5 percentage points, an encouraging improvement.

In the first quarter of FY21, NMCD reported its overall three-year recidivism rate had been reported incorrectly since 2016 due to a database error. The agency has corrected this issue, but because it has not provided corrected historical data on this measure, it is unclear if FY21's recidivism results represent an increase or decrease from previous years. NMCD reports it is working on recalculating annual results for this measure but has not yet provided results.

Additionally, NMCD reported in August 2021 that several prior years' performance reports had excluded absconders when calculating recidivism rates for technical parole violations, although the measure is defined to include absconders. The department began including absconders again in its FY21 reports. As a result, FY21's 30 percent recidivism rate for technical violations cannot be compared with prior years.

	Budget: \$278,234.1	FTE: 1,995	FY20 Actual	FY21 Actual	FY22 Target	FY22 Q1	FY22 Q2	FY22 Q3	Rating
Recidivism									
Prisoners reincarcerated within 36 months ¹			54%	44%	42%	42%			Y
Prisoners reincarcerated within 36 months due to new charges or pending charges			12%	14%	15%	14%			G
Sex offenders reincarcerated on a new sex offense conviction within 36 months of release on the previous sex offense conviction			2%	6%	3%	9%			R
Residential drug abuse program graduates reincarcerated within 36 months of release*			21%	22%	N/A	21%			
Prison Violence									
Inmate-on-inmate assaults resulting in injury requiring off-site medical treatment			31	6	15	0			G
Inmate-on-staff assaults resulting in injury requiring off-site medical treatment.			7	3	0	0			G
In-House Parole									
Release-eligible female inmates still incarcerated past their scheduled release date ²			7.7%	0.6%	6%	0.9%			Y
Release-eligible male inmates still incarcerated past their scheduled release date ²			6.4%	1.4%	6%	1.4%			Y
Staffing									
Vacancy rate of correctional officers in public facilities			31%	27%	20%	31%			R
Vacancy rate of correctional officers in private facilities			46%	25%	20%	44%			R
Education									
Eligible inmates enrolled in educational, cognitive, vocational and college programs			62%	41%	68%	37%			R
Participating inmates who have completed adult basic education* ³			77%	5%	N/A	3.5%			
Percent of eligible inmates who earn a high school equivalency credential ³			77%	5%	80%	3.5%			R
Number of inmates who earn a high school equivalency credential			134	118	150	20			R

FY22 Budget Adjustments

At the beginning of FY22, NMCD transferred \$9.5 million from the other category to personnel (\$9.4 million) and contracts (\$85 thousand) within its Inmate Management and Control Program to account for the transfers of Guadalupe County Correctional Facility and Northwest New Mexico Correctional Facility from private to public operation. In December 2021, the agency transferred \$12.5 million from the personal services and employee benefits category to the contractual services (\$2.7 million) and other (\$9.8 million) categories to reallocate vacancy savings, effectively reversing its earlier transfer.

Health

Standard healthcare requirements met by medical contract vendor	87%	90%	100%	94%	Y
Random monthly drug tests administered to at least 10 percent of the inmate population that tests positive for drug use*	2.5%	2%	N/A	3.9%	R
Program Rating	R	R			R

*Measure is classified as explanatory and does not have a target.

¹In the first quarter of FY21, NMCD reported its overall three-year recidivism rate had been reported incorrectly since 2016 due to a database error that erroneously counted all intakes to the parole system as prison admissions for purposes of calculating reincarceration rates. The agency has corrected this issue, but because it has not provided corrected historical data on this measure, it is unclear if FY21's recidivism results represent an increase or decrease from previous years.

NMCD reports it is working on recalculating annual results for its three-year recidivism rate measure but has not yet provided results. The measure's yellow rating reflects these reporting issues.

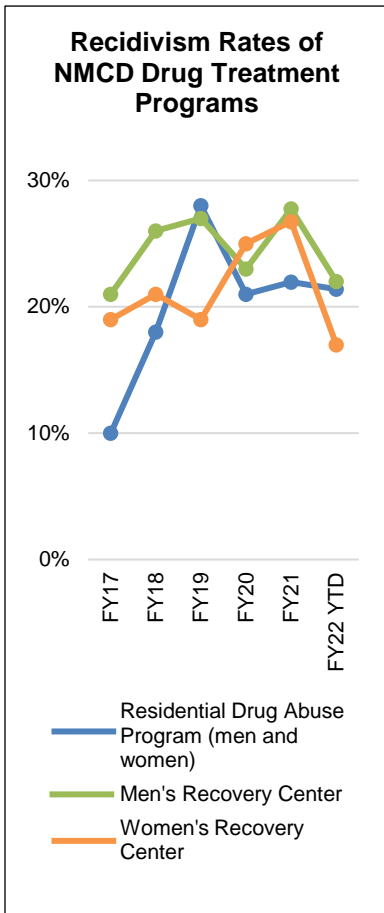
²NMCD reported this measure had previously been miscalculated and changed the calculation for FY21 but did not provide corrected historical reports. LFC and DFA analysts believe NMCD's altered calculation is incorrect (the original calculation is correct), but NMCD has not yet revised its reports for FY21 or FY22.

³NMCD reported this measure had previously been miscalculated and changed the calculation for FY21 but did not provide corrected historical reports. Previously, these measures were both calculated as the pass rate of the high school equivalency test; now, they are both reported as the percent of inmates enrolled in adult basic education who pass the high school equivalency test and therefore earn the credential.

Community Offender Management

Vacancy rates among probation and parole officers rose 2 percentage points in the first quarter of FY22 compared with the fourth quarter of FY21. Although the agency did not exceed its target for this measure, this is the third quarter in a row in which NMCD has reported an increase in vacancies for these positions, suggesting vacancy rates are at risk of rising above target in coming quarters.

Both the men's and women's recovery centers saw significantly improved recidivism rates compared with the fourth quarter of FY21, with recidivism among male graduates falling 12 percentage points and dropping 4 percentage points among female graduates. These measures are volatile and often fluctuate significantly from quarter to quarter, so it is not clear if this improvement will be sustained over the coming year.



	FY20 Actual	FY21 Actual	FY22 Target	FY22 Q1	FY22 Q2	FY22 Q3	Rating
Budget: \$38,379.6 FTE: 363							
Prisoners reincarcerated within 36 months due to technical parole violations ¹	13%	30%	15%	26%			R
Graduates from the women's recovery center who are reincarcerated within 36 months	25%	27%	20%	17%			G
Graduates from the men's recovery center who are reincarcerated within 36 months	23%	28%	20%	22%			G
Average standard caseload per probation and parole officer	91	88	100	88			G
Contacts per month made with high-risk offenders in the community	96%	94%	97%	96%			Y
Vacancy rate of probation and parole officers	25%	16%	20%	20%			Y
Program Rating	R	R					Y

¹In August 2021, NMCD reported several prior years' performance reports had excluded absconders when calculating recidivism rates for technical parole violations, although the measure is defined to include absconders. The department included absconders in its FY21 reports but had not informed LFC of this change. As a result, it is not possible to compare FY21's 30 percent recidivism rate for technical violations to prior years' performance, and it is not clear if this an increase or decrease.



NEW MEXICO
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Corrections Department
First Quarter, Fiscal Year 2022