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FISCAL IMPACT REPORT

SPONSOR Bernadette Sanchez DATE TYPED 1/2804 HB _____

SHORT TITLE Bernalillo County Adult Mental Health Court SB 81

ANALYST Koplik

APPROPRIATION

Appropriation Contained		Estimated Additional Impact		Recurring or Non-Rec	Fund Affected
FY04	FY05	FY04	FY05		
	\$170.6		See Narrative	Recurring	General Fund

(Parenthesis () Indicate Expenditure Decreases)

Relates to Appropriation in the General Appropriation Act

SOURCES OF INFORMATION

LFC Files

Responses Received From

Administrative Office of the Courts
Bernalillo County Metropolitan Court

SUMMARY

Synopsis of Bill

Senate Bill 81 appropriates \$127.5 thousand from the general fund to the Bernalillo County Metropolitan Court and \$43.1 thousand to the Second Judicial District Attorney’s Office for the purpose of expanding a mental health court.

Significant Issues.

The Mental Health Court Judge leads a team of trained professionals from the court, the public defender’s office and the district attorney’s office, as well as outside agencies to work with offenders arrested for a misdemeanor and assist in their release from jail into the community. The program assists the offender by coordinating and monitoring necessary community resources the offender needs to ensure that the public is safe, receiving proper care, and their incarceration in jail is minimal. In addition, probation staff assures that the orders of the court, including treatment and abstinence from alcohol and other drugs, are enforced.

The program currently serves 160 offenders per annum (with an average treatment length of six months). This bill will expand the number of participants to approximately 240 to 300 per year. It also provides a clerk thereby enabling supervisory staff to better serve program participants.

The district attorney's office is allocated funds to adjust the salary of the assigned assistant district attorney and to provide a secretary.

The Supreme Court and the Chief Judges Counsel supports this legislation.

Oftentimes misdemeanor offenders with mental illness issues are warehoused in jail simply because they are not given the care and attention needed to establish their return to the community. Mentally ill offenders often spend more time in jail. Nationally, it is estimated that more than 6% of the inmate population suffers from severe mental illnesses. In Bernalillo County it has been estimated that over 250 prisoners incarcerated at any one time are mentally ill. In addition, a mentally ill offender spends twice as much time in jail as a non-mentally ill offender.

A crisis intervention team established by the Albuquerque Police Department has trained officers to deal with such cases. A forensic intervention consortium has also been established in Bernalillo County with the National Alliance for the Mentally Ill to address the issues facing mentally ill offenders.

If this bill is enacted, public safety could improve because an offender is less likely to re-offend with proper medication and care. More significantly, a reduction in the recurrence of crimes perpetrated by successful participants will reduce future incarceration.

FISCAL IMPLICATIONS

The appropriation of \$170.6 thousand contained in this bill is a recurring expense to the general fund. Any unexpended or unencumbered balance remaining at the end of FY 2005 shall revert to the general fund.

Additionally, the cost of housing the mentally ill offender in jail will be reduced substantially due to an earlier release from jail and by utilizing already existing resources in the community. It now costs approximately \$65 per day to house a jail inmate.

ADMINISTRATIVE IMPLICATIONS

This appropriation includes sufficient staff to manage the program. Court administration will oversee the budgeting, funding and personnel. The program is designed to have the same judge and team members assigned throughout the case to provide consistency and stability for the participants.

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL?

Offenders will remain in jail longer than required because there is insufficient staff to arrange for aftercare once released from jail and to provide sufficient supervision upon release in a manner consistent with community safety.

Of even greater significance, untreated or inadequately treated offenders have a substantially increased likelihood of re-offending. This perpetuates chronic re-entry into the justice and correction systems which, in turn, drains resources needed in other areas.

RLG/lg