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HOUSE JOINT MEMORIAL 20

**50TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2012**

INTRODUCED BY

Rick Miera

A JOINT MEMORIAL

REQUESTING THE BERNALILLO COUNTY BOARD OF COUNTY COMMISSIONERS TO CREATE A PILOT PROJECT TO STREAMLINE CASE MANAGEMENT SYSTEMS, EXPAND TREATMENT AND DIVERSIONARY PROGRAMS, ESTABLISH AN ALTERNATIVE INCARCERATION FACILITY AND CREATE NEW TREATMENT OPTIONS AND ALTERNATIVE INCARCERATION, TRANSITIONAL LIVING AND REINTEGRATION PROGRAMS FOR INDIVIDUALS FACING CRIMINAL CHARGES OR PROBATION VIOLATIONS; REQUESTING THE NEW MEXICO SENTENCING COMMISSION TO ASSIST AND ADVISE THE STEERING COMMITTEE AND TO STUDY THE EFFECTS OF THE PILOT PROJECT.

WHEREAS, New Mexico law requires that county jails be used for the detention of every person who is charged with or has been sentenced for a crime; and

WHEREAS, the shortage of treatment options and lack of alternative incarceration programs and transitional living and

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1 reintegration programs cause individuals facing criminal  
2 charges or probation violations to remain incarcerated longer;  
3 and

4 WHEREAS, a study released in March 2005 found that it  
5 costs counties an estimated thirty million dollars  
6 (\$30,000,000) to house felony arrestees; and

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

10 WHEREAS, in 2011, the legislature passed House Joint  
11 Memorial 4 and House Joint Memorial 17, which called for the  
12 creation of two task forces to research, analyze and identify  
13 opportunities to alleviate burdens on county jails by reducing  
14 delays in case management systems and developing strategies to  
15 more effectively assist individuals with mental health issues;  
16 and

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

20 WHEREAS, it is important for the criminal courts, county  
21 jails and law enforcement agencies in Bernalillo county to have  
22 a committee of interested parties create a pilot project that  
23 has the tools available to streamline case management systems,  
24 effectively expand existing treatment and diversionary programs  
25 and implement new treatment options and alternative

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1 incarceration, transitional living and reintegration programs;  
2 and

3 WHEREAS, the regional correctional center in Bernalillo  
4 county is vacant and could be renovated into an alternative  
5 incarceration facility for new mental health and substance  
6 abuse treatment options and alternative incarceration,  
7 transitional living and reintegration programs;

8 NOW, THEREFORE, BE IT RESOLVED BY THE LEGISLATURE OF THE  
9 STATE OF NEW MEXICO that the Bernalillo county board of county  
10 commissioners be requested to convene a steering committee to  
11 create a pilot project that will streamline case management  
12 systems, evaluate and potentially expand existing treatment and  
13 diversionary programs, establish an alternative incarceration  
14 facility and implement new mental health and substance abuse  
15 treatment options and alternative incarceration, transitional  
16 living and reintegration programs; and

17 BE IT FURTHER RESOLVED that the steering committee include  
18 representatives from the second judicial district court of New  
19 Mexico, the Bernalillo county metropolitan court, the office of  
20 the district attorney of the second judicial district, the  
21 chief public defender, the New Mexico criminal defense lawyers  
22 association, the interagency behavioral health purchasing  
23 collaborative, the New Mexico association of counties, the  
24 Bernalillo county metropolitan detention center, local law  
25 enforcement, neighborhoods adjacent to the facility and any

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1 other interested parties; and

2 BE IT FURTHER RESOLVED that the New Mexico sentencing  
3 commission be requested to:

4 A. begin collecting data on jail populations,  
5 average length of stay, recidivism, crime rates, case flow and  
6 any other relevant data;

7 B. conduct research on current case management  
8 practices and policies;

9 C. evaluate the viability and effectiveness of the  
10 pilot project; and

11 D. report its findings to the steering committee  
12 and the Bernalillo county board of county commissioners on or  
13 before February 1, 2014; and

14 BE IT FURTHER RESOLVED that the steering committee make  
15 recommendations for implementation of the pilot project to the  
16 Bernalillo county board of county commissioners on or before  
17 October 1, 2012; and

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

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1 counties, local law enforcement, the New Mexico sentencing  
2 commission, the administrative office of the courts and the  
3 office of the governor.

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