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FISCAL IMPACT REPORT

ORIGINAL DATE 02/20/13

SPONSOR Sandoval LAST UPDATED _____ HB 511

SHORT TITLE Mental Illness Interaction Training SB _____

ANALYST Chenier

ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)

	FY13	FY14	FY15	3 Year Total Cost	Recurring or Nonrecurring	Fund Affected
Total		\$140.0	\$140.0	\$280.0	Recurring	General Fund

(Parenthesis () Indicate Expenditure Decreases)

SOURCES OF INFORMATION

LFC Files

Responses Received From

Department of Health (DOH)

New Mexico Corrections Department (NMCD)

Human Services Department (HSD)

SUMMARY

Synopsis of Bill

House Bill 511 would amend Section 33-1-11 NMSA 1978 which establishes the qualifications of the NM Corrections Department's correctional officers, excluding correctional specialists, to add a requirement that newly hired officers successfully complete a training course on crisis management and interactions with persons with mental impairments. Similar requirements are added to Section 33-3-28 NMSA 1978 regarding required training for local jailers, and to Section 59A-52-6 NMSA 1978 for firefighters.

The required training for newly hired correctional officers, jailers and firefighters would include a minimum of forty hours of crisis management, including crisis intervention, confrontation de-escalation practicum and proper interaction with persons with mental impairments. HB 511 would specify that a pre-recorded course may not be used to satisfy this requirement. HB 511 would also add a requirement that each correctional officer, jailer and firefighter must complete a minimum of 2 hours of crisis management in-service training during every twenty-four months of employment. The bill would include a definition of mental impairment for this section to include mental illness, developmental disability, posttraumatic stress disorder, dual diagnosis, autism, youth in crisis and traumatic brain injury.

HB 511 would include a Temporary Provision requiring correctional officers, jailers and firefighters who are hired and completed initial training prior to July 1, 2013 must complete a minimum of 40 hours of crisis management training no later than July 1, 2014.

FISCAL IMPLICATIONS

The NMCD stated that the academy would have to extend its 8 week training course by one week in order to provide the required new training. The NMCD trains approximately 200 new students each year, and one week of additional training would cost approximately \$700 per student. The estimated cost per year would be \$140.0 thousand. Although the bill appropriates no money to cover these additional costs, NMCD should be able to absorb these additional costs. The cost of the two hour course every two years is more difficult to determine, but it would have some additional cost.

SIGNIFICANT ISSUES

The NMCD stated that providing this type of training to correctional officers is reasonable and likely to result in more secure prisons. However, this training has costs which are not budgeted for and the bill contains no appropriation to cover these costs. The bill provides a very general description of the type of training required (crisis management, including crisis intervention, confrontation de-escalation practicum and proper interaction with persons with mental impairments training), but does not define exactly what is really required to be covered in this training.

The NMCD stated further that the bill requires all currently employed NMCD correctional officers (prior to July 1, 2013) to complete the forty hours of crisis management training no later than July 1, 2014. The NMCD currently employs approximately 950 officers. Training these currently employed officers would have some yet undetermined cost to NMCD, as NMCD will have to expand its annual refresher training requirements to encompass this additional 40 hour block on a one time basis.

The HSD provided the following:

Over the last two decades specialized approaches have been developed for use by law enforcement when interacting with persons with psychiatric disorders. The training described in HB 511 for prison officers, jailers, employees of local jails and fire protection personnel appears to be a best practice model called Crisis Intervention Team (CIT) Training. CIT, sometimes called *the Memphis Model*, is based on the national best practice developed by the Memphis Police Department in 1988. The Albuquerque Police Department and others in New Mexico have been using this model since 1996. The Human Services Department's Behavioral Health Services Division (BHSD) has in past years funded 3 types of CIT Training: 8 Hour training- Mental Illness Awareness; 16 Hour training - CIT Certified Course; and, 40 hour training - CIT Certified Course (with live de-escalation sessions with actors).

CIT Training has been modified to address the specific demands associated with managing persons with mental illness in prisons and jails. The Oklahoma Department of Corrections, for example, has a two-day, 16-hour Correctional Crisis Resolution Training program designed to improve the outcomes of correctional officer interactions with offenders in crisis who also have a mental illness.

According to Dr. George Parker, Director of Forensic Psychiatry at Indiana University who compared incident reports before and after the training. Parker found the number of incidents by use of force by officers dropped from 148 to 81, 9 months after the training. Also, assaults on officers using bodily waste decreased from 14 to 4 in that time span. The results were published in the journal *Psychiatric Services* in 2009.

The National Commission on Correctional Health Care (Winter 2012) journal also describes the use of CIT Training in the Florida correctional system, emphasizing the importance of using qualified correctional mental health professionals as the lead instructors in this training. Correctional mental health professionals were regarded as possessing the expertise to adapt the CIT content to the needs of a correctional institution. HB 511 does not specify any requirements for the training instructors or any specifications requiring correctional mental health expertise.

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

HB511 relates to SJM35, which proposes the Department of Health develop a training program for healthcare providers and first responders on standards for safe interaction with individuals with Intellectual/Developmental Disabilities.

EC/blm