

BILL

52ND LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2015

INTRODUCED BY

DISCUSSION DRAFT

FOR THE CRIMINAL JUSTICE REFORM SUBCOMMITTEE

AN ACT

RELATING TO CORRECTIONS; REQUIRING THE CORRECTIONS DEPARTMENT
TO USE A VALIDATED RISK AND NEEDS ASSESSMENT FOR ALL INMATES;
REQUIRING THE USE OF EVIDENCE-BASED PRISON PROGRAMMING.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

SECTION 1. A new section of Chapter 33, Article 2 NMSA
1978 is enacted to read:

"[NEW MATERIAL] VALIDATED RISK AND NEEDS ASSESSMENT AND
EVIDENCE-BASED PROGRAMS.--

A. Inmates incarcerated in state correctional
facilities shall have their needs for prison programming
assessed through the use of validated risk and needs
assessments. Inmates shall be assigned to programs based on
the results of the validated risk and needs assessment. The
corrections department shall promulgate rules and regulations

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underscored material = new
[bracketed material] = delete

1 for the administration of the validated risk and needs
2 assessment.

3 B. The corrections department shall incorporate
4 evidence-based programs into its prison programming as follows:

5 (1) by January 1, 2016, twenty percent of
6 inmate program funding shall be spent on evidence-based
7 programs;

8 (2) by January 1, 2017, thirty percent of
9 inmate program funding shall be spent on evidence-based
10 programs;

11 (3) by January 1, 2018, forty percent of
12 inmate program funding shall be spent on evidence-based
13 programs; and

14 (4) by January 1, 2019, fifty percent of
15 inmate program funding shall be spent on evidence-based
16 programs.

17 C. As used in this section:

18 (1) "cost beneficial" means that the cost
19 savings realized over a reasonable period of time are greater
20 than the costs of implementation;

21 (2) "evidence-based program" means a program
22 or practice that:

23 (a) incorporates methods demonstrated to
24 be effective for the intended population through scientifically
25 based research, including statistically controlled evaluations

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1 or randomized trials;

2 (b) can be implemented with a set of
3 procedures to allow successful replication in New Mexico; and

4 (c) when possible, has been determined
5 to be cost beneficial; and

6 (3) "validated risk and needs assessment"
7 means an actuarial tool scientifically proven to determine a
8 person's risk to reoffend and criminal risk factors, that, when
9 properly addressed, can reduce that person's likelihood of
10 committing future criminal behavior."

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