

**State of New Mexico
Corrections Department**

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"We commit to the safety and well-being of the people of New Mexico by doing the right thing, always."

April 30, 2012

Senator Peter Wirth
708 Paseo De Peralta
Santa Fe, NM 87501

Representative Al Park
P.O. Box 26165
Albuquerque, NM 87125

Dear Committee Members Wirth and Park:

I am in receipt of your letter requesting that the New Mexico Corrections Department (NMCD) pursue the Vera Institute of Justice's offer to assess the use and outcomes of administrative segregation in New Mexico prisons. Upon researching your request I would first wish to respond to your communication with the following information to preliminarily address our concerns:

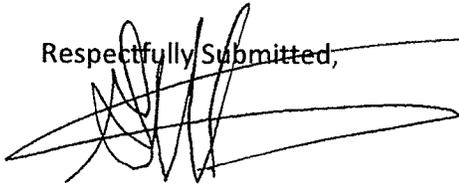
- NMCD already has criteria and policies that govern who is placed in administrative segregation.
- An inmate's length of stay in segregation is linked to his/her behavior. The NMCD has a level system in which an inmate can earn his/her way out of Level VI and Level V by engaging in pro-social behavior. Just as an inmate may earn his/her way into administrative segregation, he/she has both the opportunity and control to earn their way out.
- Accordingly, the NMCD already has a policy that reflects a step down plan for the inmate to earn their way to lower security levels through good behavior.
- Programming for higher risk inmates has been historically lacking and problematic but the NMCD has begun targeting its Recidivism Reduction efforts toward higher risk inmates and noting progress.
- In August when the Courts & Corrections Committee introduced the NMCD to the Vera Institute, we had 73% of our Level VI inmates in a protective custody type status. Based on our efforts to focus use of administrative segregation more closely on predatory offenders, the percentage today is 54%. As such, since making it a priority to segregate predatory type inmates, the issue now is finding a place for our inactive gang members which are about 25% of our Level VI population.
- In summary, as I study the history of NMCD's past to best manage it's future, it is my observation that our prisons are safer than they have ever been due to the level system which was incorporated by previous administrations, As well as the proper use of segregation (enhanced by this administration by segregating the predators). These reasonable controls, coupled with the added social programming measures planned will be important in assuring the future safety and security of our inmates and staff.

- In closing it should also be noted that PNM (our segregation/maximum security unit) just passed an ACA audit with a score of 99.5%. Demonstrating that the NMCD is meeting the professional standards and best practices recognized nationally.

Notwithstanding this information, in certain keeping with our commitment to excellence in public safety and efficient government, I am forwarding your letter to the new Deputy Secretary of Operations, Joe W. Booker, Jr. for his review, contact and dialogue with Ms. McGarry.

As always, thank you for your continued commitment and support of public safety and the New Mexico Corrections Department

Respectfully Submitted,



Gregg Marcantel
Cabinet Secretary

cc: Joe W. Booker, Jr., Deputy Secretary of Operations