

ACTION PLAN

Submitted by agency?	Yes
Timeline assigned?	No
Responsibility assigned?	No

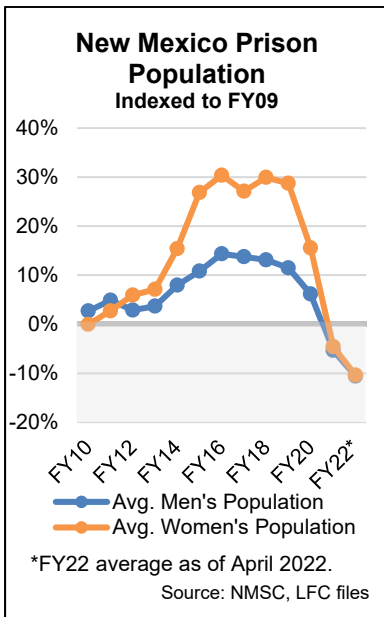
Corrections Department

In the third quarter of FY22, the Corrections Department (NMCD) continued to see the inmate population fall, while reporting improvements in several areas, including overall offender recidivism. Vacancies among correctional officers remain high, impacting the distribution of inmates among prison facilities. Errors in the agency’s prior reporting and continued issues in reporting results in accordance with LFC and DFA direction create difficulties in analyzing some areas of NMCD’s performance.

Although prison populations fell slightly in April, population trends and admissions data suggest inmate population may begin to stabilize after falling almost every month for over three years. In April 2022, New Mexico’s prisons held an average of 5,651 inmates (5,128 men and 523 women), a decrease of 0.2 percent compared with March 2022 and 3.8 percent lower than April 2021. Notably, the rate at which the population is falling seems to be decreasing, with the year-over-year reduction dropping every month from September 2021 (7.5 percent) through April (3.8 percent). Prison admissions in the first three quarters of FY22 were up 2 percent compared with the same period in FY21.

Inmate Management and Control

The overall three-year recidivism rate of offenders released from NMCD’s custody decreased an additional percentage point this quarter, surpassing the agency’s FY22 target and falling six percentage points from FY21, marking the fifth consecutive quarter of improvement in this crucial area. Recidivism due to new offenses fell 0.8 percentage points compared with the second quarter, while recidivism due to technical parole violations remained relatively steady. Improved recidivism rates may reflect improved reentry programming, but it is worth noting case clearance rates, arrests, and convictions have been trending downward, which could also impact recidivism. Despite the improvement in overall recidivism, the measure’s rating remains yellow due to a lack of historical data with which to compare current results (see Data Quality Concerns, below).



Programming Spotlight: Women in Leadership

This year, NMCD’s Reentry Division partnered with Women in Leadership (WIL), an Albuquerque-based organization providing services for justice-involved women, to bring opportunities to women at Western New Mexico Correctional Facility and Springer Correctional Center (SCC). WIL’s mission is to “uplift, empower, and inspire women to develop self-advocacy skills in order to become leaders through personal and professional growth by providing access to leadership development and educational opportunities.”

WIL is working with women six months from projected release, referred to the program by reentry coordinators based on an assessment of their reentry needs. In FY22, WIL met with a total of 62 women to provide one-on-one case management prerelease and conducted 18 workshops covering topics including self-esteem, trauma, anxiety, leadership, and goal setting. WIL collaborates with many partners to assist in addressing the needs of the incarcerated population, including individuals within the behavioral health and educational fields, as well as partners like Dress for Success, which facilitated 24 classes this year focusing on employment and career readiness skills.

To demonstrate the leadership and self-confidence skills they developed while working with WIL, a group of incarcerated women from SCC presented a Zoom session on self-esteem to a group of women leaders in the community and are working on a podcast.

Vacancies among public and private correctional officers remain high, with NMCD reporting vacancy rates of 28 percent and 27 percent, respectively. The Penitentiary of New Mexico drives vacancy rates among public correctional officer vacancies, with an average of almost 100 correctional officer positions unfilled in the third quarter of FY22.

Guadalupe County Correctional Facility (GCCF) in Santa Rosa, with almost 60 percent of custody positions vacant, and Northeast New Mexico Correctional Facility (NENMCF) in Clayton, with almost 50 percent of correctional officer positions unfilled, had the highest

Hepatitis C Treatment

This quarter NMCD treated 97 inmates for hepatitis C with an 83 percent treatment success rate, bringing the total number of inmates treated since the agency began its concentrated effort to eliminate the disease from prisons to 715, about 25 percent of the total infected population housed in New Mexico's prisons.

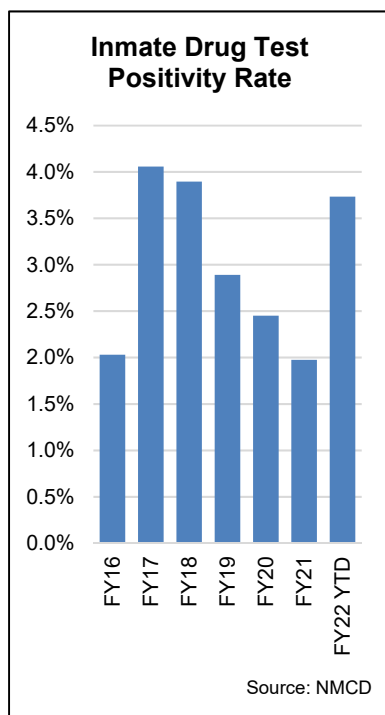
The department has expended \$11 million of the total \$22 million appropriated for this purpose, as well as \$5.2 million from its operating budget. During the 2022 legislative session, the special appropriation was extended through FY23. Based on current treatment rates, it may be necessary to extend the appropriation for an additional one to two years to fully complete the project.

vacancy rates among public facilities this quarter. Last spring, high vacancies among correctional officers at GCCF prompted NMCD to reduce the inmate population at that facility to less than half its capacity, and as vacancy rates among correctional officers at NENMCF began to increase significantly this fall, the agency similarly reduced the population housed at that facility to under half capacity. As of May 2, GCCF housed 257 inmates (44 percent of its 590-bed capacity) and NENMCF housed 280 inmates (45 percent of its 628-bed capacity).

Western New Mexico Correctional Facility South (WNMCF-S) in Grants (previously known as Northwest New Mexico Correctional Facility) had the lowest correctional officer vacancy rate among public facilities, at 14 percent, while Central New Mexico Correctional Facility (CNMCF) in Los Lunas had a vacancy rate of 17 percent. CNMCF's low vacancy rate is a result of the transfer of 93 vacant positions to GCCF and WNMCF-S when the Corrections Department (NMCD) took over operations of those facilities in November, and the facility employed 35 fewer officers in May than at the beginning of FY22. Of the 135 vacant positions transferred from CNMCF and other facilities to GCCF and WNMCF-S in November, 87 were filled as of May 1. After transferring significant vacancy savings out of Inmate Management and Control personnel, the agency's most recent budget projection estimates a year-end balance of \$3.7 million in that category.

NMCD's reporting on release-eligible inmates imprisoned past their release dates (those serving "in-house parole") continues to not comply with guidance from DFA and LFC (see Data Quality Concerns, below). Although the department reports relatively similar levels of inmates serving in-house parole this quarter compared with the second quarter, the number of in-house parolees appears to have increased from an estimated average of 61 in the second quarter to 70 in the third quarter. In April and May, the number of in-house parolees has increased further, reaching 75 on April 15, 95 on May 16, and 101 on May 26. This increase is particularly notable because NMCD cut the number of in-house parolees by almost half between FY20 and FY21. While the FY22 average in-house parole population is still likely to be lower than the FY21 average, this upward trend is concerning.

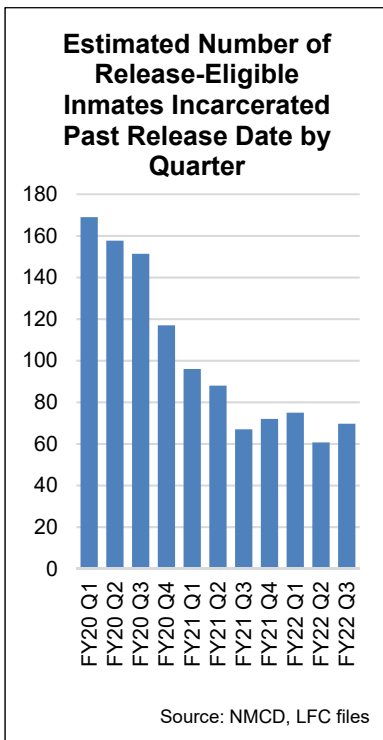
Drug use among inmates rose significantly in the first three quarters of FY22 compared with FY21, with the positivity rate of randomly-administered drug tests averaging 3.7 percent over this period. This reverses three years of reduced drug use, with test positivity rates falling from 3.9 percent in FY18 to 2 percent in FY21. To reduce the flow of drugs into prison facilities, NMCD instituted a new policy in December 2021 in which personal mail for inmates at publicly operated facilities is not sent directly to those facilities but is routed through a third-party vendor that provides scanned versions of the mail to inmates; this significantly restricts the types of mail inmates may receive, with items such as greeting cards no longer accepted. This policy does not appear to have reduced drug use in the third quarter; results in future quarters should be monitored to determine if the policy is having its intended impact.



	FY20 Actual	FY21 Actual	FY22 Target	FY22 Q1	FY22 Q2	FY22 Q3	Rating
Budget: \$278,234.1 FTE: 1,995							
Recidivism Prisoners reincarcerated within 36 months ¹	54%	44%	42%	42%	39%	38%	Y

Covid-19 in Prisons

As of May 26, there were no active Covid-19 cases in New Mexico's prisons. Overall, the agency reported a total of 4,104 positive cases, 4,030 recoveries, and 29 deaths over the course of the pandemic. The largest number of positive cases were at Lea County Correctional Facility, the facility with the largest prison population, while 12 of the 29 deaths were at CNMCF, which houses inmates in need of serious and long-term medical care.



Prisoners reincarcerated within 36 months due to new charges or pending charges	12%	14%	15%	14%	15%	14%	G
Sex offenders reincarcerated on a new sex offense conviction within 36 months of release on the previous sex offense conviction	2%	6%	3%	0%	0%	0%	G
Residential drug abuse program graduates reincarcerated within 36 months of release*	21%	22%	N/A	21%	23%	22%	
Prison Violence							
Inmate-on-inmate assaults resulting in injury requiring off-site medical treatment	31	6	15	0	0	2	G
Inmate-on-staff assaults resulting in injury requiring off-site medical treatment.	7	3	0	0	1	1	Y
In-House Parole							
Release-eligible female inmates still incarcerated past their scheduled release date ²	7.7%	0.6%	6%	0.9%	1.5%	1.1%	Y
Release-eligible male inmates still incarcerated past their scheduled release date ²	6.4%	1.4%	6%	1.4%	1.1%	1.2%	Y
Staffing							
Vacancy rate of correctional officers in public facilities	31%	27%	20%	31%	26%	28%	Y
Vacancy rate of correctional officers in private facilities	46%	25%	20%	44%	28%	27%	R
Education							
Eligible inmates enrolled in educational, cognitive, vocational and college programs	62%	41%	68%	29%	41%	43%	R
Participating inmates who have completed adult basic education* ³	77%	5%	N/A	3.5%	4.2%	3.7%	
Percent of eligible inmates who earn a high school equivalency credential ³	77%	5%	80%	3.5%	4.2%	3.7%	R
Number of inmates who earn a high school equivalency credential	134	118	150	20	24	21	R
Health							
Standard healthcare requirements met by medical contract vendor	87%	90%	100%	94%	95%	96%	Y
Random monthly drug tests administered to at least 10 percent of the inmate population that tests positive for drug use*	2.5%	2%	N/A	3.9%	3.4%	3.9%	
Program Rating			R	R			Y

*Measure is classified as explanatory and does not have a target.
 1. Measure's yellow rating reflects outstanding reporting issues; see Data Quality Concerns, below.
 2. Measure's yellow ranking reflects outstanding reporting issues; see Data Quality Concerns, below.
 3. NMCD reported this measure had previously been miscalculated and changed the calculation for FY21 but did not provide corrected historical reports. Previously, both measures were calculated as the pass rate of the high school equivalency (HSE) test; now, both are reported as the percent of inmates enrolled in adult basic education who pass the HSE test and therefore earn the credential.

Community Offender Management

Vacancy rates among probation and parole officers rose an additional percentage point this quarter, the fifth quarter in a row in which NMCD has reported an increase in vacancies for these positions. The 23 percent vacancy rate among these positions this quarter is almost as high as the 25 percent average vacancy rate in FY20, suggesting the dramatic improvement in vacancies in FY21 (over which vacancy rates averaged 16

percent) may be reversing. The agency attributes rising vacancies to retirements and attrition to other law enforcement agencies that offer significantly higher salaries, such as the Albuquerque Police Department and federal law enforcement agencies.

After improving for four consecutive quarters, the recidivism rate at the women’s recovery center rose 5 percentage points this quarter, but remains well below target. NMCD credits this improvement to the initiation of new, evidence-based programs, including trauma-informed programming specifically intended for women. Although the men’s recovery center saw a relatively high recidivism rate in prior years and the first half of FY22, recidivism dropped 14 percentage points (from 25 percent to 11 percent) in the third quarter.

	FY20 Actual	FY21 Actual	FY22 Target	FY22 Q1	FY22 Q2	FY22 Q3	Rating
Budget: \$38,379.6 FTE: 363							
Prisoners reincarcerated within 36 months due to technical parole violations ¹	13%	30%	15%	26%	23%	24%	R
Graduates from the women’s recovery center who are reincarcerated within 36 months	25%	27%	20%	17%	10%	15%	G
Graduates from the men’s recovery center who are reincarcerated within 36 months	23%	28%	20%	22%	25%	11%	G
Average standard caseload per probation and parole officer	91	88	100	88	85	86	G
Contacts per month made with high-risk offenders in the community	96%	94%	97%	96%	98%	96%	G
Vacancy rate of probation and parole officers	25%	16%	20%	20%	21%	23%	R
Program Rating	R	R					Y

1. Measure has outstanding reporting issues; see Data Quality Concerns, below.

Data Quality Concerns

A number of issues in NMCD’s quarterly reporting lead to concerns regarding overall data quality in the reports that have been outstanding for several months. Specific issues are outlined below.

Measure(s)	Issue(s)
Prisoners reincarcerated within 36 months	In the first quarter of FY21, NMCD reported its overall three-year recidivism rate had been reported incorrectly since 2016 due to a database error that erroneously counted all intakes to the parole system as prison admissions for purposes of calculating reincarceration rates. The agency has corrected this issue, but because it has not provided corrected historical data on this measure, it is unclear if FY21’s recidivism results represent an increase or decrease from previous years. NMCD reports it is working on recalculating annual results for its three-year recidivism rate measure but has not yet provided results.
Release eligible male and female inmates still incarcerated past their scheduled release date	NMCD reported this measure had previously been miscalculated and changed the calculation for FY21 but did not provide corrected historical reports. LFC and DFA analysts believe NMCD’s altered calculation is incorrect (the original calculation is correct), but NMCD has not revised its reports for FY21 or FY22 despite explicit guidance to do so.
Prisoners reincarcerated within 36 months due to technical parole violations	In August 2021, NMCD reported several prior years’ performance reports had excluded absconders when calculating recidivism rates for technical parole violations, although the measure is defined to include absconders. The department included absconders in its FY21 reports but had not informed LFC of this change. As a result, it is not possible to compare FY21’s 30 percent recidivism rate for technical violations to prior years’ performance, and it is not clear if this an increase or decrease.