

Courts, Corrections, and Justice Committee  
Contract Staff re Prison Oversight Review  
**Reentry is Critical to Public Safety**

The purpose of this report is to give the Committee an update on the work that contract staff are doing toward creating a plan of Oversight, including some premises - open to challenge, and pending background and support for each premise - as well as outcomes which are intended from the Oversight process.

Working Premise 1: A major goal of the LFC has been to lower recidivism rates for inmates being released from prison and back into the general population. This is safety issue, first and foremost.

Working Premise 2: According to LFC reports including the most recent assessment of the DOC's budget request for next fiscal year, statistics from the DOC on recidivism are currently not reliable, although the DOC is currently working on this issue.

Working Premise 3: The DOC's current assessment instrument COMPAS, has as its central purpose the initial placement of new entrants into the penitentiary system so that their levels of risk/threat are appropriate to their assignment status.

Working Premise 4: Those inmates released with "nothing to lose" would be at high risk of reoffending and the opposite would be true, inmates with support networks, with family support, with mentors, with job skills, with sufficient access to medical and other support, would be less likely to reoffend.

Working Premise 5: The current risk assessment instrument is not designed to capture support networks on the outside, but to assess risks on the inside. It is inward looking not outward looking.

These five premises support at a minimum the creation of an assessment tool designed to measure the many facets of community connection that would support successful reentry.

As a corollary to the above, all programs designed to occupy and or support inmates should share the common goal of aiding in the creation of

support for reentry. These programs should be integrated as to each individual inmate and tracked by the DOC staff.

Working Premise 6: The DOC will always have as its central goal safety **within** the institution, in preference to, and perhaps in prioritization conflict with, safety to the community upon reentry.

Working premise 6, if true, suggests the need for independent oversight. That oversight need not be in conflict with the concerns for safety within the institutions, but can not be sacrificed to those concerns because **public safety upon reentry should be as important a goal as safety within the institution.**

A goal of Oversight and reduction in recidivism should be to support reentry by strengthening every aspect of an inmate's support network upon release. Supports would include: a) education and training for reentry into the workforce, including but not limited to, obtaining goals of literacy, literacy in English, obtaining GEDs, obtaining specific trade and college coursework as appropriate to the individual goals of inmates; b) communication and visitation that strengthens and supports family structures; c) access both inside and outside the institution to medical services as may be required, especially for those inmates afflicted by numerous treatable mental illnesses and addictions.

Suggestion 1. As a part of the goal of better tracking and assessment of reentry, a separate instrument should be created to capture the factors above (and more, the above list is not exhaustive).

Suggestion 2. One of the outcomes of Oversight should be to create effective measures for both success and failure upon reentry. No system will be perfect or perfectly predictive. However, the data will support the creation and/or reaffirmation of various community supports. Resources can then be deployed based on experience and data.

## WORK TO BE DONE

Contract staff John Podmore has significant experience with prison systems from different countries, including experience in New Mexico. Before asking the New Mexico Legislature to create a method of Oversight more work needs to be done on what that Oversight should look like, how it can be responsive to the varying institutions of New Mexico's current and

future prison system with a goal of supporting a unified system wherein inmate assignment might also reflect the goals of reentry as well as the goals of risk assessment. In addition, other benefits of oversight can be fleshed out using both examples outside New Mexico, and some of the suggestions and goals of the Task Force Report Regarding the Unification of Jails and Prisons.

If acceptable to this Committee, the contract staff propose a methodology of starting with the desired outcomes and working back to what kind of Oversight mechanisms would best support the furtherance of those outcomes. An example of that is contained in this outline, in that we anticipate recommending that the DOC develop or purchase an instrument to supplement and not replace COMPAS, but an instrumenting geared to the inmates ultimate reentry with timeframes based on anticipated periods of incarceration.

We anticipate answering the following questions in more depth:

Is Oversight necessary (required)?

How can Oversight function within the current DOC (i.e. respecting DOC concerns for safety within the institutions, but being guarantor of necessary change)?

**What are the components that could or must be tracked that become critical indicator species for the likely success or failure of reentry?**

If not an assessment tool like COMPAS, what mechanism/s or proposed FTE /staff positions would be required to support in the DOC's budget?

If the Legislature agrees on the goals, then the work to be done is How?  
And When? And what does it cost?

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