



# SM6/HM11 Task Force Report Regarding the Unification of Jails and Prisons

Presentation to Legislative Health &  
Human Services Committee

November 29, 2022

## MEMORIALS

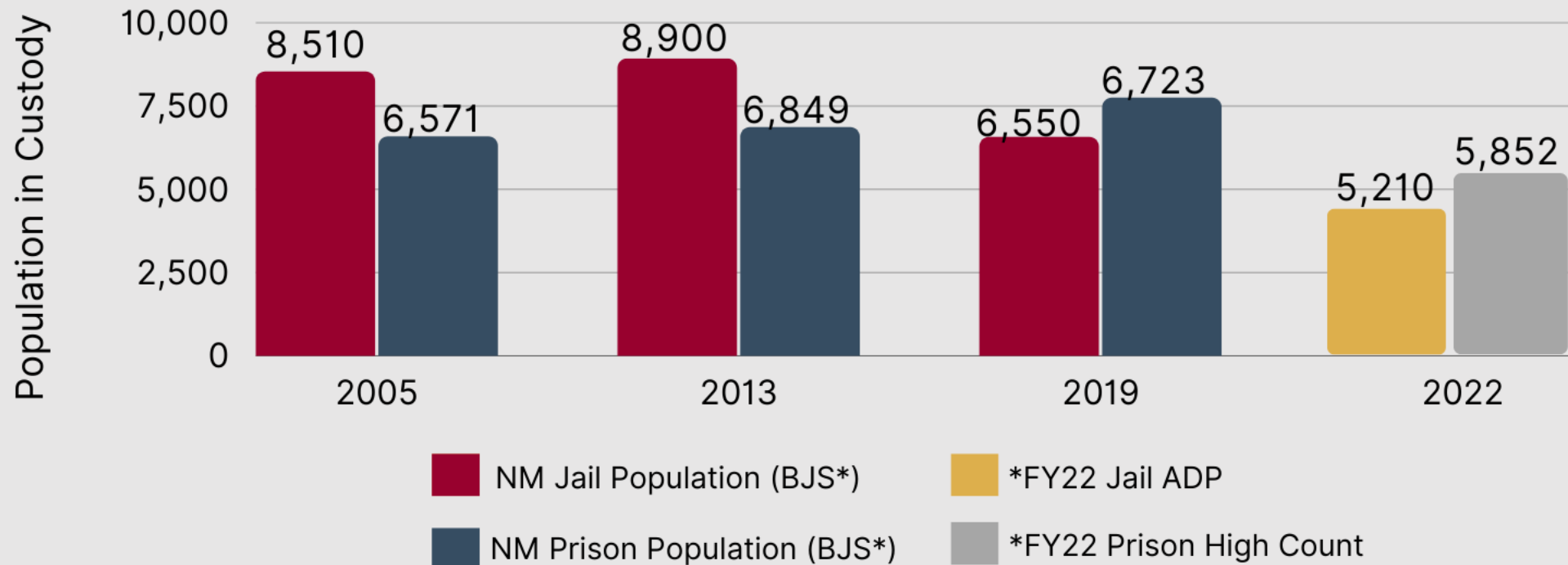
- Called for an evaluation of the costs, benefits, and feasibility of unifying the NM jail and prison systems

## PROCESS

- Met four times from April to October -
  - Reviewed unified state systems across the country
  - Discussed opportunities and drawbacks of unification
  - Identified challenges experienced by NM justice partners
  - Developed a shared vision for NM justice system
  - Identified nine areas to prioritize prior to any restructuring
  - Developed clear recommendations to move forward

# NEW MEXICO SNAPSHOT

## Comparison of Jail vs. Prison Populations in New Mexico



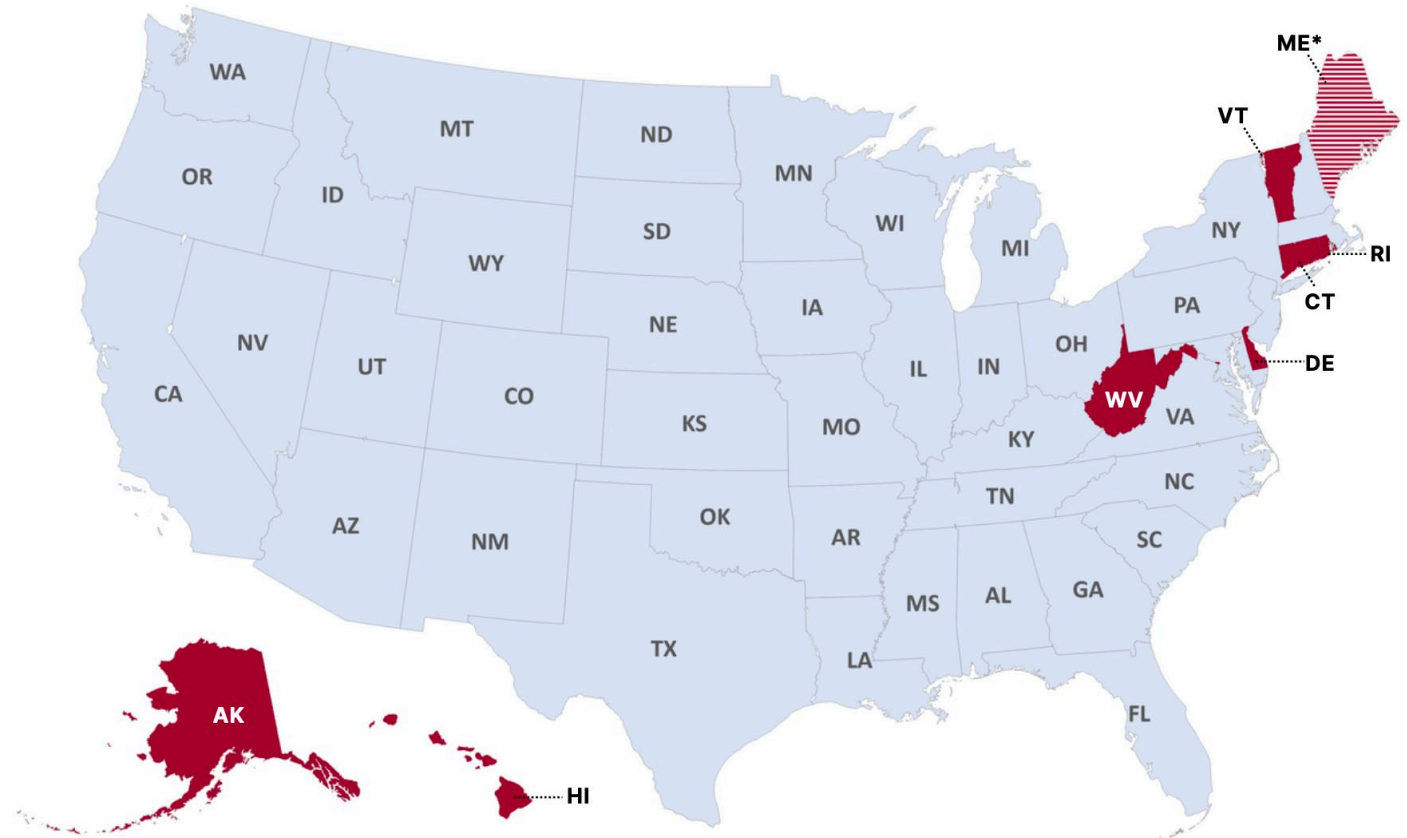
\*Note: Direct comparison of 2022 populations to prior years is cautioned. Data for all years except 2022 were obtained from Bureau of Justice Statistics (BJS) reports. Jail populations for 2022 were provided by NMC and calculated as the sum of each jail's average daily population (ADP). The 2022 prison estimates are the sum of male and female high counts, as reported by New Mexico Sentencing Commission, thus likely closer to the jail population than indicated in this graph.

# NATIONAL CONTEXT

Unified states find themselves facing some of the same problems as New Mexico:

- Severe staffing shortages
- Lack of behavioral health treatment options
- Transportation challenges
- Inconsistent data collection or sharing

States with Unified Corrections Systems Across the Country



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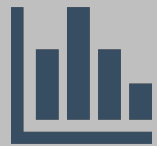
\* Note: Maine unified but has since returned to a bifurcated system

# What makes an effective criminal justice system?

- Has sufficient & consistent staffing across the system, including for behavioral health practitioners
- Shares system costs across partners and authorities (counties, municipalities, and the state sharing the burden of mental health & medical services, transportation, etc.)
- Uses strong, multi-level channels of communication & systems for data sharing across justice system partners
- Has access to behavioral healthcare in the community, including options to divert people from incarceration
- Establishes clarity of the roles and purposes of each agency and system partner
- Promotes public safety by prioritizing prison and jail space for high risk and high need individuals in the system

## OUTCOME

- Task Force **does not recommend** unification of New Mexico's corrections systems **at this time**, but offers recommendations in these priority areas:



Information  
Systems and  
Data Sharing



Behavioral Health  
Resources in  
Communities



Training and  
Unified Practices  
Across Agencies



Cross-Agency  
Collaboration and  
Communication



Connectivity  
and Internet  
Bandwidth



Funding and  
Resource  
Allocation



Behavioral Health  
Resources in  
Custody



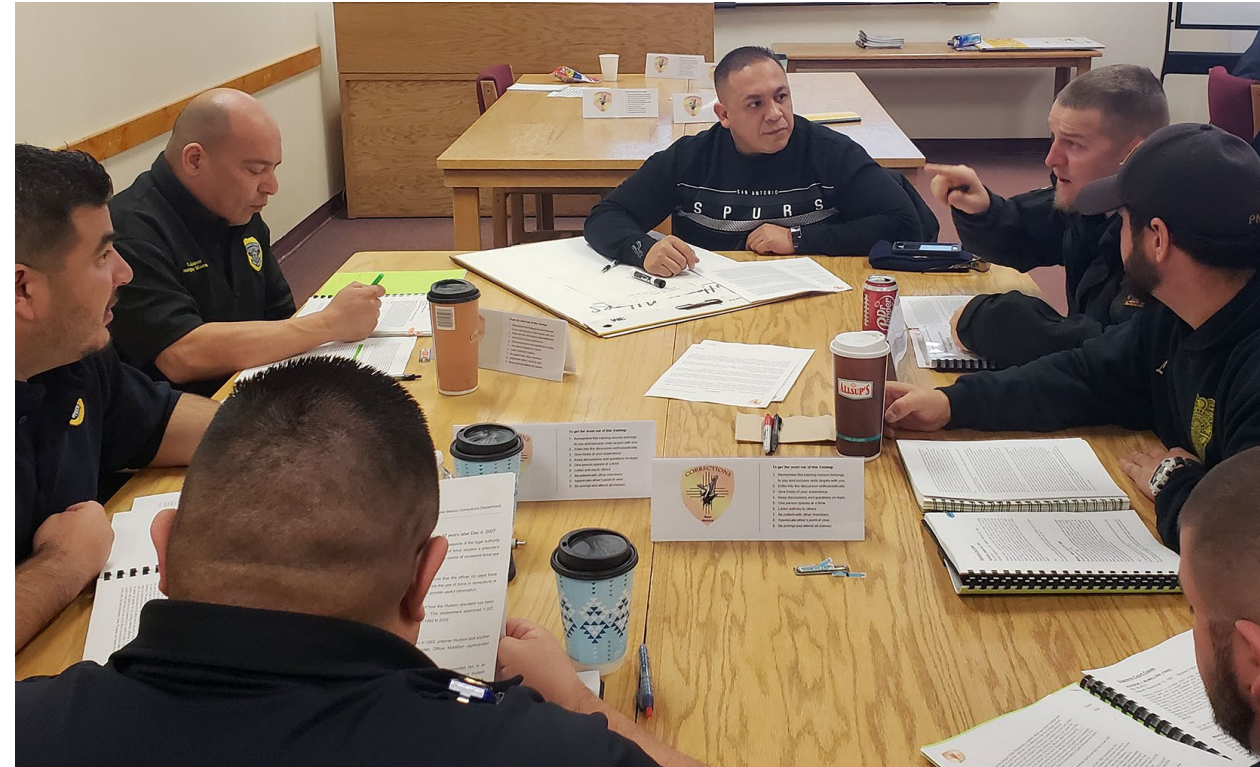
Staffing and  
Workforce  
Development



Population  
Tracking and Trend  
Analysis

## Staffing and Workforce Development Findings

- Detention and prison administrators list staffing as a major challenge
- Six county detention centers had more than 50 percent staff vacancies in August 2022
- NMCD reported 29.2 percent staff vacancy at the end of FY22



## Staffing and Workforce Development Recommendations

- Develop a plan to address staffing shortages and develop long-term staffing capacity
- Provide funding for retention bonuses, salary increases, tuition reimbursements, etc., for corrections and detention professions
- Amend relevant statutes so Return to Work (RTW) policies can be implemented for retired public employees to return to work in corrections and detention facilities



## Training and Unified Practices Across Agencies **Findings**

- NMCD conducts an 8-week basic training academy
- NMCD trainees earn a corrections officer certification
- Counties establish their own training requirements, leading to inconsistencies across the state
- There is no standard certification for jail staff
- NMC has an accreditation program with training standards
  - Only 10 counties have been accredited

## Training and Unified Practices Across Agencies Recommendations

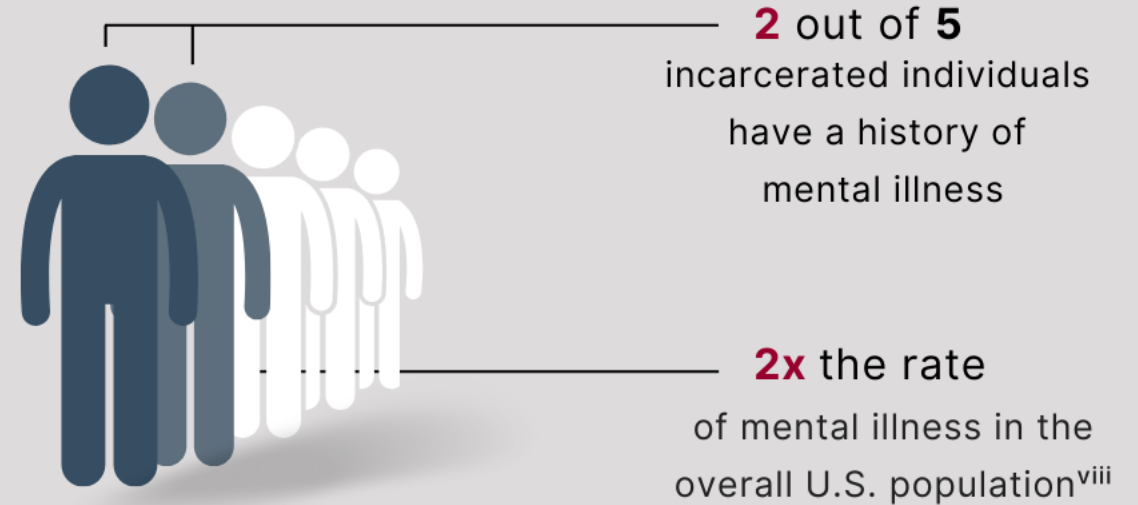
- Develop, fund, and conduct a core training academy for detention staff through the NMCD Training Academy



## Behavioral Health Resources in Custody Findings

- Prisons and jails have become de facto mental health centers
- Access to care is inconsistent across facilities
- High costs of specialized care impact access and quality
- Certain areas of the state have a shortage of skilled providers

According to the National Alliance on Mental Illness:



## Behavioral Health Resources in Custody Recommendations

- Create an internal guide for NMCD and NMC that clarifies skills needed for various clinical jobs
- Examine certification for behavioral health professions across the local and state corrections systems to ensure standard qualifications and training
- Partner with behavioral health agencies to create a workforce development and incentive plan
- Continue examining the feasibility of regional behavioral health centers for jails and prisons

## Behavioral Health Resources in Community Findings

- If behavioral health needs are met in community, individuals may avoid jail and prison
- Community behavioral healthcare access is limited, especially in rural areas
- NM lacks reciprocity for behavioral health professionals licensed or trained outside the state

County jail administrators and managers ranked the need to improve mental health care and treatment in the community as the third most pressing issue facing jails across the state.

## Behavioral Health Resources in Community Recommendations

- Develop a strategic plan to increase NM's competitiveness for attracting skilled professionals
- Support the expansion, staffing, and funding of Crisis Triage Centers
- Study the possibility of regional mental health facilities
- Support and encourage responsible agencies to conduct a gap analysis of provider access
- Recognize housing as a critical component to criminal justice rehabilitation

## Connectivity and Internet Bandwidth Findings

- Connect New Mexico Council established in 2021
- Cyber Security Task Force established in September
- Inconsistent access impacts ability to use remote hearings developed during pandemic
- Guidance on conducting remote hearings is ambiguous and inconsistent
- Federal funds available to support expanded broadband connectivity

## Connectivity and Internet Bandwidth Recommendations

- Support the Judiciary's effort to establish clear guidelines and standards for conducting remote hearings
- Provide NMC and NMCD with the necessary support to implement court guidelines for remote hearings
- Set aside broadband funding specifically for criminal justice entities to improve connectivity for detention facilities and prisons
- Provide guidance to counties applying for bandwidth expansion funds for public safety functions on how to develop their requests to include the specific needs of justice partners



## Cross-Agency Collaboration and Communication Findings

- Staffing and resource gaps limit the work done by the Sentencing Commission
- While crisis brings people together, collaboration is often difficult to sustain
- Understanding and familiarity among system partners beyond their agency or border is limited.

## Cross Agency Collaboration and Communication **Recommendations**

- Review New Mexico Sentencing Commission membership, mission, and structure
- Strengthen working relationships between county detention centers and NMCD

## Information Systems and Data Sharing Findings

- State leaders passed the 2019 Crime Reduction Act for a shared network
  - Few agencies participate and expansion has stalled
- Up to 10 different management systems used in detention centers
  - Complicates information sharing, data tracking and analysis of trends
- No official guidance on what information should be collected or shared

## Information Systems and Data Sharing Recommendations

- Clarify statutes surrounding the role of NM Sentencing Commission in managing the statewide criminal justice data integration process
- Expand the Justice Information Sharing Council (JISC)
- Finalize data governance policies

## Population Tracking and Trend Analysis Findings

- Challenges with data access and collection limits how much research can be done by the Sentencing Commission
- Jail and prison administrators don't have a clear understanding of the cause of population declines
- Varied data systems exist, with some jails still using paper systems
- NMCD is adopting a new case management system in 2023

## Population Tracking and Trend Analysis Recommendations

- Support future research efforts and continued data analysis to uncover the context of New Mexico's prison and jail population trends (drivers, technical violations, projections for future growth)
- Work with existing research entities to identify gaps in research, better promote and disseminate work already done, and utilize research for decision-making

## Funding and Resource Allocation Findings

- Jail and prison costs continue to rise, even as populations decline, due to the high costs of program, facility maintenance and medical/behavioral healthcare
- Not all users of detention contribute to the costs of detention
- Confusion exists over how costs for detainees are billed
- Utilization of jail beds varies from county to county, affecting facilities' average cost estimates

## Funding and Resource Allocation Recommendations

- All users of detention services, including municipalities, should cover the cost of detention
- Develop an accurate and reliable billing system that reduces the complexity and inconsistency of recovering costs for incarcerating, treating, supervising, and transporting individuals
- Assess the funding challenges of the corrections system
- Develop a more effective tool for tracking county expenses and developing budgets and require counties to report funding and budgetary information annually



## LOOKING FORWARD

- A process to move forward should be established and should include:
  - Cross-jurisdictional analysis,
  - An assessment of drivers of the systems' incarcerated and detained populations,
  - Involvement from a work group with a broader range of in-state stakeholders and experts,
  - Continued discussion on areas of opportunity in the state criminal justice systems,
  - Support by experienced consultants and technical experts,
  - A data-driven approach, and
  - Funding from a combination of in-state resources and other grant dollars.

QUESTIONS?