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FISCAL IMPACT REPORT

SPONSOR: Sanchez, B. DATE TYPED: 2/03/03

SHORT TITLE: Adult Mental Health Court Program SB 131

ANALYST: Hayes

APPROPRIATION

Appropriation Contained		Estimated Additional Impact		Recurring or Non-Rec	Fund Affected
FY03	FY04	FY03	FY04		
	\$430.5			Recurring	General Fund

(Parenthesis () Indicate Expenditure Decreases)

SOURCES OF INFORMATION

Responses Received From
 Administrative Office of the Courts (AOC)
 Bernalillo County Metropolitan Court (BCMC)
 Health Policy Commission

SUMMARY

Synopsis of Bill

Senate Bill 124 appropriates \$430,500 to establish a mental health court at the Bernalillo County Metropolitan Court. A portion of the appropriation also provides funding to the district attorneys and public defender in Albuquerque. A group of trained professionals will work with offenders arrested for misdemeanors and assist in their release from jail into the community. The mental health activity will assist the offender by setting up appropriate community resources the offender may need to ensure that the public is safe, the offender is receiving proper care, and their incarceration in jail is minimal.

Significant Issues

1. It is unclear whether the court should be providing such services. Mental health evaluations and arranging for aftercare when released from jail are not standard court functions. It seems that the Human Services Department and Corrections Department already provides mental health evaluation and related services for offenders, along with federal, local and community health service agencies.

2. According to the Bernalillo County Detention Center, a mentally ill offender spends nine month due to evaluation versus six months jurisdiction on misdemeanor cases. A Crisis Intervention Team established by the Albuquerque Police Department has trained officers to deal with mental illness issues. A Forensic Intervention Consortium has also been established in Bernalillo County through the National Association of the Mentally Ill to address the issues of the mentally ill offender. This group consists of interested citizens and professionals in the community who work with the Crisis Intervention Team to provide assistance.
3. According to AOC, the program will assist 300 to 350 offenders by providing the proper assessment to determine the offenders' needs upon incarceration. This will speed up the process for their safe release into the community. If the offender needs medication, a doctor will have the prescription ready upon the offender's release at the University of New Mexico's Mental Health Unit. A caseworker will also assist the offender upon release.

FISCAL IMPLICATIONS

The appropriation of \$430.5 contained in this bill is a recurring expense to the general fund. Any unexpended or unencumbered balance remaining at the end of fiscal year 2004 shall revert to the general fund.

Here is a table delineating the appropriation amount to each agency noted in the bill:

BERNALILLO COUNTY APPROPRIATIONS

AGENCY:	Appropriation to Metro Court	Appropriation to District Attorney	Appropriation to Public Defender Dept	TOTAL
AMOUNT:	\$215,900	\$101,400	\$113,200	\$430,500

ADMINISTRATIVE IMPLICATIONS

The appropriation includes sufficient staff to oversee the program. BCMC's court administration will oversee the budgeting and personnel. The program is designed to have the same judge and team members assigned to the case from start to end to provide consistency and stability for the offender.

QUESTIONS

1. What role do the District Attorney and Public Defender's Offices play in this mental health issue? Explain their proposed funding in this legislation.
2. Why is the court performing mental health functions instead of the Bernalillo County Detention Center?