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HOUSE JOINT MEMORIAL 37
48TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2007
INTRODUCED BY
Gail Chasey

A JOINT MEMORIAL
REQUESTING THAT A TASK FORCE BE CONVENED TO STUDY THE
FEASIBILITY AND EFFECTIVENESS OF CREATING AN INDEPENDENT
ENTITY TO OVERSEE NEW MEXICO'S CORRECTIONAL FACILITIES.

WHEREAS, the vast majority of convicted criminals do not
remain in prison but return to the world outside of prison and
to the communities from which they came; and

WHEREAS, what happens in our prisons does not stay within
prison walls, but spills over into the rest of society; and

WHEREAS, studies show that within three years of release,
sixty-seven percent of former prisoners are re-arrested and
fifty-two percent are re-incarcerated for crimes committed in
our communities; and

WHEREAS, inadequate health care in prisons increases the
rates of contagious disease and illness among prisoners and

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1 prison staff, which can bring illness and spread contagious
2 disease to the community at large; and

3 WHEREAS, the commission on safety and abuse in America's
4 prisons studied correctional facilities nationwide for more
5 than a year to make recommendations on how prisons can become
6 safer and more effective; and

7 WHEREAS, on June 8, 2006, the commission released its
8 report detailing the violence and abuse in prisons in the
9 United States, the broad impact of those problems on public
10 safety and public health and how correctional facilities
11 nationwide can become safer and more effective; and

12 WHEREAS, the commission on safety and abuse in America's
13 prisons has determined that prisons are dangerous, violent and
14 overcrowded, subjecting prisoners to inadequate health care,
15 rape, gang violence and even beatings by officers; and

16 WHEREAS, correctional facilities are walled off from
17 external monitoring and public scrutiny to a degree
18 inconsistent with the responsibility of public institutions;
19 and

20 WHEREAS, the commission recommended, among other things,
21 that every state create an independent entity to oversee the
22 operation and management of correctional facilities; and

23 WHEREAS, it is difficult to determine the conditions that
24 exist in New Mexico's privately and publicly operated prisons;
25 and

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1 WHEREAS, New Mexico leads the nation in the percentage of
2 inmates housed in private prisons and has contracts with
3 private health care organizations for the medical and mental
4 health care of inmates, and New Mexico periodically has
5 problems with oversight, adequacy and other issues with those
6 private contractors; and

7 WHEREAS, New Mexico prisons should not be "schools of
8 crime" but should focus on reintegrating offenders into
9 society so that the ninety-five percent of prisoners who
10 return to society do not export prison violence into our
11 communities; and

12 WHEREAS, identifying structural and administrative
13 problems within our corrections system is an important step
14 toward reducing rates of violence and recidivism; and

15 WHEREAS, safe and productive prisons are of benefit to
16 all New Mexicans, and all public institutions benefit from
17 strong and independent oversight; and

18 WHEREAS, lack of independent oversight leads to ongoing
19 health and safety problems within our correctional facilities,
20 which in turn leads to ongoing health and safety problems in
21 our communities;

22 NOW, THEREFORE, BE IT RESOLVED BY THE LEGISLATURE OF THE
23 STATE OF NEW MEXICO that the attorney general be requested to
24 appoint and chair a task force to study the feasibility and
25 effectiveness of forming an independent entity that would

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1 oversee the status and conditions of New Mexico's correctional
2 facilities; and

3 BE IT FURTHER RESOLVED that if the task force finds that
4 it would be feasible and effective to form an independent
5 entity, that it specify the composition and nature of the
6 entity, its expertise and the areas and methods of oversight;
7 and

8 BE IT FURTHER RESOLVED that the task force report its
9 findings to the appropriate interim committee no later than
10 November 2008; and

11 BE IT FURTHER RESOLVED that copies of this memorial be
12 transmitted to the attorney general.

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