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FISCAL IMPACT REPORT

ORIGINAL DATE 02/08/10

SPONSOR McSorley LAST UPDATED _____ HB _____

SHORT TITLE Reentry & Transition Of Prison Inmates SM 10

ANALYST Pava

APPROPRIATION (dollars in thousands)

Appropriation		Recurring or Non-Rec	Fund Affected
FY10	FY11		
	NFI	Nonrecurring	General Fund

(Parenthesis () Indicate Expenditure Decreases)

SOURCES OF INFORMATION

LFC Files

Responses Received From

New Mexico Corrections Department (NMCD)

Department of Public Safety (DPS)

SUMMARY

Synopsis of Bill

Senate Memorial 10 requests that the Governor and Corrections Department pursue implementation of the recommendations made in the 2008 and 2009 reports of the Governor's Task Force On Prison Reform that support successful reentry and transition of released inmates into communities and to identify ways to enhance probation and parole of inmates where of inmates where appropriate. It also requests that by November 2010, the Corrections Department report to the appropriate interim legislative committee regarding its progress in implementing the task force recommendations and other measures taken to support successful reentry and reduce recidivism.

FISCAL IMPLICATIONS

Some of the recommendations are expensive to implement and others have already been implemented and may ultimately lower recidivism rates, thus saving costs by lowering the prison population and probation/parole caseloads. However, there is no reliable way to quantify the ultimate fiscal impact to NMCD or the state of implementing these recommendations. NMCD anticipates that its costs will ultimately lessen as recidivism rates lower, but it's going to take some time before this happens or before anyone can readily ascertain if it is happening.

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The contract/private prison annual cost of incarcerating an inmate is \$29,853 per year for males. The cost per client to house a female inmate at a privately operated facility is \$34,183 per year. Because state owned prisons are essentially at capacity, any net increase in inmate population will have to be housed at a contract/private facility.

The cost per client in Probation and Parole for a standard supervision program is \$1,412 per year. The cost per client in Intensive Supervision programs is \$4,601 per year. The cost per client in Community Corrections is \$3,684 per year. The cost per client per year for male and female Residential Community Corrections programs is \$24,775.

SIGNIFICANT ISSUES

NMCD has already been actively pursuing implementation of the task force's recommendations as indicated below. In summary, of the 37 recommendations: 6 are completed; 4 are ongoing; 1 is in review; 2 will be done in 2010; 5 are not NMCD responsibility; 19 can't be implemented.

2008

Pre-incarceration Recommendations - #1 implemented; #3 ongoing; #2, #4, #5 is not NMCD responsibility.

Incarceration Recommendations - #1 & #3 implemented; #5 ongoing; not implemented are #2, #4, #6 due to lack of funding and #7 & #8 due to economic crisis.

Reentry & Transition Recommendations - #5 implemented; #1 ongoing; #2 under review; not implemented due to funding #3 & #4 due to economic crisis; #6 is not NMCD responsibility.

Implementation of Recommendations - #1 & #4 implemented; #6 ongoing; not implemented #2, #3, #5, #7.

2009

Implementation of Recommendations - #1 ongoing; #9 & #10 will be implemented 2010; not implemented #2, #3, #4, #6, #8, #11; #5 not NMCD responsibility.

PERFORMANCE IMPLICATIONS

NMCD notes: Due to budgetary constraints, the NMCD lacks the financial and manpower resources to pursue implementing the task force's recommendations any faster than the current rate. Prison reform and reentry is expensive. NMCD must also continue to devote a substantial amount of its financial and administrative resources to protect public safety by operating safe and secure prisons.

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL

NMCD notes: The Department is already doing all it can do regarding prison reentry and reform, and is already implementing the task force's recommendations when it can.

CP/mt:svb