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FISCAL IMPACT REPORT

ORIGINAL DATE 03/14/11

SPONSOR Campos LAST UPDATED _____ HB _____

SHORT TITLE Gang Reduction & Prevention Program SJM 6

ANALYST Daly

ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)

	FY11	FY12	FY13	3 Year Total Cost	Recurring or Non-Rec	Fund Affected
Total	NFI	\$150.0	\$300.0	\$450.0	Recurring	General Fund

(Parenthesis () Indicate Expenditure Decreases)
 *See Fiscal Implications

Relates to SB 537 and SB 538

SOURCES OF INFORMATION

LFC Files

Responses Received From

Department of Corrections (NMCD)

Department of Public Safety (DPS)

SUMMARY

Synopsis of Bill

Senate Joint Memorial 6 requests the Department of Public Safety (DPS) to create a gang reduction, intervention and prevention program to consolidate and centralize statewide efforts to control gang activity. The program should reflect current best practices and findings of the national gang intelligence center and other federal efforts to address gang activity.

FISCAL IMPLICATIONS

The DPS believes successful implementation and a successful program would require significant investment of personnel and resources. The table above reflects its estimate of costs, which is based on this breakdown:

-1 st Year		
1 FTE @	\$100,000	-Program Manager
Training	\$10,000	-For Program Manager
Supplies/Equip	\$40,000	-Manuals, teaching equipment, etc.

Senate Joint Memorial 6 – Page 2

Implementation would require further investment for success and long-term viability:

-2nd Year

1 FTE @	\$100,000	-Program Manager
Supplies/Equipment supplies, etc.	\$100,000	-Books, computers, PPT projectors,
Overtime/Training	\$100,000	-Overtime/Training to train officer personnel
Manpower		-Overtime for Teaching because of Existing

-3rd Year Forward

\$300,000 Minimal, as detailed in Year 2

The DPS reports that New Mexico State Police (NMSP) does not have staff to provide the dedication needed for successful Gang Reduction public education. Overtime would be needed so as to not impact coverage of regularly assigned duties of police personnel.

On the other hand, the NMCD reports that, if successful, the program probably would keep one or more individuals out of prison on a yearly basis, saving the NMCD at least \$32,000 per year per person.

SIGNIFICANT ISSUES

The 2008 United States department of justice national gang intelligence center report shows that criminal gangs in the United States have swelled to an estimated one million members and are responsible for up to eighty percent of crimes committed in communities across the nation

The national gang intelligence center estimates that there are six hundred eighty gangs with approximately thirteen thousand eight hundred members in New Mexico.

There are approximately five to seven gang members per one thousand residents in New Mexico, making it one of the top five states per capita in gang membership in the nation.

There are approximately four to six gang members per every law enforcement officer in New Mexico, the third highest ratio in the nation.

According to the United States department of justice bureau of justice statistics, fifty percent of all crimes committed in Bernalillo county are gang related.

In March 2008, *Crime State Rankings 2008* listed New Mexico as the third most dangerous state in the country.

There is a large influx of gang members from other states to New Mexico.

The DPS comments:

Since programs like GREAT (Gang Resistance Education and Training) and DARE (Drug Abuse Resistance Education) have become defunct and defunded, on a national scale, law enforcement is left with little other than enforcement in dealing with gang issues and the issues gangs cause in communities. Currently, most law enforcement agencies deal with the issue on a case-by-case basis, with little or no long term strategies for dealing with gangs.

Agencies with adequate resources (personnel) and funding have devoted units or sections specifically to gangs. This dedication is largely aimed at enforcement, with secondary duties to include public education, prevention, etc.

DPS is neither in a fiscal situation or personnel situation to be able to devote adequate resources to such a project. To truly impact the issue, on a state-wide level, would require dramatic investments of resources (funding) and personnel...even if the initiative excluded enforcement activities.

As has been proven with successful intervention/prevention programs in the past (i.e. DARE, GREAT), the investment must be very long term (i.e. grade school through high school 'cycle' – 7-10 years), and once 'cycled', must be maintained for the foreseeable future if its intended goals are to be successful.

The issue addressed in the Memorial is significant, and warrants focused efforts by stakeholders, including law enforcement. The associated psycho-social issues found in gang membership/activity is not an issue that can be addressed adequately by law enforcement alone, whose primary mission is largely enforcement. While often officers are well suited to provide education/training to our community stakeholders, this writer doesn't believe that DPS, even in conjunction with federal efforts, possesses all of the knowledge and resources necessary to create and 'run' a successful gang reduction, intervention, and prevention program. Additionally, the memorial fails to address enforcement, a needed component of any successful over-arching program.

The DPS concludes its significant issue analysis by stating:

In closing, DPS is supportive of the Senator's efforts. Largely because of funding issues, gang intervention/prevention/etc. has unfortunately found itself a lower priority for governments...to the detriment of our communities. Polls consistently show that citizens have a marked and dramatic 'fear' or 'concern' with gangs in their given communities.

Unfortunately, DPS simply does not possess the resources, at this time, to make this endeavor successful.

In addition, the NMCD reports that in its prisons it:

has a significant number of inmates who are gang members, and many of those were affiliated with gangs or gang members before coming to prison. NMCD has several employees who do nothing but constantly monitor and control gang activity in order to promote prison safety and security. Gang members tend to be the most difficult inmates to rehabilitate, and the most dangerous and time-consuming inmates to supervise. Fewer prison gang members make prisons safer and more secure for staff and other inmates. Any program that may reduce or prevent street and prison gang membership would be immensely helpful to NMCD.

PERFORMANCE IMPLICATIONS

The DPS estimates that 15-20 existing FTE's would be impacted if a large scale, state-wide initiative were to be implemented (as instructors). It reports the man-hour dedication alone to ensure success of the program, would, undoubtedly, affect its current ability to provide basic police services.

RELATIONSHIP

Relates to SB 537, Street Gang Recruitment Penalties, and SB 538, Gang Activity Sentence Enhancements.

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL

The NMCD predicts continued high levels of gang-related crime in New Mexico and an abundance of gang member inmates in prison who can and sometimes do jeopardize the safety and security of NMCD prisons. The NMCD believes that preventing individuals from feeling the need to join a gang is the most likely way to decrease gang membership and NMCD's prison population in the future.

MD/svb