

HOUSE JOINT MEMORIAL 17

**50TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2011**

INTRODUCED BY

Rick Miera

A JOINT MEMORIAL

REQUESTING THE INTERAGENCY BEHAVIORAL HEALTH PURCHASING COLLABORATIVE AND ITS MEMBER DEPARTMENTS TO STUDY THE NEEDS OF AND AVAILABLE RESOURCES FOR PEOPLE WITH MENTAL HEALTH DISORDERS IN CRISIS SITUATIONS AND TO DEVELOP STRATEGIES TO IMPROVE SERVICES, TREATMENT AND CARE OUTSIDE OF LAW ENFORCEMENT AND DETENTION IN ORDER TO REDUCE THE NUMBER OF PEOPLE WITH MENTAL HEALTH DISORDERS WHO ARE IN DETENTION FACILITIES OR REQUIRE LAW ENFORCEMENT INTERVENTION.

WHEREAS, one of the greatest challenges facing law enforcement agencies and detention centers is how to respond to people who have mental health disorders; and

WHEREAS, law enforcement agencies are the first-line responders to people with mental health disorders who are not receiving necessary treatment and care; and

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1           WHEREAS, current statute permits people with mental health  
2 disorders to be taken to detention facilities for protective  
3 custody regardless of whether they have committed criminal acts  
4 warranting arrest; and

5           WHEREAS, many people with mental health disorders are held  
6 in detention facilities for misdemeanor charges due to a lack  
7 of available treatment or community support; and

8           WHEREAS, the burden for addressing mental health issues in  
9 New Mexico communities has been left to counties where  
10 detention centers have become de facto mental health  
11 facilities; and

12           WHEREAS, few detention centers are equipped to deal with  
13 this population; and

14           WHEREAS, individuals with mental health disorders can be  
15 traumatized by incarceration; and

16           WHEREAS, the current situation exposes the state and local  
17 governments to substantial liability; and

18           WHEREAS, individual agencies cannot provide the solution  
19 to this problem because it is a systemic problem that requires  
20 collaboration and development of strategies among federal,  
21 state, county and municipal governments as well as health care  
22 providers and advocacy organizations;

23           NOW, THEREFORE, BE IT RESOLVED BY THE LEGISLATURE OF THE  
24 STATE OF NEW MEXICO that the interagency behavioral health  
25 purchasing collaborative, through the behavioral health

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1 planning council, be requested to convene stakeholders to  
2 develop humane and effective strategies to serve people with  
3 mental health disorders in order to reduce the number of people  
4 with mental health disorders that require law enforcement  
5 intervention and to reduce the number of people with mental  
6 health disorders in detention centers; and

7 BE IT FURTHER RESOLVED that stakeholders include but not  
8 be limited to representatives from the New Mexico association  
9 of counties; the New Mexico municipal league; the department of  
10 health; the human services department; the training and  
11 recruiting division of the department of public safety; the  
12 aging and long-term services department; the corrections  
13 department; the New Mexico behavioral health institute at Las  
14 Vegas; the New Mexico hospital association; disability rights  
15 New Mexico; the national alliance on mental illness, New  
16 Mexico; and two individuals living with serious mental illness  
17 identified by the interagency behavioral health purchasing  
18 collaborative; and

19 BE IT FURTHER RESOLVED that the interagency behavioral  
20 health purchasing collaborative be requested to report its  
21 findings to the appropriate interim legislative committee by  
22 December 1, 2011; and

23 BE IT FURTHER RESOLVED that copies of this memorial be  
24 transmitted to the directors of the New Mexico association of  
25 counties, the New Mexico municipal league, the New Mexico

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1 behavioral health institute at Las Vegas, the New Mexico  
2 hospital association, disability rights New Mexico and the  
3 national alliance on mental health, New Mexico; the chief  
4 executive officer of the interagency behavioral health  
5 purchasing collaborative; and the secretaries of health, human  
6 services, public safety, aging and long-term services and  
7 corrections.

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