

1 SENATE JOINT MEMORIAL 31

2 **50TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2012**

3 INTRODUCED BY

4 Linda M. Lopez

5
6
7
8
9
10 A JOINT MEMORIAL

11 REQUESTING THE BERNALILLO COUNTY BOARD OF COUNTY COMMISSIONERS
12 TO CREATE A PILOT PROJECT TO STREAMLINE CASE MANAGEMENT
13 SYSTEMS, EXPAND TREATMENT AND DIVERSIONARY PROGRAMS, ESTABLISH
14 AN ALTERNATIVE INCARCERATION FACILITY AND CREATE NEW TREATMENT
15 OPTIONS AND ALTERNATIVE INCARCERATION, TRANSITIONAL LIVING AND
16 REINTEGRATION PROGRAMS FOR INDIVIDUALS FACING CRIMINAL CHARGES
17 OR PROBATION VIOLATIONS; REQUESTING THE NEW MEXICO SENTENCING
18 COMMISSION TO ASSIST AND ADVISE THE STEERING COMMITTEE AND TO
19 STUDY THE EFFECTS OF THE PILOT PROJECT.
20

21 WHEREAS, New Mexico law requires that county jails be used
22 for the detention of every person who is charged with or has
23 been sentenced for a crime; and

24 WHEREAS, the shortage of treatment options and lack of
25 alternative incarceration programs and transitional living and

.188923.1

underscored material = new
[bracketed material] = delete

underscoring material = new
~~[bracketed material] = delete~~

1 reintegration programs cause individuals facing criminal
2 charges or probation violations to remain incarcerated longer;
3 and

4 WHEREAS, a study released in March 2005 found that it
5 costs counties an estimated thirty million dollars
6 (\$30,000,000) to house felony arrestees; and

7 WHEREAS, the Bernalillo county metropolitan detention
8 center has significantly exceeded its intended capacity for a
9 number of years despite efforts to reduce population; and

10 WHEREAS, in 2011, the legislature passed House Joint
11 Memorial 4 and House Joint Memorial 17, which called for the
12 creation of two task forces to research, analyze and identify
13 opportunities to alleviate burdens on county jails by reducing
14 delays in case management systems and developing strategies to
15 more effectively assist individuals with mental health issues;
16 and

17 WHEREAS, it will be difficult to fully implement some of
18 the suggested changes of the task forces because they are
19 unproven and may require changes to existing state law; and

20 WHEREAS, it is important for the criminal courts, county
21 jails and law enforcement agencies in Bernalillo county to have
22 a committee of interested parties create a pilot project that
23 has the tools available to streamline case management systems,
24 effectively expand existing treatment and diversionary programs
25 and implement new treatment options and alternative

.188923.1

underscoring material = new
~~[bracketed material] = delete~~

1 incarceration, transitional living and reintegration programs;
2 and

3 WHEREAS, the regional correctional center in Bernalillo
4 county is vacant and could be renovated into an alternative
5 incarceration facility for new mental health and substance
6 abuse treatment options and alternative incarceration,
7 transitional living and reintegration programs;

8 NOW, THEREFORE, BE IT RESOLVED BY THE LEGISLATURE OF THE
9 STATE OF NEW MEXICO that the Bernalillo county board of county
10 commissioners be requested to convene a steering committee to
11 create a pilot project that will streamline case management
12 systems, evaluate and potentially expand existing treatment and
13 diversionary programs, establish an alternative incarceration
14 facility and implement new mental health and substance abuse
15 treatment options and alternative incarceration, transitional
16 living and reintegration programs; and

17 BE IT FURTHER RESOLVED that the steering committee include
18 representatives from the second judicial district court of New
19 Mexico, the Bernalillo county metropolitan court, the office of
20 the district attorney of the second judicial district, the
21 chief public defender, the New Mexico criminal defense lawyers
22 association, the interagency behavioral health purchasing
23 collaborative, the New Mexico association of counties, the
24 Bernalillo county metropolitan detention center, local law
25 enforcement and any other interested parties; and

.188923.1

underscoring material = new
~~[bracketed material] = delete~~

1 BE IT FURTHER RESOLVED that the steering committee make
2 recommendations for implementation of the pilot project to the
3 Bernalillo county board of county commissioners on or before
4 October 1, 2012; and

5 BE IT FURTHER RESOLVED that the Bernalillo county board of
6 county commissioners implement the recommendations of the
7 steering committee on or before February 1, 2013; and

8 BE IT FURTHER RESOLVED that the New Mexico sentencing
9 commission be requested to:

10 A. begin collecting data on jail populations,
11 average length of stay, recidivism, crime rates, case flow and
12 any other relevant data;

13 B. conduct research on current case management
14 practices and policies;

15 C. evaluate the viability and effectiveness of the
16 pilot project; and

17 D. report its findings to the steering committee
18 and the Bernalillo county board of county commissioners on or
19 before February 1, 2014; and

20 BE IT FURTHER RESOLVED that copies of this memorial be
21 transmitted to the Bernalillo county board of county
22 commissioners, the second judicial district court of New
23 Mexico, the Bernalillo county metropolitan court, the office of
24 the district attorney of the second judicial district, the
25 public defender department, the New Mexico criminal defense

.188923.1

underscored material = new
~~[bracketed material]~~ = delete

1 lawyers association, the interagency behavioral health
2 purchasing collaborative, the New Mexico association of
3 counties, local law enforcement, the New Mexico sentencing
4 commission, the administrative office of the courts and the
5 office of the governor.

6 - 5 -
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25