

SENATE RULES COMMITTEE SUBSTITUTE FOR
SENATE JOINT MEMORIAL 31

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

A JOINT MEMORIAL

REQUESTING THE BERNALILLO COUNTY BOARD OF COUNTY COMMISSIONERS TO CREATE A PILOT PROJECT TO STREAMLINE CASE MANAGEMENT SYSTEMS, ESTABLISH AN ALTERNATIVE INCARCERATION FACILITY AND CREATE TREATMENT OPTIONS AND ALTERNATIVE INCARCERATION, TRANSITIONAL LIVING AND REINTEGRATION PROGRAMS FOR QUALIFIED INDIVIDUALS; REQUESTING THE NEW MEXICO SENTENCING COMMISSION TO ASSIST AND ADVISE THE BERNALILLO COUNTY BOARD OF COUNTY COMMISSIONERS AND TO STUDY THE EFFECTS OF THE PILOT PROJECT.

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

WHEREAS, the shortage of treatment options and lack of alternative incarceration programs and transitional living and reintegration programs cause individuals facing criminal

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1 charges or probation violations to remain incarcerated longer;
2 and

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

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

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

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

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

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1 and

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

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

16 BE IT FURTHER RESOLVED that the Bernalillo county board of
 17 county commissioners hold a series of forums to gather and
 18 review information related to the formation of the pilot
 19 project; and

20 BE IT FURTHER RESOLVED that the forums include
 21 representatives from the second judicial district court of New
 22 Mexico, the Bernalillo county metropolitan court, the office of
 23 the district attorney of the second judicial district, the
 24 chief public defender, the administrative office of the courts,
 25 the New Mexico criminal defense lawyers association, the

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1 interagency behavioral health purchasing collaborative, the New
2 Mexico association of counties, the Bernalillo county
3 metropolitan detention center, the forensic intervention
4 consortium of Albuquerque, local law enforcement, neighborhoods
5 adjacent to the facility and any other interested parties; and

6 BE IT FURTHER RESOLVED that the New Mexico sentencing
7 commission be requested to:

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

11 B. conduct research on current case management
12 practices and policies;

13 C. evaluate the viability and effectiveness of the
14 pilot project; and

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

18 BE IT FURTHER RESOLVED that the forums periodically
19 present best practices for the pilot project to the Bernalillo
20 county board of county commissioners; and

21 BE IT FURTHER RESOLVED that the Bernalillo county board of
22 county commissioners report a final plan for the pilot project
23 to judicial representatives on or before October 1, 2012; and

24 BE IT FURTHER RESOLVED that copies of this memorial be
25 transmitted to the Bernalillo county board of county

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1 commissioners, the second judicial district court of New
2 Mexico, the Bernalillo county metropolitan court, the office of
3 the district attorney of the second judicial district, the
4 chief public defender, the administrative office of the courts,
5 the New Mexico criminal defense lawyers association, the
6 interagency behavioral health purchasing collaborative, the New
7 Mexico association of counties, the Bernalillo county
8 metropolitan detention center, the forensic intervention
9 consortium of Albuquerque, the New Mexico sentencing commission
10 and the office of the governor.

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