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## FISCAL IMPACT REPORT

SPONSOR Rodriguez ORIGINAL DATE 1/24/2018  
 LAST UPDATED \_\_\_\_\_ HB \_\_\_\_\_

SHORT TITLE Law Enforcement-Assisted Diversion SB 111

ANALYST Edwards

### APPROPRIATION (dollars in thousands)

Appropriation		Recurring or Nonrecurring	Fund Affected
FY18	FY19		
\$0.0	\$450.0	Recurring	General Fund

(Parenthesis ( ) Indicate Expenditure Decreases)

### SOURCES OF INFORMATION

LFC Files

Responses Received From

New Mexico Sentencing Commission (NMSC)

Responses Not Received From

Department of Finance and Administration (DFA)

### SUMMARY

Synopsis of Bill

Senate Bill 111 appropriates \$450 thousand from the general fund to the Department of Finance and Administration (DFA) Local Government Division for the purpose of supporting the ongoing Santa Fe Law Enforcement Assisted Diversion (LEAD) program and for help starting LEAD programs in Bernalillo and Dona Ana counties.

### FISCAL IMPLICATIONS

The appropriation of \$450 thousand contained in this bill is a recurring expense to the general fund. Any unexpended or unencumbered balance remaining at the end of FY19 shall revert to the general fund. While the bill would not have any impact on state agency operating budgets, this analysis reflects the appropriation as recurring as additional funding would be needed to operate these programs going forward that the counties may not have available to allocate. Generally, if an appropriation creates the expectation that the program will be continued in the future, it is considered recurring.

## SIGNIFICANT ISSUES

According to the Santa Fe Law Enforcement Assisted Diversion (LEAD) website, “LEAD is a public safety program that allows law enforcement officers to redirect persons suspected of involvement in non-violent low level crimes, such as shoplifting, minor theft, possession, and possession of paraphernalia, to community-based services instead of jail and prosecution. LEAD participants begin working immediately with case managers to access harm reduction, treatment and social services.”

NMSC states the original LEAD program in Seattle has been rigorously studied and found to help reduce recidivism among program clients relative to a comparison group. Among the findings, detailed on Santa Fe LEAD’s website, shows Seattle program participants had 1.4 fewer jail bookings, spent 39 fewer days in jail, and had 87 percent lower odds of at least one prison incarceration. Additionally, the costs associated with criminal justice and legal system utilization were shown to have fell by \$2,100 per client.

The New Mexico Sentencing Commission is under contract to conduct an evaluation of the Santa Fe LEAD program and expects that the final report will be completed in spring 2018. According to the Santa Fe LEAD website, “a cost benefit analysis conducted in 2013 of 100 individuals arrested by City of Santa Fe Police for opiate possession or sales revealed a cost of more than \$4 million dollars over 3 years (2010-2012) or an average of \$42 thousand per individual across local and state criminal justice and health systems. In contrast, the projected cost of a LEAD client, including intensive treatments and wrap-around services, was estimated at \$34 thousand per individual over 3 years. This estimate did not include Medicaid coverage.”

Services offered by the Santa Fe LEAD program include:

- Intensive case management
- Emergency, transitional and long-term supportive housing
- Substance abuse assessment and counseling
- Mental health assessment and counseling
- Psychiatric services
- Suboxone/Methadone treatment
- Harm reduction services
- Employment assistance
- Psychosocial rehabilitation (e.g. skills training, wellness)
- Sustenance care (e.g. food, clothing, transportation, cell phone)
- Legal Aid
- Community referrals

TRE/sb/al