



NEW MEXICO
LEGISLATIVE
FINANCE
COMMITTEE

Crime in New Mexico

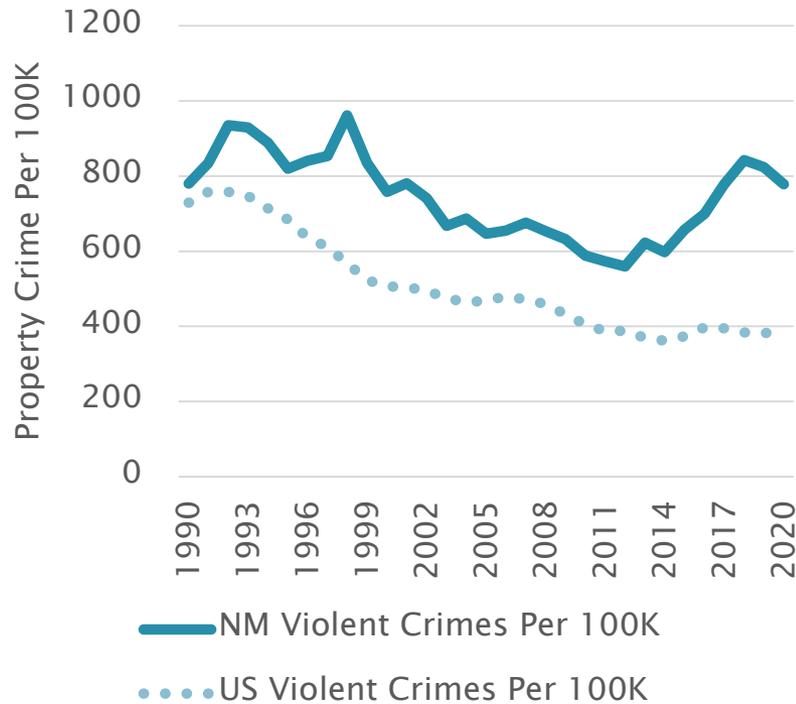
Ellen Rabin, Senior Fiscal Analyst, LFC
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Legislative Finance Committee

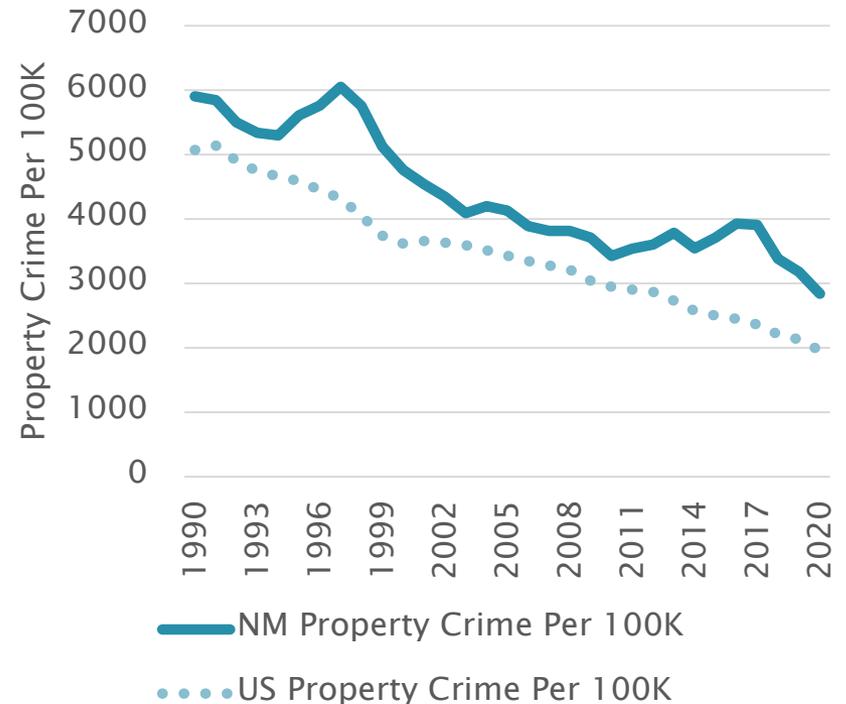
July 20, 2022

NM Violent and Property Crime Rates Remain Above US Rates Despite Improvements

Violent Crimes Per 100K Residents



Property Crimes Per 100K Residents

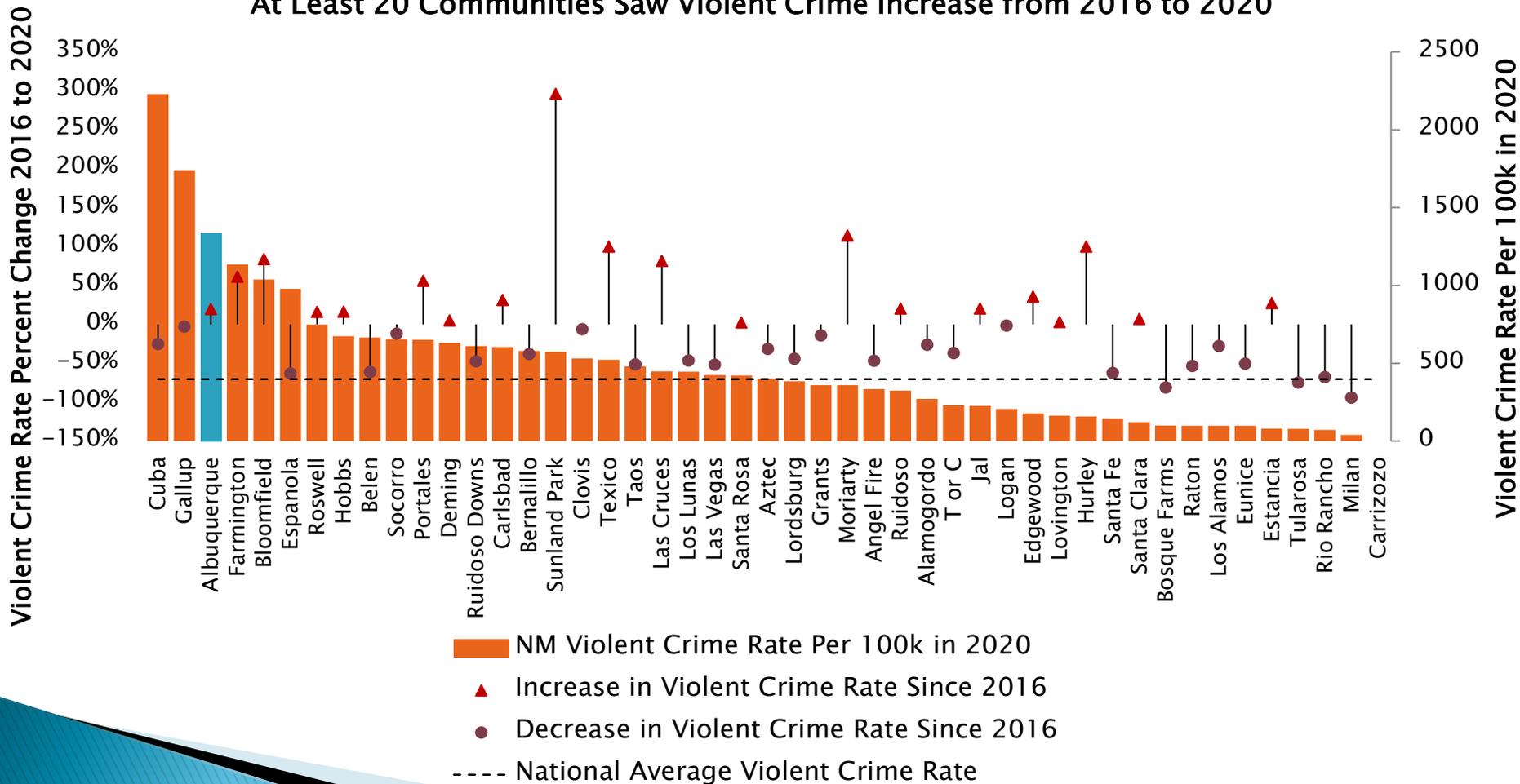


Violent crime rates declining since 2019

Property crime rates declining since 2017

Some NM Communities Saw Increases In Violent Crime

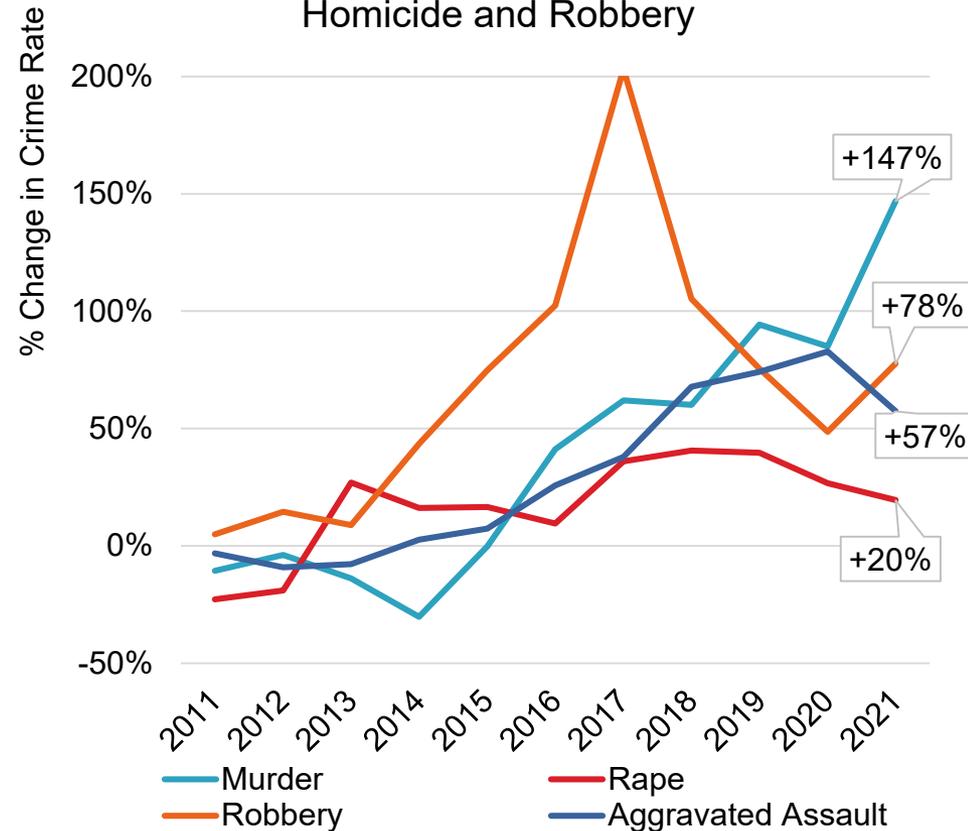
At Least 20 Communities Saw Violent Crime Increase from 2016 to 2020



In 2021, ABQ Violent Crime Rose in Several Categories

- ▶ Many large cities saw COVID related spikes in violent crime
- ▶ Note these crimes were trending upwards prior to COVID
- ▶ The largest increases have been in homicide and robbery
- ▶ In 2022 APD is on pace to match record levels of from 2021

Violent Crime Rates in Albuquerque Rose since 2011, With The Largest Increases in Homicide and Robbery



Source: FBI UCR

New Mexico lacks timely data on statewide crime trends

- ▶ LEAs are statutorily mandated to provide crime reports to DPS
- ▶ As DPS continues a multi-year transition to the new federal crime reporting system (NIBRS), the agency should be able to provide more timely data

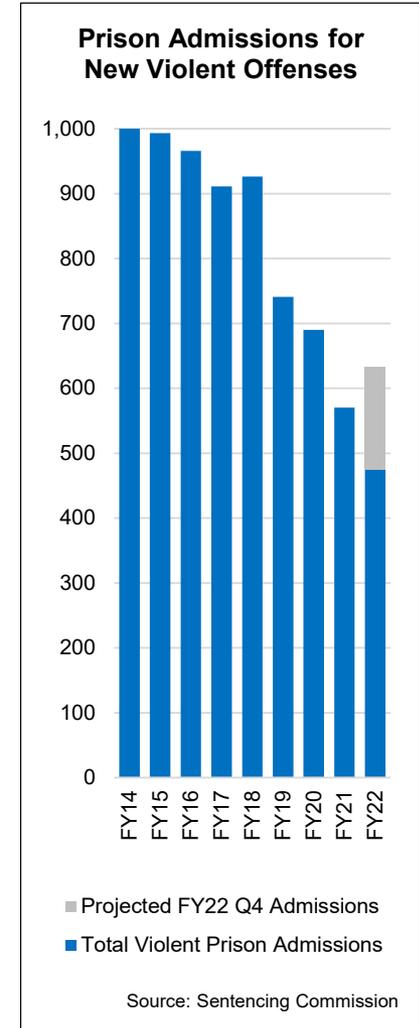
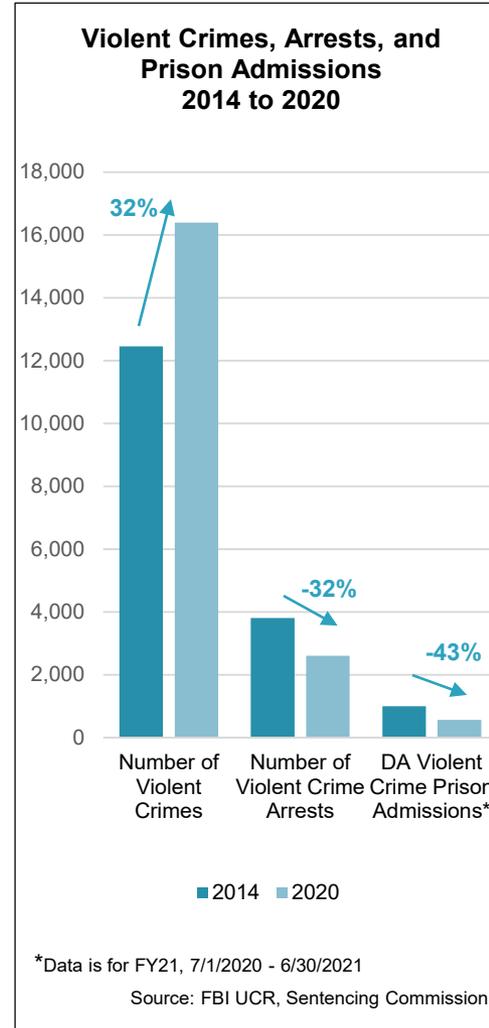
NIBRS Reporting Status of NM LEAs
35 Reporting
29 Testing
51 Not Reporting

Source: DPS

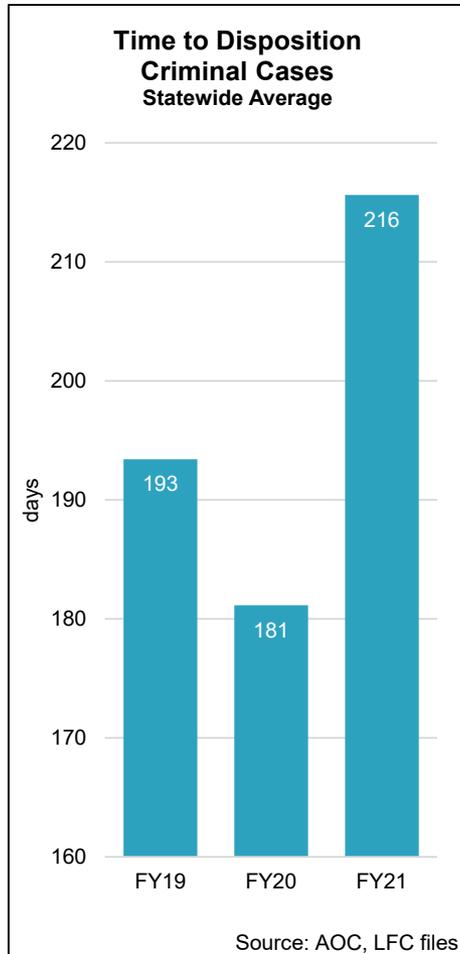
- The two largest LEAs in the state (APD and NMSP) are not currently reporting in the NIBRS system due to changes in their records management systems. DPS is currently working with APD to bring them into the testing phase and expects to begin testing with NMSP when its new system goes live in December
- ▶ 2022 HB68 (omnibus crime bill) provides a significant incentive to LEAs to comply with statutory reporting requirements, as they stand to lose LEPF funding if they do not. DPS received additional funds to help agencies report.

Certainty of justice has deteriorated

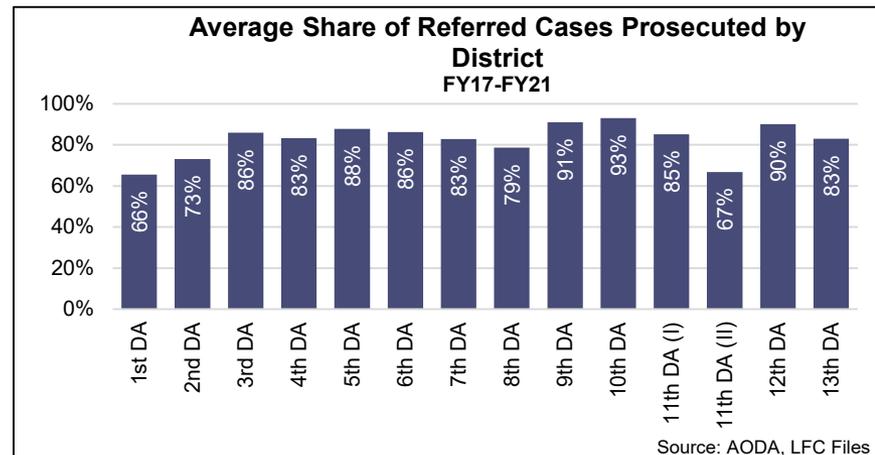
- ▶ 2018 and 2021 LFC Reports Noted An “Accountability Gap” in Bernalillo County
- ▶ Violent crime arrests and prison admissions have not tracked with crime increases
 - Since 2014, violent crime is up over 30 percent while arrests and prison admissions for violent crimes are down over 30 percent



Swiftmess of justice may be slowing



- ▶ Reductions in arrest and prosecutions appear to have reduced judiciary workload, with fewer cases coming into the system
 - Between FY17 and FY21, total prosecutions dropped 27 percent, and the share of referred cases prosecuted fell from 79 percent to 70 percent
- ▶ Despite lower workloads, cases are taking longer to resolve in most districts



Post-Session Review

- ▶ In advance of the 2022 session, Chair Lundstrom convened a group of legislators to discuss improvements to the criminal justice and public safety system
- ▶ Rep. Ely and LFC staff conducted follow-up work to incorporate ideas generated at this meeting into the budget
- ▶ The GAA and HB68 supported many of these recommendations and addressed numerous issues inside and outside the criminal justice system, including:¹
 - Improvements to law enforcement recruitment, retention, and training
 - Providing for 24/7 electronic monitoring during pretrial supervision
 - Expanding grant programs to reduce crime and violence
 - Significantly increasing funding for behavioral healthcare

¹More detailed outline attached at end of slide show.

Outstanding Issues

- ▶ Need improved utilization of care addressing root causes (LFC studying this now)
- ▶ Expand opportunities for Medicaid-funded MAT in the community for justice-involved populations, including individuals on pretrial services or community supervision and those involved in drug courts
- ▶ Ensure police training and oversight is adequate, especially training in evidence-based policing tactics and in-service training in new practices¹
- ▶ Monitor law enforcement recruitment and retention efforts and impact of legislative investments and new grant programs
- ▶ Consider legislation establishing basic requirements and use of pretrial best practices¹ (LFC will hold a LegisSTAT hearing on AOC/pretrial this fall)
- ▶ Consider reforming probation and parole to reduce reincarceration for technical parole violations²
- ▶ Consider proposals to better connect offenders reentering the community with employment opportunities
- ▶ NMCD should fully implement COMPAS, implement MAT, and better track and evaluate programming outcomes²

¹See [2018 LFC Bernalillo County Crime evaluation](#)

²See [2018 LFC NMCD Evaluation](#)

2022 Interim / 2023 Legislative Session Preview

- ▶ Staff stand ready to assist members in developing a criminal justice/public safety work plan and ensure the budget recommendation supports legislative policy priorities
- ▶ Requests from CCJ chairs:
 - Research issues in court productivity
 - Assist in developing qualifications and duties for CCJ staff



Questions?



NEW MEXICO LEGISLATIVE FINANCE COMMITTEE

For More Information

- [2022 Volume 1](#): Pages 55 to 67
- [2022 Post-Session Review](#): Pages 24 to 28, Pages 84 to 86
 - [Session Publications - Budgets](#)
 - [Performance Report Cards](#)
 - [Program Evaluations](#)

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Appendix Z - Public Safety Package Appropriations Summary

PUBLIC SAFETY PACKAGE Summary of Relevant Appropriations, 2022 Legislative Session (dollars in thousands)

Goal	Agency	Laws 2022, Chapter 54 Recurring		Laws 2022, Chapter 54 Nonrecurring	
		GF	Other	GF	Other
Prioritize Treatment					
Increase behavioral health, child welfare, and school workforce	HED			\$ 50,000.0	
Evidence-based behavioral health and child welfare capacity building and training	HSD			\$ 20,000.0	
Trauma responsive and evidence-based behavioral healthcare	HSD	\$ 850.0			
988/Crisis Now behavioral health crisis response system (Note A)	HSD	\$ 1,500.0		\$ 2,325.0	
Expand community schools	PED				\$ 8,000.0
NMCD reinvestment into evidence-based programs and supportive housing (Note B)	NMCD	\$ 2,100.0			
Compensation increase for correctional officers (7 percent)	NMCD	\$ 3,684.9	\$ 616.5		
Subtotal	Subtotal	\$ 8,134.9	\$ 616.5	\$ 72,325.0	\$ 8,000.0
Ensure Swift and Certain Justice					
Improve Policing					
Increase state police officer compensation (15.9 percent) (Note C)	DPS	\$ 8,375.5	\$ 461.0		
Add support staff for the forensic laboratory and increase compensation for forensic scientists and technicians, dispatchers, and other DPS employees (Note F)	DPS	\$ 2,420.9	\$ 300.4		
Increase funding for training statewide through the New Mexico Law Enforcement Academy and increase staff and resources for the Law Enforcement Academy Board (partially contingent on HB68) (Note D)	DPS	\$ 693.1	\$ 200.0		
Grants to law enforcement agencies for evidence-based police training	DFA			\$ 4,000.0	
Expand state police recruit and lateral schools	DPS	\$ 2,000.0			
Retention differentials for law enforcement officers (contingent on HB36/HB68) (Note E)	DFA			\$ 5,000.0	
Recruitment and retention slipends for local law enforcement agencies	DFA			\$ 50,000.0	
Increase state police advanced training initiatives, including establishing a law enforcement assisted diversion (LEAD) program within state police	DPS	\$ 140.0		\$ 892.8	
Expand intelligence-led policing capabilities (IT)	DPS			\$ 3,380.0	
Increase civilian support for state police	DPS	\$ 1,299.6			
Job task analysis for law enforcement officers statewide	DPS			\$ 250.0	
State police vehicles	DPS			\$ 9,000.0	
Increase Cooperation and Coordination among Criminal Justice Partners					
Expand crime reduction grant program (partially contingent on HB34/HB68) (Note F)	NMSC	\$ 150.0		\$ 2,000.0	
Help bring local law enforcement agencies into compliance with statutory reporting requirements	DPS	\$ 100.0			
Statewide criminal justice data sharing system (DataXchange)	AOC		\$ 350.0		
Expand criminal justice data integration work	NMSC	\$ 50.0			
Expand county detention fund	DFA	\$ 2,612.5			
Increase Resources for Courts and Pretrial Services					
Strengthen pretrial services and supervision (including training for local pretrial programs, courts, and staff) and ensure 24/7 coverage (Note G)	AOC/ Courts	\$ 289.2		\$ 5,148.0	
Create additional judgeships (contingent on HB124/HB68) (Note H)	AOC	\$ 612.0			
Raises for district, magistrate, and statewide judges (17 percent) and all other court personnel (9 percent)	AOC	\$ 4,146.1			
IT enhancements for remote court appearances	AOC			\$ 135.0	
Clear backlogged jury trials	PDD			\$ 200.0	
Subtotal	Subtotal	\$ 22,888.9	\$ 1,311.4	\$ 80,005.8	\$ -
Address Victim and Community Needs					
Establish a Violence Prevention Office and provide grants to implement violence intervention programs statewide (relates to HB96/HB68)	DOH	\$ 2,000.0		\$ 9,000.0	
Increase funding for sexual assault programs and other victim services (partially contingent on SB118 - failed contingency) (Note I)	CVRC	\$ 2,258.5	\$ 1,300.0	\$ 1,500.0	
Increase funding for domestic violence programs (partially contingent on SB118 - failed contingency) (Note I)	CYFD	\$ 3,500.0	\$ 1,000.0	\$ 500.0	
Youth re-employment and apprenticeships	WSD			\$ 5,000.0	
Establish Job Challenge Academy for at-risk youth	DMA	\$ 500.0	\$ 1,500.0	\$ 250.0	\$ 750.0
Subtotal	Subtotal	\$ 8,258.5	\$ 1,500.0	\$ 16,250.0	\$ 750.0
Total HAFIC Substitute for HB2 & 3		\$ 39,282.3	\$ 3,427.9	\$ 168,580.8	\$ 8,750.0
SB212 (STB Bill): State Police Command Center (Albuquerque)	DPS				\$ 20,000.0
SB212 (STB Bill): Public Safety Radio Communications (P25)	DoIT				\$ 26,000.0

Legend

Failed-Contingency
Vetoed

Notes

- A Nonrecurring funding reflects FY22 supplemental appropriation.
- B Funds are reallocated from savings elsewhere in the Corrections Department budget due to population reductions.
- C HAFIC substitute for HB2 and 3 includes \$520.2 thousand in other state funds from the law enforcement retention fund, which is contingent on enactment of legislation creating the fund (HB36/HB68). These funds are not included in line 11, as they would be appropriated from the \$5 million appropriation in line 16.
- D Source of recurring other funds is the law enforcement protection fund (LEPF). This \$200 thousand appropriation is contingent on enactment of legislation expanding allowable uses of the LEPF (HB68).
- E Funds are appropriated to DFA to fill the proposed law enforcement retention fund, which will provide 5 percent raises to all law enforcement officers statewide at five-year milestones. Although the governor vetoed language stating this appropriation is contingent on enactment of HB36 or similar legislation (HB68) to create the law enforcement retention fund, the partially vetoed appropriation is to the fund, which would not be created without HB36/HB68.
- F \$2 million special appropriation from the general fund is contingent on enactment of HB34 or similar legislation (HB68) expanding the allowable uses of crime reduction grants.
- G House Bill 2 of the 2021 second special session also appropriated \$500 thousand from American Rescue Plan Act funds for this purpose.
- H Funds are contingent on enactment of HB124 or similar legislation (HB68) to create additional judgeships in the 5th and 13th Judicial Districts.
- I Other funds are from the early childhood education and care fund, contingent on enactment of SB118 or similar legislation expanding the allowable uses of the fund. Neither SB118 nor any similar legislation passed during the 2022 legislative session; these are failed contingencies.

LFC 2022 Interim Work Plan

Justice & Public Safety Detail of Highlighted Items

LFC staff's 2022 interim work will relate to many of the outstanding issues from prior reports as well as follow-up on significant reforms and investments made as part of the omnibus crime bill and public safety funding package in the 2022 legislative session. Key work plan items include:

- Convene legislative public safety fiscal working group to propose cost-saving reforms and investments in evidence-based programming and other methods to improve criminal justice outcomes
- Convene a panel of experts to provide insight on current research- and evidence-based strategies to reduce violent crime outside the traditional criminal legal system (July 20)
- Monitor planning for new Law Enforcement Certification Board to ensure limitations of the existing Law Enforcement Academy Board are avoided
- Monitor and evaluate implementation and administration of over \$75 million in funds for public safety grant programs established by HB68 and/or the 2022 GAA to ensure they are having the intended impact, including establishing performance measures
- Monitor AOC and court efforts to provide 24/7 pretrial supervision monitoring and improve pretrial services
- Evaluate proposals to expand supervision, increase detention, or change requirements to allow noncourt personnel to access GPS location monitoring records
- Examine the process of granting and revoking parole (including analyzing parole files, attending hearings, and interviewing and observing NMCD reentry staff and probation and parole officers) and provide policy and budgetary recommendations to address issues in this area to reduce barriers to successful reentry and reintegration (including reduced rates of incarceration of release-eligible inmates and parole revocations)
- Use NMCD's programming plan (due September 1) to assess the agency's FY24 budget request and direct funds to effective programs
- Monitor NMCD reentry and recidivism reduction programming pilot projects

New Mexico’s violent crime rates—the second-highest in the nation in 2020—were a focus of the 2022 legislative session as legislators sought effective solutions to reduce violence. The criminal justice system often deals with downstream effects of failures outside the system, and a broader view of public safety requires examining the impact of such factors on crime as well as the role of the system itself. A growing body of research has identified many approaches inside and outside the system that can serve as effective deterrents. Significantly, these interventions may help prevent crime, not simply address its effects.

This brief outlines research in three areas with the potential to prevent crime: healthcare, infrastructure, and policing. It provides relevant context from New Mexico to help better understand the applicability of academic research, and outlines next steps to formulate impactful, outcome-focused recommendations.

Healthcare

A growing body of research has found increased healthcare coverage—particularly through Medicaid—may reduce crime and recidivism, primarily due to increasing access to mental healthcare and substance-use disorder (SUD) treatment for vulnerable populations. Many studies have also demonstrated the benefits of reduced crime and incarceration exceed the cost of healthcare coverage, with some suggesting a significant return-on-investment for providing coverage. Research shows the presence of mental health treatment in communities itself may reduce crime, with increased providers leading to reduced crime, and a large number of studies have demonstrated the effectiveness of SUD treatment in reducing crime and recidivism. Increasing healthcare coverage increases the ability for individuals to access such treatment, and appears likely to result in substantial crime reductions.

States that expanded Medicaid under the Affordable Care Act saw violent crime drop about 5 percent. Young adults see substantial benefits from Medicaid coverage and harms from losing coverage, with coverage for children associated with reduced rates of incarceration and loss of coverage for young adults associated with a much higher risk of imprisonment. That risk is even higher for individuals with mental health issues. Similarly, Medicaid coverage for former inmates reentering the community has a significant impact on those offenders’ outcomes, with studies suggesting coverage could lead to double-digit drops in one-year recidivism rates.

Healthcare and Crime in New Mexico

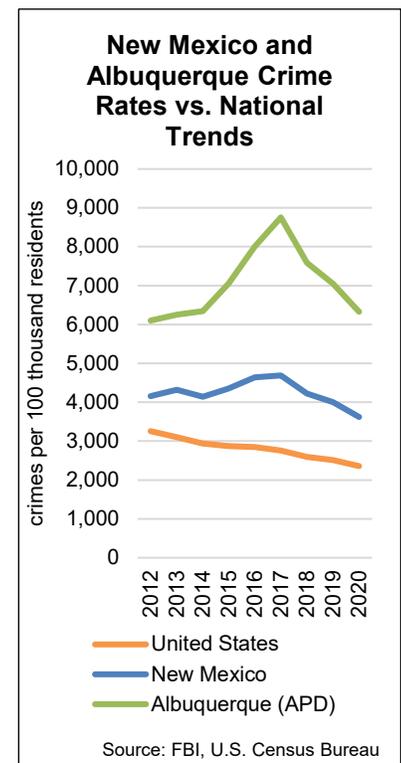
Almost half of New Mexico’s population is enrolled in Medicaid, with the state’s program the largest per-capita program in the country. Although research would suggest such coverage should reduce the state’s crime rates, New Mexico had the highest overall crime rate and the second-highest violent crime rate in the country

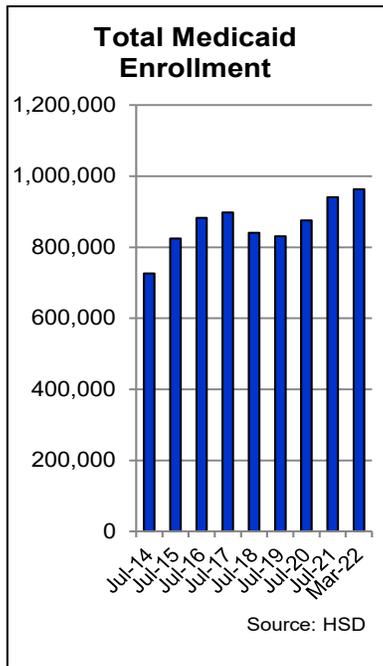
DATE: July 20, 2022

PURPOSE OF HEARING: Review research into effective interventions to reduce violent crime and actions taken by other states.

WITNESS: Dr. Jennifer Doleac, Associate Professor of Economics, Texas A&M University; Anne Teigan, Associate Director, Criminal and Civil Justice Program, National Conference of State Legislatures; Kate Bryan, Policy Analyst, Criminal and Civil Justice Program, National Conference of State Legislatures

PREPARED BY: Ellen Rabin, Senior Fiscal Analyst, LFC





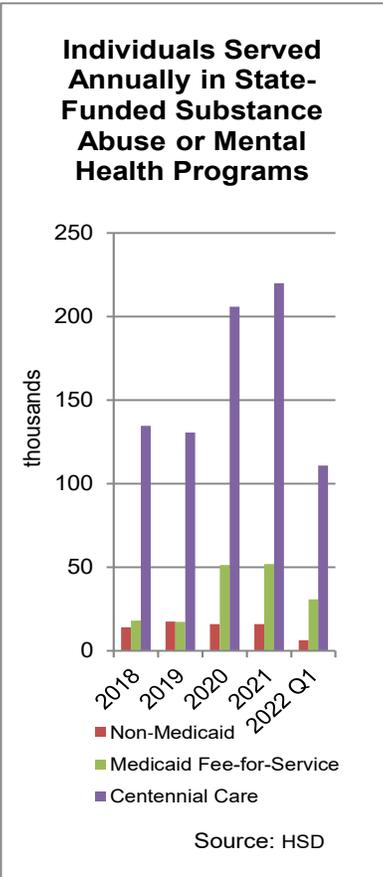
in 2020. Even as the state tripled its spending on core substance use services between 2014 and 2020, its violent crime rate rose 30 percent.

This disconnect points to additional barriers to the utilization of effective substance-use disorder treatment and mental healthcare for the Medicaid population. Indeed, over the same period as the state increased its spending on these services and increased service delivery by 85 percent, drug overdose and alcohol-related death rates rose by 43 percent and 49 percent, respectively.

In January 2020, the Department of Health (DOH) completed a gap analysis for substance use disorder treatment and estimated 134 thousand New Mexicans were in need of treatment but not receiving it. The department identified the largest treatment gap for alcohol disorders, with 73.2 thousand people in need of treatment but not receiving it.

New Mexico has increased the number of behavioral healthcare providers available in the state, but barriers to utilizing the most effective services remain. Although several DOH facilities offer evidence-based programs, some are operating at less than half their licensed bed capacity. Additionally, utilization of some key substance use services, such as methadone administration and residential treatment, declined between 2018 and 2020.

While Covid-19 exacerbated difficulties in accessing in-person treatment, other barriers may persist. Some evidence-based treatment approaches are still limited or seeing implementation issues; for example, about one in three hospitals were not offering medication assisted therapy (MAT) in FY21, and MAT is mostly unavailable in jails and prisons, despite an estimated 85 percent of prisoners having an active SUD or being incarcerated for a crime involving drugs.



During the 2022 session, lawmakers prioritized behavioral health treatment with \$72.3 million in nonrecurring and \$2.4 million in recurring funds to increase the state’s behavioral health workforce, expand behavioral healthcare resources, and implement a 988 Crisis Now behavioral health response system. It remains to be seen if these expansions will have the desired impact.

Next Steps

LFC’s program evaluation team is undertaking a project examining Medicaid network access and utilization, which it plans to complete this winter. This evaluation will better clarify the barriers to access and utilization that currently exist and make recommendations for improvements. The impact of such improvements will likely have effects outside the healthcare system, including on crime, and should be considered in this light.

Infrastructure

A number of studies have found the physical characteristics of neighborhoods, particularly low-income neighborhoods, play a role in crime and crime prevention. Infrastructure-based interventions, such as “greening” vacant lots and increasing street lighting, can reduce crime and gun violence. Several studies have identified greening vacant lots as a factor in reduced firearm violence, and one study found the presence of tree cover itself may reduce gunshot assaults. Some research has found impacts on other crime types, including burglary, nuisances, and aggravated assault, which may or may not involve a firearm. Another study found well-

maintained vacant lots and parks were associated with a reduced risk of adolescent homicide. A randomized controlled trial in New York City found communities in which outdoor lighting around public housing developments was increased saw a 36 percent to 60 percent reduction in many types of crimes committed outdoors at night, with significantly reduced arrests suggesting lighting likely has a deterrent effect on crime.

Infrastructure and Crime in New Mexico

These findings suggest links between neighborhood features and crime in New Mexico communities should be examined to determine if similar patterns exist and identify potential areas for strategic infrastructure investment. The primary mechanism through which the state usually invests in these types of interventions is capital outlay funding, but the process for allocating those funds is not designed to prioritize investments based on outcomes.

A review of state capital outlay investments between FY18 and FY21 shows just nine counties received funding for street lighting, a total of \$7.9 million, with an average per-capita investment in such projects of \$3.73 statewide and \$6.06 among counties receiving funds. Over the same period, 26 counties received capital appropriations for parks and recreation totaling \$92.2 million; it is unclear if any of this targeted vacant lot rehabilitation or redevelopment.

Notably, some of the most dangerous areas have received relatively low investments in these types of infrastructure. Although insufficient data exist to reliably compare county crime rates, DOH data show that, among counties receiving street light funding, counties with the highest per-capita investments had the lowest levels of firearm-related deaths in 2020, while most of those receiving the lowest levels of funding had the highest rates of such deaths. The eight counties with the highest rates of firearm-related deaths in 2020 (Quay, Luna, Sierra, Chaves, Lincoln, Taos, Valencia, and Torrance) did not receive any state-level capital investments in street lighting over this four-year period.

Although Albuquerque drives the state’s high crime rates (the city is responsible for almost half the state’s crimes with just over a quarter of its population), Bernalillo County received one of the lower levels of per-capita investment in streetlights among counties receiving such funds. Bernalillo County received the largest share of funds for parks and recreation (\$46.7 million), but the per-capita rate of investment in such projects was about half that of San Miguel County.

Next Steps

Additional research is needed to provide comparable data on crime rates and the status of infrastructure in specific areas and neighborhoods to help pinpoint places that may benefit from additional capital investment in these types of projects. Legislators may wish to consider using such information to prioritize allocation of local capital outlay funding in a manner that could help reduce crime rates.

Capital Outlay Investments in Street Lighting

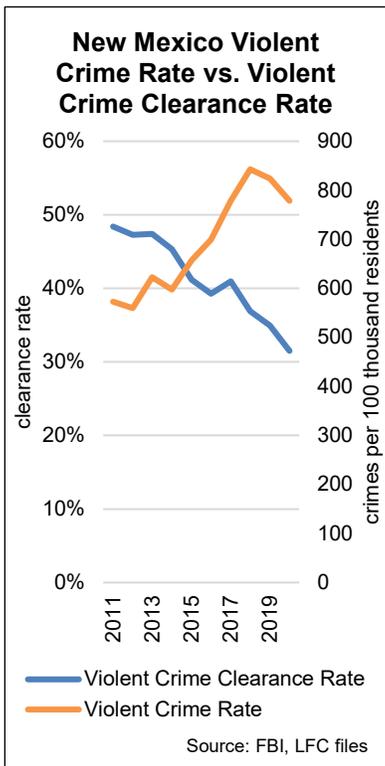
County	Per-Capita Capital Outlay Investment 2018-2021	Firearm-Related Death Rate 2020
Union	\$73.05	0.0
McKinley	\$32.99	10.8
Rio Arriba	\$12.44	8.0
Dona Ana	\$10.12	16.8
Colfax	\$2.83	20.4
Bernalillo	\$2.70	25.2
San Juan	\$2.07	26.1
Santa Fe	\$1.47	13.8
Sandoval	\$0.92	25.3

Source: DOH, U.S. Census Bureau, LFC files

Capital Outlay Investments in Parks and Recreation

County	Per-Capita Capital Outlay Investment 2018-2021
San Miguel	\$143.1
Harding	\$104.2
De Baca	\$89.3
Luna	\$79.7
Grant	\$78.7
Valencia	\$75.5
Bernalillo	\$69.3
Rio Arriba	\$55.8
Chaves	\$54.5
Dona Ana	\$52.5
Guadalupe	\$35.5
Sierra	\$32.6
Colfax	\$32.3
Los Alamos	\$31.0
Torrance	\$27.4
Cibola	\$22.3
Sandoval	\$22.1
Lea	\$19.9
San Juan	\$19.4
Socorro	\$16.3
Taos	\$15.0
Santa Fe	\$14.1
Curry	\$10.4
McKinley	\$4.9
Otero	\$4.4
Lincoln	\$3.7

Source: U.S. Census Bureau, LFC files



Policing

Research suggests increasing the number of law enforcement officers and allocating officers in a manner that heightens the perceived risk of apprehension helps deter crime. Although researchers generally agree adding officers reduces crime, growing police forces may also have some negative consequences. Expanding police presence in disadvantaged communities often fails to improve community members’ perception of their safety or police legitimacy, and a recent study found larger police forces make more arrests for low-level offenses, which can increase use of force or raise the likelihood of future criminal behavior from arrestees.

While some causes of police violence have been identified, effective solutions remain elusive. Research suggests proper training is more likely to reduce excessive force than hiring policies. Trainings to address officer behavior include implicit bias training, de-escalation training, and crisis intervention training. Evaluation of these programs’ impact is limited, however, and they may not alter long-term behavior without strong use-of-force policies and accountability. While research has identified some causes of police violence, effective solutions remain elusive.

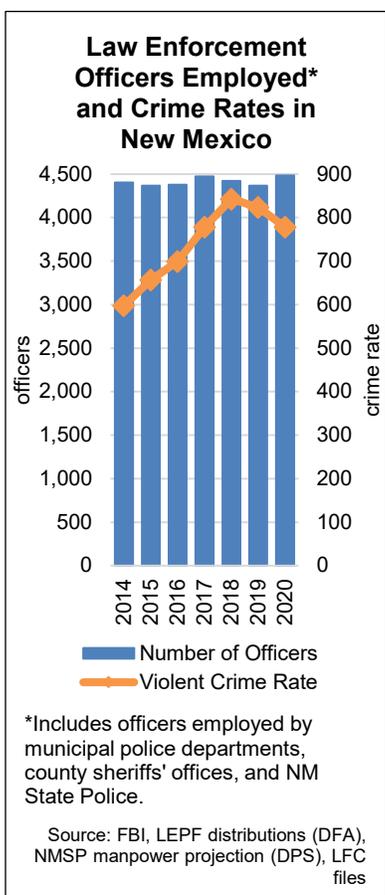
Policing and Crime in New Mexico

Falling violent crime case clearance rates—the rate at which crimes are closed, generally by arrest—at New Mexico’s law enforcement agencies suggest the state is failing to create the deterrent of high apprehension risk. Between 2014 and 2020, the state’s violent crime rate rose 30 percent, while the number of cases cleared fell 13 percent. Between 2014 and 2020, the Albuquerque Police Department reported a 167 percent rise in homicides and a 42 percent reduction in cases cleared.

Larger police forces could help ameliorate this problem, but New Mexico has struggled to grow its law enforcement workforce over the past 10 years. Between FY12 and FY21, the number of certified law enforcement officers employed by municipal police departments, county sheriffs’ offices, and state police grew just 1.8 percent, and the during the crime increase between 2014 and 2018, the number of law enforcement officers remained relatively stagnant (increasing just 0.4 percent). In 2020, law enforcement agencies nationwide employed an average of 2.4 officers per 1,000 residents, while New Mexico employed 2.2 officers per 1,000 residents at the beginning of 2021. To reach the national rate, the state would need to add 408 more officers, more than it has employed at any point in recent history.

While adding officers could help reduce some types of crime, New Mexicans may be particularly concerned about increased police presence because the state has the second highest per capita rate of people killed by police in the country over the past five years. From 2016 to 2020, 108 individuals were killed by police, a rate triple the national average. New Mexico law enforcement agencies reported 54 officer-involved shootings in FY21, a 35 percent increase from FY20, resulting in the deaths of 25 people.

The 2018 LFC evaluation of crime in Bernalillo County discussed supplementing the standard model of policing—a reactive model focused on responding to calls for service—with evidence-based programming and practices. Programs that address root causes of criminal behavior, such as law enforcement assisted



diversion (LEAD), have seen some success in New Mexico, while evidence-based practices for crime reduction, such as community-oriented policing, have faced significant implementation challenges.

During the 2022 session, the Legislature sought to balance these factors while improving policing by investing in recruitment and retention of high-quality law enforcement officers, enhancing officer training and education, expanding the use of evidence-based policing practices, increasing officer and agency accountability, and strengthening police oversight. This included significant investments in law enforcement compensation, both at the state and local level. The Legislature also enacted changes to law enforcement training and the system overseeing training and misconduct, the Law Enforcement Academy Board (LEAB), splitting the training and oversight functions of LEAB into two separate entities and enacting new training requirements aimed at reducing unnecessary uses of force. Some of these changes should improve the state's ability to ensure local law enforcement agencies comply with training and reporting requirements.

Next Steps

LFC staff will continue to monitor the impact of investments in law enforcement recruitment and retention at agencies statewide to assess their effectiveness. LFC staff will work with the Department of Public Safety as it develops the structure for the new entities overseeing law enforcement training and oversight and will recommend additional changes if necessary to aid in the implementation of the new structure. Ideally, these changes will provide necessary accountability for the state to implement new types of reforms aimed at improving policing and reducing misconduct.

Changes to Law Enforcement Training

2022 legislation requires the curriculum of basic and in-service training for officers and dispatchers to include crisis management and intervention, dealing with individuals who are experiencing mental health issues, methods of de-escalation, peer-to-peer intervention, stress management, racial sensitivity, and reality-based situational training. Officers must also receive use-of-force training that eliminates the use of choke holds.



 **NCSL**

State Approaches in Reducing Violent Crime

New Mexico Legislative Finance Committee
July 20, 2022

Anne Teigen, Esq., Associate Director
Kate Bryan, Policy Analyst
Criminal and Civil Justice Program

July 2022

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Who is NCSL

- Non-profit, bi-partisan organization.
- Members are all 7,383 legislators and 30,000 legislative staff in 50 states, D.C. and U.S. territories.
- Offices in Denver and D.C.
- Among our goals - To provide legislatures with information and research about policy issues, both state and federal.
- NCSL tracks state policy developments in all public policy areas.



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Overview

- I. Statewide Violence Prevention Funding
- II. Alternative Responses to Mental and Behavioral Health Crises
- III. Police Training and Community Response
- IV. Young Adults in the Justice System
- V. Reducing Recidivism
 - a) Employment
 - b) Secure Housing

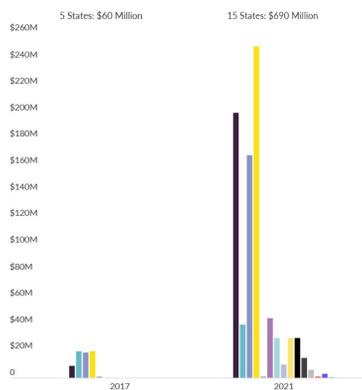


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State Roles in Supporting CVI



State Investment in CVI Initiatives



Source: Presentation - State Support for CVI: Trends and Best Practices, Mike McLively, Giffords Law Center

- Grantmaking for Community Violence Intervention (CVI) Programs:
 - Increasing.
- Regulation:
 - Training & Technical Assistance.
 - Evaluation Support.
- Messaging:
 - Convening to share best practices.
- Agency Action:
 - Centralized Coordination – Statewide OVP.

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Statewide Violence Prevention Legislation



Washington – Senate Bill 6288 (2020)

- Office of Firearm Safety and Violence Prevention.
- Grant funding for evidence-based violence reduction strategies.
- Data collection and reporting.
- Coordinating services for victims.
- Work with a variety of stakeholders.

California – Senate Bill 1418 (2021)

- Creates the Public Safety Collaborative Fund.
- Funds are used for violence prevention, intervention, and suppression activities.
 - Programs to address youth violence prevention and intervention in K–12 schools.
 - Programs to promote and enhance successful reentry into the community.
 - Programs to address homeless outreach and intervention efforts.

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Statewide Violence Prevention Legislation



Colorado – Senate Bill 145 (2022)

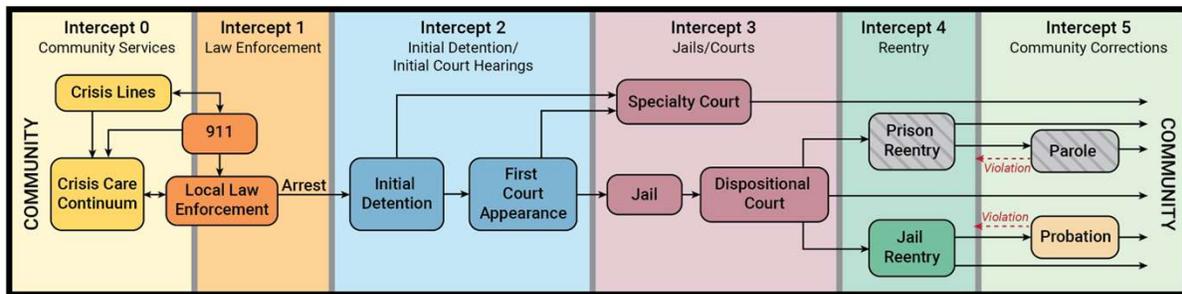
- Creates 3 grant programs:
 - Multidisciplinary crime prevention and crisis intervention.
 - Law enforcement workforce recruitment, retention, and tuition.
 - Assistance in recruitment and training to increase the number of P.O.S.T-certified law enforcement officers.
- Statewide forum facilitated by a national criminal justice organization to solicit suggestions on crime prevention measures related to the grant programs.

Indiana – Senate Bill 7 (2022)

- Marion County Violent Crime Reduction Pilot Project.
- Provide funding to law enforcement to provide additional services (including help from state police).
- Funding for violence prevention programs.
- Establishes a crime reduction board.

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Alternative Responses: The Sequential Intercept Model

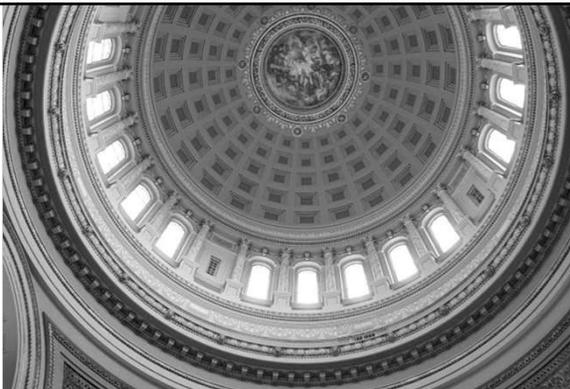


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[More info here.](#)

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Alternative Responses or "Deflection"



- Half of the states have laws addressing deflection programs.
- In addition to authorizing programs, states appropriated funds to support grant programs and/or pilot projects.

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Alternative Responses

Police-Mental Health Collaboration Programs

 <p>Crisis Intervention Teams (CIT) Crisis intervention teams are composed of experienced law enforcement officers who volunteer to receive specialized training to respond to mental health calls. These officers are then dispatched to mental health calls or assist other officers who are not CIT trained.</p>	 <p>Co-Responder Teams Trained law enforcement officers and mental health professionals who respond to mental health calls as a team and generally work together for an entire shift, riding in the same car.</p>	 <p>Mobile Crisis Teams Mental health professionals working as a team with specialized training to help stabilize individuals during law enforcement encounters and during crisis situations. Teams can respond to law enforcement or mental health calls.</p>	 <p>Case Management Teams Behavioral health professionals, law enforcement officers, peers and others that form a team to coordinate care and develop collaborative solutions to reduce repeat interactions with individuals.</p>	 <p>Crisis Stabilization Centers Facilities where law enforcement officers can take individuals experiencing mental health crisis that serve as alternatives to jail and emergency departments.</p>
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- Designed to reroute individuals away from justice system involvement prior to arrest or contact with law enforcement.
- Most developed at the local level, but state law occasionally plays a role.
- Exact elements of each model are generally unique to each community and impacted by available resources and community-based alternatives.

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Alternative Responses

- Colorado SB 207 (2017): Appropriates money from the Marijuana Tax Cash Fund to support a “crisis response system” that includes creating opportunities for mental health professionals to be embedded with first responders.
- Virginia SB 5038 (2020): Codified “community care teams.”
- Utah HB 32 (2020): Establishes Mobile Crisis Outreach Teams (MCOTs).
- New Jersey SB 722 (2022): Creates the Alternative Response to Reduce Instances of Violence and Escalation (ARRIVE) Together Pilot Program.

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Why Alternative Responses?



Decrease in Crime

- **Hamilton County, Ohio:** decreased jail space by 36%; observed decrease in crimes and arrests ([Engel et al., 2017](#)).
- **Tucson Police Department:** Mental Health Support Team has decreased the need for SWAT deployments for “suicidal barricaded subjects” which costs around \$15,000 per incident; SWAT calls decreased from an average of 14 per year in 2012-2013 to an average of 2.8 per year in 2014-2018 ([Council of State Governments, 2019](#)).

Decrease in Recidivism

- **Leon County, Florida:** diversion citations; 91% of participants successfully completed diversion program and 87% avoided additional arrest ([Kopak, A. & Frost, G., 2017](#)).
- **Charleston County, South Carolina:** individuals cycling repeatedly through jail three or more times in a two-year period decreased by 71% ([Annual Report, 2021](#)).

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- Codifying de-escalation and bias training requirements.
- At least 27 states and the District of Columbia have laws requiring officers to be trained to respond to mental health, substance use and behavioral disorder issues.
- Minnesota House File 2 (2020): minimum number of hours for crisis intervention and mental illness crisis training.
- Iowa House File 2647 (2020): mandates annual training which includes de-escalation techniques and methods of fostering relationships with the community.



Police Training and Community Response

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Police Training and Community Response



- Community policing:
 - Community partnerships.
 - Problem-solving techniques to proactively address public safety concerns.
- Community policing is a philosophy rather than a specific set of policies.
- Different in every locality based on the needs of the police and the people in each jurisdiction.



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Police Training and Community Response



COPS
Community Oriented Policing Services
U.S. Department of Justice



State

Handful of states have codified community policing in statute.

Federal

Interest at federal level.

Local

Pilot programs.

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Young Adults in the Justice System

9.5% of the U.S. population, yet account for 23% of all arrests.

Reoffend at a greater rate than the general population, 2x more likely to be a victim of serious violent offense.

Shift to strategies “outside the box” of traditional justice responses.

Pre-arrest diversion, population specific court proceedings, sentencing and corrections options.

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- Nearly 60 percent of formerly incarcerated people are unemployed one year after release.
- 25-50% of homeless people have been incarcerated.

Reducing Recidivism

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Employment



- Criminal Records
 - Automatic Expungement
 - ~ 7 states have “Clean Slate” Laws.

- Ban The Box
 - 27 states have Ban the Box legislation.



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Housing



- **HUD mandated guidance.** Implemented a two-step process:
 - Assess any criminal convictions using “the Grid”: categories of crimes and look-back periods for which further review is required
 - Conduct individualized assessment for applicants whose convictions require further review
- The Housing Authority of New Orleans (HANO) in 2016 **removed their policy to screen out potential tenants with criminal records** from housing assistance.
- Panel in review **process accounts for criminal history, rehabilitation, community support and employment.**
- More information: [Housing Justice Network](#)

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- Recently enacted programs for existing or pilot programs to provide reentry and housing transition services for adult and/or juvenile offenders:
- **California** ([A 1318, 2021](#))
- **District of Columbia** ([Act 24-159](#))
- **Nebraska** ([HB 1011, 2021](#))
- **Washington** ([HB 1186, 2021](#))
- **West Virginia** ([H 3304, 2021](#))



Housing

State Legislative Action

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Resources



Resources are linked throughout the slides, but other notable resources include:

- [Co-Responder Programs](#) (Colorado Behavioral Health Administration)
- [Law Enforcement Statutory Database](#) (NCSL)
- [Mental Health Emergencies, Law Enforcement and Deflection Pathways](#) (NCSL)
- [The Legislative Primer Series on Front-End Justice: Young Adults in the Justice System](#) (NCSL)
- [NCSL's Criminal Records and Reentry page](#)

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Questions?



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What Works to Reduce Violent Crime

Prof. Jennifer Doleac

Texas A&M University

JUSTICE
TECH LAB

What works to reduce violent crime?

- Today I'll tell you about several strategies backed by rigorous research evidence
 - What makes research “rigorous”?
 - A **good control group** that tells us what would have happened without the intervention
 - Economists look for “natural experiments” when randomized trials aren't possible
 - For example: staggered rollouts of programs across groups or states, age or risk score cutoffs, waitlists for program participation, arbitrary assignment to judges or case workers
- What about programs that aren't (yet) supported by research evidence?
 - There are lots of other things we can (and should!) try
 - But keep in mind: **Lots of well-meaning policies don't work in practice**
 - Some even backfire!
 - We should:
 - Be humble about how difficult it is to solve complex social problems
 - Carefully evaluate what we try to make sure we're moving in the right direction

Increasing the probability of getting caught

- One reason we punish people for crime is to deter future crime
 - People respond to incentives, so increasing the expected cost of committing crime should reduce criminal behavior
 - Two ways to make criminal behavior more costly:
 - (a) Increase length of sentence
 - (b) Increase probability of getting caught
- It turns out that (a) doesn't work!
 - Would-be offenders don't think very far into the future, so adding years to a potential sentence doesn't change behavior today
 - **We don't get much deterrent effect from longer sentences**
- But (b) works very well!
 - Increasing the probability of getting caught increases short-term consequences
 - This has a dramatic effect on violent crime



How to increase the probability of getting caught: Hire more police

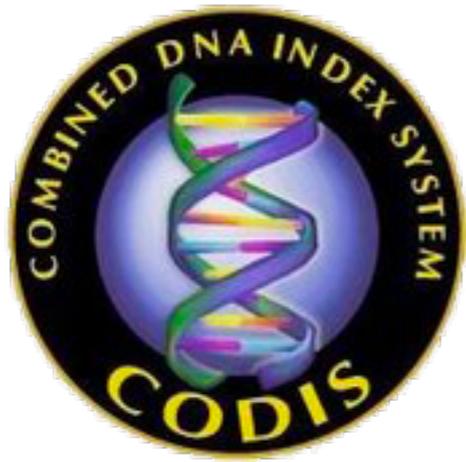
- There is lots of strong evidence that **increasing police presence reduces violent crime**, particularly homicide
 - Having more police around increases the probability that people will get caught when they commit crime
 - Hiring more police is therefore an excellent strategy to reduce violence
- Big caveat:
 - Increasing police presence can also have social costs
 - Unnecessary arrests, use of force
- We need **more and better** policing
 - How do we achieve the benefits of policing, with fewer costs?
 - Some options: Better training, greater accountability
 - This is the research & policy frontier! Happy to talk more about this in Q&A



How to increase the probability of getting caught: Technology

- Many high-tech tools can increase detection — this deters crime
- Two examples:

- **DNA databases**



- Adding people to law enforcement DNA databases allows them to be matched to DNA from crime scenes where they might not otherwise have been a suspect
- This increases the probability they'll get caught
- Evidence from the US & Denmark:
 - Adding people charged with felony crimes reduced future charges by over 40%
 - Effects driven by young adults (under 25)

- **Cameras**



- Cameras in public places increase the likelihood that offenders will be identified
- Even if not monitored in real time
- Evidence from Sweden, Colombia, Uruguay: Cameras reduce robbery and other violent crime

Leniency toward first-time (nonviolent) offenders

- We used to think that severe punishment for minor offenses would deter crime
 - “Broken windows” policing
- Recent evidence shows this isn’t true
 - **First-time offenders are at a fork in the road**
 - We can pull them into the CJ system, or send them on their way
 - It turns out that erring toward leniency at this stage reduces future crime



Leniency toward first-time (nonviolent) offenders

- **Nonviolent misdemeanors:**

- Evidence from Suffolk County, MA (Boston):
 - Dropping charges at arraignment hearing reduces future charges by over 50% (including for violent crimes)
 - Effects driven by first-time defendants

- **Nonviolent felonies**

- Evidence from Harris County, TX (Houston):
 - Deferred adjudications (dropping charges after a probationary period) reduces future convictions by 48-66% (including for violent crimes)
 - Also increases future employment & earnings over subsequent 10 years
 - Effects driven by first-time felony defendants
- Giving people a second chance to avoid a first conviction has big public safety benefits

Access to mental health care

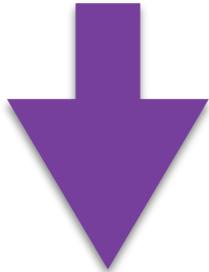
- 44% of jail inmates and 37% of prison inmates have a history of mental health problems
 - This can lead to self-medication (alcohol & drugs)
 - 42% of jail inmates and 47% of prison inmates met criteria for drug dependence
- Increasing access to mental health care prevents violent crime:
 - **In several states:** Expanding Medicaid to include low-income, childless adults reduces violent crime by 5-6%
 - Increases access to mental health care and substance use treatment
 - **In several states:** Each additional substance use treatment center that opens in a county reduces homicide by 0.2%
 - **South Carolina:** Removing young adults from Medicaid at age 19 increases likelihood of incarceration in the next two years by 15%
 - Effects are driven by those with mental health histories, and are larger for those who used Medicaid to access medication related to mental health treatment
 - **Missouri:** Connecting those with mental health needs to local health care services (very light touch intervention!) reduced future arrests by 16%

Summer jobs for teens

- Lots of evidence that Summer Youth Employment Programs (SYEPs) reduce violent crime
 - Provides a part-time, minimum wage job during the summer months
 - These programs are often capacity-constrained, so jobs are allocated by a fair lottery
 - This enables **randomized controlled trials!**
 - Research shows the offer of a summer job has the following effects:

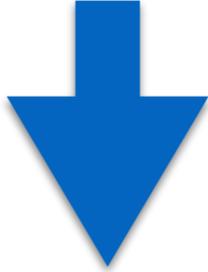
Chicago

Violent
crime arrests

 **33-42%**

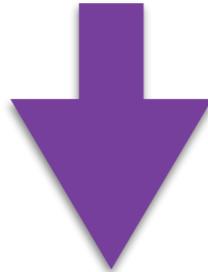
Boston

Violent
crime arrests

 **37%**

NYC

Deaths (mostly
homicide)

 **18%**

Summer jobs for teens

- Why do summer jobs this work?
 - It's not just giving teens something to do during the summer — effects last long after summer jobs end
 - Mechanisms seems to be some combo of:
 - Giving teens a glimpse of a different path, giving them something different to aspire to
 - Supervisors serve as informal mentors who help teens learn how to interact with adults, handle workplace disagreements, etc.
 - Could spill over into other interactions at school & in the world

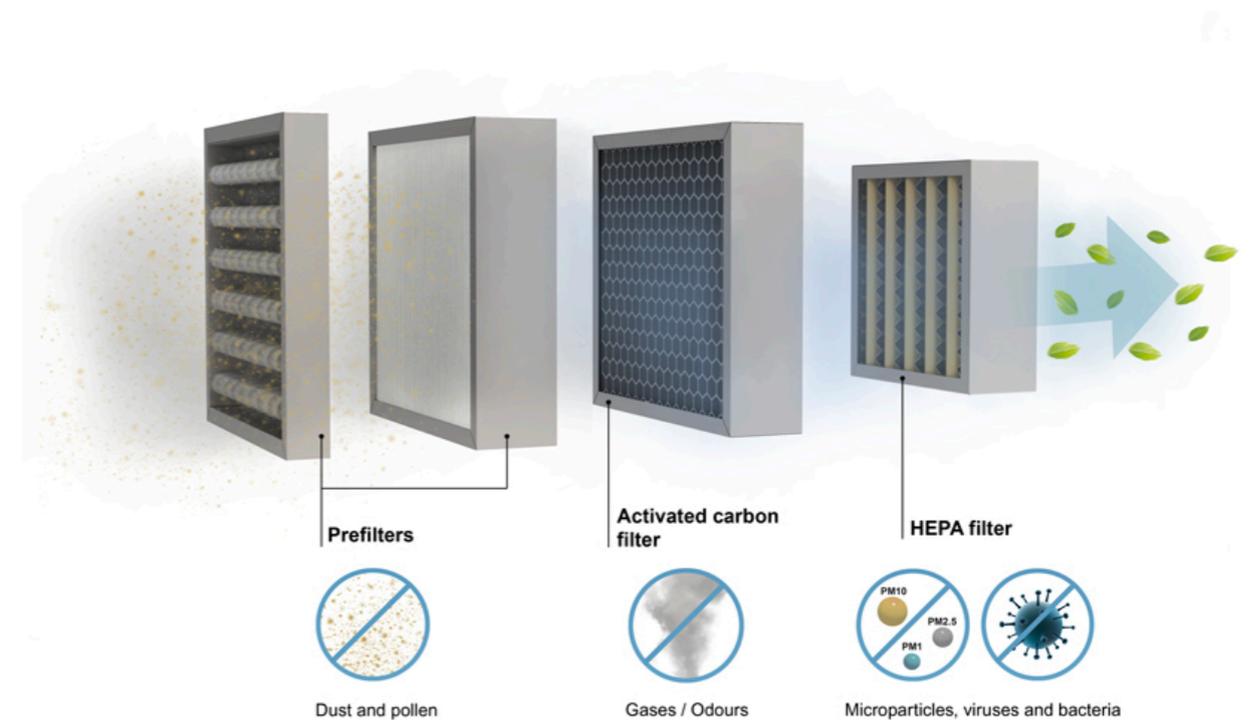


Public assistance

- Public assistance for adults can prevent a first offense and reduce recidivism
 - Access to food stamps reduces recidivism
 - Access to housing reduces future criminal charges (especially among those with prior criminal justice involvement)
 - Access to welfare/SSI for young adults reduces future criminal charges
- Effects are typically larger for income-generating crimes, including robbery
- Felony convictions often bar people from receiving public assistance
 - This is counterproductive!
- **Public assistance also has long-term & intergenerational benefits**
 - Implementation of Head Start reduced CJ involvement of next generation (kids of those who received Head Start)
 - Access to food stamps in early childhood reduces CJ involvement later in life
 - Improving healthcare & nutrition appears to be particularly beneficial

Reducing exposure to air pollution

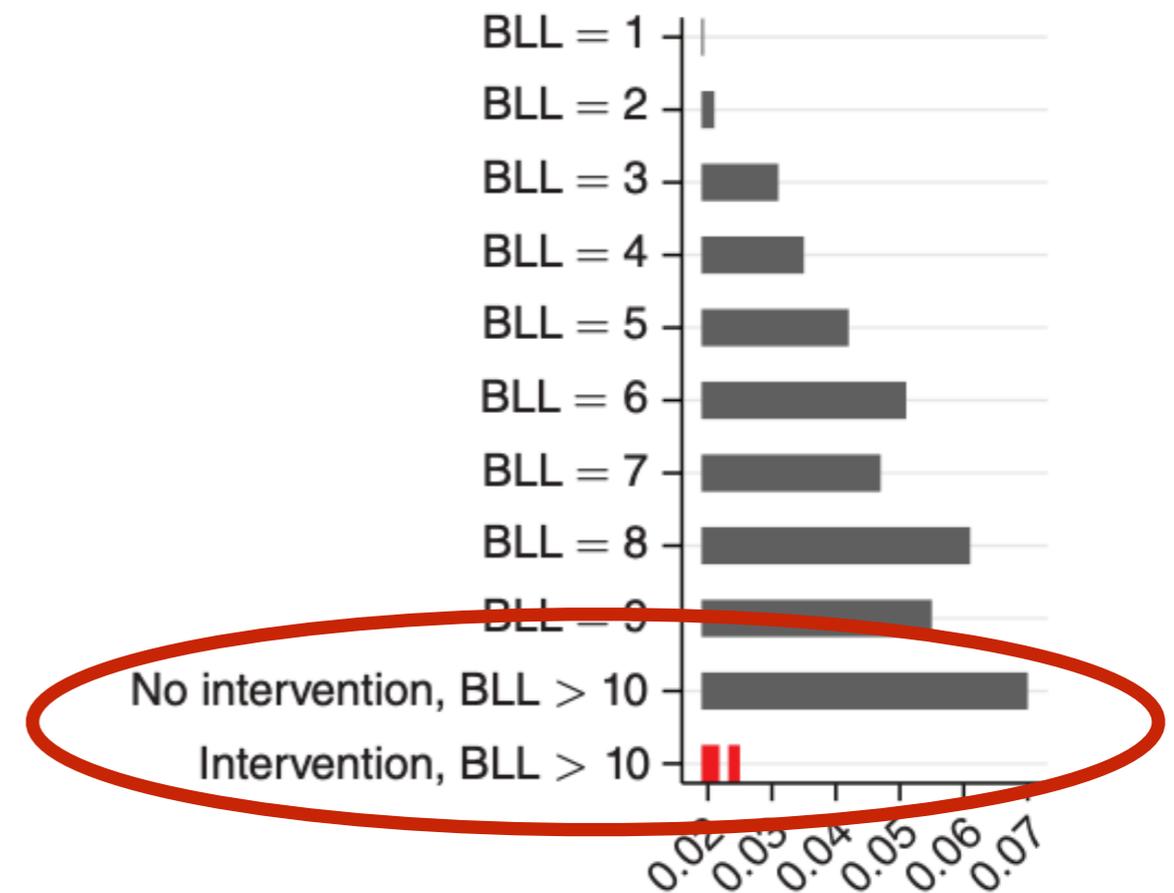
- Exposure to air pollution increases violent crime **in real time**
 - When wind blows car exhaust from highways in one direction versus another, violent crime goes up by 1.9% in the neighborhood on the downwind side
- Reducing exposure to air pollution can thus have big violence-reduction benefits
 - Examples:
 - Install high-quality HEPA filters in schools and other public buildings
 - Make such filters affordable and easily available for private homes



Reducing and addressing lead exposure

- Exposure to lead in early childhood increases violence later (as teens/young adults)
 - Reducing lead in soil, housing, and water pipes prevents this
 - Big, future public safety benefits
- **For kids already exposed:** CDC-recommended intervention for young children with high blood-lead-levels reduces the likelihood of a future violent crime arrest by over 60%
 - Intervention includes a caseworker, nutrition advice (consuming calcium can help block lead absorption), and sometimes lead abatement (e.g. replacement of windows)

Panel F. Violent crime



Investing in infrastructure

- Street lighting reduces street crime like robbery
 - Better lighting can make it easier for potential victims to avoid danger
 - Better lighting also increases the probability that an offender will be identified and caught, thus deterring crime



- Exposure to heat increases violence
 - Make sure air conditioning is available and functioning on hot days

- Greening vacant lots can reduce local street crime
 - Planting more trees, and turning vacant lots into parks, has crime-reduction benefits
 - May work partly by increasing foot traffic in the area, improving air quality, and reducing temperatures



Thank you!

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