

1 SENATE MEMORIAL 47
2 54TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2019

3 INTRODUCED BY
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10 A MEMORIAL

11 REQUESTING THE FORMATION OF A TASK FORCE TO STUDY THE
12 FEASIBILITY OF CONVERTING CORRECTIONAL FACILITIES INTO DRUG AND
13 ALCOHOL TREATMENT FACILITIES.
14

15 WHEREAS, according to a report by the legislative finance
16 committee, while most states have experienced significant
17 declines in prison populations, New Mexico's prison population
18 has continued to increase; and

19 WHEREAS, the state spends forty million dollars
20 (\$40,000,000) per year to house revoked parolees in prison; and

21 WHEREAS, one-half of the recidivism rate is attributed to
22 parole revocations for technical violations related to drug
23 use; and

24 WHEREAS, the same report indicates that about one-third of
25 the inmates admitted to prisons supervised by the corrections

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1 department are the result of failed drug tests and missed
2 appointments; and

3 WHEREAS, according to the national institute on drug
4 abuse, sixty-five percent of all incarcerated individuals
5 nationwide meet the criteria for substance use disorder; and

6 WHEREAS, the use of opioids is linked with a higher rate
7 of recidivism; and

8 WHEREAS, the closure of correctional facilities in order
9 to allow for expansion of treatment facilities and medication-
10 assisted treatment may help address a root cause of crime and
11 recidivism and has been tested in other states; and

12 WHEREAS, Colorado repurposed a prison to provide
13 transitional housing to homeless individuals; and

14 WHEREAS, New York used twelve million dollars
15 (\$12,000,000) saved from the closure of two prisons to offset
16 costs for in-prison mental health and sex offender programs;
17 and

18 WHEREAS, according to the national institute on drug
19 abuse, California saved close to one hundred million dollars
20 (\$100,000,000) by allowing qualified drug offenders to enter
21 treatment instead of jail or prison; and

22 WHEREAS, despite the possible benefits of conversion of
23 correctional facilities, closing them is not an easy task,
24 since they are vital to local economies, especially in rural
25 communities; and

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1 WHEREAS, the closure of a correctional facility could have
2 some adverse effects, unless thoughtful measures are taken to
3 understand and mitigate the possible consequences;

4 NOW, THEREFORE, BE IT RESOLVED BY THE SENATE OF THE STATE
5 OF NEW MEXICO that the behavioral health services division of
6 the human services department be requested to convene a prison
7 conversion task force to study the feasibility of converting
8 correctional facilities, including state-operated prisons,
9 privately operated prisons, county jails, municipal jails and
10 privately operated jails, into drug and alcohol treatment
11 facilities; and

12 BE IT FURTHER RESOLVED that the prison conversion task
13 force be composed of the following members or the designees of
14 those members:

15 A. a representative of the behavioral health
16 services division of the human services department, appointed
17 by the secretary of human services, to serve as chair of the
18 task force;

19 B. the attorney general;

20 C. the chief public defender;

21 D. a representative of the New Mexico supreme
22 court;

23 E. the director of the administrative office of the
24 courts;

25 F. the secretary of human services;

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- 1 G. the secretary of health;
- 2 H. the secretary of corrections;
- 3 I. the secretary of public safety;
- 4 J. the secretary of Indian affairs;
- 5 K. the secretary of public education;
- 6 L. the secretary of workforce solutions;
- 7 M. the executive director of New Mexico counties;
- 8 N. the executive director of the New Mexico
9 municipal league;
- 10 O. a representative of the greater Albuquerque
11 chamber of commerce;
- 12 P. the executive director of wings for life
13 international;
- 14 Q. the executive director of fathers building
15 futures;
- 16 R. the executive director of the New Mexico
17 coalition to end homelessness; and
- 18 S. the executive director of the Santa Fe recovery
19 center; and

20 BE IT FURTHER RESOLVED that the prison conversion task
21 force be requested to study the possible use of a prison-
22 turned-treatment center as an alternate sentencing option for
23 offenders with an addiction to drugs or alcohol; and

24 BE IT FURTHER RESOLVED that the prison conversion task
25 force seek the input of nationwide experts and state, county

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1 and municipal stakeholders and study all consequences of
2 closing a correctional facility; and

3 BE IT FURTHER RESOLVED that by November 1, 2019, the
4 prison conversion task force present a report of its findings
5 and recommendations to the legislative health and human
6 services committee, the legislative finance committee and the
7 appropriate interim committee that studies issues pertaining to
8 courts, corrections and justice; and

9 BE IT FURTHER RESOLVED that copies of this memorial be
10 transmitted to the secretary of human services and the director
11 of the behavioral health services division of the human
12 services department.