

*Presentation to the Courts, Corrections &  
Justice Committee  
September 22, 2015*

# **Fiscal Overview of Criminal Justice System**

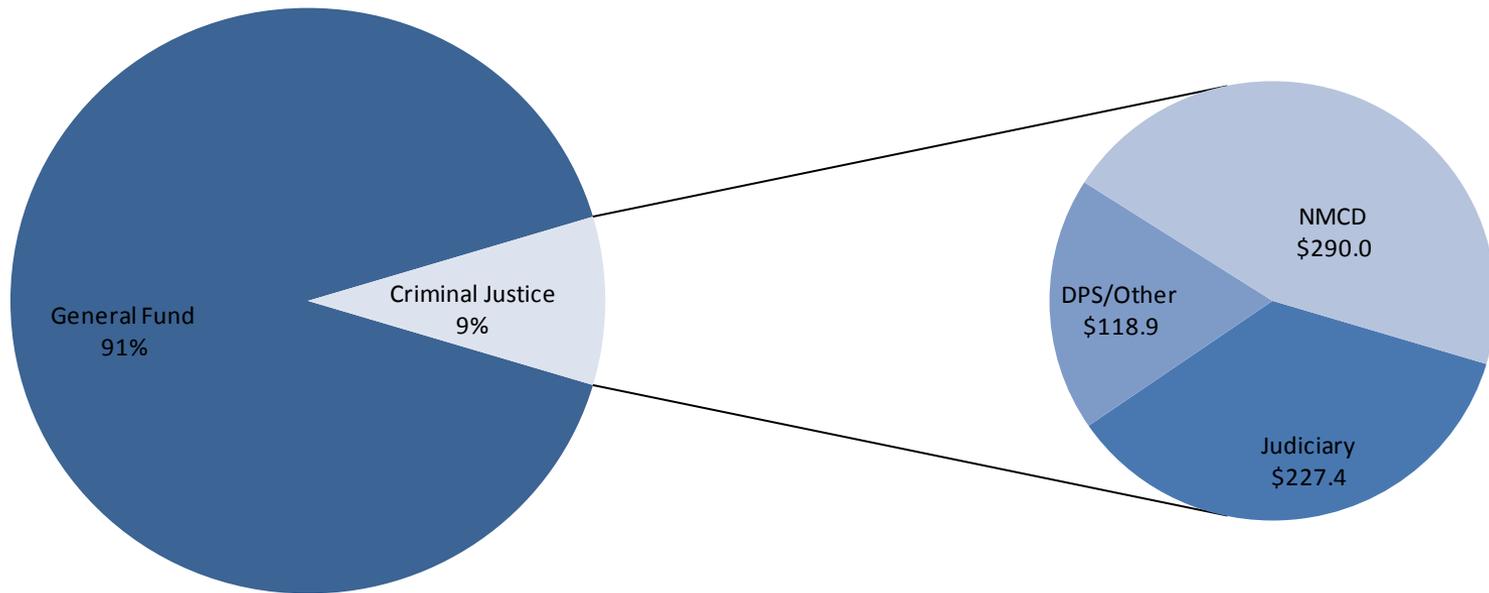
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Legislative Finance Committee

# Overview

- ▶ One out of every 44 New Mexican adults are involved in the criminal justice system
- ▶ Victims, inmate families, the economy, taxpayers and society pay the price
- ▶ The cost to house an inmate in New Mexico prisons has generally decreased in the past seven years, but public prison costs have experienced growth recently.
- ▶ Opportunities exist to decrease costs responsibly and reduce recidivism

# Criminal Justice Costs

Proportion of General Fund Criminal Justice Spending in FY16 (in thousands)



These figures translate to about 9 percent of state general fund spending.

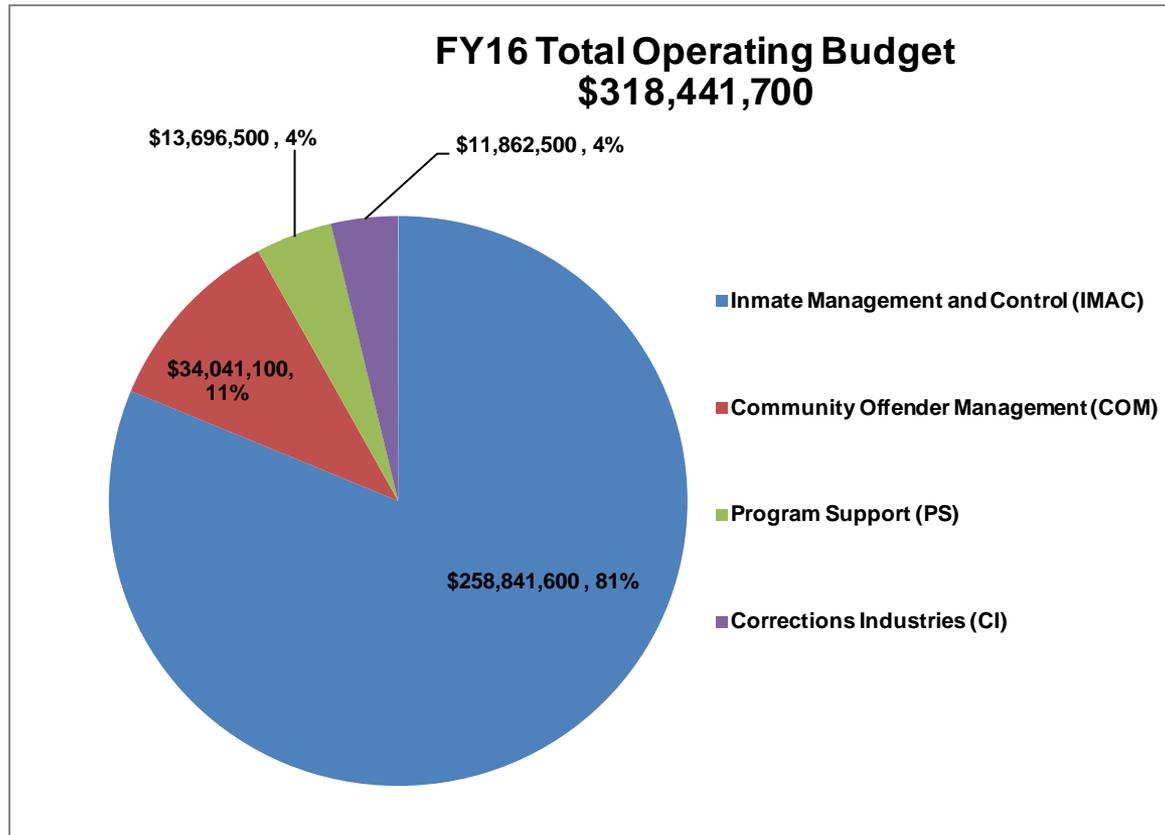
# Criminal Justice FY16 Appropriations

- ▶ Total criminal justice general fund appropriations increased \$26 million, an average 4 percent increase in FY16, including:
  - \$2.2 million, or 3.2 percent for judicial agencies,
  - \$970 thousand, or 1.9 percent for district attorneys,
  - \$10.5 million, or 3.8 percent for the New Mexico Corrections Department, and
  - \$6.8 million, or 6.2 percent for the Department of Public Safety

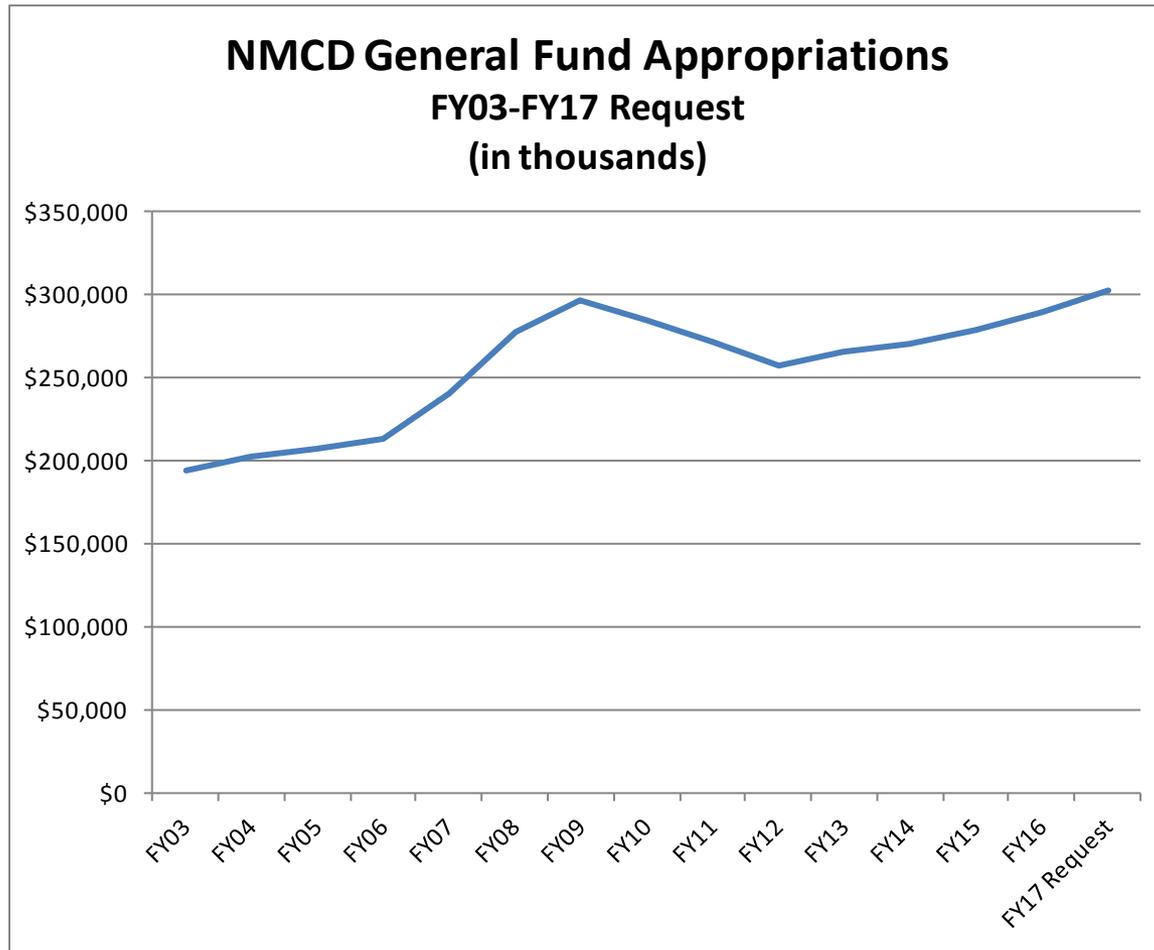
# FY16 NMCD Overall Budget

- ▶ Appropriations: \$318.4 million (all funds)
  - The majority of NMCD's appropriations are allocated to incarceration (80 percent).
- ▶ FY16 appropriations include an additional \$8.4 million for projected inmate population increases.
- ▶ Roughly 1 percent of the budget is allocated to recidivism reduction programs.
  - \$500 thousand for a transitional living pilot program.
  - \$400 thousand to expand transitional living services for women.

# NMCD FY16 Operating Budget

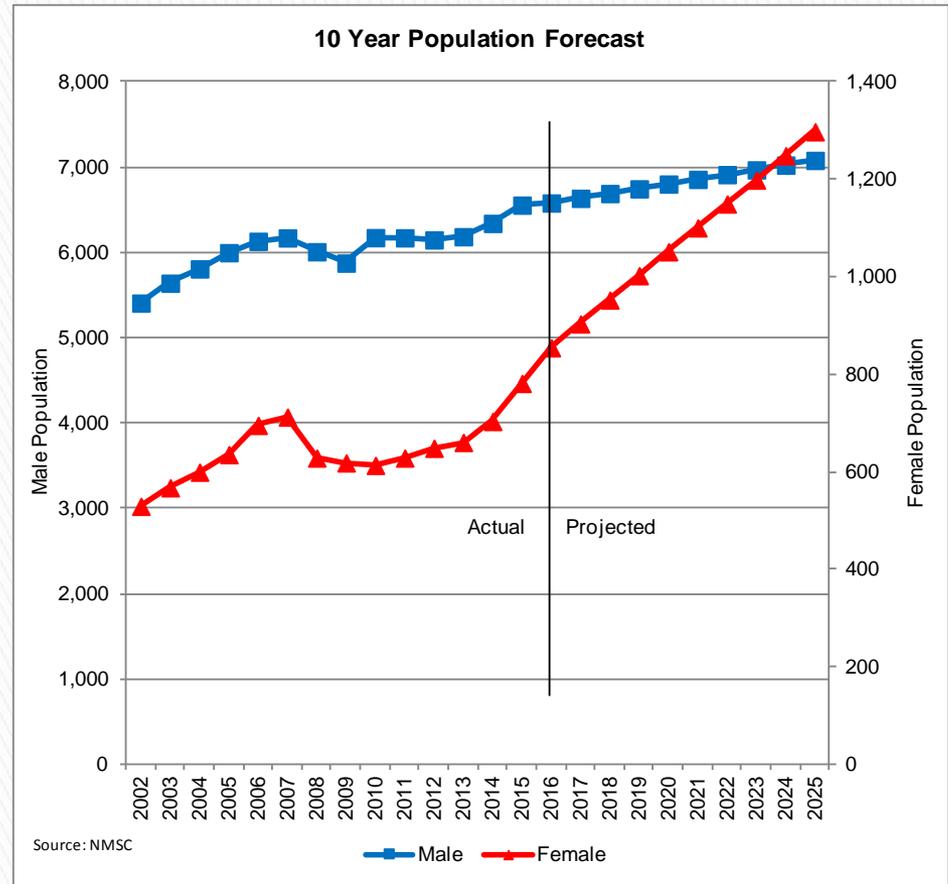


# History of NMCD General Fund Appropriations



# Inmate Population

- ▶ As of August 30, 2015:
  - 6,443 Males
  - 761 Females
- ▶ 7,204 Total Inmates
- ▶ 7,810 System Bed capacity
- ▶ 606 Excess Beds



Since 1980, the inmate population has more than quadrupled.

Despite increases, NMCD has excess bed capacity.

# Cost Per Inmate

- ▶ Differences in public and private prison costs are due mostly to:
  - Private prisons house mostly inexpensive low to medium security inmates
  - Public prisons house many expensive higher security inmates, geriatric inmates, and inmates with severe mental illnesses

New Mexico Corrections Department Per Day Average Costs of Inmate/Non-Custodial Clients Based on Actual Expenditures							
Institution / Program	FY08	FY09	FY10	FY11	FY12	FY13	FY14
<b>Total Avg. Cost of Department Operated Facilities</b>	\$ 123.5	\$ 135.2	\$ 100.6	\$ 108.1	\$ 107.3	\$ 112.1	\$ 119.5
Private Prisons (Females)	\$ 93.7	\$ 91.1	\$ 88.8	\$ 80.5	\$ 83.2	\$ 80.9	\$ 79.9
Private Prison (Males)	\$ 81.8	\$ 85.6	\$ 82.5	\$ 86.8	\$ 80.1	\$ 80.1	\$ 81.0
<b>Total Avg. Cost of Privately Operated Facilities</b>	\$ 84.3	\$ 86.7	\$ 83.7	\$ 85.5	\$ 80.7	\$ 80.3	\$ 80.8
<b>Total Avg. Cost of Institutions</b>	\$ 106.7	\$ 113.0	\$ 92.9	\$ 98.3	\$ 95.5	\$ 97.6	\$ 100.8
Community Corrections	\$ 10.1	\$ 9.5	\$ 15.1	\$ 9.6	\$ 7.5	\$ 4.2	\$ 10.0
Residential Treatment Center Programs (Females) Albuquerque	\$ 98.3	\$ 114.1	\$ 107.3	\$ 91.2	\$ 98.8	\$ 82.6	\$ 75.1
CC Residential Treatment Center Programs (Males) Los Lunas	\$ 48.3	\$ 68.0	\$ 46.0	\$ 59.5	\$ 90.5	\$ 60.8	\$ 49.6
Probation & Parole (Less ISP)	\$ 3.9	\$ 4.2	\$ 7.2	\$ 6.1	\$ 6.0	\$ 7.3	\$ 7.6
Intensive Supervision Program	\$ 12.6	\$ 9.4	\$ 2.9	\$ 11.8	\$ 10.9	\$ 19.7	\$ 7.0
<b>Total Avg. Cost of Probation &amp; Parole/Community Corrections</b>	\$ 4.7	\$ 5.0	\$ 8.3	\$ 7.1	\$ 7.0	\$ 8.2	\$ 8.4

FY08 – \$38,927 per year

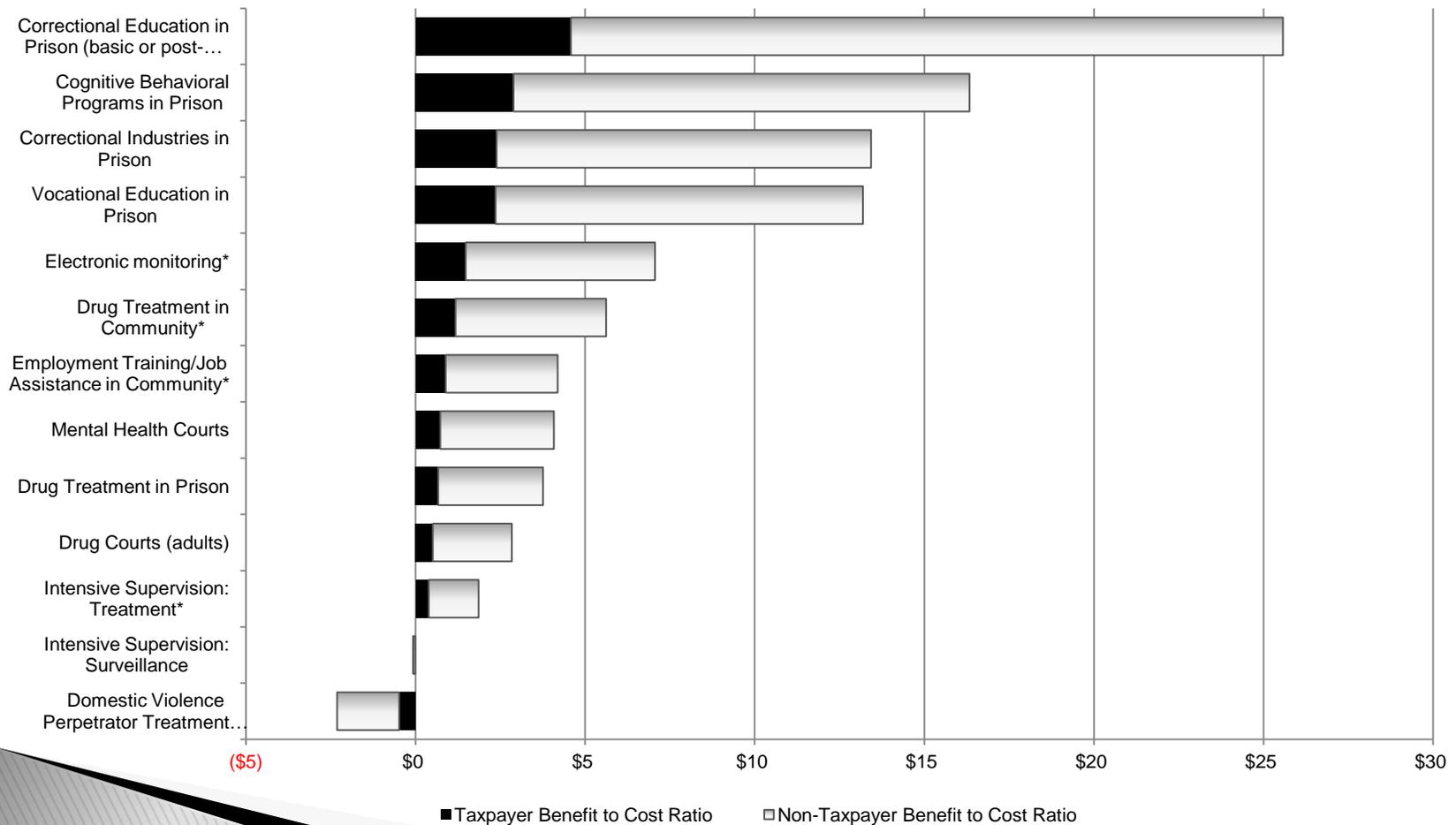
FY14 – \$36,803 per year

# Recidivism Costs

- ▶ Citizens of New Mexico pay costs of arresting, prosecuting, housing, rehabilitating and supervising offenders many times over.
  - A 2012 LFC study estimated that inmates released in FY11 could cost the state \$360 million over the next 15 years.
- ▶ Ninety–five percent of incarcerated offenders will be released back into the community.
- ▶ About 50 percent of offenders will return to prison within five years.

# Results First – What Works? What is Cost Beneficial?

Total Benefit to Cost Ratio By Program



# Conclusion

- ▶ Prison population and costs continue to rise
- ▶ Costs manageable in current fiscal environment in aggregate (about 9% of budget)
- ▶ High cost per offender
- ▶ Significant repeat costs per offender
- ▶ Compromised public safety
- ▶ Opportunities to reduce costs and increase safety through results focused policies and budgeting