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## FISCAL IMPACT REPORT

SPONSOR: Boykin DATE TYPED: 02/24/01 HB 823  
 SHORT TITLE: Jail Diversion for Mentally Ill SB \_\_\_\_\_  
 ANALYST: Esquibel

### APPROPRIATION

Appropriation Contained		Estimated Additional Impact		Recurring or Non-Rec	Fund Affected
FY01	FY02	FY01	FY02		
	\$ 90.0			Recurring	General Fund

(Parenthesis ( ) Indicate Expenditure Decreases)

Relates to SB469, SB9, HB128 and HB198, Duplicates SB464

### SOURCES OF INFORMATION

Corrections Department (CD)  
 Administrative Office of the Courts (AOC)  
 Public Defender's Department (PDD)  
 Department of Health (DOH)

No Response  
 Department of Public Safety (DPS)

### SUMMARY

#### Synopsis of Bill

House Bill 823 appropriates \$90.0 from the general fund to DOH to provide jail diversion services for mentally ill persons in Dona Ana county who would otherwise be incarcerated.

### FISCAL IMPLICATIONS

The appropriation of \$90.0 contained in this bill is a recurring expense to the general fund. Any unexpended or unencumbered balance remaining at the end of FY02 shall revert to the general fund.

DOH indicates it currently funds a pre-booking jail diversion program for adults with mental illness in Dona Ana county for \$105.0. A local *forensic intervention consortium* (FIC) oversees the project. Dona Ana's FIC has also approached the county for funds.

### ADMINISTRATIVE IMPLICATIONS

## House Bill 823 – Page 2

Implementation of the bill would have a positive administrative and fiscal impact on the courts system in Dona Ana county insofar as the courts who not have to process the cases of the people who are diverted from jails.

### RELATIONSHIP

House Bill 823 relates to the following:

- SB469, Mental Health System Initiative, which includes \$525.0 for jail diversion programs statewide;
- SB9, Statewide Services for Mentally Ill;
- HB128, Forensic Intervention for Mentally Ill, contains funds for jail diversion; and
- HB198, Statewide Services for Mentally Ill, contains funds for jail diversion.
- Duplicates SB464.

### TECHNICAL ISSUES

The PDD suggests the absence of language explaining the nature of the jail diversion services for those “who would otherwise be incarcerated” makes the proposed legislation too vague, particularly when there is a lack of eligibility criteria or standards to be followed. The PDD suggests broadening the bill’s language to include PDD in both the selection and processing of prospective clients eligible for diversion.

### SUBSTANTIVE ISSUES

DOH’s Behavioral Health Services Division currently funds a pre-booking jail diversion program for adults with mental illness in Dona Ana county for \$105.0. A local “forensic intervention consortium” (FIC) oversees this project. Some of the expenses of the program include:

- A coordinator position at approximately \$15.0.
- Approximately \$1.0 for data collection and analysis of outcomes, e.g., defining the target population, estimating the size of the target population, identifying the type and amount of services needed, estimating the cost of the needed services, agreeing on outcomes such as reducing the number of jail days per year, etc.
- Training at approximately \$1.5 to educate police and detention center personnel in re-booking interventions when there is a dispatch call that has a mental health element in it.
- Approximately \$87.5 to purchase access to five beds and case management through Dismas Charities. The bed space and case management costs for a year of operation would exceed the project’s current budget of \$105.0. Thus, access to beds and case management services will be scaled back below current levels in the next several months.
- Dona Ana’s jail diversion program served 33 people from May 15-December 31, 2000 and only one went into the Las Cruces jail.

RAE/njw