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FISCAL IMPACT REPORT

SPONSOR Tripp DATE TYPED 1/30/04 HB 274

SHORT TITLE 7th District Drug Court SB _____

ANALYST Koplik

APPROPRIATION

Appropriation Contained		Estimated Additional Impact		Recurring or Non-Rec	Fund Affected
FY04	FY05	FY04	FY05		
	\$245.2			Recurring	General Fund

(Parenthesis () Indicate Expenditure Decreases)

Duplicates Appropriation in the General Appropriation Act

SOURCES OF INFORMATION

LFC Files

SUMMARY

Synopsis of Bill

House Bill 274 appropriates \$245.2 thousand from the general fund to the 7th Judicial District Court for the purpose of establishing a drug court.

Significant Issues

While the largest judicial district in the continental United States, the mainly rural Seventh Judicial District does not have a drug court. The establishment of such a program could bring significant benefits to the area.

Indeed, drug court-imposed treatment has proven to be an effective method in rehabilitating the lifestyle of a drug offender and in preventing future illegal behavior. According to two national studies conducted on drug court effectiveness,* the following conclusions were reported:

1. Drug courts continue to be successful in reducing drug use.
2. Drug courts are treating more complex offenders with more serious criminal histories and with complex physical and mental health needs.
3. Drug use for drug court participants remains low compared to similar defendants not in drug court.
4. Recidivism for participants while in the program (as defined by re-arrests) continues to remain low for graduates.

5. Estimates indicate that drug court programs generate a cost-savings primarily to law enforcement, probation and jail. For every \$1.00 spent on drug court, \$2.50 is saved. *National study in 1998 and 1999 by the National Center on Addiction and Substance Abuse and an evaluation of the Oregon Drug Courts.

According to the AOC's drug court coordinator for the state, drug courts have significantly reduced costs in the criminal justice system. The average cost of a drug court program per participant is \$1,900 - \$2,500 each year (*treatment costs only*). This is significantly less than the average cost of \$27,000 for one prisoner incarcerated in a non-treatment venue as estimated by the New Mexico Department of Corrections.

In capturing full cost per participant, it is estimated that each drug court participant costs the state approximately \$3,300 each according to analyst calculations.

With the advent of the Accountability in Government Act, drug court programs lend themselves to performance measurement and assessment. Using the above-reported nationwide findings, specific performance-based budgeting measures can be developed for New Mexico drug court programs such as: recidivism rates, cost per participant, number of re-arrests per participant, number of positive urinalysis, average length of treatment, rate of success/failure, number of drug offenders participating in drug court, etc. With the major funding expansion proposed in this bill, the performance of drug court should be closely evaluated, both for its cost effectiveness and the cost-benefit to the state.

FISCAL IMPLICATIONS

The appropriation of \$245.2 thousand contained in this bill is a recurring expense to the general fund. Any unexpended or unencumbered balance remaining at the end of FY 2005 shall revert to the general fund.

SK/lg:yr