

A MEMORIAL

REQUESTING THAT A TASK FORCE BE CONVENED TO STUDY THE FEASIBILITY AND EFFECTIVENESS OF CREATING AN INDEPENDENT ENTITY TO OVERSEE NEW MEXICO'S CORRECTIONAL FACILITIES.

WHEREAS, the vast majority of convicted criminals do not remain in prison but return to the world outside of prison and to the communities from which they came; and

WHEREAS, what happens in our prisons does not stay within prison walls but spills over into the rest of society; and

WHEREAS, studies show that within three years of release, sixty-seven percent of former prisoners are re-arrested and fifty-two percent are re-incarcerated for crimes committed in our communities; and

WHEREAS, inadequate health care in prisons increases the rates of contagious disease and illness among prisoners and prison staff, which can bring illness and spread contagious disease to the community at large; and

WHEREAS, the commission on safety and abuse in America's prisons studied correctional facilities nationwide for more than a year to make recommendations on how prisons can become safer and more effective; and

WHEREAS, on June 8, 2006, the commission released its report detailing the violence and abuse in prisons in the

United States, the broad impact of those problems on public safety and public health and how correctional facilities nationwide can become safer and more effective; and

WHEREAS, the commission on safety and abuse in America's prisons has determined that prisons are dangerous, violent and overcrowded, subjecting prisoners to inadequate health care, rape, gang violence and even beatings by officers; and

WHEREAS, correctional facilities are walled off from external monitoring and public scrutiny to a degree inconsistent with the responsibility of public institutions; and

WHEREAS, the commission recommended, among other things, that every state create an independent entity to oversee the operation and management of correctional facilities; and

WHEREAS, it is difficult to determine the conditions that exist in New Mexico's privately and publicly operated prisons; and

WHEREAS, New Mexico leads the nation in the percentage of inmates housed in private prisons and has contracts with private health care organizations for the medical and mental health care of inmates, and New Mexico periodically has problems with oversight, adequacy and other issues with those private contractors; and

WHEREAS, New Mexico prisons should not be "schools of crime" but should focus on reintegrating offenders into

society so that the ninety-five percent of prisoners who return to society do not export prison violence into our communities; and

WHEREAS, identifying structural and administrative problems within our corrections system is an important step toward reducing rates of violence and recidivism; and

WHEREAS, safe and productive prisons are of benefit to all New Mexicans, and all public institutions benefit from strong and independent oversight; and

WHEREAS, lack of independent oversight leads to ongoing health and safety problems within our correctional facilities, which in turn leads to ongoing health and safety problems in our communities;

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF NEW MEXICO that the attorney general be requested to appoint and chair a task force to study the feasibility and effectiveness of forming an independent entity that would oversee the status and conditions of New Mexico's correctional facilities; and

BE IT FURTHER RESOLVED that if the task force finds that it would be feasible and effective to form an independent entity, it specify the composition and nature of the entity, its expertise and the areas and methods of oversight; and

BE IT FURTHER RESOLVED that the task force report its findings to the appropriate interim legislative committee no

later than November 2008; and

BE IT FURTHER RESOLVED that a copy of this memorial be transmitted to the attorney general.