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FISCAL IMPACT REPORT

ORIGINAL DATE 01/30/08
 LAST UPDATED 02/05/08 HB _____

SPONSOR McSorley

SHORT TITLE Camino Nuevo Facility Transformation SM 33

ANALYST Escudero/Baca

APPROPRIATION (dollars in thousands)

Appropriation		Recurring or Non-Rec	Fund Affected
FY08	FY09		
	NFI		

(Parenthesis () Indicate Expenditure Decreases)

SOURCES OF INFORMATION

LFC Files

Responses Received From

New Mexico Correction Department (NMCD)

New Mexico Women's Agenda

SUMMARY

Synopsis of Bill

Senate Memorial 33 requests the New Mexico Legislative Council to create the Camino Nuevo Task Force and requests the Corrections Department, the Warden of Camino Nuevo Correctional Center and other Contractors at Camino Nuevo to collaborate with the Camino Nuevo Task Force on Transforming the facility into an appropriate Gender-Responsive Low-Security Facility For Women.

FISCAL IMPLICATIONS

There is no appropriation attached to this legislation.

SIGNIFICANT ISSUES

- The Camino Nuevo correctional center houses female inmates who are classified at the lowest security levels, who are close to being released and who require the tools that will allow for their reintegration into our communities.
- The Camino Nuevo correctional center is centrally located in the Rio Grande corridor, where gainful employment and reintegration opportunities exist.

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- Camino Nuevo's location in the city of Albuquerque allows for easy transportation of the children of female inmates for visitations and familial bonding.
- Allowing inmates to connect with their communities and families has been shown to reduce recidivism and to provide more positive outcomes for women placed in the corrections system.
- National research shows that effective gender programming and gender-sensitive environments improve institutional culture, result in positive outcomes for female inmates and reduce recidivism.
- The Camino Nuevo facility was originally constructed to house the most dangerous juveniles classified at the highest security levels, and despite the lowest security classification of women now housed at the facility, the environment continues to reflect high-security incarceration practices.
- Serious allegations of sexual assaults upon female inmates have arisen this past year.

SM 33 requests that:

The New Mexico Legislative Council create the Camino Nuevo task force, to be chaired by the chairs of the house and senate judiciary committees and to consist of legislators, the secretary of corrections, representatives from the New Mexico Women's Justice Project, central New Mexico community college, the Bernalillo County Behavioral Health Collaborative, the University of New Mexico School of Architecture, Metropolitan Alcohol Assessment and Treatment Services, Peanut Butter and Jelly Family Services, health care for the homeless, the New Mexico Federation of Labor and the New Mexico Women's Agenda and other interested and appropriate parties; and

the Corrections Department, the Warden of the Camino Nuevo correctional center, The Corrections Corporation of America and other contractors at the facility be requested to collaborate with the Camino Nuevo task force and to allow the task force and other relevant members of the community, as selected or approved by the task force, to assist in transforming the environment at Camino Nuevo, including assistance in educational and vocational training, community and family reintegration, mother-child bonding, employment opportunities, behavioral health services and modifications of the physical environment at Camino Nuevo to meet the goals of a successful low-security facility for women; and

The Corrections Department examine and, if necessary, renegotiate its contracts to better address the goals of transforming the Camino Nuevo correctional center into a model facility for successful reintegration of women; and

The Camino Nuevo task force, the Secretary of Corrections and the Warden of the Camino Nuevo Correctional Center report to the appropriate Interim Legislative Committee during the 2008 interim on the progress of this collaborative process and on any changes or improvements made to the environment and services at the facility; and

Copies of this Memorial be transmitted to the New Mexico Legislative Council, the Chairs of the House and Senate Judiciary Committees, the Secretary of Corrections, the Warden of the Camino Nuevo Correctional Center and the Corrections Corporation of America.

ADMINISTRATIVE IMPLICATIONS

According to NMCD, the Memorial:

erroneously assumes that Camino Nuevo is not a low security facility—it is already a low security facility. Camino houses low custody level 1 and 2 female inmates. The New Mexico Women’s Facility in Grants, New Mexico houses the higher custody female inmates.

implicitly, but again erroneously, assumes that NMCD needs to collaborate with certain designated entities on a task force in order to improve or transform the environment at the Camino Nuevo facility, and erroneously assumes that the environment at Camino needs substantive improvement or transformation.

The NMCD reports the department already works with the American Correctional Association (ACA) in order to make sure that it complies with ACA national standards for the safe and efficient operation of Camino Nuevo. ACA recently audited and accredited Camino Nuevo, finding it to be in 100% compliance of all mandatory and nonmandatory standards. During the audit, the ACA auditors interviewed almost all of the 32 female residents in Camino Nuevo. These female offenders spoke very positively about living in Camino Nuevo, and reported they felt very safe there. The Memorial completely disregards the fact that the ACA’s accreditation process demonstrates that the environment at Camino is already comfortable and appropriate.

Further, the NMCD notes, it is also already working with and seeking technical assistance from the National Institute of Corrections (NIC), a nationally recognized group comprised of correctional experts, to ensure that NMCD’s female correctional facilities and programs (including educational and vocational training, behavioral health services, etc.) are operated in a gender-specific fashion. If NIC makes recommendations to the Secretary of Corrections regarding changes to the operation of Camino Nuevo or the New Mexico Women’s Correctional Facility in Grants, Secretary Williams will follow those recommendations to the extent feasible.

NMCD further notes that Secretary Williams is also scheduled to attend a 36-hour NIC training program regarding the operational practices in women’s prison. Helen Carr, NMCD’s Deputy Director of Female Offender Services, will also be attending the NIC gender-specific training that Secretary Williams will attend. That training will include, among other things, gender differences as those relate to treatment, classification, programs and services. It should also be noted that Ms. Carr has already received intensive NIC training entitled “An Agency Approach to Gender-Specific Programming.” Further, Ms. Carr’s article “A Woman-Centered Approach for Female Offenders in New Mexico” was recently published in the August 2007 issue of ACA’s Corrections Today Magazine. Significantly, Gender-Specific Trauma Informed Training is already being provided to staff working with female offenders in the NMCD system. Significantly, Peanut Butter and Jelly family services, one of the entities proposed for membership in the task force, already has a substantial contract with NMCD to provide gender-specific services.

Finally, according to NMCD, NIC and ACA staff interacts and collaborates with NMCD and Camino Nuevo staff in an objective, professional manner, and again those entities are comprised of nationally recognized correctional experts. NMCD legitimately desires to follow the

recommendations of the experts, NIC and ACA, not the recommendations of others who are not experts and who tend to possess a bias against NMCD.

In support of the memorial, advocates from the New Mexico Women's Agenda and Women's Justice Project indicate that:

The physical environment at Camino Nuevo suggests it is not a low security facility.

Of the 30 inmates, only 8 are in work release programs although the intent was to have almost all of them in the program.

Even though important steps have been initiated, advocates look for collaboration and transformation as the best means to achieve the reintegration of these women into the community and prevent recidivism.

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

Similar to SJM 14 and duplicates bills HM 3 and HJM 10.

OTHER SUBSTANTIVE ISSUES

According to NMCD, it should be noted that there are only about 30 females housed at Camino Nuevo. Eight of those are in work release. The others are in addictions and educational programming. The Memorial makes it appear as if there are hundreds of female offenders in Camino Nuevo.

Finally, it would be a conflict of interest for Peanut Butter and Jelly family services to be on the task force, since it provides the gender-specific programming and services that are called into question in the Memorial.

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL

According to NMCD, None. The memorial is not needed. Camino is already operating as a low security facility. NMCD is already complying with ACA national safety standards at Camino. NMCD is also already consulting with NIC regarding gender specific programming and services at Camino—NMCD has therefore already complied with the previous request made by the Courts, Corrections and Justice legislative committee for NMCD to consult with NIC. NMCD is already providing gender-specific programming or services to its female offenders through a private vendor. NMCD will continue to work to ensure that Camino continues to help its females successfully reintegrate into society.