

1 A MEMORIAL

2 REQUESTING THE NEW MEXICO HEALTH POLICY COMMISSION TO CREATE
3 A TASK FORCE TO EVALUATE NEW MEXICO'S CURRENT APPROACHES TO
4 DRUG POLICY THROUGH THE USE OF LAW ENFORCEMENT, TREATMENT,
5 PREVENTION AND HARM REDUCTION AND TO DEVELOP STRATEGIES FOR
6 EFFECTIVE CHANGE.

7
8 WHEREAS, New Mexico has long been concerned about
9 substance abuse and its impact on the people of New Mexico;
10 and

11 WHEREAS, addiction is a chronic medical illness that is
12 treatable, and drug treatment success rates exceed those of
13 many cancer therapies; and

14 WHEREAS, according to a recent report issued by the
15 federal substance abuse and mental health services
16 administration, an estimated fifty-five thousand New Mexicans
17 need, but are not receiving, treatment for an illicit drug
18 use problem and another one hundred twenty-four thousand need
19 treatment for alcohol abuse; and

20 WHEREAS, according to the Pew research centers, more
21 than one out of every one hundred Americans is incarcerated,
22 and a recent United States justice department report states
23 that an estimated five hundred thousand people are
24 incarcerated for a drug law violation nationally; and

25 WHEREAS, at the end of 2007, over seven million three

1 hundred thousand Americans, which is approximately one in
2 every thirty-one adults, were incarcerated or on probation or
3 parole, and roughly one-third of these were under
4 correctional supervision for a drug law violation; and

5 WHEREAS, the average cost of substance abuse treatment
6 in New Mexico is one thousand two hundred ninety-five dollars
7 (\$1,295) per person per year, and the cost of incarcerating
8 one person in either jail or prison averages twenty-seven
9 thousand eight hundred thirty-seven dollars (\$27,837) per
10 year; and

11 WHEREAS, New Mexico spent approximately twenty-two
12 million dollars (\$22,000,000) to incarcerate nonviolent drug
13 possession offenders in 2007; and

14 WHEREAS, of the approximately five thousand six hundred
15 people in New Mexico's state prison system in 2002,
16 approximately eighty-seven percent were assessed as needing
17 substance abuse services and seventy percent as substance
18 abusing or dependent; and

19 WHEREAS, according to a study by the RAND corporation,
20 every one dollar (\$1.00) invested in substance abuse
21 treatment results in a savings to taxpayers of more than
22 seven dollars (\$7.00), through reduced societal costs of
23 crime, violence and loss of productivity; and

24 WHEREAS, the national treatment improvement evaluation
25 study shows substantial reductions in criminal behavior, with

1 a sixty-four percent decrease in all arrests after treatment,
2 making public safety a primary beneficiary of effective drug
3 treatment programs; and

4 WHEREAS, federal, state and local costs of the war on
5 drugs exceed forty billion dollars (\$40,000,000,000)
6 annually, yet drugs are still widely available in every
7 community, drug use and demand have not decreased and most
8 drug prices have fallen while purity levels have increased
9 dramatically; and

10 WHEREAS, according to the office of national drug
11 control policy, only thirty-five percent of the federal drug
12 control budget is spent on education, prevention and
13 treatment combined, with the remaining sixty-five percent
14 devoted to law enforcement efforts; and

15 WHEREAS, cities and states across the country have
16 experienced a rise in violent crime and must prioritize
17 scarce law enforcement resources; and

18 WHEREAS, many New Mexico teachers, prevention
19 specialists and school districts are using effective and
20 science-based drug prevention strategies that focus on
21 building resiliency and honest communication with young
22 people about drug use; and

23 WHEREAS, over one-third of all HIV/AIDS cases and nearly
24 two-thirds of all new cases of hepatitis C in the United
25 States are linked to injection drug use with contaminated

1 syringes, now the single largest factor in the spread of
2 HIV/AIDS in the country; and

3 WHEREAS, Blacks, Latinos and other minorities use drugs
4 at rates comparable to Whites, yet they face disproportionate
5 rates of arrest and incarceration for drug law violations
6 among persons convicted of drug felonies in state courts; and

7 WHEREAS, according to the corrections department, one in
8 ninety Hispanic men aged eighteen and older, one in
9 thirty-one Black men aged eighteen or older and one in
10 twenty-five Black men aged twenty to thirty-four are
11 currently incarcerated in New Mexico; and

12 WHEREAS, the drastic change in sentencing laws in the
13 last quarter century has led to a seven hundred percent
14 increase in the incarceration of women, with drug law
15 violations accounting for one-third of the increase; and

16 WHEREAS, in order to promote the successful reentry into
17 society of people leaving prison or jail, New Mexico must
18 provide them with job training, transitional housing, family
19 reunification services, behavioral health treatment and the
20 restoration of voting rights; and

21 WHEREAS, New Mexico continues to be a national leader in
22 effective, public health-based drug policies, as demonstrated
23 by its 1997 enactment of the Harm Reduction Act, which
24 created statewide syringe exchange programs; the department
25 of health's 2001 overdose prevention and response initiative;

1 and the good Samaritan provisions in Section 30-1-27.1 NMSA
2 1978, which was enacted in 2007; and

3 WHEREAS, the use of a four pillar approach to drug
4 policy, incorporating law enforcement, treatment, prevention
5 and harm reduction, can save both lives and money in New
6 Mexico;

7 NOW, THEREFORE, BE IT RESOLVED BY THE SENATE OF THE
8 STATE OF NEW MEXICO that the New Mexico health policy
9 commission be requested to create a task force to evaluate
10 New Mexico's current approaches to drug policy through the
11 use of law enforcement, treatment, prevention and harm
12 reduction and to develop strategies for effective change; and

13 BE IT FURTHER RESOLVED that the task force include
14 representation from the governor's office; the legislative
15 finance committee; experts in the fields of public safety,
16 public health, substance abuse prevention, behavioral health
17 treatment and harm reduction; the drug policy alliance; and
18 at least two individuals who are in recovery from substance
19 abuse; and

20 BE IT FURTHER RESOLVED that the task force identify
21 short- and long-term strategies for drug policies that save
22 taxpayer money, hold agencies accountable and demonstrate a
23 proactive, public health approach to drug policy development;
24 and

25 BE IT FURTHER RESOLVED that the task force establish

1 criteria to evaluate the impact of drug use and drug policies
2 on the health and welfare of New Mexicans; and

3 BE IT FURTHER RESOLVED that the task force present its
4 findings and recommendations, including a description of
5 current approaches to drug policy and recommendations for
6 effective strategies to more effectively address drug use and
7 its consequences, to the interim legislative health and human
8 services committee and other appropriate interim legislative
9 committees by November 1, 2009; and

10 BE IT FURTHER RESOLVED that copies of this memorial be
11 transmitted to the chair of the New Mexico health policy
12 commission and to each of the organizations named to
13 participate in the task force. _____

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