

1 A JOINT MEMORIAL

2 REQUESTING THE NEW MEXICO ASSOCIATION OF COUNTIES TO STUDY
3 HOUSING AND CLINICAL SERVICE OPTIONS FOR INDIVIDUALS WITH
4 SERIOUS MENTAL ILLNESS WHO ARE IN CUSTODY AWAITING TRIAL.
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6 WHEREAS, the state's county detention facilities have
7 become de facto mental health facilities; and

8 WHEREAS, according to a 2012 study conducted by the
9 New Mexico sentencing commission, individuals receiving mental
10 health services while in detention have a median length of
11 stay that is twenty-five percent longer than the length of
12 stay for all pretrial inmates; and

13 WHEREAS, individuals diagnosed with the most serious
14 mental illness, such as psychotic disorders, have a median
15 length of stay that is eighty-two percent longer than
16 individuals of the same gender and age who have been charged
17 with the same crime; and

18 WHEREAS, individuals whose competency to stand trial is
19 in question have a median length of stay that is two hundred
20 seventy-eight percent longer than other pretrial inmates; and

21 WHEREAS, few detention centers are equipped to deal
22 adequately with this population; and

23 WHEREAS, the condition of individuals with serious
24 mental health disorders can deteriorate when they are
25 incarcerated; and

1 WHEREAS, the current situation exposes the state and
2 local governments to substantial liability; and

3 WHEREAS, individual agencies and counties cannot provide
4 the solution to this problem alone because it is a systemic
5 problem that requires collaboration and the development of
6 alternatives among state, county and municipal governments as
7 well as health care providers and advocacy organizations;

8 NOW, THEREFORE, BE IT RESOLVED BY THE LEGISLATURE OF THE
9 STATE OF NEW MEXICO that the New Mexico association of
10 counties be requested to convene stakeholders to study and
11 make recommendations for clinically appropriate housing
12 options for individuals with serious mental illness who are
13 in custody in county detention facilities; and

14 BE IT FURTHER RESOLVED that stakeholders include but not
15 be limited to representatives from the New Mexico municipal
16 league; the department of health; the aging and long-term
17 services department; the corrections department; the
18 veterans' services department; the behavioral health services
19 division of the human services department; the department of
20 finance and administration; the interagency behavioral health
21 purchasing collaborative; the administrative office of the
22 district attorneys; the administrative office of the courts;
23 the public defender department; the New Mexico sheriffs and
24 police associations; the New Mexico behavioral health
25 institute at Las Vegas; the New Mexico hospital association;

1 disability rights New Mexico; the national alliance on mental
2 illness; mental health clinicians; and two individuals living
3 with serious mental illness identified by the interagency
4 behavioral health purchasing collaborative; and

5 BE IT FURTHER RESOLVED that the New Mexico association
6 of counties be requested to report its findings to the
7 appropriate interim legislative committees by
8 December 1, 2015; and

9 BE IT FURTHER RESOLVED that copies of this memorial be
10 transmitted to the executive director of the New Mexico
11 association of counties, the executive director of the
12 New Mexico municipal league, the director of the New Mexico
13 behavioral health institute at Las Vegas, the director of the
14 administrative office of the district attorneys, the director
15 of the administrative office of the courts, the chief public
16 defender, the New Mexico hospital association, the director
17 of the interagency behavioral health purchasing
18 collaborative, the executive director of disability rights
19 New Mexico, the executive director of the national alliance
20 on mental illness and the secretaries of health, public
21 safety, aging and long-term services and corrections. _____