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## FISCAL IMPACT REPORT

**SPONSOR** Padilla **ORIGINAL DATE** 2/13/2016  
**LAST UPDATED** 2/16/16 **HB** \_\_\_\_\_  
**SHORT TITLE** Study Mandatory Rehab for Some Offenders **SM** 101  
**ANALYST** Downs

### ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)

	FY16	FY17	FY18	3 Year Total Cost	Recurring or Nonrecurring	Fund Affected
<b>Total</b>		<\$50.0		<\$50.0	Recurring	General Fund

(Parenthesis ( ) Indicate Expenditure Decreases)

### SOURCES OF INFORMATION

LFC Files

#### Responses Received From

Administrative Office of the Courts (AOC)

Department of Health (DOH)

### SUMMARY

#### Synopsis of Memorial

Senate Memorial 101 tasks the Administrative Office of the Courts (AOC) and the Department of Health (DOH) to convene a study group for the feasibility of sentencing nonviolent offenders with addictions to drug rehabilitation while incarcerated. The group would discuss starting a pilot at Bernalillo County Metropolitan Detention Center and report findings and recommendations to the appropriate interim committee by November 1, 2016.

### FISCAL IMPLICATIONS

According to AOC and DOH, the study group would require 25% of the time of one employee, as well as travel, equipment, and supplies. The average cost per employee in AOC is \$100.3 thousand annually, thus the time spent on the study would cost AOC no more than \$25 thousand, and DOH reported it would cost the same.

### SIGNIFICANT ISSUES

According to AOC, drug courts, and other treatment courts, positively interrupt the cycle of substance abuse and criminal behavior due to tailored and finessed planning which fits treatment

**Senate Memorial 101 – Page 2**

programs to specific offender profiles. AOC stated “An issue that should be anticipated, therefore, is how to replicate that success within a custodial environment as a mandatory aspect of every offender’s rehabilitation.”

AOC also noted the lack of inclusion in the memorial of the New Mexico Corrections Department (NMCD) which is responsible for the treatment and rehabilitation of those in custody for more than one year.

The DOH stated that approximately two third of the prison population in state and federal prisons regularly used drugs prior to incarceration and that research shows it takes three or more months to significantly reduce or stop drug addictions.

According to DOH, the study would require multiple meetings with the Bernalillo County Government and NMCD, and a review of scientific literature to develop an effective model.

JD/jo/jle