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AN ACT

RELATING TO CRIMINAL JUSTICE; CREATING THE LAW ENFORCEMENT
WORKFORCE CAPACITY BUILDING FUND; CREATING THE PUBLIC
ATTORNEY WORKFORCE CAPACITY BUILDING FUND; CREATING THE
DETENTION AND CORRECTIONS WORKFORCE CAPACITY BUILDING FUND;
PROVIDING FUNDING FOR THE RECRUITMENT AND RETENTION OF LAW
ENFORCEMENT OFFICERS, DETENTION OFFICERS, PUBLIC DEFENDERS
AND PROSECUTORS.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

SECTION 1. A new Section 9-6-17 NMSA 1978 is enacted to
read:

"9-6-17. LAW ENFORCEMENT WORKFORCE CAPACITY BUILDING
FUND--LAW ENFORCEMENT WORKFORCE CAPACITY BUILDING FUND
COMMITTEE--ADMINISTRATION--DISTRIBUTION OF FUNDS--GRANT
CRITERIA.--

A. The "law enforcement workforce capacity
building fund" is created in the state treasury to support
efforts to increase the available workforce of law
enforcement officers, including initiatives to recruit and
retain high-quality law enforcement officers. The fund
consists of appropriations, gifts, grants and donations.
Money in the fund is subject to appropriation by the
legislature. Any unexpended or unencumbered balance
remaining in the fund at the end of a fiscal year shall

1 revert to the general fund unless an appropriation provides a
2 different period for expenditure.

3 B. The department of finance and administration
4 shall administer the fund to:

5 (1) provide grant disbursements pursuant to
6 Subsection J of this section; and

7 (2) fund administrative costs necessary to
8 carry out the provisions of this section, including such
9 administrative costs that are necessary to evaluate the
10 efficacy of initiatives implemented by grantees to increase
11 the available workforce of law enforcement officers and such
12 administrative costs that are determined, in consultation
13 with the committee, to be necessary to conduct workload
14 studies, the results of which shall be used by the committee
15 to improve the structure and criteria of the provisions of
16 this section and to develop recommendations from the
17 committee for policy or program measures to be considered by
18 the legislature; provided that the amount expended for
19 administrative costs shall not exceed three percent of the
20 total appropriations to the fund.

21 C. Disbursements from the fund shall be made on
22 warrants drawn by the secretary of finance and administration
23 pursuant to vouchers signed by the chair of the committee.

24 D. The "law enforcement workforce capacity
25 building fund committee" is created and is administratively

1 attached to the department of finance and administration.

2 The committee consists of the following four voting members:

3 (1) one member who is employed by the
4 department of public safety, to be appointed by the secretary
5 of public safety;

6 (2) one member who is employed by a
7 municipal police department in the state, to be appointed by
8 the New Mexico municipal league;

9 (3) one member who is employed by a county
10 sheriff's office in the state, to be appointed by the New
11 Mexico association of counties; and

12 (4) one member who is employed by the
13 department of finance and administration, to be appointed by
14 the secretary of finance and administration.

15 E. The committee shall elect a chair from among
16 its membership.

17 F. The committee shall:

18 (1) conduct meetings once per year or more
19 often as necessary to carry out its duties at the times and
20 locations that the committee designates;

21 (2) develop criteria for the awarding of
22 grants as provided in Subsection N of this section;

23 (3) periodically review the award criteria
24 and recommend any amendments to the criteria based on the
25 results of any workload studies or evaluations of grantee

1 initiatives;

2 (4) award grants to law enforcement agencies
3 as provided in Subsections J through M of this section;

4 (5) collect information about initiative
5 expenditures from grantees as provided in Subsection Q of
6 this section;

7 (6) report applicant and grantee information
8 as provided in Subsection R of this section; and

9 (7) disseminate information regarding the
10 program and application process to all eligible entities.

11 G. A majority of the members of the committee
12 constitutes a quorum for the transaction of business.

13 H. A member of the committee shall not review or
14 vote on a proposal made by an applicant with whom the member
15 is employed. An employee of the department of public safety
16 who is not employed by the New Mexico state police division
17 of that department is not considered an employee of the New
18 Mexico state police division of that department for purposes
19 of this subsection.

20 I. Administrative and other necessary support
21 shall be provided to the committee by the department of
22 finance and administration.

23 J. The committee may allocate:

24 (1) up to twenty-five percent of the money
25 in the fund, less administrative costs as provided in

1 Paragraph (2) of Subsection B of this section, for grants
2 awarded to entities whose primary jurisdiction is within a
3 county with a population of at least five hundred thousand
4 according to the most recent federal decennial census;

5 (2) up to thirty-five percent of the money
6 in the fund, less administrative costs as provided in
7 Paragraph (2) of Subsection B of this section, for grants
8 awarded to entities whose primary jurisdiction is within a
9 county with a population of at least one hundred thousand but
10 less than five hundred thousand according to the most recent
11 federal decennial census; and

12 (3) any amount of available money remaining
13 in the fund for grants awarded to entities whose primary
14 jurisdiction is within a county with a population of less
15 than one hundred thousand according to the most recent
16 federal decennial census.

17 K. For purposes of Subsection J of this section,
18 if applicants whose primary jurisdictions are within
19 different counties apply jointly for a grant, the applicants,
20 if awarded a grant, would each receive an award amount based
21 on that individual applicant's county.

22 L. Any local law enforcement agency is eligible to
23 apply for a grant; provided that the agency is in compliance
24 with applicable statutory reporting requirements, including
25 those described in Subsection C of Section 29-3-11 NMSA 1978

1 and Sections 29-7-7.2, 29-7C-7 and 29-7C-8 NMSA 1978.

2 M. The New Mexico state police division of the
3 department of public safety and all of its offices are
4 eligible to apply for a grant; provided that:

5 (1) the application for a grant proposes to
6 undertake initiatives in collaboration with a local law
7 enforcement agency;

8 (2) the New Mexico state police division of
9 the department of public safety is in compliance with
10 applicable statutory reporting requirements, including those
11 described in Subsection C of Section 29-3-11 NMSA 1978 and
12 Sections 29-7-7.2, 29-7C-7 and 29-7C-8 NMSA 1978; and

13 (3) for purposes of Subsection J of this
14 section, the primary jurisdiction of the New Mexico state
15 police division of the department of public safety shall be
16 based on the primary jurisdiction of the local law
17 enforcement agency with which the division or the division's
18 office has proposed to collaborate.

19 N. The committee shall develop grant criteria to
20 guide its determination for the awarding of a grant, and the
21 criteria shall:

22 (1) take into consideration an applicant's
23 law enforcement officer vacancy rate;

24 (2) take into consideration cost of living
25 and comparable market compensation for an applicant's

1 locality;

2 (3) take into consideration crime rates in
3 an applicant's locality;

4 (4) prioritize, in its consideration, an
5 applicant's proposal for initiatives that target the
6 recruitment of candidates who are experienced law enforcement
7 officers not currently employed by a law enforcement agency
8 within the state;

9 (5) prioritize, in its consideration, an
10 applicant's proposal for initiatives to be undertaken in
11 collaboration between local law enforcement agencies with
12 overlapping jurisdiction;

13 (6) prioritize, in its consideration, law
14 enforcement agency applicants that use or intend to use
15 community-oriented policing or other evidence-based forms of
16 policing; and

17 (7) prioritize, in its consideration,
18 initiatives intended to increase agency investigative
19 capacity, including initiatives to recruit or retain
20 investigative personnel and initiatives to train existing
21 personnel to serve as investigators.

22 0. A grantee may use a grant award to:

23 (1) provide a recruitment differential
24 disbursement to newly hired law enforcement officers,
25 including a recruitment differential disbursement for

1 relocation expenses; provided that the law enforcement
2 officer remains employed as a law enforcement officer with
3 that same law enforcement agency for one additional year;

4 (2) provide a retention differential
5 disbursement to law enforcement officers already employed by
6 the applicant for the purpose of retention; provided that the
7 law enforcement officer remains employed as a law enforcement
8 officer with that same law enforcement agency for one
9 additional year;

10 (3) implement professional development
11 initiatives designed to recruit, train and retain law
12 enforcement officers, including training in community-
13 oriented policing or other evidence-based forms of policing;
14 and

15 (4) implement campaigns to recruit in-state
16 and out-of-state candidates.

17 P. A grantee shall not use a grant:

18 (1) for recurring initiatives, except the
19 grantee may use a grant for a recurring initiative if the
20 grantee has provided a plan to replace nonrecurring funds
21 with recurring funds to fund that initiative; or

22 (2) to create new law enforcement officer
23 positions or fund the base salary of existing law enforcement
24 officer positions.

25 Q. A grantee shall provide to the committee within

1 ninety days of receiving a grant, and then every ninety days
2 thereafter until the earliest of either the completion of the
3 grantee's initiative or all funds are expended, a report of
4 the grantee's expenditures for the grantee's initiative. Any
5 unexpended money remaining after the completion of the
6 grantee's initiative shall revert to the fund within sixty
7 days of completion of the initiative.

8 R. The committee shall provide at least one annual
9 report by November 1 of each fiscal year to the department of
10 finance and administration and the legislative finance
11 committee that contains:

12 (1) applicant information, including
13 information about the applicant agency, the grant amount
14 requested and the title and description of the applicant's
15 proposed initiative;

16 (2) individual grantee information,
17 including information about the grantee's agency, the grant
18 amount awarded and the title and description of the grantee's
19 initiative;

20 (3) data collected and evaluations made by
21 the department of finance and administration about the
22 efficacy of the initiatives of prior award recipients; and

23 (4) the status of any ongoing workload
24 studies and the results of any workload studies completed
25 since the time of the prior report.

1 S. As used in this section:

2 (1) "committee" means the law enforcement
3 workforce capacity building fund committee;

4 (2) "fund" means the law enforcement
5 workforce capacity building fund;

6 (3) "law enforcement agency" means a
7 municipal police department, a county sheriff's office or the
8 New Mexico state police division of the department of public
9 safety;

10 (4) "law enforcement officer" means a
11 certified full- or part-time salaried public employee of a
12 municipal police department, a county sheriff's office or the
13 New Mexico state police division of the department of public
14 safety; and

15 (5) "local law enforcement agency" means a
16 municipal police department or county sheriff's office."

17 SECTION 2. A new Section 9-6-18 NMSA 1978 is enacted to
18 read:

19 "9-6-18. PUBLIC ATTORNEY WORKFORCE CAPACITY BUILDING
20 FUND CREATED--PUBLIC ATTORNEY WORKFORCE CAPACITY BUILDING
21 FUND COMMITTEE--ADMINISTRATION--GRANT CRITERIA.--

22 A. The "public attorney workforce capacity
23 building fund" is created in the state treasury to support
24 efforts to increase the available workforce of public
25 defenders and prosecutors, including initiatives to recruit

1 and retain public defenders and prosecutors. The fund
2 consists of appropriations, gifts, grants and donations.
3 Money in the fund is subject to appropriation by the
4 legislature. Any unexpended or unencumbered balance
5 remaining in the fund at the end of a fiscal year shall
6 revert to the general fund unless an appropriation provides a
7 different period for expenditure.

8 B. The department of finance and administration
9 shall administer the fund to:

10 (1) provide grant disbursements pursuant to
11 Subsection I of this section;

12 (2) fund administrative costs necessary to
13 carry out the provisions of this section, including such
14 administrative costs that are necessary to evaluate the
15 efficacy of initiatives implemented by grantees to increase
16 the available workforce of public defenders and prosecutors;
17 provided that the amount expended for administrative costs
18 shall not exceed three percent of the total appropriations to
19 the fund; and

20 (3) fund statewide initiatives to increase
21 the available workforce of public defenders and prosecutors
22 undertaken by the public defender department or the
23 administrative office of the district attorneys or in
24 collaboration between both agencies, as approved by the
25 committee, including conducting workload studies, the results

1 of which shall be used by the committee to improve the
2 structure and criteria of the provisions of this section and
3 to develop recommendations from the committee for policy or
4 program measures to be considered by the legislature;
5 provided that the amount expended shall not exceed six
6 percent of the total appropriations to the fund.

7 C. Disbursements from the fund shall be made on
8 warrants drawn by the secretary of finance and administration
9 pursuant to vouchers signed by the chair of the committee.

10 D. The "public attorney workforce capacity
11 building fund committee" is created and is administratively
12 attached to the department of finance and administration.
13 The committee consists of the following four voting members:

14 (1) two members who are employed by the
15 administrative division of the public defender department, to
16 be appointed by the chief public defender; and

17 (2) two members who are employed by the
18 administrative office of the district attorneys, to be
19 appointed by the director of the administrative office of the
20 district attorneys.

21 E. The committee shall elect a chair from among
22 its membership.

23 F. The committee shall:

24 (1) conduct meetings once per year or more
25 often as necessary to carry out its duties at the times and

1 locations that the committee designates;

2 (2) develop criteria for the awarding of
3 grants as provided in Subsection K of this section;

4 (3) periodically review the award criteria
5 and recommend any amendments to the criteria based on the
6 results of any workload studies or evaluations of grantee
7 initiatives;

8 (4) award grants to local offices of the
9 public defender and local district attorney offices as
10 provided in Subsection I of this section;

11 (5) review and approve proposals for
12 statewide initiatives as provided in Paragraph (3) of
13 Subsection B of this section;

14 (6) collect information about initiative
15 expenditures from grantees as provided in Subsection N of
16 this section;

17 (7) report applicant and grantee information
18 as provided in Subsection O of this section; and

19 (8) disseminate information regarding the
20 program and application process to all eligible entities.

21 G. A majority of the members of the committee
22 constitutes a quorum for the transaction of business.

23 H. Administrative and other necessary support
24 shall be provided to the committee by the department of
25 finance and administration.

1 I. The committee may allocate:

2 (1) up to twenty-five percent of the money
3 in the fund, less administrative costs as provided in
4 Paragraph (2) of Subsection B of this section and funds
5 expended for statewide initiatives as provided in Paragraph
6 (3) of Subsection B of this section, for grants awarded to
7 entities whose primary jurisdiction is within a judicial
8 district having a population of at least five hundred
9 thousand according to the most recent federal decennial
10 census;

11 (2) up to twenty-six percent of the money in
12 the fund, less administrative costs as provided in Paragraph
13 (2) of Subsection B of this section and funds expended for
14 statewide initiatives as provided in Paragraph (3) of
15 Subsection B of this section, for grants awarded to entities
16 whose primary jurisdiction is within a judicial district
17 having a population of at least two hundred fifteen thousand
18 but less than five hundred thousand according to the most
19 recent federal decennial census; and

20 (3) any amount of available money remaining
21 in the fund for grants awarded to entities whose primary
22 jurisdiction is within a judicial district having a
23 population of less than two hundred fifteen thousand
24 according to the most recent federal decennial census.

25 J. For purposes of Subsection I of this section,

1 if applicants whose primary jurisdictions are within
2 different judicial districts apply jointly for a grant, the
3 applicants, if awarded a grant, would each receive an award
4 amount based on that individual applicant's judicial
5 district.

6 K. The committee shall develop grant criteria to
7 guide its determination for the awarding of a grant, and the
8 criteria shall:

9 (1) take into consideration an applicant's
10 attorney vacancy rate;

11 (2) take into consideration an applicant's
12 attorney caseload;

13 (3) take into consideration cost of living
14 and comparable market compensation for an applicant's
15 locality;

16 (4) take into consideration crime rates in
17 an applicant's locality;

18 (5) take into consideration the number of
19 attorneys employed by an applicant;

20 (6) prioritize, in its consideration, an
21 applicant's proposal for initiatives that target the
22 recruitment of candidates who are law school students,
23 attorneys who are not currently employed or contracted by the
24 state or attorneys who are not currently employed in New
25 Mexico;

1 (7) prioritize, in its consideration, an
2 applicant's proposal for initiatives that include
3 collaboration among public defender offices, district
4 attorney offices and other criminal justice entities; and

5 (8) prioritize, in its consideration, an
6 applicant's proposal for initiatives that will take place
7 within a judicial district having existing pre-prosecution
8 diversion programs or a plan to implement those programs
9 within two fiscal years.

10 L. A grantee may use a grant award to:

11 (1) provide a recruitment differential
12 disbursement to newly hired attorneys, including a
13 recruitment differential disbursement for relocation
14 expenses; provided that the attorney remains employed as an
15 attorney with that same agency for one additional year;

16 (2) provide a retention differential
17 disbursement to attorneys already employed by the applicant;
18 provided that the attorney remains employed as an attorney
19 with that same agency for one additional year;

20 (3) implement professional development
21 initiatives designed to recruit, train and retain attorneys;
22 and

23 (4) implement campaigns to recruit in-state
24 and out-of-state candidates.

25 M. A grantee shall not use a grant:

1 (1) for recurring initiatives, except the
2 grantee may use a grant for a recurring initiative if the
3 grantee has provided a plan to replace nonrecurring funds
4 with recurring funds to fund that initiative;

5 (2) to create new attorney positions or fund
6 the base salary of existing attorney positions; or

7 (3) to contract with private attorneys for
8 prosecution or defense services, except if the initiative is
9 focused on increasing the number or capacity of private
10 attorneys available to provide prosecution or defense
11 services in a county or judicial district.

12 N. A grantee shall provide to the committee within
13 ninety days of receiving a grant, and then every ninety days
14 thereafter until the earliest of either the completion of the
15 grantee's initiative or all funds are expended, a report of
16 the grantee's expenditures for the grantee's initiative. Any
17 unexpended money remaining after the completion of the
18 grantee's initiative shall revert to the fund within sixty
19 days of completion of the initiative.

20 O. The committee shall provide at least one annual
21 report by November 1 of each fiscal year to the department of
22 finance and administration and the legislative finance
23 committee that contains:

24 (1) applicant information, including
25 information about the applicant agency, the grant amount

1 requested and the title and description of the applicant's
2 proposed initiative;

3 (2) individual grantee information,
4 including information about the grantee's judicial district
5 location, the grant amount awarded and the title and
6 description of the grantee's initiative;

7 (3) data collected and evaluations made by
8 the department of finance and administration about the
9 efficacy of the initiatives of prior award recipients; and

10 (4) the status of any ongoing workload
11 studies and the results of any workload studies completed
12 since the time of the prior report.

13 P. As used in this section:

14 (1) "committee" means the public attorney
15 workforce capacity building fund committee; and

16 (2) "fund" means the public attorney
17 workforce capacity building fund."

18 SECTION 3. A new Section 9-6-19 NMSA 1978 is enacted to
19 read:

20 "9-6-19. DETENTION AND CORRECTIONS WORKFORCE CAPACITY
21 BUILDING FUND--DETENTION AND CORRECTIONS WORKFORCE CAPACITY
22 BUILDING FUND COMMITTEE--ADMINISTRATION--DISTRIBUTION OF
23 FUNDS--GRANT CRITERIA.--

24 A. The "detention and corrections workforce
25 capacity building fund" is created in the state treasury to

1 support efforts to increase the available workforce of
2 detention officers, including initiatives to recruit and
3 retain high-quality detention officers. The fund consists of
4 appropriations, gifts, grants and donations. Money in the
5 fund is subject to appropriation by the legislature. Any
6 unexpended or unencumbered balance remaining in the fund at
7 the end of a fiscal year shall revert to the general fund
8 unless an appropriation provides a different period for
9 expenditure.

10 B. The department of finance and administration
11 shall administer the fund to:

12 (1) provide grant disbursements pursuant to
13 Subsection J of this section; and

14 (2) fund administrative costs necessary to
15 carry out the provisions of this section, including such
16 administrative costs that are necessary to evaluate the
17 efficacy of initiatives implemented by grantees to increase
18 the available workforce of detention officers and such
19 administrative costs that are determined, in consultation
20 with the committee, to be necessary to conduct workload
21 studies, including studies of retention and hiring
22 challenges, the results of which shall be used by the
23 committee to improve the structure and criteria of the
24 provisions of this section and to develop recommendations
25 from the committee for policy or program measures to be

1 considered by the legislature; provided that the amount
2 expended for administrative costs shall not exceed three
3 percent of the total appropriations to the fund.

4 C. Disbursements from the fund shall be made on
5 warrants drawn by the secretary of finance and administration
6 pursuant to vouchers signed by the chair of the committee.

7 D. The "detention and corrections workforce
8 capacity building fund committee" is created and is
9 administratively attached to the department of finance and
10 administration. The committee consists of the following four
11 voting members:

12 (1) one member who is employed by the
13 corrections department, to be appointed by the secretary of
14 corrections;

15 (2) one member who is employed by a local
16 jail in the state, to be appointed by the New Mexico
17 association of counties;

18 (3) one member who is the county manager of
19 a county government in the state that operates a local jail,
20 to be appointed by the New Mexico association of counties;
21 and

22 (4) one member who is employed by the
23 department of finance and administration, to be appointed by
24 the secretary of finance and administration.

25 E. The committee shall elect a chair from among

1 its membership.

2 F. The committee shall:

3 (1) conduct meetings once per year or more
4 often as necessary to carry out its duties at the times and
5 locations that the committee designates;

6 (2) develop criteria for the awarding of
7 grants as provided in Subsection N of this section;

8 (3) periodically review the award criteria
9 and recommend any amendments to the criteria based on the
10 results of any workload studies or evaluations of grantee
11 initiatives;

12 (4) award grants to detention facilities as
13 provided in Subsections J through M of this section;

14 (5) collect information about initiative
15 expenditures from grantees as provided in Subsection Q of
16 this section;

17 (6) report applicant and grantee information
18 as provided in Subsection R of this section; and

19 (7) disseminate information regarding the
20 program and application process to all eligible entities.

21 G. A majority of the members of the committee
22 constitutes a quorum for the transaction of business.

23 H. A member of the committee shall not review or
24 vote on a proposal made by an applicant with whom the member
25 is employed.

1 I. Administrative and other necessary support
2 shall be provided to the committee by the department of
3 finance and administration.

4 J. The committee may allocate:

5 (1) up to twenty-eight percent of the money
6 in the fund, less administrative costs as provided in
7 Paragraph (2) of Subsection B of this section, for grants
8 awarded to entities located within a county with a population
9 of at least five hundred thousand according to the most
10 recent federal decennial census; and

11 (2) any amount of available money remaining
12 in the fund for grants awarded to entities located within a
13 county with a population of less than five hundred thousand
14 according to the most recent federal decennial census.

15 K. For purposes of Subsection J of this section,
16 if applicants located within different counties apply jointly
17 for a grant, the applicants, if awarded a grant, would each
18 receive an award amount based on that individual applicant's
19 county.

20 L. Any local jail is eligible to apply for a
21 grant; provided that the local jail is in compliance with
22 applicable statutory reporting requirements, including those
23 described in Sections 33-3-4 and 33-16-5 NMSA 1978.

24 M. The corrections department and all of its
25 corrections facilities are eligible to apply for a grant;

1 provided that:

2 (1) the application for a grant proposes to
3 undertake initiatives in collaboration with a local jail;

4 (2) the corrections department is in
5 compliance with applicable statutory reporting requirements,
6 including those described in Subsection F of Section 31-20-2
7 NMSA 1978, Subsection C of Section 33-15-3 NMSA 1978 and
8 Sections 9-3-9, 33-9-10 and 33-16-5 NMSA 1978, and all
9 reporting requirements for appropriations that have not been
10 fully expended by the department and have not reverted to the
11 general fund or any other fund; and

12 (3) for purposes of Subsection J of this
13 section, the primary jurisdiction of the corrections
14 department or corrections facility shall be based on the
15 primary jurisdiction of the local jail with which the
16 department or the corrections facility has proposed to
17 collaborate.

18 N. The committee shall develop grant criteria to
19 guide its determination for the awarding of a grant, and the
20 criteria shall:

21 (1) take into consideration an applicant's
22 detention officer vacancy rate;

23 (2) take into consideration cost of living
24 and comparable market compensation for an applicant's
25 locality;

1 (3) take into consideration an applicant's
2 average daily inmate population over the most recent fiscal
3 year;

4 (4) take into consideration the ratio of an
5 applicant's number of employed detention officers to the
6 average daily inmate population over the most recent fiscal
7 year;

8 (5) prioritize, in its consideration, an
9 applicant's proposal for initiatives that target the
10 recruitment of candidates who are experienced detention
11 officers not currently employed by a local jail within the
12 state or the corrections department;

13 (6) prioritize, in its consideration, an
14 applicant's proposal for initiatives to be undertaken in
15 collaboration between local jails and between one or more
16 local jails and the corrections department; and

17 (7) prioritize, in its consideration, an
18 applicant that provides detention services to two or more
19 counties.

20 0. A grantee may use a grant award to:

21 (1) provide a recruitment differential
22 disbursement to newly hired detention officers, including a
23 recruitment differential disbursement for relocation
24 expenses; provided that the detention officer remains
25 employed as a detention officer with that same local jail or

1 the corrections department for one additional year;

2 (2) provide a retention differential
3 disbursement to detention officers already employed by the
4 applicant for the purpose of retention; provided that the
5 detention officer remains employed as a detention officer
6 with that same local jail or the corrections department for
7 one additional year;

8 (3) implement professional development
9 initiatives designed to recruit, train and retain detention
10 officers, including tuition reimbursement and developing and
11 conducting a core training academy for detention officers
12 employed by local jails in collaboration with the corrections
13 department or the department of public safety; and

14 (4) implement campaigns to recruit in-state
15 and out-of-state candidates.

16 P. A grantee shall not use a grant:

17 (1) for recurring initiatives, except the
18 grantee may use a grant for a recurring initiative if the
19 grantee has provided a plan to replace nonrecurring funds
20 with recurring funds to fund that initiative; or

21 (2) to create new detention officer
22 positions or fund the base salary of existing detention
23 officer positions.

24 Q. A grantee shall provide to the committee within
25 ninety days of receiving a grant, and then every ninety days

1 thereafter until the earliest of either the completion of the
2 grantee's initiative or all funds are expended, a report of
3 the grantee's expenditures for the grantee's initiative. Any
4 unexpended money remaining after the completion of the
5 grantee's initiative shall revert to the fund within sixty
6 days of completion of the initiative.

7 R. The committee shall provide at least one annual
8 report by November 1 of each fiscal year to the department of
9 finance and administration and the legislative finance
10 committee that contains:

11 (1) applicant information, including
12 information about the applicant detention facility, the grant
13 amount requested and the title and description of the
14 applicant's proposed initiative;

15 (2) individual grantee information,
16 including information about the grantee's detention facility,
17 the grant amount awarded and the title and description of the
18 grantee's initiative;

19 (3) data collected and evaluations made by
20 the department of finance and administration about the
21 efficacy of the initiatives of prior award recipients; and

22 (4) the status of any ongoing workload
23 studies and the results of any workload studies completed
24 since the time of the prior report.

25 S. As used in this section:

1 (1) "committee" means the detention and
2 corrections workforce capacity building fund committee;

3 (2) "corrections facility" means any
4 facility or program controlled or operated by the state or
5 any of its agencies or departments and supported wholly or in
6 part by state funds for the correctional care of persons,
7 including the penitentiary of New Mexico, which consists of
8 the penitentiary of Santa Fe and other places in the state
9 designated by the secretary of corrections, but not including
10 a facility operated by a private independent contractor
11 pursuant to an agreement with the corrections department;

12 (3) "detention facility" means a local jail
13 or corrections facility;

14 (4) "detention officer" means any employee
15 of the corrections department or a local jail who has inmate
16 custodial responsibilities;

17 (5) "fund" means the detention and
18 corrections workforce capacity building fund; and

19 (6) "local jail" means a facility operated
20 by a county, municipality or combination of such local
21 governments and used for the confinement of persons charged
22 with or convicted of a violation of a law or ordinance, but
23 does not include a facility operated by a private independent
24 contractor pursuant to an agreement with a county,
25 municipality or combination of such local governments."

