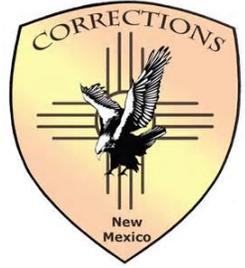




2016

LEGISLATIVE SESSION

FREQUENTLY ASKED QUESTIONS



NEW MEXICO DEPT. OF CORRECTIONS
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January 19, 2016

Dear Members of the Legislature:

Inside this packet, you will receive the answers to commonly asked questions regarding the State of New Mexico Corrections Department. We want to inform you of our legislative priorities and goals and ask for your help in meeting them.

FUNDING NEEDS

Our legislative priorities this year include receiving adequate funding for our budgetary needs for the remainder of FY16, and for FY17.

Staffing Crisis

The Corrections Department is at breaking point. Based on current rates for officer compensation, the Corrections Department cannot adequately compete in the current job market, losing almost every officer it recruits within thirty-six (36) months. Consequently, the average correctional officer in our prisons works sixty-four (64) hours a week. The state's Probation and Parole Division is currently operating at a vacancy rate of 20%. On the other hand, the probation/parole population has risen by 521 offenders over the last quarter, resulting in a total population of 17,317 offenders. As a result, the average standard case load is currently 110 per officer, which is up seven over the last quarter.

These peace officers put their lives on the line every single day, working within some of the most dangerous and negative environments and circumstances a man or woman could choose to work within our country. As the department has significantly decreased its use of segregation, increased congregative movement and social interactions for inmates, and increased the delivery of educational/vocational programming, although important and appropriate, it has also simultaneously has increased risk within our prisons. With increased risk for both inmates and staff, our correctional officers are the first responders for inmates in need. On the other hand, there are no first responders for the correctional officer. When an officer is assaulted inside a facility, there is no 911.

Perhaps even more importantly, the daily effectiveness of our state's prisons is dependent upon precise and repeated attention to detail when line officers carry out their responsibilities, particularly security posts and rounds carried out within our state's prisons, twenty-four hours a day, and seven days a week. Fatigue and low staff morale, resulting from significant amounts and mandatory overtime cause correctional officers who are on duty to not be at their best



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performance. Working mandatory overtime can cause correctional officers to experience sleep deprivation. Fatigue from long shifts can reduce attention to detail and affect critical thinking and performance.

Additionally, when correctional officer staffing remains so dramatically and consistently below minimal levels, normal activities such as contraband searches, training, offender programming, and other necessary activities, such as inmate recreation and visitation designed to manage inmate conduct, can't be conducted.

With officer staffing vacancies at a critical level, it is our aim to fill vacant posts, and increase compensation for new and veteran officers. It is imperative that, for the security of each officer, and for the body of inmates in our custody, that we increase and retain staff in our prison facilities. The men and women officers of the NMCD are under-paid, underappreciated, and our current vacancy rates put them at the risk of potential harm. We can no longer continue the status quo. We ask that you support the State Personnel Office request to increase compensation to Correctional Officers.

Our FY17 Operating Budget Request focuses on funding for Inmate Growth, Hepatitis C Treatment, and our Security Threat Intelligence Unit.

Inmate Growth

According to the New Mexico Sentencing Commission Prison Population Forecast published in July of 2015, NMCD will experience growth of 1.2% in the male and 15.6% in the female population in FY17 over FY15. NMCD will be at 98% capacity by July of 2016. In your deliberations this session, we also respectfully ask that you consider that the department has been underfunded for two consecutive years regarding the forecasts of this independent research and has consequently operated in a fiscal deficit.

Hepatitis C Treatment

Accepting wholly its mission to better prepare inmates for their imminent return to New Mexico's neighborhoods, the department includes restoration of health, and access to healthcare, as managing objectives for its work. There are approximately 3,000 inmates with Hepatitis C; roughly half of the inmate population. NMCD projects that 150 inmates will receive treatment in FY17. New oral treatment reports fewer side effects and, in certain cases, a 90% - 98% cure rate of patients. Different genomes require differing treatments and drugs. Costs vary dramatically from drug to drug. For example, those with Genotype 3A could be treated for 24 weeks at a cost of \$288,000 per person. Those with Genotype 1 could be treated for 12 weeks at a cost of \$63,000 per person, etc, using the drug commonly known as Harvoni.



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Due to the ambiguity of both the inmate growth projections provided by the NM Sentencing Commission and the cost to treat Hepatitis C, which varies depending on type, the Department has requested a supplemental appropriation for this purpose in FY16.

Security Threat Intelligence Unit (STIU)

Fundamental to our work to reduce the likelihood of re-offending when inmates complete their prison sentences, is to have safe, pro-social prisons, characterized by accountability. In the re-design of its operations, the Corrections Department has sought to create a prison experience that is founded on two important principles. First, when an inmate is sentenced to a New Mexico prison, he/she must understand the importance of becoming accountable for their crimes and the impact of their choices upon others. Second, our prison operations must be designed and driven by the reality that most offenders sentenced to prison possess the ability to grow more accountable from their circumstances. As NMCD inmates experience more congregate movement within the prisons, the STIU Unit becomes even more crucial to increasing risk mitigation. The purpose of the expansion is to increase intelligence capabilities inside the prison to reduce assaults on inmates and staff, reduce contraband introduced into the facilities, and to ensure fugitive absconder compliance.

LEGISLATION

Absconding as a 4th Degree Felony

NMCD is introducing a bill that both defines and makes absconding a 4th degree felony. Absconding from parole or probation generally means that the offender essentially evades any and all conditions of supervision. Typically, the offender moves to another location unknown to the Probation and Parole Division in order to try to avoid detection and all supervision conditions. At this point, there is no criminal penalty for absconding. The case of Andrew Romero, who is accused of shooting and killing Rio Rancho police officer Gregg “Nigel” Benner in 2015 after he had absconded from probation supervision, underscores the dangers that absconders can pose to the community.

The Department currently has approximately 1,700 absconders, but only 12 investigators available to attempt to locate and apprehend these offenders. Many absconders are often released by judges, right back to supervision with little or no prison time, only to abscond again. A criminal penalty would likely deter some offenders from absconding and ultimately lower the number of absconders over time, to the benefit of public safety.

In its efforts to improve its public safety outcomes through redesign of its operations, the Corrections Department recognizes the most recent and relevant social science relating to risk for both re-offending and future violence. Social researchers recognize and have reported a



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correlation between disobedience to and disregard of court orders with increased risk for both. Consequently, the Corrections Department must also recognize and promote a foundational principle of accountability in its work. In a more balanced approach to carrying out its public safety responsibilities, the department must also emphasize the return of offenders who disregard and violate court ordered supervision.

FOCUS AREAS

In addition to all of the above, we have prioritized the following areas of focus:

- Continued reduction in the use of segregation as a management tool;
- Suppression and elimination of the negative and violent effects of prison gangs within our prisons;
- Recidivism reduction through the integration of evidence based programming and operations;
- Gender-specific programming for female inmates sentenced to New Mexico prisons, and;
- Continued focus upon reducing the number of release eligible inmates (REIs) through expansion of our community-based corrections, treatment, and transitional living infrastructure.

To better support you during this year's legislative session, we will email daily blog posts, containing information that may be useful to inform your decisions.

If at any point during the session you have questions or concerns, please contact our Policy & Legislative Outreach Director, Lucy River, at (cell) 505.259.4743, or LucyA.River@state.nm.us.

As always, I am also available to speak with you directly. Have a great 2016 Session!

Cabinet Secretary, Gregg Marcantel

New Mexico Corrections Department



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FY17 GENERAL FUND APPROPRIATION REQUEST

NMCD is requesting \$302.6 million in general fund appropriations. The requested amount is \$12 million or 4% increase over the FY16 Operating Budget.

General Fund (In Thousands)	FY16 Operating Budget	FY17 Appropriation Request	FY17 Over/(Under) FY16
P530- Program Support	\$ 12,978.8	\$ 13,428.8	\$ 450.0
P531- Inmate Management and Control	\$ 245,248.9	\$ 257,590.9	\$ 12,342.0
P534- Community Offender Management	\$ 31,393.8	\$ 31,542.8	\$ 149.0

P530 Program Support: \$13.4 Million

The FY17 Program Support request for general fund exceeds the FY16 operating budget by \$450 thousand due to a requested transfer of recently reclassified FTE from the Inmate Management and Control program to the Office of General Counsel. The realignment allows NMCD to mitigate legal issues and provide a legal presence at each facility by strategically placing attorneys at the Penitentiary of New Mexico, Southern New Mexico Correction Facility and Central New Mexico Correctional Facility.

P531 Inmate Management & Control (IMAC): \$257.5 Million

IMAC requires \$12 million above the FY16 operating budget.

Inmate Growth

NMCD based the \$7,659,000 increase for inmate growth on the New Mexico Sentencing Commission Prison Population Forecast published in July of 2015. The request factors in credits for penalties charged to the private facilities for insufficient staffing levels and releases beyond the eligible date. According to the published report, NMCD will experience growth of 1.2% in the male and 15.6% in the female population in FY17 over FY15. Please note that NMCD will be at 98% capacity in July 2016.

Hepatitis C Treatment

There are approximately 3,000 inmates with Hepatitis C; roughly half of the inmate population. In July of 2015, NMCD joined with Project ECHO to collaborate on treatment for Hepatitis C. Project ECHO (Extension for Community Healthcare Outcomes) is a collaborative model of medical education and care management. In FY17, NMCD is projecting to treat 150 people.

At the time of the submission of the FY17 Budget Request, NMCD estimated treating between 20 and 40 inmates, based on the best available information at the time. The estimated costs were \$90,000 for a



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twelve-week treatment (multiplied by 13 inmates) and \$180,000 for a twenty-four-week treatment (multiplied by 7 inmates). The request is for \$2,420,000.

However, new drugs have resulted in new cost estimates. New oral treatment reports fewer side effects and, in certain cases, a 90% - 98% cure rate of patients. Different genomes require differing treatments and drugs. Costs vary dramatically from drug to drug. For example, those with Genotype 3A could be treated for 24 weeks at a cost of \$288,000 per person. Those with Genotype 1 could be treated for 12 weeks at a cost of \$63,000 per person, etc, using the drug commonly known as Harvoni.

Due to the ambiguity of both the inmate growth projections provided by the NM Sentencing Commission and the cost to treat Hepatitis C, which varies depending on type, the Department has requested a supplemental appropriation in FY16 of \$10 million. (See *FY16 supplemental request**)

Security Threat Intelligence Unit

As NMCD inmates experience more congregate movement within the prisons, the STIU Unit becomes even more crucial to increasing risk mitigation. The purpose of the expansion is to increase intelligence capabilities inside the prison to reduce assaults on inmates and staff, reduce contraband introduced into the facilities, and to ensure fugitive absconder compliance.

The \$1.9 million expansion will allow NMCD to:

- Enhance and focus on intelligence gathering processes
- Properly assess and house gang members remanded into custody
- Collaborate with law enforcement agencies statewide
- Implement technology to force multiply security measures within prisons.
- Increase the number of monitored inmate phone calls to identify introduction of contraband and to deter acts of violence in the prison facilities and in the community.
- Decrease the number of absconders in our communities violating the conditions of supervision and committing additional crimes.

The request is for: Funding 9 vacant and 9 additional FTE, operational and equipment expenses, vehicle leases, canines (K-9).



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FY16 SUPPLEMENTAL APPROPRIATION REQUEST*

Inmate Growth-\$5 million

In FY16 NMCD prioritized the budget to accommodate inmate growth based on New Mexico Sentencing Commission projections published in July of 2014. The Sentencing Commission identified that the population growth projections were off target the prior year (FY15), and revised the FY16 population growth projections to be more aggressive, especially with the female population. The requested supplemental appropriation is based on the more aggressive Sentencing Commission projections. The revised FY16 projection reflects that 141 male and 110 female inmates were under projected in the previous report used to establish the FY16 Budget Request. The projected costs for inmate growth are complex; however, NMCD is attempting to the best of its ability to forecast expense. To further complicate the issue, NMCD is in the process of a request for proposal of a male sex offender facility and at this point per diem rates for these inmates are unknown.

Hepatitis C Treatments-\$10 million*

In July 2015, NMCD joined with [Project ECHO](#) to collaborate on treatment for Hepatitis C. Project ECHO (Extension for Community Healthcare Outcomes) is a collaborative model of medical education and care management. From July, 2015 to early January, 2016, NMCD has treated 26 patients. Of those 26, the virus is now undetectable in 9. In FY17, NMCD is projecting to treat 150 people.

New oral treatment reports fewer side effects and, in certain cases, a 90% - 98% cure rate of patients. Different genomes require differing treatments and drugs. Costs vary dramatically from drug to drug. For example, those with Genotype 3A could be treated for 24 weeks at a cost of \$288,000 per person. Those with Genotype 1 could be treated for 12 weeks at a cost of \$63,000 per person, etc, using the drug commonly known as Harvoni.

CAPITAL IMPROVEMENT PROJECTS: \$42,235,534

- \$7,929,950 to plan, design, and construct prison HVAC project upgrades, replacements, and infrastructure improvements at Western New Mexico Correctional Facility in Grants, Central Correctional Facility in Los Lunas, and Southern Correctional Facility in Las Cruces
- \$9,575,000 for security upgrades, including infrastructure improvements, construction, and purchase and installation of equipment at correctional facilities statewide.



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- \$1,806,174 to plan, design, de-commission, and remove the wastewater drying ponds and aeration lagoons at the Southern Correctional Facility. Construct, repair, and equip existing wastewater pre-treatment system for connection to city sewer.
- \$21,676,410 to plan, design, repair, replace, renovate and equip correctional facilities statewide to correct safety hazards, address operational interruptions, and to combat facility deterioration.
- \$1,248,000 to program and master plan six main prison campuses, the Central Administration Campus, and the NMCD facilities occupied at the Los Lunas Campus.
- **Note:** NMCD continues to utilize \$1.5 million in capital outlay funding allocated in FY15 in SB 291 to renovate and expand The Pavilions, a women's transitional living facility in Valencia County. We are grateful to those legislators who gave capital outlay to this project, which is currently in progress. Thank you.

NMCD HAS APPROXIMATELY 300 MILLION DOLLARS IN DEFERRED MAINTENANCE

OFFENDER MANAGEMENT SOFTWARE REQUEST: \$12.5 MILLION

NMCD has set a strategic goal to reduce the rate of recidivism by 10% over the next 3 years. To help achieve this goal, NMCD's direction is to purchase a Commercial Off-The-Shelf (COTS) Offender Management System (OMS) to:

- Improve offender management
- Provide future mobility
- Make use of new technology
- Implement current design standards
- Comply with global data standards

NMCD SUPPORTS THE STATE PERSONNEL OFFICE'S COMPENSATION PACKAGE REQUEST

- NMCD continues to face significant challenges in retaining its officers.
- NMCD ranks in the bottom five in the nation for officer pay. We compete with McDonalds in Santa Fe!
- Our staffing shortages create fatigue and unsafe prisons.



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- Prison operations are dependent upon daily and repetitive attention to detail.
- The average officer in our prisons is working **64** hours a week.
- On the other hand, following your lead and driving prison management through a public safety optic, our increased congregate movement and programming also increases our security needs.
- As security needs increase, so does workplace-stress.
- PTSD rates for corrections officers are higher than combat veterans returning from Iraq and Afghanistan.
- NMCD's prisons are old and their outdated designs are FTE/labor intensive.
- More importantly, following the riot, our prisons were built for containment (quiet prisons), not programming - little to no programming space exists.
- NMCD is working with the State Personnel Office to develop a targeted pay band system for corrections and probation and parole officers.
- If approved and funded, the new pay bands will bring officers rate of pay up.
- SPO and NMCD researched starting pay for officers in other states and at local county jails.
- The Metro Detention Center in Bernalillo County, with a starting pay of \$17.45 an hour, was evaluated as a comparative for the analysis for the proposed pay band for NMCD correction officers.



**NEW MEXICO DEPT. OF CORRECTIONS
CORRECTIONS INDUSTRIES DIVISION**



WHAT IS CORRECTIONS INDUSTRIES?

The **Corrections Industries Division** (CID), an enterprise agency within the New Mexico Corrections Department, was established by an act of the New Mexico Legislature in 1978. As a business, Corrections Industries is committed to maintain and expand inmate work training programs which develop marketable skills, instill and promote positive work ethics, minimize inmate idleness and reduce the tax burden of the Corrections Department. In addition, CID is committed to continue to assist NMCD in reducing recidivism 10% over the next two years.

CID is a unique blend of business and government, using private industry tools and techniques to provide a public service. The Division is financed through a revolving fund, from which all operating expenses are paid. Operations within the correctional facilities are supported by sales to state agencies, schools, county and local governments, and not-for-profit organizations. Hundreds of inmates gain work experience and training as they produce high quality, competitively priced products. The Division employs 16 staff and supervisory personnel to manage an average of 300 inmates in 21 programs at seven different facilities around the state.

The Corrections Industries Division is governed by an oversight commission with advisory authority. The Commission's seven volunteer members are appointed by the governor with the advice and consent of the New Mexico Senate for staggered terms of four years or less; the governor designates one member as the chair.

2014-2015 Members:

John Serrano, Chair, Santa Rosa, NM

Jay Armijo, Vice Chair, Williamsburg, NM

Nick Brown, Clayton, NM

P. Robert Alexander, Santa Fe, NM

Harold Foreman, Las Cruces, NM

Christine Van Norman, Corrales, NM

Alfred Porter, Albuquerque, NM

**NEW MEXICO DEPT. OF CORRECTIONS
CORRECTIONS INDUSTRIES DIVISION**



WHAT HAS CID DONE IN THE PAST YEAR?

- Expanded a joint venture program with Keefe Corporation to provide Canteen Services to the inmates at all of the six state-run facilities providing 15 inmate labor positions from the Penitentiary of New Mexico and provided Family Packaging Services to the inmates at all of the six state-run facilities generating more revenues for programming.
- Expanded the “Old Main” tours addressing the issues surrounding the 1980 New Mexico prison riot. Proceeds from ticket sales were used to further the restoration of the “Old Main” as well as fund inmate programming.
- Took over operations of the kitchens at the Penitentiary of New Mexico and the Training Academy.
- Partnered with NMSU to build Hoop Houses at the Penitentiary of New Mexico to grow vegetables and fruit to support facility food services and ornamental plants for use by the landscape crews.
- Partnered with NMSU and Turquoise Trail Elementary School to build a Hoop House for the students to grow fresh vegetables to support healthy food choices and to learn about alternative programs.



WHAT IS THE HOOP HOUSE INITIATIVE?

Corrections Industries (CI) took over the Food Services for both the Penitentiary of New Mexico and the Training Academy in October of 2014. The goal was two-fold:

- I. To provide a better meal without any additional costs and
- II. To focus on a vocational training program in food services

CI collaborated with NMSU to build hoop houses at the Penitentiary of New Mexico to provide fresh grown vegetables for the inmates and provide a training program in



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agriculture for the inmates at the Level II. In November 2014, with NMSU oversight, the inmates built four hoop houses. Another four were recently completed.

WHAT IS THE VOLUME OF FOOD PRODUCED?

The four hoop houses generated over 850 lbs. of fresh vegetables.

ARE THERE COST SAVINGS?

Cost savings are not immediately measurable because fresh vegetables were not served prior to the establishment of these hoop houses. Accordingly, no baseline exists for comparison. The fresh vegetables served are in addition to the approved menu. If we can maintain the poundage of vegetables, we can request that they be added to the menu instead of the canned vegetables.

WHAT IS THE LEVEL OF INMATE PARTICIPATION IN THE EFFORT?

CI hired six inmates to cultivate the hoop house crops. In addition, each inmate had to participate in the "Roots of Success" program. The "Roots of Success Program is a four-week environmental literacy program; specifically designed for learners who struggle in traditional academic settings. The program engages students to think about their communities and challenges students to practice environmentally conscious life styles. It also prepares students for green jobs.





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FY 17 COSTS OF INCARCERATION AND PROBATION/PAROLE

WHAT IS THE COST OF INCARCERATION?

The classification of an inmate determines his or her custody level, and the incarceration cost varies based on the custody level and particular facility. The average cost to incarcerate a male inmate is \$45,250 per year in a state-owned and operated prison, and the average annual cost in a privately operated prison is \$29,781 (where primarily only level III or medium custody inmates are housed).

WHAT ARE THE COSTS INVOLVED FOR PROBATION OR PAROLE?

The cost per client in Probation and Parole for a standard supervision program is \$2,766 per year. The cost per client in Intensive Supervision programs is \$2,174 per year. The cost per client in Community Corrections is \$4,236 per year. The cost per client per year for female residential Community Corrections programs is \$30,631 and for males is \$20,471.





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THE CRAFTSMAN AND TRADES FAIR

WHAT IS THE CRAFTSMAN AND TRADES FAIR?

The Craftsman and Trades Fair is a bi-annual event hosted by NMCD. Inmates at all eleven prisons across the state participate by submitting their art that is then sold at the fair.

WILL 96% OF OUR INMATES LEAVE PRISON ONE DAY AND RETURN HOME?

Yes. The Corrections Department works hard to provide inmates with the educational and vocational skills to help them succeed and never return to prison. The Inmate Craftsman and Trades Fair is one way our inmates learn how to run their own business, since they are responsible for buying the material needed for their projects, determining market pricing, and demand. They are also taught about saving money, how to reinvest their earnings into their business and marketing their craft. The ultimate goal of the program is to promote entrepreneurship by allowing participating inmates to experience and learn how to use their talent to open their own businesses and support their families when they leave prison.

This event benefits victims, children of offenders, other inmates learning new crafts and more. A portion of the proceeds will go to that inmate's children or family members, to the Crime Victims Reparation Fund, and to support other inmate vocational programs. The inmate will also receive a portion of the proceeds and some will be placed in a savings account to aid the inmate when he or she is released.





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THE TREATMENT OF INMATES WITH HEPATITIS C

HOW MANY INMATES HAVE HEPATITIS C?

There are approximately 3,000 inmates with Hepatitis C; roughly half of the inmate population.

WHAT ARE THE COSTS INVOLVED IN TREATING ONE INDIVIDUAL WHO HAS HEPATITIS C?

New oral treatment reports fewer side effects and, in certain cases, a 90% - 98% cure rate of patients. Different genomes require differing treatments and drugs. Costs vary dramatically from drug to drug. For example, those with Genotype 3A could be treated for 24 weeks at a cost of \$288,000 per person. Those with Genotype 1 could be treated for 12 weeks at a cost of \$63,000 per person, etc, using the drug commonly known as Harvoni.

Due to the ambiguity of both the inmate growth projections provided by the NM Sentencing Commission and the cost to treat Hepatitis C, which varies depending on type, the Department has requested a supplemental appropriation in FY16 of \$10 million.

HOW MANY PATIENTS HAVE YOU TREATED/PLANNING ON TREATING?

From July, 2015 to early January, 2016, NMCD has treated 26 patients. Of those 26, the virus is now undetectable in 9. In FY17, NMCD is projecting to treat 150 people.

WHAT IS PROJECT ECHO, AND HOW IS NMCD INVOLVED?

In July 2015, NMCD joined with [Project ECHO](#) to collaborate on treatment for Hepatitis C. Project ECHO (Extension for Community Healthcare Outcomes) is a collaborative model of medical education and care management. The ECHO model™ does not actually “provide” care to patients. Instead, it dramatically increases access to specialty treatment in rural and underserved areas by providing front-line clinicians with the knowledge and support they need to manage patients with complex conditions such as hepatitis C via Tele-Echo clinics. It does this by engaging clinicians in a continuous learning system and partnering them with specialist mentors at an academic medical center or hub. From a prevention perspective, Project ECHO also educates within facilities so that inmates can help spread awareness to peers regarding the transmission of infectious diseases, including Hepatitis C.

HOW IS TREATMENT DETERMINED?

Based on existing resources, it is our goal to treat the sickest among us first. Treatment plans are developed in conjunction with Project Echo. We treat based on the existing community indigent standard of care. Within the NMCD, once a patient has completed the medical screen and appropriate labs/other diagnostic studies, the patient is presented to a panel of subject matter experts via the University of New Mexico Project ECHO specialists. Treatment is initiated and the patient is monitored based upon evidence based guidelines. There is a weekly conference between Corizon Health providers and the members of the Project ECHO team to discuss tentative candidates, and to monitor treatment progress of those individuals who have been initiated on treatment.



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ALLEGED SYNDICATO DE NUEVO MEXICO (SNM)

PRISON GANG MEMBERS CHARGED

WHAT HAPPENED ON DECEMBER 14 REGARDING THE SNM PRISON GANG IN NEW MEXICO?

On December 14, 2015, in the culmination of an historic law enforcement operation, a federal grand jury returned two indictments charging a total of 25 defendants with participating in a violent racketeering enterprise known as the Sindicato de Nuevo Mexico (SNM) Prison Gang. The racketeering indictments, which were filed on Dec. 1, 2015, allege that the defendants conspired to violate federal racketeering laws by conspiring to commit violent crimes, including murder, attempted murder and assault, in aid of their racketeering enterprise. The indictments are the result of a multi-agency investigation led by the Albuquerque Division of the FBI that culminated with a law enforcement operation during which all but one of the defendants charged were arrested.

The U.S. Attorney noted that the two cases are being prosecuted as part of a federal anti-violence initiative that targets “the worst of the worst” offenders for federal prosecution. Under this initiative, the U.S. Attorney’s Office and federal law enforcement agencies work with New Mexico’s District Attorneys and state, local and tribal law enforcement agencies to target violent or repeat offenders for federal prosecution with the goal of removing repeat offenders from communities in New Mexico for as long as possible. Because New Mexico’s violent crime rates are amongst the highest in the nation, New Mexico’s law enforcement community has been collaborating to target repeat offenders from counties with the highest violent crime rates under this initiative.

WHAT WERE THE INDICTMENTS?

The two racketeering indictments allege that the 25 defendants charged were members and associates of the SNM Prison Gang, a state-wide gang operating in New Mexico prisons and in communities throughout the state. According to the racketeering indictments, the SNM Prison Gang was formed in the early 1980s at the Penitentiary of New Mexico after the prison riot in Feb. 1980, and expanded throughout the New Mexico penal system. Gang members and associates allegedly are expected to remain loyal to the Gang and work to further its objectives after they have completed their prison sentences and those who do not are allegedly subject to violent forms of discipline. The racketeering indictments allege that significant goals of the SNM Prison Gang include controlling and profiting from drug trafficking both within and outside the penal system; intimidating and influencing other gangs for the purpose of expanding the network for its illegal activities; and engaging in violence to assert its gang identity and protect its territory.

The first of the racketeering indictments charges 24 alleged SNM Prison Gang members and associates with committing four murders, conspiring to commit three murders and conspiring to commit a violent assault for the purpose of gaining entrance to and maintaining and increasing their positions within the SNM Prison Gang, an enterprise engaged in racketeering activity. The indictment includes Notices of Special Findings against the 12 defendants alleged to have committed murder in aid of the Gang’s

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ALLEGED SYNDICATO DE NUEVO MEXICO (SNM)
PRISON GANG MEMBERS CHARGED**



racketeering affairs. The decision whether or not to seek the death penalty will be made by the Attorney General of the United States based on the recommendations of the U.S. Attorney and after carefully considering each defendant's background and the circumstances of his crimes.

The second racketeering indictment charges four alleged SNM Prison Gang members and associates, including three charged in the first racketeering indictment, with conspiring to commit two murders and committing two violent assaults for the purpose of gaining entrance to and maintaining and increasing their positions within the SNM Prison Gang.

More than 500 federal, state, county and local law enforcement and corrections officers were involved in the December law enforcement operation. In addition to the arrests, the operation included the execution of 12 federal search warrants in New Mexico and one in Tennessee; a lockdown of three prison facilities in the state for the purpose of conducting cell searches; and more than 50 probation and parole searches throughout the state. The following agencies were involved in the law enforcement operation: Albuquerque Division of the FBI, New Mexico Corrections Department, New Mexico State Police, Bernalillo County Sheriff's Office, Metropolitan Correctional Center, Albuquerque Police Department, U.S. Marshals Service, and the El Paso, Phoenix, Denver, Las Vegas and Knoxville FBI Divisions.'

NMCD was among those thanked by the FBI. "Today is a realization towards true public safety and the New Mexico Corrections Department is proud to contribute," said Jerry Roark, Director of the Adult Prison Division of the New Mexico Corrections Department. "These arrests help us in our mission is to provide safer prisons for those in our care."



NEW MEXICO DEPT. OF CORRECTIONS ADDRESSING AND IMPROVING THE RECIDIVISM RATE

FROM WHERE IS RECIDIVISM DATA GATHERED? IS IT ACCURATE?

Recidivism, in a public safety context, can be defined as the reversion of an individual to criminal behavior after he or she has been convicted of a prior offense, sentenced, and (presumably) corrected. Recidivism data is gathered from the NMCD Criminal Management Information System (CMIS), which contains over 1400 tables with hundreds of thousands rows of data. Although due diligence has been applied to assure the accuracy of reported data (despite the cumbersome and antiquated nature of current offender management software), the Corrections Department has confidence that outcomes reported are as comprehensive as possible with minimal margin of error. To best inform your decisions as a state leader, the department shall outline a handful of cautions when considering criminal justice outcomes and comparing the work of our state against others.

HOW IS RECIDIVISM CALCULATED?

Recidivism, or post release criminality, is the outcome measure used most frequently in evaluating correctional programs and organizations. Some consider recidivism to be the sole criterion for assessing both. But if used indiscriminately, without regard for its appropriateness or limitations, it could misinform public safety policy decisions. Most of us are generally aware of what recidivism is (or should be), but haven't considered the issue in depth. Our lack of in-depth knowledge about recidivism may be best illustrated when we consider the differences between how those who do research on correctional effectiveness, those who compute recidivism statistics for administrative purposes, and those who merely read of such statistics perceive and value the calculations that inform our policy decisions. It's important to note that no consistent definition of recidivism currently exists for the variety of programs and states across our nation. For example, outcome measures for programs, as well as those used by different states, may involve a follow-up time of 6 months, 1 year, 3 years, or 5 years. Moreover, follow-up time computations may start with release from prison in one state or program, and be defined as release from community supervision (probation and/or parole) in others. Additionally, recidivating events may be defined as technical violations of the conditions of community supervision or arrest on a new charge in particular programs and/or states, while driven exclusively by return to prison in others. To further compound these inconsistencies, for some time now, in our attempts to measure outcomes and allocate our state's resources, our lack of awareness of these issues, we have reported recidivism on annual, even quarterly intervals.

To inform your decisions as a state leader, please note that our rate is calculated when a distinct offender who is released, returns to prison *within the time-period specified*. We calculate this in the same way that NMSC, BJS and NIC do, which is a return to prison within a three-year period. It remains important to note that assumptions relating to the effectiveness of New Mexico's correctional operations must take into account that the time interval for measurement is the sum of: release to arrest, arrest to hearing, hearing to trial, trial to sentencing, and sentencing to recommitment. Simply put, offenders must

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first undergo programming and complete their sentence(s) to initiate the three-year follow-up period. As a result, evaluation of correctional programs is a multi-year, not an annual, process.

The organization and predictability of the work done within our prisons and neighborhoods is essential, not only to smooth and secure operations, but to evoke effective outcomes for our public safety responsibilities. As testified to over the last two years, the department's current offender management system is antiquated and inadequately captures and tracks data relating to the variety of correctional processes. Moreover, the software is at end of life, as Microsoft no longer offers upgrades and maintenance for the platform. Because, undoubtedly, if New Mexico harness the potential of more effective recidivism data collection, we will become better positioned to measure and improve our performance; use money more wisely and enforce accountability. Your attention and support in replacing this system is more important than ever.

HOW HAS NMCD APPROACHED RECIDIVISM?

NMCD has been proactive in offering inmates the opportunity to educate and rehabilitate themselves. Whether the programming is adult basic education, advanced education, or job skills needed to re-integrate and be a productive member of society, NMCD has made significant efforts in reducing recidivism and investing in evidence-based programming. NMCD Recidivism Reduction is currently working with PEW MacArthur foundation on a compilation of a program inventory. Once this phase is complete, the NMCD will be utilizing information garnered from the Clearinghouse from [PEW MacArthur](#) to determine if programs are evidence based, in order to make determinations for successful programming and funding.

WHAT ARE SOME INITIATIVES TAKEN BY NMCD?

1. Reducing its use of segregation from approximately almost 12% of the total inmate population to a low of 6.5% (currently is hovers around 7%). NMCD is on track in terms of our original goal of 5%. Through the implementation of a step down program, inmates are no longer released straight from segregation to our communities.
2. Implementation of RDAP, an evidence based drug and alcohol program, which is now delivered with fidelity to a greater number of inmates.
3. The growth of educational programming. We have 54 different programs involving over 4700 inmates.
4. Development of a policy, which now requires that 75% of programming offered must be evidence-based. All of Probation and Parole Division programs are evidence-based.

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5. Providing a greater number of inmates opportunities to actively work in a now-increased number of Corrections Industries programs, which range from kitchen and warehouse management to horticulture, and landscaping.
6. Working to increase understanding among inmates about the relationship between access to healthcare and re-socialization. Each of them is given the opportunity to apply for Medicaid before leaving prison.
7. Ensuring that sexual offenders, who have at least five years or less to their date of release, now undergo specialized evidence based treatment in their own special management unit.
8. Requiring that inmates, in order to earn good time, pursue education with GED as their goal.
9. PPD (Probation and Parole Division) supervising offenders where they work and live, in lieu of the traditional office reporting of the past.
10. Making sure that NMCD is now 100% [PREA](#) compliant.

WHAT IS THE RECIDIVISM REDUCTION DIVISION?

Undoubtedly, recidivism is an important part of the story of success post-incarceration. But so is education. So is employment. So is health. If states only collect recidivism data to track adult correctional outcomes, which many do, they leave out these crucial metrics. Accordingly, the Recidivism Reduction Division, as well as our entire organization is committed to providing quality academic, cognitive, family reunification, post-secondary (college), reentry, and vocational programs, healthcare and access to it post release, as well as library and legal access services to incarcerated individuals. We are committed to the ethical pursuit of educational excellence as we assist incarcerated individuals to become responsible members of the family, workforce, and community upon release.

By understanding these realities, the Recidivism Reduction Division works to deliver high-quality educational programming, through teamwork, dedication, and collaboration with other departments, agencies, and the community at large.

Under the direction of RRD, the Education Bureau provides Adult Basic Education and Adult Secondary Education skills preparation for GED testing, career/technical and college readiness with Special Education and adult literacy assistance. Instructional methods include classroom, one-to-one, and small group instruction, community volunteer and peer tutoring, computer-aided instruction, cell-to-cell instruction, and educational television.

The Education Bureau also provides the identification and special education services for all individuals under age 22 who qualify as Individuals with Disabilities Education Act (IDEA) eligible by state and

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federal regulations. The Education Department assures all qualified students are provided appropriate education according to state and federal mandates.

Highlights:

- The Cuffs to Cufflinks program was implemented and expanded to six facilities, which is designed to assist our returning citizens with transition back into their communities by providing donated professional attire to reenter the workforce upon release.
- Provided Adult Basic Education and Adult Secondary Education instruction to 3,543 inmates statewide and assisted 227 inmates to attempt their GED Test. Out of the 227 attempts, 109 inmates obtained their GED, a 64% pass rate.
- Of the 3,543 inmates, the National Reporting System for Adult Education reported 1,296 inmates who had completed a minimum of 11 hours of Adult Basic Education or Adult Secondary Education instruction and were provided a pre and post tests to assess their educational needs 701 inmates (54%) had a TABE level gain (grade level) and 595 inmates (85%) of the 701 had a TABE level gain (grade level) of more than one level.
- Collaborated with PB&J Family Services to provide the following Gender Specific Programs for our female inmates: Therapeutic Visitation, Parenting Reentry/Family Reunification and Healing Hearts Dog Rescue
- Collaborated with the Amity Foundation to provide the Gender Specific population the La Entrada Offender Reentry Program for our female inmates
- Collaborated with the Matt 25, Life Skills Learning Center to provide the Learning to Live, Learning to Love cognitive program for male inmates at the Roswell Correctional Center
- Collaborated with Eastern New Mexico University-Roswell and Mesalands Community College to provide courses offered via correspondence, computer-based and distance learning. Certificates leading to labor market driven occupations are awarded. In addition, Associate of Arts degrees in Business Administration, University Studies, Liberal Arts and Applied Sciences are awarded.
- Collaborated with the New Mexico Livestock Board to provide an Equine Rescue vocational program for male inmates at the Springer Correctional Center



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- Collaborated with the Joni & Friends International Disability Center to provide the Wheels for the World, Wheelchair Restoration shop for male inmates at the Southern New Mexico Correctional Facility
- Collaborated with the Social Security Administration to provide the process of requesting a reprint of their social security card for inmates at the following facilities
- Collaborated with the New Mexico Public Education Department and the Central Regional Educational Cooperative to provide specialty education services to inmates at all eleven (11) correctional facilities
- Collaborated with Eastern New Mexico University-Roswell to provide Library Support Services for all eleven (11) correctional facilities
- In addition to basic education, other forms of programming under RRD include:
 - Cognitive: Programs assist offenders in recognizing destructive behavior patterns and developing positive, pro-social thinking habits in all areas of their lives.
 - Family Reunification:
 - Programs that prepare offenders and their families for successful reunification after incarceration which include parenting skills, family literacy, and child support management.
 - Post-Secondary (College):
 - Courses are offered via correspondence and computer-based, distance learning. Certificates leading to labor market driven occupations are awarded. In addition, Associate of Arts degrees in Business Administration and University Studies from Eastern New Mexico University-Roswell are awarded. Mesalands Community College awards Associate of Arts degrees in Liberal Arts and Associate of Applied Science degrees.
 - Reentry: Transitional/career advisement programming is offered at every prison to all inmates through pre-release programming. The introduction of Making the Right Turn to Reentry curriculum has greatly enhanced pre-release. This evidenced based curriculum will be modified in the coming year to better serve the needs of releasing inmates and returning citizens reflecting the diverse culture and society that in New Mexico.



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- Vocational: Provide vocational programming in a variety of career-technical fields to qualified inmates. This programming is intended to meet the needs of the inmate population and to provide the knowledge and skills necessary to acquire viable, meaningful, and career oriented employment upon release.
- NMCD directs all Classification Officers to strongly encourage inmates who have thirty days to the door to sign up for Medicaid in preparation for their release. The inmate can sign up online via Yes New Mexico.
- In July 2015, NMCD joined with Project ECHO to collaborate on treatment for Hepatitis C. Project ECHO (Extension for Community Healthcare Outcomes) is a collaborative model of medical education and care management. From July, 2015 to early January, 2016, NMCD has treated 26 patients. Of those 26, the virus is now undetectable in 9. In FY17, NMCD is projecting to treat 150 people. Project ECHO has a training program for peer educators within facilities that is geared toward the prevention of infectious diseases, including Hepatitis C.



NEW MEXICO DEPT. OF CORRECTIONS

REI'S (RELEASE ELIGIBLE INMATES)



WHAT DOES “REI” STAND FOR?

REI stands for Release Eligible Inmate.

WHAT MAKES AN INMATE ELIGIBLE FOR RELEASE?

An inmate who has completed all of his or her basic sentence, including concurrent and consecutive, and who is serving his or her parole term in prison, but who can be released immediately with an approved parole plan and parole certificate.

HOW MANY REI'S ARE THERE WITHIN OUR PRISONS?

The REI count within our prisons, having reached a high point of over 300 at the start of this administration, dropped to approximately 200 in last fiscal year. Since the beginning of this fiscal year, that number has dropped even more pronouncedly to approximately 150. This is a 50% decrease overall. To achieve these results, we have remained hyper focused on this issue.

WHY WOULD AN INMATE WHO IS ELIGIBLE FOR RELEASE STILL BE IN A FACILITY?

Anyone eligible for parole must a) be willing to participate in their own parole planning, and b) meet criteria established by their parole plan. By law, the Parole Board must approve the offender's parole plan before they can release to parole.

Some REI's are considered “hard-to-place”. There are dynamic and extraordinary difficulties associated with paroling “hard-to-place” offenders. Whether the challenges involve the lack of a real home for an offender to parole to, a lack of meaningful family or other social support, mental illness, insufficient community correctional programming and/or mental health services, or the sheer nature of the offender's past crimes as they relate to his/her risk and needs, the challenges, obstacles, and drivers are diverse and complex. An individual, even though they may be eligible for parole, may still be in a prison facility because of one or more of these factors.

WHAT IS NMCD DOING TO ADDRESS THIS ISSUE?

Despite the many obstacles, coupled with the exceptional challenges that come with underfunding for the last three fiscal years, we remain proud of our renewed public safety centeredness and accomplishments. We have implemented a monthly video conference call with all prison facilities, our probation and parole regions, and the Parole Board. Together we have been able to address problem parole planning and create greater internal accountability for the submission of viable parole plans for the inmates. Additionally, we have implemented an audit tool to address late actions for parole planning. Specifically, our internal audit manager tracks and assesses penalties for contractual non-compliance for our private prison facilities in five contractual categories; one of which is late releases when the facility causes such. Accordingly, financial penalties are assessed for such contractual deficiencies on a monthly basis.



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IS IT TRUE THAT SOME REI'S CAN'T BE RELEASED BECAUSE THERE AREN'T ENOUGH TRANSITIONAL LIVING FACILITIES?

All parolees are required to have an address or a home to parole to. Some parolees may not have family to parole to, and may seek to parole to a transitional living residence in lieu of family. Others may have court ordered programming or treatment to fulfill. Currently, NMCD has contracts in place for transitional living. We have 35 contractual bed spaces for sex offenders, 35 for men, and 30 for women. NMCD is in the process of expanding transitional living bed spaces for women, and will 8 additional spaces by February. Looking forward into May or June, NMCD will add even further bed spaces. Please note that this count does not include the number of men's and women's treatment beds that NMCD provides. NMCD also utilizes transitional providers that we are NOT contracted with, and so the number of contractual beds may not actually provide a clear picture of how many community relationships we have formed. The wait list for sex offender transitional living is typically about 65 people.

To address the lack of community corrections infrastructure, we have expanded contracts with current transitional living providers to increase the number of available beds for REI's. In doing so, we have felt it more appropriate to re-prioritize available funding and resources before requesting a funding expansion. For example, while NMCD was contracted with Optum/The Collaborative to monitor our behavioral health contracts, we have historically paid the administrative fees of the following amounts: SFY13 \$191,994, SFY14 \$429,331, SFY15 \$641,241. The administrative fees covered services such as contract monitoring. In opting out of The Collaborative and returning to a direct services approach, we have been able to eliminate the aforementioned administrative costs and redirect those monies toward more meaningful use. To assure quality contract monitoring, we hired and exclusively dedicated an internal contract monitor to ensure that service quality remains high. Through redirection of funds that previously failed to yield meaningful service outcomes, we have been able to increase transitional living beds by approximately 50 new beds.

NMCD has also been able to contract with new vendors, both transitional living providers, as well as outpatient behavioral health providers, which has provided many new service opportunities for those offenders returning to our neighborhoods on parole. Specific examples include: a new women's transitional living contract in Bernalillo County, the renovation and repurposing of a building in Valencia County, which will serve a similar purpose, increased transitional living for men and women in Albuquerque, expansion at the Men's Recovery academy to inpatient services to dual-diagnoses offenders, and a wide array of new contracts with counseling agencies across nearly the entire state.

HOW MANY INMATES ARE ELIGIBLE FOR GERIATRIC OR MEDICAL PAROLE?

Today there are approximately 145 inmates over the age of 65 in our state. In order for such an inmate to be eligible for geriatric or medical parole, they must have their application approved by the Parole Board and meet certain medical criteria deeming them to be chronically ill. Inmates are responsible for initiating that application. This quarter, NMCD has changed internal policy to streamline the notification

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process to inmates who have either reached the age of 65, or who have been transferred to the geriatric or long term care unit, that they may be eligible for geriatric or medical parole.

WHY ISN'T THERE A BUDGET LINE ITEM REQUEST FOR REI'S?

The issue of REI's is essentially a compelling component of our overall public safety mission. Accordingly, because it is our mission to redress the long-standing shortcomings of our systems of education, economy, and justice within the span of a single prison sentence, our entire budget request and every expansion we seek make up requests to address the issue of REIs. That's because the successful re-entry of former offenders to our mainstream communities is what defines our purpose as an organization. Simply put, it is not in the interest of public safety for offenders to return straight to our neighborhoods from prison without meaningful transition and supervision. As examples of this point relating to our FY17 request, you may note that we have again made a capital expansion request (also requested but not funded in FY16) for a new offender management system (OMS) to better track offender risk, needs, and individualized offender programming. Not only would this funding ensure more timely parole packet preparation and release of inmates, but also result in a better candidate for ultimate parole approval.

So rather than create a new line item for REI's, we have requested to simply be funded to the independent projections of the New Mexico Sentencing Commission (NMSC), which would mean that we could sufficiently transition our female inmates back to public facilities. There, gender-specific and more vigorous programming could occur to better prepare female offenders for ultimate parole approval. Moreover, should we receive funding appropriate to the NMSC's projections, our efforts to reform the department's historical overuse of segregation as a prison management tool could grow proportional to our ability to implement more vigorous evidence-based programming for our more difficult offender typologies, who will also become parole eligible at some point. These programs include the expansion of special management housing for gang members and sexual offenders. These specialized housing and programming environments not only opens the doors of our segregation units while simultaneously elevating the ultimate candidacy of these inmates for parole, but also result in better informed decisions and outcomes for the Parole Board.

Because our work in this area requires meaningful coordination of a range of functions, spanning from individualized risk/needs assessment and complimentary programming to the availability of community based transitional programming and treatment options, we hope that you better understand how difficult it would be to define this issue within a single budget line request.



NEW MEXICO DEPT. OF CORRECTIONS NMCD USE OF SEGREGATION

WHAT IS THE NMCD PHILOSOPHY ON THE USE OF SEGREGATION REFORM?

In 2014, New Mexico Corrections Secretary Gregg Marcantel spent 48-hours in solitary confinement at the Penitentiary of New Mexico, Santa Fe. He spent his time in one of the maximum-security lockups that house prisoners who are being held in isolation. His goal: to get a feel for what an inmate experiences being confined to a cell alone for 23 hours a day.

The practice, which has become overused in American prisons in recent decades, is used to isolate inmates who are considered dangerous and to punish inmates who break certain rules. It has been criticized as inhumane and ineffective in terms of rehabilitating offenders, the great majority of whom eventually are released. According to a [2012 study](#) by the Department of Justice, of the population studied, “Nearly 30% of prisoners and 22% of jail inmates diagnosed with serious psychological distress (SPD) had spent time in restrictive housing units in 2011–12.” Furthermore, “About a quarter of prison inmates and 35% of jail inmates who had spent 30 days or longer in segregation or solitary confinement had SPD. Nearly identical rates of SPD were reported among inmates who had spent only a day in restrictive housing.”

Secretary Marcantel stated, “I’m glad I did it, but I’m not going to do it again.” He knows that it’s a necessary tool in prison management, but it’s one that must be managed appropriately.

Marcantel believes there is no substitute for the use of solitary confinement to isolate inmates who pose threats. “People are not sent to prison to die, so I can’t have predators preying upon our staff or other inmates,” he said. “I can’t just allow unfettered access of people who want to kill other people.” But, he said, “The reality is that it’s a smaller number of people who come to our prisons that are bona fide, predatory, psychopathic criminals than we’ve grown used to placing in segregation. Besides that, who among us want to live next to someone who was released directly from a segregation into a neighborhood?”

The prison is taking steps to make sure it’s the offenders who pose a risk who are put in isolation, rather than inmates who were preyed on, and to identify gang leaders, not lower-level followers, for segregation. Inmates in segregation need a clear path out through a stepped process that rewards good behavior with increased privileges. If an inmate handles the privileges – additional photographs or visits or phone calls, for example – with continued good behavior, he’ll get a step closer to moving out of segregation.

“It’s a place where the most dangerous people need to be,” Marcantel said, but, “you behave your way in and you behave your way out.” However, “part of intelligent use of this is making sure that it’s not used on people who are already mentally ill,” Marcantel said.



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Marcantel has challenged the administrative law judges who hear disciplinary cases to consider more alternatives before segregation, such as loss of good time, visiting privileges or access to commissary items, to modify inmates' behavior.

Marcantel has also ended the practice of releasing an inmate directly from solitary into the outside world without transitioning back into the general population or, in cases where that's not possible, having some preparation for reintegrating with other people.

Already there's a pilot program that puts the most violent prisoners in segregation into a communal setting where they're confined to security chairs so they can't hurt one another, but they have human contact and are led through some concepts of cognitive behavioral therapy. Whether or not those inmates will soon be released, it's a step toward lessening the isolation of the segregation experience.

"Somewhere between 96 and 97 percent of the people in our custody right now are coming back to our neighborhoods, whether anybody likes it or not," Marcantel said. "We've got to do everything we can to send people back better from prison than when they came."

PRIOR TO THE REFORMS, HOW WAS SEGREGATED HOUSING USED IN THE DEPARTMENT?

The New Mexico Corrections Department (NMCD) used segregation to house disciplinary sanctioned inmates, protective custody inmates and inmates deemed a threat to security. In 1998 NMCD began the level system and inmates were placed in level 6 (our maximum security) primarily to counteract the influence of prison gangs in our prisons. Following Secretary Marcantel's appointment in 2011, as we sought to move the focus of NMCD's success more intentionally upon public safety (reducing recidivism), our goals changed. What had been the Department's previous intent to have quiet and incident free facilities (that followed the 1980 riot and the 1999 killing of Correctional Officer Ralph Garcia) had unwittingly resulted in almost 12% of the NMCD inmate population being held in segregation. Of even greater concern, as NMCD looked closer and more qualitatively at those inmates composing the percentage of inmates held in segregation, it learned that 75% of those inmates held in segregated environments were held there for protective custody purposes.

WHAT LED THE DEPARTMENT TO IDENTIFY THE NEED TO REFORM THE USE OF SEGREGATED HOUSING?

The high percentage of inmates held in segregation for protective custody reasons indicated that the department was not using its maximum security environments appropriately from both public safety and economic perspectives. Because correctional management rarely fails as a result of the more apparent larger scale incidents we experience occasionally, but more often by the repetition of less obvious critical decisions that occur over time, the department required an objective examination of these long standing operations to achieve greater clarity and objectivity for its corrective action planning. Accordingly, the



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department partnered with the VERA Institute of Justice to undertake external evaluation of its use of segregation as a correctional management tool. The primary findings of the evaluation centered upon the department's overuse of segregation for disciplinary sanctions (lacking creative alternative sanction options), and the department's overuse of segregation for protective custody inmates (most of whom were primarily inactive prison gang members).

BEFORE IMPLEMENTING REFORMS, WERE ANY SPECIFIC PROBLEMS WITH THE USE OF SEGREGATION IDENTIFIED?

Upon appointment as Secretary, lawmakers requested review of our use of segregation and voiced concern for potential overuse. Following our initial examination of those inmates and the circumstances associated with our segregation population, we noted that the longer term use of segregation as a risk mitigation strategy had been driven by a victim, rather than a predator, focus. Over the decades that followed the aforementioned infamous 1980 riot, based upon its efforts to isolate and mitigate our very real prison gang threats, the department had unwittingly adopted the victim protection focus. Over time, the department crept increasingly toward wider spread use of segregation for the solution for all its threats. Consequently, the department lacked solutions for a growing population of inactive gang members that had resulted from its work in isolating and mitigating its gang threat. Moreover, distinguishing inmates held for the purpose of threat mitigation from those held for disciplinary reasons had also become difficult, because for many years the department had not examined how inmates either entered or should be released from its segregated environments. Inmates broadly classified as too dangerous for trained correctional officers to handle that were held in segregation were routinely released from these environments straight to New Mexico's neighborhoods.

WHAT REFORMS WERE IMPLEMENTED?

The following initiatives have been implemented to date based upon a shared understanding that, should the department succeed in reforming the deepest ends of its operations, all other reforms will become far more manageable.

1. Inmates can no longer serve more than 30 days in punitive disciplinary sanctions to include time served prior to disciplinary hearing.
2. Inactive gang members are debriefed and placed in a separated general population which NMCD refers to as Restoration to Population Program (RPP). Within this special population setting, inmates experience a number of programs that were not previously accessible, to include but not limited to RDAP, GED, and work skills.
3. Former law enforcement officers have been placed within separated general population.



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4. Sex offenders were and continue to be placed in separated general populations where they now undergo specialized evidence based sexual offender treatment.
5. To further brand the necessary change, the traditional reference to Level 6 has been renamed the Predatory Behavior Management Program (PMP). Only those inmates specifically defined as predatory by their behavior are placed into this program. It is a program designed to prepare inmates for successful return to general population; a prison within the larger prison system. PMP utilizes clearly defined steps to allow the inmate to be successful and to reject their predatory inclinations.
6. NMCD has eliminated the use of any long term protective custody segregation.
7. Inmates are no longer released directly from segregated environments to New Mexico's neighborhoods. Inmates who have 180 days to a projected release date are placed in their own special management holding where they are provided congregate movement and programming to prepare them for release to the community.
8. A Drug Suppression Unit has been created for inmates who have received guilty findings for dealing in dangerous drugs. Previously the department would house such inmates in segregation. Inmates who have received guilty findings for dealing in dangerous drugs are now assigned to this special management setting and given appropriate programming.

DO YOU HAVE ANY DATA ON THE OUTCOMES OF THE REFORMS SO FAR?

Our percentage of inmates in segregation was reduced to a low of 6.5% in recent months, however this percentage does fluctuate depending on inmate actions in the prisons. NMCD's goal is 5%. The goal is to minimize protective custody and to eliminate all long term protective custody segregation.

RPP inmates have provided positive feedback. They are grateful for the opportunity and they are taking the leadership to move beyond inactive status to renounced status. In many cases, RPP inmates write letters outlining their appreciation for the department's new direction and investment in their future. On one occasion, a former organized prison gang member wrote an editorial for an area newspaper outlining the profound changes underway in New Mexico prisons. In collaboration with the department's Public Affairs Office, RPP inmates have produced a well-received short video aimed at positively encouraging at risk youth to learn from their mistakes and make more informed positive decisions for their lives.

Appeals for placement into the Predatory Behavior Program now differ from appeals traditionally received by former Level 6 placements. Level 6 placement appeals (the traditional segregation paradigm) were based on procedural errors and consequently very legalistic in nature. Because placement in the Predatory Behavior Program now involves successful completion of programming,



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appeals associated with these placements are now primarily driven by our inmates' perceptions that the new program requires too much of them. These marked changes in the qualitative nature of appeals reasonably suggest that our past overuse of segregation had unwittingly resulted in perceptions for our more difficult inmates as environments to do easier time.

While our policies, systems, and programs for better managing our use of segregation have changed dramatically, these changes would be no more than new ideas and administrative documents without our human capital...those men and women at our line level translating these changes into meaningful action. Consequently, in our efforts to transform both our inmate and organizational culture, we have remained committed to remaining in touch with the emotions of human capital, those who perform the real work within our prisons. Accordingly, NMCD's staff, particularly those who make up our growing guiding coalition, have been the true champions for our current successful outcomes.

Undoubtedly, in the initial stages of our change process, fear and opposition existed for the changed vision (particularly the release of inactive gang members from segregation). Through our internal development of a small guiding coalition of staff, coupled with our intentional maintenance of both executive commitment and urgency, as our larger number of those staff less inclined to embrace the new strategies have observed the success that have followed, our guiding change coalition has grown and ownership of the new programs have increased. For example, policy regarding the operations of our new Predatory Behavior Program was developed by line and middle management staff. Consequently, we are extraordinarily proud of the men and women of this department who have remained committed to our core functions, while enduring the short-term discomforts of openly turning away from unsuccessful tactics toward these more sustainable and accountable practices. Undoubtedly, the courage and work of staff will now have an everlasting impact on both the NMCD and public safety of New Mexico's neighborhoods well into the future.

All of us at the NMCD are humbled with the opportunity to be a part of the dialog surrounding this important issue and this critical moment as we experience change in our nation's criminal justice system.



NEW MEXICO DEPT. OF CORRECTIONS SEX OFFENDER SUPERVISION MODEL

WHEN DOES A SEX OFFENDER BEGIN TO RECEIVE TREATMENT IN PRISON?

NMCD believes that reentry begins on the first day of incarceration. Therefore, NMCD sex offenders begin to receive sex offender specific services as soon as they are incarcerated. While in prison, sex offenders are housed in special management pods. Those incarcerated for a sex offense begin receiving sex offender services at the onset of their incarceration and continue receiving services throughout their term of probation or parole. Once released from prison (or when sentenced to probation), all sex offenders are referred to a special management unit of probation and parole, the sex offender unit. Once assigned to a Probation/Parole Officer from the sex offender unit, that Probation/Parole Officer provides each offender with a referral for an assessment by a sex offender specific counselor to determine risk factor and address the specific needs of the offender (relapse prevention / sex offender counseling / substance abuse / victim empathy / domestic violence / anger management).

WHAT KINDS OF SERVICES DO THEY RECEIVE?

While in prison, sex offenders have the opportunity to participate in The sex offender Treatment Program (SOTP). This program is a one-year psycho-educational and counseling program with an ultimate goal of reducing likelihood of committing another sex offense.

SOTP begins by using a validated risk assessment in order to target each person's specific treatment needs. The program is very intensive--with inmates receiving services for 24 hours per week throughout the year. The program follows an evidence-based curriculum, and includes 7 phases: taking responsibility, behavioral techniques, victim empathy, sexual education, anger management, and relapse prevention techniques. Everyone who completes the program leaves with a discharge summary, including recommendations for aftercare and their individualized relapse prevention plan. Program evaluation has shown that only 3-4% of those who complete SOTP return to prison on a new sex offense.

WHAT DOES THE SEX OFFENDER UNIT DO?

The mission of the sex offender unit is to ensure public safety and reduce the risk of recidivism by aiding in a successful reintegration into society through a focus on treatment and counseling. Successful completion of supervision can provide an excellent foundation for an independent and law abiding life after supervision. The New Mexico Corrections Department created the sex offender unit in 2004. It is responsible for statewide supervision of sex offenders. This unit employs specially trained staff and enforces a variety of supervision conditions which are unique to sex offenders. The supervision of the sex offender unit includes referrals to sex offender specific counseling and treatment providers, evidence-based sex offender risk assessments, individualized case management, frequent compliance checks, search and seizure, GPS monitoring and surveillance, drug and alcohol testing, registration and notification, victim advocacy and notification, computer monitoring, computer forensic examinations, and participation in polygraph examinations. The sex offender unit assists offenders in their reintegration by

**NEW MEXICO DEPT. OF CORRECTIONS
SEX OFFENDER SUPERVISION MODEL**



focusing on a stable residence and consistent employment which allows the offenders to become independent and reduce their change of reoffending. If an offender does not comply with any of the terms of their supervision, the sex offender unit attempts to correct the behavior through increased counseling and treatment services, community service and short term periods of incarceration to redirect the offender's thinking. If the offender chooses to not take full advantage of the services offered to them and remains non-compliant, they may be returned to confinement to serve the remainder of their sentence.

IS THERE TRANSITIONAL HOUSING FOR SEX OFFENDERS?

Sex offenders are faced with unique residency restrictions which can make it difficult to obtain housing. At times, an offender may have a supportive family willing to take them in after their period of incarceration. However, these residences are not always acceptable based off proximity to schools, parks, daycares, or other places where children congregate. This increases the number of homeless sex offenders. Although homelessness is a nationwide concern, homelessness provides unique challenges to sex offenders under supervision. Sex offenders are required to be on active GPS bracelets. Without electricity or reliable locations to charge the GPS equipment, supervision becomes more challenging. It is the goal of the sex offender unit to have no homeless offenders in the Albuquerque area.

In New Mexico, sex offenders are not required to live in Transitional Housing. If an offender has a supportive and suitable family environment to return to, they should do so. Offender's who transition from prison into a family home tend to have a higher success rate due to the emotional and financial support offered from their families. However, several factors are at play in this: community of origin, victim location and safety, and offender needs and safety. If residency restrictions exist, the family is not supportive, or if living with family would not be conducive to success while on supervision, NMCD has a contract with a transitional housing vendor which can provide housing as a last resort. NMCD currently has a contract which provides sex offenders housing in the Albuquerque area. Albuquerque provides great proximity to services, jobs, education, and public transportation. If that location would not be suitable due to victim proximity, lack of family ties to the community, or other limitations, NMCD also has a contract with Eagles Unlimited which could provide non-contracted housing in other parts of the state. Eagles funding will only be offered towards a lease agreement when an offender has reasonable means to continue meeting the financial obligations of that lease once Eagles funding has ceased. It is the ultimate goal of NMCD to place an offender in a living environment where they have the best chance of success. In addition to the contracted transitional housing described above, the sex offender unit has partnered with numerous private apartment owners who provide exclusive rental rights to sex offenders who are employed.

**NEW MEXICO DEPT. OF CORRECTIONS
SEX OFFENDER SUPERVISION MODEL**



HOW ARE SEX OFFENDERS SUPERVISED UPON RELEASE?

In Albuquerque, the Bernalillo Sheriff's Office and the Albuquerque Police Department have assigned 7 Officers to work specifically with sex offender registration and tracking (SORT). There is also a Special Victims unit sponsored by the Sheriff's Department. This special team of Officers works closely with our sex offender unit to help ensure offender's compliance with the rules and regulations as well as investigating new sexual crimes that may occur. This close partnership with law enforcement creates a well-rounded team interested in the success and compliance of offenders throughout the Albuquerque area.

In addition to working collaboratively with outside agencies to help ensure our offender's success, NMCD also works well within its own organization. Our prisons follow a unit management approach, which assigns each inmate to a case manager. These case managers frequently work together with probation and parole throughout the release planning process to ensure a seamless transition into society. Sex offenders are required to be on active GPS bracelets.

IS PROVIDING TREATMENT TO SEX OFFENDERS IS TOO COSTLY AND/OR INEFFECTIVE?

Many misconceptions exist about sex offenders. These misconceptions come from a lack of education regarding sex offenders and help drive fear. The New Mexico Corrections Department is committed to providing accurate facts and truthful information to help New Mexicans understand the intensity of supervision and services offered to sexual offenders, and the work that the New Mexico Corrections Department does to support public safety. Treatment for sex offenders has been shown to reduce their recidivism rate, which can help save tax payers substantial imprisonment costs.

ARE MOST SEX OFFENSES ARE COMMITTED BY STRANGERS TO THE VICTIM?

Most sexual assaults are committed by someone known to the victim.

DO MOST SEX OFFENDERS CONTINUOUSLY REOFFEND THROUGHOUT THEIR LIVES?

Recidivism data suggests that this is not the case.

WHAT IS THE RECIDIVISM RATE FOR SEX OFFENDERS?

The New Mexico Corrections Department is committed to reducing criminal recidivism. A key element of reducing recidivism is to ensure that our programs are evaluated and that our treatment services are evidence based. Relating to outpatient sex offender counseling and treatment services, NMCD only contracts with providers who utilize evidence based practices.

FREQUENTLY ASKED QUESTIONS

NEW MEXICO DEPT. OF CORRECTIONS SEX OFFENDER SUPERVISION MODEL



Below, is a list of all contracted providers for probation and parole:

Contracted Provider Name	Areas Served
Agave Health	Bernalillo, Valencia, Cibola, and Sandoval Counties
A New Awakening	Bernalillo County/Albuquerque
Albuquerque Behavioral Health	Bernalillo County/Albuquerque
Canyon Light	City of Alamogordo, County of Otero
Community Education Centers	Los Lunas, NM & Albuquerque
Cottonwood Clinical Services	San Juan County
Crossroads for Women	Valencia and Bernalillo Counties
Eagles Unlimited	All of New Mexico
Human Resource Development Ass.	Colfax, Taos, Mora, San Miguel, Rio Arriba Counties
Interfaith Leap	All Counties and Cities of New Mexico
Journeys/Paso Nuevo	Bernalillo, Sandoval and Valencia Counties
La Clinica De Familia (La Frontera)	Las Cruces, NM
La Posada	Albuquerque
Nava Counseling Services	Las Cruces, NM
NM Solutions	Albuquerque
PMS	Counties: San Juan, McKinley, Cibola, Socorro, Luna, Otero, Eddy
The Life Link	Santa Fe County
Transition For Living	Bernalillo County
Valle Del Sol	Raton, Taos, Espanola, Bernalillo pueblo, Grants, Moriarty, and Los Lunas



NEW MEXICO DEPT. OF CORRECTIONS

SPECIALIZED OFFENSE/OFFENDER MANAGEMENT AND PROGRAMMING FACILITY

IS THE ENTIRE SEX OFFENDER POPULATION IN STATE PRISONS MOVING TO GRANTS, OR JUST THE POPULATION HOUSED AT THE OTERO COUNTY CORRECTIONAL FACILITY?

The Department, in its transition of female offenders back to state-owned and operated facilities, continues to examine the appropriate displacement of male offenders to achieve this goal. The goal of the transition shall be to, not only deliver more comprehensive gender-specific programming for female offenders, but also use the male offender displacement process to create specialized management for male offenders to better address New Mexico's greatest public safety threats. Should the final determination involve male sexual offenders, the answer to the initial question would be, "neither".

NMCD has approximately 1200 sex offenders in its care. Portions of the population will be sent to the awarded vendor. The request for proposal is for 800 beds. It is important to note that offenders designated and assigned to the custody and correctional programming will be offenders with more than five (5) years from release. Accordingly, the awarded facility shall operate as a secure medium, to high medium prison.

ON WHAT DATE WILL THE TRANSFER OCCUR, AND HOW LONG WILL IT TAKE?

The RFP process and staff training requirements will dictate the timeline. NMCD has a target date for the first quarter of Calendar Year 16 to achieve the inmate transitions.

WHY WAS THE FACILITY AT GRANTS CHOSEN?

An RFP was issued and the selection process is underway. The awarded vendor will receive the male population specified in the final contract award. Because a potentially interested vendor currently operates within the Grants/Cibola County area, assumptions (made at a local community level outside the New Mexico Corrections Department) currently exist that that vendor will be awarded. It is important to note that the contract will be awarded to the vendor who best meets the fiscal and service requirements of the state.

WHO WILL BE PROVIDING SERVICES AND PROGRAMMING IN THE FACILITY? WILL THE SERVICES DIFFER FROM THOSE IN OTERO?

The awarded vendor will be responsible for providing services and programming or securing them through sub-contract. Inmates will all receive offense and offender specific programming, utilizing the evidence based programming determined by the department as related to its use of the Pew Menu.



NEW MEXICO DEPT. OF CORRECTIONS

SPECIALIZED OFFENSE/OFFENDER MANAGEMENT AND PROGRAMMING FACILITY

HAS THE DEPARTMENT EVALUATED THE SOCIO-ECONOMIC AND PUBLIC SAFETY IMPACT OF THE MOVE ON THE ECONOMY OF GRANTS?

Grants has a secure Level 3/Level 4 facility. Should the RFP be awarded to a contractor in Grants, there would be no safety threat to the community.

Also, in the event that Grants be awarded the RFP, it is believed the impact to the economy would be beneficial by bringing jobs into the community.

WHAT ARE THE RELEASE POLICIES FOR THE SEX OFFENDERS?

The New Mexico Corrections Department does not release any offender directly into a community. Inmates must have an approved parole plan in place prior to release in accordance with policy. If discharging, the inmate must be picked up by family to return to his home community.

When transporting an inmate for discharge or parole purposes to a Depot (i.e. Bus, Train, Etc.) the escorting staff member remains at the depot and observe the inmate depart the depot on the correct mode of transportation prior to returning to the facility.

NMCD has additional measures in place regarding the registration, tracking and supervision of Sex Offenders including intensive supervision programs such as requiring GPS monitoring prior to release to parole. There has not been any increase in sex offenders releasing to Otero County since some have been housed in that particular facility and we do not foresee this occurring in Cibola County either, since our release policies will remain the same.

WILL THE STATE BE RUNNING NMWCF, OR A CONTRACTOR?

Contractor, should CCA achieve the contract.

BY HOW MANY BEDS COULD NMWCF EXPAND?

The Request for Proposal is for 800 beds.

WHAT WILL HAPPEN TO THE OTERO FACILITY?

NMCD will continue to utilize for sex offenders, former Law Enforcement offenders and possibly DWI offenders. MTC, which runs Otero, has a nationally recognized DWI Program.

HOW ARE WE PREPARING TO GET SEX OFFENDERS SERVICES?

Hire and train licensed mental health staff.



NEW MEXICO DEPT. OF CORRECTIONS

SPECIALIZED OFFENSE/OFFENDER MANAGEMENT AND PROGRAMMING FACILITY

WILL THE SERVICES DIFFER FROM THOSE IN OTERO?

Possibly, should a different offense/offender typology be selected for the specialized management prison. Should the population remain sexual offenders, there will be additional programming such as RDAP, vocational, Correction Industries and college courses.

THE COST FOR HOUSING INMATES IN OTERO WAS SUPPOSED TO BE LOW PER INMATE, BUT INCREASES CAME QUICKLY. HOW WILL WE MANAGE COSTS?

The cost per inmate remained constant. The population has increased because the overall population of NMCD is increasing.

HOW WILL REPORTING ON SEX OFFENDERS IMPROVE?

NMCD has additional measures in place regarding the registration, tracking and supervision of sex offenders including intensive supervision programs such as requiring GPS monitoring prior to release to parole.

WHAT IS THE TRANSITION PLAN?

We plan to train our staff, or Mental Health staff, on First Aid, Gender Responsiveness, Trauma Informed Care and motivational interviewing.

The plan is to notify families and the public prior to the move, and lockdown the facilities for two-weeks to do TAP Committees-committees that assign inmates to programs.

The New Mexico Corrections Department cannot make the transport information public due to security risks.

FREQUENTLY ASKED QUESTIONS

NEW MEXICO DEPT. OF CORRECTIONS

SHORTAGE OF OFFICERS/STAFFING CRISIS



WHAT ARE THE CURRENT OFFICER VACANCY RATES AT NMCD?

Roswell Correctional Center:	49%
Western NM Correctional Facility:	40%
Springer Correctional Center:	48%
Central NM Correctional Facility:	26%
Penitentiary of New Mexico:	22%
Southern NM Correctional Facility:	11%
Probation and Parole:	20%



Department of Corrections

Staff Development Academy

Basic Correctional Officer Class #323

November 5, 2015



D. Abeyta F. Abeyta M. Belmontez C. Betsch K. Cardenas I. Carrillo B. Casias T. Davis G. De La Riva



F. De Vargas A. Flores E. Garcia P. Gonzales R. Jones H. Largo N. Lopez F. Lozano



D. Marnio Ramos A. Martinez C. Miller A. Miranda M. Morales J. Ornelas M. Rodriguez E. Romero



L. Roybal D. Sena R. Treadway L. Urquidi J. Vidal A. Vigil T. Weaver

Cecilia A. ...
Santa Fe, New Mexico

*Our statistics show that only 3 of these officers are likely to still be with the Department in three years

NEW MEXICO DEPT. OF CORRECTIONS

SHORTAGE OF OFFICERS/STAFFING CRISIS



Due to the increased vacancies, the department is now faced with limited staffing options for its correctional officer positions. This forces mandatory overtime and places the safety and security of the facility, the integrity of our officer's families, as well as public safety at risk. Mandatory overtime has led to greater staff frustration, anger, and resentment, resulting in low morale, higher unauthorized incidents and civil liability, and ultimately an increase in terminations and resignations which aggravate the department's existing rate of staffing vacancies.

Additionally, when correctional officer staffing remains consistently minimal, normal activities such as contraband searches, training, offender programming, and other necessary activities such as inmate recreation and visitation designed to manage inmate conduct can't be conducted. The daily effectiveness of NMCD's operations is dependent upon precise and repeated attention to detail when line officers carry out their responsibilities, particularly those security posts and rounds carried out within our state's prisons, twenty-four hours a day, seven days a week. Fatigue and low staff morale resulting from significant amounts and mandatory overtime may cause correctional officers who are on duty to not be at their best performance. Working mandatory overtime can cause correctional officers to experience sleep deprivation. Fatigue from long shifts can reduce attention to detail and affect critical thinking and performance. The fatigue and low morale the department is currently experiencing, both in the facilities and the probation/parole regions, is a direct result of the inability to retain staff, continual mandatory overtime, and lack of other resources over a sustained period of time, resulting in a domino effect for New Mexico's corrections operations.

PROBATION / PAROLE OFFICERS VS. CASELOADS:

The state's community supervision functions, the Probation and Parole Division is currently operating at a vacancy rate of 20%. On the other hand, the probation/parole population has risen by 521 offenders over the last quarter, resulting in a total population of 17,317 offenders. Consequently, the average STANDARD case load is currently 110 per officer, which is up seven over the last quarter. If the division was fully staffed the average case load would be a much more manageable 88, closer to nationally recommended supervision caseloads.

THE CORRECTIONS JOURNEY

The journeys of correctional and probation/parole officers are unique to most professions. Unlike most other professions, these folks begin on their first day of the basic training academy. Following 10 weeks of training, they are equipped (to a tune of approximately 7K) and prepared to enter our workforce. At graduation, enthusiasm, motivation, and idealism are the emotions of the day. The positive emotions that carried them through the demands of our academy tend to carry them through a physically and mentally challenging first few months as they confront some of the most negative and challenging circumstances a man or woman could choose!

NEW MEXICO DEPT. OF CORRECTIONS

SHORTAGE OF OFFICERS/STAFFING CRISIS



But anyone exposed to the corrections experience, either as an officer or someone who simply loves them, will tell you that the journey eventually produces changes in that person. Based upon New Mexico's dangerously critical staffing levels, the amount of work they are required to perform, within the first 36 months of service, the job becomes more than a job. The job (not their spouses and children) become the central defining aspect of their lives. And at the point these changes are taking place, those loved ones find themselves pushed aside. Marriages are strained and often break. Attitudes are strained and often break. Children are alienated from the parental influence they deserve. Life development, plans, hobbies, and vacations are put on hold because there's no time for them. Very soon, these once idealistic young men and women become emotionally distant, hardened, and physically absent from the lives of those sharing their journey on the home front. They become far less effective in both their workspaces and homes. At some point, many of these men and women are forced to form 1 of 2 conclusions:

- "I'm going to do a little as possible, do my time, and then get the hell out of here the day that I'm eligible for retirement" or;
- "I'm out of here!"

And therein lies the true problem for New Mexico. The New Mexico Corrections Department, an important compliment for the state's criminal justice system and public safety, loses almost all of its graduating rookies within the first 3 years of their service to our state. The department's inability to compete within the job market has left the organization at critically low levels of staffing that has resulted in dangerous circumstances and unsustainable operations. More often, when faced with poor service outcomes, government remains more inclined to look to new systems, structures, processes, or technology to solve its problems when more often our problems are human. We hope you'll agree that they are as important an asset for investment as all others.

THE SOLUTION?

The ability to focus directly on agencies such as the New Mexico Corrections Department, who are burdened with hard to fill, hard to retain public safety positions, with a pay plan that makes the department both locally and regionally competitive with the industry standards could prove significantly beneficial to the department both now and into the foreseeable future. Accordingly, the department is working with the State Personnel Office to develop a targeted pay band system for corrections and probation and parole officers. If approved and funded, the new pay bands will bring officers rate of pay up. SPO and NMCD researched starting pay for officers in other states and at local county jails. The Metro Detention Center in Bernalillo County, with a starting pay of \$17.45 an hour, was evaluated as a comparative for the analysis for the proposed pay band for NMCD correction officers.



NEW MEXICO DEPT. OF CORRECTIONS EXPANDING COMMUNITY CORRECTIONS: WOMEN'S TRANSITIONAL LIVING FACILITY, VALENCIA COUNTY

Women are NMCD's fastest growing population. NMCD is working to ensure the needs of these women are met, both during incarceration and upon release. Upon release, one of the most critical needs is transitional living. In order to parole out of prison, each inmate needs to identify a potential home environment which would be suitable to their success while on parole. Once a potential home address is identified, probation and parole conducts an in-person investigation (pre-parole plan investigation) to determine whether or not the address is viable. However, some women in prison simply do not have a place to go. Their families may have been the victim of their crime, or may be unwilling to allow an individual on parole to live in their home. Transitional living can provide housing to these women, in conjunction with other critical, wrap around services which have been proven to reduce recidivism. NMCD has contracted with Crossroads for Women to manage the transitional living. Crossroads staff will provide clinical/ therapeutic, and case management services to women living onsite. Crossroads has a proven record of success in recidivism reduction and utilizes many evidence based practices. Crossroads staff will work closely with on-site, PPD staff, who will be trained in gender-specific probation and parole management. The Valencia County site is being designed to provide services to up to thirty women at once.

WHEN WAS THE WOMEN'S TRANSITIONAL LIVING FACILITY IN VALENCIA COUNTY PLANNED?

NMCD began formal efforts to inform and build relationships with the community as early as May. We sat down with the police department and the school nearby, and they indicated they not oppose the mission of this project. We submitted a special appropriation requesting funding for transitional living in November of 2014. Serious conversations did not occur until a suitable location could be identified. Initial discussions occurred in June of 2015 to include the planning program chart for the Pavilions project in Los Lunas. On November 23, 2015 both Secretary Burckle (General Services Department) and Secretary Marcantel were onsite along with key staff to discuss programming, bed space and future expansion. Both NMCD and GSD anticipate the campus to be approximately one third complete by mid-February 2016 with a total completion date of March 1, 2016 to include 22 beds. The facility could house an additional 8 beds, with the possibility of 30 beds total, should funding become available.

WHAT IS THE TOTAL COST TO BUILD THE FACILITIES?

The cost of the project is \$1,500,000. These funds were made available during the 2015 Legislative Session in Section 81 of SFC/SB 291, page 36. The project is ongoing.

HAS THE DEPARTMENT OF HEALTH ESTABLISHED NEW MEDICAID REIMBURSEMENT FOR THE SERVICES TO BE PROVIDED BY THESE FACILITIES?

The usual STMII applies and no special reimbursement is necessary.



NEW MEXICO DEPT. OF CORRECTIONS

THE TRANSITION OF WOMEN PRISONERS FROM SPRINGER AND GRANTS

WHY ARE FEMALE PRISONERS TRANSITIONING TO A NEW LOCATION IN 2016?

The New Mexico Corrections Department is committed to moving female inmates from the New Mexico Women's Correctional Facility to the facilities in Springer and the State facility in Grants (WNMCF). The reasons are as follows:

- 1) The facilities at Springer and Western New Mexico Correctional facility are much more conducive for programming, allowing our female population the access to participate in more meaningful programming opportunities. The current women's facility is designed to contain inmates. The above state-run facilities will allow for greater access to gender-specific programming. We know that we can significantly reduce recidivism within the female population by providing them programming in a less controlled environment.
- 2) NMCD believes, especially at the Springer facility, that we can place greater emphasis on socialization skills for the female offenders. Nursery and family reunification programs are advantageous for the female population, and Springer is a campus-style environment, rather than a closed prison setting, such as the CCA facility. This gives NMCD opportunity to build these programs in a less restrictive environment.
- 3) If recidivism reduction efforts fail and the female population continues to grow, there is room for expansion at both Springer and WNMCF, while there is little room for expansion at the CCA facility.

WILL SPRINGER AND WNMCF REMAIN STATE RUN PRISONS?

Yes.

IF YES, WITH DIFFICULTIES IN HIRING AND RETAINING WHAT IS THE PLAN TO PROVIDE PLANNED WOMEN-SPECIFIC PROGRAMMING?

The physical design of Springer Correction Center and Western New Mexico Correctional Facility allow for greater access to programming than the New Mexico Women's Correctional Facility run by CCA. Female facilities are less staff intensive. Females tend to have greater percentage of the population in lower custody levels, less gang activity, far less prison violence and less drug trafficking. Accordingly, they are a safer population to manage within facilities that have traditionally struggled with staffing vacancies. To address the mental health component of the propose gender-specific programming, the Department has issued an RFP for the services to shift the burden of staffing to the private sector, better positioned to hire and retain these professional staff than the state.



NEW MEXICO DEPT. OF CORRECTIONS THE TRANSITION OF WOMEN PRISONERS FROM SPRINGER AND GRANTS

BY HOW MANY BEDS CAN SPRINGER AND WNMCF EXPAND? IT SEEMS THAT THE TOTAL CAPACITY OF SCC AND WNMCF IS A LOSS OF BEDS OVER THE CURRENT WOMEN'S PRISON CAPACITY IN GRANTS.

SCC-400, WNMCF-500. Because of the design of SCC, there is room for expansion without affecting programming. NMCD also believes we will be more effective at reducing recidivism among the female inmate population than CCA.

WHO WILL BE PROVIDING HEALTHCARE SERVICES SPECIFIC TO WOMEN IN THE RURAL COMMUNITIES?

The medical vendor will provide medical services. Our current medical contractor is Corizon.

HOW MUCH WILL IT COST TO PAY FOR THE WOMEN'S MEDICAL SERVICES AT TWO RURAL PRISONS INSTEAD OF ONE?

The cost is per inmate. A new contract will reflect any change. There will be additional medical providers at WNMCF and SCC, but fewer providers at the new sex offender Facility. Female inmates access medical care more than males. NMCD believes these positions will be transferred from NMWCF-CCA to SCC and WNMCF.

HOW MANY VACANT POSITIONS DOES NMCD HAVE IN SPRINGER AND GRANTS?

Approximately 30 positions at SCC - 48 %; approximately 45 positions at WNMCF - 40 %.

DO WE HAVE A PLAN TO FILL THOSE POSITIONS?

Yes, the Department's vacancy rates are more the product of retention than recruiting. This is a direct result of the Department's current compensation rates. Over the last year, the Department has worked with the SPO to create a new compensation package that will more likely enhance the Department's competitiveness in the current job market. Currently the Department is losing most of the staff it recruits and trains within the first three years. With support of the legislature, bringing the Department's compensation package to a more competitive position will be critical for retaining staff. Alternatively, starting with the SCC, the Department is prioritizing its limited resources in the development of a stronger staff housing infrastructure in those hard to recruit and retain areas.

WHAT IS THE TRANSITION PLAN?

We plan to train our staff, or Mental Health staff, on First Aid, Gender Responsiveness, Trauma Informed Care and motivational interviewing.

FREQUENTLY ASKED QUESTIONS

NEW MEXICO DEPT. OF CORRECTIONS

THE TRANSITION OF WOMEN PRISONERS FROM SPRINGER AND GRANTS



The plan is to notify families and the public prior to the move, and lockdown the facilities for two-weeks to do TAP Committees-committees that assign inmates to programs.

The New Mexico Corrections Department cannot make the Transport information public due to security risks.

***WE COMMIT TO THE SAFETY AND WELL-BEING
OF THE PEOPLE OF NEW MEXICO BY DOING
THE RIGHT THING, ALWAYS.***



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