



# NEW MEXICO CORRECTIONS DEPARTMENT

Secretary  
Alisha Tafoya Lucero

CD-018000 Establishment of the Adult Prisons Division (APD)	Issued: 07/31/90 Effective: 07/31/90	Reviewed: 06/30/20 Revised: 02/21/18
Alisha Tafoya Lucero, Cabinet Secretary		

## AUTHORITY:

NMSA 1978, Sections 9-3-3(A); 9-3-5; 9-3-6; 30-22-13; and 30-22-14 as amended.

## REFERENCES:

- A. Policy *CD-010100* and *CD-000100*.
- B. ACA Standards 2-CO-1A-13, CO-4B-05 and CO-4B-06 *Standards for Administration of Correctional Agencies*, 2<sup>nd</sup> Edition.
- C. ACA Expected Practice 5-1A-4001, 5-1A-4006, 5-1A-4008, 5-1A-4009 and 5-1A-4010, *Performance Based Expected Practices for Adult Correctional Institutions*, 5<sup>th</sup> Edition.
- D. Department of Finance and Administration *Model Accounting Practices*.

## PURPOSE: [4-4001]

- A. To create a single, unified division within the New Mexico Corrections Department (NMCD) to provide guidance, administer laws and exercise all functions associated with the management and operations of the Department's adult institutions located throughout the State;
- B. To provide safe, secure and cost-effective correctional facilities for staff, the public and confined adult inmates;

## APPLICABILITY:

All NMCD employees, persons or organization conducting business with or providing services to the Department and to all inmates assigned to the care and custody of the NMCD.

## FORMS:

None

## ATTACHMENTS:

None

## DEFINITIONS:

- A. Bureau: Principal unit of a division, headed by a chief who is employed, covered by, and subject to, the provisions of the State Personnel Act as it applies to classified employees. For purposes of this policy, adult institutions are considered to be bureaus only insofar as

the overview of the organizational structure of the Department is concerned.

- B. Director: Individual appointed by the Secretary of the Department with the approval of the Governor. Division Directors report directly to a designated Deputy Secretary.
- C. Division: Principal unit within the organizational structure of the Department headed by a director.
- D. Gender-Responsive: To take account of the differences in experience, that men and women bring to the criminal justice and corrections systems and adjusting strategies and practices in ways that are appropriately responsive to those differences.
- E. Secretary: The Chief Administrator of the Corrections Department appointed by the Governor with the consent of the New Mexico State Senate, responsible for the overall functions and operations of the Department.
- F. Warden: Individual responsible for overall supervision and administration of, including but not limited to, inmates, personnel, volunteers, programs, and activities of a facility and/or institution.

#### **POLICY:**

- A. Direction in the proper management and operation of the Corrections Department's institutions shall be provided by a single unit to ensure conformity of departmental rules and regulations throughout the state corrections system. All responsibility, authority, support and liaison within this division shall be reviewed at least annually and updated as needed. **[2-CO-1A-13]**
- B. Each institution is headed by a warden, appointed by the administrator or governing board of the parent agency, who is in charge of all inmates, personnel, volunteers, programs, and activities connected with the institution. **[5-1A-4006]**
- C. The qualifications, authority, and responsibilities of the warden and other appointed personnel who are not covered by merit systems, civil service regulation, or union contract are specified in writing by statute or by the department. **[5-1A-4008] [5-1A-4009]**
- D. Each institution will have a written document describing the institution's organization which includes an organizational chart that groups similar functions, services and activities in administrative subunits. This chart is reviewed annually and updated as needed. **[5-1A-4010]**
- E. The following gender-responsive principles will be considered when developing and designing program assignments and classification plans for female offenders:
  - Acknowledge that gender makes a difference;
  - Create an environment based on safety, respect and dignity;
  - Develop policies, practices and programs that are relational and promote healthy connections to children, family, significant others and the community;

- Address substance abuse, trauma and mental health issues through comprehensive, integrated, and culturally relevant services and appropriate supervision;
- Provide women with opportunities to improve their socioeconomic conditions; and,
- Establish a system of community supervision and reentry with comprehensive collaborative services.

F. Female offenders are provided gender-specific and trauma-sensitive programming services, guidance, and training with an emphasis on family reunification and re-entry.

1. Services are designed to ensure a seamless transition as they prepare for re-entry into the community. History of trauma and violence, substance abuse and separation from their children are critical in addressing female offender concerns. Programs offered may consist of, but are not limited to:

- a. Community and/or work-release;
- b. Therapeutic Community;
- c. Overnight visitation;
- d. Therapeutic visits;
- e. Family visitation;
- f. Adult Basic Education (ABE);
- g. Microsoft Office;
- h. Success for Offenders After Release (SOAR);
- i. Post-secondary education;
- j. Pre-release;
- k. Crisis intervention ;
- l. Psycho-education groups;
  - 1) Mood management;
  - 2) Women's empowerment;
  - 3) Trauma survivors;
  - 4) Anger Management;
  - 5) Self-esteem;
  - 6) Substance Abuse; and
  - 7) Parenting.

G. Profound differences between the lives of women and men shape their patterns of criminal offending. Among women, the most common pathways to crime are based on survival of abuse and poverty; and substance abuse.

1. Research on female offenders has established conclusively that women enter the Criminal Justice System in ways different from those of male offenders. Based on gender, women are at greater risk of experiencing sexual abuse, sexual assault and domestic violence in their lives. They are also more likely than men to have the responsibility of caring for children.

2. The 5 (five) key issues to the pathways to criminal behavior for female are:

- a. Histories of personal abuse;
- b. Mental Illness and substance abuse;

- c. Economic and social marginality;
- d. Homelessness; and
- e. Relationships.

- H.** If services for adult and juvenile offenders are provided by the same agency, written statements of philosophy, policy, program, and procedure make clear differences in intent between criminal code and the statues that establish and give direction to the program for juveniles. There is a separate service delivery for juveniles. **[2-CO-4B-05]**
- I.** If services for adult and juvenile offenders are provided every effort will be made to provide separate detention facilities for juveniles. Where adult facilities must be used, juveniles are separated by sight and sound from the adult offenders and are supervised by staff trained to work with juveniles. **[2-CO-4B-06]**
- J.** All Law Enforcement Officers are required to secure all weapons, mace and ammunition in a weapons storage cabinet or in the trunk of their vehicle prior to entry into any NMCD facility and/or Central Office complex. The Shift Commander shall be made aware of all Law Enforcement Officers on premises.
- K.** Unauthorized persons bringing drugs, alcohol, explosives, weapons or other contraband into any NMCD facility and/or Central Office complex shall be prosecuted under §30-22-13 and 30-22-14 NMSA.



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## AUTHORITY:

Policy *CD-018000*

## PROCEDURES: [4-4001]

### Duties and Responsibilities of the Director of Adult Prisons Division:

- A. Organize the Division into as many units as the Director deems necessary to provide safe, secure and cost-effective correctional facilities for staff, the public and inmates confined to its care and custody.
- B. Ensure that each institution is headed by a warden, appointed by the administrator or governing board of the parent agency, who is in charge of all inmates, personnel, volunteers, programs and activities connected with the institution. **[5-1A-4006]**
  1. To be considered qualified; a warden at a minimum must possess the following: a Master's Degree in an appropriate discipline, five (5) years of related administrative experience, and demonstrated administrative ability and leadership. The degree requirement may be satisfied by completion of a career development program that includes work-related experience, training, or college credits at a level or achievement equivalent to the Bachelor's Degree. **[5-1A-4008][5-1A-4009]**
- C. Draft appropriate procedural rules and regulations to direct the wardens in the operation of institutions and the management of programs for inmates.
  1. Procedures so drafted are to be compatible with state statutes and accounting procedures shall reflect generally accepted governmental accounting principles and the Administrative Services Division Financial Management Manual of Policies and Procedures.
  2. Policies drafted to be issued by the Office of the Division Director or Bureaus under this office's supervision located at Central Office shall be submitted to the Department Policy Coordinator in compliance with *CD-000100* for the signature of the Secretary.
- D. Provide for a system of internal accountability, including provisions for the proper maintenance of inmates, financial/accounting procedures and other institution management records. Each warden will abide by the budget approved for his/her institution and be responsible for the financial management of their individual institutions.