



# NEW MEXICO CORRECTIONS DEPARTMENT

Secretary  
Alisha Tafoya Lucero

CD-143500 Safekeeping of County Jail Inmates	Issued: 5/31/89 Effective: 5/31/89	Reviewed: 7/31/20 Revised: 2/23/15
Alisha Tafoya Lucero, Cabinet Secretary		<i>Original Signed and Kept on File</i>

## AUTHORITY:

- A. NMSA 1978, Section 33-3-15, as amended.
- B. Policy *CD-010100*.

## REFERENCE:

*Constitution of the United States*

## PURPOSE:

To set forth procedures and guidelines for the housing and management of county jail inmates for safekeeping in institutions designated by the New Mexico Corrections Department for the confinement of adult criminal offenders.

## APPLICABILITY:

All employees of adult institutions of the New Mexico Corrections Department.

## FORMS:

None

## ATTACHMENTS:

- A. **Notice of Costs Incurred by County Jail Inmates Attachment** (*CD-143501.A*)
- B. **Notice of Per Diem Rate for County Jail Inmates Attachment** (*CD-143501.B*)

## POLICY:

The New Mexico Corrections Department (NMCD) will provide housing for certain county jail inmates charged with the commission of a crime for the purpose of safekeeping while awaiting trial, to the extent allowable under the Constitution of the United States and the laws of New Mexico.



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## AUTHORITY:

Policy *CD-143500*

## PROCEDURE:

The following procedures should be used in receiving and managing county jail inmates transported to a New Mexico Corrections Department (NMCD) institution for the purpose of safekeeping.

- A. NMCD will receive only those county jail inmates whose placement in an institution has been ordered by a district judge. A certified copy of the Court Order must accompany the inmate being received by the NMCD. County jail inmates sent to NMCD due to medical needs must be approved by the Director of Medical Services to insure that proper medical treatment is available.
- B. The institution receiving the inmate for safekeeping will segregate the inmate from the general population and place the inmate in Restrictive Housing status. In the event that the inmate is housed at CNMCF Main, where a majority of the inmates are unclassified, the inmate may be placed in a unit designated by the Facility to house County Jail Hold inmates with Medical or Behavioral Health issues which the sending county cannot address. The inmates will be provided the services equivalent to that of the Diagnostic and Evaluation (D&E) inmates.
- C. County jail inmates will abide by the policies and procedures of the receiving institution or those governing Restrictive Housing inmates (*CD-141500*).
- D. County jail inmates should also receive programs and services reasonably comparable to those received by similarly situated inmates who are housed in the county jail from which the inmate was transferred.
  1. Each inmate will be assigned a case worker who will address his or her individual and programming needs.
  2. The county shall be responsible for conducting, coordinating and prearranging all transports through the designated Court Liaison.
- E. Whenever a district judge orders a county jail inmate to be transferred to the NMCD for safekeeping, the Director of Adult Prisons will designate the institution in which the inmate is to be housed. The district judge will then be notified at which facility the

inmate is being housed. County jail inmates will not be housed at minimum or minimum-restrict facilities.

- F. Counties will be charged a per diem rate for the maintenance of inmates that reflects the legal rate as allowed by law with the approval of Adult Prisons Director.
- G. Counties will be invoiced for all off-site health care services and easily identifiable on-site costs for county jail inmates housed in NMCD facilities. These on-site costs include, but are not limited to, pharmaceuticals, braces and prosthetic devices and special order supply items. Also, offsite appointments involving the use of ambulance services either routine appointments or emergency care will be billed to the county of origin. Dental services will be limited to emergency care only. Staff time will not be billed. The **Notice of Costs Incurred by County Jail Inmates** Attachment (*CD-143501.A*) will be used to track and report these costs.
- H. Upon receipt of a county jail prisoner, the institution will notify the transport officer of the per diem rate for that institution by providing him or her a copy of the **Notice of Per Diem Rate for County Jail Inmates** Attachment (*CD-143501.B*). This attachment will notify the transport officer that the institution will be billing the county for each day the NMCD houses the county inmate and for any additional costs that are incurred. It will also inform the county what the per diem rate is for that respective institution at the time a county inmate is admitted.
- I. Each institution will assume the responsibility of accurately recording these costs, of correctly billing the appropriate county and to ensure that the counties reimburse the NMCD for these costs. Unpaid amounts will be included in accounts receivable at fiscal year end.
- J. Each institution will adhere to its established admission procedures for inmates when admitting county jail inmates. These procedures shall include, but are not limited to, the following:
  - 1. Property Inventory;
  - 2. Delousing;
  - 3. Fingerprinting; and
  - 4. Photographing;
  - 5. Medical Screen;
  - 6. Interview by Classification Staff; and
  - 7. Interview by Mental Health Staff.

**NEW MEXICO CORRECTIONS DEPARTMENT**  
**Notice of Costs Incurred by County Jail Inmates**

Date: \_\_\_\_\_

TO: The Business Office

FROM: \_\_\_\_\_

SUBJECT: Costs Incurred by County Jail Inmates

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The following is an itemized list of costs incurred by county jail inmates now being housed at this facility for safekeeping:

<u>Inmate's Name</u>	<u>CJ Number</u>	<u>Description of Costs*</u>	<u>Actual Costs</u>	<u>Arrival Date**</u>	<u>Departing Date**</u>
_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____

\*Costs may include actual medical supplies or additional mental health or security costs which are not considered routine.

\*\* Please list the Arrival date and Departing date to determine the total number of days held.

**NEW MEXICO CORRECTIONS DEPARTMENT**  
**Notice of Per Diem Rate for County Jail Inmates**

Date: \_\_\_\_\_

TO WHOM IT MAY CONCERN:

Please be advised that in accordance with NMSA 1978, Section 33-3-15, the New Mexico Corrections Department will be billing \_\_\_\_\_ County at a rate of \$ \_\_\_\_\_ per day per inmate.

In addition, counties will also be billed for additional costs (i.e., medical, mental health, etc.) incurred by county inmates who are housed in a New Mexico Corrections Department adult facility for safekeeping.

Please refer any questions or problems to the Adult Prisons Division.

Director, Adult Prisons Division

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Acknowledgment of Receipt