

LFC Requester:	Theresa Edwards
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**AGENCY BILL ANALYSIS
2019 REGULAR SESSION**

WITHIN 24 HOURS OF BILL POSTING, EMAIL ANALYSIS TO:

LFC@NMLEGIS.GOV

and

DFA@STATE.NM.US

{Include the bill no. in the email subject line, e.g., HB2, and only attach one bill analysis and related documentation per email message}

SECTION I: GENERAL INFORMATION

{Indicate if analysis is on an original bill, amendment, substitute or a correction of a previous bill}

Check all that apply: Date 1/17/19
Original **Amendment** **Bill No:** SM8
Correction **Substitute**

Sponsor: Sen. Cisco McSorley **Agency Code:** 924
Short Title: STUDY CONVERTING PRISONS TO REHAB **Person Writing:** Daniel Manzano
Title: PRISONS TO REHAB **Phone:** 505-670-3820 **Email:** Daniel.Manzano@state.nm.us

SECTION II: FISCAL IMPACT

APPROPRIATION (dollars in thousands)

Appropriation		Recurring or Nonrecurring	Fund Affected
FY19	FY20		
N/A	N/A	N/A	N/A

(Parenthesis () Indicate Expenditure Decreases)

REVENUE (dollars in thousands)

Estimated Revenue			Recurring or Nonrecurring	Fund Affected
FY19	FY20	FY21		
N/A	N/A	N/A	N/A	N/A

(Parenthesis () Indicate Expenditure Decreases)

ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)

	FY19	FY20	FY21	3 Year Total Cost	Recurring or Nonrecurring	Fund Affected
Total	N/A	N/A	N/A	N/A	N/A	N/A

(Parenthesis () Indicate Expenditure Decreases)

Duplicates/Conflicts with/Companion to/Relates to: N/A

Duplicates/Relates to Appropriation in the General Appropriation Act: N/A

SECTION III: NARRATIVE

BILL SUMMARY

Synopsis: Senate Memorial 8 (SM8) calls for the formation of a task force to study the feasibility of converting correctional facilities into drug and alcohol treatment facilities. The Public Education Department’s (PED) Secretary of Education will serve on the task force along with other Cabinet Secretaries and executive directors.

FISCAL IMPLICATIONS

There are no fiscal implications to PED.

SIGNIFICANT ISSUES

The PED is responsible for the oversight and monitoring of the Title I, Part D, Neglected and Delinquent Youth Program also known as N and D. The N and D program provides federal funds to school districts and state agencies to supplement the regular program of instruction of students who are served by these sites. The N and D data for New Mexico is as follows:

Adult Facility

New Mexico Department of Corrections (11 facilities): 22

Juvenile Facilities

Children, Youth and Families Department (3 facilities): 138

New Mexico Department of Health (1 facility): 33

Mimbres School at UNM Hospital (1 facility): 71

Total 264 students in 16 facilities

Eleven school districts serve 387 Delinquent students.

Source: PED 2018 Annual N and D Report submitted to USDE

The U.S. Department of Education and the U.S. Department of Justice recommend incorporating a treatment program into the re-entry plans for juveniles exiting juvenile justice residential facilities. Such a plan is part of a larger effort designed to re-integrate youths into society, including school, and to prevent recidivism.

Source: Guiding Principles for Providing High-Quality Education in Juvenile Justice Secure Care Settings, Washington, D.C., 2014 see <https://www2.ed.gov/policy/gen/guid/correctional->

[education/guiding-principles.pdf](#)

In 2017 New Mexico high school students had the third highest rate of any state participating in the CDC's Youth Risk Behavior Survey (YRBS) for drinking alcohol before the age of 13.

26.2% of New Mexico high schools students report drinking alcohol within the past 30 days with 20.7% reporting they had their first drink of alcohol before the age of 13.

27.3% of New Mexico high school students report using marijuana in the past 30 days, 6.9% report using pain killers to get high in the past 30 days, and 5.1 report using cocaine in the past 30 days.

Source: <http://youthrisk.org/>

PERFORMANCE IMPLICATIONS

None

ADMINISTRATIVE IMPLICATIONS

The Secretary of Education, or a designee, will be a member of the task force and will devote a significant amount of time to designing, conducting, and reporting on the study required by the memorial. The task force will present a report of its findings by November 1, 2019.

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

None.

TECHNICAL ISSUES

None.

OTHER SUBSTANTIVE ISSUES

None.

ALTERNATIVES

None.

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL

The current services will be provided to the prison populations.

AMENDMENTS

None