

1 SENATE JOINT MEMORIAL 4

2 **52ND LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2015**

3 INTRODUCED BY

4 Sander Rue

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8 FOR THE COURTS, CORRECTIONS AND JUSTICE COMMITTEE

9
10 A JOINT MEMORIAL

11 REQUESTING THE NEW MEXICO ASSOCIATION OF COUNTIES TO STUDY
12 HOUSING AND CLINICAL SERVICE OPTIONS FOR INDIVIDUALS WITH
13 SERIOUS MENTAL ILLNESS WHO ARE IN CUSTODY AWAITING TRIAL.

14
15 WHEREAS, the state's county detention facilities have
16 become de facto mental health facilities; and

17 WHEREAS, according to a 2012 study conducted by the New
18 Mexico sentencing commission, individuals receiving mental
19 health services while in detention have a median length of stay
20 that is twenty-five percent longer than the length of stay for
21 all pretrial inmates; and

22 WHEREAS, individuals diagnosed with the most serious
23 mental illness, such as psychotic disorders, have a median
24 length of stay that is eighty-two percent longer than
25 individuals of the same gender and age who have been charged

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1 with the same crime; and

2 WHEREAS, individuals whose competency to stand trial is in
3 question have a median length of stay that is two hundred
4 seventy-eight percent longer than other pretrial inmates; and

5 WHEREAS, few detention centers are equipped to deal
6 adequately with this population; and

7 WHEREAS, the condition of individuals with serious mental
8 health disorders can deteriorate when they are incarcerated;
9 and

10 WHEREAS, the current situation exposes the state and local
11 governments to substantial liability; and

12 WHEREAS, individual agencies and counties cannot provide
13 the solution to this problem alone because it is a systemic
14 problem that requires collaboration and the development of
15 alternatives among state, county and municipal governments as
16 well as health care providers and advocacy organizations;

17 NOW, THEREFORE, BE IT RESOLVED BY THE LEGISLATURE OF THE
18 STATE OF NEW MEXICO that the New Mexico association of counties
19 be requested to convene stakeholders to study and make
20 recommendations for clinically appropriate housing options for
21 individuals with serious mental illness who are in custody in
22 county detention facilities; and

23 BE IT FURTHER RESOLVED that stakeholders include but not
24 be limited to representatives from the New Mexico municipal
25 league; the department of health; the aging and long-term

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1 services department; the corrections department; the
2 administrative office of the district attorneys; the
3 administrative office of the courts; the public defender
4 department; the New Mexico sheriffs and police association; the
5 New Mexico behavioral health institute at Las Vegas; the New
6 Mexico hospital association; disability rights New Mexico; the
7 national alliance on mental illness; and two individuals living
8 with serious mental illness identified by the interagency
9 behavioral health purchasing collaborative; and

10 BE IT FURTHER RESOLVED that the New Mexico association of
11 counties be requested to report its findings to the appropriate
12 interim legislative committees by December 1, 2015; and

13 BE IT FURTHER RESOLVED that copies of this memorial be
14 transmitted to the executive director of the New Mexico
15 association of counties, the executive director of the New
16 Mexico municipal league, the director of the New Mexico
17 behavioral health institute at Las Vegas, the director of the
18 administrative office of the district attorneys, the director
19 of the administrative office of the courts, the chief public
20 defender, the New Mexico hospital association, the director of
21 the interagency behavioral health purchasing collaborative, the
22 executive director of disability rights New Mexico, the
23 executive director of the national alliance on mental illness
24 and the secretaries of health, public safety, aging and
25 long-term services and corrections.

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