

# Santa Fe County

Resolution No. 1999-78

1659201

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## **A RESOLUTION ADOPTING SAFE ALTERNATIVES TO INCARCERATION RESULTING IN LOWER COST OF OPERATING THE ADULT DETENTION FACILITY**

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**WHEREAS**, the Santa Fe County Adult Detention Center's jail population is growing due to legislatively mandated sentencing, and changes in prosecuting and sentencing practices, and

**WHEREAS**, the cost associated with the increased jail population are growing and consuming a larger percentage of the County's budget, and

**WHEREAS**, viable alternatives to incarceration exist that can be implemented, while maintaining public safety and maximizing the use of taxpayers dollars, and

**WHEREAS**, Santa Fe County has formed a Criminal Justice Task Force composed of 2 District Judges, 1 Magistrate Judge, the District Attorney, the Public Defender, a Probation and Parole Officer, representatives from the Detention Center and the Criminal Defense Bar Association, to advise on alternatives to incarceration.

**NOW, THEREFORE BE IT RESOLVED** that the Board of County Commissioners does hereby approve the attached plan to reduce the cost of operating the Adult Detention Facility by implementing safe alternatives to incarceration.

APPROVED, ADOPTED AND PASSED, this 29 day of June 1999.

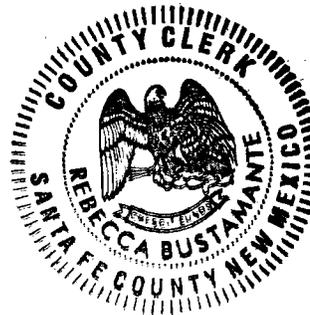
Board of County Commissioners

1659202

Paul Duran, Chairman



ATTEST  
 COUNTY CLERK  
 Rebecca Bustamante  
 Rebecca Bustamante, County Clerk

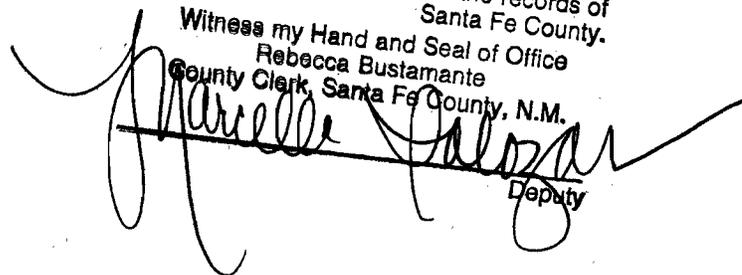


Approved as to Form:



Denice Brown, County Attorney

1080.667 )SS  
 COUNTY OF SANTA FE  
 STATE OF NEW MEXICO )  
 I hereby certify that this instrument was filed  
 for record on the 30 day of June A.D.  
 19 99 , at 1:47 o'clock P.m.  
 and was duly recorded in book 1659  
 page 201-205 of the records of  
 Santa Fe County.

Witness my Hand and Seal of Office  
 Rebecca Bustamante  
 County Clerk, Santa Fe County, N.M.  
  
 Deputy

MEMORANDUM

**To:** David Wolf, County Manager  
**From:** Beron Briscoe, Senior Policy Analyst *BB*  
**Date:** June 7, 1999  
**Re:** Plan of action to reduce the funds expended on jail operations

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**OBJECTIVE**

While maintaining public safety and maximizing the use of taxpayers dollars, the County will work together with the Courts to increase efficiency in the criminal justice process. Additionally the County will initiate alternatives to incarceration, which will maintain public safety and reduce the expenditure of public funds.

**PLAN OVERVIEW**

To achieve the objective the following plan has been developed. This plan will provide alternatives for the court system as well as cost savings for the County. The plan consists of two primary components, alternatives to incarceration and increasing the efficiency of the court system. The alternative sanctions portion of the plan consists of two components Intensive Supervision and a Work Release program. Increasing the efficiency in the criminal justice process entails hiring a court liaison and working with the Criminal Justice Task Force.

**1. ALTERNATIVES TO INCARCERATION**

Regardless which of the alternatives presented below an offender is enrolled, gainful employment is a priority. Staff will assist all offenders with the development of meaningful employment opportunities. Each offender's employment status will be documented. The progress of each offender is monitored through tracking an unemployed offender's job search progress, or by verifying employment for those holding jobs. In an effort to promote the financial responsibility of offenders, a subsistence collection in the form of 25% of an offender's gross pay will be collected for those offenders enrolled in work release.

**A. Intensive Supervision (IS)**

Intensive Supervision allows for the tracking of offenders through the use of programming and electronic monitoring. As part of this program, offenders are sentenced to home-confinement and may only leave their residences for court-approved activities such as work or school. Such a program benefits both the County and offender by reducing housing costs and enabling offenders to maintain gainful employment and/or continue with their education. An offenders pre approved schedule is monitored and verified 24 hours a day, seven days a week through electronic monitoring. The offender wears a bracelet on his ankle or wrist that is electronically and uniquely matched to a receiving unit placed in the offender's home. Connected via telephone lines, the receiving unit transmits offender information to a central receiving computer that will be housed on the grounds of the Detention Center. This computer tracks an offender to ensure he does not leave his house except at court-designated times. Any violations to this schedule are recorded and the Sheriff's department is notified immediately. In addition to the basic electronic monitoring services, the Intensive Supervision program also offers several other methods that encourage offender accountability. Before an offender is accepted into the IS program staff will verify his

employment and place of residence. Offenders must be employed by a legitimate, licensed business that possesses a federal tax I.D. number. Once enrolled, an offender is called randomly three times per week to further verify his presence at home. Once per month, staff will make unannounced random visits to the offender's place of residence to ensure he is in compliance with all program rules and is not in the possession of contraband. Offenders are required to register at the reporting center once each week where they will submit to drug/breathalyzer tests and meet with an assigned counselor. In addition to scheduled drug testing, offenders are also randomly called in to submit to same-day drug testing. At least once per week Staff will verify the offender is at a court-approved location (such as school or work) through the use of a mobile drive-by EM unit. From a vehicle, staff can pick up the unique signal of the offender's bracelet usually with no need for visual confirmation.

#### **B. Work Release**

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Work Release allows offenders to work and attend court-approved activities during the day, however offenders in this program are required to reside at an established residential facility, rather than their own homes. Part of the Work Release program is a check in process in which staff and offenders build and review activity schedules for each day of the week. This program provides offenders with structure and accountability. While enrolled in this program, participants learn to create and adhere to daily schedules. All movement in and out of the facility is monitored 24 hours a day, seven days a week. All program participants are required to sign in and out of the facility at the central control desk. Each morning offenders are randomly chosen to submit to drug and/or Breathalyzer test. This testing is a mandatory component of the program. The frequency in which an offender is tested relies on the drug and alcohol abuse history assessment that is done during an initial intake screening. Offenders with strong substance-abuse histories are tested weekly, while others may be tested once per month. Offenders will also attend vocational readiness for one week Topics will include Job Search Skills, Interviewing Techniques, Budget Management, Resume Writing and Maintaining Current Employment.

Santa Fe County currently has a work release program, which is run from the Adult Detention Facility, however, we are proposing to run the work release program from a modular building, which will be erected, adjacent to the Adult Detention Center. The benefits of locating the work release outside of the existing jail are two fold. First, by housing the work release inmates in a setting that is not as secure as a jail the County can save approximately \$20 per man-day. Second, by removing the work release inmates out of the jail, the jail becomes more secure. By having the work release population in and out of the jail on a daily basis there is a large risk of contraband being introduced into the jail setting.

## **2. IMPROVING EFFICIENCIES IN THE CRIMINAL JUSTICE SYSTEM**

#### **A. Court Liaison**

A court liaison will be hired by the County to facilitate the expedient processing of individuals in the criminal justice system. Specifically the Court liaison will help coordinate the placement of offenders into the alternatives to incarceration programs. They will assist in finding suitable candidates for the programs and solving problems related to particular offenders. Additionally the court liaison will ensure that transport orders and other documents are executed in a timely fashion and assist in obtaining signatures on the transport orders and other court documents. Initially one court liaison will be hired, at some point it will be necessary to hire additional liaisons. These positions will be self-funding in the sense that by reducing the length of time an offender is in the system and ensuring that eligible offenders are placed in alternatives to incarceration overall jail expense will be reduced and off-set the court liaison salaries.

#### **B. Criminal Justice Task Force**

By working with the Criminal Justice Task Force the County will be able to identify and help implement other processes and procedures, which will streamline the criminal justice system. The task force has identified the following areas as potential areas of improvement: administrative bonds, working with the

District Attorney to handle felony cases at Magistrate Court differently, and implementing video arraignment at Magistrate Court.

**FINANCIAL IMPLICATIONS**

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The alternatives to incarceration will save the County a significant amount of money in the shortest amount of time. To run at optimal efficiency each program will need to have 50 participants. The cost of the first 50 offenders in the Intensive Supervision Program will be \$312.50 per day. The daily per diem rate will depend upon the number of participants. Once the target of 50 participants is reached the cost of each additional offender is \$6.25 per day. The cost of the first 50 offenders for the work release program is \$2,121.50 per day; once the target population of 50 is reached each additional offender will cost \$42.43 per man-day. If Santa Fe County can reach the target of 50 offenders in each program the anticipated annual savings is \$858M. It will take 6 months to one year before the entire savings can be realized. The lag time is due to the ramp up period before the programs reach 100% utilization. For the programs to be successful the judges have to utilize the programs.

The Court liaison will yield immediate cost savings and should be viewed as a necessary component of the alternatives. A court liaison will help ensure that the alternative to incarceration portion of this plan is successful. The direct cost savings a court liaison will produce are impossible to calculate given current available data.

Over a longer period of time the Criminal Justice Task Force will generate ideas that will reduce jail cost, however the amount of savings and timeline is not determinable. Continued participation in the task force is vital for the success of the other components of this plan.