The Legislature
of the
State of New Mexico

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CHAPTER

SENATE MEMORIAL 33, as amended

Introduced by

SENATOR BERNADETTIE M. SANCHEZ
SENATOR PETE CAMPOS
SENATOR LINDA M. LOPEZ
SENATOR DAVID ULIBARRI
SENATOR PETER WIRTH
A MEMORIAL
REQUESTING THE ROBERT WOOD JOHNSON FOUNDATION TO CREATE THE
DRUG POLICY TASK FORCE TO EVALUATE NEW MEXICO'S CURRENT
APPROACHES TO DRUG POLICY THROUGH THE USE OF LAW ENFORCEMENT,
TREATMENT, PREVENTION AND HARM REDUCTION AND TO DEVELOP
STRATEGIES FOR EFFECTIVE CHANGE.

WHEREAS, New Mexico has long been concerned about
substance abuse and its impact on the people of New Mexico;
and
WHEREAS, addiction is a chronic medical illness that is
treatable, and drug treatment success rates exceed those of
many cancer therapies; and
WHEREAS, according to a recent report issued by the
federal substance abuse and mental health services
administration, an estimated fifty-five thousand New Mexicans
need but are not receiving treatment for an illicit drug use
problem and another one hundred twenty-four thousand need
treatment for alcohol abuse; and
WHEREAS, according to the Pew research center, more than
one out of every one hundred Americans is incarcerated, and a
recent United States department of justice report states that
an estimated five hundred thousand people are incarcerated
for a drug law violation nationally; and
WHEREAS, at the end of 2007, more than seven million
three hundred thousand Americans, which is approximately one
in every thirty-one adults, were incarcerated or on probation
or parole, and roughly one-third of these were under
correctional supervision for a drug law violation; and

WHEREAS, the average cost of substance abuse treatment
in New Mexico is one thousand two hundred ninety-five dollars
($1,295) per person per year, and the cost of incarcerating
one person in either jail or prison averages twenty-seven
thousand eight hundred thirty-seven dollars ($27,837) per
year; and

WHEREAS, New Mexico spent approximately twenty-two
million dollars ($22,000,000) to incarcerate nonviolent drug
possession offenders in 2007; and

WHEREAS, of the approximately five thousand six hundred
people in New Mexico's state prison system in 2002,
approximately eighty-seven percent were assessed as needing
substance abuse services and seventy percent as substance
abusing or dependent; and

WHEREAS, according to a study by the RAND corporation,
every one dollar ($1.00) invested in substance abuse
treatment results in a savings to taxpayers of more than
seven dollars ($7.00) through reduced societal costs of
crime, violence and loss of productivity; and

WHEREAS, the national treatment improvement evaluation
study shows substantial reductions in criminal behavior, with
a sixty-four percent decrease in all arrests after treatment, making public safety a primary beneficiary of effective drug treatment programs; and

WHEREAS, federal, state and local costs of the war on drugs exceed forty billion dollars ($40,000,000,000) annually, yet drugs are still widely available in every community, drug use and demand have not decreased and most drug prices have fallen while purity levels have increased dramatically; and

WHEREAS, according to the office of national drug control policy, only thirty-five percent of the federal drug control budget is spent on education, prevention and treatment combined, with the remaining sixty-five percent devoted to law enforcement efforts; and

WHEREAS, cities and states across the country have experienced a rise in violent crime and must prioritize scarce law enforcement resources; and

WHEREAS, many New Mexico teachers, prevention specialists and school districts are using effective and science-based drug prevention strategies that focus on building resiliency and honest communication with young people about drug use; and

WHEREAS, over one-third of all HIV/AIDS cases and nearly two-thirds of all new cases of hepatitis C in the United States are linked to injection drug use with contaminated
syringes, now the single largest factor in the spread of
HIV/AIDS in the country; and

WHEREAS, African Americans, Latinos and other minorities
use drugs at rates comparable to Caucasians, yet
non-Caucasians face disproportionate rates of arrest and
incarceration for drug law violations among persons convicted
of drug felonies in state courts; and

WHEREAS, according to the corrections department, one in
ninety Hispanic men aged eighteen or older, one in thirty-one
African American men aged eighteen or older and one in
twenty-five African American men aged twenty to thirty-four
are currently incarcerated in New Mexico; and

WHEREAS, the drastic change in sentencing laws in the
last quarter century has led to a seven hundred percent
increase in the incarceration of women, with drug law
violations accounting for one-third of the increase; and

WHEREAS, in order to promote the successful reentry into
society of people leaving prison or jail, New Mexico must
provide them with job training, transitional housing, family
reunification services, behavioral health treatment and the
restoration of voting rights; and

WHEREAS, New Mexico continues to be a national leader in
effective, public health-based drug policies, as demonstrated
by its 1997 enactment of the Harm Reduction Act, which
created statewide syringe exchange programs, and the
department of health's 2001 overdose prevention and response initiative; and

WHEREAS, the use of a four pillar approach to drug policy, incorporating law enforcement, treatment, prevention and harm reduction, can save both lives and money in New Mexico;

NOW, THEREFORE, BE IT RESOLVED BY THE SENATE OF THE STATE OF NEW MEXICO that the Robert Wood Johnson foundation center for health policy be requested to create a drug policy task force to evaluate New Mexico's approach to alleviating the negative consequences associated with the use of alcohol and other drugs; and

BE IT FURTHER RESOLVED that the drug policy task force utilize a four pillar approach to examine prevention, treatment, harm reduction and enforcement and develop strategies for effective change in New Mexico's drug policy; and

BE IT FURTHER RESOLVED that the drug policy task force include representation from the office of the governor, the office of the lieutenant governor, the corrections department, the department of health, the children, youth and families department, the human services department, the public education department, designees appointed by the New Mexico legislative council, the legislative finance committee, the DWI grant council, the aging and long-term
services department, county detention facilities, the
administrative office of the courts, the department of public
safety, the interagency behavioral health purchasing
collaborative, the behavioral health planning council, the
university of New Mexico, the New Mexico association of
counties, the drug policy alliance, the New Mexico women's
justice project, two individuals with criminal drug
convictions and two individuals in recovery from substance
abuse; and

BE IT FURTHER RESOLVED that the drug policy task force
be chaired by a representative from the Robert Wood Johnson
foundation center for health policy and that it meet at the
call of the chair at least three times before October 15,
2010; and

BE IT FURTHER RESOLVED that the drug policy task force
write a comprehensive statewide strategic plan based on the
four pillar approach and report and present its findings to
the interim legislative health and human services committee,
the interim legislative courts, corrections and justice
committee and the legislative finance committee by November
2010; and

BE IT FURTHER RESOLVED that the strategic plan include a
section on current approaches to drug policy, including the
number and geography of people impacted, local and statewide
assessments of services and needs, a detailed list of
expenditures in prevention, treatment, harm reduction and
enforcement and an assessment of the effectiveness of the
current programs; a section on prevention recommendations;
and a section on treatment recommendations; and

BE IT FURTHER RESOLVED that the task force develop a
list of evaluation measures to include the impact of drug
abuse on youth, rates of drug overdose fatalities, rates of
HIV/AIDS and hepatitis, access to treatment, the number of
incarcerated nonviolent drug law offenders, access to
alternatives to incarceration and racial disparities
exacerbated by the criminal justice system; and

BE IT FURTHER RESOLVED that the strategic plan place
special emphasis on the sections on prevention and treatment
and establish short- and long-term recommendations to reduce
the impact of drug use and drug policies on the people of New
Mexico by utilizing cost-effective initiatives; and

BE IT FURTHER RESOLVED that the written report include
objectives to address drug overdose fatalities, HIV/AIDS and
hepatitis, access to treatment, the number of incarcerated
nonviolent drug law offenders, alternatives to incarceration
and racial disparities exacerbated by the criminal justice
system; and

BE IT FURTHER RESOLVED that copies of this memorial be
transmitted to the director of the Robert Wood Johnson
foundation center for health policy and to each of the
agencies or organizations named to participate in the task
Diane D. Denish, President
Senate

Lenore M. Naranjo, Chief Clerk
Senate