NEW MEXICO Sentencing Commission

FY23 CRGA Outcomes Report

Covering Grants from FY2021, FY2022, and FY2023

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INTRODUCTION

The New Mexico Sentencing Commission (NMSC) has administered the Crime Reduction Grant Act (CRGA) (Section 31-28-1 NMSA 1978 et seq.) since its creation in 2019. For each fiscal year since FY2020, the New Mexico legislature has provided funding of varying amounts for crime reduction grants to programs administered by members of the state's thirteen Criminal Justice Coordinating Councils (CJCC).[1]

The NMSC created a Grants Committee to award the crime reduction grants. The Grants Committee selects grantees from among applicants once or twice each year. NMSC staff develop the grant application, process received applications, and administer legal, fiscal, and evaluative grant functions. Only members of a CJCC may apply for crime reduction grants under the Crime Reduction Grant Act.

Under current statutory language, crime reduction grants may address any of twelve purpose areas: (1) develop, expand and improve evidence-based treatment and supervision alternatives to incarceration; (2) reduce barriers to participation by criminal offenders in preprosecution diversion or specialty court programs; (3) develop or improve pretrial service programs; (4) develop or improve coordination of services between law enforcement agencies and treatment programs; (5) establish law enforcement crisis intervention teams; (6) coordinate access to programs for transitional or reentry homes for individuals recently released from incarceration; (7) recruit or retain law enforcement officers, prosecutors, public defenders, corrections officers and mental health workers; (8) develop or expand digitized records; (9) develop or expand the ability of a criminal justice coordinating council member to share data with, and access data on, the statewide criminal justice data integration platform; (10) develop or expand data-driven policing programs or pretrial services; (11) staff a criminal justice coordinating council; and (12) purchase equipment or provide training to support any of the listed purposes.[2] Some grant-funded projects serve their entire judicial district, while others serve a single county.[3] Recipients are usually a public entity such as a district court, a county, a district attorney's office, or a public defender's office. These entities may contract with service providers to complete some or all tasks within their scopes of work. Occasionally, private service providers are members of CJCCs and receive grant funds directly.

This annual report is divided into four parts. In Part I, we review the fiscal outcomes for FY2023 grantees. Part II analyzes the impact for justice-involved beneficiaries over the past three years and includes grants from FY2021, FY2022, and FY2023. Part III addresses outcomes for professional beneficiaries, including those receiving training (FY2023 grants only) and those receiving salaries or stipends (from FY2021, FY2022, and FY2023 grants). Part IV addresses the qualitative perceptions of success and challenges for FY2023 grantees as described in their quarterly and final reports.

As the statutory purpose areas overlap, we categorize grants in two ways. First, we distinguish a grant by its CRGA funding category. Direct Service grants support justice-involved beneficiaries through incentives, therapy, case management, and other services. Hiring and Retention grants either supplement salaries for existing justice professionals or fund positions not directly linked to specific justice-involved beneficiaries, such as CJCC directors, law enforcement officers, and justice system attorneys. Many Direct Service grants also support the salaries of on the ground staff members, but are not considered Hiring and Retention grants because the funded staff are supporting programs for specific justice-involved beneficiaries. Training grants use funding to support learning opportunities for various justice professionals. The final two funding categories are Data and Data Sharing grants, which often cover the purchase of software or hardware, and Outreach grants, which typically seek to inform target populations or the public about programs or services.

Our data collection and assessment of each grant depend on its ***funding category***. Direct Service grants provide detailed

1. There is a CJCC in each of the state's 13 judicial districts.
2. The New Mexico Legislature has expanded grant purposes over time. In its original formation (2019), purpose areas included (1), (2), (3), and (12). In 2022 (FY2023 grants), the legislature added purpose areas (4), (5), (6), (7), (10), and (11). In 2023 (FY2024 grants), the legislature added purpose areas (8) and (9).
3. There are two judicial districts that consist of a single county: the Second, Bernalillo County, and the Third, Doña Ana County. Grants serving other judicial districts may also serve a single county.

information about their justice-involved beneficiaries so that we can examine their success. For Hiring and Retention grants, we collect employment information about the professional recipients. For Training grants, we collect information about the events and attendees. Grants in the two remaining funding categories, Data and Data Sharing and Outreach grants, have no outcome information, and are not included in Parts I or II.

Second, we categorize grants by their ***target population***, ranging from Public Safety and At-Risk programs designed to prevent criminal behavior to Re-Entry and Probation and Parole programs intended for individuals who are either under community corrections supervision (not incarceration) or have recently exited the criminal justice system altogether, corresponding roughly to SAMSHA's Sequential Intercept Model.[4] The other five target populations are Pretrial, Preprosecution Diversion, Treatment Court, Incarcerated, and Competency. Please find the definitions of the nine categories in the box below.

Definitions: Nine Target Populations

The Target populations are listed in the order of their SIMS stage.

Public Safety: Grants that support broad public or justice agency initiatives with diffuse beneficiaries. Example grants include data-sharing and public outreach initiatives. Public safety populations correspond to SIMS Intercept 0.

***At-Risk*:** Grants that support prevention activities primarily targeted to individuals not known to be justice-involved. Beneficiaries may, in fact, be currently or previously justice-involved. In rare cases, justice personnel may refer clients to an At-Risk program. Example grants include pre-file diversion programs, training staff in crisis intervention, and funds to hire law enforcement. This population corresponds with SIMS Intercepts 0 or 1.

Pretrial: Defendants with pending charges are often released to pretrial supervision rather than being incarcerated while awaiting trial. Pretrial defendants must abide by conditions established by the court and must report to Pretrial Services. Example grants include bus passes and therapy programs for Pretrial defendants, as well as funds to hire prosecutors and public defenders. This population corresponds with SIMS Intercept 2.

Preprosecution Diversion: In exchange for the defendant's agreement to participate in a Preprosecution Diversion program, the prosecutor requests that the court dismiss the defendant's criminal case. The prosecutor may elect to re-open the case if the defendant commits a new crime or otherwise does not comply with the terms of the Preprosecution Diversion program (see Section 31-16A-7 NMSA 1978). Example grants include funding all or some component of Preprosecution Diversion, such as monitoring or therapy. This population corresponds with SIMS Intercept 2.

Treatment Courts: Pre- and/or post-adjudication defendants may participate in a treatment (specialty) court overseen by the New Mexico Department for Therapeutic Justice. New Mexico has drug, behavioral health, family violence, young adult, and other treatment courts dispersed throughout the state. If adjudicated, participants' cases are often conditionally discharged, else sentences are deferred or suspended, but their cases can be redisposed if the defendant commits a new crime or otherwise does not comply with the terms of Treatment Court. Defendants are not considered to be on probation nor in a diversion program. Crime reduction grants may cover the entire cost of a Treatment Court but more typically cover components, such as the purchase of incentives, costs for training employees, or drug testing treatment court participants. This population corresponds with SIMS Intercept 3.

Incarcerated: Defendants in county custody either pretrial or after prosecution are included in this target population. For example, one program purchases computers for currently incarcerated offenders to complete online treatment programs. This population corresponds with SIMS Intercept 2 or 3.

Re-Entry: Defendants re-entering society after a period of incarceration in jail or prison have high basic needs. Example grants support transition housing or stock pantries with basic supplies. This population corresponds with SIMS Intercept 4.

Probation and Parole: Some therapeutic programs have been made available to individuals on probation or parole (i.e. community corrections). This population corresponds with SIMS Intercepts 4 or 5. In practice, such programs may serve other target populations as well, such as people in Treatment Courts (SIMS intercept 3) or At-Risk individuals (SIMS intercept 1).

Competency: These individuals were found to be incompetent for purposes of adjudication. One example grant provides training for treatment guardians. This population corresponds with SIMS Intercept 5.

Some grants have multiple activities spanning multiple funding categories, for example both Training and Direct Service. Similarly, one grant served more than one target population. In Parts I and II, we assign each individual beneficiary to his or her appropriate

4. *See, e.g.*, SAMHSA (2024), The Sequential Intercept Model (SIM), https://www.samhsa.gov/communities/criminal-juvenile-justice/sequential-intercept-model.

funding category and target population. We select the dominant funding category and the dominant target population in Part III and IV, as the unit of analysis is the entire grant.

Part I: Spending for FY2023 Grants

In FY2023, crime reduction grants funded 30 grants. The funding categories for the grants were 16 that primarily funded Direct Services, seven that primarily funded Hiring and Retention, and five that primarily funded Training. There was one Data and Data Sharing grant and one Outreach grant. Among the 30 grants, 11 were served Pretrial defendants, six served At-Risk target populations, six primarily served Treatment Court defendants, three were Public Safety grants serving the public at large, one served Preprosecution Diversion defendants, and one grant served a Competency target population. Two grants were not implemented, one intended to serve an At-Risk population and one intended to serve a Re-Entry population. Thus, no grants in FY2023 were intended to primarily serve either an Incarcerated or Probation and Parole target population, and ultimately no grant served a Re-Entry target population.

The 30 grants funded in FY2023 represented 11 of the state's 13 CJCCs. Grants were awarded in two rounds; 19 grants were funded for the full fiscal year and an additional eleven grants were funded in Round 2 for the last six months of the fiscal year. Grantees were originally awarded almost $2,850,000. Eleven grants were identified as being unlikely to complete spending by the end of their grant year and were therefore amended to reduce funding, making almost $539,000 available to others in either the FY2023 Round 2 cycle or the FY2024 grant cycle. In the end, NMSC awarded $2,310,577 to the 30 grantees. The Commission awarded five grants an extension of three months (through September 2023) to complete their projects.

Grantees spent $1,717,030, or 74% of grant funds. NMSC received permission from the state legislature to roll all remaining funds into grant awards for FY2024.

Two of the 30 grants were unable to be implemented—one a Direct Service grant for an At-Risk target population, the other a Direct Service grant for a Re-Entry project. Their awards were part of the monies made available for the FY2024 grant awards.

Table 1. Awards and Spending by Funding Category

Funding Category	# of Grants	Original Amount Awarded	Amended Amount Awarded	Amount Spent	Percentage of Amended Award Spent
Direct Service	16	$1,329,682	$986,432	$829,541	84%
Hiring & Retention	7	$1,065,250	$1,035,325	$659,270	64%
Training	5	$399,638	$253,820	$193,230	76%
Data & Data Sharing	1	$25,000	$25,000	$25,000	100%
Outreach	1	$30,000	$10,000	$9,989	100%
	30	$2,849,570	$2,310,577	$1,717,030	74%

Table 1 shows how monies were originally awarded, amended, and spent by funding category. The most numerous funding category, with 16 grants, was Direct Service, whose grantees ultimately spent the most, nearly $830,000. They spent 84% of what was awarded, although individual direct service grants ran the gamut from spending none of their funds to all of them, with a median of 98%. Hiring and Retention grants, with seven grants, were ultimately awarded the highest amount, over $1,035,000, though ultimately they did not spend the greatest amount. Grantees in this category spent 64% of amended awards; just one of the seven grants spent at least 90%. Training grants spent about $193,000 or 76% of their funding, with four of the five grants spending more than 90% of their amended awards. The two, relatively small Data Sharing and Outreach grants were able to spend all their amended funding. Thus, only Hiring and Retention grants tended to underspend funds to any substantive degree.

Table 2. Awards and Spending by Target Population

Funding Category	# of Grants	Original Amount Awarded	Amended Amount Awarded	Amount Spent	Percentage of Amended Award Spent
Public Safety	3	$256,775	$226,850	$128,601	57%
At-Risk	7	$744,350	$425,350	$366,902	86%
Pretrial	11	$1,168,442	$1,166,624	$833,569	71%
Preprosecution Diversion	1	$330,000	$210,000	$171,429	82%
Treatment Court	6	$253,503	$233,503	$213,122	91%
Re-Entry	1	$20,000	$10,000	$0	0%
Competency	1	$76,500	$38,250	$3,408	9%
	30	$2,849,570	$2,310,577	$1,717,030	74%

Table 2 shows the same spending information by target population in the order of their SIMS stage, as in the Definitions sidebar. With the highest number of grants at 11, Pretrial grants were awarded the most amended funding, close to $1,167,000, and spent the most, over $833,000. In part due to the Pretrial grants that were designated for Hiring and Retention, however, their ability to spend was slightly below average at 71%. The seven At-Risk programs were also substantially awarded at over $425,000, spending nearly $367,000 or 86% of their awards. Treatment Courts, originally granted $253,000, also spent most of the slightly lower amount that was ultimately awarded, 91%. The single Preprosecution grant was able to spend 82% of its final award of $210,000. The remaining grants, in the Public Safety, Re-Entry, and Competency target populations, were altogether awarded just over $275,000. These categories had the lowest rates of spending, at 57%, 0%, and 9%, respectively.

In their final reports, all grantees reported their funding was sufficient to complete their project.

Table 3. Awards and Spending by Judicial District

Judicial District (Counties)	# of Grants	Population	Original Amount Awarded	Original Award per 1,000 Population	Final Award	Amount Spent	Amount Spent per 1,000 People
1st (Los Alamos, Rio Arriba, Santa Fe)	1	214,714	$304,500	$1,418	$304,500	$193,602	$902
2nd (Bernalillo)	6	674,357	$558,528	$828	$386,785	$303,776	$450
3rd (Dona Ana)	2	221,665	$341,775	$1,542	$341,775	$235,298	$1,061
4th (Guadalupe, Mora, San Miguel)	2	35,591	$189,853	$5,334	$110,853	$110,750	$3,112
5th (Chavez, Eddy, Lea)	1	198,714	$252,000	$1,268	$252,000	$160,125	$806
6th (Grant, Hidalgo, Luna)	2	57,373	$47,000	$819	$47,000	$45,533	$794
7th (Catron, Sierra, Socorro, Torrance)	0	(46,794)	$0	N/A	N/A	N/A	N/A
8th (Colfax, Taos, Union)	3	50,891	$145,000	$2,849	$145,000	$125,345	$2,463
9th (Curry, Roosevelt)	3	66,934	$297,250	$4,441	$232,250	$159,888	$2,389
10th (De Baca, Harding, Quay)	0	(10,944)	$0	N/A	N/A	N/A	N/A
11th (McKinley, San Juan)	4	192,350	$75,500	$393	$75,500	$62,649	$326
12th (Lincoln, Otero)	3	88,462	$196,500	$2,221	$98,250	$3,804	$39
13th (Cibola, Sandoval, Valencia)	3	255,979	$441,664	$1,725	$316,664	$316,660	$1,237
Total	**30**	**2,057,030**	**$2,849,570**	**$1,385**	**$2,310,577**	**$1,717,030**	**$835**

Table 3 looks at spending in a different way, spending by judicial district.[5] The NMSC Grants Committee takes pains to allocate funds throughout the state, rarely failing to award at least one grant in a judicial district unless no, or no eligible, applications are received, as was the case in two judicial districts in FY2023. When population is considered, overall the original grants awarded amounted to an average of $1,385 per 1,000 people in the state,[6] ranging from $393 per 1,000 in the 11th Judicial District to $5,334 in the 4th Judicial District. In terms of spending, grantees spent an average of $835 per 1,000 people in the state, ranging from $39 per 1,000 people in the 12th Judicial District to $3,112 in the 4th Judicial District.

Part II: Outcomes for Justice-Involved Beneficiaries in FY2023, FY2022, and FY2021

FY2023 Beneficiary Characteristics

Table 4. Demographic Information by Target Population

	At-Risk	Pretrial	Preprosecution Diversion	Treatment Court	Incarcerated	Competency
Number of grants	**2**	**5**	**1**	**5**	**1**	**1**
Number of beneficiaries	**564**	**517**	**478**	**128**	**2**	**37**
Younger than 35	27%	43%	62%	51%	100%	41%
Male	35%	72%	60%	59%	100%	35%
Race/Ethnicity Unknown	1%	4%	20%	2%	0%	100%
White	35%	31%	36%	44%	50%	N/A
Black	1%	7%	1%	2%	0%	N/A
Native American	3%	14%	7%	18%	0%	N/A
Hispanic	61%	43%	36%	36%	50%	N/A
Asian	<1%	1%	<1%	0%	0%	N/A

We examine first some basic characteristics of the justice-involved beneficiaries in the 14 FY2023 Direct Service grants. The majority of

5. County population data was collected from the U.S. Census, American Community Survey 2023. https://data.census.gov/table/ACSDP1Y2023.DP05?q=DP05&g=040XX00US-35,35$0500000&y=2023

6. In the calculation of funding per person in the state, we do not include the populations of districts that were awarded no funds in FY2023, the 7th and 10th judicial districts.

beneficiaries were enrolled in programs serving At-Risk (33%), Pretrial (30%), and Preprosecution Diversion (28%) target populations. Less common were beneficiaries enrolled in programs serving Treatment Court (7%), Incarcerated (<1%), and Competency (2%) populations. One of the grants served two target populations, both Treatment Court and Incarcerated individuals. Interestingly, the higher the SIMS stage, the fewer the beneficiaries.

Table 4 presents beneficiaries' demographic attributes, as submitted by grantees, by target population.[7] In only three target populations are the majority of beneficiaries under the age of 35—Preprosecution Diversion, Treatment Court, and Incarcerated; while in programs for At-Risk, Pretrial and Competency target populations, the opposite is true. Overall, with a median age of 36.5, beneficiaries are younger than the median adult age in New Mexico, 47.[8] Males comprised the majority of beneficiaries in most grant programs except those serving At-Risk and Competency populations; but at 55% of beneficiaries overall, they are only slightly overrepresented compared to the state's male adult composition, 49%. Race varies grant to grant and by target population. Whites and/or Hispanics comprise the majority of beneficiaries in all target populations and all individual grants except three, in which Native Americans comprise the majority. Altogether, Hispanics are overrepresented compared to the state's composition (50% compared to 44% in state); Whites are underrepresented (37% compared to 41% in state); and other racial groups are within one percentage point of the state average: Native Americans 9% (10% in state), Blacks 3% (2% in state), and Asians 1% (2% in state).[9] Apart from most At-Risk program participants, Direct Service participants enroll in crime reduction grant-funded programs due to a criminal case. The case may be pretrial (e.g., Pretrial, Preprosecution Diversion) or the defendant may be serving his or her sentence (e.g., Incarcerated, Probation and Parole). We call the case that precipitated beneficiaries' enrollment in the crime reduction grant-funded programs their 'reference case.' We ask grantees to supply case numbers for reference cases so that we can research them to determine lead crime, disposition, and sentencing. A participant may have more than one.

Table 5. Most Serious Offense in Reference Cases by Target Population

	At-Risk	Pretrial	Preprosecution Diversion	Treatment Court	Incarcerated
# Grants	**1**	**5**	**1**	**5**	**1**
# Beneficiaries	**21**	**477**	**475**	**128**	**2**
Felony Crimes	72%	49%	69%	92%	0%
Violent	43%	47%	55%	38%	100%
Property	29%	28%	33%	13%	0%
Drug Crimes	24%	8%	8%	44%	0%
DWI	5%	7%	0%	2%	0%
Interference with Justice	0%	2%	1%	2%	0%
Public Order	0%	4%	2%	0%	0%
Other/Unknown	0%	5%	1%	2%	0%

Table 5[10] indicates the crime category for the most serious offense of participants' reference cases.[11] For most target populations, the majority of beneficiaries' reference cases involve a felony offense. That said, across the board, grant beneficiaries' offenses are not usually severe; only 11% of reference cases are more serious than a 4th degree felony.[12] (See the Crime Categories box below for details.)

Across target populations, reference cases are usually either violent or property offenses. Among programs for At-Risk individuals and in Treatment courts, a sizable number of beneficiaries have been charged with a drug crime.

Definitions: Crime Categories

Among FY2023 reference cases, the most common crimes within each category listed in Table 5 are:

Violent: Assault, Domestic Violence, Battery upon a peace officer
Property: Theft without Force, Auto Theft, Property Damage
Drug Crimes: Possession
DWI: Driving under the influence of alcohol or drugs
Interference with Justice: Fleeing or resisting a law enforcement officer
Public Order: Disorderly conduct, Driving with a revoked license
Other/Unknown: Weapons offenses, Nonviolent crimes against persons, Traffic offenses

7. Participants of unknown or other race are not included.
8. State-wide demographic data was collected from the U.S. Census, American Community Survey 2023. https://data.census.gov/table/ACSDP1Y2023.DP05?q=DP05&g=040XX00US35.
9. We should not expect justice-involved beneficiary demographic data to match the state justice-involved population overall nor the state average, as programs are not evenly distributed throughout the state. Only seven of the 13 judicial districts are represented; a program may only be serving a portion of the target population in its judicial district.
10. Only one of the two At-Risk grants accepted referrals from justice agencies.
11. NMSC is unable to access competency cases; therefore, we omit this target population in Table 5. In addition, we eliminate 'reference' status from reported cases when the offense occurred after the participant's start date in the program. Throughout this research, reference case information is always included in the 'before' period in before/after comparisons, even when, as in some cases, the offense occurred more than three years prior to their program start date. (Non-reference cases that occurred more than three years prior to the individual's start date are excluded.)
12. In prior years, 16% (FY2021) and 14% (FY2022) of cases were more serious than a 4th degree felony.

Outcomes for Justice-Involved Beneficiaries

In this section we explore outcomes for the justice-involved beneficiaries in the 14 FY2023 Direct Service grants as well as the three FY2022 Direct Service grants and five FY2021 Direct Service grants, starting with our expectations.[13]

Table 6. Expected Outcomes for Crime Reduction Grant-Funded Programs by Target Population

Target population	Improved Court Compliance for Reference Case(s)	Reduced Incarceration for Reference Case(s)	Improved Court Compliance in the Future	Improved Recidivism/ Reduced Future Crime
Public Safety				✓
At-Risk	✓ (if any)			✓
Pretrial	✓			✓
Preprosecution Diversion	✓	✓ (basic)	✓	✓
Treatment Court	✓	✓ (basic)	✓	✓ (long-term)
Incarcerated	✓	✓ (violation)	✓	✓
Re- Entry	✓	✓ (violation)	✓	✓
Probation/Parole	✓	✓ (violation)	✓	✓
Competency	✓		✓	✓

We measure criminal justice outcomes in four ways: court compliance for reference cases, incarceration for reference cases, court compliance in the future (including both existing and future cases), and recidivism as measured by new criminal cases. In Table 6, we present our expectations for programs' goals and successes depending on the target population they serve. We expect all crime reduction grant-funded programs to improve participants' compliance for references cases, for participants who have reference cases. Many programs are specifically designed to directly help beneficiaries attend court, such as grants that provide monitoring equipment or transportation vouchers. Other grants may indirectly improve court compliance if participants gain responsibility through treatment services. For much the same reason, we expect all crime reduction grant-funded programs to improve future court compliance and reduce recidivism, if only for the period the person is actively being monitored in Pretrial programs. We assume that Preprosecution Diversion and Treatment programs have the goal of reducing reference cases' basic prison sentences—that is, the original sentence after guilt has been found;[14] while programs with Incarcerated, Re-Entry, and Probation and Parole target populations have the goal of reducing reference case probation and parole violations that can also result in incarceration.
In the following "expectations" boxes, we describe our expectations for each target population in more detail. Regardless of these expectations, we assess each of the four outcomes discussed above for justice-involved beneficiaries in all target populations.

Expectations for Target Populations

Public Safety: Although their success is difficult to assess because of the lack of specific beneficiaries in these data-sharing and public outreach initiatives, we expect public safety initiatives to prevent future crime. As no beneficiaries can be provided by Public Safety grantees, it is beyond the scope of this study to evaluate the impact of grants to this target population. (SIMS Intercept 0)

At Risk: Grants supporting individuals within at-risk populations are expected to prevent future crime by reducing criminogenic factors such as substance use, antisocial cognition, antisocial associates, problems with family and marital relationships, unemployment, mental health issues, and/or a lack of safe and legal leisure and recreational activities. We expect programs for which justice-involved participants have been referred will improve court compliance, but we do not expect participants will necessarily avoid incarceration for those offenses. Participation should reduce future crime for all participants. (SIMS Intercept 0 or 1)

Pretrial: Pretrial service programs usually have the primary goal of ensuring court compliance for defendants' reference cases without detention before adjudication. Such monitoring programs do not explicitly aim to avoid incarceration for reference cases, once adjudicated, nor improve future court compliance or prevent future crime except while under pretrial supervision. Some Pretrial programs include case management and may be expected to have longer-term compliance or recidivism effects. (SIMS Intercept 2)

13. The description of FY2021 and FY2022 grantees and earlier outcomes are reported in the previous annual report, accessible at the NMSC website: https://nmsc.unm.edu/reports/2023/annual-report-of-outcomes-crga-fy-2020-fy-2022.pdf.
14. Some Pretrial programs may also have the goal to reduce basic sentences, but many are geared toward court compliance only. Programs for Incarcerated, Re-Entry, and Probation and Parole programs likely have the goal of reducing probation and/or parole violations for reference cases, and the incarceration that could result from violations.

Expectations for Target Populations, Continued

Preprosecution Diversion: These programs use the 'carrot' of dismissing current cases in exchange for defendants' successful participation in therapy and/or drug treatment programs to address certain criminogenic factors. We expect participants will comply with current court requirements and avoid incarceration for reference cases. We expect participants to be more likely to comply with court conditions in the future and less likely to commit future crime. (SIMS Intercept 2)

Treatment Court: Treatment Courts offer conditional discharges or deferred or suspended sentences for convictions in exchange for defendant's successful participation in Treatment Court, a combination of treatment, community supervision, and judicial oversight. We expect participants would comply with Treatment Court requirements and avoid incarceration for reference cases. We also expect participants would comply with court conditions in the future. We expect reduced recidivism in the long-term, but not necessarily the short-term, because Treatment Court beneficiaries are typically 'high risk' for recidivism especially for offenses related to drug or alcohol addiction. (SIMS Intercept 3)

Incarcerated: Programs for currently incarcerated individuals usually aim to treat criminogenic needs such as employment training, education, therapy, and/or treatment. If participants had been incarcerated for a new conviction as their reference case, we expect programs to reduce probation or parole violations that could return them to incarceration. We also expect programs to improve beneficiaries' future court compliance and reduce recidivism. (SIMS Intercept 2 or 3)

Re-Entry: Re-Entry programs may provide basic supplies, training, education, therapy, treatment, or employment to individuals to facilitate their return to society. If participants had been incarcerated for a new conviction as their reference case, we expect programs to reduce probation or parole violations that could return them to incarceration. We also expect programs to improve beneficiaries' future court compliance and reduce recidivism. (SIMS Intercept 4)

Probation and Parole: Programs for individuals currently in community corrections typically address some criminogenic factors including substance use, antisocial associates, and unemployment. We expect Probation and Parole programs to help individuals avoid violations for their reference case(s) and any resulting incarceration. We expect participants to be more likely to comply with court conditions in the future and less likely to commit crime. (SIMS Intercept 4 or 5)

Probation and Parole: We expect court compliance for reference cases to improve in all Competency programs. Program goals vary, however. Some programs may have the goal of treating defendants so that they can stand trial. If so, the result could be an increased likelihood of incarceration for their reference case. Other programs may provide mental health treatment or therapy in the long term. If so, we expect beneficiaries will avoid future crime and improve future court compliance. As NMSC does not have access to competency-related court proceedings nor full access to most beneficiaries' criminal histories, it is beyond NMSC's ability to evaluate the impact of Competency programs in most respects. (SIMS Intercept 5)

Court Compliance for Reference Cases

Methodology

We use paired t-tests to compare individuals' court compliance and criminal behavior in 'after' (program) and 'before' periods. Paired t-tests assess whether there is a statistically significant difference in two measures of the same phenomenon for the same person (or other entity), often separated in time to test the impact of a program or intervention, as we do here. The after period begins the day after the individual's start date in the crime reduction grant-funded program[15] and extends to the last day for which we were able to collect information.[16] We mirror the number of 'after' days by collecting information for the same number of 'before' days in the individual's criminal history, including his or her start date. This makes it possible to compare events in equivalent time periods. In this report, the number of before and after days for FY2023 grantees varies from 428 to 808 days. For example, one individual's before period is 618 days, including her start date, and her after period is also 618 days. The number of days varies from 809 to 1,095 days (capped at three years) for FY2022 grantees. We pull data from 1,095 days (three years) before and 1,095 days after the start date for all FY2021 grantees.

Here and throughout this report where paired t-tests are used, we assess the likelihood that statistically significant differences between before and after periods are due to regression to the mean (RTM) or the regression effect. RTM refers to the problematic circumstance that extreme values are likely to converge toward average values in subsequent measures simply due to chance, falsely making it appear that a program has a desired effect.[17] As participants tend to enroll into crime reduction grant-funded programs

15. When grantees provided more than one start date for the same individual, we used the earliest date. If the start date preceded the fiscal year, we assumed the first date of the fiscal year.
16. For FY2023, that date was September 16, 2024.
17. To put it another way, chance is likely to have played a higher role in a beneficiary's initial (extreme) measure than it will in subsequent measures, leading to values closer to the population average in the latter. For example, a statistically significant drop in a group's warrants from an extremely high value to a moderate value is likely due to chance. The best way to control RTM is methodologically with comparison groups. That being unavailable, we control RTM statistically.

with far more criminal cases and warrants than typical, it is important to distinguish program effects from RTM when measuring warrants and criminal cases after program enrollment.[18] In tables with paired t-tests, we indicate with a checkmark statistically significant improvements that are likely attributable to program effects (not RTM).

We measure court compliance using warrants issued by courts to authorize law enforcement to arrest a defendant and bring them to court. Warrants are issued when a defendant fails to appear for a scheduled hearing or commits a violation of the conditions of their supervision (probation or pretrial). Our dataset specifies the reason for a warrant only about half of the time. When specified, the defendant's failure to appear in court for a hearing accounts for about 84% of warrants; a probation violation accounts for about 13% of warrants. Remaining specified warrants refer to a failure to comply.[19]

Table 7a. Court Compliance for reference Cases (Only) by Target Population: Participants with Warrants

Target Population	Grant Year	# of Grants	Number of Participants with Reference case(s)	% Participants with Warrants Before Start date	% Participants with Warrants After Start Date	*t*
At-Risk	FY2023	*2*	21	48%	29%	1.7
Pretrial	FY2021	*2*	575	36%	42%	2.2*
	FY2022	*1*	815	34%	38%	2.3*
	FY2023	*5*	476	41%	37%	1.5
Preprosecution Diversion	FY2023	*1*	475	19%	10%	3.9*** ✓
Treatment Court	FY2021	*3*	104	20%	15%	1.1
	FY2022	*2*	282	42%	26%	4.2***
	FY2023	*5*	128	48%	13%	7.2*** ✓
Competency	FY2023	*1*	37	N/A	N/A	N/A

ł:p<.10, *:p<.05, **:p<.01, ***p<.001, ✓:effects likely to attributed to program (not RTM)

As described above, we expect improved court compliance for reference cases across crime reduction grant-funded programs (see Table 6). In Table 7a, we examine the percentage of beneficiaries with reference cases that had warrants issued before and after their program start by target population and the fiscal year of the grant program.[20] Among Pretrial programs, for two of the three years the percentage of beneficiaries receiving a warrant for their reference case increased to a statistically significant degree, against expectation, while there is no statistically significant difference in the third year. Results for other target populations are more encouraging, at least representing changes in the expected direction. We see statistically significant differences in the expected direction and for which RTM can likely be ruled out for the FY2023 Preprosecution Diversion and FY2023 Treatment Court programs.

Table 7b. Court Compliance for Reference Cases (Only) by Target Population: Average Number of Warrants

Target Population	Grant Year	# Grants	Number Participants with Reference Case(s)	Average # Warrants Before Start Date	Average # Warrants After Start Date	*t*
At-Risk	FY2023	*2*	21	0.9	0.8	0.7
Pretrial	FY2021	*2*	575	0.6	0.9	4.3***
	FY2022	*1*	815	0.5	0.8	5.9***
	FY2023	*5*	477	0.7	0.7	0.2
Preprosecution Diversion	FY2023	*1*	475	0.3	0.2	0.8
Treatment Court	FY2021	*3*	104	0.5	0.3	1.2
	FY2022	*2*	282	0.8	0.6	2.2*
	FY2023	*5*	128	0.9	0.3	5.3***

ł:p<.10, *:p<.05, **:p<.01, ***p<.001, ✓:effects likely to attributed to program (not RTM)

18. Most crime reduction grant-funded programs are susceptible to RTM because participants qualify for the program due to criminal activity. We use the technique developed by Ostermann et al. (2008) to determine whether a sample's differences over time are consistent and large enough from expected averages to likely rule out RTM. Ostermann et al., 2008. Regression toward the mean – a detection method for unknown population mean based on Mee and Chua's algorithm. BMC Medical Research Methodology 8, 52: https://link.springer.com/article/10.1186/1471-2288-8-52.
19. We omit the handful of warrants served to juveniles.
20. We do not include participants in the Competency target population, even though we do have access to warrants for reference cases in the before period. Presumably because their cases are inactive while in treatment or dismissed altogether, there is no evidence of warrants for any Competency participant in the after period. We do not include participants in the Incarcerated target population, as upon release they had little probation left to serve.

Table 7b examines the same question about the impact of programs on court compliance for reference cases using a different measure, the average number of warrants before and after the program start date. Similar to Table 7a, the average number of warrants served increases significantly for the first two years of Pretrial beneficiaries, against expectations, with no difference in the FY2023 Pretrial grants. Although none of these unexpected increases over time are extreme, the results are disheartening. Pretrial programming is primarily aimed at improving court compliance for individuals' current cases.

Also similar to results in Table 7a, the average number of warrants drops, as expected, among all other target populations. The decreases are only statistically significant in two instances, FY2022 and FY2023 Treatment Court programs. Even in these cases, RTM cannot be ruled out.

Disposition and Incarceration for Reference Cases

We now turn our attention to the second outcome for justice-involved beneficiaries, disposition and incarceration for reference cases. Both Preprosecution Diversion and Treatment Courts are intended to help participants avoid convictions (possibly) and incarceration for original charges.[21] We would not necessarily expect participants in At-Risk programs to avoid conviction or incarceration, nor those in Pretrial or Competency programs.[22]

Methodology

Table 8 shows dispositions for reference cases for programs with At-Risk, Pretrial, Preprosecution, and Treatment Court target populations. The categories of case dispositions are:

1. Conviction, a finding of guilt with court-determined incarceration sentence or, with a suspended sentence, a probation sentence.
2. Deferral, a finding of guilt with sentencing deferred and replaced with probation and/or treatment. Should probation be revoked or the treatment fail, the defendant returns to the court for sentencing.
3. Conditional discharge or preprosecution diversion, a case in which the court does not determine guilt. The defendant is placed on probation or assigned to a treatment program. Should probation be revoked or the treatment fail, the defendant returns to the court for a determination of guilt. This could result in an incarceration or probation sentence.
4. Defendant incompetent, a case that is made inactive or dismissed because the defendant is found incompetent to face trial. In some cases, the prosecutor may wish to treat the defendant to competency so that he or she can face trial later.
5. Acquittal, a finding of not guilty.
6. Dismissal, in which the case is closed and guilt is not determined.

While specific, these categories are not necessarily mutually exclusive. A code of dismissal could be a hidden referral to a preprosecution diversion program or a finding of incompetency, rather than what it more readily appears to be—a determination by the state or the court that there is not enough evidence for a trial.

For participants with more than one referral case, we use the case with the highest or most specific disposition, favoring convictions, deferrals, conditional discharges, and incompetency over acquittals and dismissals. No participant is counted more than once. We use the most recent disposition, as dispositions can change over time. For example, a deferral, conditional discharge, or referral to preprosecution diversion could all end in conviction if the defendant violates probation or program conditions. In such cases, we would code the case as a conviction.

Table 8: Final Disposition of Reference Cases by Target Population

Target Population	Grant Year	# Grants	# Participants with Reference Case(s)	# Participants with Known Dispositions	Conviction	Deferral	Conditional Discharge/ PPD	Defendant Incompetent	Dismissal	Acquittal	Defendant Died
At-Risk	FY2023	1	21	20	70%	0%	5%	0%	20%	5%	0%
Pretrial	FY2021	2	575	543	22%	6%	4%	1%	66%	<1%	1%
	FY2022	1	815	746	21%	6%	5%	2%	65%	<1%	1%
	FY2023	5	477	438	17%	1%	5%	41%	36%	<1%	<1%
Preprosecution Diversion	FY2023	1	475	457	5%	<1%	3%	<1%	92%	0%	0%
Treatment Court	FY2021	1	104	38	55%	0%	18%	0%	26%	0%	0%
	FY2022	2	282	269	7%	3%	2%	63%	26%	<1%	<1%
	FY2023	5	128	124	81%	3%	15%	0%	2%	0%	0%

Table 8 shows dispositions for referral cases for three years of grants. Looking first at cases where we expect program participation to

21. Programs serving participants who are incarcerated for an original offense, reentering society after incarceration, and/or on probation or parole also intend to help participants avoid revocation of probation or parole. None of the grant programs covered in this report have such participants. The two beneficiaries in an Incarcerated target population program are people serving time for probation violations, not their underlying convictions, and have little time left on their sentences after release.
22. We do not have disposition or sentencing information for reference cases for the FY2023 Competency program.

reduce convictions, we see that only 5% of Preprosecution Diversion cases resulted in a conviction or deferral. Most of the remainder are coded by the court as dismissals, but are most certainly referrals to Preprosecution Diversion.

Table 9: Final Disposition of Reference Cases among Individual Treatment Court Programs

Grant Year	Individual Grant	# Participants with Reference Case(s)	# Participants with Known Dispositions	Conviction	Deferral	Conditional Discharge/ PPD	Defendant Incompetent	Dismissal	Acquittal	Defendant Died
FY2021	A	*104*	38	55%	0%	18%	0%	26%	0%	0%
FY2022	A	*11*	10	20%	0%	10%	0%	70%	0%	0%
	B	*271*	260	6%	3%	1%	65%	24%	0%	<1%
FY2023	A	*25*	23	83%	13%	4%	0%	0%	0%	0%
	B	*14*	14	86%	0%	14%	0%	0%	0%	0%
	C	*6*	5	40%	20%	0%	0%	40%	0%	0%
	D	*7*	7	86%	0%	14%	0%	0%	0%	0%
	E	*76*	75	80%	0%	19%	0%	0%	0%	0%

Treatment Courts are designed to prevent incarceration, but could be reasonably disposed as a conviction with a suspended sentence and still meet that goal. Conviction rates vary from 5% to 81% across years. Looking more closely at each Treatment Court's conviction rate in Table 9, the conviction rate is 80% or above for four of the five FY2023 grants, but ranges from 6% to 55% in the other four programs. Dismissals also vary widely in individual programs, ranging from 0% to 70%. Findings of incompetency are generally rare, but is 65% in one FY2022 program. Although all Treatment Courts follow a similar model, it seems apparent the courts serve different populations and choose to dispose cases differently even while providing similar services.

Table 10: Final Disposition of Reference Cases among Individual Pretrial Programs

Grant Year	Individual Grant	# Participants with Reference Case(s)	# Participants with Known Dispositions	Conviction	Deferral	Conditional Discharge/ PPD	Defendant Incompetent	Dismissal	Acquittal	Defendant Died
FY2021	A	*551*	522	22%	6%	5%	1%	66%	<1%	1%
	B	*24*	21	9%	5%	0%	5%	81%	0%	0%
FY2022	A	*815*	746	22%	6%	4%	2%	65%	<1%	1%
FY2023	A	*305*	281	6%	0%	3%	64%	27%	0%	0%
	B	*19*	17	82%	0%	0%	6%	12%	0%	0%
	C	*88*	80	26%	3%	10%	0%	61%	0%	0%
	D	*4*	3	67%	0%	0%	0%	33%	0%	0%
	E	*61*	57	39%	5%	5%	0%	49%	2%	0%

We do not expect At-Risk programs or Pretrial programs to lower conviction rates. Most of the participants referred to the At-Risk program were convicted of their offense. At first blush, dispositions for Pretrial programs seem similar year to year, with about a 20% conviction rate, perhaps lower than expected (Table 8). This similarity belies variances among individual programs, as seen in Table 10. Within the eight programs covered here, conviction rates range widely from 6% to 82%, and dismissal rates range from 12% to 81%. Most programs have few cases of incompetency, but an exception is a large FY2023 program (64%—its focus was competency court clients). In Pretrial programs, conditional discharges are usually rare, but did comprise 10% of cases for one FY2023 program.

It is difficult to know what to make of this disposition data because different dispositions can be used in similar ways. For example, any of the following dispositions can result in a probation sentence: conviction, deferral, or conditional discharge. Any of those dispositions could also be a standard result in a Treatment Court. Even dismissals can be hiding a required court program for the defendant, a common disposition for Preprosecution Diversion programs, for example. A conviction may result in an incarceration sentence, but the court could fully or partially suspend the incarceration sentence. Both suspended sentences and deferrals allow the court to swiftly send a defendant to incarceration should he or she violate program or probation restrictions. It seems clear that different courts choose different dispositions for similar purposes.

Table 11: Basic Incarceration Sentences by Target Population								
Target Population	Grant Year	# Grants	# Participants with Known Dispositions	# Participants Convicted	# Participants Convicted to Incarceration	Incarceration Rate	Average Incarceration Sentence (yrs)	Median Incarceration Sentence (yrs)
At-Risk	FY2023	*1*	20	14	1	5%	2.5	2.5
Pretrial	FY2021	*2*	543	119	49	9%	1.1	<0.1
	FY2022	*1*	746	157	66	9%	0.5	<0.1
	FY2023	*5*	438	75	22	5%	1.0	0.1
Preprosecution Diversion	FY2023	*1*	457	22	2	<1%	<0.1	<0.1
Treatment Court	FY2021	*1*	38	21	8	21%	4.0	2.0
	FY2022	*2*	269	19	15	6%	1.6	1.0
	FY2023	*5*	124	100	28	23%	1.6	1.0

Table 11 may be a better measure of success for these alternatives to incarceration. We would expect Preprosecution and Treatment Court beneficiaries to avoid incarceration for reference cases (regardless of conviction); we would not expect the same for At-Risk or Pretrial beneficiaries. We do see a very low incarceration rate for Preprosecution Diversion beneficiaries, <1% (driven by the low number of convictions). The Preprosecution Diversion beneficiaries that are incarcerated have a median sentence of <0.1 years. In Treatment Courts, across years, incarceration rates vary from 6% to 23%, and median lengths of incarceration are relatively low, not more than two years. Individually within the eight Treatment Courts, seen in Table 12 below, incarceration rates vary from 0% to 39%, usually below 25%. Median sentences are relatively uniform between one and two years, with one outlier for a grant in which just one person was incarcerated.

Table 12: Basic Incarceration Sentences among Individual Treatment Court Programs							
Grant Year	Individual Grant	# Participants with Known Dispositions	# Participants Convicted	# Participants Convicted to Incarceration	Incarceration Rate	Average Incarceration Sentence (yrs)	Median Incarceration Sentence (yrs)
FY2021	A	*38*	21	8	21%	4.0	2.0
FY2022	A	*10*	2	1	10%	6.0	6.0
	B	*260*	17	14	5%	1.3	1.0
FY2023	A	*23*	19	9	39%	1.6	1.0
	B	*14*	14	2	14%	1.3	1.3
	C	*5*	2	0	0%	N/A	N/A
	D	*7*	6	1	14%	1.0	1.0
	E	*75*	61	16	21%	1.6	1.5

Among programs where we do not necessarily expect low incarceration rates, we see in Table 11 that although most At-Risk participants were convicted of their reference case (70%), only one was incarcerated (5%). The median length of incarceration for this outlier was relatively long, 2.5 years. Beneficiaries of Pretrial programs, as we see in Tables 8 and 11, are not likely to be convicted in most programs—by year, between 17% and 22%. Once convicted, however, they seem somewhat more likely to be incarcerated. Median incarceration sentences are quite short, representing days or weeks rather than months or years. Not surprisingly, we see more variation among individual programs, depicted in Table 13, with incarceration rates ranging from 0% to 41%, and median sentences ranging from <0.1 years to 2.6 years.

Table 13: Basic Incarceration Sentences among Individual Pretrial Programs							
Grant Year	Individual Grant	# Participants with Known Dispositions	# Participants Convicted	# Participants Convicted to Incarceration	Incarceration Rate	Average Incarceration Sentence (yrs)	Median Incarceration Sentence (yrs)
FY2021	A	522	117	49	9%	1.1	<0.1
	B	21	2	0	0%	N/A	N/A
FY2022	A	746	157	66	9%	0.5	<0.1
FY2023	A	281	16	8	3%	0.4	<0.1
	B	17	14	7	41%	0.6	0.1
	C	80	21	4	5%	3.5	2.6
	D	3	2	0	0%	N/A	N/A
	E	57	22	3	1%	<0.1	<0.1

In summary, it appears that the single Preprosecution Diversion program covered here does help most people avoid incarceration. Our expectation is that Treatment Court beneficiaries would avoid incarceration, while Pretrial beneficiaries would not. In truth, their results are similar. If anything, Treatment Court beneficiaries are more likely to be sentenced to incarceration. It is probably true that the wide variety of programs within the Pretrial category makes them hard to combine; and the same is true for Treatment Court programs. In both cases, however, sentences are short. Among the few justice-involved people referred to one At-Risk program, most avoided incarceration; those that were incarcerated received relatively long sentences.

Court Compliance for All Cases

Table 6 indicates that we expect to see improved court compliance for future cases among all crime reduction grant criminal justice beneficiaries at least in the short-term. For beneficiaries of At-Risk and Pretrial programs, we might expect improved compliance for all cases, reference or not, at least while they are enrolled in the program. However, having seen the apparent lack of improvement in court compliance even for reference cases for these two target populations, we have little reason to think participants' compliance in other cases would improve.

For other target populations, we expect that even minimal programming, such as transportation vouchers, could lower barriers to coming to court and thus improve compliance for all future cases. More intensive programming that treat beneficiaries' substance use, mental health, and other criminogenic factors may mean stronger positive effects on court compliance.

Methodology

Our procedure for examining court compliance for all cases is nearly identical to that of comparing court compliance on reference cases, as we did for Tables 7a and 7b. We include warrants for all criminal cases in the before and after time periods. For the At-Risk program, we include all beneficiaries with any known active criminal case(s), not just the few who had been referred by a justice agency. All participants in other grant programs are assumed to have active cases in the time period and are thus included in the analysis.[23] As with reference cases, we use paired t-tests to compare individuals' warrants before and after their participation in the grant-funded program, and check for the likelihood of RTM.[24]

Table 14a: Court Compliance for All Cases by Target Population: Participants with Warrants

Target population	Grant Year	# Grants	Number Participants with Any Warrants or Cases in the time period	% Participants with Warrants Before Start Date	% Participants with Warrants After Start Date	*t*
At-Risk	FY2023	*2*	159	42%	37%	1.2
Pretrial	FY2021	*2*	575	75%	75%	0.1
	FY2022	*1*	815	64%	66%	0.9
	FY2023	*5*	520	68%	62%	2.6**
Preprosecution Diversion	FY2023	*1*	478	36%	34%	1.0
Treatment Court	FY2021	*3*	104	66%	44%	4.3***
	FY2022	*2*	282	83%	66%	5.8***
	FY2023	*5*	128	78%	30%	9.6*** ✓
Incarcerated	FY2023	*1*	2	100%	100%	n/a
Competency	FY2023	*1*	37	32%	32%	0.0

ł:p<.10, *:p<.05, **:p<.01, ***p<.001, ✓:effects likely to attributed to program (not RTM)

Table 14a compares the number of participants with any warrants before and after their program start date. We would expect drops for Preprosecution Diversion, Treatment Court, Incarcerated, and Competency beneficiaries. The drop for beneficiaries of Preprosecution Diversion is not substantial or statistically significant, although notably lower to begin with compared to other programs, 36%. The drop in the number of Treatment Court beneficiaries with warrants is statistically significant each year, though only in FY2023 is the drop, from 78% to 30%, large and consistent enough to rule out RTM. Both participants of the Incarcerated program had warrants both before and after their sentence. About a third of Competency beneficiaries have warrants before and after their program (though the specific individuals with warrants differ).

We do not expect to see drops in the percentage of At-Risk or Pretrial beneficiaries with warrants. In neither case do we see strong differences. There is no statistically significant difference in the percentage or beneficiaries with At-Risk grants. The relatively small drop in FY2023 Pretrial programs, from 68% to 62%, although statistically significantly different, cannot rule out RTM.

23. Across target populations, we are, rarely, unable to either identify or access information about any or some of a participant's criminal cases.
24. For a discussion of paired t-tests and RTM, see p. 7.

Table 14b: Court Compliance for All Cases by Target Population: Average Number of Warrants						
Target Population	Grant Year	# Grants	Number Participants	Average # Warrants Before Start Date	Average # Warrants After Start Date	*t*
At-Risk	FY2023	*2*	159	1.2	0.9	1.8ł
Pretrial	FY2021	*2*	575	3.7	4.3	2.7**
	FY2022	*1*	815	2.8	3.4	4.1***
	FY2023	*5*	520	2.9	2.4	3.0**
Preprosecution Diversion	FY2023	*1*	478	0.9	1.1	2.3*
Treatment Court	FY2021	*3*	104	3.3	1.8	3.8***
	FY2022	*2*	282	4.9	3.5	4.2***
	FY2023	*5*	128	3.0	0.8	7.7*** ✓
Incarcerated	FY2023	*1*	2	3.5	3.0	N/A
Competency	FY2023	*1*	37	0.9	0.8	0.2
ł:p<.10, *:p<.05, **:p<.01, ***p<.001, ✓:effects likely to attributed to program (not RTM)						

Table 14b similarly compares the average number of warrants in beneficiaries' before and after periods, with comparable results. Against expectation, we see a statistically significant rise in the average number of warrants for Preprosecution Diversion participants, although the averages are quite low in both time periods. The statistically significant drops in average warrants for each year of Treatment Court are in the expected direction; we can rule out RTM for FY2023 programs only. We see very little difference in average warrants among Incarcerated and Competency beneficiaries.

We do not expect to see drops in average warrants among At-Risk and Pretrial beneficiaries. There is a drop in average warrants for the At-Risk population that approaches statistical significance, but RTM cannot be ruled out. In the three years of Pretrial programs, average warrants rise in FY2021 and FY2022, and the drop in FY2023 is statistically significant, but again, RTM cannot be ruled out.

Recidivism

Table 6 shows that we expect to see reduced recidivism, here defined as new criminal cases, for beneficiaries of all target populations, although whether the impact is long- or short-term may differ. For example, we might expect that the impact on recidivism for Pretrial beneficiaries would last only while participants are being monitored. For most other programs, we would hope for these short-term effects due to monitoring would be follow by long-term decreases in recidivism due to intensive treatment.

Methodology

We examine criminal cases, including traffic violations, occurring either before (including reference cases) or after beneficiaries' program start date.[25] Cases are included when the offense date is within the participant's time window.[26] Thus, nearly all participants will have a case in the before period, excepting some beneficiaries in the At-Risk program. We examine all criminal cases in Tables 15a and 15b, then focus on felonies in Tables 16a and 16b. As with warrants, we use paired t-tests to compare individuals' warrants before and after their participation in the grant-funded program, and check for the likelihood of RTM. Note that when programs have 100% or near 100% of cases in a before period, it is very difficult to rule out RTM.[27]

Table 15a: Recidivism: Any Criminal Case by Target Population, Equivalent Before and After Periods						
Target Population	Grant Year	# Grants	Number Participants with Any Known Criminal Case in Time Period	Percentage Participants with Any Criminal Case	Average # Warrants After Start Date	*Paired t*
At-Risk	FY2023	*2*	157	66%	60%	0.3
Pretrial	FY2021	*2*	574	100%	76%	13.4***
	FY2022	*1*	814	99%	67%	19.2***
	FY2023	*5*	470	99%	60%	16.3***
ł:p<.10, *:p<.05, **:p<.01, ***p<.001, ✓:effects likely to attributed to program (not RTM)						

25. While we often omit traffic violations from NMSC analyses because most other states do not include them in their criminal codes, here we include them as they can be reference cases (0.2% in FY2021, 0.6% in FY2022, and 1.0% in FY2023). Among all cases in these analyses, about 8% were traffic violations in FY2021, 12% were traffic violations in FY2022, and 11% were traffic violations in FY2023.

26. We count all reference cases in beneficiaries' before period, even if the offense date occurred before the date determined to start data collection. Rarely, reference case offenses were committed several years ago.

27. If there are 100% of cases with cases in the before period, the lack of variance means the RTM test cannot technically be performed. When faced with 100% cases in the before period and a statistically significant drop in the after period, we altered data in the before period so the RTM test could be run. This yielded no additional groups for which RTM could be ruled out.

Table 15a: Recidivism: Any Criminal Case by Target Population, Equivalent Before and After Periods						
Target Population	**Grant Year**	**# Grants**	**Number Participants with Any Known Criminal Case in Time Period**	**Percentage Participants with Any Criminal Case**	**Average # Warrants After Start Date**	***Paired t***
Preprosecution Diversion	FY2023	*1*	463	99%	46%	21.9*** ✓
Treatment Court	FY2021	*3*	104	100%	51%	9.6***
	FY2022	*2*	281	100%	66%	12.1***
	FY2023	*5*	128	100%	52%	12.8***
Incarcerated	FY2023	*1*	2	100%	100%	N/A
Competency	FY2021	*1*	22	68%	68%	0.5
ł:p<.10, *:p<.05, **:p<.01, ***p<.001, ✓:effects likely to attributed to program (not RTM)						

Table 15a focuses on the percentage of participants with new criminal cases as well as the average number of cases before and after their program start date. We see large and statistically significant drops in the percentage of beneficiaries with cases after program enrollment for Pretrial, Preprosecution Diversion, and Treatment Court programs. In these programs, the percentage of beneficiaries with cases in the after period range from 46% to 76%, perhaps higher than we would hope. In most cases, we cannot rule out RTM as explaining the drops, rather than program effects. The single exception is the one Preprosecution Diversion program, falling from 99% to less than half, 46%. This difference is large and consistent enough to likely be able to attribute the difference to program effects. We see no appreciable change in the percentage of beneficiaries with criminal cases for At-Risk, Incarcerated, or Competency beneficiaries.

Table 15b: Recidivism: Average Number of Criminal Cases by Target Population, Equivalent Before and After Periods						
Target Population	**Grant Year**	**# Grants**	**Participants with Any Known Criminal Case in Time Period**	**Average Number Criminal Cases Before Start Date**	**Average Number Criminal Cases After Start Date**	***Paired t***
At-Risk	FY2023	*2*	157	1.3	1.1	0.1
Pretrial	FY2021	*2*	574	4.4	3.0	9.0*** ✓
	FY2022	*1*	814	3.3	2.0	12.9*** ✓
	FY2023	*5*	470	3.4	1.9	9.8*** ✓
Preprosecution Diversion	FY2023	*1*	463	1.7	1.0	9.8*** ✓
Treatment Court	FY2021	*3*	104	3.6	1.5	7.5*** ✓
	FY2022	*2*	281	5.7	2.9	8.4*** ✓
	FY2023	*5*	128	2.8	0.9	9.3*** ✓
Incarcerated	FY2023	*1*	2	5.5	2.5	n/a
Competency	FY2021	*1*	22	2.0	1.8	0.3
ł:p<.10, *:p<.05, **:p<.01, ***p<.001, ✓:effects likely to attributed to program (not RTM)						

Table 15b examines the average number of cases initiated in beneficiaries' before and after periods, with strikingly different results compared to Table 12a. With the exception of beneficiaries of At-Risk and Competency programs, we see large and statistically significant declines in the number of criminal cases in before and after periods.[28] Across years, the average number of cases for Pretrial beneficiaries hovers between 3.3 and 4.4 cases before program enrollment, dropping by about one third to between 2.0 and 3.0 cases after their start date. These reductions are not only highly statistically significant, they overcome the likelihood that the results are simply due to chance. The same is true for Preprosecution Diversion beneficiaries, whose average number of cases drops from 1.7 before program enrollment to 1.0 after. Finally, Treatment Court beneficiaries' cases drop from between 2.8 and 5.6 cases before program enrollment to an average between 0.9 and 2.9 cases after program enrollment. We have some level of certainty that

28. Although there is a large difference for the two Incarcerated beneficiaries, we cannot perform a t-test with so few participants.

these drops are due to program effects, ruling out RTM.

Table 16a: Recidivism: Felony Criminal Cases by Target Population, Equivalent Before and After Periods						
Target Population	**Grant Year**	**# Grants**	**Number Participants with Known Felony Criminal Case(s) in Time Period**	**Percentage Participants w/ Felony Criminal Case(s)**	**Average Number Criminal Cases After Start Date**	***Paired t***
Before Start Date	FY2023	*2*	72	67%	53%	1.3
After Start Date	FY2021	*2*	482	88%	66%	7.5***
	FY2022	*1*	633	89%	54%	13.1*** ✓
	FY2023	*5*	345	91%	49%	11.3*** ✓
Preprosecution Diversion	FY2023	*1*	352	96%	26%	20.4*** ✓
Treatment Court	FY2021	*3*	60	90%	53%	4.3***
	FY2022	*2*	225	91%	60%	7.5***
	FY2023	*5*	123	98%	16%	20.0*** ✓
Incarcerated	FY2023	*1*	2	100%	0%	n/a
Competency	FY2021	*1*	22	27%	45%	1.3
ł:p<.10, *:p<.05, **:p<.01, ***p<.001, ✓:effects likely to attributed to program (not RTM)						

We repeat these analyses looking only at felony offenses. In Table 16a, we examine the percentage of participants with any felony case before and after program enrollment. Except for At-Risk and Competency beneficiaries, there are substantial and statistically significant reductions in the percentage of participants with felony cases. Across the years of Pretrial programs, the percentage of people with felony cases in the before period is consistent, between 88% and 91%, dropping to between 49% and 66%. In FY2022 and FY2023, the reductions overcome RTM. The percentage of beneficiaries drops even more in the Preprosecution Diversion program, from 96% to 26%, a statistically significant decrease that also overcomes RTM. Nearly all Treatment Court beneficiaries have felony cases before program enrollment, between 90% and 98%, falling to 53%, 60%, and 16% respectively for FY2021, FY2022, and FY2023. For FY2023, this difference overcomes RTM.

Table 16b: Recidivism: Average Number of Felony Criminal Cases by Target Population, Equivalent Before and After Periods						
Target Population	**Grant Year**	**# Grants**	**Number Participants with Known Felony Criminal Case(s) in Time Period**	**Average Number Felony Criminal Cases before Start Date**	**Average Number Criminal Cases After Start Date**	***Paired t***
At-Risk	FY2023	*2*	72	1.0	0.9	0.5
Pretrial	FY2021	*2*	482	2.0	1.5	5.2***
	FY2022	*1*	633	1.7	1.2	6.8***
	FY2023	*5*	345	1.8	1.0	7.7*** ✓
Preprosecution Diversion	FY2023	*1*	352	1.1	0.4	12.3*** ✓
Treatment Court	FY2021	*3*	60	2.1	0.9	5.8***
	FY2022	*2*	225	2.3	1.4	6.1***
	FY2023	*5*	123	1.8	0.2	13.8*** ✓
Incarcerated	FY2023	*1*	2	1.0	0.0	n/a
Competency	FY2021	*1*	22	0.4	0.9	1.7ł
ł:p<.10, *:p<.05, **:p<.01, ***p<.001, ✓:effects likely to attributed to program (not RTM)						

Finally, in Table 16b, we examine the average number of felony cases by target population and year, with similar results. The drops in felony cases for Pretrial, Preprosecution, and Treatment Court programs are substantial and statistically significant. Among Pretrial programs, the average number of felonies before program enrollment varies from 1.7 to 2.0, depending on the year, dropping to

between 1.0 and 1.5 cases. Only in FY2023, however, does the difference pass the RTM test. Preprosecution Diversion beneficiaries begin with an average of 1.1 felony cases before program enrollment to an average of 0.5 felony cases, overcoming RTM. The average number of felony cases before program enrollment tends to be slightly higher among Treatment Court beneficiaries than other program beneficiaries, ranging from 1.8 to 2.3 depending on the year. The drop from 1.8 to 0.2 for FY2023 is large and consistent enough to overcome RTM. There is no discernible difference for At-Risk beneficiaries. The unexpected rise in felony cases for beneficiaries of the Competency program approaches statistical significance.

These drops in felony recidivism for many programs appear promising, both in terms of the number of people charged with felonies and the average number of felony cases. It should be noted that for the most part, the effects are limited to FY2023 programs. It could be that programs are strengthening or, alternatively, that program effects diminish over time. It may also be that prosecutors are less likely to open a case against someone currently participating in a court program. These possible explanations point to the importance of tracking program effects for at least a few years.

Part III: Outcomes for Professional Beneficiaries for FY2023

Training Grants

In FY2023, eight grants included a training component. Some grantees used funds to cover travel expenses and registration costs for conferences or training events. Other grantees hired trainers to offer professional development locally, often across multiple organizations. Altogether, training grants covered the costs of 17 training events for 270 individuals.[29]

Grants provided training to law enforcement personnel and court staff primarily, as well as prosecutors, mental health professionals, members of advocacy organizations, and treatment guardians. Training covered issues related to nearly all target populations, including At-Risk, Pretrial, Preprosecution Diversion, Treatment Court, Probation, Competency, and/or Public Safety. Topics included crisis intervention and mental health most commonly, as well as policing, forensics, drug/treatment court processes, particular crimes, and data sharing.

Table 17: Attendees at Crime Reduction Grant-Funded Training Events

Grant	# Events	Topics	Attendees' Employment	Target Population(s) Addressed by Training	# Attendees
A	2	Policing, Forensics	Courts, Advocacy organizations	At-Risk, Pretrial, Treatment Court, Probation & Parole	67
B	3	Gangs, Drug Crime, Domestic Violence	District Attorneys	Pretrial, Preprosecution Diversion	4
C	1	Treatment Court	Courts	Treatment Court	5
D	2	Mental Health	Treatment Guardians	Competency	9
E	1	Mental Health	Courts	Pretrial, Probation & Parole, Treatment Court	47
F	4	Crisis Intervention, Mental Health	Courts, Law Enforcement	At Risk	19
G	3	Crisis Intervention	District Attorney, Law Enforcement, Fire Department	At Risk	100
H	1	Data Sharing	Courts, Law Enforcement, Mental Health, Advocacy, University	Public Safety	19

Table 17[30] describes the training offered by each grant, including the number of training events covered by the grant, the topics addressed in the training, attendees' employment organizations, the target population(s) addressed by the training, and the total number of unique individuals who attended any of the grants' training events.

Hiring and Retention Grants

Seven crime reduction grants in FY2023 either hired or retained professionals with stipends. These grants were intended to improve coordination, keep caseloads manageable, and/or increase the number of experienced professionals in certain criminal justice entities. Altogether, Hiring and Retention grants fully or partially supported salaries for 119 criminal justice professionals. We tracked whether individuals stayed at the same agency for which the hiring or retention grant was given as well as whether they left the agency but remained in the state public sector at the end of FY2024, at least one full year after being hired or retained through a crime reduction grant.

29. A total of 245 unique individuals benefited from Training grants, as some people attended more than one grant-funded training program.
30. Attendance records were not provided for two training events.

Table 18: Retention After One Year Among Recipients of Hiring/Retention Grants				
Agency and Years of Experience (If Applicable)	# Recipients Receiving Salaries or Stipends	% Working in the Same Agency	% Working Elsewhere in the NM Public Sector	% Combined: Working in the Same Agency or Elsewhere in NM Public Sector
CJCC	1	0%	100%	100%
Law Enforcement	10	50%	10%	60%
DA	56	64%	15%	79%
New Hire/< 5yrs.	*50*	*60%*	*16%*	*76%*
5-10 yrs.	*1*	*100%*	*0%*	*100%*
>10 yrs.	*5*	*100%*	*0%*	*100%*
LOPD	52	63%	16%	79%
New Hire/< 5yrs.	*42*	*64%*	*10%*	*76%*
5-10 yrs.	*9*	*56%*	*33%*	*89%*
>10 yrs.	*1*	*100%*	*0%*	*100%*

As indicated in Table 18, one grantee hired a coordinator for a Criminal Justice Coordinating Council. At the end of the following fiscal year (FY2024), the coordinator had resigned, but took a different position in the public sector in New Mexico. Another grantee recruited law enforcement personnel in a rural agency. Out of the 10 personnel recruited through the grant's efforts, five employees were still employed in their positions at the end of FY2024, and one was employed elsewhere in a New Mexico public sector position.

The remaining five Hiring and Retention grants were used to pay stipends to attorneys in four District Attorneys' offices (DA) and five county offices within the Law Offices of the Public Defender (LOPD). Their applications stressed the high caseloads in both agencies. Stipends varied from $2,500 to $5,000 for newly hired attorneys or those with less than five years of experience and from $5,000 to $10,500 for attorneys with more than ten years experience.[31] The recipients are nearly evenly divided between the two agencies, and their one-year retention rates within the same agency are nearly identical, 64% among DA attorneys and 63% among LOPD attorneys. Not surprisingly, all recipients with more than ten years' experience stayed in their positions. For both agencies, 79% of recipients remained in public service in New Mexico at the end of FY2024.

Part IV: Challenges and Successes in FY2023

In FY2023, 93% of grantees' goals, as described in their scopes of work, were met. Some highlights include:

- Expansion of a relatively new family court
- Deepening implementation of several pretrial programs
- New and interesting training opportunities
- Improvement in Failure to Appear rates after a transportation program took place
- Learning which therapies seemed to be most helpful
- Improved possibilities for housing
- Attorney recruitment and retention for District Attorneys' offices and Law Offices of the Public Defender (LOPD)
- Local, collaborative problem solving

Through final and quarterly reports, grantees shared their experiences of successes and challenges. A few described new, innovative practices as well as their own learning. Many grantees were pleased to have accomplished their goals, some describing high-quality services and training.

Common challenges included questions raised by the Department of Finance and Administration regarding the anti-donation clause as applied to the use of gift cards as incentives for certain rehabilitation programs,[32] the worry about sustainability associated with grant funding, as well as difficulty with grant management.

Finally, in some areas, grantees' experiences were mixed, with some grantees reporting that they had been successful with a challenge and others reporting they had not been successful. Two mixed areas emerged. Several grantees reported good or new coordination with partner agencies or organizations, while others reported a lack of collaboration, sometimes crucial to the success of the project. Similarly, one grantee reported high success with new data collection/data-sharing initiatives, while another reported challenges in adopting best practices around data-sharing and delays in collecting data.

We share successes and challenges in grantees' own words below, noting their funding categories.

31. We included all attorneys who received the stipend in Table 4, including at least five attorneys who resigned from their positions and returned their stipends before the end of the grant cycle.
32. On April 14, 2023, the New Mexico Ethics Commission released Advisory Opinion 2023-03 ruling that Treatment Court incentive purchases were not a violation of the Article IX, Section 14 of the New Mexico Constitution, the so-called 'Anti-Donation' clause. Most grantees were ultimately able to make their intended purchases on behalf of justice-involved beneficiaries.

Successes

Innovation

- *We've been successful in strategizing to ensure clients are reassessed during their active periods in the program to ensure consistency in acquiring results. (Direct Service)*
- *In October 2022, we welcomed our Diversion Victim Advocate to our team. This advocate plays a crucial role in our daily staff meetings, where we identify cases eligible for Preprosecution Diversion (PPD). She proactively reaches out to victims engaging in discussions about diversion, providing education about PPD, addressing concerns, and offering necessary support. (Direct Service)*
- *The contracted peer support provided weekly alumni group sessions, which has strengthened our after care portion of the program. In addition, the contractor has mentored 3 graduates who are in the process of becoming certified peer support workers. (Direct Service)*

Learning

- *I have learned a lot about the work the treatment guardians do and I have better resources for the Court and justice partners when a treatment guardian is needed. (Training)*
- *We learned to troubleshoot access and barrier issues and although not all issues can be resolved, we were able to [find a] solution through shelter transportation, residential treatment facilities, housing, behavioral health and many other challenging under-resourced areas. (Direct Service)*
- *The importance of community outreach and education about our programs is key. (Outreach)*

Achievement of Program Goals

- *The Court identified barriers for detainees who were unable to meet court-ordered obligations such as attending required and mandatory DV Offender Treatment classes….Through the purchase and transfer of the laptops to the three detention centers, they can successfully assist detainees with meeting court-ordered obligations. (Direct Service)*
- *The incentives assisted the participants to complete and pass through milestones successfully, with the end of goal of successfully graduating from the programs. (Direct Service)*
- *PPD officers attend daily status conferences to fast-track and reduce barriers to entry into the program. Our goal is to meet potential clients where they are, rather than waiting for them to come to us. (Direct Service)*
- *A majority of AODA and LOPD attorneys that committed to staying the two years are still at the agency and it does help to retain qualified prosecutors for the purpose of reducing crime. (Hiring/Retention)*
- *This project allowed us to fully staff the Sheriff's Office. We also received a lot of interest from other parts of the state. Any applicants that might not have met the Sheriff's Office needs were also encouraged to apply for the Adult Detention Center to assist with staffing in that department. (Hiring/Retention)*
- *The grant has been helpful in recruiting and retaining staff, especially with cost-of-living increasing and pay disparities between public attorneys and those in other sectors. The grant has also been helpful in enticing new attorneys to join for both LOPD and DAs. Ensuring both the prosecutors and public defenders are fully staffed is the best way to support efficient case resolution in the criminal legal system. (Hiring/Retention)*
- *[Our first trainer] has been a resource to drug court teams throughout the nation… we had 50 attendees to include Metro Court Judges, Division Directors, Attorneys from the District Attorney's office, Program Managers and Probation Officers…[Our second trainer] is regarded as one of America's top experts in identifying drug and alcohol trends, underage drinking, and drug enforcement; [he] has won four national awards and one international award for his work….We had 96 people register for this presentation. Feedback from [both events suggest the trainings were] applicable and beneficial. (Training)*
- *The staff who attended these trainings gained thorough knowledge of signs, symptoms, and risk factors of mental health illnesses and substance use issues and how to most effectively and safely work with this population. This project helped break down the stigma associated with mental health and conveyed that everyone struggles with mental health wellness at some point in their lives and that there are varying degrees of effect. (Training)*
- *The grant has allowed for the…provision of a Basic Crisis Intervention Training and an Advanced Crisis Intervention Training for first responders. Both classes were primarily attended by law enforcement and Corrections…Thus we also offered two Mental Health and Crisis Intervention Training for Helping Professionals classes. [Partners] hosted a regional Behavioral Health Mini Symposium with a National Speaker and Peer Support Advocate, [including] a half-day session dedicated to further team development and identified training needs….[The] numerous trainings all helped to engage the community professionals and first responders further in this coordinated response to a growing behavioral health crisis. (Training)*

Challenges

The Anti-Donation Clause and Other Red Tape

(See footnote 32 regarding the Anti-Donation Clause)

- *The items that needed to be purchased are not allowable under DFA policies and procurement rules. We should have had a non-state agency serve as the fiscal agent. (Direct Service)*
- *The biggest problem was getting DFA to approve the purchasing of the bus passes. (Direct Services)*
- *The Court [had not, until the final quarter of the grant] used/distributed gift certificates to participants in our three drug court programs because [of the wait] for confirmation from the NM Administrative Office of the Courts-Department of Therapeutic Justice to confirm we can follow the State Ethics Advisory Opinion. (Direct Service)*
- *There have been barriers to actually purchasing the gift cards - the court's amazon account does not allow those sorts of purchases, and local state-approved vendors do not have any in stock. (Direct Service)*
- *Access to funds required internal approval within our office, which, unfortunately delayed our ability to post positions for approximately three months….We were able to successfully eliminate many of the financial barriers that prevented participants from entering PPD. (Direct Service)*

Sustainability and Grant Management

- *There was no clear direction on how to manage the grant….It was also a chore to get the repayment back from some attorneys who left before the two-year commitment. (Hiring/Retention)*
- *One difficulty of the project…is the fact that the CRGA award period is for only one year, with additional funding from the program being uncertain. (Hiring/Retention)*
- *The uncertainty of sustainability in reference to funding was quite stressful. (Direct Service)*
- *Although this funding was not available again for a second year, we were able to move the caseload… and still maintain a working relationship with Pretrial Services as well as several of the Municipal and Magistrate Courts who still send referrals as needed. (Direct Service)*

Mixed Experiences

Coordination with Partnering Agencies and Organizations

- *We've developed a strong community and have become a central "one stop shop" for all community needs. (Direct Service)*
- *The difficulties we encountered initially were the lack of referrals and lack of faith from other agencies….The relationships that were established are crucial to the success of our project/program. We have worked directly with the District Attorney's Office, with the Police Department, the County Sheriff's Department, the County Detention Center, CYFD, the Adult Probation Office, and many, many more. (Direct Service)*
- *CJCC partners' continued endorsement of our [Specialty] Court has already increased cooperation and collaboration between the court and justice partners….Through our court's partnership[s]… the court and other stakeholders [can] address DV offenses in a holistic and cooperative way. (Direct Service)*
- *[Before,] very few of these referrals came into our office. About midway through the year pretrial began calling us when these clients were physically in their office and we were able to better establish services this way and had more success. We connected with several new partners who made our work easier. (Direct Service)*
- *[We] contracted with a consultant to facilitate…our district's Sequential Intercept Model (SIM) work….This work has supported increased integration between our local justice and behavioral health systems, [including] conversations with the court to identify needed next steps for systems development [and] interviews with local providers to better understand how they currently work with the court. (Date Sharing)*
- *The agency that agreed to partner with us and was crucial to the success backed out and we couldn't get them back on board. (Direct Service)*
- *Creating the contracts with the attorneys was a challenge. (Direct Service)*
- *The [policing] program will require multiple agency coordination and funding to ensure its long-term success. (Direct Service)*
- *We would have liked for more community justice partners to have attended the event. (Training)*
- *The primary challenge we encountered was finding a unified path forward in regard to a mobile crisis intervention response. An area provider…did not secure the law enforcement collaboration prior to their grant solicitation. There are numerous legal concerns: liability, policies, procedures and guidelines. Entities have begun to consider agreements with the area provider as one option to providing a MCRT, and the [City] was the first to execute such an agreement.…Our partnership and collaboration with the NM Office of Peer Recovery and Engagement has helped to [show how to] utilize peer support specialists. (Direct Service)*

- *Primary challenge is balancing the time investment in nurturing collaboration with the timely accomplishment of goals. A variety of people are involved and have different levels of understanding as well as different perspectives. It took more time than expected to create a shared vision and understanding of the issues and goals. Additionally, the long-standing hesitation to share data, citing federal and state regulations and laws, has been difficult to overcome. We need more examples of how this has been successfully done and expertise around New Mexico laws. (Data Sharing)*

Data Collection and Data-Sharing

- *The project allowed the Court to more fully organize, sort, and track data related to the competency cases in the county. The data collected provided insight into the length of these cases and ensured that cases did not become overlooked. (Direct Service)*
- *To make information sharing continuous and systematic we will pursue the MOUs once people see the benefit is sharing information for analysis. Agencies opted to use ROIs to share personal information across agencies. We are still working to change this practice but need assistance understanding the legal abilities and limitation for individual data sharing….[We accomplished the] development of a process for collecting, organizing, and analyzing data from partner agencies. Some of the data collection is still pending. The current data has been shared with the SIM task force…and they are using this data to learn more about the population….Additional data collection and presentations are ongoing. The final dashboard has not been developed yet, as the metrics are still pending. (Data Sharing)*

Summary and Discussion

Below we discuss the impact of the crime reduction grants on justice-involved beneficiaries, tangible and intangible successes, and the efficiency of the crime reduction grant awards.

Justice-Involved Beneficiaries

The heart of the CRGA is providing services for those involved in the criminal justice system in New Mexico. This is evidenced by the majority of purpose areas addressing this population in various ways. In FY2023, crime reduction grants funded 14 Direct Service grants. Together, they seem to address a group of justice-involved individuals whose needs can sensibly be addressed by the CRGA. That is, overall, beneficiaries have committed felonies and often violent offenses, but not such serious crimes that incarceration is necessarily required. The populations served by crime reduction grants seem neither too challenging to treat nor so benign as to require no treatment.

In Part II, we focused on four outcomes for justice beneficiaries: court compliance for reference cases, incarceration for reference cases, court compliance in future cases, and recidivism as measured by new criminal cases. One promising finding is reduced recidivism across several target populations. We find meaningful decreases in the average number of criminal cases (misdemeanors and felonies) individuals accumulate after program enrollment compared to beforehand in Pretrial, Preprosecution Diversion, and Treatment Court programs. We also find meaningful reductions in both the percentage of beneficiaries charged with felonies after program enrollment as well as the average number of felony cases for FY2023 Pretrial, Preprosecution Diversion, and Treatment Court programs.

Two groups of programs stand out. One is the large FY2023 Preprosecution Diversion program. This program showed statistically significant and RTM-resistant improvements in the percentage of participants with warrants for reference cases, low conviction and incarceration rates for reference cases, and improved recidivism across the board. This program involves several components distinct from other approaches, including, of course, diversion before adjudication, as well as relatively strict eligibility requirements and a tailored treatment approach. We also note relatively young participants compared to other target populations. The other stand-out group are the five small FY2023 Treatment Court programs. This group showed statistically significant and RTM-resistant improvements in the percentage of participants with warrants for reference cases, the percentage of participants with any warrant, the average number of warrants, and improved recidivism for all cases and felonies. After program enrollment, court compliance and recidivism rates are notably better in this group of grantees compared to prior Treatment Court cohorts. We should be cognizant, however, of the possibility of diminishing returns.

Other justice beneficiary findings are disappointing. Across years and target populations, we do not see much improvement in court compliance for reference cases, especially regarding the average number of warrants. This is particularly surprising among Pretrial programs, for whom a major goal is improved court compliance. Rather, we sometimes see a statistically significant rise in warrants after enrollment in a Pretrial program. Second, although overall low, there is not much difference in incarceration rates by target population even when we might expect it (e.g., between Treatment Court and Pretrial programs). This could mean programs intended to provide alternatives to incarceration are not working well. Finally, although we do see marked decreases in the percentage of people with criminal cases as well as the average number of cases after program enrollment, in nearly all target populations more than half of participants generate new criminal cases after program enrollment, and in several target populations more than half of participants generate new felonies.

Successes

The tangible successes of FY2023 crime reduction grants are easily identified. The grants allowed justice agencies and organizations in 11 of 13 judicial districts in the state to identify their own needs. Grantees hired or retained people in tough-to-fill positions, implemented new programs or new program components, purchased equipment, and provided training. Training grants covered a variety of topics and were often offered to attendees from multiple agencies. A Hiring and Retention grant enabled one CJCC to hire the first paid CJCC Coordinator in the state. Other Hiring and Retention grants meant locales could hire or retain law enforcement and attorney positions. Though many newly hired staff left these positions quickly, most found other work in New Mexico's public sector, an alternative measure of success.

As important as these successes are the intangible ones. Some grantees used crime reduction grant funding as an opportunity to try something new. Grantees implemented programs to share data, created new treatment programs, hired staff or consultants with new areas of expertise, tailored services for beneficiaries, and coordinated and collaborated with other criminal justice agencies. Of course, some of these attempts were not immediately successful. A few grantees were unable to implement their programs at all. As described earlier, program administrators worry about sustainability when their programs are funded through grants. Yet crime reduction grants also provide an opportunity for reflection and sharing one's innovation and learning.

Limitations

There are several important weaknesses in both the methodology and data employed for this research that limit our certainty in its findings. Most importantly, the study does not employ any comparison group. It is impossible to tell what outcomes could be expected without grant programming. This is as true for the analysis of Hiring and Retention grants as it is for the analysis of Direct Service grants. Second, we combine programs that may not have much in common. We assume that programs directed at the same target population will have the same goals, and do not take into account significant differences in beneficiary characteristics or program strategy. We do not consider how well developed a particular program may be, whether a crime reduction grant covered the costs of a program fully or only partially, or whether the grant covered a full or half year of programming. At the individual beneficiary level, we do not control for the effects of participation in other programs, policies, or experiences that could be more important. Even in this limited dataset, 16 justice-involved individuals participated in more than one FY2023 crime reduction grant. We do not incorporate dosage information—that is, the depth of participation. Finally, we consider a relatively narrow band of outcomes, focusing especially on court compliance, incarceration for original offenses, and recidivism as measured by court cases. Many programs could have important effects on mental health, substance use, family stability, employment opportunity, or other criminogenic or non-criminogenic outcomes that we do not contemplate.

Implications for Future Research

The NMSC produces this report each year, and follows both salary/stipend recipients and justice beneficiaries for three years. This seems a prudent practice given the possible building or fading of effects over time. It also may be an opportunity to review some analyses. Here, we have assumed the same goals for every program within the same target population. We might consider asking grantees themselves to select the outcomes of highest interest. Second, we might consider grouping grantees differently, distinguishing major differences in strategy. For example, some Pretrial programs focus on monitoring, others on transportation, and still others on case management. Instead of combining all together, we may clarify results by separating programs with different approaches. Third, our measures of recidivism are blunt. It may be enlightening to examine whether the type of crimes committed change after program enrollment, in addition to the number of cases. Finally, we might consider examining other types of outcomes.