Supreme Court of New Mexico

FOR IMMEDIATE RELEASE
Sept. 12, 2024

Court initiative in Otero and Lincoln counties to help people struggling with mental illness

ALAMOGORDO – A new court program in Lincoln and Otero counties offers help to people with severe mental illness when they are arrested for misdemeanors.

The competency diversion pilot program will guide qualifying individuals to treatment and community support services through a collaborative approach to care to meet each person's particular needs, including housing, employment and food assistance.

"Connecting people with a history of mental illness to needed care and diverting them from the justice system benefits the individual and the community," said Justice Briana H. Zamora, the Supreme Court's liaison to the Commission on Mental Health and Competency.

Twelfth Judicial District Court Chief Judge Angie K. Schneider said, "This program provides a stabilizing path to possible recovery for individuals struggling with mental illness who otherwise cycle in and out of the justice system. Outcomes improve for people, and we promote safety in our communities by reducing the likelihood of rearrests."

Court and community leaders and service providers will speak at a public event in Alamogordo on Sept. 16 to launch the program.

How the program works

- **Diversion Pathway**: People booked into a jail on a misdemeanor charge will be screened to determine eligibility. Individuals who agree to participate will be referred to the program for three to six months if approved by their defense attorney, prosecutors and the court. Anyone charged with misdemeanor DWI is ineligible.

- **Collaborative Care:** "Forensic navigators" help participants find treatment and other community services. Participants voluntarily consent to any treatment. It is not court ordered. Criminal charges are dismissed for individuals successfully completing a navigation plan developed in collaboration with them. Cases proceed as normal for participants who fail to remain engaged with available services.

Addressing the problem

A court dismisses misdemeanor charges against people deemed incompetent to stand trial because their mental illness prevents them from understanding and participating in their legal proceedings. These individuals face possible arrests repeatedly if they receive no help for their underlying behavioral health disorders. This strains the resources of law enforcement, hospital emergency rooms and courts that end up frequently dealing with the same people suffering from mental health problems.

Improving Outcomes

"Courts have implemented similar programs in Las Cruces and Las Vegas and now we are planning a fourth pilot. These programs demonstrate the Judiciary's commitment to improving how the justice system responds to people with behavioral health issues," said Chief Justice David K. Thomson. "I greatly appreciate the leadership of the Legislature and the Governor in funding these programs. Our courts will continue to move forward with initiatives to better serve the people of New Mexico."

Misdemeanor competency diversion pilot programs were established earlier this summer in Doña Ana County in the Third Judicial District and in San Miguel County in the Fourth Judicial District. The Twelfth Judicial District's program is the third pilot. Future expansion to an additional district is being planned.

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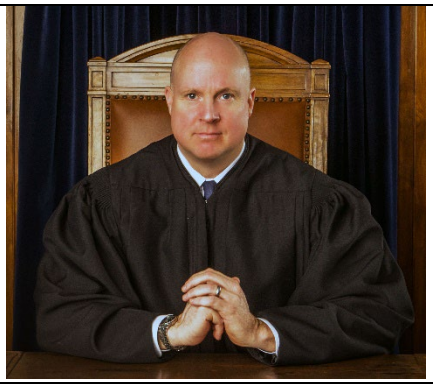
Editor's Note: The community event to launch the competency diversion pilot program is scheduled for Monday, Sept. 16, 11:30 a.m.-1 p.m., at the Twelfth Judicial District Courthouse in Alamogordo.

		
Justice Briana H. Zamora	Chief Justice David K. Thomson	Chief Judge Angie K. Schneider