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## NEW MEXICO HALL OF SHAME

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### Albuquerque Police Department

Albuquerque, New Mexico

Cornell

September 7, 2002

Two Fugitives still on the Loose It has been more than a year since the drug trafficker Vicente Manuel Tijerina has seen the inside of an American lockup On Friday, the former fugitive saw a federal judge in Albuquerque Tijerina, 31, was extradited this week to New Mexico after eight months in custody at a jail in Mexico City U S Marshalls and Mexican federal judicial police recaptured Tijerina on Nov 10, 2001, in Sonora state after he and two other inmates escaped from the Santa Fe County Detention Center on April 7, 2001 The escape was aided by then-guard Lawrence C Candelaria, who is now serving a 366-day prison sentence for smuggling into the jail a cell phone, hacksaw blades, a hammer and a chisel Candelaria worked for Houston-based Cornell Corrections Corp, which operated the jail at the time Authorities are still looking for Luis Ramon Lopez, 42, and Rodolfo Ruiz-Godinez, 30 (Albuquerque Journal)

February 24, 2001

The city may sue the company that was transporting Byron Shane Chubbuck when he escaped to recover the \$76,189 the police spent on recapturing him, Albuquerque City Councilor Tim Kline said Friday The police spent \$49,469 paying officers who would have otherwise been on duty elsewhere It spent \$20,956 on overtime, and another \$5,764 for helicopter use during the search Kline said the city deserves assurances from Cornell that it is examining its security procedures "My bottom line is to ensure they take a look at security and do something about it, and this is the way you get their attention," he said The Marshalls Service said that the agency itself will transport prisoners in the future rather than contracting with a private firm (Albuquerque Journal)

### Bernalillo County Detention Center

Bernalillo, New Mexico

Cornell

December 26, 2005 *Albuquerque Journal*

Bernalillo County still doesn't have a valid contract with the private company running the Downtown jail- even though it opened 1 1/2 years ago New Mexico law requires that contracts with private jail companies be approved by the state Attorney General's Office before taking effect The office has warned Bernalillo County, in a series of letters this year and last, that it hasn't approved the contract yet and still has a few concerns For one, state lawyers say, the contract needs to address what would happen if the county must send local inmates to the Downtown jail Right now, that lockup handles only federal and state inmates and is operated by Houston-based Cornell Companies County inmates are housed at a new jail on the West Mesa, where the skyrocketing population has caused overcrowded conditions The county's intention is to create a separate agreement if it ever needs to send local inmates Downtown, but that's "not acceptable," Assistant Attorney General Zachary Shandler told the county in a letter last year "This is the time to work out the terms of the Management Agreement," Shandler said The state had a host of other concerns, such as making it clear in the contract that the county has "ultimate say" over the jail, not Cornell Shandler said his last letter to the county was in February and that he hadn't received a formal response Shandler wouldn't discuss what action the state might take if Bernalillo County never gets the contract approved Meanwhile, the county could face legal "exposure" because of the lack of approval, he said "The problem generally is that if something went wrong contractually with their partner or some situation occurred in the inmate population, they would not have an effective contract that protects the state from certain liabilities," Shandler said

October 15, 2003

The county refused to put the jail lease out to bid Instead, it negotiated a five-year deal after Cornell responded to a

## Juvenile Justice Rehabilitation Center

Las Cruces, New Mexico

Southwest Key Inc

June 7, 2003

The state will not leave the Juvenile Justice Rehabilitation Center under private management, despite pleas of local youth advocates, a high-ranking official said. The Children, Youth and Families Department last month announced that it would resume public management of the 48-bed juvenile jail when the contract of Florida-based Associated Marine Institutes expires June 30. That decision upset several area state legislators and youth advocates, who argue that CYFD hasn't shown it can do a better job providing rehabilitative and educational services to incarcerated youth than AMI. (ABQ Journal)

December 18, 2002

The Children, Youth and Families Department on Tuesday ended its contract with Southwest Key Programs Inc. to manage the troubled state juvenile rehabilitation center west of the city. Starting on Monday, management of the 48-bed facility will be turned over to a new private contractor, Florida-based Associated Marine Institute, or AMI, which currently operates another state juvenile detention center, Camp Sierra Blanca, near Lincoln. CYFD spokesman Romaine Serna said the groundwork for the decision to end Southwest Key's contract with the state was laid by a series of complaints raised by southern New Mexico legislators over the past year. Those concerns — including a lack of vocational training and recreational programs, a high rate of inmates prescribed psychotropic drugs, gang activity in the facility, staff misconduct and a high rate of staff turnover — were investigated by the Legislative Finance Committee and resulted in a corrective action plan for Southwest Key in September. Then late on Dec. 4, two teens, who were not bedded down for the night, attacked and beat a 25-year-old guard at the facility. The guard suffered skull fractures and other injuries, and the pair of teens smashed windows in a failed escape attempt. "It (the incident) brought the whole operation into question and at that point we decided it was in everyone's best interest to end that contractual relationship," Serna said. (ABQ Journal)

December 14, 2002

The contract with a private company that operates the Juvenile Justice Rehabilitation Center for the state here could soon be terminated, a state senator said. The 48-bed jail is operated by Southwest Key Program Inc., a Texas-based nonprofit company, under a \$2.4 million annual contract with the New Mexico Children, Youth and Families Department. "It's my understanding that the state is in the process of terminating the contract," state Sen. Leonard Lee Rawson, R-Las Cruces, said Thursday. Rawson said the state is considering terminating the contract as a result of an investigation and the failure of Southwest Key to meet deadlines that had been set by state officials. (ABQ Journal)

December 13, 2002

A private contractor that operates the Juvenile Justice Rehabilitation Center for the state has laid off 13 employees. The action follows last week's destructive rampage by two inmates who were accused of beating a caregiver and smashing windows in an attempt to escape. The 48-bed jail is operated by Southwest Key Program Inc., a Texas-based nonprofit company, under a \$2.4 million annual contract with the New Mexico Children, Youth and Families Department. State officials and lawmakers held hearings earlier this year in response to complaints about conditions at the facility ranging from inmate and staff assaults to drug abuse. (ABQ Journal)

September 26, 2002

Legislators greeted with skepticism a report on problems at the state's juvenile rehabilitation facility in Las Cruces. Deborah Hartz, secretary of the Children, Youth and Families Department, told lawmakers that the agency's investigation found that many of the complaints concerning the juvenile lockup had been exaggerated, were already corrected or were in the process of being fixed. "Most of the allegations were found not to be true," Hartz said. "Is the facility perfect? No." Lawmakers asked for an investigation after receiving a litany of complaints ranging from drug trafficking to staff members being involved in gang activity. The center is managed by a Texas firm under a contract to CYFD. "I'm still concerned that it was strictly an inhouse investigation," Sen. Mary Kay Papen, D-Las Cruces, said after Hartz made her report. "At \$139-a-day per resident, I'm concerned that they're not getting what they need and society is not getting what it needs," Papen said. Parts of the facility are still under construction. Exercise areas, for example, are limited. Sen. Leonard Lee Rawson, R-Las Cruces, said, "I think we need to note the difference between the allegations and the findings. Sometimes, the truth is in between them." Rawson said he thought progress was being made and hoped it would continue. Hartz attributed complaints to "general start up problems" at the year-old lockup. The investigation found that illegal drug use was not rampant, according to Hartz, and, in the two confirmed cases, the drugs were traced back to inmate families and not staff members. The report also found that problems with safety and education issues were being addressed. Hartz said the investigation was conducted by top officials at the agency and

went beyond what the committee requested. Hartz acknowledged that one resident was improperly restrained earlier this year. "The staff members involved were fired and the case was referred to the State Police," Hartz said. A more recent allegation of sexual contact between a staff member and juvenile resident is under investigation. Hartz said the incident was properly handled by center officials. The rehabilitation center, which houses 48 juvenile offenders, is managed by Southwest Key Inc., a Texas nonprofit organization, under a \$2.4 million contract (ABQ journal).

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