

On her watch: Governor-driven understaffing keeps New Mexico's kids at risk

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The Roundhouse, January 2011: Flanked by colorful bouquets, a pink and white corsage pinned to her dark blue suit, Gov. Susana Martinez invoked the blossoming of a new era for New Mexico in her first State of the State address.

She was the nation's first Latina governor, soon to be named one of Time magazine's 100 most influential people. She had a plan for New Mexico and intended to execute it with a prosecutor's precision.

Her message: New Mexico was in a state of financial crisis.

"No more shell games," she announced to applause. "No more rosy projections. We must tell New Mexicans the truth. Our financial house is a mess, and it's time that we clean it up."

Ushered into office on a conservative wave that swept statehouses around the country, Martinez espoused classic Republican views on small government and fiscal conservatism. Eight years on, she can truthfully say she has kept state government lean.

So lean, in fact, that state agencies across the board now struggle to deliver basic services, according to David Abbey, director of the Legislative Finance Committee (LFC).

"State government has 4,000 fewer employees that it did 10 years ago," Abbey told Searchlight New Mexico. "There is chronic turnover. There are high vacancy rates. We are really struggling to run government under the circumstances."

On the one hand, the next governor will inherit strong reserves: nearly 30 percent of the roughly \$6 billion budget. On the other, the next administration will face a crisis of personnel management, especially in key agencies dedicated to protecting children, delivering health care and administering welfare programs.

The risks to New Mexico's kids are evident at every turn. Performance measures depict a state government so understaffed it's unable to protect children from abusive parents, provide childcare assistance to working families, hand out food stamps to the hungry or adequately educate many young New Mexicans. The average vacancy rate across state agencies is 18 percent, and by most accounts the effect has been to undercut many of the priorities the governor has held most dear.

In August, for example, Martinez announced a crackdown on “deadbeat parents” failing to pay child support. “If you owe child support, it’s time for you to step up and pay,” she threatened publicly. “Failure to pay child support will not be tolerated.”

In fact, the understaffed Child Support Enforcement division of the Human Services Department is collecting just 58 percent of child support that is owed -- a percentage that has barely budged in three years.

According to interviews and an annual report card produced by the nonpartisan LFC staff, many state agencies are left trying to do too much with too little:

- With a vacancy rate of 15.7 percent, the Children, Youth and Families Department (CYFD) can’t keep childcare assistance offices open, much less staff its critical Child Protective Services bureau. The fallout is evident in the state’s double-digit rates of repeat child maltreatment in abuse cases.
- The Health and Human Services Department -- which administers welfare programs including food stamps, Temporary Assistance for Needy Families and Medicaid — has one of the government’s highest vacancy rates, at 17.5 percent.
- The Public Education Department has one of the lowest vacancy rates in the administration – 1.6 percent – even as school districts statewide struggle with a massive teacher shortage that has left 53,500 students with an un-certified teacher this school year.

“Some of those agencies really do need to have the proper staffing,” says Rep. Jimmie Hall, a Bernalillo Republican who serves on the powerful LFC, the bicameral committee that directs the Legislature’s budget priorities. “When I have asked the administration about it, they say they want to find a quality person. They don’t want to just hire somebody to hire somebody.”

Many of the vacancies have persisted for years, however, and the LFC in its fiscal 2019 budget report called the administration’s steering of the state personnel system “haphazard and uneven.”

Critical positions have gone unfilled, often to the detriment of the state’s services to families and children. One notable example is director of collaboration, an office within the CYFD that was funded to ensure collaboration between federal Head Start and New Mexico pre-K. As a result, the two programs failed to work together and the state lost federal funding for an early childhood program that serves thousands of low-income children.

Budget constraints brought on by the Great Recession and the collapse of oil prices kneecapped the state budget for much of the governor’s tenure. But even as revenue increased over the past two years, experts say the administration has failed to fill the vacancies.

“[Martinez] extended some of the austerity programs even with all the extra revenue,” says John Arthur Smith, a Deming Democrat and chairman of the LFC, who is known widely for his fiscally conservative views.

A spokesman for Martinez did not respond to multiple requests for comment. The director of the State Personnel Office, where state government human resources functions have been centralized since a 2017 executive order, also did not respond to interview requests.

Kelly O'Donnell, an economist and public finance expert who served in the Richardson administration, believes a governor's political philosophy underpins the office's budget priorities.

"What I see in the Martinez administration is the philosophical position that government really isn't all that valuable; it's mostly parasitic," she says. "And no matter how much you resource it, it isn't going to be an effective vehicle for change. If you believe that about the entity you're running, the entity is going to suffer."

Underscoring the point, the conservative Cato Institute in October rated Martinez No. 1 among 50 governors for "vetoing wasteful spending" and keeping the state's general fund budget flat. The Institute neglected, however to square those policies with outcomes.

It's not that the money for hiring isn't available. In fact, the Legislature has authorized, and mostly funded, 3,854 positions -- none of which have been filled. The gap is now nearly double what it was in 2011, when there were 2,049 full-time positions authorized and unfilled. In other words, the Legislature has given the executive branch a green light to hire. Yet the "wanted" ads keep on growing.

The gap is evidence of the testy relationship between the executive and legislative branches, observers say. Cabinet secretaries have occasionally taken money appropriated for hiring new staff to hand out raises to existing staffers without telling the Legislature. Case in point: The Department of Health recently doled out a 20 percent raise to nurses at state facilities -- two nursing homes, drug rehab centers and a state psychiatric hospital -- with money the Legislature set aside for 140 new hires.

New Mexico was not alone in the financial challenges it faced during much of the Martinez administration. The 2019 fiscal year marks the ninth consecutive year of "modest spending" based on a review of governors' budget proposals, according to a report by the National Association of State Budget Officers.

"States continue to face ongoing spending pressures in areas such as education, healthcare and infrastructure, while also having to add funding to address issues such as the opioid crisis and improving child welfare services," the report states.

Smith, a fiscal conservative, says he wants state leaders to think strategically into the future.

"I would like to see not just the next governor but every governor trying to look at New Mexico beyond their four or eight years of service," he says.

O'Donnell echoes that message.

"Any solution to our economic and poverty woes is going to be a long-term solution," she says. "We're going to have to invest up front and start reaping the rewards during someone else's administration."

The high vacancy rates in state agencies have broad impacts elsewhere, too.

More than a fifth of New Mexico state highways are in "poor condition, due in part to a 17 percent vacancy rate at the Department of Transportation.

State prisons are grappling with a vacancy rate of 20 percent among correctional officers, which has contributed to low morale and 70-hour workweeks for some.

The Office of the State Engineer is down 90 employees and is struggling to meet for performance targets, including handling a backlog of water rights applications.