

Legislative Finance Committee  
Program Evaluation Unit

Program Evaluation: Effectiveness of  
Juvenile Justice Facilities and Community-  
Based Services

August 24, 2016

Report #16-06

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August 24, 2016

Ms. Monique Jacobson, Secretary  
Children, Youth, and Families Department  
P.O. Drawer 5160  
Santa Fe, New Mexico 87501

Dear Secretary Jacobson:

On behalf of the Legislative Finance Committee, I am pleased to transmit the evaluation, *Effectiveness of Juvenile Justice Facilities and Community-Based Services*. The evaluation reviewed costs, capacity, and needs of the juvenile justice system in New Mexico.

This report will be presented to the Legislative Finance Committee on August 24, 2016. An exit conference to discuss the contents of the report was conducted with the Children, Youth, and Families Department on August 15, 2016. The Committee would like a plan to address the recommendations within this report within 30 days from the date of the hearing.

I believe this report addresses issues the Committee asked us to review and hope New Mexico's juvenile justice system will benefit from our efforts. We very much appreciate the cooperation and assistance we received from your staff.

Sincerely,

A handwritten signature in cursive script that reads "David Abbey".

David Abbey, Director

Cc: Senator John Arthur Smith, Chairman, Legislative Finance Committee  
Representative Jimmie C. Hall, Vice-Chairman, Legislative Finance Committee  
Ms. Duffy Rodriguez, Secretary-Designate, Department of Finance and Administration  
Mr. Keith Gardner, Chief of Staff, Office of the Governor  
Mr. Timothy Keller, State Auditor

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## Juvenile Justice Reforms Have Stabilized the System, but Greater Attention Is Needed to Reduce Costs and Ensure Effective Services

Since 2008, the Children, Youth, and Families Department (CYFD) has transformed New Mexico’s juvenile justice system into one based on rehabilitation rather than punishment through its Cambiar initiative in secure facilities and a range of community-based programs. Fewer youth are entering Juvenile Justice Services (JJS), and those that do are generally less likely to recidivate. These recent changes warrant a closer look at CYFD’s use of resources to ensure cost-effective outcomes. The number of youth committed to JJS facilities fell by two-thirds between FY01 and FY15. Meanwhile, spending continues to rise. In FY15, spending on facilities was 30 percent higher than in FY08, although a third of CYFD’s bed capacity went unused.

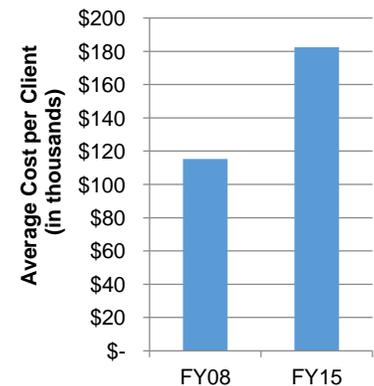
Additionally, costs of probation and field services continue to rise with limited evidence of their effectiveness. The costs of programming through CYFD’s own probation field offices, as well as state-funded but locally managed juvenile justice continuum sites, are spread unevenly around the state, and a lack of reliable data and weaknesses in accountability hinder CYFD’s ability to gauge the true impact of these programs on recidivism and youth outcomes. Meanwhile, one proven treatment program for youth, Multisystemic Therapy (MST), has been affected by provider instability and access issues.

This evaluation analyzed costs, capacity, and needs in the juvenile justice system and identified opportunities to improve outcomes and efficiencies, including up to \$2.7 million in potential savings. Overall, while costs are rising, JJS is improving performance tracking. However, some key outcomes, such as incidents in facilities and recidivism among probation clients, remain areas of concern. For community-based programs such as juvenile community corrections and continuum sites, oversight and accountability are not sufficient to ensure outcomes are met. Additionally, probation violations are a significant driver of juvenile commitment, especially in areas that lack key community services.

The evaluation recommends the Legislature and CYFD work to capture savings from reduced facility use, optimize capacity, realign field operations, and strengthen accountability and reporting mechanisms in continuum and juvenile community corrections programs. Moreover, CYFD should examine more closely the drivers of commitment and recidivism, including probation violations and “crossover youth” involved with both JJS and Child Protective Services.

***In FY15, 173 youth entered juvenile justice facilities, compared to 530 in FY01.***

**Average Cost per Client in Secure Facilities, FY08 and FY15**



Source: LFC Analysis of CYFD and SHARE data

**Potential Cost Savings Identified (in thousands)**

Reduce facilities budget to reflect reduced populations and previous reinvestments	\$1,232
Realign juvenile probation regions and staffing	\$799
Consolidate CYFD clients at San Juan Detention Center to unused space at YDDC	\$683
<b>Total</b>	<b>\$2,714</b>

Source: LFC Analysis

# KEY FINDINGS AND RECOMMENDATIONS

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***CYFD has made positive gains in client outcomes since implementing a rehabilitative model for juvenile justice facilities.***

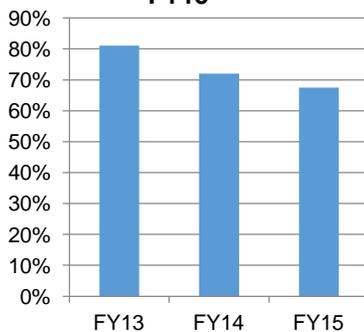
CYFD invested \$3.3 million between FY07 and FY13 to implement a customized version of the Missouri Model for juvenile justice facilities emphasizing treatment over incarceration known as Cambiar New Mexico. The Missouri Model, and by extension New Mexico’s Cambiar model, emphasizes rehabilitation over incarceration in a humane environment which has shown improved outcomes for committed youth. Programming in New Mexico’s juvenile justice facilities is based on a group treatment approach with an emphasis on therapeutic programs and educational attainment.

LFC staff analysis of data from CYFD shows that, for youth released from New Mexico’s facilities in FY05, 79 percent did not recidivate within three years. For youth released in FY10, this number fell to 70 percent, but grew again to 82 percent for youth released in FY13. These results compare favorably to a 2010 study of results from Missouri. However, LFC staff found that juvenile probation clients in New Mexico consistently recidivated into the juvenile system at higher rates than those released from facilities. Additionally, current methods of measuring juvenile recidivism in New Mexico do not provide a full picture of what is driving youth to recidivate.

***CYFD should better align resources to the changing demands on juvenile justice facilities.***

Implementation of Cambiar has not proven successful in generating cost savings for facilities. The average daily population in facilities has been steadily decreasing, leading to excess capacity and higher costs per client. CYFD spent \$35.7 million on secure facilities in FY15, 30 percent higher than the amount spent in FY08, at the beginning of Cambiar implementation. A key element of Cambiar is smaller, less institutional facilities, but any new facilities would be cost prohibitive at this time. New Mexico also has not captured savings from the closure of the New Mexico Boys’ School and Lincoln Pines Youth Center.

**Average Daily Population as Percentage of Secure Facility Capacity, FY13-FY15**



Source: LFC Analysis

Youth care specialists perform a critical security function in facilities, but also mentor clients and serve as case managers alongside behavioral health and education staff. While CYFD’s facilities are in compliance with federal staffing requirements, LFC analysis suggests they may be overstaffed relative to population as vacancy rates for youth care specialists have decreased.

Reintegration centers offer positive results, but CYFD is not maximizing use of this resource. A juvenile may be approved to reside in a reintegration center as part of supervised release or the terms of probation in order to gain work experience, life skills, and education in a less secure but structured environment. Youth who entered reintegration centers after exiting commitment represented a significantly lower proportion of total recidivism than those who did not, but these centers have only operated at slightly over half of capacity since FY13.

The performance of New Mexico's secure juvenile commitment facilities is improving relative to other states on national outcome standards. CYFD contracts with Performance-Based Standards (PbS) to track and measure performance in secure facilities. CYFD has shown improvement on these measures relative to the national average in several domains. However, PbS is not a national accrediting organization like the American Correctional Association, and none of CYFD's facilities are accredited. Additionally, CYFD certifies local youth detention centers for compliance with state standards, but does not have comparable requirements for its own facilities.

***CYFD is improving its tracking of facility performance, but more work is needed to achieve key outcomes.***

The rate of incidents in secure facilities has doubled since FY11, despite decreases in facility population. There were an average of 20 incidents per client in secure facilities in FY15, compared to 11 in FY11. Additionally, CYFD's reporting of incidents does not adequately address safety, and the Department could not locate a previous evaluation of incidents resulting in youth room confinement.

Juvenile probation officers perform a multifaceted role as a youth's main point of contact with the juvenile justice system, from risk assessments to supervised release and transition services. Despite fewer referrals to JJS, probation and field services costs continue to rise and workloads are unevenly distributed, with top-heavy management in some areas. Variations in caseloads also suggest a need for more balanced allocation of staff and resources.

***The structure of juvenile probation field offices contributes to inefficiencies in the system.***

The juvenile justice continuum model serves approximately eight thousand youth through community-based prevention, diversion, and treatment programming. Roughly 32 thousand youth, including those in counties with high rates of referred charges, remain unserved by continuum sites. Meanwhile, the costs of continuum-funded services are rising as demand grows, but resources are distributed unevenly around the state, with large variation in cost per client.

***Community-based programs require better oversight and data collection to ensure outcomes are met.***

CYFD faces significant issues with the reliability of data from continuum sites, making it difficult to determine program effectiveness and fidelity. Required performance measures do not track long-term outcomes, and programs do not collect and report data to CYFD in a uniform and consistent manner.

Oversight of juvenile community corrections (JCC) is not sufficient to ensure desired outcomes are met. Fewer than half of clients discharged from JCC since FY13 have successfully completed the program, and discharge criteria may lead to undercounting of clients who do not successfully complete goals or requirements. Requirements for the use of evidence-based programming by JCC providers are weak, and instability in the provider network has contributed to the discharge of clients before they can complete the program.

Multisystemic Therapy (MST) is an evidence-based treatment with a proven track record in reducing recidivism and improving outcomes for juveniles. However, the number of MST clients served in New Mexico has declined in recent years due to provider availability. About half the state's counties do not have access to this evidence-based program, although an

***Multisystemic Therapy provides effective treatment for its target population, but issues with access have impacted outcomes.***

ongoing evaluation shows results in reducing both costs and recidivism in the state.

While New Mexico has experienced positive gains from MST, progress diminished in recent years in various areas, including re-arrests and out-of-home placements. However, continued investment in MST could be beneficial in New Mexico, as it has been shown to reduce recidivism and improve functionality, especially among Hispanic youth.

***Understanding the drivers of juvenile justice involvement is imperative to designing effective programs to reduce recidivism.***

Between FY13 and FY15, on average, 59 percent of commitments to juvenile facilities were related to probation violations. Counties with the highest rates of commitment due to juvenile probation violations often lack key services in the community.

Children involved in the child welfare system are at higher risk of entering the juvenile justice system, offering a prime opportunity for CYFD to target services to this population. A 2016 New Mexico Sentencing Commission report found a significant majority of committed youth had experienced four or more adverse childhood experiences, and CYFD analysis shows 46 percent of youth who recidivated within 12 months had a previous history of substantiated involvement with Child Protective Services. CYFD is uniquely positioned to work with these “crossover youth,” but faces limitations such as the inability to easily track clients between JJS and Child Protective Services on an aggregate level.

Between FY07 and FY15, over 80 percent of juvenile justice clients in facilities were assessed as high risk and high or moderate need through CYFD’s risk and needs assessment tool. Juveniles committed to facilities exhibited higher risk and needs, whereas those on probation were more likely to be assessed as having moderate or low risk and need.

# Key Recommendations

## **The Legislature should consider:**

Reducing the JJS facilities budget by \$1.2 million to reflect declining facility populations net of reinvestments that have already occurred and consider further reinvestment opportunities, including evidence-based field services.

## **CYFD should:**

Continue to perform cohort-specific recidivism analysis, including what offenses are most closely linked to recidivism, and report results to the Legislature;

Update the 2010 Facilities Master Plan to address issues of excess capacity and reduce fixed costs associated with lower committed populations, including identifying ways to better align facilities with the Cambiar Model in a cost effective manner, and present the updated plan to the Legislature;

As part of the annual appropriations process, evaluate the JJS budget and and identify opportunities to achieve efficiencies and cost reductions by reallocating resources and optimizing unused space, such as by reassigning youth from the San Juan County Detention Center to empty units at the Youth Diagnostic and Development Center (YDDC) and shifting funds from facilities to evidence-based field programming that better aligns with the proportion of the juvenile justice population receiving these services, and clearly document any savings associated with identified efficiencies and requests to reinvest savings in other JJS programs or programs at CYFD;

Re-evaluate criteria for reintegration center admission to ensure they are operating at capacity, or consider consolidating these facilities;

Work with Legislative Finance Committee and Department of Finance and Administration (DFA) staff to fine tune performance measures for assault and battery on staff and peers in facilities to better report safety concerns;

Create reporting and performance measures to track incidents where facility clients are placed in isolation and report this data to the Legislature;

Continually assess juvenile probation officer (JPO) staffing needs relative to referral and caseload patterns and consider reorganizing the existing regional and district structure to flatten disparities in management span of control;

Align the recidivism performance measure for continuum grant recipients to be consistent with CYFD's existing performance measures for tracking recidivism within two years rather than 90 days;

Work with LFC and DFA staff to create a common set of Accountability in Government Act (AGA) performance measures for continuum sites and juvenile community corrections to allow for the tracking of youth success in these community-based interventions;

Strengthen requirements for evidence-based programming in JCC contracts and consider promulgating rules containing requirements similar to those for continuum programs;

Increase the emphasis on provider performance, including rates of successful JCC completion, when soliciting, extending, and renewing JCC provider contracts;

Work with the Human Services Department (HSD) to identify providers, build MST teams in high-risk areas, and collaborate on tracking referrals, utilization, and spending as part of a strategy to prioritize evidence-based behavioral health services;

Further study the causes for high commitment rates for juvenile probation violations;

Formalize policy coordination between Child Protective Services (CPS) and Juvenile Justice Services (JJS) for dually-involved youth; and

Identify data reporting needs for working with crossover youth and design services to address the needs of this population.

## Fewer Youth Are Entering New Mexico's Juvenile Justice System

### Overview of JJS

The Juvenile Justice Services (JJS) Division of the Children, Youth, and Families Department (CYFD) is responsible for administering New Mexico's system of juvenile correction, supervision, and rehabilitation, with the goal of helping youth become contributing members of society.

JJS operates three secure facilities and leases space in one county detention center to house adjudicated juvenile offenders. JJS also operates three reintegration centers to facilitate the successful return of committed youth to society at large (Table 1). Local juvenile detention centers are not operated by CYFD and typically house pre-adjudication youth. However, some youth may be sentenced to short periods of detention in local facilities rather than CYFD commitment.

**Table 1. Active New Mexico Juvenile Justice Facilities**

Facility Type	Facility Name	Location	Bed Capacity	Average Daily Population (FY15)
Secure Commitment Facilities	Youth Diagnostic and Development Center (YDDC)	Albuquerque	108 (92 staffed)	73
	Camino Nuevo Youth Center (CNYC)	Albuquerque	96	69
	J. Paul Taylor Center (JPTC)	Las Cruces	48	35
	San Juan County Detention Center*	Farmington	10	7
	<b>Total</b>		<b>262</b>	<b>184</b>
Reintegration Centers**	Albuquerque Boys' Reintegration Center	Albuquerque	12	7
	Albuquerque Girls' Reintegration Center	Albuquerque	12	5
	Eagle Nest Reintegration Center	Eagle Nest	12	8
	<b>Total</b>		<b>36</b>	<b>20</b>

\* Operated under contract with San Juan County  
 \*\* Carlsbad Reintegration Center, with a capacity of 12 beds, is currently closed  
 Source: CYFD

In the field, 29 juvenile probation field offices are organized into 14 districts that closely approximate the state's judicial districts. Employees in these offices oversee probation and supervised release of juvenile offenders, including community behavioral health services. A network of community-based continuum sites provides alternative services, including prevention and diversion programs, designed to rehabilitate youth in their communities. JJS also oversees contract providers of juvenile community corrections and a small transition services office, which works with youth to successfully reenter the community.

### JJS budget

Appropriations to the Juvenile Justice Services Division totaled \$73.7 million in FY16, 95 percent of which was made up of general fund revenues. A majority (\$56.6 million, or 77 percent) of appropriations were in the personal services and employee benefits category (Table 3).

**Table 2. New Mexico Juvenile Probation Districts**

District	Counties	District	Counties
1	Los Alamos	8	Cofax
	Rio Arriba		Taos
2	Santa Fe	9	Union
	Bernalillo		Curry
3	Dona Ana	10	Roosevelt
	Guadalupe		De Baca
4	Mora	11	Harding
	San Miguel		Quay
5	Lea	12	McKinley
	Grant		San Juan
6	Hidalgo	13	Lincoln
	Luna		Otero
7	Catron	14	Cibola
	Sierra		Sandoval
	Socorro		Valencia
	Torrance		Chaves
			Eddy

Source: CYFD

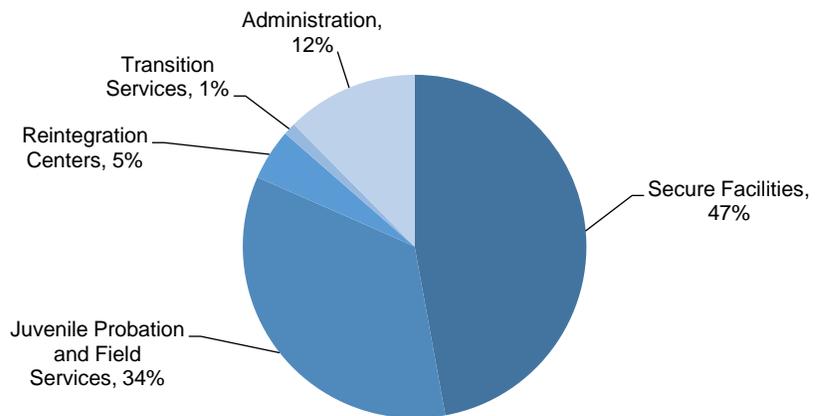
**Table 3. FY16 Juvenile Justice Services Appropriations**  
(in thousands)

	General Fund	Other State Funds	ISF/IAT	Federal Funds	Total
Personal Services and Employee Benefits	\$54,016.5	\$2,241.3	\$261.0	\$48.4	<b>\$56,567.2</b>
Contractual Services	\$10,300.1		\$123.9	\$482.5	<b>\$10,906.5</b>
Other	\$5,912.2	\$26.0	\$290.6	\$42.4	<b>\$6,271.2</b>
<b>Total</b>	<b>\$70,228.8</b>	<b>\$2,267.3</b>	<b>\$675.5</b>	<b>\$573.3</b>	<b>\$73,744.9</b>

Source: HB2

As shown in Chart 1, in FY15, JJS spending totaled \$74.7 million, of which nearly half (\$35.2 million or 47 percent) was on facilities. Spending on probation and field services, including juvenile probation officers, continuum programs, and juvenile community corrections, totaled \$25.7 million (35 percent). Administration totaled \$9.3 million (12 percent), reintegration centers totaled \$3.6 million (5 percent), and transition services spending was \$870 thousand (1 percent). Appendix B illustrates trends in JJS spending by function since FY07.

**Chart 1. FY15 JJS Spending by Function**



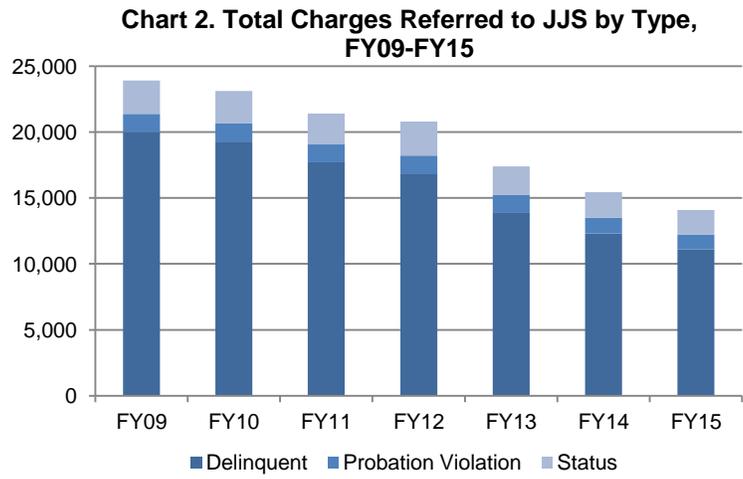
### Juvenile justice referrals

Client referrals to JJS are categorized into three types: delinquent referrals, probation violations, and status referrals. Delinquent referrals are those for offenses that would be considered criminal if committed by an adult. Status referrals are those that would not be considered an offense if the act were committed by an adult, such as truancy or runaway violations. Probation violations occur when a youth violates the adjudicated terms of his or her probation.

Youth can be referred to JJS by law enforcement, school staff, parents or family, or other government or community sources, including juvenile probation officers (JPOs). A youth does not have to be arrested to be referred to JJS. Once referred, a youth is assigned to a JPO responsible for handling the case. JJS cases may be resolved through formal or informal dispositions. If the case results in a petition to the children’s court attorney, the case is handled formally. A formal disposition occurs either when a case is adjudicated in court or otherwise resolved through legal

proceedings such as dismissal or a consent decree. Adjudicated cases may result in probation or commitment to a CYFD facility. Cases that do not involve a children’s court petition are handled informally, and may result in informal probation or referral to other services such as diversion programming. Appendix C contains a diagram showing the JJS client referral pathway.

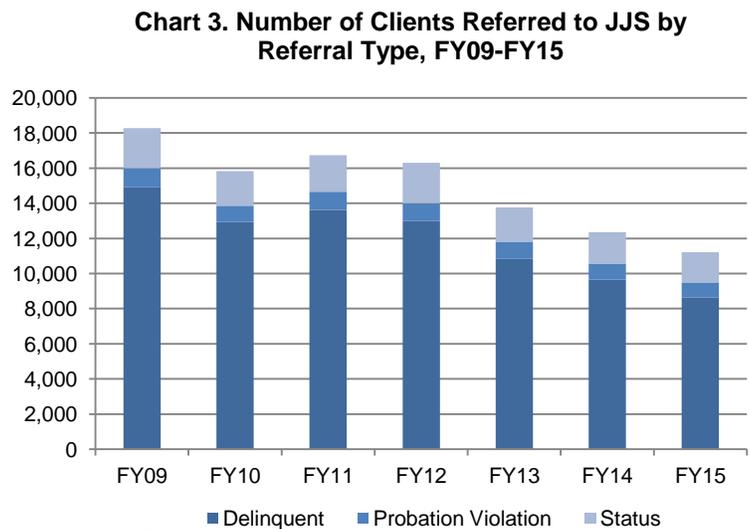
The number of charges referred to JJS has been steadily decreasing, with a decline of 41 percent between FY09 and FY15. While all types of charges have seen reductions, the overall decrease is primarily driven by declines in delinquent referrals, the most common type, which fell by 44 percent during the same period. There were roughly 24 thousand total charges referred to JJS in FY09, of which 20 thousand, or 84 percent, were delinquent. In FY15, there were 14 thousand charges referred, of which 11 thousand, or around 80 percent, were delinquent (Chart 2).



Source: CYFD

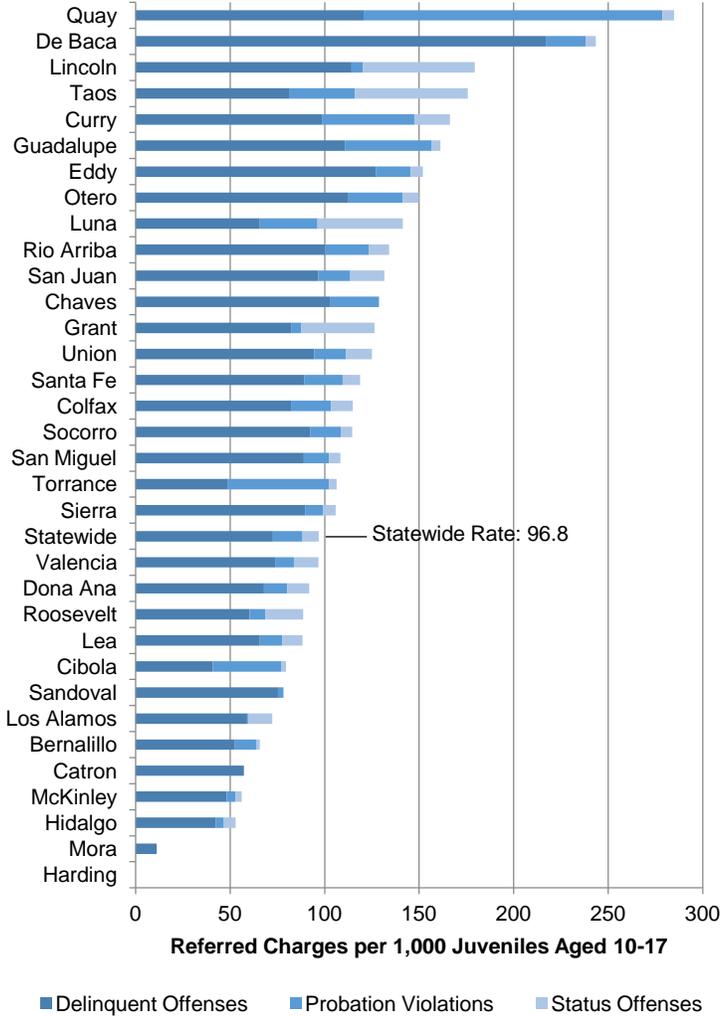
The number of status offense charges referred fell by 25 percent and probation violations fell by 18 percent during the FY09-FY15. However, with the decline in delinquent referrals, status referrals and probation violations make up a growing portion of all referred charges. In FY09, 11 percent of all referred charges were for status offenses and 6 percent were for probation violations. In FY15, 13 percent were for status offenses and 8 percent were for probation violations.

Similarly, the number of individual clients referred has decreased by 39 percent between FY09 and FY15, from roughly 18 thousand to about 11 thousand. A single client may have multiple charges referred. The number of clients receiving a delinquent referral fell from just under 15 thousand, or about 82 percent of all clients, in FY09 to under nine thousand, or about 77 percent of all clients, in FY15 (Chart 3). Clients receiving status referrals made up 13 percent of clients referred to JJS in FY09, compared to 15 percent in FY15. The number of clients receiving probation violation referrals grew from 6 percent of referred clients in FY09 to 8 percent in FY15.



Source: CYFD

**Chart 4. Rate of Referred Charges to JJS by County, FY15**



Source: LFC Analysis

The rate of referred charges to JJS varies widely by county. Statewide in FY15, for every one thousand youth aged 10 to 17, roughly 97 had charges referred to Juvenile Justice Services. However, excluding Harding County, which had no referred charges, the rate ranged from as low as 11 per thousand youth in Mora County to 285 per thousand youth in Quay County (Chart 4).

De Baca County had the highest rate of delinquent charges referred in FY15, at roughly 217 per thousand youth. Quay County had the highest rate of charges referred for probation violations, at 158 per thousand youth. Finally, Taos County had the highest rate of charges referred for status offenses, at 60 per thousand youth. The statewide rates for each were roughly 73 per thousand for delinquent offenses, 16 per thousand for probation violations, and nine per thousand for status offenses.

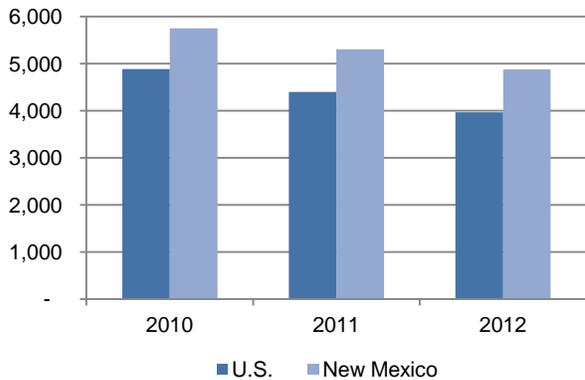
**Juvenile arrest trends**

New Mexico has a higher juvenile arrest rate than the nation as a whole, with roughly 4,900 youth aged 10 to 17 arrested for every 100 thousand youth in that age range in the state in CY12, the most recent year for which FBI crime data is available. This compares to the national rate of 3,968 arrests per 100 thousand youth (Chart 5). The juvenile arrest rate is also declining faster nationally than in New Mexico, with the U.S. rate decreasing

19 percent between CY10 and CY12, compared to a 15 percent decrease in the state’s rate.

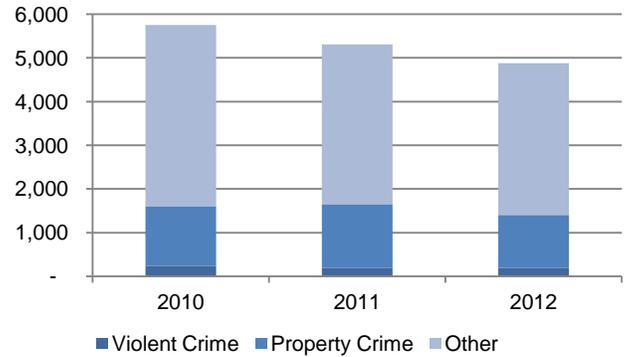
While arrests for violent crimes make up the smallest portion of juvenile arrests in New Mexico, the arrest rate for these crimes is decreasing faster than for other types of crime. New Mexico’s juvenile arrest rate for violent crimes decreased by 18 percent during the period from CY10 to CY12, compared to an 11 percent reduction for property crime arrests and a 16 percent reduction for other crime arrests (Chart 6).

**Chart 5. Arrests per 100,000 Youth Aged 10-17, U.S. and New Mexico, 2010-2012**



Source: OJJDP, FBI

**Chart 6. Arrests per 100,000 Youth Aged 10-17 in New Mexico, 2010-2012**



\* Violent crime and property crime include crimes on OJJDP's Violent Crime Index (murder, manslaughter, forcible rape, and aggravated assault) and Property Crime Index (burglary, larceny-theft, motor vehicle theft, and arson)  
Source: OJJDP, FBI

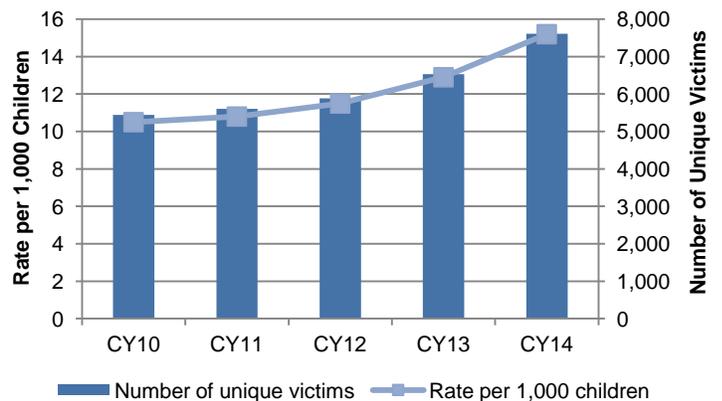
### Risk factors for juvenile justice involvement

Research indicates that exposure to adverse childhood experiences (ACEs) may place youth at greater risk for involvement with the juvenile justice system. ACEs include incidents of physical, sexual, or emotional abuse, as well as other household conditions such as domestic violence, the presence of substance abuse or mental illness, parental separation or divorce, or an incarcerated household member.

According to the federal Administration for Children and Families (ACF), there were 7,600 unique substantiated victims of child maltreatment in New Mexico in 2014, the most recent year for which data is available. This is an increase of roughly 40 percent since 2010. The rate of child maltreatment in the state has also increased in recent years, growing from 10.5 victims per one thousand children in 2010 to 15.2 victims per one thousand children in 2014 (Chart 7).

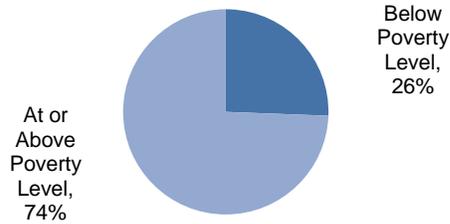
Additionally, research has found that poverty is correlated with conditions such as family instability, child abuse, and neglect, which may in turn contribute to increased risk for juvenile justice involvement. New Mexico's youth are more likely to live in poverty than youth nationally. According to the U.S. Census Bureau's 2014 American Community Survey, the most recent with published data, 26 percent of youth aged 12 to 17 in New Mexico lived below the poverty level, compared to 19 percent of youth in that age group nationwide (Charts 8 and 9).

**Chart 7. Rate of Child Maltreatment and Number of Victims in New Mexico, CY10-CY14**



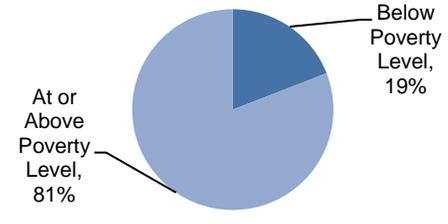
Source: Administration for Children and Families

**Chart 8. Poverty Status of New Mexico Youth Aged 12-17, 2014**  
(N=166,749)



Source: American Community Survey

**Chart 9. Poverty Status of U.S. Youth Aged 12-17, 2014**  
(N=24,656,881)



Source: American Community Survey

### Recent Juvenile Justice Services performance

Through FY16, JJS has reported mixed outcomes on certain key performance measures. While the percentage of clients readjudicated within two years has remained steady, the percentage of clients recommitted to a CYFD facility after being discharged from a CYFD facility grew after decreasing in FY15. Moreover, the percentage of discharged clients entering adult corrections within two years is steadily increasing. Use-of-force incidents in JJS facilities remained relatively stable, but the number of physical assaults through Q4 of FY16 is well above the two preceding years.

**Table 4. Key JJS Performance Measures, FY14-FY16**

Measure	FY14	FY15	FY16 (Q4)
Clients who successfully complete formal probation	82%	83%	85%
Clients re-adjudicated within 2 years	6%	6%	6%
Clients recommitted to a CYFD facility within 2 years	10%	8%	10%
Clients who enter adult corrections within 2 years of JJS facility discharge	7%	12%	13%
Incidents in JJS facilities requiring use of force resulting in injury	2%	2%	2%
Number of physical assaults in JJS facilities	346	374	448

Source: CYFD FY16 Q3 Performance Report

### Disputes and agreements with the ACLU

In 2006, CYFD entered into the first of a series of agreements with the American Civil Liberties Union of New Mexico (ACLU) in response to complaints of inadequate care and safety conditions in JJS facilities. CYFD and the ACLU entered into the most recent of these agreements in 2014, under which CYFD agreed to implement a telephone reporting system for grievances and allegations of abuse or neglect, as well as hire independent evaluators to review the grievance system and instances of room confinement of youth. Under previous agreements, CYFD implemented steps such as creating the JJS Office of Quality Assurance to monitor compliance with the agreements and CYFD's policies and procedures, including the use of room confinement, and the use of the Performance-Based Standards (PbS) data monitoring system, a national model that allows CYFD to track performance of a variety of safety, health, and other indicators against the field of facilities nationwide. Currently, the ACLU continues to contest CYFD's compliance with the 2014 agreement, and discussions remain ongoing.

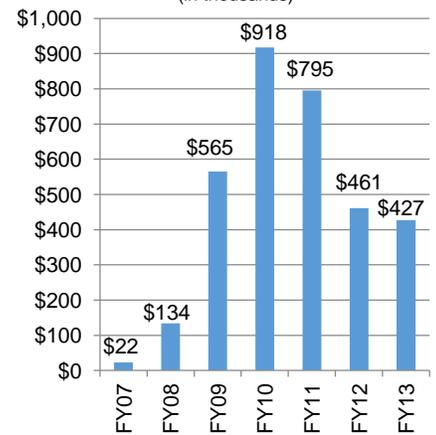
## CYFD Has Made Positive Gains in Client Outcomes Since Implementing a Rehabilitative Model for Juvenile Justice Facilities

**CYFD invested \$3.3 million between FY07 and FY13 to implement a customized version of the Missouri Model for juvenile justice facilities emphasizing treatment over incarceration known as Cambiar New Mexico.**

In FY05, CYFD staff traveled to Missouri to observe a model showing positive results at improving outcomes of committed juveniles. Facility staff received extensive training and mentoring through the Missouri Youth Services Institute (MYSI), which resulted in a customized philosophy for New Mexico emphasizing treatment and programming for youth committed to facilities as noted in Table 5.

In FY08, CYFD began implementation of Cambiar at the John Paul Taylor Center, followed by the Youth Diagnostic and Development Center (YDDC) and Camino Nuevo in FY09 and FY10. CYFD completed its training relationship with MYSI in FY13. Expenditures by year over the course of training related to Cambiar are detailed in Chart 10. Other than New Mexico, Louisiana has implemented elements of the Missouri Model, as has the District of Columbia and Santa Clara County, California.

**Chart 10. CYFD Payments to Missouri Youth Services Institute for Cambiar Implementation FY07-FY13**  
(in thousands)



Source: SHARE

**Table 5. Key Elements of Cambiar New Mexico**

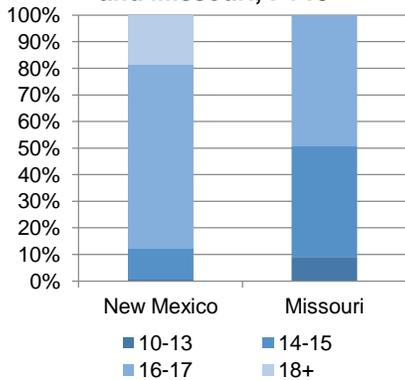
- Individualized service plans addressing carefully assessed needs, strengths and risks of our youth;
- Facility staff trained in clinical and therapeutic skills;
- Smaller, secure regional facilities across the State;
- Smaller, more nurturing living units within those facilities;
- Youth centered unit management and milieu therapy;
- Rich programming, education, vocational training, medical, and behavioral health services.

Source: FY15 CYFD/JJS Annual Report, 2013 CYFD presentation to Courts and Criminal Justice Committee

***The Missouri Model emphasizes rehabilitation over incarceration in a humane environment which has shown improved outcomes for committed youth.*** Up until the 1970's, Missouri operated juvenile training schools which housed up to 650 juveniles each. After documentation of staff brutality and violence among inmates and a 1969 federal report criticizing the state's training schools, Missouri began implementing smaller facilities of varying security levels emphasizing rehabilitation through a therapeutic approach. Key characteristics of the "Missouri Model" included smaller group homes, camps, and treatment facilities; maintaining safety through relationships and eyes-on supervision rather than isolation and correctional hardware; and providing intensive youth development offered by dedicated youth development specialists rather than correctional supervision by guards.

Missouri’s Department of Youth Services (DYS) fine tuned a series of organizational beliefs that serve as the model’s foundation. These beliefs focus on individualized service plans which are designed from thorough assessment of underlying causes of behavior. A full list of DHS’s organizational beliefs is located in Appendix D.

**Chart 11. Percentage of Youth Commitments by Age Range in New Mexico and Missouri, FY15**



Sources: CYFD JJS and Missouri DYS

It is important to note that there are differences in the youth population between New Mexico and Missouri, largely due to differences in juvenile sentencing laws. In FY15, 69 percent of youth admitted to CYFD facilities were aged 16 or 17, compared with 49 percent in Missouri. Twelve percent of New Mexico’s admissions were aged 14 or 15, compared to 42 percent in Missouri (Chart 11). Missouri also does not commit any youth over 18 to a DHS facility, while in New Mexico a youth aged 18 or over may be admitted if the offense was committed prior to the youth turning 18.

**CYFD implemented various components of the Missouri Model as part of Cambiar including therapeutic and educational programming.**

CYFD enacted various standards related to create a group treatment approach also focusing on education. Juveniles are assigned to a group ranging in size from eight to 12 people, who are together at all times, including during the school day. Some of the processes implemented for these groups are described in Appendix E.

Moreover, staff are to use awareness supervision, where they are able to observe and be seen by the group at all times except when juveniles are in their rooms. An example of dorm orientation to support awareness supervision is noted in Exhibit 1.

**Exhibit 1. John Paul Taylor Center Dorm Common Area**



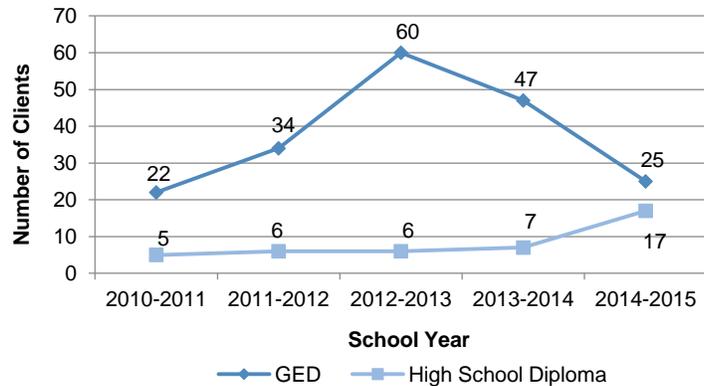
Note: Staff offices located to the left and juvenile rooms to the right of the common area.  
Source: LFC Staff

Besides having a framework to create a therapeutic group dynamic, CYFD juvenile facilities use the Phoenix Curriculum, an evidence-based prevention and early intervention program focusing on motivation, emotional intelligence, problem solving, risk factors (gangs, drugs, alcohol, etc.), and protective factors. CYFD has used the high school edition of this curriculum for ten years, and in 2014, worked with the vendor to tailor the program more specifically to the needs of the New Mexico juvenile justice population. JJS staff is currently working on ways to expand therapeutic programming beyond the Phoenix Curriculum.

***Cambiar, like the Missouri Model, emphasizes educational attainment through completion of public education requirements and post-secondary and vocational training.*** All three JJS secure facilities offer courses for committed juveniles to complete all necessary requirements to obtain either a high school diploma or general equivalency diploma (GED) or equivalent. Each facility handles this task a bit differently, with YDDC and Camino Nuevo offering a more traditional classroom format, whereas the John Paul Taylor Center offers individualized programming that can be pursued independently with mentorship from teachers.

GED completion among juvenile justice facility clients has fallen since the 2012-2013 school year, but the number of clients receiving high school diplomas is growing. The number of clients who earned a GED from JJS-operated schools grew nearly threefold between the 2010-2011 school year and the 2012-2013 school year, from 22 to 60. In the 2014-2015 school year, however, 25 clients received a GED, a decline of 58 percent from the peak. During the same period, the number of clients earning a high school diploma remained relatively flat before jumping to 17 in the 2014-2015 school year as noted in Chart 12.

**Chart 12. Number of Clients Attaining a GED or High School Diploma in JJS Schools, 2011-2015**



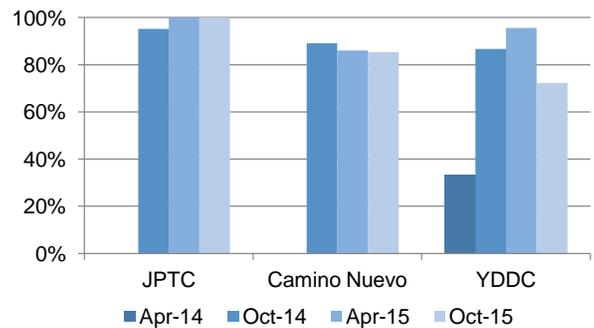
Source: CYFD

JJS facilities are expanding educational offerings through post-secondary and vocational training. For youth who have completed secondary education requirements, there are options to pursue post-secondary and vocational education through community colleges such as Central New Mexico Community College and Eastern New Mexico University-Roswell. In addition, individual facilities are building out capacity for vocational training. For example, the John Paul Taylor Center established a horticulture program and is in the process of setting up a welding and drafting program. Images of the facilities used for these programs can be seen in Appendix F.

***Participation in vocational education is generally strong, but completion rates vary across facilities.***

According to data collected through the Performance-based Standards (PbS) measurement system, 100 percent of youth at the John Paul Taylor Center in Las Cruces completed a vocational skills curriculum in April and October of 2015. Completion rates at Camino Nuevo have dropped slightly during the past three data collection periods, from 89 percent to 85 percent. Meanwhile, the completion rate at YDDC grew dramatically from 33 percent in April 2014 to 96 percent in April 2015, but dropped to 72 percent in October 2015. CYFD began using the PbS system to track various outcomes in its secure facilities during CY14.

**Chart 13. Percent of Youth Confined for More Than 60 Days Whose Records Indicate Completion of a Vocational Skills Curriculum**

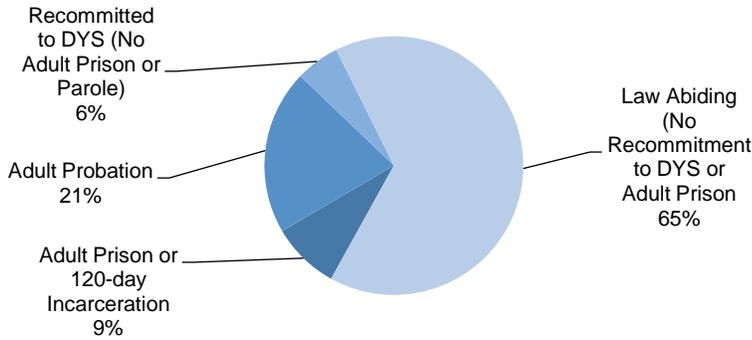


Source: CYFD PbS data

**New Mexico's recidivism rates compare favorably to outcomes achieved in Missouri after it implemented its rehabilitative model in juvenile facilities.**

A 2010 Annie E. Casey Foundation report detailed various positive results from the Missouri Model including lower recidivism rates when compared to other states, fewer incidents of assault, less use of restraints and isolation in juvenile facilities, and increased educational progress. For a cohort of juveniles released from DYS custody in 2005, 5.5 percent recidivated into the juvenile justice system and 29.1 percent recidivated into either adult prison or probation as shown in Chart 14.

**Chart 14. Three-Year Outcomes of Missouri Youth Discharged from DYS Custody in 2005**



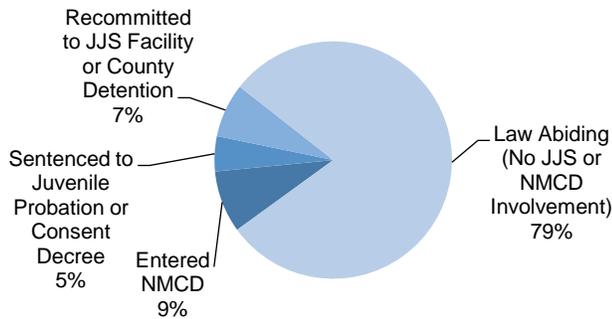
Source: Annie E. Casey Foundation

The Casey study noted comparing Missouri's recidivism results to other states is difficult, as there is not any one universally accepted method to measure recidivism. Moreover, neither New Mexico, Louisiana, nor the District of Columbia have yet to publish an outcome study since implementing tenets of the Missouri Model.

LFC staff looked at recidivism rates for cohorts of committed juveniles both before and after the implementation of Cambiar. Charts 15, 16, and 17 show that the percentage of youth released from CYFD

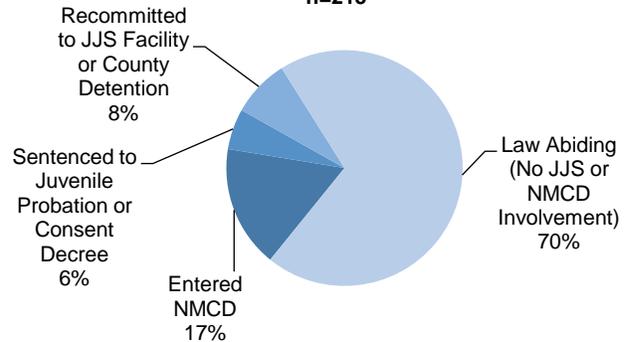
facilities who did not recidivate within three years decreased from 79 percent for the cohort released in 2005 to 70 percent for the cohort released in 2010. However, this percentage grew again for those released in 2013, to 82 percent with no recidivism within three years.

**Chart 15. Three-Year Outcomes of NM Youth Released from JJS Facilities in FY05**  
n=272



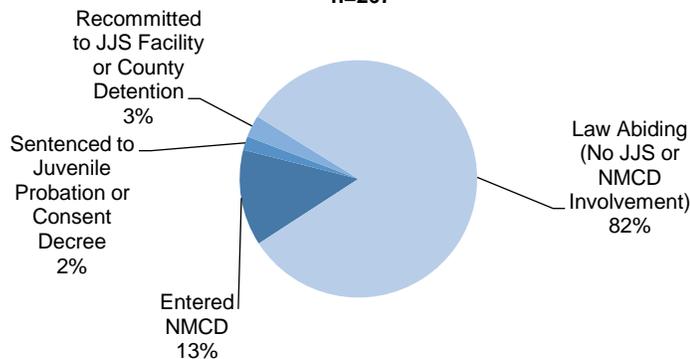
Source: LFC Analysis of CYFD Data

**Chart 16. Three-Year Outcomes of NM Youth Released from JJS Facilities in FY10**  
n=215



Source: LFC Analysis of CYFD Data

**Chart 17. Three-Year Outcomes of NM Youth Released from JJS Facilities in FY13**  
n=267



Source: LFC Analysis of CYFD Data

**LFC staff performed recidivism analysis on three cohorts of juveniles exiting facilities and beginning probation in FY05, FY10, and FY13.**

Staff looked at one-year and three-year recidivism rates into juvenile facilities as well as adult prisons for each of these cohorts.

**Juvenile Justice facility one-year recidivism rates dropped by half between clients released in FY05 and those released in FY13.** Overall, juveniles released from facilities in FY13 had a three-year and one-year recidivism rate between two-thirds and one-half lower than juveniles released in FY10 as shown in Table 6.

The rate of juveniles exiting facilities and entering a New Mexico Corrections Department (NMCD) prison within a year remained stable at close to 2 percent for clients released from commitment in FY05, FY10, and FY13. However, for juvenile clients released in FY10, 17 percent entered an adult prison within three years, almost twice those who exited CYFD custody in FY05. This recidivism rate dropped almost 4 percent for those released from a juvenile facility in FY13, as shown in Table 6.

**Table 6. Recidivism Rates for Juveniles Released from Facilities in FY05, FY10, and FY13**

	1-Year			3-Year			5-Year	
	FY05	FY10	FY13	FY05	FY10	FY13	FY05	FY10
Readjudication into JJS	9%	12%	4%	12%	14%	5%	12%	14%
Entry to NMCD	2%	2%	2%	9%	17%	13%	14%	24%

Source: LFC Analysis of CYFD Data

**Juvenile probation clients consistently recidivated into the juvenile system at higher rates than those released from facilities.** One-year recidivism rates remained consistent among the three cohorts followed, but the three-year recidivism rate went to 25 percent for those put on probation in FY10, but the rate dropped for the FY13 probation cohort to 22 percent as shown in Table 7. It is important to note the probation cohort recidivism rates do not include probation violations.

Juveniles placed on probation had significantly lower recidivism rates into NMCD prisons than their counterparts who were committed to facilities at both the one-year and three-year mark as shown in Table 7.

**Table 7. Recidivism Rates for Juveniles Placed on Probation in FY05, FY10, and FY13**

	1-Year			3-Year			5-Year	
	FY05	FY10	FY13	FY05	FY10	FY13	FY05	FY10
Readjudication into JJS	13%	12%	11%	25%	25%	22%	27%	27%
Entry to NMCD	0%	1%	0%	1%	1%	1%	4%	4%

Source: LFC Analysis of CYFD Data

**Current CYFD performance measures do not include a measure specific to recidivism of probation clients.**

CYFD reports on readjudication of youth and clients exiting facilities who recidivate into the juvenile or adult system as part of its AGA performance measures. However, this analysis does not break out juvenile probation clients, which is a growing proportion of the total juvenile justice population. As the department further implements reforms to divert offenders appropriately to probation and away from commitment, it would be valuable for CYFD to analyze recidivism of those on probation. LFC staff brought this issue to the attention of the department, and CYFD stated they will address the weakness the current performance measures have in looking at historical data for recidivism analysis.

## **Recommendations**

CYFD should:

Work with DFA and LFC staff to create AGA performance measures for recidivism of youth on juvenile probation; and

Continue to perform cohort-specific recidivism analysis, including what offenses are most closely linked to recidivism, and report results to the Legislature.

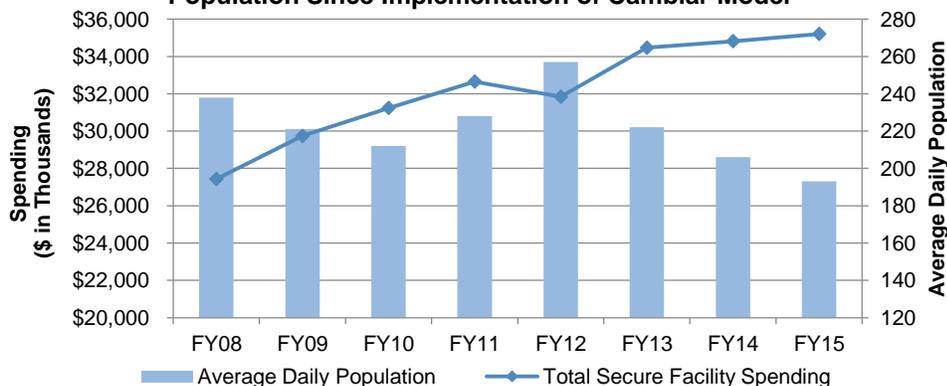
# CYFD Should Better Align Resources to the Changing Demands on Juvenile Justice Facilities

## Implementation of New Mexico’s Cambiar model has not proven successful in generating cost savings for facilities.

Cambiar was phased into facilities starting with the John Paul Taylor Center in FY08 and concluding with Camino Nuevo in FY11. Chart 18. below shows costs have continued to increase after Cambiar implementation, with the exception of FY12.

CYFD spent \$35.7 million on secure facilities in FY15, including the costs of direct care staffing, educational, medical, and behavioral health services, and back-office services at CYFD’s own facilities, as well as contractual payments to San Juan County to house up to 10 youth at the San Juan County Detention Center. This total is up 30 percent from the \$27.4 million spent in FY08, at the beginning of Cambiar implementation.

**Chart 18. Secure Facilities Spending and Average Daily Population Since Implementation of Cambiar Model**

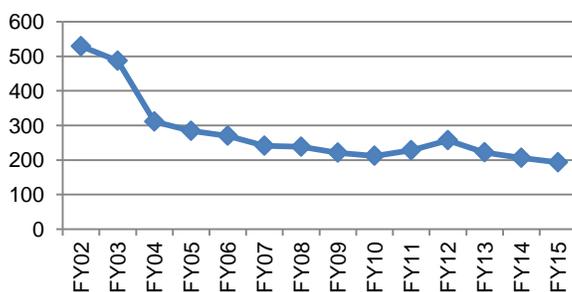


Sources: SHARE, CYFD

## Despite fewer committed youth, the state still operates high-capacity facilities not in alignment with the Cambiar philosophy as originally envisioned.

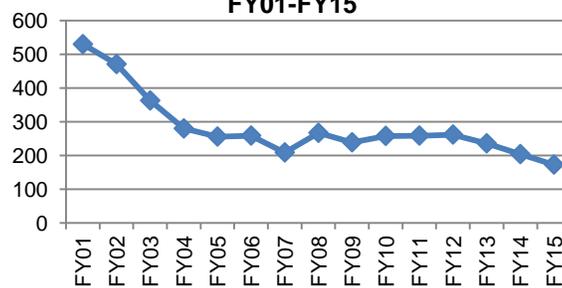
The average daily population of youth held in CYFD’s secure facilities decreased from 529 to 193 between FY02 and FY15, as shown in Chart 19. Most of the decrease occurred between FY03 and FY04, when the average daily population fell by 36 percent due to changes in the Children’s Code resulting in increased use of risk assessment instruments designed to reduce commitment of youth with lower risk and needs levels. Moreover, term commitments into secure facilities decreased 67 percent, from 530 to 173, between FY01 and FY15 as noted in Chart 20. Overall, commitments to secure facilities made up about 1 percent of all juvenile justice dispositions in FY15, compared to nearly 5 percent in FY11.

**Chart 19. Average Daily Population in Secure CYFD Facilities FY02-FY15**



Source: CYFD

**Chart 20. Term Admissions into Secure Juvenile Justice Facilities FY01-FY15**



Source: CYFD

***Cambiar requires smaller, less institutional facilities as one of its key elements, but any new facilities would be cost prohibitive at this time.*** While declining committed populations warrant smaller juvenile facilities, the department has consolidated the majority of secure facility functions in Albuquerque and Las Cruces due to cost considerations. The only exception is 10 beds contracted at the San Juan County Juvenile Detention Center. At the same time as Cambiar was being rolled out, CYFD closed the New Mexico Boys School in Springer. The agency did open the Lincoln Pines facility in Fort Stanton in FY14. However, it never operated at capacity, and was closed in FY15 due to fiscal conditions. Moreover, two of three operational reintegration centers are based in Albuquerque. A primary tenet of the Missouri Model, on which Cambiar is based, recommends smaller regionalized facilities with a maximum capacity of 50 beds, to maximize family involvement during the commitment and rehabilitation process. Of the three CYFD secure facilities, only the smallest facility, J. Paul Taylor, meets this size recommendation with 48 beds. Lincoln Pines, when it was operational, had a capacity of 24 beds.

While bed capacity at the Youth Diagnostic and Development Center (YDDC) was reduced from 152 beds in 2004 to the current capacity of 108 beds, the facility's housing units remain at odds with a 2010 facilities master plan and feasibility study suggesting 12 beds per unit under the Cambiar model. Currently, there are 20 beds per unit at YDDC and 28 beds in the intake unit. Moreover, YDDC's average daily population was 73 clients in FY15, or about two-thirds of total capacity.

Additionally, the same feasibility study and master plan classified the Camino Nuevo facility (CNYC) as being in "poor alignment" with Cambiar. Moreover, CYFD stated to a meeting of the New Mexico Sentencing Commission in December 2013 CNYC is "not a good fit for the Cambiar philosophy." While YDDC's housing units are arranged into cottages that are physically separate from each other and from other structures, such as educational and cafeteria facilities, CNYC is more closely modeled after secure adult correctional facilities. It is a single,

consolidated structure that contains a network of secure corridors between housing units and central education and medical units. In FY15, Camino Nuevo operated at 72 percent of capacity based on average daily population.

However, CNYC has made changes consistent with providing a less punitive, more therapeutic approach to its clients. For example, the former "rubber room," which had been used to segregate clients in cases of severe behavioral disturbances, has been converted to storage space, as noted in Exhibit 2.

Conversely, the John Paul Taylor Center in Las Cruces was a pilot Cambiar site in 2008. The pilot involved various adjustments such as furnishing common areas to create a more nurturing and less institutional environment. The facility has a total capacity of 48 beds across four housing units, with an average daily population of 35 in FY15.

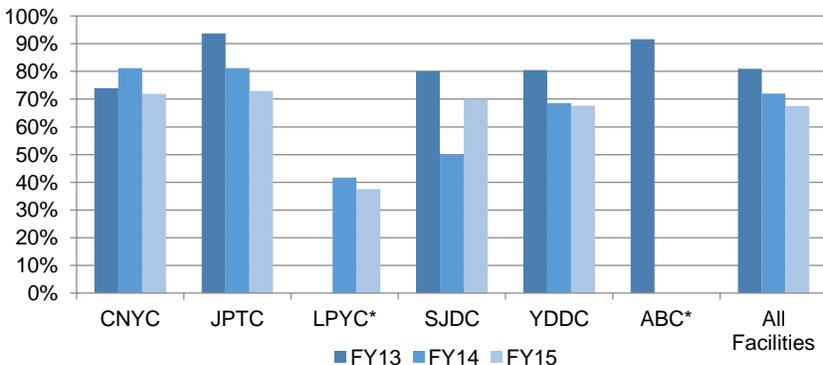
**Exhibit 2. Former Camino Nuevo Isolation Room**



Source: LFC Staff

**Facilities are operating with excess capacity, resulting in higher costs per client.** Between FY13 and FY15, secure facilities experienced a decrease in the amount of total bed capacity being used. Facilities operated at an average of 81 percent of capacity in FY13, compared to 67 percent capacity in FY15 (Chart 21). The Lincoln Pines Youth Center, which closed in FY15, experienced the greatest amount of excess capacity during its operation, when it used 40 percent or less of its available bed space. Additionally, YDDC currently has a closed housing unit consisting of 16 beds, including two former isolation units, bringing its effective operational capacity from 108 beds to 92.

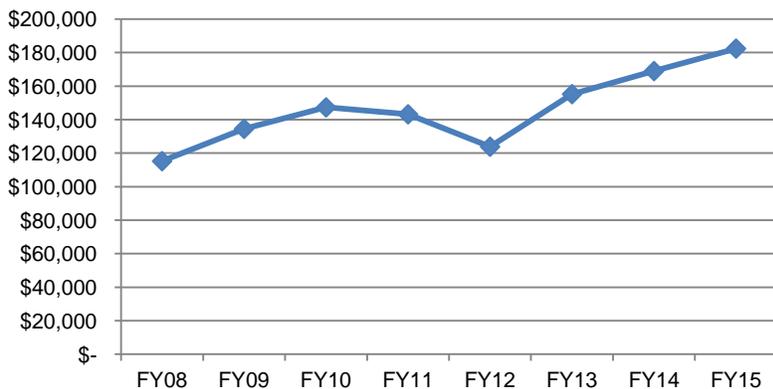
**Chart 21. Average Daily Population as a Percentage of Bed Capacity by Facility, FY13-FY15**



\* Lincoln Pines Youth Center (LPYC) opened during FY14 and closed in FY15. The Albuquerque Boys' Center (ABC) transitioned into a reintegration center in FY14.  
Source: LFC Analysis of CYFD Data

Since FY08, the annual cost per youth housed in CYFD facilities increased 58 percent, largely due to this excess capacity. The average annual cost per youth grew from roughly \$115 thousand in FY08 to approximately \$182 thousand in FY15, unadjusted for inflation, based on expenditure data from SHARE (Chart 22).

**Chart 22. Average Cost per Committed Client Since Implementation of Cambiar Model**



Source: LFC Analysis

**New Mexico's youth confinement costs are above the national average.** In a December 2014 report on the costs of youth incarceration nationwide, the Justice Policy Institute (JPI) ranked New Mexico with the 32nd lowest costs of confinement out of 45 states and the District of

Columbia, basing data on the highest-cost confinement option in each state. New Mexico's costs were roughly \$488 per day in 2014, or \$178 thousand per year, compared to the national average of about \$408 per day or \$149 thousand per year. All of New Mexico's neighboring states reported lower costs in the JPI report (Table 8).

**Table 8. Costs of Youth Confinement in New Mexico and Neighboring States, 2014\***

Overall Rank (out of 45 States and DC)	State	Cost Per Day	Cost Per Year
7	Utah	\$214.12	\$78,154
16	Colorado	\$287.63	\$104,985
17	Arizona	\$290.68	\$106,098
24	Texas	\$366.88	\$133,911
-	<b>National Average</b>	<b>\$407.58</b>	<b>\$148,767</b>
32	New Mexico	\$487.87	\$178,073

\* Costs based on the highest-cost confinement option provided in each state  
Source: Justice Policy Institute

**Closure of the New Mexico Boys School, and subsequently Lincoln Pines, did not result in substantially lower costs.** CYFD closed the New Mexico Boys School (NMBS) in FY07, transitioning clients to other facilities. In its final year of operation, NMBS expenditures totaled \$5.5 million. However, neither the total JJS budget nor the facilities budget realized savings from closing NMBS.

**Table 9. Scenario for Cost Savings Related to Excess Facility Capacity (in thousands)**

FY15 LPYC budget	\$1,931.9
FY17 reduction for LPYC closure	(\$200.0)
Reallocated for other JJS programs	(\$200.0)
Marginal costs of relocated LPYC clients	(\$200.0)
Estimated ongoing LPYC maintenance	(\$100.0)
<b>Potential additional general fund savings</b>	<b>\$1,231.9</b>

Source: LFC Analysis

The budget for Lincoln Pines, not including spending on education or health services, totaled \$1.9 million in FY15. When clients were transferred out of Lincoln Pines starting in FY15, staff were relocated to reduce vacancy rates in other facilities, contract dollars were not impacted as clients were moved to other facilities, and \$200 thousand was used to help pay for victim notification system charges from DoIT and to fund sports programs at the other juvenile facilities. The JJS budget was reduced by an additional \$200 thousand in FY17 due to the closure, and LFC staff estimates marginal costs associated with re-housing youth relocated from Lincoln Pines of roughly \$200

thousand. Moreover, CYFD continues to pay utility costs for the Lincoln Pines facility even though it is not currently operational, spending approximately \$100 thousand for these costs in FY16. As such, LFC estimates roughly \$1.2 million could still be saved resulting from the closure of Lincoln Pines, if CYFD continues to maintain the facility rather than liquidating it (Table 9).

Currently, there is also excess space at YDDC, which has an unused and unstaffed housing unit with a capacity of 16 beds. The state could achieve efficiencies by consolidating clients currently housed through CYFD's lease at the San Juan County Detention Center into this unit. In FY16, CYFD's contract for housing up to ten youth at the San Juan facility totaled \$683 thousand. Some additional savings would be realized from not having to transport clients who would otherwise be housed at San Juan from the central intake facility at YDDC to Farmington.

**Louisiana, which implemented the Missouri Model in 2012, has been able to reduce juvenile incarceration costs by 37 percent over ten years.** Louisiana reported an average cost per day for juvenile

incarceration of \$127.84 in 2014. A report to the Louisiana Joint Legislative Juvenile Justice Commission noted the state spent \$157 per day to incarcerate youth in 2003, which would be equal to \$202 in 2014 dollars. The report made various recommendations to reduce juvenile incarceration costs in Louisiana including eliminating administrative delays for short-term offenders, reducing incarceration for misdemeanor offenses and shortening the length of stay for drug offenses and other minor felonies.

Moreover, the report recommended closing one of the state’s four juvenile facilities, which would generate savings by eliminating fixed costs such as property maintenance and utilities. These funds could then be reinvested in alternatives to incarceration. Savings were estimated to be between \$10 million and \$18 million if a facility was closed and replaced with alternatives to incarceration for 350 juveniles. This recommendation aligns with a 2010 Annie E. Casey study of the Missouri Model which emphasized the need to invest proportionately to create full-scale out-of-incarceration interventions. Louisiana now operates three male juvenile facilities and contracts for female facility services.

**Youth care specialists have a vital and expansive role in facilities, but analysis of available data suggests potential overstaffing.**

The youth care specialist (YCS) is the staff member with primary responsibility for monitoring and caring for clients committed to secure CYFD facilities. While a YCS performs a critical security function in CYFD facilities, his or her role extends beyond that to include mentoring and case management functions alongside facility behavioral health and education staff and juvenile probation officers to ensure clients are adhering to and making progress with their plan of care. Under CYFD policy, each housing unit in a facility is assigned a YCS unit supervisor as well as one or more line staff, depending on the number of youth housed in the unit. A YCS manager may oversee multiple housing units. There are two levels of line staff, classified by the State Personnel Office as a Juvenile Correctional Officer I or II.

Under federal Prison Rape Elimination Act (PREA) regulations, facilities must maintain a minimum staff-to-client ratio of 1:8 during waking hours and 1:16 during sleeping hours (28 CFR 115.313). These regulations specify that the ratio pertains to security staff, defined as “employees primarily responsible for the supervision and control of inmates, detainees, or residents in housing units, recreational areas, dining areas, and other program areas of the facility.” This primarily includes Youth Care Specialists, but could also be construed to include behavioral health therapists, educators, and medical staff during times when they are interacting with clients.

In FY16, CYFD maintained a staff-to-client ratio of under 1:4, when the ratio of budgeted Youth Care Specialists to total client capacity is averaged across shifts (Table 10). Calculating the ratio using filled YCS positions as of February 2016, this ratio increases to just over 1:4, as measured against total facility capacity (Table 11). These ratios include

**Table 10. Budgeted Youth Care Specialists per Client (FY16) at Capacity and FY15 Average Daily Population**

Bed Capacity	252
FY15 ADP	187
Average Budgeted YCS per Shift	71
Clients per Budgeted YCS at Capacity	3.6
Clients per Budgeted YCS at FY15 ADP	2.6

Source: LFC Analysis

**Table 11. Filled Youth Care Specialist Positions (as of February 2016) per Client at Capacity and FY15 Average Daily Population**

Bed Capacity	252
FY15 ADP	187
Average Filled YCS per Shift	59
Clients per Filled YCS at Capacity	4.3
Clients per Filled YCS at FY15 ADP	3.2

Source: LFC Analysis

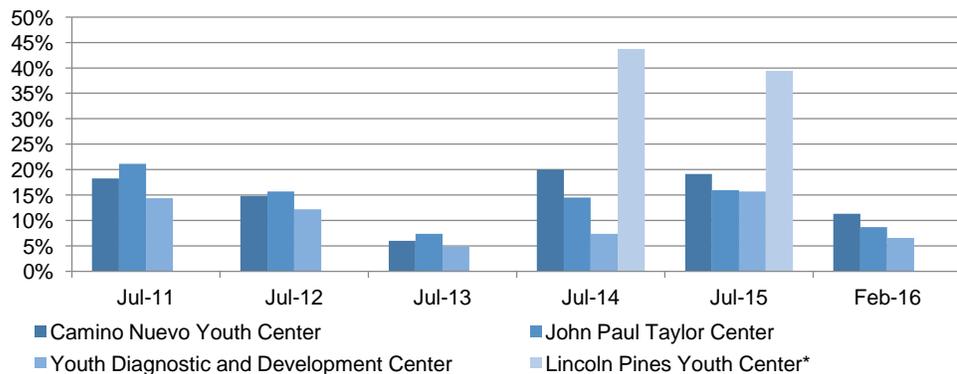
YCS staff assigned to housing units as well as roving YCS staff and supervisors. This analysis does not account for staff out on leave, disability, or workers' compensation.

Currently, there is no standard in New Mexico statute or rule specifying required staffing ratios for the state's secure commitment facilities. A staffing plan for Camino Nuevo Youth Center prepared in advance of a planned PREA audit attests that the facility is in compliance with JJS policy of ratios of 1:8 during daylight hours and 1:12 during sleeping hours, but neither current policies and procedures manuals for CYFD facilities nor state regulations include these ratios.

**Vacancy rates among Youth Care Specialists at secure facilities have decreased.** A year-over-year analysis of Youth Care Specialist staffing levels at CYFD's secure juvenile justice facilities shows that vacancy rates increased significantly from July 2013 (the first month of FY14) and July 2014 (the first month of FY15). The Lincoln Pines Youth Center, formerly known as Camp Sierra Blanca, reopened in 2013 and closed in 2015, and appears to have had very high vacancy rates during its tenure, at 44 percent in July 2014 and 39 percent in July 2015. The closure of this facility and reassignment of its remaining staff during 2015, combined with a downward trend in average daily populations across all secure facilities, has likely contributed to fewer vacancies at CYFD's other facilities in FY16. This analysis does not include the staffing of 10 beds at the San Juan County Detention Center that are used by CYFD under contract.

The Youth Diagnostic and Development Center (YDDC), located in Albuquerque, has consistently had the lowest vacancy rates of all secure facilities in the months analyzed, averaging about 10 percent year-over-year between July 2011 and February 2016. Meanwhile, the Camino Nuevo Youth Center, a separate facility for higher-risk youth located on the same campus as YDDC, averaged about 15 percent vacancy rate and the John Paul Taylor Center in Las Cruces averaged about 14 percent.

**Chart 23. Youth Care Specialist Vacancy Rates at CYFD Secure Facilities, July 2011-Present**



\* Lincoln Pines (formerly Camp Sierra Blanca) reopened in FY14 and closed in FY15  
Source: SPO reports, LFC analysis

**Reintegration centers offer positive results for those participating prior to returning to the community, however CYFD is not maximizing use of this resource.**

A juvenile can be approved to reside in a reintegration center as part of supervised release out of a secure facility or as part of terms of probation. Each center can house up to 12 residents. Juveniles who are approved to live in the centers have to work to gain employment and/or attend school (in person or via online courses) and participate in required therapy and life skill building. CYFD staff provide transportation to work, school and medical appointments. Residents live in shared quarters and have to complete certain tasks such as cleaning, laundry, and cooking on weekends and holidays. There is an on-site CYFD therapist, with additional specialized therapy options, such as for substance abuse, available off-site. Appendix G contains photos of the facilities at JJS reintegration centers.

In the most common scenario, a resident will stay in a reintegration center for 90 days or less, but can actually be moved early out of a secure facility into a reintegration center based on assessment by a juvenile probation officer and a team of stakeholders involved in the care of the juvenile (therapists, family/guardians, etc.). Less frequently, juveniles sentenced directly to probation may be placed in a reintegration center, and may reside there for longer than 90 days; however, when analyzing cohorts of clients placed on probation in FY05, FY10, and FY13, zero probation clients entered reintegration centers.

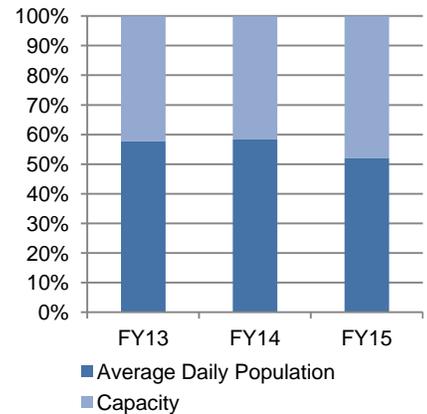
**Juveniles who entered reintegration centers after exiting commitment represented a significantly lower proportion of total recidivism than clients returning directly to the community.** In a LFC analysis of three separate cohorts of juveniles exiting facilities in FY05, FY10, and FY13, clients who went to reintegration centers represented between zero percent and one percent of the total recidivism rate at both one year and three years after release. Juveniles not placed in reintegration centers prior to release represented an average of 7 percent of total recidivism within one year of release and 9 percent within three years of release (Appendix H).

For each of the three cohorts analyzed, reintegration center participation ranged between 12 percent and 18 percent. While the low recidivism rates among reintegration participants may have been impacted by low participation rates, it may also show the positive impact of these centers.

**Between FY13 and FY15, juvenile justice reintegration centers operated at an average 56 percent of capacity with an average cost per client of \$153 thousand.** As of FY15, CYFD operates three reintegration centers: a boys' center in Albuquerque and Eagle Nest and a girls' center in Albuquerque. A Carlsbad boys' center was closed in FY15 due to mold issues that have yet to be remediated. However, even with this reduced capacity, the three reintegration centers operated well below their capacity as noted in Chart 24.

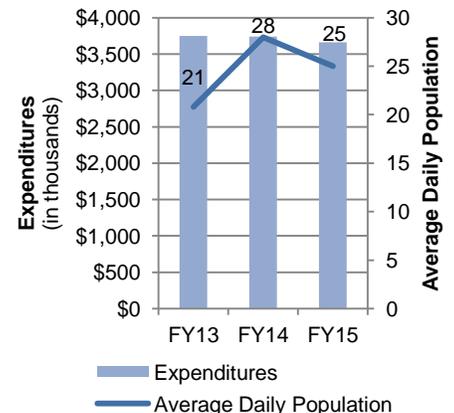
The low number of participants and average cost to operate the centers of \$3.7 million annually led to an average cost per client of \$153 thousand between FY13 and FY15 (Chart 25). If the reintegration centers had operated at 75 percent of capacity over this same timeframe, the cost per client would have decreased to \$102 thousand. By contrast, the cost per client in a secure facility averaged \$173 thousand over the same period.

**Chart 24. Reintegration Center Average Daily Population vs. Total Capacity, FY13-FY15**



Source: CYFD Annual Reports

**Chart 25. Reintegration Center Expenditures and Average Daily Population, FY13-FY15**



Source: SHARE and CYFD Annual Reports

## Recommendations

The Legislature should consider:

Reducing the JJS facilities budget by \$1.2 million to reflect declining facility populations net of reinvestments that have already occurred and consider further reinvestment opportunities, including evidence-based field services.

CYFD should:

Update the 2010 Facilities Master Plan to address issues of excess capacity and reduce fixed costs associated with lower committed populations, including identifying ways to better align facilities with the Cambiar Model in a cost effective manner, and present the updated plan to the Legislature;

As part of the annual appropriations process, evaluate the JJS budget and and identify opportunities to achieve efficiencies and cost reductions by reallocating resources and optimizing unused space, such as by reassigning youth from the San Juan County Detention Center to empty units at YDDC and shifting funds from facilities to evidence-based field programming that better aligns with the proportion of the juvenile justice population receiving these services, and clearly document any savings associated with identified efficiencies and requests to reinvest savings in other JJS programs or programs at CYFD;

Assess staffing needs for Youth Care Specialists to ensure facilities are not overstaffed while maintaining staffing ratios required by CYFD policy and PREA; and

Re-evaluate criteria for reintegration center admission to ensure they are operating at capacity, or consider consolidating these facilities.

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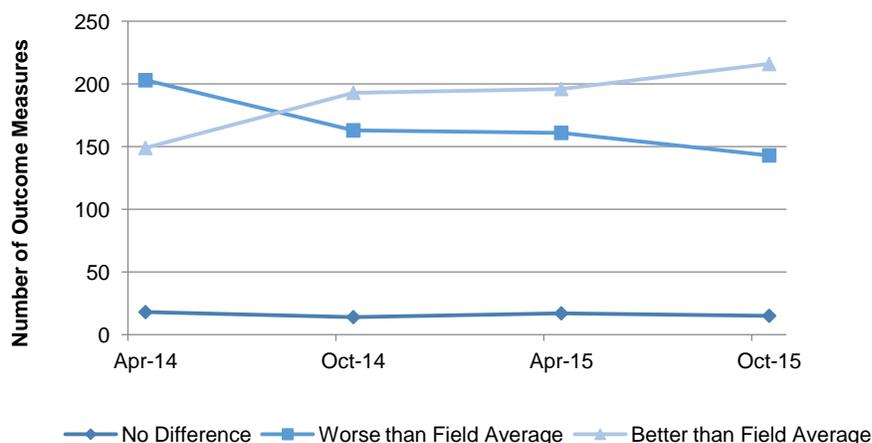
## CYFD Is Improving its Tracking of Facility Performance, but More Work Is Needed to Achieve Key Outcomes

**The performance of New Mexico’s secure juvenile commitment facilities is improving relative to other states on national outcome standards.**

CYFD has a \$50 thousand per year contract with Performance-Based Standards (PbS), a national nonprofit organization, to track and measure performance in its state-run juvenile justice facilities. PbS is used by juvenile justice agencies in 37 states and allows members to use a web-based tool to report and track data in the domains of safety, security, order, justice, health, behavioral health, programming, family, and reintegration. CYFD collects and reports data to PbS for each of its secure facilities, except for the beds it contracts for in the San Juan County Detention Center, in April and October of each year and works with an assigned coach to identify specific facility outcomes that need improvement. CYFD began contracting with PbS for use of this system in FY14, and the first data collection occurred in April 2014.

PbS employs a continuous improvement model whereby outcome measures for each six-month reporting period are compared to each facility’s previous data collection period and the national field average. Through October 2015, the number of outcome measures for which CYFD facilities beat the field average improved from 149 to 216. Some of this improvement is due to improvement in the amount of data reported to PbS during the first four data collection periods (Chart 26).

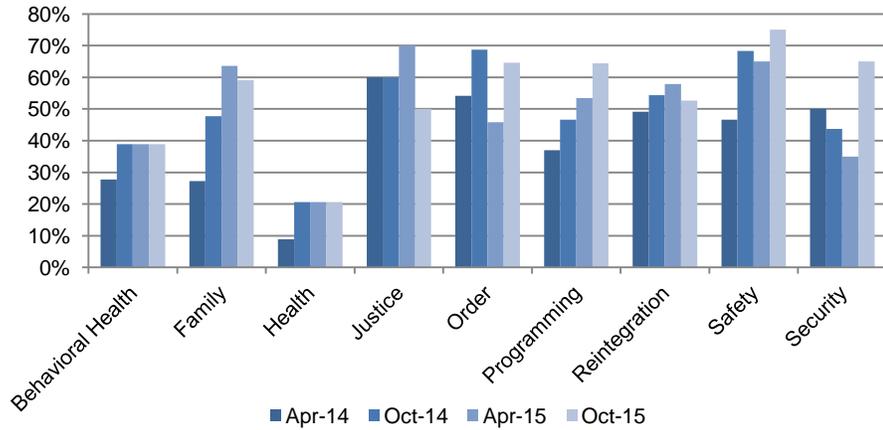
**Chart 26. New Mexico Performance on PbS Outcome Measures Relative to Field Average, 2014-2015**



Source: LFC analysis of PbS data

As shown in Chart 27, New Mexico has improved relative to the field average most consistently in the domain of programming, which includes measures related to client participation in education and vocational training programs, social skills programs, and visitation, as well as the facility’s engagement of community volunteers. The justice, safety, and order domains had the most measures beating the field average in October 2015, while the health and behavioral health domains had the fewest.

**Chart 27. Percent of New Mexico PbS Outcomes Outperforming Field Average by Domain**



Source: LFC analysis of PbS data

***PbS is not a national accrediting body and its standards do not include targets for participants.*** Per the PbS Blueprint, the primary document provided to participating agencies to help guide data collection and implementation of improvements, PbS standards “identify activities and daily operations that research and best practices have shown align with the highest quality conditions of confinement, facility environment, culture, operations and services and result in positive outcomes for youths, staff, and families.” However, PbS performance measures do not set specific targets for facilities to meet, nor does PbS act as an accrediting organization such as the American Correctional Association (ACA). Currently, none of CYFD’s secure juvenile facilities are accredited by the ACA. The only currently accredited juvenile facilities in New Mexico are the Bernalillo County Youth Services Center, accredited as a juvenile detention facility, and AMIKids Sandoval, which is a residential facility for youth involved in federal juvenile probation, located in Cuba and accredited as a juvenile community residential facility. Additionally, all but one of New Mexico’s adult prisons are currently accredited.

Certain PbS measures do provide context for how facilities should be performing in certain domains. For example one measure in the safety domain is “percent of days during collection month when population exceeded design capacity by 10 percent or more.” Outcome measures in the order domain include the rates of mechanical, physical, or chemical restraint use per 100 person-days of youth confinement. However, many other measures simply ask facilities to report outputs, such as the percent of youth who have received assessments. While the Blueprint does include recommended practices for each domain, PbS does not require participating agencies to follow these practices, instead providing ongoing monitoring and implementation guidance from an assigned coach.

Both ACA and PbS use self-described performance-based standards for juvenile justice facilities. However, the nature of the standards used by each varies somewhat. ACA standards tend to be more process-based, while PbS standards tend to be more outcome-based. ACA’s standards also include some areas not addressed by PbS, such as administration and management, including physical plant, while PbS includes some areas not

addressed by ACA, such as family and reintegration. Appendix I shows a selection of comparable performance measures for each system, including examples of measures that are unique to each.

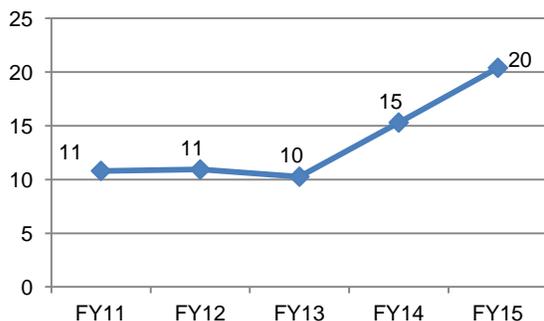
**CYFD certifies local youth detention facilities for compliance with state standards, but its own facilities are not subject to comparable oversight.** CYFD has responsibility for certifying New Mexico’s 12 local juvenile detention centers for compliance with state detention standards. A detention facility is defined in the Children’s Code as “a place where a child may be detained...pending court hearing and does not include a facility for the care and rehabilitation of an adjudicated delinquent child” (Section 32A-2-3 NMSA 1978). Adjudicated youth who have been sentenced to term commitment are housed in CYFD’s secure facilities.

Statute further requires CYFD to promulgate standards for these facilities, including standards for “site, design, construction, equipment, care, program, personnel and clinical services” (Section 32A-2-4 NMSA 1978). These standards are laid out in the New Mexico Administrative Code and require CYFD to inspect all local detention facilities at least annually for compliance. However, there are no comparable requirements in statute or rule for regular outside inspection or certification of CYFD’s secure commitment facilities. Currently, regulations only require CYFD to perform regular self-inspections of its facilities’ physical plant.

**The rate of incidents in secure facilities has doubled since FY11.**

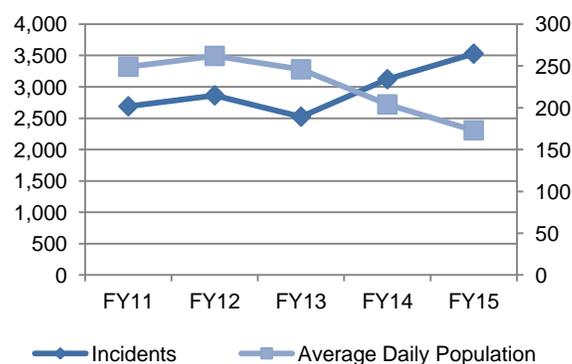
Incidents can range from graffiti to possession of banned or illegal substances, such as alcohol or drugs, to assault and battery. In FY11-FY13, incidents averaged 11 per year per juvenile across all facilities based on average daily population. However, there is a significant increase in FY14 and again in FY15, as noted in Chart 28.

**Chart 28. Average Rate of Secure Facility Incidents per Client, FY11-FY15**



Source: LFC Analysis of CYFD data

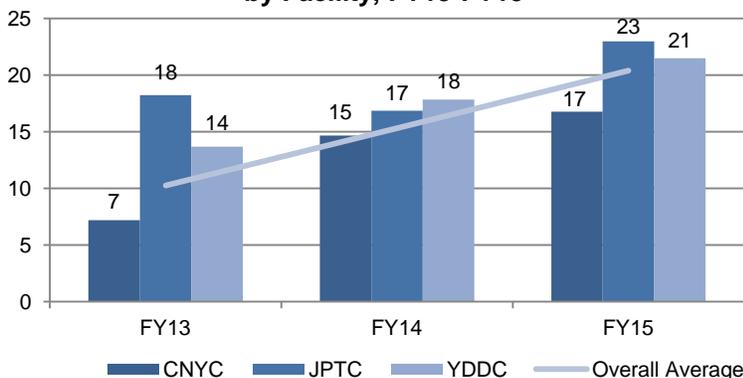
**Chart 29. Total Secure Facility Incidents and Average Daily Population, FY11-FY15**



Source: CYFD

Average daily population across juvenile secure facilities dropped 30 percent between FY13 and FY15, however overall incidents increased 40 percent. All facilities except J. Paul Taylor experienced increases in incidents between FY13 and FY15 as noted in Chart 30.

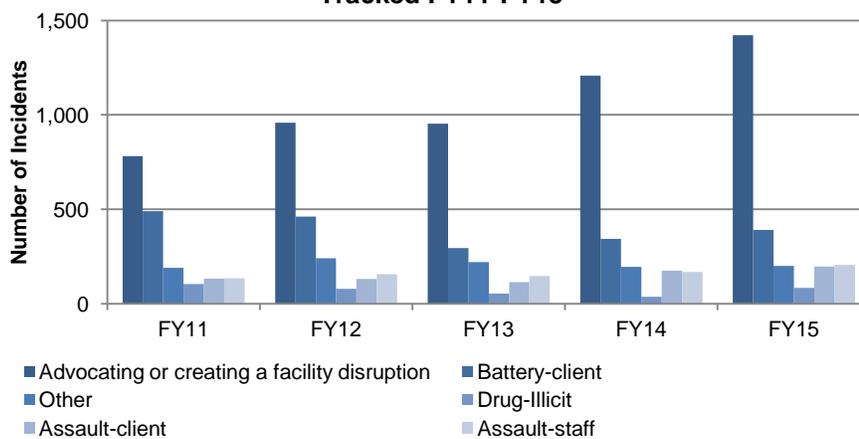
**Chart 30 Average Rate of Incidents per Client by Facility, FY13-FY15**



Note: LPYC not included.  
Source: LFC Analysis of CYFD data

Incidents occurring with the most frequency between FY11 and FY15 included advocating or creating a facility disruption, assault or battery, and possession of illicit drugs as noted in Chart 31. Specifically in the case of illicit drug possession, the number of reported incidents declined an average of 30 percent every year between FY12 and FY14, but more than doubled between FY14 and FY15.

**Chart 31. FY11 Top Incidents in Facilities Tracked FY11-FY15**



Source: CYFD

Assaults against other clients and staff increased over the last two years, with client assault incidents reported increasing by 52 percent and an additional 13 percent and assaults on staff reports going up 15 percent and an additional 23 percent in FY14 and FY15 respectively. This data differs from what CYFD reports quarterly on assaults and battery, due to the strict parameters around these performance measures.

**Current performance measures do not adequately address the frequency and severity of incidents in facilities.** CYFD reports data on assaults and battery amongst juveniles and between juveniles and staff through three AGA performance measures: Number of physical assaults in JJS facilities, number of client-to-staff battery incidents, and

percent of incidents in JJS facilities requiring use of force resulting in injury. However, parameters around these measures do not account for frequency of incidents, as they may be counted multiple times if more than one client is involved. Moreover, the quantity of incidents using this method may not be reflective of actual conditions, as it only includes incidents of assault or battery in which a hearing process resulted in the client being found guilty of the offense. While this type of measure is useful for determining quantity of sanctions issued for assault and battery offenses, it minimizes understanding of the frequency of incidents in facilities that may not be captured by this process.

***CYFD did not track the number of incidents resulting in youth room confinement before 2014.*** In certain cases where a youth may be at risk of harming others or being harmed, the youth may be temporarily separated from others as a last resort by being confined to his or her room in a facility. JJS did not begin regularly tracking and reporting these incidents until June 2014. Isolation, room confinement, and use of a segregation or special management unit is also a performance measure tracked by PbS.

Additionally, CYFD contracted for \$50 thousand with the Missouri Youth Services Institute (MYSI) in FY13 to perform an evaluation of isolation, separation, and grievances of youth, pursuant to an agreement with the American Civil Liberties Union (ACLU). This evaluation reviewed files of committed youth at the John Paul Taylor Center, YDDC, and Camino Nuevo, and found 45 cases where youth were separated from the rest of the facility population. The review also found that information on these cases was often incomplete and inconsistent, and recommended the inclusion of unit safety plans in facility policies and procedures.

## Recommendations

The Legislature should consider:

Establishing a mechanism for regular, independent inspections of CYFD facilities in a manner similar to CYFD's inspections of local detention facilities.

CYFD should:

Work with Legislative Finance Committee and Department of Finance and Administration staff to fine tune performance measures for assault and battery on staff and peers in facilities to better report safety concerns; and

Create reporting and performance measures to track incidents where facility clients are placed in isolation and report this data to the Legislature.

# The Structure of Juvenile Probation Field Offices Contributes to Inefficiencies in the System

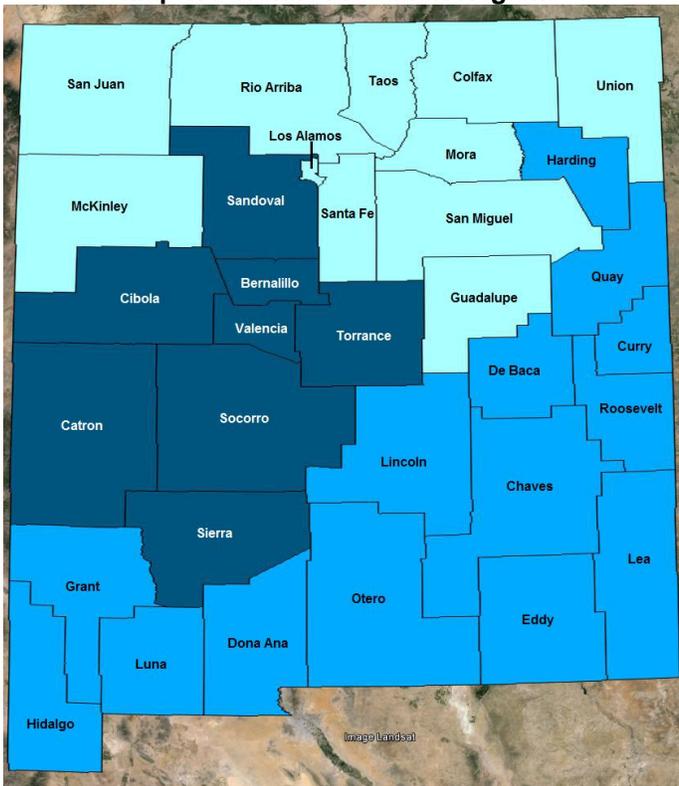
## Juvenile probation officers perform a multifaceted role as a youth’s main point of contact with the juvenile justice system.

Every youth referred to JJS interacts with a juvenile probation officer (JPO) regardless of whether or not that youth is eventually committed to a facility. The vast majority of JJS clients, roughly 98 percent in FY15, are not committed and instead receive formal or informal dispositions whereby they have varying levels of interaction with JPOs, CYFD field behavioral health therapists, and community providers such as continuum sites or juvenile community corrections (JCC).

A JPO’s role is not confined strictly to probation and supervised release. The JPO is responsible for shepherding the case through the system on behalf of CYFD, from an initial risk assessment to determine whether or not the client should be held in detention to, if necessary, facility commitment, supervised release, and transition services. Regular duties include conducting preliminary inquiries and client and family interviews, referring cases to the Children’s Court and appearing at hearings, recommending specific services or dispositions, participating in and facilitating regular multidisciplinary team (MDT) meetings, and monitoring a client’s compliance with conditions of probation or supervised release.

Map 1 illustrates the configuration of each of the three juvenile probation regions (north, central, and south). The JPO hierarchy includes a deputy director of field services, an associate deputy director over each region, a chief JPO for each of the 14 districts, and JPO supervisors who oversee two levels of line staff.

**Map 1. Juvenile Probation Regions**



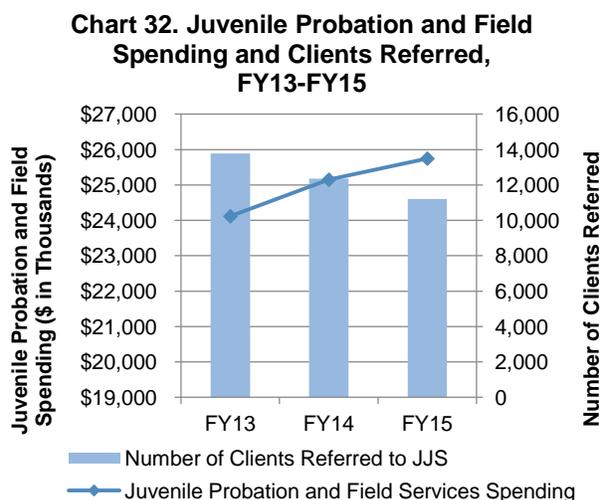
Source: CYFD

A JPO I typically acts as a community support officer (CSO), making visits to clients in the field and directly monitoring compliance with conditions of probation or supervised release in the home and community. The role of a JPO II focuses on managing a client’s case and developing and implementing a plan of care, coordinating field information gathered by the JPO I, and facilitating multi-disciplinary teams that may involve several stakeholders, from the client’s family to community providers.

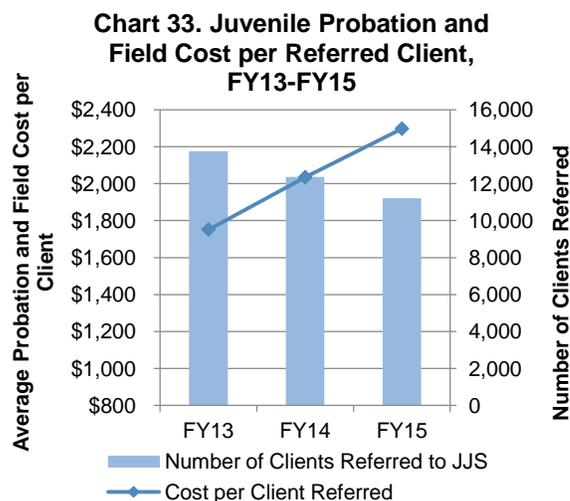
A Community Supervision Level Matrix specifies the level and type of monitoring a client should receive, depending on the youth’s risk and needs levels. The matrix lays out the minimum levels of contact a client should receive, including the frequency of contact in the field by the assigned CSO. The full matrix can be seen in Appendix J.

**Despite fewer referrals to JJS, probation and field services costs continue to rise and workloads are unevenly distributed.**

The number of clients referred to JJS fell by 19 percent between FY13 and FY15. However, as shown in Chart 32, overall spending on probation and field services, encompassing the costs of formal and informal probation, behavioral health services, and state funding provided to JCC and continuum service providers, grew by 7 percent during the same period. As illustrated in Chart 33, The average cost per client grew by 31 percent, from about \$1,750 in FY13 to about \$2,300 in FY15.



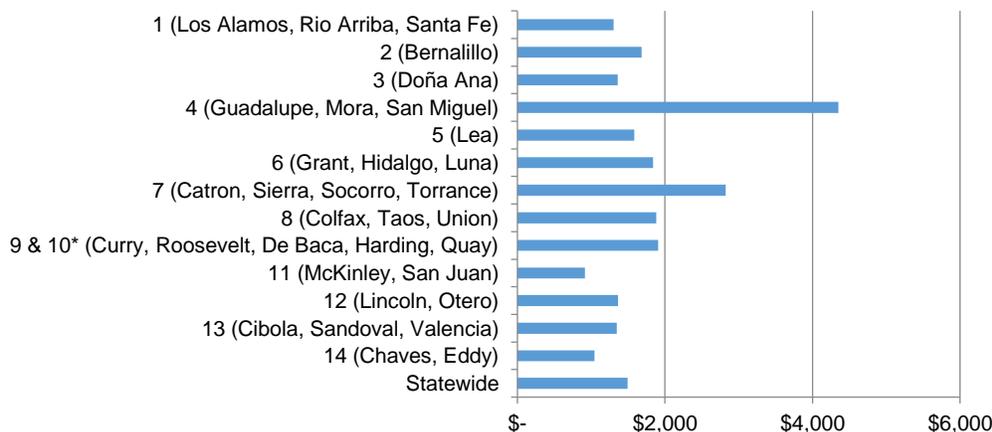
Source: LFC Analysis



Source: LFC Analysis

Counting only spending on direct JPO activities, the statewide average cost per referred client averaged approximately \$1,500 in FY15, as shown in Chart 34. Two districts had notably higher costs. District 4 (Guadalupe, Mora, and San Miguel counties) had an average cost of over \$4,300 per referred client, while District 7 (Catron, Sierra, Socorro, and Torrance counties) had a cost of \$2,800 per referred client. This excludes continuum and juvenile community corrections programs, and field behavioral health services, which are accounted for separately from field offices.

**Chart 34. Average Field Office Cost per Referred Client, FY15**



\* Districts 9 and 10 are combined administratively for staffing purposes  
Source: LFC Analysis

**The current regional structure of JPO field offices results in top-heavy management in some areas.** At the close of FY15, the northern region had by far the lowest number of active cases of the three, with 460. However, the central region had nearly 1,200, and the southern region had almost 1,300, over two and a half times the number of cases as the northern region. The northern region also has a top-heavy management structure, with just four JPOs to each supervisor, compared to seven in the central and southern regions and an average of six statewide (Table 12).

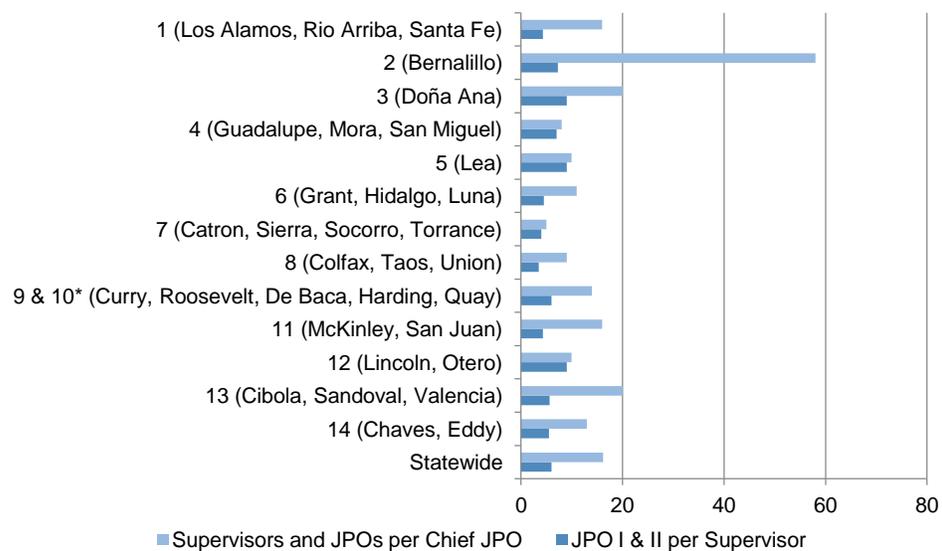
**Table 12. Caseload and Span of Control by Region, June 2015**

Region	Active Cases 6/29/15	Caseload per JPO	Staff per Associate Deputy Director	Supervisors and JPOs per Chief JPO	JPOs per Supervisor
North	460	9	53	12	4
Central	1,153	14	86	28	7
South	1,285	16	84	13	7
<b>Statewide</b>	<b>2,898</b>	<b>14</b>	<b>74</b>	<b>16</b>	<b>6</b>

Source: LFC Analysis

At the district level, variations in span of control become more evident. For example, in District 2, which includes all of Bernalillo County, there is one chief JPO over 58 JPO staff, including supervisors. In District 7, however, the chief JPO oversees just five staff, including supervisors. In Districts 3, 5, and 12, each supervisor oversees an average of nine line staff, while in Districts 1, 6, 7, and 8, each supervisor manages about four line staff (Chart 35).

**Chart 35. Span of Control by District, FY15**



\* Districts 9 and 10 are combined administratively for staffing purposes  
Source: LFC Analysis

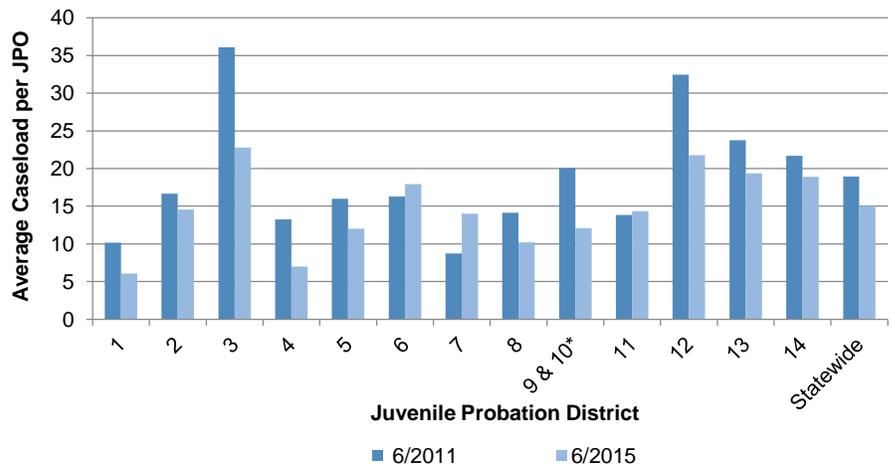
While there appears to be relatively little research regarding span of control of juvenile probation officers, a 2011 study published by the National Institute of Corrections examined adult probation and parole staffing in

Texas and recommended no more than seven probation officers per supervisor to ensure adequate implementation of evidence-based practices. Additionally, a 2012 North Carolina legislative review of adult corrections caseloads recommended reducing the span of control in that state from eight probation officers per supervisor to no more than six or seven. The statewide average of about six JPOs per supervisor in New Mexico falls into this range, but the wide variation across districts and regions indicates that a more thorough review of the JPO management structure may be warranted to ensure caseloads are managed efficiently and without excess management overhead.

**JPO caseloads were lower in FY15, but variations across districts suggest a need for more balanced allocation of staff and resources.**

At the end of FY15, the statewide average caseload of youth per filled JPO position was approximately 15, compared to 19 at the end of June 2011. As Chart 36 illustrates, District 3 (Doña Ana County) had the highest average caseload in both June 2011, with 36 cases per JPO, and June 2015, with 23 cases per JPO. District 7 (Catron, Sierra, Socorro, and Torrance counties) had the lowest caseload at the end of FY11, with nine cases per JPO, but District 4 (Guadalupe, Mora, and San Miguel counties) had the lowest at the end of FY15 with seven. Just three districts had higher caseloads at the end of FY15 than at the end of FY11: District 6 (Grant, Hidalgo, and Luna counties), District 7, and District 11 (McKinley and San Juan counties).

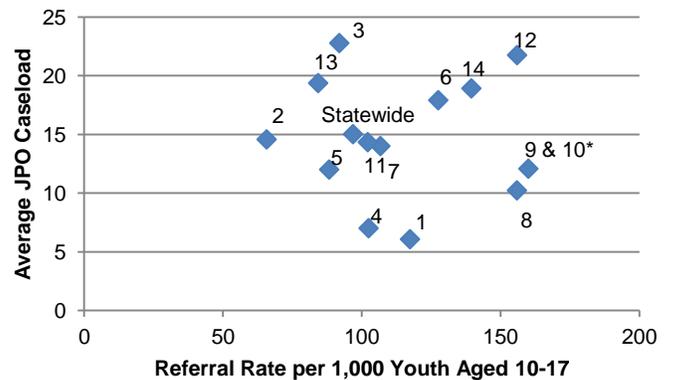
**Chart 36. Average Caseload per JPO by District, June 2011 and June 2015**



\* Districts 9 and 10 are administratively combined for staffing purposes  
Source: LFC Analysis

Chart 37 shows the average JPO caseload on June 29, 2015 for each juvenile probation district, based on filled positions as of that date, in relation to the district's referral rate per one thousand youth in each district in FY15. Districts 9 and 10 (Curry, Roosevelt, De Baca, Harding, and Quay counties), which are consolidated for purposes of staffing by CYFD, have the highest referral rate, while District 2 (Bernalillo County) has the lowest.

**Chart 37. Average JPO Caseload versus Referral Rate by District, June 2015**

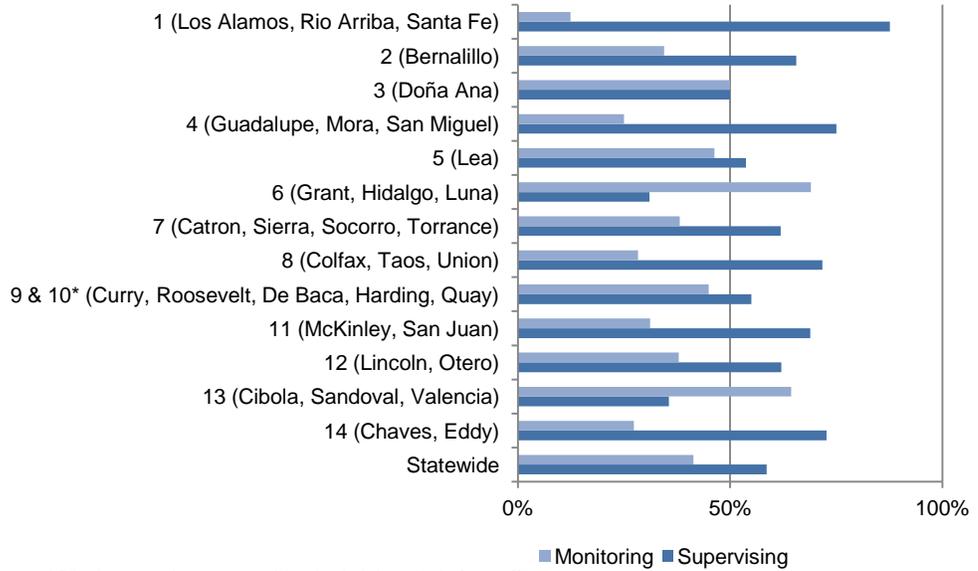


\* Districts 9 and 10 are combined administratively for staffing purposes  
Source: LFC Analysis

Statewide, JPOs had an average caseload of 15. District 3 (Doña Ana County) had an average caseload of 23, the highest in the state. District 1 (Los Alamos, Rio Arriba, and Santa Fe counties) had the lowest with six cases per JPO. The wide variability in caseloads relative to the overall level of activity in a district (as measured by youth referral rates) suggests a potential need for additional JPOs in some areas or fewer JPOs in others.

Caseloads also do not seem to correspond closely to the intensity of the supervision required for probation clients. CYFD categorizes probation cases as monitoring (less intensive) or supervision (more intensive), depending on a client’s disposition. Chart 38 shows the percentage of probation cases in each district categorized as monitoring or supervision in FY15. The districts with the highest caseloads, districts 3 and 12, did not have particularly high percentages of supervision cases, at 50 percent and 62 percent, respectively.

**Chart 38. Percentage of Probation Cases Classified as Monitoring and Supervising by District, FY15**

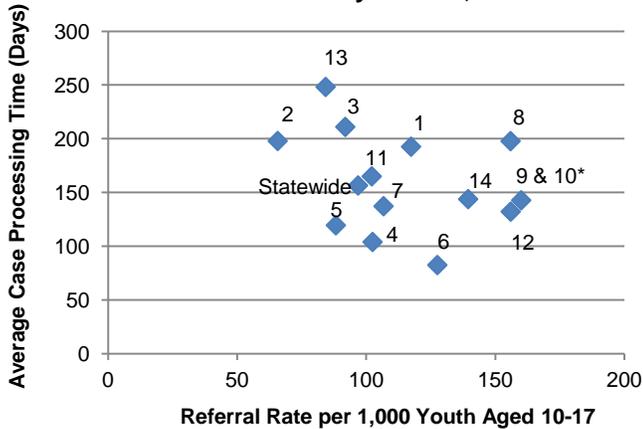


\* Districts 9 and 10 are combined administratively for staffing purposes  
Source: LFC Analysis

Additionally, the average FY15 case processing time for each district appears to have little relationship to the district’s referral rate, indicating possible inefficiencies in the courts as well as JPO workloads (Chart 39).

On average, juvenile justice cases in New Mexico were processed in 156 days, or just over five months, in FY15. District 13 had the longest average case processing time at 248 days, or roughly eight months, despite having the second-lowest referral rate, and also had the highest workload among JPOs as illustrated in the previous chart. District 13 had the second-highest proportion of delinquent referrals in FY15, with 86 percent of referrals classified as delinquent. District 6 had the shortest average case processing time at 82 days, or just under three months, even though it had the fifth highest referral rate. This may be due in part to District 6 having a disproportionately high number of status referrals, which generally are less severe than delinquent referrals or probation violations. Thirty-eight percent of referrals in District 6 were status referrals in FY15, compared to 14 percent statewide.

**Chart 39. Average Case Processing Time versus Referral Rate by District, FY15**



\* Districts 9 and 10 are combined administratively for staffing purposes  
Source: LFC Analysis

**New Mexico may be able to realize savings by realigning juvenile probation regions similarly to the adult probation system.**

New Mexico’s adult probation system has four regions, each with a regional manager, and probation supervisors reporting to those managers, without the layer of chiefs that exists in the juvenile system. CYFD could realign its own regions to more closely match the adult probation system, creating four regions (Central, North, Southeast, and Southwest) instead of the current three. Analysis by LFC staff suggests realigning the JPO regions in this manner, eliminating the level of chief JPOs, and reallocating supervisors and front-line staff across regions to even out caseloads and create a span of control of roughly six JPOs per supervisor could result in net savings of \$799 thousand compared to FY16 levels (Table 13).

**Table 13. Estimated Fiscal Impact of Realigning JPO Regions to Adult Probation Model**

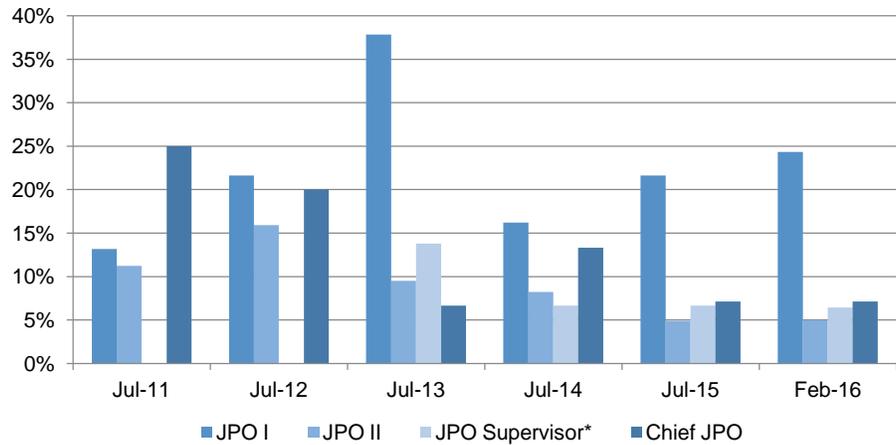
Estimated Cost of Additional Associate Deputy Director/Regional Manager	\$78,000
Estimated Cost of Additional JPO I (to balance caseloads in Southwest)	\$39,000
Estimated Savings from Eliminating Chief JPO Level	(\$916,000)
<b>Net Savings</b>	<b>(\$799,000)</b>

Source: LFC Analysis

**Other states may offer examples of ways CYFD could further examine its JPO workload to ensure resources are optimized across the state.** The Oregon Youth Authority conducted a study in 2011 of its own juvenile probation workload, including a random moment study and focus groups designed to determine how much time JPOs were spending on direct supervision versus planning, management, and other tasks. This study also took into consideration the impact of client risk levels on the amount of time an officer spends on a particular case, and found that although JPOs were expected to spend more time working with higher risk youth, this was not always the case. Alaska conducted a similar time study in 2009 that broke down the time JPOs spent on formal and informal cases and assessed where additional staff may be needed to alleviate burdensome workloads. CYFD may wish to consider undertaking similar analyses of its staffing needs in probation offices to examine why some areas experience higher caseloads and processing times than others.

**Juvenile probation officer staffing has stabilized in recent years, although filling entry level vacancies remains a challenge.** Vacancy rates for JPOs are reflective of higher turnover among entry level officers, who hire in under the JPO I classification. A year-over-year analysis from July 2011 to February 2016 shows JPO vacancies peaking in July 2013 at 38 percent, and reaching about 22 percent and 24 percent, respectively, in July 2015 and February 2016. Entry level JPO I positions tend to experience higher turnover either due to promotion to JPO II or because employees leave the JPO classification entirely. In interviews with LFC staff, CYFD probation staff indicated that filling JPO I positions can be challenging due to some hires being unprepared for the nature of the work, but the lower vacancy rates of JPO II’s are indicative of employees tending to stay on once they have reached that level. The vacancy rate for JPO II’s was 5 percent in both July 2015 and February 2016, down from 8 percent in July 2014 and 10 percent in July 2013 (Chart 40).

**Chart 40. JPO Vacancy Rates, July 2011-February 2016**



\* JPO Supervisor was not a separate classification until FY14  
Source: SPO reports, LFC analysis

## Recommendations

CYFD should:

Continually assess JPO staffing needs relative to referral and caseload patterns and consider reorganizing the existing regional and district structure to flatten disparities in management span of control; and

Conduct or contract for a staff time study similar to those undertaken in Oregon and Alaska to thoroughly assess JPO staffing needs.

## Community-Based Programs Require Better Oversight and Data Collection to Ensure Outcomes Are Met

**The juvenile justice continuum model serves approximately eight thousand youth through community-based prevention, diversion, and treatment programming.**

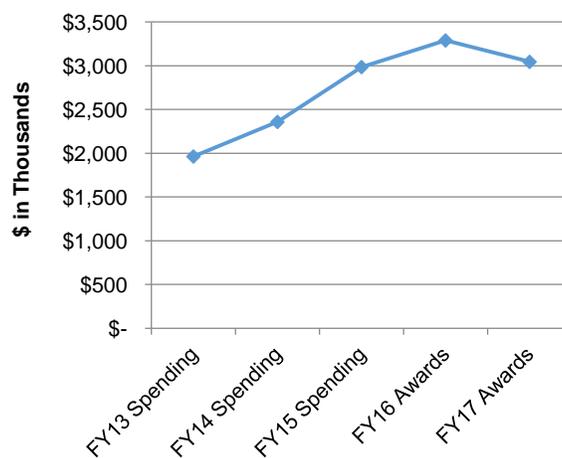
New Mexico's juvenile justice continuum boards, overseen by the Juvenile Justice Advisory Committee (JJAC), receive state funding from the Juvenile Justice Continuum Grant Fund for programs designed to provide alternatives to detention and other community-based services for youth on probation, supervised release, or who received an informal disposition. Participation is determined at the county level and is not required by statute or CYFD. Local continuum boards are established through memorandums of understanding (MOUs) between local units of government, children's courts, district attorneys and public defenders, law enforcement, and other entities such as nonprofit organizations or the local business community. Each board employs a continuum coordinator and establishes a range of programming for clients through contracted providers. Examples of funded programs include day reporting centers, restorative justice, mediation, intensive community monitoring, and gender-specific programs. CYFD considers continuum sites to be a key component of its implementation of the Juvenile Detention Alternatives Initiative (JDAI), a national effort of the Annie E. Casey Foundation to reduce unnecessary juvenile detention and reduce the number of youth who fail to appear in court or reoffend while they await adjudication, among other goals.

Continuum grant expenditures increased by 79 percent between FY13 and FY15, from about \$1.6 million to about \$2.8 million. The amount awarded in FY16 totaled about \$3.3 million. For FY17, CYFD has awarded approximately \$3 million, a reduction of \$245 thousand from FY16 awards (Chart 43). Continuum sites are required to provide a 40 percent local match in order to receive state grant funds. Appendices K and L contain a full list of continuum programs and recent grant awards.

**Roughly 32 thousand youth, including those in counties with high rates of juvenile charges referred to JJS, remain unserved by continuum sites.**

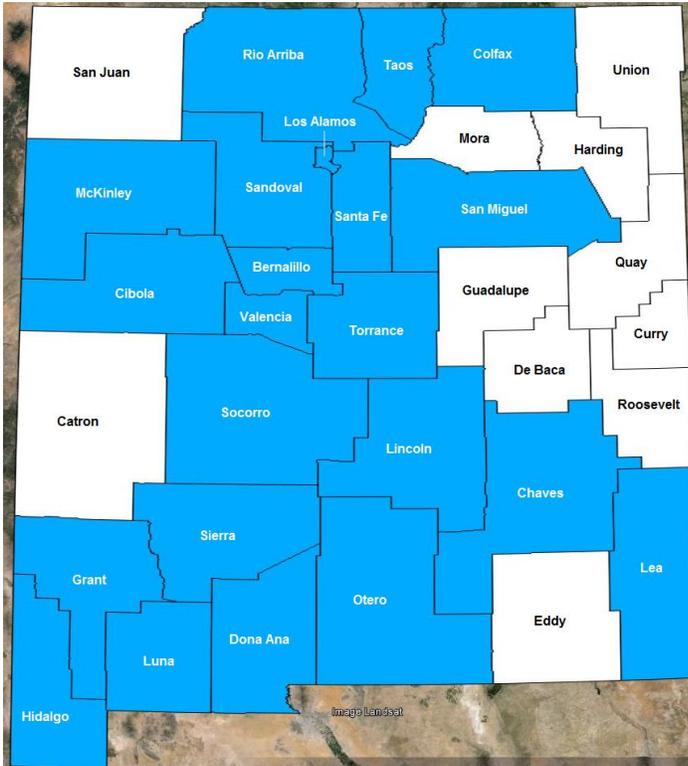
For FY17, CYFD and JJAC awarded juvenile justice continuum grants to 21 continuum sites in 22 counties (Luna and Hidalgo counties operate a single continuum serving both counties). Counties served by continuum sites in FY17 are shaded in blue in Map 2. Overall, approximately 14 percent of youth aged 10 to 17, about 32 thousand youth, reside in counties without continuum sites, mostly in San Juan, Curry, Roosevelt, and Eddy counties.

**Table 41. Juvenile Justice Continuum Funding, FY13-FY17**



Source: SHARE and CYFD

**Map 2. Counties Served by Juvenile Justice Continuums, FY17**

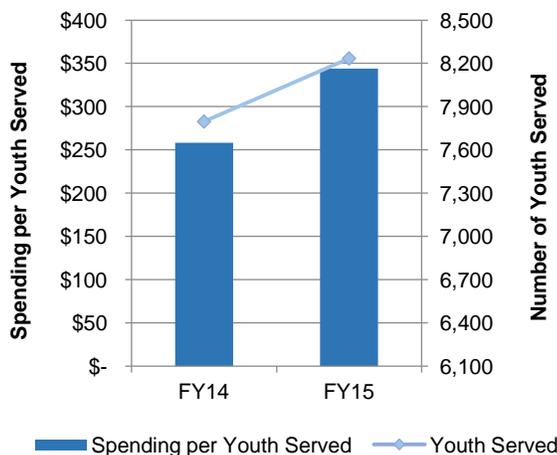


Note: Counties served by continuum sites shaded in blue  
Source: CYFD

Of the 11 counties not served by continuum sites, seven (Curry, De Baca, Eddy, Guadalupe, Quay, San Juan, and Union) had rates of charges referred to JJS that were above the state average of 97 charges per thousand youth in FY15. Quay and De Baca counties had the two highest rates, with 285 referred charges per thousand youth and 243 referred charges per thousand youth, respectively, although the small youth populations in these counties may make them more susceptible to variation. Notably, San Juan and Eddy counties, which include the cities of Farmington and Carlsbad, respectively, are the most populous without continuum sites. Eddy County had a rate of 152 referred charges per thousand youth in FY15, and San Juan County had 132 per thousand youth. Eddy County also had the highest rate of commitments to secure CYFD facilities in FY15, with roughly 3 percent of youth who received a disposition sentenced to commitment, compared to about 1 percent statewide.

JJAC’s FY16-FY18 Delinquency Prevention Plan includes a phased plan for increasing the number of sites participating in JDAI statewide, including San Juan County, as well as rural and frontier sites, with the goal of having all 33 counties implementing JDAI. However, the plan does not specifically call for expanding the number of continuum sites as part of this initiative.

**Chart 42. Continuum Grant Spending per Youth Served, FY14-FY15**



**Costs of continuum-funded services are rising as demand grows.** The number of clients served by continuum sites increased by approximately 6 percent between FY14 and FY15, from about 7,800 to 8,200 youth. CYFD was unable to provide youth participation numbers before FY14. During the same period, the number of youth committed to secure facilities decreased by 15 percent, from 204 to 173.

Meanwhile, the statewide average cost per client served by continuum funding totaled roughly \$258 in FY14 and \$338 in FY15, an increase of 31 percent (Chart 42).

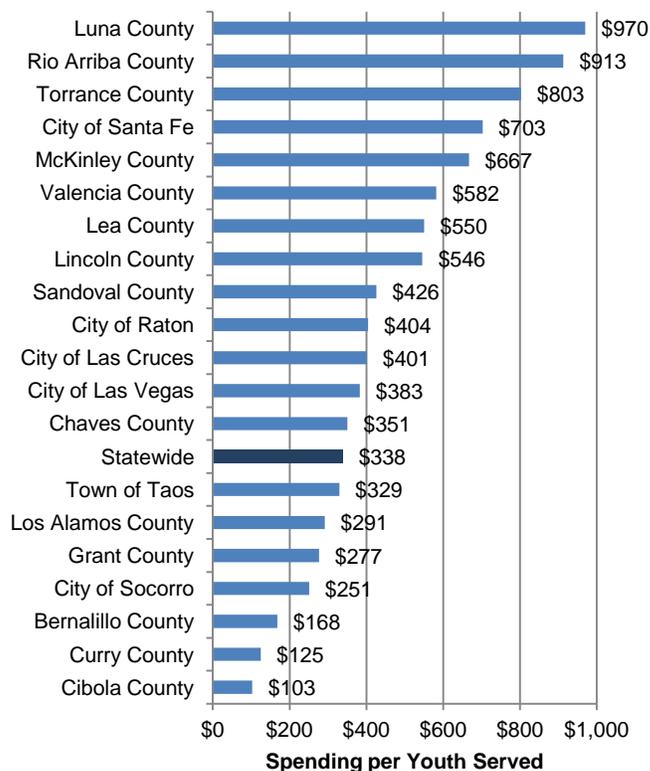
Source: LFC Analysis

**Continuum grant resources are distributed unevenly around the state, with large variation in cost per client.**

In FY15, CYFD reports a total of 8,235 youth were served by juvenile justice continuum sites. Bernalillo County served the largest number of clients at over 1,500, while the City of Las Vegas continuum served the fewest, with 14. On a per-client basis, continuum grant spending ranged from \$103 per youth in Cibola County to \$970 per youth in Luna County. The statewide average was \$338 per client (Chart 43).

About 15 percent of state grants to juvenile justice continuum sites went unspent in FY15. Of the roughly \$3.3 million awarded to local continuum boards by the Juvenile Justice Advisory Committee (JJAC) in FY15, \$504 thousand, or 15 percent, was not spent by the continuum sites. The two largest grants were to Bernalillo County (\$360 thousand) and Sandoval County (\$344 thousand), but those two continuums spent 73 percent and 77 percent, respectively, of their total grant awards. The City of Las Vegas continuum board spent just \$5 thousand, or 7.5 percent, of its roughly \$72 thousand grant award, due to a delay in implementation of services to late in the fiscal year due to local capacity issues and a changeover of the continuum site’s fiscal agent.

**Chart 43. JJAC Continuum Grant Spending per Youth Served, FY15**



Source: LFC Analysis

The grant agreements between CYFD and local continuum boards require all unused grant funds received by the boards to revert back to the state. However, the fund itself is a nonreverting fund in statute, so balances in the fund at the state level may carry forward.

CYFD is changing its continuum grant reimbursement methodology to address concerns about inefficient use of funds. Beginning in FY17, CYFD is moving to a fee-for-service model for reimbursing continuum sites, as opposed to the current model of reimbursement based on a traditional budget structure. Through FY16, reimbursements were based on budgets for personnel, benefits, contractual services, travel, supplies, and other costs. Under the new plan, grant agreements include budgets for reimbursing each participating continuum program based on the expected number of youth served, sessions provided, case management hours, and other costs directly attributable to serving particular youth. CYFD believes this change will help to attribute costs to the actual provision of specific program activities and mitigate instances of high per-client costs.

Ohio uses a formula-based system to ensure equitable funding for community-based juvenile justice programming. The Ohio Department of Youth Services funds community programming through the Reasoned and Equitable Community and Local Alternatives to the Incarceration of Minors (RECLAIM) Program. This program uses a formula to provide subsidies to juvenile courts, which are operated at the county level in Ohio, for the operation of community-based prevention and diversion programs. The formula amount given to each juvenile court is based on the four-year average of juvenile felony adjudications in each county and is reduced by

the court’s use of secure commitment or detention beds, with exceptions only for the most serious offenses. This formula ensures statewide coverage and is designed to encourage the use of community-based services for all but the most serious offenders.

A 2014 evaluation of RECLAIM by the University of Cincinnati found that RECLAIM clients had lower risk levels than those placed in the state’s secure commitment or community correctional facilities and were much less likely to reoffend. The evaluation found that 15 percent of RECLAIM participants in the study had another felony adjudication after completion of the program, compared to 35 percent of clients discharged from secure juvenile correctional facilities.

**CYFD faces significant issues with the reliability of data from continuum sites, making it difficult to determine program effectiveness and fidelity.**

Statute requires programs funded by the Juvenile Continuum Grant Fund to be “cost-effective” (Section 9-2A-14.1 NMSA 1978) and regulations require these programs to have been “previously demonstrated through research or evaluation to be effective at preventing or intervening in the targeted behaviors or that lead to the desired change in targeted behaviors” (8.14.13.8 NMAC). However, while continuums do use programs recognized as evidence-based by organizations such as the Office of Juvenile Justice and Delinquency Prevention (OJJDP), the current system for continuum sites to report program data to CYFD is not robust enough to guarantee cost-effectiveness or demonstrate fidelity of implementation.

Local continuum sites must provide monthly reports to CYFD on participation and performance measures for each program they oversee through a custom module within the web-based Screening, Releases, and Admissions Application (SARA). These reports to CYFD include aggregate data on client demographics, general information on the offenses for which clients have been referred, health status, and enrollment in each particular continuum program. However, the SARA continuum module does not have the capability of tracking individual client identifying information, nor does it have the ability to interface with CYFD’s Family Automated Client Tracking System (FACTS) or the ADE system used for billing units of service. As such, the performance of an individual client in a continuum program cannot be directly linked to that client’s FACTS file aside from a JPO’s case notes, which are not entered as discrete data points. This limits JJS’ ability to evaluate program effectiveness and client outcomes, which would provide decision support for program initiatives and funding priorities.

**Required continuum performance measures do not track long-term outcomes.** Each recipient of a juvenile justice continuum grant is required to report three core performance measures to track participation, completion, and recidivism, as shown in Table 14.

**Table 14. Core Performance Measures Required Under Juvenile Justice Continuum Grant Agreements**

1.	Number of youth served in the programs
2.	Number of youth completing all program requirements
3.	Number of youth who offend or reoffend while in the programs or offend or reoffend within 90 days of completing the programs

Source: CYFD

The third measure, number of youth who offend or reoffend while in the programs or within 90 days of completion, does not align with the recidivism performance measures CYFD is currently required to report

under the General Appropriation Act. The 90-day time frame required under continuum grant agreements is much less than the two years required for CYFD’s measures of recommitment and readjudication. CYFD indicates that most continuum programs report not following up with youth due to resource limitations, and as such are not meeting the requirement to report the number of youth reoffending within 90 days.

In addition to the three core measures noted above, the monthly SARA reports provided to CYFD include measures for each program overseen by a continuum site pursuant to the site’s grant agreement. However, despite each program having the stated goal of recidivism reduction, the individual program performance measures do not always include a requirement to report reoffending. Table 15 shows that, of the four continuum sites with reports reviewed by LFC staff, just Bernalillo County operated any programs with their own recidivism measures.

**Table 15. Recidivism Performance Measures of Programs in Four Juvenile Justice Continuum Sites, FY16**

Continuum	Total Number of Programs	Number of Programs With Recidivism Performance Measures
Bernalillo County	8	2
Chaves County	5	0
Grant County	2	0
McKinley County	6	0

Source: LFC Analysis

**Continuum programs do not collect and report data to CYFD in a uniform and consistent manner.** A sample of SARA reports reviewed by LFC staff shows evidence of confusion in the reporting of performance measures by individual continuum programs. For example, during one month, a program in Bernalillo County indicated that the program was designed to serve three youth, but reported that ten youth were enrolled. This could indicate confusion as to whether the performance measure was supposed to track the number of unfilled slots or the maximum number of slots in the program.

Additionally, continuum programs do not consistently collect important information on client characteristics that could help inform and target service delivery. In the sample of SARA reports reviewed by LFC staff, all but two programs reported collecting no data on the number of clients with mental health, substance abuse, or truancy issues, or who were pregnant. Without such information, CYFD is missing out on critical data that could help to determine whether or not youth with these risk factors are benefited by these programs or are at risk for reoffending.

CYFD reports that it plans to work with continuums to fully collect program completion data for FY16 and issued new guidance to local continuum coordinators specifying how participation and completion should be counted. This direction is intended to ensure that all local continuums enter data consistently into the SARA system.

**Oversight of Juvenile Community Corrections is not sufficient to ensure desired outcomes are met.**

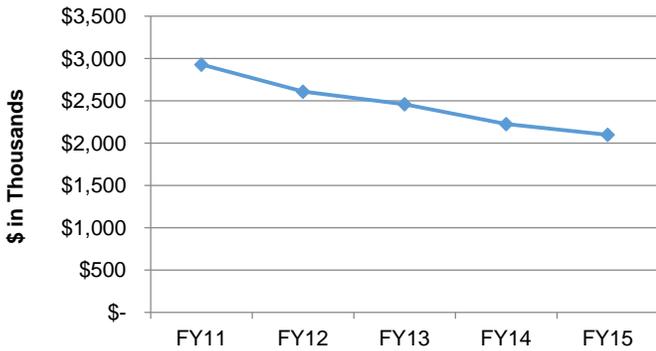
CYFD contracts with local entities, such as nonprofit or for-profit service providers and local governments, to provide juvenile community corrections (JCC) services to clients sentenced to probation or on supervised release. Clients are recommended for JCC by a local selection panel consisting of representatives from the judiciary, office of the district attorney, office of the public defender, local law enforcement, and local programs and private citizens. Each client has a JCC case manager, employed by the contracted provider, and must complete the Casey Life

Skills Assessment and a client service plan specifying the services to be received and the client’s specific goals for each. Components under which a client can specify goals for the service plan include case management,

community services, education, facility transitional services, family support services, financial assistance, innovative services (defined in the JCC Program Manual as including such programs as gender-based programming or gang intervention), job preparation, life skills, and transportation.

JCC spending has decreased 28 percent between FY11 and FY15, from \$2.9 million to \$2.1 million (Chart 46). The vast majority of this total, about 98 percent in FY15, is in the contractual services category, which includes payments to JCC providers. One CYFD employee serves as the program manager.

**Chart 44. JCC Expenditures, FY11-FY15**

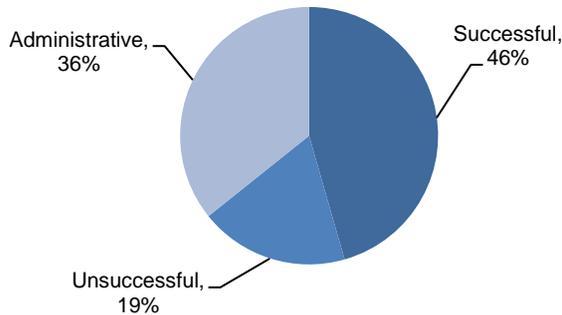


Source: SHARE

**Fewer than half of clients discharged from Juvenile Community Corrections since FY13 have successfully completed the program.**

Between FY13 and FY15, there were about 1,900 total referrals to JCC, and providers discharged just under 1,200 clients. Of that total, just 46 percent, or 543 clients, were considered successful discharges. Nineteen percent, or 223 clients, were discharged unsuccessfully, and 36 percent, or 426 clients, were discharged administratively (Chart 45).

**Chart 45. JCC Discharges by Type, FY13-FY15 (N=1,192)**



Source: CYFD, LFC Analysis

While the number of successful discharges increased by 27 percent from FY13 to FY15, from 163 to 207 clients, the number of clients discharged without successfully completing the program jumped from 66 to 91 in FY15, an increase of 38 percent. Unsuccessful discharges made up 21 percent of discharges in FY15, compared to 17 percent in FY14 and 18 percent in FY13.

**JCC discharge criteria may lead to undercounting clients who do not successfully complete program goals or requirements.**

Clients participating in Juvenile Community Corrections may be discharged successfully, unsuccessfully, or administratively. The JCC Program Manual lays out guidelines for how JCC providers are to determine each type of discharge. The criteria for administrative discharge from JCC includes a client’s term of probation or supervised release expiring before the client can successfully complete his or her service plan goals. In these cases, under the current criteria, a client would not have successfully completed the JCC program, nor would he or she be considered to have been unsuccessful, despite not having achieved the goals set out in the client’s service plan at the time of discharge.

Providers do not report the reasons for administrative discharges in their quarterly or annual reports to CYFD. The forms for these reports only

include spaces for providers to list the total number of each type of discharge. Requiring providers to count the number of clients who receive administrative discharges due to the expiration of probation or supervised release prior to program completion could help identify cases where a client’s program goals do not align with probation or release terms. The full list of JCC discharge criteria are listed in Appendix M.

**Most JCC providers successfully discharge less than half of their clients, and none meet CYFD performance goals.** JCC provider contracts include a performance target of 75 percent of clients discharged successfully, but no provider met this goal in FY15. The three providers with the most discharges collectively discharged 264 clients, of which 127, or 48 percent, were classified as successful. Overall, the highest rate of successful discharges for a single provider was 74 percent, while one provider had zero successful discharges out of three total, and three providers did not discharge any clients, as shown in Table 16.

**Table 16. Percentage of JCC Clients Successfully Discharged by Provider, FY15**

Provider	Total Discharges	Percent Successful	Counties Served
Border Area Mental Health	78	74%	Grant, Hidalgo, Luna
PB&J	11	64%	Bernalillo, Sandoval, Valencia
FYI	46	63%	Catron, Dona Ana, Sierra, Socorro
Guidance Center of Lea County	29	62%	Lea
Mental Health Resources (MHR)	63	49%	Curry, De Baca, Harding, Quay, Roosevelt
YDI	20	45%	Bernalillo, Sandoval, Torrance, Valencia
San Juan County	26	35%	San Juan
Rio Arriba County	31	32%	Rio Arriba
Turquoise Health & Wellness (THW)*	123	31%	Chaves, Eddy
Human Resources Development Center (HRDA)	16	13%	Taos
JCH, Inc. Golden	3	0%	Eddy
Chaves County CASA	0	N/A	Chaves
McKinley County	0	N/A	McKinley
Service Organization for Youth	0	N/A	Colfax, Union
<b>Total</b>	<b>446</b>	<b>47%</b>	

\* Turquoise Health and Wellness ceased New Mexico operations during FY15. JCC clients were either discharged or moved to other providers in the service area.

Source: CYFD, LFC Analysis

**Requirements for the use of evidence-based programming by JCC providers are weak.** The FY16 request for proposals (RFP) for JCC services states that “the primary focus for funds...is to reduce client recidivism in the juvenile justice system through systematic integration of evidence-based principles.” However, contracts awarded do not include requirements for the use of evidence-based programming, nor is there such a requirement in statute or administrative rule. This contrasts with community programs funded through continuum sites, which are required to be evidence-based.

**Instability in the JCC provider network has contributed to the discharge of clients before they can complete the program.** Between FY13 and FY16, CYFD has contracted with a total of 27 providers for JCC services. Of these, just nine have been active for the

entire period. A number of JCC providers were also behavioral health providers that closed or left the state during that period, contributing to turnover in the provider pool. In some cases, such as in Chaves and Eddy counties, a departing provider was immediately replaced with a new provider, ensuring some continuity for clients. However, in other areas where providers left and there was no replacement, clients were discharged administratively.

In FY16, the JCC provider network has expanded in geographical reach over the previous year. Currently, there are 18 providers serving 30 of 33 counties, up from 14 providers serving 26 counties in FY15. The only counties not served by JCC in FY16 are Guadalupe, Mora, and San Miguel.

## Recommendations

CYFD should:

Consider cost-per-client calculations as a factor in continuum grant applications and awards;

Align the recidivism performance measure for continuum grant recipients to be consistent with CYFD's existing performance measures for tracking recidivism within two years rather than 90 days;

Continue development of information systems to facilitate tracking of participation, risk, needs, outcomes, and recidivism of individual youth in continuum programs;

Work with LFC and DFA staff to create a common set of AGA performance measures for continuum sites and juvenile community corrections to allow for the tracking of youth success in these community-based interventions;

Continue working to expand JDAI statewide, incorporating new and existing continuum sites;

Reclassify JCC administrative discharges due to expiration of a probation or supervised release term as unsuccessful or create a new type of discharge to reflect those clients who are unable to complete JCC before expiration;

Require JCC providers to report the reasons for administrative discharges in quarterly and annual reports to the Department;

Strengthen requirements for evidence-based programming in JCC contracts and consider promulgating rules containing requirements similar to those for continuum programs; and

Increase the emphasis on provider performance, including rates of successful JCC completion, when soliciting, extending, and renewing JCC provider contracts.

# Multisystemic Therapy Provides Effective Treatment for its Target Population, but Issues with Access Have Impacted Outcomes

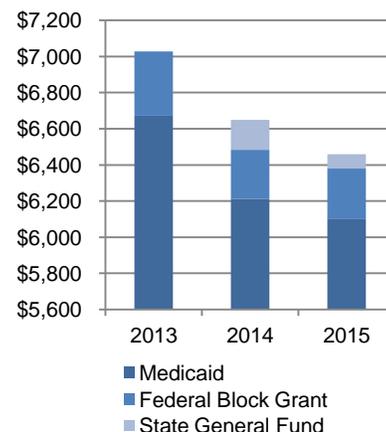
**Multisystemic Therapy is an evidence-based treatment used in New Mexico with a proven track record in reducing recidivism and improving outcomes for juveniles.**

Multisystemic Therapy (MST) is an intensive treatment model focusing on youth with serious antisocial behaviors by involving stakeholders including their families, schools, peers, and other members of the community. MST is typically provided in a client’s home, school, or other locations within the community, using the client’s family, peer, school, neighborhood, and other support networks to facilitate positive behavioral change. JJS clients who enroll in MST are typically on probation or supervised release.

**The number of MST clients served declined in recent years due to provider availability.** MST is almost completely funded through Medicaid, however the proportion of MST spending from other funding sources increased in 2014 and 2015, including federal behavioral health block grant funds and state general fund for those not eligible for Medicaid, as noted in Chart 46. However, no state general fund dollars were used for MST in FY16.

A 2015 LFC evaluation of Centennial Care found both spending and utilization of MST through Medicaid declined in conjunction with the suspension of 15 behavioral health providers in 2013. Moreover, while MST spending through Medicaid rebounded back to 2013 levels in 2015, clients served declined further to 869, a 39 percent decrease from 2013 (Chart 47). This has resulted in a higher cost per client, increasing 50 percent from about \$4,700 in CY13 to just over \$7 thousand in CY15 (Table 17). A 2001 Washington State Institute of Public Policy (WSIPP) report found MST returned between \$12.40 and \$28.33 for every dollar invested at a cost of about \$4,700 per client. When adjusted for inflation, this equates to roughly \$6,300 in 2015 dollars.

**Chart 46. MST Spending by Source 2013-2015 (in thousands)**



Note: Medicaid spending based on a calendar year and other sources based on state fiscal year.  
Source: HSD & CYFD

**Table 17. MST Cost per Client, CY13-CY15**

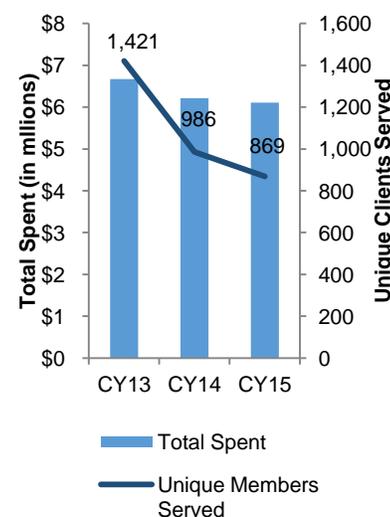
	CY13	CY14	CY15
NM Cost Per Client	\$4,695	\$6,301	\$7,024
WSIPP Cost per Client	\$7,569	\$7,692	\$7,701

Note: WSIPP cost per client based on costs to implement MST in WA.

Source: LFC Analysis of HSD Data, WSIPP

**While various MST service providers operate in New Mexico, half of the state’s counties do not have access to this evidence-based program.** As of 2015, six organizations in the state provided either traditional MST or MST targeted for problem sexual behavior (MST-PSB), as noted in Appendix N. Of note, La Clinica de Familia and Mental Health Resources started providing MST services in 2015, and Southwest Family Guidance Center expanded services into Doña Ana County.

**Chart 47. Multisystemic Therapy Total Spent and Clients Served Through Medicaid, Ages 0-20**



Source: HSD via OptumHealth CI-09 and Centennial Care MCOs

However, La Frontera and Turquoise Health & Wellness both ceased offering services in New Mexico in 2015. While other providers either continue to operate or expanded into Las Cruces and the rest of Doña Ana County, Clovis and Portales, the closures left service gaps in Luna, Otero, Quay, and Hidalgo counties.

Of the counties without MST services, 13 had at least one juvenile probation judgment in FY15, for a total of 317, or 32 percent of the statewide total of 997. Notable gaps where there may be a high level of need by youth sentenced to probation include Otero, Eddy, Chaves, Lincoln, and Quay counties (Table 18). Map 3 illustrates areas where MST was available as of March 2016.

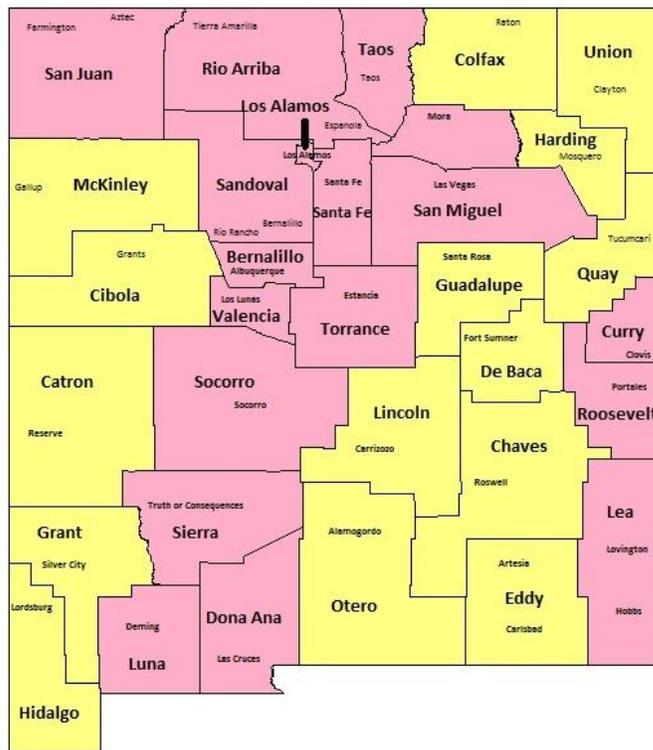
**Table 18. FY15 Probation Judgments in Counties without MST**

County	FY15 Probation Judgments*
Otero	99
Eddy	68
Chaves	67
Lincoln	29
Quay	16
McKinley	9
Cibola	9
Colfax	8
Grant	6
Guadalupe	2
Union	2
Hidalgo	1
De Baca	1
<b>Total - Non-MST Counties</b>	<b>317</b>
<b>Total - Statewide</b>	<b>997</b>

\* Includes Youthful Offender Probation Judgments

Source: CYFD

**Map 3. MST Providers as of March 2016**



Note: Counties with MST providers noted in pink.  
Source: CYFD

An ongoing evaluation of MST in New Mexico shows results in reducing both costs and recidivism. The New Mexico MST Outcomes Tracking Project, an ongoing collaboration between CYFD and partners involved in the delivery and evaluation of MST, studies the effectiveness of the treatment on youth in the state. The Project's 2015 report found reduced Medicaid costs can be attributed to youth in MST. The total charge per month for Medicaid behavioral health services averaged about \$1.9 million for the 12 months before MST admission, but fell to an average of \$640 thousand for the 24 months post discharge. Residential services, the largest single category of these costs, had a reduction of 67 percent in average monthly charges from the 12 months before admission to the 24 months afterward. These changes are illustrated in Appendix N.

Additionally, the Project’s analysis of roughly 2,900 youth who completed MST through June 2015 found youth who completed MST had a 76 percent likelihood of not having charges filed by the District Attorney during the 12 months following discharge, and a 66 percent likelihood of no charges within 24 months.

Table 19 shows other outcomes reported by the Project, including reduced arrests, reduced mental health problems, reduced substance abuse problems, and greater educational or work participation.

**Table 19. Selected Outcomes for Youth Who Completed MST Between July 2005 and June 2015**

Measure	Result at MST Admission	Result 12 Months After MST Completion
Average number of different crimes for which youth was arrested	1.1	0.2
Average number of mental health problems	2.9	1.6
Average number of substance abuse problems	0.7	0.1
Percent of youth who were enrolled in an educational program and were passing most classes or were working 20+ hours per week	40%	74%

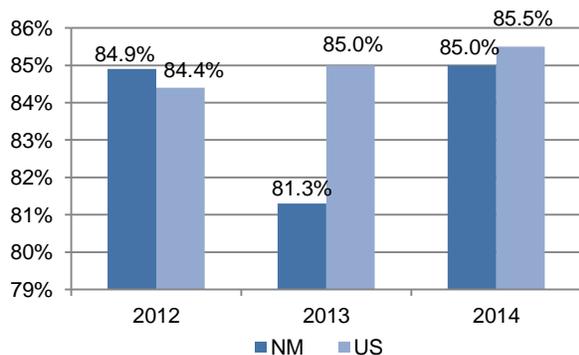
Source: New Mexico MST Outcomes Tracking Project

**While New Mexico has experienced positive gains from Multisystemic Therapy, progress diminished in recent years in various areas including re-arrests and out-of-home placement.**

The MST Institute releases annual data on various performance measures in areas including client outcomes, adherence to the model (fidelity), and length of and successful completion of treatment. LFC staff reviewed a selection of these measures with New Mexico and national results as noted in Appendix N.

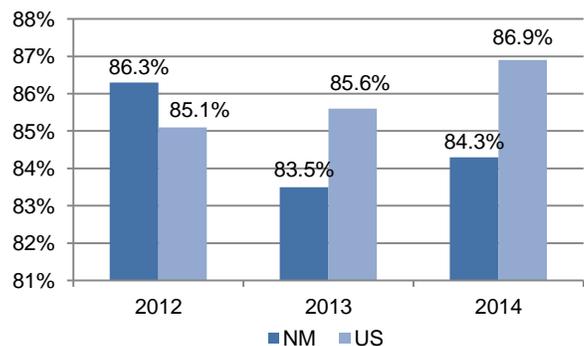
New Mexico performed well in various measures in 2012 including percent of youth completing treatment and percent of youth with no new arrests. However, while gains continued through 2015 nationally in both of these measures, New Mexico showed declines as noted in Charts 48 and 49.

**Chart 48. Percent of Youth Completing MST Treatment 2012-2014**



Source: MST Institute

**Chart 49. Percent of Youth Who Completed MST with No New Arrests, 2012-2014**



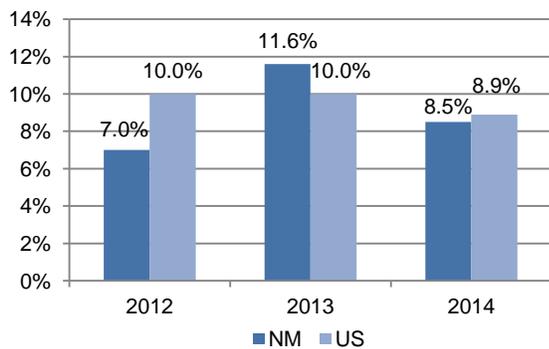
Source: MST Institute

These measures declined around the same time instability in the behavioral health system occurred with the suspension of various providers. However, it appears progress is being made in both measures in 2014. When looking for specifically at Hispanic youth receiving MST, 85 percent in New Mexico completed treatment when compared to 84 percent nationally. For 2014, Eighty-four percent of Hispanic MST youth had no

new arrests, whereas nationally 85 percent of Hispanic MST youth experienced no new arrests during the follow-up period.

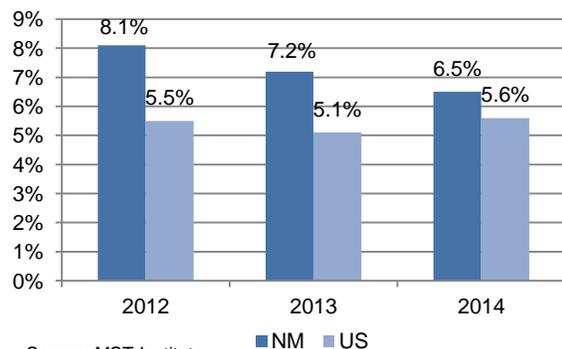
When looking at youth placed during treatment, New Mexico performed below the national average, with out-of-home placements increasing 21 percent between 2012 and 2014. Nationally, placements declined 11 percent over the same time period. Percent of cases closed due to lack of engagement were well above the national average in 2012, but this measure has shown substantial improvement over the two most recent data collection years. When looking specifically at Hispanic MST participants for both of these measures for 2014, New Mexico Hispanic participants performed within one percentage point of this same population nationally.

**Chart 50. Percent of Youth Placed During MST Treatment 2012-2014**



Source: MST Institute

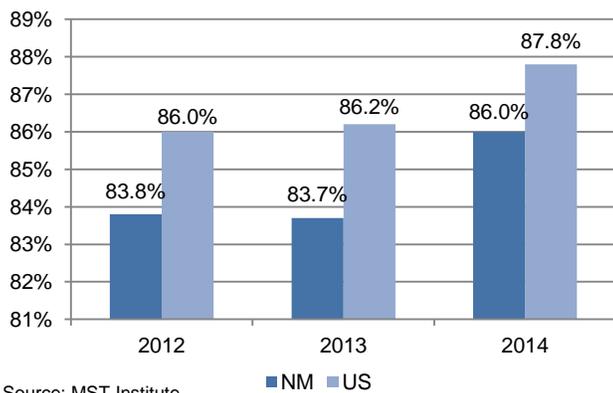
**Chart 51. Percent of MST Cases Closed Due to Lack of Engagement 2012-2014**



Source: MST Institute

In the case of education or employment, New Mexico performed below the national average between 2012 and 2014, but improved 2 percentage points over this timeframe (Chart 52). When controlling for ethnicity, White Non-Hispanic MST participants lagged national benchmarks by almost five percent. Conversely, Hispanic MST participants in New Mexico outperformed by one percent on this performance measure when compared to national results in 2014.

**Chart 52. Percent of Youth in School and/or Working After MST Completion, 2012-2014**



Source: MST Institute

The New Mexico MST Tracking Project does not currently report state-specific results for the above benchmarks, which does not afford for comparison with other MST states or national results on a regular basis. Pennsylvania released an analysis of its MST results for FY12-FY14, which did include data that could be compared to national benchmarks. Instead, New Mexico's 2014 and 2015 MST evaluation reports measured success as a rate of arrests, court events, and mental health or substance abuse problems. While this can be useful information, the New Mexico data does not provide a context for the rates reported. For example, the number of different crimes metric does not shed light on the recidivism rate for MST participants in New Mexico. Also, problems, as referenced in the measures for mental health and substance abuse, are not defined in the report.

***New Mexico should continue to invest in Multisystemic Therapy, as it is proven to reduce recidivism and improve functionality, especially among Hispanic youth participants.*** A 2014 RAND study looked at Los Angeles County youth probationers participating in MST with a large sample of MST participants (757), where 77 percent of the sample was Hispanic. For comparison, 66 percent of juvenile probation clients receiving MST services in New Mexico between 2005 and 2015 identified as Hispanic. Both overall and within the Hispanic population of MST participants, researchers found significantly lower arrest and incarceration rates for the MST recipients. Moreover, MST participants showed significant improvement in areas such as family relations, educational and vocational success, and involvement with beneficial peers.

## **Recommendations**

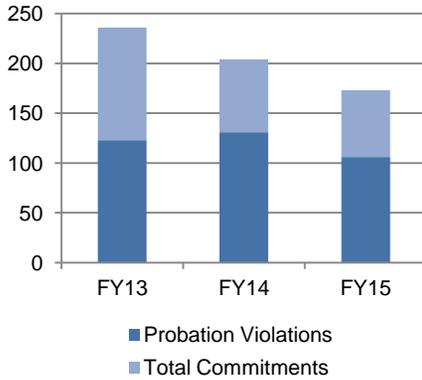
CYFD should:

Work with HSD to identify providers, build MST teams in high-risk areas, and collaborate on tracking referrals, utilization, and spending as part of a strategy to prioritize evidence-based behavioral health services; and

In collaboration with the MST Tracking Project, expand the data reported annually on outcomes to include key performance measures tracked by the MST Institute, comparing New Mexico results to national benchmarks.

# Understanding the Drivers of Juvenile Justice Involvement Is Imperative to Designing Effective Programs to Reduce Recidivism

**Chart 53. Total Probation Violations Resulting in Commitment vs. Total Commitments, FY13-FY15**



Source: JJS 2015 Annual Report

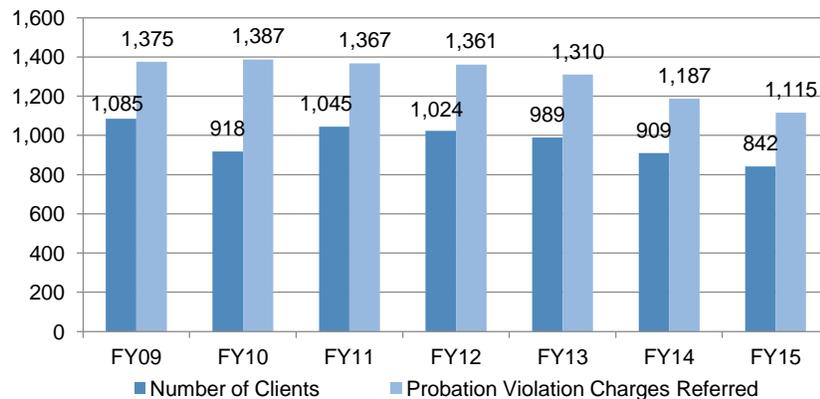
Between FY13 and FY15, on average, 59 percent of commitments to juvenile facilities were related to probation violations.

CYFD started reporting specific offense data tied to term commitments in FY13 with probation violations accounting for 52 percent of total commitments. In FY14, this total increased to 64 percent, dropping to 61 percent in FY15 as noted in Chart 53.

CYFD does not currently report what specific probation violations resulted in term commitments. However, looking at FY15 alone, 21 percent of total probation violations were related to drugs or alcohol, followed by violations of residence or school probation terms. Having such a high proportion of term commitments due to probation violations may point to deficiencies in services provided to juvenile probation clients to prevent recidivism, but may also speak to issues in properly assessing clients for the appropriate level of intervention (various levels of probation supervision versus commitment).

**Juvenile justice clients violating terms of probation declined 22 percent between FY09 and FY15.** While CYFD will need to collect more data to establish patterns of probation violators being committed to facilities, overall referred charges due to probation violations and clients violating the terms of their probation have declined since FY09, as noted in Chart 54.

**Chart 54. Probation Violation Charges Referred and Number of Clients, FY09-FY15**



Source: JJS 2015 Annual Report

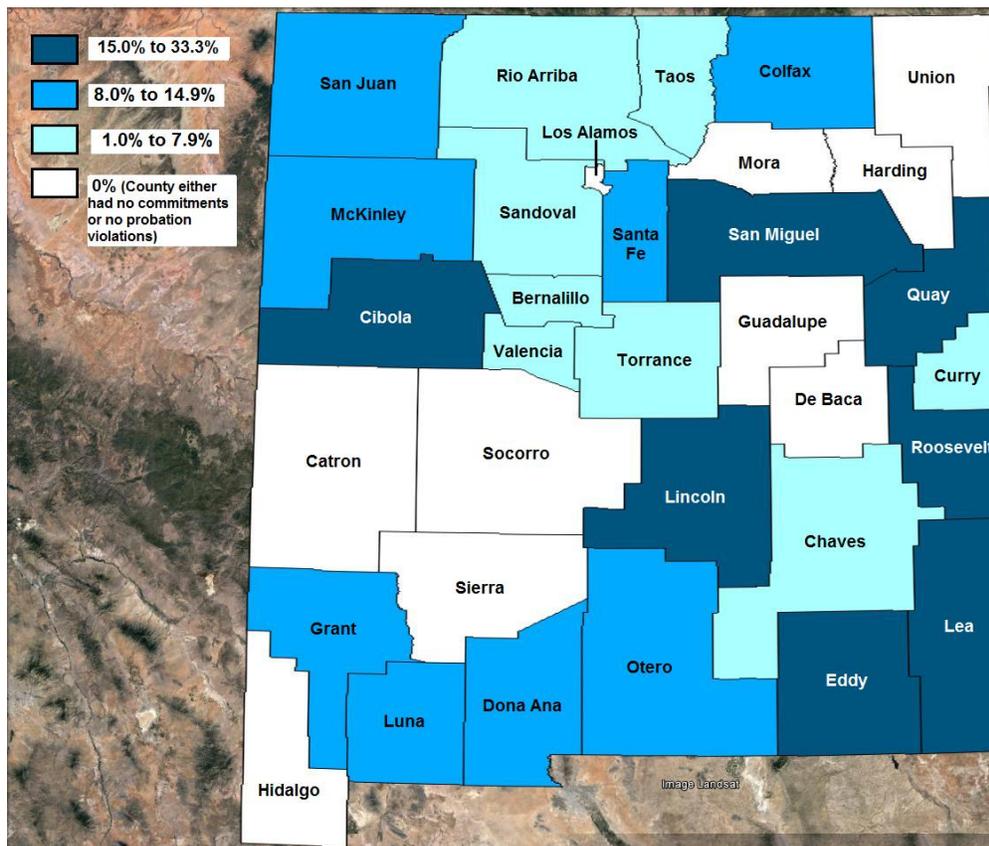
As previously mentioned, drug and alcohol violations were the most prevalent cause of probation violations followed by terms involving residence, education, special conditions, curfew, and reporting requirements on behalf of the client. Overall, probation violations accounted for 16 percent of total referred charges in FY15.

**Counties with the highest rates of commitment due to juvenile probation violations often lack key services in the community.**

In FY15, the five counties with the highest percentage of juvenile probation violations sentenced to CYFD commitment were Eddy, Quay, Roosevelt, Cibola, and Lincoln (Table 20). In Eddy County, one-third (33 percent) of probation violations resulted in CYFD commitment, compared to the statewide level of 9 percent. In both Quay and Roosevelt counties, 20 percent of probation violations resulted in commitment. The rates in Cibola and Lincoln counties were 19 and 17 percent, respectively. Map 4 illustrates how the rate of probation violations resulting in commitment vary around the state, with darker shading indicating higher rates.

The inconsistent array of community-based services available in these counties may be a contributing factor to the high percentages of probation violations that lead to commitment. While Juvenile Community Corrections (JCC) is available in all five counties, just two (Cibola and Lincoln) have juvenile continuum sites, two (Eddy and Cibola) have juvenile drug courts, and one (Roosevelt) has access to Multisystemic Therapy (MST). More information is necessary to identify whether access to these interventions could help to reduce the severity of probation violations in these areas so that youth can remain in their communities rather than be committed to a secure CYFD facility.

**Map 4. Percentage of Probation Violations Resulting in Commitment by County, FY15**



Source: LFC Analysis of CYFD data

Notably, Quay County had by far the highest rate of charges referred due to probation violations in FY15, at 158 per one thousand youth aged 10 to 17, while Cibola County ranked fifth with a rate of 36 probation violation charges per one thousand youth. However, Roosevelt and Lincoln counties had lower rates of charges due to probation violations, and thus appear to commit youth with probation violations at a disproportionately high rate.

**Table 20. Counties with Highest Rates of CYFD Commitment due to Probation Violations, FY15**

County	Percent of Probation Violations Resulting in Commitment	Community-Based Services				Rates per 1,000 Youth Aged 10-17		
		MST	Continuum Site	JCC	Juvenile Drug Court	Delinquent Charges Referred	Probation Violation Charges Referred	Status Charges Referred
Eddy	33%	No	No	Yes	Yes	127.0	18.6	6.4
Quay	20%	No	No	Yes	No	120.6	158.0	6.2
Roosevelt	20%	Yes	No	Yes	No	60.3	8.5	19.9
Cibola	19%	No	Yes	Yes	Yes	40.8	36.3	2.5
Lincoln	17%	No	Yes	Yes	No	114.2	6.0	59.2
<b>Statewide</b>	<b>9%</b>	-	-	-	-	<b>72.6</b>	<b>15.6</b>	<b>8.6</b>

Source: LFC Analysis

**Children involved in the child welfare system are at higher risk of entering the juvenile justice system, offering a prime opportunity for CYFD to target services to this population.**

A 2004 study conducted by the National Institute of Justice found maltreated children were 11 times more likely to be arrested in youth and almost three times more likely to be arrested in adulthood. These children, referred to as crossover youth, are more likely to enter the juvenile justice system at a younger age and be committed to a juvenile facility or other out-of-home placement.

A 2016 New Mexico Sentencing Commission report found a significant majority of committed youth had experienced four or more adverse childhood experiences (ACEs). The report indicated among juveniles committed in 2011, majorities had experienced emotional (76 percent) or physical (94 percent) neglect, parental divorce or separation (86 percent), and substance abuse in the home (80 percent). Moreover, females showed a higher incidence of adverse childhood experiences, as well as a higher incidence of sexual and physical abuse. While this study did not address level of contact with CYFD’s Protective Services Division, the amount of ACEs identified in the state’s committed juvenile population infers a connection between child maltreatment and juvenile justice system involvement in New Mexico.

**CYFD analysis shows 46 percent of youth who recidivated within twelve months had a previous history of substantiated involvement with the agency’s protective services division.**

Females recidivating into the juvenile justice system were two times more likely to have previous substantiated involvement with Child Protective Services (CPS) and African American or multi-ethnic youth also had higher odds of CPS involvement than non-Hispanic White youth. A similar Oregon analysis also looked at youth involved with child welfare and

juvenile justice simultaneously, finding these children enter the juvenile justice system two years earlier, with 92 percent having juvenile justice contact before age 16. Dually-involved youth also had higher proportions of assault allegations and dispositions resulting in loss of liberty.

Los Angeles County is piloting targeted interventions for child welfare-involved youth with high risk of future delinquency with positive early results. In collaboration with the National Council on Crime & Delinquency, the county developed an assessment tool to identify youth involved with the child welfare system at higher risk for future juvenile justice involvement then targeting this population for services. Preliminary pilot results show for a cohort of participants tracked for six months, none had been arrested and 92 percent were still receiving services after the first six months. Of the thirty-two percent identified as having a history with substance abuse, two-thirds were substance-free at the six-month mark.

**CYFD is uniquely positioned to work with crossover youth to reduce their involvement with the juvenile justice system, but faces limitations in effectively working with these youth.**

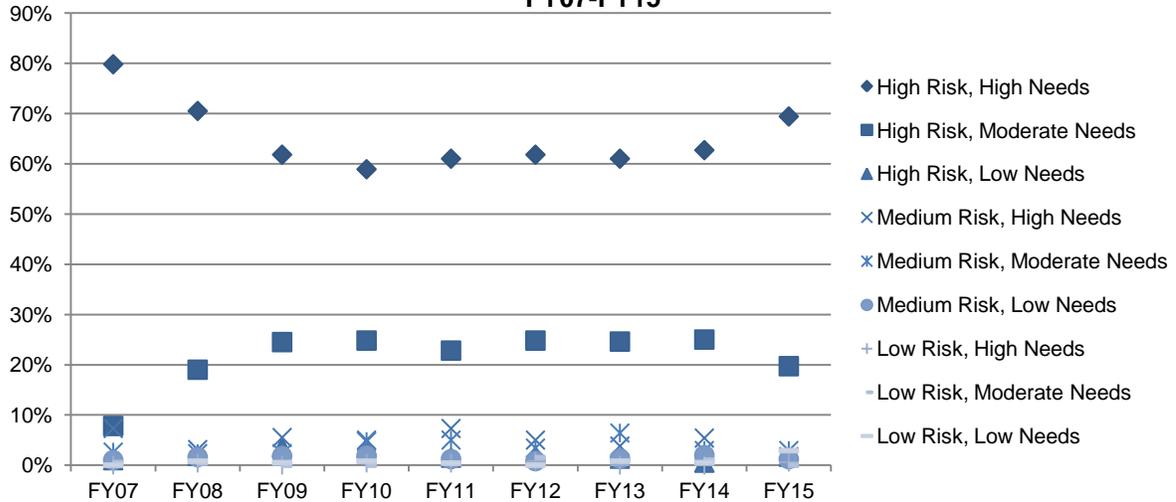
In their analysis of crossover youth, states such as Oregon have expressed concern around the challenge of unifying efforts of child welfare and juvenile justice agencies which operate independent of each other. Yet with both Protective Services and Juvenile Justice Services housed at CYFD, the agency is well positioned to work with youth either at greater risk for juvenile justice involvement or concurrently involved in both systems. However, limitations of the FACTS system and a lack of clear policies and procedures for cross-divisional interaction hinder this collaboration.

FACTS does not permit easy tracking of clients between Juvenile Justice and Child Protective Services on an aggregate level. While juvenile probation officers and other users of the FACTS system are able to search for individual clients involved CPS, there is not currently a way for the system to generate a “canned” report showing all clients who are simultaneously involved with both JJS and CPS. At this time, CYFD uses the National Child Abuse and Neglect Data System (NCANDS) to analyze Child Protective Services data, manually matching this information to JJS records in FACTS. While the Department uses FACTS to generate the data furnished to NCANDS, the data must be extensively cleaned and is not readily usable. The ability to regularly monitor the crossover youth population would assist CYFD in better tailoring services to prevent future delinquency and reduce recidivism in this population.

**Between FY07 and FY15, over 80 percent of juvenile justice clients in facilities were assessed as high risk and high or moderate need through CYFD’s risk and needs assessment tool.**

CYFD uses the Structured Decision Making risk and needs assessment to identify areas of concern related to a client’s offense history, education, family relationships, and emotional stability, for example. This results in a combined risk and needs score. The vast majority of clients assessed between FY07 and FY15 received a score of either high risk/high need or high risk/moderate need, as shown in Chart 55.

**Chart 55. Juvenile Justice Client Risk and Needs Assessment Scores  
FY07-FY15**



Source: CYFD

Taking a closer look at juveniles released from facilities in 2010 and 2013, we see this same pattern hold where 64.5 percent were initially assessed as high risk/high need and 23.8 percent were identified as high risk/moderate need, combining to represent 88.3 percent of this cohort population. For juveniles released in 2013, 62.3 percent were initially assessed as high risk/high need and 25.3 percent received a high risk/moderate need assessment result, representing 87.5 percent of the total cohort population. While there was a slight rebalancing in the needs of the high risk population when comparing the 2010 and 2013 cohorts, the total high risk population stayed consistently close to 90 percent for both of these groups.

**Juveniles committed to facilities exhibited higher risk and needs, whereas those on probation were more likely to be assessed as moderate or low risk and need.** Taking a closer look at juveniles released from facilities in 2010 and 2013, we see this same pattern hold where 64.5 percent were initially assessed as high risk and high need and 23.8 percent were identified as high risk and moderate need, combining to represent 88.3 percent of the 2010 cohort population. For juveniles released in 2013, 62.3 percent were initially assessed as high risk and high need and 25.3 percent received a high risk and moderate need assessment result, representing 87.5 percent of the total cohort population. While there was a slight rebalancing in the needs of the high risk population when comparing the 2010 and 2013 cohorts, the total high risk population stayed consistently close to 90 percent for both of these groups

In the case of juveniles placed on probation in 2010 and 2013, the largest proportion was assessed as medium risk and moderate need, with 23.3 percent and 30.1 percent respectively. Overall, between 77 and 80 percent of juvenile probationers fell into the medium or low risk categories, and approximately 80 percent of juvenile probation clients were assessed to be moderate to low need. Charts showing how these facility and probation cohorts compare can be found in Appendix O.

It is worth noting various components of the risk score are specifically tied to factors more likely to be present with juveniles committed to facilities such as number of referrals, offense history, a client's ability to adjust to commitment, and any history of assault or battery on facility staff or peers. Therefore, it stands to reason juveniles in facilities would have a higher likelihood of scoring as high risk when assessed than probation clients. A full list of scoring metrics for the needs and risk assessment is located in Appendix P.

## **Recommendations**

CYFD should:

Further study the causes for high commitment rates for juvenile probation violations;

Formalize policy coordination between Child Protective Services and Juvenile Justice Services for dually-involved youth; and

Identify data reporting needs for working with crossover youth and design services to address the needs of this population.



## State of New Mexico CHILDREN, YOUTH and FAMILIES DEPARTMENT

SUSANA MARTINEZ  
GOVERNOR

JOHN SANCHEZ  
LIEUTENANT GOVERNOR



MONIQUE JACOBSON  
CABINET SECRETARY

JENNIFER SAAVEDRA  
DEPUTY CABINET SECRETARY

August 22, 2016

Mr. David Abbey, Director  
Legislative Finance Committee  
325 Don Gaspar, Suite 101

Dear Mr. Abbey:

### Introduction

For over a decade, the Children, Youth and Families Department (CYFD), Division of Juvenile Justice Services (JJS), has been involved in a progression of reform efforts that have helped us mature from a correctional/punitive system to a rehabilitative one that encompasses a continuum of services to address the needs of the individual client. Utilizing research and best-practice models, the efforts in our field services have focused on prevention and early intervention for young people at the front end of the juvenile justice system. For those who have progressed within the system to our facilities, our efforts reflect an established awareness of the ineffectiveness of traditional correctional/punitive practices, instead focusing on a therapeutic approach. At the time of their commitment, our Multi-Disciplinary Teams (MDTs) begin to prepare plans to maximize opportunities for successful youth transition to the community and adulthood through either reintegration or linkages to community-based resources/services that support the diverse needs of our clients and their families. Throughout the system, we have established data standards and quality assurance measures to monitor compliance with policy and adopted standards to ensure that our youth are receiving the highest quality services and care. As a result of these ongoing efforts, we are so proud that the evaluation team recognized the following successes highlighted in this report:

- CYFD has made positive gains in client outcomes since implementing a rehabilitative model for juvenile justice facilities.
- Since 2008, CYFD has transformed New Mexico's juvenile justice system into one based on rehabilitation rather than punishment through its *Cambiar* initiative in secure facilities and a range of community-based programs. Fewer youth are entering JJS, and those who do are generally less likely to recidivate.
- LFC staff analysis of data from CYFD shows that, for youth released from New Mexico's facilities in FY05, 79 percent did not recidivate within three years. For youth released in FY10, this number fell to 70 percent, but grew again to 82 percent for youth released in FY13. These results compare favorably to a 2010 study of results from Missouri.
- The performance of New Mexico's secure juvenile commitment facilities is improving relative to other states on national outcome standards. CYFD contracts with Performance-based Standards (PbS) to track and measure performance in secure facilities. CYFD has shown improvement on these measures relative to the national average in several domains.
- CNYC has made changes consistent with providing a less punitive, more therapeutic approach to its clients.
- Vacancy rates among Youth Care Specialists at secure facilities have decreased.
- Overall, while costs are rising, JJS is improving performance tracking.

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2016

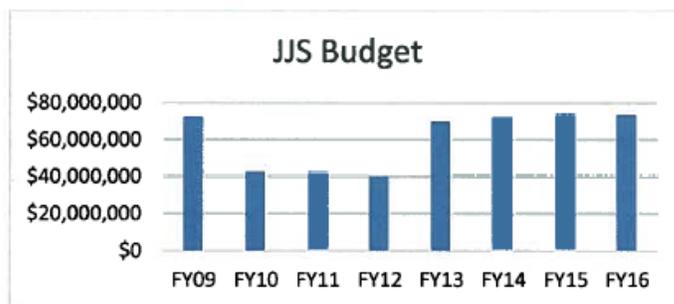
- The number of clients receiving high school diplomas is growing. NOTE: While not included in this report, for school year 2015-2016, there were 62 GED graduates and 21 high school diplomas, which represents an increase over the previous two years.
- JJS facilities are expanding educational offerings through post-secondary and vocational training.
- Juvenile justice facility one-year recidivism rates dropped by half between clients released in FY05 and those released in FY13.
- Juveniles placed on probation had significantly lower recidivism rates into NMCD prisons than their counterparts who were committed to facilities at both the one-year and three-year marks.
- Juvenile justice clients violating terms of probation declined 22 percent between FY09 and FY15.
- Clients who went to reintegration centers represented between zero percent and one percent of the total recidivism rate at both one year and three years after release.
- Juvenile Probation Officers perform a multifaceted role as a youth's main point of contact with the juvenile justice system.

While much progress has been made, we remain committed to continuously evaluating and improving our processes to improve outcomes for our youth and increase efficiencies within our division. In that spirit, we thank the evaluation team for their recommendations and we offer responses in the next section.

**Key Recommendations and Responses**

**Key Recommendation:** As part of the annual appropriations process, evaluate the JJS budget and identify opportunities to achieve efficiencies and cost reductions by reallocating resources and optimizing unused space, such as by reassigning youth from the San Juan County Detention Center to empty units at YDDC and shifting funds from facilities to evidence-based field programming that better aligns with the proportion of the juvenile justice population receiving these services, and clearly document any savings associated with identified efficiencies and requests to reinvest savings in other JJS programs or programs at CYFD;

***Our investment in Cambiar in our facilities has resulted increased services and improved outcomes for youth.*** Since FY09, CYFD JJS budget has increased only \$1,011,000 (1.4%). Although our average daily population decreased by 13.5% during the same time, we have continuously evaluated our budget to effectively utilize and allocate our resources.



For example, we have a Behavioral Health therapist assigned to every living unit, whereas Missouri has a traveling Behavioral Health provider. New Mexico also provides transition coordinators to help our clients' access and engage community resources, education transition coordinators to assist in arranging educational opportunities and placement, and offer reintegration centers as viable placements for clients who require a step-down program before fully returning to their community.

While CYFD JJS is not aware of any recent independent staffing analysis, our internal analysis indicates that our secure facilities are not properly staffed to account for an appropriate relief factor. For example, there are currently 6 direct care staff on military leave and another 17 who are on FMLA or Workers' Comp; this does not include those on annual/sick leave at any given time. We are working with our existing resources to fill this gap in an effort to reduce overtime costs and provide a safer environment for our staff and clients.

The Carlsbad Reintegration Center was closed in October 2015 due to a mold remediation issue and has not been reopened at this point. Regarding the closure of the Lincoln Pines Youth Center, staff were relocated to reduce vacancy rates in other facilities, approximately \$250 thousand was used to cancel out lost Medicaid revenue budgeted but not realized, and approximately \$200 thousand was used to pay for CYFD JJS's portion of the Victim Information and Notification Everyday (VINE) system and to increase programming opportunities by funding an athletics program for our clients. As detailed below, JJS Field has also realigned and reclassified several positions to meet the needs of our clients and agency, and funding for transition services has increased.

As recommended by the evaluation committee, we will give consideration to reallocating San Juan clients into unused space at existing facilities.

As also noted in this evaluation, CYFD JJS has made positive gains in client outcomes since implementing a rehabilitative model for juvenile justice facilities, and any cuts to our budget could adversely impact these successes.

**Key Recommendation:** Continually assess JPO staffing needs relative to referral and caseload patterns and consider reorganizing the existing regional and district structure to flatten disparities in management span of control;

***We agree, and over the past 18 months have realigned and reclassified positions to meet the needs of our clients and agency.*** A more accurate picture of caseload patterns emerges when one divides formal supervision cases (Probation, Supervised Release, and Interstate Compact) by the number of JPOs who provide the supervision. For example, the LFC report on page 35 states, "As Chart 36 illustrates, District 3 (Dona Ana County) had the highest average caseload in both June 2011, with 36 cases per JPO, and June 2015, with 23 cases per JPO." Using the methodology stated above, there are currently 144 formal supervision clients in Dona Ana with 11 JPOs for an average of 13.09 clients. Over the last eighteen (18) months, JJS Field has also realigned and reclassified several positions to meet the needs of our clients and agency. A few examples are listed below:

- Reclassified a JPO position from the Grants office into a Transition Services Worker for the southern region of the state, to assist with the older client population leaving our facilities.
- Reclassified a vacant CBHC position to a JPO Supervisor to improve the ratio of line staff to JPO Supervisors in the Las Cruces office.
- Reclassified a vacant JPO position out of the Albuquerque office into a CBHC position to serve the Gallup area, where services are lacking.
- Reclassified two JPO positions into Operational Research Analysts.

**Key Recommendation:** Update the 2010 Facilities Master Plan to address issues of excess capacity and reduce fixed costs associated with lower committed populations, including identifying ways to better align facilities with the Cambiar Model in a cost effective manner, and present the updated plan to the Legislature;

***We do not currently have the resources to commission another study. While there are no current plans for expansion, the Department is continuously evaluating continuous improvement given limited resources.*** As CYFD JJS began to implement *Cambiar* (approximately 2007-2008), two of the key concepts were the establishment of smaller, regional facilities and reducing unit sizes to no more than 10-12 clients per unit. In 2010, to further the implementation of this model, the General Services Department commissioned a study with Ricci Greene and Associates (\$49,460.00) to best determine the size and location of any facilities to be built. However, during this same time, the economy worsened and capital improvement money shrank.

Despite these challenges, CYFD JJS continued to pursue regional alternatives such as contracting 10 beds with the San Juan County Juvenile Detention Center (approximately FY08) and the opening of Lincoln Pines Youth Center (FY14) in Fort Stanton, NM.

The Lincoln Pines facility was not able to operate at capacity, proper staffing levels could not be maintained, services to such a remote facility were more expensive, and the cost to upgrade the facility was prohibitive. As such, this facility was closed in FY16. Additional consideration should be given to reallocating San Juan clients into unused space at existing facilities.

Although YDDC and CNYC have a larger capacity (110 and 96 respectively), it would be cost-prohibitive to open new, smaller facilities at this time. However, there are no more than 10-12 clients per unit. The only exception is YDDC Ivy unit, which is our intake unit. It is also important to note that both the Sage and Loma units at YDDC are not utilized.

Key Recommendation: Re-evaluate criteria for reintegration center admission to ensure they are operating at capacity, or consider consolidating these facilities;

***CYFD JJS is continually monitoring the use of reintegration centers.*** It is difficult to measure bed space at Reintegration using a point in time. Reintegration Centers get referrals approximately 1.5 months prior to a client's supervised release hearing. Once a client is accepted, that bed space is considered "held," and therefore that bed is not available to other clients because the Supervised Release clients take priority for placement due to lack of other options. There are many months when clients will take a bed as soon as another is vacated, and there are months when the bed is empty for up to 3-4 weeks until they present and are granted release. JJS also typically has between 3 and 9 clients pending extension hearings at any given time. These clients are also considered when we have open bed space in case they are not extended (although a bed is not specifically held), which does not allow us to open beds for probation clients. Mandatory release dates are also considered for when a client will take a bed. There are months when we have a bed ready for a supervised release client right after his/her hearing, but he/she is deferred by the Supervised Release Panel until his/her MRD (which means the bed is "held" for a longer period). Throughout the years, Probation clients have been referred to and accepted into the Reintegration Centers as space is available. Currently, 33% of the clients at the Albuquerque Girls Reintegration Center are Probation referrals.

Key Recommendation: Strengthen requirements for evidence-based programming in JCC contracts and consider promulgating rules containing requirements similar to those for continuum programs; and

***We agree with this recommendation and are encouraging JCC providers to provide innovative, evidence-based programming.*** JCC providers are encouraged to provide innovative evidence-based programming and many have purchased and trained on the One Circle Foundation gender-specific groups ("Girls Circle" and "The Council"); two JCC agencies provide Botvin Life Skills and one JCC agency just started providing a Teen Life Skill group from Nurturing Parents.

Key Recommendation: Increase the emphasis on provider performance, including rates of successful JCC completion, when soliciting, extending, and renewing JCC provider contracts.

***We agree with this recommendation and will emphasize and strengthen JCC provider performance and successful completion rate.*** The department will look at JCC contract renewals to emphasize and strengthen JCC provider performance and successful completion rate. Desired client outcomes will continue to be addressed during regular JCC program reviews and ongoing technical assistance will be provided to support progress in this area. Client service plans will continue to be examined for individuality and appropriate strengths and challenges.

Key Recommendation: Formalize policy coordination between Child Protective Services and Juvenile Justice Services for dually-involved youth;

***We agree with this recommendation and have recently developed a report for identifying specific crossover cases that are active in both PS and JJS.*** Deputy Director of Behavioral Health (Field) Bryce Pittenger has met internally with Protective Services and gets a monthly list of all JJ and PS involved youth.

It is proposed to amend existing field policy by creating a protocol that JJ and PS involved youth will be assigned a Community Behavioral Health Clinician (CBHC). Right now there are about between 50 and 70 dually involved youth, the bulk in Bernalillo County where CYFD is piloting this referral process.

Youth who are dually involved will be referred to a CBHC in their county or judicial district. Youth will be assigned as non-target population unless they meet the JJS criteria for Target Population, in which case they will be assigned as Target Population.

The assigned CBHC will work closely with the Protective Services worker to determine what services and/or supports are needed. The CBHC will send out referrals for assessment or perform the assessment in districts where there are no provider services, review the assessment and collateral, determine the least restrictive level of care, gather documentation (including Releases of Information) for the referral, and give the packet to the JPO for faxing. The CBHC will collect denial letters, interface with the Managed Care Organization (MCO) Care Coordination staff, collaborate with PS, and work to get the youth placed. Policy for CBHC will apply with regard to clinical review, triage, and troubleshooting the MCO denials.

**Key Recommendation:** Identify data reporting needs for working with crossover youth and design services to address the needs of this population;

***We agree with this recommendation and have recently developed a report for identifying specific crossover cases that are active in both PS and JJS.*** The Department already has an automated system of alerts built into the current case management application (FACTS) that notifies active workers in either JJS or PS cases if a youth receives a referral in the other service area's case. JJS also recently developed a report for identifying specific crossover cases that are active in both PS and JJS at the same time.

Internally within CYFD, the Office of the Secretary has allocated resources (a Chief Data Analyst) to address, among other things, any level of disconnect between the various data reporting elements within individual service areas. One of the potential benefits of improving communication between the various service areas will be the initiation of various inter-service area projects that would effect LFC recommendations for increased study of crossover youth and drive development of services specifically designed to support them.

The Department will continue to work with local, state (internal and external to CYFD), and national programs in the evaluation of crossover-specific risk tools or programs that are designed to address issues specific to this population.

**Key Recommendation:** Further study the causes for high commitment rates for juvenile probation violations;

***We agree with this recommendation and are engaged in a variety of initiatives with various stakeholders, including Bernalillo County and the Annie E. Casey Foundation.*** The Department is jointly engaged with multiple members of the juvenile justice community in a probation agreement modification project that is currently piloting in multiple counties. The JJS Data Bureau is developing reporting methodologies for tracking the use of probation violations and subsequent adjudications for the pilot sites involved in this project.

The Department is also engaged in "Deep End" analysis with Bernalillo County and the Annie E. Casey Foundation. This project is specifically targeting youth who penetrate the deepest into the juvenile justice system. Current focus for this group is probation violations and gender-specific programming.

In 2015, Juvenile Probation began to explore various ways to decrease the amount of probation violations. The idea and plan was to draft a probation agreement that reflects what is truly needed to have a youth safely supervised in the community, but can still reflect individual needs. The desired outcome is that we don't get youth stuck in the system with repeated probation violations or even worse, spending time in detention or in a commitment for probation violations that don't compromise safety, or reflect what the youth needs to be a successful member of society. Probation Conditions that were not related to public safety were moved to the client's individual plan of care.

The goal in revising the Probation Agreement is to help youth be successful in completing the conditions of their probation, and thus, improve outcomes for youth entering the juvenile justice system. Additionally, this process is designed to decrease the number of unnecessary or inappropriate detentions and commitments without any compromise to public safety. A statewide Probation Agreement has never been successfully implemented in any state, so we are striving to be the first. There are five (5) counties that are participating in the pilot (Lea, Bernalillo, San Juan, Dona Ana, and Roosevelt).

Key Recommendation: Continue to perform cohort-specific recidivism analysis, including what offenses are most closely linked to recidivism, and report results to the Legislature;

***We agree with this recommendation and are already working on creating the capacity to fully report on recidivism for various juvenile justice cohorts.*** The Department has initiated a request to the Administrative Office of the Courts (AOC) for quarterly exports from the Odyssey adult justice system related to offender petition charges and outcomes specific to individuals who interacted with the juvenile justice system. This would allow JJS the capability to track youth who penetrated the juvenile justice system to varying degrees, into the adult system for five years following the youth's 18<sup>th</sup> birthday. On 8/18/16 the JJS Data Bureau Chief presented this request to the Judicial Information Systems Council, where the request was endorsed by the Council and forwarded to the AOC for a "deep dive" analysis of project scope and costs. However, the Council did caution that there are multiple internal projects being evaluated at this time with very limited development resources available. Without additional resources, the Council was hesitant to provide any estimation as to whether the request would proceed beyond the estimation phase.

Key Recommendation: Work with Legislative Finance Committee and Department of Finance and Administration staff to fine tune performance measures for assault and battery on staff and peers in facilities to better report safety concerns;

***We agree and had already initiated software development to address this recommendation. However, discontinued funding resulted in the suspension of software development.*** The Department had been engaged in the development of an incident module that would have addressed identified LFC concerns regarding data collection and reporting for assaultive facility incidents, specifically the capability of identifying specific incidents. Unfortunately, development was suspended as a result of discontinued funding.

***We will work with the LFC and DFA on the following suggested performance measures related to isolation, recidivism tracking for continuum grants, and common performance measures for community programming. We will collaboratively work with HSD to prioritize MST services.***

Key Recommendation: Create reporting and performance measures to track incidents where facility clients are placed in isolation and report this data to the Legislature;

The Department will work with the LFC or DFA on recommendations for performance measures. The FACTS case management application will have to be evaluated for capacity to collect the data using existing functionality or whether modifications to the system would be required.

Key Recommendation: Work with LFC and DFA staff to create a common set of AGA performance measures for continuum sites and juvenile community corrections to allow for the tracking of youth success in these community-based interventions;

The Department will work with the LFC or DFA on recommendations for performance measures. The FACTS case management application will have to be evaluated for capacity to collect the data using existing functionality or whether modifications to the system would be required.

Key Recommendation: Align the recidivism performance measure for continuum grant recipients to be consistent with CYFD's existing performance measures for tracking recidivism within two years rather than 90 days;

In terms of requesting long-term follow-up with clients, most continuum clients are at-risk with no record with CYFD or law enforcement. The majority of continuum programs are designed to assist with the youth's at-risk behavior and move on. To commit service providers to a two- or three-year follow-up of the progress of over 8,000 youth served annually will add undue cost and burden to already struggling service providers.

Continuums have suggested that because a large population of their youth are at-risk clients and have not been entered into the JJS or law enforcement records, they should not be required to supply PII to CYFD as part of the grant requirements. Continuums have expressed to us that should they require a release of information to CYFD, they will lose clients.

**Key Recommendation:** Work with HSD to identify providers, build MST teams in high-risk areas, and collaborate on tracking referrals, utilization, and spending as part of a strategy to prioritize evidence-based behavioral health services;

The Department will collaboratively work with HSD to prioritize areas for MST services. The FACTS case management application will have to be evaluated for capacity to collect the data using existing functionality or whether modifications to the system would be required.

#### Other Recommendations

**Other Recommendation:** Work with DFA and LFC staff to create AGA performance measures for recidivism of youth on juvenile probation;

As noted in the LFC's analysis, the Department currently reports via AGA-compliant quarterly performance measures on recidivism issues specific to youth re-adjudicated within two years following their discharge from probation, youth recommitted to a CYFD facility within two years of their discharge from a previous commitment, and youth who entered the Department of Corrections within two years of their discharge from a commitment. Regarding any additional recidivism-specific performance measures, the Department will work with the LFC or DFA on recommendations for performance measures.

In addition to AGA performance measures, in 2016, the Council of State Governments (CSG) Justice Center, a national nonprofit, nonpartisan organization, will support New Mexico in identifying and narrowing down priorities to reform the state's juvenile justice system and improve outcomes for youth. This process included a site visit August 15<sup>th</sup>-18<sup>th</sup> to conduct discussions with critical stakeholders, a light touch analysis of the quality and availability of juvenile justice system and other relevant data, and a second site visit later this fall to present findings from this assessment and recommendations on how to move forward. At the end of this process, state leaders, in partnership with the CSG Justice Center and OJJDP, will determine if the state is ready and interested to participate in the Statewide Juvenile Justice Improvement Initiative (SJJII), with a target launch date anticipated in early 2017. The overall goal of the SJJII would be to work with New Mexico to conduct a more comprehensive assessment of the state's juvenile justice system, and based on this assessment, work with a statewide task force to develop policy options for consideration in the 2018 legislative session.

CYFD JJS has also applied for OJJDP's (FY) 2016 Smart on Juvenile Justice: Statewide Juvenile Justice Reform Planning Grants and Training and Technical Assistance. This initiative furthers the Department's mission by supporting statewide juvenile justice reform efforts to reduce reoffending, improve outcomes for youth, and reduce racial and ethnic disparities.

**Other Recommendation:** Conduct or contract for a staff time study similar to those undertaken in Oregon and Alaska to thoroughly assess JPO staffing needs.

For the last eighteen (18) months, JJS Field has filled positions throughout the state based on need and caseload size and has realized vacancy savings by using this approach. To meet the growing focus on prevention and intervention, Probation has also specialized caseloads in the majority of the District offices. These positions may handle just prevention and intervention cases, operate as a court officer, etc... This has allowed Probation to adjust internally based on caseload needs and referral trends.

Other Recommendation: Assess staffing needs for Youth Care Specialists to ensure facilities are not overstaffed while maintaining staffing ratios required by CYFD policy and PREA;

To ensure that youth were safe in CYFD facilities, in the 2006 Agreement between the American Civil Liberties Union (ACLU) and CYFD, it was established that actual working staff-to-client ratios for staff providing direct client supervision would be at least 1:8 during the day and 1:12 during the night unless CYFD determined that a lower staff-to-client ratio was warranted based upon the type of program and security level needed. However, it also required that all living units would have at least two staff members providing direct supervision on duty and awake.

In secure juvenile facilities, the Department of Justice (DOJ) defined minimum staffing ratios under the Prison Rape Elimination Act (PREA) Standard 115.313 (c) as 1:8 during resident waking hours and 1:16 during resident sleeping hours. PREA further directs that security/direct care staff are included in the minimum staffing ratio requirement. Such staff are defined as "employees primarily responsible for the supervision and control of inmates, detainees, or residents in housing units, recreational areas, dining areas, and other program areas of the facility." Within CYFD JJS, medical, behavioral health, education, administration, and volunteers are not counted as security/direct care staff when considering adequate staff-to-client ratios.

CYFD JJS believes that people are our most valuable asset. Although programming is a valuable tool that must be used, no program, activity, policy, or procedure can impact a young person more than the involvement of a caring person. Change is often difficult and naturally leads to resistance and fear, and our staff ensure that our youth receive guidance and support to try new behaviors and practice, succeed, and learn from mistakes as they internalize positive change.

While CYFD JJS is not aware of any recent independent staffing analysis, our analysis indicates that our secure facilities have not been properly staffed to account for an appropriate relief factor that considers days off, Workers' Compensation, FMLA, military leave, and annual/sick leave. However, CYFD JJS will continue to look for efficiencies in our operations.

Other Recommendation: Consider pursuing ACA accreditation for its secure facilities to complement areas not covered by ongoing PbS monitoring;

It is estimated that ACA membership would cost around \$10K per facility/per year and would require a position dedicated in each facility to be an ACA monitor.

It is important to note that CYFD JJS employs various tools for oversight and accountability. As mentioned in the report, we currently utilize Performance-based Standards (PbS). PbS is a program for juvenile justice agencies, facilities, and residential care providers to identify, monitor, and improve conditions and rehabilitation services provided to youths using national standards and outcome measures. The goal is to integrate best and research-based practices into daily operations to create safe and healthy facilities and programs that effectively improve the lives of delinquent and at-risk youths, families, and communities and prevent future crime.

Another mechanism for oversight within CYFD JJS comes from the Office of Quality Assurance (OQA). OQA was created in 2006 and their monitoring areas are derived from documented standards that exist mainly in JJS procedures, occasionally supplemented by federal law, state law, JJS post orders, JJS forms, etc. Through continuous inspections, weekly/monthly/quarterly reporting on the findings of these inspections, implementation of corrective actions, and regular debriefings, OQA significantly contributes to CYFD JJS's self-regulation and self-improvement processes.

Additionally, in the past year, CYFD JJS has made significant strides in our compliance with the Prison Rape Elimination Act (PREA). The PREA standards require agencies and facilities to take steps to establish zero-tolerance cultures toward sexual abuse and sexual harassment. In addition to establishing a written policy that outlines the agency's approach to sexual misconduct prevention, detection, and response, the agency must identify staff to coordinate and monitor those efforts. Each agency must designate an upper-level agency PREA coordinator who has sufficient time and authority to engage in those activities. At the facility level, the standards require agencies to designate PREA compliance managers at each facility operated by the agency.

Other Recommendation: Consider cost-per-client calculations as a factor in continuum grant applications and awards;

The Juvenile Justice Advisory Committee (JJAC) takes into consideration many elements when examining grant applications and making awards, including performance, data reporting, number of clients served, adherence to evidence-based programming, cost per client, etc.

This report briefly alluded to Ohio's formula-based system as a potential option for funding allocation. It should be noted that Ohio's RECLAIM program allows for a multitude of programs not eligible for funding through JJAC and administers a budget ten times that of JJAC. These include programs for post-adjudicated youth, day and residential treatment, shelter care, and probation work. JJAC funding is solely for services for at-risk youth (youth who have not yet touched the justice system) or youth with referrals handled informally.

An unintended consequence of a formula-based system in New Mexico may be that it allocates funding to counties that cannot afford the 40 percent match requirement, and/or may not have the capacity or need for services at the formula amount.

Other Recommendation: Continue development of information systems to facilitate tracking of participation, risk, needs, outcomes, and recidivism of individual youth in continuum programs;

Data collection has always been a challenge. In the past, the SARA system was met with confusion, inconsistent entry, and disregard for the requirements. The JJAC Unit is exploring options for a more robust data collection system to meet many of the comments outlined in the report; however, those discussions have been met with great opposition from the continuums.

Other Recommendation: Continue working to expand JDAI statewide, incorporating new and existing continuum sites;

Twenty-one continuums are contracted through JJAC to provide services in twenty-three counties. The City of Raton's continuum expanded services into Union County in the later part of FY16 and will continue offering services in Union through FY17. Although Curry County chose not to request JJAC funding for FY17, they continue to offer the same services through other funding sources.

With services that we know are being provided in twenty-four counties, 88.4 percent of our targeted youth have services available. Coverage is currently short in nine counties, representing 11.6 percent, or approximately 25,700, of the 222,459 targeted youth statewide.

Each county is encouraged to apply for funding each year. Many counties choose not to apply because of the availability of other funding sources for services, concerns of not being able to fully contribute the 40 percent match requirement, and/or lack of cooperation on the part of the County or City administration to be the fiscal agent.

Other Recommendation: Require JCC providers to report the reasons for administrative discharges in quarterly and annual reports to the Department;

JCC has required agencies to provide reasons for administrative discharges in EPICS, quarterly and annual reports; absconding, placement in treatment, more appropriate services, permanent injury or death, probation agreement/ supervised release agreement expired prior to service plan goal being met. There is also "other" and a comment box in EPICS to explain why the discharge is administrative.

JCC has required agencies to provide reasons for unsuccessful discharges in EPICS, quarterly and annual reports; probation violation, supervised release violation, new charge, commitment to CYFD facility, refusal to participate in the JCC program. There is also "other" and a comment box in EPICS to explain why the discharge is unsuccessful.

JCC Program Manager examines all quarterly report discharges in EPICS to ensure accurate data collection.

JCC Program Manager will provide JCC agencies with program reviews where outcomes and data collection is an element reviewed. If there are any deficiencies, JCC Program Manager requires provider to address client outcomes and data collection.

**Other Recommendation:** Reclassify JCC administrative discharges due to expiration of a probation or supervised release term as unsuccessful or create a new type of discharge to reflect those clients who are unable to complete JCC before expiration;

The department will explore options regarding discharge reporting. This administrative discharge often occurs unexpectedly to a JCC provider when a JPO and supervisor decide to discharge a client early, prior to the expected date of release.

**Key Recommendation:** In collaboration with the MST Tracking Project, expand the data reported annually on outcomes to include key performance measures tracked by the MST Institute, comparing New Mexico results to national benchmarks;

The Department will work with the LFC or DFA on recommendations for performance measures. The FACTS case management application will have to be evaluated for capacity to collect the data using existing functionality or whether modifications to the system would be required.

### Points of Clarification

In FY16, CYFD maintained a staff-to-client ratio of under 1:4, when the ratio of budgeted Youth Care Specialists to total client capacity is averaged across shifts (Table 10). Calculating the ratio using filled YCS positions as of February 2016, this ratio increases to just over 1:4, as measured against total facility capacity (Table 11). These ratios include YCS staff assigned to housing units as well as roving YCS staff and supervisors.

The calculation utilized by the evaluation team does not consider primary job functions of the various JCO classifications. For example, the JCO II classification includes Physical Plant Staff, Recreation Directors, Classification Officers, and Grievance Officers, which are not security positions and do not factor into staff-to-client ratios. Additionally, JCO Supervisors primarily engage in supervisory activities and are also not factored into staff-to-client ratios.

While bed capacity at YDDC was reduced from 152 beds in 2004 to the current capacity of 108 beds, the facility's housing units remain at odds with a 2010 facilities master plan and feasibility study suggesting 12 beds per unit under the Cambiar model. Currently, there are 20 beds per unit at YDDC and 28 beds in the intake unit.

At YDDC, the Sandia, Esperanza, Manzano, and Milagro units house up to 12 clients each. Mesa and Zia units can house up to 11 clients. Ivy, the intake unit, has a 24-bed capacity.

Currently, the ACLU continues to contest CYFD's compliance with the 2014 agreement, and discussions remain ongoing.

CYFD has substantially complied with the Memorandum of Agreement between the CYFD and ACLU-NM.

GED completion among juvenile justice facility clients has fallen since the 2012-2013 school year, but the number of clients receiving high school diplomas is growing.

While not included in this report, for school year 2015-2016 there were 62 GED graduates and 21 high school diplomas, which represents an increase over the previous two years.

Additionally, the average FY15 case processing time for each district appears to have little relationship to the district's referral rate, indicating possible inefficiencies in the courts as well as JPO workloads (Chart 39). On average, juvenile justice cases in New Mexico were processed in 156 days, or just over five months, in FY15.

August 22, 2016

The majority of the time it takes for a referral to process through the Juvenile Justice system is outside of the control of the Department, The Department doesn't control how long it takes for a referral to reach us or how long it takes the legal process once we have forwarded the referral to the Children's Court Attorney. In FY15 it took an average of 10 days from the point of the Department receiving a referral to making a determination of handling the referral formally or informally.

Current CYFD performance measures do not include a measure specific to recidivism of probation clients.

As noted in the LFC analysis, JJS provides the key performance measure of clients re-adjudicated within two years. This quarterly performance measure reports on the percentage of clients who are re-adjudicated within two years of their completion of probation. Unless the LFC is recommending for a measurement of recidivism other than re-adjudication or a different evaluation period, the Department already meets this reporting need.

Under previous agreements, CYFD implemented steps such as creating the JJS Office of Quality Assurance to monitor compliance with the agreements and CYFD's policies and procedures, including the use of room confinement, and the use of the Performance-based Standards (PbS) data monitoring system, a national model that allows CYFD to track performance of a variety of safety, health, and other indicators against the field of facilities nationwide.

The Office of Quality Assurance does not monitor the use of PbS. This function falls under the auspices of the Performance and Policy Bureau.

### Conclusion

Our department has been unified under one mission: To improve the quality of life for our children. The expanded application for JJS is: To keep our children safe and to prepare them to be contributing members of society. As noted in this report, we have made much progress but, building on our foundational elements/practices, we will view the recommendations listed herein as an opportunity to continue to demonstrate our sustained commitment to the continuous improvement of the juvenile justice system so that it protects public safety, holds clients accountable, and provides treatment and rehabilitative services tailored to the needs of juveniles and their families, and effectively utilizes the resources entrusted to us to carry out our mission.

Sincerely,



Monique Jacobson  
Cabinet Secretary, New Mexico Children, Youth and Families Department



## Appendix A: Evaluation Scope and Methodology

### Evaluation Objectives.

- Review front-end juvenile justice services and assess capacity, needs, and cost effectiveness;
- Evaluate costs, capacity, needs, and performance in secure juvenile justice facilities in relation to current conditions and standards; and
- Evaluate costs, capacity, needs, and performance in aftercare and supervised release services.

### Scope and Methodology.

- Interview agency staff and visit juvenile justice facilities, field offices, and community programs;
- Review state and federal laws, regulations and policies;
- Review previous LFC evaluations of juvenile justice facilities and programs;
- Review relevant contracts, CYFD JJS annual reports, strategic plans, and other related documents;
- Review existing research on juvenile justice programming from other states or institutions;
- Review and analyze cohort datasets from CYFD for recidivism rates.

### Evaluation Team.

Brian Hoffmeister, Lead Program Evaluator  
Maria D. Griego, Program Evaluator  
Pam Galbraith, Program Evaluator

**Authority for Evaluation.** LFC is authorized under the provisions of Section 2-5-3 NMSA 1978 to examine laws governing the finances and operations of departments, agencies, and institutions of New Mexico and all of its political subdivisions; the effects of laws on the proper functioning of these governmental units; and the policies and costs. LFC is also authorized to make recommendations for change to the Legislature. In furtherance of its statutory responsibility, LFC may conduct inquiries into specific transactions affecting the operating policies and cost of governmental units and their compliance with state laws.

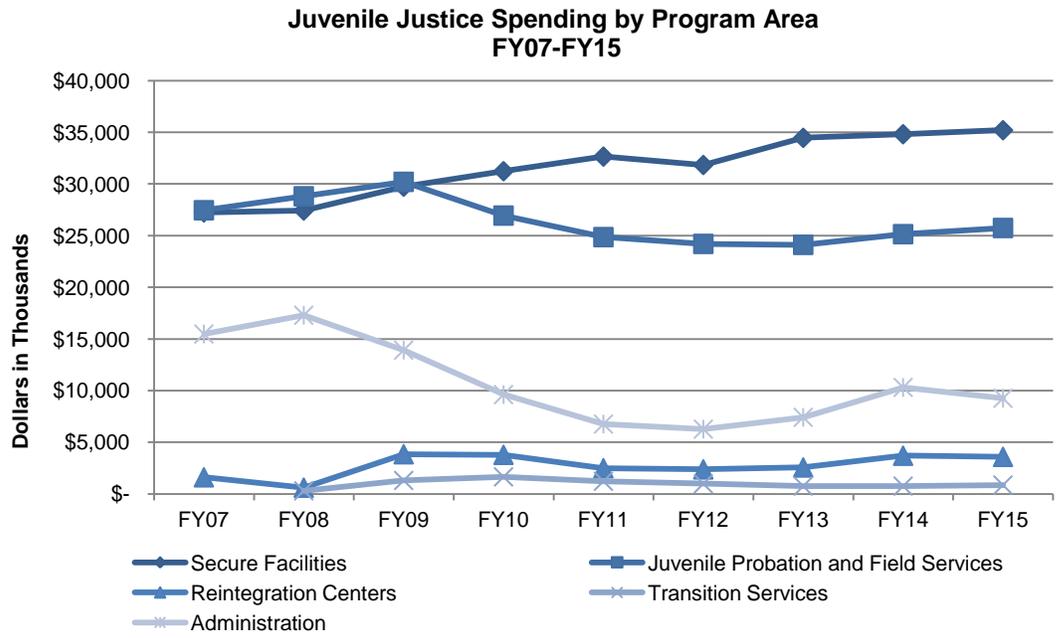
**Exit Conferences.** The contents of this report were discussed with the Secretary of the Children, Youth, and Families Department and her staff on August 15, 2016.

**Report Distribution.** This report is intended for the information of the Office of the Governor, the Children, Youth, and Families Department, the Office of the State Auditor, and the Legislative Finance Committee. This restriction is not intended to limit distribution of this report, which is a matter of public record.

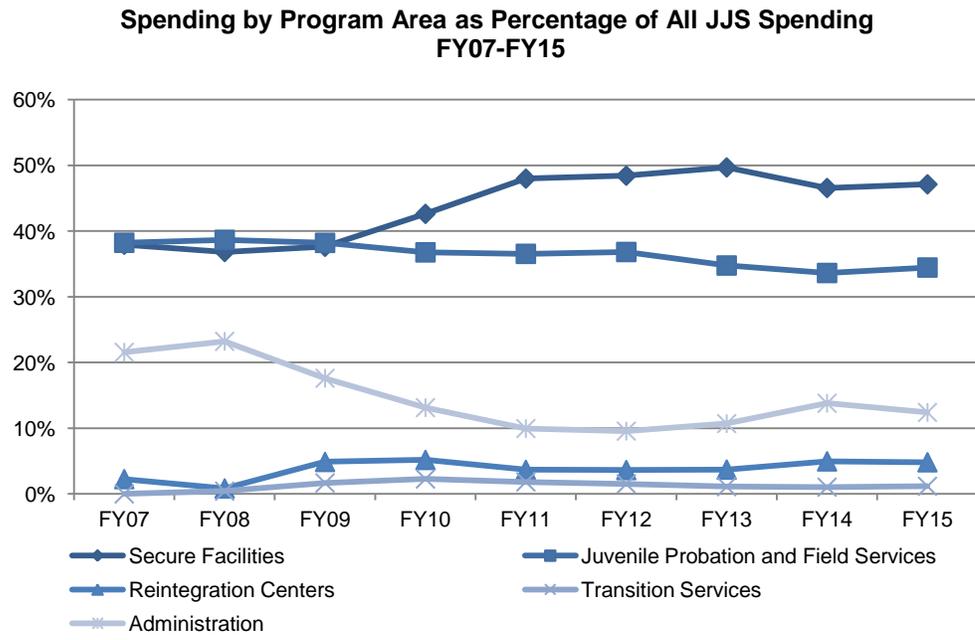


Charles Sallee  
Deputy Director for Program Evaluation

# Appendix B: JJS Spending History by Program Area

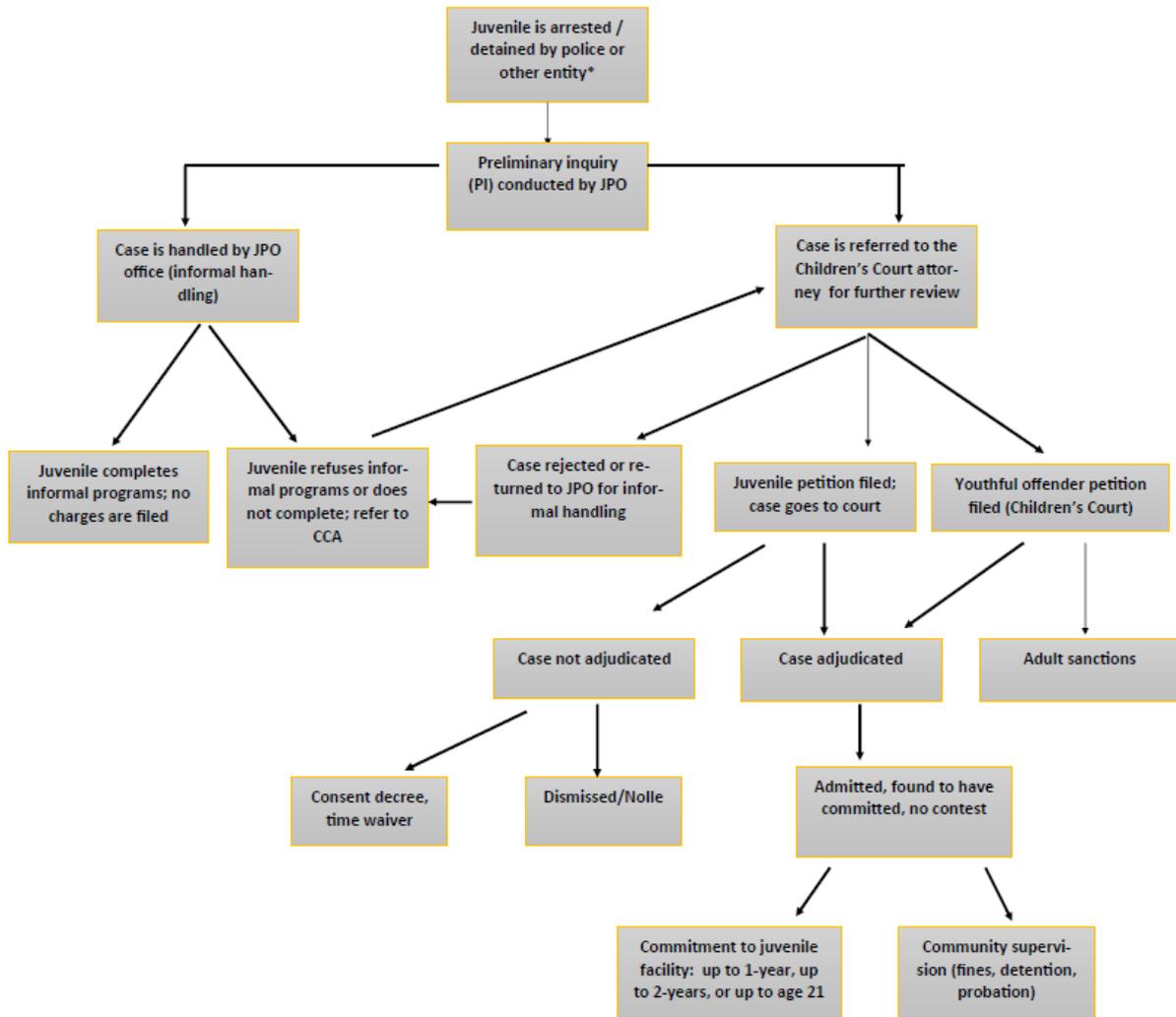


Source: SHARE, LFC Analysis



Source: SHARE, LFC Analysis

# Appendix C: New Mexico Juvenile Justice Client Referral Pathway



\*Other entities include County, State, Municipality, University/College, Public School Police Department, Fire Department, Correctional/Detention Facility, Border Patrol, Federal Agency, Parent/Guardian, and Citizens. Referrals for Probation Violations are handled similarly.

\*\*The CCA is in the Office of the District Attorney specializing in juvenile cases. Cases referred to the CCA will be evaluated, and if enough evidence is present, will be remanded to juvenile court (petition will be filed).

Youthful Offender petition may be filed after a juvenile petition was filed.

Serious Youthful Offender is not within the juvenile system and excluded from this pathway.

Source: CYFD JJS FY15 Annual Report

# Appendix D: Missouri DYS Organizational Beliefs

## Missouri DYS Treatment Beliefs

### **Safety and structure are the foundation of treatment**

- Meeting youth's basic needs and providing physical and emotional safety is the foundation of treatment. Youth need to know that staff cares enough about them to expect them to succeed. This is demonstrated by staff's ability to provide safety and structure.

### **Each person is special and unique**

- Services and supports are individualized. Through this process youth recognize the value and strengths of self and others, and are challenged and inspired to reach their full potential.

### **People Can Change**

- While change is often difficult and naturally leads to resistance and fear, people more readily embrace change when included in the process. Youth need to be guided and supported to try new behaviors, practice, succeed, and learn from mistakes as they internalize positive changes.

### **People desire to do well and succeed**

- All youth need approval, acceptance and the opportunity to contribute. Programs and services are structured in a manner that taps into and builds upon these universal needs.

### **Emotions are not to be judged**

- Feelings are not right or wrong. Personal disclosure and reconciliation of life experiences are important for healing and personal growth. As a part of the treatment process youth explore behaviors, thoughts, and emotions.

### **All behavior has a purpose and is often a symptom of unmet needs**

- Challenging behavior is often symptomatic of core issues or patterns. Services are designed to help address these needs and assist youth in investigating and understanding their history, behavior, healthy alternatives, and facilitate internalized change.

### **People do the best they can with the resources available to them**

- Youth often come to the agency with limited resources and a lack of knowledge and awareness of their behavioral and emotional options. In the situations they have experienced, their behavior may have seemed logical and understandable.

### **The family is vital to the treatment process**

- Families want the best for their children. Services provided to youth must take into account the values and behaviors established within the family system. Family expertise and participation is essential in the youth's treatment process, and facilitates system change within the youth's family.

### **True understanding is built on genuine empathy and care**

- Respect and appreciation for the inherent worth and dignity of self and others forms the foundation of safety, trust, and openness necessary for change to occur. Demonstrating respect and appreciation for the worth of youth and families is essential.

### **We are more alike than different**

- Everyone has fears, insecurities, and basic needs including safety, attention, and belonging. Programs and staff normalize and attend to these needs, assisting youth in meeting their needs in positive and productive ways.

### **Change does not occur in isolation – youth need others.**

- Treatment is structured to assist youth in experiencing success through helping others and being helped. This need is also addressed through accessing community resources and enabling youth to develop healthy supportive relationships with peers, adults, family, and in their neighborhoods and communities.

### **We are a combination of our past and present**

- Youth have learned through a wide variety of experiences. It is through investigation and linking past and present experiences that youth develop the knowledge, skills and emotional capacity to succeed in home and community.

### **Respect and embrace diversity**

- Services, supports, and interactions demonstrate respect for and build on the values, preferences, beliefs, culture, and identity of the youth, family, and community. Diversity in expression, opinion, and preference is embraced.

Source: Missouri Division of Youth Services

## Appendix E: Elements of the Cambiar Model

### Components of Cambiar Group Treatment Approach

Unit Management	<ul style="list-style-type: none"> <li>• Each dorm has a treatment team,, with a unit leader, working only with the assigned group and</li> <li>• A minimum of two staff are required during all waking hour shifts.</li> </ul>
Meetings and Huddles	<ul style="list-style-type: none"> <li>• Group meetings are to be held five times per week for approximately one hour where all youth are present and there is a designated meeting facilitator;</li> <li>• Team meetings with frequency determined by group's level where the unit supervisor facilitates assessment of the group's developmental level and treatment strategies for the upcoming period between team meetings for both the group and individuals within the group reviewing dorm management, education, recreation, free time, chores, etc.;</li> <li>• Huddles that can be called by any group member or staff about an issue or negative behavior relating to youth within the group to foster open communication resulting in problem-solving and accountability within the group; and</li> <li>• Check-ins or processing sessions which usually occur at a set time during the day or after an event, task, or situation or at day's end where group members are encouraged to speak about their day.</li> <li>• Staff participation in senior team meetings with managers and managers should have regular meetings with the facility superintendent.</li> </ul>

Source: CYFD

### Common Area Furnishings at John Paul Taylor Center



Source: LFC Staff

# Appendix F: JJS Educational Facilities

## JJS Facility Classrooms



YDDC Classroom



JPTC Classroom



CNYC Classroom

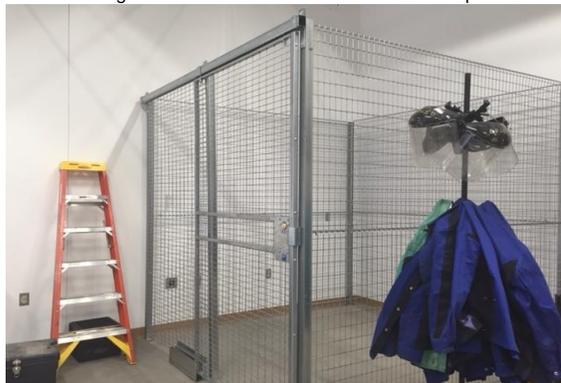
## JPTC Vocational Training Facilities



Greenhouse for Horticulture Program



Computer Lab for Drafting Program



Cage and Equipment for Forthcoming Welding Program

Source: LFC Staff

# Appendix G: JJS Reintegration Centers

## Photographs of JJS Reintegration Centers



Common Area, Albuquerque Boys Reintegration Center



Common Area, Albuquerque Girls Reintegration Center



Sleeping Quarters, Albuquerque Boys Reintegration Center



Outdoor Area, Albuquerque Girls Reintegration Center



Common Area, Eagle Nest Reintegration Center

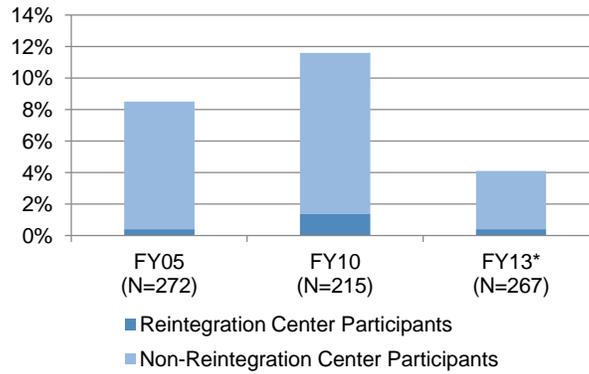


Sleeping Quarters, Eagle Nest Reintegration Center

Source: LFC Staff

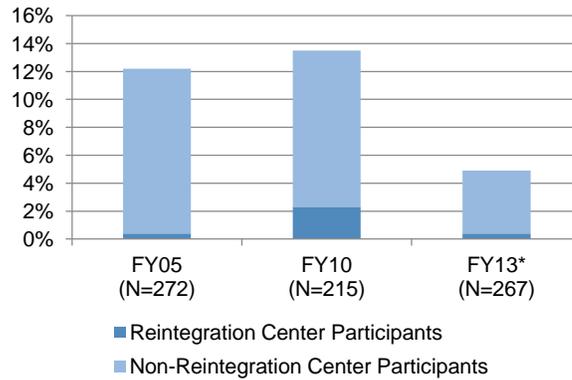
# Appendix H: Reintegration Center Client Recidivism

## One-Year Recidivism Rates



Note: Based on five-year cohorts from facilities only. 2013 recidivism rates based on three years of a five-year follow-up period.  
Source: LFC Analysis of CYFD Data

## Three-Year Recidivism Rates



Note: Based on five-year cohorts from facilities only. 2013 recidivism rates based on three years of a five-year follow-up period.  
Source: LFC Analysis of CYFD Data

# Appendix I: Comparison of Selected Facility Performance Measures

**Comparison of Selected ACA and PbS Performance Measures**

ACA		PbS	
ACA Performance Category	Measure	PbS Domain	Measure
Safety and Security – Youth-on-Youth Incidents	Number of youth-on-youth assaults with a weapon (object of any description used to cause harm to another) in the past 12 months divided by the total number of youth-on-youth assaults in the past 12 months.	Safety	Assaults and fights on youth per 100 person-days of youth confinement.
Safety and Security – Employee Occupational Health and Safety	Total number of employee injuries due to youth assault at this site resulting in lost work days in the past 12 months divided by total number of employees assigned to this site.	Safety	Injuries to staff per 100 staff-days of employment.
Medical Services – Medical Services On Site	Number of juveniles seen by the responsible physician or health-care practitioner (nurse practitioner, physician’s assistant) in the past 12 months divided by the number of juveniles referred to be seen by the responsible physician or health-care practitioner in the past 12 months.	Health	Percent of youths confined for more than 60 days whose records indicated that they received the health treatment prescribed by their individual treatment plans.
Medical Services – Mental Health	Percent of intake mental health screenings (intersystem or intrasystem) completed at admission in past 12 months divided by the number of admissions in the past 12 months.	Behavioral Health	Percent of youths presented for admission whose mental health assessments were completed by trained or qualified staff 6 months prior to or within 7 days from admission.
Medical Services – Pharmaceutical Management	Number of juveniles on psychotropic medications in past 12 months divided by the average daily population in the past 12 months.	N/A	N/A
Programs and Services – Administration and Management	Average change in grade level of juvenile served as measured by a standardized pre- and post-test achievement instrument during the past 12 months.	Programming	Percent of youths confined for over six months whose math (or reading) scores increased between admission and discharge.
N/A	N/A	Family	Percent of youths whose aftercare plans include identification of people who will support the youth in the community.

Source: ACA and PbS

# Appendix J: JJS Community Supervision Level Matrix



## JJS Community Supervision Level Matrix

### Risk and Needs Assessment Scores

Needs Levels	Final Risk Levels		
	High	Medium	Low
<input type="checkbox"/> High	Intensive	Maximum	Medium
<input type="checkbox"/> Moderate	Maximum	Medium	Minimum
<input type="checkbox"/> Low	Maximum	Medium	Minimum

### Minimum Service Contact

Community Supervision Level	Client (Face-to-Face)	Family	Treatment Team/Provider
Intensive	Weekly	Weekly	Bi-weekly
Maximum*	Weekly	Weekly	Bi-weekly
Medium	Bi-weekly	Bi-weekly	Monthly
Minimum**	Monthly	Monthly	Monthly

### Community Support Officer (CSO) Contact Standards

Community Supervision Level	Client (Face-to-Face)	Family	Treatment Team/Provider
Intensive	2 to 3 times per week	Weekly	Monthly
Maximum*	1 to 2 times per week	Weekly	Monthly
Medium	N/A	N/A	N/A
Minimum**	N/A	N/A	N/A

CSO contact is not required on clients scoring Medium or Minimum Supervision on the RNA tool. However, the CJPO/or supervisor may assign CSOs to Medium and Minimum level not to exceed 30 days.

- \* All SR clients receive at least maximum supervision until completion of the reassessment of risk/needs 90 days after supervised release.
- \*\* All clients in RTC placements receive minimum supervision. Upon discharge, the supervision level will increase to maximum for 30 days. The CBHC will provide treatment and oversight for this transition.

# Appendix K: List of Juvenile Justice Continuum Sites and Programs

## Continuum Sites and Funded Programs, FY16

Continuum Site	Funded Programs	Continuum Site	Funded Programs
Bernalillo County	Circles of Justice Community Custody Program Continuum Funds New Day Reception & Assessment Center Outcome, Inc. Parenting Project South Valley Reporting Center Victim Offender Mediation Youth Services Center	Luna & Hidalgo Counties	Adolescent Literacy Program Continuum Funds
		McKinley County	Botvin Life Skills Boy's Council Case Management Continuum Funds Crisis Center Girl's Circle Venture Program
Chaves County	Alternative Education Continuum Funds Girl's Circle Roswell Refuge Juvenile Violence Program WINGS for Life Youth Advocacy	City of Raton	Boy's Council Continuum Funds Girl's Circle Restorative Justice
		Rio Arriba County	Academic Skills Enhancement Continuum Funds Girl's Circle & Boy's Council Intensive Community Monitoring PASS Program YMCA Day Monitoring
Cibola County	Continuum Funds Mentoring Anti-Bullying Program Saturday School Student Resource Officer Substance Abuse Prevention	Sandoval County	Alternative Education Setting Continuum Funds Learning Lab - Bernalillo Learning Lab - Cuba New Day Reception & Assessment Center
Curry County	Boy's Council Citation Program Continuum Funds Girl's Circle Truancy Program	City of Santa Fe	Communities in Schools Continuum Funds Day Reporting Center Girl's Circle & Boy's Council Intensive Community Monitoring Restorative Justice Strengthening Families Program
Grant County	Continuum Funds Restorative Justice Strengthening Families Program		
City of Las Cruces	Continuum Funds Juvenile Assessment & Reporting Center Juvenile Citation Program	City of Socorro	Continuum Funds Substance Abuse & Awareness Education Teen Multi-Purpose Center Youth Diversion Court
City of Las Vegas	Continuum Funds Girl's Circle & Boy's Council Restorative Justice Substance & Violence Prevention Youth Sports Program	Town of Taos	Continuum Funds Girl's Circle Intensive Community Monitoring Learning Lab Non-Violence Works Program Restorative Justice
Lea County	Continuum Funds Youth Reporting Center		
Lincoln County	Boy's Council Citation Program Continuum Funds Girl's Circle Intensive Community Monitoring Restorative Justice Trauma Program	Torrance County	Continuum Funds Reception & Assessment Center ScOutreach Program
		Valencia County	Continuum Funds Girl's Circle & Boy's Council Reception & Assessment Center ScOutreach Program
Los Alamos County	Continuum Funds Girl's Circle & Boy's Council Life Skills Truancy Program Youth & Family Advocacy		

Source: CYFD

## Appendix L: FY15-FY17 Juvenile Justice Continuum Grant Awards

### Continuum Site Grant Awards, FY15-FY17

Continuum Site	FY15	FY16	FY17
Bernalillo County	\$360,140	\$355,873	\$298,946
Chaves County	\$244,220	\$280,748	\$226,327
Cibola County	\$129,339	\$156,749	\$135,616
Curry County	\$72,941	\$77,247	-
Grant County	\$69,385	\$73,161	\$95,280
City of Las Cruces	\$335,950	\$314,326	\$309,086
City of Las Vegas	\$71,721	\$59,830	\$48,774
Lea County	\$94,042	\$91,140	\$51,754
Lincoln County	\$127,205	\$113,111	\$104,751
Los Alamos County	\$207,415	\$198,796	\$228,179
Luna County	\$60,000	-	-
Luna and Hidalgo Counties	-	\$59,720	\$65,221
McKinley County	\$167,485	\$160,583	\$95,300
Otero County	-	-	\$95,320
City of Raton	\$72,000	\$128,418	\$130,780
Rio Arriba County	\$193,959	\$185,906	\$168,009
Sandoval County	\$343,950	\$329,679	\$300,000
City of Santa Fe	\$205,159	\$183,351	\$133,395
Sierra County	-	-	\$72,002
Socorro County	\$106,211	\$100,317	\$103,316
Town of Taos	\$133,302	\$124,154	\$122,282
Torrance County	\$126,881	\$132,391	\$91,392
Valencia County	\$168,763	\$164,276	\$169,353
<b>Total</b>	<b>\$3,290,068</b>	<b>\$3,289,776</b>	<b>\$3,045,083</b>

Source: CYFD

# Appendix M: Juvenile Community Corrections Discharge Criteria

## JCC Discharge Criteria

Successful Discharge	Unsuccessful Discharge	Administrative Discharge
<p>The Juvenile Probation Officer and JCC Case Manager agree that the client has met the following criteria:</p> <ul style="list-style-type: none"> <li>• The client had decreased involvement with the Juvenile Justice System.</li> <li>• There has been an improvement in the client competencies in social, living, coping and thinking skills as identified in the service plan.</li> <li>• There has been improvement in the academic performance of the client if identified in the service plan.</li> <li>• There has been improvement in the client's behavior at home and in the community.</li> </ul>	<p>The Juvenile Probation Officer and JCC Case Manager agree that the client did not meet the criteria of a successful discharge.</p>	<p>The Juvenile Probation Officer and JCC Case Manager agree that the client is not capable of completing the JCC program due to:</p> <ul style="list-style-type: none"> <li>• Absconding</li> <li>• Placement in a treatment facility</li> <li>• Other services have been deemed more appropriate for the client.</li> <li>• Permanent injury or death</li> <li>• Probation agreement expired prior to service plan goals being met</li> <li>• Supervised release expired prior to service plan goals being met</li> </ul>

Source: CYFD JCC Program Manual

## Appendix N: Additional MST Information

### Multisystemic Therapy Providers as of 2015

Active Provider	MST Services Provided	Coverage Area
Guidance Center of Lea County	Standard MST (1 team)	Hobbs
La Clinica de Familia	Standard MST (1 team) MST-PSB (1 team)	Las Cruces and Doña Ana County
Mental Health Resources	Standard MST (1 team)	Clovis, Portales
Presbyterian Medical Services	Standard MST (7 teams)	Santa Fe, Albuquerque, Rio Rancho, Los Lunas, Farmington
Southwest Family Guidance Center and Institute	Standard MST (4 teams) MST-PSB (2 teams)	Albuquerque, Valencia County, Sandoval County, Santa Fe, Las Cruces
University of New Mexico	Standard MST (2 teams)	Albuquerque
Closed Provider	MST Services Provided	Coverage Area
La Frontera	Standard MST (3 teams) MST-PSB (1 team)	Las Cruces, Silver City, Alamogordo, Deming, Lordsburg
Turquoise Health & Wellness	Standard MST (3 teams)	Roswell, Clovis, Portales, Quay County

Source: New Mexico MST Outcomes Tracking Project 2015

### Percent Change in Average Medicaid Behavioral Health Charges per Month for Youth Who Completed MST Between July 2005 and June 2015

n=1,869

Service Category	Percent Reduction Between 12 Months Prior to MST to 24 Months after MST Completion
Inpatient	77%
Outpatient	52%
Intensive Outpatient	76%
Residential	67%
Value Added Services	91%

Note: Value added services accounted for 1 percent of pre-admission charges.

Source: 2015 New Mexico MST Outcomes Tracking Project

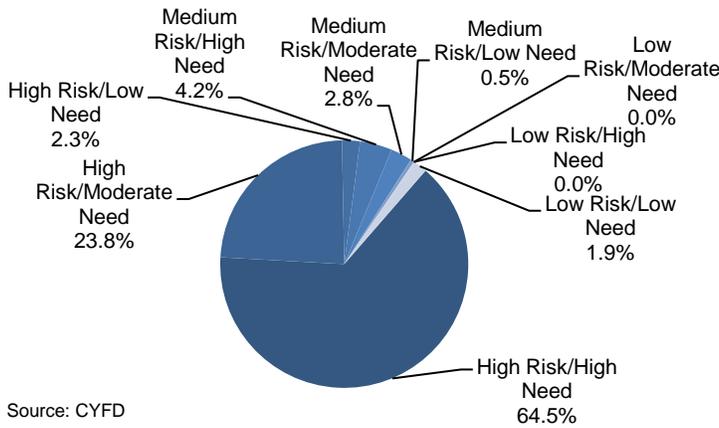
### Table xx. Select MST Performance Measures

Percent of Youth Living at Home
Percent of Youth in School and/or Working
Percent of Youth with No New Arrests
Number of Cases with Adherence Data
Overall Average Adherence Score
Percent of Youth Completing Treatment
Percent of Cases Closed Due to Lack of Engagement
Percent of Youth Placed During Treatment
Average Length of Treatment in Days

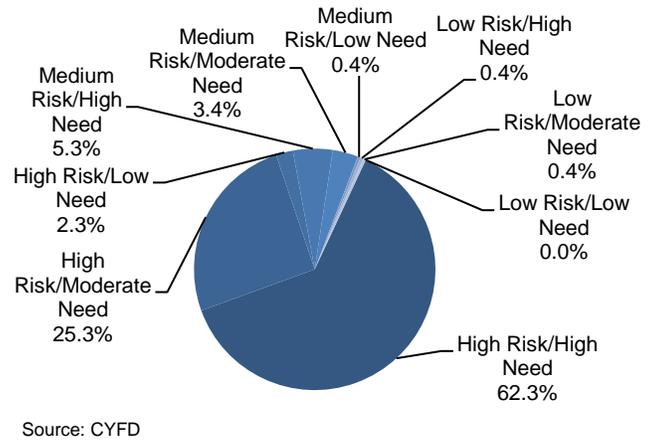
Source: MST Institute

# Appendix O: Facility and Probation Risk and Needs Assessments

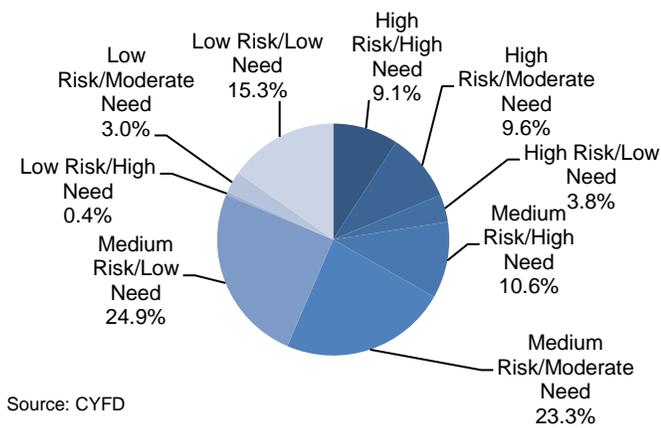
**2010 Facility Cohort Risk and Needs Assessment Results**



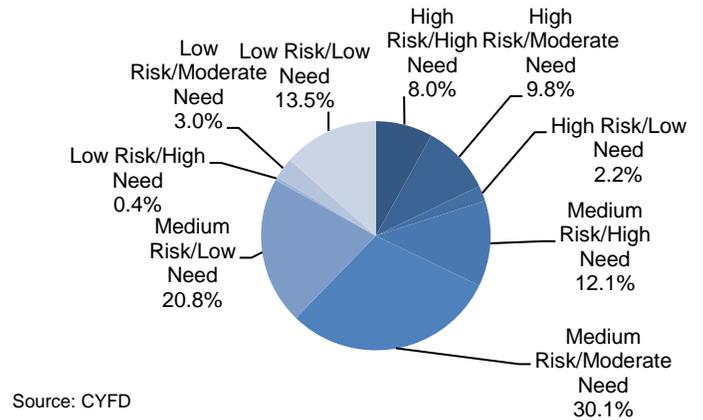
**2013 Facility Cohort Risk and Needs Assessment Results**



**2010 Probation Cohort Risk and Needs Assessment Results**



**2013 Probation Cohort Risk and Needs Assessment Results**



## Appendix P: Structured Decision Making Risk and Needs Assessment Scoring Criteria

Risk Variable	Scoring Criteria	Need Variables	Scoring Criteria
Number of Referrals	Only one referral -1, two or three referrals 0, four or more referrals +1	Family Relationships	Supportive Relationships -3, Occasionally problematic relationships 0, Domestic discord 3, Serious domestic discord/domestic violence 5
Age at First Referral	Younger than 12.5 at first referral +1, 12.5 or older at first referral 0	Emotional Stability	Displays good emotional coping skills -3, Displays appropriate emotional responses 0, Periodic emotional responses which limit functioning 3, extreme emotional responses which severely limit adequate functioning 5
Petition Offense History	Any Assault Petitions +1, Any Weapons Petitions +1, Any Property Petitions +1	Education	No school problems -2, Occasional school problems 0, Moderate school problems 2, Chronic school problems 4
Program Adjustment to Commitment	No infractions, One minor infraction, Two or more minor/One major, Two or more major	Substance Abuse	No use by youth -2, Experimentation with marijuana/alcohol 0, Substance abuse/experimentation with other drugs 2, Chronic substance abuse 4
Attempted Escape/Escape Violations	None, Attempted Escape/Escape	Physical Issues	Good health/hygiene care -2, No health problems 0, Health/hygiene problems 2, Serious health/hygiene problems 4
Assault/Battery on Staff/Peers	None, One or more	Life Skills	Consistently demonstrates appropriate life skills -2, Demonstrates appropriate life skills 0, Inconsistently demonstrates appropriate life skills 2, Rarely demonstrates appropriate life skills 4
Victimization	Positive- Progress in all areas, Positive- Progress in Some Areas, Some resistance problems, Negative- Minimal progress, Negative- No progress	Victimization	No victimization history -2, Victimization with appropriate support 0, Single victimization without support 2, Multiple victimizations without support 4
		Social Relations	Positive support network -1, Adequate support network 0, Limited support network 1, Lacks support network 3
		Employment	Currently employed -1, Unemployed with work skills 0, Employed but experiencing problems 1, Unemployed/lacks work skills 3
		Sexuality	Responsible sexual behavior -1, Appropriate sexual behavior 0, Inappropriate sexual behavior 1, Sexual adjudication/conviction 3
		Community Resources	Seeks out and utilizes resources -1, Utilizes resources when referred 0, Resource utilization problem 1, Refusal to utilize resources 2

Source: CYFD SDM Manual