

NEW MEXICO  
LEGISLATIVE  
FINANCE  
COMMITTEE

# Senate Memorial 5 Task Force

October 18, 2024



# Upcoming Meetings

Meeting	Focus Topic
May 24	Welcome and overview of systems
June 21	Prevention and early Intervention
July 25	Workforce
August 16	Access to services: resource families and children's behavioral health
September 27	Compliance and oversight Develop preliminary recommendations
★ October 18	Juvenile Justice
October 25	Task Force Work Session
November 15	Final task force recommendations



# Agenda

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1. Children's Code Reform Task Force Report and Recommendations
2. Example: Colorado Oversight System
3. Juvenile Justice Trends and Task Force Discussion



# Public Comment

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# Children's Code Reform Report and Recommendations

-Insert presenters>



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Oversight and Accountability Example:  
Stephanie Villafuerte, Child Protection Ombudsman



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# Juvenile Justice in New Mexico



# JDAI: Cambiar Model

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1. Interagency collaboration between stakeholders, parents, community, and others to coordinate reform activities
2. Use of accurate data to diagnose and understand the system problems, identify solutions, and drive program decisions
3. Reliance on objective admission criteria and instrument to guide detention admission decisions
4. Utilization of alternative to detention to provide youth with community-based services while awaiting adjudication
5. Reform case processing in order to accelerate movement of delinquency cases, reduce unnecessary delays, and ensure interventions and timely and appropriate
6. Reduce the use of secure confinement for “special” detention cases, such as parole violation
7. Commit to reducing racial and ethnic disparities by implementing practices and policies that eliminate structural or personal biases
8. Improving and monitoring conditions of confinement by conducting routine facility inspections



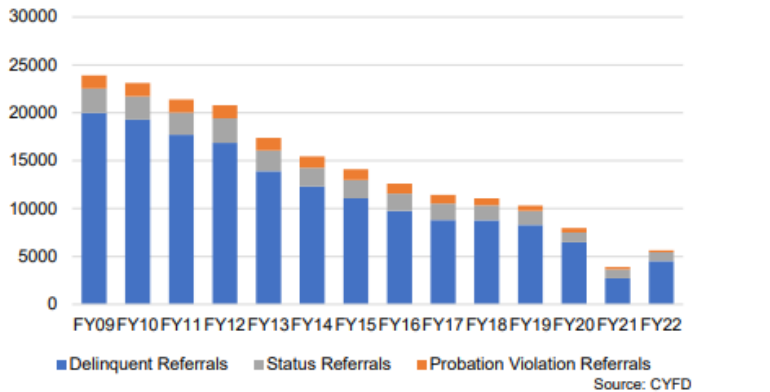


# Juvenile Justice referrals declined since 2008

Referral to CYFD is the entry point to the juvenile justice system.

While a youth does not have to be arrested to be referred to CYFD, though nearly all referrals are made by police. Once referred, a youth is assigned a JPO, who decides either to refer to children's court attorney or handle informally. Court proceedings can lead to either commitment or probation; cases handled informally can lead to field supervision, diversion, or behavioral health services.

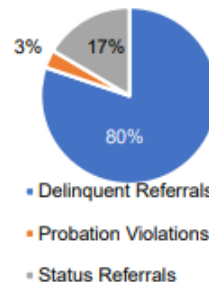
**Chart 3. Referrals to CYFD declined by 76.4 percent between FY09 and FY22**



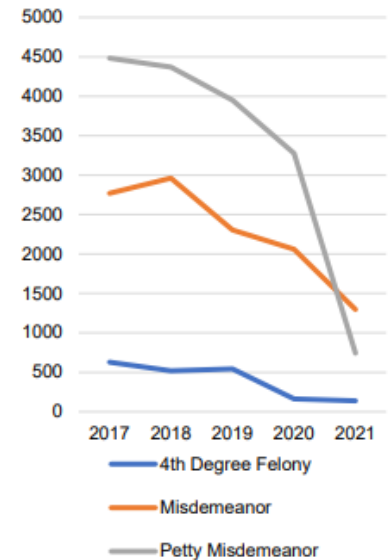
While client counts fell, budget remained relatively flat, and costs per client increase.

- **Delinquent referrals** are acts committed by children that would be a crime if committed by an adult.
- **Status referrals** are acts that are violations only if committed by a juvenile (e.g. runaway, truancy).
- **Probation violations** are any violation of terms of probation.

**Chart 2. FY22 Referrals by Type**



**Chart 5. Among the 15 Most Common Offenses, Petty Misdemeanors Declined Most Acutely**



Note: FY22 is excluded due to data limitations



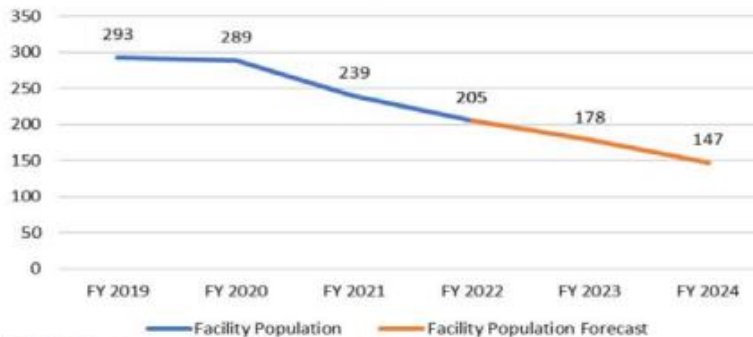
# Since 2008, the secure juvenile population declined, and secure facilities have been under capacity, though census has increased in the last year

**Table 1. Facility Population and Status**

Facility	Type	Capacity	FY22 Avg. Daily Population	Status
John Paul Taylor Center	Secure Facility	48	23.3	Operational
Youth Diagnostic and Development Center	Secure Facility	108	49.2	Operational
Camino Nuevo Youth Center	Secure Facility	96	12.6	Closed in FY22, but still houses administrative staff
San Juan Detention Center	Secure Facility	10		Contract terminated in FY20
Albuquerque Boys Reintegration Center	Reintegration Center	12	2.7	Operational
Albuquerque Girls Reintegration Center	Reintegration Center	12	0.6	Closed in FY22
Eagle Nest Reintegration Center	Reintegration Center	12	3.7	Operational
Carlsbad Reintegration Center	Reintegration Center	12		Closed in FY17

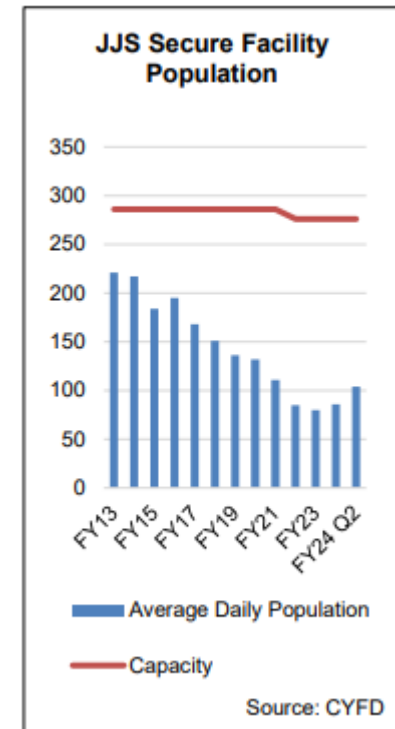
Source: CYFD

**Chart 19. Facility Population Projection for FY23 and FY24**



Note: This chart uses unique youth, not average daily population.

Source: CYFD

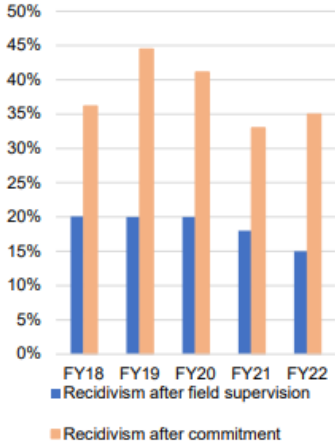


Source: CYFD



# Recidivism also declined (improved) and risk assessments suggested the potential for continued decrease in FY22

**Chart 6. Recidivism Fell Slightly Between FY18 and FY22**



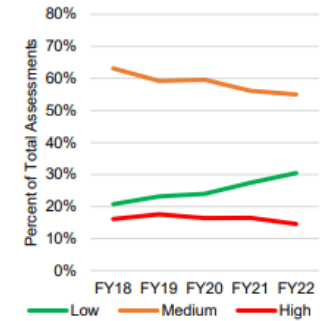
Note: FY18 is the first year for which CYFD reported recidivism by this measure.

Source: CYFD

**Field Supervision**: In FY24, 86% of youth discharged from field supervision did not recidivate in the following two years, effectively the same as FY23 (87%).

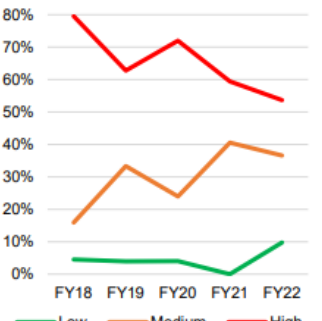
**Secure Facility**: 34% of youth discharged from a secure facility did not recidivate in the following two years, a worsening over FY23 (55%).

**Chart 7. Field Supervision Risk Assessments**



Note: CYFD began reporting these figures in FY18. Source: CYFD

**Chart 8. Secure Facilities Risk Assessments**



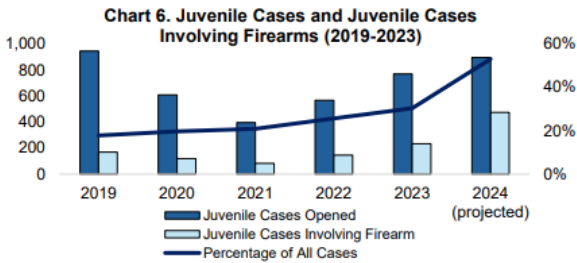
Note: CYFD began reporting these figures in FY18. Source: CYFD

Over the last year, CYFD has made changes to the structured decision-making tool and is no longer using the validated version with fidelity, defaulting certain types of cases to high risk.



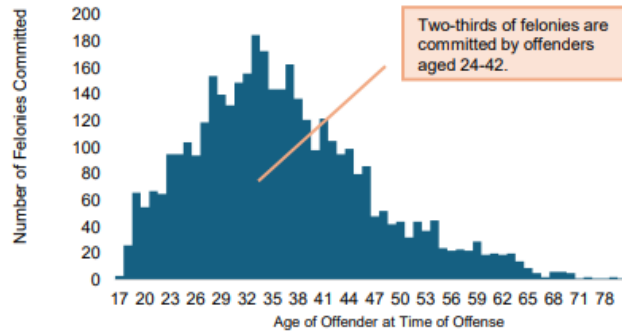
# Over the last year, some data suggests certain types of juvenile crime may be ticking up with overall crime, particularly in Bernalillo County

## Second Judicial District Data



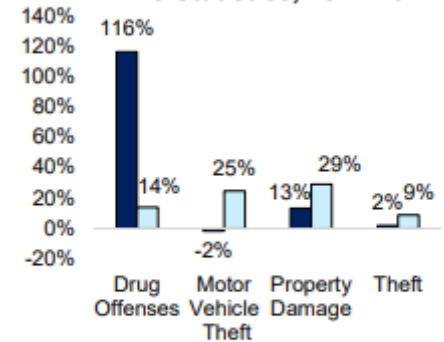
Note: 2024 projections are based on extrapolations from first quarter actuals data.  
Source: LFC analysis of Second Judicial District data

**Chart 7. Number of Felonies Committed by Offenders Age Group in 2023**



Source: LFC analysis of Bernalillo Metropolitan District Court data

**Chart 9. Percent Increases in Recent Albuquerque Crime Statistics, 2022-2024**



■ 2022 to 2023  
□ 2023 (Jan to April) to 2024 (Jan to Apr)

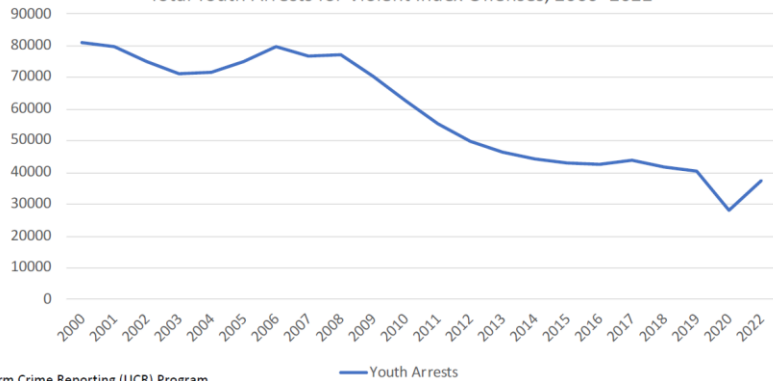
Source: LFC analysis of APD crime data



# National data about juvenile crime tend to mirror New Mexico trends

Overall, arrests for youth violence declined 54% from 2000 to 2022, and in 2022, were historically low vs. anytime other than the pandemic.

Total Youth Arrests for Violent Index Offenses, 2000–2022



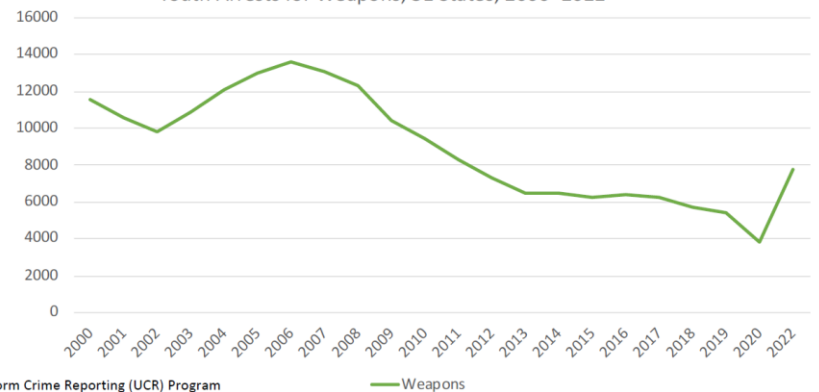
FBI Uniform Crime Reporting (UCR) Program

Youth Arrests



Arrests for weapons offenses have been consistently declining but spiked in 2022 to levels not seen for a decade.

Youth Arrests for Weapons, 31 States, 2000–2022



FBI Uniform Crime Reporting (UCR) Program

Weapons



Source: Justice Center- Council of State Governments



# Data About Dually-Involved Youth

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## National Research

Dually-involved youth make up a large proportion of the young people involved in each system;

- **Between 7% and 29% of youth with a history of child welfare system involvement** are estimated also touch the **juvenile legal system** at some point (Cutuli et al., 2016; Herz et al., 2010)
- **45% to 83% of youth in the juvenile legal system also have a history of child welfare involvement** (Halemba & Siegel, 2011; Herz & Dierkshising, 2018; McCroskey et al., 2017)

## New Mexico Context

New Mexico has the ability to track and examine data and trends related to dually-involved youth but hasn't in at least a decade. Data systems are not currently linked.

A 2015 study found **23%** of Juvenile Justice Services clients in New Mexico had a history of substantiated Protective Services involvement and 34% had some interaction with Protective Services (Dirmyer & Ortega Courtney, 2015).

CYFD has not publicly reported more recent data.



# LFC 2023 Progress Report Recommendations

1. Continue to **evaluate the Juvenile Justices Services budget** to identify opportunities to achieve staffing efficiencies.
2. Given projections of continued declines in incarcerated youth, CYFD should **update its facilities master plan** with one that is consistent with the principles and goals of the Cambiar model.
3. Redistribute JJS funding, **moving funds and staff towards upstream services.**
4. CYFD should continue steps **to improve monitoring** of services and **outcomes** among external providers.
5. CYFD could **provide direct evidence-based services, particularly behavioral health, and leverage Medicaid** to do so

The Consolidated Appropriations Act of 2022 will **require states to provide certain behavioral health services to incarcerated youth** under state Medicaid programs and provides **opportunities to expand some services** with state waivers.

- States are required to provide screenings, diagnoses, and referral services for all incarcerated youth 30 days prior to release, and states must provide case management services as well.
- States have the option to cover additional behavioral health services for youth pending the disposition of charges.
- The new Medicaid provisions go into effect January 2025.



# Additional LFC Staff Research and Recommendations About Youth

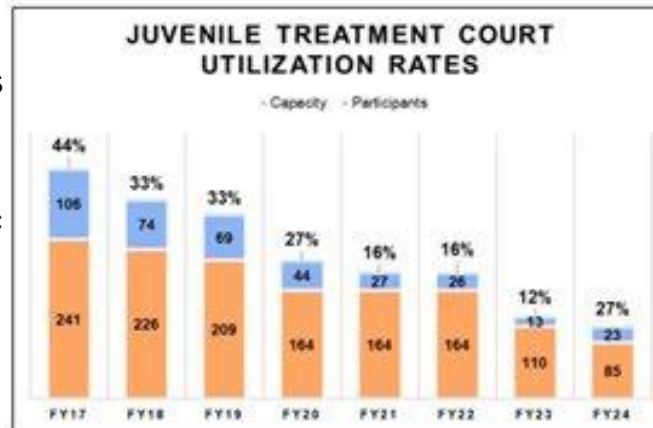
**Issue:** The US has seen dramatic **decreases** in youth crime over the last 20 years but NM experienced increased crimes involving firearms and referrals to the CJ system

- Other key issues for youth including high levels of chronic absenteeism, which is associated with higher CJ system involvement

**What works:** Connecting youth to services in school and intervening early in juvenile justice situations.

## **Current situation:**

- Many juvenile specialty (treatment) courts have ceased operations.



## • **Recommendations:**

- [HCA, CYFD, and the Early Childhood Education and Care Department](#) should consider continuing targeted expansion of evidence-based prevention programs and improve performance reporting to the Legislature on these programs.
- [CYFD](#) should improve access to proven programs like family function therapy and multisystemic therapy and continue using the validated risk assessment tool
- [Public schools](#) should consider implementing high-dosage tutoring, and additional learning time for absent students.





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# Overview of the Cambiar Model



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# Task Force Discussion



# Task Force Break Out Group Discussion

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1. What outcomes has New Mexico experienced as a result of juvenile justice system reform efforts?
2. What are the current needs, gaps, and opportunities for the system?
3. What recommendations could the task force make?



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# Preparing for Work Session October 25th



# Resources in Your ShareFile

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1. Starting draft of menu of potential recommendations, based on discussion
2. Excel spreadsheet summarizing recommendations from previous reports, organized by topic
3. Excel spreadsheet tracking oversight and accountability mechanisms in other states
4. Handouts and materials from previous meetings



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