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**SENATE MEMORIAL 10**

**44TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SPECIAL SESSION, 1999**

INTRODUCED BY  
Leonard Tsosie

A MEMORIAL

REQUESTING THE CHILDREN, YOUTH AND FAMILIES DEPARTMENT TO PROVIDE CULTURAL SENSITIVITY TRAINING FOR EMPLOYEES AND CULTURALLY APPROPRIATE SPIRITUAL ACTIVITIES FOR INCARCERATED DELINQUENT NATIVE AMERICAN YOUTH.

WHEREAS, New Mexico incarcerates more than one thousand five hundred juveniles each year; and

WHEREAS, even more Native American juveniles are processed through the juvenile court, parole and probation systems each year; and

WHEREAS, approximately nine and one-half percent of the youth determined to be delinquent and incarcerated in New Mexico youth facilities are Native American; and

WHEREAS, incarcerated youth are provided access to religious activities; and

WHEREAS, the Children's Code states that a Native American child placed in a secure facility shall be allowed to maintain his cultural ties and shall be permitted to participate in activities that strengthen cultural awareness

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1 provided by a representative of the child's culture; and  
2 WHEREAS, in the adult penal institutions of the state,  
3 sweat lodges built by the inmates are available so that  
4 cultural and spiritual training is available to Native  
5 American inmates; and

6 WHEREAS, Native American juveniles detained in secure  
7 facilities for long periods of time should have access to  
8 cultural and spiritual training, and sweat lodges should be  
9 included as part of the permitted activity; and

10 WHEREAS, many state employees who interface with Native  
11 American youth and adults through the justice system could  
12 increase their effectiveness by receiving cultural sensitivity  
13 training; and

14 WHEREAS, the lack of cultural sensitivity in the  
15 management of correctional facilities and the lack of  
16 culturally competent employees to handle issues that arise at  
17 correctional facilities may lead to unrest and riots as  
18 demonstrated by recent events at the Lea county correctional  
19 facility;

20 NOW, THEREFORE, BE IT RESOLVED BY THE SENATE OF THE STATE  
21 OF NEW MEXICO that all state institutions that are secure  
22 facilities housing Native American juveniles be requested to  
23 review the activities available to help Native American  
24 children adjudicated as delinquents, or incarcerated prior to  
25 adjudication, to maintain their cultural ties, strengthen  
their cultural awareness and participate in culturally  
appropriate spiritual or religious activities; and

BE IT FURTHER RESOLVED that the children, youth and  
families department establish an ongoing program to provide

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1 cultural sensitivity training to its employees who work with  
2 Native American children, adults and families; and

3 BE IT FURTHER RESOLVED that secure facilities holding  
4 adjudicated Native American youth develop programs that allow  
5 those youth to have access to religious and spiritual  
6 training, sweat lodges and other activities that will  
7 strengthen cultural awareness and help maintain cultural ties  
8 to the youth's community; and

9 BE IT FURTHER RESOLVED that copies of this memorial be  
10 transmitted to the secretary of children, youth and families  
11 and to the directors of the New Mexico boys' school, the New  
12 Mexico girls' school, the Camino Nuevo youth center, the youth  
13 diagnostic and development center and the reintegration  
14 centers of the state.