

Improving Outcomes for Youth in New Mexico

A Statewide Juvenile Justice Initiative

Recent efforts of state and local leaders working with juvenile justice advocates to reduce the number of youth who are incarcerated have yielded impressive results: the juvenile incarceration rate has been cut in half nationwide over the past decade. However, reducing recidivism for youth in the juvenile justice system has proven to be a challenge for many states. California, Arizona, and Texas, for example, report that approximately half of youth in the juvenile justice system who are released from state custody are reincarcerated within three years of release. An analysis of approximately 60,000 youth in Texas found that even after the state had increased spending on community-based supervision and services by 68 percent, recidivism rates did not improve.¹

As is the case for many states, there are fewer youth in New Mexico's juvenile justice system now than at any other time in the last decade, and the majority of those youth are supervised in their own communities, which research shows leads to better outcomes.

- The total number of youth with a delinquent referral declined by 51 percent from 2009 to 2016.²
- Between 2009 and 2016, the number of youth who received a disposition to probation declined by 55 percent.³
- The average daily population of youth in New Mexico's Children, Youth & Families Department (CYFD) facilities declined by 12 percent between 2009 and 2016.⁴

Although fewer youth are coming into contact with New Mexico's juvenile justice system, costs have increased substantially at all points in the system in recent years. New Mexico spends approximately \$74 million annually on supervision and services for youth in the juvenile justice system.

- In 2015, spending on CYFD facilities was 30 percent higher than in 2008, when New Mexico reformed its juvenile facilities to shift the focus from confinement and punishment to rehabilitation and regionalization—an effort to keep youth who are in commitment closer to home.⁵
- The average cost per youth who receives services while on community supervision increased by 31 percent from 2013 to 2015.⁶
- Grant expenditures* for the provision of community-based services to youth who are at risk of involvement or are currently in the juvenile justice system increased by 74 percent from 2013 to 2015.⁷

Despite investing significant resources for youth under juvenile justice system supervision and implementing policy and practice changes to improve outcomes for youth in facilities, New Mexico lacks a comprehensive picture of recidivism rates and other youth outcomes, and is unable to definitively determine whether its investments are having a positive impact.

- New Mexico statutes and regulations do not require the state to conduct quality assurance reviews or monitor secure facilities beyond mandating self-inspections of the physical facility.
- Current recidivism analyses in New Mexico do not account for probation violations or entry into the adult criminal justice system for youth on probation, and recidivism is not calculated by youth characteristics—such as age, race, offense, or risk level—or by program participation.
- The state and its counties lack the capacity and infrastructure to oversee community-based services for youth in the juvenile justice system, and do not consistently collect or track outcome data to determine their effectiveness.

As a result, policymakers, judges, and public agencies are unable to determine whether New Mexico is using state resources effectively to strengthen public safety and help youth who are in the juvenile justice system transition to a crime-free, productive adulthood.

Following a national competitive process, the U.S. Department of Justice's Office of Juvenile Justice and Delinquency Prevention (OJJDP) and The Council of State Governments (CSG) Justice Center selected New Mexico to receive technical assistance to assess its juvenile justice system and help the state adopt and implement policy changes to improve outcomes for youth under system supervision.

In November 2015, the CSG Justice Center hosted a 50-state forum focused on improving outcomes for youth in the juvenile justice system. At the forum, OJJDP charged the CSG Justice Center with providing technical assistance to help states adopt statewide strategies to improve outcomes for youth in the juvenile justice system. New Mexico—through the leadership of CYFD, Supreme Court Justice Barbara Vigil, Representative Gail Chasey, and former Speaker of the Assembly Don Tripp—requested support from the CSG Justice Center through participation in Improving Outcomes for Youth (IOYouth): A Statewide Juvenile Justice Initiative. IOYouth is designed to guide states in adopting a more cost-effective, comprehensive set of statewide strategies based on the latest available research on “what works” to reduce recidivism and improve other outcomes for youth in the juvenile justice system.

* “Grant expenditures” refer to funding awarded to local Juvenile Justice Continuum Boards by the state's Juvenile Justice Advisory Committee. Twenty regional Juvenile Justice Continuum Boards have been developed in communities across New Mexico to address the goals of the Juvenile Justice Advisory Committee.

In January 2017, Governor Susana Martinez issued a memo to CYFD Secretary Monique Jacobson expressing her support for IOYouth and providing for the establishment of a Statewide Juvenile Justice Improvement Committee, with the goal of learning more about the performance of New Mexico's juvenile justice system and what steps can be taken to strengthen public safety and improve outcomes for youth.

The Statewide Juvenile Justice Improvement Committee consists of representatives from the three branches of government along with state, local, and tribal juvenile justice and other system leaders. The committee, co-chaired by Secretary Jacobson and Justice Vigil, oversees the initiative in New Mexico. Under this committee's direction, the CSG Justice Center will conduct an extensive analysis of New Mexico's juvenile justice policies, practices, and resource allocation. The CSG Justice Center will also convene focus groups and conduct interviews with system leaders, policymakers, and practitioners across the state to learn more about system challenges and identify priorities for improvement.

Key priorities for system assessment include determining whether youth are matched to the most appropriate supervision and services; the services that youth receive in the community, through New Mexico's Juvenile Community Corrections program, and in reintegration centers are research based and effective; resources are allocated efficiently across the system; the services that youth receive in CYFD facilities are effective and adhere to the research on what works to improve outcomes; and data on youth outcomes are tracked and used to guide policy and funding decisions. Based on findings from the analysis of these and other issues identified by New Mexico leaders as impacting outcomes for youth, the CSG Justice Center will work with the committee to develop policy options for consideration in the 2018 legislative session to address New Mexico's key juvenile justice challenges.

The Approach for the Improving Outcomes for Youth Initiative

Step 1: Analyze quantitative data

Under the direction of the Statewide Juvenile Justice Improvement Committee, the CSG Justice Center will conduct an extensive analysis, based on data availability, of referral, intake, diversion, detention, disposition, informal and formal probation, CYFD commitments, reintegration centers, as well as programs, services, recidivism, and other outcome data, to establish a comprehensive picture of statewide juvenile justice trends.

Step 2: Review policy and practice

To complement the data analysis, CSG Justice Center staff will facilitate focus groups and interviews with key constituents across the state to garner their perspective and recommendations on system challenges and strategies for improvement. Structured discussions will take place with staff working on the front lines of New Mexico's juvenile justice system, including prosecutors, defense attorneys, judges, law-enforcement executives, probation and facility staff, community-based providers, and CYFD staff. Further, the CSG Justice Center will review state regulations and agency policies to examine the extent to which New Mexico's juvenile justice policies, practices, and resource allocation align with what the research shows is effective in improving outcomes for youth. Key findings from the data analysis and focus-group discussions will be presented to committee members.

Step 3: Present system-improvement recommendations and adopt new policies

In collaboration with CSG Justice Center staff, the Statewide Juvenile Justice Improvement Committee will review the key findings of the data analysis and focus groups to develop policy options focused on using resources more efficiently to reduce recidivism and improve other outcomes for youth in New Mexico's juvenile justice system. Subsequently, CSG Justice Center staff will support New Mexico state leaders to formalize and enact these recommendations through legislation and appropriation changes, and will continue to work with the state to support implementation of new provisions.

1. Tony Fabelo et al., *Closer to Home: An Analysis of the State and Local Impact of the Texas Juvenile Justice Reforms* (New York: The Council of State Governments Justice Center, 2015).
2. State of New Mexico Children, Youth & Families Department, *New Mexico Juvenile Justice Services Fiscal Year 2016 Annual Report* (Santa Fe, New Mexico: State of New Mexico Children, Youth & Families Department, 2015), https://cyfd.org/docs/FY16_JJSAnnualReport.pdf.
3. Ibid.
4. Ibid.
5. State of New Mexico Legislative Finance Committee Program Evaluation Unit, *Program Evaluation: Effectiveness of Juvenile Justice Facilities and Community-Based Services* (Santa Fe, New Mexico: State of New Mexico Legislative Finance Committee, 2016), https://www.nmlegis.gov/Entity/LFC/Documents/Program_Evaluation_Reports/Program%20Evaluation%20-%20%20Effectiveness%20of%20Juvenile%20Justice%20Facilities%20and%20Community-Based%20Services.pdf.
6. Ibid.
7. "Sunshine Portal NM: The Official Government Transparency Portal of New Mexico," accessed April 4, 2017, <http://www.sunshineportalnm.com/>.

Improving Outcomes for Youth (IOYouth): A Statewide Juvenile Justice Initiative is a project of The Council of State Governments (CSG) Justice Center, conducted in partnership with the Office of Juvenile Justice and Delinquency Prevention. The CSG Justice Center is a national nonprofit organization that serves policymakers at the local, state, and federal levels from all branches of government. Staff provides practical, nonpartisan, research-driven strategies and tools to increase public safety and strengthen communities.