Improving Outcomes for Youth in New Mexico: A Statewide Juvenile Justice Initiative

First Presentation to Committee: System Overview and Initial Analysis

April 13, 2017
CSG Justice Center Presenters
Nina Salomon, Senior Policy Analyst
Nancy Arrigona, Research Manager
Rebecca Cohen, Research Manager
Shanelle Johnson, Policy Analyst
About The Council of State Governments Justice Center

National nonprofit, nonpartisan membership association of state government officials that engages members of all three branches of state government

Provides practical, nonpartisan research-driven strategies and tools to increase public safety and strengthen communities
Recent publications on “what works” to improve outcomes for youth in the juvenile justice system

Core Principles for Reducing Recidivism and Improving Other Outcomes for Youth in the Juvenile Justice System

1. Ten Key Questions Judges Can Ask to Improve Outcomes for Youth in the Juvenile Justice System

Ten Key Questions Judges Can Ask to Improve Outcomes for Youth in the Juvenile Justice System

1. What is the youth's risk assessment prior to disposition? Identify the risk of reoffending and the severity of crimes.
2. Are the youth's needs assessed and included in the risk assessment? Consider the youth's emotional, social, and behavioral needs.
3. What are the youth's strengths and assets? Identify the youth's assets and support systems.
4. Are the youth's needs met by services provided? Consider the youth's access to services and support.
5. Are the youth's needs met by the court's decision? Review the court's decision and consider the youth's needs.
6. Are the youth's needs met by the youth development plan? Consider the youth's needs and the plan's effectiveness.
7. Are the youth's needs met by the youth's interactions with the court system? Consider the youth's interactions with the court system.
8. Are the youth's needs met by the youth's interactions with the community? Consider the youth's interactions with the community.
9. Are the youth's needs met by the youth's interactions with the family? Consider the youth's interactions with the family.
10. Are the youth's needs met by the youth's interactions with the school? Consider the youth's interactions with the school.
Core principles to reduce recidivism and improve other outcomes for youth in the juvenile justice system

**Principle 1**
Base supervision, service, and resource-allocation decisions on the results of validated risk and needs assessments.

**Principle 2**
Adopt and effectively implement programs and services demonstrated to reduce recidivism and improve other youth outcomes, and use data to evaluate the results and direct system improvements.

**Principle 3**
Employ a coordinated approach across service systems to address youth’s needs.

**Principle 4**
Tailor system policies, programs, and supervision to reflect the distinct developmental needs of adolescents.
The CSG Justice Center provides technical assistance to improve outcomes for youth in the juvenile justice system.
01 Background and Overview

02 New Mexico’s Juvenile Justice System at a Glance

03 Process, Timeline, and Next Steps
States’ juvenile incarceration rates have declined dramatically
Texas case study: reforms contributed to decline in juvenile incarceration rates

REFORM HIGHLIGHTS and AVERAGE DAILY POPULATION IN STATE-RUN SECURE JUVENILE FACILITIES

2007 LEGISLATURE
Prohibited commitment to state-run secure facilities for misdemeanor offenses; age of state jurisdiction reduced from 21 to 19; $60 million in new funding for counties

2009 LEGISLATURE
$45 million for Commitment Reduction Program, with incentive funding for counties and community supervision

2011 LEGISLATURE
Merged former Texas Youth Commission and Texas Juvenile Probation Commission to form Texas Juvenile Justice Department (TJJD)
Texas case study: CSG Justice Center used more than 1.3 million records to analyze recidivism rates for similar groups of youth.

Juvenile Probation and Secure Confinement Data
- 899,101 records
- 452,751 juveniles
- Dispositions and secure releases

Criminal History and Prison Admission Data
- 408,312 records
- 242,541 juveniles
- Arrests and incarcerations

Two Closer-to-Home Study Cohorts
- Pre-reform cohort: 27,131 juveniles
- Post-reform cohort: 31,371 juveniles

“Apples to apples” comparison of youth eligible for incarceration:
- Youth supervised in the community
- Youth released from state-run secure facilities
Texas case study: youth kept closer to home have better outcomes

One-Year Probability of Rearrest

- Released from State-Run Secure Facilities: 41%
- Supervised in the Community: 34%

21% more likely to be rearrested

First Recidivism Offense a Felony

- Released from State-Run Secure Facilities: 49%
- Supervised in the Community: 17%

3x more likely to commit a felony when recidivating
Texas case study: per capita funding for county juvenile probation departments increased significantly after reforms

<table>
<thead>
<tr>
<th></th>
<th>FY2005</th>
<th>FY2012</th>
<th>% Change</th>
</tr>
</thead>
<tbody>
<tr>
<td>Per capita expenditures for local juvenile probation departments</td>
<td>$3,555</td>
<td>$7,023</td>
<td>98%</td>
</tr>
<tr>
<td>Expenditures adjusted for inflation to 2014 dollars</td>
<td>$4,337</td>
<td>$7,304</td>
<td>68%</td>
</tr>
<tr>
<td>Percentage of local juvenile probation department expenditures contributed by county</td>
<td>77%</td>
<td>71%</td>
<td>-8%</td>
</tr>
</tbody>
</table>
Texas case study: rearrest rates for youth on probation were comparable regardless of intervention and did not improve after reforms.

<table>
<thead>
<tr>
<th>INTERVENTION TYPE</th>
<th>PRE-REFORM STUDY GROUP</th>
<th>POST-REFORM STUDY GROUP</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>One-Year Probability of Rearrest</td>
<td>One-Year Probability of Rearrest</td>
</tr>
<tr>
<td>State Incarceration</td>
<td>41%</td>
<td>41%</td>
</tr>
<tr>
<td>Skill-Based Program</td>
<td>29%</td>
<td>27%</td>
</tr>
<tr>
<td>Treatment Program</td>
<td>28%</td>
<td>30%</td>
</tr>
<tr>
<td>Surveillance Program</td>
<td>31%</td>
<td>29%</td>
</tr>
<tr>
<td>Secure County Placement</td>
<td>33%</td>
<td>34%</td>
</tr>
<tr>
<td>Non-Secure County Placement</td>
<td>35%</td>
<td>35%</td>
</tr>
<tr>
<td>No Intervention</td>
<td>33%</td>
<td>32%</td>
</tr>
</tbody>
</table>
Common challenges to improving youth outcomes include:

- Identifying the **gaps in services** available to youth
  
<table>
<thead>
<tr>
<th>1</th>
<th>2</th>
</tr>
</thead>
</table>

- Matching youth to **appropriate services** based on youth risk and needs
  
<table>
<thead>
<tr>
<th>1</th>
<th>2</th>
</tr>
</thead>
</table>

- Implementing programs and practices with **fidelity**
  
<table>
<thead>
<tr>
<th>1</th>
<th>2</th>
</tr>
</thead>
</table>

- Evaluating **program effectiveness** in a systematic way
The CSG Justice Center hosted a 50-state forum focused on improving outcomes for youth in the juvenile justice system

**WHO**
Four-person interbranch teams of government leaders from every state

**WHAT**
Convening to develop statewide plans to improve outcomes for youth under juvenile justice supervision

**WHERE**
Austin, Texas

**WHEN**
November 9-10, 2015

**HOW**
Supported by the MacArthur Foundation and conducted in partnership with Office of Juvenile Justice and Delinquency Prevention (OJJDP)

---

**New Mexico State Team**

- **Gail Chasey**, State Representative, New Mexico Legislature
- **Nick Costales**, Deputy Director, New Mexico Children, Youth & Families Department
- **Kelly Jo Parker**, Chief Juvenile Probation Officer, Bernalillo County
- **Marie Ward**, District Court Judge, Second Judicial District Court
The Improving Outcomes for Youth: A Statewide Juvenile Justice Initiative seeks to assist states in addressing the following questions:

- **How well do our resources, policies, and practices align with what the research says works** to reduce recidivism and improve other youth outcomes?

- **What recidivism and other outcome data does our state track** for youth under the supervision of the juvenile justice system?

- **To what extent are leaders from the three branches of state government working together** and in partnership with local governments to improve outcomes for youth under juvenile justice supervision?
New Mexico state leadership requested technical assistance from the CSG Justice Center through the Improving Outcomes for Youth Initiative.
Following a national competitive process, New Mexico was selected by OJJDP for participation in this initiative.

18 States submitted letters of interest, which were reduced to 8 States who received site visits. New Mexico (NM) was selected in 2017, following Nevada (NV) in 2016, to receive intensive technical assistance through the Improving Outcomes for Youth Initiative.

**Key Reasons for Selecting New Mexico**

- Leadership of Governor Martinez, Secretary Jacobson, Justice Vigil, and Representative Chasey
- Strong history of collaboration across branches of government
- Prioritization of juvenile justice reform
The Improving Outcomes for Youth initiative can build upon New Mexico’s history of implementing reforms to strengthen the juvenile justice system

- Implementation of the Juvenile Detention Alternatives Initiative (JDAI)
- Adoption of the Cambiar model for state facilities
- Increased appropriations for CYFD and juvenile justice services
- Funding of community-based services through local continuum boards
Governor Martinez supported the establishment of a Statewide Juvenile Justice Improvement Committee to identify ways to strengthen public safety and improve outcomes for youth

- **Secretary Monique Jacobson, Co-Chair**
  Children, Youth & Families Department

- **Justice Barbara Vigil, Co-Chair**
  Supreme Court of New Mexico

- **Lancing Adams, Office of Governor Martinez**

- **Ben Baur, New Mexico Public Defender’s Office**

- **Representative Gail Chasey, New Mexico Legislature**

- **Nick Costales, New Mexico Children, Youth & Families Department**

- **Amber Hamilton, Roosevelt County**

- **Senator Gay Kernan, New Mexico Legislature**

- **Traci Neff, San Juan County Juvenile Services**

- **Jennifer Padgett, 1st Judicial District**

- **Grace Philips, New Mexico Association of Counties**

- **Judge Freddie Romero, 5th Judicial District**

- **Representative Patricio Ruiloba, New Mexico Legislature**

- **Secretary Hanna Skandera, New Mexico Public Education Department**

- **Britt Snyder, Chaves County Sheriff’s Office**

- **Craig Sparks, Bernalillo County Youth Services Center**

- **Sharon Stover, Los Alamos County**

- **Raúl Torrez, 2nd Judicial District**

- **Judge Roshanna Toya-Lucero, Pueblo of Isleta**

- **Judge Marie Ward, 2nd Judicial District**

- **Secretary Scott Weaver, Department of Public Safety**

- **Representative Monica Youngblood, New Mexico Legislature**
The Improving Outcomes for Youth initiative has three phases designed to identify and advance policies, practices, and funding to improve outcomes for youth.

- Analyze quantitative data
- Review policy and practice
- Present system-improvement recommendations and adopt new policies
With support from the CSG Justice Center, the committee will play a critical role in the success of this initiative.

**COMMITTEE RESPONSIBILITIES**

- Oversee initiative and scope of work
- Provide strategic direction on policy option development
- Reach consensus on policy options

**CSG JUSTICE CENTER RESPONSIBILITIES**

- Provide dedicated staff to New Mexico
- Analyze system data and conduct extensive interviews/focus groups
- Deliver findings, present recommendations, and assist with legislation

- Identify juvenile justice system priorities
- Pass package of reforms in 2018 session and identify other mechanisms for policy change
In NV, this initiative resulted in key policy changes being advanced through legislation, and a state budget request for an additional $1.5 million to support these changes

**Governor’s bill, AB 472, introduced in 2017 legislative session**

1) Requires use of risk and needs assessment to match supervision and services and inform case planning, reentry planning, and placement decisions

2) Requires state funding to be used only for services that are evidence-based and establishes an evidence-based resource center

3) Improves and standardizes data collection and builds analytic capacity, and establishes performance measures and requirements around quality assurance reviews
Identifying priorities for the Improving Outcomes for Youth Initiative in New Mexico

• What challenges do you hope to address through this process?

• What key changes would you like to see as a result of this initiative?
01 Background and Overview

02 New Mexico’s Juvenile Justice System at a Glance

03 Process, Timeline, and Next steps
New Mexico’s juvenile justice system is primarily the responsibility of the state.
The flow of youth through New Mexico’s juvenile justice system

Juvenile arrested/detained

- Preliminary inquiry by JPO
  - Case rejected/returned for informal handling
    - Case not adjudicated: Consent decree, time waiver
    - Case adjudicated: Case handled informally
  - Juvenile petition filed: Case referred to Children’s Court
    - Case adjudicated: Adult sanctions
    - Case not adjudicated: Dismissed

Youthful offender petition: Commitment to juvenile facility

Community supervision
The juvenile population decreased by 5 percent from 2006 to 2015, while juvenile justice system referrals decreased by 51 percent during the same time period.

The rate of referrals to the juvenile justice system vary widely by county, from 11 per thousand youth in Mora County to 285 per thousand youth in Quay County.

The juvenile age population is reported by calendar year, while juvenile referrals are reported by fiscal year.
Most referrals to the juvenile system are for delinquent offenses, with misdemeanors accounting for the majority.
The proportion of juvenile cases handled formally and disposed to probation or commitment has not changed since 2011.
Admissions of youth committed to CYFD facilities has decreased by 33 percent since 2006

Youth entering CYFD facilities
FY2006, FY2011 and FY2016

- Individual youth service plans
- Staff trained in clinical and therapeutic skills
- Smaller, secure regional facilities
- Smaller more nurturing living units in facilities
- Youth centered
- Rich programming, education, vocational services, and behavioral health services
Referrals to the juvenile system decreased by 41 percent between FY2011 and FY2016, while CYFD’s Juvenile Justice Services budget increased by 11 percent during the same time period.
Spending on supervision and services has increased at multiple points in the system.

Secure Facility Expenditures, FY2008 and FY2015*

- 2008: $27.4 million
- 2015: $35.7 million (30% increase)

Average Cost per Youth Detained, FY2014 and FY2015**

- 2015: $330
- 2016: $474 (44% increase)

Average Cost per Youth Referred, FY2013 and FY2015*

- 2013: $1,750
- 2015: $2,300 (31% increase)

*NM Legislative Finance Committee, Program Evaluation: Effectiveness of Juvenile Justice Facilities and Community-Based Services, 2016
**CYFD, Juvenile Justice Services Special Programs Unit Annual Report, 2016
Overall expenditures for continuum grant services has increased

- Continuum grant spending ranged from $103/youth in Cibola County to $970/youth in Luna County
- 15% of state continuum grant funds ($504,000) awarded to counties went unspent in FY2015

*Expenditures as reported by CYFD, JJS
Probation violations account for only 8 percent of referrals, but more than half of all commitments.

**Total Referrals, FY2016 (N=12,609)**
- Status Referrals: 78%
- Probation Violations: 14%
- Delinquent Referrals: 8%

**Dispositions for Probation Violation Referrals, FY2016 (N=1,049)**
- Probation: 39%
- Consent Decree: 14%
- Dismissed: 11%
- Commitment: 10%
- Other: 26%

**Most Serious Offense for Commitments, FY2016 (N=173)**
- Probation Violations: 52%
- Felony: 28%
- Misdemeanor: 20%
The average length of stay and the incident report rate for youth in secure facilities have increased in recent years.

**Average Length of Stay (LOS) in Days**
FY2013 - FY2016

- The Average LOS in secure facilities **increased 15%** from 2013 to 2016.

**Disciplinary Incident Reports (DIR) per 100 Youth in Secure Facilities**
FY2013 - FY2016

- The DIR rate in secure facilities **increased 152%** from 2013 to 2016.
New Mexico lacks a comprehensive picture of recidivism rates for youth in the juvenile justice system

<table>
<thead>
<tr>
<th>Recidivism Measures Currently Reported by CYFD JJS</th>
<th>Key Issues</th>
</tr>
</thead>
<tbody>
<tr>
<td>Re-adjudicated within 2 years of previous adjudication</td>
<td>• Cohort tracked not clear, measure states clients receiving adjudication disposition but tracks probation population</td>
</tr>
<tr>
<td></td>
<td>• Youth with consent decree or time expired dispositions not tracked</td>
</tr>
<tr>
<td></td>
<td>• Tracks by case, clients may be duplicated</td>
</tr>
<tr>
<td></td>
<td>• Must have a break in service</td>
</tr>
<tr>
<td></td>
<td>• Cases not tracked into adult system</td>
</tr>
<tr>
<td>Recommitted to CYFD within 2 years of facility discharge</td>
<td>• Tracks by discharge, clients may be duplicated</td>
</tr>
<tr>
<td></td>
<td>• Re-adjudication to probation not tracked</td>
</tr>
<tr>
<td></td>
<td>• Cases not tracked into adult system</td>
</tr>
<tr>
<td>Enter adult corrections within 2 years of facility discharge at 18+</td>
<td>• Only captures clients 18 and older at time of discharge from JJS facility</td>
</tr>
<tr>
<td></td>
<td>• All convictions in the adult system are not tracked</td>
</tr>
</tbody>
</table>

None of these measures report information by race, offense, or risk level
Data on services for youth is limited, making it difficult to analyze youth outcomes and system performance.

<table>
<thead>
<tr>
<th>SERVICE TYPE</th>
<th>DATA COLLECTION STATUS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Court conditions and program participation for youth under probation supervision</td>
<td>Data entry not required in FACTS, information inconsistently entered</td>
</tr>
<tr>
<td>Services provided to youth handled informally</td>
<td>Data not collected in FACTS</td>
</tr>
<tr>
<td>Juvenile Community Corrections participation</td>
<td>Data collected but cannot be linked to FACTS</td>
</tr>
<tr>
<td>Continuum grant program participation</td>
<td>Aggregate data collected, cannot be linked to FACTS for JJ youth or to individual youth</td>
</tr>
<tr>
<td>Community residential placement</td>
<td>Data collected in FACTS but cannot be linked to specific cases</td>
</tr>
<tr>
<td>Program and service participation for committed youth</td>
<td>Limited data collected in stand-alone systems</td>
</tr>
</tbody>
</table>
Key takeaways from review of publicly available data

Fewer youth are under the supervision of New Mexico’s juvenile justice system than at any time in the last decade

New Mexico is spending significant resources on youth under system supervision, with costs rising throughout the system

Though New Mexico has made positive advances in recent years, it still has difficulty determining whether resources are being used effectively for supervision and services, as data are not complete
Key takeaways from initial conversations with juvenile justice system leaders in 2016

**Risk and needs assessments are not used consistently** to guide disposition and service-matching decisions

There is a **lack of appropriate and available services** in the community, particularly in rural areas, and resource allocation for services is not always aligned with the needs of youth or with the research on what works

The intent and philosophy behind the **Cambiar model** is not fully aligned with the physical environment and programming available in all secure facilities

Current capacity is not adequate to **conduct comprehensive system analyses** to determine the effectiveness of supervision and services
01 Background and Overview

02 New Mexico’s Juvenile Justice System at a Glance

03 Process, Timeline, Next Steps
Emerging priority areas for assessment based on an initial data review and stakeholder conversations include:

Availability and effectiveness of services for youth who are supervised in the community, in facilities, and in aftercare, and the efficient use of state and local resources to support these services

Implementation of the Cambiar model and impact on youth who are committed and their outcomes

Tracking and reporting of system performance and youth outcomes, and the use of data to guide policy and funding decisions
Assessment findings will be based on detailed case-level data from many sources

<table>
<thead>
<tr>
<th>Data</th>
<th>Source</th>
</tr>
</thead>
<tbody>
<tr>
<td>Continuum Grant Data</td>
<td>Juvenile Justice Advisory Committee CYFD, Juvenile Justice Services</td>
</tr>
<tr>
<td>Statewide Probation and Juvenile Community Corrections Data</td>
<td>CYFD, Juvenile Justice Services</td>
</tr>
<tr>
<td>Commitment and Transition Data</td>
<td>CYFD, Juvenile Justice Services</td>
</tr>
<tr>
<td>Adult Corrections/Probation and Parole Data</td>
<td>New Mexico Corrections Department, Sentencing Commission</td>
</tr>
<tr>
<td>Arrest and Criminal History Data</td>
<td>New Mexico Department of Public Safety</td>
</tr>
</tbody>
</table>
Assessment findings will also reflect feedback from extensive interviews and focus groups with an array of system leaders.

| August 2016 Site Visit | CYFD leadership  
| County managers and administrators  
| Juvenile court judges  
| District attorneys/public defenders  
| State legislators  
| Sentencing Commission  
| JJAC members |
| April 2017 Site Visit | Committee members  
| CYFD leadership  
| Continuum Board members  
| Legislative Finance Committee |
| May-July 2017 Site Visit(s) | Youth/family focus groups  
| Legislative Interim Committee  
| Additional system stakeholders TBD |
Improving Outcomes for Youth initiative timeline

Key Milestones:
- **Project Launch**
- **Committee Meeting #1**
- **Committee Meeting #2**
- **Committee Meeting #3**
- **2018 Session**

**Timeline Events**:
- **April**:
  - Initial Data Analysis
- **May**:
  - Detailed Data Analysis
- **June**:
  - Final Data Analysis
- **July**:
  - Impact Analysis
- **August**:
  - Stakeholder Engagement
- **September**:
  - Policy Option Development
- **October**:
  - Bill Drafting
- **November**:
  - Engage Policymakers and Media and Keep Stakeholders Involved
- **December**:
  - Policy Rollout and Bill Introduction

**Engagement Activities**:
- Stakeholder Engagement
- Policy Option Development
- Bill Drafting
- Engage Policymakers and Media and Keep Stakeholders Involved
Questions for committee consideration

• Are there other sources of data that our team should examine?

• Are there additional individuals and organizations that should be involved in the process?

• What are the pros/cons of developing working groups or subcommittees focused on particular issues?
Thank you
To receive newsletters on juvenile justice and other announcements, please visit our website: csgjusticecenter.org/subscribe

Nina Salomon, Senior Policy Analyst
Nancy Arrigona, Research Manager
Rebecca Cohen, Research Manager
Shanelle Johnson, Policy Analyst

nsalomon@csg.org

This material was prepared for the State of Nevada. The presentation was developed by members of the Council of State Governments Justice Center staff. Because presentations are not subject to the same rigorous review process as other printed materials, the statements made reflect the views of the authors, and should not be considered the official position of the Justice Center, the members of the Council of State Governments, or the funding agency supporting the work.