

New Mexico Juvenile Justice Second Task Force Assessment Summary

In November 2015, the CSG Justice Center hosted a 50-state forum focused on reducing recidivism and improving other outcomes for youth in the juvenile justice system. At the forum, OJJDP and the CSG Justice Center announced a new initiative to provide technical assistance to states to 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 House Don Tripp—requested support from the CSG Justice Center through participation in the Improving Outcomes for Youth (IOYouth) 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.

New Mexico launched the Improving Outcomes for Youth (IOYouth) initiative in April 2017, with the support of Governor Susana Martinez, to determine what steps can be taken to strengthen public safety and improve outcomes for youth in the state’s juvenile justice system.

- Following a national competitive process, New Mexico was selected as only one of two states in the country, along with Nevada, to participate in IOYouth.
- Most, if not all, juvenile justice systems struggle to prevent youth who have been in the juvenile justice system from reoffending. Rearrest rates are often as high as 50 percent within 1 to 2 years for youth on community supervision, and even higher for youth returning to their communities from correctional facilities. The goal of IOYouth is to help states like New Mexico identify barriers to improving outcomes for youth and advance policy, funding, and practice changes to address these barriers.
- New Mexico established a statewide, bipartisan task force, co-chaired by Children Youth and Families Department (CYFD) Secretary Monique Jacobson and Supreme Court Justice Barbara Vigil, to oversee the initiative.
- With guidance from the task force, The Council of State Governments (CSG) Justice Center conducted an assessment of New Mexico’s juvenile justice system, including an extensive data analysis of system trends and youth outcomes, a review of policies and practices, surveys of system stakeholders, and more than 50 different focus groups and interviews with juvenile justice leaders, youth, and families.

Key findings from the assessment include:

The number of youth referred to and supervised by New Mexico’s juvenile justice system has declined significantly since 2012. At the same time, there are opportunities to more effectively match youth with the appropriate level and length of supervision based on their risk of reoffending.

- New Mexico has implemented policy and practice changes in recent years to reduce the number of youth under system supervision. From 2012 to 2016, the number of referrals to the juvenile justice system declined by 41 percent; detentions declined by 28 percent; probation dispositions declined by 46 percent; and commitments to CYFD facilities declined by 34 percent.
- Half of all referrals to the juvenile justice system are for non-delinquent offenses and petty misdemeanors. While the majority of these youth are diverted from court involvement, many undergo system monitoring and receive services. Additionally, youth ages 5 to 10 account for a

small but consistent proportion of system referrals, almost exclusively for lower-level offenses. Many of these youth could be diverted from the system, reserving resources for higher-risk youth.

- New Mexico does not consistently use its Structured Decision Making (SDM) tool, the state's risk and needs assessment instrument, to identify youths' risk of reoffending and to guide disposition decisions, which determine the level of supervision youth receive.
- New Mexico also does not consistently use the SDM tool to determine lengths of stay in facilities and lengths of supervision for youth on probation. Since 2012, the average length of supervision for probation cases has increased by almost 200 days, and has increased by almost 450 days specifically for youth with consecutive probation cases. Youths' lengths of stay in secure facilities have also increased since 2012.

A focus on prevention over intervention has led to community resources not being prioritized to youth who have the highest risk of reoffending while ensuring that youth receive evidenced based services.

- In 2016, CYFD expenditures for community-based juvenile justice services through the Continuum Grant Fund and the Juvenile Community Corrections program totaled \$4.5 million. Of youth served through Continuum funds, 62 percent had no prior juvenile justice involvement and 25 percent had committed one prior offense. Only 13 percent of youth served through Continuum funds had committed more serious or repeat offenses.
- New Mexico lacks statewide strategies used by some other states—funding requirements and incentives, service quality assessment tools, performance-based contracts, and data collection and reporting processes—to ensure that youth under community supervision and in facilities receive services that are research based, and to hold providers accountable for improved youth outcomes.

The majority of youth referred to the juvenile justice system do not reoffend. There is a small group of youth who have committed more serious and/or repeat offenses and therefore require more intensive services and supports.

- A small number of higher-risk youth repeatedly cycle in and out of the juvenile justice system—youth disposed to probation have an average of 13 prior referrals to the juvenile justice system, and youth disposed to commitment average 19 prior referrals.
- In 2015, 43 percent of youth disposed to formal probation received another disposition to the juvenile justice system within one year.
- Youth who violate probation—the majority of whom have a long history of offenses, including felony offenses—account for 35 percent of all new detentions, 45 percent of probation dispositions, and 48 percent of commitments to state custody.
- In 2016, almost half of youth on supervised release were not “successful,” with 28 percent being discharged unsuccessfully and 21 percent having their supervised release revoked.

Like many states, New Mexico lacks sufficient data and research capacity to fully measure system performance and youth outcomes, and to use data to identify areas for system improvement.

- New Mexico does not consistently collect outcome data on programs and services in the community and in facilities, making it difficult to fully evaluate program effectiveness.
- New Mexico has not established a clear definition of recidivism, and has limited research capacity to collect and analyze recidivism data, report on this and other youth outcomes to government leaders, and ensure that resources are used efficiently.

Using the assessment results, the task force will meet again on November 2, 2017, to reach consensus on a set of policy proposals to improve outcomes for youth for passage in the 2018 legislative session.