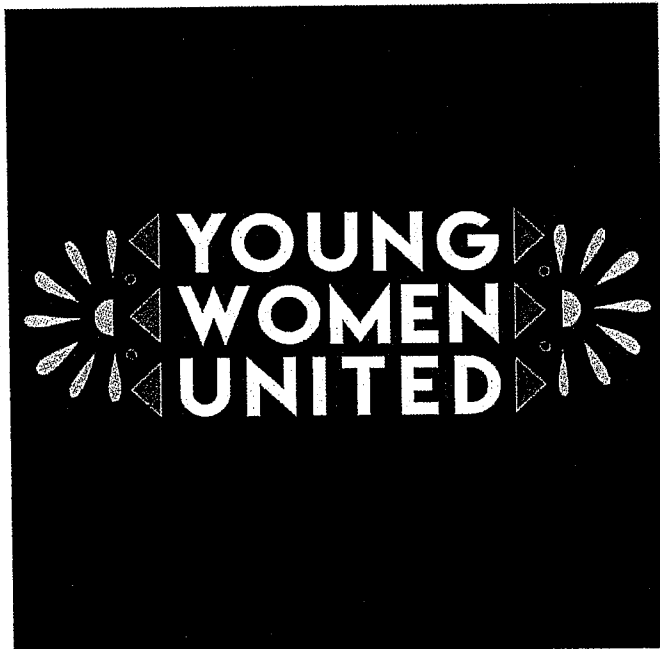


# **Girls and Women in New Mexico's Juvenile and Criminal Justice Systems**



Courts, Corrections and Justice Interim Committee  
Las Vegas, NM- July 31st, 2017





Young Women United (YWU) invests in place-based organizing, policy change, and culture shift work to positively impact the lives of girls and women of color in New Mexico.

YWU's demonstrated skills and strategies are based in centering the lived experiences and expertise of those most impacted by an issue in efforts to collectively create equitable and just communities today, and for generations to come.

 @YWUWomen  
 @Young Women United

**Presented by:**

Denicia Cadena- Policy Director



# **CCJ presentation:**

- **Relevant data on girls, young women and women involved in justice systems**
- **Specific needs on girls, young women and women involved in justice systems**
- **Meaningful steps forward**
- **Recommendations**

# **Overview of girls and young women in the juvenile justice system**

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Bernalillo County and National Data



# **Deep End Youth, Juvenile Detention Alternative Initiative:**

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**JDAI in Bernalillo County, an Annie E. Casey Foundation site:** Intentionally applying JDAI's collaborative, data-driven approaches to "deep-end" policies, practices and programming, our sites can substantially reduce their reliance on incarceration without sacrificing public safety, thereby improving outcomes for youth in their care.

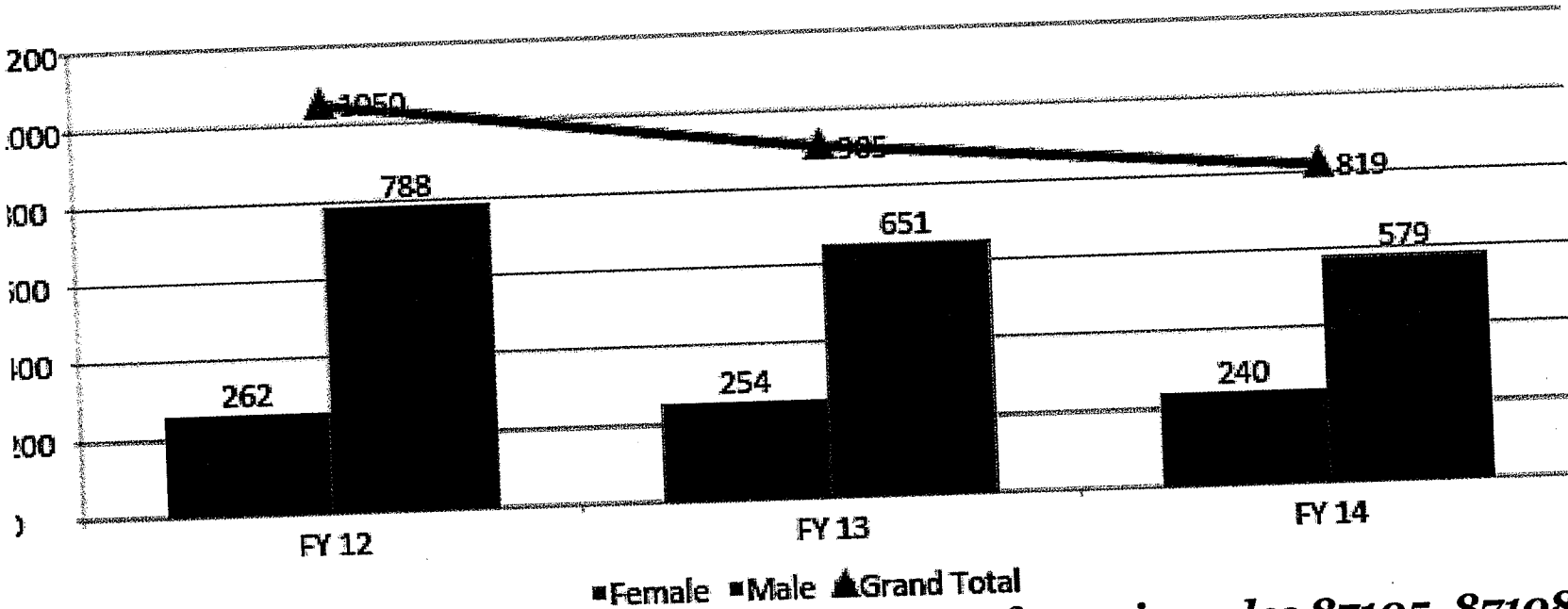
<http://www.jdaihelpdesk.org/SitePages/deep-end-reform.aspx>

**Juvenile Detention Alternative Initiative in Bernalillo County:** Bernalillo County will focus its efforts under this initiative on reducing these out of home commitments significantly, but safely, through program reform in partnership with community agencies and at the state and local government levels.

- Reducing racial and ethnic disparities, now turning to gender disparities
- Collaboration of over 40 community agencies and leaders, families and youth, mental health providers, and justice system stakeholders

<http://www.bernco.gov/youth-services-center/director.aspx>

# NUMBER OF DETAINED YOUTH BY FISCAL YEAR AND GENDER (Bernalillo County)

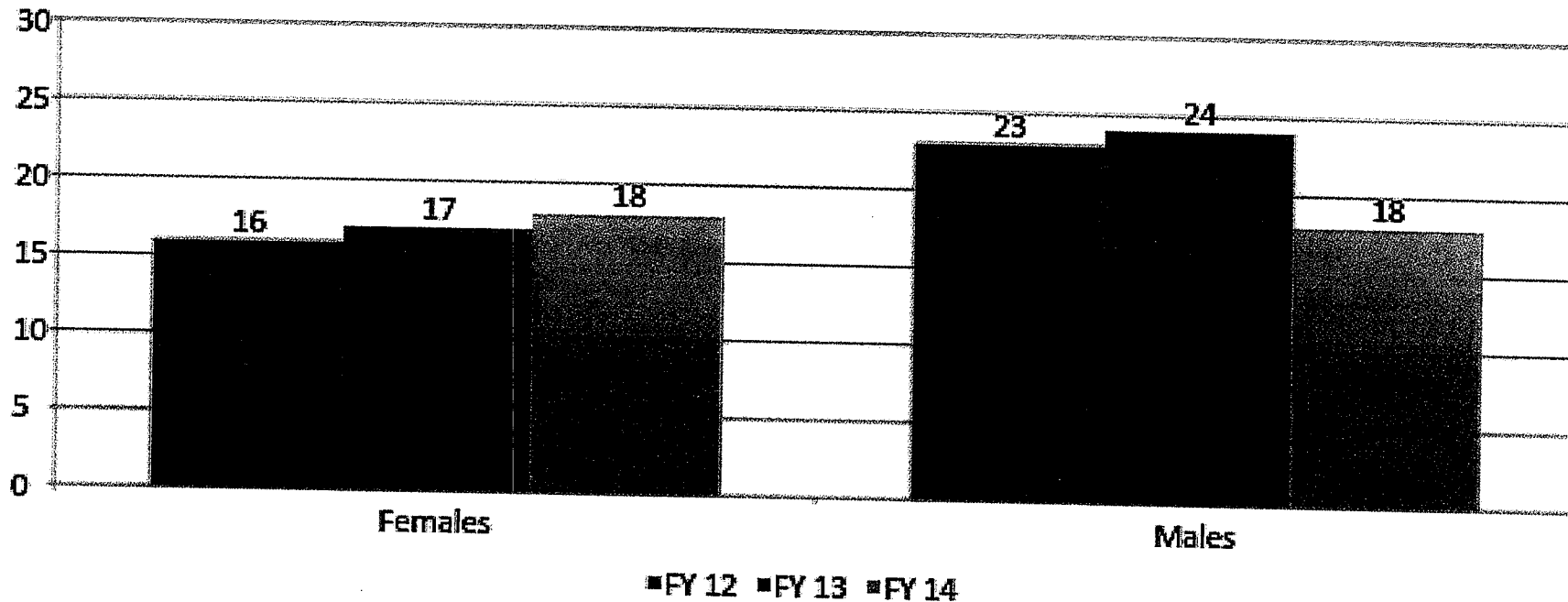


**8% decrease in detention rates for girls, as compared to 26% decrease for boys**

*In FY 2014 the majority of girls detained came from zip codes 87105, 87108 and 87121, which are the most economically challenged areas of Albuquerque and have the highest populations of youth of color.*

Source: U.S. Census Bureau, Easy Access to Juvenile Populations. (1990-2014); Bernalillo County JDAI data reports - [jdaihelpdesk.org](http://jdaihelpdesk.org); SARA Reports for FY 12 – FY 14.

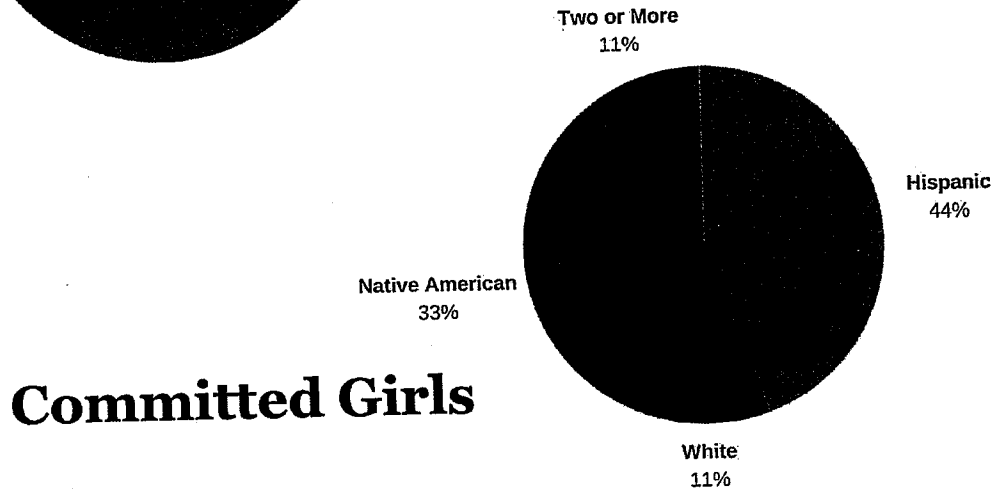
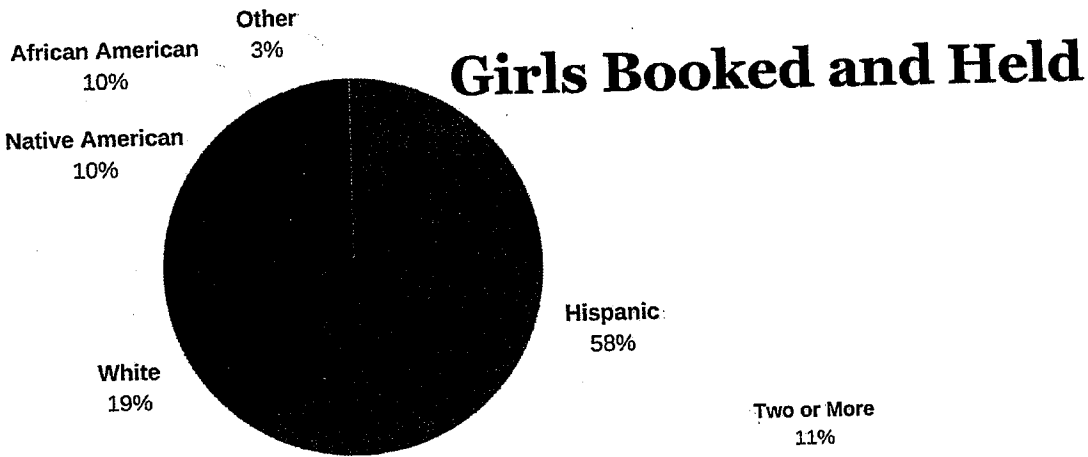
# AVERAGE LENGTH OF STAY (ALOS) BY FISCAL YEAR AND GENDER (Bernalillo County)



**12% increase in girls average length of stay, as compared to a 22% decrease for boys**

Source: U.S. Census Bureau, Easy Access to Juvenile Populations. (1990-2014); Bernalillo County JDAI data reports - [jdaihelpdesk.org](http://jdaihelpdesk.org); SARA Reports for FY 12 – FY 14.

# Demographics for Bernalillo County Girls 10-17 Years of Age For FY 14



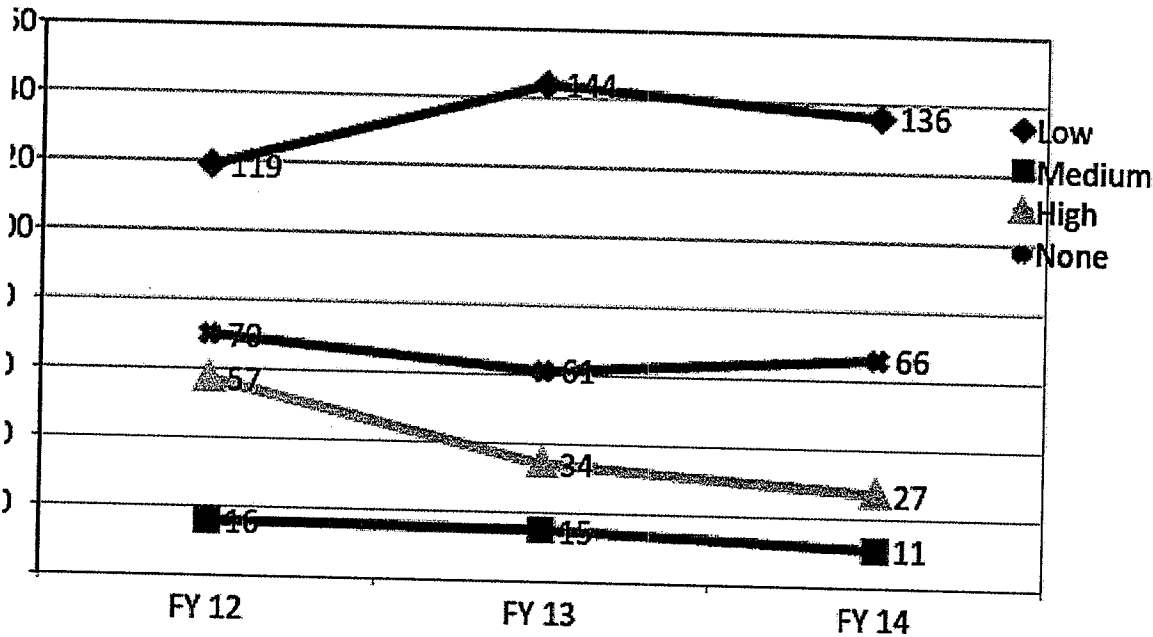
### Population Numbers for Girls

General Population 10-17 yrs.	PERCENT
Hispanic	62%
White	27%
Native American	5%
African American	3%
Asian	3%

Source: U.S. Census Bureau, Easy Access to Juvenile Populations. (1990-2014); Bernalillo County JDAI data reports - [jdaihelpdesk.org](http://jdaihelpdesk.org); SARA Reports for FY 12 – FY 14.



# Girls Booked in Detention- Risk Assessment Level by Fiscal Year (Bernalillo County)



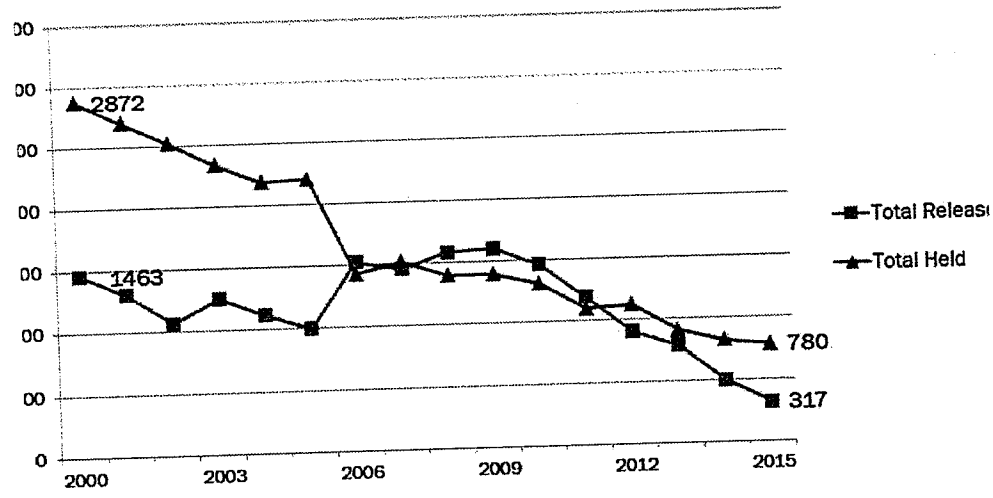
## Top 4 Override Reasons FY12-14 for Girls

- No Adequate Supervision or Care
- Parents Refuse Custody
- Domestic Violence
- Parents Located but Unavailable

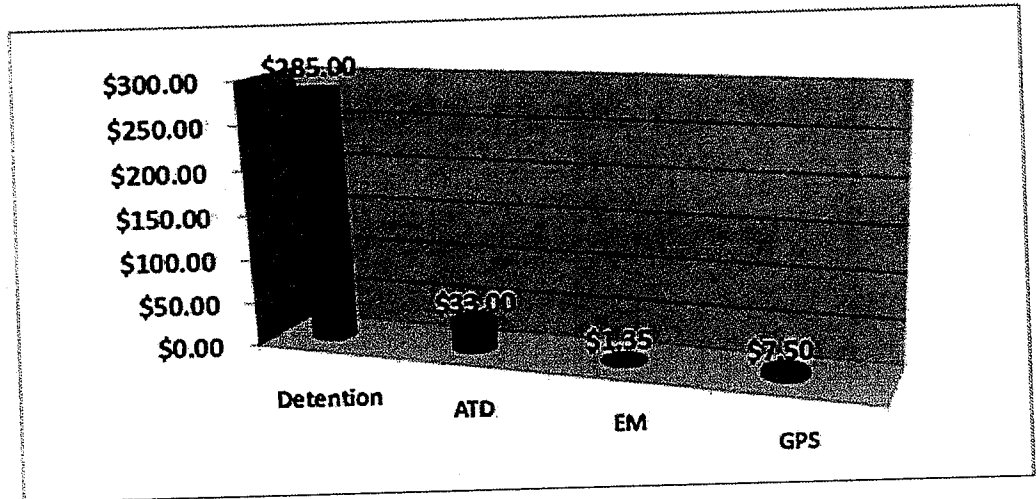
Source: U.S. Census Bureau, Easy Access to Juvenile Populations. (1990-2014); Bernalillo County JDAI data reports - [jdaihelpdesk.org](http://jdaihelpdesk.org); SARA Reports for FY 12 – FY 14.

# Public Safety Improvements & Cost of Youth Detention

## Safely Reduce the Juvenile Detention Population



## Shift Cost Savings to Alternatives, Diversion and Prevention



The Bernalillo County Juvenile Detention Alternatives Initiative Collaborative (JDAI) has safely reduced the unnecessary use of detention by 74% in the last 15 years.

Source: JDAI Collaborative 16 year program measurement

The juvenile crime rate, measured here through a reduction of law enforcement referrals over the past 16 years, has decreased by 72%.

# Overview of adult women in the criminal justice system

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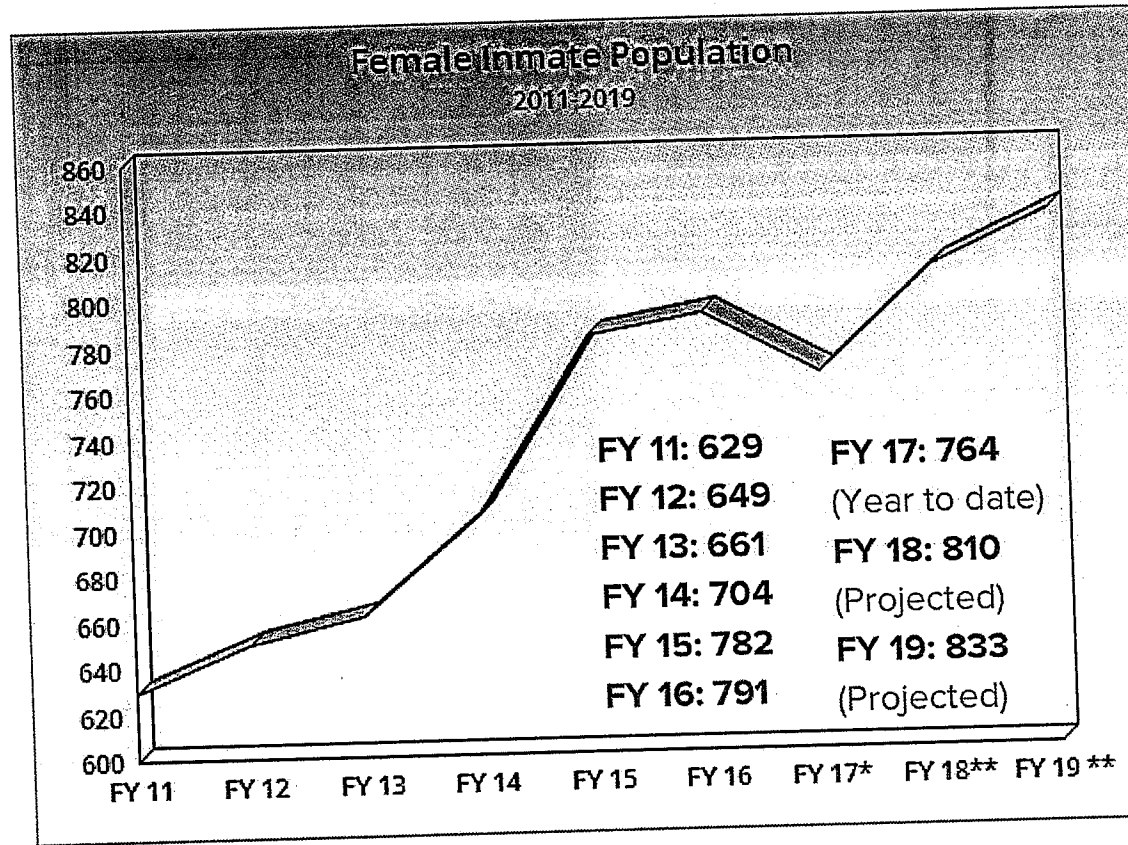
New Mexico and National Data



# Rising Numbers for Women

**“Females: The most notable trend in New Mexico is the continuing, significant increase in the female inmate population.”**

**Jails:** “From 2010 to 2015, the percentage of female inmates incarcerated in county jails in New Mexico has increased from 12.9% to 17.2% of the total jail census.”



NMSC Prison Data

<http://nmsc.unm.edu/reports/2017/new-mexico-prison>

# Prison Facilities

**Capacity:** Total beds: 781

Springer Women's Facility: Springer,  
NM (424)

Western New Mexico Correctional  
Facility: Grants, NM (357)

## Populations:

Springer:

- Level 1 and 2 inmates
- Formerly the New Mexico Boys' School
- Dormitory style living

Western:

- Level 2, 3 and 4 inmates\*
- Statewide intake facility for female population
- Facility houses female special populations
- Inmates live in cells within housing units

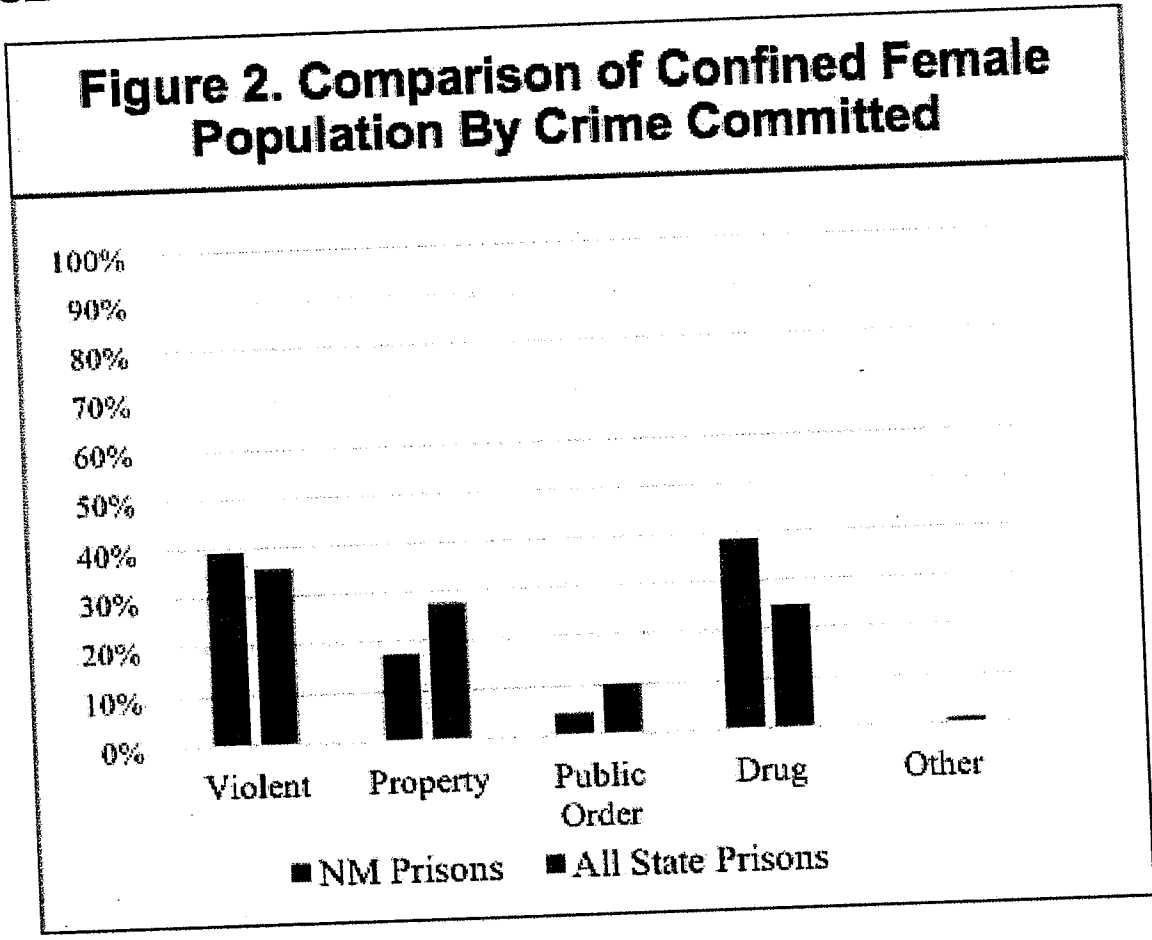
# Crime Committed on Prison Sentence

Majority of women serving sentences in NMCD are convicted on crimes connected to underlying substance use issues---both drug crimes and property related crimes

According to the New Mexico Sentencing Commission:

- “Long term trends indicate that incarcerations for violent crimes among women have increased.”
- “More recently, drug trafficking admissions have consistently exceeded admissions for drug possession.”

Figure 2. Comparison of Confined Female Population By Crime Committed



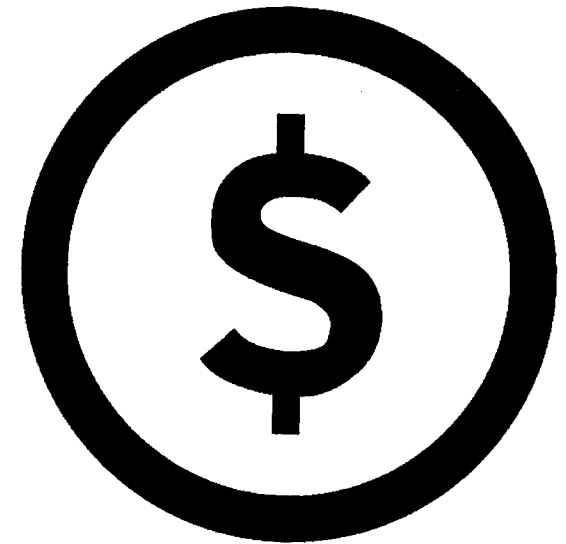
# Cost

**Annual and daily costs of keeping someone in prison depends on the classification level of inmate and where they are housed**

- Average costs of \$100 dollars a day (2015 LFC report)<sup>1</sup>

A 2012 report from the NM Department of Corrections stated that reducing recidivism could save the state \$8.3 million in prison costs alone and reduce victimization costs by \$40 million <sup>2</sup>

[https://nmlegis.gov/Entity/LFC/Documents/Finance\\_Facts/finance%20facts%20corrections.pdf](https://nmlegis.gov/Entity/LFC/Documents/Finance_Facts/finance%20facts%20corrections.pdf)  
Reducing Cost and Recidivism in the Incarceration of Supervision of Adult Offenders," Pg 6; New Mexico Department of Corrections #12-07; June, 14, 2012.



# **Specific Needs of Girls and Women**





# **Diversion is effective, but NM lacks programming options, especially for girls**

## **Residential treatment centers:**

There are only 5 residential treatment centers (RTC's) in the state, and only 1 in Albuquerque that accept girls and young women. Frequently girls and young women must go out of town, or sometimes out of state, to get treatment.

There is only one RTC for young people with serious mental health issues in New Mexico, Sequoyah. They do NOT accept girls and young women.

Mesilla Valley (Las Cruces), The Peak (Santa Teresa) and San Juan (Farmington) take girls, but they are not specifically focused on girls and therefore girls are often segregated.

## **Nonresidential treatment:**

With the closing of Turquoise Lodge, there are no facilities for young people to detox.

## **Group Homes:**

There are very few shelter beds for girls.

There is only one home that accepts expectant and parenting young women, Humphrey House in Hobbs.

Currently the only group home for girls in Albuquerque is the Girls Reintegration Center. However, its beds are it's primarily for girls exiting a commitment with only a few beds given to girls and young women on probation.

# **ACES data for New Mexico: Young People**

“86% of incarcerated New Mexico juveniles experienced 4+ ACEs, **7x higher than [a national CDC study].**” Based on a national study, “individuals with 4+ ACEs were more likely to report health conditions and shorter life spans.”

“Females had a statistically significant higher incidence of  
sexual abuse 63% vs. 21% &  
physical abuse 70% vs. 49%  
when compared to males.”

<https://nmjc.unm.edu/reports/2016/adverse-childhood-experiences-in-the-new-mexico-juvenile-justice-population.pdf>

# **ACES data for New Mexico: Women in the adult system**

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A national study of adults demonstrated that “individuals who experienced five or more adverse childhood experiences were 7–10 times more likely to report illicit drug use and addiction.”

In a 2013 study of women incarcerated in New Mexico, they reported “high rates of lifetime victimization: 67% sexual assault, 89% physical assault, 62% stalking/harassment.”

<https://nmsc.unm.edu/reports/2016/adverse-childhood-experiences-in-the-new-mexico-juvenile-justice-population.pdf>

# GBTQGNQ Young People in the System

The 2011 National Longitudinal Study of Adolescent Health found that girls who identified as lesbian or bisexual were at significantly greater risk than straight peers of being expelled from school, stopped by police, subjected to juvenile arrest and conviction, and subjected to adult arrest and conviction.<sup>1</sup>

**Youth in detention and correctional settings who identify as lesbian, gay, bisexual or other report being sexually victimized by peers at a rate that is nearly 10 times higher than their heterosexual counterparts.<sup>2</sup>**

- About 8% of all youth and 20% of detained youth identify as lesbian, gay, bisexual, questioning, transgender and gender non-conforming.<sup>3</sup>
- Nearly 14% of justice-involved boys identify as lesbian, gay, bisexual, questioning, transgender or gender non-conforming. For girls, this figure jumps to almost 40%.<sup>4</sup>

<sup>1</sup>American Academy of Pediatrics, Volume 127, Issue 1. (2011). Criminal-Justice and School Sanctions Against Nonheterosexual Youth: A National Longitudinal Study. Program in Ethics, Politics, and Economics and Center for Research on Inequalities and the Life Course, Yale University. New Haven, CT: Kathryn E. W. Himmelstein, Hannah Brückner.

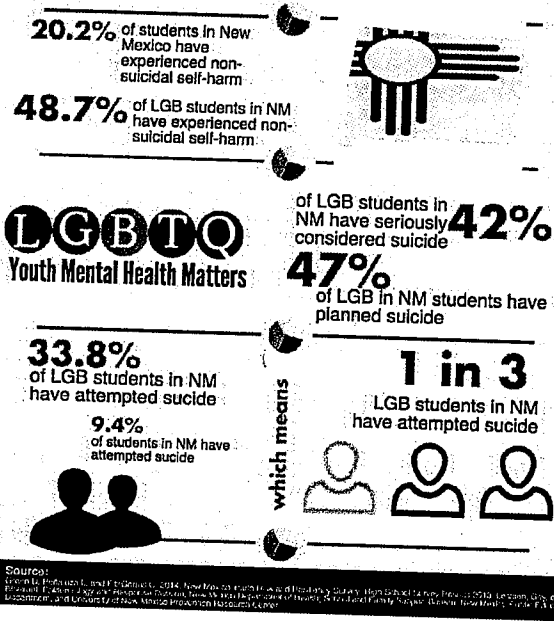
<sup>2,3,4</sup>The Annie E. Casey Foundation. (2015). Lesbian, Gay, Bisexual and Transgender Youth in the Juvenile Justice System. Baltimore, MD: Shannan Wilber. Retrieved from [www.aecf.org](http://www.aecf.org).



# NM Specific LGBTQ Youth Needs

## Mental Health FOR

**Important notes on this data:**  
 This data was collected from lesbian, gay, and bisexual (LGB) students in high schools across New Mexico through the Youth Risk and Resiliency Survey. 2013 was the first year that demographic data was collected for sexual orientation. Data was not collected on gender identity and therefore cannot identify particular disparities for trans or gender non-conforming (and young) people. This is particularly critical as young trans women of color and gnc people of color are facing extreme violence and death. The data source was built by surveying young people who are in school and does not capture the experiences or insight of youth who exist on the margins and who are no longer engaged and/or enrolled in the school system, including youth whose lives have ended in suicide, youth getting by through working in street economies, and youth who have left their homes and schools as a matter of survival. The data that refers to "students in New Mexico" includes LGB young people, so the disparities between straight and LGB young people are even more stark than they appear. Young LGBTQ+ people are living the #WarriorStateMind, but our state, institutions, and communities must consider their needs and do better.



## Mental Health Services

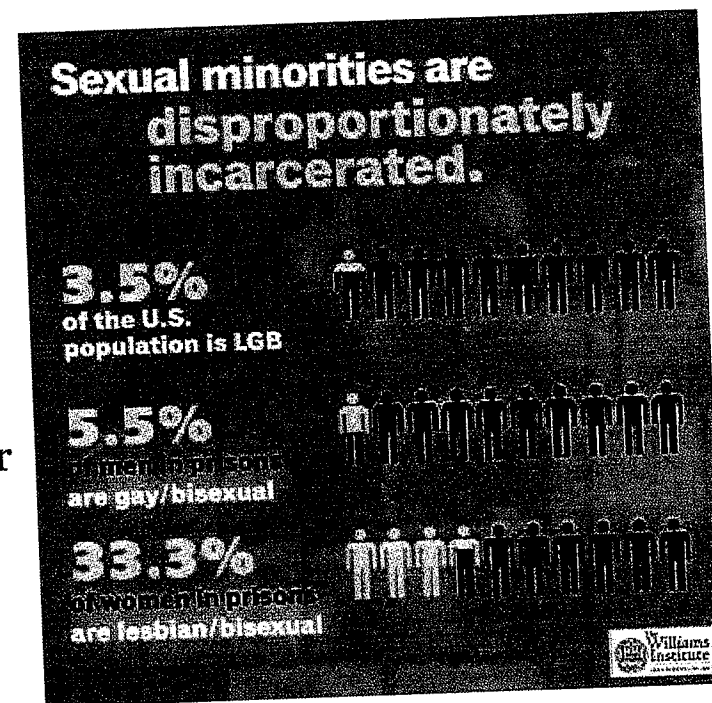
- 1 in 3 LGB students in NM have attempted suicide<sup>1</sup>
- 48.7% of LGB students have experienced non-suicidal self harm<sup>2</sup>

<sup>1,2</sup> Green D, Peñaloza L, and FitzGerald C. 2014. New Mexico Youth Risk and Resiliency Survey: High School Survey Results 2013, Lesbian, Gay, or Bisexual. Epidemiology and Response Division, New Mexico Department of Health; School and Family Support Bureau, New Mexico Public Education Department; and University of New Mexico Prevention Research Center.

# LGBTQ Women and People

A 2016 study by the Williams Institute at UCLA found that lesbian, gay, and bisexual people are incarcerated at disproportionately high rates, and “once incarcerated they are more likely to experience mistreatment, harsh punishment, and sexual victimization.”

- “Sexual minorities, defined as people who self-identify as lesbian, gay, or bisexual (LGB) and people who do not identify as LGB but reported a same-sex sexual experience, were disproportionately incarcerated: 42.1 % of women in prison, and 35.7 % of women in jail were sexual minorities.”<sup>1</sup>
- Nearly one in six transgender people (16%) (including 21% of transgender women) have been incarcerated at some point in their lives—compared to 2.7% of cisgender adults. There are critical intersections with race—among Black transgender people, nearly half (47%) have been incarcerated at some point.



an H. Meyer, PhD, Andrew R. Flores, PhD, Lara Stemple, JD, Adam P. Romero, JD, Bianca D.M. Wilson, PhD, and Jody L. Herman, PhD. Grant, Jaime M., Lisa A. Mottet, Justin Tanis, Jack Harrison, Jody L. Herman, and Mara Keisling. Injustice at Every Turn: A Report of the National Transgender Discrimination Survey. Washington: National Center for Transgender Equality and National Gay and Lesbian Task Force, 2011, pg 163.

# Considering needs of young parents and expectant young people

There are more young mothers and expectant young women in the juvenile justice system than in general population of same age.

- According to the Survey of Youth in Residential Placement, 9 percent of girls in custody have children compared with 6 percent of female youth in the general population.<sup>1</sup>
- A 2004 national census found that 5 percent of girls in juvenile justice residential placement were pregnant.<sup>2</sup>



Sedlak, A.J. and Bruce, C. 2010. *Youth's Characteristics and Backgrounds: Findings from the Survey of Youth in Residential Placement*. Washington, DC: U.S. Department of Justice, Office of Justice Programs, Office of Juvenile Justice and Delinquency Prevention. Available at [https://syrrp.org/images/Youth\\_Characteristics.pdf](https://syrrp.org/images/Youth_Characteristics.pdf).

Survey of Youth in Residential Placement online analysis. Available at [https://syrrp.org/online\\_analysis.html](https://syrrp.org/online_analysis.html); see also Gallagher, C.A., Dobrin, A., and Douds, A.S. 2007. A National Overview of Reproductive Health Services for Girls in Juvenile Justice Residential Facilities. *Women's Health Issues*, 17: 217-226.

# Incarcerated Mothers in the Adult System

- Nationally, there are more than 120,000 incarcerated mothers and 1.1 million incarcerated fathers who are parents of minor children (ages 0-17).<sup>1</sup>
- 64-84% of mothers had at least one minor child living with them before incarceration.<sup>2</sup>
- 58% of mothers had no personal visits from any of their children.<sup>3</sup>
- 62% of parents in state prisons and 84% of parents in federal prisons are held over 100 miles away from their residence. 43% of parents in federal prisons are held over 500 miles away from their last residence.<sup>4</sup>



<sup>1</sup> Glaze, L. and Maruschak, L. Parents in Prison and Their Minor Children. Bureau of Justice Statistics Washington, D.C. 2011

<sup>2</sup> Ibid

<sup>3</sup> Ibid

<sup>4</sup> Mumola, C.J. - Incarcerated Parents and Their Children (NCJ-182335). Washington, D.C. US Department of Justice, BOJS, 2000



# Meaningful Steps Forward

## Juvenile Justice: CYFD

- 1) Data collection
- 2) Commitment to reducing racial and gender disparities

## Legislature/Executive:

- 1) HB 411-Point of Contact for Certain Students

## Adult Criminal Justice: NMCD

- 1) Medicaid for Incarcerated Individuals
  - i) Impacts on whole families
- 2) Moved women from a private prison to a state operated facility

## Legislature:

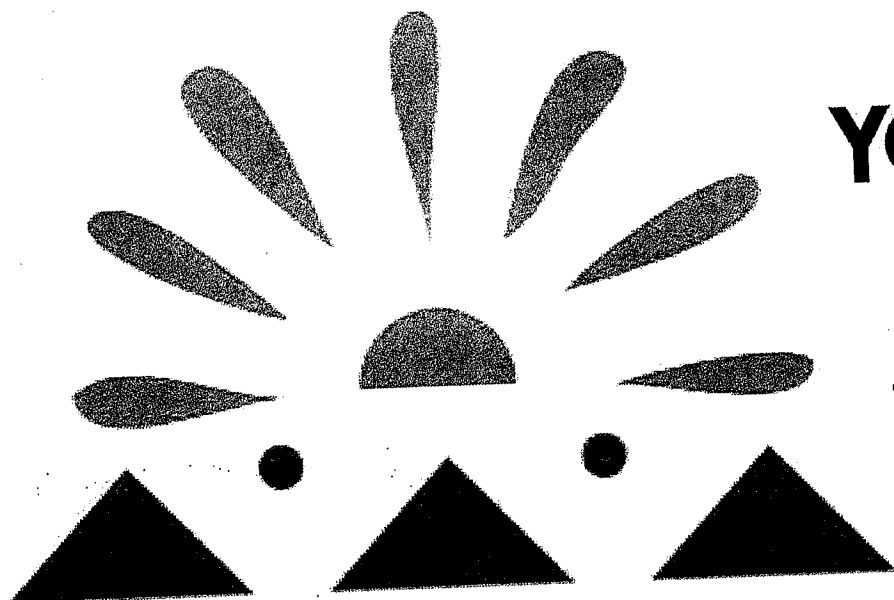
- 1) HM 120-Study the Risks and Needs of Incarcerated Women (YWU)
  - i) Explore potential of Community Corrections
- 2) HB 370-Opioid Overdose Education
- 3) SB 78-Private Employer Conviction Inquiries, "Ban the Box"

# **JDAI-Deep End Girls Group Goals**

- 1.** Eliminate detention in cases that come in as Domestic Violence/ Domestic Battery (as the issue), at the front- end of the system and refocus on family engagement and crisis intervention.
- 2.** Eliminate referrals to CCA (Children's Court Attorney) for 3 or fewer misdemeanors and target gender and culturally competent informal diversion.
- 3.** Reduce detention and out of home consequences for technical violations and program/rule non-compliance and re-focus and refine probation objectives and services to be gender and culturally responsive.

# Young Women United Recommendations <sup>27</sup>

- 1) Consider the specific needs of girls and women in any discussion about juvenile justice and criminal justice systems, child welfare systems, mental and behavioral health care/treatment-- including budgetary considerations and funding allocations
  - 2) Girls: Assess and identify opportunities for the development of juvenile justice reform policies to positively impact system involved girls and young women of color, informed by expertise of system involved girls and young women of color
    - i) Provide resources and space to capture the insight and knowledge of young women and girls with lived experience in the juvenile justice system---Ie: Stress Pass
  - 3) Women: Invest in strategic data collection and evaluation so disparities faced by women may be identified and addressed
-



# YOUNG WOMEN UNITED

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