

Policy Spotlight: Juvenile Justice



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Summary

New Mexico enacted reforms to divert low-risk youth away from secure confinement but lacks an adequate system of evidence-based delinquency prevention and treatment services, leading to youth returning to the justice system.

The purpose of the New Mexico juvenile justice system is to protect the public interest by holding juveniles accountable and also promote rehabilitation (Section 32A-2-2 NMSA 1978). The juvenile justice system has a complex, multi-stage process where the Children, Youth and Families Department (CYFD), local district attorneys, and judges each make decisions on how to handle youth who are referred to the system.

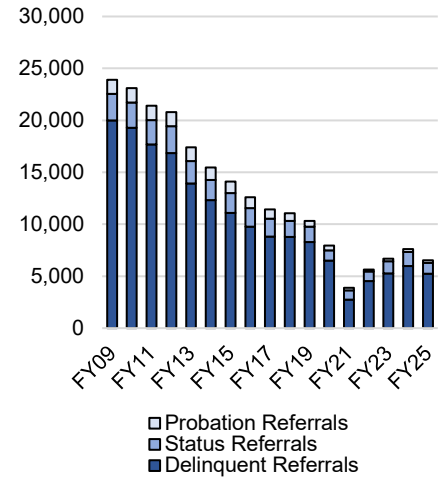
Based on research, the state reformed its juvenile justice system in the 2000s to divert youth to community services for low level offenses and make secure confinement for high level offenses more rehabilitative. After these reforms, referrals of youth to the juvenile justice system steadily decreased for almost two decades before reaching a low point in FY21 during the Covid-19 pandemic and then recently increased. Despite recent increases, juvenile justice referrals still remain over 30 percent below pre-pandemic levels and 70 percent below FY09 levels. As the number of juveniles sentenced to CYFD secure facilities decreased from over 500 youth decades ago to under 100 youth in FY24, LFC reports consistently recommended redirecting facility cost savings to build “front end” services focused on delinquency prevention and treatment.

A majority of referrals for misdemeanors are diverted away from the juvenile justice system, but community behavioral health and treatment services are lacking and many youth are rereferred back to the system. CYFD needs to partner with local communities to scale up the state’s capacity for providing the prevention and treatment interventions shown to be effective at reducing juvenile delinquency and recidivism.

State law requires CYFD to use a validated risk assessment tool to see whether a juvenile needs to be detained in a county juvenile detention facility before legal proceedings in alignment with research-based practices. However, CYFD staff sometimes overrides its risk assessment and detains youth the tool scores as “low-risk”, which can leave less capacity at county juvenile detention centers for detaining “high-risk” youth. CYFD should minimize overriding its validated risk assessment tool to detain low-risk youth.

The recent increase in juvenile populations since the pandemic has placed some capacity pressures on juvenile justice facilities. However, these capacity pressures are not because of a lack of physical beds or building space but instead because of limited staff available to meet federally required staff-to-juvenile ratios. CYFD has at least \$1.9 million in its juvenile justice budget that could be used to fully staff its secure facilities, but the department is using some of these funds for other purposes not intended by the Legislature such as personnel in other CYFD divisions.

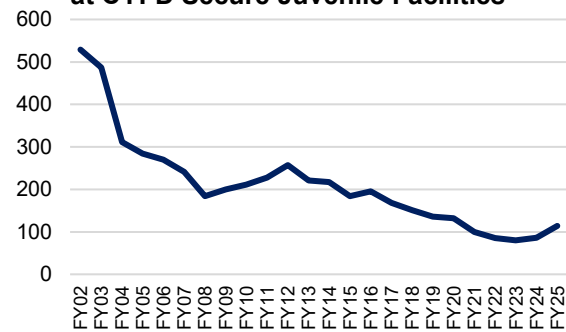
Chart 1. Referrals to the Juvenile Justice System, FY09 through FY25



Note: FY25 data is missing the last three months due to data availability. Exact data before FY09 is limited but past LFC reports indicate referrals were over 20 thousand in early 2000s.

Source: LFC analysis of CYFD data.

Chart 2. Average Daily Population at CYFD Secure Juvenile Facilities



Source: LFC analysis of CYFD data

Key Findings

- Youth are often diverted away from the juvenile justice system, but services are lacking and many youth return to the system.
- County juvenile detention centers have increased populations and staffing pressures, which could be alleviated by using evidence-based approaches to prioritize detention solely for the highest risk youth.
- CYFD secure facilities have staffing pressures, unused facility capacity, and outdated projections.

Key Recommendations

The Legislature should consider:

- Prioritizing potential future funding for evidence-based delinquency prevention and therapeutic interventions shown to address the root causes of juvenile delinquency and reduce recidivism; and
- Amending state law (Section 32A-2-11 NMSA 1978) to require CYFD to regularly validate the department's risk assessment instrument for pre-adjudication detention at least once every three years beginning in calendar year 2026.

The Children, Youth and Families Department (CYFD) should:

- Develop and publish an action plan on its website with specific planned steps for building up New Mexico's capacity to provide front-end, evidence-based behavioral health and treatment services for children, youth, and families and annually report progress to the Legislature, including LFC, the Legislative Health and Human Services Committee, and the Legislative Courts, Corrections and Justice Committee;
- Minimize the extent to which staff can override the department's risk assessment instrument to detain low-risk youth or release high-risk youth;
- Prioritize staffing its juvenile justice secure facilities by reducing overtime spending, fully spending budgeted funds, and reducing juvenile justice funds spent on Family Services Division personnel when facing capacity constraints;
- Ensure its new comprehensive child welfare information system (CCWIS) replacement project is able to track data on the specific services, sanctions, or alternatives to which youth are diverted when referrals are handled informally by CYFD juvenile probation officers;
- Report annually on its actual number of physical beds (bed capacity) and actual number of beds that are operational with available staffing (functional capacity) at secure facilities; and
- Annually project average daily population at secure facilities for the next year.

District attorney offices should:

- Redirect juvenile referrals back to CYFD juvenile probation officers for informal handling when the district attorney office declines to pursue a court case for a juvenile referral.

The Juvenile Justice Advisory Committee (JJAC) should:

- Target more delinquency prevention funds to areas where the most referrals to the juvenile justice system occur; and
- Pilot strategies to help local governments improve their capacity to manage JJAC program grants.

Bernalillo County, Doña Ana County, the city of Albuquerque, and the city of Las Cruces should:

- Build local capacity to apply for and manage JJAC delinquency prevention grant funding given their number of referrals to the juvenile justice system.

Background

Based on research, New Mexico implemented two sets of evidence-based juvenile justice reforms in the early- and mid-2000s: diverting more low-risk youth away from the justice system and making CYFD facilities for high-risk youth more rehabilitative. Referrals of youth to the juvenile justice system steadily decreased over time since these reforms, reached a low point in 2021 during the Covid-19 pandemic, and have recently increased since the pandemic low point. New Mexico’s Children, Youth and Families Department (CYFD) administers and oversees the state’s complex juvenile justice system. CYFD spent \$78.5 million on juvenile justice in FY25 and has a current juvenile justice budget of \$82 million in FY26.

In response to research, New Mexico reformed its juvenile justice system to emphasize diversion for low-risk juveniles and rehabilitation for high-risk juveniles in secure facilities.

Research shows simply incarcerating juveniles does not address the root causes of delinquency and can increase the chances of reoffending. Programs that focus on therapy, mentoring, life skills, and family support can help reduce juvenile recidivism when implemented well in community and institutional settings. In response to these findings, New Mexico adopted two sets of juvenile justice reforms in the early and mid-2000s. First, New Mexico implemented diversion reforms to divert low-risk youth away from incarceration and to community programs. Second, New Mexico reformed CYFD secure facilities to adopt a more rehabilitative approach inspired by national models like Missouri’s “Missouri model.” These reforms reflected a broader shift toward addressing root causes of delinquency through therapeutic and rehabilitative methods rather than punishment alone.

Research indicates therapeutic interventions, diverting low-risk juveniles away from incarceration, and making incarceration more rehabilitative are ways to improve juvenile outcomes. Juvenile delinquency is associated with multiple social and psychological risk factors, including poverty, child maltreatment, low academic outcomes, high impulsivity, low empathy, and delinquent peers.ⁱ Incarceration by itself does not address these underlying risk factors for juvenile delinquency and is associated with a greater likelihood of future recidivism, low educational attainment, and adult incarceration.^{ii,iii} Given this research, jurisdictions across the country have emphasized diverting juveniles charged with lower-level offenses away from the juvenile justice system and toward alternative services and interventions. The research on diversion (i.e., diverting juveniles away from the juvenile justice system) is mixed because not all services and

Table 1. Overview of Research Findings on the Effectiveness of Different Juvenile Interventions

Intervention	Effectiveness at Reducing Juvenile Crime
Juvenile incarceration (commitment/detention).	Ineffective at reducing recidivism and associated with increased recidivism.
Diverting youth away from judicial system to punitive programs (scared straight or boot camp programs).	Ineffective at reducing recidivism and associated with increased recidivism.
Diverting youth away from court system to therapeutic interventions (counseling, skills building, mentoring, victim-offender mediation).	Effective at reducing recidivism, but effectiveness varies based on intervention and target population.
Therapeutic interventions for incarcerated juveniles.	Effective at reducing recidivism, but effectiveness varies based on intervention, program quality, and population.
Early social skills and self-control training to prevent antisocial behavior in children.	Effective at reducing future delinquent or antisocial behaviors.

Source: LFC review of research studies (see Appendix O)

interventions for juveniles are equally effective at reducing recidivism.^{iv,v,vi} Research indicates that therapeutically oriented interventions (such as counseling, mentoring from an adult, building social and life skills, or victim-offender mediation) consistently reduce juvenile recidivism. Punitive interventions (such as boot camps or scared straight programs) are ineffective at reducing juvenile recidivism.^{vii,viii} Receiving therapeutic interventions has been shown to reduce recidivism in both community-based settings and secure institutional settings.^{ix} Some therapeutic intervention models, such as multisystemic therapy (MST), functional family therapy (FFT), and cognitive behavioral therapy (CBT) stand out as particularly effective and evidence-based. Previous LFC reports, using the Pew Charitable Trust's Results First cost-benefit models, have found these programs to have positive returns on investment of \$3 to \$33 for each dollar spent on these programs. Therapeutic treatments can also be effective at changing behavior for juveniles with past violent histories or diagnosed callous traits, but the results are more limited and mixed in these cases.^{x,xi,xii} There is also research indicating early social skills training for children can help reduce and prevent aggressive and delinquent behavior in children.^{xiii} Altogether the research shows that interventions are most effective at reducing recidivism when the interventions focus on a juvenile's underlying risk factors and issues regarding self-control, emotional regulation, and delinquent behaviors.^{xiv}

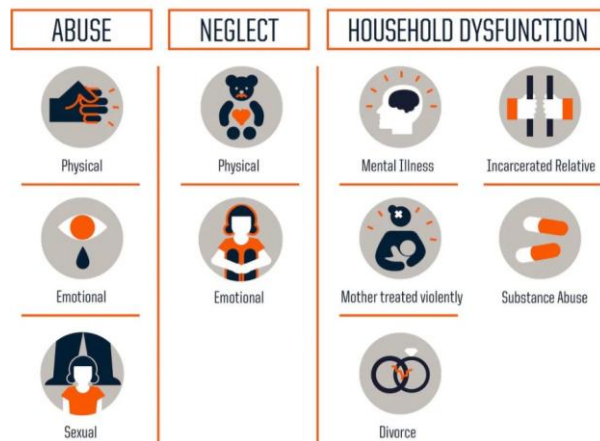
Research generally finds that the swiftness and certainty of getting caught and punished is more effective at reducing crime than the severity or length of sentences.^{xv} Previous LFC reports have documented an “accountability gap” in New Mexico’s criminal justice system where arrests, criminal convictions, and prison admissions do not keep pace with trends in criminal activity. A 2024 LFC Progress Report, *Update on Crime in New Mexico and Bernalillo County*, found declining case clearance rates, felony convictions, and prison admissions from 2019 to 2022 even as violent crime rates increased. This accountability gap is problematic because it means the criminal justice system is not swiftly and effectively holding offenders accountable. The 2018 LFC Program Evaluation, *Review of the Criminal Justice System in Bernalillo County*, found that most felony cases are dismissed because of insufficient evidence collection or witness cooperation, which indicates New Mexico could reduce the criminal justice accountability gap through initiatives and investments to improve evidence collection and witness cooperation in the highest-risk cases. Additionally, research indicates strategies aimed at reducing accountability gaps, such as “hot spot” policing of high crime locations, are effective at reducing and deterring criminal activity.^{xvi} Research finds that longer sentences, on the other hand, tend to increase the likelihood of recidivism, even though incarceration stops offenders from committing crime while in custody and an offender’s likelihood of recidivism decreases with age.^{xvii,xviii,xix,xx,xxi} Based on this information, New Mexico could more directly and effectively deter criminal activity by addressing the accountability gap and increasing the swiftness and certainty of justice than just increasing statutory sentence length.

Research indicates that therapeutically oriented interventions (such as counseling, mentoring from an adult, building social and life skills, or victim-offender mediation) consistently reduce juvenile recidivism.

New Mexico could reduce the criminal justice accountability gap through initiatives and investments to improve evidence collection and witness cooperation in the highest-risk cases.

New Mexico children are at higher risk for involvement in the criminal justice system. Children in New Mexico have more adverse childhood experiences (ACEs) than other states and the national average; ACEs are associated with poorer future outcomes including criminal behavior. ACEs are traumatic experiences that occur in childhood before age 18. The original study on ACEs conducted by the U.S. Center for Disease Control in the late-1990s, found a strong relationship between adverse experiences and a child’s development and long-term risks.^{xxii} Research has also found ACEs to be associated with future juvenile offending and adult criminal behavior.^{xxiii,xxiv} New Mexico has a higher percentage of children with two or more ACEs (24 percent) than almost all other states (Montana was tied with New Mexico) and the national average (16 percent), according to 2022-23 national children’s survey data analyzed by the State Health Access Data Assistance Center, a health policy research center. Researchers found in 2016 that 34 percent of New Mexico youth formally charged in the juvenile justice system between 2002 and 2013 also had involvement with CYFD child protective services system.^{xxv}

Figure 1. Types of Adverse Childhood Experiences (ACEs)



Source: Robert Wood Johnson Foundation.

Most juveniles committed to CYFD secure facilities in the juvenile justice system have extensive histories of ACEs with a majority experiencing household substance abuse, household member incarceration, domestic violence, gang involvement, and physical abuse. Researchers from the University of New Mexico (UNM), former CYFD staff, and state Department of Health (DOH) staff analyzed the diagnostic evaluations from independent intake interviews of the 1,526 juveniles committed to CYFD secure facilities between 2011 and 2018.^{xxvi} A working paper on this research found 87 percent of the juvenile offenders committed to New Mexico CYFD secure facilities had four or more previous ACEs. Specifically, a majority of the juvenile offenders had experienced either a substance use disorder (95 percent), household substance use disorder (82 percent), household member incarceration (52 percent), domestic violence (51 percent), gang involvement (66 percent), or physical abuse (51 percent). Female juveniles, a small proportion of the total youth committed to secure facilities (16 percent), had experienced prior sexual abuse at a higher rate (69 percent) than male juveniles committed to secure facilities (18 percent). Thirty-nine percent of all committed juveniles had substantiated reports of abuse or neglect to CYFD’s Protective Services Division. These data indicate juvenile offenders often have chronic histories of ACEs before being committed to CYFD secure facilities. This working paper research was reviewed and referenced with permission from the authors.

Research found 87 percent of the juvenile offenders committed to New Mexico CYFD secure facilities had four or more previous adverse childhood experiences.

In response to research findings, New Mexico implemented reforms in the late 1990s through the mid-2000s to divert low-risk youth away from courts and detainment. In the late 1990s, Bernalillo County began a pilot partnership with The Annie E. Casey Foundation (a nonprofit

organization focused on child welfare policy) to reduce juvenile detentions and divert lower risk youth toward alternatives to detention, called the Juvenile Detention Alternatives Initiative (JDAI). In the early 2000s, New Mexico adopted reforms at the state level to promote diverting low-risk juveniles away from courts and confinement. Specifically, the Legislature required the use of objective risk assessment instruments, prohibited the detention of juveniles unless they are assessed to be a public safety or flight risk, and encouraged community-based alternatives to detaining lower risk youth (Laws 2003, Chapter 225; Laws 2007, Chapter 19; Laws 2007, Chapter 351).

In response to research findings, reforms in Missouri, and litigation, New Mexico implemented reforms in the 2000s (called the Cambiar model) to make CYFD secure facilities for juveniles less punitive and more rehabilitative. From the 1980s to the early 2000s, Missouri went from securing most of its juvenile offenders in a large correctional facility (holding up to 650 teens) with a punitive approach to housing juvenile offenders in smaller, regional facilities with a rehabilitative emphasis. After Missouri enacted these reforms, national organizations such as the federal Office of Juvenile Justice and Delinquency Prevention and the Annie E. Casey Foundation pointed to Missouri as a model and noted relatively low juvenile recidivism rates compared to other states. In New Mexico, the American Civil Liberties Union (ACLU) filed litigation against CYFD in 2006 citing inadequate mental health services, unsafe conditions, and excessive use of restraints. The ACLU lawsuits and CYFD site visits to Missouri facilities led the department to enact standards shifting from a traditional correctional model to a rehabilitative model focused on programming, education, and treatment. For example, CYFD secure facilities must develop a plan of care, provide a case manager, and offer multidisciplinary service team services to each secured juvenile (New Mexico Administrative Code Section 8.14.21). Juveniles are assigned to living units ranging in size from eight to 12 youth who stay together throughout the day for structured and unstructured activities. Additionally, CYFD remodeled its secure facilities living units in 2009 to have a more residential feel.

Juvenile justice referrals steadily decreased as the state emphasized diversion, reached a pandemic low point in FY21, and recently increased from the low point.

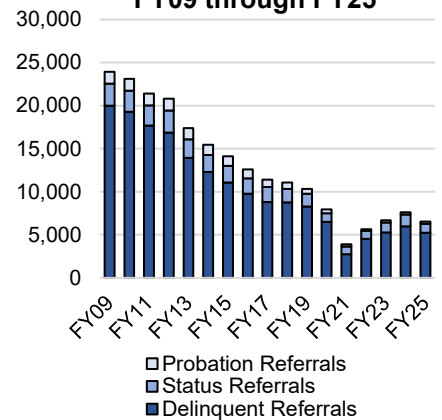
Youth can be referred to the state’s juvenile justice system for either a criminal offense (called a delinquent referral), a non-criminal action such as truancy or running away from home (called a status referral), or a probation violation (called a probation referral). The majority of referrals to the juvenile justice system since FY09 (81 percent) are delinquent referrals for a criminal offense. Referrals to the juvenile justice system steadily decreased over time, reached a low point in FY21 during the

Figure 2. Remodeling at John Paul Taylor Center CYFD Juvenile Secure Facility in Response to New Mexico’s Cambiar Initiative



Source: CYFD/General Services Department. (2010). Facilities Master Plan.

Chart 3. Referrals to the Juvenile Justice System, FY09 through FY25



Note: FY25 data is missing the last three months due to data availability.

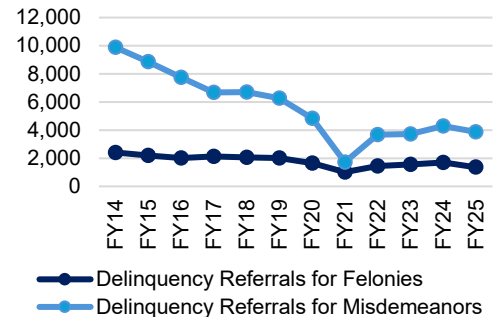
Source: LFC analysis of CYFD data.

pandemic, and recently increased from the pandemic low point. Referrals to the juvenile justice system decreased by 68 percent (or 16.3 thousand referrals) from 23.9 thousand referrals in FY09 to 7,600 referrals in FY24. As the state has emphasized diversion and alternatives to incarceration, youth referrals to the juvenile justice system for misdemeanor charges decreased significantly. Referrals to the juvenile justice system reached their lowest point in FY21, coinciding with the Covid-19 pandemic, but have increased since then.

Since FY14, referrals have declined, with the state seeing a recent rise in referrals mostly for misdemeanors. Roughly 75 percent of delinquent referrals since FY14 have been for misdemeanor charges, while the remaining 25 percent have been for felony charges. As the state made reforms to divert low-risk youth away from the juvenile justice system for lower level offenses, delinquency referrals for misdemeanors decreased by 57 percent (or 5,596 referrals) from 9,883 referrals for misdemeanors in FY14 to 4,287 referrals for misdemeanors in FY24 (most recent full year of complete data). Delinquency referrals for felonies decreased by 30 percent (712 referrals) from 2,411 referrals for felonies in FY14 to 1,699 referrals for felonies in FY24. This data indicates most youth who have been diverted away from the juvenile justice system were being referred for misdemeanors.

Over the past decade, the five most common juvenile misdemeanor charges have been battery, use or possession of drug paraphernalia, shoplifting (less than \$250), battery on a household member, and public affray (fighting). The five most common juvenile felony charges over the same timeframe have been aggravated assault with a deadly weapon, unlawful carrying of a deadly weapon on school premises, criminal damage over \$1,000 to property, burglary of an automobile, and battery on a peace officer. CYFD no longer regularly publishes this and other data in its annual Juvenile Justice Division report on the department’s website.

Chart 4. Delinquency Referrals to the Juvenile Justice System by Highest Charge, FY14-FY25



Note: FY25 data does not include the last three months due to data availability.

Source: LFC analysis of CYFD data.

Table 2. Top Charges for Juvenile Delinquency Referrals, FY14 through FY25

Charge Type	Charge	Number of Charges	Percent of Total
Top Five Juvenile Misdemeanor Charges	Battery	12,023	9%
	Use or Possession of Drug Paraphernalia	9,303	7%
	Shoplifting (\$250 or less)	7,478	5%
	Battery (Household Member)	7,323	5%
	Public Affray (Fighting)	6,618	5%
Top Five Misdemeanor Charges		42,745	31%
Total Misdemeanor Charges		102,391	75%
Top Five Juvenile Felony Charges	Aggravated Assault (Deadly Weapon)	2,063	2%
	Unlawful Carrying of a Deadly Weapon on School Premises	1,645	1%
	Criminal Damage to Property (Over \$1000)	1,553	1%
	Burglary (Automobile)	1,487	1%
	Battery Upon a Peace Officer	1,317	1%
Top Five Felony Charges		8,065	6%
Total Felony Charges		34,333	25%
Total Charges		136,724	100%

Notes: The last three months of data from FY25 were not provided by CYFD due to data availability. A single referral to the juvenile justice system can include multiple charges.

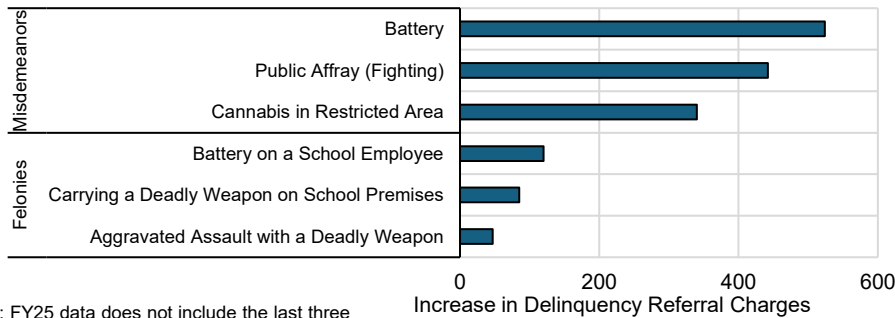
Source: LFC analysis of CYFD data.

The recent increase in juvenile referrals from the FY21 pandemic low point to FY25 was driven by increased charges for battery, fighting, carrying a deadly weapon in schools, and cannabis possession in restricted areas. In recent years, delinquent referrals increased by 91 percent (or 2,490 referrals) from a historical low point of 2,737 delinquent referrals in FY21 during the pandemic to 5,227 delinquent referrals in

FY25. A delinquent referral can include multiple criminal charges. The three misdemeanor charges with the largest growth over this period were battery, public affray (fighting), and possessing cannabis in a restricted area. The three felony charges with the largest growth were battery on a school employee, carrying a deadly weapon on school premises, and aggravated assault with a deadly weapon. Despite recent increases, referrals for juvenile delinquency in FY25 and FY24 were, respectively, 37 percent (or 3,073 referrals) and 32 percent (2,782 referrals) below prepandemic FY19 levels.

Despite recent increases, delinquency referrals are over 30 percent below FY19 prepandemic levels.

Chart 5. Misdemeanor and Felony Charges in New Mexico Delinquency Referrals with the Largest Increases From FY21 Pandemic Low Point to FY25

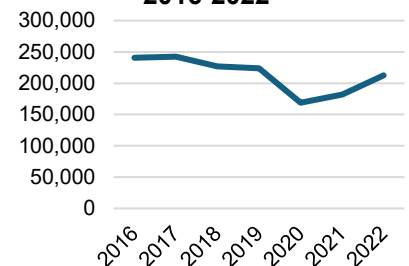


Note: FY25 data does not include the last three months due to data availability.

Source: LFC analysis of CYFD data.

New Mexico trends in juvenile justice referrals mirror national juvenile justice trends. According to analysis of federal law enforcement data by the Council of Criminal Justice (a nonpartisan research organization), juvenile offending in the United States increased after reaching a pandemic low point but remains below prepandemic levels. This data indicates New Mexico’s juvenile justice patterns are similar to a larger national pattern.

Chart 6. Trend in U.S. Juvenile Justice Youth, 2016-2022



Source: Council on Criminal Justice analysis of FBI data.

Previous LFC reports consistently find decreasing secure facility populations and recommend redirecting cost savings to evidence-based interventions and the “front end” of the juvenile justice system. Five LFC program evaluation reports on the state’s juvenile justice system, conducted in 2004, 2006, 2016, 2018, and 2023, consistently highlighted how New Mexico’s juvenile justice reforms were grounded in research evidence and best practices. These reports all documented steadily decreasing populations of youth sentenced to secure facilities and recommended redirecting facility cost savings toward building the front end of the juvenile justice system focused on prevention and treatment. Additionally, these LFC reports regularly pointed to evidence-based services and interventions for juveniles (such as multisystemic therapy, functional family therapy, and juvenile treatment courts) and the state’s challenges in scaling up and leveraging these community-based services and interventions. These previous LFC reports document how New Mexico has not redirected funds to build a system of preventive and treatment services for youth, despite two decades of shrinking populations in secure facilities.

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CYFD spends around \$78 million on juvenile justice, primarily for secure facilities and probation offices.

The Juvenile Justice Services Division of the Children, Youth, and Families Department (CYFD) is responsible for managing New Mexico’s system of juvenile probation and parole, incarceration (called “commitment” in juvenile cases), and rehabilitation. CYFD operates 29 juvenile probation and parole offices where youth are referred to the juvenile justice system and then juvenile probation officers shepherd juvenile cases through the system. The department also operates two CYFD secure facilities to commit juvenile offenders after their cases have been formally decided by the courts. Additionally, CYFD has two reintegration centers where previously committed juvenile offenders can receive programming and services to develop life skills and reenter society.

CYFD also provides administrative support to the state’s Juvenile Justice Advisory Committee (JJAC). JJAC allocates federal and state grants to local communities to offer a continuum of services to prevent delinquency, which are locally overseen by “juvenile justice continuum boards.” CYFD also contracts with local entities to provide juvenile community corrections (JCC) services to youth who have been sentenced to probation or supervised release. Additionally, local counties are legally responsible for operating juvenile detention centers to detain juveniles (determined by the court to be a public safety or flight risk) while awaiting legal proceedings. Four counties (Bernalillo, Doña Ana, San Juan, and Lea) currently operate juvenile detention centers taking in juveniles from around the state. New Mexico spends at least \$100 million on the juvenile justice system, which includes CYFD spending \$78.5 million and counties spending roughly \$21.5 million on juvenile detention centers for youth. Juvenile justice also incurs an indeterminate but likely significant cost the state’s court system as well.

The Legislature appropriated \$82 million to CYFD for juvenile justice services for FY26. For FY26, the majority of juvenile justice funding (88 percent) comes from state general fund revenues while the rest comes from either other state funds (6 percent), interagency transfers (5 percent), or direct federal funding (1 percent). The interagency transfer funding comes from Medicaid reimbursements and transfers for education services at secure facilities. The appropriations for juvenile justice facilities and services are mostly intended for personnel salaries and benefits (73 percent) but also for contractual services (16 percent) and other uses (10 percent).

Figure 3. New Mexico’s Juvenile Justice System

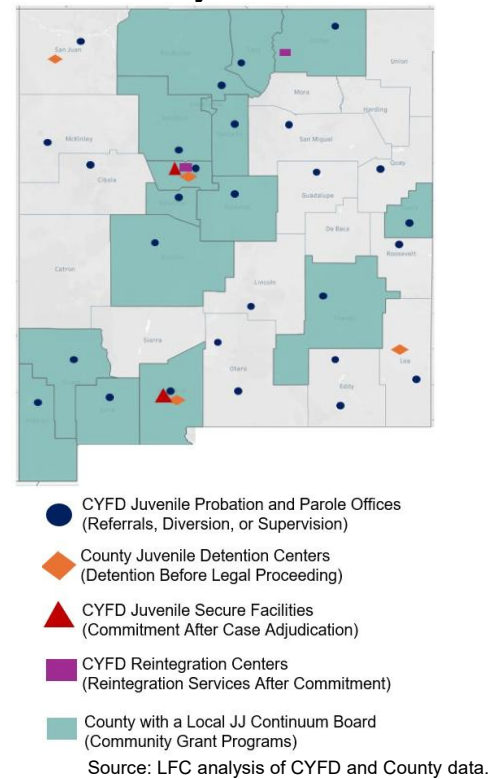


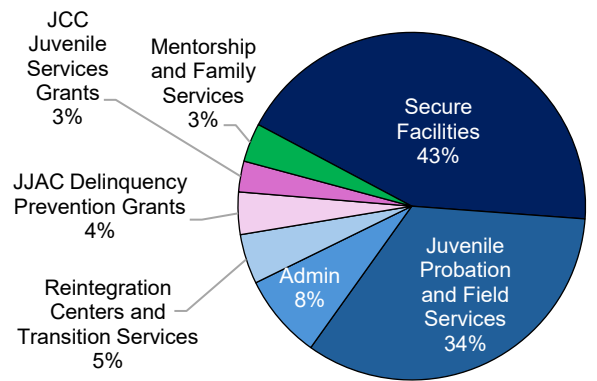
Table 3. FY26 Appropriations for Juvenile Justice Facilities and Services at CYFD

Expenditure Uses	Revenue Sources				Total
	General Fund	Other State Funds	Internal Service Funds/Interagency Transfers	Federal Funds	
Personal Services and Employee Benefits	\$54,616,700	\$1,427,500	\$4,150,000	\$71,800	\$60,266,000
Contractual Services	\$9,083,000	\$3,699,400	\$350,000	\$401,500	\$13,533,900
Other Uses	\$8,187,200	\$27,000	\$-	\$108,200	\$8,322,400
Total	\$71,886,900	\$5,153,900	\$4,500,000	\$581,500	\$82,122,300

Source: General Appropriation Act of 2025. p.118-119.

CYFD spent roughly \$78.5 million on juvenile justice services in FY25, primarily on secure facilities and community supervision field services. Forty-three percent of this spending (or \$34.1 million) funded the department’s two secure facilities for juveniles who have been adjudicated and committed by the courts. Thirty-four percent of spending (or \$26.5 million) supported 29 juvenile probation and parole offices across the state. Eight percent (or \$6.2 million) of spending was on the general management and administration of the juvenile justice system. Seven percent of spending (\$5.3 million) went to various local JJAC delinquency prevention grants and local JCC service grants. Five percent of the spending (\$3.6 million) was for operating the department’s two reintegration centers to help previously committed juveniles reintegrate into society. Three percent of spending (\$2.8 million) was dedicated toward supporting youth mentorship contracts and CYFD’s Family Services Division.

Chart 7. FY25 CYFD Juvenile Justice Spending (total = \$78.5 million)



Note: JJAC, JCC, and Mentorship spending is primarily for local services and programming.

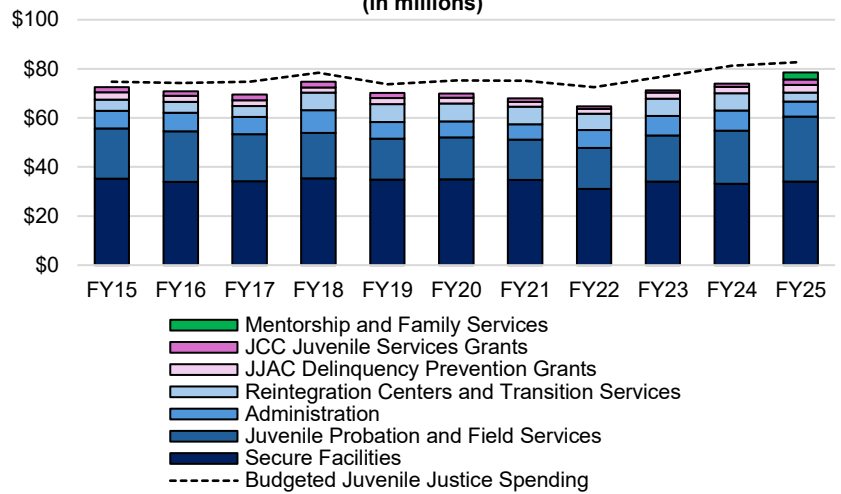
Source: LFC analysis of CYFD data.

CYFD spent \$347 thousand from its Juvenile Justice Division in FY25 on personnel for its Family Services Division, a newly created division from an internal CYFD reorganization. CYFD recently created a new division within its department called the Family Services Division by reorganizing funding and personnel from other existing divisions within CYFD. This recent internal reorganization of CYFD was not passed or intended by the Legislature. This recent reorganization will be CYFD’s sixth internal reorganization since 2008. The newly created Family Services Division comprises different prevention and early intervention programs spread across multiple divisions of CYFD, including youth mentorship programming historically housed within the Juvenile Justice Division. CYFD spent \$2.8 million from its Juvenile Justice Division on its Family Services Division, including \$2.5 million in contracts for youth mentorship programs and \$347 thousand on personnel.

CYFD underspends its juvenile justice budget by an average of \$5 million, or roughly 7 percent, each year. From FY15 to FY25, CYFD’s budgeted spending on juvenile justice has averaged \$76 million while its

actual spending has averaged \$71 million. Underspending in the juvenile justice budget primarily occurs in the secure facilities and the probation and field services categories of the budget. According to State Personnel Office data from July 2025, CYFD’s juvenile justice division had roughly 590 full-time employee positions, including 211 juvenile corrections officers and 160 juvenile probation officers. Over the past decade, CYFD’s juvenile justice budget has grown by 11 percent (or \$8 million) while spending has grown by 8 percent (or \$6 million) from FY15 to FY25. In FY25, the two largest categories of underspending came from local JJAC delinquency prevention grants (\$1.8 million) and CYFD secure facilities (\$917 thousand).

Chart 8. CYFD Juvenile Justice Budgeted and Actual Spending, FY15 through FY25 (in millions)

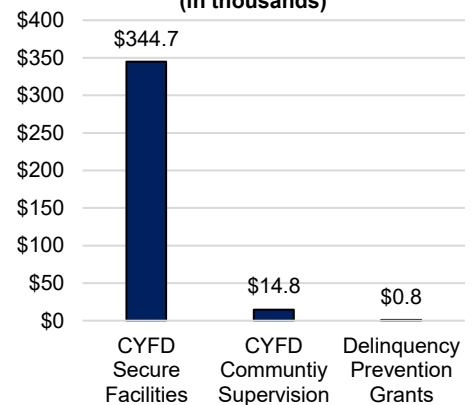


Note: Mentorship services was not reported out as its own spending category until FY25 but was previously in the juvenile justice budget. FY25 spending on family services division personnel was not previously in juvenile justice spending.

Source: LFC analysis of CYFD data.

Placing a juvenile in a secure facility costs 23 times more than placing a juvenile under community supervision and costs over 345 times more than providing delinquency prevention programming. CYFD secure facilities cost roughly \$345 thousand per juvenile in FY24, based on an annual cost of \$33 million for secure facilities and a census population of 96 juveniles. CYFD community supervision of juveniles by juvenile probation officers costs around \$15 thousand per juvenile in FY24, based on an annual cost of \$21.7 million and an average caseload of 1,463 juveniles under informal monitoring (565 juveniles) or formal supervision (898 juveniles) at any given time. CYFD-funded delinquency prevention programming, overseen by the state Juvenile Justice Advisory Committee, cost about \$836 per juvenile in FY24, based on \$3.1 million in grants to local communities and 3,678 program participants. These data indicate that it costs substantially more, on a per-juvenile basis, to securely confine a juvenile than to supervise or provide programming to a juvenile.

Chart 9. Comparison of Annual Juvenile Justice Costs on a Per-Juvenile Basis, FY24 (in thousands)



Source: LFC analysis of CYFD data.

Youth are Often Diverted Away From the Juvenile Justice System, but Services are Lacking and Many Youth Return to the System

New Mexico's juvenile justice process involves multiple decision points across CYFD, district attorneys, and the courts. As a result of the state's evidence-based reforms, CYFD can informally handle juvenile justice referrals for misdemeanors informally through diversion by department juvenile probation officers (JPOs). The majority of juvenile referrals are handled informally through diversion by CYFD, but the department lacks systematic data on what informal services or sanctions are occurring because of data system limitations. As the state diverts youth away from the juvenile justice system for misdemeanors, New Mexico has documented gaps in its behavioral health and treatment services for families and juveniles. The unavailability of community services is concerning because many juveniles are rereferred to the juvenile justice system in ways the state's recidivism rate does not fully capture. New Mexico's Juvenile Justice Advisory Committee (JJAC) funds delinquency prevention grants for local communities, but program participation is down, not targeted to where the most delinquency occurs, and hindered by local capacity constraints.

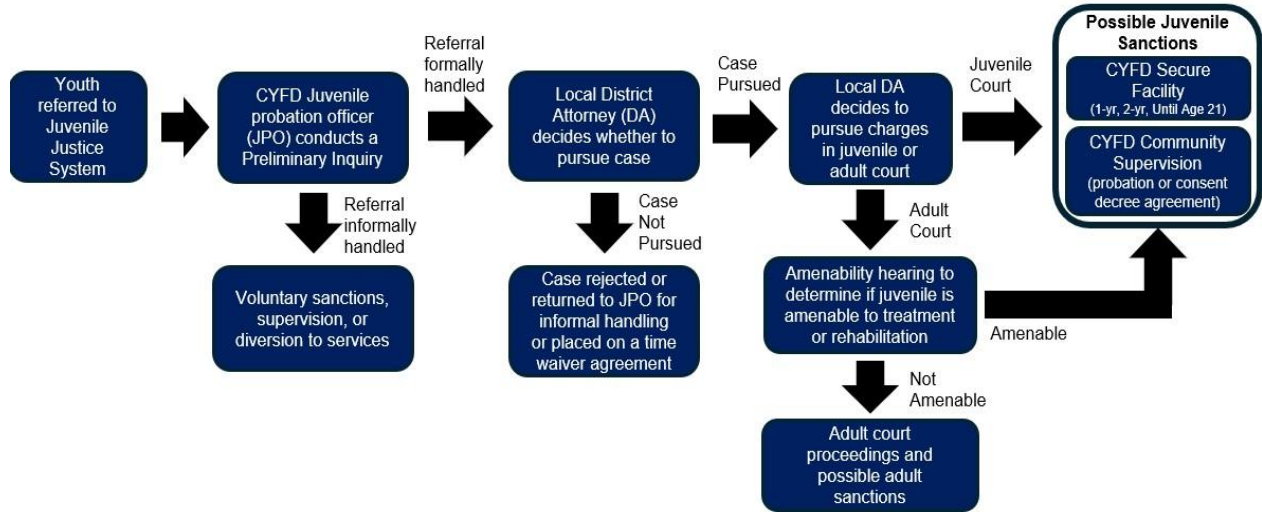
CYFD handles a majority of juvenile referrals informally outside of the court system and a smaller proportion of referrals are processed through the courts.

The juvenile justice system has a multistage process where CYFD staff, district attorneys, and courts make decisions on how to handle juveniles. A juvenile can initially be referred to the juvenile justice system by either law enforcement, school officials, or family members. Past LFC analysis has found law enforcement makes virtually all referrals to the juvenile justice system for delinquent behavior. After a juvenile is referred to the juvenile justice system, a CYFD juvenile probation officer (JPO) holds a meeting, called a "preliminary inquiry," with the juvenile and the juvenile's guardian to review allegations, go over the youth's rights, and decide how the referral will proceed. After the preliminary inquiry meeting, the JPO can decide whether to "informally handle" a misdemeanor referral outside of the judicial system (by diverting the youth to voluntary counseling, community service, or another agreed-on sanction or service) or to "formally handle" the referral in the court system by forwarding the referral to the Children's Court attorney of the local district attorney's office. A JPO is required to forward a referral to the local district attorney if the juvenile has either been previously referred for delinquent behavior for three or more misdemeanor

The juvenile justice process is a multistage process where CYFD staff, district attorneys, and courts make decisions on how to handle juveniles.

charges in the past two years, is currently being referred for delinquent behavior involving a felony charge, denies the charges in the referral, or fails to show up for the preliminary inquiry (Section 32A-2-7 NMSA 1978).

Figure 4. High-Level Juvenile Justice Process Overview



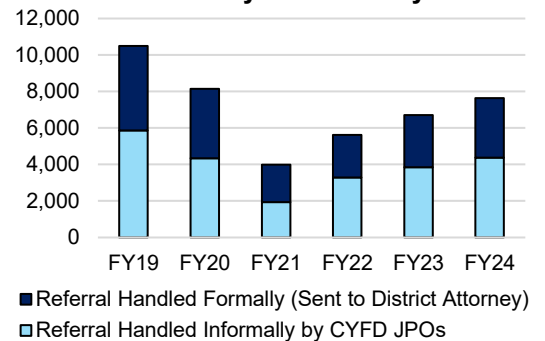
Notes: See Appendix B for a more detailed juvenile justice process overview. JPOs are only allowed to informally handle delinquency referrals for misdemeanors. JPOs cannot informally handle referrals for felonies or the juvenile’s third (or more) referral for a misdemeanor. A time waiver agreement is where a referral is not pursued in court if the youth meets certain conditions and does not get rereferred for six months. A consent decree agreement is where a case is dismissed if a youth successfully completes a six-month probation period. Serious youthful offenders (i.e., those charged with first-degree murder while over the age of 15 years old) can be charged in adult court without an amenability hearing.

Source: LFC review of state Delinquency Act, New Mexico Administrative Code, and CYFD policies.

When a JPO forwards a juvenile referral to the local district attorney’s office, the district attorney’s office can then decide to either reject the case outright, send the case back to the JPO for informal handling, or file the case in court. After the case is filed in court, the case can result in either a court-approved agreement (such as a plea or consent decree), community supervision, dismissal, commitment to a CYFD secure facility (for up to one year, two years, or up to the age of 21), or possible adult sanctions for certain violent offenses. Juveniles charged with the most severe violent offenses are defined in state law as either a “youthful offender” (charged with at least one of 13 violent offenses outlined in state law) or a “serious youthful offender” (charged with first-degree murder and at least 15 years old). District attorneys can pursue adult sanctions against serious youthful offenders in district court but can only pursue adult sanctions against youthful offenders if a court decides in an amenability hearing the youthful offender is not amenable to treatment or rehabilitation.

CYFD diverts most juvenile referrals for misdemeanors away from the court system, but does not track the specific services, sanctions, or alternatives to which youth are diverted. JPOs can “informally” handle a referral for a misdemeanor charge by diverting the youth to voluntary counseling, community service, or another agreed-on sanction or service. In FY24, there were 7,634 referrals to the juvenile justice system. Of these referrals, CYFD JPOs handled 57 percent (or 4,380 referrals) “informally” outside of the formal

Chart 10. Referrals to the Juvenile Justice System Handled Formally or Informally



Source: LFC analysis of CYFD data.

judicial system. On the one hand, CYFD is following best practice by diverting juveniles away from the court system for low-level delinquent offenses. On the other hand, CYFD is not systematically collecting data on what kinds of services, sanctions, or alternatives juveniles are being diverted to. CYFD’s current data system, called the Family Automated Client Tracking System (or FACTS) can record qualitative case histories for each juvenile referral, but the FACTS system cannot track data on the types of services, sanctions, or alternatives juveniles are diverted to when referrals are informally handled. CYFD is currently in the process of replacing its FACTS system with a new comprehensive child welfare information system (CCWIS), sometimes referred to as the NM Impact Project, by November 2027. The CCWIS project originally began in 2017, currently has a total project budget of \$90.4 million, and has seen numerous cost increases and delays. CYFD should ensure its new comprehensive child welfare information system replacement project is able to track data on the specific services, sanctions, or alternatives to which youth are diverted when referrals are handled informally by CYFD juvenile probation officers by November 2027.

Fifty-seven percent of juvenile justice referrals are informally handled by CYFD, but CYFD does not systematically track the specific services or sanctions these youth receive from informal handling.

District attorneys rejected pursuing court cases for a quarter of juvenile justice referrals, meaning these juvenile referrals had no further judicial action or referral to services. After a JPO forwards a juvenile referral to the local district attorney’s office for formal handling, the district attorney’s office can decide to either file a case in court, come to an agreement with the juvenile (through a plea agreement or time waiver), return the referral back to the JPO for informal handling, or reject taking further action on the referral. Of the roughly 18.9 thousand juvenile referrals directed to district attorneys from FY19 through FY24, district attorneys filed a court case for roughly two-thirds (62 percent) of referrals and reached an agreement in 1 percent. District attorneys rejected further action on roughly 25 percent of referrals. When a district attorney rejects a juvenile referral, the referral either effectively ends or can be sent back to the JPO for informal handling. According to CYFD data, district attorneys only redirected a relatively small proportion of juvenile referrals back to JPOs for informal handling (1 percent). District attorney offices should redirect juveniles back to CYFD juvenile probation offices for informal handling when the district attorney offices decline to pursue a court case for a juvenile referral. This data indicates district attorneys file court cases for the majority of juvenile referrals forwarded to them but reject filing court cases for a quarter of juvenile referrals.

Of the juvenile court cases filed in FY24 that reached a disposition (outcome) that year, roughly two-thirds of the cases resulted in either a court agreement, an adjudication (conviction), or an admission of delinquency. District attorneys filed court cases for 2,129 juvenile referrals in FY24, according to CYFD

Chart 11. District Attorney Decisions on Juvenile Referrals for Formal Handling (18,920 referrals)

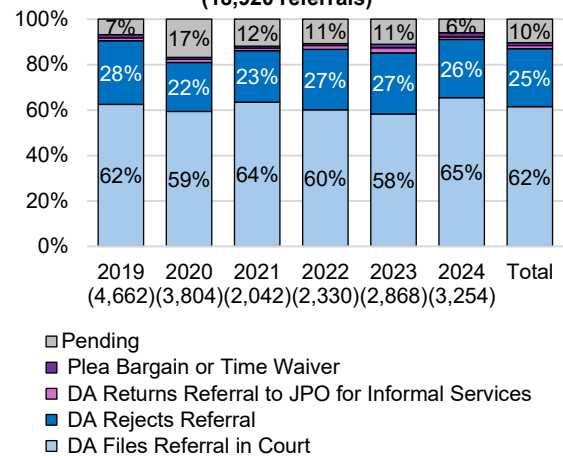
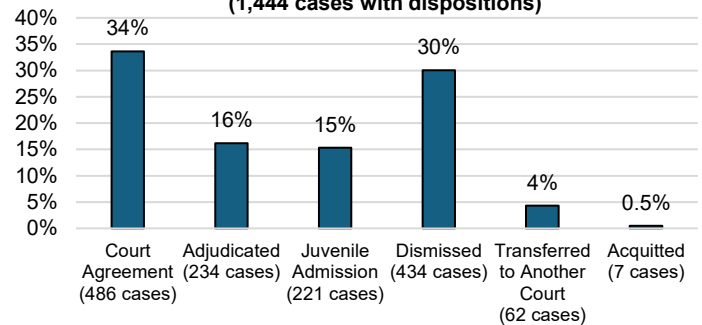
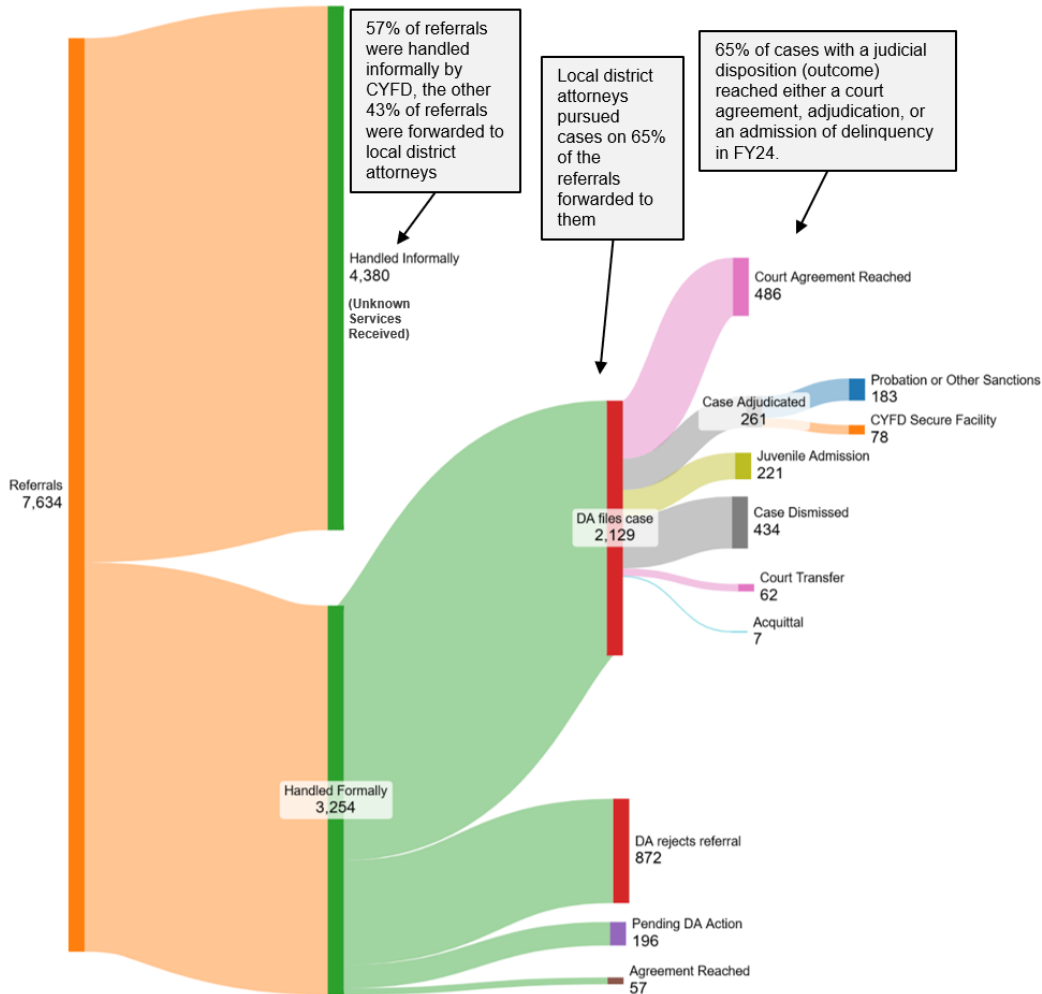


Chart 12. Disposition Outcomes of FY24 Juvenile Cases (1,444 cases with dispositions)



data. Based on data from the state Administrative Office of the Courts (AOC), 1,444 juvenile cases were filed and reached a disposition (judicial outcome) in FY24 (latest fiscal year with complete court data). Of these 1,444 juvenile cases, 65 percent resulted in either a court agreement (e.g., plea deal, consent decree, time waiver), an adjudication (i.e., conviction), or an admission of committing a delinquent act. The remaining 34 percent of juvenile cases were either dismissed, transferred to another court, or resulted in an acquittal. Ninety-four percent of dismissals were from the prosecution (*nolle prosequi*). A single juvenile court case can include multiple charges and different dispositions for each those charges. For this analysis, LFC staff counted the disposition of the charge in the case reflecting the furthest progress through the judicial system (where an adjudication, acquittal, or plea deal reflected further progress than a dismissal or court transfer). The purpose of this methodology was to count a single case outcome even when a case may have multiple charges with different dispositions for charges.

Figure 5. Flow Chart on Outcomes of FY24 Juvenile Referrals to CYFD and Court System



Source: LFC analysis of CYFD referral data, Administrative Office of the Courts (AOC) case data, and CYFD secure commitment data.

As the state diverts youth from the juvenile justice system for less serious offenses, New Mexico’s gaps in available behavioral health and treatment services have worsened.

Following best practices, New Mexico is diverting many youth away from the juvenile justice system for misdemeanors when possible and handling the majority of juvenile referrals informally. However, New Mexico has a lack of available behavioral health and treatment services for youth and families, documented in several ways through data and reports. For example, state Medicaid spending on evidence-based multisystemic therapy is lower now than it was a decade ago, even though reimbursement rates are higher today. In essence, New Mexico is diverting low-risk youth away from the juvenile justice system, but the state lacks an adequate system of community services to send youth to. Recent Legislative appropriations trying to build up evidence-based and Medicaid eligible services for youth have been misallocated in the past.

The U.S. Administration on Children and Families reports New Mexico lacks an adequate array of behavioral health and family support services meeting federal standards. New Mexico’s lack of behavioral health services for children is documented in several ways. For example, the U.S. Department of Health and Human Services conducts periodic child and family services reviews through its Administration on Children and Families Children’s Bureau. States are required to undergo these review every two years to five years (45 Code of Federal Regulations § 1355.32). These reviews assess how each state’s child welfare system supports child and family safety and complies with federal standards. In 2025, the child and family services review of New Mexico found the state lacks an adequate array of available services for children and families. Specifically, the review found New Mexico has long waiting lists for mental healthcare, substance use treatment, and evidence-based programs, such as multisystemic therapy and applied behavior analysis. The review also found that children and families could be on these waiting lists for six months or longer. The review found New Mexico’s lack of available behavioral health services contributed to poor outcomes in safety and well-being. If New Mexico does not follow its program improvement plan following this review, then the federal government could impose financial penalties that could be millions of dollars. CYFD is anticipated to receive roughly \$87 million in federal funds in its operating budget for FY26, primarily in the department’s Protective Services Division.

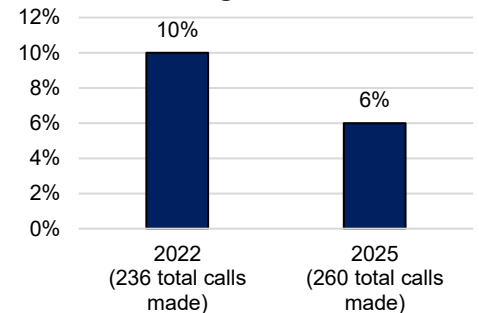
LFC staff recently found New Mexico implemented \$90 million in Medicaid rate increases but did not see access improve. According to the 2025 LFC Medicaid Accountability Report, New Mexico’s Medicaid system has seen behavioral health costs increase by 97 percent since FY21, but the investment has not led to corresponding improvements in outcomes. The state implemented \$90 million in Medicaid rate increases to address

Figure 6. Child and Family Service Review of New Mexico, 2025



Source: U.S. Administration on Children, Youth and Families

Chart 13. Percent of calls to New Mexico Medicaid Behavioral Health Providers Resulting in an Appointment Being Offered



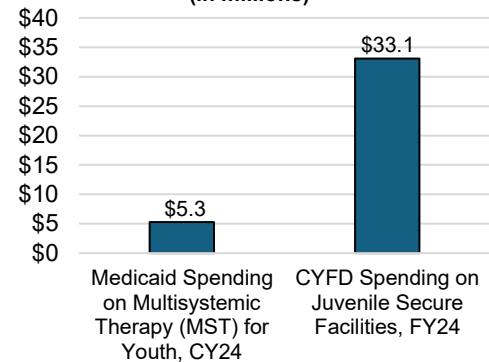
Source: LFC staff Medicaid secret shopper surveys.

access yet lost more than 1,500 behavioral health providers between 2022 and 2024. Additionally, the percentage of Medicaid members who received follow-up care after behavioral health emergency room visits decreased to 31 percent in 2023 from 47 percent in 2022. Secret shopper surveys conducted by LFC staff indicate patients need to make multiple phone calls to get behavioral health appointments, and these appointments often take longer than recommended waiting times. The report shows New Mexico dedicates substantial Medicaid funds to behavioral health services, yet the state has insufficient provider availability and access to timely care.

Despite past LFC recommendations to build up evidence-based services as secured populations declined, New Mexico spends six times more on secure facilities than it spends on multisystemic therapy (MST) treatments, and MST spending is lower now than it was a decade ago. Multisystemic therapy (MST) is an evidence-based, intensive treatment model focusing on youth with serious antisocial behaviors that involves the juvenile’s families, schools, peers, and other support networks to facilitate positive behavioral changes. Previous LFC reports have found MST to have a positive return of investment of \$3 for each dollar spent on the program. MST services can be almost completely funded through Medicaid. According to data from 2024 Medicaid managed care organization (MCO) reports, spending on MST services in New Mexico was \$5.3 million in 2024. By contrast, New Mexico spent \$33.1 million on CYFD secure facilities for juveniles in FY24, more than six times the spending on MST services. More recent MST spending data is unavailable because the data reporting from MCOs changed after the New Mexico Medicaid program changed from Centennial Care contracts to Turquoise Care contracts in July 2024. A 2016 LFC program evaluation on juvenile justice found MST spending was roughly \$6.4 million in 2015 but had declined because of a lack of available providers of MST services. Based on the available data, it appears MST spending and providers in New Mexico continued to decline from 2015 to 2024. CYFD and MCOs used to track the number of youth receiving MST services in 2015 (869 youth) but did not provide current data. Decreased MST spending (with higher Medicaid rates) suggests fewer youth are receiving MST services now than a decade ago.

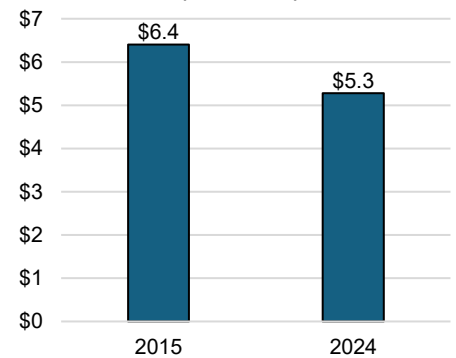
The Legislature appropriated \$20 million to the Health Care Authority in 2022 to build capacity for Medicaid-eligible, evidence-based behavioral health services for children, but CYFD later used this funding for non-Medicaid-eligible and non-evidence-based services. In 2022, the Legislature appropriated \$20 million to the Health Care Authority (HCA) to address the state’s lack of children’s behavioral health services, support the startup costs of behavioral health providers, and establish more evidence-based services that would be eligible for Medicaid or federal Title IV-E child welfare funding. For two years, these funds went unspent and the Legislature reauthorized these funds in FY25. This funding was intended to expand the number of behavioral health providers able to provide juveniles with evidence-based services eligible for federal reimbursement, such as MST or functional family therapy (FFT). CYFD

Chart 14. Comparison of New Mexico Spending on MST Services and Secure Facilities for Juveniles
(in millions)



Source: LFC analysis of Medicaid and CYFD data.

Chart 15. New Mexico Medicaid Spending on Multisystemic Therapy (MST) for Youth, CY24
(in millions)



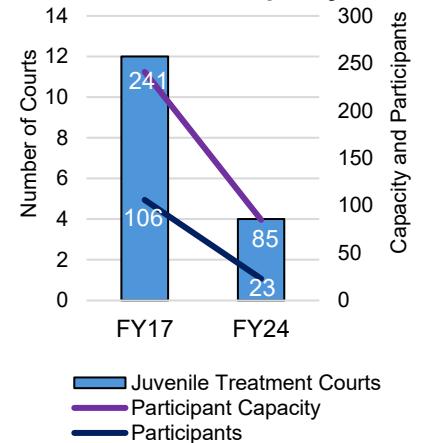
Source: LFC analysis of Medicaid data.

used most of the funding to support non-Medicaid-eligible and non-evidence-based programs such as group home operations and family resource centers. In July 2025, LFC formally notified the Office of the State Auditor (OSA) and the New Mexico Attorney General about concerns over the expenditure of the \$20 million. In response to LFC’s notification, OSA conducted a formal fact-finding audit process seeking documentation related to use of the \$20 million appropriation. In October 2025, OSA reported CYFD had used the \$20 million to pay providers for services not allowable under the special appropriation, such as family resource centers, group homes, congregate care, and training vendors. OSA also identified other areas of concern with the spending from the \$20 million, such as missing procurement files, contracts executed before a request for application, and invoices containing questionable expenditures for home goods and furniture. OSA will be conducting a full audit of the \$20 million appropriation. This case study illustrates state government’s lack of progress on building up the capacity of children’s behavioral health providers even when the state provides funding for this purpose.

Juvenile treatment courts are an evidence-based program in juvenile justice, yet the number of juvenile treatment courts decreased by 75 percent in New Mexico since FY17. Juvenile treatment courts are specialized courts that provide a combination of strict oversight, therapeutic interventions, substance testing, and family assistance programs. Judges, prosecutors, defense attorneys, juvenile probation officers, and treatment providers work together to enforce participant accountability while providing access to therapy. Previous LFC reports have described how juvenile treatment courts are evidence-based alternatives to traditional judicial processes that decrease recidivism and enhance long-term outcomes and have a positive societal return on investment of \$5 for each dollar spent. Juvenile treatment courts in New Mexico decreased by 75 percent from 12 courts in FY17 to four courts in FY24. New Mexico’s four remaining juvenile treatment courts are in Albuquerque, Las Cruces, Los Lunas, and Grants. In FY24, the number of youth participants in juvenile treatment courts was 23 juveniles while capacity was 85 juveniles. Administrative Office of the Courts documentation indicates the decrease in juvenile treatment courts was partially attributable to CYFD juvenile probation officers diverting fewer juveniles to juvenile treatment courts. CYFD should issue a policy directive requiring juvenile probation officers to prioritize directing juvenile referrals to juvenile treatment courts when appropriate.

CYFD is responsible for ensuring a system of care and services for children and families but lacks an action plan for addressing the state’s service gaps. State law charges CYFD with ensuring “a coordinated and integrated system of care and services for children, youth and families” (Section 9-2A-2 NMSA 1978). However, New Mexico has various documented service gaps in providing an adequate system of children’s behavioral health, treatment, and delinquency prevention. CYFD should develop and publish an action plan on its website with specific planned steps for building up New Mexico’s capacity to provide front-end,

Chart 16. Number of Juvenile Treatment Courts and Capacity



Source: LFC analysis of Administrative Office of the Courts data.

Passage of Senate Bill 3 (2025)

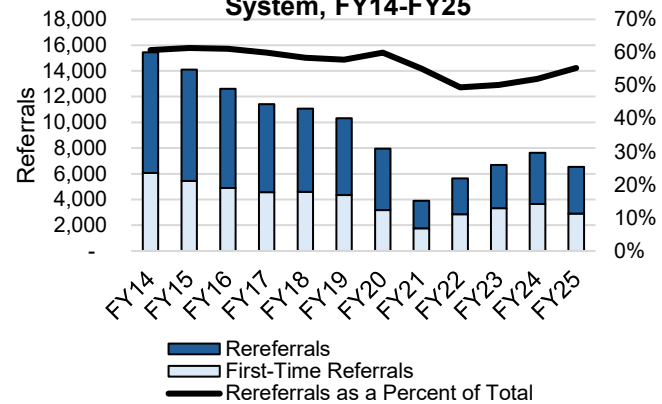
The Legislature eliminated the Behavioral Health Collaborative and replaced it with a new Behavioral Health Executive Committee that will be charged with approving new behavioral health regions, reviewing and approving regional plans, establishing funding strategies and structures based on regional plans, monitoring and tracking deliverables and expenditures, and establishing management strategies led by a project manager at the Health Care Authority (HCA). LFC, in coordination with HCA, developed an initial set of evaluation guidelines for behavioral health services for adoption and implementation of regional plans. The General Appropriation Act of 2025 includes significant amounts to carry out the provisions of the law, with over \$565 million appropriated for behavioral health in nonrecurring funding. The Administrative Office of the Courts reports Senate Bill 3 is in the local planning and listening phase and will be through 2026.

evidence-based behavioral health and treatment services for children, youth, and families.

Juveniles are often rereferred to the juvenile justice system, but the state’s recidivism rate does not count this unless the juvenile is re-adjudicated in court

A majority of referrals to the juvenile justice system are for misdemeanors rather than felonies. However, a majority of referrals are rereerrals rather than first-time referrals, which indicates many juveniles are cycling back to the system. From FY14 through FY25, youth were referred to the juvenile justice system 113.3 thousand times. Of these referrals, 42 percent (or 47.6 thousand referrals) were first-time referrals to the juvenile justice system while 58 percent (or 65.7 thousand) were rereerrals. The majority of referrals to the juvenile justice system have been rereerrals each year since FY14 (with the exception of FY22). The percentage of referrals that were rereerrals has ranged from a high of 61 percent in FY15 to a low of 49 percent in FY22. Recently, rereerrals made up 55 percent of total referrals in FY25. This data indicates many youth are cycling back into the juvenile justice system.

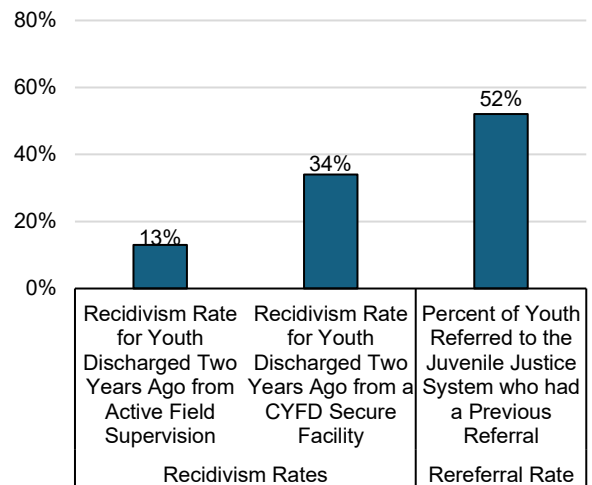
Chart 17. First-Time Referrals and Rereerrals to the Juvenile Justice System, FY14-FY25



Note: FY25 data does not include the last three months due to data availability.
Source: LFC analysis of CYFD data.

The juvenile justice system’s recidivism rates are low, but these rates only count cases that are formally adjudicated by the courts, undercounting the extent juveniles are cycling back to the system. Under the state Accountability in Government Act (AGA), CYFD reports on the two-year recidivism rates for juveniles discharged from active field supervision (parole) and juveniles discharged from a CYFD secure facility. The recidivism rates after two years are relatively low for youth discharged from active field supervision or discharged from a CYFD facility. However, these recidivism rates are lower than the percentage of youth who are rereferred back to the juvenile justice system. The recidivism rates are lower because a juvenile is only counted as having recidivated if the juvenile is formally sentenced again by a court. The state’s recidivism rates do not count juveniles referred to the juvenile justice system whose cases were handled informally by CYFD or dismissed within the judicial system. Although rereferral is not necessarily an indicator of recidivism or guilt, rereerrals are an indicator that youth are cycling back to the system. LFC and the state Department of Finance and Administration (DFA) staff should require CYFD to report on juvenile justice rereferral rates as well as recidivism rates in AGA measures. LFC and DFA staff should also include CYFD’s Juvenile Justice Division in the state’s Program Inventories for Value, Outcomes, and Transparency (PIVOT) initiative.

Chart 18. Juvenile Justice Recidivism and Rereferral Rates, FY24



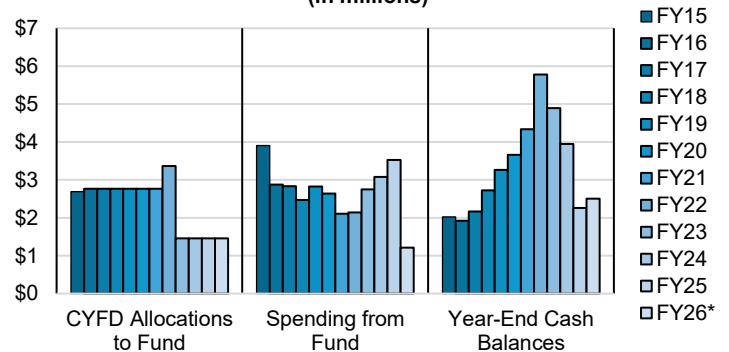
Note: Recidivism can include adjudication in juvenile court or conviction in the adult judicial system.
Source: LFC analysis of CYFD data.

New Mexico funds local delinquency prevention programs that are evidence-based, but program participation is down and programs are not being implemented where the most juvenile delinquency occurs.

New Mexico has a state Juvenile Justice Advisory Committee (JJAC) responsible for awarding and overseeing federal and state delinquency prevention grants to local entities called “juvenile justice continuum boards.” The purpose of these delinquency prevention grants and local juvenile justice continuum boards is to support local continuums of community-based services for any youth who are at-risk of involvement with the juvenile justice system (Section 9-2A-14.1 NMSA 1978). CYFD provides administrative support to JJAC while JJAC provides advice on juvenile justice policymaking to the department. New Mexico created the JJAC in state law and this system for administering delinquency prevention grants to comply with requirements for federal grant funding under the federal Juvenile Justice and Delinquency Prevention Act of 1978 (as amended by the Juvenile Justice Reform Act of 2018).

The fund for JJAC delinquency prevention grants had years of underspending and growing cash balances, but cash balances are more recently being spent down. JJAC awards delinquency grants to local juvenile justice continuum boards through a fund called the juvenile continuum grant fund administered by CYFD (Section 9-2A-14.1 NMSA 1978). The juvenile justice continuum grant fund receives a majority of its funding from CYFD general fund dollars, but the fund also receives federal grant funding. For many years, allocations to the fund were higher than spending from the fund, which led to growing cash balances. The fund’s cash balance reached a high point of \$5.7 million in FY22. In response to growing unused cash balances, CYFD substantially decreased its annual allocations to the grant fund in FY23. Since FY23, unspent cash balances in the juvenile justice continuum grant fund decreased while spending increased. In FY25, JJAC awarded \$4.6 million in grants to local communities from the fund but only \$3.5 million was spent. Based on first quarter data for FY26, the grant fund is projected to have a \$2.5 million cash balance at the end of FY26.

Chart 19. JJAC Juvenile Continuum Grant Fund Activity, FY15 to FY26
(in millions)



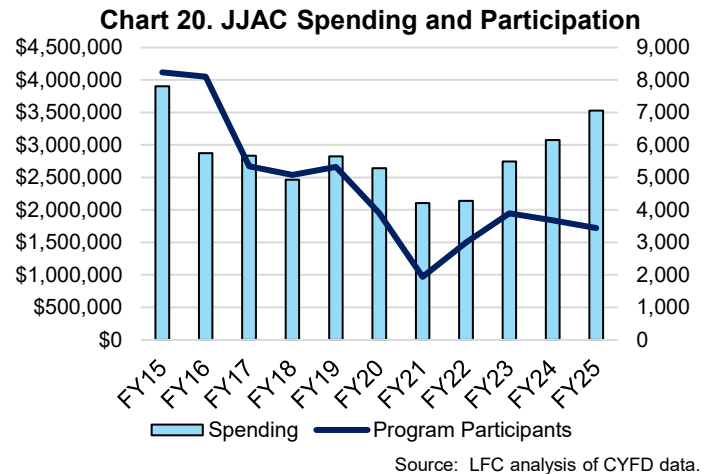
Notes: Spending includes actual spending and encumbered spending. FY26 data are extrapolated from the first three months of FY26 actuals.

Source: LFC analysis of CYFD SHARE data.

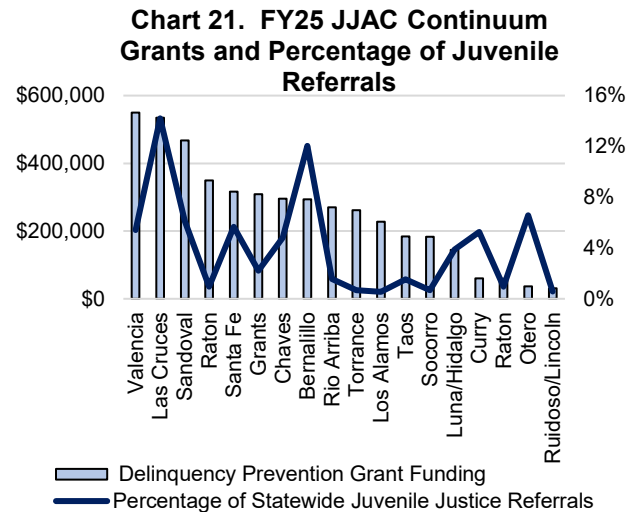
JJAC directs delinquency prevention grants to evidence-based programming, such as needs assessments, mentoring, positive peer groups, restorative justice, and learning labs for at-risk youth. JJAC directs grant funding to local communities for 23 different types of delinquency prevention program models. These delinquency prevention programs range from assessment centers (where juveniles are given needs assessments and connected to services) to positive peer groups (such as girls’ circle and boys’ council) to learning labs (where

at-risk youth can receive academic assistance). These various program models are focused on helping at-risk youth improve their life skills and are generally supported by research evidence showing positive outcomes, according to the most recent program inventory documentation from CYFD. The programs range in length from four weeks to 12 months. In FY25, JJAC awarded \$4.6 million in 18 different grants to 20 different counties and cities (with some grants serving more than one local government entity) for 58 programs. In FY25, JJAC funded programs served 3,428 juveniles and only 1.5 percent (50 juveniles) were detained during the timeframe of the programs.

Despite recent increases in JJAC program spending, youth participation in local JJAC delinquency prevention programs has not recovered to prepandemic levels. Participation and spending in local JJAC delinquency prevention programs reached a low point in FY21 during the Covid-19 pandemic. Since then, participation and spending have both increased. However, while spending on JJAC delinquency prevention programs has surpassed FY19 prepandemic levels, program participation has not yet recovered to FY19 levels. In FY25, spending on local JJAC programs was 25 percent (or \$703 thousand) higher than spending was in FY19, but the number of program participants was still 35 percent (or 1,887 participants) lower than in FY19.



CYFD juvenile probation officers do not have a specific policy to prioritize diverting juveniles to JJAC funded programs when informally handling referrals to the juvenile justice system. To promote participation in state-funded JJAC programming, CYFD should issue a policy directive requiring juvenile probation officers to appropriately prioritize directing at-risk youth to local state-funded JJAC programs when informally handling referrals to the juvenile justice system.



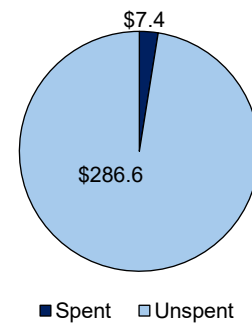
Bernalillo County and the city of Las Cruces both received less delinquency prevention grant funding from JJAC than Valencia County in FY25, despite having more than twice as many referrals to the juvenile justice system. In FY25, JJAC awarded 18 different delinquency prevention grants to different cities and counties across the state (totaling \$4.6 million statewide and not including the required 40 percent local funding match) based on local applications for grant funding. JJAC grant awards ranged in size from a high of \$550 thousand for Valencia County to a low of \$31 thousand for the town of Ruidoso and Lincoln County. Valencia County received more delinquency prevention grant funding than either Bernalillo County (\$294 thousand) or the city of Las Cruces (\$535 thousand) in FY25,

even though Bernalillo County and Doña Ana County both had more than twice the number of referrals to the juvenile justice system: 786 referrals and 928 referrals respectively, than Valencia County, 353 referrals, during the first three quarters of FY25 (latest data available). This data indicates the state’s larger population centers (Bernalillo County and Doña Ana County) are not fully pursuing JJAC funding opportunities for delinquency prevention programs. This information also suggests JJAC is not targeting delinquency prevention funding to areas where the most referrals to the juvenile justice system occur. Bernalillo County, Doña Ana County, the city of Albuquerque, and the city of Las Cruces should build local capacity to apply for and manage JJAC delinquency prevention grant funding given their number of referrals to the juvenile justice system. JJAC should target more delinquency prevention funds to areas where the most referrals to the juvenile justice system occur and pilot strategies to help local governments improve their capacity to manage JJAC program grants.

Case Study: Bernalillo County received \$294 thousand in delinquency prevention grants from JJAC in FY25 but spent less than 3 percent (serving only four youth) because of board turnover, staff vacancies, and procurement processes.

In FY25, Bernalillo County was awarded \$294 thousand in state funds from JJAC for delinquency prevention initiatives, including violence prevention, mental health mentoring, and restorative justice programming. However, Bernalillo County only spent 2.5 percent (or \$7,425) of its allocated dollars and only funded diversion alternative services for four juveniles. According to CYFD documentation, Bernalillo County was unable to spend the allocated \$294 thousand because of turnover within its local juvenile justice continuum board, a key staff position (juvenile justice continuum coordinator) was vacant for seven months, and a new request for proposal (RFP) procurement process. Leadership changes, staff vacancies, and administrative delays hindered the success of delinquency prevention funding in Bernalillo County in FY25. This case study demonstrates how the success of JJAC delinquency prevention funding hinges on the capacity of local governments to manage funding and programs.

Chart 22. Bernalillo County's FY25 Delinquency Prevention Grant Funding from JJAC (in thousands)



Source: LFC review of CYFD documentation.

Recommendations

The Legislature should consider:

- Prioritizing potential future funding for evidence-based delinquency prevention and therapeutic interventions shown to address the root causes of juvenile delinquency and reduce recidivism.

The Children, Youth and Families Department should:

- Ensure its comprehensive child welfare information system replacement project is able to track data on the specific services, sanctions, or alternatives to which youth are diverted when referrals are handled informally by CYFD juvenile probation officers by November 2027;
- Issue a policy directive requiring juvenile probation officers to prioritize directing juvenile referrals to juvenile treatment courts when appropriate;
- Issue a policy directive requiring juvenile probation officers to appropriately prioritize directing at-risk youth to local state-funded Juvenile Justice Advisory Committee programs when informally handling referrals to the juvenile justice system;
- Publicly publish its past Juvenile Justice Division annual reports on the department's website and resume publicly publishing those annual reports each year; and
- Develop and publish an action plan on its website with specific planned steps for building up New Mexico's capacity to provide front-end, evidence-based behavioral health and treatment services for children, youth, and families and annually report progress to the Legislature, including LFC, the Legislative Health and Human Services Committee, and the Legislative Courts, Corrections and Justice Committee.

District attorney offices should:

- Redirect juvenile referrals back to CYFD juvenile probation officers for informal handling when the district attorney office declines to pursue a court case for a juvenile referral.

Bernalillo County, Doña Ana County, the city of Albuquerque, and the city of Las Cruces should:

- Build local capacity to apply for and manage JJAC delinquency prevention grant funding given their number of referrals to the juvenile justice system.

The Juvenile Justice Advisory Committee should:

- Target more delinquency prevention funds to areas where the most referrals to the juvenile justice system occur; and
- Pilot strategies to help local governments improve their capacity to manage JJAC program grants.

LFC staff and state Department of Finance and Administration staff should:

- Require CYFD to report on juvenile justice rereferral rates as well as recidivism rates in Accountability in Government Act measures; and
- Include CYFD's Juvenile Justice Division in the state's Program Inventories for Value, Outcomes, and Transparency (PIVOT) initiative.

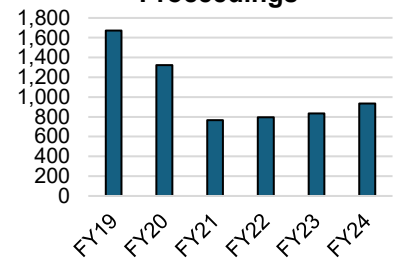
County Juvenile Detention Centers Have Increased Populations and Staffing Pressures, Which Could be Alleviated by Prioritizing Detention Solely for the Highest Risk Youth

Conducting risk assessments in criminal justice settings to predict an individual’s risk of committing additional crimes or failing to appear in court is recognized by research as an evidence-based practice that reduces subjectivity and has predictive validity.^{xxvii} State law requires CYFD staff to use a risk assessment instrument when recommending to the court whether a juvenile is high-risk and should be detained before legal proceedings (Section 32A-2-11 NMSA 1978). This legal requirement to use a validated risk assessment tool to inform detention decisions was a key component of New Mexico’s juvenile justice reforms. However, CYFD staff can override this risk assessment instrument with two levels of departmental approval, often at the request of law enforcement, sometimes leading to youth scored as low-risk being detained and, in turn, detention center capacity being unavailable to detain youth scored as high-risk. Local county governments are responsible for detaining juveniles awaiting their legal proceedings. As the number of youth referred to the juvenile justice system decreased over the past decade, six counties no longer found it financially viable to operate their own juvenile detention centers (where juveniles stay detained for 70 days on average) and instead contract with other counties to house their detained youth. New Mexico’s four remaining county-run juvenile detention centers have recently experienced increased juvenile populations and capacity pressures. Although county juvenile detention centers have excess physical space and beds, counties have limited staff to watch over increasing juvenile populations and still meet federally required staff-to-juvenile ratios.

When CYFD overrides its validated risk assessment instrument to detain lower risk youth, this sometimes leads to unavailable capacity at detention centers to detain higher risk youth.

CYFD and the courts use a risk assessment instrument (RAI) to decide whether juveniles should be detained before legal proceedings, as required by state law. The RAI helps determine whether a youth poses a risk of harm or flight based on objective criteria such as offense severity and prior history. A 2022 validation study found the tool effectively predicted which juveniles could safely

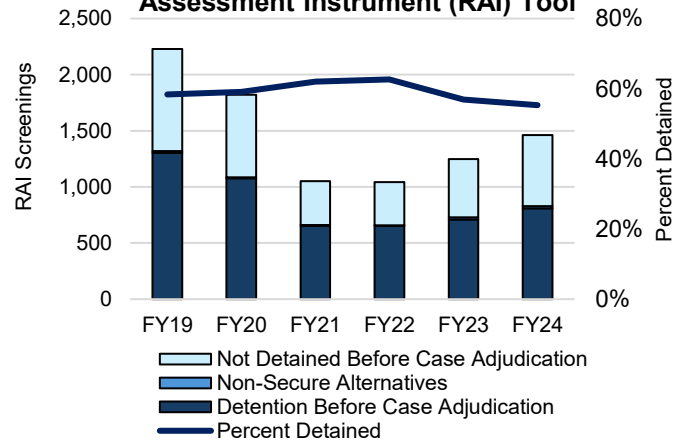
Chart 23. Juveniles Placed in County Detention Centers for Detention Before Legal Proceedings



Note: Chart includes youth detained after a risk assessment and also youth detained for violating probation or a court order.

Source: LFC analysis of CYFD data.

Chart 24. Detention Outcomes After Juveniles Screened by CYFD Risk Assessment Instrument (RAI) Tool



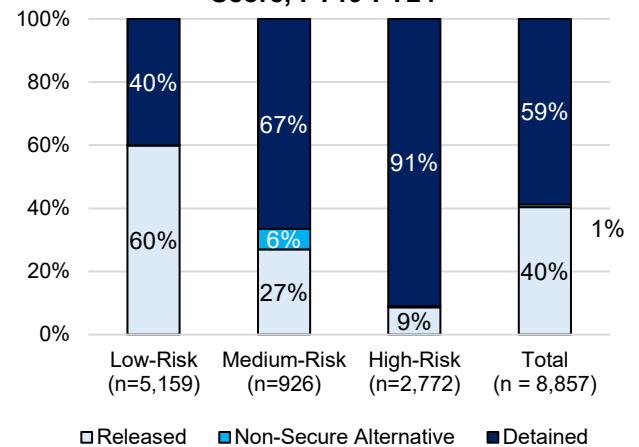
Source: LFC analysis of CYFD data.

remain in the community. However, CYFD has made changes to the RAI and not revalidated it since then. CYFD also sometimes overrides the RAI's recommendations, leading to the detention of youth scored as low-risk and unavailable facility capacity for, and the release of, youth scored as high-risk. Additionally, few juveniles are placed in nonsecure alternatives to detention such as electronic monitoring or home confinement.

CYFD and the courts use a risk assessment instrument (RAI) when determining whether to detain a juvenile before adjudication; the risk assessment instrument was validated in 2022. State law requires CYFD to develop and use a risk assessment instrument (RAI) when determining whether to detain a juvenile before the case is resolved in court. CYFD's RAI is a checklist of risk factors to assess whether a juvenile poses a substantial risk of harm to themselves, risk of harm to others, or risk of fleeing the court's jurisdiction. The RAI takes into account risk factors (such as the seriousness of the juvenile's current criminal charges or prior offense history) to numerically score the juvenile as either a "high", "medium", or "low" risk. In 2022, CYFD conducted a validation study of its RAI that tracked the outcomes of 1,707 juveniles released before adjudication based on RAI results. The study found that only 8.3 percent of the juveniles released before adjudication (based on RAI results) re-offended and only 3 percent failed to appear at a court hearing within 30 days after their RAI assessment. The validation study concluded, "the New Mexico RAI is valid and functioning to keep rates of re-offense and FTA [failure to appear in court] below 10 percent." CYFD has not validated its RAI tool since 2022 despite modifications to the RAI. The Legislature should consider amending state law (Section 32A-2-11 NMSA 1978) to require CYFD to regularly validate the department's risk assessment instrument for pre-adjudication detention at least once every three years beginning in calendar year 2026.

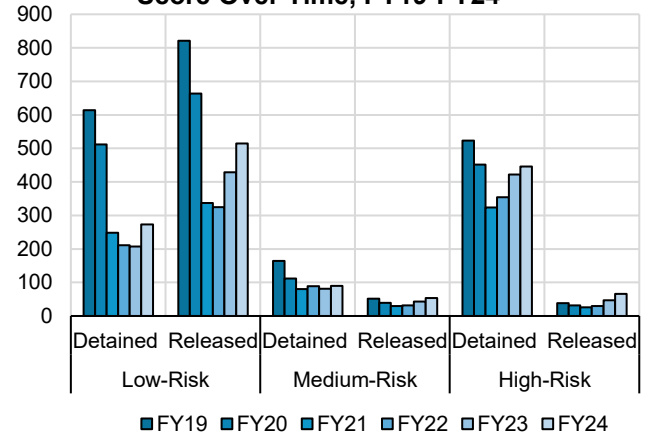
Although most juveniles scoring as "high-risk" on CYFD's RAI are detained and most juveniles scoring as "low-risk" are released, CYFD sometimes overrides its RAI tool to detain low-risk youth and release high-risk youth. From FY19 through FY24, CYFD used its RAI tool roughly 8,900 times to assess a juvenile's risk level and decide whether to place the juvenile in preadjudication detention. Of the juveniles who received a RAI assessment over this timeframe, 58 percent of the assessed youth were scored as low-risk, 31 percent were scored as high-risk, and 10 percent were scored as medium risk. Unsurprisingly, the majority of juveniles scoring high-risk (91 percent) or medium risk (67 percent) were placed in detention before legal proceedings, while the majority of juveniles scoring low-risk (60 percent) were not detained. The top three charges for detained high-risk youth were aggravated assault with a

Chart 25. Preadjudication Detention Outcomes of Juveniles by RAI Risk Score, FY19-FY24



Source: LFC analysis of CYFD data.

Chart 26. Preadjudication Detention Outcomes of Juveniles by RAI Risk Score Over Time, FY19-FY24



Source: LFC analysis of CYFD data.

deadly weapon, aggregated battery with a deadly weapon, and armed robbery. The top three charges for detained medium-risk youth were battery on a peace officer, probation violations for changing residences, and unlawful taking of a motor vehicle.

CYFD can sometimes override the RAI and detain low-risk youth or release high-risk youth with departmental approval at local and regional levels. The 2,065 low-risk juveniles who were detained either had a pending prior delinquency case, a previous adjudicated case within the past three years, or a probation violation. The top three charges for detained youth who were scored as low-risk were probation violations for changing residences, battery on a household member, and unlawful possession of a handgun. The 251 high-risk juveniles who were not detained were released for reasons ranging from mental health hospitalizations, denied admission at juvenile detention centers, or law enforcement choosing to release youth to available family members. CYFD data indicates at least 73 instances from FY19 through FY24 where high-risk juveniles were not admitted into juvenile detention facilities because of limited facility capacity and released. A relatively small proportion of juveniles (1 percent) are placed in nonsecure alternatives to detention (such as home confinement with electronic monitoring). CYFD should increase the use of alternatives to detention for juveniles scored as low-risk or medium-risk on the department’s risk assessment instrument if deemed necessary by CYFD staff. CYFD should regularly track and evaluate the outcomes of its risk assessment instrument. Additionally, CYFD should minimize the extent to which staff can override the department’s validated risk assessment instrument to detain low-risk youth or release high-risk youth.

CYFD data indicates at least 73 instances since FY19 where high-risk juveniles were not admitted into juvenile detention facilities because of limited capacity and released.

CYFD changed its RAI tool in 2023 to recommend detention for juveniles possessing a weapon or committing assault or battery against a CYFD employee. On September 15, 2023, the Department of Health (DOH) issued a public health order declaring gun violence and drug use to be public health emergencies. The public health order, among other things, directed CYFD to suspend juvenile detention alternative initiatives and “evaluate juvenile probation protocols.” Following the public health order, CYFD modified its RAI to automatically recommend detaining juveniles in possession of a weapon or committing assault or battery against a CYFD employee. From FY23 (before the RAI policy change) to FY24 (after the RAI policy change), total juvenile detentions increased by 12 percent (or 101 detentions). Almost half of the total increase came from an increase in detentions for assault and battery (49 additional detentions). Available data does not show how many of these detentions were for

Table 4. Juvenile Referrals and Preadjudication Detentions Before and After RAI Policy Changes, FY23 and FY24

Category	FY23 (Before RAI Policy Changes)	FY24 (After RAI Policy Changes)	Change	
			Number	Percent
Total Referrals to the Juvenile Justice System	6,683	7,634	951	14%
Total Juvenile Detentions	834	935	101	12%
Juvenile Detentions for Unlawful Weapon Possession/Carrying	43	67	24	56%
Juvenile Detentions for Shooting from a Motor Vehicle or at an Occupied Building	39	16	(23)	-59%
Juvenile Detentions for Assault and Battery (Aggravated and Non-Aggravated)	265	314	49	18%

Source: LFC analysis of CYFD data.

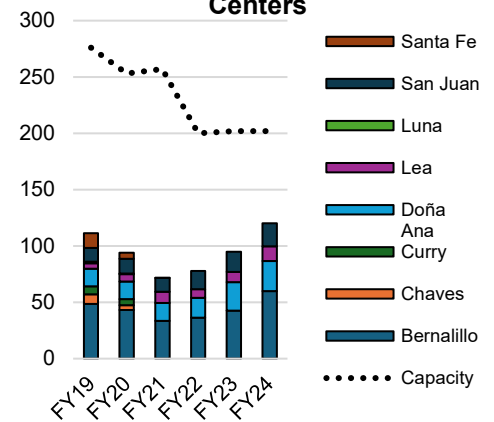
assault or battery on a CYFD employee. Detentions for firearm-possession-related charges do not appear to have driven the increase by as much as assault and battery charges. Juvenile detentions for handgun carrying or possession increased by 56 percent (or 24 detentions), but over the same time, juvenile detentions for shooting from a motor vehicle or at an occupied building decreased by 59 percent (or 23 detentions). The 12 percent increase in overall juvenile detentions from FY23 to FY24 coincided with a 14 percent increase in total referrals to the juvenile justice system (an increase of 951 referrals).

Recent facility closures and increased populations have placed pressure on county juvenile detention centers, but county juvenile detention centers are still below bed capacity.

State law allows for the detention of juveniles before court adjudication if they pose a substantial risk to themselves or others or have demonstrated they are a flight risk from the court’s jurisdiction (Sections 32A-2-11 NMSA 1978). Under state law, counties are responsible for either operating a juvenile detention center or agreeing to transfer their juvenile detainees to another county with a juvenile detention center (Sections 33-3-3, 33-3-18, and 33-6-1 NMSA 1978). County juvenile detention centers are required to meet various regulatory standards established by CYFD and receive annual certification from the department to continue operations (New Mexico Administrative Code Section 8.14.14.7). Only four counties (Bernalillo, Doña Ana, San Juan, and Lea) currently operate juvenile detention centers in New Mexico, and all other counties transfer their juvenile detainees to these four county juvenile detention centers. Altogether county juvenile detention centers cost roughly \$21.5 million, with differing costs in Bernalillo (\$13.9 million), Doña Ana (\$3.5 million), Lea (\$1.2 million), and San Juan (\$2.9 million) counties. County juvenile detention centers collect revenue from other counties to house their detained youth.

As referrals to the juvenile justice system declined over the past decade, the number of counties choosing to operate juvenile detention centers for youth awaiting court proceedings has decreased. As New Mexico referred fewer youth to the juvenile justice system in recent decades, diverted more youth away from the courts, and used a validated risk assessment tool before detaining youth, county juvenile detention center populations decreased. Over this timeframe, counties with low and declining juvenile detainee populations closed their juvenile detention facilities because of high fixed costs compared to low average daily populations. Ten counties used to operate juvenile detention centers in 2017 and now four counties currently operate juvenile detention centers. Since FY19, four juvenile detention centers closed (in Chaves, Curry, Luna, and Santa Fe counties) because they had average daily

Chart 27. Total Bed Capacity and Average Daily Population at County Juvenile Detention Centers



Source: LFC analysis of CYFD data.

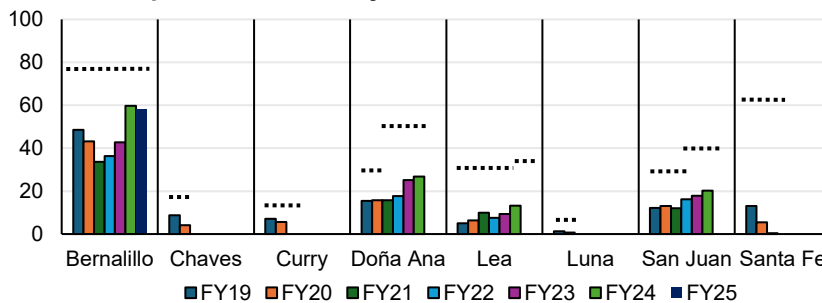
Case Study: Santa Fe County decided to close its juvenile detention center in March 2020 because of low and declining populations, fixed costs, an aging facility, staff turnover, and liability risks. On March 31, 2020, the Santa Fe Board of County Commissioners voted to close its juvenile detention facility (called the Youth Development Program). Although the Santa Fe juvenile detention center had the capacity to house 63 juveniles, the average daily population of the center was 13 in FY19, according to CYFD data. Juveniles were detained at the center for roughly 19 days on average. The juvenile detention center cost roughly \$2.7 million to operate annually with 11 staff in FY19. According to county documents, county staff recommended the closure of the detention center to Santa Fe County commissioners noting a declining and low detainee population, fixed costs, an aging facility with at least \$9 million in deferred maintenance costs, staff turnover and vacancies, and liability risks. Santa Fe County currently has agreements with both San Juan County and Bernalillo County to house juvenile detainees.

populations of fewer than 20 juveniles with average length of stays of less than two and a half months.

Populations at county juvenile detention centers are below total bed capacity and stay 70 days on average, but facilities still sometimes cannot house juveniles because of staffing constraints rather than limited physical space or beds. The average daily population at juvenile detention centers has been consistently under physical bed capacity over the past several years, according to CYFD data. In FY24, New Mexico’s county juvenile detention centers had an average daily population of 120 juveniles statewide (with an average length of stay of 70 days) but a maximum bed capacity of 202 juvenile detainees. In other words, county juvenile detention centers statewide filled only 59 percent of their total bed capacity on an average given day. Some juvenile detention centers filled more bed capacity than others in FY24, with Bernalillo County reaching 77 percent of its bed capacity on an average day to Lea County reaching only 39 percent of its total bed capacity on an average day.

Physical bed capacity at county juvenile detention centers was 202 beds in FY24, but on any given day, there were 120 detained juveniles on average.

Chart 28. Bed Capacity and Average Daily Population at County Juvenile Detention Centers



Notes: Dotted line represents bed capacity.

Source: LFC analysis of CYFD data.

Even though county juvenile detention centers are below bed capacity, it can still be logistically challenging to house additional juvenile detainees because of staffing constraints and regulatory requirements. Juvenile detention centers are required to operate 24 hours per day and seven days per week. Juvenile detention centers must also have at least one detention officer on site for every eight juvenile detainees during day hours and one detention officer for every 16 juvenile detainees during sleeping hours under federal Prison Rape Elimination Act regulations and state regulations (28 Code of Federal Regulations 115.313 and NMAC 8.14.14.14.B). These findings indicate county juvenile detention facilities are more limited by staffing constraints than available facility bed space. Bernalillo County’s juvenile detention center reports a consistent 33 percent staff vacancy rate yet is requesting state capital outlay funding for an additional 12-bed juvenile detention center unit costing \$11 million to \$12.5 million and likely costing \$2.1 million to annually operate. Bernalillo County reported \$781 million in cash and investment assets in its FY24 financial audit.

Bernalillo County’s juvenile detention center reports a consistent 33 percent staff vacancy rate yet is requesting state capital outlay funding for an additional 12-bed juvenile detention center unit costing \$11 million to \$12.5 million and likely costing \$2.1 million to annually operate.

Recommendations

The Legislature should consider:

- Amending state law (Section 32A-2-11 NMSA 1978) to require CYFD to regularly validate the department's risk assessment instrument for pre-adjudication detention at least once every three years beginning in calendar year 2026.

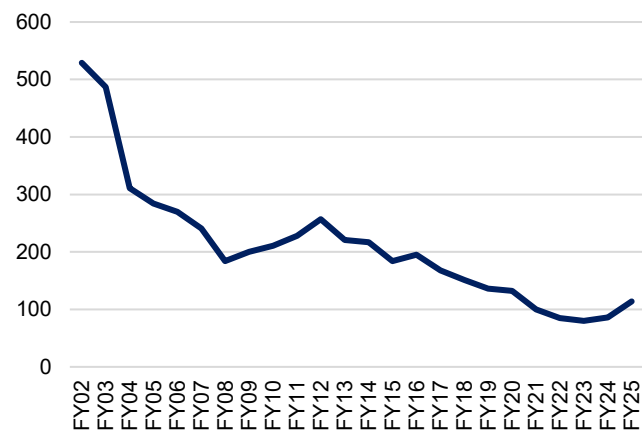
The Children, Youth and Families Department should:

- Minimize the extent to which staff can override the department's validated risk assessment instrument to detain low-risk youth or release high-risk youth;
- Increase the use of alternatives to detention (such as home confinement and electronic monitoring) for juveniles scored as low-risk or medium-risk on the department's risk assessment instrument if deemed necessary by CYFD staff; and
- Regularly track and evaluate the outcomes of its risk assessment instrument.

CYFD Secure Facilities Have Staffing Pressures, Unused Facility Capacity, and Outdated Projections

It is best practice to limit secure confinement as a sentence to the juveniles who commit the most severe and violent offenses because of the high cost of secure facilities and long-term impacts on youth development.^{xxviii} Fewer juveniles are held in CYFD secure facilities today than pre-pandemic, even after recent increases, continuing an overall decades-long decrease in secure juvenile populations from a previous peak of over 500 youth. Additionally, juveniles today are being increasingly secured in facilities for delinquent offenses rather than probation violations, which aligns with previous LFC recommendations. CYFD reduced its secure facilities staffing and closed a facility right before the recent increases in juveniles at secure facilities, which has created some capacity challenges. CYFD secure facilities are not staffed to fully use existing bed capacity and facility space, but there is at least \$1.9 million already in CYFD’s juvenile justice budget that could help fully staff secure facilities, but some of these funds are being directed to overtime costs and other purposes not intended by the Legislature, such as other divisions. CYFD lacks up-to-date capacity and population projections for its secure facilities. CYFD’s facility master plan from 2010 significantly overestimated juvenile populations and would cost up to \$261 million to implement.

Chart 29. Average Daily Population at CYFD Secure Juvenile Facilities



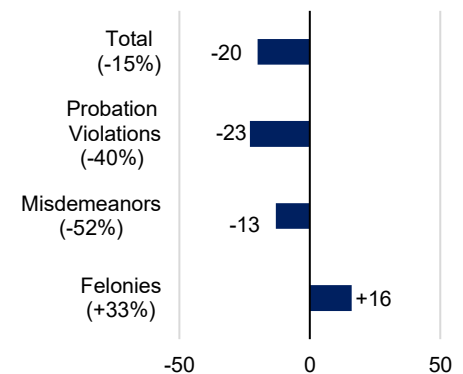
Source: LFC analysis of CYFD data.

Even after recent increases, fewer juveniles are held in CYFD secure facilities today than pre-pandemic, but juveniles today are held for more severe offenses

After CYFD enacted juvenile probation reforms in FY19, the number of juveniles being held in secure facilities for probation violations declined. Despite increases in recent years, fewer juveniles are being held in secure facilities today than pre-pandemic because fewer juveniles are being held for probation violations. Instead, juveniles are now committed to secure facilities for more severe offenses. A majority of juveniles committed to secure facilities are sentenced for up to one year, but the majority of sentences for the most severe offenses are for longer than one year.

Fewer total youth are currently committed to CYFD secure facilities than before the pandemic because fewer youth are being committed for probation violations. From FY19 to FY25, the number of juveniles being committed to CYFD secure facilities fell by 11 percent (or 10 juveniles), and the number of juvenile commitment offenses fell by 15

Chart 30. Change in Offenses Juveniles are Committed to Secure Facilities for, FY19 to FY25



Source: LFC analysis of CYFD data.

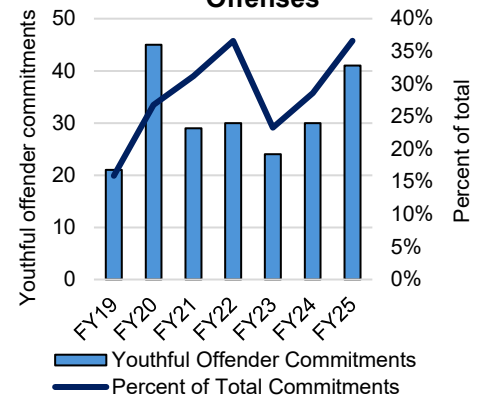
percent (or 20 offenses). This decrease in overall juvenile commitments was driven by declines in the number of juvenile commitments for probation violations. This decline in commitments for probation violations occurred after CYFD enacted a uniform juvenile probation agreement statewide at the start of FY20 that prioritized community safety conditions. Earlier probation agreements allowed counties to automatically revoke probation for conditions such as curfew violations. The uniform juvenile probation agreement has five standard terms for juveniles relating to obeying all laws, maintaining contact with JPOs, staying at a consistent residency, not using or possessing weapons, avoiding alcohol and drugs, and complying with search and seizure rules. CYFD’s implementation of a uniform juvenile probation agreement reflects a best practice for reserving secure confinement only for severe offenses impacting public safety.

Annual juvenile commitments for felony offenses have grown by a third since FY19, while commitments to CYFD secure facilities for other types of offenses decreased. From FY19 to FY25, commitments for felony offenses grew by 33 percent, whereas commitments for probation violations decreased by 40 percent and commitments for misdemeanors decreased by 52 percent. Over this period, the three most frequent felony charges for which juveniles were committed were armed robbery, aggravated battery with a deadly weapon, and aggravated assault with a deadly weapon. The three most frequent misdemeanors were battery, battery on a household member, and unlawful possession of a handgun. The three most frequent probation violations were breaking the law, changing residences, or using or possessing alcohol or drugs.

The number and proportion of juvenile commitments to CYFD secure facilities for “youthful offender” offenses (certain severe and violent offenses) has nearly doubled since FY19. State law defines juveniles over 14 years old who have been adjudicated by the courts for certain severe and violent offenses as “youthful offenders” (Section 32A-2-3.J NMSA 1978). Commitments for youthful offender offenses grew by 95 percent (20 commitments) from 21 youthful offender commitments in FY19 to 41 youthful offender commitments in FY25. Youthful offender commitments also grew as a proportion of total juvenile commitments from roughly 16 percent in FY19 to 37 percent in FY25. The most frequent charges in youthful offender commitments were armed robbery, aggravated battery with a deadly weapon, and aggravated assault with a deadly weapon. This data indicates secure confinement at CYFD facilities is increasingly for more severe and violent offenses.

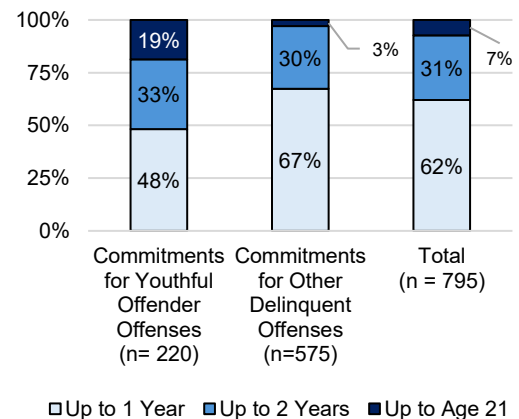
The majority of commitments for juvenile offenses are for one year in a CYFD facility, but commitments for more severe youthful offender offenses are often longer than one year. After a juvenile is adjudicated for an offense in children’s court, the court can commit the juvenile to a CYFD secure facility for either a term of up to one year, a term of up to two years, or (for youthful offender offenses) up until the juvenile reaches the age of 21 (Section 32A-2-19 NMSA 1978). From FY19 through FY25, the majority of juvenile commitments (62 percent) were for one year in a CYFD facility. Juvenile commitments for youthful offender offenses

Chart 31. Commitments to CYFD Facilities for “Youthful Offender” (Severe and Violent) Offenses



Source: LFC analysis of CYFD data.

Chart 32. Length of Juvenile Commitments to CYFD Facilities by Offense Type, FY19-FY25



Note: A juvenile can be committed for multiple offenses. Some delinquent offenses can be committed up to age 21 if the juvenile was also committed for a youthful offender offense.

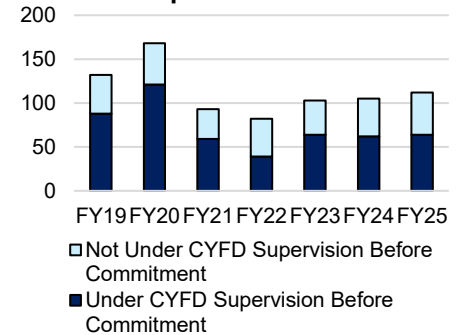
Source: LFC analysis of CYFD data.

tended to be longer. The majority (51 percent) of youthful offender commitments were sentences of up to two years in a CYFD facility or until the age of 21.

Juveniles under formal CYFD supervision who re-offend are not counted in recidivism rates because they have not technically left the juvenile justice system. From FY19 through FY25, juveniles were committed to secure facilities 586 times for 795 offenses. For 63 percent of juvenile commitments, the juvenile was already under formal CYFD supervision for a prior referral to the juvenile justice system. On average, each juvenile committed to a secure facility was committed for 1.4 offenses. This data suggests a majority of juveniles committed to CYFD secure facilities have had prior involvement with the juvenile justice system. Even though a majority of juveniles committed to CYFD secure facilities were likely under formal department supervision, juveniles under CYFD supervision who re-offended would not be counted in the state’s recidivism rate measures. CYFD’s juvenile recidivism rate measure only counts juveniles who have completely left the juvenile justice system and are then adjudicated for a new delinquent or criminal offense within two years. In FY24, CYFD reported a recidivism rate of 34 percent for youth discharged from secure facilities. To more accurately gauge rates of reoffending from all youth discharged from secure facilities, CYFD should track the recidivism of all youth discharged from a CYFD secure facility rather than only youth discharged from a CYFD secure facility not receiving any department supervision.

Despite LFC recommendations dating back 20 years, CYFD and the Corrections Department still cannot track how many youth from the juvenile justice system end up in the adult corrections system. A 2004 LFC program evaluation reviewing the juvenile justice system recommended CYFD and the New Mexico Corrections Department (NMCD) track the number of juvenile offenders who end up in a state correctional facility as adults. The 2004 report noted how such data tracking could be used to assess juvenile justice program effectiveness. A 2006 LFC report on juvenile justice found CYFD and NMCD were having difficulty resolving legal issues over the sharing of data for sealed juvenile records. Recently, NMCD reported to LFC staff it does not track whether adult inmates had prior involvement with the juvenile justice system. Although CYFD must seal records when a juvenile becomes 18 years old, state law specifies that confidential juvenile records can be shared with NMCD personnel (Sections 32A-2-26.H and 32A-2-32.C.5 NMSA 1978). CYFD should work with NMCD to track whether youth involved in the juvenile justice system later end up as adults in the state correctional system. The Legislature should consider amending state law (Section 32A-2-32 NMSA 1978) to require CYFD and NMCD to share juvenile records data for the purpose of longitudinally tracking aggregate trends in the proportion of youth involved in the juvenile justice who later end up as adults in the state correctional system.

Chart 33. Offenses Juveniles Were Committed for by Previous CYFD Supervision Status



Source: LFC analysis of CYFD data.

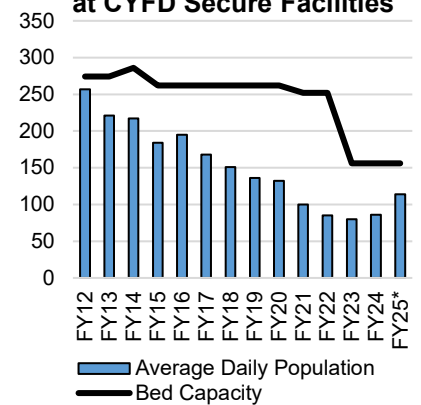
CYFD secure facilities are not staffed to fully use existing bed capacity and facility space.

CYFD decreased its number of juvenile correctional officers and closed a secure facility after a decade-long decrease in juvenile justice populations but right before the recent increase in juvenile justice populations. This situation has made it challenging for CYFD secure facilities to house increased juvenile populations. However, CYFD secure facilities are not necessarily lacking the physical beds or facility space needed to secure additional youth but instead lack the staffing to oversee more juveniles in compliance with federal staffing ratios. There is at least \$1.9 million in CYFD’s current juvenile justice budget available to help fully staff secure facilities by an additional 32 juvenile correctional officers as indicated by past spending on overtime, budget underspending, and spending on Family Services division personnel.

CYFD has two secure facilities for adjudicated youth with a combined maximum bed capacity of 156 beds. The Youth Development and Diagnostic Center (YDDC) in Albuquerque has nine separate 12-bed units spread out over a 13-acre campus for a total bed capacity of 108 beds. Eight out of YDDC’s nine units are currently operational while one 12-bed unit is currently closed in need of renovation and being used for storage. Additionally, CYFD recently remodeled two eight-bed modular units (cottages) at YDDC, one of which recently opened while the other has not yet opened. The John Paul Taylor Center in Las Cruces has four 12-bed units for a total bed capacity of 48 beds. Both secure facilities have gymnasiums, classrooms, vocational training rooms, and medical facilities. Juveniles in secure facilities receive educational services in accordance with state requirements, roughly 25 juveniles graduate with a high school diploma or equivalent each year, and over a third of juveniles in secure facilities receive special education.

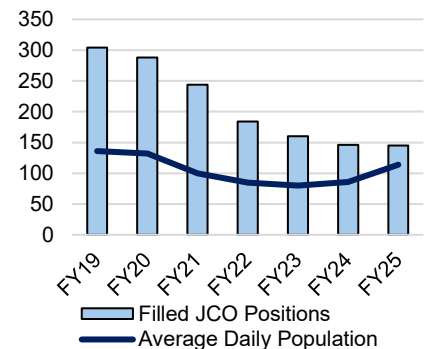
CYFD reduced staffing and closed a secure facility after a decade of population declines but right before recent population increases, which created recent capacity pressures at CYFD. A 2023 LFC report found CYFD secure facilities to be overstaffed given declining juvenile population housed in secure facilities. The average daily population at CYFD secure facilities steadily decreased for a decade, reached a low point in FY23, and recently increased from this low point. Before the recent increase in juvenile population in secure facilities, CYFD closed a 96-bed secure facility (Camino Nuevo) in 2022 and decreased the number of juvenile correctional officers. These recent developments have placed capacity and staffing pressures on CYFD secure facilities, even though daily populations are lower than the number of physical beds. In other words, CYFD does not necessarily lack the facilities space and physical beds needed to handle increased juvenile populations but instead lacks the staffing needed to oversee the available facility space and beds. CYFD faces logistical complexities when staffing its facilities while also keeping juveniles separate based on gender, age range, and offense level.

Chart 34. Bed Capacity and Average Daily Population at CYFD Secure Facilities



Source: LFC analysis of CYFD data.

Chart 35. Juvenile Correctional Officers and Juvenile Populations at CYFD Secure Facilities



Source: LFC analysis of SPO and CYFD data.

Figure 7. Remodeled but Currently Closed 8-Bed YDDC Modular Unit (Cottage)

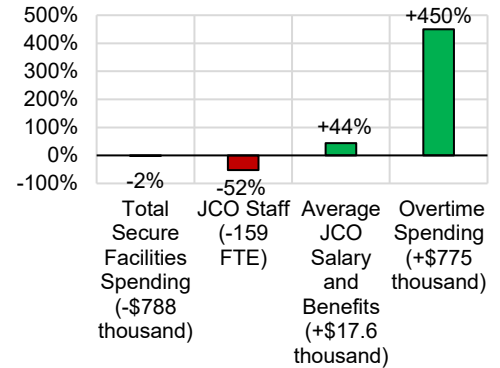
(August 30, 2025; 3:21pm)



Source: LFC Site Visit.

CYFD spending on juvenile justice facilities has stayed relatively flat since FY19, even while staffing substantially decreased, partially because of increased compensation and overtime spending. From FY19 to FY25, CYFD spending on its secure facilities decreased by 2 percent (or \$788 thousand), from \$34.8 million in FY19 to \$34.1 million in FY25. Over the same timeframe, the number of juvenile corrections officers decreased by 52 percent (or 159 officers) from 304 officers at the end of FY19 to 145 officers at the end of FY25, according to State Personnel Office data. Overall spending did not significantly decrease at CYFD secure facilities despite staffing decreases and the closure of a facility partially because of compensation increases and increased spending on overtime. The average juvenile correction officer compensation package increased from \$40.3 thousand in FY19 to \$57.9 thousand in FY25, an increase of 44 percent (or \$18 thousand). Overtime costs at secure facilities increased by 450 percent over the same period, growing from \$172 thousand in FY19 to \$948 thousand in FY25. As the overtime spending at secure facilities grew, the vacancy rate for juvenile corrections officers also grew from 18 percent at the end of FY19 to 31 percent at the end of FY25. When hourly employees work overtime, employers must pay the employee at a more expensive rate of 1.5 times the employee’s regular hourly wage.

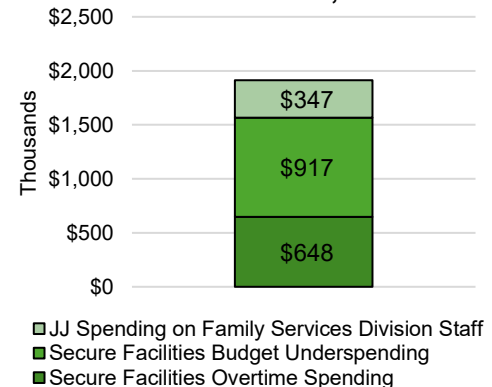
Chart 36. Changes at CYFD Secure Facilities from FY19 to FY25.



Source: LFC analysis of SHARE and SPO data.

At least \$1.9 million within CYFD’s existing juvenile justice budget could be used to add around 32 additional juvenile correctional officers to secure facilities. CYFD has at least \$1.9 million within its existing budget to absorb these costs. First, CYFD’s budgeted spending on secure facilities was \$35 million in FY25 while its actual spending was \$34.1 million (\$917 thousand under budgeted spending). Second, CYFD spent \$948 thousand on overtime at secure facilities in FY25, which means CYFD could use \$648 thousand to hire additional staff while still leaving \$300 thousand available for overtime costs. Third, CYFD spent \$347 thousand from its juvenile justice budget in FY25 on personnel for its newly created Family Services Division, which redirects juvenile justice funding for a purpose not intended by the Legislature. Altogether, these data indicate CYFD has at least \$1.9 million available in its current juvenile justice budget for staffing up its secure juvenile justice facilities. This \$1.9 million could fund the hiring of approximately 32 additional juvenile correctional officers at an average salary and benefits package of \$60 thousand per year. An additional 32 juvenile correctional officers could oversee roughly 61 additional juveniles in secure facilities, given that it takes four juvenile correctional officers working standard hours in a year (2,080 hours) to oversee a single group of eight juveniles for a whole year (8,760 hours). CYFD should prioritize staffing its juvenile justice secure facilities by reducing overtime spending, spending budgeted funds, and reducing juvenile justice funds spent on Family Services Division personnel when facing capacity constraints.

Chart 37. \$1.9 Million is Available in CYFD’s Juvenile Justice Budget to Staff Up Secure Facilities, FY25



Note: Actual spending on overtime was \$948K in FY25, but this assumes CYFD will need \$300K for overtime costs.

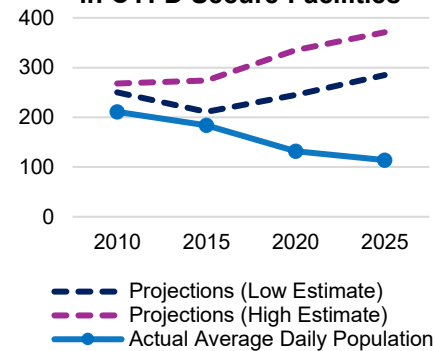
Source: LFC analysis of SHARE and SPO data.

CYFD’s 2010 juvenile justice facilities master plan to build small regional facilities across the state would cost up to \$261 million to implement and overestimated the 2025 juvenile justice population by at least 150 percent

In 2010, CYFD, the state General Service Department, and consultants produced a facilities master plan and feasibility study for creating small secure facilities for adjudicated juveniles around the state. The 2010 facilities master plan outlined options for modifying existing facilities and building five to six additional small regional secure facilities around the state, inspired by the Missouri model and New Mexico’s Cambari initiative. The plan was projected to take 17 years to complete from 2010 through 2027. The estimated construction costs of implementing the facilities master plan ranged from \$101 million to \$144 million in 2010. The value of a dollar in August 2010 (original date of the facilities master plan) is roughly equivalent to \$1.81 in 2025 based on construction cost inflation data from the Federal Reserve of Saint Louis. After adjusting for construction cost inflation, fully implementing the 2010 juvenile justice facilities master plan would cost between \$183 million to \$261 million in 2025 dollars with each new facility costing around \$36 million to \$54 million (depending on facility size) and each new cottage unit costing around \$2.7 million. These construction cost estimates did not include the cost of additional staffing and other annual operating costs.

The 2010 facilities master plan overprojected the 2025 juvenile justice population in CYFD secure facilities by 150 percent to 225 percent, or 171 to 257 additional juveniles sentenced to secure confinement. The 2010 facilities master plan projected needing a range of 285 to 371 secure facility beds statewide in 2025. In the first five months of FY25, (latest data available), CYFD secure facilities had an average daily population of 114 juveniles which includes 74 juveniles at the Youth Development and Diagnostic Center (YDDC) and 40 juveniles at the John Paul Taylor Center. This means that the 2010 facilities master plan overestimated the 2025 juvenile justice facilities population by a range of 150 percent (or 171 juveniles) to 225 percent (or 257 juveniles). In lieu of these outdated estimates, CYFD should annually report on its actual number of physical beds (bed capacity), actual number of beds that are operational with available staffing (functional capacity), and projected average daily population for the next year.

Chart 38. 2010 Facility Master Plan Population Projections vs. Actual Average Daily Populations in CYFD Secure Facilities



Source: LFC analysis of CYFD data.

Recommendations

The Legislature should consider:

- Amending state law (Section 32A-2-32 NMSA 1978) to require CYFD and the New Mexico Corrections Department to share juvenile records data for the purpose of longitudinally tracking aggregate trends in the proportion of youth involved in the juvenile justice who later end up as adults in the state correctional system.

The Children, Youth and Families Department should:

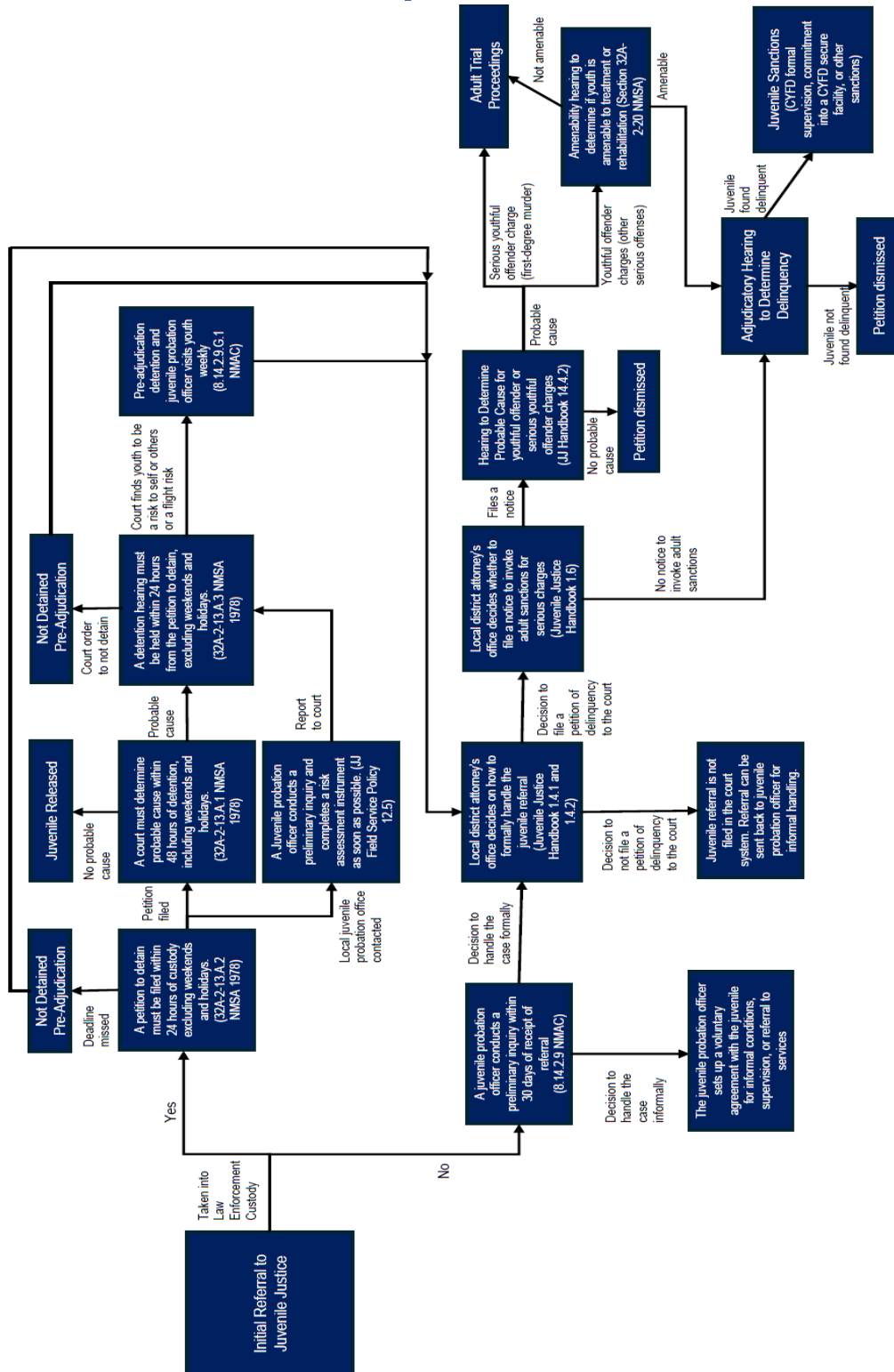
- Prioritize staffing its juvenile justice secure facilities by reducing overtime spending, fully spending budgeted funds, and reducing juvenile justice funds spent on family services division personnel;
- Report annually on its actual number of physical beds (bed capacity) and actual number of beds that are operational with available staffing (functional capacity) at secure facilities;
- Annually project average daily population at secure facilities for the next year;
- Track the recidivism of all youth discharged from a CYFD secure facility rather than only youth discharged from a CYFD secure facility not receiving any department supervision; and
- Work with the New Mexico Corrections Department to track whether youth involved in the juvenile justice system later end up as adults in the state correctional system.

Appendix A. Juvenile Justice Terminology

The legal terminology in juvenile delinquency cases is technically different from adult criminal proceedings which reflects an intent within the legal system to treat juvenile delinquency proceedings as non-criminal in nature (New Mexico Juvenile Justice Handbook, 2011, 1.5)

Adult Criminal Case Term	Juvenile Delinquency Case Term
Defendant	Respondent
Trial	Adjudication
Convicted	Adjudicated
Sentence	Disposition
Incarceration	Commitment
Indictment	Petition

Appendix B. Detailed Juvenile Justice Process Map



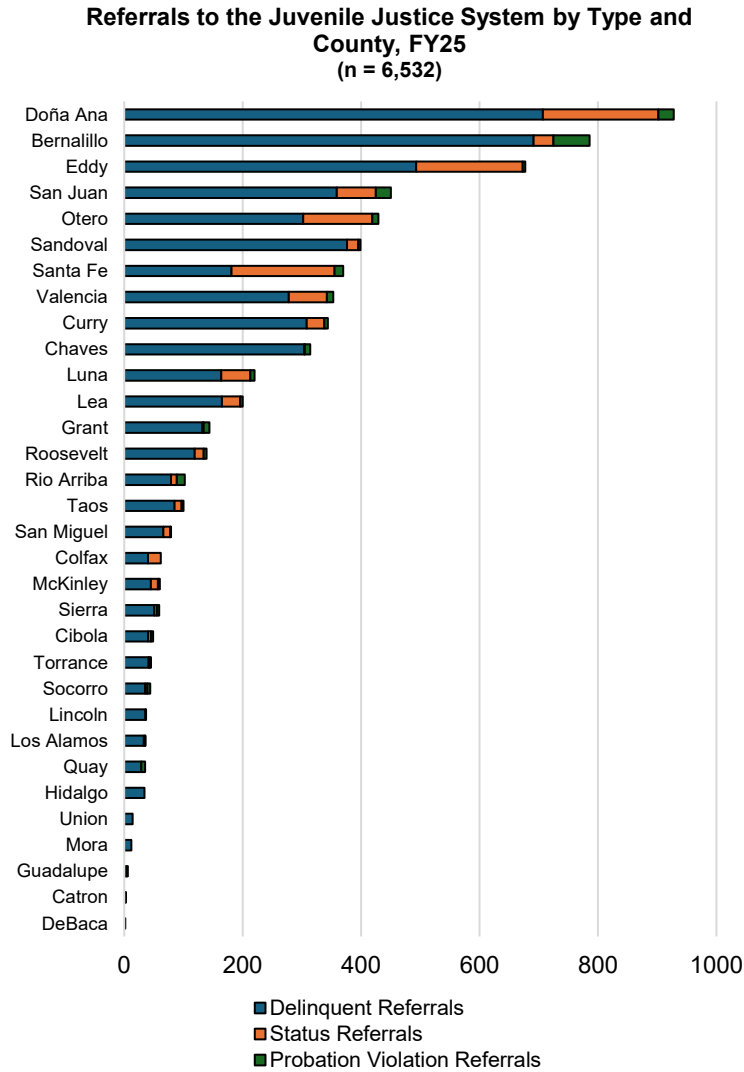
Appendix C. Brief Summary of U.S. Juvenile Delinquency Law

Prior to the juvenile court movement in the late nineteenth century, the legal system treated children over the age of 7 years accused of committing crimes similarly to adults. Illinois enacted the first juvenile court system in the U.S. in 1899. New Mexico established its first juvenile court in 1917. Early juvenile courts were civil (rather than criminal) courts, were intended to focus on rehabilitation, and did not offer juveniles the same due process and constitutional protection as adults. Early juvenile courts did not offer juveniles the same due process protections as adults had under the U.S. Constitution because of the rationale that the state was proceeding as *parens patriae* (parent of the nation) or parent for the juvenile. Under the *parens patriae* rationale, juvenile courts had broad discretionary authority.

The U.S. Supreme Court began to limit the discretion of juvenile courts and expand due process rights for youth in juvenile courts in the 1960s, including the right to counsel, to be notified of charges, and to confront and cross-examine witnesses. *Kent v. United States*, 383 US 541, 562 (1966); *In res Gault*, 387 U.S. 1, 14 (1968). In the 1980s, many states around the country enacted laws to automatically transfer juveniles accused of violent offenses to adult courts or grant prosecutors full discretion to transfer such cases to adult courts. In New Mexico, prosecutors seeking adult sanctions for a juvenile charged with certain violent offenses (“youthful offenders”) must demonstrate at an amenability hearing that the juvenile is not amenable to treatment or rehabilitation. Prosecutors in New Mexico can seek adult sanctions for an older juvenile (age 15 years or older) in adult court without an amenability hearing for charges of first-degree murder.

In a series of decisions from the late 1980s through the mid-2010s, the U.S. Supreme Court prohibited juveniles under age 18 years from being sentenced with the death penalty for any offense or life in prison without parole for non-violent offenses. These U.S. Supreme Court decisions were grounded in the idea that juveniles are developmentally different from and, in turn, less culpable than adults.^{xxix}

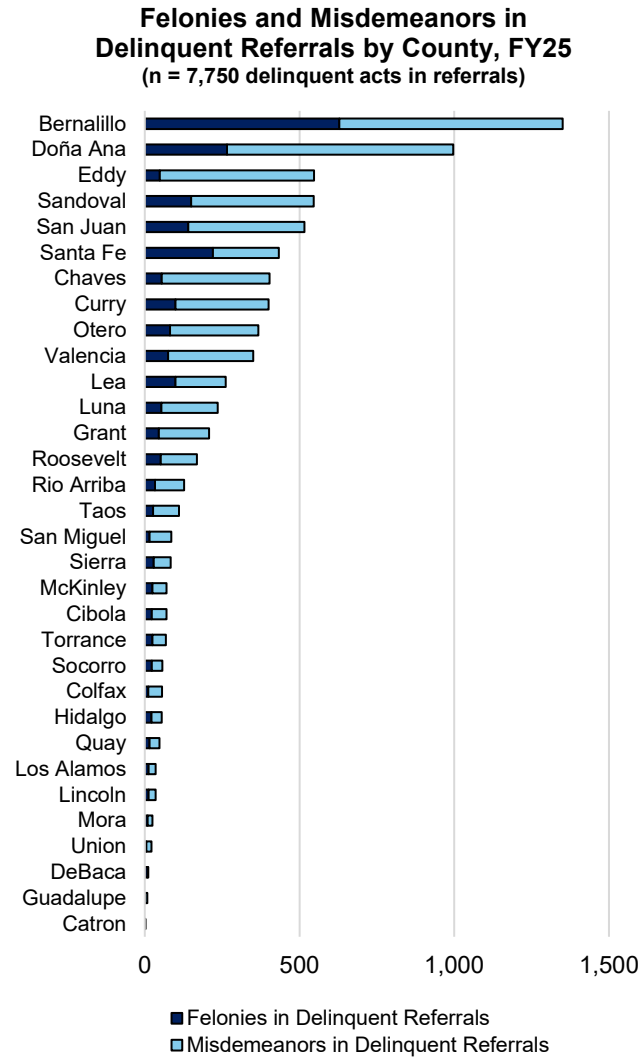
Appendix D. Juvenile Justice Referrals by Type and County



Note: FY25 data does not include the last three months due to data availability.

Source: LFC analysis of CYFD data.

Appendix E. Felonies and Misdemeanors in Delinquent Referrals by County

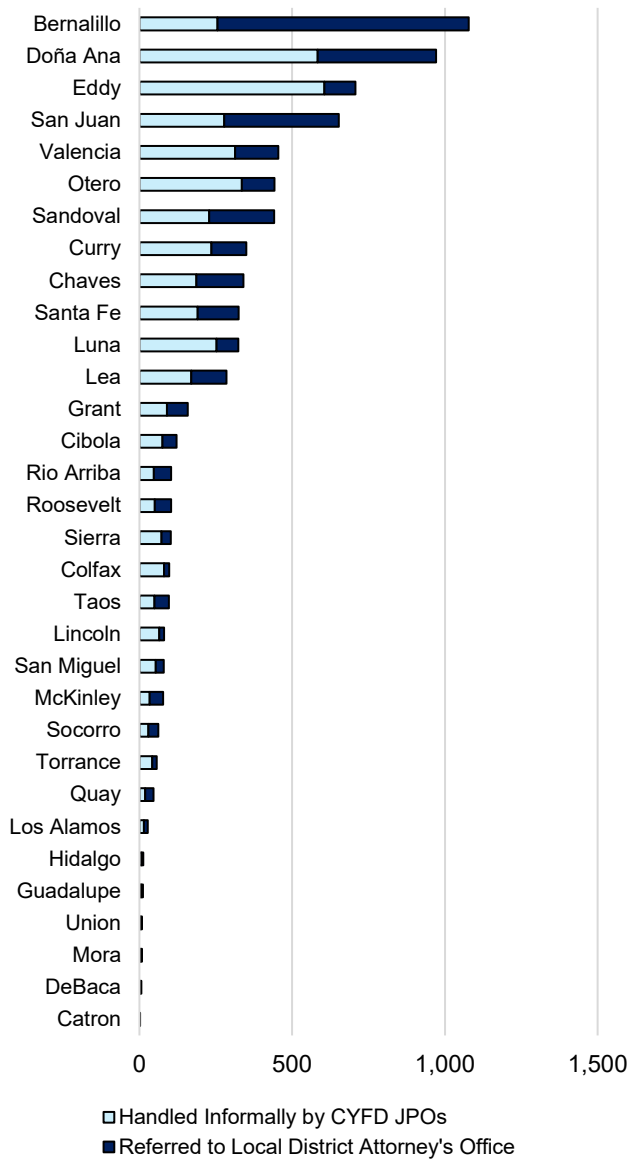


Note: A single referral to the juvenile justice system can include multiple delinquent acts that could be misdemeanors or felonies under law. FY25 dataset does not include the last three months due to data availability.

Source: LFC analysis of CYFD data.

Appendix F. Referrals Handled Formally and Informally by County

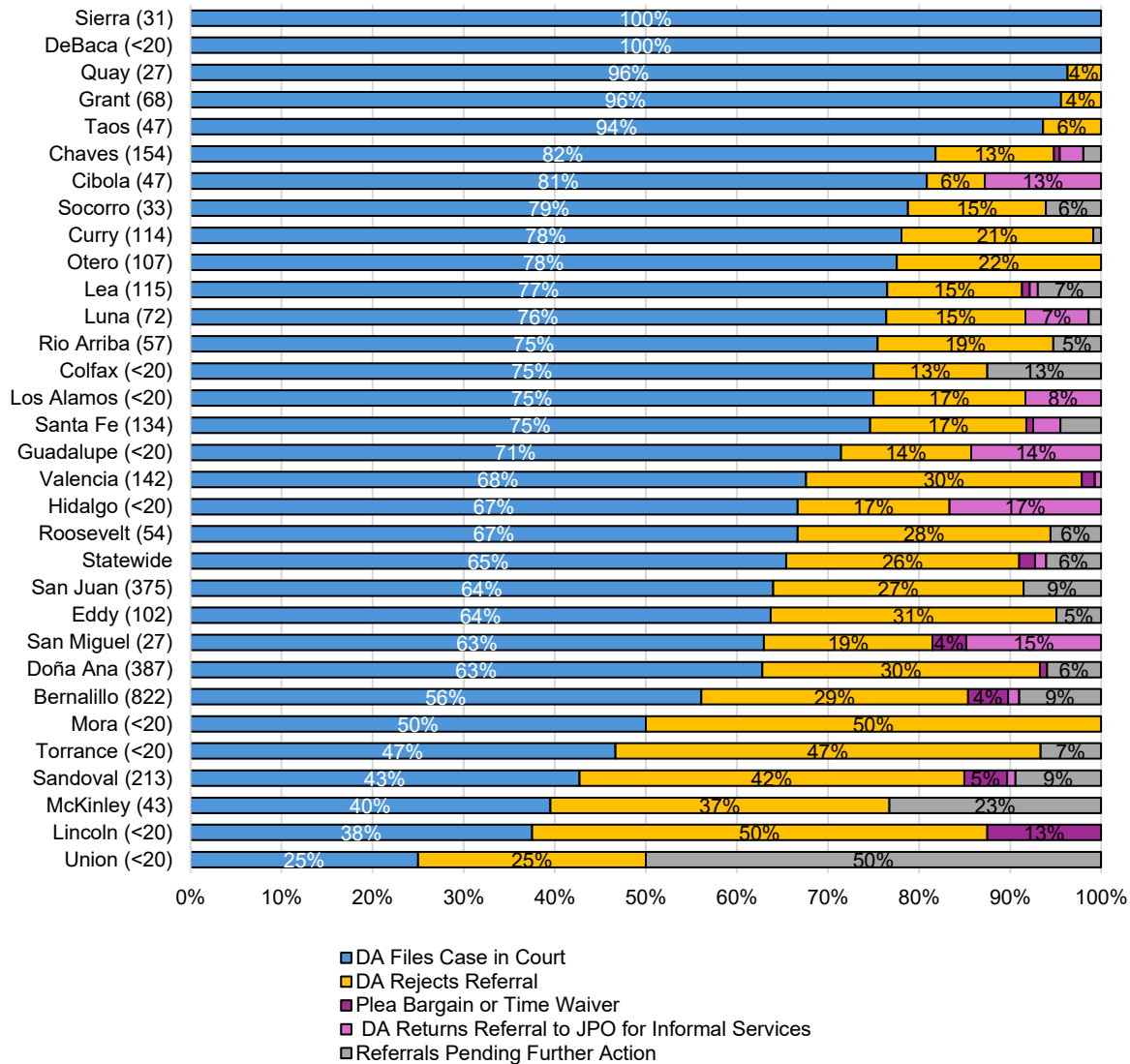
Juvenile Justice Referrals Handled Informally and Formally, FY24
(n = 7,634 Referrals)



Source: LFC analysis of CYFD data.

Appendix G. Decisions on Formally Handled Referrals by County

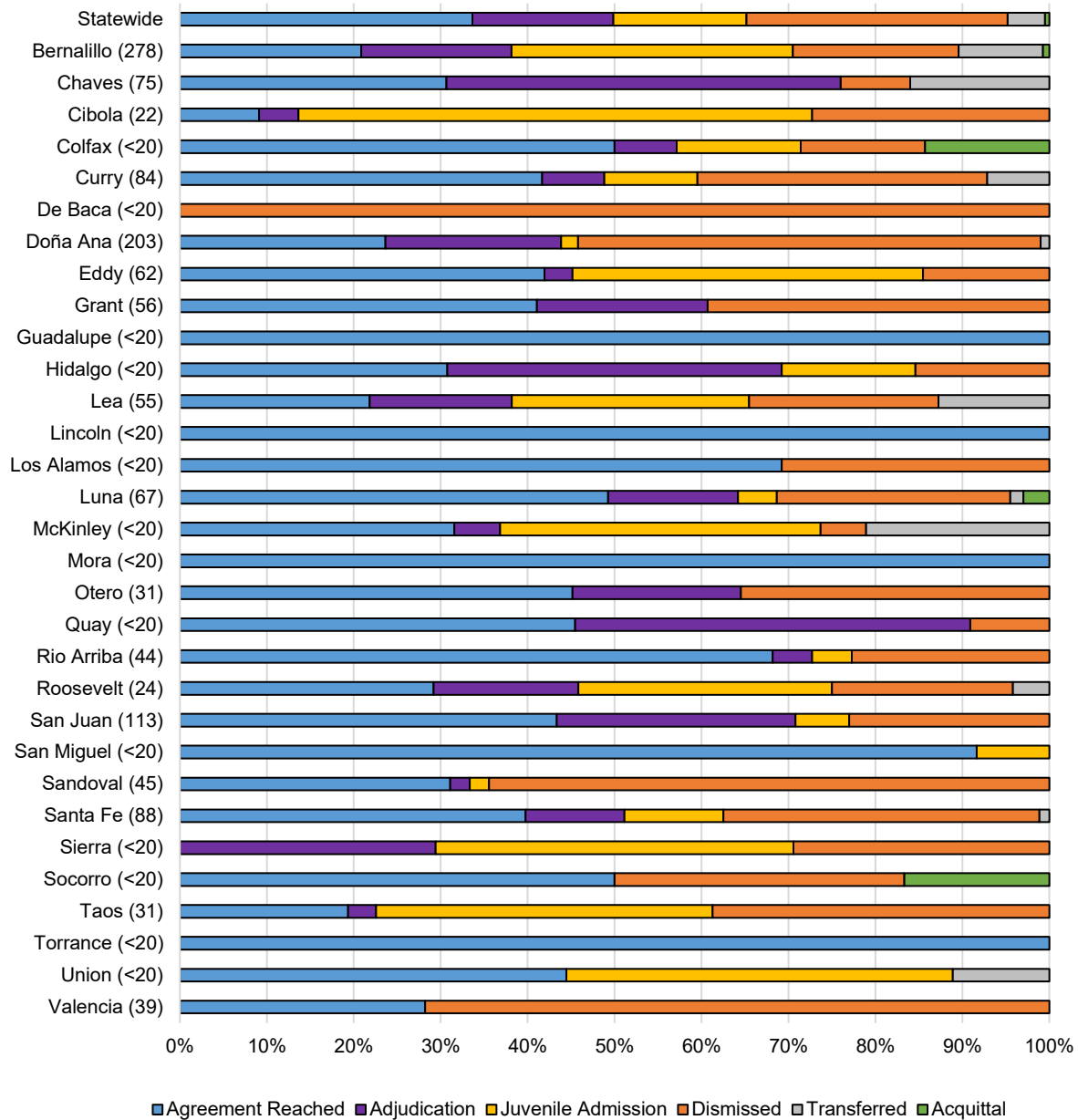
District Attorney Office Decisions on Juvenile Referrals Forwarded by CYFD Juvenile Probation Officers by County, FY24
(n = 3,254 referrals sent for formal handling)



Source: LFC analysis of CYFD data.

Appendix H. Disposition Outcome of FY24 Juvenile Cases by County

Disposition Outcomes of FY24 Juvenile Cases by County
(n = 1,444 cases with dispositions)



Source: LFC analysis of AOC data.

Appendix I. Serious Youthful Offender Charges

New Mexico state law defines a serious youthful offender as an individual 15 to 18 years of age who is charged with and indicted or bound over for trial for first degree murder (Section 32A-2-3.H NMSA 1978). The number of juveniles charged with first degree murder has increased in recent years. Multiple individuals in a group can be charged the same instance of first degree murder if the murder was committed by one individual while others in the group were present.

Number of Juveniles Charged with First Degree Murder, 2017-2025

2017	2018	2019	2020	2021	2022	2023	2024	2025 (Jan-Jun)
1	3	2	10	14	12	25	27	15

Source: LFC analysis of AOC data

Appendix J. Juvenile Justice Demographic Data

New Mexico Juvenile Justice Race and Ethnicity Demographic Data

Data Category	Hispanic	White	Native American	Asian	African American	Two or More Races/Ethnicities	Data Unknown
2022 NM Youth Population Age 10-17 (Total = 223,674 youth)	61%	23%	11%	1%	2%	3%	-
FY24 Referrals of Youth to the Juvenile Justice System (Total = 7,634 referrals)	70%	18%	6%	0.3%	4%	1%	1%
FY24 Youth Referred for Pre-adjudication Detention Screening (Total =1,231 youth)	65%	17%	6%	0.4%	5%	1%	7%
FY24 Youth in CYFD Secure Facilities as of 12/31/24 (Total = 124 youth)	77%	14%	3%	0.8%	5%	1%	-

Source: LFC review of CYFD Juvenile Justice Division annual report data.

New Mexico Juvenile Justice Demographic Data by Age

Data Category	<10	10-11	12-13	14-15	16-17	18+
FY24 Referrals of Youth to the Juvenile Justice System (Total = 7,634 referrals)	4%	6%	22%	34%	34%	0.5%
FY24 Youth Referred for Pre-adjudication Detention Screening (Total =1,231 youth)	0%	0.3%	10%	34%	54%	2%
FY24 Youth in CYFD Secure Facilities as of 12/31/24 (Total = 124 youth)	0%	0%	0.8%	7%	56%	36%

Source: LFC review of CYFD Juvenile Justice Division annual report data.

New Mexico Juvenile Justice Demographic Data by Gender

Data Category	Male	Female
FY24 Referrals of Youth to the Juvenile Justice System (Total = 7,634 referrals)	62%	38%
FY24 Youth Referred for Pre-adjudication Detention Screening (Total =1,231 youth)	76%	25%
FY24 Youth in CYFD Secure Facilities as of 12/31/24 (Total = 124 youth)	87%	13%

Source: LFC review of CYFD Juvenile Justice Division annual report data.

Appendix K. CYFD Risk Assessment Instrument for Pre-Adjudication Detention



STATEWIDE DETENTION SCREENING RISK ASSESSMENT INTAKE

FACTS#: _____ FIRST NAME: _____ LAST NAME: _____	
SOCIAL SECURITY # _____ DOB: _____ GENDER: male or female	
PLACED IN CUSTODY _____ DATE: _____ TIME: _____ COUNTY: _____	
SCREENER: _____	
Prior Reason for Referral/ Detention: <input type="checkbox"/> Community Custody Hold <input type="checkbox"/> Court Hold-PEG <input type="checkbox"/> Court Hold-Drug Court <input type="checkbox"/> Court Hold-Other <input type="checkbox"/> Court Hold-Grade Court <input type="checkbox"/> Committed/Diagnostic-Return to Court <input type="checkbox"/> Pending a Case <input type="checkbox"/> Delinquent Offense <input type="checkbox"/> Detain Pending Post-Dispositional Report	<input type="checkbox"/> Disposition-15 Day Detention <input type="checkbox"/> Hold for Out of State-ICJ <input type="checkbox"/> Supervised Release Detention Center <input type="checkbox"/> Warrant-Probation Violation <input type="checkbox"/> Warrant-Bench (Misc.) <input type="checkbox"/> Warrant-Bench (Failure to Appear) <input type="checkbox"/> Warrant-Misc. <input type="checkbox"/> Warrant-Supervised Release <input type="checkbox"/> Violation of Court Order/Conditions of Release
A. OFFENSE (SCORE ONLY THE MOST SERIOUS INSTANT OFFENSE):	
1. All Enumerated Offenses in 31-22-8.....12 2. Violent Offenses Against Person Resulting in Serious Bodily Injury or Death.....12 3. Violent Sexual Felony.....12 4. Assault/Battery Against CYFD Employee.....12 5. Use of Weapon in Commission of a Crime.....12 6. Felony Crimes of Violence.....8 7. Felony Sexual Offenses.....8 8. Felony Property Crimes including Auto Theft.....5 9. All other Felony Crimes and Misdemeanors.....3 10. All Infractions, Petty Misdemeanors and non-criminal probation violations.....3	
Enumerated offenses will not be mitigated OFFENSE SCORE: _____ +	
B. PRIOR OFFENSE HISTORY (SCORE ONLY ONE OF THE FOLLOWING)	
1. Violent adjudication in past year.....6 2. Petition filed and pending.....6 3. Prior Adjudication in the last 6 months.....5 4. One or more adjudications in the past 12 months.....5 5. Prior felony adjudication with the past 3 years.....3 6. None.....0	
PRIOR OFFENSE HISTORY SCORE: _____ +	




**Children, Youth &
Families Department**

STATE OF NEW MEXICO

<p>C. RISK OF FTA AND RE-OFFENSE (TOTAL OF 3 POINTS)</p> <p>1. Client has previously absconded from court ordered supervision.....1 2. Previous FTA Warrant.....1 3. Pending Referral(s).....1</p> <p style="text-align: right;">RISK OF FTA AND RE-OFFENSE SCORE _____ +</p>
<p>D. AGGRAVATING FACTORS (ADD ALL THAT APPLY)</p> <p>1. Multiple felonies separated in space and time alleged, this referral.....1 2. Alleged Crime/Behavior is particularly Vicious/Violent.....1 3. Possession of Weapon at time of arrest.....12</p> <p style="text-align: right;">AGGRAVATING FACTOR SCORE: _____ +</p>
<p>E. MITIGATING FACTORS (SUBTRACT ALL THAT APPLY, UP TO 3 POINTS)</p> <p>1. Involvement remote, indirect, or mitigated.....1 2. Family or Caretaker are able to assume responsibility.....1 3. No arrests/referrals in the past year.....1</p> <p style="text-align: right;">MITIGATING FACTORS SCORE: _____ +</p>
<p>TOTAL SCORE: _____ +</p>
<p>DETENTION DECISION (BASED ON SCORE)</p> <p><input type="checkbox"/> DO NOT DETAIN (0-7 POINTS) <input type="checkbox"/> DO NOT DETAIN-FAST TRACK (0-7 POINTS) <input type="checkbox"/> NON-SECURE ALTERNATIVE (HOME/COMMUNITY) (8-11 POINTS) <input type="checkbox"/> SECURE DETENTION (12 OR MORE POINTS)</p>
<p>OVERRIDE (CHECK ONE)</p> <p><input type="checkbox"/> Proximity of victim/immediate safety threat <input type="checkbox"/> Deadly weapon pattern <input type="checkbox"/> Detention Center denied admission <input type="checkbox"/> Flight risk <input type="checkbox"/> New Felony Offense (on probation) <input type="checkbox"/> No adequate supv/care-No adequate housing <input type="checkbox"/> No adequate supv/care-PGC is a co-offender <input type="checkbox"/> No adequate supv/care-PGC Susp. Impairment <input type="checkbox"/> Override to Release <input type="checkbox"/> Parents located but unavailable-at work <input type="checkbox"/> Parents located but unavailable-no transport <input type="checkbox"/> Parents located but unavailable-out of town <input type="checkbox"/> Parents refuse custody <input type="checkbox"/> Risk of harm to self-Human Trafficking Victim <input type="checkbox"/> Risk of harm to self-Mental Health Crisis <input type="checkbox"/> Risk of harm to self-Runaway <input type="checkbox"/> Risk of harm to self-Severe Substance Use <input type="checkbox"/> Risk of harm to self-Suicidal <input type="checkbox"/> Risk of harm to the Community <input type="checkbox"/> Seriousness of injury to victim <input type="checkbox"/> Victim in the home/immediate safety concern</p>
<p>DETENTION ADMISSION: DATE: _____ TIME: _____</p> <p><input type="checkbox"/> Bernalillo County Youth Services Center <input type="checkbox"/> Dona Ana Juvenile Detention Center <input type="checkbox"/> San Juan Detention Center <input type="checkbox"/> Adult Facility <input type="checkbox"/> Lea County Detention Center</p>

Appendix L. CYFD Structured Decision Making Tool to Assist Post-Adjudication Sentencing



State of New Mexico
Juvenile Justice Services

Client Name:
FACTS #:

Structured Decision Making
SDM Type: Initial
SDM Current Placement: JJD-Probation

Disposition Date: _____

Assessment Date: _____

County Code: 2

Risk Assessment

Risk Assessment	Score
R1 Number of Referrals Tips: 1, 2, 3	
a. Only one referral	-1
b. Two or three referrals	0
c. Four or more referrals	+1
R2 Age at First Juvenile Referral Tip: 1, 2	
a. Younger than 12 ½ at first referral	+1
b. 12 ½ or older at first referral	0
R3 Petition Offense History Tips: 1, 2, 3, 4, 5, 6, 7	0
a. _____ Assaultive Petition	+1
b. _____ Weapons Petition	+1
c. _____ Property Petition	+1
R4 Affiliation with a Delinquent Gang Tips: 1, 2	
a. No	0
b. Yes	+1
R5 School/Education Problems Tip: 1, 2	
a. No school problems	-1
b. Occasional school problems	0
c. Frequent school problems	+1
R6 Experimentation/Use of Alcohol or Drugs Tip	
a. No	0
b. Yes	+2
Total Risk Score 0	

Scored 1. Low 2. Medium 3. High
Risk Level (-2 to 1) (2 - 5) (6 or More)

Most Serious Current Admitted/Adjudicated Delinquent Offense:)

↑ ↑ Do not record Probation Violation here ↑ ↑

Charge Code:
Offense Severity: D - 4th Felony

JPPO Override 1. Yes 2. No

Policy Override: Current admitted /adjudicated delinquent offense is a Class A Felony
(Automatic Override to High Risk)

Discretionary Override: *(Increase Risk One Level)*

Indicate Reason for Override:

Final Risk Level 1. Low 2. Medium 3. High

Completed By: _____
JPPO/Case Manager Date

Approved By: _____
Supervisor/Manager Date

DISPOSITIONAL RECOMMENDATION MATRIX			
Offense Severity	Final Risk Level		
	<input checked="" type="checkbox"/> High	<input type="checkbox"/> Medium	<input type="checkbox"/> Low
POLICY OVERRIDE			
<input type="checkbox"/> A (1 st Felony)	<input type="checkbox"/> JJS Commitment/JJS Community	<input type="checkbox"/> JJS Commitment/JJS Community	<input type="checkbox"/> JJS Community Supervision
<input type="checkbox"/> B (2 nd Felony)	<input type="checkbox"/> JJS Commitment/JJS Community	<input type="checkbox"/> JJS Community Supervision	<input type="checkbox"/> JJS Community Supervision
<input type="checkbox"/> C (3 rd Felony)	<input type="checkbox"/> JJS Commitment/JJS Community	<input type="checkbox"/> JJS Community Supervision	<input type="checkbox"/> JJS Community Supervision
<input checked="" type="checkbox"/> D (4 th Felony)	<input checked="" type="checkbox"/> JJS Community Supervision	<input type="checkbox"/> JJS Community Supervision	<input type="checkbox"/> JJS Community Supervision
<input type="checkbox"/> E (High Misd.)	<input type="checkbox"/> JJS Community Supervision	<input type="checkbox"/> JJS Community Supervision	<input type="checkbox"/> JJS Community Supervision
<input type="checkbox"/> F (Petty Misd.)	<input type="checkbox"/> JJS Community Supervision	<input type="checkbox"/> JJS Community Supervision	<input type="checkbox"/> JJS Community Supervision

Final Disposition: 15. Judgment - Probation B. Up to one year

DA Recommended Disposition: 15. Judgment - Probation B. Up to one year

JPPO Recommended Disposition: 15. Judgment - Probation B. Up to one year


Central Intake Override: 1. Yes 2. No **Final Risk Level:** 1. Low 2. Medium 3. High

If yes, enter reason and check final risk level.
Discretionary – indicate reason: _____

Completed By: _____ **Approved By:** _____

Central Intake Staff Signature _____ Date _____ Division Director/Designee Signature _____ Date _____

TDM Date: ____ / ____ / ____ **Facility Placement:** _____



State of New Mexico
Juvenile Justice Services

Client Name:
FACTS #:

Updated 07/01/06

Structured Decision Making
 SDM Type: Initial
 SDM Current Placement: JJD-Probation

Disposition Date: _____ Assessment Date: _____ County Code: 2

Needs Assessment

	Tp	Score	
N1 Family Relationships			N7 Victimization
a. Supportive relationship	-3		a. No victimization history
b. Occasionally problematic relationships	0		b. Victimization with appropriate support
c. Domestic discord	3		c. Single victimization without support
d. Serious domestic discord/violence	5		d. Multiple victimization without support
<i>Bio-Parent Currently Incarcerated?</i> <input type="checkbox"/> Yes <input type="checkbox"/> No			
N2 Emotional Stability			N8 Social Relations
a. Displays good emotional coping skills	-3		a. Positive support network
b. Displays appropriate emotional responses	0		b. Adequate support network
c. Periodic responses which limit functioning	3		c. Limited support network
d. Extreme responses/severely limited functioning	5		d. Lacks support network
N3 Education			N9 Employment
a. No school problems	-2		a. Currently employed
b. Occasional school problems	0		b. Unemployed with work skills
c. Moderate school problems	2		c. Employed but experiencing problems
d. Chronic school problems	4		d. Unemployed/lacks work skills
<input type="checkbox"/> Graduated/GED <input type="checkbox"/> Attendance <input type="checkbox"/> Suspended <input type="checkbox"/> Home School <input type="checkbox"/> Work Effort <input type="checkbox"/> Expelled <input type="checkbox"/> Alternative School <input type="checkbox"/> Behavior <input type="checkbox"/> Dropped <input type="checkbox"/> Vocational / Higher Education Enrolled			
N4 Substance Abuse	0		N10 Sexuality
a. No use by youth	-2		a. Responsible sexual behavior
b. Experimentation with marijuana/alcohol	0		b. Appropriate sexual behavior
c. Substance abuse/experimentation w/ other drugs	2		c. Inappropriate sexual behavior
d. Chronic substance abuse	4		d. Sexual adjudication/conviction
N5 Physical Issues	0		N12 Community Resources
a. Good health/hygiene care	-2		a. Seeks out and utilizes resources
b. No health problems	0		b. Utilizes resources when referred
c. Health/hygiene problems	2		c. Resource utilization problem
d. Serious health/hygiene problems	4		d. Refusal to utilize resources
N6 Life Skills	0		Needs Score 0
a. Consistently demonstrates appropriate life skills	-2		
b. Demonstrates appropriate life skills	0		
c. Inconsistently demonstrates appropriate life skills	2		
d. Rarely demonstrates appropriate life skills	4		
<i>Client is a Parent?</i> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Expecting			

Scored Needs Level	1. <input type="checkbox"/> Low (-1 or Less)	2. <input type="checkbox"/> Moderate (0 to 9)	3. <input type="checkbox"/> High (10 or More)
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Priority Needs / Strengths	
N2 Emotional Stability	N3 Education
N8 Social Relations	N9 Employment
N1 Family Relationships	

Community Supervision Level Matrix N/A – Youth Committed

Needs Level	Final Risk Level		
	High	Medium	Low
<input type="checkbox"/> High	<input type="checkbox"/> Intensive	<input type="checkbox"/> Maximum	<input type="checkbox"/> Medium
<input type="checkbox"/> Moderate	<input type="checkbox"/> Maximum	<input type="checkbox"/> Medium	<input type="checkbox"/> Minimum
<input type="checkbox"/> Low	<input type="checkbox"/> Maximum	<input type="checkbox"/> Medium	<input type="checkbox"/> Minimum

Completed By: _____

JJPO/Case Manager _____ Date _____

Approved By: _____

Supervisor/Manager _____ Date _____

Updated 07/01/06

Inactive (ICJ Outgoing, Warrant, etc...)

Termination of Episode

Termination Date: _____

Termination Type:

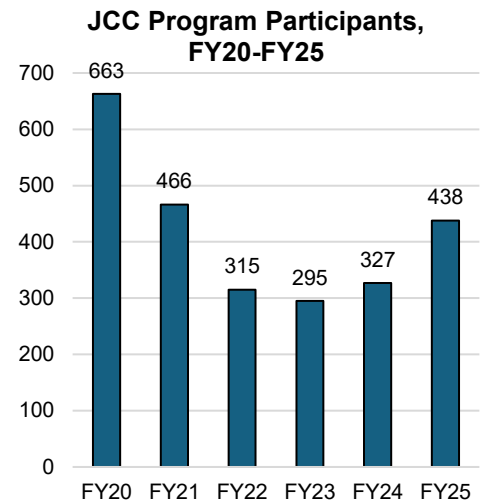
1. Satisfactory Discharge
2. Unsatisfactory Discharge
3. New Adjudication / Legal Action

Appendix M. Juvenile Community Corrections (JCC) Grants

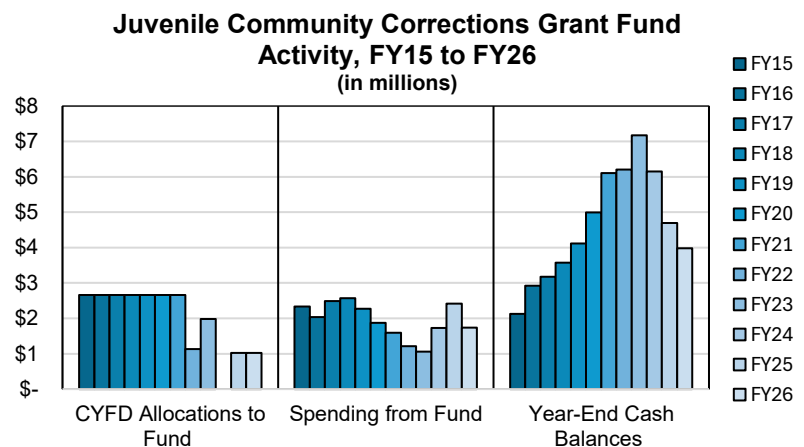
Under the state Juvenile Community Corrections Act, CYFD is responsible for administering a statutory juvenile community corrections grant fund and allocating grants from the fund to local entities “to provide community corrections programs and services for the diversion of adjudicated delinquents to community-based services.” (Section 33-9A-3 NMSA 1978). Based on an application process, CYFD can award grants to local governments or other nonprofit or for-profit organizations to provide services for juveniles who have been adjudicated in court and sentenced to probation or on supervised release from a CYFD secure facility. Local selection panels (consisting of representatives from the judiciary, office of the district attorney, office of the public defender, local law enforcement, and private citizens) recommend adjudicated juveniles for local JCC programming. During the 2025 regular legislative session, legislation was introduced (House Bill 255) to expand eligibility for JCC programming and services to non-adjudicated juveniles. The legislation did not pass.

CYFD requires JCC service providers to provide evidence-based program services for improving life skills such as maintaining healthy relationships, work and study habits, budgeting and paying bills, and planning and setting goals. Data on program impacts are limited because few juveniles receiving JCC services complete the expected life skills assessment surveys at the initiation and completion of JCC programming. In FY24, only 27 percent of juveniles receiving JCC services completed both the initial and final skills assessments but those who did reported improvement in life skills. CYFD data indicate that program participation decreased by 34 percent over the past five years from 663 JCC program participants in FY20 to 438 JCC program participants in FY25 (most recent data available). In FY25, CYFD awarded \$2.4 million in JCC grant funds to 14 service providers serving 21 communities but only \$1.9 million was spent by communities.

Cash balances in the juvenile community corrections grant fund grew over time as spending consistently remained below CYFD allocations to the fund. Spending from the fund has recently increased from a low of \$1 million in FY23 and cash balances have declined from a peak of \$7 million since then.



Source: LFC analysis of CYFD data.

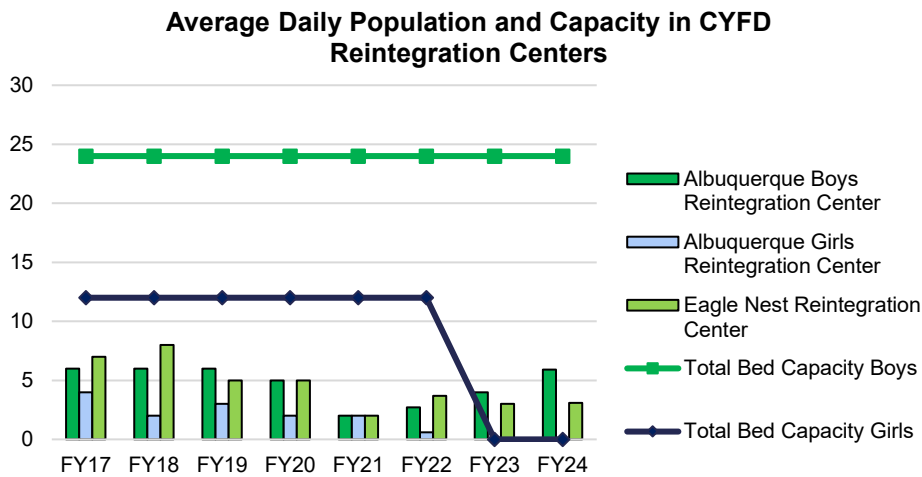


Notes: Spending includes actual spending and encumbered spending. FY26 data are extrapolated from the first three months of FY26 actuals.

Source: LFC analysis of CYFD SHARE data

Appendix N. CYFD Reintegration Centers Data

CYFD operates reintegration centers which provide non-secure residential care to youth who receive probation or supervised release after court adjudication. The three facilities operate under 12-bed capacities at each location which includes the Albuquerque Boys Reintegration Center, Albuquerque Girls Reintegration Center, and the Eagle Nest Reintegration Center. The average number of residents at these facilities has changed over time but the total number of residents stayed below maximum bed capacity. The Albuquerque Girls Reintegration Center operated as the sole reintegration facility for female youth until it started experiencing decreased use in FY22 before closing in FY23. As of a 2023 LFC progress report on juvenile justice facilities, CYFD was using the former Albuquerque Girls Reintegration Center to instead house children in CYFD Protective Services Division custody.



Source: LFC analysis of CYFD data.

Appendix O. Select Citations

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