

# Second Presentation to Task Force: Key Findings from System Analysis

September 19, 2017

CSG Justice Center Presenters

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# About the CSG Justice Center



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

**JUSTICE** ★ **CENTER**  
THE COUNCIL OF STATE GOVERNMENTS

Provides practical, nonpartisan research-driven strategies and tools to increase public safety and strengthen communities

# About the National Reentry Resource Center



- Authorized by the passage of the Second Chance Act in April 2008
- Launched by The Council of State Governments Justice Center in October 2009
- Administered by the U.S. Department of Justice's Bureau of Justice Assistance

The CSG Justice Center selected New Mexico to participate in IOYouth because of the state's history of juvenile justice reforms and the commitment of state leadership across branches of government.

Adoption of the Cambiar model and an emphasis throughout CYFD on a more rehabilitative approach

Significant reduction in population of youth in facilities and overall referrals to the juvenile justice system

Implementation of the Juvenile Detention Alternatives Initiative

Implementation of new probation conditions agreement

Level or increased funding for juvenile justice services

Commitment to transparency and improvement

Supreme Court Justice Barbara Vigil and CYFD Secretary Monique Jacobson launched IOYouth in April 2017, with the support of Governor Susana Martinez.



A statewide task force oversees the IOYouth initiative, and will determine what steps can be taken to strengthen public safety and improve outcomes for youth in the juvenile justice system.

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

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

**Lancing Adams, Office of Governor Martinez**

**Chuck Barth, 2nd Judicial District**

**Ben Baur, Law Office of the Public Defender**

**Representative Gail Chasey, New Mexico  
Legislature**

**Nick Costales, Children, Youth & Families  
Department**

**Amber Hamilton, Roosevelt County**

**Senator Gay Kernan, New Mexico Legislature**

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

**Amy Orlando, New Mexico Department of  
Public Safety**

**Sam Ornelas, New Mexico Public Education  
Department**

**Jennifer Padgett, 1st Judicial District**

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

**Jason Rael, Law Office of the Public Defender**

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

**Representative Patricio Ruiloba, New Mexico  
Legislature**

**Britt Snyder, Chaves County Sheriff's Office**

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

**Sharon Stover, Los Alamos County**

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

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

**Representative Monica Youngblood, New Mexico  
Legislature**

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## 01 IOYouth Assessment

## 02 Assessment Results

- Supervision
- Service Delivery
- System Performance
- Outcome Tracking

## 03 Next Steps

# The IOYouth assessment focused on four key questions:



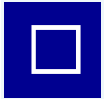
**Supervision:** Are youth being matched with **the appropriate level of supervision based on their risk of reoffending?**



**Service Delivery:** Are **limited resources prioritized for services for those youth most at risk of reoffending**, and are the services youth receive in the community and in facilities demonstrated by research to improve outcomes for youth?



**System Performance :** To what extent are youth in contact with the juvenile justice system **reoffending and successfully completing the terms of their supervision?**



**Outcome Tracking:** Is **system performance and recidivism being measured** in a consistent and comprehensive way, and is data used to guide key policy, practice, and resource allocation decisions?



## The following goals and context help guide the IOYouth assessment in New Mexico:

- The goal of the assessment is not to detail all activities and strengths of the juvenile justice system, but **to identify key barriers to improving outcomes for youth** and advance policy, funding, and practice changes to address these barriers.
- The assessment shows what is happening in New Mexico’s juvenile justice system and whether policies and practices are aligned with **what research shows works to improve outcomes for youth**. The taskforce is best positioned to identify why the system functions this way and establish priorities for improvement.
- **Most, if not all, juvenile justice systems struggle to prevent youth from reoffending**—re-arrest rates are often as high as 50 percent within 1 - 2 years for youth on community supervision, and even higher for youth returning from facilities.
- Every state with which the CSG Justice Center has partnered **struggles to match youth with the appropriate level, type, and quality of supervision and services**.
- The CSG Justice Center **commends CYFD and other systems stakeholders** for their transparency, willingness to have their challenges publically reviewed and discussed, and their commitment to improvement.

Case-level and survey data from multiple sources inform the assessment results presented today.

Data	Source
<b>Continuum Grant Data</b>	CYFD, Juvenile Justice Services
<b>Statewide Community Supervision and Detention Data</b>	CYFD, Juvenile Justice Services
<b>Commitment and Supervised Release Data</b>	CYFD, Juvenile Justice Services
<b>CYFD Budget and Expenditure Data</b>	CYFD, Juvenile Justice Services
<b>Survey Data</b>	Juvenile Court Judges, Tribal Judges, District Attorneys, Public Defenders, Juvenile Probation Officers

The CSG Justice Center conducted more than 50 individual interviews and focus groups with an array of system stakeholders, which also inform the assessment.

- Youth and families
- Juvenile Court Judges and Tribal Judges
- District Attorneys
- Public Defenders
- Victim Advocates
- Juvenile Probation Officers and Supervisors
- New Mexico Public Education Department
- Albuquerque Public Schools
- University of New Mexico Children's Law Institute
- Juvenile Justice Advisory Committee Members
- Child Protective Services
- Continuum Board Coordinators and Chairs
- Juvenile Community Corrections Providers
- Residential Treatment Centers
- Transition Coordinators and Education Transition Coordinators
- Camino Nuevo Superintendent, Supervisors and Staff
- Youth Diagnostic and Development Center Superintendent, Supervisors and Staff
- John Paul Taylor Center Supervisors and Staff
- Law Enforcement
- New Mexico Sentencing Commission

# Notes about the System Assessment Results

## 1. **Based on data available** through the Children, Youth & Families Department, Juvenile Justice Services Division:

- Does not include program or service delivery information
- Includes limited recidivism and youth outcome data

## 2. **Data includes information on:**

- Youth referred to and active within juvenile probation departments statewide
- Youth served through all Continuum Grant funded programs
- Appropriations and expenditures by category and department

## 3. **Details findings from:**

- FY 2012 to FY 2016 for juvenile justice system involved youth
- FY 2012 to FY 2017 for CYFD and Continuum expenditures
- FY 2017, Quarters one through 3 for youth served by Continuum grants

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01 IOYouth Process

02 **Assessment Results**

- **Supervision**
- Service Delivery
- System Performance
- Outcome Tracking

03 Next Steps

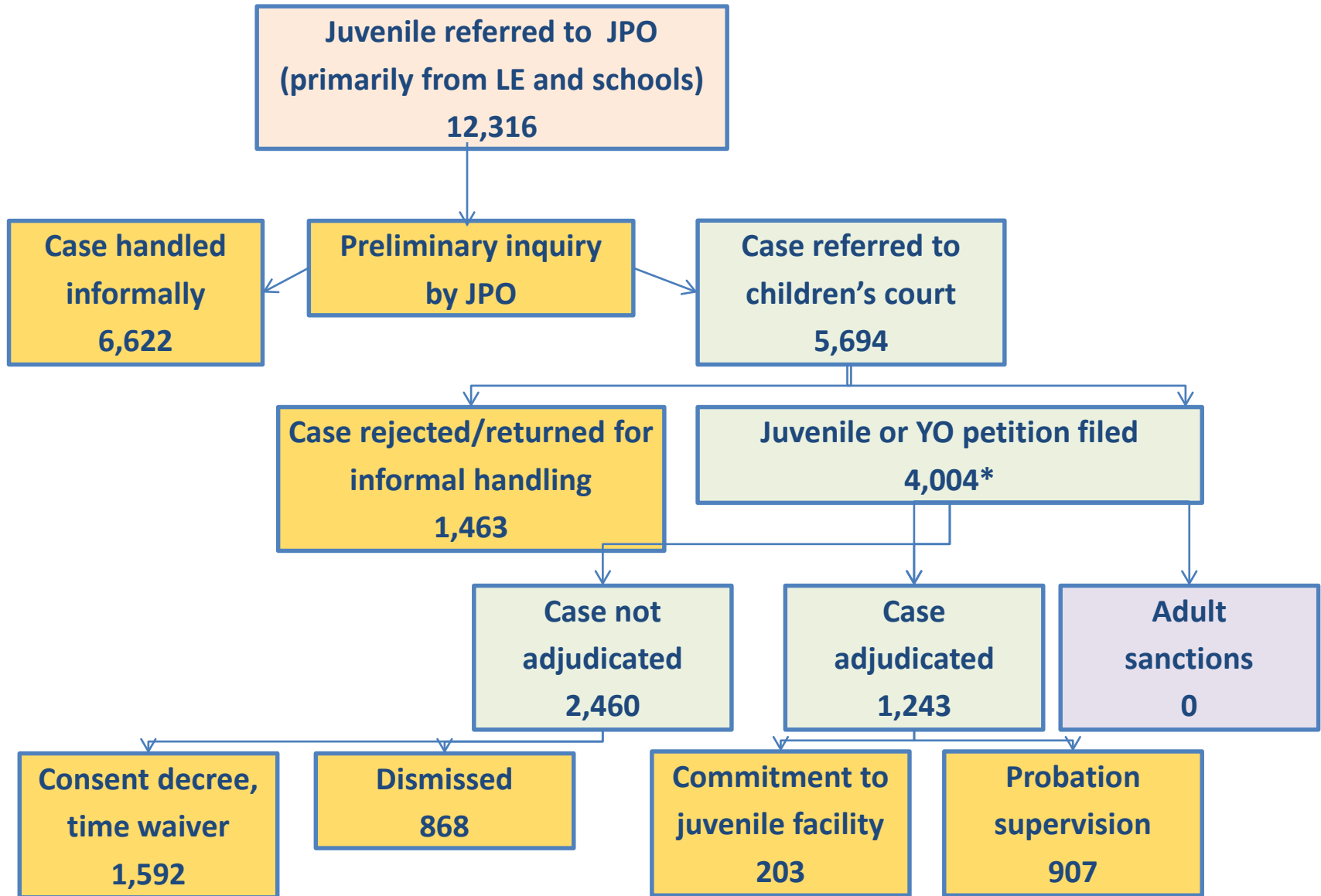
# Assessment Key Takeaway #1



**Supervision:** Are youth being matched with **the appropriate level of supervision based on their risk of reoffending?**

The number of youth being referred to and supervised by the juvenile justice system **has declined significantly**, and generally, **only repeat and serious offenders are ending up at the deepest end of the system**. At the same time, there are **opportunities at every step of the juvenile justice continuum to better tailor the level and length of supervision** to youths' assessed risk of reoffending to ensure system resources are focused on those youth most likely to reoffend.

Multiple systems are responsible for how youth enter and exit the juvenile justice system (#'s from FY2016).



\* 301 cases referred in FY16 were pending disposition

New Mexico has recently adopted significant reforms to reduce the number of youth who are referred, detained, supervised, and incarcerated.

### Juvenile Detention Alternatives Initiative (JDAI)

- JDAI principles are codified in NM statutes
- Local model site established in Bernalillo County
- Statewide replication of JDAI is under way

### Statewide Probation Conditions Agreement

- Probation agreement contains only conditions that are matters of public safety
- Agreement also includes incentives
- Other conditions in the previous agreement have been moved into the youth's plan of care

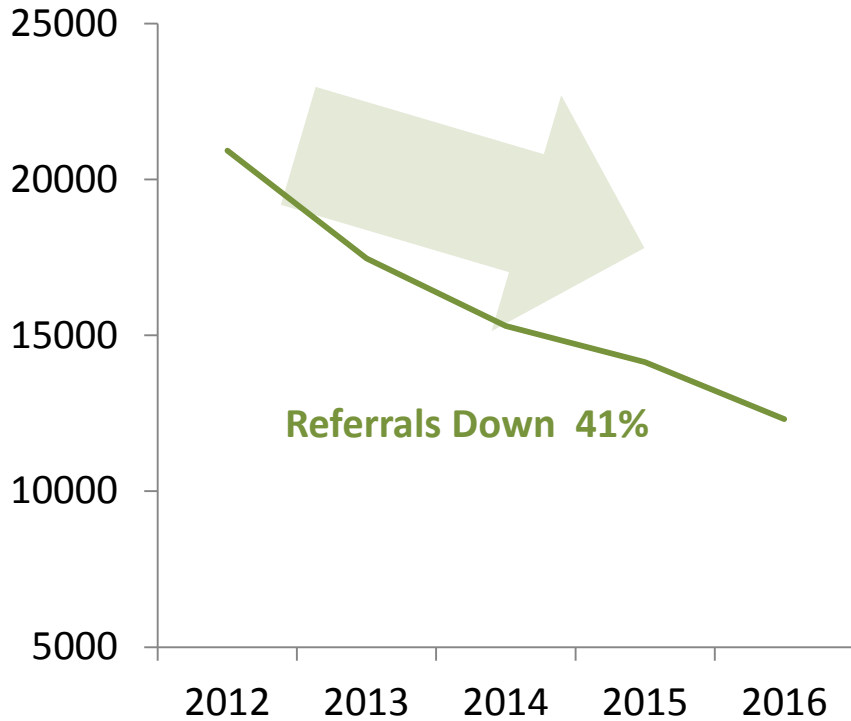
### Recent Statutory Language and Policy Changes

- Statute allows for handling 3 misdemeanor offenses without DA or court involvement
- Statute allows referrals to come directly to probation
- Policy changes adopted around supervised release and use of reintegration centers
- Statute requires the use of the RAI prior to detention

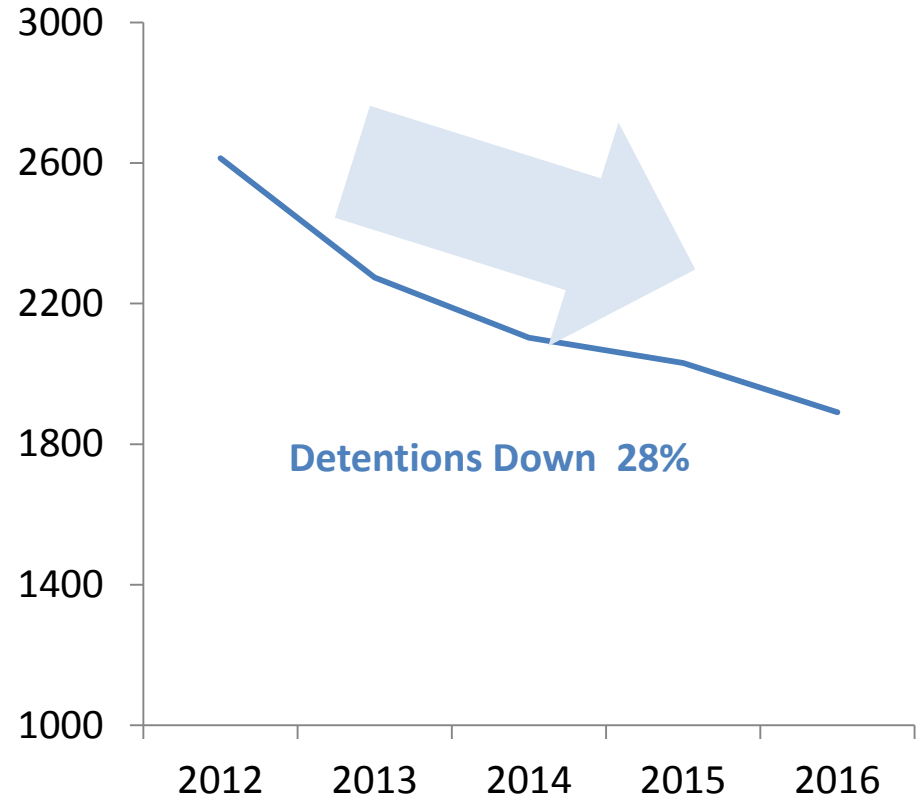


Referrals to the juvenile justice system have declined more than 40 percent and detentions have declined 28 percent since 2012.

**Referrals to the Juvenile Justice System, FY2012 – FY2016**

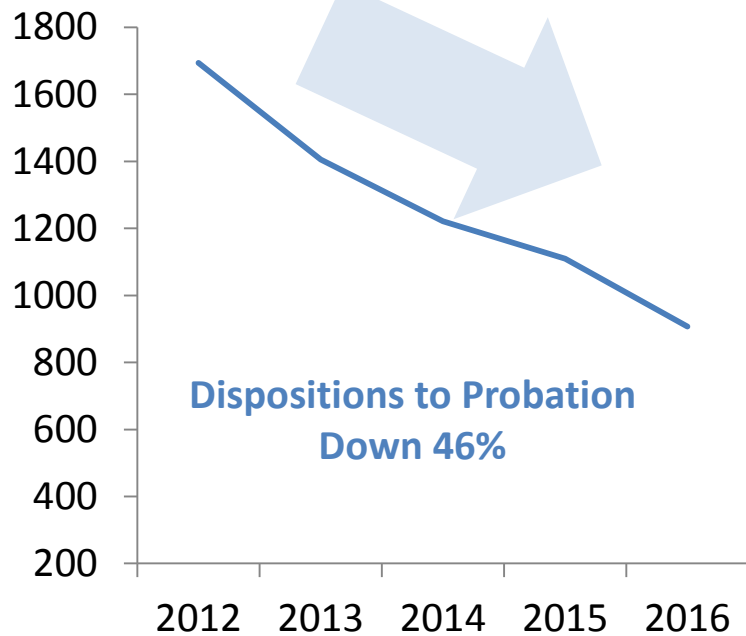


**Detentions, FY2012 - FY2016**

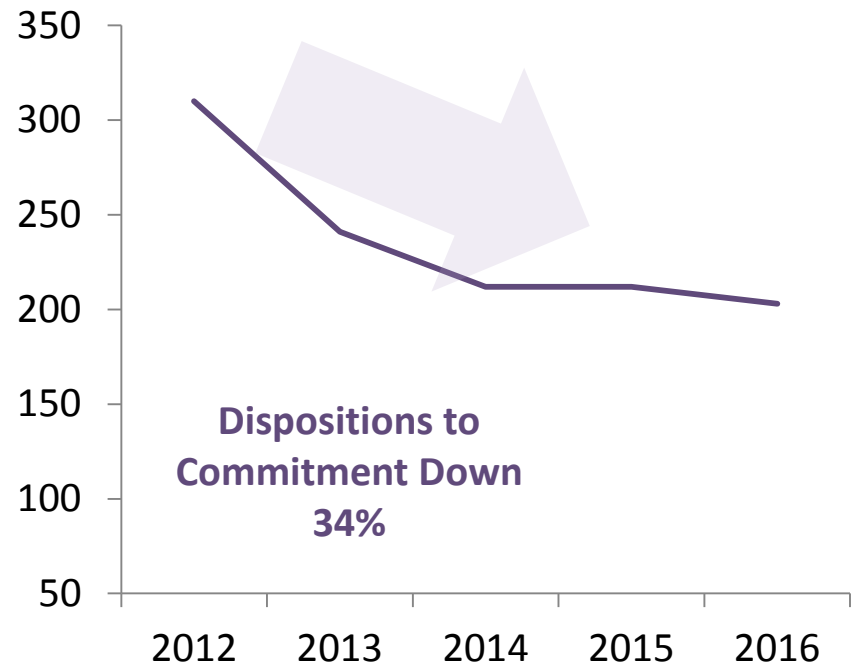


Probation dispositions have declined 46 percent and commitments have declined by over one third since 2012.

**Probation Dispositions,  
FY2012 - FY2016**

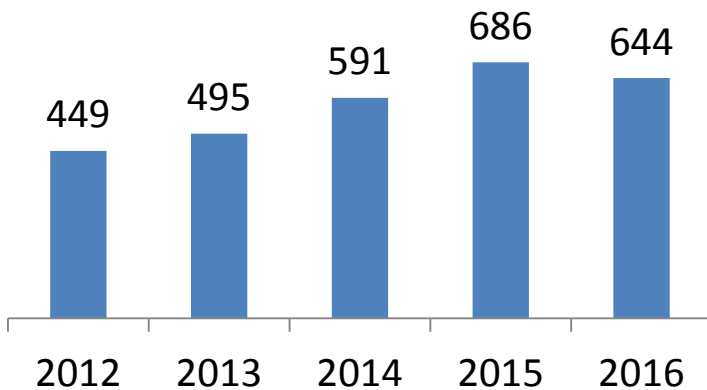


**Commitment Dispositions,  
FY2012 - FY2016**



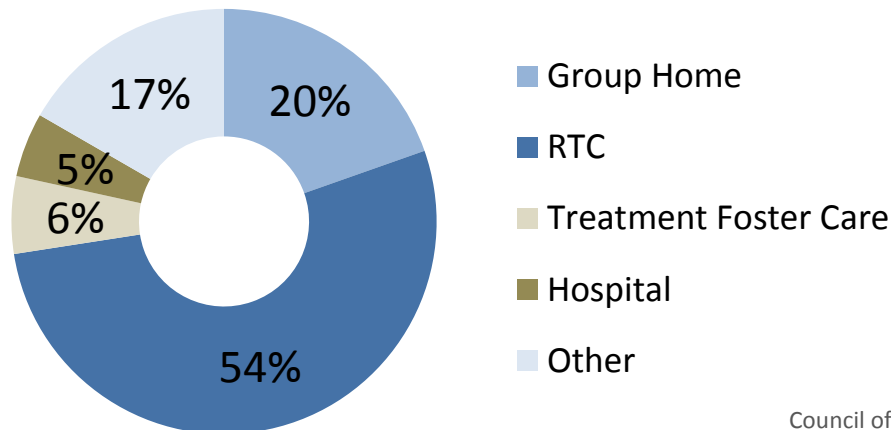
Non-secure out of home placements (OOHP) are the one point in the system that has increased, by 43 percent since 2012.

**Number of Out of Home Placements,  
FY2012 - FY2016**



FY	Average Daily Population	Average LOS (days)
2012	180	147
2014	218	129
2016	217	133

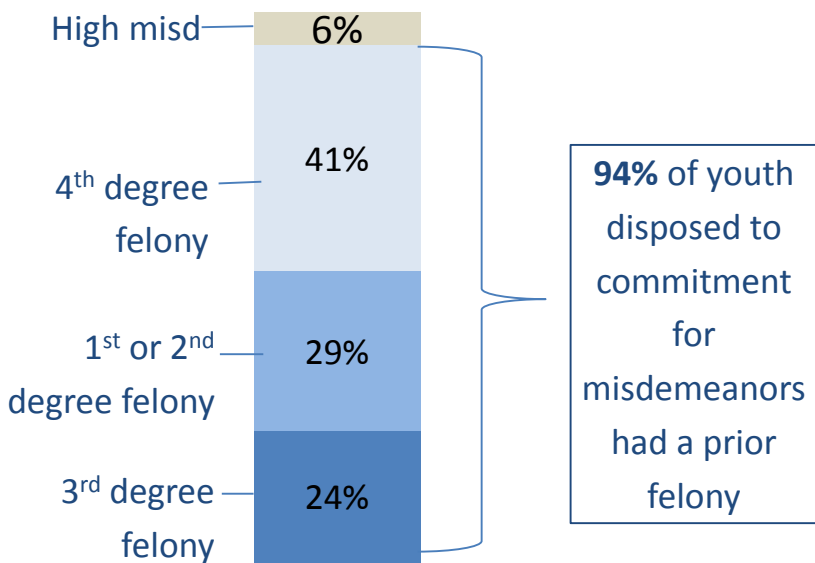
**Out of Home Placements by Placement Type, FY2016**



While most youth disposed to commitment are due to misdemeanors or probation violations, the vast majority have had at least one prior felony.

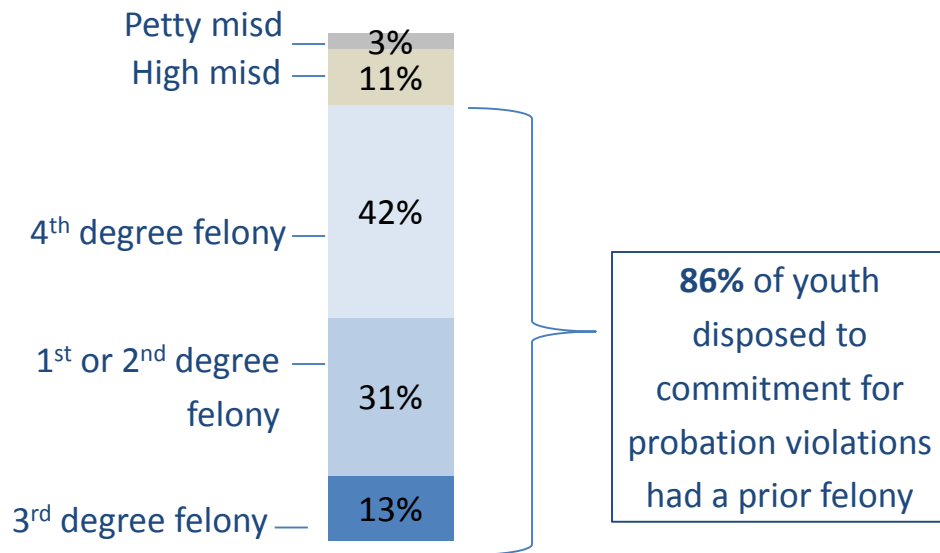
### Misdemeanor Commitments

Dispositions to commitment for a misdemeanor, distribution by most severe prior offense, FY2016



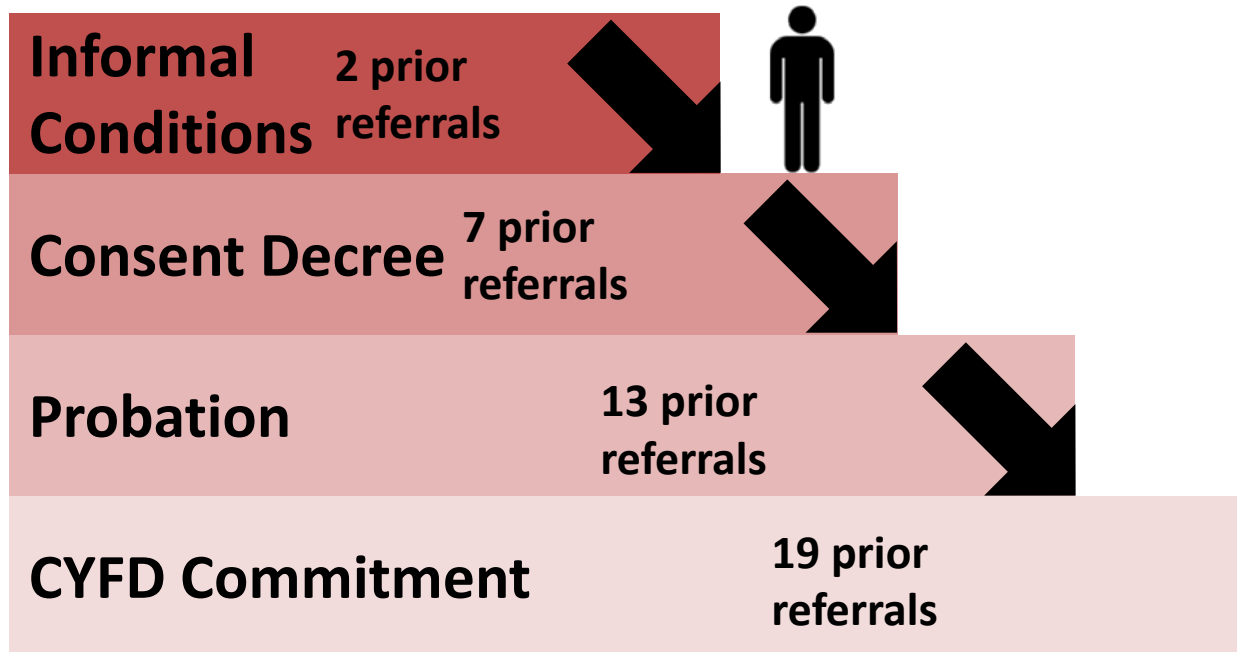
### Probation Violation Commitments

Dispositions to commitment for a probation violation, distribution by most severe prior offense, FY2016



The majority of youth being disposed to the most intensive forms of system supervision are also repeat offenders.

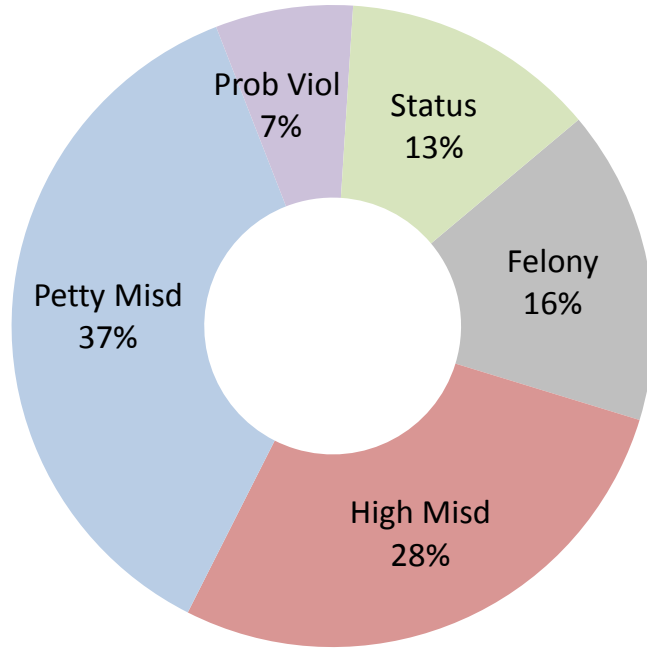
### Average Number of Prior Referrals for Youth by Disposition, FY2012 – FY2016



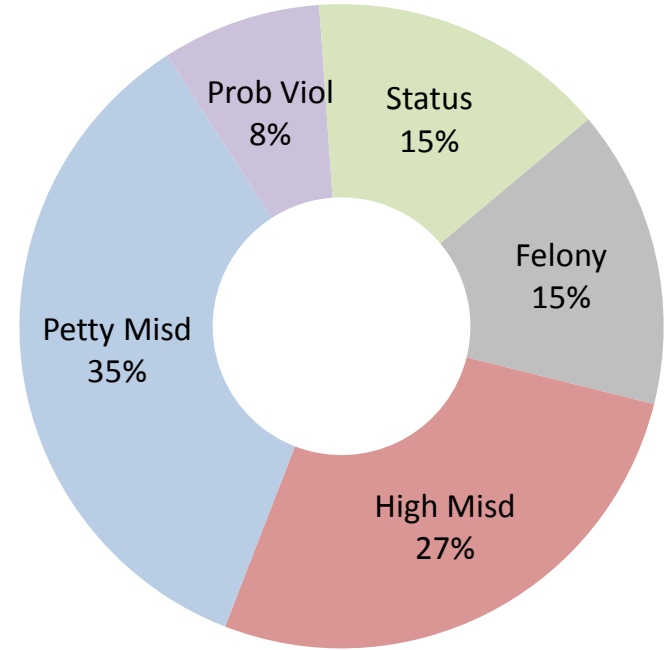
\*While it's appropriate that the most intensive forms of supervision are reserved for serious and repeat offenders, a core group of youth are cycling repeatedly through the system. These youth who are at high risk of reoffending need to be identified and matched to the most appropriate level/length of supervision earlier on in their system involvement, and system resources need to be disproportionately focused on meeting their risks/needs.

Half of all court referrals were comprised of petty misdemeanors and status offenses in 2016, which remains unchanged from 2012.

**Referrals by Offense Level, FY2012**



**Referrals by Offense Level, FY2016**

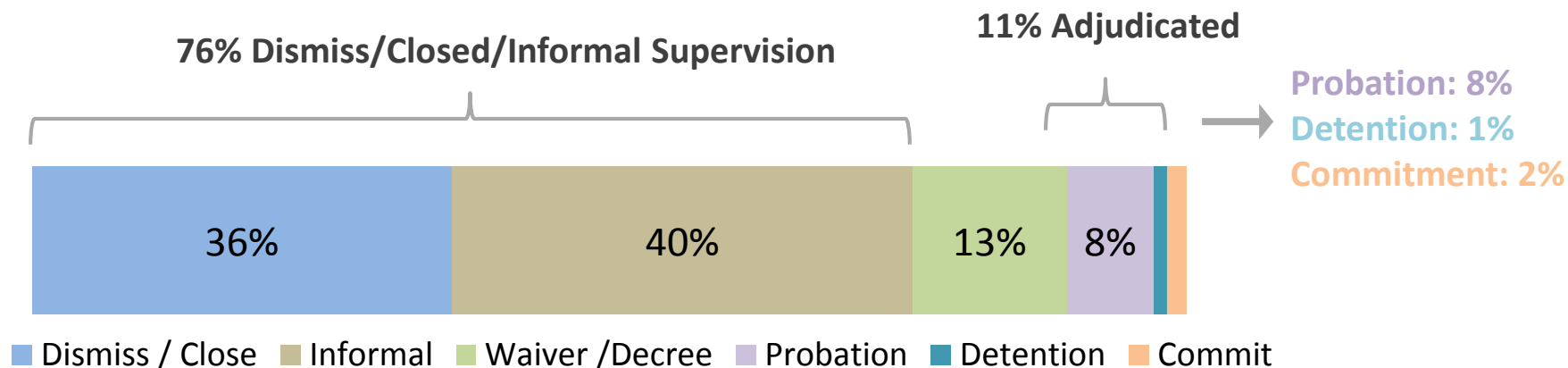


**Felony Referrals by Degree, FY2012 and FY2016**

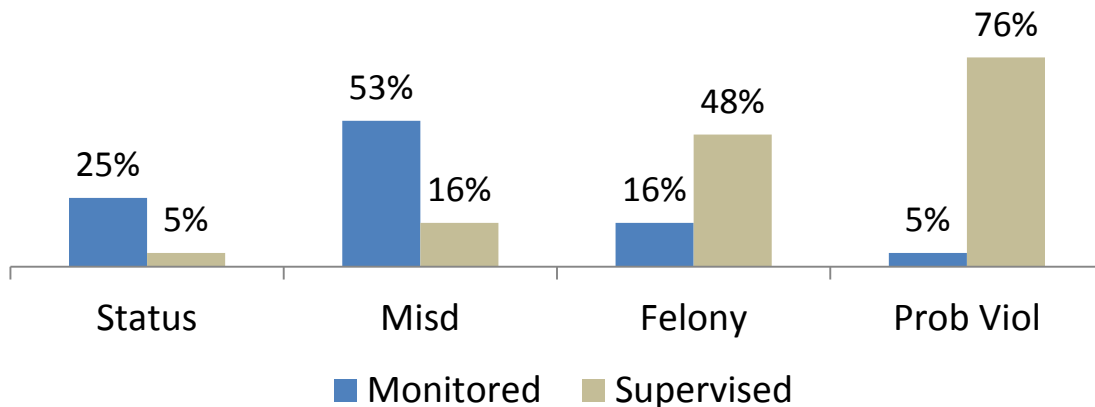
	1 <sup>st</sup> Degree	2 <sup>nd</sup> Degree	3 <sup>rd</sup> Degree	4 <sup>th</sup> Degree
FY 2012	0.4%	1.0%	3.4%	10.8%
FY 2016	0.6%	1.1%	2.9%	10.4%

Seventy-six percent of referred youth do not receive formal supervision; however many of these youth still receive some form of system monitoring and services, potentially diverting manpower and resources from higher risk youth.

### Disposition Outcome, FY2016

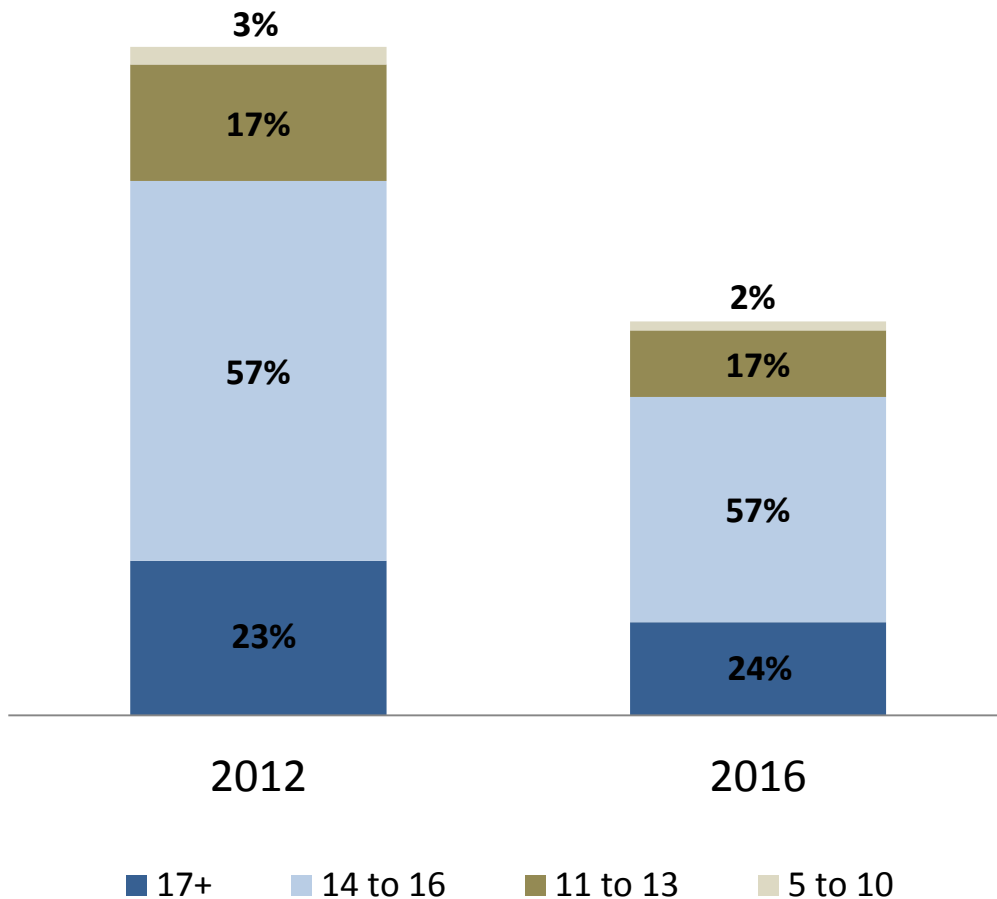


### Type of Disposition by Offense Type, FY2016



Youth ages 5 to 10 account for a small but consistent proportion of referrals to the juvenile justice system, and the majority of these youth are referred for status offenses (non-delinquent) or petty misdemeanors.

**Referrals by Age Group, FY2012 and FY2016**



**Youth 5 to 10 Referred in FY2016**

Referral Source:

45% Schools  
50% Law Enforcement

Offense:

53% Status  
32% Misdemeanor

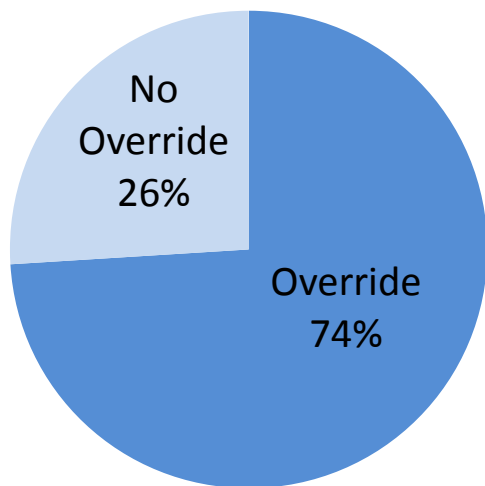
Handling:

35% Informal Supervision  
62% Diverted

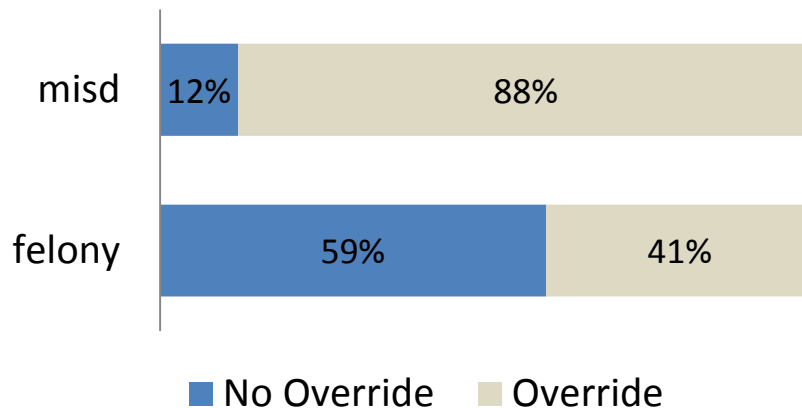


Overrides of the detention risk assessment instrument (RAI) are common, most often due to the lack of supervision or availability of care in the community and/or at home.

**Majority of Detentions Resulted from Overrides, FY2012 – FY2016**



**Detentions by Offense Level and Override Decision, FY2016**



**More than half of detention overrides were for the following supervision/care-related reasons:**

- No adequate supervision/care (51%)
- Parents refuse custody (10%)
- Parents located but unavailable (3%)

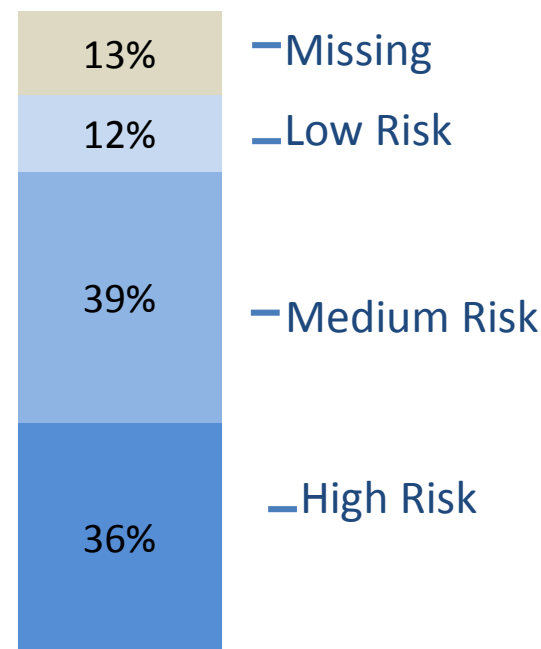
**Increased fidelity to the RAI could keep more youth in the community and allow for more intensive services/supports for those youth who are detained.**

The Structured Decision Making (SDM) tool has not been validated since 2008 and is not being used consistently to inform supervision decisions.

### Challenges with the SDM Tool

- Tool **needs to be revalidated** given length of time and change in population since 2008
- **Too few youth are being identified as low risk**
- Tool is **not used to inform disposition** decisions, as disposition and adjudication often happen on the same day
- Tool is **not designed to determine supervision lengths or lengths of stay**
- Tool is **not being used to prioritize** who receives services and **to match youth to services** that meet their needs

### Risk Level for Adjudicated Cases Only, FY2016



The SDM tool and youths' risk of reoffending are not significant factors in guiding disposition and supervision decisions statewide.

Almost 75 percent of judges surveyed reported **not using the SDM tool to inform disposition decisions** or not knowing if they use the tool.

Only 3 of 23 attorneys and 3 of 26 judges surveyed believe that **a juvenile's risk of reoffending has the greatest impact on disposition decisions** and youth's level of supervision.

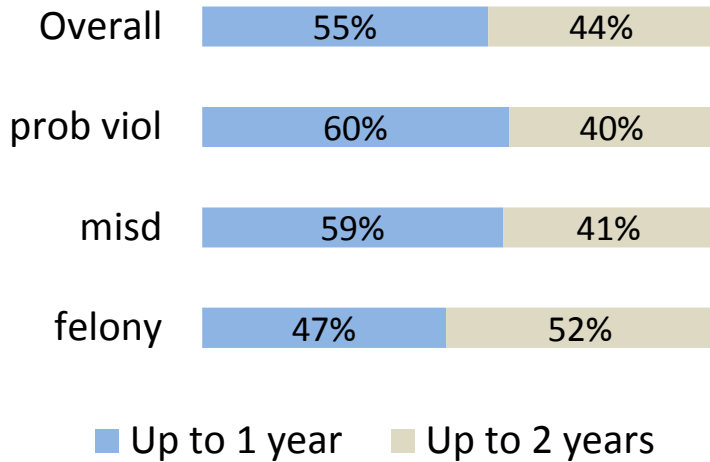
There is no statutory or policy requirement to **provide pre-disposition reports to the court.**

*"The SDM is not completed until after adjudication on new cases, and therefore can only be used for disposition recommendations on probation violations and new cases on youth already on probation."* - Judge

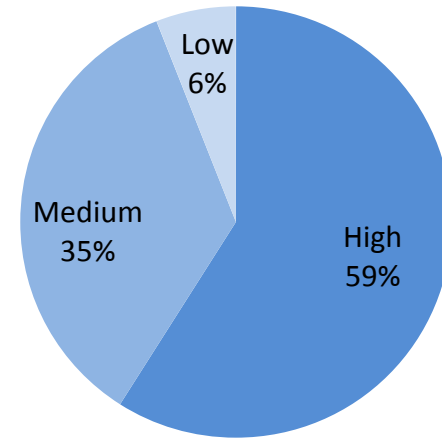
*"I see a lot of probation officers base their [disposition] decisions on the history of the client, such as the chronological offense record, types of offenses, current behavior, non-compliance."* – JPO

Almost half of youth disposed to probation receive a term of up to two years, regardless of offense type or risk level.

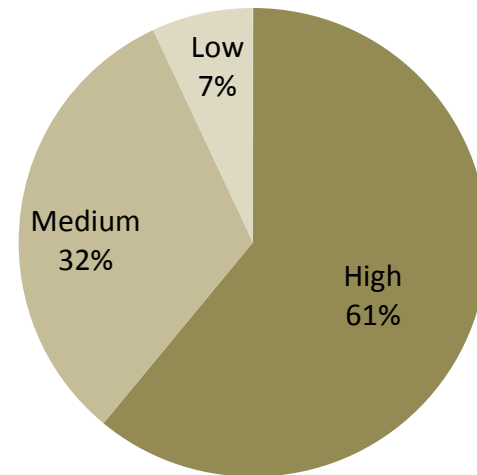
### Probation Disposition Sentence Length by Offense Level, FY2016



### Up to 1 Year Probation Terms by Risk Level, FY2016

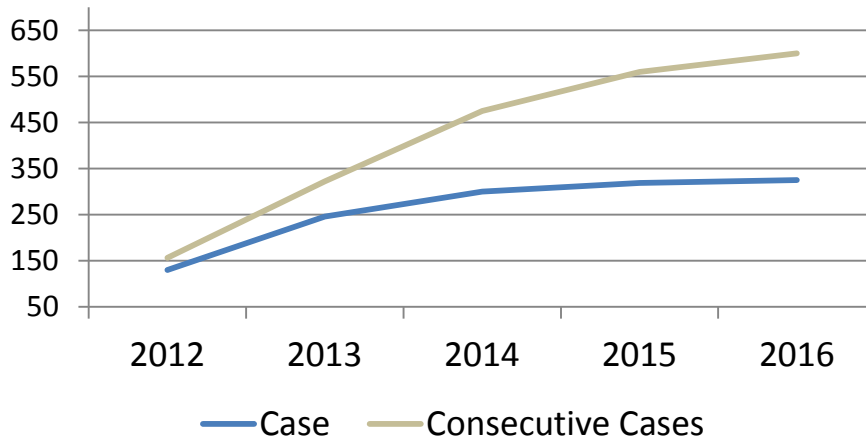


### Up to 2 Year Probation Terms by Risk Level, FY2016



The mean length of stay for a probation case increased by almost 200 days since 2012, and by almost 450 days for youth with consecutive probation cases.

**Mean Length of Stay (in days) on Probation Supervision, FY2012 – FY2016**



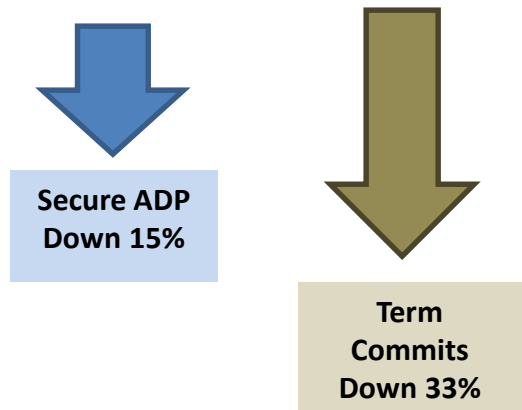
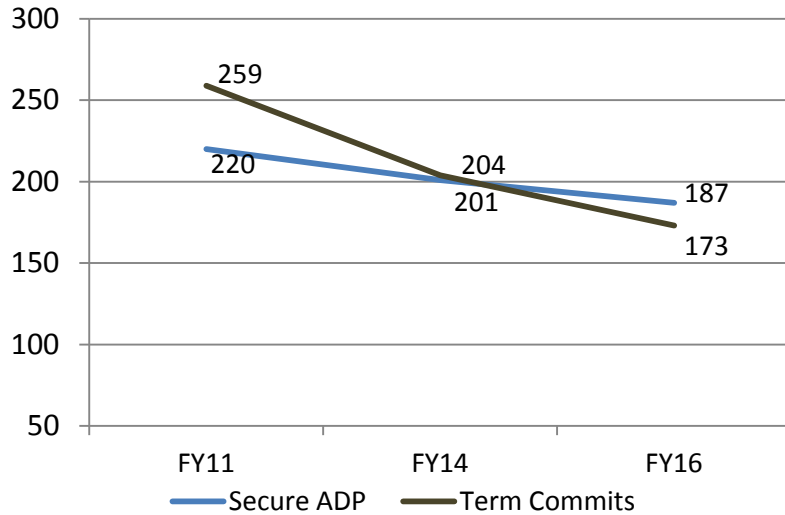
- The mean LOS for a probation case increased from 130 days in 2012 to 325 days in 2016
- For youth with consecutive probation cases their LOS on supervision increased from 156 days in 2012 to 600 days in 2016

**Release Reason for Youth Exiting Probation Supervision, FY 2016**

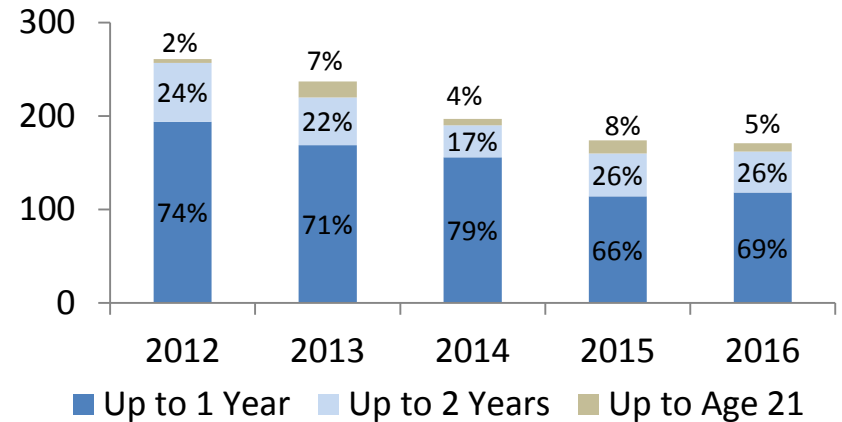
Early Release	32%
Expiration of Time	19%
New Term / Continued on Supervision	41%
Other	9%

Term commitments have declined at twice the rate of the secure average daily population, and the percent of youth receiving a commitment extension has doubled since 2012.

**Term Commitments and Average Daily Population of CYFD Secure Facility, FY2011 - FY2016**



**Commitments by Commitment Length, FY2014 – FY2016**

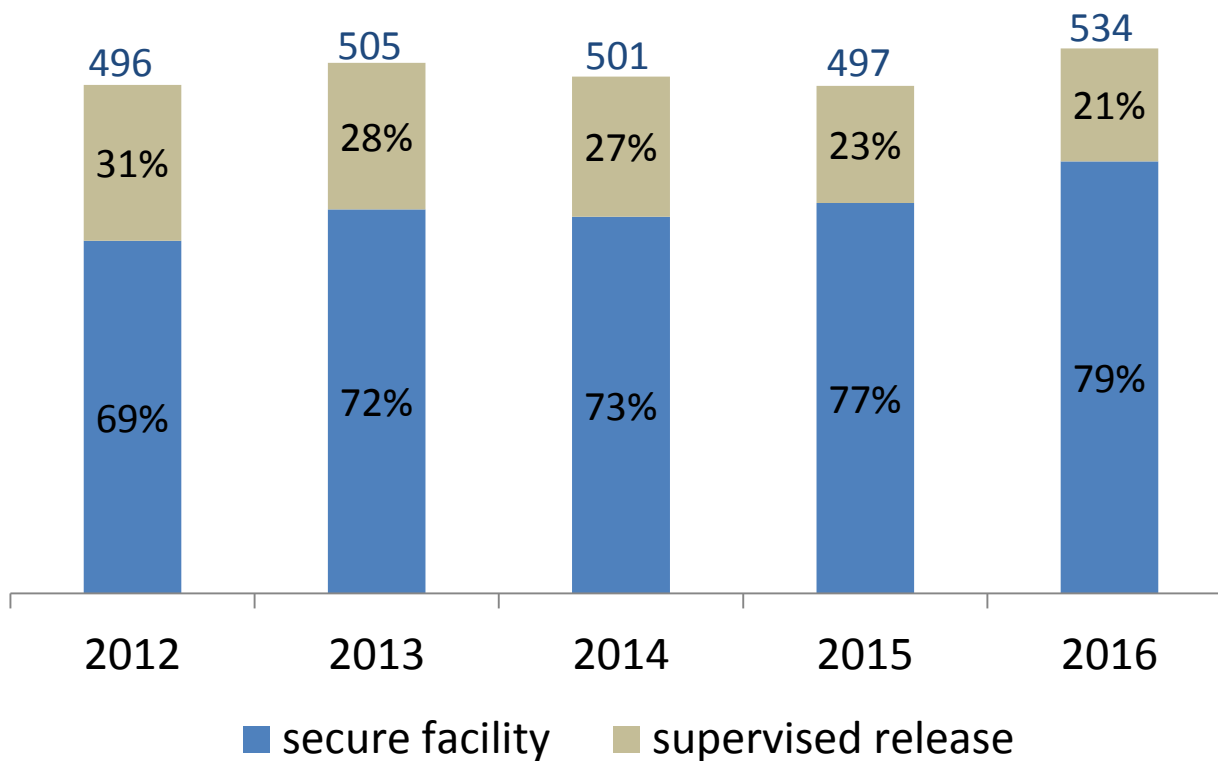


**Commitment Extensions and Days Extended, FY2012 – FY2016**

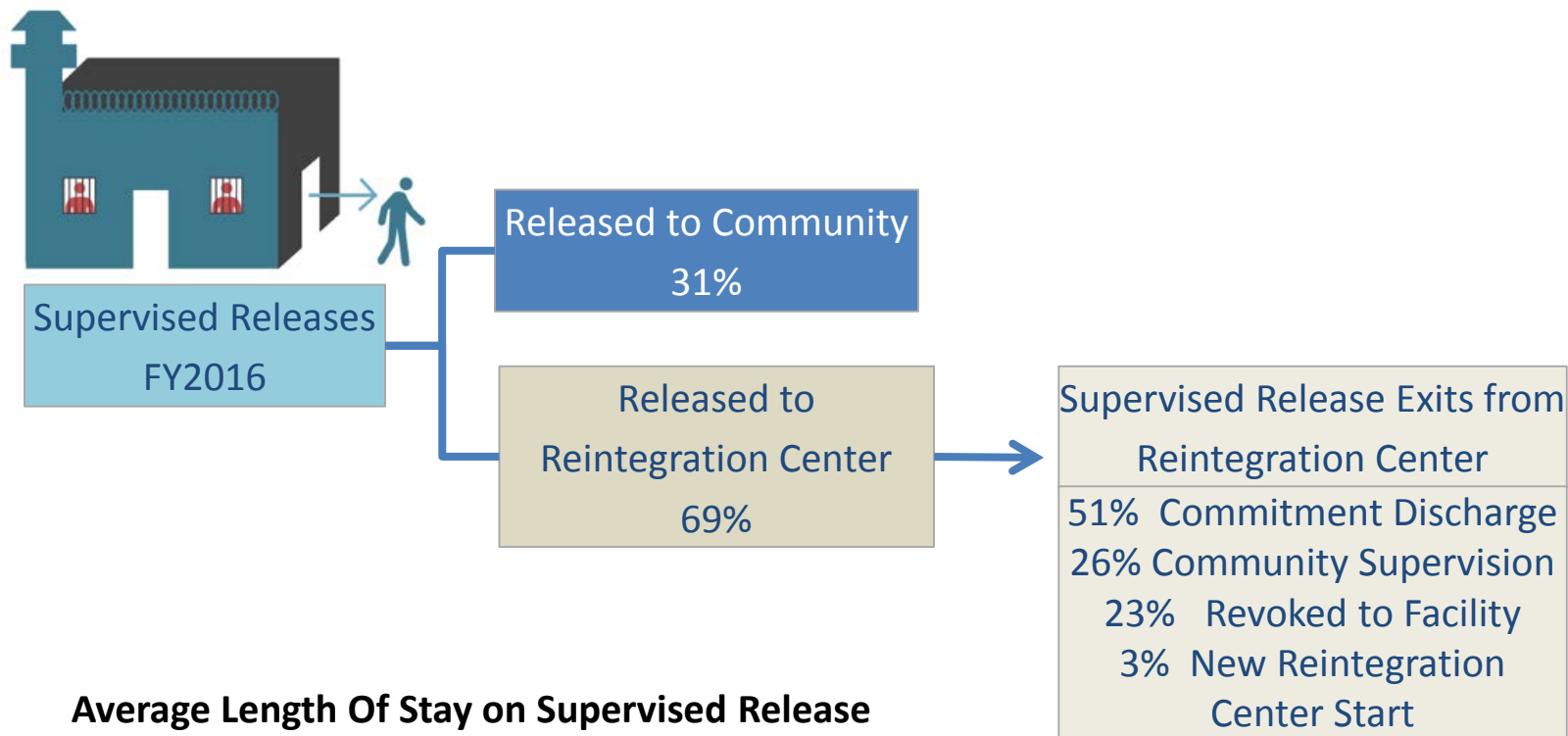
Original Expiration FY	% Youth Extended	Mean Days Extended
2012	5%	255
2013	3%	176
2014	6%	178
2015	14%	205
2016	12%	187

The mean length of stay for commitments has increased 10 percent since 2012, and the proportion of time a youth spends on supervised release has decreased 10 percent during the same time period.

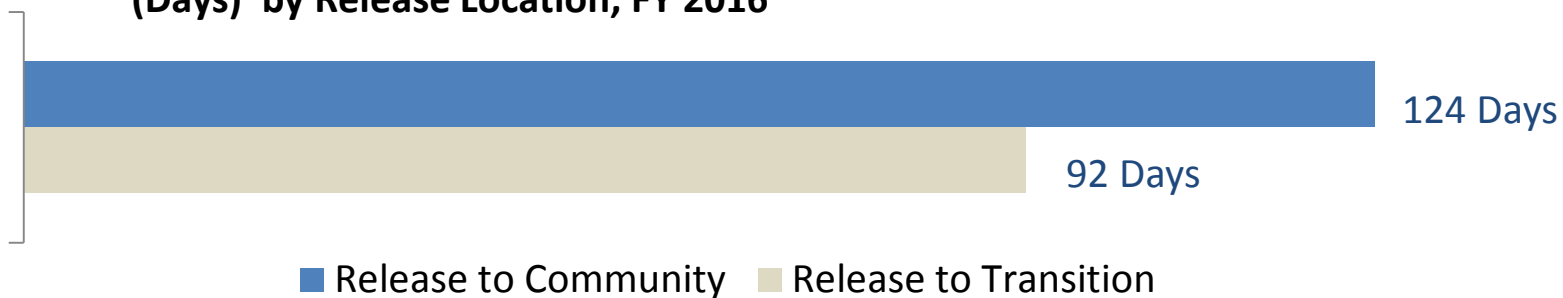
**Mean Length of Stay (in days) in Secure Facilities  
and on Supervised Release, FY2012 – FY2016**



Two thirds of supervised releases are released to a reintegration center and half are discharged from a reintegration center without community supervision.



**Average Length Of Stay on Supervised Release (Days) by Release Location, FY 2016**

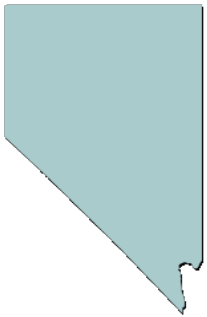




Many states have enacted policy changes to better match youth with the most appropriate level and length of supervision:



To address long lengths of stay and high costs of incarceration, Utah **implemented a risk/needs-based approach** to determine supervision and lengths of stay, and the state established a commitment **release matrix and release policies** that are based on a youth's risk of reoffending.



In 2017, Nevada passed legislation requiring **the statewide adoption of a risk and needs assessment** tool to be used by the courts **to inform disposition decisions, case planning, and length of supervision.**



In 2015, West Virginia passed legislation requiring the Supreme Court to **adopt a risk and needs assessment for juvenile dispositions** and the results **must be provided to the court prior to or at disposition.**

# The following are potential opportunities to address supervision challenges in New Mexico:

- Are there opportunities to **establish/strengthen pre-arrest diversion options for younger youth and youth with status/petty misdemeanor offenses**, to keep these youth from ever coming in contact with the juvenile justice system, and are there **youth receiving informal supervision who could be diverted completely from the system?**
- Are there opportunities to **strengthen detention override policies and practices**, and is there a need to **create more alternatives to detention across the state?** Is there sufficient collaboration with the child welfare system and other systems to keep youth out of detention?
- Are there opportunities to **revalidate the SDM tool or adopt a nationally validated risk assessment tool?** Can the state develop guidance and develop requirements around the use of the tool to guide **disposition, length of stay, and supervised release decision?**

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01 IOYouth Process

02 **Assessment Results**

- Supervision
- **Service Delivery**
- System Performance
- Outcome Tracking

03 Next Steps

## Assessment Key Takeaway #2



**Service Delivery: Are limited resources prioritized for services for those youth most at risk of reoffending,** and are the services youth receive in the community and in facilities demonstrated by research to improve outcomes for youth?

**Resources are not being used as efficiently as possible** to provide services to those youth most at risk of reoffending, and New Mexico **lacks sufficient policies, funding structures, and quality assurance tools and capacity** to ensure youth consistently receive services that are matched to their needs and that are effective.

Focus groups with youth and system stakeholders identified a number of programs and services as effective.



**Transition coordinators** are integral to supporting older youths' transition from a correctional facility back to the community.



**Educational services** in correctional facilities provide youth with learning opportunities that align with traditional public schools.

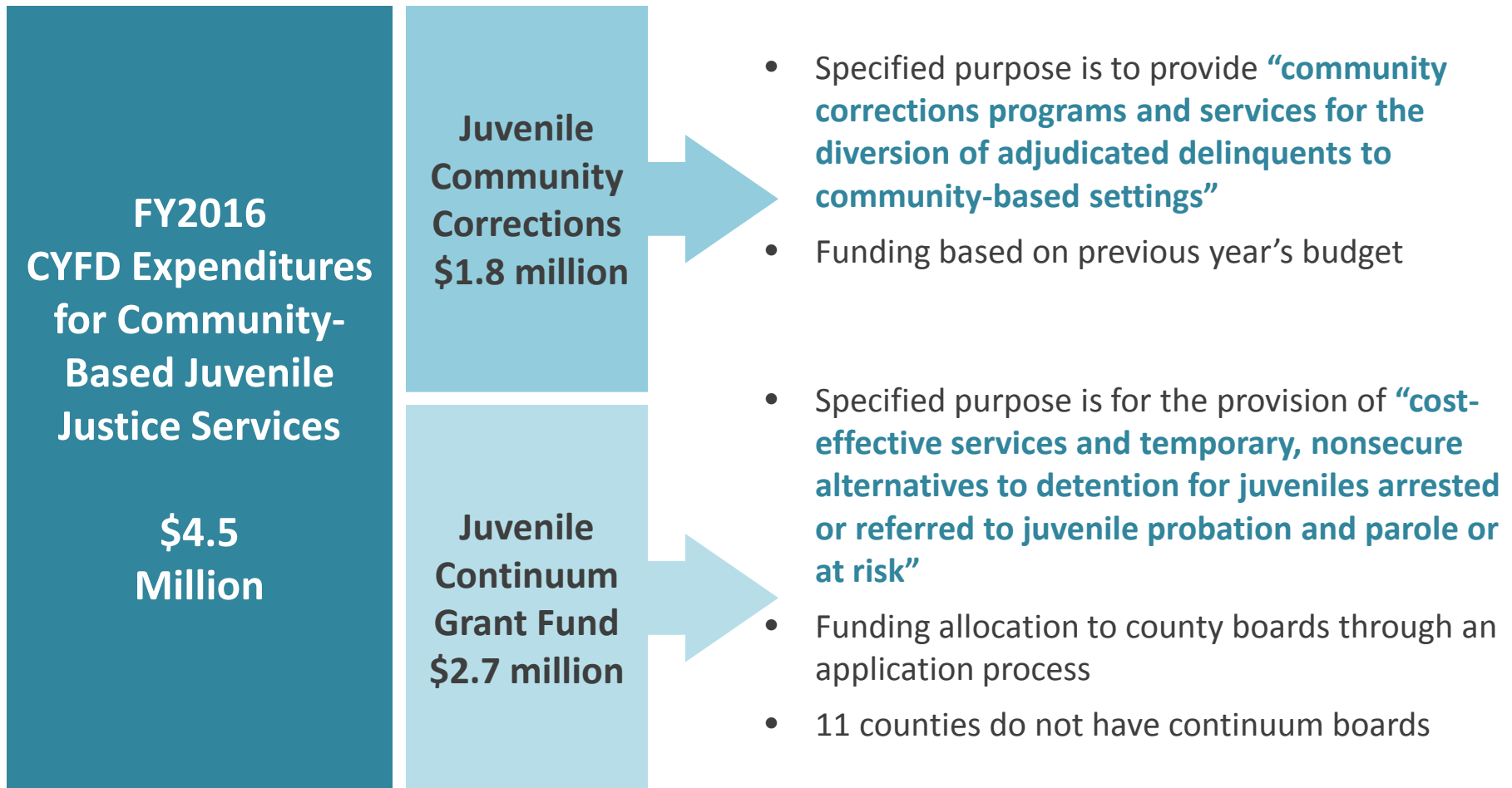


**The vocational program** at John Paul Taylor Center allows youth to gain real-world skills, and plans are in place to add these types of programs at other facilities.



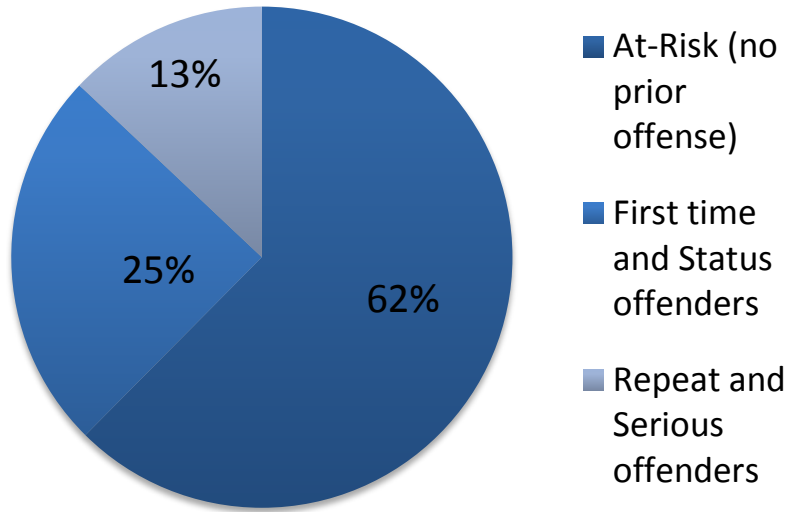
A growing number of **culturally responsive services** are available for Tribal youth in secure facilities.

In 2016, CYFD expenditures for community-based juvenile justice services through the Continuum Grant Fund and the Juvenile Community Corrections program totaled \$4.5 million.

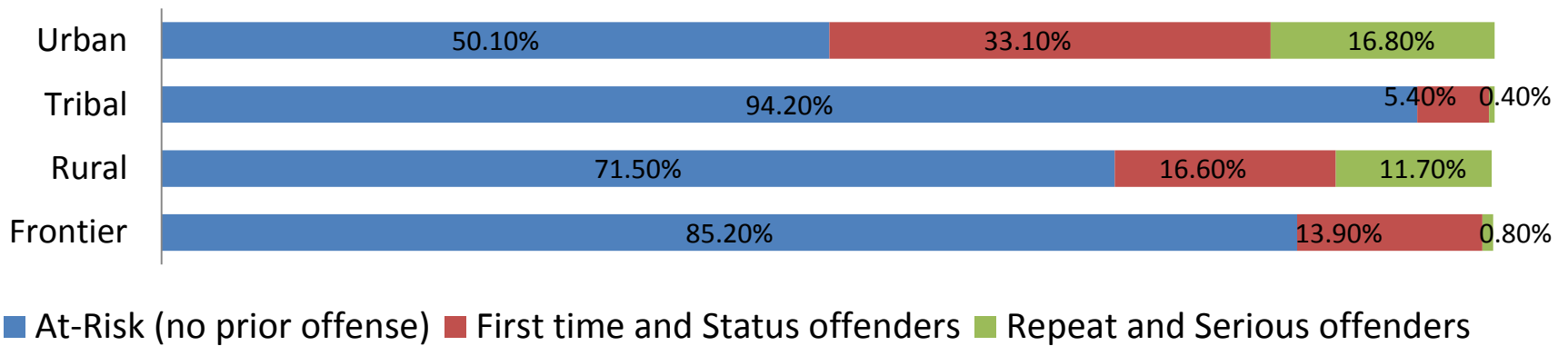
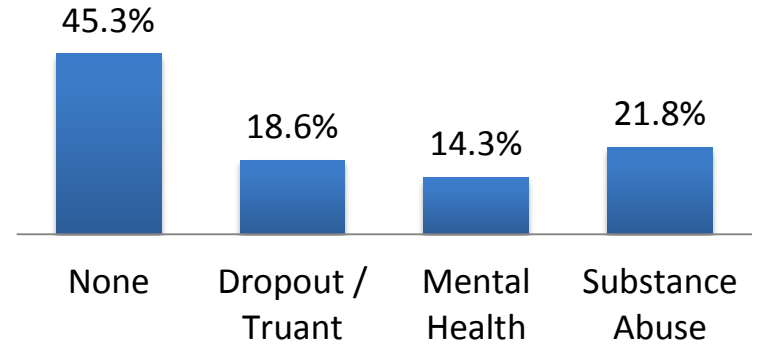


Continuum grant funds primarily serve lower-risk youth who have minimal, if any, juvenile justice system involvement.

**Continuum Population Served, FY2017**

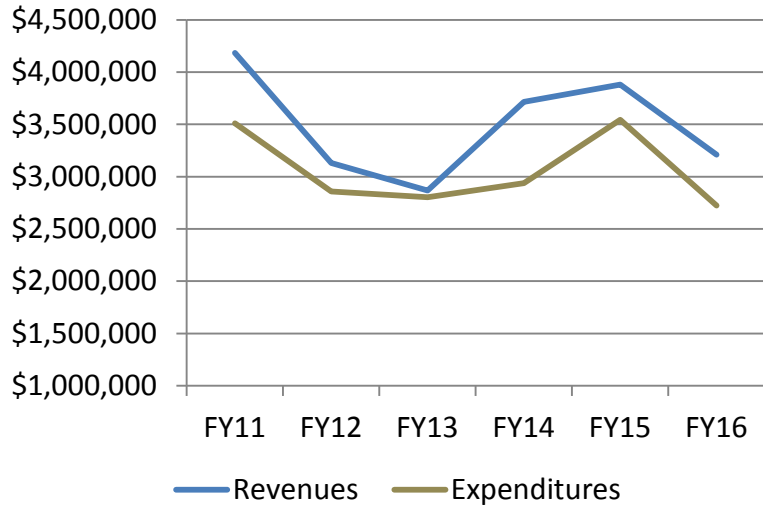


**Specialized Population Served, FY2017**



Continuum grants expenditures declined 22 percent since 2011, and recipient sites vary significantly in their spending per youth.

**Continuum Grant Revenues and Expenditures, FY2011 – FY2016**

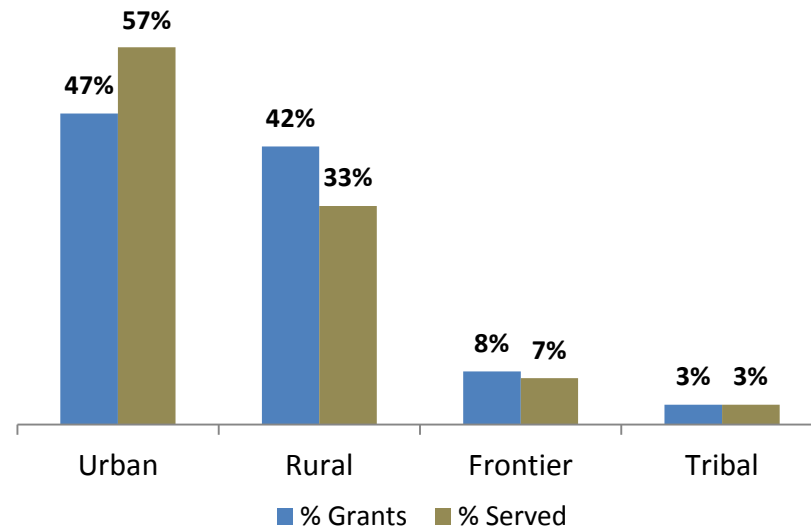


**Average Cost per Youth Served, FY2017**

Average State Cost	Average Grantee Cost	Total Cost
\$457.85	\$226.46	\$684.31

Continuum site cost per youth ranged from \$295.85 to \$1,415.29.

**Continuum Grant Locale by Percent of Total State Grant Funds and Youth Served, FY2017**





New Mexico lacks statewide policies and tools and the necessary quality assurance capacity to ensure that limited resources for services are used most effectively.

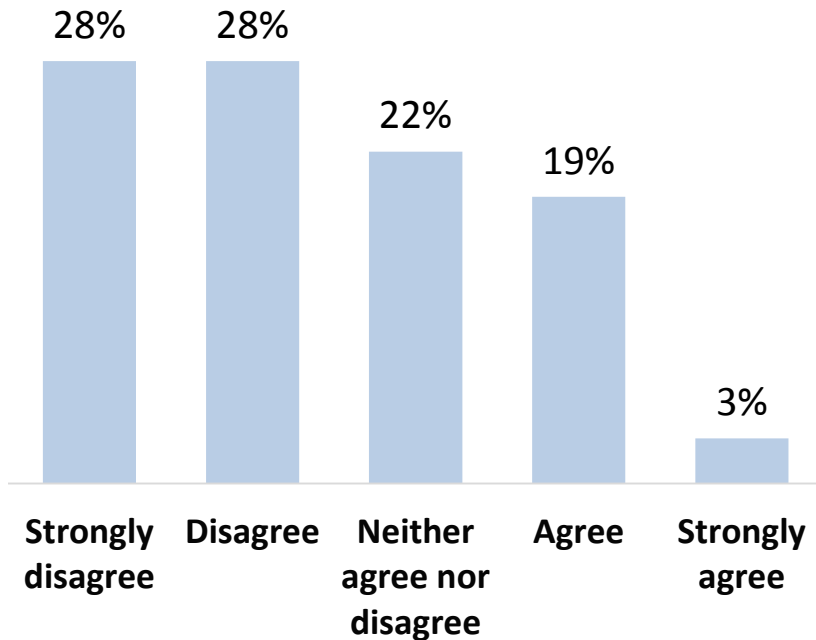
### KEY STRATEGIES NEW MEXICO CAN ADOPT TO MAXIMIZE RESOURCES

- Statutory, funding, and/or administrative **incentives/requirements for serving higher-risk youth** as well as for **using funds only for research-based** programs and practices
- Regular, ongoing **training, formal policies, and structured tools** for supervision staff, providers, and other stakeholders **on research-based services and to facilitate service matching**
- **Competitive procurements and provider contracts** that require the use of research-based programs and services, use a risk/needs approach, and are performance based
- **Service quality assessments and data** collection, analysis, and reporting on service populations, outputs, and outcomes to ensure that providers are held accountable and supported to improve outcomes for youth

*“Some services deny our highest-risk youth due to their history when these youth are the ones in most need.” - JPO*

Judges, JPOs, and attorneys also cite a lack of sufficient services in the community to fully address the needs of youth and keep them successfully in the community.

**“There are Sufficient Services in the Community to Meet Youths’ Needs,”  
JPO Responses (N = 100)**

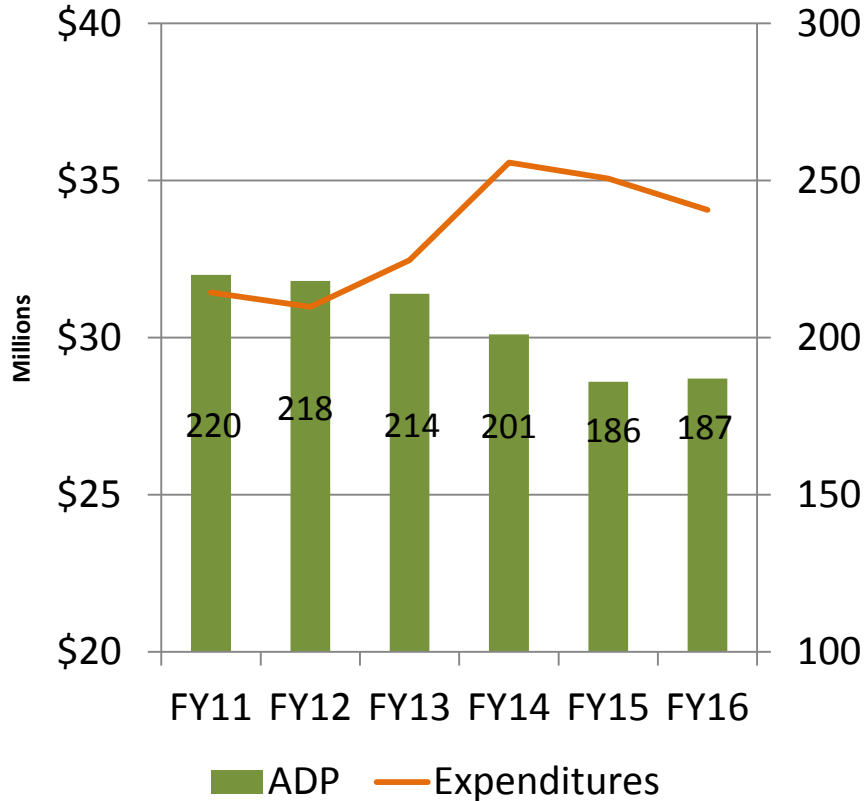


- **The majority of judges and attorneys** surveyed believe that more youth could be diverted from facilities if more community-based services were available.
- Stakeholders who were interviewed indicated that limited services exist for:
  - **Rural communities**
  - **Mental health/substance use treatment**
  - **Family therapy**
  - **Job training**

*“Juvenile Justice needs to continue to move towards providing effective interventions... within a child's community.” - Attorney*

Expenditures for secure facilities in FY2016 totaled \$34.8 million, an increase of 8 percent since FY2011.

**Secure CYFD Facility Expenditures and ADP, FY2011 – FY2016**



**Average Cost per Day in Secure CYFD**

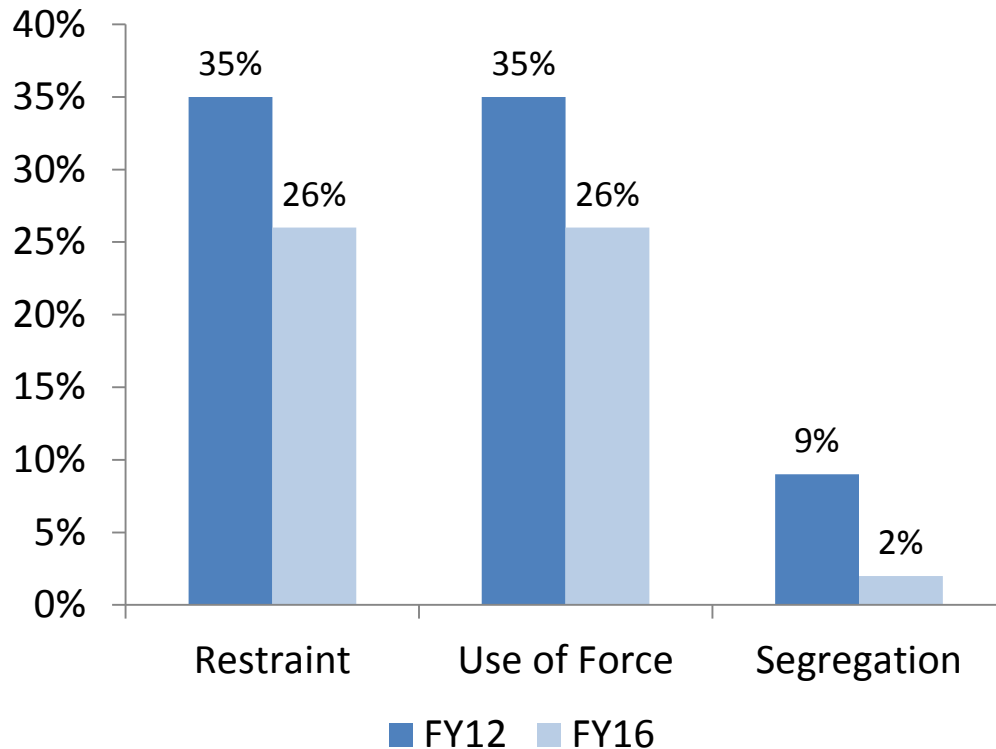
	2011	2016
	\$391.47	\$497.67
Staff:	\$217.59	\$288.92
Education:	\$53.50	\$61.59
Mental Health Services:	\$32.07	\$36.27
Medical:	\$50.51	\$62.69

A review of policies and feedback from juvenile justice stakeholders indicate that facilities struggle to fully and effectively address the complex and comprehensive array of incarcerated youths' needs.

Challenges and Barriers to Effective Service Provision	Services with Limited Availability and/or Experiencing Challenges
<ul style="list-style-type: none"> <li>• <b>Lack of training</b> around the use of <b>evidence-based practices</b> for facility staff and providers</li> <li>• <b>Environmental/cultural challenges</b> to effectively implementing the Cambiar model</li> <li>• <b>Limited quality assurance capacity to monitor and evaluate</b> service quality and effectiveness</li> <li>• <b>Limited collaboration</b> among facility and probation staff, providers, youth, families, and other stakeholders to effectively plan for reentry</li> </ul>	<ul style="list-style-type: none"> <li>• Mental health</li> <li>• Substance use</li> <li>• Family therapy/family engagement</li> <li>• Vocational training</li> <li>• Reentry planning</li> <li>• Programming for girls</li> </ul>

The use of restraints, force, and segregation in response to disciplinary incidents has decreased since 2012.

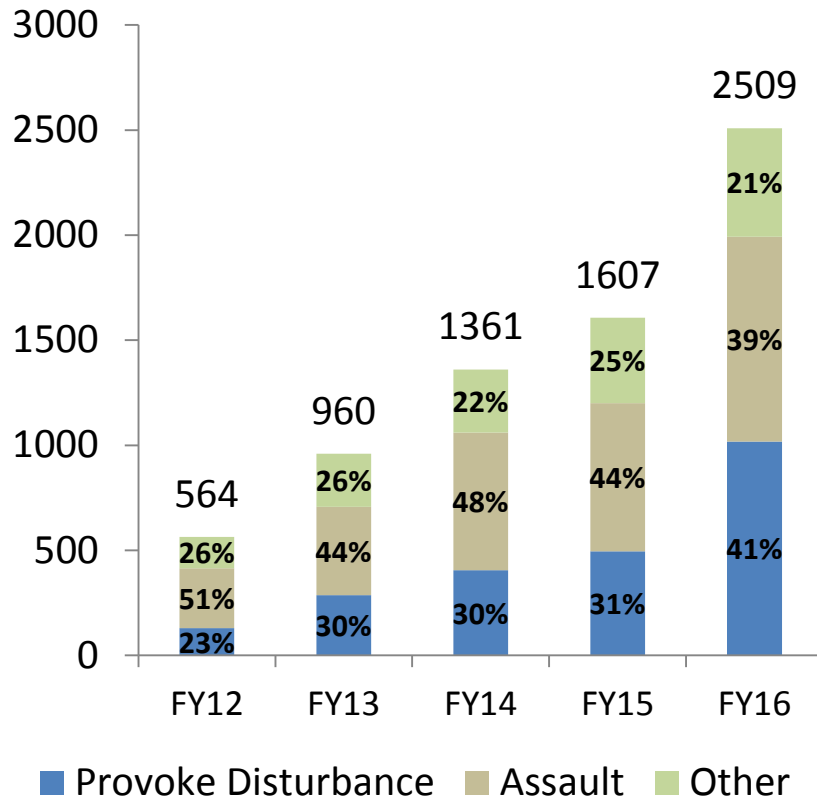
**Percent of Incidents Involving Restraint, Use of Force, and Segregation, FY2012 and FY2016**



TEXT BOX ON NM'S NEW  
SEGREGATION/ISOLATION POLICY  
THAT WAS IMPLEMENTED

The number of disciplinary incidents in facilities increased more than 300 percent between 2012 and 2016, and an increased proportion of youth had 10 or more incidents.

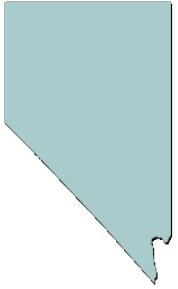
Incidents per Year by Type, FY2012 – FY2016



FY2012	FY2016
Percent of Youth In CYFD Facilities Involved in One or More Incidents: 81%	Percent of Youth In CYFD Facilities Involved in One or More Incidents: 85%
Median Number of Incidents for Youth with Disciplinary Incidents: 3	Median Number of Incidents for Youth with Disciplinary Incidents: 13
Average Number of Violations per Incident: 2	Average Number of Violations per Incident: 2

*“Moving from a corrections mindset to a case manager philosophy is necessary for change” - Judge*

Many states have enacted policy changes to prioritize services for higher risk youth and promote the use of research-based services:



In 2017, Nevada passed legislation **requiring all state funds for juvenile justice services to be used for evidence-based practices**, and is **establishing an evidence-based resource center** to train and support providers, the state agency and probation departments.



Ohio established Reclaim Ohio in the early 1990s, **a funding initiative that requires juvenile courts to establish research-based, community-based services and provides incentive funding** for those that successfully divert youth from state institutions.



Pennsylvania's Juvenile Justice System Enhancement Strategy focuses on the **effective implementation of evidence-based practices and building statewide capacity around these practices**. The state uses a **standardized assessment protocol** to evaluate how well a program matches what the research shows is effective.

# The following are potential opportunities to address service delivery challenges in New Mexico:

- Are there opportunities to restructure (funding formula, match requirement, etc.) the Continuum Grant fund and Juvenile Community Corrections program **to prioritize services for high risk youth and require the use of evidence-based practices**? Can the state establish reward or incentive funding formulas to keep youth out of facilities and other residential placements?
- Should the state adopt **performance metrics, performance-based contracts, and data collection and reporting requirements** to hold community-based providers accountable?
- Are there opportunities to create a **quality assurance structure**, including facility/community-based service matching and assessment tools, quality assurance monitors, and staff training, to improve service delivery?





01 IOYouth Process

02 **Assessment Results**

- Supervision
- Service Delivery
- **System Performance**
- Outcome Tracking

03 Next Steps

## Assessment Key Takeaway #3

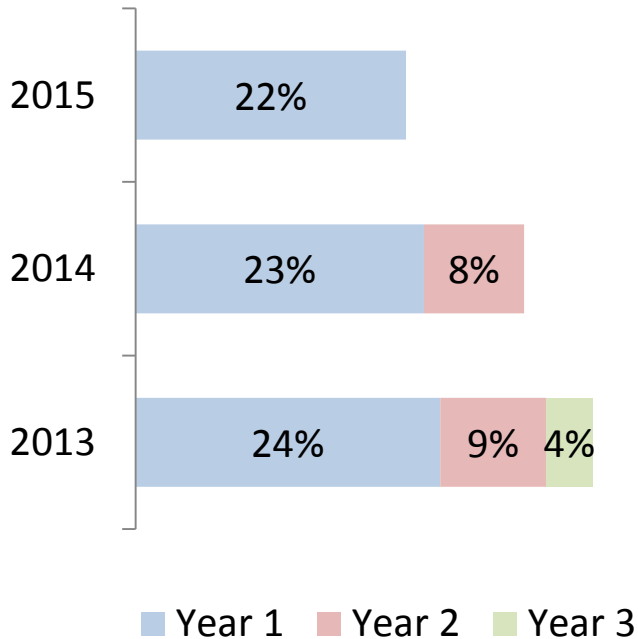


**System Performance:** To what extent are youth in contact with the juvenile justice system **reoffending and successfully completing the terms of their supervision?**

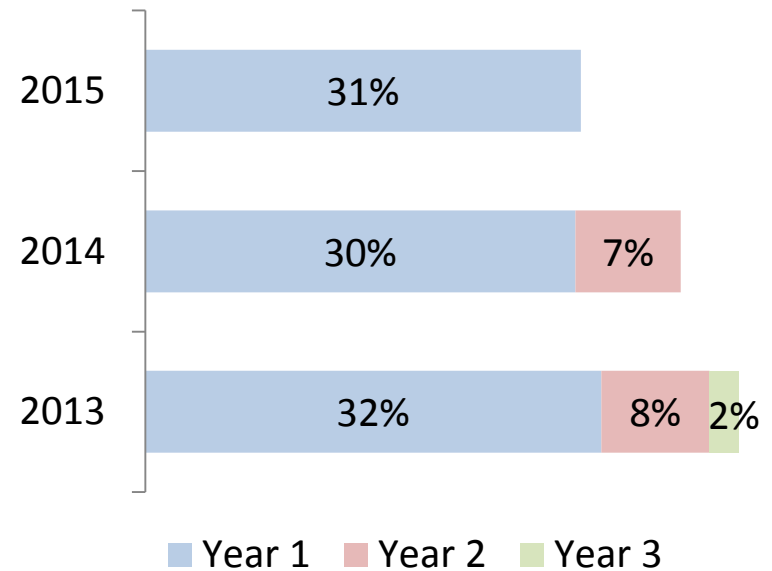
**The majority of youth referred to the system are not reoffending. At the same time, a core group of youth are cycling repeatedly through and penetrating deeper into the system, and like in many other states, half or more of all youth at the deepest end of the system are not being discharged successfully.**

Almost one quarter of referred youth receive another referral within one year, and almost one-third who are petitioned receive another petition.

**One, Two, and Three Year Referral to Referral Rates, FY2013 – FY2015**



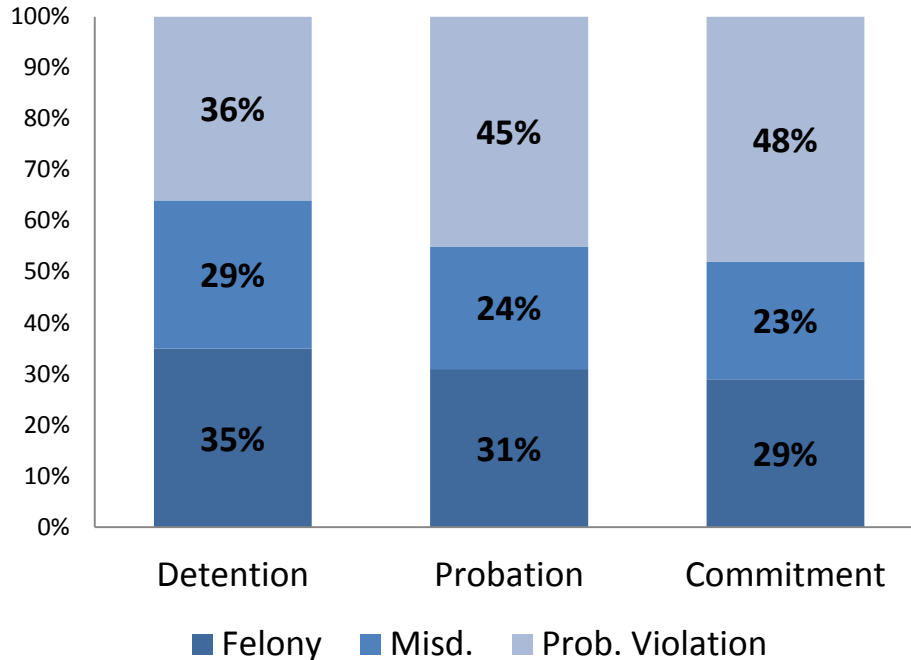
**One, Two, and Three Year Petition to Petition Rates, FY2013 – FY2015**



Given the lack of reliable risk assessment data, it is difficult to assess whether these recidivism rates are higher or lower than expected. However, the goal is to put policy, practice, and funding strategies in place to reduce the number of youth that are reoffending.

Probation violations account for the largest proportion of of all new detentions, probation dispositions, and commitments.

**Detention Admissions, Probation, and Commitment Dispositions  
by Offense Type, FY2016**

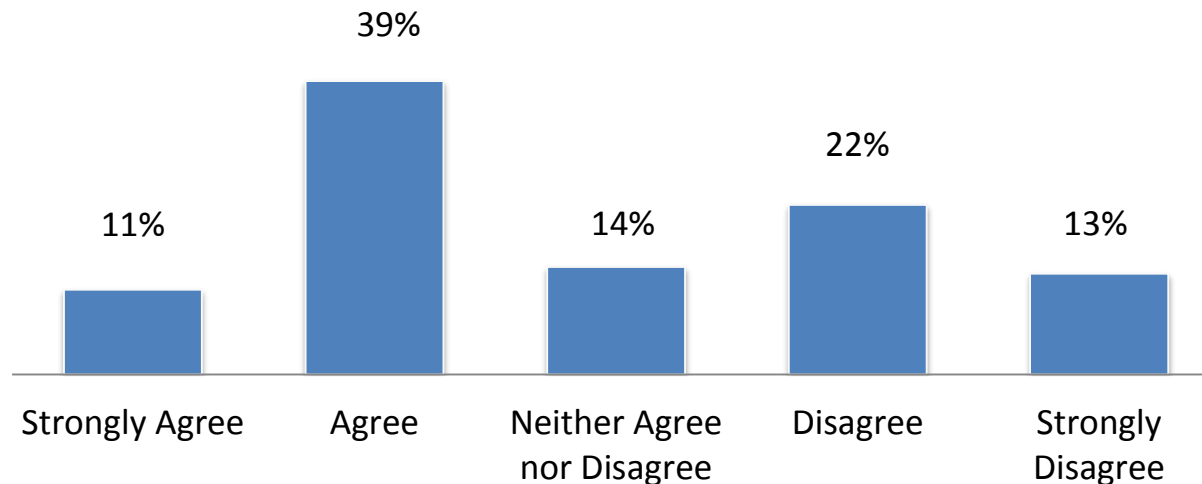


<b>Probation Violation Warrants, FY2016</b>	
Alcohol/Drugs	30%
Associates	2%
Community Service	1%
Counseling	8%
Curfew	13%
General Behavior (Law)	11%
Parents	4%
Reporting	4%
Residence	11%
Restitution	0.1%
School/Education	5%
Special Condition	10%
Travel	0.1%
Weapons	0.2%

**Youth who receive these violations represent a core group of young people that continue to cycle through and penetrate deeper into the system.**

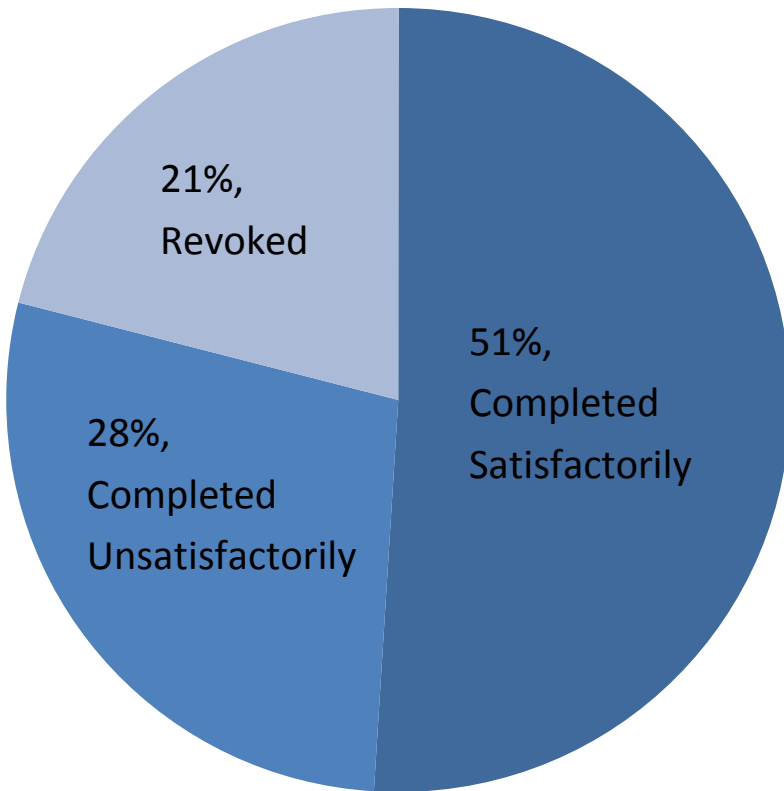
Nearly 50 percent of JPOs surveyed do not believe, or are unsure, that there are consistent criteria used to make decisions around probation violations.

**“There is clear and consistent criteria used to make decisions on probation violations,”  
JPO responses (N = 100)**



In 2016, almost half of youth on supervised release were not “successful,” with 28 percent being discharged unsuccessfully and 21 percent being revoked.

### Supervised Release Completion Rates, FY2016

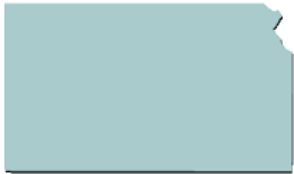


Of the 51 percent of supervised releases that are completed satisfactorily, the majority of these releases are due to an expiration of time rather than a successful completion of a program or meeting condition requirements.

## Many states have implemented strategies to reduce recidivism and technical violations:



In 2014, in response to a new legislative requirement, Maryland **implemented a graduated response tool**, AIM (accountability incentives management), **that takes into account the severity of the violation with respect to their likelihood to reoffend**, mental health, and other factors, to arrive at a response.



The Kansas Department of Corrections terminated the majority of their contracts with residential providers, and instead, **invested these resources into intensive, wrap-around services** to more cost effectively maintain youth successfully in the community.



The Supreme Court in South Dakota **established a graduated sanctions and incentives procedure** to guide court services officers in determining an appropriate response to a violation. **The court system must also collect and report data semiannually** on the use of the sanctions grid to an oversight council.

The following are potential opportunities to address repeat offenders that are cycling in and out of the juvenile justice system:

- Are there opportunities to **develop intensive, research-based, wrap-around service programs** that specifically target repeat offenders and youth who are at-risk of a technical violation and potential out-of-home placement? Can the state **require that cost savings from deferred placements is recaptured and reinvested** in additional community based services and supports?
- Are there opportunities to develop and pilot **a more robust, risk-based graduated response matrix and corresponding policies** for both violations and revocations that incorporates a continuum of sanction and service options? Can the graduated response approach incorporate a **formal system of incentives and rewards** to pair with the graduated response system?
- Are there opportunities to establish a **developmentally appropriate set of supervised release conditions** and align the length, intensity, and services provided to youth on supervised release with what is needed for youth to successfully meet these conditions?



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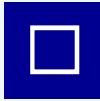
01 IOYouth Process

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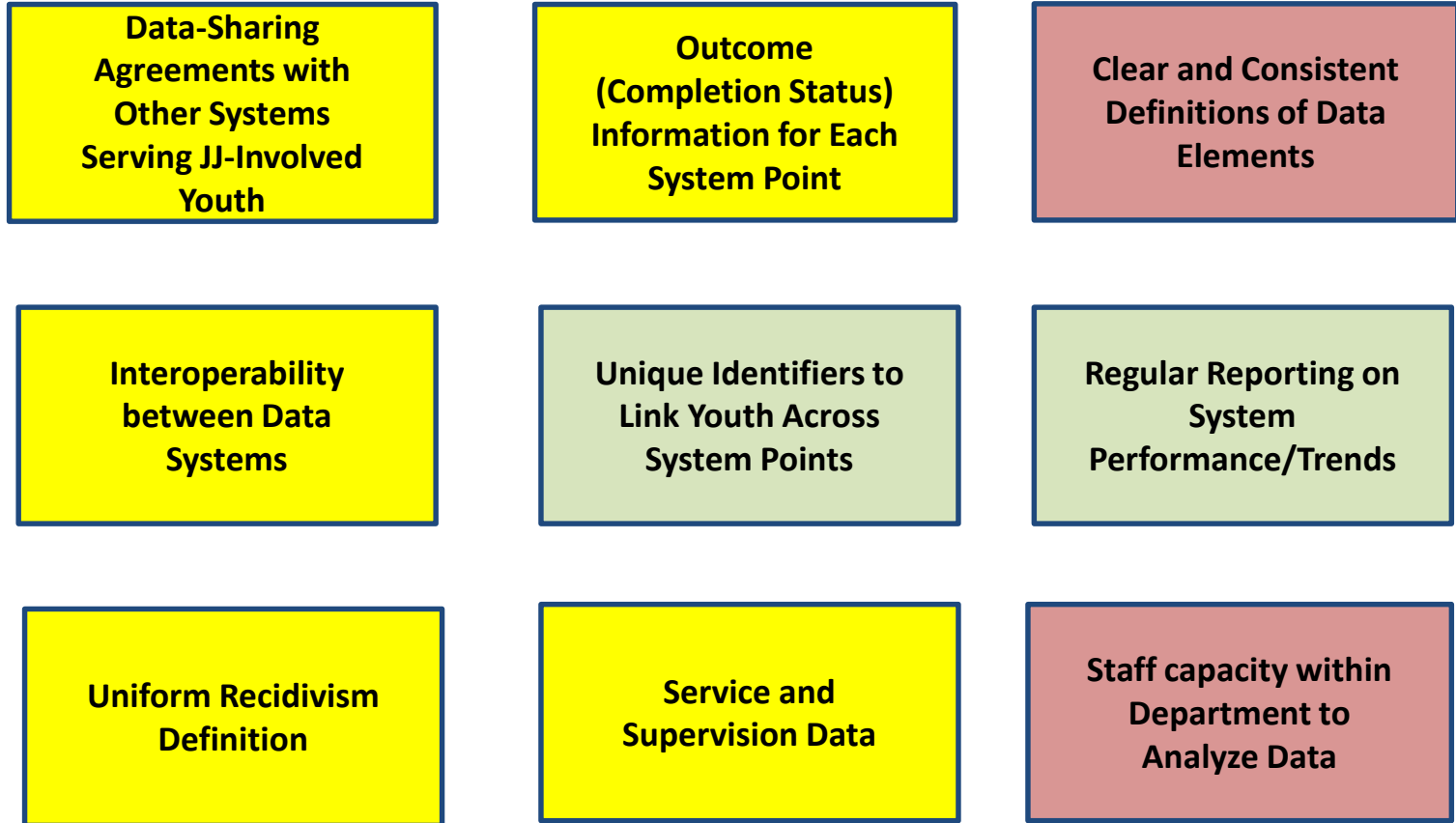
# Key Assessment Takeaway #4



**Outcome Tracking: Is system performance and recidivism being measured** in a consistent and comprehensive way, and is data used to guide key policy, practice, and resource allocation decisions?

New Mexico's juvenile justice system (encompassing CYFD, court system, and other state agencies) **lacks the data and research capacity** to fully measure system performance and youth outcomes, and to use data to identify and determine how to best target key areas for improvement.

New Mexico has some but not all of the critical components that every state data system should have to track youth outcomes and system performance.



Complete

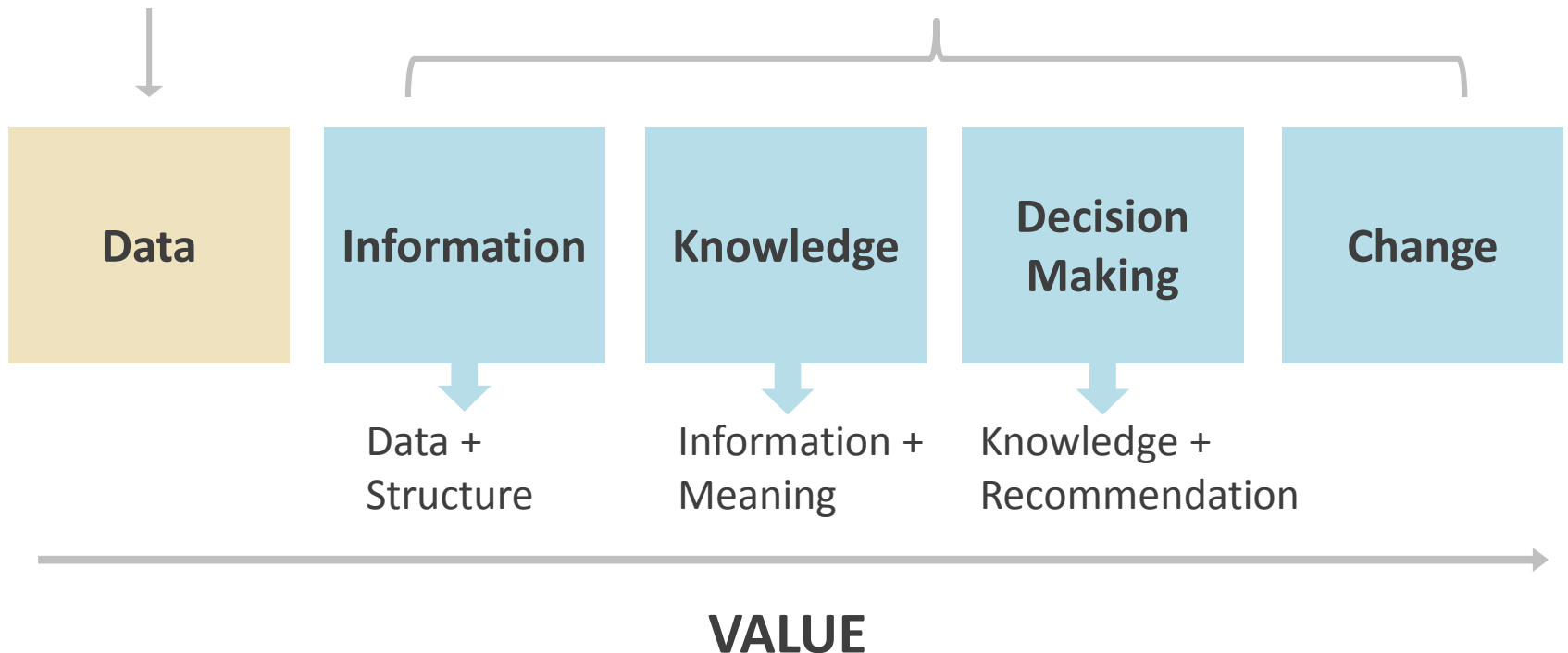
Partially Complete

Incomplete

Like most states, New Mexico's current data structure and limited research capacity hinder its ability to fully evaluate system performance and youth outcomes, and use data to guide policy, practice, and funding improvements.

NM collects data for many key points in the system and requires reporting

The structure of the data inhibits the meaningful analysis necessary to develop system knowledge and inform decision making and system change



# New Mexico should prioritize the following data issues:

## Juvenile Community Corrections Data

Data captured can not be matched to FACTS or other data systems for analyses

## Continuum Data

No start and end dates are collected and no unique identifier exists to match to other data systems for outcome analyses

## Program/Service Data

No data are collected on programs and services in the community and in facilities, making it impossible to fully evaluate program effectiveness and service matching

## Overwriting

Essential data are currently overwritten at various points in the system

## FACTS System

System was originally designed for child protective services, and cannot easily be updated for current needs

The following provides information on how states are currently calculating recidivism for juvenile populations:

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01 IOYouth Process

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03 **Next Steps**

## Next Steps

1

Establish working groups focused on priority areas for improvement to develop policy recommendations for full task force consideration **(September/October)**

2

Support task force members and other key stakeholders to identify potential policy options to address findings, and share associated examples from other states **(September/October/November)**

3

Present policy option recommendations to task force and establish consensus on legislative and appropriation changes **(November 2)**

4

Work with task force and legislators to craft legislation and advance legislative reforms **(November-February)**



# Working Group 1: Improve the appropriate use of supervision matched to youth's risk of reoffending

- Reducing system referrals
- Increasing/strengthening diversion opportunities
- Strengthening detention use policies and expanding and strengthening alternatives
- Improving the SDM and/or identifying alternative statewide risk and needs assessments
- Tying dispositional decisions to youth's risk of reoffending
- Tying probation, facility, and supervised release lengths of stay and release/discharge decisions to youth's risk of reoffending
- Establishing an effective graduated response system

## Working Group 2: Improve the targeting and effectiveness of services to address youths' needs

- Prioritizing service resources for youth most at risk of reoffending
- Focusing service resources on research-based programs and practices
- Establishing intensive, community-based alternatives to probation violations/revocations and residential placement
- Addressing service gaps in the community and in facilities
- Establishing quality assurance capacity, tools, and processes to improve service delivery in facilities and with community-based providers
- Building capacity of providers, probation, and facility staff to implement research-based practices

# Working Group Timeline & Next Steps

## September 19

- Identify working group participants

## Week of September 25

- Conference call to discuss goals, best practices, and next steps

## Week of October 9

- Conference call/webinar to review potential policy recommendations

## October 18/19

- In-person meeting to reach consensus and develop recommendations for the full task force

## November 2

- Presentation of recommendations to full task force on

# Project Timeline

**Project Launch**

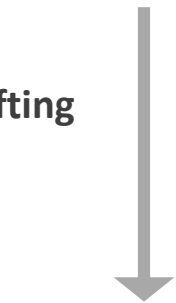
**Policy Rollout and Bill Introduction**

**Task Force Meeting #1**

**Task Force Meeting #2**

**Task Force Meeting #3**

**Bill Drafting**



**April**

**May**

**June**

**July**

**Aug**

**Sep**

**Oct**

**Nov-Dec**

**2018 Session**

**Data Analysis**

Initial Data Analysis

Detailed Data Analysis

Final Data Analysis

Impact Analysis

**Stakeholder Involvement**

Stakeholder Engagement

Policy Option Development

Bill Drafting

Engage Policymakers and Media and Keep Stakeholders Involved