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HOUSE MEMORIAL 115

49TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2009

INTRODUCED BY

Rick Miera

A MEMORIAL

REQUESTING THE CHILDREN, YOUTH AND FAMILIES DEPARTMENT TO
CONVENE A WORKING GROUP OF PERSONS INVOLVED WITH YOUTH IN THE
JUVENILE JUSTICE SYSTEM TO CREATE A POLICY FOR THE DETENTION OF
YOUTH EIGHTEEN TO TWENTY-ONE YEARS OF AGE.

WHEREAS, persons working with youth in the juvenile
justice system are fully aware and supportive of the need to
protect the safety of persons over eighteen years of age while
the persons are detained in local adult jails or juvenile
detention centers while awaiting adjudication or trial; and

WHEREAS, persons from many points of view are mindful of
their concomitant responsibility to the safety of youth younger
than eighteen years of age who are detained in local juvenile
detention centers while awaiting adjudication; and

WHEREAS, there is concern when youth over the age of

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1 eighteen are detained in adult local jails and the facility
2 attempts to balance the protection and safety of the youth with
3 their rights; and

4 WHEREAS, persons are mindful of the right of local
5 juvenile detention centers and local jail administrators to
6 determine the way in which youth and other persons are detained
7 in their facilities; and

8 WHEREAS, people from many perspectives are willing and
9 able to work together to resolve these issues in a way that
10 addresses all of the varying points of view and concerns;

11 NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF
12 REPRESENTATIVES OF THE STATE OF NEW MEXICO that the children,
13 youth and families department be requested to convene a group
14 that includes jail and juvenile detention center
15 administrators; representatives from the New Mexico association
16 of counties, the administrative office of the courts, the
17 public defender department, the New Mexico district attorney's
18 association, the statewide entity for behavioral health, the
19 New Mexico association of chiefs of police and the corrections
20 department; and youth advocates; and

21 BE IT FURTHER RESOLVED that the working group join with
22 other similar working groups to share resources, research and
23 recommendations and to otherwise coordinate efforts; and

24 BE IT FURTHER RESOLVED that the working group make
25 recommendations to the secretary of children, youth and

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1 families on changes needed to state law in order to protect the
2 rights and safety of all parties; and

3 BE IT FURTHER RESOLVED that copies of this memorial be
4 transmitted to the secretary of children, youth and families;
5 jail and juvenile detention center administrators; the New
6 Mexico association of counties; the administrative office of
7 the courts; the public defender department; the New Mexico
8 district attorney's association; the interagency behavioral
9 health purchasing collaborative; the New Mexico association of
10 chiefs of police; the secretary of corrections; and youth
11 organizations concerned with juvenile justice issues as
12 identified by the secretary of children, youth and families.