

ACTION PLAN

Submitted by agency?	No
Timeline assigned?	No
Responsibility assigned?	No

Kevin S., et al. v. Blalock and Scrase Lawsuit Settlement

The lawsuit against CYFD alleged:

- Systemic failures resulting in harm to children in foster care,
- Lack of stable placements,
- Behavioral health needs unmet,
- No trauma sensitive system, and
- Little behavioral health capacity.

A settlement agreement committed CYFD to improve Protective Services caseloads, increase the number of resource (foster care) and community-based placements, expand access to children's behavioral health services, among other commitments.

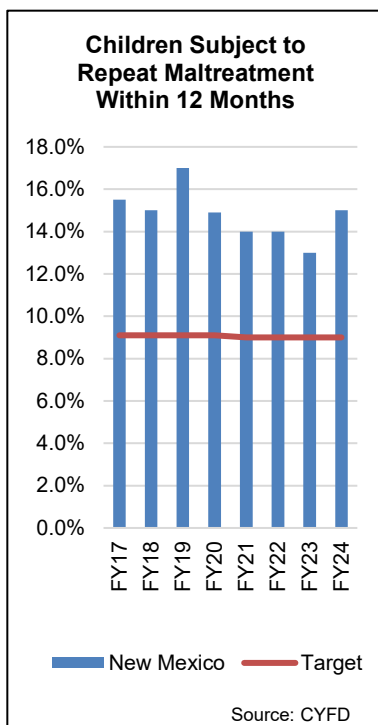
The Children, Youth and Families Department (CYFD) did not submit performance data as required by the Accountability in Government Act in either the first or second quarter of FY25, hindering the state's ability to measure performance of a critical system serving vulnerable children and families. CYFD cites staff turnover as a contributing factor to an inability to provide quarterly performance data. New Mexico consistently ranks among the top six states for repeat maltreatment occurring within 12 months of the initial allegation, and in FY24 the rate worsened to 15 percent. The state has enacted legislation and significantly increased appropriations for evidence-based approaches to reduce and prevent maltreatment, though these strategies have not yet been implemented statewide. During FY24, the number of youth in foster care increased over FY23 and time-to-permanency measures worsened, reversing positive prior trends. In addition, the department continues to face challenges recruiting and retaining a professional social worker workforce, though turnover within Protective Services has improved. Other indicators of repeat maltreatment and protective services performance are trending in a negative direction. While several indicators in juvenile justice were trending in a positive direction in FY24, the number of youths in secure juvenile justice facilities has increased after years of decline.

Protective Services

Prevention. Prevention and early intervention are key to reducing maltreatment and repeat child maltreatment, and several evidence-based options for preventing repeat maltreatment could be expanded and leveraged to garner more federal revenue and improve outcomes. Between FY18 and FY24, CYFD preventive services expenditures grew significantly, though these expenditures remain a small portion of overall protective services expenditures. During the same period, repeat maltreatment hovered around 14 percent, well above the national benchmark of 9 percent. In FY24, the state's rate of repeat maltreatment increased to 15 percent. The repeat maltreatment measure is an indicator of how successfully CYFD is facilitating families' engagement in secondary prevention and intervention services. The greatest opportunity to intervene and prevent repeat maltreatment exists near the initial case, and the repeat maltreatment data reflects organization practice roughly a year prior.

Previous LFC reports have noted New Mexico is missing out on federal revenue to fund evidence-based programs to prevent and reduce child maltreatment because New Mexico does not have an approved Families First Prevention plan. During the second quarter of FY25, CYFD reported resubmitting the state's plan, though the proposed programs do not meet federal requirements.

Foster Care. The number of children in foster care in New Mexico steadily declined from FY17 to FY23, when the trend reversed. In December 2024, 2,119 children were in state care, an increase of 6 percent relative to December 2023. Without performance data reported by CYFD, the state is unable to further assess outcomes.

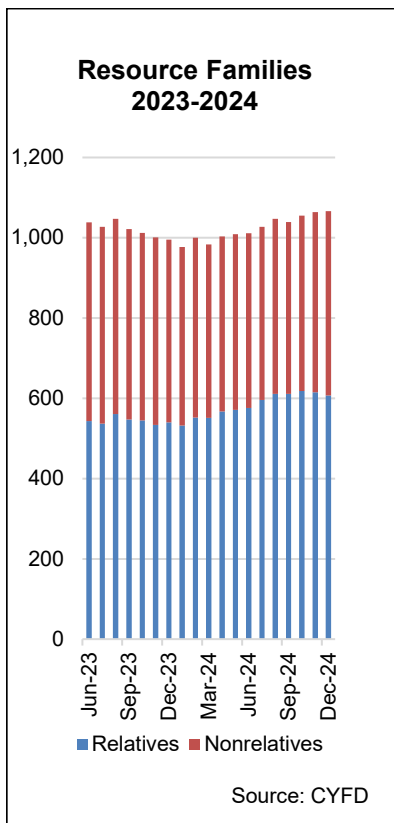
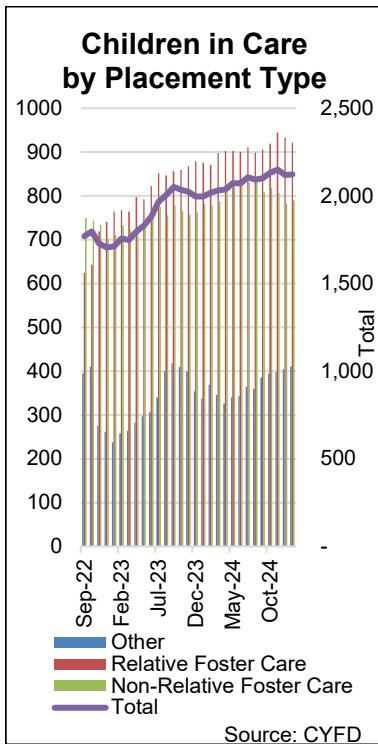


Budget: \$230,995.7	FTE: 1,179	FY23 Actual	FY24 Actual	FY25 Target	FY25 Q1	FY25 Q2	Rating
Maltreatment							
Percent of children in foster care who have at least one monthly visit with their case worker*		92%	86%	N/A	Not reported	Not reported	NA

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Children, Youth and Families Department

Second Quarter, Fiscal Year 2025



Children who were victims of a substantiated maltreatment report who were victims of another substantiated maltreatment allegation within twelve months of their initial report

14% 15% 9% Not reported Not reported **R**

Rate of maltreatment victimizations per one hundred thousand days in foster care within a rolling twelve month period

10.2 10.0 8.0 Not reported Not reported **R**

Families that participated in in-home services or family support services and did not have a subsequent substantiated report within the next twelve months

80% 74% 80% Not reported Not reported **R**

Fatalities or near-fatalities in a rolling twelve-month period that had protective services involvement in the twelve months preceding the incident

Reported differently 57% 15% Not reported Not reported **R**

Average statewide central intake call center wait time (in seconds)

29 76 50 Not reported Not reported **R**

Foster Care

Turnover rate for protective services workers

37% 34% 25% Not reported Not reported **R**

Of the children who enter care during a 12-month period and stay for greater than 8 days, placement moves rate per 1,000 days of care

7.6 8.1 4.1 Not reported Not reported **R**

Children in foster care more than eight days who achieve permanency within twelve months of entry into foster care

33% 34% 42% Not reported Not reported **R**

Children removed during a rolling twelve-month period who were initially placed with a relative or fictive kin

New 32% 45% Not reported Not reported **R**

Children in foster care for twenty-four months or more at the start of a twelve-month period who achieve permanency within twelve months

31% 25% 30% Not reported Not reported **R**

Foster care placements currently in kinship care settings

52% 48% 42% Not reported Not reported **R**

Children in foster care for twelve to twenty-three months at the start of a twelve-month period who achieve permanency within those twelve months

34% 34% 44% Not reported Not reported **R**

Eligible youth who enroll in fostering connections upon emancipation from foster care

New 81% 95% Not reported Not reported **R**

Program Rating

R **R** **R**

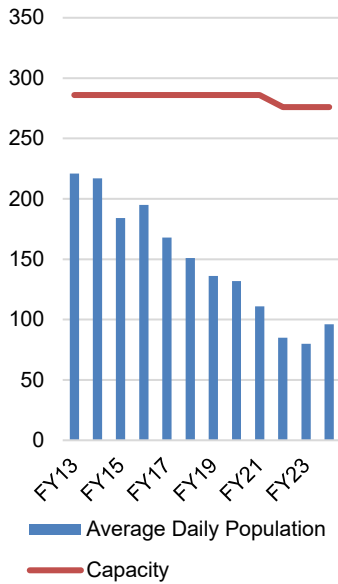
Juvenile Justice Services

Over the last decade, the number of youths incarcerated in secure juvenile justice facilities has steadily decreased from the state's peak as CYFD has implemented evidence-based practices. However, during FY24, the number of youths in secure Juvenile Justice Services (JJS) facilities increased, from an average census of 80 in FY23

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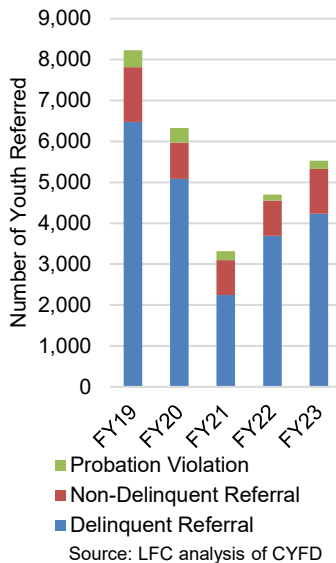
Children, Youth and Families Department
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JJS Secure Facility Population



Source: CYFD

Juvenile Justice Referrals by Type FY19-FY23



Source: LFC analysis of CYFD

to an average census of 104. This increase may be due, in part, to changes CYFD has made to override a validated risk assessment tool and an increase in the number of youths charged with violent crimes, particularly in the 2nd Judicial District. While referrals to JJS increased in the last few years, referrals remain well below pre-pandemic levels. Average daily census remains below capacity in the state's two secure juvenile justice facilities, the Youth Diagnostic and Development Center in Albuquerque and the J. Paul Taylor Center in Las Cruces. Several metrics reflected positive trends in FY24, including a reduction in turnover among youth care specialists, an increase in the rate at which clients successfully complete informal probation, improvements in recidivism rates, and reductions in physical assaults within secure facilities.

Budget: \$82,322.6 FTE: 736.5	FY23 Actual	FY24 Actual	FY25 Target	FY25 Q1	FY25 Q2	Rating
Turnover rate for youth care specialists	42%	34%	21%	Not reported	Not reported	R
Percent of clients who successfully complete formal probation	93%	90%	93%	Not reported	Not reported	R
Percent of clients who successfully complete informal probation	Not reported	91%	80%	Not reported	Not reported	R
Percent of clients successfully completing term of supervised release	Not reported	Not reported	78%	Not reported	Not reported	R
Number of substantiated complaints by clients of abuse or neglect in juvenile justice facilities	4	Not reported	3	Not reported	Not reported	R
Percent of youth discharged from active field supervision who recidivate in the following two-year period	Reported differently	14%	20%	Not reported	Not reported	R
Rate of physical assaults per one thousand days youth spent in facilities differently	Reported differently	5.5	3.75	Not reported	Not reported	R
Percent of youth discharged from a secure facility who recidivate in the following two-year time period	Reported differently	34%	45%	Not reported	Not reported	R
Youth served by juvenile justice who are placed in a less-restrictive, community-based setting	New	94%	93%	Not reported	Not reported	R
Percent of clients reviewed at 40 days	0%	Not reported	92%	Not reported	Not reported	R
Program Rating	R	Y		Not reported	Not reported	R

Behavioral Health Services

In FY24, the department received \$963.4 thousand to establish three more community behavioral health clinician teams, but the department struggled to hire clinicians and used the funding for other purposes. In FY24, while the Behavioral Health Services program is near the target for ensuring targeted Juvenile Justice clients receive consultation from a community behavioral health clinician, the department was far from the target in the third quarter. Additionally, the department fell well below the target and FY23 performance level for least-restrictive placements for children in foster care.

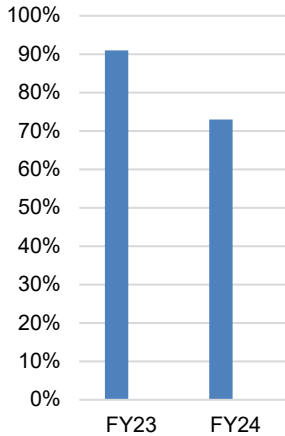
Budget: \$53,109.2 FTE: 123	FY23 Actual	FY24 Actual	FY25 Target	FY25 Q1	FY25 Q2	Rating
Children with at least one electronic benefit transfer service need identified in their CANS who have	103%	Not reported	65%	Not reported	Not reported	R

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Youth Aged 12 or Older in PS Custody Placed in a Community-Based Setting



Note: Reported differently prior to FY23

Source: CYFD

accessed that service, to include placements that correspond with the recommended level of care

Percent change in number of community-based behavioral health personnel, that support children and youth to remain in their community

126%

50%

Not reported

Not reported

R

Infant mental health program participants showing improvement developmentally through clinical assessment and observation

NA

93%%

95%

Not reported

Not reported

R

Domestic violence program participants who agree or strongly agree that because of their participation in the program as a parent, they have a better understanding of the impact that domestic abuse/ violence can have on children

94%

96%

95%

Not reported

Not reported

R

Youth aged twelve or older in protective services custody who are placed in a less restrictive, community-based setting

91%

85%

73%

Not reported

Not reported

R

Domestic violence program participants who agree or strongly agree that staff and advocates regularly discuss their safety needs, including specific things they can do to keep themselves safe

90%

92%

95%

Not reported

Not reported

R

Clients enrolled in multisystemic therapy who demonstrate improvement in one or more behavioral health outcomes

89%

92%

90%

Not reported

Not reported

R

Percent of protective services-involved youth in the target population who receive consultation from a community behavioral health clinician

66%

15%

75%

Not reported

Not reported

R

Percent of juvenile-justice involved youth in the estimated target population who have received consultation from a community behavioral health clinician

Reported differently

63%

75%

Not reported

Not reported

R

Program Rating

Y

Y

R