

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

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

WHEREAS, people from many perspectives are willing and able to work together to resolve these issues in a way that

addresses all of the varying points of view and concerns;

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

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

BE IT FURTHER RESOLVED that the working group make recommendations to the secretary of children, youth and families and the courts and corrections interim committee before November 30, 2010 on changes needed to state law in order to protect the rights and safety of all parties; and

BE IT FURTHER RESOLVED that copies of this memorial be transmitted to the secretary of children, youth and families; jail and juvenile detention center administrators; the New Mexico association of counties; the administrative office of the courts; the public defender department; the New Mexico

district attorney's association; the interagency behavioral health purchasing collaborative; the New Mexico association of chiefs of police; the secretary of corrections; and youth organizations concerned with juvenile justice issues as identified by the secretary of children, youth and families.