



Juvenile Justice Services Division



Navigating the New Mexico Juvenile Justice System

Presented by:

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Juvenile Justice System Division Overview

Mission: To envision and guide youth in our care to reach their full potential, autonomy and self-reliance by providing services that recognize their unique talent, strengths and assets. Through these efforts, youth entrusted to our care are equipped with pro-social behaviors leading to reduced recidivism and safer communities.

Vision: To provide excellent services for youth in our care, contributing to a safer New Mexico.



SECTION 1: Initial Involvement in the Juvenile Justice System

How a child may get involved in the Juvenile Justice System or Children's Court?

- ✔ An incident occurs and results in the police responding to a call.
- ✔ Most cases are a result of the youth's name on a police report or the youth is arrested.
- ✔ The case is referred to a Juvenile Probation Office as required by state statutes.



New Mexico is one of only a few states that can handle delinquent referrals from incident to discharge.

I. The first step: The Referral and Preliminary Inquiry

❖ **Once a youth's case has been referred to the local Juvenile Probation Office; a Juvenile Probation Officer will conduct a "Preliminary Inquiry" which is a formal meeting with the Juvenile Probation Officer, youth and family at the local Probation Office.**

- ✔ The Preliminary Inquiry is generally conducted at the Juvenile Probation Office.
- ✔ Sometimes the family chooses to have an attorney present.
- ✔ At the Preliminary Inquiry, the Juvenile Probation Officer will explain the charges, discuss the youth's rights, and provide the youth and family with an opportunity to respond.
- ✔ Any information provided to the Juvenile Probation Officer is given on a volunteer basis and is confidential as defined by law.
- ✔ At the end of the Preliminary Inquiry, the Juvenile Probation Officer may handle the youth's case informally or refer the case to the Children's Court Attorney for further action. Each case is dealt with on their individual merit.

- ✓ If the case does not go to court the youth may be asked to do the following: perform community service, make victims restitution or attend a victim-offender mediation program, write an apology letter, enroll in an early diversion program, attend counseling, and/or complete an individualized plan developed by all parties.



Expectations for Parents attending a Preliminary Inquiry:

- **Prior to arriving at the Preliminary Inquiry the parent and youth must bring the following items:**
 - ✓ The Youth's Social Security Card
 - ✓ The Youth's Birth Certificate
 - ✓ The Youth's Medicaid Card (If on Medicaid)
- **At the Preliminary Inquiry, it is important to let the Juvenile Probation Officer know the following:**
 - ✓ If your youth has a disability
 - ✓ If your youth has mental or behavioral health concerns
 - ✓ If your youth is in special education
 - ✓ If your youth is on medication
 - ✓ If your youth is experiencing educational difficulties

II. Second Step: The Court Process and Disposition

- ❖ **The Court process begins when the District Attorney files a petition of delinquency in the youth's case. When a petition is filed, the youth and family will be served with a copy of the petition. The petition will state what offense(s) the youth is charged with, as well as provide information on how to obtain a Public Defender or a Private Attorney.**



The Attorney will represent only the Youth in the courtroom.

❖ First Appearance In Court

At the first appearance in court the charges may be denied and continued or a plea may be entered. The Judge will then decide whether the youth is going to remain at home throughout this process or be placed in an alternative setting such as detention. Each decision is based upon the individual needs and circumstances of the youth.

- ✔ A Probation Officer may monitor and assist the youth with their conditions of release, if ordered by the court.



If the Judge decides to release the child to the parent the conditions of their release may be the following:

- ✔ Curfew
- ✔ House arrest
- ✔ Going to school
- ✔ Attending counseling or other treatment services
- ✔ Avoiding victims and/ or negative peers
- ✔ Drug testing
- ✔ Individual plan developed by all parties

❖ Adjudication

Adjudication is the trial phase of the court process. The Judge hears the case and makes a decision about the charges.

- ✔ If the youth is found not guilty the charges will be dismissed.

- ✔ If a youth is found guilty they may enter the dispositional phase of the hearing at this time. The Judge will schedule another date for the dispositional (sentencing) hearing, or the hearing may take place immediately during adjudication.

❖ Disposition

A Disposition is the sentencing phase of the process and the Judge may order the youth to one of the following:

- ✔ **Probation with Conditions:** Probation is based on the individual needs and circumstances of the youth. While the youth is on probation they will receive the following services: assessment and evaluation, counseling (Functional Family Therapy), community or residential services, restitution, community service, and/or juvenile community corrections programming. All conditions will be developed based on the needs and risks of the youth and family.
- ✔ **Time Waiver:** Is an informal disposition for minor offenses and if the youth completes certain conditions and does not get in trouble again during the next six months, the charge against the youth will be dismissed.
- ✔ **Consent Decree:** Is the minimum formal disposition, and requires a youth to have six to twelve months of supervised probation. If the probation is successfully completed, the charges against the youth are dismissed. A wide variety of restrictions may be imposed during probation, including a curfew, counseling, regular contact with a probation officer, driving restrictions, random urinalysis, community service, restitution, education programs and structured activities.
- ✔ **Judgment/Probation:** Is a formal disposition, and requires a youth to have a term of supervised probation, ranging from one year or up to the age of twenty-one. A wide variety of restrictions may be imposed during probation, including a curfew, counseling, regular contact with a probation officer, driving restrictions, random urinalysis, community service, restitution, education programs and structured activities.
- ✔ **Judgment/Incarceration:** Incarceration in a state juvenile correctional facility or a local juvenile detention center.

SECTION 2: Approaches that the Children, Youth and Families Department has adopted for youth's successful transition to adulthood.

❖ Rehabilitation-Habilitation versus Correction Model

❖ “Cambiar New Mexico”

Prior to 2009 the Children, Youth and Families Department has been working closely with The Missouri Youth Services Institute to adopt the “Missouri Model” that shifts the focus from confinement and punishment and emphasizes regional facilities and rehabilitation.

- ✔ In 2010 there were changes made to the New Mexico Children's Code and the “Missouri Model” officially became titled; “Cambiar New Mexico”.
- ✔ In 2010 there were changes made to the New Mexico Children's Code delegating the functions of the existing Juvenile Parole Board to an internal Children, Youth and Families Department Supervised Release Panel.
- ✔ With the implementation of “Cambiar New Mexico” the Juvenile Justice Services continues to hold young people accountable while providing for their rehabilitation and preparing them for healthy adulthood. Juvenile Justice Services protects them from harm, and continues to provide for public safety.

❖ Guiding Principles of “Cambiar New Mexico” Model:

- ✔ People do the very best they can, given their available resources.
- ✔ We all want to do well and succeed.
- ✔ Kids deserve the best.
- ✔ All of our significant battles are waged within ourselves.
- ✔ There are no bad families/bad kids.

❖ **Major initiatives include as a result of implementing the “Cambiar New Mexico” Model:**

- ✔ Developing smaller, secure regional facilities across the state.
- ✔ Creating smaller, safer and more nurturing living units/groups (therapeutic communities).
- ✔ Developing individualized service plans addressing carefully assessed needs, strengths and risks.
- ✔ Strengths based approaches to working with youth.
- ✔ Staffing facilities with Youth Care Specialists who receive training that provides them with security and therapeutic skill sets.
- ✔ Providing rich programming including education, vocational, behavioral health, medical and other services.





Children, Youth and Families Secure Facilities and Reintegration Centers Listing:

- ✓ **Camino Nuevo Youth Center:**
 - 98 bed facility
 - Houses females and high-risk/high needs males
- ✓ **John Paul Taylor Center**
 - 48 bed facility
 - Males – all risk levels
- ✓ **Youth Development and Diagnostic Center**
 - 108 bed facility
 - Central intake and male general population
- ✓ **San Juan Juvenile Detention Center**
 - 10 bed facility
 - Male general population
- ✓ **Albuquerque Boy's Center**
 - 12 bed facility
 - Clients housed at the center are generally beginning to transition back into the community

- ✓ **Albuquerque Reintegration Center**
 - 12 bed facility
 - Male supervised release clients/ Medicaid treatment levels 1 & 2
 - Participating in community based programming

- ✓ **Carlsbad Juvenile Residential Center**
 - 12 bed facility
 - Males, supervised release/Medicaid group
 - Home levels 1 & 2
 - Participating in community based programming

- ✓ **Eagles Nest Reintegration Center**
 - 12 bed facility
 - Male, supervised release
 - Participating in community based programming

❖ Transitional Services

❖ Transitional Services Coordinators prepare committed Juvenile Justice Services youth for reentry into their communities by:

- ✔ Working collaboratively with the youth, their families, Juvenile Justice Services Facility Staff, Juvenile Probation Officers, community providers and natural supports.
- ✔ Establishing the necessary linkages and partnerships with the full range of public and private sector agency and natural supports.
- ✔ Supporting delivery of comprehensive services across multiple domains.
- ✔ Continuing to promote thoughtful, responsive and creative “wraparound” services to meet the diverse needs of the youth people and their families.
- ✔ Supporting youth leadership and advocacy development.

❖ What the Transition Services Coordinator assists the youth with:

- ✔ Engages the youth and their family soon after admission to a CYFD facility.
- ✔ Develops a helpful alliance with the youth and their family to identify and respond to needs.
- ✔ Partners with youth, families, JJS Facility Staff, Juvenile Probation Officers, and other team members in transition plan development.
- ✔ Identifies and supports access to and engagement with community providers.
- ✔ Administers emergency wraparound funds to support the youth’s transition related needs.
- ✔ Collaboratively conducts “Home Studies” with the Juvenile Probation Staff.
- ✔ Participates in home visits with families.
- ✔ Encourages family/youth participation and input at team meetings.
- ✔ Utilizes teleconferencing to increase family inclusion while the youth is in commitment.

✓ Probation and Aftercare Programming

- ❖ **The philosophy driving the probation practice in New Mexico is a balanced approach with increased emphasis on treatment and front –end services rather than commitment to facilities. New Mexico provides specialized probation services to include intensive supervision. The Children, Youth and Families Department also uses a structured decision making tool that recommends levels of probation supervision in all counties and a client’s risks and needs (SDM) and promotes the development of an individualized Plan of Care.**



Facts about Juvenile Probation in New Mexico

- ✓ Juvenile Justice Services statewide is housed under one state entity.
- ✓ New Mexico is one of the only few states that handle delinquent referrals from incident to discharge.
- ✓ Juvenile Probation Officers have the authority to handle up to three misdemeanor referrals within two years informally.
- ✓ Juvenile Probation Officers may and do serve youth and families on a voluntary basis as we would with any formal case to include intervention services and behavioral health.
- ✓ Juvenile Probation Officers have been trained on the Cambiar model/philosophy for field supervision.

❖ **New Mexico Alternatives to Detention and System Reform**

❖ **System Reform**

- ✔ Statewide Admissions & Releases Application (SARA) System was implemented to assist with screening youth with the Risk Assessment Instrument (RAI) for necessity of detention.
- ✔ The Operation FAST TRACK program is for youth arrested or had recent contact with law enforcement and not detained. The local Juvenile Probation Office will immediately schedule a face-to-face meeting with the youth and family at the JPO office. This meeting will set within 72 working hours of contact with law enforcement. This will allow for much quicker screening and review for intervention services for the youth and family.

❖ **Alternatives to Detention/Aftercare**

✔ **Reception an Assessment Center (RAC)**

The Reception and Assessment Center serves youth arrested by law enforcement for low level misdemeanor and felony offenses. It is an early intervention opportunity preventing the incarceration of youth that are in police custody for a non-detainable offense. A reception and assessment center provides intake services, a juvenile justice risk assessment, crisis and case management intervention, a mental health/psychosocial assessment, when needed, and referral services.

✔ **Intensive Community Monitoring (ICM)**

The Intensive Community Monitoring (ICM) provides services to juveniles who are awaiting disposition in Children's Court. Juveniles see the Judge at their first hearing and at that time the juvenile is placed in ICM. The ICM coordinator works with the child to create an individualized work plan that places responsibility on the youth in the areas of school, home and community. In addition, the coordinator conducts at a minimum, three face-to-face meetings or six telephone calls each week and makes random visits to the juvenile's school, home and/or work place. The coordinator also attends court hearings, meets with parents, coordinates with community partners and submits written reports to the Juvenile Probation Office.

Day Reporting Center

The purpose of the program is to provide an alternative to detention for youth that rate below 12 on the Juvenile Probation and Parole Risk Assessment Instrument. The Day Reporting Center allows juvenile offenders to be supervised during the school day. The program is strength-based and includes the following services: short-term education, life skills and community service. The length of the program is 1-30 days. Referrals for this program come from the Juvenile Probation and Parole Office, Children's Court Judge, Drug Court and local public school district.

Youth Alcohol Detox Center (McKinley County)

The Juvenile Substance Crisis Abuse Center (JSACC) opened to the community in March 2001. The program is a centralized 8-bed facility in Gallup, New Mexico, co-located with the existing Juvenile Detention Center. The JSACC is a program designed to intervene at a crisis point in the lives of youth between the ages of 12 thru 17 when involvement with substance abuse. Services are delivered by appropriately trained staff that provides 24-hour supervision, observation and support for the youth who are intoxicated and/or undergoing withdrawal. Assessment services and referrals to other forms of treatment are also provided.

Electronic Monitoring Bracelet Program

Electronic Monitoring is a tool used for home arrest. The Juveniles wear a transmitter on their ankle, which sends information to a receiver installed in their residence. The receiver is plugged into a standard electrical outlet and into the telephone line. This device monitors the detainee twenty four hours a day. The receiver reports when the detainee enters the residence, leaves the residence, or tampers with the equipment. The receiver calls a host computer system at the monitoring agency at random times every few hours to report status.

Juvenile Community Corrections Programming

The Juvenile Community Corrections Program is a unique approach to working with adjudicated delinquent youth. The program utilizes a team approach which includes the client, family, contracted agency, local public schools staff, Juvenile Probation Officers and other significant individuals in the client's life. The program provides participants with program services based on the client's individualized needs.

❖ Target Population

In accordance with the Juvenile Community Corrections Statute (NM 33-9 articles 1-6), the following youth are eligible to participate in the Juvenile Community Corrections Program:

- ✔ All adjudicated youth who are on probation status and who are on probation status and who are at risk of further involvement with the Juvenile Justice System. This includes consent Decrees regardless of level of adjudicated offense (misdemeanor, felony and probation violations are eligible).
- ✔ Committed youth who are on supervised release status. Juvenile Community Corrections Program Providers can initiate Juvenile Community Corrections services and planning while the client is in CYFD custody.
- ✔ Adjudicated youth on probation who are at risk of having their probation revoked.

❖ Referrals

A referral to the Juvenile Community Corrections Program can be made by the following; Juvenile Probation Officer, District Court Judge, District Attorney, Public Defender, Private Attorney, Juvenile Correctional Facility or the CYFD Supervised Release Panel.

❖ Length of Participation

Typically a youth participates in the Juvenile Community Corrections Program the length of their probation or supervised release term which could be anywhere from four months to over a year.

❖ Program Services

- ✔ Family Support
- ✔ Education Development
- ✔ Life Skills
- ✔ Facility Transitional Services
- ✔ Job Preparation
- ✔ Case Management
- ✔ Community Service
- ✔ Innovative Services
- ✔ Transportation

❖ **Goals of the Juvenile Community Corrections Program**

- ✔ Conduct Casey Life Skills Assessments to identify the individualized needs of the clients and develop a Service Plan for those areas that have been identified in conjunction with the requirements from the Juvenile Probation Officer.
- ✔ Divert adjudicated youth from incarceration.
- ✔ Provide services to assist incarcerated youth transitioning back into the community.
- ✔ Provide services and interventions for clients including community service and or reasonable restitution to society and victims.
- ✔ Provide individualized services for the client and family.
- ✔ Implement an integrated data system and an evaluation mechanism that measures program utilization and effectiveness.

❖ **Outcomes**

- ✔ Decreased involvement or termination of involvement with the Juvenile Justice System.
- ✔ Improved client competencies in social, living, coping and thinking skills.
- ✔ Improved academic performance.
- ✔ Improved client behavior at home and in the community.
- ✔ At least seventy-five (75) percent of the clients will successfully complete the Juvenile Community Corrections Program.
- ✔ At least seventy-five (75) percent of the clients are satisfied with the Juvenile Community Corrections Program Services.

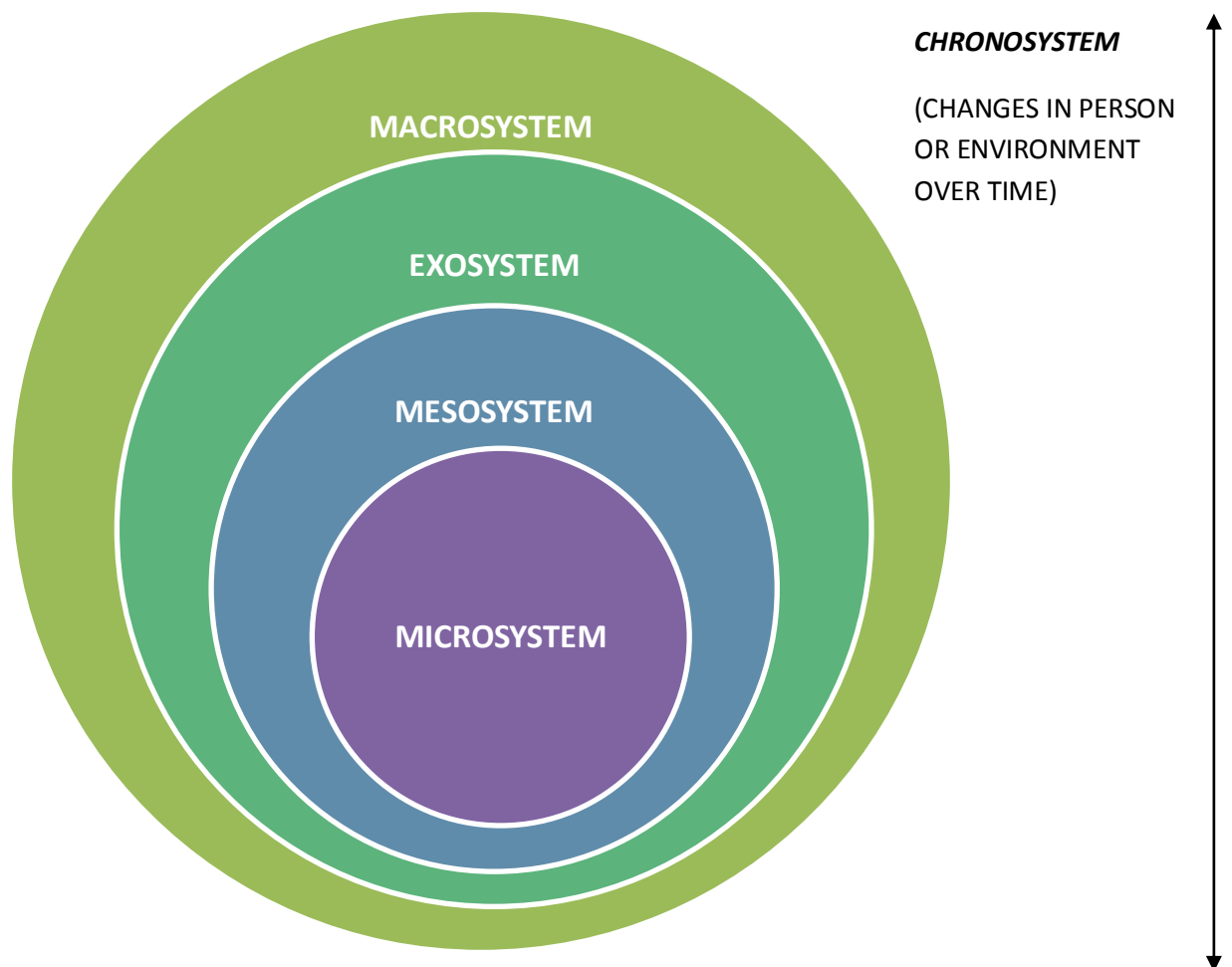
❖ **What the Youth “gets” out of participating in the Juvenile Community Corrections Program**

- ✔ A sense of accomplishment
- ✔ Job skills
- ✔ Community service hours completed
- ✔ Education assistance
- ✔ Family and community support
- ✔ Compliance with probation
- ✔ A successful discharge from probation or supervised release

Section 3: Participants will be able to better define their role in assisting youth and families involved in the Juvenile Justice System

❖ Bronfenbrenner's Ecological Theory of Development

Urie Bronfenbrenner (April 29, 1917-September 25, 2005) was a Russian American Psychologist known for developing the "Ecological Systems Theory". His theories impacted the education of disadvantaged and marginalized sections of society. Bronfenbrenner's Ecological Theory holds that "development" is influenced by several environmental systems which are:



❖ **Microsystem:** This refers to the immediate surroundings of the youth. It is in the microsystem that the most direct interactions with social agents take place. The youth is not merely a passive recipient of experiences in these settings, but someone who actually helps to construct the social settings.

✔ The Microsystem for a Juvenile Justice Services involved youth may include: Immediate environments, Probation Officers, Case Managers, Counselors, Teachers, Friends, Workplace, Neighborhood, Family, Religious Community, Media Influences such as Internet, Portable Devices, TV, Phone and Computers.

❖ **Mesosystem:** This refers to the **relations** between the different Microsystems or **connections** between the contexts.

✔ The Mesosystem for a Juvenile Justice Services involved youth may include the following connections:

- ✔ Families experience to peer experience
- ✔ Families experience to school experience
- ✔ School experience to peer experience
- ✔ Peer experience to probation experience
- ✔ Media influences to probation experience
- ✔ School Teachers to probation experience
- ✔ Case Managers to probation experience
- ✔ Counselors to probation experience

And so on....

❖ **Exosystem:** Is concerned with the connection between a social setting in which the individual does not have an active role and the individual's immediate context.

✔ The Exosystem for a JJS involved youth may include the following connections:

- ✔ **Economic Systems-** Examining poverty in relation to crimes committed among youth.
- ✔ **Government-**Examining services available in the community.
- ✔ **Industry-** May provide other options for youth outside of regular schooling.

- ✓ **Political Systems-** Influences how professionals work with Juvenile Justice Services youth.
- ✓ **Educational Systems-** Influences how professionals work with Juvenile Justice services youth.
- ✓ **Laws-** Influences how professionals work with Juvenile Justice Services youth.
- ✓ **Mass Media-** Influences how professionals work with Juvenile Justice Services youth.

❖ **Macrosystem:** Describes the culture in which individuals live. Culture meaning the ways of people and cultural contexts would include socioeconomic status, poverty and ethnicity.

👉 The Macrosystem for a Juvenile Justice Services involved youth is influenced by cultural norms and values.

❖ **Chronosystem:** Refers to the pattering of environmental events and transitions over the life of an individual as well as socio-historical circumstances.

👉 The Chronosystem for a Juvenile Justice Service involved youth is influenced by events and transitions within their life over time.

❖ Conclusion

The Ecological Theory of Development reminds us of the importance of connected systems. A connected system impacts how we all take part in a Juvenile Justice Services youth's transition into adulthood. While the Children, Youth and Families Department has focused on prevention, intervention and accountability for youth and families involved with the Juvenile Justice System, it is up to all of us to collaborate to gain knowledge/ understanding on how each system works in order to allow for youth to experience positive events and effective transitions in their lives in all environments and aspects of their lives.

Thank you for your attendance!



Questions please contact:

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