

An Analysis of Juvenile Justice Process and Treatment Providers in the First Judicial District

October 2002

FACTS ABOUT THE FIRST JUDICIAL DISTRICT

The First Judicial District consists of three counties: Santa Fe, Rio Arriba, and Los Alamos.

- According to the 2000 Census, Santa Fe County had a total population of 129,292 residents. The largest communities in the county include Santa Fe (pop. 62,203), Eldorado at Santa Fe (pop. 5,799), La Cienega (pop. 3,007), Agua Fria (pop. 2,051) and Edgewood (pop. 1,893).
- Rio Arriba County had a total population of 41,190 residents. Four of its largest communities are Espanola (pop. 9,688), Chimayo (pop. 2,924), Dulce (pop. 2,623) and Chama (pop. 1,199).
- Los Alamos County had a population of 18,343 residents. Los Alamos (pop. 11,909) is the largest community followed by White Rock (pop. 6,045).

DELINQUENT REFERRALS FY01/FY02

- Santa Fe County: FY01 1501; FY02 1708; 13.8% change
- Rio Arriba County: FY01 691; FY02 742; 7.4% change
- Los Alamos County: FY01 79; FY02 87; 10.1% change

JUVENILE TREATMENT PROGRAMS

Casa de Corazon - Rio Arriba County
Casa de Su Vida
Casa Mesita
Dr. Susan Cave
Las Clinicas del Pueblo de Rio Arriba
Rio Arriba and Santa Fe Juvenile Drug Court
Santa Fe County Youth Development Program
Santa Fe Family Center
Santa Fe Mountain Center
Santa Fe Rape Crisis Center
Sky Center Family Counseling
St. Vincent's Hospital
Teen Court of Santa Fe County
Youth Shelters and Family Services
Youth Works

KEY JUVENILE JUSTICE RELATED CONTACTS

Kit Ayala	First Judicial District Attorney
Antonio Gonzales	Community Assessment Social Worker
Ted Lovato	Chief, Juvenile Probation Office
D. Scott Reidel	First Judicial District Public Defender
Eric Rendon	Supervisor, Juvenile Probation Office
Chris Sanchez	Santa Fe County Youth Development Program
Jennifer Schmirier	Casa Mesita
Henry Valdez	First Judicial District Attorney
Barbara Vigil	Judge, First Judicial District Court

INTRODUCTION

This study is a part of a larger statewide analysis of juvenile treatment services in New Mexico. The purpose of this study is to determine how existing juvenile treatment needs are determined and met in various localities. Our specific goal is to determine gaps in treatment services available to juvenile justice agencies. One statewide summary report and individual reports, organized by the thirteen judicial districts, have been developed. All reports are available on the Council's web site: <http://www.cjjcc.org/publications.php>.

METHODOLOGY

The information contained in this report was collected between November 2001 and October 2002 and is based upon a data collection strategy approved by the Juvenile Policy Subcommittee. Criminal and Juvenile Justice Coordinating Council (CJJCC) researchers were provided contact information for key personnel in the various judicial districts by the Administrative Office of the Courts (AOC), the Children, Youth, and Families Department (CYFD), the Administrative Office of the District Attorney, and the New Mexico Public Defender. Interviews were then scheduled with area juvenile judges, and representatives from the district attorney's office, the public defender's office, the Juvenile Probation/Parole Office (JPPO), local detention facilities, and some treatment providers serving juveniles. Some interviews were conducted via telephone although the majority were conducted face-to-face. Whenever possible, data collection was standardized through the use of interview guides created specifically for the role of the person being interviewed. In the First District, CJJCC staff completed formal interviews with seven respondents and spoke to several others informally. The information found throughout this report is based on interview data and does not reflect any official position of the CJJCC.

JUDICIAL PHILOSOPHY

- The goals of juvenile justice are to provide rehabilitation and to prevent further delinquent activity by holding youth accountable to the community via restorative justice methods that are victim oriented.
- The most commonly used disposition of cases in the First District is the six month consent decree and if necessary a six month extension.
- This district also uses a one year and two year judgment to dispose of cases.
- Juvenile Intensive Probation is available in this district.

OBSERVATIONS ABOUT REFERRALS

- Rio Arriba County Juvenile Probation/Parole Office handles all referrals from that county. However, all Los Alamos County referrals are processed through the Santa Fe County office.
- Referrals are made to the JPPO from various law enforcement agencies.
- Typically, the police will make a report and forward it to the JPPO for a preliminary investigation. In the First District, the Juvenile Probation Office has liaisons to the police department. The police drop off reports every other day.
- Referrals to the JPPO are formal or informal depending on the allegations and whether the youth has previous commitments or offenses.
- Prior to law enforcement booking a child in the juvenile detention facility, authorization from the Juvenile Probation Office must be obtained.
- Children's Court Judges do a probable cause review on the law enforcement officer's booking affidavit within 48 hours.
- After receiving the referral for a child in the juvenile detention facility, the probation officer may release the child with a supervision plan or meet with the Children's Court Attorney who files charges to proceed with a detention hearing.
- Based on the Children's Code, the JPPO forwards certain cases to the Children's Court Attorney. All felony cases are considered formal and referred to the Children's Court Attorney. There is some JPPO discretion depending on the child's functioning in the community, school performance, family situation, and prior delinquent activity. A juvenile charged with a third misdemeanor referral within a two year period is also usually referred to the Children's Court Attorney's office. The Children's Court Attorney reviews the referral to determine if it is legally sufficient to become a petition to the court.
- The juvenile probation officer must bring the juvenile to a detention hearing in a timely manner.
- Should the JPPO at the time of the preliminary inquiry determine it is in the child's best interests to refer to informal programming, the officer may refer juveniles to specific juvenile programs based on the seriousness of the offense, mental health needs, and if restitution and/or community service is appropriate.

MENTAL HEALTH TREATMENT

Inpatient

- Casa de Su Vida is the primary provider for inpatient substance abuse treatment in the First District. Recently the program was briefly closed during an administrative restructuring. According to some respondents, the program still has a learning curve and has not yet reached its potential.
- Casa de Su Vida has approximately ten beds and serves males only. The only service provider in the First District for females is Casa Mesita in Los Alamos. The First District also regularly refers females to Casa de Corazon in Taos.
- One major concern regarding Casa de Su Vida is that the program will not take clients with presumptive eligibility. All referrals must be approved by Medicaid prior to admission.
- Rancho Valmora, although not in the First District, does give local referrals priority according to the Juvenile Probation Office. Respondents have been well pleased with the services provided by Rancho Valmora.
- Several out-of-district treatment providers are regularly used for treating juveniles in the First District. These include Mesilla Valley Hospital in Las Cruces, Alliance Hospital in Santa Teresa, Pathways in Clovis, and Desert Hills in Albuquerque.

Outpatient

- There are two juvenile Drug Court Programs in the First District - one in Rio Arriba County and the other in Santa Fe. Judge Barbara Vigil is the judge for both programs. One respondent characterized the First Judicial District Juvenile Drug Court in Santa Fe as one of the "successes of our county."
- The Drug Court Program, which is very family intensive, emphasizes personal accountability and immediately appropriate fair consequences for participants. These characteristics are the keys to the program's success according to one respondent. There are some critics of the program who suggest that the program is too long and that juveniles with less than one year of probation are not eligible for the program. Also, some argue that adequate aftercare and discharge follow-up are not occurring.
- There are a variety of outpatient treatment services available that address substance abuse issues in the First District. These programs vary in their scope and availability. Generally, respondents seem pleased with the outpatient services available locally.
- In Rio Arriba County, Casa de Corazon is the only available outpatient treatment provider in the county. It should be noted with the closure of St. Francis, Rio Arriba County is in dire need of outpatient substance abuse services.

SEX OFFENDER TREATMENT

- Most juveniles needing inpatient sex offender services are referred to Desert Hills in Albuquerque. However, respondents report that there is always a waiting list.

- The Care Unit within the Las Vegas Medical Center has a well-respected program for treating juvenile sex offenders. While respondents are generally pleased with outcomes, placement is very difficult. Some respondents suggest that the admission criteria are too restrictive and that lower functioning children are ineligible. One respondent suggested that the most effective way to place a child at the Care Unit was through a CYFD commitment. However, it should be noted that a commitment is not necessary for a juvenile to qualify for the Care Unit.
- The Santa Fe Rape Crisis Center administers the Preventing Abuse Re-Enactment (P.A.R.E.) program which provides outpatient counseling for juveniles with sexual reactivity issues.
- At least one respondent reported that the Sequoyah Adolescent Treatment Center in Albuquerque, when a child qualifies, is also a preferred sex offender program. Typically, waiting lists are about three months.
- When children are committed to the custody of CYFD, the program at Sandia Cottage specializes in treatment of adjudicated sex offenders. Respondents are satisfied with the treatments provided by Sandia Cottage at YDDC.
- Brian Partridge, a private therapist is also available to provide outpatient sex offender treatment.
- There is a statewide shortage of programs serving female sex offenders.
- Officials in the First District also make sex offender referrals out of state. Specifically, referrals have been made to a program called Copper Hills located in West Jordan, Utah. The program is Medicaid approved, serves female offenders, and will accept lower functioning individuals. Respondents are very happy with the services.

CRISIS PLACEMENT

- Youth Shelters and Family Services (YSFS) in Santa Fe has a crisis shelter program known as La Otra Puerta. Currently, the program offers 12 beds and serves both males and females. One respondent is quite disappointed with the facility and suggests the house is “run-down and depressing.”
- One respondent from the juvenile probation office raised some concerns regarding the level of supervision in the YSFS shelter program suggesting that “supervision is loose.” The respondent conceded that the shelter’s philosophy is in conflict with the Juvenile Justice Division’s stance toward juveniles on probation.
- One respondent from the courts reported that the YSFS beds were almost always taken and consequently, many juveniles that might be diverted from detention are instead placed into custody.
- Recently the Santa Fe County Commissioners approved an expansion of twelve additional beds. The new facility, which is expected to open in early 2003, will reportedly have improved accommodations.
- Respondents report that there is a need to separate delinquent youth in shelters from nondelinquent runaways, status offenders, and PSD cases.

EDUCATIONAL SERVICES

- Interviews regarding educational services in the First District resulted in mixed reviews of the available programming. One respondent said that a wide range of services, although not of the best quality, were available.
- Currently, there is not an adequate alternative school program in the First District according to respondents. Although the Santa Fe Public Schools offer the La Madera Program, critics argue that this is a “dumping ground for kids that don’t fit in other places.”
- One respondent suggested that the La Madera program could be dramatically improved by adding a clinical component for those clients needing additional services.
- Of major concern is the lack of alternatives for juveniles suspended from school. There is little programming for juveniles expelled or suspended from school in the district.
- Currently the City of Santa Fe has contracted services funded through the Juvenile Justice Advisory Council (JJAC) with Santa Fe Public Schools to initiate a truancy program specifically targeting high school students. The case management approach of this program is to identify high risk cases, recognize the underlying factors leading to truancy, and connect families with appropriate services.
- The Santa Fe Mountain Center offers experiential learning opportunities for juveniles. Some respondents feel the program should be expanded. Others suggest that the program, while certainly a complement to the continuum of services, has a limited sustained impact on participants.

ENHANCED SUPERVISION

- Cornell Corrections Inc. provides electronic monitoring services in the First District.
- All respondents are very satisfied with Cornell’s services. Specifically, respondents said that Cornell is timely, responsive, and has clear, easy-to-read reports. Cornell offers four different intensity levels of supervision.
- All respondents report that the current level of service is adequate to meet the need and that additional monitors are not needed.
- Juveniles without telephones cannot be placed on electronic monitoring.

DETENTION

- Santa Fe County Youth Development Program is a privately run facility under the umbrella of Cornell Industries which contracts out with Santa Fe County to provide temporary detention for juveniles.
- The detention facility, which has 128 beds, has two tracts. The facility reports that the average daily population is between 75 and 80 juveniles.
- The first tract is for juveniles in Santa Fe and surrounding counties who are detained temporarily pending further court proceedings. Forty-five beds are available for local use.
- The other tract is the “Training Program” which serves

adjudicated federal juveniles and out-of-state contracts with juveniles with “behavioral issues.” 75% of participants in the “Training Program” are Native American.

- Locally detained juveniles attend school at the facility with teachers provided by Santa Fe Public Schools. Anger management, independent living skills, substance abuse services and gang prevention programming is part of the daily curriculum.
- Youth committed to the “Training Program” are in the program from six months to five years. The average length of stay is one year.

TREATMENT ISSUES AND RECOMMENDATIONS*

- Several respondents mentioned the need for improved alternative educational programs for juveniles suspended or expelled from school.
- Related to and possibly a solution to the issue mentioned above, respondents suggested that a day treatment and evening reporting center is a need in Santa Fe. This center should be open seven days a week. Another respondent suggested that a police drop off center and/or a centralized diagnostic location for assessments would be useful.
- Currently, there is a need for more truancy prevention programming in the First District. One suggestion to address this issue is to provide improved behavioral management services within the schools. This would require a staff person to be trained in intensive case management techniques.
- One respondent strongly argued that complete baseline assessment should be done for all juveniles referred to the Children’s Court Attorney. However, JPPO’s are reportedly overloaded with work and do not have enough time to write up baseline assessments on all cases. Currently, the JPPOs use a one page report that may lack the detail needed by the Children’s Court Attorney and the courts.
- One respondent is in favor of expanding the current curriculum offered in many parenting classes to include parenting skills for delinquent teens.
- One advocate suggested that an Acute Adolescent Psychiatric Unit is needed in order to meet the mental health issues of juveniles in the First District. The respondent further suggested that if services cannot be accessed locally, steps should be taken to facilitate and improve access to services in Albuquerque.
- The Multi-Systemic Therapy (MST) Pilot Project is viewed as a positive addition to the continuum of services. Respondents would like to see the program expanded and argue that MST will help defray the treatment costs of sending juveniles to residential treatment. Specifically, respondents would like to see the program enhanced to accommodate family work schedules.
- There is one assigned Clinical Assessment Social Worker responsible for the First District which consists of three counties. Because of large caseloads and long distances between counties, the

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social worker is overextended according to some respondents.

- Generally, there is a lack of discharge and aftercare planning in most treatment programs according to one interviewee. “Discharge planning should begin at intake,” the respondent further suggests. Aftercare possibilities should be identified early in the process not a month before a child is returned to the community.
- Gender-specific services for females are rare and need to be addressed. One respondent suggested that a female empowerment program is needed.
- A representative from the Juvenile Probation/Parole Office suggests that the First District lacks available vocational training and that a local trade school would be a positive addition.
- Rio Arriba County needs additional community-based services. According to one respondent, treatment services in Rio Arriba are “currently very fractured, with few community based services.”
- Casa Mesita, in Los Alamos, provides an important service as a home for abused girls with five long-term beds and is available to serve JJD cases.
- There is a need for more mental health evaluators to assist in timely assessments of juveniles.
- According to one respondent, the First District has a growing population of recent Mexican, Guatemalan, and el Salvadoran immigrants. Many of these immigrants are monolingual Spanish speakers. Spanish language services are in demand more in Santa Fe County than in Rio Arriba County or Los Alamos County. Respondents report that several agencies are capable of providing treatment services in Spanish.
- The First Judicial District is working to acquire property at the former St. Catherine’s Boarding School to provide crisis beds, residential treatment beds and a day treatment center.

SUMMARY

- The First District includes Rio Arriba, Los Alamos, and Santa Fe Counties. These three counties are quite dissimilar. Unfortunately, this report has not fully captured that diversity since most of the interviewees are located in Santa Fe County.
- With the exception of educational services and the crisis shelter, which will soon be expanded and improved, respondents seem generally satisfied with the range of services available.
- Although not conclusive, there may be a growing need for additional bilingual services and culturally appropriate training for treatment providers.
- Certain treatment issues and recommendations closely mirror some of the issues raised in other parts of the state. These include the need for gender-specific services, day reporting, educational expulsion alternatives, additional sex offender services and residential treatment alternatives, and access to acute adolescent psychiatric services.

An Analysis of Juvenile Justice Process and Treatment Providers in the Second Judicial District

October 2002

FACTS ABOUT THE SECOND JUDICIAL DISTRICT

The Second Judicial District includes Bernalillo County.

- According to the 2000 Census, Bernalillo County had a total population of 556,678 residents. Albuquerque (pop. 448,607) makes up the largest portion. Other communities include South Valley (pop. 39,060), North Valley (pop. 11,923), Los Ranchos de Albuquerque (pop. 5,092), and Cedar Crest (pop. 1,060).

DELINQUENT REFERRALS FY01/FY02

- Bernalillo County: FY01 9774; FY02 8200; -16.1% change

JUVENILE TREATMENT PROGRAMS

Albuquerque Family and Child Guidance Center
 All Faiths Receiving Home
 Center on Alcoholism-Substance Abuse and Addiction (CASAA)
 Children's Psychiatric Hospital
 Desert Hills
 Hogares, Inc.
 New Day Youth and Family Services
 Peanut Butter & Jelly Family Services
 Youth and Family Counseling Services
 Youth Development, Inc.

KEY JUVENILE JUSTICE RELATED CONTACTS

Judy Dantes	JIPS, Juvenile Probation Office
Stephen Edens	Marketing Director, Desert Hills
Todd Heisey	Second Judicial District Attorney
Tommy Jewell	Judge, Second District Juvenile Court
Connie Keagan	Second Judicial District Public Defender
Jerry Otero	Director, New Day Youth and Family Services
Leslie Pacheco	Community Assessment Social Worker
Geraldine Rivera	Judge, Second District Juvenile Court
Tom Swisstack	Director, Bernalillo County Juvenile Detention Center
Joyce Valenzuela	Community Assessment Social Worker
Ron West	Chief, Juvenile Probation Office

INTRODUCTION

This study is a part of a larger statewide analysis of juvenile treatment programs in New Mexico. The purpose of this study is to determine how existing juvenile treatment needs are determined and met in various localities. Our specific goal is to determine gaps in treatment services available to juvenile justice agencies. One statewide summary report and individual reports, organized by the thirteen judicial districts, have been developed. All reports are available on the Council's web site:

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JUDICIAL PHILOSOPHY

Consent decree:

- Under a consent decree, the child is ordinarily placed on six months of probation without being adjudicated as delinquent. After six months, the case is dismissed.

Probation:

- Adjudicated delinquents can be placed on probation for one or two years. Intensive Supervision Programming with two probation and two surveillance officers routinely handles thirty habitual offenders.

Commitment to CYFD:

- An adjudicated juvenile can be committed to the custody of CYFD for one or two years unless the child is a Youthful Offender.

Time waiver:

- A time waiver option is sometimes used if both the Children's Court Attorney and defense council agree to waive the time limit (usually six months). If no other referrals are received during the specified period of time, the case is dismissed.
- Juveniles under a time waiver typically spend little or no time under supervision.

OBSERVATIONS ABOUT REFERRALS

- Referrals are made by various law enforcement agencies.
- In the Second District, referrals to the Juvenile Probation Office usually come from the local police department via police reports. There are two juvenile probation case assignment officers under the instruction of supervisory personnel who assign referrals to JPPOs.
- All juvenile information is entered into the Family Automated Client Tracking System (FACTS) in order to track referrals while sharing information with other divisions within CYFD.
- Referrals to the JPPO are handled formally or informally depending on the nature of the offense(s) and the child's delinquent history.
- When a law enforcement officer comes in contact with a juvenile suspected of a delinquent offense, the officer can forward a citation or report and if necessary place the child in detention. The Juvenile Probation Office must approve detention of the child or he/she must be released at booking.
- Within 24 hours of booking, a Children's Court Judge will review law enforcement affidavits for probable cause. If probable cause is not established, the child will be released at that time.
- If a youth is detained, the Children's Court Attorney must file a petition and a detention hearing is conducted in a timely matter.
- All felony cases are considered formal and referred to the children's court attorney. Although there is some discretion, a juvenile charged with a third misdemeanor referral within a two year period is also usually referred to the district attorney's office.
- All DWI cases are referred to the Children's Court Attorney.
- JPPO may process referrals informally through a variety

of diversion programs or send to the district attorney for review, who may then file a petition.

- Should the child be in court for the delinquency petition, the Children's Court Judge may place the child on a consent decree, adjudicate the child by assigning a period of probation, or committing the youth to the custody of CYFD.

MENTAL HEALTH TREATMENT

- Respondents report a lack of substance abuse treatment, both outpatient and inpatient.
- One issue, which is a statewide concern, is that we have shelter beds available and RTCs available but there is a lack of intermediate services. "The group home system has disappeared," according to one interviewee.
- It is especially difficult to serve and there is a gap placement issue for females and young offenders (those ages 8 to 12 years old).
- According to several respondents, there are two main issues affecting local inpatient treatment opportunities. The first issue is centered around the problem of long waiting lists. Desert Hills, a program that most respondents are pleased with, typically has a backlog of sixty or more referrals. One possible contributing factor to this issue is the fact that Desert Hills must reassess all referrals before allowing an intake. However, Desert Hills suggests that assessments are likely conducted faster than the community assessment social workers can do them.
- The average wait for the chemical dependency program at Desert Hills averages about eight weeks.
- The second issue is a question of service quality and high staff turnover.
- Due to waiting lists and concerns about services, a number of inpatient treatment programs outside of the Second District are used.
- The La Pointe Program in Santa Teresa operated by Alliance Behavioral Health Services is usually able to place juveniles in need of services quickly. Although the Alliance Hospital is sometimes slow in completing assessments, the program will accept assessments done by other qualified sources.
- Mesilla Valley Hospital has a liaison assigned to serve the Second District but few juveniles are placed in the Las Cruces program.
- Two programs in northern New Mexico are occasionally used: Rancho Valmora and Hacienda Valmora. They accept private pay clients and therefore almost always have long waiting lists. According to one respondent, it is nearly impossible to place juveniles in these programs.
- Casa de Corazon is a program in Taos that serves female juveniles. While placements are difficult, according to one respondent, results have been favorable.

Second Judicial District Juvenile Drug Court

- Judge Geraldine Rivera established the Drug Court Program in the Second District about four years ago.
- The strict juvenile probation Drug Court Program is designed for the substance using offender who has failed in all probation attempts to address substance abuse.

- The program is fully staffed with a Director, Social Worker, Administrative Assistant, and two full-time JPPOs.
- The average daily population is 23 juveniles on probation and the average length of stay is close to a year. The average age of the participants is 16 years old.
- Referrals are submitted to the Drug Court by district attorneys, judges, public defenders, detention home personnel, probation officers, parents, youth and family counselors, and others.
- The program allows rewards for success and sanctions for violations.
- Drug use for participants in the program ranges from marijuana to heroin but typically the drugs of choice include methamphetamine, crack, cocaine, and PCP.

SEX OFFENDER TREATMENT

- In Bernalillo County inpatient sex offender treatment is available at Desert Hills. Desert Hills provides a dedicated inpatient sex offender program that receives referrals from all over the state. Consequently, waiting lists are typically quite long.
- Less frequently, juveniles needing sex offender treatment are referred to The Care Unit in Las Vegas. The Care Unit rarely has available bed space and at least one respondent felt that the Care Unit is too strict in its referral standards stating that very acute cases are sometimes screened out.
- There is an innovative program in the Second District that meets the sex offender treatment needs of adjudicated delinquents who are admitted sex offenders. The Juvenile Probation Office has a dedicated unit especially for juveniles who are ordered to either inpatient or outpatient sex offender treatment interventions. At the time of the interview, 33 juveniles were assigned to this special unit.
- Despite additional resources in the Second District, it is not uncommon for juveniles needing sex offender treatment to be committed to CYFD custody because of a lack of available treatment or failure to respond to prior treatments.
- Sandia Cottage at YDDC has special programming to deal with juveniles in CYFD custody needing sex offender treatment. The program normally operates at full capacity of up to 22 juveniles. Participants must be adjudicated on a sex offense and be willing to participate in the program
- Clinical social workers and psychologists providing treatment in Sandia Cottage are nationally certified specialists trained to specifically address sex offender issues.

Desert Hills Sex Offender Unit

- With the closing of the Mesilla Valley Hospital Sex Offender Program, and the limited capacity of the Las Vegas Care Unit to accept new referrals, Desert Hills is the primary provider of inpatient sex offender treatment in the state of New Mexico for kids not in CYFD custody.
- Desert Hills will not accept referrals for anyone 18 years old or older.
- After recognizing the special needs of younger juveniles

needing treatment, Desert Hills created a special, seven-bed unit for 11 and 12 year-old children. The unit was in such great demand that it was filled the day it opened. The Marketing Director suggests that there is a much greater need for similar services. The director estimates that at least ten additional beds are needed to serve this young population.

CRISIS PLACEMENT

- In Bernalillo County, there are three primary options for crisis placements: New Day, Amistad and All Faiths Receiving Home.
- New Day is a shelter for runaways. The program accepts juveniles ages 12-17 and has the capacity to house 20 males and 20 females. The three month program, which serves JJD and PSD cases, reports that beds are typically always available.
- Amistad is a smaller facility with the capacity to serve up to 12 juveniles operated by Youth Development, Inc. The program accepts a balance of males and females. Clients can remain at Amistad for no more than 30 days.
- All Faiths Receiving Home offers safe house investigative interviews, and emergency residential care for primarily nondelinquent children.
- An important issue, raised by several respondents, is the length of stay allowed in residential beds. Often a child may be released from treatment prior to the completion of their treatment plan with no subsequent treatment aftercare.
- Improvement in the mental health system to effectively treat and place children who have no contact with the juvenile justice system is another area of major importance. Runaways and other juveniles in crisis are often ignored and have few options.

ENHANCED SUPERVISION

- The Bernalillo County Juvenile Detention Center administers the Community Custody Program which has some reserved electronic monitors for those eligible. According to one respondent, there are not enough electronic monitors available for this program.
- Electronic monitoring is provided by Behavioral Initiatives, Inc. through the Bernalillo County Juvenile Detention Center. According to one judge, electronic monitors are unavailable about 40% of the time.
- Respondents at the Juvenile Justice Center report the need for additional juvenile surveillance officers to assist in late night and weekend supervision of clients under conditional release from detention and other court orders.

EDUCATIONAL SERVICES

- Educational services in Bernalillo County have improved over time according to one judge. In the past, the Albuquerque Public School System was not always amenable to providing services to delinquent youth. To address this issue, a liaison office was created. According to one respondent, the position was used to threaten youth and although the position still exists, it has been diminished because of misuse.
- The courts in the Second District offer a computer-based

literacy program. Respondents report that this is a useful and impactful program.

- This district has the most variety of educational services and programs in the state. Most respondents are satisfied with the range of services available.
- Truancy in the Second District is a major issue. According to at least three sources, the schools irregularly report absences.
- At this time, there is no agency capable of dealing with the truancy problem with the Albuquerque Public Schools.
- In September 2001, a program with two case managers was funded in Bernalillo County to address truancy in one middle and two elementary schools. The program requires that the case manager check on any child with three or more unexcused absences. The goal of the program is to improve the truancy rate at these three schools and to diversify the continuum of services into local neighborhoods. So far, the program has proven effective according to respondents.

TREATMENT ISSUES AND RECOMMENDATIONS*

- There are few outpatient and no inpatient services for female sex offenders in the state. Although infrequent, these types of juveniles are currently under-served.
- There is a need for greater access to transitional, after-care, and intermediate home-based services. These transitional services need to address juveniles returning from a commitment or detention as well as those returning from inpatient treatment.
- Several respondents recommended expanding the capacity to provide treatment foster care services for JJD cases. Treatment foster care has been successful in extending treatment services and improving outcomes according to those interviewed.
- Some respondents believe that managed care has led to a dramatic reduction in the lengths of stay for inpatient and residential treatment and that some clients are being forced out of treatment too soon.
- There is a statewide gap in services for individuals ages 18-21 in need of substance abuse or sex offender treatment. Semi-independent living opportunities are scarce for this currently under-served population.
- One respondent reports the need for domestic violence classes that would emphasize domestic violence awareness, interventions and other educational components. Dating violence interventions is a specific area of need.
- There is a need to provide gender specific victim services for girls and boys. Generally, gender specific treatments are lacking in all areas. Several respondents in the Second District and around the state have mentioned the need for a Sequoyah-like program for females.
- Although a range of parenting classes exist in the Second District, some respondents feel that many of the programs are rigid, meet at inconvenient times, and do not address the specific parenting issues surrounding

parenting a child in the juvenile justice system. Classes need to address special needs of parents with children on probation. The special needs of juveniles on probation who have children, both females and in particular males, need to be recognized.

- There is a shortage of programs willing to accept pregnant teens and those with children. Living centers for teens with children, especially drug exposed children, are also needed.
- At least two respondents suggested that the mentoring programs currently available in the Second District are too exclusive and that many needy juveniles fall through the cracks. The respondent would like to see less-restrictive mentoring programs.
- While the SAFE 2000 program has helped, one person recommended that police officers should have improved specific training when juveniles are involved. Juveniles may not have the maturity or cognitive ability to respond to police expectations.
- Finding inpatient placement for juveniles needing sex offender treatment is often exceedingly difficult. Youth are being held due to a lack of available services. Some juveniles spend long periods of time in detention until treatment becomes available.
- One respondent suggested that more community-based inter-generational programs for treatment and prevention are needed.
- One judge suggested that juvenile judges would be more effective if they spent more time in the community and less on the bench. Specifically the judge advocated that court officials should visit treatment programs and probation offices.
- Additional electronic monitors are needed in the Second District.
- One respondent felt that interdisciplinary programs that include education and behavioral components would be useful.
- Finally, one respondent suggested that one JPPO should be assigned to deal with all the juveniles assigned to Desert Hills, as 40-50% of youth at Desert Hills are on probation (about 40 kids). This would potentially improve rapport with treatment staff, limit points of communication, and hopefully lead to better treatment compliance outcomes.

SUMMARY

- The Second District is by far the most populous district in the state of New Mexico. Not surprisingly, there are a wider range of services here than in other areas. Despite these additional services, there are still many potential areas of improvement.
- Bernalillo County has a number of progressive and innovative approaches to juvenile justice. The Bernalillo County Juvenile Detention Center and the local Juvenile Probation Department have been at the forefront of these developments. Other districts could benefit by taking a closer look at some of the alternatives to detention that have been promoted in the Second District.

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An Analysis of Juvenile Justice Process and Treatment Providers in the Third Judicial District

October 2002

FACTS ABOUT THE THIRD JUDICIAL DISTRICT

The Third Judicial District covers Doña Ana County.

- According to the 2000 Census, the majority of Doña Ana County residents live in one of six communities. The total county population is 174,682 according to the 2000 Census of the Population. More than one-third of Doña Ana County's population lives in Las Cruces (pop. 74,267), followed by Sunland Park (pop. 13,309), Anthony (pop. 7,904), Santa Teresa (pop. 2,607), Mesilla (pop. 2,180), and Hatch (pop. 1,673).

DELINQUENT REFERRALS FY01/FY02

- Doña Ana County: FY01 2226; FY02 2272; 2.1% change

JUVENILE TREATMENT PROGRAMS

Adolescent Family Life (PARE)

Alliance Behavioral Health Services

Doña Ana County Teen Court

Families and Youth, Inc.

La Casa, Inc.

La Clinica de Familia, Inc.

Mesilla Valley Hospital

Southern New Mexico Human Development, Inc.

Southwest Counseling Center, Inc.

Third Judicial District Juvenile Drug Court

KEY JUVENILE JUSTICE RELATED CONTACTS

Lucinda Aguilar	Community Assessment Clinical Social Worker
Lt. Vickie Garcia	Doña Ana County Juvenile Detention Facility
Therese Lujan	Third Judicial District Assistant District Attorney
Rory Rank	Third Judicial District Public Defender's Office
Carolyn Scott	Chief, Third District Juvenile Probation Office
Anne Wallace	Third Judicial District Juvenile Drug Court
Lura Wallace	Community Assessment Clinical Social Worker

INTRODUCTION

This study is a part of a larger statewide analysis of juvenile treatment programs in New Mexico. The purpose of this study is to determine how existing juvenile treatment needs are determined and met in various localities. Our specific goal is to determine gaps in treatment services available to juvenile justice agencies. One statewide summary report and individual reports, organized by the thirteen judicial districts, have been developed. All reports are available on the Council's web site:

<http://www.cjjcc.org/publications.php>.

METHODOLOGY

The information contained in this report was collected between November 2001 and October 2002 and is based upon a data collection strategy approved by the Juvenile Policy Subcommittee. Criminal and Juvenile Justice Coordinating Council (CJJCC) researchers were provided contact information for key personnel in the various judicial districts by the Administrative Office of the Courts (AOC), the Children, Youth, and Families Department (CYFD), the Administrative Office of the District Attorney, and the New Mexico Public Defender. Interviews were then scheduled with area juvenile judges, and representatives from the District Attorney's office, the public defender's office, the Juvenile Probation/Parole Office (JPPO), local detention facilities, and some treatment providers serving juveniles. Some interviews were conducted via telephone although the majority were conducted face-to-face. Whenever possible, data collection was standardized through the use of interview guides created specifically for the role of the person being interviewed. In the Third District, CJJCC staff completed formal interviews with eight respondents and spoke to several others informally. The information found throughout this report is based on interview data and does not reflect any official position of the CJJCC.

JUDICIAL PHILOSOPHY

Consent decree:

- Under a consent decree, the child is ordinarily placed on six months of probation without being adjudicated as delinquent. After six months, the case is dismissed.

Probation:

- Adjudicated delinquents can be placed on probation for one or two years.
- An adjudicated juvenile can be committed to the custody of CYFD for one or two years unless the child is a Youthful Offender.
- Juvenile Intensive Supervision Programming is available in the Third District.

Time waiver:

- A time waiver option is sometimes used if both the Children's Court Attorney and defense council agree to waive the time limit (usually six months). If no other referrals are received during the specified period of time, the case is dismissed.
- Juveniles under a time waiver typically spend little or no time under supervision.

Pre-prosecution Diversion Program:

- The District Attorney's office administers a program known as the Pre-Prosecution Diversion Program. The program is similar to a time waiver except the juvenile is supervised by a Pre-Prosecution Diversion Officer employed by the District Attorney.
- This program is usually considered for nonviolent misdemeanor cases and for juveniles referred for their first offense.
- District Attorneys in the Third District use the Pre-Prosecution Diversion frequently.
- The Pre-Prosecution Diversion Officer takes the place of the JPPO in administering urinalysis and community service, making referrals for treatment, and supervision.
- The six to twelve month program has been largely successful.

OBSERVATIONS ABOUT REFERRALS

- Referrals are made to the JPPO from various law enforcement agencies.
- Typically, the police will make a report and forward it to the JPPO for a preliminary investigation. In the Third District referrals are split between the Las Cruces metropolitan area and the northern and southern portions of the county. A juvenile Class 3 Delinquent Referral Report comes in from law enforcement daily.
- Referrals to the JPPO are formal or informal depending on the allegations and whether the youth has previous commitments or offenses.
- Prior to the law enforcement booking a child in the juvenile detention facility, authorization from the Juvenile Probation Office must be obtained.
- Children's Court Judges do a probable cause review

on the law enforcement officer's booking affidavit within 48 hours.

- After receiving the referral for a child in the juvenile detention facility, the probation officer may release the child with a supervision plan or meet with the Children's Court Attorney who files charges to proceed with a detention hearing.
- Based on the Children's Code, the JPPO forwards certain cases to the Children's Court Attorney. All felony cases, DWI referrals and 4th misdemeanor offenses are considered formal and referred to the Children's Court Attorney. There is some JPPO discretion depending on the child's functioning in the community, school performance, family situation, and prior delinquent activity in determining whether a referral is made to the Children's Court Attorney. The Children's Court Attorney reviews the referral to determine if it is legally sufficient to become a petition to the court.
- The juvenile probation officer must bring the juvenile to a detention hearing in a timely manner.
- Should the JPPO at the time of the preliminary inquiry determine it is in the child's best interests to refer to informal programming, the officer may refer juveniles to specific juvenile programs based on the seriousness of the offense, mental health needs, and if restitution and/or community service is appropriate.

ASSESSMENTS

- In the Third Judicial District, forensic evaluations often take up to 15 days to complete.
- The Children's Court Attorney can ask for a second opinion on an assessment by requesting a follow-up evaluation.
- Sometimes, judges' orders contradict the normal referral process for a client for assessments, evaluations and/or treatment. This is especially difficult if the juvenile is found to be incompetent or dangerous.
- The Third Judicial District has two assigned clinical social workers who are responsible for completing bio/psycho/social assessments for juveniles referred to them. They ordinarily complete these assessments only for mandatory cases, but they can also be assigned in special cases for assessments needed right away (i.e., prior to detention - saves time in processing).
- Families and Youth, Inc. (FYI) and Southwest Counseling Services also regularly do assessments at the request of the JPPO. According to the "targeted case management" standards implemented and required by the Juvenile Justice Division, case management assessments are due in the case file within six months of initiating a case.
- FYI has the bulk of contract dollars to complete assessments. Only Community Corrections services are available to the southern part of the district through FYI. Areas such as Anthony, Santa Teresa, and Sunland Park are served by Southern New Mexico Human Development.

MENTAL HEALTH TREATMENT

Inpatient

- Juveniles in the Third District are referred to primarily two local resources: Mesilla Valley Hospital and Alliance Hospital. Waiting lists are typically long at both locations.
- Typically when offenders return from an admission to Mesilla Valley Hospital for treatment, the JPPO refers the child to the juvenile drug court program in order to ensure that an aftercare component to inpatient services is in place.
- Some respondents have been somewhat dissatisfied with services provided by Mesilla Valley Hospital. Occasionally, a child will act out in some way while in the program. Too frequently, these disruptive children are removed from the program.
- Generally, most respondents tend to be satisfied with the services provided by the La Pointe program at Alliance Hospital.
- The Third Judicial District also uses Humphrey House, Grace House, Sequoyah and Desert Hills in addition to their local service providers.

Outpatient

- Mesilla Valley Hospital provides outpatient counseling although the services are often limited in availability.
- Most outpatient referrals go to FYI. Currently, the JPPO is generally satisfied with the services being provided by FYI.
- Southwest Counseling also accepts referrals for outpatient treatment. It is important to note that Southwest Counseling will accept 18 year old clients whereas most other programs will not.
- Southern New Mexico Human Development, while usually able to accept new referrals, sometimes fails to follow-up on services provided. Some respondents perceive that case management activities are not as strong as other programs.
- One private provider, Dr. Alton Patterson, has been a particularly effective counselor serving juveniles on probation according to one representative. Patterson accepts Medicaid and has been particularly successful with African American males.
- Respondents reported that the Professional Assessment Center is also available for outpatient referrals. Typically this program is used for cases requiring more specialized treatment.
- Adolescent Family Life is a program serving young mothers. The Juvenile Probation/Parole Office has generally been satisfied with the services provided by this agency although there is some need to expand this type of programming.

Third District Juvenile Drug Court

- The Juvenile Drug Court in Las Cruces is reported to be especially effective for young users and as an early intervention for children who may be experimenting with substance abuse.
- The keys to success for the program appear to be urinalysis frequency, the sense of personal responsi-

bility fostered by direct accountability to members of the drug court team (especially the judges), and the fact that the program keeps participants busy.

- Several respondents report that there is a need to expand the program to allow for additional referrals.

SEX OFFENDER TREATMENT

- Youth requiring sex offender specific treatment in the Third Judicial District are normally referred to Desert Hills in Albuquerque.
- Respondents have raised some generalized concerns about the sex offender program at Mesilla Valley Hospital that may have contributed to the agency no longer offering this services. No concrete disclosures were made about any of the services. Mesilla Valley Hospital used to get most of the referrals for sex offender treatment from the Third District.
- Juvenile authorities could only think of one child that had been placed at the State Hospital in Las Vegas. The general consensus is that a referral to Las Vegas will be futile since nearly all referrals are either placed on a waiting list or screened out.
- Often, juveniles who need sex offender treatment are committed to custody in the hopes that they will get treatment at Sandia Cottage at YDDC.

CRISIS PLACEMENT

- In the Third District, there are only fifteen crisis beds currently available to serve all JJD and PSD referrals. FYI provides these services.
- According to one respondent, detention beds are sometimes used for juveniles who would be eligible for crisis shelter placement.

EDUCATIONAL SERVICES

- The Academy in Mesilla offers educational services to juveniles with behavioral issues. Respondents claim that students seem to respond well to the services and the specialized curriculum.
- FYI operates a service known as the Stay Program. The program has a small matrix but children are able to access one-on-one educational support.
- Mesilla Valley Technical School is available to serve juveniles who need vocational training.

ENHANCED SUPERVISION

- FYI currently provides electronic monitoring services for 16 juveniles in need of extra supervision for both pre- and post-adjudicated referrals. The Juvenile Probation Office feels there is a greater need for additional electronic monitors for pre-adjudicated youth throughout the county.
- The WRAP (WRAP is the name given to the juvenile community corrections program) program administered by Mesilla Valley Hospital provides 6 electronic monitors for juveniles who have been adjudicated.
- Although funding is no longer available, a few years ago Mesilla Valley Hospital provided electronic

monitoring services for juveniles on informal probation through Juvenile Accountability Incentive Block Grants (JAIBG) dollars. A total of 60 youth went through the program with excellent results in terms of subsequent referrals. There is interest in reviving this program but financial support is needed.

DETENTION

- The Juvenile Detention facility in Doña Ana County, which opened in the fall of 2001, can hold up to 50 juveniles. Forty beds are for males and ten are for females. The Third District has first priority for detention beds. If the facility is full, out-of-county placements may be required to move detainees. Typically, there are about twenty juveniles in detention from the Third Judicial District. The only official contract with another county is Otero. It is not uncommon to have more juveniles in detention from the Twelfth District than those from the Third District. Juveniles from other counties are also sometimes detained in Doña Ana County.
- It is common for juveniles to be held in detention longer than they would normally be held due to a lack of treatment placements throughout the state.
- The Doña Ana County Juvenile Detention facility has two full-time Las Cruces Public School teachers - one regular tract and one special education tract - throughout the school year.
- Detention personnel report that they are there to detain children and do not have the resources to provide additional programming.
- Medical assistance is available for detainees.
- There is a need for crisis interventions to be available at booking for juveniles with special and/or acute needs.
- According to one respondent from the Third District, "the state is abusing the system...most kids do not need to be detained."

TREATMENT ISSUES AND RECOMMENDATIONS*

- Treatment facilities serving juveniles at many different levels are needed.
- Low pay for treatment workers makes it difficult to retain qualified employees in treatment programs statewide.
- More inpatient treatment centers are needed.
- Parenting classes, and parental involvement in general, need to be improved.
- Additional mental health services are needed, particularly in the southern part of the state.
- There is a shortage of crisis beds. FYI has 15 beds. There is a particular need for a shelter to serve females in crisis, especially for pregnant teens.
- Some officials would like to see additional secure treatment facilities similar to Sequoia in Albuquerque. There is a particularly great need for secure treatment facilities for incompetent juveniles. A secure facility is needed to treat incompetent, dangerous

juveniles.

- Additional electronic monitors are needed.
- Additional treatment foster care beds are needed.
- Gender specific treatments for females are largely absent. This is especially true for violent females and those with more serious mental health issues.
- One respondent suggested expanding the availability of vocational training for juvenile offenders.
- Overall, the Third District has a fairly broad base of services available. Respondents report that there is not a major need to create new programs, but rather existing programs should be enhanced and improved.
- The Third Judicial District has several options for parenting skills classes and other programs to address parenting issues. These include FYI, Adolescent Family Life, and the GRADS Program.
- The GRADS Program currently serves adolescent mothers and their children and there are plans to expand the GRADS Program to also serve adolescent fathers.
- FYI administers a home-based intervention program. Respondents suggest that the current funding levels for this program are sufficient and that there does not appear to be a need to expand the program further.
- Although family preservation services are available through the Protective Services Division, Juvenile Justice Division Representatives report that very few JJD referrals are ever accepted.
- The district attorneys and public defenders seem to have a positive, workable relationship.
- The District Attorney's office reports that the relationship with the Juvenile Probation Office is effective. With the exception of one or two officers, the District Attorney's office is satisfied with the performance of the JPPOs.
- Too often the Juvenile Justice Division is trying to solve issues that should be under the Protective Services Division. In the Third Judicial District the rift between the two CYFD divisions is particularly damaging. Typically, the PSD will not get involved if a case is open in the JJD at the time of a referral and may close a case should a JJD referral occur.
- Adult Drug Court will not accept referrals for offenders between the ages of 17 and 21. Indeed the most difficult to serve age group are offenders between 17 and 25.
- Occasionally, some juveniles are involved in both Juvenile Drug Court and Juvenile Community Corrections. It has been reported that this practice may duplicate services, reduce the total number of clients who can be served, and place unrealistic expectations on the participants and their families.
- Recently, weekly case staffings attended by FYI, PSD, JJD and other treatment providers have improved communication between the PSD and the JJD.

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An Analysis of Juvenile Justice Process and Treatment Providers in the Fourth Judicial District

October 2002

FACTS ABOUT THE FOURTH JUDICIAL DISTRICT

The Fourth Judicial District includes three counties: San Miguel, Mora, and Guadalupe.

- According to the 2000 Census, San Miguel County had a total population of 30,126 residents. The two most populous communities in the county are Las Vegas (pop. 14,565) and Pecos (pop. 1441).
- Mora County has a total population of 5,180 residents. The only incorporated town is Wagon Mound (pop. 369).
- Guadalupe County has the smallest population in the district at 4,680 residents. Santa Rosa (pop. 2,744) is the largest community in Guadalupe County followed by Vaughn (pop. 539).

DELINQUENT REFERRALS FY01/FY02

- San Miguel County: FY01 709; FY02 644; -9.2% change
- Mora County: FY01 36; FY02 60; 66.7% change
- Guadalupe County: FY01 88; FY02 65; -26.1% change

JUVENILE TREATMENT PROVIDERS

Virginia Alaniz, Private Practitioner
Ayudantes, Inc.
Dr. Susan Cave, Private Practitioner
Consejos
Human Resources Development Association, Inc. (HRDA)
Las Vegas Care Unit (LVCU)
Namaste Inc.
Brian Partridge, Private Practitioner
Ride To Pride Partnership, Inc.
Rancho Valmora
Somos Familia
Upward Bound (TRIO Program)

KEY JUVENILE JUSTICE RELATED CONTACTS

Gerald Baca	Public Defender - Contract Attorney
Anthony Elebarrio	Quay County Juvenile Detention Director
Ray Garley	Chief, Juvenile Probation Office
Jay Harris	Judge, Fourth Judicial District
Andy Madrid	Juvenile Probation Officer
Eugenio Mathis	Judge, Fourth Judicial District
Randy Rivera	Human Resources Development Associates
Matt Sandoval	Fourth District District Attorney's Office
Tom Thornton	Clinical Assessment Social Worker

INTRODUCTION

This study is a part of a larger statewide analysis of juvenile treatment programs in New Mexico. The purpose of this study is to determine how existing juvenile treatment needs are determined and met in various localities. Our specific goal is to determine gaps in treatment services available to juvenile justice agencies. One statewide summary report and individual reports, organized by the thirteen judicial districts, have been developed. All reports are available on the Council's web site:

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JUDICIAL PHILOSOPHY

- In the Fourth District, one-year probation terms are typically not used. Time waivers are used only on occasion. Typically, probation terms are through six-month consent decrees and two-year probation judgements.
- According to one judge in the Fourth District, the goal of juvenile justice is to resolve problems so that youth can lead a normal life.
- The judge will talk informally with many youth. If the case is formal and requires a petition to attach parents to the case, the case is referred to the court via the district attorney.
- Judicial referrals to juvenile justice programs are usually based on recommendations made by the JPPO. As in most district courts where judges do not specialize, judicial decisions regarding treatment needs rely heavily on input from the Juvenile Probation Office.
- Once it is determined that a youth needs to be placed into treatment, the clinical assessment social worker initiates the placement process by preparing referral packets to the appropriate providers.

OBSERVATIONS ABOUT REFERRALS

- Referrals are made by various law enforcement agencies.
- All juvenile information is entered into the Family Automated Client Tracking System (FACTS) in order to track referrals while sharing information with other divisions within CYFD.
- Referrals to the JPPO are handled formally or informally depending on the nature of the offense(s) and the child's delinquent history.
- When a law enforcement officer comes in contact with a juvenile suspected of a delinquent offense, the officer can forward a citation or report and if necessary place the child in detention. The Juvenile Probation Office must approve detention of the child or he/she must be released at booking.
- Within 24 hours of booking, a Children's Court Judge will review law enforcement affidavits for probable cause. If probable cause is not established, the child will be released at that time.
- If a youth is detained, the Children's Court Attorney must file a petition and a detention hearing is conducted in a timely matter.
- All felony cases are considered formal and referred to the Children's Court Attorney. Although there is some discretion, a juvenile charged with a third misdemeanor referral within a two year period is also usually referred to the District Attorney's office.
- All DWI cases are referred to the Children's Court Attorney.
- All cases of graffiti in the Fourth District are also dealt with formally and referred to the Children's Court Attorney in an attempt to curb gang activity. Assault on school personnel are formal and are referred to the district attorney.

- The JPPO may process referrals informally through a variety of diversion programs or send them to the district attorney for review who may then file a petition.
- Should the child be in court for the delinquency petition, the Children's Court Judge may place the child on a consent decree, adjudicate the child by assigning a period of probation, or committing the youth to the custody of CYFD.

ASSESSMENTS

- The Clinical Assessment Social Worker Unit was established statewide to reduce the number of commitments and 15 day evaluations and to provide assistance in the placement process.
- There is one clinical assessment social worker for the Fourth, Ninth and Tenth Districts.
- By all accounts, the clinical social worker is effective, efficient and responsive; however, the workload is too much for one person.
- Assessments may be delayed for a week to ten days or longer because the social worker is unavailable to make the assessment.
- Clients that must have a bio/psycho/social assessment include those seriously involved with drugs, alcohol, sex offenses, all CYFD commitments, or any client facing detention. These more in-depth assessments are completed by the clinical assessment social worker. After the assessment is complete, the JPPO creates a plan of care. The plan of care is then approved by the JPPO supervisor. The plan of care is developed within five days for informal referrals and after trial disposition for formal referrals.
- Alcohol and drug abuse assessment are ordered by the court and carried out by HRDA, Brian Partridge, or Ayudantes. These assessments are in addition to the bio/psycho/social assessments requested by the JPPO.

MENTAL HEALTH TREATMENT

Inpatient

- The Fourth Judicial District has two inpatient substance abuse treatment options available within the district. The district also uses several out-of-district facilities for inpatient substance abuse treatment.
- Rancho Valmora provides inpatient residential treatment for at-risk boys and girls from 12-17 years of age with behavioral and emotional difficulties. Rancho Valmora can serve up to 63 clients (36 male beds and 27 female beds). Each client is screened by a treatment team upon receipt of referral from appropriate agencies.
- Hacienda Valmora provides residential treatment for at-risk youth who have detoxification needs and can serve up to 22 clients. The program provides educational and recreational programs for boys and girls with behavioral and/or emotional difficulties. Rancho Hacienda focuses on substance abuse, school issues, social and family relationships, mental health and legal issues.
- Both Rancho Valmora and Hacienda Valmora are taking private pay patients, many from out of state,

displacing these facilities' ability to provide services to local youth.

- Hogares Inc. in Albuquerque provides out-of-district options for inpatient treatment for adjudicated youth on probation or parole and non-adjudicated youth with substance abuse treatment needs. Placement into Hogares has been fairly easy.
- Casa de Corazon - Residential Treatment is a residential treatment center in Taos for adolescent girls that are severely emotionally disturbed. Placement into this program is very difficult.
- Desert Hills in Albuquerque provides inpatient residential treatment. The clinical emphasis is on assessment, treatment planning, discharge and aftercare planning. The goal is to prepare clients for a successful future in home, school, and community. Placement into Desert Hills is very difficult.

Outpatient

- The Fourth Judicial District also uses many outpatient treatment services.
- Ride To Pride Partnership, Inc. in Las Vegas serves adjudicated youth on probation or parole and youth referred for nondelinquent offenses. Services include individual, family and group clinical services and an equine-assisted psychotherapy program.
- Ayudantes, Inc. in Las Vegas provides individual, family and group therapy, case management, and a drug and outpatient program for youth. Some respondents reported that the program has high staff turnover, thus a lack of stability.

Juvenile Community Corrections

- Juvenile Community Corrections is operated by Human Resources Development Associates and functions as an extension of the JPPO in the Fourth Judicial District.
- JCC is used by the JPPO for high risk youth that need additional surveillance. JCC staff report to the JPPO.
- The JPPO completes the referral for JCC's more intensive supervision. The admit rate is nearly 100 percent.
- There are 15 matrix levels (12 active).
- At least one respondent expressed the desire to have a separate unit of the JPPOs for surveillance instead of using JCC. JCC falls short of referring clients to substance abuse treatment or counseling and only provides enhanced surveillance thereby not fully providing for the client as the JPPO would.

SEX OFFENDER TREATMENT

- Consejos in Las Vegas provides outpatient counseling service, specialized assessment and mental health evaluations. Placement is almost always available for a small number of clients. Consejos works closely with the schools and is not available during the summer.
- Somos Familia provides counseling to a small number of clients in the Fourth Judicial District.

- Brian Partridge provides private, outpatient counseling geared toward youth. Brian Partridge is a private practice therapist who works with youth sex offenders locally on an outpatient basis. Indeed, Partridge is an important part of the treatment of care continuum in under-served rural areas in the Fourth and Tenth Districts.
- The Care Unit in the Las Vegas Medical Center provides sex offender specific treatment, but placement is very difficult. This is the only inpatient sex offender treatment available in the Fourth Judicial District.
- Referrals have been made to Desert Hills in Albuquerque. Placement into Desert Hills is often difficult.

EDUCATIONAL SERVICES

- Luna Community College, Highland University, and the two public high schools provide GED programs. Luna Community College also provides some vocational training.
- West Las Vegas High School offers the Century 21 Program. Century 21 is an after school program that includes tutoring and other activities. Additionally, the high school offers the West Las Vegas Family Partnership Program as an alternative for youth who are suspended from school to prepare for their GED.
- Brush Ranch in San Miguel County is a private school for special education youth.
- According to respondents, a new charter school opened in August 2002. This school will also address some of the needs of at-risk youth.

CRISIS PLACEMENT

- The Fourth Judicial District has no crisis facilities or capabilities.
- Juveniles in need of crisis placement are often referred to Youth Shelters and Family Services in Santa Fe.
- There have been some collaborative efforts to create some independent living options in the Fourth District.

ENHANCED SUPERVISION

- Electronic monitors are available via the Las Vegas County Detention Center for \$8.00/day. This can be waived under certain circumstances.
- Human Resources Development Association (HRDA)/ Juvenile Justice Community Corrections (JCC) provides intensive surveillance.

DETENTION

- The Fourth Judicial District has no local detention facility and instead relies on Quay County to provide detention services.
- The Quay County Detention Center has 20 juvenile beds to serve all of the counties in the Fourth District and other counties in the Eighth, Ninth and Tenth Districts.
- A major concern for respondents in the Fourth District is that the detention center is 108 miles from Las Vegas. Long travel distances create hardships for families, may impede the child's legal defense, and affect their access to other professional services.
- The public high school provides one full-time and one

- part-time teacher to meet educational needs.
- Medical concerns are addressed through two weekly outreach visits. A local physician is on contract to provide additional medical services.
- According to the contracted public defender, meetings with juveniles in detention often do not occur until minutes before a scheduled court proceeding. The respondent further suggests that this is an issue that further illustrates the need for a local detention option.

TREATMENT ISSUES AND RECOMMENDATIONS*

- According to one judge, youth commitments to CYFD and 15 day evaluations need to be reduced.
- The Fourth Judicial District has only one clinical assessment social worker. The district needs an additional clinical assessment social worker to reduce the workload of the current social worker.
- The Fourth Judicial District has no consistently available residential treatment facilities and must rely on programs in other districts.
- There is a need for an increased number of female treatment beds.
- Youth are being committed to CYFD because there is a lack of treatment facilities. One respondent reported that, "more youth are being committed because of a lack of treatment services."
- Managed care issues have reduced lengths of treatment which some respondents feel inhibit or limit successful interventions.
- There is support among key players for the development of a local juvenile drug court and a teen court program. At one time, a juvenile drug court was being discussed and a local drug court team was developed. A lack of funding kept the program from being fully implemented.
- There is a district-wide need for first offender programming.
- Substance abuse prevention in schools needs expansion.
- Electronic monitors are available for a fee in San Miguel County. In other counties, there is a need for additional electronic monitors.
- The truancy process needs to be addressed. Youth expelled from school have limited alternative education sources.
- There currently are no AA/NA groups available for youth in the Fourth District.
- Outpatient mental health services for youth in the Fourth District continue to be a need.
- Inpatient sex offender placements are often difficult. These programs are geared toward the offender and do not sufficiently address victimization issues. One respondent suggests that local outpatient sex offender treatment would be better able to address all issues of sexual reactivity and victimization.
- The juvenile probation office in the Fourth District needs additional FTEs for JPPOs and additional office space.

- One respondent is concerned about programming in the correctional setting for serious youthful offenders. A separate facility within the CYFD system to house these serious youthful offenders is needed.
- In general key players are in favor of expanding and enhancing available early intervention programs.
- Placements into detention are out of the district. Usually, juveniles are detained in Quay County. Out-of-county placements put parents, defense attorneys, and JPPOs at a disadvantage because of travel distances to the offender.
- Although Rancho Valmora and Hacienda Valmora are in the Fourth District, frequent out-of-state private placements make local placements difficult.
- The Las Vegas Care Unit, because of few beds and long lengths of stay, rarely has available bed space to serve local referrals. Restrictive admission criteria are also problematic.
- There appear to be a number of local providers able to meet outpatient substance abuse needs in the Fourth District. There is a shortage of providers able to meet juveniles with mental health issues.

**Data reported throughout this report is based on interview data and does not reflect any official position of the CJJCC.*

An Analysis of Juvenile Justice Process and Treatment Providers in the Fifth Judicial District

November 2002

FACTS ABOUT THE FIFTH JUDICIAL DISTRICT

The Fifth Judicial District includes three counties: Chaves, Eddy, and Lea.

- According to the 2000 Census, Chaves County had a total population of 61,382 residents. The largest communities in the county include Roswell (pop. 45,293), Dexter (pop. 1,235), Hagerman (pop. 1,168), and Lake Arthur (pop. 432).
- Eddy County had a total population of 51,658 residents. Its largest communities include Carlsbad (pop. 25,625), Artesia (pop. 10,692), Loving (pop. 1,326) and Hope (pop. 107).
- Lea County had a population of 55,511 residents. Hobbs (pop. 28,657) is the largest community. Other communities include Lovington (pop. 9,471), Eunice (pop. 2,562), and Jal (pop. 1,996).

DELINQUENT REFERRALS FY01/FY02

- Chaves County: FY01 1565; FY02 1197; -23.5% change
- Eddy County: FY01 889; FY02 807; -9.2% change
- Lea County: FY01 1121; FY02 1200; 7.0% change

JUVENILE TREATMENT PROGRAMS

Artesia And Carlsbad Teen Courts
 Artesia Family Services
 Carlsbad Mental Health Association
 Chaves County Youth Services, Inc.
 Communities that Care
 Counseling Associates Inc.
 Grace House
 Granny's House
 Guidance Center of Lea County, Inc.
 Humphrey House
 Options, Inc.
 Palmer Drug Abuse Program
 Raindancer Youth Services, Inc.

KEY JUVENILE JUSTICE RELATED CONTACTS

Al Castillo	Carlsbad Community Residential Center
Gary Clingman	Juvenile Judge, Fifth Judicial District
Archie Evans	Chief Juvenile Probation/Parole Officer
Veronica Flores-Puckett	Clinical Assessment Social Worker
Mike Gallagher	Director, Juvenile Detention Facility (Chaves)
Jan Gartman	Captain, Juvenile Detention Facility (Lea)
Ernie Holland	Clinical Director, Humphrey House
William P. Lynch	District Judge, Fifth Judicial District
Rebecca Reese	Public Defender, Fifth Judicial District
Jeannie Santana	Sargeant, Juvenile Detention Facility (Eddy)
Daniel Schwertner	JJPO Supervisor, Eddy County

INTRODUCTION

This study is a part of a larger statewide analysis of juvenile treatment programs in New Mexico. The purpose of this study is to determine how existing juvenile treatment needs are determined and met in various localities. Our specific goal is to determine gaps in treatment services available to juvenile justice agencies.

The Fifth District includes Chaves, Eddy and Lea Counties. Each of these counties has distinctive judicial philosophies and juvenile processes. Each county is so unique, CYFD has added an additional Fourteenth District separating Chaves and Eddy apart from Lea County. Each county has its own Juvenile Probation Office and District Court Judges. The Fifth District Attorney covers all three counties. Given the complexities of the counties and the precedence set in the other summary reports prepared by the CJJCC, this report will consider all three counties together with headings specifying differences or findings from each county.

One statewide summary report and individual reports, organized by the thirteen judicial districts, have been developed. All reports are available on the Council's web site:

<http://www.cjjcc.org/publications.php>.

METHODOLOGY

The information contained in this report was collected between November 2001 and October 2002 and is based on a data collection strategy approved by the Juvenile Policy Subcommittee. Criminal and Juvenile Justice Coordinating Council (CJJCC) researchers were provided contact information for key personnel in the various judicial districts by the Administrative Office of the Courts (AOC), the Children, Youth, and Families Department (CYFD), the Administrative Office of the District Attorney, and the New Mexico Public Defender. Interviews were then scheduled with area juvenile judges, and representatives from the District Attorney's office, the

public defender's office, the Juvenile Probation/Parole Office (JPPO), local detention facilities, and some treatment providers serving juveniles. Some interviews were conducted via telephone although the majority were conducted face-to-face. Whenever possible, data collection was standardized through the use of interview guides created specifically for the role of the person being interviewed. In the Fifth District, CJJCC staff completed formal interviews with twelve respondents and spoke to several others informally. The information found throughout this report is based on interview data and does not reflect any official position of the CJJCC.

JUDICIAL PHILOSOPHY

Consent decree:

- Under a consent decree, the child is ordinarily placed on six months of probation without being adjudicated as delinquent. After six months, the case is dismissed.
- All three counties in the Fifth District regularly use consent decrees.

Probation:

- Adjudicated delinquents can be placed on probation for one or two years.
- The Juvenile Intensive Probation Services are available in Chaves and Lea County. In Eddy County, these services are not available.
- All three counties use the two-year judgements. Lea County does not use the one-year judgement.

Commitment to CYFD:

- An adjudicated juvenile can be committed to the custody of CYFD for one or two years unless the child is a Youthful Offender.

Time waiver:

- Time waivers are rarely used in the Fifth District.

OBSERVATIONS ABOUT REFERRALS

- Referrals are made by various law enforcement agencies.
- All juvenile information is entered into the Family Automated Client Tracking System (FACTS) in order to track referrals while sharing information with other divisions within CYFD.
- Referrals to the JPPO are handled formally or informally depending on the nature of the offense(s) and the child's delinquent history.
- When a law enforcement officer comes in contact with a juvenile suspected of a delinquent offense, the officer can forward a citation or report and, if necessary, place the child in detention. The Juvenile Probation Office must approve detention of the child or he/she must be released at booking.
- Within 24 hours of booking, a Children's Court Judge will review law enforcement affidavits for probable cause. If probable cause is not established, the child will be released at that time.
- If a youth is detained, the Children's Court Attorney must file a petition and a detention hearing is conducted in a timely matter.

- All felony cases are considered formal and referred to the Children's Court Attorney. Although there is some discretion, a juvenile charged with a third misdemeanor referral within a two year period is also usually referred to the district attorney's office.
- If a petition is filed in the Fifth District, parents are routinely attached as party to the petition.
- Time waivers are almost never used in the Fifth District. One respondent reported only one time waiver in fifteen years.
- Consent decrees are the most frequently used sentencing option.
- All DWI cases are referred to the Children's Court Attorney.
- The JPPO may process referrals informally through a variety of diversion programs or send them to the district attorney for review who may then file a petition.
- Should the child be in court for the delinquency petition, the Children's Court Judge may place the child on a consent decree, adjudicate the child by assigning a period of probation, or committing the youth to the custody of CYFD.

ASSESSMENTS

- In the entire Fifth District, there is only one Juvenile Justice Division Clinical Assessment Social Worker available to provide all required services for all three counties.
- As a general jurisdiction district court, the judges in all three counties rely heavily upon the JPPO for treatment recommendations.
- Forensic evaluations are compiled by Dr. Parsons and Tom Salb in Hobbs.
- Carlsbad Mental Health provides evaluations and assessments for Artesia and Carlsbad.
- Chaves County Youth Services has been extremely responsive to referrals for assessments.
- In Roswell, Counseling Associates, offers fewer services to juveniles than in the past, but still conducts juvenile assessments (SASSI) when needed.

MENTAL HEALTH TREATMENT

- The Fifth Judicial District relies primarily on Grace House in Carlsbad, Humphrey House in Hobbs, and the Carlsbad Community Residential Facility for mental health treatment. Other juveniles requiring inpatient substance abuse treatment are referred to other districts for treatment.
- Outpatient substance abuse treatment within the Fifth District includes the Palmer Drug Abuse Program and the Guidance Center of Lea County.
- The Guidance Center of Lea County provides Juvenile Community Corrections services in Lovington and Hobbs. They also provide assessment and support services, counseling and life skill development plus other services.
- Palmer Drug Abuse Program in Hobbs brings together youth and parents to solve common problems in order to recover from substance abuse problems.
- Humphrey House serves both PSD and JJD referrals

by providing both residential treatment and shelter bed care.

- Carlsbad Mental Health provides a range of mental health and substance abuse interventions in Eddy County. The agency is the Juvenile Community Corrections provider. They also provide programs for first offenders, minors in possession, and counseling for their clients.
- Grace House in Carlsbad is a 6 to 9 month residential substance abuse treatment center for boys. According to one respondent, the majority of referrals in Grace House originate from the Protective Services Division.
- Granny's House in Artesia provides outpatient counseling and according to one respondent is an excellent alternative for juveniles in that community.
- Communities that Care, a Juvenile Justice Advisory Council funded program run by the city of Hobbs, provide five different program tracts for at-risk juveniles.
- Chaves County Youth Services provides Juvenile Community Corrections in Roswell.

SEX OFFENDER TREATMENT

- Outpatient treatment is available at the Guidance Center of Lea County and the psychiatric facility attached to Pavilion Hospital. Private counselors are also used while the offender is on probation.
- Although Grace House will accept some youth with issues of sexual reactivity, most respondents agree that Grace House is not a sex offender specific program. Youth needing concentrated sex offender specific treatment are referred to Desert Hills in Albuquerque.
- Often, juveniles who need sex offender treatment are committed to CYFD custody in the hopes that they will get treatment at Sandia Cottage at YDDC.

EDUCATIONAL SERVICES

- TARS is a 12-hour-a-day boot camp program that operates Monday through Saturday at Houston Junior High School in Hobbs, NM. TARS provides 1-day, 10-day, and 16-week programs. TARS is a last attempt to keep kids in school.
- One TARS program reintegrates children into the community who come out of a long-term lock up.
- All TARS programs provide extensive community service, anger management, life skills training, parent and youth counseling.
- TARS programs coordinate with JPPO office, Palmer Drug Abuse Program (PDAP), the corrections office, Adolescent Day Treatment (ADT), and the Guidance Center of Lea County.
- TARS works to get the children to be productive members of society and become active in their schooling. Tutoring is also available. In addition to the day program, home and evening monitoring, and Saturday community service are offered to keep the children on track through the weekend. Rewards are given to the students as grades come up. Privileges such as

wearing civilian clothing and watching television are given back as the students improve in school.

- In Carlsbad, there is an alternative track available through the Phoenix Program. It is a second chance program with a matrix of 120 participants which focuses on students who have failed in the regular school system. There is a similar program for 6th, 7th, and 8th graders at the junior high school.
- New Mexico State University provides programming for students approved through the superintendent's office for students to receive their GED.

ENHANCED SUPERVISION

- All three counties report that they have access to electronic monitoring and that the available services are adequate.
- Carlsbad Mental Health is the provider in Artesia and Carlsbad.
- The Guidance Center of Lea County provides services in Hobbs and Lovington.
- Chaves County Youth Services is the provider in Roswell.

CRISIS PLACEMENT

- Short term placement is available at the mental illness facility at Pavilion Hospital on a limited basis.
- Humphrey House, in Lea County, will accept short-term placements. Still, respondents report a shortage of crisis beds.
- Eddy County has no short-term shelter beds. Crisis beds are also needed in Chaves County.
- According to one respondent in the Fifth District, Dual purpose RTCs, those who also provide shelter beds, have a difficult time financially serving emergency placements. The reimbursement value for a crisis placement is \$65 per day. Twelve juveniles in an RTC can generate \$100K per month whereas twenty juveniles in a shelter bring in only \$450K in a year. Crisis/emergency shelters are simply not lucrative enough for agencies to expand local services.

DETENTION

Chaves County

- Chaves County provides short-term detention services for local juveniles. No beds are contracted out to other counties.
- The facility has 16 detention beds for both boys and girls.
- Roswell Public Schools provides one full-time teacher. A Goddard High School football coach supplements regular educational activities with daily programming.
- Mental health services are provided through a local agency.
- Other community programming is also available including: arts and crafts programs, DWI intervention program, and counseling services.

Eddy County

- The Eddy County Juvenile Detention Facility has the capacity to hold up to seven juveniles for boys and girls. Usually, the facility runs at capacity and there are plans to increase the available juvenile spaces to fifteen.
- According to a detention center representative, about half of the population are juveniles on probation with technical violations.
- The detention facility does not accept contract placements from other counties.
- Carlsbad Mental Health provides emergency crisis services for juveniles in detention.
- Carlsbad Public Schools provides educational services within the facility.

Lea County

- Lea County Detention Facility, located in Lovington, provides detention for Lea County as well as other counties.
- The facility has a total of 24 beds for both males and females. At the time of the report, thirteen juveniles were in detention.
- There are 21 dedicated juvenile correctional officers assigned to the facility and at least five are on-site for each shift.
- Lovington school district provides at least two full-time teachers to meet the educational needs of detained juveniles.
- Independent counselors and therapists provide intervention services as needed.
- Lea County is currently building a new facility that will house both juvenile detention and juvenile probation staff.

TREATMENT ISSUES AND RECOMMENDATIONS

- When residential treatment centers are not available locally, juveniles are referred to other districts which may have an impact on parental involvement because of travel distances.
- Roswell Refuge provides parenting skills training. The Guidance Center of Lea County also offers various parenting programs. Although services appear to be available, several respondents reported a shortage of parenting classes in general, and an absence of parenting programs for teenage parents.
- Communities that Care provide school-based prevention and treatment programs. However, community support is very important and school-based programs are a continuing need.
- At least one respondent raised concerns about unfair juvenile justice processes in Lea County. The Chief JPPO feels that juveniles of all racial backgrounds are treated similarly.
- There is some support among the respondents for the development of mentoring programs in the Fifth District such as Big Brothers/ Big Sisters.
- In-home family services in the Fifth District need to be increased. While limited services are available, there

is a greater need than the current ability to serve families in crisis.

- The public transportation system in Hobbs operates from 7:30 AM to 5:30 PM. Extended hours would improve compliance with treatment services according to one respondent.
- There is general agreement among respondents that enhanced mental health services for juveniles are needed in the Fifth District.
- There is a need for gang intervention programming. At least one respondent mentioned this issue as the greatest need in juvenile programming in the Fifth District.
- One respondent suggests that substance abuse intervention programs need to more specifically address issues of juvenile alcohol and marijuana use district wide. A juvenile AA group is needed.
- Chaves and Eddy Counties report a need for more shelter beds.
- District wide, there is a need for qualified sex offender therapists as opposed to general outpatient counselors.
- There is a lack of adequate office space in Lea County for the Juvenile Probation/Parole Office.
- Lea County needs their own JJD Clinical Assessment Social Worker.
- Improved individual, group, and home-based services are needed district wide.
- While Hobbs High School has addressed problems of school truancy, these issues need more attention, according to one judge, especially in rural areas.
- The Fifth District has worked to implement a juvenile drug court. There have been numerous complications and a drug court is not currently functioning. A drug court program may be needed to address the high rate of juvenile drug use in Lea County.
- There is a lack of transitional services linking juveniles from CYFD custody back to the community. Better discharge planning, aftercare and reintegration programs and services are needed for juveniles who have completed treatment or are returning from a commitment.
- There is a need to expand the capacity in the Fifth District to perform level four assessments.
- According to one District Judge, additional intensive probation dollars are needed for additional electronic monitoring and after hour surveillance.
- Chaves County Youth Services, Carlsbad Mental Health, and the Guidance Center of Lea County are the three most prominent agencies providing juvenile treatment services in the Fifth District. Most respondents are in favor of enhancing existing services rather than adding more providers.

An Analysis of Juvenile Justice Process and Treatment Providers in the Sixth Judicial District

November 2002

FACTS ABOUT THE SIXTH JUDICIAL DISTRICT

The Sixth Judicial District is comprised of three counties: Grant, Luna and Hidalgo.

- According to the 2000 Census, Grant County has four principle communities, with a total population of 31,002 people. About one-third of Grant County's population lives in Silver City (pop. 10,545), followed by Bayard (pop. 2,534), Santa Clara (pop. 1,944), and Hurley (pop. 1,464).
- Luna County is slightly smaller with a total population of 25,016. Over half of the population of Luna County lives in Deming (pop. 14,116). Columbus (pop. 1,765), although much smaller, is one of the fastest growing communities in southwestern New Mexico with a ten-year growth rate of more than 175%.
- Hidalgo County (pop. 5,932) experienced negative population growth between 1990 and 2000. The largest two communities in the county are Lordsburg (pop. 3,379) and Virden (pop. 143).

DELINQUENT REFERRALS FY01/FY02

- Grant County: FY01 524; FY02 412; -21.4% change
- Luna County: FY01 435; FY02 387; -11.0% change
- Hidalgo County: FY01 87; FY02 69; -20.7% change

JUVENILE TREATMENT PROGRAMS

Border Area Mental Health
Families and Youth, Inc.
Teen Court of Grant County
Sixth Judicial District Juvenile Drug Court
Southwest Advocates for Kids
Studio BEST

KEY JUVENILE JUSTICE RELATED CONTACTS

Brenda Atwood	JPPO Supervisor - Deming
Forrest Bostick	Director, Luna County Detention Facility
Kurt Carlson	Director, Grant County Detention Facility
Jim Foy	Sixth Judicial District Attorney
Gary Jeffreys	Sixth Judicial District Judge
David Lopez	Public Defender Contract Attorney
Donna McGrath	Community Assessment Social Worker
Gary Stailey	Chief, Sixth District Juvenile Probation Office
V. Lee Vesely	Sixth Judicial District Judge

INTRODUCTION

This study is a part of a larger statewide analysis of juvenile treatment programs in New Mexico. The purpose of this study is to determine how existing juvenile treatment needs are determined and met in various localities. Our specific goal is to determine gaps in treatment services available to juvenile justice agencies. One statewide summary report and individual reports, organized by the thirteen judicial districts, have been developed. All reports are available on the Council's web site: <http://www.cjjcc.org/publications.php>.

METHODOLOGY

The information contained in this report was collected between November 2001 and November 2002 and is based upon a data collection strategy approved by the Juvenile Policy Subcommittee. Criminal and Juvenile Justice Coordinating Council (CJJCC) researchers were provided contact information for key personnel in the various judicial districts by the Administrative Office of the Courts (AOC), the Children, Youth, and Families Department (CYFD), the Administrative Office of the District Attorney, and the New Mexico Public Defender. Interviews were then scheduled with area juvenile judges, and representatives from the District Attorney's office, the public defender's office, the Juvenile Probation/Parole Office (JPPO), local detention facilities, and some treatment providers serving juveniles. Some interviews were conducted via telephone although the majority were conducted face-to-face. Whenever possible, data collection was standardized through the use of interview guides created specifically for the role of the person being interviewed. In the Sixth District, CJJCC staff completed formal interviews with nine respondents and spoke to several others informally. The information found throughout this report is based on interview data and does not reflect any official position of the CJJCC.

JUDICIAL PHILOSOPHY

- Respondents in the Sixth Judicial District report that they have taken the initiative to assess and treat juveniles referred by law enforcement through a wide array of graduated sanctions. Respondents report that the success of their programming is reflected in the reduced number of law enforcement referrals and petitions filed.
- The collaborative efforts of the key players in the Sixth District has facilitated many of the programs now in place for juveniles ranging from truancy and shoplifting to the habitual offender

Consent decree:

- Under a consent decree, the child is ordinarily placed on six months of probation without being adjudicated as delinquent. After six months, the case is dismissed.

Probation:

- Adjudicated delinquents can be placed on probation for one or two years.
- In the Sixth District, detention is regularly assigned as a condition of probation.
- Every adjudicated juvenile has four days of detention per month attached to their conditions of probation. Days in detention can be waived or reduced at the discretion of the JPPO, which reduces court time. Reportedly, juvenile judges, district attorneys, and public defenders are in favor of this practice.
- Most juveniles have their jail time waived each month according to the Chief JPPO.
- Detention as a sanction reduces the number of commitments. The additional leverage of detention time improves compliance.
- The Sixth District has also Juvenile Intensive Probation Services.

Commitment to CYFD:

- An adjudicated juvenile can be committed to the custody of CYFD for one or two years unless the child is a Youthful Offender.

Time waiver:

- A time waiver option is sometimes used if both the Children's Court Attorney and defense council agree to waive the time limit (usually six months). If no other referrals are received during the specified period of time, the case is dismissed.
- The Sixth District rarely uses time waivers.

OBSERVATIONS ABOUT REFERRALS

- Referrals are made to the JPPO from various law enforcement agencies.
- No referral can be refused from law enforcement.
- All juvenile information is entered into the Family Automated Client Tracking System (FACTS) in order to track referrals while sharing information with other divisions within the CYFD.
- The district maintains a unique internal database to log in all referrals. This may be useful in other jurisdictions.
- All referrals are screened by the Chief JPPO before assignment.

- Referrals to the JPPO are formal or informal depending on the allegations and whether the youth has previous commitments or offenses.
- Prior to law enforcement booking a child in the juvenile detention facility, authorization from the juvenile probation office must be obtained.
- Children's Court Judges do a probable cause review on the law enforcement officer's booking affidavit within 48 hours.
- After receiving the referral for a child in the juvenile detention facility, the probation officer may release the child with a supervision plan or meet with the Children's Court Attorney who files charges to proceed with a detention hearing.
- Based on the Children's Code, the JPPO forwards certain cases to the Children's Court Attorney. All felony cases, DWI referrals and 4th misdemeanor offenses are considered formal and referred to the Children's Court Attorney. There is some JPPO discretion depending on the child's functioning in the community, school performance, family situation, and prior delinquent activity in determining whether a referral is made to the Children's Court Attorney. The Children's Court Attorney reviews the referral to determine if it is legally sufficient to become a petition to the court.
- The juvenile probation officer must bring the juvenile to a detention hearing in a timely manner.
- Should the JPPO at the time of the preliminary inquiry determine it is the child's best interests to refer to informal programming, the officer may refer juveniles to specific juvenile programs based on the seriousness of the offense, mental health needs, and if restitution and/or community service is appropriate.

SPECIAL PROGRAMS

First Offender Program:

- The First Offender Program is known locally as the Citation Program.
- The citation serves as notice of the Preliminary Inquiry (PI). Accused delinquents must appear in the JPPO within 3 days in order to complete the PI.
- Ordinarily, eight hours of community service and a one hour educational component is assigned. There has been some indication that the educational component has not been particularly effective.
- In order to actively involve parents, the JPPO is now assigning a two hour educational program which parents are required to attend with their child.

Teen Court

- Clients referred to the Teen Court program are typically screened on the same day as their referral.
- This program has been a very effective, low cost diversion program in Silver City that has involved the entire community.
- Some suggest that the Teen Court program would be more effective if it were located within a middle school or high school.

Truancy Program

- The Truancy program serves students from kindergarten through twelfth grade.
- A referral is made to the truancy program after the third unexcused absence for grades K-8. For grades 9-12, a referral is made after five unexcused absences.
- When a referral is made, a home visit is made by a JPPO within 48 hours to explain the purpose and importance of regular school attendance. Additionally, the JPPO advises the family of available services in the community that they may need. The JPPO is also available to mediate differences between the parents, child, and/or school officials.
- For grades K-8, school attendance is monitored for 30 days following a referral. If compliance improves and there are no further unexcused absences, intervention ends. However, if a child has additional unexcused absences, a 30 day contract is signed with the parents. For grades 9-12, the child and parents are automatically placed on a 30 day contract following a referral.
- According to the Chief JPPO, there were dozens of criminal complaints filed against parents in Magistrate Court for issues related to truancy. The vast majority of these cases improved after the first home visit. Hundreds of home visits made by personnel in the Sixth District have contributed to the success of the program. It could be even more effective if it were located within a middle school or high school.
- Officials for the Sixth District have been awarded a grant from Juvenile Justice Advisory Council to begin an anti-bullying program in local elementary schools.

SUBSTANCE ABUSE TREATMENT

Inpatient

- There are no residential treatment facilities in the Sixth District.
- Mesilla Valley Hospital in Las Cruces is an important resource serving this district, but waiting lists are typically long.

Outpatient

- Border Area Mental Health (BAMH) provides outpatient substance abuse treatment. Some respondents felt that BAMH is spread too thin and that they are not able to meet the full demand for services in Grant, Hidalgo, or Luna counties. Low staff pay may affect the quality of services supplied by BAMH.
- The Juvenile Drug Court program serves about ten juveniles, all on formal probation. The treatment component is provided by Border Area Mental Health. Limited funding has affected service delivery.

SEX OFFENDER TREATMENT

- There is no sex offender specific programming for juveniles in the Sixth District.
- The Sixth Judicial District does commit eligible juveniles to the Sandia Cottage sex offender program at YDDC to address the needs of adjudicated sex offenders.

CRISIS PLACEMENT

- Families and Youth, Inc. in Las Cruces is available for immediate crisis placement.
- The Shelter formerly operated by Border Area Mental Health in Deming is no longer providing crisis placements.

ENHANCED SUPERVISION

- The district has 21 electronic monitors available, which the Chief JPPO feels is adequate.
- Some respondents suggested that the electronic monitors are so effective that all juveniles should be placed on the devices during their first 30 days on supervision. Electronic monitoring increases personal accountability and has had positive outcomes for juveniles.

DETENTION

- Grant County and Luna County each have their own nine bed facility to temporarily hold both males and females in detention. Hidalgo County uses both Grant and Luna County facilities.
- Luna County recently completed construction of a new detention facility which had dedicated beds for juveniles. However, these detention spaces are ordinarily filled by federal detainees on contract. Juveniles are currently housed at a separate location near the airport.

Grant County

- The Grant County facility typically holds 5-6 juveniles in detention. About 75-80% of new bookings are pre-adjudicated juveniles. According to the jail director, only the most serious juveniles are detained.
- According to one respondent, approximately 50% of juveniles in detention on any given week are the court ordered four-day hold detainees.
- Juveniles in drug court can be given intermediate sanction including time in detention. These juveniles are typically held 3-4 days.
- Educational services are provided four days a week. Educational services provided in the Grant County Facility may not comply with state requirements.
- County medical services are available and weekly screenings occur on Tuesdays.
- According to one respondent, Border Area Mental Health has been very responsive to the needs of the detention facility. Additionally, the local hospital can provide mental health screenings as needed for juveniles in detention.

Luna County

- The Luna County facility typically has about five juveniles in custody
- Border Area Mental Health provides crisis services as needed.
- A Title One teacher provides educational services to juveniles in detention five days a week.
- There are two computers on site available for juveniles in detention. Software for Plato Studies, an alternative education program, is also available.

An Analysis of Juvenile Justice Process and Treatment Providers in the Seventh Judicial District

November 2002

FACTS ABOUT THE SEVENTH JUDICIAL DISTRICT

The Seventh Judicial District consists of four counties: Socorro, Torrance, Sierra, and Catron.

- According to the 2000 Census, Socorro County had a total population of 18,078 residents. The largest communities in the county include Socorro (pop. 8,877), Alamo (pop. 1,183) and Magdalena (pop. 913).
- Torrance County had a total population of 16,911 residents. Its largest communities include Moriarty (pop. 1,765), Estancia (pop. 1,584) whose population doubled from 1990 to 2000, Mountainair (pop. 1,116) and Torreon (pop. 244).
- Sierra County had a population of 13,270 residents. Truth or Consequences (pop. 7,289) is the largest community. Other communities are Elephant Butte (pop. 1,390) and Williamsburg (pop. 527).
- Catron County had a population of 3,543 residents. Reserve (pop. 387) is one of its communities.

DELINQUENT REFERRALS FY01/FY02

- Socorro County: FY01 327; FY02 380; 16.2% change
- Torrance County: FY01 221; FY02 198; -10.4% change
- Sierra County: FY01 233; FY02 222; -4.7% change
- Catron County: FY01 19; FY02 8; -57.9% change

JUVENILE TREATMENT PROGRAMS

Alta Mira Specialized Family Services, Inc.
Ben Archer Health Clinic
Dr. Mark Caplan
El Refugio, Inc.
Magdalena Mountain Ropes Challenge Course
Mesilla Valley Hospital
Presbyterian Counseling
Socorro Mental Health Foundation, Inc.
Southwest Counseling Center, Inc.
Teen Court
Valencia Counseling Service

KEY JUVENILE JUSTICE RELATED CONTACTS

Thomas Finch	Judge, Seventh Judicial District Court
Edmund H. Kase III	Presiding Judge, Seventh Judicial District Court
Esther Losa	JJPO Supervisor, Torrance County
Angela Opperman	JJPO Supervisor, Sierra County
Susan Seymour	Community Assessment Social Worker
Kevin Sweazea	Judge, Seventh Judicial District Court
Marcella Wolfe	Director, Socorro Mental Health Foundation, Inc.

INTRODUCTION

This study is a part of a larger statewide analysis of juvenile treatment programs in New Mexico. The purpose of this study is to determine how existing juvenile treatment needs are determined and met in various localities. Our specific goal is to determine gaps in treatment services available to juvenile justice agencies. One statewide summary report and individual reports, organized by the thirteen judicial districts, have been developed. All reports are available on the Council's web site: <http://www.cjjcc.org/publications.php>.

METHODOLOGY

The information contained in this report was collected between November 2001 and November 2002 and is based upon a data collection strategy approved by the Juvenile Policy Subcommittee. Criminal and Juvenile Justice Coordinating Council (CJJCC) researchers were provided contact information for key personnel in the various judicial districts by the Administrative Office of the Courts (AOC), the Children, Youth, and Families Department (CYFD), the Administrative Office of the District Attorney, and the New Mexico Public Defender. Interviews were then scheduled with area juvenile judges, and representatives from the District Attorney's office, the public defender's office, the Juvenile Probation/Parole Office (JPPO), local detention facilities, and some treatment providers serving juveniles. Some interviews were conducted via telephone although the majority were conducted face-to-face. Whenever possible, data collection was standardized through the use of interview guides created specifically for the role of the person being interviewed. In the Seventh District, CJJCC staff completed formal interviews with seven respondents and spoke to several others informally. The Seventh District is the largest geographical district in the state and includes four counties. The information found throughout this report is based on interview data and does not reflect any official position of the CJJCC.

JUDICIAL PHILOSOPHY

- All three District Court Judges in the Seventh District travel one day each week to the counties in the district to handle juvenile delinquency dockets.
- In the Seventh District parents are regularly made party to any delinquency petition.

Consent decree:

- Under a Consent Decree, the child is ordinarily placed on six months of probation without being adjudicated as delinquent. After six months, the case is dismissed.
- The Seventh Judicial District regularly uses Consent Decrees.

Probation:

- Adjudicated delinquents can be placed on probation for one or two years. Two year judgements are seldom used in this district.
- Juvenile Intensive Probation Services are not available in the Seventh District.

Commitment to CYFD:

- An adjudicated juvenile can be committed to the custody of CYFD for one or two years unless the child is a Youthful Offender.

Time waiver:

- Time waivers are rarely used in the Seventh District.

OBSERVATIONS ABOUT REFERRALS

- Referrals are made by various law enforcement agencies and the public school system. Law enforcement reports are picked up daily by the Juvenile Probation Office staff.
- All juvenile information is entered into the Family Automated Client Tracking System (FACTS) in order to track referrals while sharing information with other divisions within CYFD.
- Referrals to the JPPO are handled formally or informally depending on the nature of the offense(s) and the child's delinquent history.
- When a law enforcement officer comes in contact with a juvenile suspected of a delinquent offense, the officer can forward a citation or report and if necessary book the child in detention. The Juvenile Probation Office must approve detention of the child or he/she must be released at booking.
- Within 24 hours of booking, a Children's Court Judge will review law enforcement affidavits for probable cause. If probable cause is not established, the child will be released at that time.
- If a youth is detained, the Children's Court Attorney must file a petition and a detention hearing is conducted in a timely manner.
- All felony cases are considered formal and referred to the Children's Court Attorney. Although there is some discretion, a juvenile charged with a third misdemeanor referral within a two year period is also usually referred to the District Attorney's office.

- All DWI cases are referred to the Children's Court Attorney.
- The JPPO may process referrals informally through a variety of diversion programs or send them to the Children's Court Attorney for review who may then file a petition.
- Should the child be in court for a delinquency petition, the Children's Court Judge may place the child on a Consent Decree, adjudicate the child by assigning a period of probation, or committing the child to the custody of CYFD.
- The Clinical Assessment Social Worker is required to intervene and assess those cases where an out-of-home placement appears imminent. Young offenders are also assessed by the Clinical Assessment Social Worker. After the assessment is complete, JPPO creates a plan of care. The plan of care is then approved by JPPO supervisor.

ASSESSMENTS

- The Seventh Judicial District does not have its own Juvenile Justice Division Clinical Assessment Social Workers and has to share social workers from other districts.
- Torrance County uses a Clinical Social Worker from the Thirteenth District that is housed in the town of Bernalillo in Sandoval County.
- Another Clinical Social Worker from the Thirteenth District out of Los Lunas provides services in Socorro and Catron Counties.
- Sierra County receives services from a Clinical Assessment Social Worker based in Silver City, part of the Sixth District.
- The fact that the Clinical Assessment Social Workers serving the Seventh District are based outside of the district has an effect on the availability of services.
- Socorro, Catron and Torrance Counties do not have a current contract with a local professional to provide forensic evaluation services. These counties use evaluators from Albuquerque when possible.
- Sierra County has a community-based evaluator under contract, Dr. Mark Kaplan, who provides mental health assessment services as needed.

MENTAL HEALTH TREATMENT

Inpatient

- The Seventh Judicial District has no inpatient treatment services or facilities. Because of a lack of locally available services, Sierra County relies heavily on available services in Doña Ana County while Torrance and Socorro Counties depend on Bernalillo County resources.

Outpatient

- In Torrance County, with the exception of Valencia Counseling and Presbyterian Counseling, there are limited intervention alternatives. Due to the close proximity of Bernalillo County and the Albuquerque Metropolitan area, most juveniles needing services are referred to services in the Second District.

- In Torrance County, respondents report a reluctance to make referrals to Valencia Counseling Service. Key players mention “personnel issues, employee turnover, and concerns about timely meetings with clients” as the leading reasons why confidence in the program is low.
- Sierra County has limited resources and often relies on services provided by private counselors including Jeanne Provincio and/or out-of-county services provided through Mesilla Valley Hospital. There are no special programs provided directly in Sierra County. Neither the county or the town of Truth or Consequences have been responsive to meeting the needs of at-risk juveniles according to respondents.
- Of all four counties in the Seventh District, Socorro County has the widest array of locally available services. Besides providing Juvenile Community Corrections programming, Socorro Mental Health also has a range of assessments, counseling, substance abuse programs, and other services.
- Border Area Mental Health in Silver City provides juvenile outreach services and case management in Catron County.

SEX OFFENDER TREATMENT

- The Seventh Judicial District does not have any sex offender treatment programs available.
- The Juvenile Probation/Parole Office typically takes the lead in trying to place children who need sex offender treatment in programs outside of the district. Placement is very difficult because of the lack of facilities treating sex offenders.
- Often, juveniles who need sex offender treatment are committed to CYFD custody in the hopes that they will get treatment at Sandia Cottage at YDDC.

CRISIS PLACEMENT

- The Seventh Judicial District has no crisis or shelter placement options.
- In Sierra County, Families and Youth, Inc. (FYI) in Doña Ana County has a crisis shelter and will accept referrals; however, there is no transportation for the youth to FYI. This is a problem because FYI wants to interview the individual before acceptance is approved.
- In Torrance and Socorro Counties, juveniles needing a crisis or shelter placement are referred to Bernalillo County programs.

ENHANCED SUPERVISION

- Sierra and Catron Counties have no electronic bracelets or community monitors available.
- Torrance County has access to electronic monitoring.
- In Socorro County, electronic bracelets are available although fees are required to offset the cost of the program. This county has secured funds to pay for a community monitor to provide after-hours and weekend supervision.

EDUCATIONAL TREATMENT

- The Seventh District has no alternative education programs for youth expelled from school.
- In Torrance County, Moriarty High School offers an alternative high school called Crossroads. Respondents report that candidates are heavily scrutinized and that the program will not accept youth expelled from school.
- In Sierra County, Geronimo Springs Alternative High School in Truth or Consequences is an option for youth with educational needs.
- Socorro Mental Health has a school-based program called SHAC (School Health Advisory Committee). This program is funded by the DOH and is an Exemplary School Program. This program is designed to lower the dropout rate, decrease the number of teen pregnancies, reduce the amount of delinquent behavior and raise academic success. This program has an office located in the high school and referrals can be made by teachers or administrators. Children referred to this program do not have to be delinquent. This program focuses on groups for self-esteem, depression and anxiety to mention just a few. However, this program is not intended as a special education program.
- The School Health Advisory Committee program will serve Catron; however, Border Area Mental Health is Catron’s primary provider.

DETENTION

- The Seventh District has no juvenile detention facilities.
- In Torrance County, juveniles needing detention are sent to Bernalillo County Juvenile Detention Facility branch in Valencia County.
- Socorro and Catron Counties send juveniles needing detention to the Bernalillo County Juvenile Detention Facility branch in Valencia County and sometimes use the Santa Fe County Juvenile Detention Facility.
- Sierra County utilizes the Luna County Juvenile Detention Facility for males and the Bernalillo County Juvenile Detention Facility branch in Valencia County for females.

TREATMENT ISSUES AND RECOMMENDATIONS*

- In the Seventh District, there is a need for more locally accessible therapists, comprehensive counseling, substance abuse therapy, sex offender interventions and other services.
- Respondents report the need for better access to inpatient and residential treatment programming.
- There are no shelter beds in the Seventh District and there is an urgent need for a comprehensive plan to address this issue.
- Due to the sharing of JJD Clinical Assessment Social Workers in the Seventh District, juveniles do not receive the same types of intervention services available in other districts. Although out-of-district Clinical

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Social Workers provide services in the Seventh District, there appears to be enough demand to support the need for a dedicated Social Worker for the district.

- With 380 referrals in Socorro County, a 16% increase in delinquent referrals since fiscal year 2001, respondents suggest that a Juvenile Drug Court may be useful. Because the Seventh District is a general jurisdiction district there may be a lack of judicial resources to facilitate a Drug Court. Similarly, there is at least some interest in a local grade court program but there is concern about resources to operate the program.
- One respondent mentioned that there may be enough demand to add an additional District Court Judge to serve as the Children's Court Judge.
- According to key players who were interviewed, the lack of locally available juvenile detention facilities puts a strain on legal defense, transportation costs to the counties, JPPO interventions, families who want to maintain regular contact with their children, and the juveniles who have been detained.
- There is a shortage of intensive family intervention services and home-based programming throughout the Seventh District.
- There appear to be limited options for juveniles who are truant. A program to specifically address truancy issues would address educational gaps in the Seventh District.
- One respondent mentioned that the Court Appointed Special Advocates (CASA) program is in danger of being dissolved because of a lack of a Program Coordinator and volunteers.
- Two of the District Court Judges suggest that a major gap in the district is the lack of local residential mental health treatment centers.
- There is a shortage of available parenting skills classes. There is a particular need for specialized parenting training for teenaged mothers and fathers.
- Socorro Mental Health is starting a new program called Mid-Level Family Preservation Program. This program will have two Mid-Level Family employees that will have a caseload of four families each. Each family will be under the employee's care for a maximum of 12 weeks.
- There is a need in Catron and Sierra Counties for electronic monitoring and a community monitor or juvenile surveillance officer to assist in after-hour and weekend supervision.
- Torrance County needs a community monitor and/or a juvenile surveillance officer to assist in meeting after-hour and weekend supervision needs.
- There needs to be an improved response to and expansion of local educational alternatives, especially for youth expelled from school, those with behavioral issues and weak academic performance.
- One respondent suggested that there is a need to improve emergency mental health services for youth. There is a lack of local services available to conduct

crisis assessments and meet the needs of immediate crisis placement rather than having to look for options to transport out of county.

- Most respondents are in favor of expanding and enhancing available substance abuse treatment programs in Socorro County. In other areas, there is a specific need for adding programs to address substance abuse issues.
- One respondent suggested that there is a lack of juvenile mentoring programs.
- In the Seventh District, there is a need to address the reintegration needs of juveniles returning from a CYFD commitment, stay in detention, and returning from a RTC.
- Although there is not a great demand, there are no programs in the Seventh District for youth needing sex offender treatment. At least one respondent suggested that a trained sex offender therapist should be available to provide outpatient services locally.
- Socorro Mental Health has implemented the new SHAC program that will have an office in the High School. This program is designed to help decrease delinquency in the school and help youth through various group programs.

SUMMARY

The Seventh District, which covers a four county area, is the largest geographical district in the state. The district received 600 delinquent referrals during fiscal year 2002. Although delinquent referrals were relatively few, there is a corresponding lack of available mental health treatment services as these services tend to mirror the low population density. While Sierra County receives services from Doña Ana and Grant Counties, and Torrance and Socorro Counties rely heavily on Bernalillo and Valencia Counties, accessing these services also places an extra strain on juvenile justice personnel in the Seventh District. Travel expenses for the counties, strain on legal defense, difficulty in providing juvenile probation services, and impacts on juveniles and their families are all issues that need to be considered. The dilemma in the Seventh District at its essence is how to address the lack of programming in rural areas considering the moderate mental health treatment needs. Finally, it is particularly important to note the difficulty in attracting and retaining qualified professionals to work in areas of juvenile justice and juvenile treatment in this district. In 2002, both Torrance and Sierra Counties had vacancies in the Juvenile Probation that affected the availability of services. Vacancies in smaller offices have a much greater impact on day-to-day services.

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An Analysis of Juvenile Justice Process and Treatment Providers in the Eighth Judicial District

November 2002

FACTS ABOUT THE EIGHTH JUDICIAL DISTRICT

The Eighth Judicial District is comprised of three counties: Taos, Colfax and Union.

- According to the 2000 Census, Taos County has a total population of 29,979 people. The population lives in a number of relatively small communities including Taos (pop. 4,700), Ranchos de Taos (pop. 2,390), Questa (pop. 1,864), Taos Pueblo (pop. 1,264) and Red River (pop. 484).
- Colfax County has a total population of 14,189 people. The largest communities in the county include Raton (pop. 7,282), Springer (pop. 1,285), Angel Fire (pop. 1,048) and Cimarron (pop. 917).
- Union County is one of the least populated counties in New Mexico with only 4,174 residents. The majority of these residents live in Clayton (pop. 2,524). Other communities include: Des Moines (pop. 177), Folsom (pop. 75), and the smallest incorporated municipality in the state, Grenville (pop. 25).

DELINQUENT REFERRALS FY01/FY02

- Taos County: FY01 463; FY02 454; -1.9% change
- Colfax County: FY01 305; FY02 265; -13.1% change
- Union County: FY01 45; FY02 46; 2.2% change

JUVENILE TREATMENT PROGRAMS

Amigos Unidos, Inc.
Casa de Corazon
Children's Workshop
DreamTree Project
Eighth Judicial District Juvenile Drug Court
Golden Spread Coalition
Human Resources Development Association, Inc. (HRDA)
Service Organization for Youth, Inc. (SOY)
Taos County Teen Court

KEY JUVENILE JUSTICE RELATED CONTACTS

Stephen Archuleta	Chief, Eighth District Juvenile Probation Office
Ben Duran	Community Assessment Clinical Social Worker
Donald Gallegos	District Attorney, Eighth Judicial District Court
Peggy Nelson	Judge, Eighth Judicial District Court
Deborah Oldani	Eighth Judicial District Juvenile Drug Court
Sam Sanchez	Judge, Eighth Judicial District Court
Jeff Shannon	Public Defender, Eighth Judicial District Court
Fermin Ulibarri	Service Organization for Youth, Inc.
Walter Vigil	Human Resources Development Association

INTRODUCTION

This study is a part of a larger statewide analysis of juvenile treatment programs in New Mexico. The purpose of this study is to determine how existing juvenile treatment needs are determined and met in various localities. Our specific goal is to determine gaps in treatment services available to juvenile justice agencies. One statewide summary report and individual reports, organized by the thirteen judicial districts, have been developed. All reports are available on the Council's web site:

<http://www.cjjcc.org/publications.php>

METHODOLOGY

The information contained in this report was collected between November 2001 and November 2002 and is based upon a data collection strategy approved by the Juvenile Policy Subcommittee. Criminal and Juvenile Justice Coordinating Council (CJJCC) researchers were provided contact information for key personnel in the various judicial districts by the Administrative Office of the Courts (AOC), the Children, Youth, and Families Department (CYFD), the Administrative Office of the District Attorney, and the New Mexico Public Defender. Interviews were then scheduled with area juvenile judges, and representatives from the district attorney's office, the public defender's office, the Juvenile Probation/Parole Office (JPPO), local detention facilities, and some treatment providers serving juveniles. Some interviews were conducted via telephone although the majority were conducted face-to-face. Whenever possible, data collection was standardized through the use of interview guides created specifically for the role of the person being interviewed. In the Eighth District, CJCC staff completed formal interviews with eight respondents and spoke to several others informally. The information found throughout this report is based on interview data and does not reflect any official position of the CJCC.

JUDICIAL PHILOSOPHY

Consent decree:

- Under a Consent Decree, the child is ordinarily placed on six months of probation without being adjudicated as delinquent. After six months, the case is dismissed.
- All three counties in the Eighth District regularly use consent decrees.

Probation:

- Adjudicated delinquents can be placed on probation for one or two years. Two year judgements are seldom used in this district.
- The Juvenile Intensive Probation Services are not available in the Eighth District.

Commitment to CYFD:

- An adjudicated juvenile can be committed to the custody of CYFD for one or two years unless the child is a Youthful Offender.

Time waiver:

- Time waivers are rarely used in the Eighth District.

OBSERVATIONS ABOUT REFERRALS

- Referrals are made by various law enforcement agencies. Reports are picked up daily by the Juvenile Probation Office staff.
- All juvenile information is entered into the Family Automated Client Tracking System (FACTS) in order to track referrals while sharing information with other divisions within CYFD.
- Referrals to the JPPO are handled formally or informally depending on the nature of the offense(s) and the child's delinquent history.
- When a law enforcement officer comes in contact with a juvenile suspected of a delinquent offense, the officer can forward a citation or report and if necessary place the child in detention. The Juvenile Probation Office must approve detention of the child or he/she must be released at booking.
- Within 24 hours of booking, a Children's Court Judge will review law enforcement affidavits for probable cause. If probable cause is not established, the child will be released at that time.
- If a youth is detained, the Children's Court Attorney must file a petition and a detention hearing is conducted in a timely matter.
- The Eighth Judicial District does receive and process truancy referrals from the Public School System.
- After three absences the Public School System sends the truancy violation to the Probation Office where a committee of several agency professionals including JPPOs meets with the parent(s) and the child and they put the child on a thirty day contract. In FY 02, the Juvenile Probation Office processed 168 truancy referrals. The Chief JPPO reports that as of November 2002, the rate of truancy referrals has been reduced by 50%.
- All felony cases are considered formal and referred to the Children's Court Attorney. Although there is some

discretion, a juvenile charged with a third misdemeanor referral within a two year period is also usually referred to the DA's office.

- All DWI cases are referred to the Children's Court Attorney.
- The JPPO may process referrals informally through a variety of diversion programs or send them to the Children's Court Attorney for review who may then file a petition.
- Should the child be in court for a delinquency petition, the Children's Court Judge may place the child on a Consent Decree, adjudicate the child by assigning a period of probation, or committing the child to the custody of CYFD.
- The clinical assessment social worker is required to intervene and assess those cases where an out of home placement appears imminent. Young offenders are also assessed by the clinical assessment social worker. After the assessment is complete, JPPO creates a plan of care. The plan of care is then approved by JPPO supervisor.

ASSESSMENTS

- The Eighth Judicial District enjoys the luxury of having two JJD Clinical Assessment Social Workers, one in Taos County and the other in Union and Colfax Counties.
- There is a dedicated social worker in the office of the public defender. The person assigned to this position is responsible for completing assessments, making referrals for treatment, and seeking other alternatives to detention.
- Occasionally, a juvenile will be referred to a 15 day evaluation at the Youth Diagnostic and Evaluation Center in Albuquerque. The Public Defender suggests that the evaluation removes the child from his/her environment and may not capture the full context of the child's situation. The 15 day evaluation should at a minimum include an interview with the parents in addition to the youth's evaluation.
- Human Resource Development Associates (HRDA) has a Ph.D. level psychologist available to perform forensic evaluations and other mental health assessments as needed.
- Additionally, Dr. Susan Cave provides evaluation and assessment services in the Eighth District.

MENTAL HEALTH TREATMENT

Inpatient

- Rancho Valmora and Hacienda Valmora are available nearby to serve juveniles ages 12 to 18. Both programs have a strong curriculum and a good reputation for effectively meeting the needs of juveniles placed in their care. Unfortunately, the waiting lists are frequently long and placements are very difficult.
- While Rancho Valmora previously only accepted Medicaid referrals, juveniles who private pay for their placement are now being accepted. Roughly half of Rancho Valmora's 63 beds are filled with private-pay juveniles

from out of state.

Outpatient

- Human Resource Development Associates (HRDA) provides outpatient counseling services for juveniles referred to the Juvenile Community Corrections program in Taos. Service Organization for Youth (SOY) is the current Juvenile Community Corrections provider in Colfax County.
- During fiscal year 2002, Service Organization for Youth (SOY) was the primary juvenile treatment provider in Colfax County. Numerous concerns have been raised about the program and some referral sources have refused to make referrals to the program.
- Additionally, HRDA is the treatment provider to the Juvenile Drug Court. Available services include individual counseling and group treatment. Acupuncture and other alternative treatments are also available through HRDA.
- Amigos Unidos is an outpatient treatment provider that provides a range of counseling services for substance abuse, depression, and anger management.
- Taos/Colfax Community Mental Health Program has its main administrative office in Taos. Additionally, the program maintains a satellite office in Colfax County and outreach services into Union County.
- Taos/Colfax Community Mental Health Program provides follow-up and after care for those discharged from an inpatient treatment setting, therapeutic treatment counseling, case management, medication management, day treatment, crisis services, homeless services, substance abuse counseling, and a detoxification center. The detoxification center is an alcohol and drug inpatient service.

Juvenile Drug Court

- Respondents in the Eighth Judicial District feel that the Juvenile Drug Court is an excellent alternative for juveniles who have been assessed with substance abuse issues.
- According to the DA, all cases are reviewed for possible referral to the Juvenile Drug Court Program.
- Waiting lists for referrals to the Juvenile Drug Court have not been a problem. The court could potentially increase the number of juveniles served.
- One major positive aspect about drug court is that parents are more accountable than they are with most treatment programs. There is a tendency for parents not to participate in their youth's treatment. However, according to one respondent, the court typically makes only about 20% of parents party to the juvenile's petition. Some respondents believe the compliance rate and treatment effectiveness in general would be higher if all parents were made party to the petitions.
- At least a couple of respondents expressed concern that some juveniles are held in drug court for too long.

SEX OFFENDER TREATMENT

- The Eighth Judicial District does not have any sex offender treatment programs available.
- The Juvenile Probation/Parole Office typically takes the lead in trying to place children who need sex offender treatment in programs outside of the district. Placement is very difficult because of the lack of facilities treating sex offenders.
- Often, juveniles who need sex offender treatment are committed to CYFD custody in the hopes that they will get treatment at Sandia Cottage at YDDC.
- Although exceedingly rare, there are limited treatment services available statewide for female perpetrators.
- Services for victims of sexual abuse for males and especially females is an especially important gap in services.

CRISIS PLACEMENT

- According to the Chief JPPO, the DreamTree Project provides twelve shelter beds for the Taos County. There are no crisis beds available in Union or Colfax Counties.

ENHANCED SUPERVISION

- The Eighth District appears to have enough electronic monitors, although there are some reports that there are too few. HRDA provides electronic monitoring services in Colfax and Taos Counties. According to one respondent, available funds for electronic monitoring were depleted before the end of this fiscal year.
- The electronic monitoring system requires a home telephone for the youth. Many juvenile offenders eligible for electronic monitors are not able to use these devices because they have no home telephone. This issue has been reported in other jurisdictions in the state as well.

DETENTION

- Taos County Juvenile Detention Center has six beds available to detain males and females.
- Taos Public Schools provides a full-time instructor to meet the educational needs of the youth. Computers and technical training are available for use.
- Mental Health Services are available through local providers as needed.
- Neither Colfax nor Union County have a local detention facility. Juveniles needing detention are typically placed at the Quay County Juvenile Detention Facility.

TREATMENT ISSUES AND RECOMMENDATIONS*

- Most respondents report a need for more early intervention and prevention services, especially for youth involved in gangs. One respondent recommended additional community activities targeting at-risk youth.
- Respondents strongly support more aggressive DWI and drug and alcohol prevention programs.
- Although some respondents were previously concerned about available first offender interventions, the

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JJD Clinical Assessment Social Worker is facilitating six-week groups for the Juvenile Probation Office's First Offender Program.

- Currently there is no school intervention program except for students approved for Special Education. According to one respondent, Taos juveniles under 16 years of age are regularly expelled from public school without available options to continue their education.
- According to one respondent, juveniles who need mental health services are typically under-served. This is especially true for dual diagnosis youth. According to several respondents, the greatest treatment need in the state is the ability to better treat children with combined mental health and substance abuse issues.
- In Union and Colfax Counties there is a need for locally available crisis shelter beds.
- Respondents report the need to expand the number of available group homes and treatment foster care beds.
- According to statute rule 10-2-13A, discovery should be made available to the public defender's office within ten days of filing a petition. The public defender reports incidents where the defense attorney either did not have any documentation prior to the first appearance in court or the case was unknown until the docket was posted. The DA reports that disclosure is not possible sometimes within ten days of an incident, because the investigation may not be complete. The Eighth District law enforcement does not have an investigative division.
- Often, CPS and JJD caseloads overlap. Occasionally, PSD reports received on juveniles who already have an open JJD case file are screened out. There have been partially successful efforts in the Eighth District, especially Taos County, to bridge the gap in services.
- Prior to 2002, there was an issue regarding referrals made to the Juvenile Probation Office from the local public schools. According to one respondent, Eighth Judicial District school officials did not make referrals to the probation office until several incidents of delinquent behavior had occurred. Cooperation between the Juvenile Probation Office and the schools has improved dramatically.
- There are several concerns about local law enforcement practices in Taos. First, law enforcement agencies are under-funded and understaffed according to the respondents interviewed. Second, there are some reports that the local police force sometimes does not make reports when a clear violation has occurred. One respondent told of an incident that involved a juvenile who was driving while intoxicated. The officer transported the juvenile home to the custody of his parents rather than filing a report for DWI. Further, reports that are filed are not always processed. Finally, there have been cases where the Juvenile Probation Office has authorized detention for a juvenile but local law enforcement authorities have either not detained them or released them from custody. None of these claims have been investigated or substantiated by this research.

- Amigos Unidos in Taos provides parenting classes.
- Colfax and Union County officials have expressed a need for more parenting classes with small class sizes. Currently, individuals needing parenting classes wait until there are enough referrals to fill the spaces in the class. Sometimes, referrals must wait weeks before a class can begin.
- One respondent in the Eighth Judicial District recommended that both the offices of the public defender and the district attorney develop juvenile "experts." In other words, there is some support for the creation of specialized case loads in order to promote effective case prosecution and/or defense.
- The public defender's office already has one dedicated attorney dealing with mostly juvenile cases. The DA's office believes that all attorneys should be cross-trained to deal with all types of cases.

SUMMARY

The Eighth Judicial District, comprised of Taos, Colfax and Union Counties, has a fairly strong integrated approach to juvenile justice and juvenile treatment. There are, however, disparities between the three counties. Taos County, which has the largest population, also has the most treatment resources. The most prominent among these resources is Human Resources Development Associates (HRDA), a multi-service agency serving juveniles in a variety of capacities including both Juvenile Community Corrections and treatment services for the Juvenile Drug Court. The Juvenile Drug Court Team, which includes the Public Defender, the District Attorney, the District Court Judge, the Juvenile Probation Office, school officials, law enforcement, and HRDA has had a major impact on the way juvenile substance abuse is addressed. This drug court collaborative effort, besides serving clients in the program, has had a broader impact more generally in the juvenile justice system of improving communication among the key players in the justice system.

Colfax and Union Counties, which have lower populations combined than Taos County, have fewer treatment resources. The Juvenile Community Corrections program in Raton was operated by HRDA until 2001. Service Organization for Youth (SOY) is now the primary youth service agency in the county. In addition to community corrections, SOY reports that they provide specialized assessments, mental health services, psychological and emergency evaluations, counseling, family services, life skills services, and crisis intervention. In Union County, the primary juvenile provider is the Golden Spread Coalition. Although caseloads are very small, the Golden Spread Coalition is able to provide specialized assessments and mental health evaluations for adolescents, counseling, comprehensive family services, life skills, and crisis intervention. While additional services are needed according to Colfax and Union representatives, enhancing existing programs may be the most appropriate strategy to improve juvenile services.

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An Analysis of Juvenile Justice Process and Treatment Providers in the Ninth Judicial District

November 2002

FACTS ABOUT THE NINTH JUDICIAL DISTRICT

The Ninth Judicial District consists of Curry and Roosevelt Counties.

- According to the 2000 Census, Curry County had a total population of 45,044 residents. Clovis (pop. 32,667) is the largest community. Other communities include Cannon (pop. 2,557), Texico (pop. 1,065) and Melrose (pop. 736).
- Roosevelt County had a total population of 18,018 residents. Its largest community is Portales (pop. 11,131). Other communities in the county are significantly smaller, such as Elida (pop. 183) and Dora (pop. 130).

DELINQUENT REFERRALS FY01/FY02

- Curry County: FY01 991; FY02 1048; 5.8% change
- Roosevelt County: FY01 188; FY02 154; -18.1% change

JUVENILE TREATMENT PROGRAMS

City of Clovis Teen Court

City of Portales Teen Court

Clovis Counseling Center

Mental Health Resources, Inc. (Curry and Roosevelt)

Namaste Inc.

Raindancer Youth Services Inc.

TeamBuilders

Youth Opportunities Unlimited (Curry and Roosevelt)

KEY JUVENILE JUSTICE RELATED CONTACTS

Patsy Baumgartner	JPPO Officer, Clovis
David W. Bonem	Judge, Ninth Judicial District
Robert Brack	Judge, Ninth Judicial District
Amelia Carter	Chief JPPO, Ninth and Tenth District
Brett Carter	Ninth Judicial District Attorney
Richard Ferguson	JPPO Supervisor, Roosevelt County
Donna Mowrer	Children's Court Attorney
Calvin Neumann	Public Defender, Ninth Judicial District
Tom Thornton	Clinical Assessment Social Worker
Rose Workheiser	Administrator, Curry County Juvenile Detention Center
Stephen K. Quinn	Presiding Judge, Ninth Judicial District

INTRODUCTION

This study is a part of a larger statewide analysis of juvenile treatment programs in New Mexico. The purpose of this study is to determine how existing juvenile treatment needs are determined and met in various localities. Our specific goal is to determine gaps in treatment services available to juvenile justice agencies. One statewide summary report and individual reports, organized by the thirteen judicial districts, have been developed. All reports are available on the Council's web site:

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METHODOLOGY

The information contained in this report was collected between November 2001 and November 2002 and is based upon a data collection strategy approved by the Juvenile Policy Subcommittee. Criminal and Juvenile Justice Coordinating Council (CJJCC) researchers were provided contact information for key personnel in the various judicial districts by the Administrative Office of the Courts (AOC), the Children, Youth, and Families Department (CYFD), the Administrative Office of the District Attorney, and the New Mexico Public Defender. Interviews were then scheduled with area juvenile judges, and representatives from the District Attorney's office, the public defender's office, the Juvenile Probation/Parole Office (JPPO), local detention facilities, and some treatment providers serving juveniles. Some interviews were conducted via telephone although the majority were conducted face-to-face. Whenever possible, data collection was standardized through the use of interview guides created specifically for the role of the person being interviewed. In the Ninth District, CJJCC staff completed formal interviews with eleven respondents and spoke to several others informally. The information found throughout this report is based on interview data and does not reflect any official position of the CJJCC.

JUDICIAL PHILOSOPHY

Consent decree:

- Under a Consent Decree, the child is ordinarily placed on six months of probation without being adjudicated as delinquent. After six months, the case is dismissed.
- Both Curry and Roosevelt Counties use the Consent Decree.

Probation:

- Adjudicated delinquents can be placed on probation for one or two years. Both one and two year judgements are used in this District.
- The Clovis Probation Office has a two-person JPPO Intensive Probation Team. Portales Probation Office does not have a Juvenile Intensive Program.
- All juveniles placed on probation are required to have regular Judicial Reviews in front of the disposing Judge.

Commitment to CYFD:

- An adjudicated juvenile can be committed to the custody of CYFD for one or two years unless the child is a Youthful Offender.

Time waiver:

- Time waivers are regularly used in Roosevelt County but are only periodically used in Curry.

OBSERVATIONS ABOUT REFERRALS

- Referrals are made by various law enforcement agencies. Reports are picked up from law enforcement daily by the Juvenile Probation Office staff.
- All juvenile information is entered into the Family Automated Client Tracking System (FACTS) in order to track referrals while sharing information within the Juvenile Justice Division and other divisions within CYFD.
- Referrals to the JPPO are handled formally or informally depending on the nature of the offense(s) and the child's delinquent history.
- When a law enforcement officer comes in contact with a juvenile suspected of a delinquent offense, the officer can forward a citation or report and if necessary, book the child in detention. The Juvenile Probation Office must approve detention of the child or he/she must be released at booking.
- Within 24 hours of booking, a Children's Court Judge will review law enforcement affidavits for probable cause. If probable cause is not established, the child will be released at that time.
- If a youth is detained, the Children's Court Attorney must file a petition and a detention hearing is conducted in a timely manner.
- All felony cases are considered formal and referred to the Children's Court Attorney. Although there is some discretion, a juvenile charged with a third misdemeanor referral within a two year period is also usually referred to the Children's Court Attorney's office.

- All DWI cases are referred to the Children's Court Attorney.
- The JPPO may process referrals informally through a variety of diversion programs (e.g., Teen Court) or send them to the Children's Court Attorney for review who may then file a petition.
- Should the child be in Court for a delinquency petition, the Children's Court Judge may place the child on a Consent Decree, adjudicate the child by assigning a period of probation, or committing the child to the custody of CYFD.

ASSESSMENTS

- Since the inception of statewide Clinical Assessment Units being assigned to the Juvenile Justice Division in each district, the Ninth District has routinely failed to retain a Clinical Social Worker.
- Respondents report the difficulty in retaining Clinical Social Workers in this district is related to the difficulty of attracting qualified professionals at the current pay scale.
- Roosevelt and Curry Counties receive assistance from the Fourth District Clinical Social Worker.
- The types of mental health assessments that are available to juvenile delinquents are affected by available funding, Medicaid eligibility, and risk level. Many juveniles are not adequately assessed because of limited funds and because of a lack of qualified professionals available to do evaluations. Youth Opportunities Unlimited provides assessments for Curry and Roosevelt Counties if the child is not on Medicaid.
- Forensic evaluations are sometimes done, usually at the request of the Public Defender. Usually these referrals are completed by either Dr. Johnson or Dr. Parsons, psychologists from Hobbs who maintain a satellite office in Alamogordo. Psychologists from Roswell and other areas also do forensic evaluations. Forensic evaluations often take a month to schedule, and it generally takes an additional month or two to obtain a report. Additional forensic evaluators would improve mental health legal issues and improve timeliness.
- Tom Thornton, the Fourth Judicial District Clinical Assessment Social Worker who works out of the Las Vegas Probation Office, also serves the Ninth District. Mr. Thornton is the primary resource for mental health assessments and evaluations in the District.
- If additional mental health assessments are needed, juveniles may be sent to the Youth Diagnostic and Development Center (YDDC) for a 15 day diagnostic evaluation. There has been at least some concern about the consistency of the evaluations completed at YDDC.

MENTAL HEALTH TREATMENT

Inpatient

- The Ninth District has one inpatient mental health treatment facility.
- Pathway House is a residential treatment center for

boys 12-18 that have been involved in the legal system or are wards of CYFD. The facility holds Narcotics Anonymous and Alcoholics Anonymous meetings, individual and group therapy, and recreational activities. The normal length of stay is 90 days. Some respondents have raised some concerns about inadequately trained staff, lack of control over program participants, and weak overall residential programming.

- Grace House is a 6 to 9 month residential treatment center for boys in the Fifth District used by the Ninth District. Generally, respondents report being very pleased with the Grace House Program.
- Referrals are regularly made to other out-of-district programs including Mesilla Valley Hospital, Rancho Valmore and Desert Hills.
- Pippin Ranch is a semi-independent living program in Clovis that provides education, life skills, and emotional support for youth to become self-sufficient.

Outpatient

- Mental Health Resources, Youth Opportunities Unlimited and Clovis Counseling Center provide necessary outpatient counseling services to Roosevelt and Curry Counties. These three programs provide an array of mental health services and treatment interventions.
- Mental Health Resources has a contract to provide Juvenile Community Corrections programming in Clovis.

SEX OFFENDER TREATMENT

- There are few resources consistently available statewide for sex offender treatment.
- In part, due to the lack of placement alternatives, juveniles needing sex offender treatment are often court ordered into CYFD custody.
- Juveniles in the Ninth District with sex offender treatment needs are also referred to the Las Vegas Care Unit and Desert Hills in Albuquerque. However, it is often difficult to place a child due to limited bed space and restrictive intake criteria.
- Even a commitment to state custody may not ensure that a juvenile will receive timely treatment since Sandia Cottage at the Youth Diagnostic and Development Center (YDDC) frequently operates at full capacity. A juvenile on a one-year commitment who must wait for admission into Sandia Cottage may not receive the full treatment programming available which would include reintegrating the child back into the community due to limited time in custody.

EDUCATIONAL SERVICES

- Clovis High School offers the New Visions Program for juveniles behind in their educational credits.
- Choices Alternative is available through the Public High School for students expelled due to behavioral issues.

- Portales High School has a program called Broad Horizons that provides alternative education programming for junior high and high school students with behavioral problems.
- The House Alternative School in House, New Mexico, offers a unique GED program. Students seeking to obtain a GED pick up materials to prepare for the exam. Students can receive tutoring services in House as needed or they can work at home but all testing is done on-site. The accredited high school program serves juveniles and adults from throughout eastern New Mexico.

ENHANCED SUPERVISION

- Youth Opportunities Unlimited has a House Arrest Program that includes electronic monitoring and also has an on staff person providing surveillance after hours and on weekends.

CRISIS PLACEMENT

- There are no crisis placement options in the Ninth District and juveniles are served out-of-district.
- Humphrey House in Hobbs and TeamBuilders in Tucumcari are typically used for crisis shelter placements.

DETENTION

- Curry County Juvenile Detention Facility has the capacity to hold up to sixteen boys and girls. The facility is attached to the Curry County Court House.
- The Curry County Juvenile Detention Facility serves juveniles from both Curry and Roosevelt Counties.
- Educational services are provided by a teacher from the local public school system through federal funding. The teacher comes into the facility from 8:00 AM to 2:30 PM during the week. A special education teacher comes into facility in the afternoons to serve juveniles with special educational needs.
- Church groups come into the facility to minister to the youth.
- Youth Opportunities Unlimited provides counseling and other intervention services to juveniles in detention at no cost to the county. Mental Health Resources rarely provides services to detained youth.

TREATMENT ISSUES AND RECOMMENDATIONS*

- The Clinical Assessment Social Worker Unit was established statewide to reduce the number of commitments and 15 day evaluations.
- One Clinical Assessment Social Worker, who is housed in Las Vegas, New Mexico, serves the Tenth, Ninth and the Fourth Districts. It is 171 miles from Las Vegas to Clovis.
- Respondents agree that the Clinical Social Worker is effective, efficient and responsive; however, the workload is too much for one person.
- Mental Health Assessments may be delayed for a week to ten days or longer before the social worker is available to make the assessment.
- The Juvenile Justice Division needs to address this

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issue by allowing for an additional FTE to provide Community Assessment Unit services in the Ninth District.

- The Portales Reintegration Center was recently closed. This closing has had an impact on the number of beds available for CYFD clients, especially those in the Ninth District.
- There is an especially great need for transitional and reintegration programming for juveniles returning from juvenile correctional facilities and from residential treatment. According to respondents, aftercare is rarely provided to children returning to the community.
- One respondent suggested that additional programs for parolees need to be explored in this District.
- All respondents report that additional inpatient mental health treatment services are needed in the District. Residential treatment services addressing substance abuse are specifically needed. While there appear to be a number of outpatient treatment options, one respondent suggests that an even greater emphasis be placed on substance abuse prevention, especially in Roosevelt County.
- One Judge reported that there is a need for inpatient psychiatric services for juveniles with acute needs.
- This District, similar to most other areas of the state, reports the need to bridge differences between the Juvenile Justice Division and the Protective Services Division of the Children, Youth and Families Department.
- There is a shortage of programs to address gender specific issues. There is a particular need to offer services for teenage pregnant mothers and teenage fathers.
- Respondents suggest there is a growing gang problem in the Ninth District. Currently there is a shortage of effective gang interventions.
- Among some respondents there is some interest in starting a local Grade and Drug Court. However, there is some concern about community support and these issues will need to be addressed before these special courts could be implemented successfully. Additionally, funding for these special programs is not available.
- A recurrent issue among respondents was the lack of shelter beds in the Ninth District. There are no crisis shelter options in the District. Placing children out of the District is the only available alternative and may have a negative impact on children and their families.
- According to one respondent, there is a shortage of judges in the Ninth District.
- While there are several options for mental health treatment in the Ninth District, most respondents would like to see these programs enhanced and improved. Additional funding for existing and new programs are needed.
- While there are two Intensive Supervision JPPOs

there are no Juvenile Surveillance Officers available to supplement supervision after hours or on weekends in either county. An additional Surveillance Officer could provide services in both counties.

- While not fully staffed, the Portales Juvenile Probation Office has inadequate office space. According to one respondent, a lack of space affects the manner in which families and juveniles are served.

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An Analysis of Juvenile Justice Process and Treatment Providers in the Tenth Judicial District

November 2002

FACTS ABOUT THE TENTH JUDICIAL DISTRICT

The Tenth Judicial District includes three counties: Quay, De Baca and Harding.

- According to the 2000 Census, Quay County had a total population of 10,155 residents. Tucumcari (pop. 5,989) is the largest community in the county. Other communities are Logan (pop. 1,094), San Jon (pop. 306) and House (pop. 72).
- De Baca County had a total population of 2,240 residents. Fort Sumner (pop. 1,249) is the largest community in the county.
- Harding County had a population of 810 residents. Roy (pop. 304) and Mosquero (pop. 120) are its larger communities.

DELINQUENT REFERRALS FY01/FY02

- Quay County: FY01 248; FY02 276; 11.3% change
- De Baca County: FY01 52; FY02 28; -46.2% change
- Harding County: FY01 3; FY02 3; no change

JUVENILE TREATMENT PROGRAMS

The Children's Community Mental Health Clinic
De Baca County Teen Court
Mental Health Resources, Inc.
Namaste, Inc.
Raindancer Youth Services, Inc.
TeamBuilders Inc.

KEY JUVENILE JUSTICE RELATED CONTACTS

Roger Bargas	Public Defender Contract Attorney
Amelia Carter	Chief, Tenth District Juvenile Probation Office
Anthony Elebarrio	Quay County Juvenile Detention Facility Director
Nancy English	Sr. Trial Prosecutor, Tenth Judicial District Court
Ricky Purcell	Judge, Tenth Judicial District Court
Ron Reeves	District Attorney, Tenth Judicial District Court
Brian Rinstine	JJPO, Tenth District Juvenile Probation Office
Mary Salas	Quay County Juvenile Detention Facility
Tom Thornton	Community Assessment Clinical Social Worker

INTRODUCTION

This study is a part of a larger statewide analysis of juvenile treatment programs in New Mexico. The purpose of this study is to determine how existing juvenile treatment needs are determined and met in various localities. Our specific goal is to determine gaps in treatment services available to juvenile justice agencies. One statewide summary report and individual reports, organized by the thirteen judicial districts, have been developed. All reports are available on the Council's web site:

<http://www.cjjcc.org/publications.php>

METHODOLOGY

The information contained in this report was collected between November 2001 and November 2002 and is based upon a data collection strategy approved by the Juvenile Policy Subcommittee.

Criminal and Juvenile Justice Coordinating Council (CJJCC) researchers were provided contact information for key personnel in the various judicial districts by the Administrative Office of the Courts (AOC), the Children, Youth, and Families Department (CYFD), the Administrative Office of the District Attorney, and the New Mexico Public Defender. Interviews were then scheduled with area juvenile judges, and representatives from the District Attorney's office, the public defender's office, the Juvenile Probation/Parole Office (JPPO), local detention facilities, and some treatment providers serving juveniles. Some interviews were conducted via telephone although the majority were conducted face-to-face. Whenever possible, data collection was standardized through the use of interview guides created specifically for the role of the person being interviewed. In the Tenth District, CJJCC staff completed formal interviews with nine respondents and spoke to others informally. The information found throughout this report is based on interview data and does not reflect any official position of the CJJCC.

JUDICIAL PHILOSOPHY

- According to one judge in the Tenth Judicial District, the goal of juvenile justice is to ensure a juvenile in question does not go into the adult system. Deterrence is the key to the system.

Consent decree:

- Under a consent decree, the child is ordinarily placed on six months of probation without being adjudicated as delinquent. After six months, the case is dismissed.

Probation:

- Adjudicated delinquents can be placed on probation for two years. The one year judgement is not used in this district.

Commitment to CYFD:

- An adjudicated juvenile can be committed to the custody of CYFD for one or two years.

Time waiver:

- Time waivers are not used in the Tenth Judicial District.

OBSERVATIONS ABOUT REFERRALS

- In the Tenth District, nearly all referrals come from law enforcement. When a juvenile is involved in an alleged delinquent act in Quay County, law enforcement completes a police report and delivers a copy to the Juvenile Probation Office by 10 a.m. the following day. In Harding County police reports are faxed to the Juvenile Probation Office and the original is mailed the following day.
- After receiving a police report on a juvenile, the JPPO will telephone and request that the juvenile and their parent(s) attend a Preliminary Inquiry. At the Preliminary Inquiry, the JPPO will decide whether to deal with the case informally or to file a petition.
- When a law enforcement officer comes in contact with a juvenile suspected of a delinquent offense, the officer can forward a citation or report and if necessary place the child in detention. The Juvenile Probation Office must approve detention of the child. If not, he/she must be released at booking.
- Within 24 hours of booking, a Children's Court Judge will review law enforcement affidavits for probable cause. If probable cause is not established, the child will be released at that time.
- If the youth is detained, the Children's Court Attorney must file a petition and a detention hearing is conducted in a timely matter.
- All felony cases are considered formal and referred to the Children's Court Attorney. Although there is some discretion, a juvenile charged with a third misdemeanor referral within a two year period is also usually referred to the District Attorney's office.
- All DWI cases are referred to the Children's Court Attorney.
- If a petition is filed in the Tenth District, parents are not routinely attached as party to the petition.

ASSESSMENTS

- The Clinical Assessment Social Worker Unit is a statewide unit established to reduce the number of commitments and 15 day evaluations and also to assist in the treatment placement process.
- Typically, juveniles assigned to informal probation are not assessed by the clinical assessment social worker. According to the Juvenile Probation Office, about 25% of formal cases are assessed by the social worker.
- There is one clinical assessment social worker assigned to the Fourth, Ninth and Tenth Districts, an eight county area.
- By all accounts, the assigned clinical social worker is exceedingly effective, efficient and responsive; however, the work load is too great for one person.
- It is not uncommon for a needed assessment to be delayed for a week to ten days or longer before the social worker is available.
- Any juvenile charged with a DWI is given a screening to determine treatment needs.
- TeamBuilders, Inc. has the ability to conduct a level one assessment for juveniles referred to their program. Typically, these assessments are not forwarded to the JPPO.
- As in most district courts where judges do not specialize, judges have little direct contact with treatment providers. Ordinarily, the JPPO will submit a report to the court relative to the disposition of the case that will include treatment recommendations. The court usually orders treatment according to these recommendations.

MENTAL HEALTH TREATMENT

- In the Tenth District, there are no inpatient treatment programs.
- The ASAP Coalition provides a school diversion class called "Drinking Decisions" which appears to be beneficial. ASAP also provides programming to strengthen families and programs focusing on under-age drinking.
- The DWI Program has an intensive outpatient alcohol program which has allowed juveniles to participate. Respondents report success with the program. Some respondents report that they would like to see the course offered more frequently.
- TeamBuilders provides a variety of substance abuse intervention programs including a relapse prevention group and 12-step meetings. TeamBuilders also provides juvenile community corrections services in the Tenth District. There has been some concern that the Juvenile Community Corrections program does not provide sufficient supervision. The Public Defender reports that Juvenile Community Corrections is really the only treatment available for juveniles on probation.
- Another respondent mentioned that waiting lists at TeamBuilders are not a problem. Rather, the main obstacle affecting TeamBuilders is their ability to

provide quality services due to relatively high staff turnover.

- Respondents recommend improving and expanding existing programs instead of implementing new programs.

SEX OFFENDER TREATMENT

- There are no sex offender specific treatment programs available in the Tenth District.
- Although there are no providers locally, there are two private therapists in neighboring counties who have been responsive to the needs of the Tenth District.
- Referrals have been made to Desert Hills for inpatient treatment, but waiting lists have been a problem.

EDUCATIONAL SERVICES

- There is an alternative high school located in the town of House in southern Quay County known as The Learning Center.
- The Learning Center, which serves approximately 110 students, accepts individuals of any age who have attended at least the ninth grade. Students must come to the school at least once every ten days to pick up a curriculum packet which can be completed at home. To obtain credit, students must pass subject area exams given periodically at the school. Upon completion of the required credits, a student can obtain a high school diploma from House Schools.
- One criticism of the alternative school is that students are too free to work on their own and that instruction could be more rigorous.
- Classes, equipped with five computers, are offered by two teachers and include a special education curriculum.

CRISIS PLACEMENT

- TeamBuilders has the only crisis or shelter beds in the Tenth District. Immediate placements are rarely possible.
- There are two treatment foster care programs in the district. Raindancer usually serves nondelinquent youth although there have been exceptions. TeamBuilders also provides treatment foster care services. JPPOs report that both programs are serving children effectively although there is usually a waiting list. It is especially difficult to place older boys.

ENHANCED SUPERVISION

- Electronic monitors are only available for juveniles participating in the Juvenile Community Corrections program at TeamBuilders in Quay County. According to the juvenile probation office, there is not a shortage of available monitors.
- While there appears to be enough electronic monitors in Quay County, DeBaca County has a shortage. Currently, electronic monitors are not always available in DeBaca County when needed. The Sheriff's Office is

in charge of electronic monitoring services in DeBaca County.

- While the Juvenile Community Corrections program has shown some improvement according to respondents, there are still concerns about the quality and frequency of after-hours supervision.

DETENTION FACILITY

- The Quay County Juvenile Detention Facility has the capacity to hold up to 20 male and female juvenile delinquents. The average daily population is about 11 youth.
- The majority of juveniles are out-of-county contract placements from Roosevelt, Guadalupe, San Miguel, Colfax, Union, and Eddy Counties.
- The main mental health providers serving juveniles needing crisis intervention in the facility are TeamBuilders and Mental Health Resources. While TeamBuilders is the main service provider and conducts the majority of assessments, both programs have been responsive to the needs of the facility.
- During the school year, juveniles in custody participate in educational activities to keep pace with their peers in public school.

TREATMENT ISSUES AND RECOMMENDATIONS*

- The Quay County Juvenile Detention Facility houses juveniles from Union to Eddy Counties. Typically more than half of the juveniles in detention are from outside of the district. Although the local Juvenile Probation Office provides occasional visits to juveniles in the facility who are from outside of the district, face-to-face visits by JPPOs and visits from public defenders and family are usually not feasible.
- There is concern regarding the length of time a child remains in detention following the completion of a 15 day evaluation at YDDC. It is not uncommon for a child to go for an evaluation and then come back and remain in detention for weeks.
- Several respondents believe the Juvenile Community Corrections program needs to include more rigid supervision standards.
- A day treatment program capable of serving about six juveniles would reduce the number of juveniles being referred for inpatient services and reduce commitments.
- Additional shelter beds are needed in the Tenth District.
- An additional clinical social worker is needed to relieve the excessive work load of the current social worker.
- Statewide expansion of residential treatment facilities would alleviate overcrowding juvenile detention facilities and give youth needed treatment currently unavailable.
- TeamBuilders and Mental Health Resources may lack the capacity to provide psychological assessments and/or specific treatment for juveniles.
- Currently the district's clinical social worker is preparing the majority of the assessments.

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- Respondents report that there is currently a lack of treatment options for juveniles with extreme behavioral problems.
- Increased availability of parenting classes, especially in small communities, is needed.
- There is a need to expand after-school programs.
- There is a need to increase the availability of electronic monitors in Harding and DeBaca Counties.
- According to a number of respondents, the entire range of available substance abuse services needs to be expanded. Substance abuse issues are the greatest obstacle to the juvenile justice system in the Tenth District.
- Harding County provides no juvenile services or programs.
- The current sex offender providers available in the Tenth District do not have the expertise to provide outpatient treatment services for the adjudicated sex offender.

similar to much larger systems.

- TeamBuilders Inc. is the primary community juvenile treatment and service agency in the Tenth District. Although staff turnover, waiting lists, and concerns about after-hours supervision were mentioned by the respondents in this study, all interviewees favored improving already existing services rather than replacing the current providers.
- There are two JPPOs and one clinical assessment social worker assigned to the Tenth District. Although caseloads are generally manageable in terms of the number of juveniles assigned to each, these officers are spread over a large geographical area. There may be a need to increase the number of JPPOs and to add an additional social worker.

On Managed Care

- According to most respondents, Presbyterian Salud! is the most user friendly of the three insurance programs. Presbyterian gives quicker answers on a potential placement than the other companies. According to one respondent, "within an hour, I typically get a yes or a no on a placement." The benefit of quick placement is that resources are not tied up unnecessarily.
- Cimmaron Salud! usually prefers that a child be evaluated by the potential placement location. If the program assesses and agrees to serve the client, the child is admitted. Otherwise, the child is returned to the community and an alternative placement is sought. Typically the county sheriff's office is responsible for transporting the child for the assessment.
- Lovelace Salud! has been identified as the most difficult system to navigate. According to several respondents, clinical social workers often have a difficult time convincing Lovelace of the treatment need. The written documentation required is burdensome and far greater than the other two systems. Approval/rejection notification, usually required within 48 hours, often is not delivered until the last hour. The perception in the field is that Lovelace sometimes intentionally delays notification of decisions. The system is rigid, according to some, and impossible to maneuver.

SUMMARY

- The Tenth District includes Harding, Quay and DeBaca Counties. These counties had a total population of 13,205 residents in the 2000 census.
- There were 374 referrals for delinquent offenses during fiscal year 2001 representing 271 individuals. While many of the presenting issues for juvenile delinquents in the Tenth District are similar to larger areas, there are fewer juveniles involved in the system. Fewer incidents does not necessarily mean that the issues are less serious or that they cost less to treat. The infrastructure costs required to treat a few clients is

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An Analysis of Juvenile Justice Process and Treatment Providers in the Eleventh Judicial District

November 2002

FACTS ABOUT THE ELEVENTH JUDICIAL DISTRICT

The Eleventh Judicial District has two counties: McKinley and San Juan.

- According to the 2000 Census, McKinley County has a total population of 74,798 people. Gallup, the largest city in McKinley County, has a population of 20,209. Other important communities include: Zuni Pueblo (pop. 6,367), Crownpoint (pop. 2,630), Navajo (pop. 2,097), Thoreau (pop. 1,863), Black Rock (pop. 1,252), Church Rock (pop. 1,077), and Tohatchi (pop. 1,037).
- San Juan County has a population of 113,801, the fourth most populous in the state. The largest city is Farmington (pop. 37,844), followed by Shiprock (pop. 8,156), Bloomfield (pop. 6,417), Upper Fruitland (pop. 1,664), Flora Vista (pop. 1,383), and Ojo Amarillo (pop. 829)

DELINQUENT REFERRALS FY01/FY02

- McKinley County: FY01 1622; FY02 1520; -6.3% change
- San Juan County: FY01 1554; FY02 1736; 11.7% change

JUVENILE TREATMENT PROGRAMS

Childhaven
Choices Counseling Service
Connections, Inc.
Echo, Inc.
Eleventh Judicial District Juvenile Drug Court
Family Harmony Project
Halvorson House
Juvenile Crisis Center
Lazy Youth Ranch
McKinley County Teen Court
National Indian Youth Leadership Project
New Horizons
Our Youth, Our Future
PARE Program
Raindancer Youth Services, Inc.
Rehoboth McKinley Christian Hospital Behavioral Health Service
Rocinate High School
San Juan Family Preservation
San Juan Teen Court
Shiprock Youth Home-Navajo Nation Division of Social Services
Western NM Counseling

KEY JUVENILE JUSTICE RELATED CONTACTS

Dean Beck	JPPO Supervisor - Farmington
Paul Campos	Director, McKinley County Juvenile Detention
Byron Caton	Eleventh Judicial District Judge
Michelle DeHerrera	JJD Psychologist, San Juan County
Grant Foutz	Eleventh Judicial District Judge
Karl Gilson	Eleventh Judicial District Attorney
Joseph Rich	Eleventh Judicial District Judge
Tracy Sutherland	Director, San Juan County Juvenile Detention
Mike Thompson	Chief, Eleventh District Juvenile Probation Office
Pam Valencia	Program Director, Halvorson House
Stacey Ward	Eleventh Judicial Assistant District Attorney
Ruth Wheeler	Eleventh Judicial District Public Defender

INTRODUCTION

This study is a part of a larger statewide analysis of juvenile treatment programs in New Mexico. The purpose of this study is to determine how existing juvenile treatment needs are determined and met in various localities. Our specific goal is to determine gaps in treatment services available to juvenile justice agencies. One statewide summary report and individual reports, organized by the thirteen judicial districts, have been developed. All reports are available on the Council's web site:

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METHODOLOGY

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Criminal and Juvenile Justice Coordinating Council (CJJCC) researchers were provided contact information for key personnel in the various judicial districts by the Administrative Office of the Courts (AOC), the Children, Youth, and Families Department (CYFD), the Administrative Office of the District Attorney, and the New Mexico Public Defender. Interviews were then scheduled with area juvenile judges, and representatives from the District Attorney's office, the public defender's office, the Juvenile Probation/Parole Office (JPPO), local detention facilities, and some treatment providers serving juveniles. Some interviews were conducted via telephone although the majority were conducted face-to-face. Whenever possible, data collection was standardized through the use of interview guides created specifically for the role of the person being interviewed. In the Eleventh District, CJCC staff completed formal interviews with twelve respondents and spoke to several others informally. The information found throughout this report is based on interview data and does not reflect any official position of the CJCC.

JUDICIAL PHILOSOPHY

Consent decree:

- Under a Consent Decree, the child is ordinarily placed on six months of probation without being adjudicated as delinquent. After six months, the case is dismissed.
- McKinley County uses the Consent Decrees regularly while San Juan County rarely utilizes the Consent Decree probation.

Probation:

- Adjudicated delinquents can be placed on probation for one or two years. Two year judgements are routinely used in this district.
- Both McKinley and San Juan Counties have Juvenile Intensive Probation Services.

Commitment to CYFD:

- An adjudicated juvenile can be committed to the custody of CYFD for one or two years unless the child is a Youthful Offender.

Time waiver:

- Time waivers are rarely used in the Eleventh District.

OBSERVATIONS ABOUT REFERRALS

- Referrals are made by various law enforcement agencies and the public school system. Reports are dropped off daily to the Juvenile Probation Office staff.
- All juvenile information is entered into the Family Automated Client Tracking System (FACTS) in order to track referrals and share information within the Juvenile Justice Division and other divisions within CYFD.
- Referrals to the JPPO are handled formally or informally depending on the nature of the offense(s) and the child's delinquent history.
- In San Juan County, the Farmington Police Department processes First Offender shoplifting and alcohol-related offenses through programming in cooperation with the Juvenile Probation Office. These referrals are not included in the official delinquent referral data.
- When a law enforcement officer comes in contact with a juvenile suspected of a delinquent offense, the officer can forward a citation or report and, if necessary, book the child in detention. The Juvenile Probation Office must approve detention of the child or he/she must be released at booking.
- Within 24 hours of booking, a Children's Court Judge will review law enforcement affidavits for probable cause. If probable cause is not established, the child will be released at that time.
- If a youth is detained, the Children's Court Attorney must file a petition and a detention hearing is conducted in a timely matter.
- All felony cases are considered formal and referred to the Children's Court Attorney. Although there is some discretion, a juvenile charged with a third misdemeanor referral within a two-year period is also usually referred to the Children's Court Attorney's office.

- All DWI cases are referred to the Children's Court Attorney.
- The JPPO may process referrals informally through a variety of diversion programs or send them to the Children's Court Attorney for review who may then file a petition.
- Should the child be in court for a delinquency petition, the Children's Court Judge may place the child on a Consent Decree, adjudicate the child by assigning a period of probation, or committing the child to the custody of CYFD.

ASSESSMENTS

- In McKinley and San Juan Counties, there are a number of available programs that are qualified to perform mental health assessments and evaluations as needed.
- McKinley County has an assigned Community Assessment Social Worker. In San Juan County there is a Psychologist assigned to the Juvenile Probation Office by the Juvenile Justice Division.
- San Juan County has not experienced the same difficulties in placing juveniles into inpatient or residential treatment as some other districts which report that placements are often delayed due to reevaluations and reassessments. According to one respondent in San Juan County, delays in securing out-of-county placements typically result from the failure of those making the referrals to accurately complete the referral packets.
- According to one Judge, the 60-day and 90-day evaluations that were previously done at YDDC were preferred over the current 15-day evaluations.

MENTAL HEALTH TREATMENT

- Currently, there is not a Juvenile Community Corrections provider in Farmington. Until recently, Juvenile Community Corrections services were provided through San Juan County.
- Connections Inc., is the primary substance abuse treatment agency in McKinley County. While the agency is the largest provider, some concerns were raised about the quality of the substance abuse services provided.
- Connections Inc. also has the current Juvenile Community Corrections contract.
- Our Youth, Our Future, formerly known as the Four Corners Treatment Center, was established in 1989. Approximately 60-65% of clients are from New Mexico, with the remaining clients primarily coming from Colorado and Arizona. The treatment focus for Our Youth, Our Future is Native American children who need a broad range of substance abuse, child abuse, and family conflict treatments.
- The program provides a comprehensive battery of mental health assessments that are normed and validated for Native Americans. The program has 10 counselors on staff who have an average caseload between 10 and 15 youth. The program completes

- between 1,000 and 1,200 assessments per year.
- Services provided by Our Youth, Our Future include: intensive maintenance outpatient treatment (approximately 500 clients per year), community outreach services, a 1-800 number for crisis intervention (all staff are certified for DOH crisis management), and academic services through UNM.
- Through funding from CSAT, Our Youth, Our Future has developed Multi-Systemic Therapy for Native Americans. The Program Director anticipates expanding services within the next year to also serve non-Native American children.
- Our Youth, Our Future staff believe that few agencies in New Mexico have the capacity to serve Native American youth in a culturally appropriate/relevant manner and that many Native American youth are being under-served.
- While some services are available through such institutions as Indian Health Services (IHS), the IHS is overloaded. Tribes that provide treatment programs often provide antiquated services that are mostly 12-step based, which may be largely ineffective for Native American children. Additionally, some tribal services like those in Acoma or Laguna do not serve youth with mental health issues or a history of violence.
- The bureaucracy within the IHS is frequently a barrier to getting needed mental health treatment for a child. Native American children who do not have Medicaid must be approved by an IHS psychiatrist before admission. Referrals sometimes bottleneck due to a lack of psychiatrists on staff.
- Native American youth from New Mexico are frequently sent out of state for services due to a lack of adequate services within the state.
- Dually-diagnosed clients in Farmington are currently being under-served due to a lack of programs with the capacity to adequately address their mental health needs.

Inpatient

- Halvorson House provides inpatient mental health treatment services for male juveniles. One critic suggested that the substance abuse treatment available at Halvorson House is not as effective as it should be. Although there are LADAC therapists in each of the Halvorson House programs, there are questions about the clinical supervision of the staff.
- One respondent complained that non-Native residential mental health treatment in the Eleventh District is very limited. Besides Halvorson House, there are no treatment facilities for non-Natives. A Judge added, "We have to send these kids out of town. A kid from a poor family sent to treatment in Albuquerque will be isolated from their families."
- Persons making referrals to Desert Hills in Albuquerque report few difficulties in getting children into a placement. The concern that respondents report is that Desert Hills is requiring an in-house evaluation before intake rather than accepting referrals completed by community assessment mental health workers.

- The San Juan County Commission has set aside funding for a 30-bed treatment center. The new complex will include educational services, three court rooms and beds for detainees.
- The Program Our Youth, Our Future, located in Shiprock rarely has openings available according to one Judge.

Halvorson House

- Halvorson House is a residential treatment facility located in Farmington with a capacity to house eight males approved for a level 1-3 placement. By May 2002, 8 additional beds will be made available including 4 for females.
- Most referrals to Halvorson House come from the Juvenile Probation Office. Before Managed Care, most placements to Halvorson House originated in the Protective Services Division and now originate in the Juvenile Justice Division. So, the clientele served by Halvorson House now includes children with more serious treatment needs and surveillance requirements. Furthermore, the average placement length has decreased since Managed Care. The average stay now lasts about 90 days.
- Sexual perpetrators, those with traumatic brain injuries, and referrals with recent violent behavior are typically excluded from admission.
- Halvorson House frequently has difficulty attracting and retaining qualified staff. According to program representatives, there is indeed a shallow talent pool to draw from in the Eleventh District. Last year, one therapist provided services to around 500 children. Low salaries are a recurring obstacle to attracting qualified staff.
- When asked about the differences between Halvorson House and Child Haven, one judge reported that Child Haven was for younger children while Halvorson House was for older juveniles.

Juvenile Drug Court

- According to one local Judge, the Eleventh Judicial Juvenile Drug Court in San Juan County is reserved for the most serious juvenile substance abusers. The program, which can accommodate up to thirty clients, has intense screening and assessment requirements.
- A Judge in McKinley County reported that a Juvenile Drug Court is needed in his jurisdiction but a lack of funds have kept them from initiating one.
- While a detoxification facility is available in McKinley County, some respondents had reservations about the quality of the treatment services provided.

Juvenile Grade Court

- The Grade Court in Farmington is based on the Grade Court model developed in the Thirteenth District. Judge Onuska and Judge Caton each hold three separate Grade Court sessions each month. Approximately 230 juveniles are currently active in the Grade Court program.
- While the Farmington program reports a 60-70% success rate, one Eleventh District Judge warns that the program is extremely judge-intensive.

- Any juvenile who successfully completes the Grade Court program is awarded a scholarship to attend San Juan College, through the generous sponsorship of an anonymous donor. Several graduates of the program are currently attending college as a result of the scholarships.

SEX OFFENDER TREATMENT

- Indian Health Services provides an adult sex offender program and a small adolescent unit.
- In general, Eleventh District personnel need further training in sex offender treatment to improve the quality of service to the community.
- According to one respondent many sex offenders in the Eleventh District are unidentified, since Navajo authorities regularly do not prosecute alleged sex offenders.
- According to two Judges, there are no programs statewide to deal with serious sex offenders (those who are a great potential risk to the community).
- In Aztec, the PARE Program offers sex offender treatment, and trauma counseling through the Day-break Program. One respondent reports that there is a major need for similar services in Farmington.

EDUCATIONAL SERVICES

- In San Juan County, there are two primary educational alternatives.
- The Rocinate Alternative School provides after-school educational services in Newcombe, Shiprock and Farmington. Rocinate serves up to 120 juveniles who are expelled from public school. Many of these juveniles have behavioral issues that have disrupted their educational process. According to the JPPO Supervisor in Farmington, there is usually space in the program for new admissions.
- There is another more intensive program also operated by Rocinate sometimes referred to as the "alternative to the alternative." The Day Reporting Center serves up to 30 juveniles in the one-year program and has two full-time teachers.
- In spite of these resources, the Juvenile Probation Office reports that there is a very high suspension and dropout rate in San Juan County. According to one representative, Farmington High School had more than 300 juveniles who were on noncredit status at the beginning of the 2001 school year.
- The Boys and Girls Club also provides some educational services but prefers not to serve juveniles with a history of violence.
- In McKinley County, the Best Chance Program is available for juveniles who are on probation who have been expelled from the Gallup Public School System. Central High School in conjunction with the Gallup Juvenile Probation Office collaborate in this alternative.
- In Wingate, the Opportunity Program is available for students who are behind in their credits.
- Juvenile Justice personnel also use the Job Corps

- Program to meet the needs of juveniles who are failing in public school.
- The University of New Mexico Branch in McKinley County provides GED programming.

ENHANCED SUPERVISION

- Electronic monitors require the juvenile to have a home telephone. Many juveniles in the Eleventh District who are eligible for electronic monitors are not fitted for them because they do not have a home telephone. One Judge suggests that juveniles are sometimes placed into detention because electronic monitors cannot be used.
- The Juvenile Justice Division Probation Offices in McKinley and San Juan Counties employ Juvenile Surveillance Officers that are available to assist in after-hours and weekend supervision duties in addition to their caseloads.

DETENTION

McKinley County

- The McKinley County Juvenile Detention Facility has the capacity to hold up to twenty-two juveniles. In addition to McKinley County, the facility also serves juveniles from Acoma, Laguna, Cibola County and Ute Mountain in Southern Colorado.
- A full-time teacher provides educational classes in an on-site portable building. There are computers available to enhance learning activities. Art classes and tutoring services are also offered.
- McKinley County also has a detoxification center to serve juveniles. The Center for Substance Abuse Treatment (CSAT) will fund the detoxification center through September 2003.
- The San Juan County Juvenile Detention Facility is located in Aztec and has the capacity to hold twenty-four juveniles in detention. Aztec Public Schools provides one full-time Special Education teacher. There are no counselors or therapists on staff at this facility.
- San Juan County is completing construction on a new Juvenile Justice Complex which is scheduled to open in May 2003. When complete, this new facility will hold up to forty juveniles in detention. The facility will also provide a twenty-four bed residential treatment center and twelve beds will be available for crisis placement. The county will also have an assessment center at the new facility for all juveniles at risk.

CRISIS PLACEMENT

- In San Juan County, Child Haven has the capacity to provide shelter beds. However, several respondents are concerned about the ability of the program to provide qualified substance abuse treatment.
- In McKinley County, there are no crisis beds available.

The Eleventh Judicial District, continued

TREATMENT ISSUES AND RECOMMENDATIONS*

- In the Eleventh Judicial District, particularly San Juan County, the need for inpatient and outpatient sex offender treatment is crucial. The majority of all respondents put the issue as one of the top concerns in the District.
- Both counties in the Eleventh District report the need for day reporting and afterschool programming. One judge reported that extracurricular activities are especially needed.
- In McKinley County there are no inpatient mental health residential or crisis placement options for juveniles. Respondents report a major need for shelter beds.
- Although Halvorson House and Childhaven provide shelter beds in San Juan County, there is still a shortage of available beds according to some respondents. Shelter beds in San Juan County are a priority need.
- One Judge in McKinley County would like to secure and maintain funding for a permanent Juvenile Drug Court.
- One Judge stated his concerns very clearly, "In McKinley County, our greatest obstacles are alcohol, drugs and DWI." He suggested that more interventions are needed which deal with these issues specifically.
- The Juvenile Drug Court in San Juan County, presided over by Judge Caton, may also soon face financial strains.
- One respondent in the Eleventh District asserted that while inpatient mental health services for Native American youth are generally available, outpatient interventions are lacking.
- Respondents report few independent living services for juveniles in the Eleventh District. There is an especially great need for transitional and reintegration programming for juveniles returning from juvenile correctional facilities and from residential treatment. According to respondents, aftercare is rarely provided to children returning to the community.
- Step-down programming, especially for intensive interventions like Drug Court, are needed.
- There are few gender-specific treatment services available according to interviewees in the Eleventh District. According to the JJD Psychologist, residential treatment beds for females are a major need.
- Although resources are strained throughout the Eleventh District, rural communities such as Aztec, Bloomfield, Kirkland, Shiprock and Crownpoint do not have many treatment options of any kind.
- Since the closing of Juvenile Community Corrections services in Farmington, a valuable alternative to the

court has been lost. Judges report missing the Juvenile Community Corrections option. San Juan County needs to have an effective, well-staffed Juvenile Community Corrections Program.

- More electronic monitors are needed along with the additional capacity to provide surveillance, especially since many clients do not have telephones. According to one Judge, about forty new cases are arraigned each month, many of whom would be appropriate for electronic monitors.
- At least two key players interviewed argued that the Eleventh District needs an additional District Court Judge.
- Some respondents perceive that juveniles with co-occurring conditions of substance abuse and other acute mental health needs are underserved in the Eleventh District.
- There is a need to add new and enhance existing mentoring programs for at-risk juveniles. Rural communities may have the greatest and most difficult to fill needs.
- Rocinate and the San Juan County Partnership both offer parenting classes. This type of programming is important to expand into rural communities.
- This District, similar to most other areas of the state, reports the need to bridge differences between the Juvenile Justice Division and the Protective Services Division of the Children, Youth and Families Department.
- The closing of the Casa Amigos Residential Facility in Farmington, has further exacerbated the apparent lack of programming for juveniles needing reintegration services.

SUMMARY

The Eleventh District includes two very diverse counties. Both have large geographical expanses with many rural communities. This report has identified a number of issues that need to be addressed in both counties.

The new Juvenile Justice complex in San Juan County in Farmington, New Mexico, will address many of the current deficiencies in juvenile services. Indeed the four components being proposed in the new complex indicate a well-rounded approach to assessment, detention, crisis placement and residential treatment. More importantly, having a juvenile facility opens up better communication amongst the judiciary, treatment providers, probation and detention staff, public defenders and Children's Court Attorneys, and law enforcement. The majority of the key juvenile justice players will be housed in the complex which should encourage interagency collaboration for the best interests of juveniles in the county. This approach to juvenile justice will enhance service delivery in San Juan County and may be a model for others to emulate.

*Data reported throughout this report is based on interview data and does not reflect any official position of the CJJCC.

An Analysis of Juvenile Justice Process and Treatment Providers in the Twelfth Judicial District

November 2002

FACTS ABOUT THE TWELFTH JUDICIAL DISTRICT

The Twelfth Judicial District is comprised of two counties: Otero and Lincoln.

- According to the 2000 Census, Otero County has thirteen communities, many small and unincorporated, with a total population of 62,298 people. More than half of Otero County's population lives in Alamogordo (pop. 35,582), followed by Tularosa (pop. 2,864), La Luz (pop. 1,615), Boles Acres (pop. 1,172), and Cloudcroft (pop. 749).
- Lincoln County is much smaller with a total population of 19,411 according to the 2000 Census. Between 1990 and 2000, Lincoln County experienced a 59% population increase. The four largest communities include: Ruidoso (pop. 7,698), Ruidoso Downs (pop. 1,824), Capitan (pop. 1,443), and Carrizozo (pop. 1,036).

DELINQUENT REFERRALS FY01/FY02

- Otero County: FY01 1067; FY02 988; -7.4% change
- Lincoln County: FY01 268; FY02 295; 10.1% change

JUVENILE TREATMENT PROGRAMS

Alamogordo Mental Health
Alcohol, Drug and Mental Health Counseling
C & D Group Works
CHINS (The Otero-Lincoln County Collaborative)
Otero Preventive Action Toward Health (PATH)
Presbyterian Management Services
Raindancer Youth Services
Rio Grande Treatment Center
Southwest Counseling
Substance Abuse
The Counseling Center, Inc.
Twelfth District Juvenile Drug Court
Zia Therapy Center Inc.

KEY JUVENILE JUSTICE RELATED CONTACTS

Linda Burson	Twelfth District Assistant Public Defender
William E. Cordova	Chief JPPO, Juvenile Probation/Parole Office
James W. Counts	District Judge, Twelfth Judicial District
Sandra A. Grisham	Twelfth Judicial District Attorney
Jamie Grover	Executive Director, Camp Sierra Blanca
Scot Key	Twelfth Judicial District Attorney
Carolyn Lee	Supervisor JPPO, Lincoln County
Norman Osborne	Twelfth District, Public Defender
Karen L. Parsons	District Judge, Twelfth Judicial District
Henry Peterson	Director, La Placita Residential Facility
Jerry H. Ritter	District Judge, Twelfth Judicial District
Frank K. Wilson	Presiding Judge, Twelfth Judicial District

INTRODUCTION

This study is a part of a larger statewide analysis of juvenile treatment programs in New Mexico. The purpose of this study is to determine how existing juvenile treatment needs are determined and met in various localities. Our specific goal is to determine gaps in treatment services available to juvenile justice agencies. One statewide summary report and individual reports, organized by the thirteen judicial districts, have been developed. All reports are available on the Council's web site:

<http://www.cjjcc.org/publications.php>.

METHODOLOGY

The information contained in this report was collected between November 2001 and November 2002 and is based upon a data collection strategy approved by the Juvenile Policy Subcommittee. Criminal and Juvenile Justice Coordinating Council (CJJCC) researchers were provided contact information for key personnel in the various judicial districts by the Administrative Office of the Courts (AOC), the Children, Youth, and Families Department (CYFD), the Administrative Office of the District Attorney, and the New Mexico Public Defender. Interviews were then scheduled with area juvenile judges, and representatives from the district attorney's office, the public defender's office, the Juvenile Probation/Parole Office (JPPO), local detention facilities, and some treatment providers serving juveniles. Some interviews were conducted via telephone although the majority were conducted face-to-face. Whenever possible, data collection was standardized through the use of interview guides created specifically for the role of the person being interviewed. In the Twelfth District, CJJCC staff completed formal interviews with ten respondents and spoke to several others informally. The information found throughout this report is based on interview data and does not reflect any official position of the CJJCC.

JUDICIAL PHILOSOPHY

Consent decree:

- Under a Consent Decree, the child is ordinarily placed on six months of probation without being adjudicated as delinquent. After six months, the case is dismissed.
- Both counties in the Twelfth District regularly use consent decrees.

Probation:

- Adjudicated delinquents can be placed on probation for one or two years. One year judgements are not used in this district.
- The Juvenile Intensive Probation Services are not available in the Twelfth District.

Commitment to CYFD:

- An adjudicated juvenile can be committed to the custody of CYFD for one or two years unless the child is a Youthful Offender.

Time waiver:

- Time waivers are used in the Twelfth District. This district supervises a large number of probation clients on an informal basis.

OBSERVATIONS ABOUT REFERRALS

- Referrals are made by various local law enforcement, State Police, federal authorities including Customs, Border Patrol, Narcotics Enforcement, Immigration and Naturalization Service, the State SW Drug Task Force, schools and parents.
- The Park Rangers at White Sands National Monument are deputized by the Otero County Sheriff's Department and can also make referrals.
- The U.S. Border Patrol operates two checkpoints in Otero County, so it is not uncommon to receive a referral stemming from a vehicle stop.
- All juvenile information is entered into the Family Automated Client Tracking System (FACTS) in order to track referrals while sharing information with other divisions within CYFD.
- Referrals to the JPPO are handled formally or informally depending on the nature of the offense(s) and the child's delinquent history.
- When a law enforcement officer comes in contact with a juvenile suspected of a delinquent offense, the officer can forward a citation or report and if necessary place the child in detention. The Juvenile Probation Office must approve detention of the child or he/she must be released at booking.
- Within 24 hours of booking, a Children's Court Judge will review law enforcement affidavits for probable cause. If probable cause is not established, the child will be released at that time.
- If a youth is detained, the Children's Court Attorney must file a petition and a detention hearing is conducted in a timely manner.
- All felony cases are considered formal and referred to the Children's Court Attorney. Although there is some discretion, a juvenile charged with a third misdemeanor

referral within a two year period is also usually referred to the District Attorney's office.

- All DWI cases are referred to the Children's Court Attorney.
- The JPPO may process referrals informally through a variety of diversion programs or send them to the Children's Court Attorney for review who may then file a petition.
- Should the child be in court for a delinquency petition, the Children's Court Judge may place the child on a Consent Decree, adjudicate the child by assigning a period of probation, or committing the child to the custody of CYFD.

ASSESSMENTS

- Since the inception of statewide Clinical Assessment Social Workers being assigned to the Juvenile Justice Division in each district, the Twelfth District has routinely failed to retain a Clinical Social Worker.
- Respondents report the difficulty in retaining Clinical Social Workers in this district is related to the difficulty of attracting qualified professionals at the current pay scale.
- Otero County receives assistance from the Doña Ana County Clinical Social Worker while Lincoln County relies on Chaves County for its Clinical Social Worker needs.
- The types of assessments that are available to juvenile delinquents are affected by available funding, Medicaid eligibility, and risk level. Many juveniles are not adequately assessed because of limited funds and because of a lack of qualified professionals available to do evaluations.
- Forensic evaluations are sometimes done, usually at the request of the Public Defender. Usually, these referrals are completed by either Dr. Johnson or Dr. Parsons, psychologists from Hobbs who maintain a satellite office in Alamogordo. Other psychologists from Roswell and other areas also do forensic evaluations. Forensic evaluations often take a month to schedule, and it generally takes an additional month or two to obtain a report. Additional forensic evaluators would improve mental health legal issues and improve timeliness.
- Assessments can also be completed by Rio Grande Treatment Program if deemed necessary by the JPPO.
- If additional assessments are needed, juveniles may be sent to the Youth Diagnostic and Development Center (YDDC) for a 15 day diagnostic evaluation. There has been at least some concern about the consistency of the evaluations completed at YDDC.
- Assessments needing the utilization of diagnostic instruments such as the SASSI, TASI or the MMPI are referred to the juvenile drug court social worker. The District Attorney's office also has a staff clinical social worker available out of Las Cruces. Unfortunately, Otero County cases are often low priority.

MENTAL HEALTH TREATMENT

- There are no residential treatment programs available in this district. Therefore, all referrals for inpatient treatment are referred out to other communities.
- Mesilla Valley Hospital in Las Cruces is used especially for appropriate mental health cases although waiting lists are usually long.
- The La Pointe program at the Alliance Hospital in Santa Teresa is reported to be an exceedingly effective program.
- Grace House is a six-to-nine month program in Hobbs, NM, for boys ages 13-18 who have drug and alcohol issues. It is often difficult to place a child at Grace House because of strict admission requirements and an exceedingly long waiting list. A referral often requires a completed psychological evaluation and all referrals must be paneled. Almost all referrals are court-ordered to Grace House.
- It is not uncommon for a referral to any inpatient program to include a 3-4 month waiting list.
- The Counseling Center is probably the leading referral resource for substance abuse treatment in the Twelfth Judicial District - primarily due to the indigent status of most juvenile referrals. It is estimated that nearly all referrals, especially from Lincoln County, are indigent. Although there are several private providers in Ruidoso, referrals are rare due to long waiting lists and, more importantly, payment considerations. Some respondents feel that The Counseling Center sometimes initiates treatment too slowly.
- Sometimes referrals are made to private therapists. Among these, Dr. Paul Mezerkowicz at Alcohol, Drug, and Mental Health Services is frequently used.
- Substance abuse treatment and other services are provided in Chaparral by Families and Youth, Inc.
- The Juvenile Community Corrections (JCC) Program is administered by The Counseling Center with offices in Ruidoso and Alamogordo.

Twelfth Judicial District Juvenile Drug Court:

- The Alamogordo JPPO has an officer dedicated to the Juvenile Drug Court Program. According to the Chief JPPO, the Drug Court Program has successfully diverted a number of children who would have otherwise been committed to CYFD custody.
- The Drug Court has a capacity of 30 clients but is currently serving an average of 20 participants.
- The program is focused on juveniles with mid-range substance abuse problems who are non-violent.
- There are some indications that serious offenses are sometimes reduced in order to allow referrals to the Drug Court Program.
- Some juvenile delinquents needing substance abuse treatment are restricted from participating because of intake guidelines.
- In regard to treatment and supervision intensity, the Juvenile Community Corrections Program is seen as a step down from Drug Court.

SEX OFFENDER TREATMENT

- There are few resources consistently available statewide for sex offender treatment. In the Twelfth Judicial District there are no sex offender treatment services available. Local sources report that juveniles needing outpatient sex offender interventions are sometimes referred to private therapists in El Paso, Texas.
- In part, due to the lack of placement alternatives, juveniles needing sex offender treatment are often court ordered into CYFD custody.
- Juveniles in the Twelfth District with sex offender treatment needs are also referred to the Las Vegas Care Unit and Desert Hills in Albuquerque. However, it is often difficult to place a child due to limited bed space and restrictive intake criteria.
- Even a commitment to state custody may not ensure that a juvenile will receive timely treatment since Sandia Cottage at the Youth Diagnostic and Development Center (YDDC) frequently operates at full capacity. A juvenile on a one-year commitment who must wait for admission into Sandia Cottage may not receive the full treatment programming available which would include reintegrating the child back into the community.

EDUCATIONAL SERVICES

- In the Twelfth District, there appears to be adequate educational services available for delinquents.
- Academy del Sol, a unit of the public school system, is one alternative school program in the area. Academy del Sol serves between 150 and 180 students, which is below capacity. In Alamogordo, most juveniles who have behavioral issues are referred to Academy del Sol. The program is very flexible and by most accounts has had a very positive impact. Reportedly, nearly all the teachers at Academy del Sol hold Master's level degrees. Yet, academics are perceived to have less emphasis than in regular public school.
- In Ruidoso, Eastern New Mexico University (ENMU) offers GED services. In Alamogordo, NMSU provides GED services through the adult education program.
- The Gavilan Canyon School in Ruidoso is available to provide alternative educational services for youth with behavioral issues in Lincoln County.

ENHANCED SUPERVISION

- Sufficient numbers of electronic monitors are available. However, electronic monitors are usually not very effective for those juveniles who are a serious risk of flight. Usually, adult supervision is sufficient.
- In Lincoln County, the JCC program run by The Counseling Center organizes electronic monitoring. There is a greater need in Lincoln County for electronic monitors, especially for pre-adjudicated juveniles.

DETENTION

- The lack of a local detention center in Otero and

Lincoln County has been a major problem for juvenile justice key players.

- Otero and Lincoln Counties must rely on the availability of space at the Doña Ana County Detention Facility. Often, the Twelfth District must utilize Valencia County to meet their detention needs. This puts a strain on county resources, probation personnel, legal representation, and the families of detained youth.
- Otero County Adult Detention Facility does hold juveniles up to six hours. Juveniles needing additional time in detention are transported out-of-county.

CRISIS PLACEMENT

- There are no shelter placement beds in the Twelfth District.
- Families and Youth, Inc. (FYI) in Las Cruces sometimes accepts juveniles from the Twelfth Judicial District who need a crisis or temporary placement.
- There is a severe lack of therapeutic foster care beds.

TREATMENT ISSUES AND RECOMMENDATIONS*

- The First Offender Program operated by Zia Therapy is an eight week program designed to educate young delinquents. Respondents report that the program could be improved by enhancing the substance education component.
- An alternative to out-of-school suspension is needed. Currently, local officials and public school representatives are working to create a day reporting center for suspended juveniles.
- Judge Parsons in Carrizozo has a particularly innovative program in the Twelfth Judicial District where children deemed to be at particularly high risk are required to comply with weekly reviews. Additionally, the judge requires monthly in-chamber visits with the child. This low cost intervention has had positive effects generally and may be useful in other areas.
- Some respondents see a need for a local reintegration center for youth coming back to the Twelfth District following a commitment to CYFD.
- The relationship between the Protective Services Division (PSD) and the Juvenile Justice Division (JJD) is frequently strained and conflicts are not uncommon. Some officials feel that a contempt of court finding against the Protective Service Division may be needed before improvement will occur. General consensus is that the PSD's central intake is exceedingly restrictive in the referrals they receive, and reports from the JJD are often screened out.
- Children In Need of Services (CHINS) referrals to parenting skills classes have been reported to be very positive. CHINS services are provided by the Otero-Lincoln County Collaborative. The Counseling Center also offers parenting skills training.
- One respondent feels that more money is needed for screening, especially for Attention Deficit Disorder (ADD) and Attention Deficit Hyperactivity Disorder

(ADHD). There is some speculation that many/most juvenile delinquents could likely be diagnosed ADD or ADHD.

- There is concern that there is very limited gender division in the available treatment services. There is a male gender bias in the available treatment services.
- The lack of paperwork standardization and automation statewide within the Juvenile Justice Division creates unnecessary work at multiple levels.
- Some respondents express a need for a truancy program in the Twelfth District.
- Some interviewees recommend developing a Multi-Systemic Therapy program.
- In the Twelfth District, juvenile case specialization and collaboration between the Public Defender's Office and the Office of the District Attorney have been especially effective.
- The Center of Protective Environment, Inc. (COPE) is a domestic violence prevention shelter that also provides community outreach programs in Otero and Lincoln Counties. Specifically, COPE offers groups which cover issues of dating violence and date rape. COPE provides outreach services to the La Placita reintegrations Center in Alamogordo.
- According to one judicial respondent, restrictive computer-use regulations within CYFD may be affecting employee morale and JPPO effectiveness. Some respondents feel that e-mail would facilitate communication and improve dialogue between key juvenile justice players.
- It is extremely necessary that the Juvenile Justice Division address the on-going problem of retaining a full-time Clinical Assessment Social Worker dedicated to serving the Twelfth District.

SUMMARY

The Twelfth Judicial District, comprised of Lincoln and Otero Counties, generally has a strong, integrated approach to juvenile justice and juvenile treatment. The district attorney, the public defender, juvenile judges and juvenile probation work in cooperation very well. Indeed this cooperation may be the greatest asset in the community. The Counseling Center, Zia Therapy Center, Southwest Counseling, and several private providers, along with specific programs such as the juvenile drug court and the First Offender's Program are currently meeting the needs of most juveniles in the Twelfth District with outpatient treatment issues. In-patient treatment for sex offenders and those with mental health and/or substance abuse issues does not exist and referrals to statewide resources are exceedingly difficult due to waiting lists. In many cases, juveniles needing treatment are committed to state custody because of the lack of available treatment options. The lack of a juvenile detention center in the Twelfth District is a major problem with far reaching implications.

**Data reported throughout this report is based on interview data and does not reflect any official position of the CJJCC.*

An Analysis of Juvenile Justice Process and Treatment Providers in the Thirteenth Judicial District

November 2002

FACTS ABOUT THE THIRTEENTH JUDICIAL DISTRICT

The Thirteenth Judicial District is comprised of three counties: Sandoval, Valencia and Cibola.

- According to the 2000 Census, Sandoval County had a total population of 89,908 residents which represents a 42 percent increase from 1990 to 2000. Rio Rancho (pop. 51,765) is the largest community and experienced a 59.3 percent increase. Corrales (pop. 7,334) experienced a 34.5 percent increase. Other communities in the county include Bernalillo (pop. 6,611), Placitas (pop. 3,452), San Felipe Pueblo (pop. 2,080), and Jemez Pueblo (pop. 1,953).
- Valencia County had a total population of 66,152 residents. It experienced a 46 percent population increase from 1990 to 2000. Los Lunas (pop. 10,034) grew by 66.9 percent. Other communities include Belen (pop. 6,901), El Cerro-Monterey Park (pop. 5,483), Los Chaves (pop. 5,033), Valencia (pop. 4,500), Meadow Lake (pop. 4,491), Rio Communities (pop. 4,213), Bosque Farms (pop. 3,931), and Peralta (pop. 3,750).
- Cibola County had a population of 25,595 residents. Grants (pop. 8,806), Milan (pop. 1,891) and Skyline-Ganipa (pop. 1,035) are three of its largest communities.

DELINQUENT REFERRALS FY01/FY02

- Sandoval County: FY01 1331; FY02 1120; -15.9% change
- Valencia County: FY01 951; FY02 928; -2.4% change
- Cibola County: FY01 419; FY02 266; -36.5% change

JUVENILE TREATMENT PROGRAMS

Cibola County Mental Health Center
City of Rio Rancho Teen Court
Connections, Inc.
Hogares
La Buena Vida, Inc.
Outcomes, Inc. (Family and Children's Services, Inc.)
Raindancer Youth Services, Inc.
Rio Rancho Counseling
Sandoval County Grade Court
Thirteenth Judicial District Juvenile Drug Court - Sandoval, Valencia
Valencia Counseling Service
Youth Development, Inc.

INTRODUCTION

This study is a part of a larger statewide analysis of juvenile treatment programs in New Mexico. The purpose of this study is to determine how existing juvenile treatment needs are determined and met in various localities. Our specific goal is to determine gaps in treatment services available to juvenile justice agencies. One statewide summary report and individual reports, organized by the thirteen judicial districts, have been developed.

The Thirteenth District includes Cibola, Sandoval and Valencia Counties. Each of these counties has distinctive judicial philosophies and juvenile processes. There is a huge disparity in the variety of mental health treatment resources available. Due to the close proximity to Albuquerque, both Sandoval and Valencia Counties have the ability and often do take advantage of resources in Bernalillo County. Each county has its own Juvenile Probation Office and each county has its own District Court Judges presiding over the juvenile docket. One District Attorney covers all three counties. Given the complexities of the counties and the precedence set in the other summary reports prepared by the CJJCC, this report will consider all three counties together with headings specifying differences or findings from each county.

All reports are available on the Council's web site:

<http://www.cjjcc.org/publications.php>.

KEY JUVENILE JUSTICE RELATED CONTACTS

Becky Ballentine	Chief, Juvenile Probation Office	Carlton Liggins	JPPO Supervisor - Valencia County
Lester Brasher	Programs Director, La Buena Vida, Inc.	Lemuel Martinez	Thirteenth Judicial District Attorney
Kenneth G. Brown	Judge, Thirteenth District Court	Camile Martinez-Olguin	Judge, Thirteenth District Court
Randy Chavez	Public Defender - Valencia County	Carlton Liggins	JPPO Supervisor - Valencia County
Mark Diquarto	Clinical Assessment SW- Sandoval	Louis P. McDonald	Judge, Thirteenth District Court
Gary Fernandez	Public Defender, Cibola County	John W. Pope	Judge, Thirteenth District Court
Cynthia Ferrari	Juvenile Drug Court Coordinator-Valencia	William A. Sanchez	Presiding Judge, Thirteenth District Court
Larry Fortess	VP Organizational Development, YDI	Susan Seymour	Clinical Assessment SW - Valencia
Robert Gallegos	JPPO Supervisor - Cibola County	Craig Sparks	JPPO Supervisor - Sandoval County
Art Hernandez	Public Defender - Sandoval	Tom Swisstack	Director, Juvenile Detention Center-Bernalillo

METHODOLOGY

The information contained in this report was collected between November 2001 and November 2002 and is based upon a data collection strategy approved by the Juvenile Policy Subcommittee. Criminal and Juvenile Justice Coordinating Council (CJJCC) researchers were provided contact information for key personnel in the various judicial districts by the Administrative Office of the Courts (AOC), the Children, Youth, and Families Department (CYFD), the Administrative Office of the District Attorney, and the New Mexico Public Defender. Interviews were then scheduled with area juvenile judges, and representatives from the district attorney's office, the public defender's office, the Juvenile Probation/Parole Office (JPPO), local detention facilities, and some treatment providers serving juveniles. Some interviews were conducted via telephone although the majority were conducted face-to-face. Whenever possible, data collection was standardized through the use of interview guides created specifically for the role of the person being interviewed. In the Thirteenth District, CJJCC staff completed formal interviews with fifteen respondents and spoke to several others informally. The information found throughout this report is based on interview data and does not reflect any official position of the CJJCC.

JUDICIAL PHILOSOPHY

Consent decree:

- Under a Consent Decree, the child is ordinarily placed on six months of probation without being adjudicated as delinquent. After six months, the case is dismissed.
- All three counties in the Thirteenth District regularly use Consent Decrees.

Probation:

- Adjudicated delinquents can be placed on probation for one or two years. One and two year judgements are routinely used in this District.
- Only Sandoval County has a Juvenile Intensive Probation Program available.

Commitment to CYFD:

- An adjudicated juvenile can be committed to the custody of CYFD for one or two years unless the child is a Youthful Offender.

Time waiver:

- Time waivers are routinely used throughout the District.

OBSERVATIONS ABOUT REFERRALS

- Referrals are made by various law enforcement agencies. Reports are either dropped off by law enforcement or picked up by Probation staff daily.
- All juvenile information is entered into the Family Automated Client Tracking System (FACTS) in order to track referrals and share information within the Juvenile Justice Division and other divisions within CYFD.
- Referrals to the JPPO are handled formally or informally

depending on the nature of the offense(s) and the child's delinquent history.

- When a law enforcement officer comes in contact with a juvenile suspected of a delinquent offense, the officer can forward a citation or report and, if necessary, book the child in detention. The Juvenile Probation Office must approve detention of the child or he/she must be released at booking.
- Detention services for Sandoval and Valencia County juveniles are provided by the Bernalillo County Juvenile Detention Center Facility in Valencia County. All juveniles must be transported to Albuquerque for medical clearance at the main Bernalillo County Juvenile Detention Center before being booked.
- Within 24 hours of booking, a Children's Court Judge will review law enforcement affidavits for probable cause. If probable cause is not established, the child will be released at that time.
- If a youth is detained, the Children's Court Attorney must file a petition and a detention hearing is conducted in a timely manner.
- All felony cases are considered formal and referred to the Children's Court Attorney.
- Although there is some discretion, a juvenile charged with a third misdemeanor referral within a two-year period is also usually referred to the Children's Court Attorney's office. All DWI cases are referred to the Children's Court Attorney.
- The JPPO may process referrals informally through a variety of diversion programs or send them to the Children's Court Attorney for review who may then file a petition.
- Should the child be in Court for a delinquency petition, the Children's Court Judge may place the child on a Consent Decree, adjudicate the child by assigning a period of probation, or committing the child to the custody of CYFD.

ASSESSMENTS

- Sandoval and Valencia Counties both have a Juvenile Justice Division Community Assessment Social Worker to assist in preparing evaluations and Bio/Psycho/Social assessments. In these two counties, the Clinical Social Workers also prepare the necessary packets to place juveniles in residential treatment facilities.
- Cibola County does not have a Clinical Social Worker and rarely receives services from the McKinley County Social Worker who is assigned to cover the area. In the absence of a consistently available Social Worker, Juvenile Probation Officers typically prepare placement packets and seek mental health assessments and evaluations from local contractors.
- In the Thirteenth District, CYFD has a contract for forensic evaluation services through private providers.

MENTAL HEALTH TREATMENT

Inpatient

- The Thirteenth Judicial District does not have any inpatient mental health residential facilities in any of the three counties.
- Presbyterian Hospital in Rio Rancho is able to accept acute crisis cases. However, according to one respondent, juveniles needing acute care are transported to Bernalillo County.
- Similar to many other Districts in the state, the Thirteenth must make referrals to the sparse inpatient resources located outside of their District.

Outpatient

Cibola County

- Cibola County has few alternatives for outpatient mental health services for their juvenile clients. Connection, based in McKinley County, provides Juvenile Community Corrections Programming.
- Cibola County Mental Health Center is available to provide counseling services. However, several respondents report that they are dissatisfied with the services provided by the Cibola County Mental Health Center. Specifically, respondents mention that staff may lack training to address the needs of the juvenile offender target population.
- Recently, La Buena Vida, Inc. opened a branch office in Grants and has begun to offer juvenile services. Should a Juvenile Drug Court be developed in Cibola County, La Buena Vida will seek to provide the treatment component.

Sandoval County

- Sandoval County has a variety of outpatient mental health resources to meet the needs of informal probation clients as well as the habitual offender.
- La Buena Vida provides Juvenile Drug Court services, life skills training, mental health assessments, and counseling interventions.
- Youth Development Inc. provides Juvenile Community Corrections Program, First Offender Programming, and other counseling services. YDI has outreach services extending to Cuba.
- Rio Rancho Counseling is available to provide individual counseling.
- The Judges in the Thirteenth Judicial District in Sandoval County have been able to secure funds to operate both a Juvenile Drug Court and a Grade Court.
- The City of Rio Rancho provides Teen Court Programming.

Valencia County

- La Buena Vida, Inc. provides Juvenile Drug Court to the Court in Los Lunas. La Buena Vida has a well-trained and well-qualified staff, including staff psychiatrists, to deal with outpatient needs of the juvenile population.
- Youth Development Inc. has a satellite office in Los Lunas and provides Juvenile Community Correction

Programming and other outreach services.

- The Village of Los Lunas provides the Community Wellness Program, which includes outreach programming. The program is optimistic about providing services for the newly developed Citation Program.
- Valencia Counseling does provide services in Los Lunas. The Belen office has been closed.

SEX OFFENDER TREATMENT

- In the Thirteenth District, there are no inpatient sex offender treatment programs. Like most other areas of the state, this District makes referrals out-of-district to Desert Hills or the Las Vegas Care Unit.
- Sandoval and Valencia Counties are able to access professional services that exist in Albuquerque. One such program is called Insights. In the Insights Program, Donnetta Goodwin provides outpatient sex offender interventions.
- Bill Chambreau is another private therapist providing sex offender services for the Albuquerque metropolitan area which extends into Valencia and Sandoval Counties.
- Moss Aubrey, although qualified to provide therapy, mostly provides sex offender evaluations.
- The All Faiths Receiving Home provides sex offender services for children under the age of twelve.
- Cibola County has no alternatives for outpatient sex offender services.

EDUCATIONAL SERVICES

Cibola County

- New Mexico State University has a branch in Grants and offers GED services in Cibola County.
- Grants High School has the Progressive Learning Center. According to one respondent, youth who are behind in school are typically referred from the public school. The respondent further adds that only two reports were made for failure to participate in school during the 2001 school year.
- Casa San Jose is a program located in Cibola County that serves teenage mothers. The program accepts statewide referrals and provides support services, life skills development, and children's and adolescent shelter care. The group home has 24 hour staffing for teen families with a maximum of a two year stay.

Sandoval County

- In Rio Rancho, Independence High School, operated by the Rio Rancho Public School System, serves all of Sandoval County. The alternative high school offers a range of services for at-risk youth.
- Albuquerque TVI has a branch campus in Rio Rancho that provides GED programming.

Valencia County

- Although many Valencia County residents access educational services in Albuquerque, the University of New Mexico has a branch campus in Valencia County which provides GED programming.
- Valencia County also has an independent half-day

program called Century High School which serves low-functioning juveniles with behavioral and attendance issues.

ENHANCED SUPERVISION

- In Cibola County, there used to be a House Arrest Program that included bracelets and a Community Supervision Monitor. However, due to county budgetary restraints, the program is now defunct.
- The Mount Taylor Guidance Center in Grants is the only provider of electronic monitoring in Cibola County. Clients referred to the service are required to pay supervision fees.
- In Sandoval County, off-duty staff from the Sheriff's Office provide electronic bracelet and community monitoring supervision.
- Valencia County has a contract with Bernalillo County to provide electronic bracelets and community supervision monitors. Some concerns have been raised in regards to the program because of relaxed accountability.

DETENTION

- Cibola County has a contract for one detention bed with the McKinley County Juvenile Detention Facility. Should additional detention beds be needed, they pay McKinley County the daily rate.
- Both Sandoval and Valencia Counties use the detention facility operated by Bernalillo County located in Los Lunas.

CRISIS PLACEMENT

- There are no crisis shelter beds available in the entire Thirteenth District.
- While Sandoval and Valencia Counties, due to their proximity, take advantage of placement resources in Bernalillo County, Cibola County does not have any local placement options.

TREATMENT ISSUES AND RECOMMENDATIONS*

- According to several respondents, the Thirteenth District needs a multipurpose mental health inpatient resource. One Judge said, "we are constantly using Bernalillo County resources and we would like to be freestanding."
- Cibola County does not have consistent access to a Clinical Assessment Social Worker. A Social Worker should be assigned to the county with a regular schedule to meet the needs of the District.
- There is a need for an Intensive Probation Team, including a Juvenile Surveillance Officer, to provide additional probation supervision for the habitual offender in Valencia County.
- One Judge reports they need electronic monitoring and Community Monitors services for post-adjudicated juveniles as well as the pre-adjudicated juveniles.
- Several respondents report the need for improved programming and better accountability for surveillance

services in Valencia.

- The fee-for-service electronic monitoring system in Cibola County excludes some juveniles from participating. This service could be enhanced and expanded.
- Currently the Rio Rancho Juvenile Probation Office is housed in Bernalillo County which has caused a strain on the system. Although there are plans to relocate, until the move back to Rio Rancho occurs, these issues will continue to be problematic.
- There is a lack of space in the Valencia County Juvenile Probation Office.
- In Cibola County, the Juvenile Probation Office reports that there is a major need to better address truancy issues. There are plans to initiate a Truancy Prevention Program and this needs to be recognized as a top priority.
- There is a lack of local mental health service providers in Cibola County. Some concerns have also been raised regarding the quality of the services that are available. There is a need to expand local programming and improve program oversight.
- Although a ropes course is now available in Sandoval County, there is support for implementing a Wilderness Program.
- Mentoring programs are lacking in the Thirteenth District and should be expanded, according to one Judge.
- Both Sandoval and Cibola Counties have numerous rural communities. Several respondents mention the need for improved outreach services including transportation to treatment for juveniles who are isolated.
- At least one respondent raised some concerns about the special court programs. Drug Court and Grade Court programs may duplicate many services already provided by the Juvenile Probation Office. Moreover, court personnel may lack specific training to deal with these issues.
- According to one respondent, Managed Care "hasn't done anything to help the juvenile justice system." Mental Health services are particularly difficult to access for older juveniles. Few services are available for juveniles over age 18 who are still involved in Children's Court.
- There is a need, according to some respondents, to explore some pre-prosecution diversion programs in the Thirteenth District.
- The Thirteenth District has a range of issues relating to the diversity of the population. The Thirteenth District has a number of sovereign Native American jurisdictions, and strains between Juvenile Probation Offices and tribal authorities are not uncommon.

**Data reported throughout this report is based on interview data and does not reflect any official position of the CJCC.*