

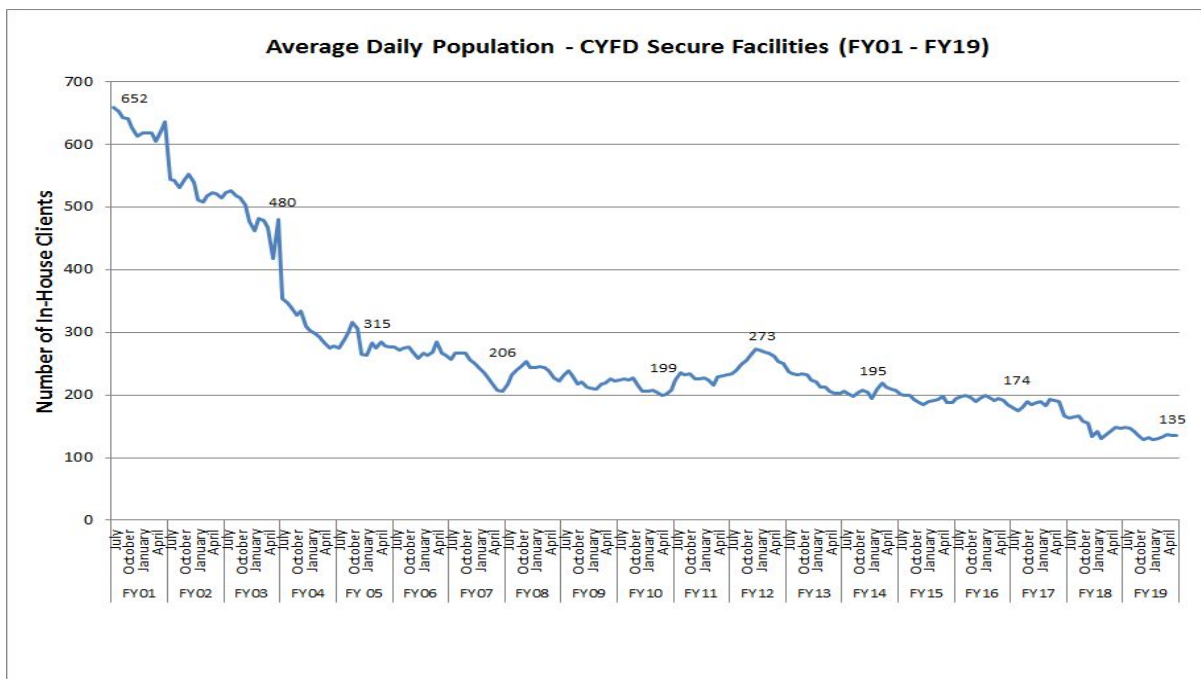
**During the COVID crisis and beyond, the safety of detained and committed young people is one of CYFD’s utmost priorities. Through decades of juvenile justice reform New Mexico has reduced the juvenile justice population significantly over the past two decades. This document describes the reforms that have taken place that have led to limited populations, state run detention facility responses to the COVID crisis, and recommendations given to county run detention facilities. As of 5/5/2020 there are less than 200 young people confined or detained in New Mexico--129 youth in state facilities and 77 youth in county detention facilities between the four existing county facilities.**

### Juvenile Justice Reform Overview

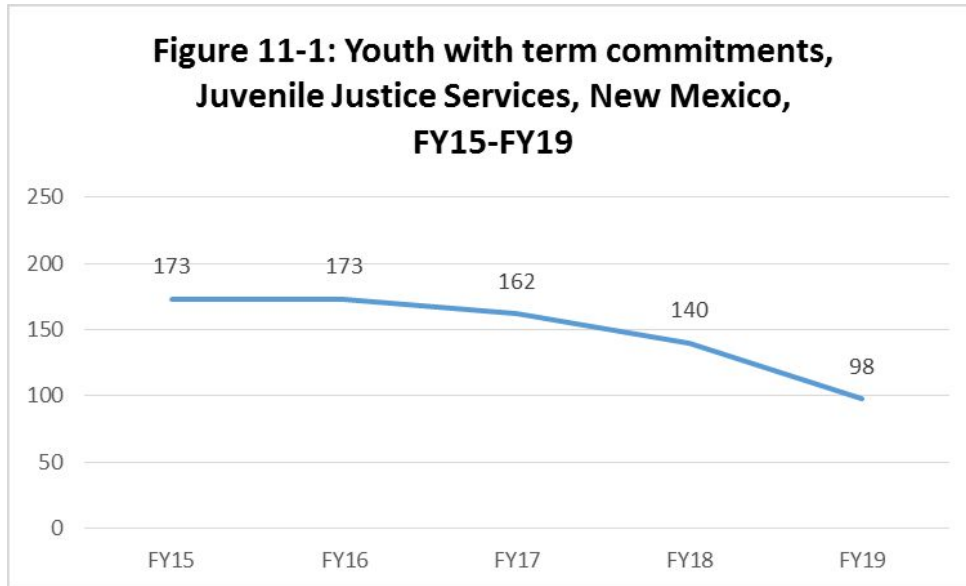
New Mexico has been engaged in systemic juvenile justice reform for over two decades. Part of this reform has been a close collaboration with the Annie E. Casey Foundation, leading to New Mexico having its own national model [Juvenile Detention Alternatives Initiative \(JDAI\) site in Bernalillo County](#) and JDAI-focused reform efforts throughout the state. JDAI is designed to enable jurisdictions to safely reduce reliance on secure confinement through continuous juvenile justice system improvement with a focus on reducing delinquent behavior while also improving conditions in secure detention facilities and reducing racial and ethnic disparities.

New Mexico has partnered with the Annie E. Casey Foundation and other local and national experts in working towards juvenile justice reform. Through these reforms, we have seen historic reductions in the juvenile justice population. With continued work, we can close gaps in racial and gender disparities that have persisted. Together, we can continue to build strong community-based supports to ensure that far fewer youth ever enter our systems and that those who do find rehabilitation.

The average daily population of our facilities has plummeted from 652 in FY01 to 135 in FY19.



Similarly, the number of youth adjudicated to a term commitment has reduced 43% from FY15-FY19.



\*\*\*Please Note: FY19 numbers in these charts vary because one is based on average daily population and the other on youth term commitments\*\*\*

### **CYFD Juvenile Justice Services Secure Facilities**

For well over a decade, CYFD’s Division of Juvenile Justice Services (JJS), has progressively implemented reform efforts that have helped us mature from a correctional/punitive system to a rehabilitative one that encompasses a continuum of services to address the needs of individual clients.

Utilizing research and best-practice models, the efforts in our field services have focused on prevention and early intervention for young people at the front-end of the juvenile justice system. For those who have progressed within the system to our facilities, our efforts reflect an established awareness of the ineffectiveness of traditional correctional/punitive practices and instead focusing on a therapeutic approach.

At the time of their commitment, our Multi-Disciplinary Teams (MDT’s) begin to prepare plans to maximize opportunities for successful youth transition to the community and adulthood through either reintegration or linkages to community-based resources/services that support the diverse needs of our clients and their families. Throughout the system, we have established data

standards and quality assurance measures to monitor compliance with policy and adopted standards to ensure that our youth are receiving the highest quality services and care.

Youth committed to CYFD secure facilities are there for an exclusively rehabilitative purpose. Unlike an adult inmate who received a sentence for a definite period of time, for an adjudicated youth, CYFD's treatment teams determine when treatment goals are realized and when supervised release is appropriate. CYFD's transition planning for youth takes into account community and family supports as well as readiness to safely join the community. In the past decade, commitment to a secure facility has evolved into the final step in a series of less-restrictive means for CYFD to ensure the safety of clients and their communities. CYFD releases youth based on achievement of their rehabilitative goals.

Currently, CYFD already has a practice of releasing youth before their final commitment is completed. For comparison, the Governor's criteria for the New Mexico Corrections Department (NMCD) is that a release date be no more than 30 days away and that a parole plan be in place. CYFD releases youth at least 90 days before their commitment is complete with an appropriate release plan, specified conditions to protect public safety and promote successful transition, and reintegration into the community.

98.5% of youth in our state facilities have violent charges in their history. The remaining young people have underlying charges and complex cases that led to their commitments.

### **COVID-19 Protocols**

One of our primary goals for clients who are committed to CYFD's secure facilities is to keep them safe. All of our juvenile justice facilities have emergency preparedness plans that include protocols related to infectious disease spread. Specific to COVID, we have been taking the following precautions:

#### **Testing:**

Any youth with symptoms have been elevated by medical staff for testing and have been placed into a unit away from other clients while awaiting test results.

NMDOH and CYFD are partnering to begin surveillance testing of young people and staff at our state operated facilities.

#### **Additional protocols:**

1. Implemented screenings and temperature checks for anyone entering the facility.
2. Ceased volunteer activities immediately.
3. Distributed cleaning and disinfecting products throughout the facility and implemented more rigorous cleaning protocols.
4. Displayed prevention posters throughout the facility.
5. Developed and implemented Emergency Action Plans for each facility.
6. Implemented medical protocols: Intake clients receive a full medical assessment/screen to gather their medical history and assess their current medical needs. All of their vitals (including temperature) are checked upon arrival as well. We also developed a COVID-19 screening tool that will be used.
7. Implemented ways to maintain connections: : In person visitation was canceled beginning 3/21/20 to limit the risk of infection to young people. We are allowing increased and longer phone calls to families and have ordered webcams to help facilitate video visits; meanwhile, we are utilizing smartphones and available computers. Providers, volunteers, mentors and other appropriate and approved supports are encouraged to write and call their clients.
8. Personal protective equipment (PPE): PPE including gloves, eye protection, gowns and face masks have been provided to the secure facilities. These materials are being used in accordance with the directives of the Department of Health. In addition, facility personnel have been provided with both surgical and cloth masks as a measure to protect our children that are serving commitments.
9. As a measure to prevent the transmission of COVID, when new youth are placed in our secure facilities, they are first provided with cottage assignments that eliminate contact with youth that are established within the facility. Incoming youths remain in the transition cottages for a time frame that greatly reduces the risk of transmission to others.

### **Maintaining Connections**

In person visitation was canceled beginning 3/21/20 to limit the risk of infection to young people. We are allowing increased phone calls to families and have ordered webcams to help facilitate video visits. Providers, volunteers, mentors and other appropriate and approved supports are encouraged to write and call the clients.

### **Education Supports**

Education Distance Learning Plan: Education staff have been asked to continue to provide education opportunities via distance learning to protect students and staff against COVID-19.

**Core teachers** follow the guidance below:

- Teachers provide 30-45 minutes daily group activities that are aligned to the content area they teach. Each activity is accessible to any level of student and can be implemented with minimum support.
- Teachers are available by phone Monday-Friday, between 7:30 am-11:30 am and between 12:30 pm-2:30 pm (unless participating in MDTs or Team Meetings) to respond to questions about the activities from students or staff.
- Teachers provide unit supervisors five days of lessons initially and two days' worth of "emergency lesson plans" in case there are challenges with copies, email, etc.
- Teachers identify which students have disabilities (SWD) or are English Language Learners (ELLs) and provide additional support in the classroom as appropriate.

**Elective Teachers** provide activities either related to their content area or to other areas our students benefit from such as:

- Teamwork and Collaboration
- Life skills
  - Budgets, resumes, applications, taxes, paying bills
- Mindsets (e.g.: growth vs fixed, see Carol Dweck or Jo Bolar)
- Meditation and self-regulation activities
- Music/Art appreciation
- Careers/trades/occupations (i.e.: information and research)

**Special Education Teachers** collaborate with their core teacher partners to provide accommodations and modifications to the activities for special education students based on their disability and needs. They are also available to unit staff to answer questions and provide additional information as needed.

**ELL teachers** continue to determine student eligibility and work with core teachers to provide sheltering strategies for ELLs.

### **Maintaining Food Supplies**

Each CYFD facility has their own kitchen and we contract with Summit Food Services to provide meals/snacks for our clients that meet both USDA guidelines and the Recommended Dietary Allowances.

### **Behavioral Health**

Supporting the overall mental health of our youth while they are committed to CYFD facilities is a core part of our mission and is even more important during this heightened time of anxiety

during the pandemic. The Facility Behavioral Health Unit currently comprises 26 staff spread across three facilities. We have 19 full-time clinicians (3 of which are Diagnosticians), 2 Job share clinicians, a transition coordinator, and an administrative assistant. Clinicians and behavioral healthcare programming is available during regular work hours. We also have an on-call process which provides 24-hour coverage in case of emergencies or crisis.

### **County-Operated Detention Facilities**

There are currently four (4) County-Operated Juvenile Detention Facilities in New Mexico (San Juan, Bernalillo, Lea, and Dona Ana Counties). The Children, Youth and Families Department (CYFD) is mandated by the New Mexico Administrative Code (8.14.14) to inspect juvenile detention facilities for the purpose of certification but the State does not run these facilities. All secure juvenile detention facilities must comply with State Detention Standards that govern the maintenance and operation of all juvenile detention centers including standards for the site, design, construction, equipment, care, programming, education, staffing, and medical and behavioral health care. Compliance is determined during annual inspections or more frequently when warranted. Annual certification authorizes the facility to operate for a one-year period of time.

#### **CYFD Guidance to County Detention Facilities**

Because we recognized that New Mexico Administrative Code (NMAC) Juvenile Detention Standards do not cover our current, unprecedented situation with the COVID-19 pandemic, we provided the following guidance to all Centers.

“In order to not knowingly transmit or transfer the virus among our juvenile justice population, CYFD JJS is requesting that any juvenile in your custody that has tested positive, or is exhibiting specific signs of the virus as determined by your medical staff at your Juvenile Detention Center is not transferred to one of our secure facilities.

This will help contain the virus at the location it has been identified or is suspected, and not spread it further. We request that you work with the local juvenile probation office

and courts in implementing this request as necessary. We appreciate your cooperation with this matter during continued efforts to flatten the curve and protect all stakeholders involved.”

Additionally, our Detention Compliance Monitor periodically shares updated CDC information for correctional and detention facilities to county-run facilities.

CYFD’s Juvenile Justice Services (JJS) is tracking detention admissions and average length of stays and comparing them to Pre-Covid numbers. Both numbers have dropped dramatically which matches the national trend. CYFD JJS tracks this data by gender as well as race to monitor and reduce disparities.

### **General COVID Response**

Juvenile Detention Centers have protocols in place to prevent COVID-19 cases to both juveniles being detained and juvenile detention staff.

All centers have/will:

#### **Testing:**

NMDOH, CYFD, and County Detention Facilities are partnering to begin surveillance testing of young people and staff at county operated facilities.

Additional protocols

- Restricted in-person visits
- Suspended programming that requires community entities to visit in person
- Increased phone/video visitation
- Increased sanitation efforts
- Increased hygiene efforts
- Taken temperatures on a regular basis of both juveniles and staff.

Additionally, all centers have a space for quarantine should the need arise to quarantine any juveniles that are symptomatic. All centers are requiring medical clearance, if a young person is showing symptoms of COVID-19, before being admitted into the juvenile detention center. New Mexico has not had a positive Covid case in any juvenile detention center.

## **Behavioral Health**

CYFD reached out to counties to ask for their cooperation to assist CYFD Behavioral Health Services with efforts to continue assessments and services for youth in juvenile detention centers (JDCs). Our Behavioral Health team through our Detention Compliance Manager worked with Juvenile Detention Managers to collaborate on tele-health visits with all JDCs. Currently, three out of the four NM Juvenile Detention Centers have Community Providers performing tele-health and in the fourth location, they are providing services in-person using social distancing until the technology for tele-health is set up.

**If you have any questions about what CYFD is doing to protect young people during this unprecedented time of pandemic, you can email [Madeline.Rafferty@state.nm.us](mailto:Madeline.Rafferty@state.nm.us)**