

**OJJDP FY 2019 Title II DMC Plan for New Mexico**

- I. Identify data at research-based points of potential disparity. Data collection must occur in four of the five points below. At each data point, your state must provide percent of population data using the most recent U.S. Census data.**

Data collection points:

1. Arrest
2. Diversion (filing of charges)
3. Pre-trial Detention (both secure and nonsecure)
4. Disposition commitments (secure and nonsecure)
5. Adult Transfer

The State of New Mexico Children, Youth and Families Department (CYFD) tracks the data for the entire state and for each separate county, with the exception of Harding County, per federal fiscal year. Harding County is a frontier county in New Mexico, and all referrals are referred to Quay County, thus the numbers are included in Quay. However, there have not been any Juvenile Justice referrals received in Harding County since approximately 2009. Please see below for copies of the data tables for statewide numbers and four counties.

Statewide data:

Race:		White	Black	American Indian	Asian	Hispanic
Population		57237	4829	24507	3191	133525
Arrest	Number	2152	309	742	24	7478
	Percentage	3.76%	6.40%	3.03%	0.75%	5.60%
Diversion	Number	1247	153	454	11	3927
	Percentage	2.18%	3.17%	1.85%	0.34%	2.94%
Detention	Number	320	67	136	1	1353
	Percentage	0.56%	1.39%	0.55%	0.03%	1.01%
Secure Confinement	Number	20	7	3	0	84
	Percentage	0.03%	0.14%	0.01%	0.00%	0.06%
Adult Transfer	Number	0	0	0	0	0
	Percentage	0.00%	0.00%	0.00%	0.00%	0.00%

**Bernalillo County data:**

Race:		White	Black	American Indian	Asian	Hispanic
Population		17718	2078	3167	1791	44184
Arrest	Number	315	89	84	2	1336
	Percentage	1.78%	4.28%	2.65%	0.11%	3.02%
Diversion	Number	147	34	32	1	548
	Percentage	0.83%	1.64%	1.01%	0.06%	1.24%
Detention	Number	47	21	16	0	332
	Percentage	0.27%	1.01%	0.51%	0.00%	0.75%
Secure Confinement	Number	1	1	0	0	5
	Percentage	0.01%	0.05%	0.00%	0.00%	0.01%
Adult Transfer	Number	0	0	0	0	0
	Percentage	0.00%	0.00%	0.00%	0.00%	0.00%

**San Juan County data:**

Race:		White	Black	American Indian	Asian	Hispanic
Population		4848	183	6767	53	3941
Arrest	Number	260	14	297	1	302
	Percentage	5.36%	7.65%	4.39%	1.89%	7.66%
Diversion	Number	153	8	179	0	158
	Percentage	3.16%	4.37%	2.65%	0.00%	4.01%
Detention	Number	67	7	91	0	95
	Percentage	1.38%	3.83%	1.34%	0.00%	2.41%
Secure Confinement	Number	5	1	3	0	8
	Percentage	0.10%	0.55%	0.04%	0.00%	0.20%
Adult Transfer	Number	0	0	0	0	0
	Percentage	0.00%	0.00%	0.00%	0.00%	0.00%

**Sandoval County data:**

Race:		White	Black	American Indian	Asian	Hispanic
Population		5340	447	2436	257	7735
Arrest	Number	223	18	42	2	513
	Percentage	4.18%	4.03%	1.72%	0.78%	6.63%
Diversion	Number	94	41	25	1	484
	Percentage	1.76%	9.17%	1.03%	0.39%	6.26%
Detention	Number	13	4	2	0	75
	Percentage	0.24%	0.89%	0.08%	0.00%	0.97%
Secure Confinement	Number	0	0	0	0	1
	Percentage	0.00%	0.00%	0.00%	0.00%	0.01%
Adult Transfer	Number	0	0	0	0	0
	Percentage	0.00%	0.00%	0.00%	0.00%	0.00%

Valencia County data:

Race:		White	Black	American Indian	Asian	Hispanic
Population		2001	87	383	103	6028
Arrest	Number	99	1	4	0	396
	Percentage	4.95%	1.15%	1.04%	0.00%	6.57%
Diversion	Number	51	0	3	0	200
	Percentage	2.55%	0.00%	0.78%	0.00%	3.32%
Detention	Number	8	0	1	0	52
	Percentage	0.40%	0.00%	0.26%	0.00%	0.86%
Secure Confinement	Number	0	0	0	0	0
	Percentage	0.00%	0.00%	0.00%	0.00%	0.00%
Adult Transfer	Number	0	0	0	0	0
	Percentage	0.00%	0.00%	0.00%	0.00%	0.00%

**II. Develop an Action Plan**

Please note that CYFD collects the data as shown above. NM CYFD will use the above tables to provide the answer to the questions below.

1. What do your DMC numbers tell you about your jurisdiction?

The above chart shows that New Mexico is a Hispanic majority state. However, black youth remain the most overrepresented racial group at arrest, with a percentage of arrest higher than any other racial/ethnic group. The data also indicates that although Native American youth are arrested at a lower rate than white youth, they are also diverted at a lower rate than white youth, and indeed are the racial group with the lowest diversion rates statewide. Detention numbers also show a concerning trend, in that black and Hispanic youth are detained at over twice the rate of white youth.

2. What would success in DMC reduction look like for your state?

New Mexico recently won an award for our level of participation in the Annie E. Casey 21 Day Challenge, which was a twenty-one day activity with accompanying videos and discussion topics to encourage participants to reconsider how they view racial justice. Here is the link to the Casey Community Café:

<https://community.aecf.org/login.jspa>

New Mexico won an award for having not only the most participants sign up for the challenge, but also for having the most participants actively participate in the challenge by making comments on each video for each day.

New Mexico used the award as “startup” money to hold an equity based convening called the Equitable Results Engagement convening. This convening is scheduled for May 14 to May 16 in Ruidoso, and is designed to give participants the tools necessary to be knowledgeable about race equity work, to include the necessary stakeholders at the community level to develop evidence based solutions, and also the skills to hold a results based meeting that is focused on race equity work. There are over 150 participants from 13 counties that will attend.

The goal of the conference is to increase the number of stakeholders with the necessary knowledge, skills and abilities to identify and address racial equities at the local level.

New Mexico is also working on the issue of tribal notification. The current legislation mandates tribal notification “for the purpose of preparing a predisposition report when commitment or placement of an Indian child is contemplated”. New Mexico is currently attempting to pass legislation that will mandate tribal notification as soon as the probation office receives a referral, rather than waiting until out of home placement is sought, which is typically far later in the process than a referral being received.

New Mexico has also and will continue to pair RRED work with the JDAI model and time line, and has begun the process of conducting local system assessments as part of the JDAI process. This year system assessments have been conducted in Judicial District 13, which includes Sandoval, Cibola and Valencia Counties, and Judicial District 6, which includes Grant, Luna and Hidalgo Counties. New Mexico requested and received technical assistance from OJJDP to train these counties in RRED work, and a two day training by the Children’s Center for Law and Policy was conducted on September 11<sup>th</sup> and 12<sup>th</sup> for both these districts.

Therefore, success in DMC reduction for New Mexico would be continuing the co-implementation of JDAI and RRED both statewide and locally, conducting the ERE and getting community agreements and action steps from each of the counties that are present. New Mexico will also consider any earlier tribal notification process as a success for RRED, whether that process is implemented by statutory change or a policy change for CYFD. Further success will be completion of the system assessments in District 6 and 13, as well as the beginning of assisting those districts to develop action steps to address disparities in a data driven manner.

New Mexico is also slated to conduct JDAI system assessments in Judicial District 12, which is Lincoln and Otero Counties, and Judicial District 14, which is Chaves and Eddy Counties. Completion of these assessments will also be considered a success.

3. How much do you want to reduce DMC next year?  
New Mexico's primary goal is to expand local DMC reduction efforts, which is can be a time consuming process as many of these sites will need assistance forming collaboratives, establishing a common goal, and other activities associated with local intervention efforts. It is therefore unknown exactly what the goal of the local reduction activities will be at this time, but New Mexico is assisting Bernalillo County to assess diversion rates for black youth, and in so doing has raised diversion rates for black youth just by studying this decision point. The goal for DMC is to actually raise diversion rates for black youth in Bernalillo County. Statewide, there may be no actual "reduction" in DMC as we are focusing on education and forming local collaboratives.  
NM CYFD would like to see a 5% raise in diversion rates for black youth in Bernalillo County, and a drop in detention rates statewide by 5%.
4. Is that reasonable? If yes, why?  
Yes, those are reasonable goals. They are reasonable goals because at this stage, CYFD is focusing on Identification of the Problem. Some action steps will be developed at the ERE Convening, but these action steps will be focused on the forming of local boards and all the necessary steps in that process (ensuring that the right stakeholders are present, making sure adequate data collection exists, and other such steps) rather than an actual evaluation of the system.
5. What do you need from OJJDP to be successful with your plan?  
At this stage, New Mexico is fully capable of implementing the above plan. If any technical assistance is needed, the requests will be made in a similar fashion as the past requests.
6. What safeguards will you put in place to ensure that as you work to reduce DMC, while still protecting the public, holding youth accountable, and equipping youth to live crime-free, productive lives?

This question as phrased is unclear, but is presumed to actually mean “what safeguards will you put in place to ensure that you WILL work to reduce DMC, while still protecting the public, holding youth accountable, and equipping youth to live crime-free productive lives?” CYFD puts public safety at the forefront of all system reform activities, and continually stresses during any workshop, meeting or presentation that public safety is the first and foremost goal of any reform effort. Generally speaking, when beginning system reform efforts, CYFD focuses on detention for low level offenses (primarily misdemeanors) and probation violations as the first point of reform efforts. Probation violations, which include specialty court holds, generally involve the non-compliance of some type of administrative rule, rather than an actual delinquent act and can generally be handled by other services or case management activities rather than detention. This will reduce DMC at the detention level by diverting these youth into other services more appropriate for technical violations, rather than detaining them.

### **III. Outcome-Based Evaluation**

This step is not required in the 2019 application.

CYFD will report on the outcomes of the ERE next year. It is anticipated that all 13 counties from the ERE will have a local continuum board established and working by FY 2020. It is further anticipated that another ERE for the northern part of the state will be held next year, with the goal being to have JDAI/RRED efforts begun in most of the state by then. It is the goal of CYFD to continue to merge the DMC efforts with JDAI, and to continue to advance race equity work at the local level. CYFD will also report on the status of the pending tribal notification legislation.