

DIVERSION STRATEGIES

for

MICROPHONE

STATUS OFFENDERS

56023

Report To

of Health & Social Services

Committee on Children & Youth

To: Reader
From: Michael Cole, Planner, CHINS Project, NMCCY *
Re: Intent of this Report

This report is being submitted to the Health and Social Services Dept., legislators, and concerned groups. The report contains our findings about the juvenile crime problem and our recommendations for a plan of services to status offenders.

The reader is cautioned that the Plan is not finalized. It is being submitted to you for your review and comment. The Plan may be modified before implementation in light of input from concerned individuals and groups.

We encourage the reader to communicate his/her concerns or suggested modifications. All correspondence will be carefully evaluated. Your suggestions may be sent to:

New Mexico Committee on Children and Youth
CHINS Project
604 Mountain Rd., NE
Albuquerque, NM 87102



NEW MEXICO COMMITTEE ON CHILDREN AND YOUTH

P.O. BOX 26584
ALBUQUERQUE, NEW MEXICO 87125

Phone: 842-3049
Network: 357-3049
Toll-Free 1-800-432-7911

JERRY APODACA
GOVERNOR
ART ARMIJO
DIRECTOR

December 13, 1976

Mr. Fernando C. de Baca
Executive Director
Health and Social Services
Department
P. O. Box 2348
Santa Fe, New Mexico 87503

Dear Fernando:--

I am pleased to submit to you this report on the problems affecting young people in New Mexico and services necessary to meet the needs of children and youth.

The report indicates the lack of services for youth in New Mexico. However, as we visited local areas around the state, I must report that we found a very honest and sincere effort by social workers, juvenile probation officers and others to do a good job in caring for our children.

As agreed in our past discussions, the problem of youth crime is not the fault of any one agency or branch of government; and for this reason this report should not be interpreted as an attempt to identify the "angels" and "devils" in the system. In essence, we are recommending that a very specific youth function and program responsibility for status offenders exist with funding within your department and that legal responsibility for status offenders exist within the juvenile justice system. After visiting with local representatives of both entities, we feel confident that they will work together for the general welfare of our children in New Mexico.

I hope the report recommendations meet with your favorable approval.

N CJRS

Sincerely

APR 3 1979

Art Armijo
Director

ACQUISITIONS

AA:cd

TABLE OF CONTENTS

I.	PROBLEM STATEMENT.....	1
II.	INTRODUCTION.....	8
III.	ANALYSIS OF CHINS AND STATUS OFFENDERS STATISTICS.....	9
	A. CHINS and Status Offenders Statistics, 1975.....	9
	B. Characteristics of Referrals to Juvenile Offices.....	10
IV.	EXISTING SERVICES.....	14
V.	RECOMMENDATIONS: STRUCTURAL CHANGES.....	20
	A. State Youth Services System.....	21
	B. Local Youth Services System.....	23
	C. Youth Service Offices.....	26
VI.	RECOMMENDATIONS OF SERVICES.....	29
	A. Types of Services Needed.....	29
	B. Three Options for Service Delivery.....	34
	1. Creation of a New Agency.....	34
	2. Providing a Coordinating Function.....	34
	3. Existing Agency Approach.....	35
	a. Recommendations.....	38
	b. Implementation - Two Phases.....	39

I. PROBLEM STATEMENT

Substantial changes have occurred in our traditional socializing institutions. As a result, these institutions--family, school, church, and community--have been caught in transition and have found it more difficult to fulfill their traditional socializing functions.

The traditional family unit has felt the impact of a changing society. Due to changing sex role expectations and economic necessity, the number of women in the labor force has doubled in the past five years. Many men are required to work at more than one job to support a family. Others hold demanding jobs that make them unavailable to their families for many hours or days at a time. Mobility has increased in our country, and frequent moving often results in loss of necessary emotional support from relatives and close friends. There is little consistency schooling for growing children. Increasing divorce rates are another indication of changing lifestyles, and often produces guilty children who falsely blame themselves for marital breakups. They can become painfully torn between loyalties to both parents if not carefully helped through the experience. The number of single parents has increased, and these parents often become sole financial and emotional provider for child and self.

The family is the traditional primary social process for a child. It is becoming more complicated for the family to build people who can make it successfully in the outside world. Too often, children are being called upon to socialize themselves, and the result is damaging to child, family unit, and society.

Schools have been increasingly looked upon for support in areas where the family traditionally provided the child with support and guidance. Schools are caught in transition and are overburdened with this responsibility. Schools, caught in internal struggles, cannot offer more than custodial care to students.

This situation is specially damaging to children with special needs and/or limitations such as developmentally disabled children, children with learning disabilities, and children with emotional problems. It is not unusual for such children to be met with punishment and degradation, rather than understanding and assistance. If these children are dealt with inappropriately, they can become frustrated and angry. The end result can be antisocial behavior and/or complete abandonment of hope in being able to make it.

The child has also lost the stabilizing influence of outside support from church and community. There is less spiritual support, ritual and organized interaction with more available leisure hours to fill. Youth unemployment is high--few part-time jobs are available to youth. Structured leisure time activities often are school related and further frustrate children who aren't high achievers and leaders. Children with special problems usually seek refuge and support from subculture peer groups. Testing and acting out occurs within this context rather to a group structure that is better connected to the home and community.

Lack of meaningful guidance in socialization from the family, schools, and community can lead to children and youth who are left undeveloped in personality and conscience. They are vulnerable to getting into trouble along the way to adulthood. Many will act out in individually damaging and/or anti-social ways. If not helped in time, they will never become responsible self-reliant adults. Many of these vulnerable children and youth are presently finding their way into juvenile probation offices. For many, it is the beginning of a lifetime of encounters with the court and judicial system.

Over 17,000 young New Mexicans are referred annually to juvenile probation services. Persons under eighteen years of age committing offenses which are not considered crimes if committed by an adult are known as "status offenders." If a status offender is formally adjudicated and has been found to

be in need of care or rehabilitation, he or she is labelled a "Child in Need of Supervision" (CHINS). The CHINS label is of legislative origin, and is used in specific cases only after an adjudicatory process. In 1975, 6,037 status offenders were referred to the juvenile probation offices, but of that total, only 658 were formally adjudicated as CHINS.

From 1968 to 1974, there has been a dramatic increase of over 40 percent in the number of CHINS referred to juvenile probation offices. It appears that this increase is continuing.

Status offenses include truancy, incorrigibility, curfew violation, runaway, and drinking. Many professionals say that the category of status offender is the most difficult to deal with in attempting to reach satisfactory disposition of a case. For example, the fact that a child has run away from home indicates a serious problem in the family relationship. Adjustment problems which appear in many children at adolescence are also factors that cannot be ignored. Then parents or guardians become frustrated with their unsuccessful attempts to resolve problems, they can reach a point of hopeless desperation and turn to the authority of the courts for assistance. By then, family dysfunction is too great to be handled internally and outside support is necessary. When CHINS or status offenders are placed in institutional, correctional, detention, or other residential settings, they often prefer the conditions of such a placement over their home environments. This preference is indicative of extent of the frustration felt by many troubled youth.

Most experts agree that children experiencing problems associated with CHINS are not young people who have established a pattern of delinquent behavior. Offenses attributed to CHINS are more harmful to the involved

child rather than to the larger society. Nonetheless, these young people are brought into the juvenile justice system. If not separated from youth who have committed serious crimes, there is a tendency for them to adopt the traits of the delinquent subculture with which they have been brought into contact.

A study completed in one of the New Mexico juvenile detention homes underlines the "contamination" of CHINS when exposed to a strong delinquent environment. Data was compiled from juveniles who had been booked three or more times into the Bernalillo County Juvenile Detention Home. All of those surveyed had been admitted first as CHINS, and subsequently admitted at least two more times. The survey revealed that 216 juveniles had been admitted three or more times, with their first admittance as CHINS. By the second time the same juveniles were admitted, 75 had committed delinquent crimes, and 140 were again admitted as CHINS. By the third admission, 110, or 51.2 percent were admitted for delinquent crimes.

Young CHINS, although not serious offenders, are very susceptible to delinquent influence. The development of community-based resources as alternatives to institutionalization and other traditional methods of dealing with children and youth exhibiting special problems seems most appropriate.

One significant form of protection for CHINS and status offenders came with the 1972 enactment of the Children's Code of New Mexico. The Code is intended to respond to the special needs of children, and it stresses the need for separation of status offenders and CHINS from youth who have committed serious crimes. The Code calls for a preventive approach through efforts to keep families intact. The provision of rehabilitative programs for children rather than incarceration, and the separation of children from adults in the criminal justice system.

According to the Children's Code, "Child in Need of Supervision" means a child who:

(1) being subject to compulsory school attendance, is habitually truant from school; or

(2) habitually disobeys the reasonable and lawful demands of his parents, guardian or custodian and is ungovernable and beyond control, or

(3) has committed an offense not classified as criminal or one applicable only to children; and

(4) in any of the foregoing situations is in need of care or rehabilitation.¹

Specifically, the Code provides that

"A child alleged to be a child in need of supervision or a neglected child may not be detained in a jail or other facility intended or used for the incarceration of adults charged with criminal offenses, or for the detention of children alleged to be delinquent children, except as specified for a child in need of supervision under subsection B, but may be detained in the following shelter facilities:

(1) a licensed foster home, or a home otherwise authorized under the law to provide foster or group care; or

(2) a facility operated by a licensed child welfare services agency, or

(3) any other suitable place, other than a facility for care and rehabilitation of delinquent children to which children adjudicated as delinquent children may be confined under section 31 (13-14-31) of the Children's Code, designated by the court, and which meets the standards for detention facilities under the Children's Code."²

In actual practice, the services and facilities referred to in the above statutory language were not then and are not now available in adequate number. Moreover, those services that are available are not specifically designed for children in need of supervision. They are necessarily combined in most cases with general services provided by agencies or organizations and are difficult to identify as available for CHINS.

¹ Section 13-14-3, NMSA

² Section 13-14-23 C, NMSA

To date, no definite pattern of dealing with status offenders has emerged. "CHINS" refers to a small percentage of status offenders who have been so adjudicated. Other status offenders are adjudicated as delinquent, some as neglected. Most are not adjudicated; 60.2 percent are dismissed without adjudication. About 10 percent of all status offenders in New Mexico in 1975 were adjudicated as CHINS.

Status offenders have problems which deserve attention and most are receiving none. Not a single program has been developed in New Mexico to provide services specifically to CHINS. Children in this category are being committed to the State's correctional institutions through frustration at the lack of alternative resources at the local levels. Status offenders are still housed in the same facility as delinquent offenders. In some communities without detention homes, jails continue to be used. Most jurisdictions still do not have plans for shelter care facilities for those CHINS needing to be removed from their homes.

Although the Children's Code called for preventative approach for dealing with children, at present there are virtually no efforts at early childhood identification of problems, either physical, emotional, learning, or familial difficulties. Trained personnel who could best deal with such problems are either in scarce supply, or being inadequately utilized in New Mexico. The facilities needed for preventative approaches are in the most part absent.

Although the statutory scheme of the Children's Code called for a service system to accommodate children with special needs, no one agency in government was given administering responsibility, nor were funds appropriated specifically for this system.

Thus, in our rapidly changing society, we have a large number of youth and children who are reacting to family problems; situations of

social, economic, or emotional deprivation and a host of psychological, developmental and learning problems. The actions of status offenders and CHINS result in offenses that can only be considered offenses because of this group of people under 18 years of age. The needs of status offenders, once recognized as being such are multifold and can best be handled outside of the court system. At present, the necessary programs, agency coordination, and funding to meet the special needs of status offenders does not exist. Since the number of status offenders in our State and in our nation is increasing, deficiencies in handling problems of this group need immediate attention.

At this time, existing services in New Mexico are fragmented, and programs are often uncoordinated. Because of these gaps, duplications and inefficiencies of the present system, clients often fail to get the services they need. This is certainly the case for status offenders and CHINS.

II. INTRODUCTION

The 32nd New Mexico State Legislature passed House Memorial 16 calling on the Department of Health and Social Services (HSSD) to develop a statewide plan for the establishment of programs for the housing, care and treatment of children in need of supervision (CHINS). A study plan of action, including the use of pilot projects has been completed jointly by the Committee on Children and Youth and the Health and Social Services Department. Because CHINS differ from status offenders only in that they are adjudicated as such, the plan examines data on status offenders also.

The report identifies the scope and complexity of the problem; examines the causes and events leading to the problems; surveys what agencies, public and private, are currently doing to address the problem and suggests ways of addressing the problem on a long-term basis. It also describes the detailed services to be delivered, and methods to be utilized to deliver these services.

III. ANALYSIS OF CHINS AND STATUS OFFENDERS STATISTICS

A. CHINS and Status Offenders Statistics, 1975

The Department of Health and Social Services has worked closely with the Committee on Children and Youth to gather as much data as are available in this area. Unfortunately, a complete picture is difficult to obtain because of the absence of uniform data.

Juvenile Probation Officers of the District Children's Courts in 31 of the State's 32 counties provided data to the Committee on Children and Youth and MSSD in the broad category of "status offenders" and within the sub-grouping of "CHINS".

Definitions: For purposes of this report, status offender means the general category of youth who commit offenses which would not be considered crimes if committed by adults; children in need of supervision are those children formally adjudicated as such pursuant to court action.

In 1975, 6,037 status offenders were brought to the attention of juvenile probation officers; 658 were adjudicated as CHINS.

STATUS OFFENDERS: Those children not dealt with as CHINS totaled 5,379 in 1975 (in 31 counties).

Offenses: The most common offense reported in this category was runaway, for 24.7% of the total. Curfew was reported as the second most frequent offense at 18.9% of the total. Alcohol-related offenses entered into this category in much greater incidence than in the CHINS category, with 14.9% of the status offenders being charged with alcohol offenses (usually possession of alcoholic beverages and drunkenness). Truancy and incorrigible made up approximately 12% each, and the remainder were: fighting, shoplifting, disorderly conduct, vandalism, auto offense, probation violation, minor drugs, and glue sniffing.

Dispositions: A large percentage of youth handled as status offenders were warned and dismissed, 60.2%. In comparison 17.8% of CHINS were given

this disposition. Probation was utilized for 19% of the status offenders, and 11.2% made up return of runaways. These three dispositions alone were used for over 90% of all the status offender cases. The remaining 10% were in order of frequency among foster home placement, diagnostic commitments, consent decree, group home placement, placement with relatives, or placement in boarding or vocational schools (Job Corps, for example).

CHILDREN IN NEED OF SUPERVISION: A total of 658 children were adjudicated as CHINS in 1975 (in 31 counties).

Offenses: Incurability accounted for 42.1% of all these cases; runaway cases made up 28.1% of the total; truancy, 19.8%, and curfew, 4.5%. The remaining 6% were for a variety of other offenses not differentiated here.

Dispositions: Of the 658 CHINS cases, the majority, 31.4% were placed on probation. Those not put on probation were given dispositions ranging from warning and dismissal to commitment to the Department of Corrections. 17.8% were warned and dismissed, 10.7% to the Youth Diagnostic Center or other service on a diagnostic commitment. Other dispositions were used with less frequency, including runaway returned (8.1%), foster home placement (7.9%), consent decree (5.9%) and group home placement (5.5%).

Comparing the number of CHINS and status offenders to the total number of all juvenile cases (status offenses and delinquent offenses), 4.1% are CHINS, and 37.9% are status offenders, and 58% are delinquent offenses.

(For statistical breakdown, see Appendix A)

B. CHARACTERISTICS OF REFERRAL TO JUVENILE OFFICES

An analysis was made of data on referrals to the juvenile probation offices for the years 1969 and 1974. The study focused on socio-economic features of the juveniles referred. Figures were derived from data collected from all 32 counties for 1974 and were compared to those of the juvenile

court statistical report for 1968-1969, New Mexico Department of Corrections, 1969.

Number of Referrals: Cases referred to juvenile probation officers in 1974 numbered 17,035 in those counties reporting, or 6 percent of the juvenile population (275,550). The comparative figure for 1969 is 3.65 percent.

Age, Ethnicity and Sex: In 1969, 7 percent of referrals were 10 to 12 years old, 32 percent were 13 to 15, sixty percent were 16 and over, and one percent were under 10. In 1974, 10 percent were 10 to 12, 39 percent were 13 to 15, 50 percent were 16 and over, and 1 percent were under 10. Since juvenile offenders are getting involved with the law at a younger age, programs should focus on younger youth.

	<u>1969</u>	<u>1974</u>
Under 10	1%	1%
10-12	7%	10%
13-15	32%	39%
16 and over	60%	50%

In 1969, 22 percent of referrals were female, in 1974 27% were female. There is a nationwide trend of increasing female delinquency which is reflected in New Mexico statistics. Program planning must address both male and female needs.

In 1974, 40 percent of referrals were anglo, 49 percent were Spanish, and 10 percent were Indian. State composition is 50.9 percent anglo, 40.1 percent Spanish; 7.1 percent Indian; and 1.9 percent of other ethnic background.

(see tables in appendices)

Income: While 22 percent of the referrals reported that their family received some form of public assistance, a high percentage (25%) had a family income of over \$10,000, and 26 percent had incomes from \$5,000 to \$10,000. Again, the assumption of many juvenile justice programs that delinquents come from poverty homes is not borne out by facts.

A comparison of figures for 1969 and 1974 of family income revealed the following:

	<u>1969</u>	<u>1974</u>
Receives public assistance	25%	22%
Less than \$2,999	8%	6%
\$3,000-\$4,999	27%	21%
\$5,000-\$9,999	34%	26%
Over \$10,000	6%	25%

Place of Residence: In the counties which reported out-of-state referrals, 3.7 percent of all their referrals were out-of-state juveniles. Only one percent of all referrals in the state were referred to judicial districts other than their own. These findings underscore the need for treatment of juvenile delinquency problems on a local basis.

Living Situations: 73 percent of the referrals came from homes having both a mother and father figure. Sixty-two percent of the natural parents were married and living together, while only 23 percent were divorced or separated. The percentage of divorced parents (21%) is roughly equivalent to the overall divorce rate in New Mexico (19.5%).

A comparison of the living arrangements of the referrals are shown in the following figures:

	<u>1969</u>	<u>1974</u>
Both parents	60%	57%
Mother, stepfather	7%	7%
Father, stepmother	1%	2%
Mother alone	21%	20%
Father alone	3%	4%
Grandparents	2%	2%
Relatives	2%	2%
Foster home	1%	1%
Institution	1%	1%
Elsewhere	1%	1%
Unknown	1%	2%

Repeaters: Thirty-five percent of the juveniles referred in 1974 were referred more than once during that year. While this figure includes only those who were referred more than once during 1974, and does not consider the number who repeated in other years, it does give some indication of the problem of repeat offenders. Twenty percent were identified as repeat offenders in 1975.

Types of Offenses: Forty-nine percent of the cases referred in 1969 were for major crimes; by fiscal year 1974, major crimes accounted for 63 percent. The number of serious juvenile offenses had increased substantially.

(For Statistical Breakdown, see Appendix B)

IV. EXISTING SERVICES

Service Categories

Services specifically designed for children in need of supervision are necessarily combined in most cases with general services provided by the agencies or organizations. Identification of services, therefore, specifically for CHINS has not been accurately determined at this time.

Often the individuals who require very specific types of guidance, counseling, or treatment cannot fit into a program. More often, these special needs or services go unmet because (a) there are no services locally to deal with the problem, (b) the distances to other services are too great, or (c) the other services have no openings at the time the youth needs the services.

Categories of existing services include the following:

- (1) Alcohol, Solvent, and Drug Abuse
- (2) Child Abuse and Neglect
- (3) Child Development and Education
- (4) Community Service Organizations
- (5) Foster and Residential Care
- (6) Special Needs and Handicapped Services
- (7) Health Services
- (8) Juvenile Justice Services
- (9) Mental Health Services
- (10) Welfare Services and Financial Assistance
- (11) Vocational Education and Employment
- (12) Youth Development and Recreation

(1) Alcohol, Solvent and Drug Abuse

Program services vary greatly from individual out-patient counseling of youth and their families to residential treatment programs in more severe situations. Involved in this are emergency medical services, emergency

shelter care, crisis intervention, 24-hour counseling hotlines, screening and diagnosis, referral services, counseling and treatment and educational programs.

For example:

- Alateen, counseling and self-help in Albuquerque
- Drug Abuse Education and Coordination Center, drug information, treatment and education in Bernalillo County
- Ford Canyon Youth Center, drug abuse counseling in Gallup
- Casa Hogar, residential treatment center in Las Cruces

(2) Child Abuse and Neglect

Complaints of abuse or neglect are investigated and services through county social services agencies include: homemaker services, day care services, foster home placements, counseling and therapy for individuals, couples, families and groups. Some training and educational programs are conducted.

(3) Child Development and Education

The preventive aspects of misbehavior are addressed in the younger years, and healthy development and education of children are addressed in programs of this type. Special services are often included focusing on diagnosis and evaluation of the child, interpretation of child's needs, parent counseling and casework, referral and follow-up.

For example:

- United Child Care Incorporated in Bernalillo County
- Learning Unlimited in Dona Ana County
- Head Start in many communities

(4) Community Service Organizations

Community service agencies deal with many needs and generally provide services of a multi-service nature under a number of programs. These include individual, group, family, and marriage counseling, education and training,

referral and emergency aid, mobilizing resources or other services for clients, extensive casework.

For example:

- Home Education and Livelihood Program, promoting community development and assistance in rural areas in many communities
- Catholic Social Services, counseling and casework services in Albuquerque
- Citizen Action Programs
- The Family Council, multi-area counseling in Los Alamos
- Community Service Center, multi-service for youth and their families in Portales

(5) Foster and Residential Care

The Social Services Agency of Health and Social Services Department licenses homes for foster care. Homes willing to take older children in for foster care are in short supply.

There are a number of group homes in the state, but more facilities are needed. Some areas of the state are without homes. There is a need for more homes which function as emergency shelter care facilities rather than group treatment centers.

(6) Special Needs and Handicap Services

These deal primarily with children and their families who have special needs or are in high risk situations. Includes educational and tutoring programs, medical services, rehabilitation, therapy, training, testing, counseling. Most services are directed toward particular special needs of clients.

For example:

- Division of Vocational Rehabilitation, statewide
- Cripple Children's Services of State Health Agency
- Temporary Care Services in Bernalillo County
- College of Santa Fe Pre-School for learning disabled in Santa Fe

-West Valencia Work Activity Center, sheltered workshop and training in Grants

-Southwestern New Mexico Services for the Handicapped, self-help skills, therapy, education and social services for handicapped in Fort Bayard and Silver City

(7) Health Services

The State Health Agency of Health and Social Services Department provides health services. In some regions, publicly supported hospitals augment the State Health Agency in providing health services.

For example:

-Bernalillo County Medical Center in Albuquerque

(8) Juvenile Justice Services

Many services work directly with youth who have entered the juvenile justice system at some point. Other services attempt to divert or remove their clients from the legal system completely and provide counseling, treatment, legal advice, evaluation and planning, supervision, employment assistance, etc.

For example:

-Juvenile Probation Departments of the District Children's Courts, statewide

-Project "CHILD", counseling to reconcile differences between youth and parents in Bernalillo County

-Department of Correction facilities for adjudicated youth or for diagnosis and evaluation

(9) Mental Health Services

These services provide many types of treatment for children and youth with mental or emotional problems. Problems dealt with, include drug misuse; hyperactive, battered, psychotic and neurotic children; visual, speech and hearing defects; learning disabilities; children in crisis situations; children adjusting to divorce or separation. Services for these include psychological testing, family and group counseling, follow-up, programs and in-patient care.

For example:

- Villa Solano, residential home for retarded boys in Hagerman
- Community Services Division of Department of Hospitals and Institutions, statewide
- New Mexico Interfaith Counseling and Educational Services in Santa Fe and Los Alamos
- Youth Services of the Bernalillo County Mental Health Center

(10) Welfare Services and Financial Assistance

The State Welfare Agency, through its thirty-two county offices, administers programs of financial, medical and food assistance for eligible individuals and families. Many other community service organizations facilitate eligible clients through information and referral to the State Welfare Agency. Additional assistance to Native Americans is provided through Social Services of the Bureau of Indian Affairs.

(11) Vocational Education and Employment

Many vocational, training, and employment services exist through Employment Security Commission, State Vocational Education, Vocational Rehabilitation for both residential and non-residential programs. Types of services vary greatly, including screening, interviews, referral, placement, training, counseling, testing, work-experience, etc.

For example:

- School-on-Wheels, secondary education and work experience in Bernalillo County
- Dial-A-Teen, odd job placement services in several communities
- Job Corps Center serving all of New Mexico

(12) Youth Development and Recreation

Programs in this category focus on preventive and rehabilitative aspects of individual behavior. Activities are designed so that youth have the opportunity to take part in projects they helped design and run.

Included can be recreation, counseling, information and referral, volunteer services, crisis intervention, help with employment, outreach, tutoring and community education, legal assistance, etc.

For example:

-Parks and Recreation Departments

-Four-H Extension Service

-Youth Development, Incorporated in Bernalillo County

-Middle Earth Youth Center in Los Alamos

-Girls' and Boys' Clubs

(For Related Statistics, see Appendix D)

V. RECOMMENDATIONS: STRUCTURAL CHANGES

Coordinated youth services are needed at the community level to deliver needed resources to the child in the total context of his/her social environment.

The following interpretation of the phrase "coordinated youth services" appears in the "definitions" section of the Juvenile Prevention Act of 1974; it provides for youth development through utilization of coordinated community-based services for youth.

"The term "coordinated youth services" means a service delivery system, separated from the system of juvenile justice (which encompasses agencies such as the juvenile courts, law enforcement agencies and detention facilities), for providing youth services to an individual who is in danger of becoming delinquent and to his family in a manner designed to:

- a) facilitate accessibility to and utilization of all appropriate youth services provided within the geographic area served by such system by any public or private agency or organization which desires to provide such services through such system.
- b) identify the need for youth services not currently provided in the geographic areas covered by such system, and, where appropriate, provided such services through such system.
- c) make the most effective use of youth services in meeting the needs of young people.
- d) use available resources efficiently and with a minimum of duplication.
- e) identify the types and profiles of individual youths who are to be served by such a comprehensive system."

There are four major parts of the system, all of which much work closely together. These four are: State Youth Services System, Local Youth Services Systems, Youth Service Offices, and the Juvenile Justice System.

A. State Youth Services System

Advocacy and coordination of services for children and youth is the primary function of the State Youth Services System (SYSS) under the Committee on Children and Youth. The system is continuing to establish procedures to ensure information-sharing by all youth serving agencies and programs, within the limitation of the law regarding confidentiality and right to personal privacy. As a planning and information component, the system identifies problems, establishes priorities of youth concerns and promotes programs to meet these youth problems.

Small and large amounts of money by local, State, and Federal governmental units have been made available to organizations and agencies in various parts of the state to experiment with innovative approaches, both for delinquents and youth in danger of becoming delinquent. There were approximately 496 agencies and organizations serving children and youth in New Mexico in 1973, at an approximate cost of \$47,078,420 in public monies, donations, and foundations.

Many of the present programs have delinquency prevention as one of their stated goals. Although effective evaluation tools are virtually non-existent, the majority of these programs indicate some success in meeting target objectives. Delinquency and related youth problems continue to increase, however. It is clear that much of what needs to be accomplished is not being addressed in a systematic and comprehensive manner. We are not really preventing delinquency; conditions continue to exist that influence this behavior.

The State Youth Services System recognizes that certain institutions have responsibility for either perpetuating or changing conditions adverse to delinquency prevention. The institutions include: school; family; employment agencies; government; organizations (local, state, and federal); health and social service agencies; community; juvenile justice system; and mass media. Since these institutions are all part of a larger system, actions of one part are felt by all others. For example, the passage of the Children's Code, which mandates that certain juveniles not be placed in detention facilities without provision for the development of alternate placement, has affected the courts adversely in designating placement of juveniles because alternatives are not available. It is clear that these agencies are all inter-related; the total of the activities of all parts of this system of agencies determines the quality of life for all people, including children and youth.

Coordination of resources is the goal of the State Youth Services System. This coordination promotes comprehensive, integrated State and community-based programs that are designed to meet the needs of all children and youth, and incorporate strategies to increase acceptable and satisfying roles for youth to play in our society. The full development of this goal will allow the State YSS, with assistance from the local YSS, to enable social institutions jointly to identify needs and assess the combined impact of their procedures, policies, and practices on children and youth.

The entire activity of collection and interpretation of data at the local and state levels is continuing to be brought together for presentation in the form of a comprehensive and innovative statewide plan of services of children and youth. This plan shall contain concrete and sound recommendations in revision and reorientation of existing services to encourage efficient fiscal responsibility for youth services. This effort should be supported.

Advocacy is an important and basic part of the State YSS. System advocacy is a term used to define the need for the State YSS to exert pressures on other public-serving agencies on behalf of all children and youth. By identifying, presenting, supporting, and following through on suggestions for improvement of the situation of youth, the State YSS is beginning to have an impact on the entire state.

The State YSS has established the capacity and the responsibility to provide technical assistance upon request to local communities. This technical assistance includes: 1) planning assistance and problem identification, 2) planning and program management, and 3) proposal presentation.

Program budget is: \$120,240 as per budget of New Mexico Committee on Children and Youth, 1976.

B. Local Youth Services Systems

The Local Youth Services Systems (LYSS) would coordinate the services that are available at the local level and needed by the Youth Services Office for individual youth. The focus of the Local Youth Services System is on the youth-serving agencies and their personnel rather than on the individual youth in need of assistance.

The main function of a local YSS, under State YSS leadership, is to stimulate coordination and integration among the diverse, autonomous youth-serving agencies in the area. Because political, social, and economic environments vary greatly across New Mexico, the extent of the task of a local YSS would vary in each locale, but all would focus on adequate planning.

The local YSS should be equally comprised of providers of services, consumers of services, and lay citizens.

Functions of the local YSS which must be carried out at the community level include the following:

1. Develop appropriate linkages between diverse service agencies.

The agencies would agree to share data, engage in joint planning and programming, and work towards single-point funding sources. These agreements will force service delivery to adopt a cooperative stance and to surrender some autonomy for the sake of overall community service. Juvenile Justice Agencies must be included in this system.

2. Established interagency task forces to work on developing services to meet specific needs.

3. Develop formal linkages between the YSS and the YSO. These would be in the form of joint agreements: the agencies in the YSS would accept referrals from the YSO, and would coordinate with the YSO to ensure that the individual youth receives necessary services.

4. Planning: the local YSS would be responsible for planning service delivery in the area. Each YSS should have a planner to conduct local needs assessments and to coordinate the planning efforts of YSS agencies for developing programs within the system to meet identified needs. This assessment, completed on a regular basis, will create the essential knowledge necessary for comprehensive planning.

5. Evaluation: There should be a system-wide evaluation with clear accountability for the total system, in addition to the fragmented evaluations of separate programs.

6. A formal linkage would be developed between the State YSS (described earlier) and the local YSS. All data, evaluation reports, needs assessments, and plans would be funneled to the State YSS.

Direct services which could be coordinated and planned by the local YSS for use by the YSO for referred youth include:

1. On-going individual and group sessions would be divided into family and individual counseling. Those who had been through a counseling program could then be utilized within the system as facilitators, or aides, and eventually become permanent volunteers.

2. A health screen, which could include an eye and dental check, as well as immunization and related services.

3. Residential facilities, either specialized or non-specialized, depending on the needs identified. A service might also be provided to help youth locate independent permanent housing and emergency shelter care or holding facilities.

4. Programs for runaways which generally provide for/or are closely linked to shelter care, crisis intervention, individual and family counseling, legal and medical referral, and non-institutionalized living situations.

5. Pre-vocational training which involves incentives for work and careers. This leads to actual vocational training, job development and placement, and eventually job upgrading.

6. Individual educational tutoring. This could possibly lead to awarding of a G.E.D. and admittance to college.

7. An important part of any YSS is the planning and evaluation of developmental programs. Although planning for services is a function of the entire YSS, planning of services should be a component of each delivery system. Integral to this component is youth involvement.

8. Other youth involvement projects which could be operated under either the YSS or YSO are social, cultural, and recreational activities; orientation to issues and concern; youth-tutoring programs, and drug abuse counseling, using youth as facilitators.

An important advantage of a local YSS is better service delivery

Duplication can be eliminated and gaps in service can be lessened by inter-agency agreements.

C. YOUTH SERVICE OFFICES

The Local Youth Service Offices would transform traditional bureaucratic models into flexible service systems which freely and directly cater to the differing needs of children and youth in the community. The focus of the Youth Service Office is the youth and his/her needs. That portion of the community which has day-to-day contact with youth is made up of: family, school, police, welfare department, court, church, private complainants, and youth themselves. The local Youth Service Office (YSO) would receive referrals from all these sources and any other in the community.

A Youth Service Office should be established in a Social Service Agency office in every county or judicial district of New Mexico. Each YSO would provide the following direct small services.

1. An emergency shelter care system, where private homes would be available to youth in dire need of a place to stay and who cannot or will not go home. It would be the duty of the YSO to locate these homes in the community and reimburse them for the services. It would also be the duty of the YSO to identify those youth who need such emergency care, and to arrange for their placement. This service is seen as a temporary stopgap measure to ensure that further disruption of the youth's life will not occur.

2. Each YSO should have a 24-hour hotline available to persons in the community, as well as those in the outlying reaches of the community (toll-free, or collect). The hotline would serve as a crisis intervention, referral, and possible intake source for other services provided by the office.

3. Youth Involvement Program: This part of the YSO would vary greatly among communities, depending on the type and number of youth involvement projects in the community. The youth should be involved in the outreach

portion of the service office, perhaps the hotline, and as volunteer or paid aides in the office.

4. The office would have an intake unit, the size depending on the need, which would analyze the problem of an incoming youth for correct referral. The emphasis would not be on evaluation of the youth himself, but a complete examination of the problem which brought the youth to the office.

5. Community Education: An essential part of the YSO would be public dissemination of all information relating to youth problems, as well as, public relations for the office.

After initial intake into the office and provision for those services which the youth immediately needs, any further services, available either directly from the office or from other service agencies, must be voluntarily accepted by the youth and his/her parents. If such further services are not acceptable voluntarily, the youth and a report on YSO service recommendation for the youth would be referred back to the original source.

The beauty of a local YSO is that it would provide a single place in the community where a youth and his/her family can voluntarily seek the services of professional problem-solvers, volunteers, and staff.

The Youth Service Office would be particularly helpful in the area of status offenders. For example, the existence of YSO would eliminate the possibility that only adjudicated youth could receive services. There would be an agreement among the referral sources that all status offenders would be sent to the YSO instead of the court system.

The approach would narrow the function of the court to that of a court of law with original jurisdiction over those youth who have committed acts which would be crimes if committed by adults. The court should be viewed as a place of last resort for youth whose behavior is totally unacceptable. The existence of the YSO would decrease the number of cases referred to the court, allowing their personnel to be more effective in dealing with juvenile offenders.

The local YSO would be developed in existing social service agency offices. It would provide educational, legal, recreational and emergency services which would best be developed as a public agency.

In many rural areas of New Mexico, county or regional YSO's would have to be developed. A regional office would have the same basic duties as a local service office, but might need to include transportation as one of its services. A larger outreach program would also be called for.

Financing for construction of rental of facilities and for staff development could be gained, to a large extent, from federal grants-- particularly the Juvenile Justice and Delinquency Prevention Act of 1974 and Title XX of the Social Security Act. The state and municipality or regional area should then share the remainder of the financial responsibility.

Estimated cost of Local Youth Services Office component of Social Services Agency.

Personnel

Social Worker I	\$ 9,084.00	
Fringes	1,317.00	
Client Service Agent I	5,316.00	
Fringes	<u>771.00</u>	\$ 16,488.00

Equipment and Rental

Typewriter \$50/mo.	\$ 600.00	
Supplies	800.00	
Office Furniture	<u>600.00</u>	\$ 2,000.00

Program

Each pilot project will be funded \$21,500.00 for purchase of services. The Service Manager must keep costs within the \$1,800.00 per month budgeted for purchase of services.

TOTAL COST PER PILOT PROJECT		<u>\$ 21,512.00</u>
		\$ 40,000.00

VI. RECOMMENDATIONS OF SERVICES

A. TYPES OF SERVICES NEEDED

The strategies section of this plan for CHINS proposes several options for serving the needs of CHINS and status offenders as identified by the Committee on Children and Youth staff through research and other information-gathering activities. These options have been prioritized here according to the immediacy of need.

1. Residential Youth Care Facilities, Specialized Group Homes: Fewer than half of the children and youth in need of group home settings are actually served. The number of children needing this care is estimated at 754; 493 of these require specialized group home treatment. Professional services for group home clientele are either unavailable or too expensive. Staff training is limited. The current practice in some areas of detaining status offenders in county jails is in violation of New Mexico's Children's Code and the Juvenile Justice and Prevention Act of 1974.

Need:

- a. Improve the quality of existing residential group homes by increasing their capabilities to offer additional professional treatment services.
- b. Develop new residential group homes for youth requiring residential care and placement.

Strategy: Additional funds are needed to establish adequate community-based non-institutional placements. Expansion of the amounts and kinds of contractual private services available is necessary. Training programs for staff members of residential group homes and on-going support for existing group homes is essential.

2. Youth State Employment: The increasingly large number of young people who are actively seeking work is not matched by a corresponding number of available openings. Placement of youth is extremely difficult due to the availability of older and more experienced persons in the labor force. CHINS and status offenders have even greater difficulty in finding work.

Need: Youth need the opportunity to develop the legitimate identity that work experience can provide. Necessary services include job development, outreach and recruiting, coordination among youth-oriented employment services, and supervision of jobsites.

Strategy: The Committee on Children and Youth is implementing a statewide program to provide jobs for youth, including CHINS and status offenders. The program goals are to place 1,870 youth in jobs for a minimum of three months, and another 120 youth in tutorials to overcome special educational problems. The Committee has proposed that staff persons be placed in the seven planning districts to coordinate the program. The staff could form the nucleus of the Local Youth Services System proposed earlier in the report.

3. Subsidized Adoption: In New Mexico there are currently several hundred adoptable children who will not be adopted because many potential adoptive parents are financially limited. Special needs, hard-to-place children comprise 80 percent of the adoptable children.

Need: A program which provides needed funds so that all of our adoptable children can be cared for in a warm, loving environment rather than remain in tax-supported foster care until they reach their majority.

Strategy: Subsidized adoption is a plan by which the State of New Mexico, through the Health and Social Services Department, continues financial involvement beyond the stage of legal adoption.

4. Foster Care Public Awareness: New Mexico is not meeting the needs of foster children and foster parents. There are not enough homes for children who are separated from their own families, especially teenagers, the emotionally disturbed and retarded.

Need:

- a. To increase community awareness of the need for foster care.
- b. To provide a source of material support and training for foster parents.
- c. To increase funding levels so that more money is available for individuals in foster care.

Strategy: Undertake a statewide community awareness campaign. All media would participate in public service announcements about foster care. The need for additional foster parents would be stressed. The Health and Social Services Department should receive a higher level of funding earmarked to raise boarding rates for foster children.

5. Probation Subsidy:

Need: Children and youth often must be separated from their families, schools, and communities in order to receive professional services. A greater range of options for courts and agencies dealing with youth on probation is needed. Localized, community-based treatment is highly desirable.

Strategy: A viable concept is reimbursement of communities for improvement of their juvenile justice system. The amount of reimbursement would be based on the reduction of delinquent and CHINS petitions filed, thus removing the child from the court process. Funds returned to the juvenile probation offices would be used according to a local plan to make community-based services available.

6. Runaway Youth Projects: During 1974, juvenile probation offices reported 1,049 runaway cases. New Mexico State Police reported apprehending 1,612 runaway youth. Almost three-fourths were young people whose homes are in New Mexico. There is a notable lack of services for runaway youth.

Serious conflicts which lead to youth running away from home are not receiving attention, nor are services to support youth and parents being provided.

Need: There are virtually no services or facilities outside Albuquerque which can deal with problems associated with runaways. Shelter care and short-term housing are especially needed. In addition, crisis intervention, counseling, advocacy, and legal and medical referrals are essential services which should be available locally.

Strategy: Funds should be available to purchase short-term shelter care by the Social Services Agency in those counties experiencing high incidence of runaways, primarily San Juan, Otero, Dona Ana, Guadalupe, Luna, and Curry Counties. These programs should provide adequate facilities, professional screening, family reintegration, professional counseling and therapy, transportation, and after-care follow-up.

7. Child Abuse and Neglect: In New Mexico, 600 to 700 cases of child abuse and neglect were reported in 1974; many were not reported. The public needs to be informed about child abuse. Immediate care should be provided for abused children, with treatment provided for their parents.

Strategy: Comprehensive emergency services should be available statewide to meet emergency needs of abused and neglected children and their parents. Such a program could provide for cooperative planning between agencies involved in abuse and neglect identification and make services available on a 24-hour basis, including weekends.

8. Parenting Education: The quality of child development in our state has been affected by the ever-changing role of parents in family and

society. Many parents are not adequately meeting the needs of their children. As a result, many youth are not well prepared for the responsibilities of parenthood.

Need: We must strengthen the capacity of our schools and other community organizations to instruct young men and women, particularly teenagers, in the needs and responsibilities of motherhood and fatherhood.

Strategy: Development of courses for high schools and community centers to educate teenagers in the areas of infant care, growth and development, child differences, family structure, parental roles, family planning, community resources, and skills for working effectively with children.

COST IMPLICATIONS

<u>Service</u>	<u>Current Funding '76-77</u>	<u>Estimated Need</u>	<u>Difference Between '76-77 & '77-78</u>
In-Patient Psychiatric (DHI)	\$ 266,066	\$1,695,790	\$1,429,784
Residential Treatment Center (Specialized Group Home) (HSSD)	919,800	1,381,800	426,000
Emergency Shelter (HSSD)	98,473	164,506	66,033
Counseling/Diagnosis & Evaluation (DHI)	NA	889,020	NA
Project CHIP/1st Offender Projects	66,000	198,000	132,000
Employment/Tutorial Project (CCY)	369,000	369,000	-0-
Youth Services Component (HSSD) (local communities)	-0-	420,000	420,000
Short-Term Supervised Housing (JPO's)	16,000	106,800	90,000
TOTALS	\$1,735,279	\$5,124,116	\$2,599,817

(Source: CHINS Task Force)

B. THREE OPTIONS FOR SERVICE DELIVERY

1. Creation of a New Agency

One option would be the creation of a new agency exclusively responsible for services to youth. This would require existing agencies to relinquish youth services programs which they have traditionally administered. It would allow a merger of diffuse programs and responsibilities under one roof. The new agency probably would promote innovations not likely to occur within existing agency structures.

The advantage of the new agency would be consolidation of youth services and single agency accountability. With youth services centralized, a clear picture of total expenditures for youth services would be available. Single agency responsibility would lead to realignment, eliminate gaps and duplication which currently exist.

The major drawback of this option is cost. It is generally agreed that there should be a single point of entry to services and that community-based services are most desirable. We estimate that establishment of state-wide agency offices would cost nearly two million dollars (\$2,000,000). This does not include state office administrative costs or funding for purchase of services.

2. Providing a Coordinating Function

A second approach is for responsibilities to remain with existing agencies, but to provide a coordinating mechanism. Creating an office with responsibility for coordination is probably the least costly of approaches. This office would be charged with identifying overlapping or duplication of agency efforts and realigning these services and responsibilities.

One difficulty is that a coordinating function alone does not address the problem of services delivery at the community level. There

would still be no single point of entry for youth services. The referring youth would still face an array of service providers and would be uncertain as to the most appropriate referral.

Another problem is that the continuity of this office might be broken with a change of administrations. Each governor brings new priorities and concerns to the office. Without the backing of the Chief Executive, the coordination capacity could be lost; and interagency competition would again be the rule.

A further disadvantage is that an office whose sole function is that of "coordination" may operate without regard to the real problems of service delivery. The coordination function must be bonded to the services delivery system to insure relatedness and practicality, while maintaining its integrity to guarantee objectivity.

3. Existing Agency Approach

The third option is to give responsibility for all youth services to an existing agency. The main advantage of this approach is clear accountability. An existing agency tends, however, to limit services to those which it traditionally has offered.

We have suggested that HSSD be designated the agency responsible for services to youth. HSSD has traditionally provided foster care, adoptions, shelter care services, counseling services, child abuse, and day care payments. A Youth Services Office within HSSD would be the single point of entry for all services. It would refer youth to local or state agencies where appropriate.

This recommendation is consistent with conclusions reached by other independent groups. The Governor's Task Force on CHINS recommended that HSSD be designated the lead agency for services to youth.

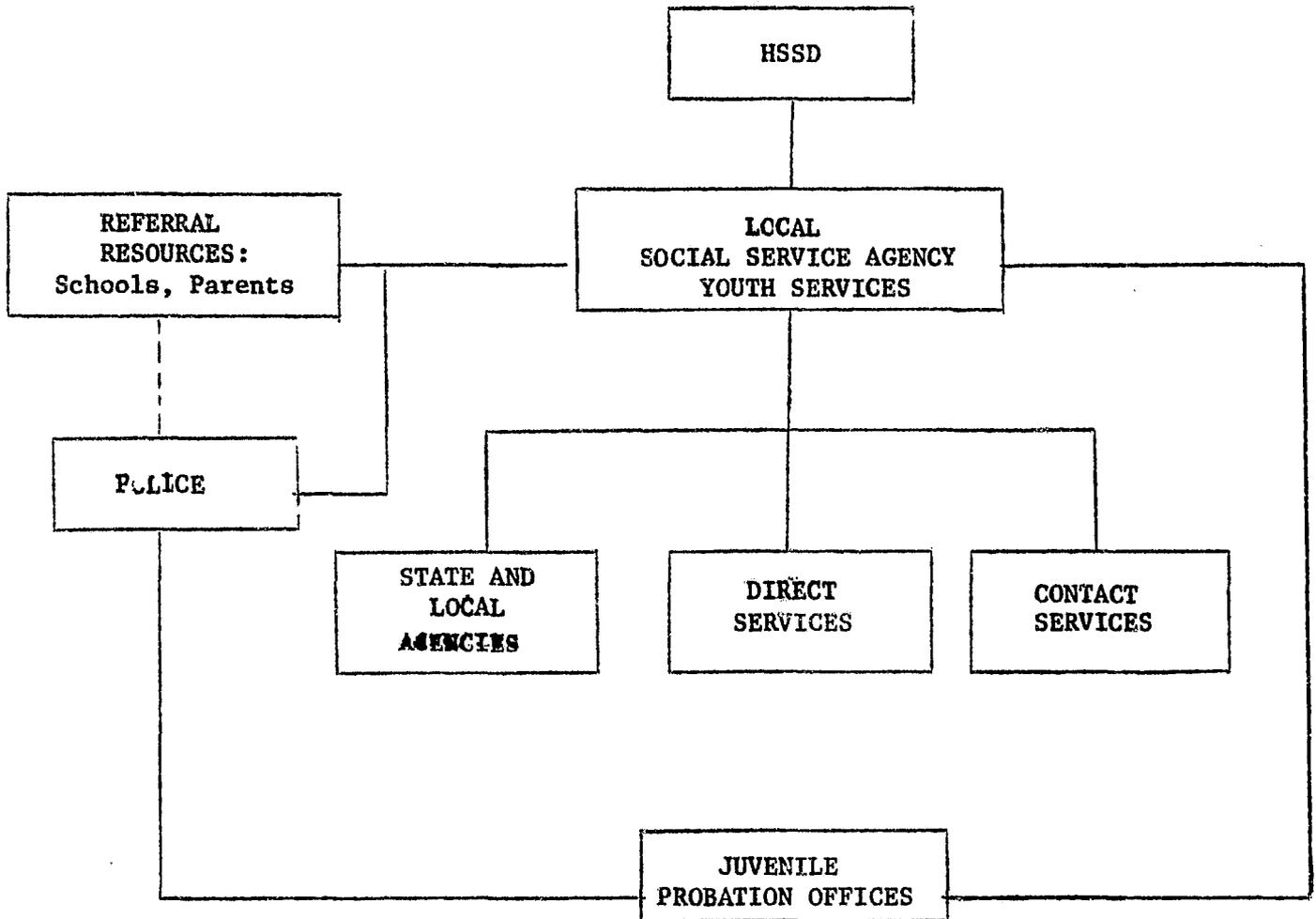
New staffing patterns would be required to implement this plan. A services manager/intake person and two field-work persons would be added to

the staff of each Social Services Agency staff. SSA would be the single point of entry for youth services in every community. They would receive referrals from school counselors, police, and parents. The youth services staff would provide direct services, e.g., counseling, where appropriate. For cases requiring specialized or long-term care, referrals will be made and services purchased by the services manager.

This approach, we believe, addresses the major problem in providing youth services. It provides for community-based treatment where possible and single point of entry for youth services. It also provides single agency accountability with creation of another costly system. The present Youth Services System of the Committee on Children and Youth (state and local) would be used by HSSD Youth Office to satisfy the coordination need at state and local levels.

We have developed a simplified flow chart of how our plan would implement the services process. Also on the chart is an explanation of what we expect will happen, the results of what has happened in other states where similar plans have been implemented, and our proposed action plan.

SERVICES AND REFERRAL SYSTEM



EXPECTATIONS:

1. Reduce inappropriate referrals to JPO's.
2. Simplify delivery of services process.
3. More effective measure of services.
4. Enhance preventive aspect of Children's Code.
5. Relieve Courts of certain inappropriate referrals.
6. Collective of consistent data.

RESULTS:

- (Based on other states' experience)
1. 18 - 22% reduction in JPO caseload.
 2. Significant reduction in repeater rate.
 3. More benefit per dollar spent.
 4. More consistent and effective funding for local programs.

PROPOSED ACTION:

- Phase I 1976-77
1. Two pilot projects
 - a. Governor's Executive Order
 - b. Title XX unit cost study.
 - c. Allied Service Agreements with appropriate agencies
- Phase II
1. Five additional projects.
 2. Propose legislative changes to present Children's Code based on hard data.

a.

RECOMMENDATIONS

The Committee on Children and Youth in concert with wide public input recommends:

1) that the Health and Social Services Department be given general responsibility (not original jurisdiction) to act as the lead agency in providing services to CHINS and/or status offenders. This responsibility should include provision of protective services; specifically, specialized placement maintenance (shelter care, i.e., group homes, foster homes, etc.) and referral for specific services such as, but not limited to, institutional psychiatric care (DHI) care of the emotionally disturbed (DHI), and other mental health services (DHI).

2) that advocacy and coordinating functions of the State Youth Services System of the Committee on Children and Youth be strengthened.

3) that services to children and youth be strengthened and resources more effectively utilized by integrating in the HSSD Social Service Agency (SSA) a single-entry youth services function. This component in the SSA would have the capability to provide appropriate referral to existing services provided by other agencies, to contract with providers for specific services, and to provide direct services by SSA staff.

4) that the Department of Health and Social Services, the Department of Hospitals and Institutions, the Department of Corrections, the State Health Planning and Development Agency and related health planning groups and the Administrative Office of the Court cooperate with local communities to develop specialized shelter care facilities and group homes for CHINS and status offenders, with HSSD providing maintenance and social services, DHI providing psychiatric care, and joint training by all agencies involved.

5) that interagency agreements be entered into by all affected agencies, establishing procedures for care and transfer of legal custody of CHINS and status offenders where multi-agency involvement is necessary.

b.

IMPLEMENTATION—TWO PHASES

Phase I would consist of:

a) Formal designation of HSSD (by the Governor) as the Administering Agency for CHINS and other status offenders, with direction to other state agencies to cooperate with HSSD in the overall effort.

b) Establishment of two pilot youth services projects during the current fiscal year.

It is estimated that the cost of implementation of Phase I would be approximately \$80,000 which HSSD would provide out of existing budgetary resources.

Following the implementation of Phase I, the work of the two pilot projects will be carefully evaluated to determine whether Phase II could be implemented and in what exact format.

Preliminary plans with respect to Phase II call for implementation during the fiscal year July 1, 1977, of five additional youth services projects within HSSD. Included would be implementation of a Title XX unit cost structure, agency agreements to provide a variety of needed services using the single-entry point concept, and a cooperative effort with the judiciary to help ensure appropriate referral and handling of youth in each case.

We estimate that the costs of Phase II would approximate \$420,000.

END