

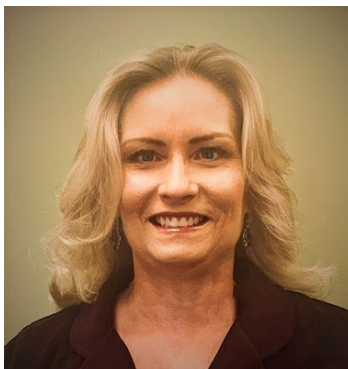
# STATE—TRIBAL COLLABORATION ACT 2022 AGENCY REPORT

New Mexico Children, Youth and Families Department



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## I. 2022 CYFD Overview

New Mexico’s Children Youth and Families Department (CYFD) provides an array of services to New Mexico children and their families through various specialized divisions. These Divisions include Protective Services (PSD), Juvenile Justice Services (JJS), Behavioral Health Services (BHS), and program support through the Office of General Counsel, Office of Tribal Affairs, Office of Children’s Rights, Workforce Development Bureau, Administrative Services Division (ASD) and the Information Technology Division (ITD).

### CYFD’s Mission and Vision

CYFD’s mission is to partner with children, youth, families, and communities to achieve safety, healing, permanency, and wellbeing for all New Mexico children.

CYFD’s vision is that every child and youth in New Mexico is nurtured in a safe, stable, permanent home, free from abuse and neglect and supported by healthy families and communities.

### Protective Services Division (PSD)

The Protective Services Division (PSD) is the state agency designated to administer child welfare services in New Mexico. PSD is mandated by the New Mexico Children’s Code to receive and investigate reports of child abuse and/or neglect by a parent, guardian or custodian, and to take action to protect those children whose safety cannot be assured in the home. PSD is committed to providing for the well-being of the children in its care and to securing permanency for those children as quickly and as safely as possible.

PSD provides prevention, child protection, and other child welfare services throughout New Mexico. Administration of the child welfare program is centralized, with services provided through 30 county offices located within five designated regions.

PSD Vision:

*Children and youth in New Mexico live in a family environment free from abuse and neglect.*

PSD Mission:

*We serve children, youth and families by:*

- *Protecting children and youth from abuse and neglect;*
- *Pursuing timely permanency; and*
- *Promoting well-being.*

### Juvenile Justice Services Division (JJS)

Juvenile Justice Services (JJS) performs all juvenile justice functions arising from arrest or other referrals, and through release from court-ordered supervision or custody. JJS includes secure facilities, reintegration centers, releasing authority, probation/supervised release, the Juvenile Justice Advisory Committee, Community Corrections, and Transition Services.

## **Secure Facilities**

New Mexico’s secure facilities embrace the Cambiar model. Cambiar switches the focus from confinement and punishment to rehabilitation and regionalization. Clients are still held accountable for their choices. JJS employees, programs, and services support clients’ rehabilitation as they prepare for a healthy adulthood. JJS protects clients and provides public safety.

Major initiatives include:

- Smaller, regional facilities statewide;
- Smaller, safer, nurturing living units (therapeutic communities/milieus);
- Client-centric unit management;
- Individualized treatment plans based on strengths, needs, and goals;
- Employee training that includes de-escalation, therapeutic, security protocol, and group management skills; and
- Robust programming and services for clients, including health care, behavioral health therapy, education and vocational training, culturally sensitive programming, religious services, artistic expression outlets, and physical recreation and movement.

## **Field Services—Juvenile Probation Officers**

Juvenile Probation Officers (JPOs) supervise probation and released clients in their communities. JPOs support rehabilitation and accountability for clients, promote public safety, and engage with families and support systems in communities.

Major initiatives include:

- Standardized probation agreements statewide;
- Employee training and teaming models to support holistic client services;
- Gender-sensitive programming;
- Wrap around services;
- State-to-scale detention alternatives; and
- Trauma-informed training for employees and care for clients.

## **Juvenile Reintegration Centers**

Juvenile Reintegration Centers (JRC) provide clients with a safe and structured living environment as they prepare to return to live in their communities. JRC programming focuses on independent living skills and sobriety.

## **Behavioral Health Services (BHS)**

CYFD is the behavioral health authority for all children in New Mexico. Its Behavioral Health Services (BHS) division is the lead on children’s behavioral health policy in collaboration with other state agencies, including the Human Services Department, Indian Affairs Department ,

Department of Health, Public Education Department , Early Childhood Education and Care Department, and the Behavioral Health Collaborative. CYFD BHS funds non-Medicaid, publicly funded children’s behavioral health services for Native American youth who meet eligibility criteria.

## **CYFD Office of Tribal Affairs**

CYFD Office of Tribal Affairs (OTA) is housed within the Office of the Secretary. OTA is charged with implementing the CYFD strategic plan relative to American Indian/Alaska Native issues and ensuring completion of specific assignments made by the CYFD Office of the Secretary in accordance with the State-Tribal Collaboration Act (STCA) and CYFD’s Collaboration, Communication and Consultation Policy. OTA actively participates in development of department policy and legislative matters that impact NM Tribal governments and Native American children and families.

OTA is currently staffed with an Administrative Consultant (Ms. Grace Nailor), a Protective Services Tribal Coordinator (Mrs. Isabel Guerrero), a Behavioral Health Tribal Coordinator (Ms. Brianna Fank), and the Office of Tribal Affairs Director (Ms. Donalyn Sarracino). The Office of Tribal Affairs will also include a Juvenile Justice Services Tribal Coordinator (which was intended to be filled during this reporting period, however funding was not available), and an Indian Child Welfare Training Coordinator. We expect to fill these last two both positions in Fiscal Year 2024.

The work of OTA involves the following key elements:

- Working collaboratively with the New Mexico tribes, pueblos and nations, including off-reservation Native American populations, to identify and help resolve barriers to service delivery. OTA works with tribes and off-reservation entities to develop services that respond to the needs of Native American children, youth, families and communities in New Mexico.
- Representing the Office of the Secretary (OTS) at state, regional and national meetings on issues that impact State-Tribal relations.
- Serving as the Department contact and lead for policy issues concerning the Indian Child Welfare Act (ICWA) of 1978.
- Working to ensure CYFD compliance with ICWA and to the department’s policy and IGA changes as a result of the December 16, 2016 Bureau of Indian Affairs (BIA) Indian Child Welfare Act Regulations.
- Work to ensure CYFD’s full implementation and compliance with NM’s Indian Family Protection Act (IFPA).
- Assisting the Department and tribes, nations and pueblos with ICWA and Juvenile Justice Services (JJS) Intergovernmental Agreements and other CYFD-Tribal Title XX and Title IV-E intergovernmental agreements.
- Developing partnerships between the State of New Mexico, tribes, nations and pueblos; off-reservation entities; and Federal agencies that mutually affect positive policy and practice outcomes for all Indian children and families.
- Working to ensure CYFD compliance with the State Tribal Collaboration Act.
- Working to ensure CYFD compliance with Native American provisions in the New Mexico Children’s Code.

- Advising CYFD on pending legislation affecting Native American children and families and providing guidance on program implementation of any enacted legislation.
- Working with CYFD’s Office of General Counsel, Office of Children’s Rights, and Workforce Development Bureau on matters involving Native children, youth and families.

## II. CYFD Accomplishments & Initiatives

CYFD continues to prioritize our commitment to the State-Tribal Collaboration Act and to improving ICWA practice. We are making great strides in re-building and securing our government-to-government relationships with New Mexico’s Nations, Pueblos and Tribes

### Office of Tribal Affairs (OTA) Accomplishment & Initiatives

**Procedure Review** – The Office of Tribal Affairs, Assistant General Counsel, and CYFD Policy & Procedure Coordinator engage in weekly discussions with representatives from the Nations, Pueblos and Tribes regarding CYFD procedure review and development. The intent and purpose of these weekly discussions is to hear from tribal representations about how CYFD procedure has impacted tribal children, youth and families; to provide comments, guidance and suggestions on how CYFD procedures can be improved to include tribal perspectives and better meet the needs and interests of Native American children, families, Tribes, Nations, and Pueblos, as the department works toward decreasing the systemic-bias and racism that have resulted from procedure and practice.

**Out-of-Preferred-Placements** – OTA has developed procedures to ensure Native American/American Indian (NA/AI) children are in ICWA-compliant placements. Tribal Affairs staff meets with each county office every 30 days to review cases where a child is in non-preferred placement. The goal is to ensure children are transitioned into ICWA preferred-placements, to work collaboratively with the tribe on identifying preferred-placements, and to ensure culturally appropriate interventions are identified as first-line interventions. From July 1, 2021 – June 30, 2022, OTA facilitated OOPP staffing on 71 cases involving 112 Native children and youth per month, on average.

**Early Notices** – The Office of Tribal Affairs has developed a process to assist CYFD workforce on being able to identify if a child/youth may have tribal affiliation, identify the child/youth’s tribe, and track these early notices. For protective services cases, these notices are referred to as “Invitation to Collaboration and Notice of PS Involvement”. For juvenile justice services cases, these are referred to as “Invitation to Collaborate and Notice of JJS Involvement”. Research has shown the sooner the tribe receives notice of child welfare involvement, the better outcomes achieved for the child, youth and family involved. CYFD is committed to providing our tribal partners with information regarding their families, and consistent-meaningful communication and partnership to improve the outcomes of those we serve.

- During FY 2022, PSD provided early notice on 464 children/youth. Of these, 365 were likely affiliated with 1 of 20 Nations, Pueblos or Tribes in NM; the remaining 99 children/youth were likely affiliated with out of state Nations or Tribes.
- During FY 2022, JJS provided early notice on 329 youth. Of these, 282 youth were likely affiliated with 1 of 12 Nations, Pueblos or Tribes in NM; 23 of the youth were likely affiliated with an out-of-state Nation or Tribe; and tribal affiliation was unknown for the remaining 24 youth.

**NM Partners** – The Office of Tribal Affairs and CYFD’s Deputy Secretary continue to have the pleasure of participating in the NM Partners group facilitated by Casey Family Programs. The NM Partners have been meeting quarterly since 2015. The group is comprised of representation from NM Indian Child Welfare Consortium, Navajo Nation ICWA, the Tribal-State Judicial Consortium, CYFD, the Administrative Office of the Courts, and the Bernalillo County ICWA Court. This group’s stated intent is: *“A coming together of minds & partners in the State of New Mexico to dialogue on Indian Child Welfare & promote collaboration and communication for better outcomes for American Indian and Alaska Native children and families.”*

**Indian Family Protection Act (IFPA)** – Following the 2021 legislative session, CYFD continued its partnership with Representative Louis, Nations/Pueblos/Tribes, Bold Futures, the Coalition to Stop Violence Against Native Women, and persons with lived experience to draft a state version of the Federal Indian Child Welfare Act. During the 2022 legislative session, the Indian Family Protection Act (IFPA) was introduced by Representatives Louis, Senator Ivy-Soto, and Representative Cadena, and was signed into law on March 3, 2022. CYFD has been diligently working with the Nations/Pueblo/Tribes and other stakeholders to train staff and partners on New Mexico’s Indian Family Protection Act, which became effective as of July 1, 2022.



**Title IV-E Federal Funding** – OTA, General Counsel, and Protective Services provide technical assistance to tribes to update their existing Intergovernmental Agreements (IGAs) and/or Joint Power Agreements (JPAs), or who would like to create new IGAs and/or JPAs. These agreements will help provide the tribes with an opportunity to capitalize on drawing down Title IV-E federal funding dollars to help support the placements of tribal children and youth in the tribal or state child welfare system.

The office of Tribal Affairs, Office of General Counsel and PSD-Federal Reporting Bureau/Title IV-E Unit have developed a Title IV-E template and meet with tribes to provide training and technical assistance on accessing Title IV-E federal funding. This funding helps to support:

- Monthly foster care maintenance payments, adoption/tribal customary adoption, and guardianship subsidies for the care, support and supervision of children determined IV-E eligible;
- Administrative costs to manage the tribal program and carry out the Title IV-E plan;
- Training of staff and resource/adoptive parents, including recruitment of resource parents, and providing tuition and book stipends for social work students preparing to work for CYFD or Tribal Social Services agencies/programs; and
- Costs related to the design, implementation and operation of a data collection system.

To date, CYFD has met with the following tribes:

1. Pueblo of Acoma
2. Pueblo of Cochiti
3. Pueblo of Isleta
4. Pueblo of Jemez
5. Jicarilla Apache Tribe
6. Pueblo of Laguna
7. Mescalero Apache Tribe
8. Pueblo of Nambe
9. Pueblo of Picuris
10. Pueblo of Pojoaque
11. Ramah Navajo
12. Pueblo of San Felipe
13. Pueblo of San Ildefonso
14. Pueblo of Santa Ana
15. Pueblo of Santa Clara
16. Pueblo of Taos
17. Pueblo of Zuni

**Communication & Partnership** – The Office of Tribal Affairs continues to work with the 23 Nations, Pueblos and Tribes, the NM Tribal Indian Child Welfare Consortium, NM Partners, and the Tribal State Judicial Consortium to:

- hear and address concerns of our external stakeholders and partners,
- increase the communication and transparency between the state child welfare agency and the tribes, to ensure that best practices are widely known and accepted by field staff,
- consult on cases when tribes request assistance in working with field staff,



- provide training, education, and resources to CYFD’s tribal partners;
- help identify culturally responsive interventions and programming; and
- continue to advocate for the compliance with the Indian Child Welfare Act and the “gold standard” of child welfare practice in New Mexico.

OTA continues to hold space for the Nations, Pueblos and Tribes to voice their concerns on specific case-related issues and provides an opportunity for tribal voice to be meaningfully included on case matters. Tribal partners are able to request case consultations and reviews (outside of the OOPP procedure) for any cases they may be involved with, where assistance is needed.

**ICWA Curriculum Development & Training** – The Office of Tribal Affairs, Office of General Counsel, CYFD’s Workforce Development Bureau and NM’s Nations, Pueblos and Tribes have partnered to create a curriculum on the Indian Child Welfare Act. CYFD contracted with the National Indian Child Welfare Association (NICWA) for guidance and technical assistance, and following the end of the contract term, representatives have been meeting on a weekly basis to develop a tiered training for protective services workforce, which will enhance the proficiency of the workforce.

To ensure effective implementation of the Indian Family Protection Act (IFPA), CYFD contracted with a former Chief Children’s Court Attorney to work with the OTA Director and Assistant General Counsel to develop IFPA training, including a mandatory three-hour training for all protective services staff and a mandatory four-hour training for all children’s court attorneys. During the month of June, the training was provided to CYFD’s PSD field staff and attorneys, with the assistance of tribal partners.

**Annual Indian Child Welfare Summit** – The Office of Tribal Affairs successful hosted the 2<sup>nd</sup> Annual (Virtual) ICWA Summit on October 12, 2021 with over 450 registered participants. The purpose and intent of the summit was to provide an opportunity to strengthen families and kinship connections by advancing the gold standard principles of the Indian Child Welfare Act (ICWA) and cultural connections. State and Tribal representatives and other key stakeholders were provided with CYFD’s focus, energy, and commitment to working collaborative with the Nations, Pueblos, Tribes, and families on active efforts towards reunification and relative placements. State and Tribal representatives were presented with learning opportunities which will guide them in their roles as child welfare leaders, to make informed decisions in the best interest of Indian children, their families and their Tribal communities.

Overview of the 2<sup>nd</sup> Annual Indian Child Welfare Summit

- Welcome & Opening Prayer

Michael Chavarria, Governor Santa Clara Pueblo  
 Donalyn Sarracino, Director of Tribal Affairs, CYFD-OTS

- Keynote Address

ICWA Gold Standards for Relative Placements and Cultural Connections  
 Cabinet Secretary Barbara Vigil, CYFD

- NM’s Multifaceted Defense to Protect Our Tribal Children, Families & Communities  
Representative Georgene Louis  
Jennie Lusk, Civil Rights Bureau Chief, NM Office of Attorney General  
Charlie Moore-Pabst, Acting Public Information Officer, CYFD-OTS

- Panel Discussion  
CYFD ICWA Unit and 2<sup>nd</sup> Judicial ICWA Court  
Moderator: Melissa Clyde, Senior Director-Casey Family Programs  
Panelists: Catherine Begaye, Judge ICWA Court, 2<sup>nd</sup> Judicial Children’s Court; Cynthia Chavers, Field Deputy Director, CYFD Protective Services; Veronica Krupnick, Mentorship Advocacy & Peer Support Program Coordinator, CASA; Leah Lopez, ICWA Program & Social Services, Ysleta Del Sur Tribe

- Panel Discussion  
Indian Child Welfare – A Tribal Perspective  
Moderator: Jenessa Garay-ICWA Unit CCA, CYFD Protective Services  
Panelists: Justice Raquel Montoya-Lewis, Washington Supreme Court; Jacqueline Yalch, Pueblo of Isleta Social Services Director

- Panel Discussion  
Establishing & Maintaining Cultural Connections  
Moderator: Isabel Guerrero, PS Tribal Coordinator, CYFD-OTS  
Panelists: Kurt Riley, former Governor Pueblo of Acoma; Julie Bird, ICWA Manager, Pueblo of Nambe; Matt Esquibel, Santa Fe County Office Manager-CYFD

- Closing Remarks & Prayer  
Michael Chavarria, Governor Santa Clara Pueblo  
Donalyn Sarracino, Director of Tribal Affairs, CYFD-OTS

- Pueblo of Pojoaque Youth Hoop Dancers

- Film Screening sponsored by Coalition to Stop Violence Against Native Women  
*Dawn Land*: “For most of the 20<sup>th</sup> century, government agents systematically forced Native American children from their homes and placed them with white families. As recently as the 1970’s, one in four Native children nationwide were living in non-Native foster care, adoptive homes, or boarding schools. Many children experienced devastating emotional and physical harm by adults who mistreated them and tried to erase their cultural identity.”

**Indian Child Welfare Court** – CYFD has worked collaboratively with the Administrative Office of the Courts, the 2<sup>nd</sup> Judicial District Courts, the NM Tribal Indian Child Welfare Consortium, the Navajo Nation, and Casey Family Programs Indian Child Welfare Program to develop a dedicated Indian Child Welfare Specialty Court. This is a project many years in the

making. The hope for an ICWA court was first formalized in the May 2018 New Mexico Partners Strategic Plan. The Children’s Court in Bernalillo County handles the highest volume of abuse and neglect cases statewide, and due to the high population of urban Native American children and families in Albuquerque, this Court also handles the most ICWA cases. The Second Judicial District ICWA Specialty Court began taking ICWA cases in January 2020 and has set the bar for how CYFD, attorneys, community providers, and the Court will work with Indian children, their families and their Nations, Pueblos and Tribes.

The Judges of the Children’s Court are committed to ensuring that the federal and state protections for Indian families are being followed and that services for the children and their families are being provided with cultural competence. The ICWA Specialty Court will be two-fold: first, rigorously adhering to a legal approach that documents every decision based on the federal requirements of ICWA and the requirements of our state’s Children’s Code. This includes:

- Issuing orders to set the stage for compliance and entering orders that demonstrate the Court has addressed the legal requirements;
- Implementing a process whereby the Court can be alerted to the responses from tribes in a uniform manner, setting the stage for motions practice and orders that capture all parties’ compliance with the law;
- Reviewing placements of Indian children while a case is pending; and
- Collecting data on outcomes for Indian children, to improve practice.

The ICWA Specialty Court will also focus on the needs of the family. This includes:

- Ensuring active efforts are being used to assist the family overcome the concerns that brought the child into legal custody;
- Ensuring ICWA placement preferences are followed and assessing whether good cause exists to deviate from those preferences where appropriate; and
- Making sure culturally appropriate or responsive services are made available to parents and children.

Children’s Court Judge Catherine Begaye presides over cases referred to the ICWA Specialty Court. While all of the Judges here at the Second Judicial District will continue all efforts to ensure full compliance with ICWA, families eligible for the ICWA Specialty Court will have a team consisting of service providers, social workers, attorneys, and ideally tribal representatives dedicated to improving outcomes with the Court providing regular judicial oversight. Since its inception (January 2020), for cases being heard in the ICWA Court:

- 77% of Native children in custody were placed with relatives; CYFD’s statewide relative placement rate is approximately 37%.
- 69% of cases resulted in dismissals to the parent/guardian/custodian; CYFD’s statewide reunification rate is approximately 43% (entry cohort children entering care in 2019).
- Native children were in care for approximately of 217 days (approximately 7 months); statewide, the median time a child is in CYFD custody is 570 days (approximately 19 months).



The Administrative Office of the Courts, NM Partners, the ICWA Court in Bernalillo County and the Office of Tribal Affairs have also begun discussions and the exploration of expanding into another Judicial District in the state.

### **CYFD Protective Services Division Accomplishments & Initiatives**

No information provided by PSD.

### **CYFD Behavioral Health Services Accomplishments & Initiatives**

As noted above, CYFD is the behavioral health authority for all children in New Mexico. Its Behavioral Health Services (BHS) division funds non-Medicaid, publicly funded children’s behavioral health services for Native American youth who meet eligibility criteria. For the period from July 1, 2021—June 30, 2022, BHS directly or indirectly worked with New Mexico Tribes, Nations, or Pueblos and/or Native American citizens through the following efforts:

- **Community Behavioral Health Clinicians:** CBHCs consult, team and advocate internally and externally for the target population children and youth in PS and JJS, to include eligible Native American children and youth. CBHCs also partner with the CYFD Office of Tribal Affairs to engage in additional consultation about the specific needs of the youth and families.
- **Licensing and Certification Authority (LCA)** - The LCA certifies six children’s Medicaid behavioral health services and performs statewide facility licensing surveys: 1) Accredited Residential Treatment Services; 2) Behavioral Management Services; 3) Day

Treatment Services; 4) Non-Accredited Residential Treatment Services; 5) Group Home Services; and 6) Treatment Foster Care. LCA collaborates with Tribes, Nations or Pueblos and/or Native American citizens. LCA monitors regulatory compliance of two residential treatment services located on tribal land. These facilities serve tribal youth and implement culturally responsive services. LCA also monitors facilities close to tribal lands that serve an array of children and youth, including tribal youth. LCA partners with CYFD Director of Tribal Affairs to address health, safety, supervision, treatment, quality of care and regulatory compliance concerns which may impact tribal clients. LCA also supports communication and collaboration between tribal, state, and federal partners.

- Programs funded by CYFD BHS:
  - **Domestic Violence** – The rates of domestic violence are significantly higher for Native American populations nationally and in New Mexico. In 2010 approximately 50% of Native American women and 43.0% of American Indian men experienced domestic violence, which is more than twice the national average (Black, et al., 2011). The New Mexico Central Data Repository notes that identification as a Native American is correlated with higher rates of injury (Caponera, 2019). The New Mexico Intimate Partner Death Review Team notes that there is a need for increased collaboration between tribally affiliated people and many agencies, including CYFD (New Mexico Intimate Partner Violence Death Review Team, 2019). Both the State Implementation Plan and annual incidence report note the need for culturally appropriate services for survivors with tribal affiliations (Caponera, 2019; New Mexico Crime Victims Reparations Commission, 2017).

Of the 10,857 survivors and their dependents who were served by CYFD-funded domestic violence service providers in SFY22, 12.6% (1,421) identified themselves as American Indian or Alaska Native. Of the 1,699 people in offender treatment programs, 21.7% (368) identified themselves as American Indian or Alaska Native. CYFD funds the Coalition to Stop Violence Against Native Women (CSVANW) to provide training and technical assistance to all service providers in the State, with a focus on tribal programs, including those that serve tribal survivors and those that serve tribal perpetrators. In SFY22, the CSVANW provided 151 hours of training and 66 hours of technical assistance with a total of 10,765 person-hours of training and technical assistance delivered. These included 40-hour advocate training, reflective supervision training for leaders in tribal domestic violence programs, a gathering of advocates in the eight northern pueblos, discrimination and harassment prevention training, a tribal leaders summit focused on domestic violence, a summit of tribal providers of offender treatment programs named, “Building a Decolonized and Restorative Approach for Persons Causing Harm,” and individual work with domestic violence programs. CYFD BHS manages an allocation of funds for Inner Guidance (aka Attachment Healing Center). This is a community-based behavioral health service that supports the development of positive, nurturing, and safe relationships between children/youth and their caregiver(s). In SFY 21, Attachment Healing

Center served 5 children, youth and families who identified as Native American. Dr. Coleman of Attachment Health Center has worked with San Felipe and Isleta Pueblos to let them know about her attachment work and the model she uses to restore functioning to the family unit.

- **Infant Mental Health:** Socorro General Hospital Community Based Program's Parent Infant Psychotherapy (PIP) services are available to members of the Alamo Navajo Indian Reservation. Additionally, Avenues Early Childhood Services' PIP services are available to members of the Navajo Nation in Gallup. IMH CPP has reached out to the tribal community and has contracted with two agencies, Eight Northern Indian Pueblos Council and San Felipe Pueblo. Through Eight Northern Indian Pueblos Council, services are available to members of Nambe, Ohkay Owingeh, Picuris, Pojoaque, San Ildefonso, Santa Clara, Taos and Tesuque Native American Tribes and Pueblos.
- **Crisis Shelters:** BHS provides facility- and community-based crisis shelter care on a twenty-four (24) hour a day basis, including on-site supervision, by qualified staff in a safe and stable environment to children and adolescents up to eighteen (18) years of age. Childhaven is a 32-bed shelter located in Farmington, NM, which is geographically situated near Navajo Nation and serves children and youth who are primarily Native American and specifically either members of Navajo Nation or closely related to members. In SFY22, BHS served 79 Native American children and youth in shelter care.
- **Activity Therapy:** BHS contracts with the Santa Fe Mountain Center (SFMC) to provide Activity Therapy services statewide. Activity Therapy services build social competencies, positive values and positive identity development to increase resiliency of youth and prevent and reduce or ameliorate the symptoms of a diagnosed substance abuse or mental health disorder. The Therapeutic Adventure Program uses a strength-based, positive youth development approach to provide intervention and prevention services to at-risk youth. SFMC specifically has served San Ildefonso, Nambe, Tesuque and Zia Pueblos.
- **Transitions Supportive Housing Program:** The Transitions Supportive Housing program in Bernalillo County provides twenty supportive housing vouchers to young adults with mental health diagnoses. This program is grounded in a Housing First model and coordinates other supports in addition to housing on an as-needed basis. In SFY22, this program served four Native American transition age youth. All Native American youth who meet eligibility requirements are eligible for this program.
- **Forensic Evaluations:** BHS oversees contracts for Juvenile Forensic Evaluations. Such evaluations are appropriate for juveniles where there is an issue of the youth's competency, or for any other juvenile where there is concern regarding mental illness, diminished cognitive abilities or severe learning

disabilities that may adversely affect the youth's comprehension of their legal situation. Native American youth receive Forensic Evaluations when needed.

- **Youth Support Services (YSS) and Youth Peer Support Services** - YSS wellness for eligible New Mexico youth to help steer a course towards a healthy adulthood, free of substance disorders or unrecognized and untreated mental health disorders. A New Day in Bernalillo County served youth from the Santa Ana Pueblo. YSS served Native American young people in one tribally managed facility: the Eight Northern Pueblos - Butterfly Healing Center in Taos, New Mexico. Butterfly Healing is a children's residential treatment facility that accepts youth from all tribes. The majority of shelter residents (68%) are Native American, and 17 out of 47 youth who received YSS services through this program were Native American. As the federal grants supporting YSS ended in SFY22, BHS is transitioning from the YSS program to Youth Peer Support Services (YPSS) as a comparable and sustainable service in SFY23. YPSS employs young people who have successfully navigated systems as Youth Peer Support Specialists. The BHS Service Array Manager and Statewide Youth Coordinators are providing the programmatic oversight to the transition of YSS providers to YPSS when the provider has chosen to do so. CYFD BHS continues to collaborate Youth Peer Support Services with providers throughout New Mexico. New Day Youth & Family Services and Desert View Family Counseling Services (DVFCS) are two co-pilot sites. DVFCS has one Native American participant who attended a Youth Peer Training.
- **Youth MOVE NM** - Youth Motivating Others through Voices of Experience New Mexico (MOVE NM) is a statewide advocacy group for youth with lived experience navigating the children's behavioral health system. Youth MOVE NM is an all-inclusive group and has increased to six (6) members who are dedicated to meet weekly and striving to build Youth MOVE NM chapters. Youth Advisory Boards (YAB) have been established at Desert View in San Juan County, La Casa in Chaves County, All Faiths in Valencia County, and UNM in Sandoval County.
- **Family Peer Support Services (FPSS)** - Family Peer Support Workers (FPSWs) providing FPSS are primary caregivers who have lived-experience of being actively involved in raising a child or youth who experiences emotional, behavioral, mental health and/or substance use challenges. BHS has trained individuals from the Acoma, Santo Domingo, and San Felipe Pueblos to be FPSWs. The CYFD BHS Family Engagement Lead has presented FPSS to representatives of Taos, Jemez, Eight Northern Indian Pueblo Council, Acoma, Nambe, and San Ildefonso communities.
- **High-Fidelity Wraparound:** New Mexico's High-Fidelity Wraparound (HFW) model is a youth and family-driven process that is driven by the needs that cause concerning behavior. HFW is rooted in the principles of team-based elements and values such as holistic approach, collaboration, and cultural and linguistic humility. HFW utilizes the strengths of a child and family as well as their supports to create

an individualized plan. CYFD BHS and HFW providers in McKinley, San Juan and Sandoval Counties have reached out to tribal communities to introduce them to HFW. In SFY22, nineteen (19) children or youth who identified as Native American were enrolled in HFW.

- **Healthy Transitions Expansion Program (HTEP) Grant:** BHS was awarded a federal grant in March 2019 that serves youth in transition (ages 16-25) with a Serious Emotional Disturbance (SED) or Serious Mental Illness (SMI), by providing HFW, trauma-responsive care, and FPSS. This five-year grant includes services for Native American youth in San Juan and Bernalillo Counties. Tribal partners are invited and participate in local Governance Meetings in San Juan County.

**BHS Open Fund Pool:** The BHS Open Fund Pool is intended for children and youth who are not covered by Medicaid, do not have commercial insurance, or do not have any other sources of funding.



## CYFD Juvenile Justice Services Accomplishments & Initiatives

CYFD's JJS provides notification to the Nations, Pueblos and Tribes for certain proceedings relating to juvenile justice system involved Tribal children/youth. The Nations, Pueblos and tribes shall be notified of a juvenile justice proceeding by certified mail. All Juvenile Probation and Parole field staff are required to complete training on the Indian Child Welfare Act (ICWA) to ensure compliance with federal and state law.

Juvenile probation and parole services will be provided by the Department, who will also carry out the objectives and provisions of the Delinquency Act. The Department has the power to:

- Receive and examine complaints and allegations
- Make case referrals for services that are appropriate or desirable
- Make predisposition studies/assessments and submit reports/recommendations to the court
- Supervise and assist child placed on probation, supervised release or under supervision
- Notify individual(s) who had been the subject of a filed delinquency petition of the opportunity to seal an individual's records



- Informally dispose of up to 3 misdemeanor charges brought against child w/in 2 years
- Notify CCAs of felony complaints and recommend adjustment to felony complaints
- Identify an Indian child and contact the Indian nation, tribe or pueblo of delinquent case
- Contact an Indian child's tribe to collaborate, share information and make appropriate referrals for services.

Juvenile probation officers are required to proceed in accordance with the provisions of the Delinquency Act regarding custody and detention procedures and criteria for all youth in New Mexico, including tribal youth.

Juvenile probation officers are now required to notify the tribes when a youth enters the delinquency system. The notification is now required to be made upon the filing of the petition and must be sent by certified mail. More importantly, the tribal notification law was changed so that upon the receipt of a delinquent referral, juvenile probation is required to contact the tribe to exchange information and collaborate on the most appropriate services for Native youth. In addition, JJS Field Services staff trace race equity data and provide staff with trainings to ensure they remain culturally aware and provide access to services which are culturally responsive for their clients. Research indicates that Native youth who engage in culturally appropriate services have better outcomes than those that do not. To implement the notification law, Juvenile Justice Services has established a work group of stakeholders to write a juvenile probation notification procedure. This workgroup is made up of tribal judges, probation officers, representatives of the Navajo Nation, as well as state judicial partners. The goal is to establish a procedure that will result in consistent communication with the tribes and nations in order to support better outcomes for Native youth.

### **Secure Facilities**

For well over a decade, CYFD JJS, has been involved in a progression of reform efforts that have helped us mature from a correctional/punitive system to a rehabilitative one which encompasses a continuum of services to address the needs of the individual client. 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, instead of focusing on a therapeutic approach.

At the time of a young person's commitment, our Multi-Disciplinary Teams 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 which 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 our youth are receiving the highest quality services and care. Major initiative include:

- Robust programming and services for clients, including health care, behavioral health therapy, education and vocational training, paid work programs and internships, culturally sensitive programs, religious services, equine therapy, dog training, artistic expression outlets, life skills training, mentorship, NMAA athletics, and other physical recreation and movement;
- Smaller, safer nurturing living units (therapeutic communities/milieus);
- Client-centric unit management;
- Individualized treatment plans based on strengths, needs, and goals; and
- Employee training which includes trauma informed care, verbal de-escalation, Prison Rape Elimination Act (PREA), security protocols, abuse/neglect reporting, grievance reporting, and group management skills.

### **III. Key Names and Contact Information**

#### **New Mexico Children, Youth & Families Department**

1120 Paseo De Peralta  
P.O. Drawer 5160  
Santa Fe, NM 87502-5160

#### **Office of the Secretary**

Barbara J. Vigil, Cabinet Secretary (505) 827-7602  
Beth Gillia, Deputy Secretary (505) 827-7602  
Lisa Fitting, Deputy Secretary (505) 827-7602  
Alisa Lauer, Deputy General Counsel (505) 827-7602  
Amanda Romero, Inspector General (505) 827-7630  
Kaitlyn Eichers, Constituent Affairs Manager (505) 827-7606  
Rob Johnson, Public Information Officer (505)479-0145  
Charlie More-Pabst, Deputy Public Information Officer (505) 827-7602  
Donalyn Sarracino, Director of Office of Tribal Affairs (505) 570-7930  
Eli Fresquez, Director of Office of Children’s Rights (505) 629-9626

#### **Statewide Central Intake (SCI) to report**

Child Abuse/Neglect 24/7 Hotline 1-855-333-7233  
#SAFE from a mobile phone

#### **Foster Care and Adoptions Hotline**

1-800-432-2075

#### **Child Protective Services**

Emily Martin, Director (505) 827-8400  
Valerie Sandoval, Administrative Deputy Director (505) 827-8445  
Program Deputy Director, Vacant  
Farra Fong, Fostering Connections Deputy Director (505)484-8412  
Natividad Posada, Field Deputy Director (Metro Region) (505)659-5899  
Annamarie Luna, Field Deputy Director (NW & NE Regions) (505)412-8849  
Cecilia Rosales, Field Deputy Director (SW & SE Regions) (575)635-5793

Mary McQueeney, Chief Children's Court Attorney (575) 827-8400  
Leticia Salinas, Regional Office Manager Statewide Central Intake/Receiving Center (505)570-7883  
Anthony Beltran, Placement & Adoption Resources Bureau Chief (505) 695-4593  
John Trent, Children & Fam. Support Services Bureau Chief (505) 412-9915  
Milissa Soto, Federal Reporting Bureau Chief (505) 841-7950  
Megan Velasquez, Director of Immigration Affairs (505) 827-8400

**Behavioral Health Division**

Danielle Cossett, Director (505) 827-7625  
Elizabeth Hamilton, Deputy Director (505) 827-7625  
Kristin Jones, Deputy Director (505) 827-7665  
Harlena Reed, Deputy Director, Licensing & Certification (505) 235-5633

**Juvenile Justice Facilities**

Tamara Marcantel, Deputy Director, Facilities (505) 841-6697  
Corey Adams, Deputy Director, Field Services (505) 288-1659  
Carlos Padilla, Administrative Deputy Director, (505) 827-4865  
Dr. Ralph Espinoza, Deputy Director Behavioral Health for Facilities (505) 977-4865  
Janet Berry-Beltz, Health Services Director for Facilities (505) 841-2416