

STATE—TRIBAL COLLABORATION ACT 2020 AGENCY REPORT

New Mexico Children, Youth and Families Department



Children Youth & Families Department

At CYFD it is our mission to improve the quality of life for our children. We strive to do so in a kind, respectful and responsive manner. Let us know how we are doing.

Table of Contents

I. 2020 CYFD Overview	3
CYFD’s Mission and Vision	3
Vision.....	3
Mission.....	3
Protective Services Division (PSD)	3
PSD Vision:	3
PSD Mission:.....	3
Juvenile Justice Services Division (JJS)	3
Secure Facilities.....	4
Field Services—Juvenile Probation Officers.....	4
Juvenile Reintegration Centers	4
Early Childhood Services (ECS).....	4
Behavioral Health Services (BHS).....	5
Other Program Supports.....	5
II. CYFD Tribal Affairs Division	5
III. 2020 CYFD Accomplishments.....	7
Protective Services Division—NM Partners	7
Indian Child Welfare Initiatives.....	7
Tribes and Pueblos.....	8
Indian Child Welfare Court	10
Relative Kinship Care	11
Tribal Customary Adoption	12
IV. CYFD Behavioral Health Services—2020 Response to the NM State Tribal Collaboration Act of 2009	12
V. Juvenile Justice Services Initiatives.....	15
VI. COVID-19 Pandemic Response.....	17
VII. Key Names and Contact Information.....	178



I. 2020 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), Early Childhood Services (ECS), Behavioral Health Services (BHS), and program support through the Administrative Services Division (ASD) and the Information Technology Division (ITD).

CYFD's Mission and Vision

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.

Mission

CYFD's vision is 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, in accordance with New Mexico Children's Code, to receive and investigate reports of children in need of protection from abuse and/or neglect by their 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 child protective and other welfare services throughout New Mexico. Administration of the child welfare program is centralized, with services provided through 29 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) houses all juvenile justice functions, from arrest or other referrals, to release from court-ordered supervision or custody, are unified in a single governance structure that includes: secure facilities, reintegration centers, releasing authority, probation/supervised release, the Juvenile Justice Advisory Committee, Community Corrections, and Transition Services.

Secure Facilities

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 supervise 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.

Early Childhood Services (ECS)

Early Childhood Services (ECS) focuses on programs and services for infants, pre-schoolers and children up to age 12 through services such as PreK, quality child care, family nutrition, home visiting and other early childhood development programming. This program area is focused on increasing the availability of high quality, accessible and affordable early care and education services. Please note: Early Childhood Services moved to the new State Early Childhood Education & Care Department on July 1, 2020.

The ECS strategic goals include:

- Improve the quality of child care services statewide;
- Increase the number of children accessing the Child and Adult Care Food Program (CACFP) in child care homes statewide;

- Increase statewide access to PreK programs, enroll new children and build community capacity, Provide developmentally appropriate activities, focus on school readiness, and expand early childhood community capacity;
- Increase the number of home visits statewide; and
- Promote the social and emotional well-being of infants, toddlers and their families through early identification of capacities as well as possible risks.

The ECS key initiatives include:

- Increasing the number of home visiting sites;
- Enhancing the professional development of early childhood providers across the state
- Expand the number and the availability of PreK sites;
- Continuing to raise the quality level and increase availability of child care programs statewide; and
- Increasing access of CACFP to after-school programs.

Behavioral Health Services (BHS)

Behavioral Health Services (BHS), in collaboration with Protective Services, Juvenile Justice Services and Early Childhood Services, is committed to the provision of quality behavioral health services and supports which are trauma informed, evidence-based, culturally competent, and youth and family driven to meet the needs of the Children, Youth and Families Department. Behavioral Health Division includes: Peer Support, Infant Mental Health, the Adolescent Substance Use Reduction Effort Team, the Licensing and Certification Authority, Wraparound, and Community Behavioral Health.

Other Program Supports

Other program supports include the **Administrative Services Division (ASD)** and the **Information Technology Division (ITD)**. ASD and ITD support CYFD in the areas of budget and finance, employee support services, and information technology.

Major initiatives include:

- Enhancing IT systems and resources to keep up with the Department innovations, such as Cambiar New Mexico, and to meet the increased number of mandates for reporting and accountability in all program areas;
- Intensifying recruitment efforts to secure the most qualified and most committed, career-oriented workforce to fill vacancies;
- Improving retention through employee recognition and other activities to support our workforce;
- Ensuring the best, most efficient, and coordinated use of limited Department resources, including the Departments employees, vehicles, equipment, and physical facilities.

II. CYFD Tribal Affairs Division

CYFD Tribal Affairs is housed within the Office of the Secretary, and 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 Collaboration, Communication and Consultation Policy. The Tribal Affairs Division actively participates in

Department policy and legislative matters which impact NM Tribal governments and off-reservation American Indian/Alaska Native (AI/AN) people.

The position of CYFD Native American Liaison was filled in October 2019 by Ms. Donalyn Sarracino. As the Native American Liaison Program has evolved into Tribal Affairs, Ms. Sarracino's title has also evolved to the Director of Tribal Affairs.

The work of the Tribal Affairs Division involves the following key elements:

- Work collaboratively with the New Mexico tribes, pueblos and nations, including off-reservation Native American populations, to identify barriers to service delivery and act as a conduit for the major issues and concerns expressed by the tribes, nations and pueblos. Through the Tribal Affairs program, CYFD works with tribes and off-reservation entities to develop services which are responsive to the needs of tribal members.
- Serve as the Director of Tribal Affairs for CYFD's office of the Secretary and represent the OTS at state, regional and national meetings on issues that impact State-Tribal relations. Serve as the Department contact for policy issues concerning the Indian Child Welfare Act (ICWA) of 1978.
- Assist 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. Develop 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.
- Work to ensure CYFD compliance with the State Tribal Collaboration Act.
- Work to ensure CYFD compliance with Native American provisions in the New Mexico Children's Code.
- Work 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.
- Advise CYFD on pending legislation affecting Native American children and families; and provide guidance on program implementation of any enacted legislation.



III. 2020 CYFD Accomplishments

CYFD continues to prioritize our commitment to the State-Tribal Collaboration Act, and to improving ICWA practice. Great strides have been made in re-building and securing our government-to-government relationships with the tribes and pueblos of New Mexico.

Protective Services Division—NM Partners

CYFD leadership has 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, 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."*

The NM Partners conducted a strategic planning session in May of 2018 and devised five goals:

1. ICWA specialized court and unit are the gold standard of legal and social work in NM.
2. Quality, relevant data of Native American children is standardized and consistently collected and used to support meaningful practice, decision-making, and resource allocation.
3. Every level of leadership recognizes the value of collaboration to build trust and transparency to support better outcomes for kids.
4. Consistent, culturally-informed and safety-focused practices are NM's (ICWA) gold standard in legal and social work.
5. Cross-agency training is built through consensus engagement and comprehensively builds on ICWA skills, knowledge, and attitudes to support best practices.

The NM Partners is currently in the process of developing a new strategic plan to guide Indian Child Welfare work in NM for the next two (2) years.

Indian Child Welfare Initiatives

In fiscal year 2020, CYFD created a Tribal Affairs Division to include the expansion of the role of the Tribal Liaison to Director of Tribal Affairs and the addition of Tribal Coordinators within the BHS, JJS and PS divisions. This new division specializes in addressing needs of tribal families, identifying culturally relevant services, developing intergovernmental agreements, providing technical assistance to the tribes, and providing consultation and training for CYFD staff in their interactions with tribal children, youth and families, the use of cultural compacts, and cultural considerations.

The Tribal Affairs Division is conducting a compliance review of all ICWA cases and developing procedures to ensure preferred placement while also having out-of-preferred-placement reviews every 3- days until a child is in a preferred placement. CYFD has revitalized prioritization of culturally appropriate placements, as well. In FY20, CYFD saw a 13% increase in placement of Native American children in custody with relatives.

New Mexico has the second highest population per capita of Tribal individuals in the country, and CYFD has worked in collaboration with the Tribes and the courts to create an ICWA court. In FY20, CYFD and the Second Judicial also developed the state's first ICWA Court and CYFD simultaneously created a dedicated ICWA Unit to develop internal expertise on ICWA matters and to be more responsive to the needs of New Mexico's 23 tribes and pueblos. The ICWA Court and ICWA Unit has a dedicated hearing officer, District Court Judge, Children's Court Attorney, and Permanency Planning Unit. The Unit kicked off its creation at the ICWA Court Launch in October 2019. There are 117 ICWA children in Bernalillo County alone. Out of the 117 children on this list, 33 are currently not placed with relatives. The ICWA unit will also start working directly with Tribal ICWA workers to collaborate on the recruitment and retention of Native resource families.

OTS-Tribal Affairs, General Counsel, Protective Services and Juvenile Justice Services are providing 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 also allow tribes to be able 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.



Tribes and Pueblos

PSD works collaboratively with the 23 Tribes and Pueblos located in New Mexico, as well as with those Tribes whose members come into the care of the agency. Collaboration is provided through a range of standing meetings and the formal structures led by the CYFD Director of Tribal Affairs.

Tribal input on this report was obtained through stakeholder meetings held in April and May 2020. Below is a list of tribal partners invited to the stakeholder meetings:

<u>Tribe or Pueblo</u>	<u>Representative</u>
Pueblo of Acoma	Governor Brian D. Vallo; Chief Judge Randy Collins
Pueblo of Cochiti	Governor Charles Naranjo; Tanya Devon Torres
Pueblo of Isleta	Governor Max Zuni; Caroline Dailey; Jacqueline Yalch
Pueblo of Jemez	Governor David Toledo; Hennesa A. Gachupin
Pueblo of Laguna	Governor Wilfred Herrera, Jr.; Kristina MacKoelyn
Pueblo of Nambe	Governor Phillip A. Perez; Julie Bird
Ohkay Owingeh	Governor Ron Lovato; Rochelle Thompson
Pueblo of Picuris	Governor Craig Quanchello; Deborah Shemayne
Pueblo of Pojoaque	Governor Joseph M. Talachy; Elizabeth Duran
Pueblo of San Felipe	Governor Anthony Ortiz; Darlene J. Valencia
Pueblo of San Ildefonso	Governor Perry Martinez; Dolly Narang
Pueblo of Sandia	Governor Stuart Paisano
Pueblo of Santa Ana	Governor Lawrence Montoya; Linda Pena
Pueblo of Santa Clara	Governor J. Michael Chavarria; Terrie Chavarria
Pueblo of Santo Domingo	Governor Thomas Moquino, Jr.; Virginia Tenorio
Pueblo of Taos	Governor Edwin Concha; Maria Elena Chacon
Pueblo of Tesuque	Governor Robert Mora, Sr.; Donna Quintana
Pueblo of Ysleta del Sur	Governor E. Michael Silvas; Tricia Boodhoo; Leah Lopez
Pueblo of Zia	Governor Frederick Medina; David Montoya; Kristin Lucero
Pueblo of Zuni	Governor Val R. Panteah, Sr.; Ron Reid
Jicarilla Apache Nation	President Darrell Paiz; Lonna Valdez; Gina Keeswood
Mescalero Apache Tribe	President Gabe Aguilar; Agusta Williams
Navajo Nation	President Jonathan Nez; Dehanna Neswood-Gishy; Crescentia Tso; Regina Yazzie
All Pueblo Council of Governors	Chairman J. Michael Chavarria (Santa Clara Pueblo); Vice Chair Wilfred Herrera, Jr. (Laguna Pueblo); and Secretary David Toledo (Jemez Pueblo)
Five Sandoval Indian Pueblos	Executive Director Joshua Madalena
Eight Northern Indian Pueblos Council	Executive Director Gil L. Vigil
Ramah Navajo	President David Jose; Loretta Martinez

The Acting Field Deputy Director, Mrs. Cynthia Chavers, is designated to be the Tribal Liaison for Protective Services. In this role, Mrs. Chavers represents CYFD-PS, along with Ms. Donalyn Sarracino, Director of Tribal Affairs participate in several workgroups and consortiums, including the NM Tribal Indian Child Welfare Consortium (NMTIC), the Tribal-State Judicial Consortium, and the NM Partners group facilitated by Casey Family Programs. In addition, Mrs. Chavers and Ms. Sarracino also serve as consultants to PSD field staff on ICWA cases and to the Professional Development Bureau on training needs of the agency.

CYFD Tribal Affairs works with these groups to address concerns of the tribes; to increase the communication and collaboration between the state child welfare agency and the tribes; to ensure that best practices are widely known and accepted by field staff; to consult on cases when tribes

request assistance in working with PSD field staff; to provide training, education, and resources to CYFD's tribal partners; to help identify culturally appropriate interventions; and to continue to advocate for ICWA to be considered the "gold standard" in child welfare practice in New Mexico.

Indian Child Welfare Court

CYFD has worked collaboratively with the Administrative Office of the Courts, the 2nd Judicial District Courts, the NM Tribal ICWA Consortium, the Navajo Nation, and Casey Family Foundation Indian Child Welfare Program to develop a dedicated Indian Child Welfare Special 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 will set the bar for how CYFD, attorneys, community providers, and the Court will work with Indian children, their families and their 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.

The ICWA Court Leadership Committee is also working to create policy and procedure to allow ease of tribal participation, available forms for intervention, in addition, including traditional problem-solving options from tribes as part of the specialty court. Thus far, the Second Judicial District Court has made numerous changes to its processes since January 2020, including a number of forms and frequency of hearings to ensure compliance.

Under the leadership of Special Master Catherine Begaye, the Court conducted an audit of all identified potential ICWA cases. The information for the audit came from CYFD and the Court's own records both locally and statewide. It was clear from the initial audit, a disproportionate number of Indian children are involved in the child welfare system in Bernalillo County, the Department must do better to give children, their families, and the tribe, better outcomes. Bernalillo County will join six other sites from around the Nation in creating a specialized court and court process for Native American families. There are currently ICWA courts in: Billings, Montana; Denver, Colorado; Adams County, Colorado; Los Angeles, California; Yellowstone, Wyoming; and Duluth, Minnesota. CYFD is in communication and receiving technical assistance from several of these courts, especially from Adams County, Colorado.

The ICWA Court Leadership Committee is co-chaired by Judge Marie Ward, Presiding Children's Court Judge in the 2nd Judicial District and Judge T. David Eisenberg of Taos Pueblo. Special Master Catherine Begaye is integral to the new ICWA Specialty Court and is Chair of a work-group on court processes. Importantly, Special Master Begaye will preside over cases that are 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.



Relative Kinship Care

In the spirit of the ICWA, CYFD has a renewed commitment to placing children with relatives and kin to the child. A new position has been created to focus on increasing kinship placements, the Kinship Specialist. The Kinship Specialist will be working with the Policy and Procedure Unit to analyze and make improvements to the current foster care licensing process, to ensure that procedures are not making the process overly cumbersome to be licensed to provide care to their relative in child in foster care. The Kinship Specialist will advise on recruitment and retention of relative foster parents, and will work towards our goal of increasing kinship care placements by 40%.

CYFD procedures define that the State defers to the tribe for tribal definitions of family to a child. A “relative” to a child is defined by the federal government as someone related within the 5th degree of consanguinity, adoption, or marriage. CYFD has received continuous feedback from tribes and pueblos that this strict definition of “relative” does not match tribal practices, which includes clan relationships. Therefore, the practice in NM is to honor the tribal definition of a relative to a child.

Tribal Customary Adoption: House Memorial 51

Sponsors – Representative D. Wonda Johnson (D) and Representative Georgene Louis (D)
Passed 53 – 0 vote on March 3, 2019

The Indian Child Welfare Act of 1978 was established in response to the removal of Native American children from their families. Historically, federal and state policies that are founded on a western concept of “family” will not work in tribal communities. Congress has recognized that Indian nations, tribes and pueblos are a self-governing entity with their own judicial structure, language and unique customs and traditions. Through customary practices and traditions, Indian nations, tribes and pueblos protect the best interest of Native American children based on the ability to provide stability and needs of children through extended family relationships. The welfare of Native American children is a concern for the entire tribal community. Tribal customs and traditions have adapted tribal laws or codes similar to federal and state policies that include relinquishment or termination of parental rights and adoption for children who cannot be returned to their families.

CYFD has historically had a difficult time finding Native American adoptive families for Native children, which means that many times these children are placed in non-Native adoptive households. Indian nations, tribes and pueblos follow a tribal customary adoption, which allows the tribe to consider transferring custody of Native children to the care and protection of adoptive parents but does not terminate the rights of birth parents. CYFD will now be providing an alternative to placement by allowing a tribal customary adoption under the federal Indian Child Welfare Act of 1978.

In collaboration with New Mexico’s Indian nations, tribes and pueblos, CYFD is to develop a tribal customary adoption plan, policies and procedures and to make legislative recommendations for the implementation of tribal customary adoption in state courts. The plan, policies and procedures have to be presented to the interim legislative committee dealing with Indian affairs by November 1, 2020.

IV. CYFD Behavioral Health Services—2020 Response to the NM State Tribal Collaboration Act of 2009

CYFD—Behavioral Health Services (BHS), in collaboration with Protective Services, Juvenile Justice Services, is committed to the provision of quality behavioral health services and supports which are trauma informed, evidence-based, culturally humble, linguistically responsive, and youth and family driven that meets the needs of New Mexico’s children, youth and families. Services are available for Native American youth who meet eligibility criteria. For the period

from July 1, 2019—June 30, 2020, BHS directly or indirectly worked with New Mexico Tribes, Nations or Pueblos and/or Native American citizens through the following efforts:

- **BHS Fee Schedule**—BHS Claims 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. In SFY20, approximately 151 Native American children and youth accessed these funds.
- **NM Wraparound CARES**—Wraparound is a youth and family-driven, solution-focused process of intensive care coordination. It utilizes the strengths of a child and family as well as their supports to create an individualized plan. This plan is designed to meet the family’s needs and reach their desired outcomes. In SFY20, seven Native American children and youth were enrolled in Wraparound.
- **Healthy Transitions Expansion Grant**—BHS was awarded a SAMHSA 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 High Fidelity Wraparound Services, Trauma-Informed Care, and Peer and Family Support Services. This five year grant includes services for Native American Youth in in San Juan and Bernalillo Counties. In SFY20, Desert View Family Counseling Services in San Juan County has reached out to Navajo Nation. In SFY21, this provider will expand its Wraparound program to McKinley County. CYFD’s Director of Tribal Affairs has been a continued participate in the HTEP statewide governance team meetings.
- **Youth Support Services (YSS)** - Youth Support Services (YSS) promotes 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. YSS provides experiential and developmental supports intended to replace or enhance natural support deficits and results in the acquisition of skills and capabilities to aid the individual in living a satisfying life. A New Day in Bernalillo County serves youth from the Santa Ana Pueblo. Butterfly Healing Center is a residential treatment center within the jurisdiction of the Eight Northern Indian Pueblos healthcare system, situated on Taos Pueblo. The YSS coach who works with youth from this facility travels throughout the state, providing YSS services to youth in any tribal community. In SFY20, 149 Native American youth were served by YSS coaches.
- **Infant Mental Health:** Socorro Parent Infant Psychotherapy (PIP) services provision are delivered in the Alamo Reservation and the majority of the Gallup PIP services are provided to Navajo families. Infant Mental Health Services served four Native American children in SFY20.
- **Community Behavioral Health Clinicians (CBHCs)** consult, assess, coordinate, 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 ask youth about their cultural connections, and there is an emphasis on supporting them to further their cultural connections. In SFY20 CBHCs served approximately 173 Native American youth involved with CYFD Juvenile Justice Services.
- **Licensing and Certification Authority (LCA)** - LCA certifies six child/youth Medicaid behavioral health services in the areas of:
 - Accredited Residential Treatment Services (ARTC)
 - Behavioral Management Services (BMS)
 - Day Treatment Services (DTS)
 - Non-Accredited Residential Treatment Services (RTC)

- Group Home Services (GHS); Treatment Foster Care (TFC)
- LCA performs statewide facility licensing surveys of all Children’s Crisis Shelters, New or Innovative Programs, Multi Service Homes, Group Homes, RTCs and ARTCs operating in NM and collaborates with Tribes, Nations or Pueblos and/or Native American citizens. LCA partners with the Building Bridges Initiative (BBI) and BBI Leaders of Color to support cultural awareness and implementation of individualized behavioral health services.
- **Crisis Shelters** – BHS provides facility- and community-based 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. During both SFY19 and SFY20 a subgroup of youth utilizing shelters have been identified as being frequently moved between shelter placements, and Native American youth were identified as being disproportionately represented in this group. BHS has been working closely with CYFD Community Behavioral Health Clinicians (CBHCs) and Protective Services (PS) Permanency Planning Workers (PPWs) to ameliorate these frequent placement changes for young people, including those who are Native American. In SFY20, BHS served 56 Native American children and youth in shelter care.
 - **Family Peer Support Services (FPSS)** - Family Peer Support Workers (FPSWs) 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. FPSWs use a strengths-based and culturally sensitive approach that recognizes individual child, youth and family identity, cultural history, life experiences, beliefs, and preferences. BHS has trained individuals from the Acoma, Santo Domingo, and San Felipe Pueblos to be FPSWs.
 - **Cultural Humility & Linguistic Responsibility Training** – BHS developed a Cultural Humility & Linguistic Responsibility Training for its staff, specifically for clinicians. The training focused on New Mexico’s culturally diverse population and raising consciousness on the need for cultural and linguistic humility when working with other ethnic and linguistic groups.
 - **Native American Children & Families Collaborative Resource Network**– BHS is a member of the Native American Children & Families Collaborative Resource Network. It’s representative to this Network shares BHS information on programs and services and opportunities to access services and supports.
 - **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. In SFY20, SFMC served approximately 430 Native American children and youth.
 - **Transitions Supportive Housing Program** – BHS oversees a Transitions Supportive Housing (TSH) program in Bernalillo County that provides twenty supportive housing vouchers to young adults with mental health diagnoses. This program is grounded in a Housing First model

and also coordinates other supports in addition to housing on an as-needed basis. In SFY20, this program provided housing vouchers to three Native American transition age youth.

- **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. This evaluation is also appropriate for juveniles who may be exhibiting psychotic symptoms and who may require treatment to see if they can obtain competency.
- **Domestic Violence** – The CYFD Domestic Violence Unit moved to BHS in SFY20. Of the 10,818 survivors and their dependents who were served by CYFD-funded domestic violence service providers in SFY20, 10.6% (1,210) identified themselves as American Indian or Alaska Native. Of the 1,317 people in offender treatment programs, 15.1% (200) 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 and tribal survivors. In SFY20, the CSVANW provided new advocate training with a focus on tribal communities, and a significant amount of daily technical assistance and support to tribal domestic violence programs throughout the state. A CSVANW-inspired summit on tribal offender treatment programs and the annual Tribal Leaders Summit were cancelled due to the COVID-19 pandemic, but were replaced by significant support – both financial and expertise – to tribal service providers, including \$30,000.00 of pass-through funds to support tribal service providers to meet the unexpected challenges of the pandemic. CYFD has allocated \$32,900.00 of CARES Act funding to CSVANW in SFY21 to continue this support.
- **Inner Guidance aka Attachment Healing Center** - CYFD BHS manages a small allocation of funds for Attachment Healing. 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). Children/youth under the age of eighteen (18) years or youth between the ages of eighteen (18) and twenty-one (21) years with active CYFD PS or JJS involvement and their caregiver(s), who are experiencing disruptions in the child/youth and caregiver(s) relationship. In SFY 20, Attachment Healing Center served 21 children, youth and families who identified as Native American.
- **Youth MOVE NM** - Youth Motivating Others through Voices of Experience (MOVE) New Mexico (NM) is a statewide advocacy group for youth with lived experience navigating the children’s behavioral health system. In SFY20, Youth MOVE NM reached out to Ship Rock and San Felipe tribes to have their youth participate in Youth MOVE Day. Thirty-five youth participated in the Youth MOVE Day event, and plans had been made for outreach to these tribal communities to set up their own local Youth MOVE Day.

V. Juvenile Justice Services Initiatives

Juvenile Delinquency Notice to Tribes House Bill 149

Sponsor – Representative Georgene Louis (D)

Passed 42 – 0

HB 149 requires that a notification be sent to Native American nations, tribes and pueblos for certain proceedings relating to a juvenile delinquent. If the child is an Indian child, the Indian child’s tribe shall be notified based on the provisions of the federal Indian Child Welfare Act of 1978 for (1) a case involving a family in need of court-ordered services and/or (2) abuse, neglect

or adoption proceedings. If the child is an Indian child, the Indian child's tribe shall be notified on the filing via certified mail of the delinquency proceedings.

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 the filed petition to the provision of the Delinquency Act of sealing individual's records based on this Act
- Informally dispose of up to 3 misdemeanor charges brought against child w/in 2 years
- Notify CCA's of felony complaints and recommend adjustment to felony complaints
- Identification of Indian child and contact the Indian nation, tribe or pueblo of delinquent case
- Contact Indian child's tribe to collaborate information and appropriate referrals for services

Juvenile probation officers can take a delinquent minor into physical custody and place in detention but are required to proceed in accordance with the provisions of the Delinquency Act in regard to custody and detention procedures and criteria.

One of the changes made to tribal notification is that it requires juvenile probation officers to notify the tribes when a youth enters the delinquency system. The notification is 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. Research indicates that Native youth who engage in culturally appropriate services have better outcomes than those that do not. To implement the 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, the Children, Youth and Families Division of Juvenile Justice Services (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 (MDTs) 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 initiatives 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;
- 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.

Cultural Activities in Juvenile Justice Facilities

Cultural enrichment activities are provided for Native youth in facilities. These services are contracted out to community providers. The providers for FY19 were Jim Lorenzo and Chenoa Bah. They have conducted sweat lodges and feasts for the clients. Additionally, equine therapy began at the end of FY19 through Loving Thunder. To date, 10 clients have participated.

VI. COVID-19 Response

CYFD increased measures to ensure adequate support for youth amid the COVID-19 pandemic, especially those nearing their 18th birthday or who turned 18 during the pandemic. Many of the several dozen young people who "aged out" between February and July 2020 utilized housing and financial support from CYFD to help them during the pandemic. This included 21 youth from six (6) tribal communities.

During the COVID-19 pandemic, CYFD has provided additional support to New Mexico's children and families through efforts to stabilize family situation by providing emergency food and shelter. Emergency food operations have focused on addressing food scarcity throughout the state during pandemic, including significant efforts toward ensuring food access to tribal communities. As of July 2022, the state Emergency Support Function #6 had provided a total of 230 shelter placements, which 434 rooms available for non-congregate shelter, 75 for specialist shelter, and 383 for medical shelter. Between March 27, 2020 and July 17, 2020, there was 2,195,612 pounds of food delivered; as well as an average of 10 pounds per tribal member across the various pueblos, nations, tribes. Early in the pandemic, many CYFD staff assisted in the sorting and boxing of food and in some cases, delivery to tribal partners as well as homebound seniors.

Shelter operations have focused on helping individuals isolate and quarantine in state-provided shelter sites, if they are unable to do so at home safely. As of July 2020, the state Emergency Support Function #6 built isolation and quarantine shelter sites specifically for NM tribal communities with CYFD's Community Behavioral Health Coordinators (CBHCs) providing behavioral health support to three Northern New Mexico isolation and quarantine sites by assisting with behavioral health needs and discharge planning.

CYFD Also provided support during the COVID-19 pandemic to its various providers, residential facilities, shelters, and other care providers to ensure continuity of behavioral health services and supports, shelter and housing services, as well as workforce development and training. Efforts include the following:

- Weekly and ongoing calls and emails with providers to address ongoing COVID-19 issues
- Consultation and provision of technical guidance to address staff and client fear, stigma, depressions, anxiety, and trauma which accompany major infectious disease outbreaks;
- Revision of visitation, therapy and treatment team interactions to include telemedicine, videoconference, and phone communications;
- Client care and workforce wellness response;
- Personal Protective Equipment monitoring and tracking;
- Response to respiratory illness and infection symptoms, screening, testing, and quarantine alerts utilizing CDC and DOH guidelines;
- Tracking of surveillance COVID-19 testing participants;
- Development, provision and monitoring of supplemental incident reporting information for positive COVID-19 tests;
- Review and tracking of all incident reports to screen for any COVID-19 positive tests and COVID-19 symptoms; and
- Regulatory guidance to respond to COVID-19 pandemic emergency (ensuring spaces, staff, and processes meet health/safety requirements).

VII. 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

Brian Blalock, Cabinet Secretary (505)827-7602
Terry L. Locke, Deputy Secretary (505)827-7602
James Cowen, General Counsel (505)827-7602
Nathan Adams, Inspector General (505)827-7630
Harry Montoya, Constituency Affairs (505)827-7606
Charlie More-Pabst, Public Information Officer (505)827-7602
Donalyn Sarracino, Director of Tribal Affairs (505)827-7602
Lisa Fitting, Director of Operations (505)476-0153

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

Annamarie Luna, Acting Director (505)827-8400
Cynthia Chavers, Acting Field Deputy Director & PS Tribal Liaison (505)467-9274
Karla Young, Field Deputy Director (505)827-8400
Valerie Sandoval, Administrative Deputy Director (505)827-8445
Emily Martin, Program Deputy Director (505)867-2373
Rebecca Liggett, Chief Children's Court Attorney (575)827-8400
Paul Williams, Statewide Central Intake Director (505)841-6128
Prevention, Placement, and Adoptions Bureau Chief (505)695-4593
John Trent, Children & Fam. Support Services Bureau (505)412-9915
Milissa Soto, IV-E/Medicaid Unit (505) 841-7950
Delphine Trujillo, Youth Services Bureau (505)827-8415
Megan Velasquez, Director of Immigration Affairs (505)827-8400

Behavioral Health Division

Bryce Pittenger, Director (505)827-7625
Elizabeth Hamilton, Deputy Director (505)827-7625
Kristin Jones, Behavior Health Deputy Director (505)827-7665
Lillian Rainer, Licensing & Certification Bureau Chief (505)827-9932

Juvenile Justice Facilities

Tamara Marcantel, Director (505)841-6697
Deputy Director Facilities (505)827-7629
Nick Costales, Deputy Director, Field Services (505)288-1659
Carlos Padilla, Administrative Deputy Director, (505)827-4865
Dr. Ralph Espinoza, Statewide Facility BH Director (505)977-4865
Janet Berry-Beltz, Facility Health Services Director (505)841-2416