

# Welcome to Bernalillo County Juvenile Detention Center

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# General Overview

- State and County Demographics
- Governmental Structure
- BCJDC History
- Bernalillo County Delinquency Statistics
- Reasons to be involved with the Juvenile Detention Alternative Initiative (JDAI)
- Pre/Post Reform Data
- Alternatives to Detention that Impact Numbers

# We're a Model Site, Not a Perfect Site. . .

Susan Alkema  
Special Master  
2<sup>nd</sup> Judicial District Court

# State and County Demographics

US Census 2004

- New Mexico has 1,903,289 residents
- Bernalillo County has 593,765 residents
  - Bernalillo County ages 5-19 population is 100,428
- Albuquerque, largest city in state, has 484,246 residents

# APS School Demographics

(APS 2006)

- Total enrollment in Albuquerque Public Schools (APS) is 89,010 (includes elementary)
  - Middle School: 17,922
  - High School: 21,701
- Of the 89,010:
  - Caucasians represent 35.9%
  - Hispanics 52%
  - African Americans 4.8%
  - Native Americans 3.8%
  - Asian Americans 2.1
  - Other 1.3%

# Governmental Structure

- Judiciary – State Government

- Executive – State Government

- Children Youth and Families Department

- Juvenile Probation and Parole

- Juvenile Correctional Facilities

- Protective Services

# Governmental Structure

- Juvenile Detention Centers – County Operated
  - There are 14 juvenile detention centers in New Mexico
- Bernalillo County allots 4.3% of its total budget to juvenile detention

# BCJDC History

- 1993 – BCJDC bed capacity was 48
- 1994 --Added 15-bed unit completed
  - Bed capacity increased to 63
- 1996 Added 15-bed unit completed
  - Bed capacity increased to 78
- 1994 – 1998
  - BCJDC population increases
- 1998
  - 50-65% staff turnover rate
  - Unsafe conditions
  - Traditional correctional training
  - Special needs population



# Pivotal Year

## □ 1998

- Bernalillo County evaluates expansion costs
- Do we build again given the cost?
- What were the results the last time we attempted to build our way out of the population problem?

# Reasons to be Involved with the Juvenile Detention Alternative Initiative (JDAI)

- Impact on Youth in Custody
- Safety and Facility Liability
- Cost Savings
- Improve Juvenile Justice System
  - AECF JDAI 8 Key Strategies that Work
    - Collaboration
    - Data Driven Policy
    - Admission
    - Case Processing
    - Alternatives to Detention
    - Special Cases
    - Eliminate Racial Disparity
    - Conditions of Confinement

# Impact on Youth

- Detention can increase juvenile recidivism
  - Detention can pull youth deeper into the system
  - Detention potentially recruits more youth to crime and delinquency
- Alternatives to detention curtail delinquency better than detention

# Impact on Youth

- Congregating youth together negatively affects behavior and increases the chances of re-offending.
- Small relationship between use of detention and delinquency rate
  - Populations rise regardless of delinquency rate
  - Apparent correlation between decrease detention youth and delinquency rates

# Impact on Youth

- ❑ Detention Impacts Mental Health
- ❑ Detention Impacts School Success
- ❑ Detention Reduces Job Success
- ❑ Detention Is Not Cost Effective
- ❑ Detention Impacts Youth Disproportionately

# Safety

## □ National Statistics

- In 2002, 26 youth died in custody
  - Suicide was the most common cause of death
- All 122 facilities surveyed reported having to transport at least one (1) juvenile to the hospital for attempting suicide

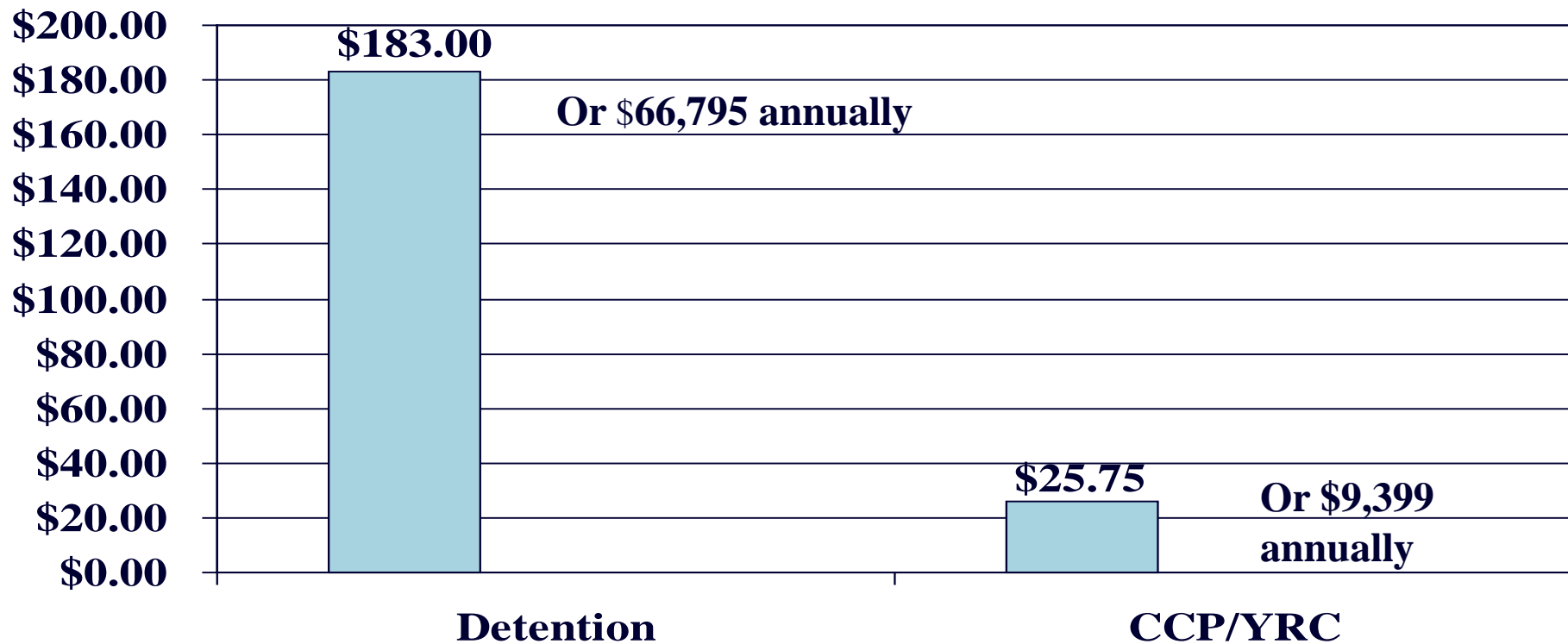
# Safety

- Youth in custody were found to be at a higher risk for suicide than youth in the general population.
- In 2004, officials reported 2,821 sexual violence allegations in juvenile facilities.
- Three in 10 were substantiated.

**SOURCE**

OJJDP 2006 National Report

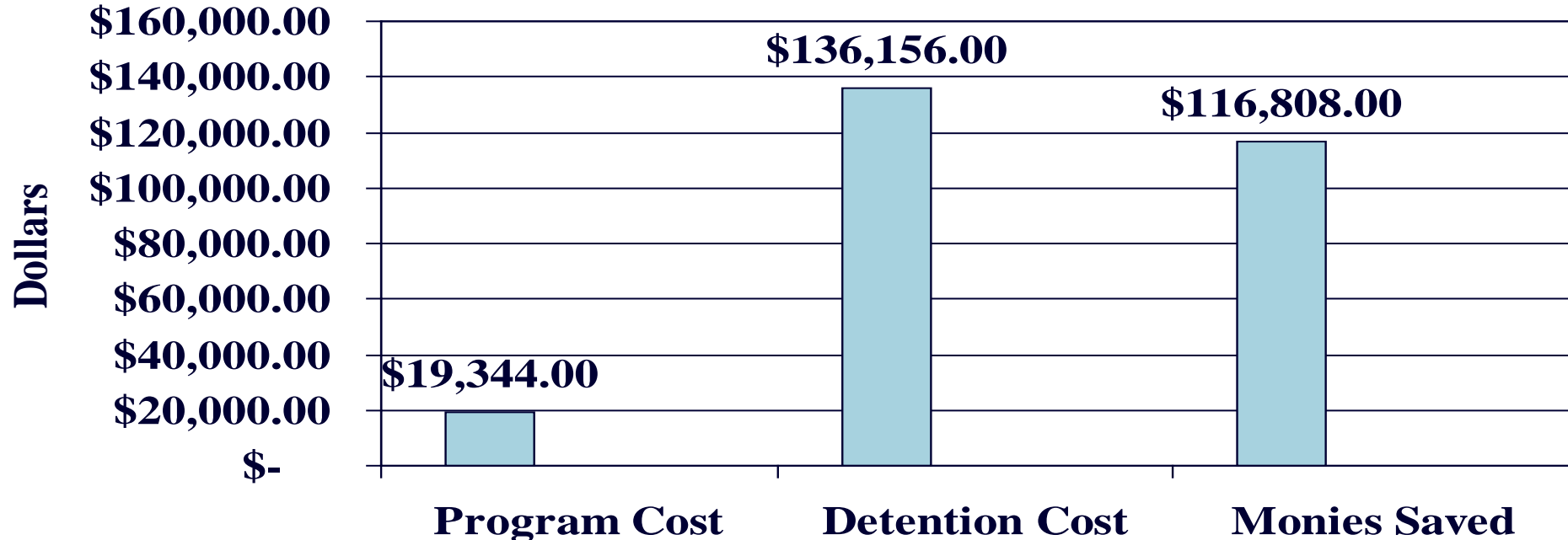
# Cost Savings





# Monthly Cost Savings

## Alternative Cost Savings



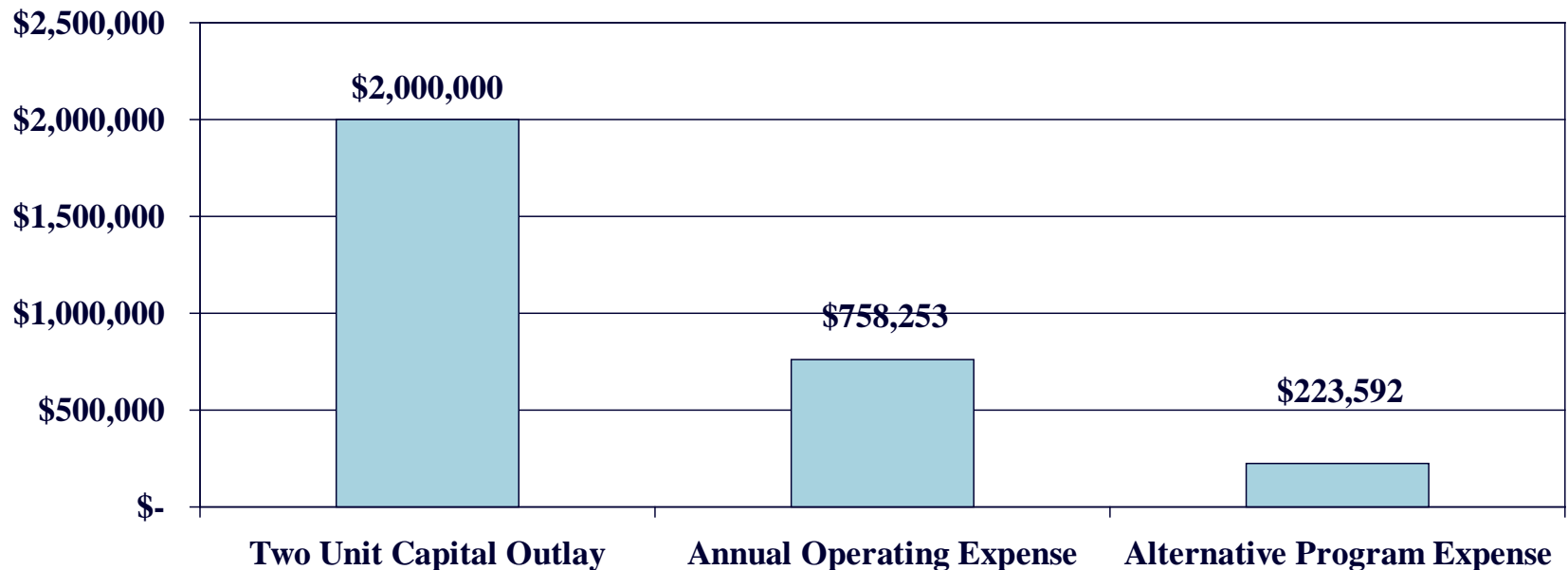
### FORMULA:

Average Number of Youth in Alternative Program, X Cost of Program X

Average # of Days in Program.

# Cost Avoidance

## Detention Expansion vs. Alternative Program Cost

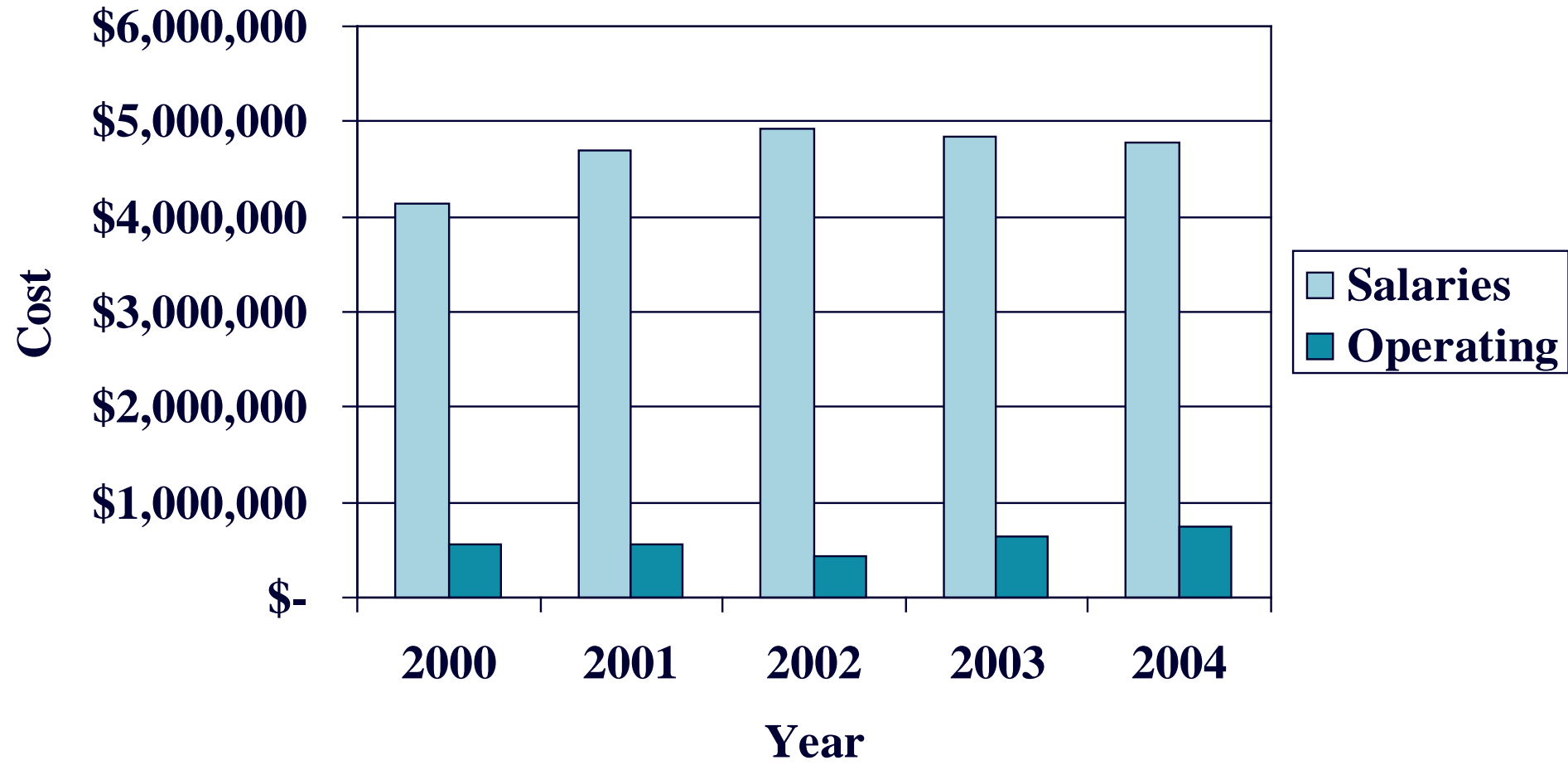


### NOTE:

Cost of building, financing and operating a single detention bed costs the public between \$1.25 - \$1.5 million over a 20 year period

(Source: Earl Dunlap, National Juvenile Detention Association – July 2005)

# BCJDC Salary and Operating Costs



# Juvenile Detention Alternative Initiative (JDAI)

1999	Discussions with Annie E. Casey Foundation (AECF)
1999/2000	Key player site visits
	Technical Support
2000	Employed JDAI Coordinator
	Increased staff qualifications
	Increased staff salaries

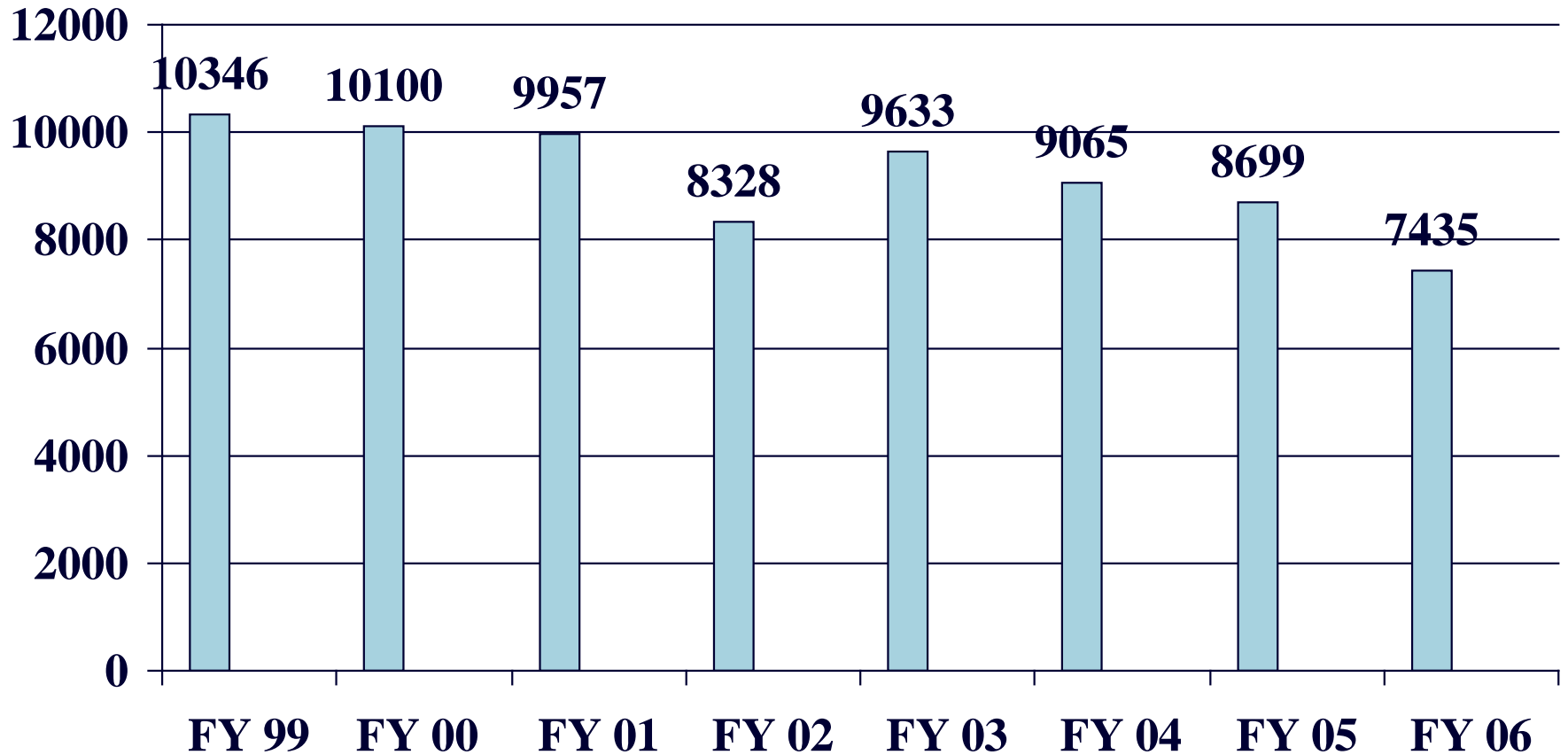
# Goals for JDAI

- Youth Accountability;
- Provide for Public Safety;
- Reduce the number of children unnecessarily or inappropriately detained;
- Minimize failures to appear and the incidence of delinquent behavior;
- Re-direct public finances towards successful reform strategies; and
- Improve conditions in secure detention

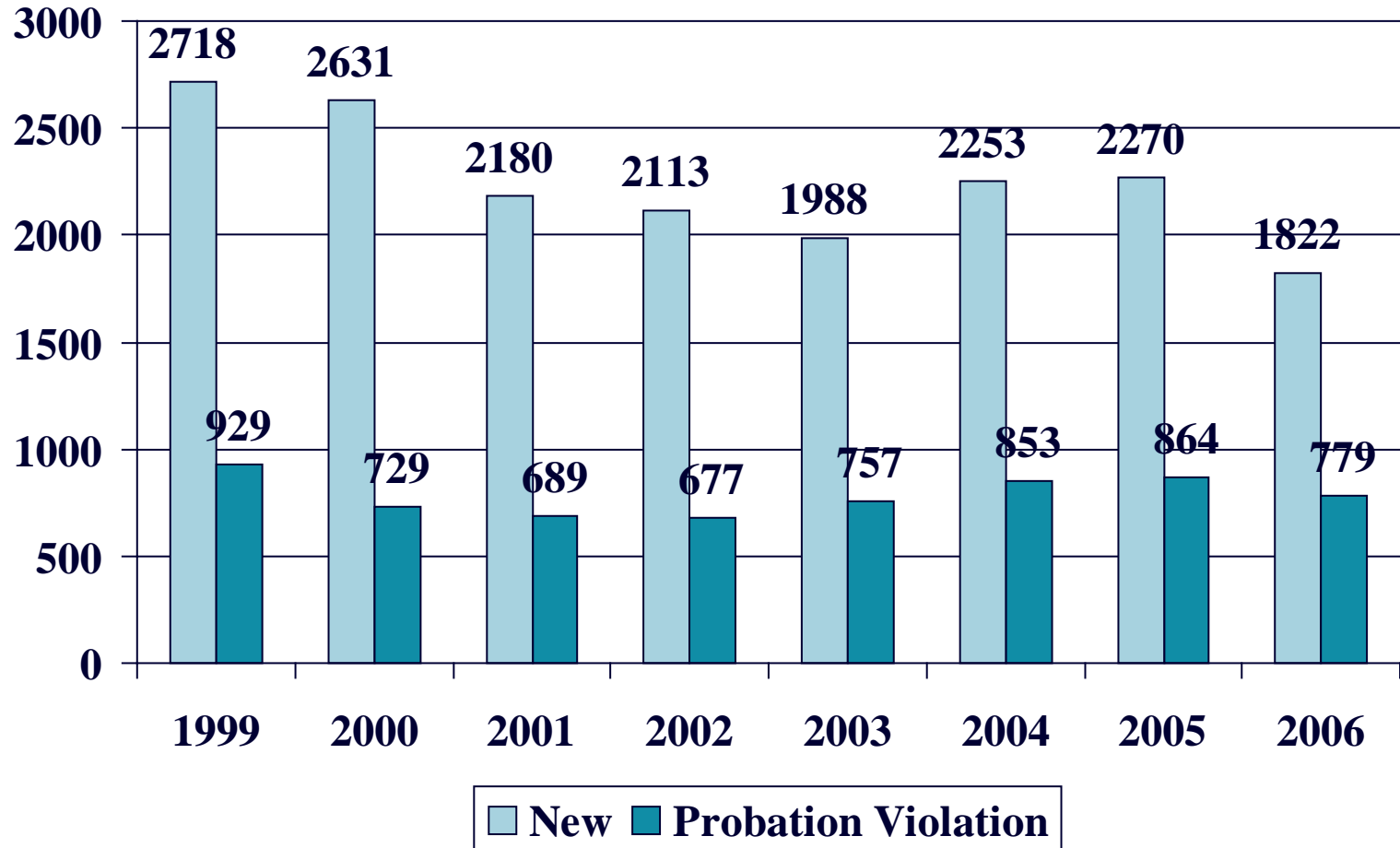
# JDAI Stakeholders

- Juvenile Justice Steering Committee
  - Judicial Leadership
  - Law Enforcement
  - JPPO
  - Children's Court Attorney (CCA)
  - Public Defender (PD)
  - Mental Health System
  - Community-based providers
  - Medicaid

# Referrals to Juvenile Probation and Parole by Fiscal Year



# Number of Petitions by Type and Calendar Year

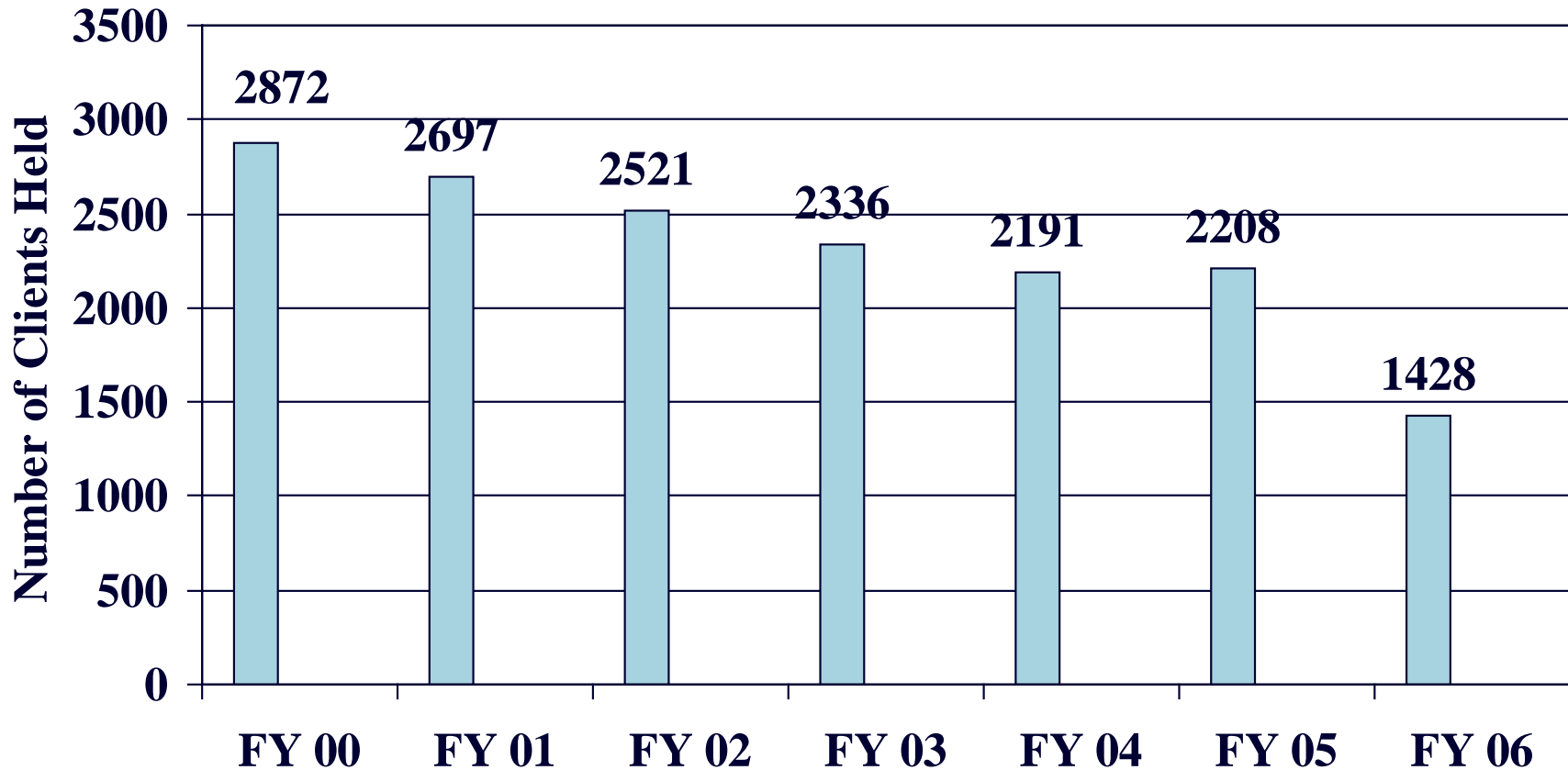


**Note:**

From 1999 to 2006, there been a **40% decrease in new petitions** and **19% decrease in probation violation petitions**



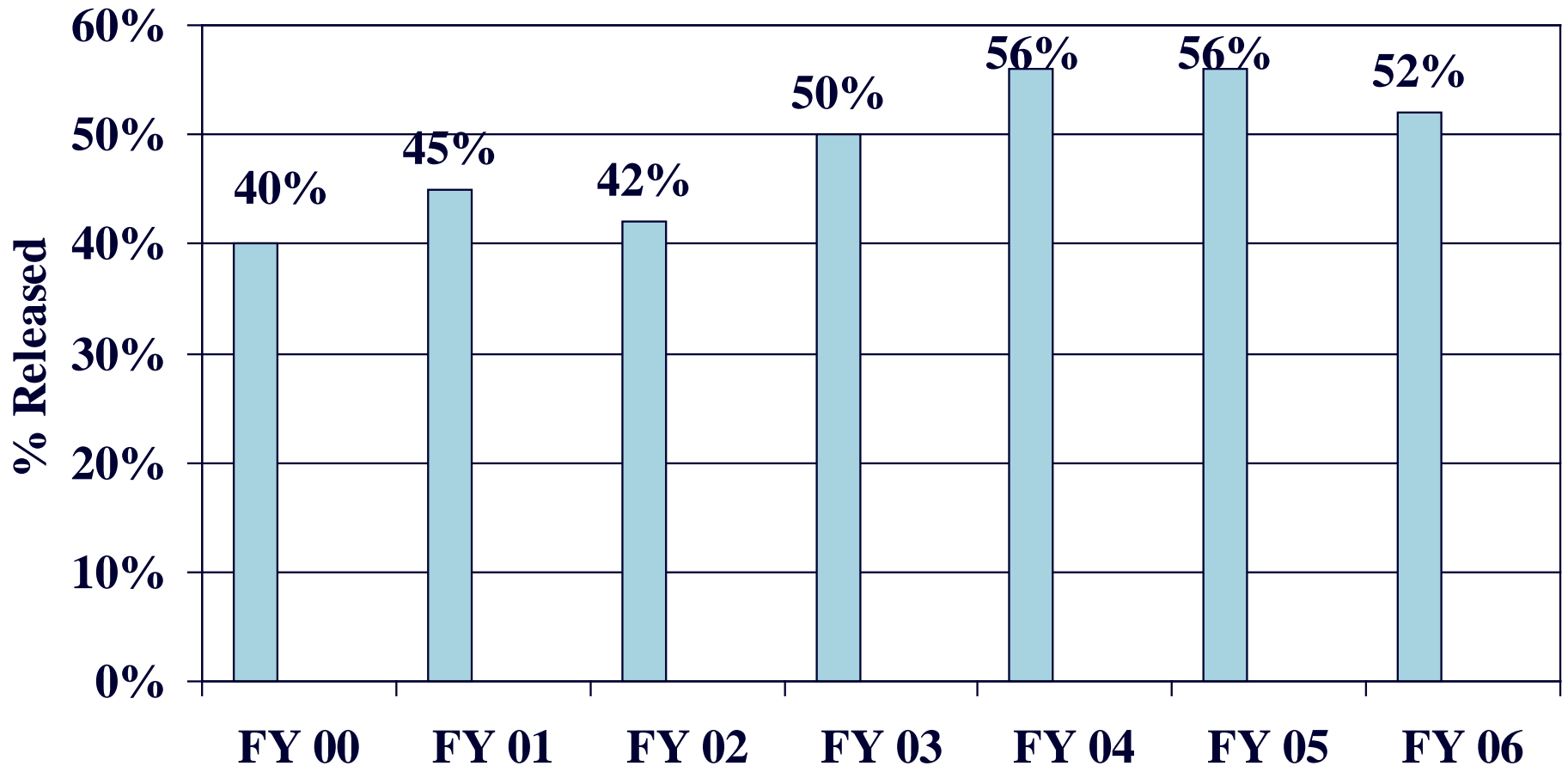
# Total Number of Clients Booked and Held by Fiscal Year



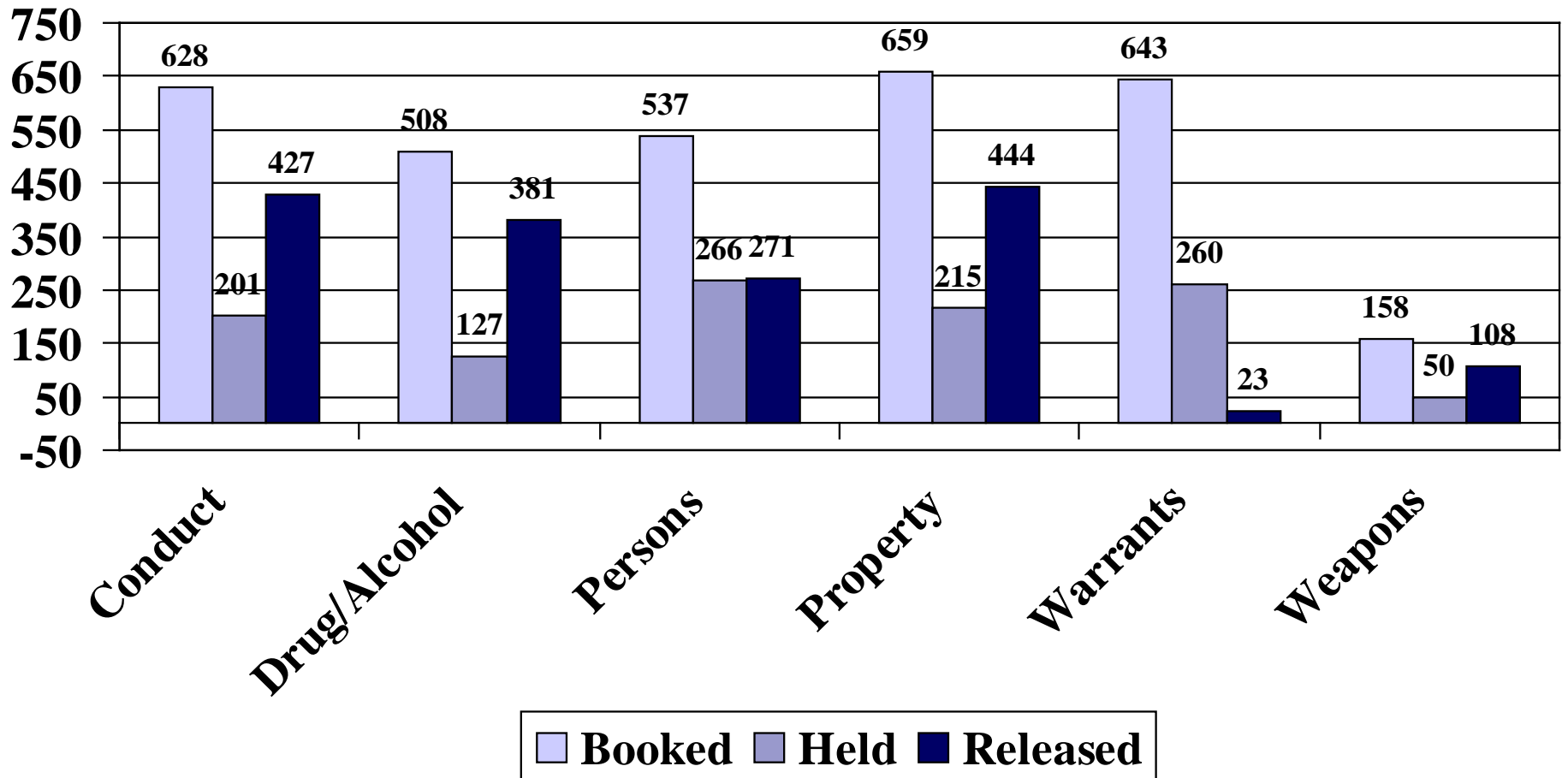
**Note:**

When comparing FY 00 (Pre-Reform) to FY 06, there is a 50% decrease in clients held.

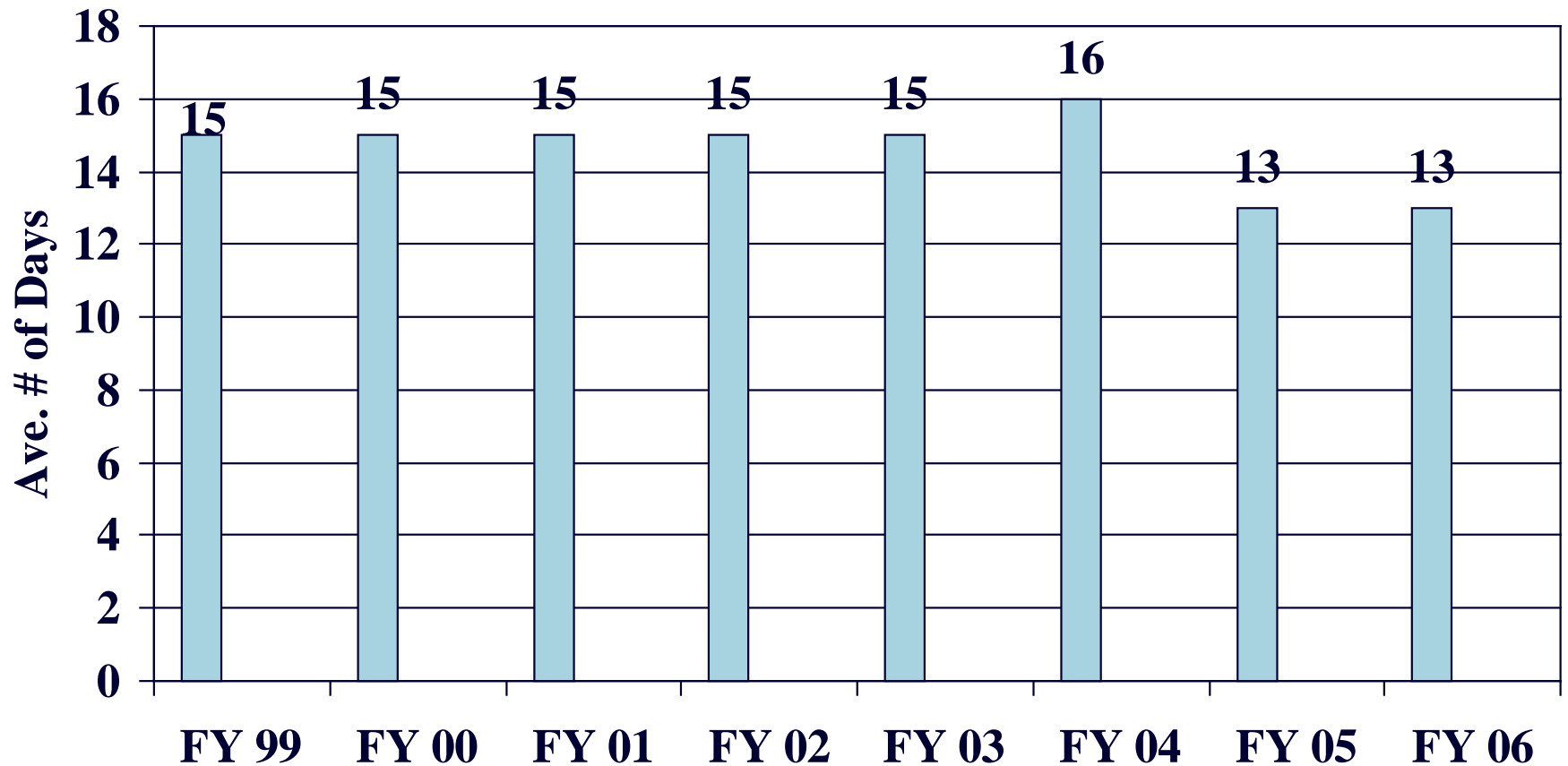
# Increases in Percent Released



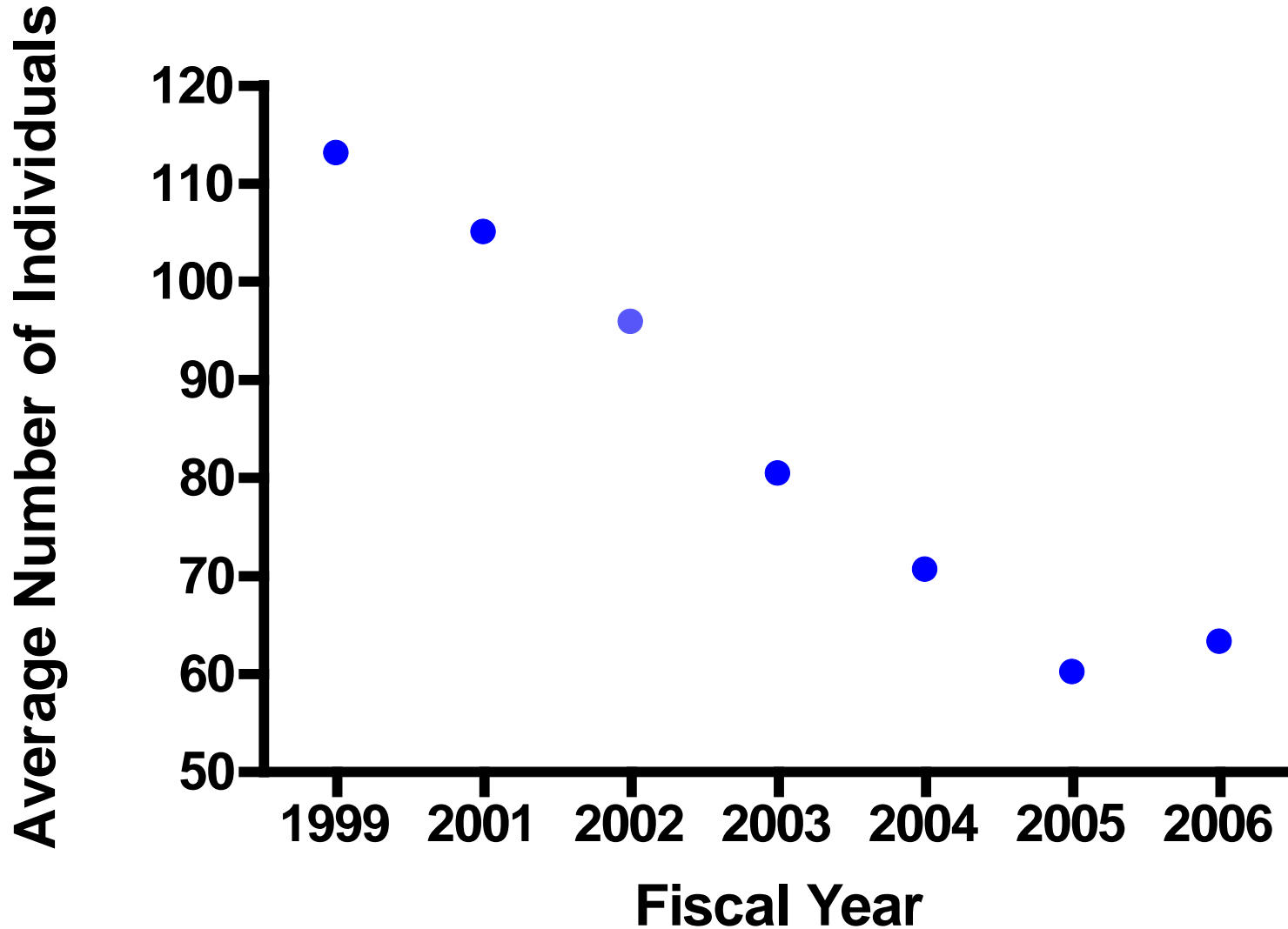
# Booked and Released by Type of Delinquent Act -- FY 04/05



# Average Length of Stay (ALOS) by Fiscal Year



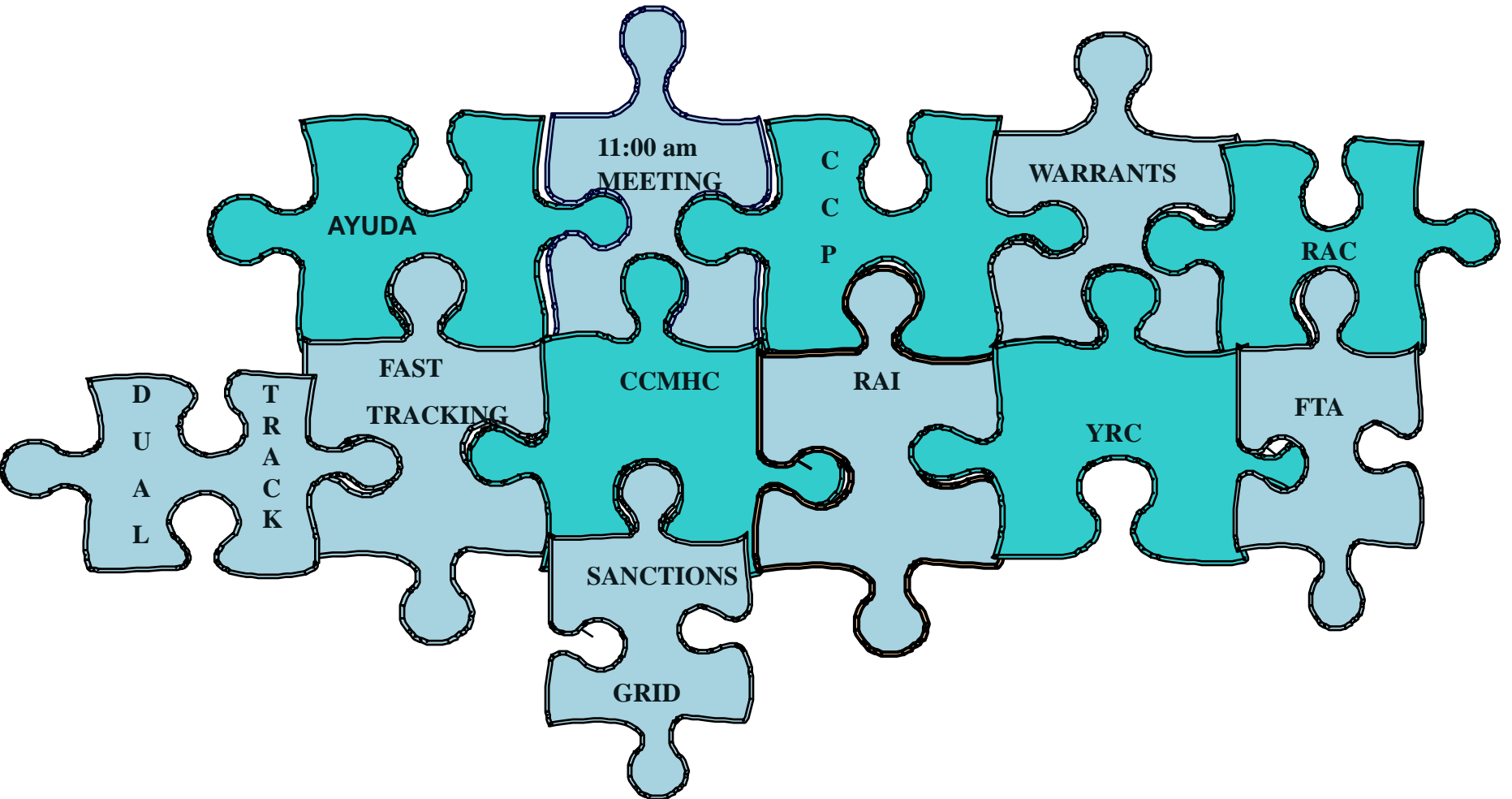
# Average Daily Population (ADP) by Fiscal Year



# Equally Important

PROGRAM

PROCESS

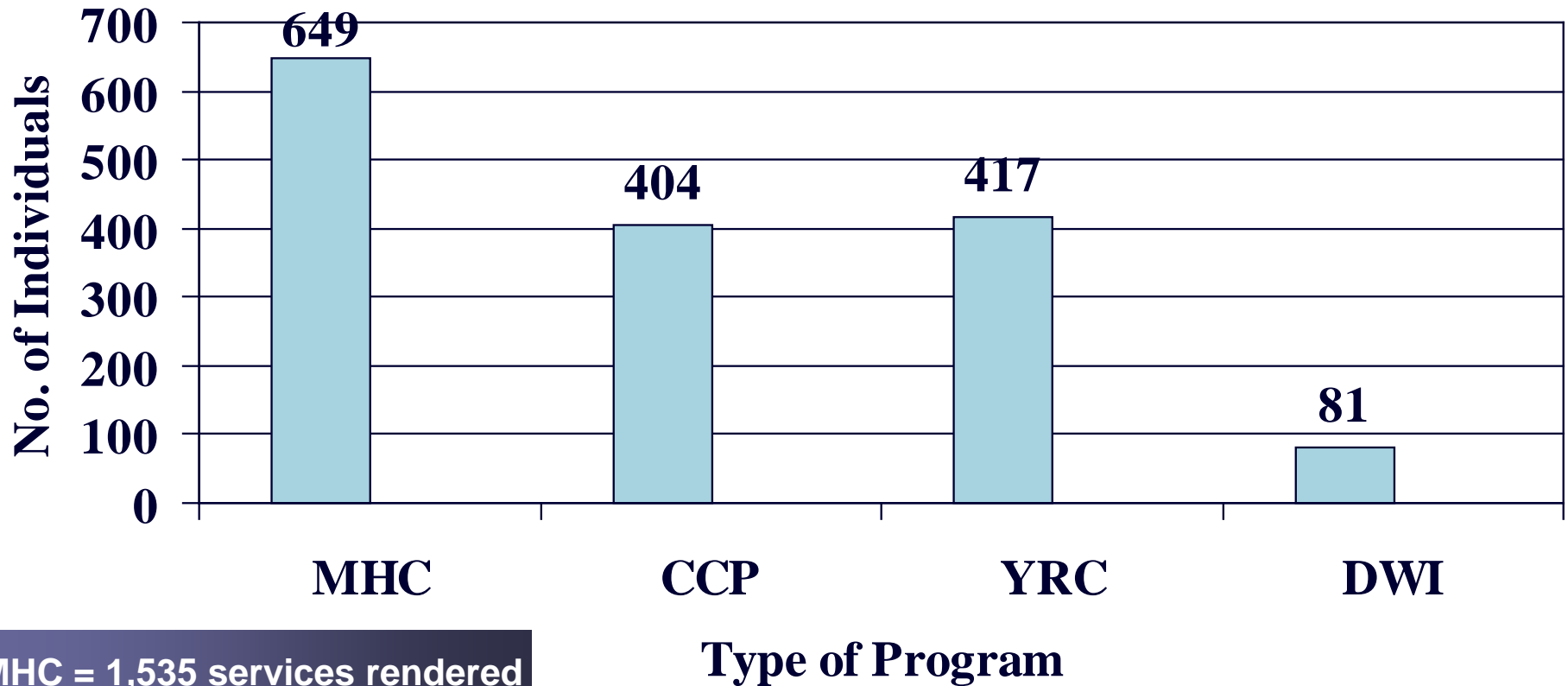


# Alternatives to Detention that Impact Population

- JDAI
- Mental Health Center (MHC)
- Community Custody Program (CCP)
- Youth Reporting Center (YRC)
- Reception Assessment Centers (RAC)
- Changes in Children's Code
  - Required Risk Assessment Instrument (RAI) statewide
  - Statewide Timeframes
  - No youth accepted over 18 and under 11

# Effective Community-Based Programming

**Alternative Programs for FY 06**



MHC = 1,535 services rendered



# Most Frequent Alleged Offenses for Clients in CCP

- Domestic Violence
- FTA/Bench Warrants
- Assaults
- Drug Possession/Trafficking
- Auto Theft/Burglary
- Residential Burglary
- Youthful Offender Offenses
  - Potential adult sanctions
- Aggravated Assault w/Deadly Weapon
- Shooting at or from a Motor Vehicle

# Youthful Offender (YO)

- A child subject to adult or juvenile sanctions who is:
  - 14-18 years of age at the time of the offense and who is adjudicated for at least one of the following offenses:
    - Second Degree Murder;
    - Assault with Intent to Commit a Violent Felony;
    - Kidnapping
    - Aggravated Battery;
    - Aggravated Battery Against a Household Member;

# Youthful Offender

- Aggravated Battery Upon a Peace Officer;
- Shooting at a Dwelling or Occupied Building or Shooting at or from a Motor Vehicle;
- Dangerous Use of Explosives;
- Criminal Sexual Penetration;
- Robbery;
- Aggravated Burglary;
- Aggravated Arson;
- Abuse of a Child that results in great bodily harm or death to the child;

# Youthful Offender (Cont)

- 14 to 18 years of age at the time of the offense and adjudicated for any felony offense and who has had 3 prior, separate felony adjudications within a 3 year time period immediately preceding the instant offense. The felony adjudications relied upon as prior adjudications shall not have arisen out of the same transaction or occurrence or series of events related in time and location. Successful completion of consent decrees are not considered a prior adjudication
- 14 years of age & adjudicated of 1<sup>st</sup> degree murder.

# Youthful Offender Cases

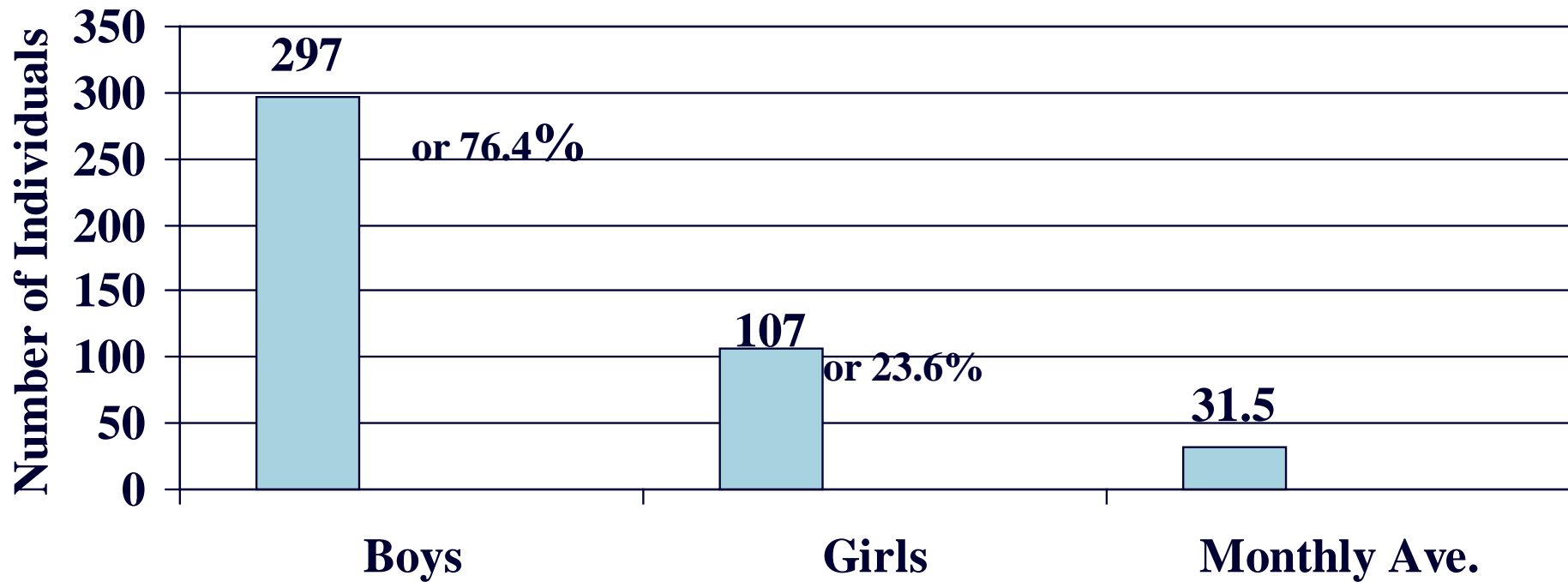
## □ CCP

- Initially CCP did not accept Youthful Offender Cases
- In FY 06, CCP accepted 23 Youthful Offender cases
  - 22 cases were successful
  - 1 Bench Warrant was issued when client failed to appear for court
- ALOS is 180 days
- If CCP was not available, clients would have remained in detention

# CCP for FY 06

## Overall Client Activity

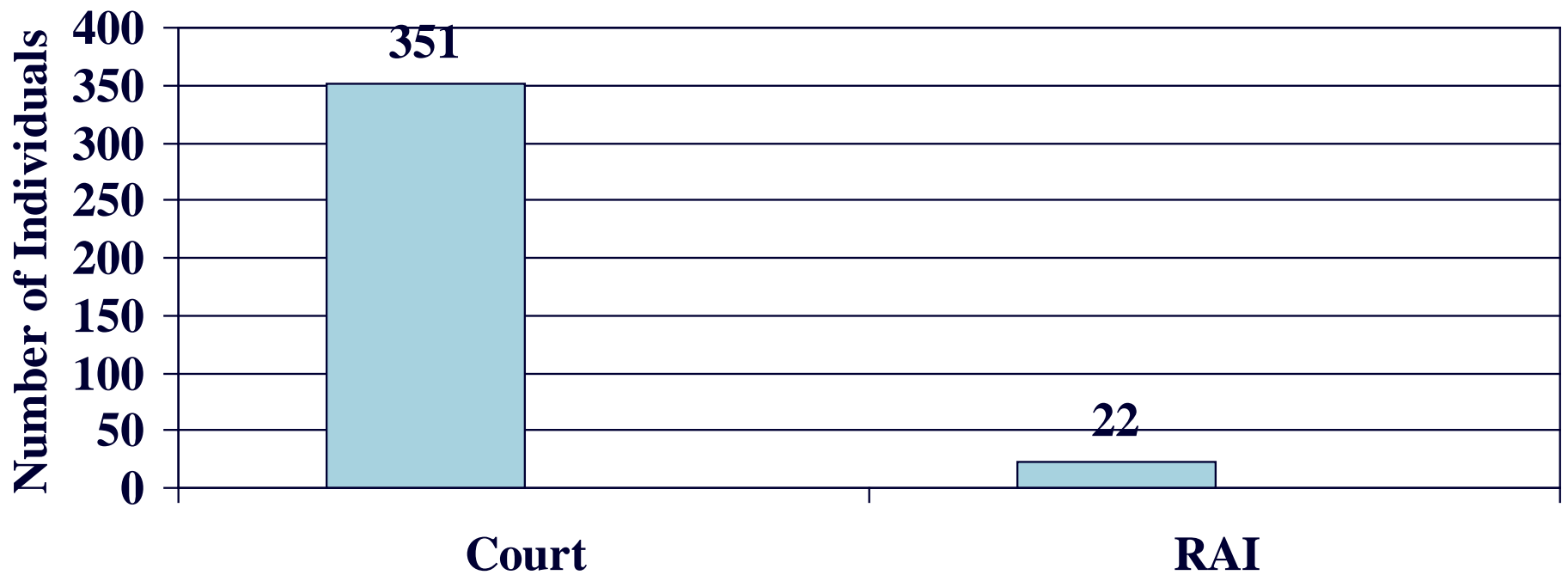
N=404



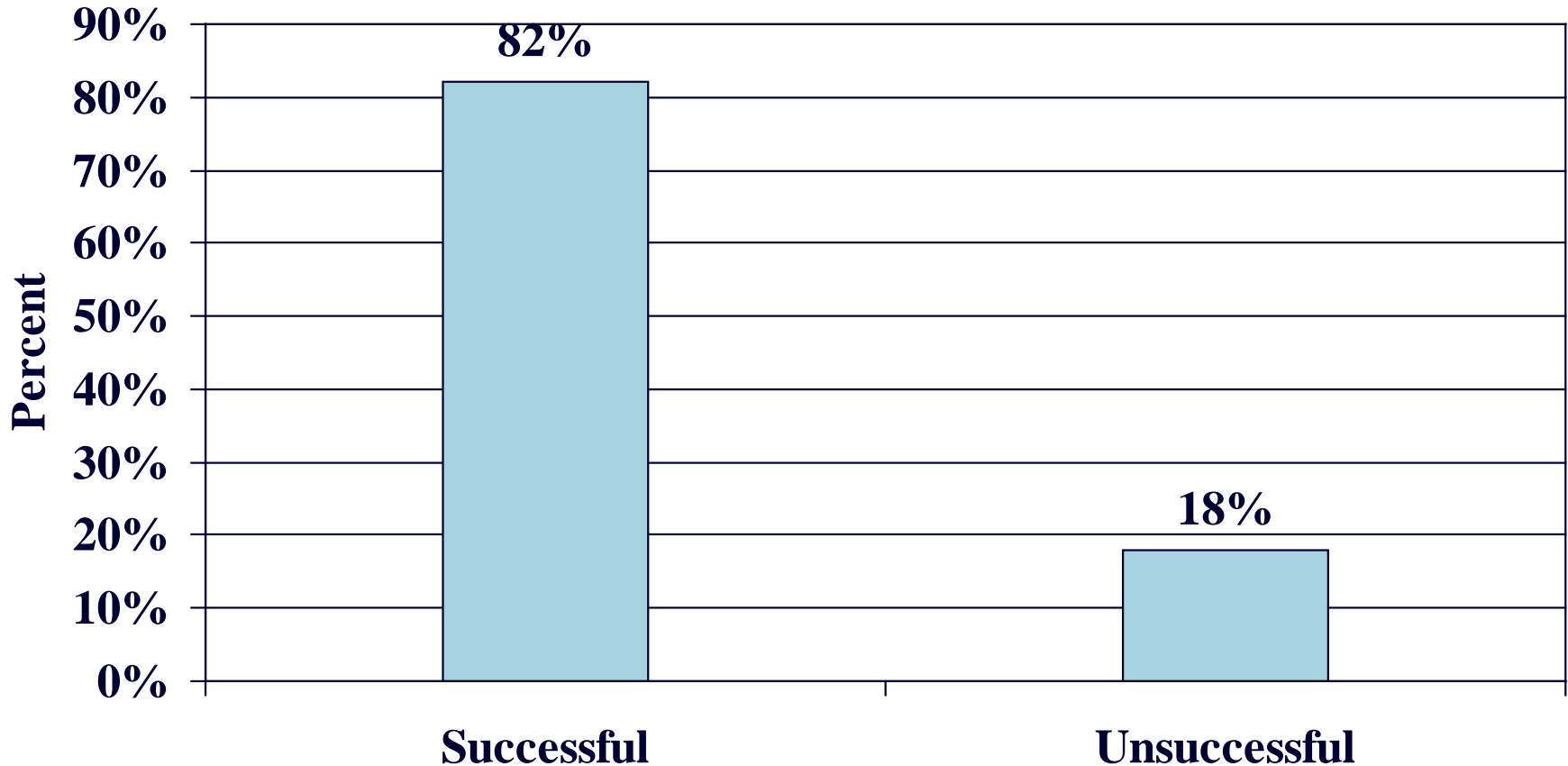
# CCP for FY 06

**Referral Source**

**N=373**



# FY 06 Program Outcome for CCP



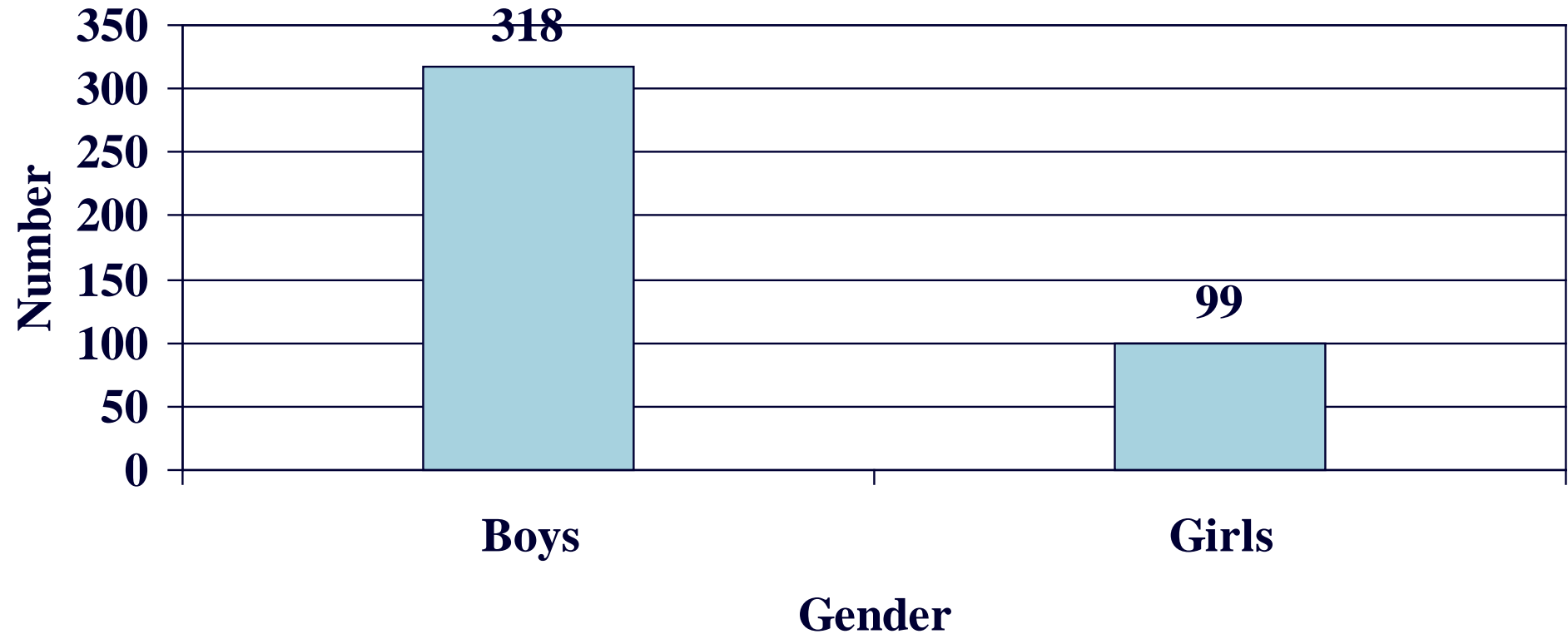
**NOTE:**

**Initially, 70 of the 88 cases were warrants and incorrectly flagged as unsuccessful. The success rate of 82% is conservative.**

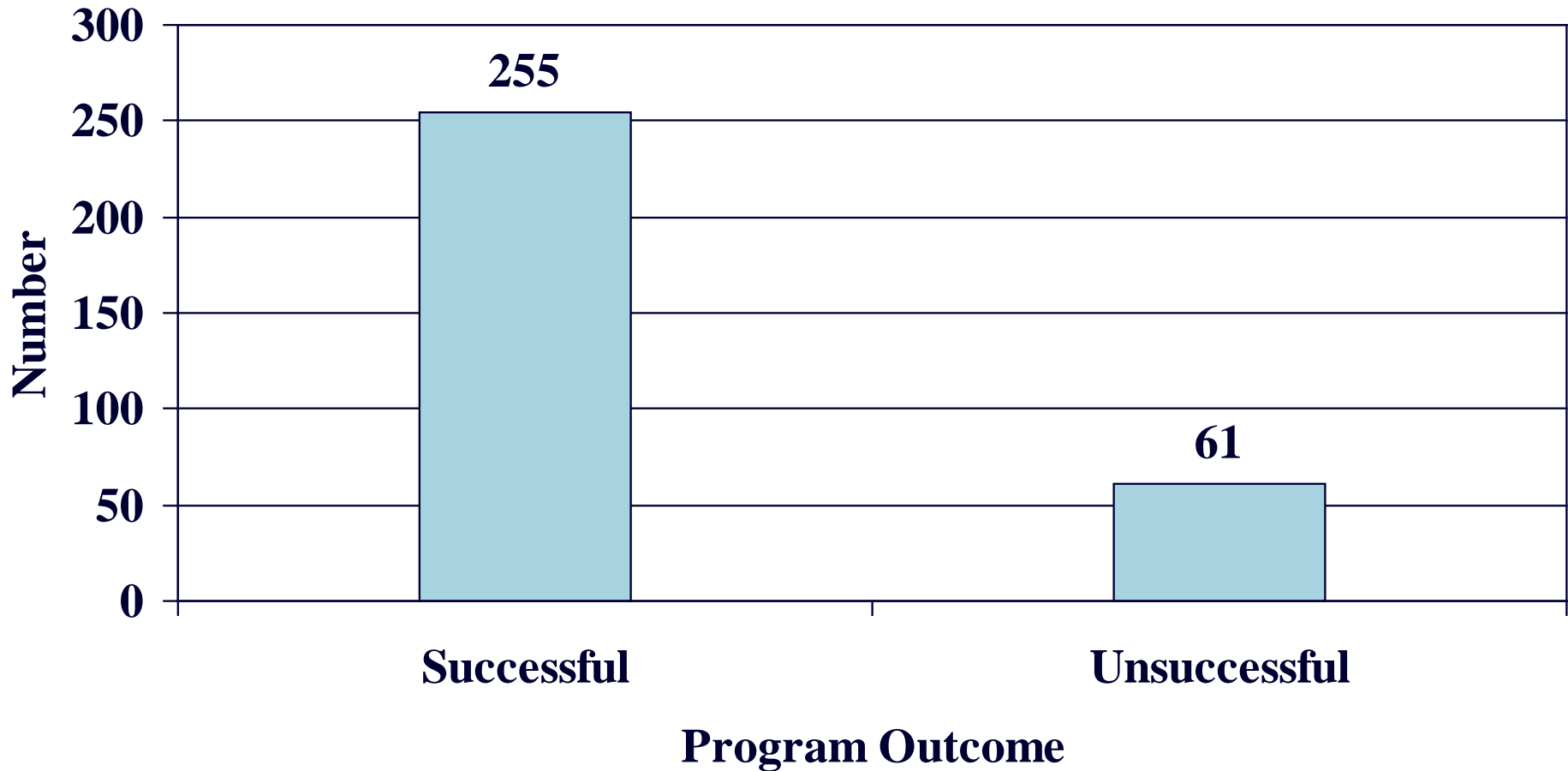


# FY 06 Youth Reporting Center (YRC)

## FY 06 YRC Gender Make-Up



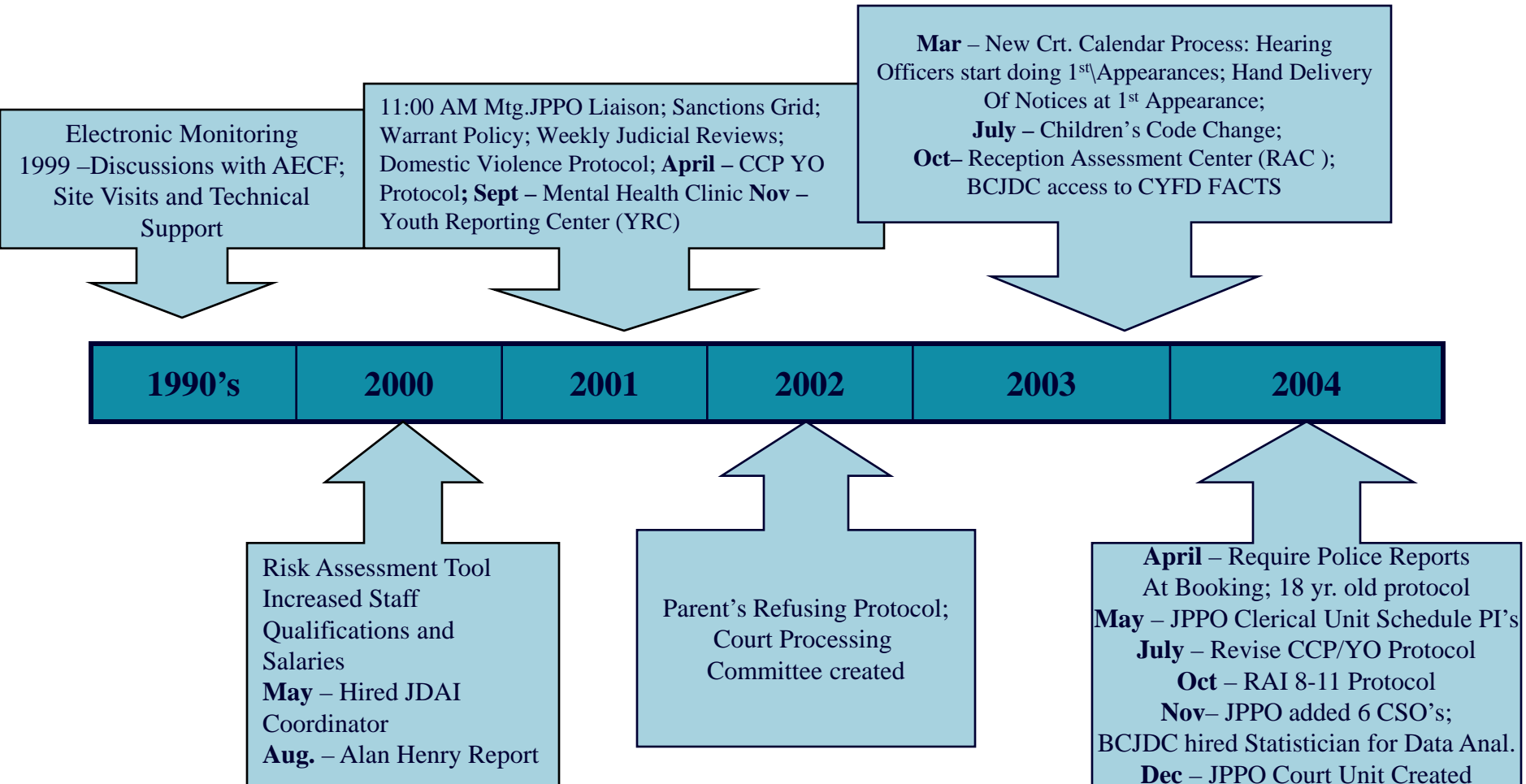
# FY 06 Success Rate for YRC



**NOTE:**

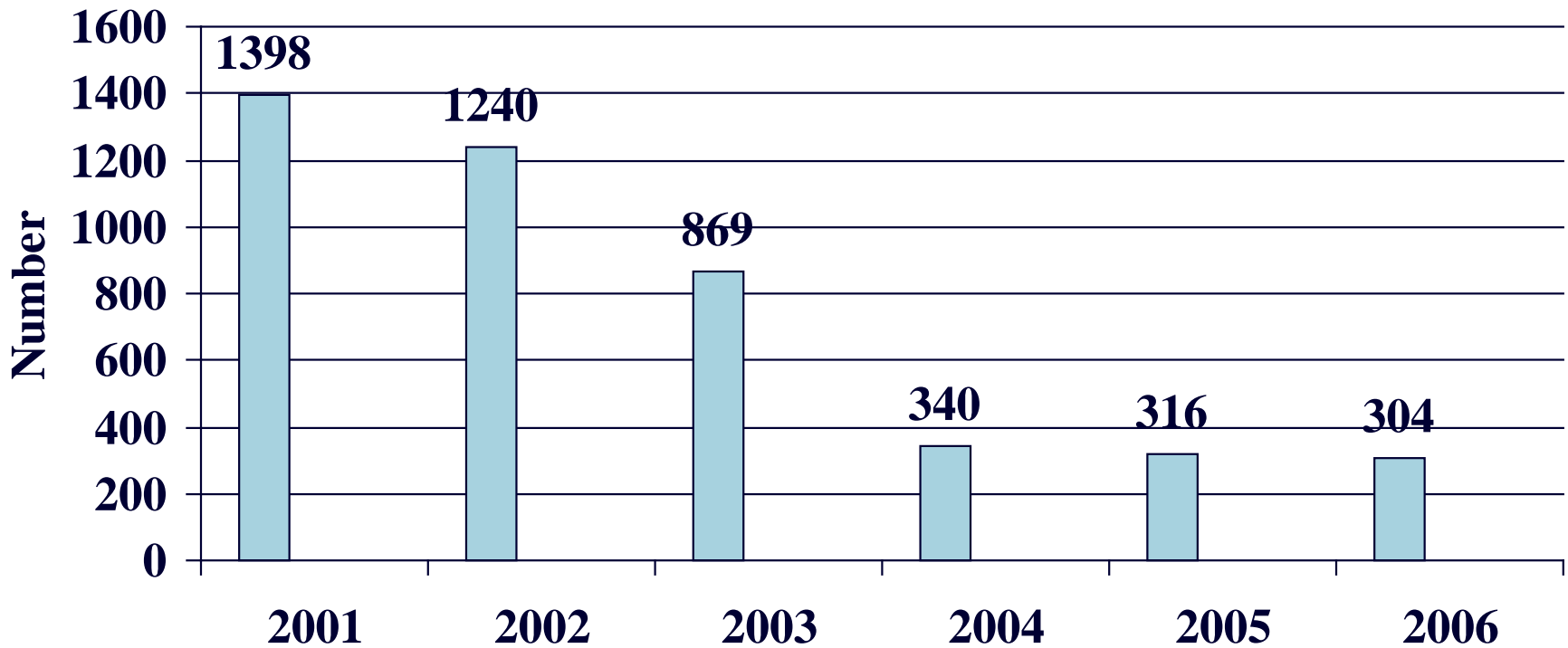
**As of pull date, 101 were not released; 81% were successful**

# Bernalillo County JDAI Timeline



# Examples and Results of Process Change

## Total Active Warrants by Calendar Year

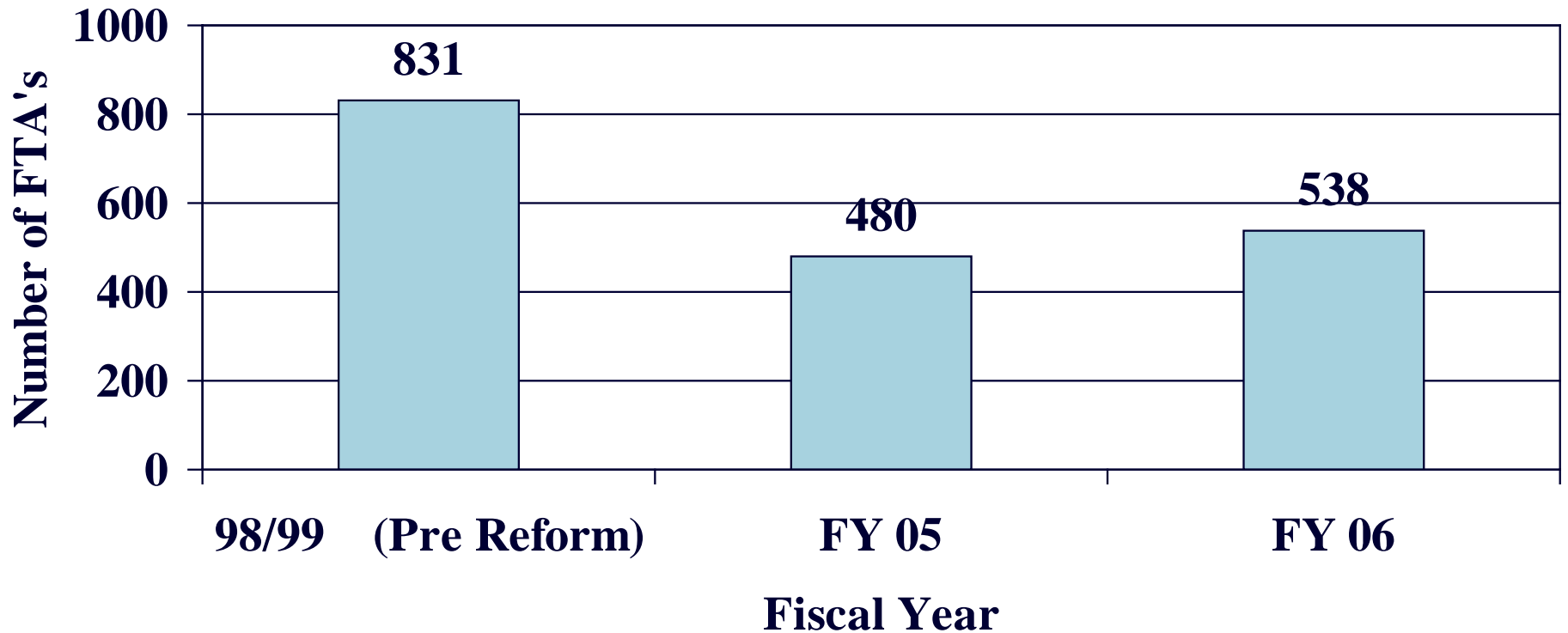


Note:

When comparing 2001 to 2006, there is a 78% decrease in active warrants.

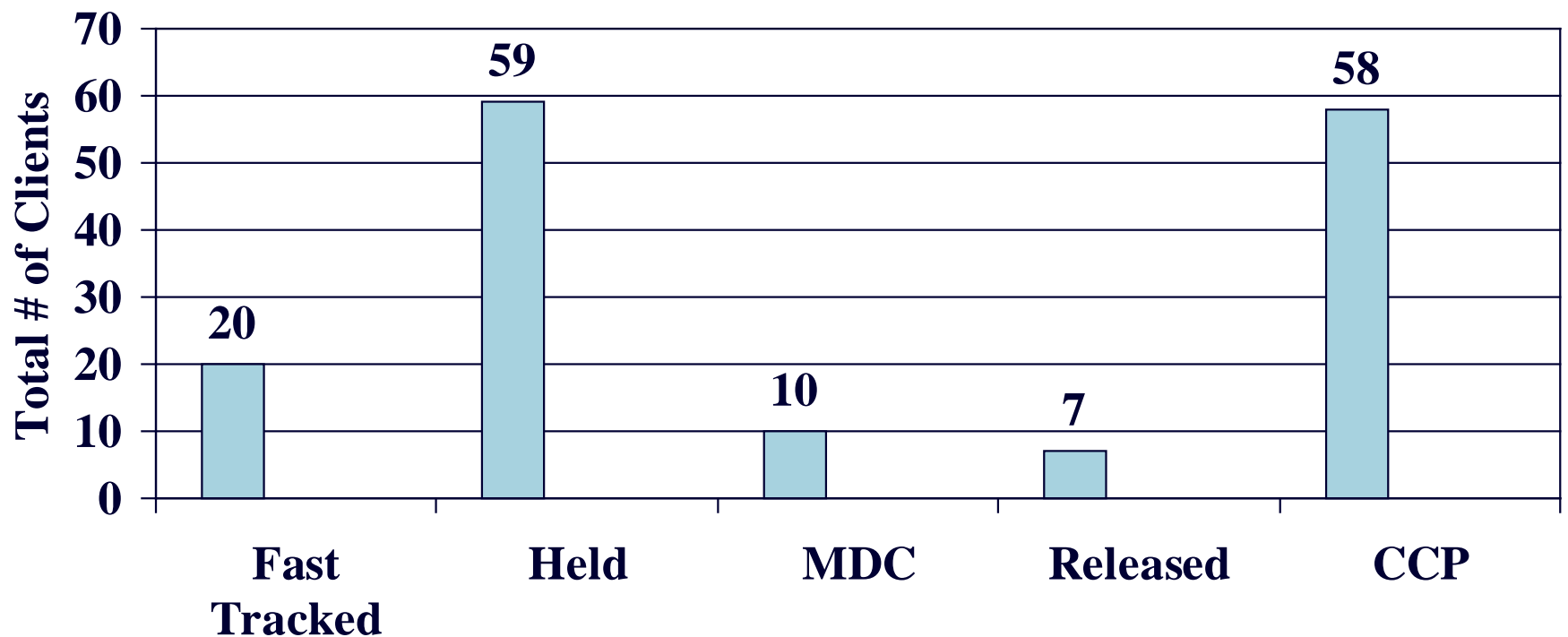
# Example and Result of Process Change

## Failure to Appear by Fiscal Year



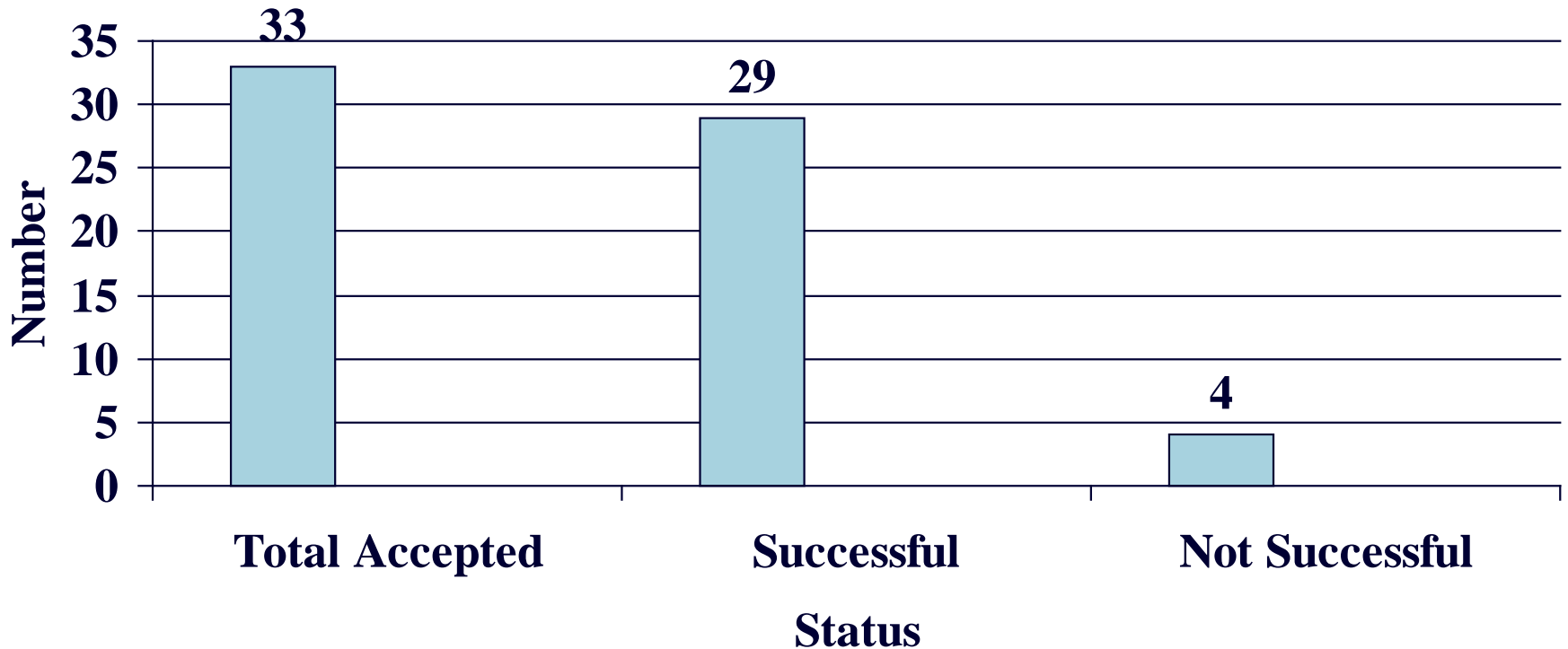
# Example and Result of Process Change

## Weekly Judicial Review -- Post D-Hearing (N=154)



# Example and Result of Process Change

## Weekly Reviews of Referrals to CCP (N=58)



**NOTE:**

**Of those clients who were not successful, three have warrants and a fourth had a new charge**

# Specific Example of Collaboration: DWI/DUI

- Court order
- Protocol
- New order
- DWI/DUI process and forms



# Children's Code Changes 2003

- Required CYFD to develop a risk assessment instrument (RAI).
- Allowed detention center staff to apply the RAI and admit youth into detention.
- Narrowed the criteria for detention requiring “substantial” risk be demonstrated or history of failure to appear.
- Prohibited eighteen year old youth from being housed in juvenile detention facilities.

# Children's Code Changes 2003

- Allowed for youth who have been detained to have further considerations for release by the District Court Judge
- Modified the section on sealing of juvenile records.
- Provided for 90 days of mandatory parole supervision upon release from a juvenile correctional facility.
- Shortened time frame to file a petition from 48 to 24 hours for youth in custody.

# Children's Code Changes 2005

- Added *Aggravated Battery Against a Household Member* to the offenses considered as “Youthful Offender”.
- Child's parent/guardian/custodian given reasonable notice of Preliminary Inquiry (PI) for youth in custody and have right to be present.
- If child not detained, PI is conducted within 30 days and a petition is filed within 60 days of completion of PI.
- Child under the age of eleven (11) shall not be detained in a detention facility.

# Children's Code Changes 2005

- Making 3 months of mandatory parole supervision inclusive of the one or two year commitment.
- Child 14 or over charged with first degree murder and found to have committed a delinquent act shall be adjudicated as a delinquent and subject to those dispositions.
- Changes on youth found to be incompetent and how long these matters may be pending.
- Remove limit on the number of Consent Decrees the court may grant.

# Children's Code Changes 2005

- An admission is not required for a Consent Decree Order.
- One year commitment can be extended for a period of six months inclusive of the three months of parole supervision.
- Changes to the confidentiality of records section narrowing some access and expanding other, e.g, parental access

# Children's Code Changes 2005

- Preliminary Parole Revocations hearing officer can be contracted by CYFD.
  - Child may waive their right to a preliminary parole revocation hearing