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SENATE MEMORIAL 5

56TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2024

INTRODUCED BY

Linda M. López and Harold Pope and Antoinette Sedillo Lopez

A MEMORIAL

REQUESTING THE LEGISLATIVE FINANCE COMMITTEE TO CREATE A TASK FORCE TO SUPPORT AND ENHANCE THE RESTRUCTURING OF THE CHILDREN, YOUTH AND FAMILIES DEPARTMENT.

WHEREAS, there are no sides when it comes to child welfare, and it is imperative to have a strong system of care that effectively serves vulnerable children and their families; and

WHEREAS, the system of care must meet the needs of children and families in a manner that encompasses the best interests of the children and families it serves; and

WHEREAS, the children, youth and families department was created by the legislature in 1992 in response to the efforts of First Lady Alice King to consolidate all services for children and families under one cabinet secretary and to carry

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1 out as its primary responsibilities the effective
2 administration of protective services for children and
3 families; supervision and services for delinquent youth and
4 youth who are at risk of becoming delinquent offenders and
5 improvement of their ability to thrive in their communities;
6 and the administration of a behavioral health system for all
7 children in New Mexico; and

8 WHEREAS, over the past three decades, the children, youth
9 and families department has grown significantly and has assumed
10 numerous other obligations and responsibilities, which has
11 diminished its effectiveness and focus on its primary areas of
12 service; and

13 WHEREAS, the *Kevin S.* settlement agreement provides a
14 framework for the establishment of a clear and disciplined
15 strategy to attain sustainable system improvements, obligating
16 the children, youth and families department to carry out its
17 services in a disciplined, transparent, collaborative and
18 verifiable manner in order to enhance its effectiveness and
19 enable it to be transparent and accountable to the governor,
20 the legislature, the judiciary, stakeholders, communities and
21 the public; and

22 WHEREAS, the development and support of the children,
23 youth and families department workforce and support of foster
24 families and service providers are key to a healthy and
25 effective child welfare system; and

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1 WHEREAS, identifying an organizational structure that will
2 best fulfill the children, youth and families department's
3 primary responsibilities is critical to system improvement; and

4 WHEREAS, in recent years, numerous studies have examined
5 systemic problems and weaknesses in the child welfare system
6 and in the children, youth and families department, including
7 assessments by Casey Family programs, the Collaborative Safety
8 LLC report, the House Bill 10 task force and the Kevin S.
9 settlement agreement annual reports; and

10 WHEREAS, Governor Lujan Grisham has issued Executive Order
11 2023-020 to improve the effectiveness of the children, youth
12 and families department; and

13 WHEREAS, to the fullest extent possible, Executive Order
14 2023-020 must be supported and enhanced in order to attain a
15 child welfare system that meets the needs of New Mexico's
16 children and families;

17 NOW, THEREFORE, BE IT RESOLVED BY THE SENATE OF THE STATE
18 OF NEW MEXICO that the legislative finance committee be
19 requested to create a task force composed of the following
20 members:

- 21 A. a member appointed by the governor;
- 22 B. a member appointed by the speaker of the house
23 of representatives;
- 24 C. a member appointed by the minority floor leader
25 of the house of representatives;

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1 D. a member appointed by the senate president pro
2 tempore;

3 E. a member appointed by the minority floor leader
4 of the senate;

5 F. a member appointed by the chief justice of the
6 supreme court;

7 G. a member representing the *Kevin S.* settlement
8 agreement;

9 H. a member representing service providers;

10 I. a member representing foster families;

11 J. a youth representative;

12 K. a member representing juvenile justice
13 stakeholders; and

14 L. an at-large representative; and

15 BE IT FURTHER RESOLVED that the task force work to augment
16 and enhance the governor's efforts to improve the child welfare
17 system through Executive Order 2023-020; and

18 BE IT FURTHER RESOLVED that the task force examine the
19 organizational structure and operations of the children, youth
20 and families department and make recommendations for necessary
21 changes, including:

22 A. agency mission, vision and values compared with
23 national best practices in child welfare administration;

24 B. agency organizational structure compared with
25 statutory framework and national best practices in child

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1 welfare administration;

2 C. implementation of the multilevel response system
3 known as differential or alternative response, compared with
4 statutory framework and national best practices in child
5 welfare administration;

6 D. examination and definition of a data-driven
7 process to identify children and families at risk for
8 maltreatment and related outcomes;

9 E. the availability of, needs for and best
10 practices in wrap-around services for children and families;

11 F. the existing network of services, including
12 prevention, early intervention and intervention services;

13 G. the availability of, needs for and best
14 practices in services and safety for child-welfare-involved
15 families, including hard-to-place children;

16 H. best practices in safety, permanency and well-
17 being for children and families, including hard-to-place
18 children;

19 I. the qualifications of and recruitment practices
20 for frontline workers, including investigators, permanency
21 workers and juvenile justice field staff;

22 J. the current use of and potential to leverage
23 federal funding;

24 K. best practices in equity considerations;

25 L. staffing and facility needs at juvenile justice

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1 facilities;

2 M. the needs and best practices for and
3 availability and implementation of evidence-based and trauma-
4 informed programming in juvenile justice community and facility
5 settings, including restorative justice, multisystemic therapy,
6 functional family therapy and cognitive behavioral therapy; and

7 N. juvenile crime trends and best practices for
8 prevention, early intervention and rehabilitation; and

9 BE IT FURTHER RESOLVED that the task force be requested to
10 make recommendations to the legislature and the governor by
11 November 15, 2024 for consideration during the first session of
12 the fifty-seventh legislature; and

13 BE IT FURTHER RESOLVED that the task force have sufficient
14 administrative support to enable it to meet at least monthly
15 and move its work forward in a structured, consistent, public
16 and transparent manner; and

17 BE IT FURTHER RESOLVED that copies of this memorial be
18 transmitted to the governor, all members of the legislature,
19 the legislative finance committee, the legislative health and
20 human services committee and the secretary of children, youth
21 and families.