

THE RISING TIDE OF YOUTH VIOLENCE:

HOLDING JUVENILE
OFFENDERS ACCOUNTABLE

Prepared for the New Mexico
Legislative Juvenile Justice Task Force

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Juvenile Justice Legislative Taskforce



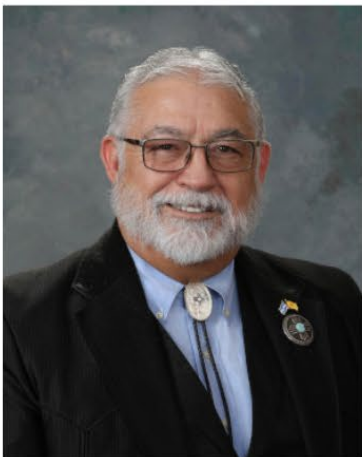
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EXECUTIVE SUMMARY

New Mexico is experiencing a troubling rise in violent juvenile crime, with youth offenders committing increasingly serious offenses at younger ages. While the overall proportion of youth involved in the justice system remains relatively low, trends indicate that violent incidents, particularly those involving firearms, are concentrated in certain counties and communities, including Bernalillo, Doña Ana, and Valencia. Juveniles are entering the system with complex behavioral health needs, trauma histories, and prior involvement with child welfare services, contributing to escalating risk and recidivism.

The current juvenile justice system emphasizes rehabilitation and diversion for low-risk youth but is ill-equipped to address high-risk, violent juveniles. Key challenges include:

- Weak accountability and minimal consequences for serious offenses, allowing repeat offenders to remain in the community.
- Easy access to firearms and peer-driven gang culture, which amplify violent behavior among adolescents.
- Family instability and insufficient supervision, contributing to vulnerability and criminal engagement.
- Behavioral health gaps, including limited access to adolescent psychiatry, substance use treatment, and residential programs, particularly in rural areas.
- School disengagement, truancy, and increased weapon-related incidents in schools, indicating spillover of violence from community to educational settings.
- System fragmentation and data blind spots, with no statewide platform for monitoring referrals, probation compliance, or violent trends, delaying coordinated intervention.

These systemic gaps have created a cycle in which violent youth are frequently released without adequate supervision or treatment, enabling continued criminal activity and community harm. Data from CYFD, the LFC, and the New Mexico Sentencing Commission indicate low conviction rates for violent juvenile offenses, with the majority of offenders sentenced only to probation despite engaging in armed robbery, aggravated battery, shootings, and other serious crimes.

To address these challenges, the report recommends a comprehensive package of reforms, including:

1. Strengthening accountability measures, such as graduated sanctions, probation escalation protocols, and targeted statutory enhancements for violent offenders.
2. Expanding system capacity, including secure placement facilities, staffing, and access to behavioral health and substance use treatment.
3. Implementing data transparency and early warning systems to identify high-risk youth and local hotspots, enabling timely, evidence-based interventions.
4. Enhancing prevention and early intervention, with school-based programs, family stabilization initiatives, and community partnerships to reduce delinquency before it escalates.

Legislative priorities for the upcoming session include increasing accountability for the most violent juvenile offenders, ensuring violent offenders are appropriately detained, and holding parents accountable when their children become chronically absent from school.

The report concludes that immediate, coordinated legislative action is necessary to hold violent juveniles accountable, support at-risk youth, and restore public safety. Without decisive reform, violent juvenile crime will continue to grow, eroding public confidence and threatening the safety of New Mexico's communities.

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I. INTRODUCTION

New Mexico is facing a growing and urgent challenge: an increase in violent juvenile crime committed by increasingly younger offenders and involving more serious acts of violence. Communities across the state are reporting more incidents involving firearms, group-based assaults, carjackings, and armed robberies perpetrated by minors. While the juvenile justice system was designed to prioritize rehabilitation and second chances, it has not kept pace with the changing nature and severity of youth violence. Today, the system struggles to protect public safety while also addressing the complex behavioral and social needs of high-risk youth.

Number of Juveniles Charged with First Degree Murder, 2017-2025

| 2017 | 2018 | 2019 | 2020 | 2021 | 2022 | 2023 | 2024 | 2025 (Jan-Jun) |
|------|------|------|------|------|------|------|------|-------------------|
| 1 | 3 | 2 | 10 | 14 | 12 | 25 | 27 | 15 |

Source: LFC analysis of AOC data

For years, policy debates in New Mexico have focused primarily on adult crime, leaving juvenile justice largely untouched. Yet law enforcement officers, prosecutors, educators, and victims increasingly report that juveniles who commit serious violent offenses often face inconsistent consequences and limited supervision. Interim legislative committees have acknowledged the issue but have not advanced meaningful reform, leaving courts, probation officers, schools, and families without clear tools to respond to escalating youth violence. The result is a system that intervenes too late, lacks coordination across agencies, and fails to prioritize incapacitation and structured intervention for the most dangerous youth.

This report was developed to support a common-sense focused Juvenile Justice Task Force that was convened to examine these challenges and develop actionable solutions. Its purpose is not only to document the scope of the problem, but to provide a roadmap for reform built on three principles: accountability for violent behavior, protection of community safety, and targeted rehabilitation for youth who can be safely and effectively redirected. The report draws on data from the New Mexico Legislative Finance Committee, the Children, Youth & Families Department, the New Mexico Sentencing Commission, law enforcement agencies, court records, and public reporting to offer a clear-eyed assessment of what is failing, why it is failing, and what must change.

The report examines current trends, system gaps, and the root causes of violent juvenile offending in New Mexico and concludes with specific legislative and administrative recommendations designed to restore credibility to the juvenile justice system and ensure safer communities for all New Mexicans.

II. JUVENILE CRIME DATA AND TRENDS

New Mexico faces a growing juvenile violence problem, concentrated in specific counties and communities. The increase in violent offenses, younger age of offenders, and disparities across

geographic lines indicate urgent need for legislative and policy interventions. Understanding these trends is critical for designing evidence-based prevention strategies, strengthening accountability, and ensuring public safety.

Key Takeaways:

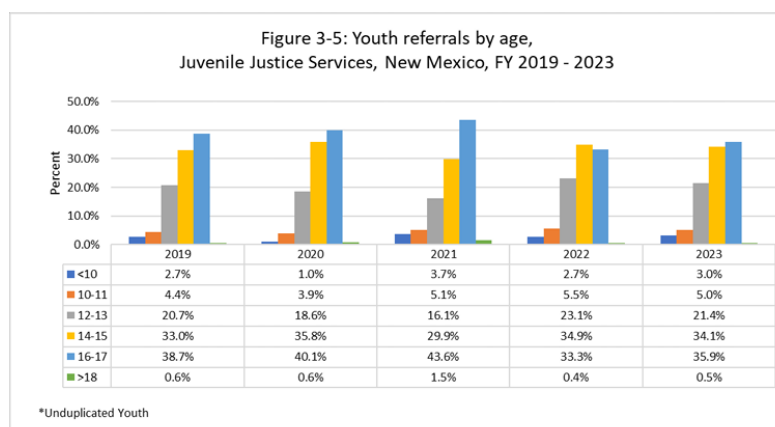
- Juvenile crime is rising in severity, even as overall numbers remain relatively low.
- More than half of the most serious violent juvenile charges are dismissed, with the vast majority of violent juvenile offenders only receiving probation.
- Violent juvenile behavior is concentrated in county-level hotspots - yet New Mexico lacks the data systems to track violent juvenile offenders and respond effectively.

Highlighted Statistic Example:

“Between FY21 and FY23, juvenile referrals in New Mexico increased by 68 percent—and 51 percent of violent juvenile cases were dismissed in FY24.”

A. Statewide Quantitative Snapshot

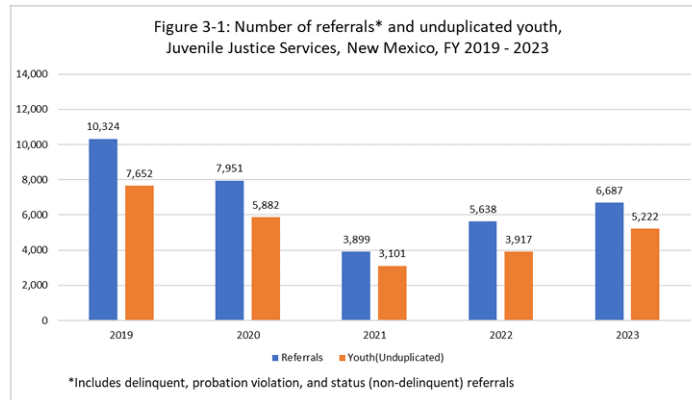
New Mexico is experiencing a concerning rise in violent juvenile criminal activity. The intensity and severity of violent acts are increasing, and youth are engaging in serious offenses at younger ages. According to the Children, Youth and Families Department’s FY24 Annual Report, approximately 0.3 percent of youth ages 10 to 17 were detained during the year, while 0.6 percent were petitioned to juvenile court.¹ While these percentages may appear low, they represent an upward trend in serious offenses concentrated in certain counties and communities.



Juvenile referrals to the juvenile justice system have shifted over time, reflecting the state’s policy focus on diversion and rehabilitation rather than incarceration. While there has been a significant decrease in both low-level offenses and high-level offenses over the past 20 years, data indicate recent increases in referrals to Juvenile Justice Services and a notable increase in violent acts committed by juveniles, particularly involving firearms. A recent media analysis of law enforcement records reported a 57 percent increase in juvenile-involved gun incidents

¹ <https://www.cyfd.nm.gov/wp-content/uploads/2025/08/SFY24-Annual-Report.pdf>

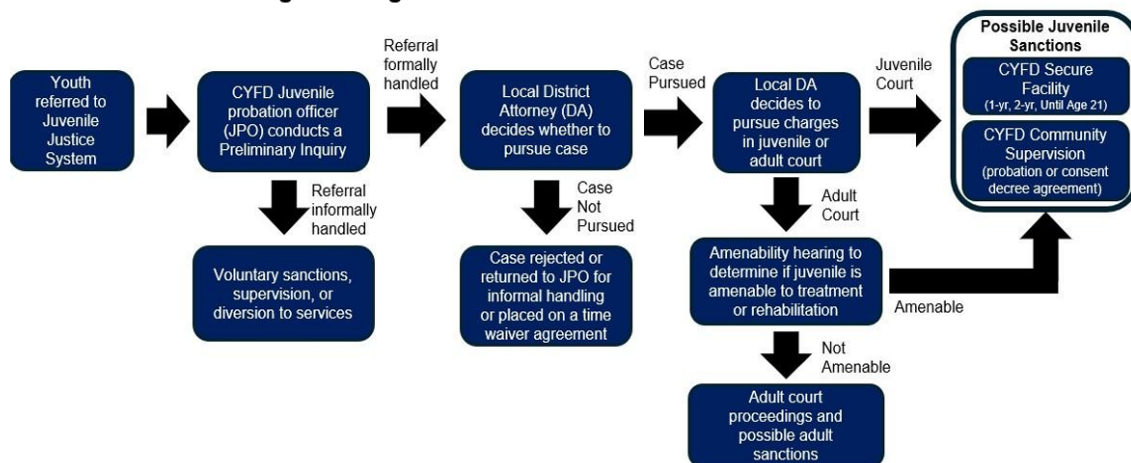
between 2022 and 2023.² However, these trends are uneven across counties, suggesting localized hotspots where youth violence is more acute.



B. Delinquent Referrals

With the exception of possession of alcohol, a delinquent referral represents an act committed by a juvenile that would constitute a criminal offense if committed by an adult. Allegations of delinquent behavior are referred to the Children, Youth and Families Department (CYFD) Juvenile Justice Services (JJS), and a single referral frequently includes multiple alleged offenses. In FY23, the most recent year for which CYFD has published complete statewide data, 69.6 percent of the referrals were for misdemeanor-level offenses while 30.2 percent involved felony charges; 0.4 percent were city ordinance violations.³

Figure 4. High-Level Juvenile Justice Process Overview



Over the past decade, New Mexico has experienced a substantial decline in delinquency referrals. The state reached its lowest recorded levels of juvenile offending in FY21, during the COVID-19 pandemic, both in the number of youth involved and in the total number of delinquent acts. Since that low point, however, delinquent activity has rebounded. Between

² <https://www.kob.com/news/missing-pieces-juvenile-crime-trends-4-investigates/>

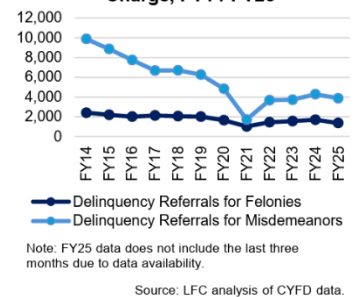
³ <https://www.cyfd.nm.gov/wp-content/uploads/2025/01/FY-2023-JJS-Annual-Report.pdf>

FY21 and FY23, the number of juveniles referred to the system increased by 68 percent, while total referrals increased by nearly 72 percent over the same time.⁴

More recent preliminary data indicate that referrals in FY25 have leveled off compared with FY23, following an increase observed in FY24.⁵ The share and total number of cases in which the highest alleged offense is a felony have remained relatively stable, even as overall referral volumes have risen.

This trend suggests that while overall juvenile delinquency is increasing from pandemic-era lows, the dominant charge has occurred in the volume of lower-level and mid-level offenses, rather than a broad surge in felony filings. For policymakers, this distinction is critical: it indicates that the system must maintain strong diversion and early intervention tools for low-level offenders while also ensuring that the relatively small but highly dangerous population of violent juvenile offenders is addressed with targeted, accountability-focused reforms.

Chart 4. Delinquency Referrals to the Juvenile Justice System by Highest Charge, FY14-FY25



C. Violent Juvenile Offense and Conviction Rates

In November 2025, the New Mexico Sentencing Commission released its first juvenile crime report in a decade, titled “**Select Crimes Issue Paper: Violent Juvenile Offenses (FY2024).**” The report identifies the following categories of violent charges in juvenile cases: homicide (42 cases or 5 percent), assault (176 cases or 22 percent), battery (382 cases or 48 percent), sex offenses (96 cases or 12 percent), kidnapping (23 cases or 4 percent), domestic violence (255 cases or 32 percent), child abuse (15 cases or 2 percent), shooting (78 cases or 10 percent), and theft with force (79 cases or 10 percent).⁶ These figures reflect the serious and often dangerous nature of violent juvenile crime within the state.

Conviction outcomes for these violent offenses remain alarmingly low. In FY24, approximately 51 percent of the most serious violent juvenile offenses were dismissed and roughly 2 percent of juveniles were found incompetent to proceed.⁷ In many instances, dismissals appear to occur as part of negotiated plea agreements, though in some cases charges may also be dropped due to evidentiary challenges.

⁴https://www.nmlegis.gov/Entity/LFC/Documents/Program_Evaluation_Reports/Policy%20Spotlight%20Juvenile%20Justice%20november.pdf

⁵https://www.nmlegis.gov/Entity/LFC/Documents/Program_Evaluation_Reports/Policy%20Spotlight%20Juvenile%20Justice%20november.pdf

⁶ <https://nmssc.unm.edu/reports/2025/select-crimes-issue-paper-violent-juvenile-offenses-fy2024.pdf> at page 3-4.

⁷ <https://nmssc.unm.edu/reports/2025/select-crimes-issue-paper-violent-juvenile-offenses-fy2024.pdf> at page 5.

Table 5: Most Serious Violent Juvenile Offense and Their Dispositions by Degree

| Degree | Number of Cases | Findings of Guilt for the Most Serious Violent Offense | Conditional Discharge | Dismissal | Incompetency | Acquittal |
|------------------------|-----------------|--|-----------------------|------------|--------------|---------------|
| 1 st Felony | 39 | 31% | 5% | 64% | -- | -- |
| 2 nd Felony | 75 | 36% | 7% | 55% | 1% | 1% |
| 3 rd Felony | 159 | 30% | 16% | 52% | 1% | <1% |
| 4 th Felony | 239 | 26% | 24% | 46% | 3% | <1% |
| Misdemeanor | 161 | 14% | 33% | 51% | 2% | -- |
| Petty Misdemeanor | 129 | 12% | 30% | 56% | 2% | <1% |
| Total cases | 802 | 23% | 23% | 51% | 2% | <1% |

Of the 802 cases in which a juvenile offender was charged with a serious juvenile offense, only 23 percent resulted in an adjudication of guilt for the serious charge initially filed.⁸ In FY24, more than 87 percent of juveniles adjudicated for violent offenses were sentenced only to probation, rather than secure confinement or placement in treatment-oriented facilities.

Table 6: Sentencing When Most Serious Conviction is a Violent Juvenile Offense by Crime Category⁴

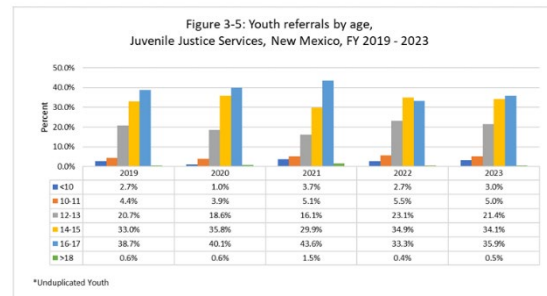
| Crime Category | Number of Cases | Fully Incarcerated | | Partial Suspension | | Fully Suspended |
|--------------------|-----------------|----------------------------|-------------------|----------------------------|--------------------------|--------------------------|
| | | Jail/prison sentence (yrs) | Parole term (yrs) | Jail/prison sentence (yrs) | Probation sentence (yrs) | Probation sentence (yrs) |
| Battery | 158 | 1.0 (9) | 0.0 | -- | -- | 1.0 (149) |
| Domestic violence | 73 | 1.0 (2) | 0.0 | -- | -- | 1.0 (71) |
| Assault | 54 | 1.0 (5) | 0.0 | -- | -- | 1.0 (49) |
| Theft with force | 35 | 4.0 (10) | 0.0 | -- | -- | 1.0 (25) |
| Shooting | 30 | 1.5 (10) | 0.0 | -- | -- | 1.0 (20) |
| Sex offenses | 20 | 1.0 (1) | 0.0 | 3.5 (1) | 5.0 | 1.0 (18) |
| Homicide | 11 | 4.5 (5) | 0.0 | 25.0 (3) | 5.0 | 2.0 (3) |
| Kidnapping | 5 | -- | -- | -- | -- | 1.0 (5) |
| Child abuse | 4 | 3.3 (3) | 0.0 | -- | -- | 0.5 (1) |
| Total cases | 390 | 2.0 (45) | 0.0 | 14.3 (4) | 5.0 | 1.0 (341) |

Taken together, these data reveal a substantial gap between the seriousness of violent juvenile conduct and the consequences imposed by the system. The current framework frequently fails to deliver swift, certain, and proportionate accountability, undermining public safety and weakening deterrence for the small but highly dangerous subset of juvenile offenders.

⁸ <https://nmsc.unm.edu/reports/2025/select-crimes-issue-paper-violent-juvenile-offenses-fy2024.pdf> at page 5.

D. Juvenile Offender Age Trends

Age trends among juvenile offenders in New Mexico have become particularly alarming – and the data and recent incidents highlight why targeted interventions must happen now. Youth committing violent offenses are increasingly younger, and several of the most egregious cases involve children at ages many would consider too young for serious criminal behavior.



One stark example: in 2025 a 13-year-old in Albuquerque was charged with murder after a “planned and filmed” hit-and-run crash that killed a 63-year-old bicyclist.⁹ The juvenile – accompanied by an 11 year old and a 15 year old – reportedly drove a stolen car and fled the scene; prosecutors have even moved to seek adult-level charges. This case highlights how children, not just older teens, are now committing the most serious violent crimes.

Even beyond firearms and vehicular violence, younger adolescents are increasingly participating in assaults, gang-related offenses, and other high-risk behavior. Local police commanding divisions and juvenile probation officers repeatedly warn that many youths now entering the system are in early high school – or younger – reflecting a drop in the “entry age” for violent acts.¹⁰

This combination – earlier age of onset and rapid escalation into high-risk, violent conduct – creates significant public-safety concerns and exposes gaps in the state’s current juvenile framework. New Mexico’s system was designed for an older cohort of youth and a very different offense profile; it was not built for 11-, 12-, and 13-year-olds engaged in shootings, armed robberies, or vehicular homicides. The growing presence of younger, more aggressive offenders requires a fundamental shift in how the state identifies, supervises, and responds to high-risk juveniles. New Mexico can no longer rely on a “one-size-fits-all” diversion model that presumes low-severity behavior. Instead, the data make clear that the system must adopt earlier and more robust interventions, develop age-appropriate risk assessments, and ensure meaningful accountability for serious offenses – regardless of the offender’s age. Without this pivot, the state will continue to miss critical opportunities to interrupt violent trajectories before they harden.

E. Pre-Adjudication Detention Rates

Reforms adopted in the early and mid-2000s intentionally shifted New Mexico away from the routine use of detention for juvenile offenders, both before trial and after adjudication. State law now permits the Juvenile Probation Office to resolve certain cases through informal

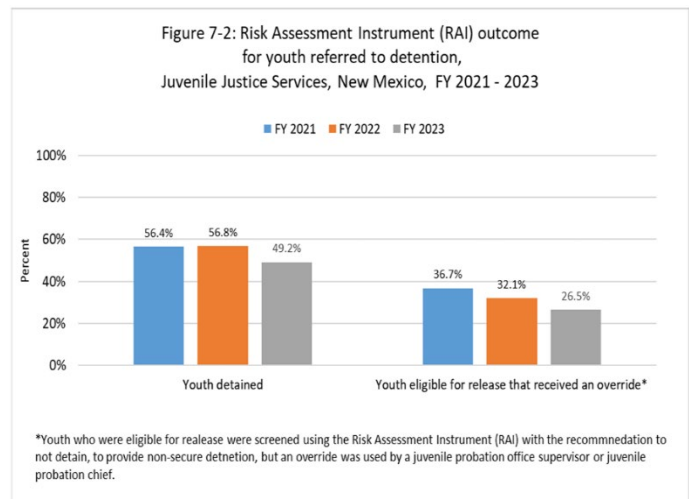
⁹ <https://www.cabq.gov/police/news/apd-arrests-13-year-old-for-murder-of-man-riding-his-bike-to-work-in-2024>

¹⁰ <https://www.kunm.org/local-news/2024-03-05/sheriff-weve-failed-our-youth>

handling, allowing some delinquency matters to be addressed outside of formal court proceedings, avoiding the “black robe” effect that the courtroom has.

For cases not handled informally, youth may be detained prior to adjudication, depending on their risk level and the seriousness of the alleged offense. In 2008, with assistance from the Annie E. Casey Foundation, the state implemented the Screening Admission and Releases Application (SARA), a web-based system designed to operationalize a risk-assessment tool similar in structure to the Arnold Foundation tool used in adult pretrial decisions. However, this instrument has never been formally validated for New Mexico populations, and operational data suggest its recommendations frequently fail to align with real-world outcomes and practitioner judgment.

Since 2019, the number of youth screened for pre-adjudication detention has declined by approximately 50 percent, while formal recommendations for secure detention have fallen by only about 12 percent.¹¹ Despite these recommendations, only about half of the youth for whom detention is recommended are actually placed in secure custody. Conversely, in approximately 27 percent of cases in which the tool recommends release, the recommendation is overridden by practitioners. These override patterns strongly suggest that the current tool lacks reliability and does not accurately assess risk.



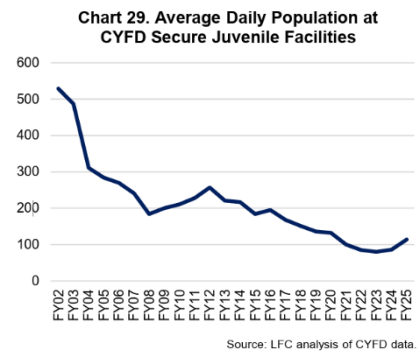
Detention decisions are also heavily influenced by facility availability. Today, only six county juvenile detention centers remain operational statewide. This limited infrastructure forces many communities to transport youth long distances for secure placement, creating logistical, financial, and operational barriers. As a result, dangerous juveniles who are recommended for detention are frequently released back into their communities – not because appropriate safeguards exist, but because there is simply nowhere to hold them pending adjudication.

F. Commitment Rates

Under current law, delinquent children may be committed to the custody of CYFD following adjudication for either a short-term commitment of up to one year or a long-term commitment of up to two years, but in no case beyond a youth’s 21st birthday. Those youth who are charged as youthful offenders and found amenable to treatment as a juvenile may see longer commitment terms up to their 21st birthday. In these cases, juveniles serve the final three months of their commitment on supervised release in the community.

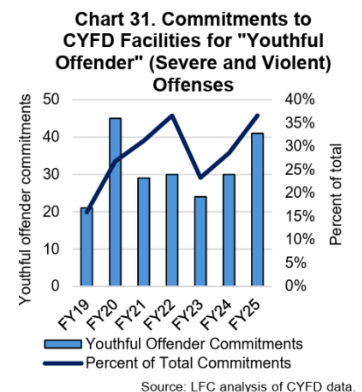
¹¹ <https://www.cyfd.nm.gov/wp-content/uploads/2025/01/FY-2023-JJS-Annual-Report.pdf>

New Mexico currently operates only two secure post-adjudication facilities eligible to receive committed youth: the J. Paul Taylor Center in Las Cruces and the Youth Development and Diagnostic Center in Albuquerque. Today, fewer juveniles are held in these secure CYFD facilities than before the COVID-19 pandemic, continuing a decades-long downward trend in secure juvenile populations. Legislative Finance Committee data shows that roughly 100 violent juvenile offenders have been committed annually in recent years, compared with more than 500 youth in FY02.¹²



The youth who are committed today, however, tend to be responsible for more serious offenses. LFC reports annual juvenile commitments for felony offenses have increased by 33 percent since FY19, while commitments for probation violations have decreased by 40 percent.¹³ This decline followed CYFD’s adoption of a uniform statewide juvenile probation agreement emphasizing five community-safety conditions: obeying all laws, maintaining contact with JPOs, staying at a consistent residence, not using or possessing weapons, avoiding alcohol or drugs, and complying with search and seizure rules. While the shift has been described as a best practice focused on reserving secure confinement for the most serious offenses, it has also effectively reduced meaningful consequences for probation violations, even though most juveniles in the system are supervised through probation.

Most concerning is the sharp rise in commitments for “youthful offenders”, the statutory category covering serious violent offenses (excluding first degree murder, which is classified separately as a “serious youthful offense”). **In FY19, 21 of the state’s most violent youth were committed under this designation. By FY25, this number had nearly doubled to 41 youthful offenders.** These cases now represent approximately 37 percent of all juvenile commitments, up from roughly 16 percent in FY19. The most frequent charges in youthful offender commitments were armed robbery, aggravated battery with a deadly weapon, and aggravated assault with a deadly weapon.¹⁴



Finally, most juveniles who are committed to secure facilities have prior involvement with the juvenile justice system. CYFD’s reported recidivism rate of 34 percent for youth discharged from secure facilities significantly understates the true rate of reoffending because it excludes youth released on parole who later commit new offenses. This data suggests that a substantial portion of committed juveniles are chronic or escalating offenders who were not effectively rehabilitated or redirected earlier in their involvement with the system.

¹²https://www.nmlegis.gov/Entity/LFC/Documents/Program_Evaluation_Reports/Policy%20Spotlight%20Juvenile%20Justice%20november.pdf at page 32.

¹³https://www.nmlegis.gov/Entity/LFC/Documents/Program_Evaluation_Reports/Policy%20Spotlight%20Juvenile%20Justice%20november.pdf at page 32.

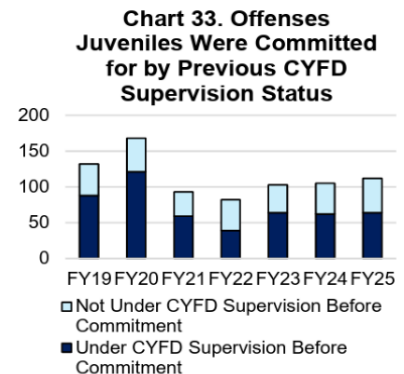
¹⁴https://www.nmlegis.gov/Entity/LFC/Documents/Program_Evaluation_Reports/Policy%20Spotlight%20Juvenile%20Justice%20november.pdf at page 33.

G. County and Local Hotspots

Violent juvenile crime in New Mexico is not evenly distributed across the state. Certain counties, including Doña Ana, Bernalillo, and Valencia, consistently report significantly higher rates of violent juvenile offenses on a per-capita basis than most other jurisdictions. Media investigations and law enforcement reports have documented clusters of firearm-related incidents, group-based assaults, and gang activity in Albuquerque and Las Cruces, contributing to heightened local law enforcement response and growing community concern.

These geographic concentrations highlight the need for targeted, county-specific interventions. Prevention programs, diversion services, supervision resources, and law enforcement coordination are most effective when they are focused on communities experiencing the highest levels of violent juvenile activity.

Despite this reality, New Mexico lacks a regularly updated, publicly accessible dataset that tracks violent juvenile offenders, recidivism rates, firearm involvement, and offense-level detail by county or municipality. This absence of transparent, localized data severely limits the ability of policymakers, law enforcement, and community leaders to deploy resources strategically or measure whether interventions are working.



Source: LFC analysis of CYFD data.

III. SYSTEM REVIEW: WHAT NEW MEXICO CURRENTLY DOES

New Mexico’s juvenile justice system is built on a rehabilitation-first model that has produced success for many low-risk youth but is not designed to effectively deal with violent, repeat, and increasingly younger offenders. **Statutes prioritize diversion and least-restrictive alternatives, while system capacity – especially in detention, secure treatment, and behavioral health services – remains insufficient.** Combined with limited data transparency and outdated statutory tools, the result is a system that is not equipped to respond effectively to the rise in juvenile violence gripping many communities.

Key Takeaways:

- New Mexico’s juvenile system is built for diversion - NOT for handling violent offenders.
- Capacity constraints severely weaken accountability for dangerous youth.
- Fragmented data and outdated statutes prevent early identification and swift intervention.

Highlighted Statistic Example:

“Despite rising violent juvenile crime, New Mexico today operates only two secure long-term commitment facilities for juveniles sentenced to CYFD’s care, and the number of county detention facilities has dropped sharply since the early 2000s, leaving counties frequently reporting ‘no bed’ for dangerous youth.”

A. CYFD Juvenile Justice Services & the Current Continuum of Care

New Mexico's juvenile justice system operates within a rehabilitation-centered framework grounded in the Children's Code and administered largely through CYFD's Juvenile Justice Services (JJS) division. Over the past decade, the state has adopted policies aimed at reducing formal detention and long-term commitments, emphasizing diversion, community-based services, and least-restrictive alternatives. CYFD's FY23 and FY24 reports show how decisively the system has shifted away from confinement as a primary response to juvenile offending.

At the front end of the system, most youth enter through referrals from law enforcement, schools, or community agencies. A substantial share of cases are resolved informally or diverted into community-based programs such as counseling, mentoring, restorative justice agreements, or behavioral health services. Juvenile probation officers frequently serve as the primary point of contact for both supervision and service coordination.

For youth who move deeper into the system, CYFD operates a continuum that includes:

- Detention centers, primarily county-run facilities that provide short-term confinement.
- Secure long-term facilities, which house youth committed for more serious offenses or chronic patterns of delinquency.
- Reintegration and transition programs, designed to prepare committed youth for return to the community.
- Community-based interventions, including multi-systemic therapy (MST), family support services, and intensive supervision.

Despite this array of programs, CYFD acknowledges ongoing challenges: limited statewide capacity for high-needs youth, uneven access to behavioral health services in rural counties, and a shortage of specialized programs targeting violent juvenile offenders. As detention and commitment populations have declined over the past decade, resources and staffing in secure settings have thinned – making it more difficult to respond when the seriousness of juvenile offenses rises, as is happening today.

B. Statutory and Policy Landscape

New Mexico's Children's Code reflects a longstanding legislative intent to treat juveniles differently than adults, prioritizing rehabilitation and community-based responses over incarceration and punitive sanctions. While this philosophy aligns with national best practices in many respects, it has also limited the state's ability to respond swiftly and firmly to escalating violent juvenile behavior.

Several legislative actions in recent years have shaped the current environment:

- Limits on juvenile transfer to adult court restrict prosecutors' ability to pursue adult sanctions except in narrowly defined violent felony circumstances.

- Restrictions on detention and judicial guidance favor release in all but the most serious cases, even when repeat violent behavior is present.
- Recent public safety and behavioral health packages (2024 and 2025) focused on adult crime but made only modest adjustments to the juvenile system, leaving large gaps in supervision, data transparency, and consequences for violent youth.

Fiscal impact reports and CYFD testimony consistently highlight gaps in the statutory framework: unclear standards for probation revocation, limited tools for addressing chronic violent behavior, and administrative rules that prioritize diversion even when risk levels are high. **While many states have modernized their juvenile codes to allow targeted, accountability-focused interventions for violent youth, New Mexico has not kept pace.**

Pretrial release policies have contributed to high recidivism rates, with repeat offenders committing additional violent crimes while awaiting trial. Plea bargains and case dismissals are often applied inconsistently, reducing the deterrent effect of the criminal justice system. Pretrial and diversion programs are also affected by judiciary-wide staffing and retention issues.

C. System Capacity & Operational Gaps

Even when judges, law enforcement, or prosecutors attempt to intervene more assertively with violent youth, the system often lacks the practical capacity to follow through. Three areas stand out:

1. Detention and Secure Facility Constraints

New Mexico’s secure juvenile facilities have fewer beds, staffing shortages, and inconsistent operational capacity. As the population of detained juveniles has declined over the past decade, many counties closed their detention facilities and existing detention centers experience staffing shortages, leaving the system ill-prepared for the rebound in juvenile violence occurring today. Several counties report regular “no bed” notifications for youth who meet detention criteria.

2. Behavioral Health & Substance Use Treatment

A significant share of violent juvenile offenders present with co-occurring mental health, trauma, and substance-use disorders. Access to specialty services – especially residential treatment, adolescent psychiatry, and substance use programs – is inconsistent across the state. Rural counties face acute shortages, forcing courts to rely on probation or short-term detention even when treatment is clinically indicated.

3. Data, Reporting & Accountability Limitations

New Mexico lacks a unified, real-time juvenile justice data system. Information about referrals, detention decisions, probation violations, and recidivism is scattered across local agencies, CYFD systems, and county detention records. Publicly available data is heavily skewed by Bernalillo County. The strongest, most recent data – especially on firearms involvement and violent felonies – comes from the Albuquerque area. For many other counties, publicly available juvenile crime data is minimal or outdated. As a result:

- Policymakers struggle to identify high-risk trends quickly.
- Judges and prosecutors may not receive full histories of youth with escalating violence.
- Geographic disparities are difficult to monitor.

This data fragmentation undermines accountability, impedes evidence-based decision-making, and makes it difficult to respond effectively. This data vacuum is a major problem for policy - and also a strong argument for requiring robust data transparency.

IV. Diagnosis: Why Violent Juvenile Offending is Rising in New Mexico

New Mexico’s surge in violent juvenile behavior is not the result of a single factor but rather the convergence of policy gaps, social conditions, system failures, and emerging youth behavioral trends. The following diagnosis synthesizes findings from New Mexico media; CYFD, LFC and Sentencing Commission data, academic research, law enforcement commentary, and national juvenile justice studies, tailored specifically to conditions observable in New Mexico communities.

Key Takeaways:

- New Mexico’s juvenile system delivers minimal accountability, even for serious violent crimes.
- Weak consequences and system limits have created a predictable “no-fear” environment.
- Easy access to illegal firearms, gang recruitment, and unstable homes accelerate violent behavior, and the system lacks effective tools to intervene early.

Highlighted Statistic Example:

“In FY24, more than 87 percent of juveniles adjudicated for violent offenses in New Mexico were sentenced only to probation rather than a secure placement despite a documented rise in juvenile shootings, group assaults, and deadly violence.”

A. Weak Accountability Measures and Minimal Consequences

One of the most significant drivers of rising juvenile violence is the lack of meaningful and consistent consequences for serious offenses. As New Mexico has shifted toward diversion and “least restrictive” approaches, the result has been a system where:

- Violent youth are routinely released to parents or guardians with minimal supervision.
- Many probation violations go unaddressed because of CYFD’s adoption of a new probation agreement and resource constraints.
- Secure placement is rare, even for youth with escalating violent patterns.
- Transfer to adult court is extremely limited, providing little deterrence for older teens committing serious crimes.

Law enforcement and prosecutors have repeatedly reported that juveniles – including those involved in robberies, shootings, carjackings, and aggravated batteries – frequently

cycle in and out of the system without meaningful intervention. In several recent cases, juveniles charged with serious violent offenses or firearm offenses were released without detention — even when law enforcement believed the youth met criteria for secure placement. In one 2023 case, five teens arrested for gun crimes in Bernalillo County were immediately released to guardians, prompting the county DA to call the decision “absolutely unacceptable.”¹⁵

Prosecutors and DA offices have publicly warned that New Mexico’s juvenile justice system is failing to deliver meaningful consequences. As Bernalillo County District Attorney Sam Bregman recently stated, “There were no consequences. He didn’t learn anything except that he could get away with carrying a gun as he pleased.”¹⁶

The problem transcends Albuquerque: after a 2025 mass-shooting in Las Cruces, NM reportedly involving teenage suspects, the local police chief lamented that repeated arrests of the same youths, “crime after crime,” had resulted in no real accountability, illustrating how the failure to enforce serious consequences emboldens violent behavior.¹⁷

Even the shocking hit-and-run in Albuquerque, involving an 11-year-old boy and 13-year-old boy, underscored the limitations of the current juvenile system when confronted with serious violent crimes committed by very young offenders. Some suspects are too young for secure detention under current statutes, despite criminal charges including murder.

This has created a feedback loop in which youth learn quickly that:

“Nothing significant will happen to me.”

The lack of immediate, credible consequences is consistently cited by police chiefs, school administrators, and even probation officers as a root driver of repeat violent youth behavior.

B. Easy Access to Firearms & the Rise of Youth Gun Culture

New Mexico’s sharp rise in juvenile firearm crimes mirrors national trends. The problem in the state is not tied to lawful gun ownership, however. Rather, it is driven by criminal behavior, weak deterrence, and the normalization of violence among at-risk youth. The overwhelming majority of firearms used by juveniles in violent crimes are illegally obtained, frequently through theft, black-market exchanges, or straw purchasers rather than legal sales to responsible gun owners.

¹⁵ <https://www.kob.com/new-mexico/5-teens-arrested-not-booked-into-juvenile-detention-center/>

¹⁶ <https://newmexicosun.com/stories/672196526-da-bregman-on-new-mexico-s-juvenile-justice-crisis-innocent-people-are-dying>

¹⁷ <https://www.petedinelli.com/2025/08/14/da-sam-bregman-and-nm-cops-assail-juvenile-violent-crime-crisis-again-demanding-action-from-legislature-how-many-more-people-need-to-be-killed-before-legislature-confronts-our-juvenile-violent/>

Key drivers unique to New Mexico include:

- High rates of vehicle and residential burglaries, which supply a steady stream of stolen firearms that become available on the street.
- Group-based violence and gang activity concentrated in Albuquerque, Las Cruces, Roswell, and Farmington, where guns are treated as symbols of status and power.
- A growing social media subculture that glamorizes gun possession and criminal behavior, encouraging teenagers to display weapons and threaten rivals online.
- The absence of credible consequences for illegal firearm possession, which has effectively removed fear of punishment for juveniles who carry or use guns.

Media reports and law-enforcement briefings have documented a sustained rise in shootings involving youth ages 12 to 17, including accidental discharges, retaliatory shootings, and group-motivated attacks. Albuquerque Police and Las Cruces Police have repeatedly warned that many of these incidents begin online, with threats and taunts on TikTok, Snapchat, Instagram, and Facebook escalating into real-world violence.

This is not justification for infringing upon Second Amendment rights or responsible gun ownership. Instead, it reflects a failure of the juvenile justice system to hold offenders accountable for illegal gun possession and violent use. Broad firearm bans or restrictions on law-abiding citizens would not stop juveniles who already obtain weapons illegally and act with little fear of consequences.

The data instead point toward the need for:

- Stronger penalties for illegal possession of firearms by juveniles
- Mandatory detention when firearms are used in the commission of violent acts.
- Enhanced probation enforcement for gun-related violations
- Targeted gang suppression and trafficking investigations

Until juvenile offenders face swift, certain, and proportionate consequences for gun-related crimes, New Mexico will continue to see the growth of a dangerous youth gun culture that places innocent communities at risk.

C. Breakdown of Family Stability and Youth Supervision

Juvenile violence is strongly correlated with instability in the home, and New Mexico exhibits some of the highest risk factors in the nation. The state consistently ranks among the highest for child maltreatment, family disruption, and substance abuse within households. New Mexico has one of the highest rates of children living in single-parent households, with approximately 34–36 percent of children living in homes headed by a single parent. In addition, roughly 25 percent of New Mexico children live below the federal poverty level, increasing exposure to housing instability, food insecurity, and unsafe neighborhood conditions.

New Mexico also experiences some of the nation's highest rates of parental substance abuse. State behavioral health data show elevated rates of opioid, methamphetamine, and alcohol

dependence among adults of child-rearing age, which directly affects supervision, consistency, and safety within the home.

Probation officers report that many youth under supervision come from environments lacking consistent adult oversight, routine, structure, and enforceable behavioral expectations. Staff at the J. Paul Taylor Center have reported that as many as 40 percent of committed juveniles receive no visits from any family member during their period of confinement, illustrating the depth of family disengagement faced by many justice-involved youth.

As a result, community-based interventions often fail — not because the programs are inherently ineffective, but because unstable home environments cannot sustain behavioral change. Youth are returned to the same conditions that contributed to their delinquency, with little capacity for follow-through or accountability.

Compounding this problem, New Mexico law sharply limits judicial authority to place high-risk youth in more structured settings unless narrow statutory thresholds are met. These legal constraints frequently fail to capture chronic, escalating, and violent patterns of behavior, leaving courts with few options other than returning dangerous youth to unstable homes.

D. Behavioral Health Gaps: Trauma, Substance Abuse, & Untreated Mental Health Needs

A significant share of violent juvenile offenders in New Mexico present with co-occurring trauma histories, substance misuse, and untreated mental health needs. Decades of research confirm that these factors are closely linked to violent behavior, but New Mexico's youth offenders exhibit these risk factors at far higher rates than national averages. According to CYFD, incarcerated juveniles in New Mexico report significantly more adverse childhood experiences (ACEs) than other youth, including exposure to domestic violence, parental substance abuse, community violence, and chronic neglect. Many carry ACE scores in the "high-risk range," meaning they have experienced four or more major traumas before age 18 – a level strongly correlated with impulsivity, aggression, substance abuse, and long-term involvement with the criminal justice system. New Mexico's LFC has repeatedly reported that many youth who enter juvenile probation or secure placements had prior involvement with Child Protective Services, often due to abuse, neglect, or unstable housing.

Substance use intensifies these risks. New Mexico consistently reports one of the highest adolescent illicit-drug-use rates in the United States, with more than 11 percent of youth aged 12 to 17 reporting illicit drug use within the prior month, compared to a national rate of around 7 percent. Teenagers in New Mexico are 55 percent more likely than the average American teen to have used illicit drugs in the past month.¹⁸ Local law enforcement and school-based counselors report increasing use of fentanyl, methamphetamine, and high-potency marijuana products among youth involved in violent incidents. The combination of trauma, easy drug availability, and weak accountability structures has created a pipeline in which many high-risk

¹⁸ <https://drugabusestatistics.org/teen-drug-use/#new-mexico>

youth cycle between school discipline, child welfare involvement, and ultimately the juvenile justice system.

Yet despite this well-documented need, behavioral health access for adolescents in New Mexico remains profoundly insufficient. Statewide capacity assessments repeatedly highlight:

- Severe shortages of adolescent psychiatric providers, particularly child psychiatrists and psychologists trained in trauma and substance use disorders.
- Insufficient residential treatment placements, forcing courts to place youth on long waitlists or send them out of state.
- Months-long delays for substance-use evaluations and treatment, including detox services for fentanyl-exposed teens.
- Sparse rural behavioral-health services, especially in eastern and southwestern New Mexico, leaving entire counties with no specialized adolescent care.
- Limited crisis-intervention resources, meaning law enforcement often becomes the de facto first responder during youth mental-health emergencies.

These gaps leave judges, probation officers, and CYFD with few realistic options beyond supervision or secure detention, even when mental health treatment is clinically necessary. As a result, serious behavioral disorders, such as conduct disorder, trauma-based aggression, and emerging psychotic disorders, may go untreated for years. Many youth do not receive meaningful treatment until they age out of the juvenile system and enter the adult system, often after committing increasingly serious offenses.

New Mexico's lack of early mental-health intervention capability is not only a clinical failure – it is a public-safety risk. Without timely access to treatment, high-risk youth remain on a trajectory toward continued violence, reoffending, and lifelong justice-system involvement. While the Behavioral Health Reform and Investment Act (2025) was a step toward acknowledging and addressing these problems, its implementation remains in early stages and will take years to implement effectively. State agencies are still developing the required gap analyses in each judicial district and struggling to coordinate care delivery systems. As this work is being completed, youth behavioral health should be prioritized, with a focus on ensuring the state's most vulnerable youth have access to needed services.

E. School Disengagement, Truancy, and Violence-Spillover

Research on juvenile delinquency and truancy reveals a complex interplay between these behaviors and their broader societal implications. Truancy – an unexcused absence from school – is often linked to serious delinquent activity in youth and significant negative behavior in adults. It is a risk factor for delinquent behavior, substance abuse, gang activity, and involvement in criminal activities such as burglary, auto theft, and vandalism. Chronic truancy can lead to academic failure, dropping out of school, and delinquency, with serious consequences for the child, their family, their community, and the state.

New Mexico's youth violence crisis intersects sharply with school disengagement. **In New Mexico, around 40 percent of public school students – or 134,000 students – are**

considered chronically absent. Even more alarming, more than 50,000 of those chronically absent students are considered excessively absent, missing 20 percent or more of school days annually.

Youth not attending school consistently are more likely to be involved in delinquent behavior, and the lack of an effective statewide truancy enforcement mechanism leaves a critical gap in early intervention. In many communities, schools report that they identify high-risk youth repeatedly, but they cannot compel participation in behavioral interventions, nor do they have a clear pathway for escalating concerns to CYFD and the justice system when danger increases. With the enactment of the Attendance for Success Act in 2019, the Legislature also removed a key accountability metric, which allowed a district attorney, only after significant intervention efforts have failed, to file misdemeanor charges against parents who caused or allowed their child to continue to be absent from school. This has left virtually no teeth in the law, particularly because truancy is not considered a delinquent act.

School-based incidents involving weapons or violence have increased in New Mexico in recent years, signaling a troubling escalation in youth aggression and access to firearms. According to Legislative Finance Committee analyses and statewide school safety reports, districts are documenting more weapon-related incidents on campus, including the possession of guns and knives by students as young as middle-school age. Albuquerque Public Schools has reported multiple gun seizures each semester, and similar incidents have been noted in Las Cruces, Farmington, Roswell, and smaller rural districts. Several high-profile school lockdowns over the past two years – including those triggered by students bringing loaded firearms to class – underscore the growing volatility in school environments. Administrators and school resource officers report that conflicts that would have previously resulted in disruptive-behavior referrals are now more likely to involve threats, fights, or weapons. This rise in school-based violence mirrors the broader increase in juvenile delinquency statewide and highlights the urgent need for early-intervention strategies, mental-health supports, and stronger accountability measures within New Mexico’s juvenile justice and education systems.

F. Attraction to Peer Groups, Gangs, and “Street Families”

As family stability has weakened in many communities across New Mexico, young people are increasingly turning to peer groups, neighborhood cliques, and youth gangs to find identity, protection, and belonging. This dynamic is especially pronounced in urban centers like Albuquerque, Las Cruces, and Santa Fe, but law enforcement in mid-sized and rural counties, including San Juan, Doña Ana, Lea, Chaves, and Valencia, report similar patterns among younger adolescents. **Police in multiple jurisdictions have noted that juveniles involved in violence today are not only more impulsive but also more likely to be acting in pairs or small groups, reflecting the growing influence of peer dynamics in youth crime.**

Law enforcement agencies across the state have documented a noticeable rise in group-motivated criminal activity involving juveniles. Albuquerque Police Department (APD) and the Bernalillo County Sheriff’s Office have disrupted youth auto-theft crews in which teenagers coordinate car thefts, vehicle drop-offs, and social-media-based “chop shop” exchanges. APD has repeatedly stated that a significant portion of the city’s skyrocketing auto

theft problem involves juveniles working in loosely organized groups, often recruited online by slightly older teens or young adults. In San Juan County, Farmington police have reported increases in juvenile-linked property crimes and coordinated burglaries involving groups of 14- to 17-year-olds. Doña Ana County deputies have identified “hybrid gangs” – loose, neighborhood-based youth groups not formally tied to national gangs but engaged in firearm possession, drug distribution, and group assaults.

New Mexico schools are also reporting this shift: school administrators and school resource officers in Albuquerque, Roswell, and Hobbs have described a rise in “clique-based conflicts,” where fights, threats, and intimidation escalate quickly when groups of students are involved. Several high-profile school lockdowns in recent years, including at Volcano Vista High School and Atrisco Heritage Academy in Albuquerque, Rio Rancho High School, and Las Cruces Public Schools, were linked to group-related threats or gun possession among students who were associated with peer cliques or neighborhood-based crews.

This changing landscape has also influenced the juvenile firearms market. Law enforcement in Bernalillo, Valencia, and Eddy counties report increased social-media-facilitated gun exchanges among teens, with juveniles trading stolen guns, drugs, or even car parts. Officers consistently describe a troubling pattern: younger adolescents (ages 12 to 15) being influenced by slightly older teens who orchestrate firearm access and coordinate criminal activity.

For many juveniles, the immediate rewards of peer status, money, online clout, or group identity outweigh the weak deterrent effect of New Mexico’s current juvenile justice system. Officers, prosecutors, and school officials widely report that youth understand the system’s limits – and often believe there will be minimal consequences for dangerous behavior, including violent offenses or gun possession. In this environment, peer-driven crime becomes both more attractive and more difficult to interrupt.

These trends demonstrate an urgent need for stronger accountability mechanisms, targeted gang-intervention strategies, early identification of at-risk youth, and coordinated efforts between schools, law enforcement, CYFD, and community programs. Without a clear response, New Mexico risks allowing peer-driven juvenile violence to accelerate unchecked.

G. System Fragmentation, Slow Response Times, and Data Blind Spots

New Mexico’s juvenile justice system currently suffers from significant structural deficiencies that hinder the identification, supervision, and treatment of violent youth. Among the most pressing gaps are:

- **Absence of a unified statewide data platform:** CYFD, local courts, probation departments, and law enforcement agencies maintain separate, often incompatible record systems. As a result, information on juvenile referrals, adjudications, probation four compliance, prior violent incidents, or firearm involvement is fragmented, delaying timely interventions. LFC evaluations have repeatedly noted that the lack of centralized data hinders predictive analysis and trend monitoring at the county and state level.

- **Lack of validated predictive tools for high-risk youth:** While some counties have implemented risk-assessment instruments, there is no statewide standard for identifying juveniles most likely to commit violent acts or escalate in severity. This leaves probation officers and caseworkers relying on inconsistent judgment calls rather than evidence-based guidance.
- **No standardized response protocols to violent incidents:** Responses to assaults, weapon possession, or gang-related activity vary widely by county and school district. In Albuquerque, Las Cruces, and Santa Fe, schools may refer students to law enforcement, while in rural counties, similar incidents may be handled solely through probation or informal family interventions, creating uneven accountability.
- **Unclear probation violation procedures:** Probation officers often lack clear authority or actionable protocols to respond when high-risk youth violate terms of supervision, resulting in delays in escalation or inconsistent consequences.
- **Insufficient rapid escalation mechanisms for youths who pose imminent danger:** Even when law enforcement or schools identify a high-risk youth, there is no streamlined process to ensure immediate intervention, secure placement, or coordinated mental-health evaluation.

As a consequence of these gaps, dangerous behavioral patterns often unfold over weeks or months before a coordinated response occurs. By the time interventions are initiated, a juvenile may already have committed multiple violent offenses, engaged in group-related crime, or acquired firearms.

This fragmentation undermines the effectiveness of the juvenile justice system. **Warning signs, including gang involvement, escalating aggression, firearm possession, and repeated probation violations, are frequently missed or ignored until a crisis occurs.** Without a statewide framework for information sharing, risk assessment, and rapid response, high-risk youth remain in the community with insufficient supervision, guidance, or treatment, increasing the likelihood of further violent incidents.

V. Policy Gaps: Where the System Fails

Despite New Mexico's extensive juvenile justice infrastructure and community-based programs, several critical gaps prevent effective prevention, intervention, and accountability for violent youth. These gaps fall into four major categories discussed below.

A. Limited Statutory Authority for Accountability

- **Inadequate consequences for repeat violent offenders:** Current law emphasizes diversion and minimal detention, even for youth with escalating violent behavior. Probation revocations and secure placement options are constrained by statute, leaving judges and prosecutors with few tools to impose meaningful accountability.
- **Narrow transfer to adult court provisions:** Juveniles who commit serious violent crimes often remain in the juvenile system, limiting deterrence and public safety impact.

- **Ambiguity in probation standards:** Courts and probation officers lack clear statutory guidance on escalating supervision or imposing sanctions for chronic violent behavior.

Impact: Violent youth learn that consequences are delayed, minimal, or inconsistent, which fuels recidivism and erodes community safety.

B. System Capacity Constraints

- **Detention & secure placement shortages:** CYFD reports persistent bed limitations, staffing shortages, and uneven geographic distribution of secure facilities. High-risk youth cannot always be confined or monitored safely.
- **Behavioral health service gaps:** Many youth with trauma, mental health, or substance use disorders cannot access appropriate treatment, particularly in rural counties.
- **Insufficient probation resources:** Probation officers often have high caseloads, limiting supervision and follow-up for high-risk youth.

Impact: Even when the legal system identifies high-risk youth, limited capacity prevents timely and effective intervention.

C. Data Fragmentation and Lack of Transparency

- **Disjointed information systems:** Referral, detention, probation, and behavioral health data are maintained across multiple agencies without real-time integration.
- **Inability to track recidivism systematically:** Policymakers and judges cannot identify patterns early or evaluate program effectiveness.
- **Limited racial and geographic disparity monitoring:** Without reliable reporting, it is difficult to ensure equitable and effective interventions.

Impact: Policymakers, courts, and community leaders cannot make fully informed decisions, slowing responses to emerging youth violence trends.

D. Prevention & Early Intervention Gaps

- **Insufficient school-based programs:** Truancy, absenteeism, and school-based violence often go unaddressed due to limited intervention programs.
- **Lack of targeted mentoring and family support:** Youth from high-risk families may lack supervision, guidance, or prosocial role models.
- **Underutilization of community resources:** Faith-based, nonprofit, and local youth organizations are often underfunded or disconnected from the juvenile justice system.

Impact: Early-stage interventions that could prevent the escalation to violent crime are inconsistently available or under-resourced.

VI. Recommended Reforms

Based on the data, trends, and identified policy gaps, the following reforms are recommended for consideration by the executive, the Legislature, and local governments.

A. Strengthen Accountability Measures for Violent Juveniles

- Targeted statutory enhancements: Create clear, narrowly defined provisions for enhanced consequences for repeated violent acts, including graduated sanctions and probation revocation guidelines.
- Expand transfer criteria for adult court: Allow transfer for specific violent felonies while retaining judicial discretion and constitutional safeguards.
- Standardize probation response protocols: Require immediate escalation for serious or repeat offenses, ensuring consistency across counties.

Expected Impact: Increased deterrence, clearer consequences, and reduced recidivism among violent youth.

B. Expand System Capacity and Access to Services

- Secure facility and detention expansions: Prioritize additional beds in high-demand counties and ensure staffing levels match population needs.
- Behavioral health investment: Fund residential and outpatient programs for trauma, substance use, and mental health treatment targeted at violent youth, targeting Bernalillo and Doña Ana counties.
- Probation officer caseload reduction: Improve supervision capacity to monitor high-risk youth effectively.

Expected Impact: High-risk youth receive timely and appropriate interventions, reducing community exposure to violent incidents.

C. Implement Data Transparency and Early Warning Systems

- Statewide juvenile data platform: Consolidate referral, detention, probation, and behavioral health data in real time.
- Outcome reporting: Quarterly public reporting on geographic, and offense-type patterns.
- Early warning alerts: Identify high-risk youth and hotspots to target interventions proactively.

Expected Impact: Enhanced policy oversight, more effective deployment of resources, and improved accountability across the system.

D. Strengthen Prevention and Early Intervention Programs

- School-based initiatives: Increase accountability for parents of chronically absent students and ensure earlier intervention for juvenile offenders who are chronically absent.
- Family stabilization programs: Provide counseling, supervision, and support for at-risk families, particularly those involved in the juvenile justice system.
- Community partnership funding: Incentivize collaboration between local nonprofits, faith-based organizations, and law enforcement for early intervention.

Expected Impact: Reduce the likelihood of early engagement in violent behavior and strengthen community-level resilience.

E. Task Force Legislative Package Recommendations

To operationalize some of these reforms, the task force has prioritized the following policies for consideration during the 2026 legislative session:

- Delinquency Act Changes – establish enhanced penalties and supervision for violent juveniles; allow prior convictions to be used in detention and sentencing decisions; ensure the risk assessment tool currently used is validated and reliable.
- Juvenile Data Accessibility - mandate quarterly publication of juvenile offender data and independent audits.
- School Attendance – require juvenile probation services to verify the school attendance status of any juvenile offender who is not subject to informal disposition and refer those offenders who are chronically absent to CYFD for participation in an assessment and referral for interventions. Additionally, reestablish misdemeanor penalties for parents of children who cause or allow their child to continue to miss school after significant interventions fail.

Each bill would be designed to balance public safety, fiscal responsibility, and rehabilitation opportunities while giving the Legislature actionable tools to address rising violent juvenile crime.

APPENDIX A – JUVENILE DELINQUENCY RELATED BILLS INTRODUCED SINCE 2021

| Bill Number | Title | Sponsors | Action | Session |
|-------------|--|--|--|------------------|
| HB 39 | JUVENILE RECORD IN FIREARM BACKGROUND CHECKS | Kathleen Cates, Charlotte Little, Marian Matthews | HPREF [2] HCPAC/HJC-HCPAC [3] DP/a-HJC API. | 2025 Regular |
| HB 134 | DELINQUENCY ACT CHANGES | Andrea Reeb, Nicole Chavez, Art De La Cruz, Cynthia Borrego | HPREF [2] HCPAC/HJC-HCPAC API. | 2025 Regular |
| HB 163 | ADDITIONS TO "DELINQUENT ACT" | Andrea Reeb, William A. Hall II, Nicole Chavez | [2] HCPAC/HJC-HCPAC API. | 2025 Regular |
| HB 280 | ADDITIONAL VIOLENT FELONIES | Nicole Chavez, Andrea Reeb, Harlan Vincent, Cathrynn N. Brown | [4] HCPAC/HJC-HCPAC API. | 2025 Regular |
| HB 434 | ADJUDICATED DELINQUENT CHILD RELEASE TIME | Joseph L. Sanchez | [7] HHC/HJC-HHC API. | 2025 Regular |
| SB 322 | STRIP SEARCHES & CAMERAS | Linda M. López, Harold Pope, Antoinette Sedillo Lopez, Shannon D. Pinto, Patricia Roybal Caballero | [4] SHPAC/SJC-SHPAC [11] DP-SJC API. | 2025 Regular |
| SB 326 | DELINQUENCY ACT CHANGES | Pete Campos | [4] SHPAC/SJC/SFC-SHPAC API. | 2025 Regular |
| SB 407 | WRONGFUL CONVICTION COMPENSATION & SERVICES | Linda M. López, Antoinette Sedillo Lopez | [6] SHPAC/SJC/SFC-SHPAC API. | 2025 Regular |
| SB 428 | CROSSOVER YOUTH ACT | Linda M. López, Antoinette Sedillo Lopez | [6] SJC/SFC-SJC API. | 2025 Regular |
| SB 510 | PUBLIC SAFETY CHANGES | William E. Sharer, Pat Woods, Crystal Brantley, Anthony L. Thornton, Nicholas A. Paul | [8] SJC/SFC-SJC [21] DNP-CS/DP-SFC [22] w/dm [23] PASSED/S (33-3) [18] HCPAC/HHC/HJC-HCPAC API. | 2025 Regular |
| SB 7 | CHILD DELINQUENCY CHANGES | David M. Gallegos, Joshua A. Sanchez, Nicole Tobiassen, Crystal Brantley | [1] SCC-SCC API. | 2025 1st Special |
| HB 66 | CANNABIS IN DELINQUENCY ACT | Andrea Reeb | HPREF [2] not prntd-HRC API. | 2024 Regular |
| HB 128 | CANNABIS REGULATION CHANGES | Andrea Romero, Katy M. Duhigg | HPREF [2] not prntd-HRC [3] w/dm-prntd-ref- HCPAC/HJC-HCPAC [4] DP-HJC [10] DNP-CS/DP API. | 2024 Regular |
| HB 155 | THREE STRIKES LAW | William "Bill" R. Rehm | [2] not prntd-HRC API. | 2024 Regular |
| HB 156 | JUVENILE DETENTION FACILITY SEGREGATION | William "Bill" R. Rehm | [2] not prntd-HRC API. | 2024 Regular |
| HB 235 | DEPT. OF DEFENSE RECOMMENDED CHANGES | Debra M. Sariñana, Daniel A. Ivey-Soto, Harold Pope, Alan T. Martinez, Harry Garcia | [3] not prntd-HRC API. | 2024 Regular |
| HB 265 | HEALTH ASSISTANCE FOR CHILDREN IN CUSTODY | Stefani Lord, Tara Jaramillo, Harlan Vincent | [4] not prntd-HRC API. | 2024 Regular |
| HB 282 | SEX OFFENDER REGISTRATION & FEDERAL LAW | Meredith A. Dixon, Marian Matthews | [5] HCPAC/HJC-HCPAC [7] DP-HJC API. | 2024 Regular |
| SB 6 | CANNABIS REGULATION CHANGES | Katy M. Duhigg, Andrea Romero | [1] SCC/SJC/SFC-SCC [2]germane-SJC [4] DNP-CS/DP-SFC [6] DP - f/aa- PASSED/S (25-15) [9] HJC-HJC [14] DP/a - PASSED/H (57-5) [13] s/cncrd SGND BY GOV (Mar. 1) Ch. 38. | 2024 Regular |
| SB 178 | SEALING RECORDS & BACKGROUND CHECKS | Daniel A. Ivey-Soto, Kathleen Cates, Debra M. Sariñana | [2] SCC/SHPAC/SJC-SCC [4]germane-SHPAC [7] DP-SJC API. | 2024 Regular |
| SB 261 | STAYED ADULT SENTENCES & YOUTHFUL OFFENDER | Gregory A. Baca, Craig W. Brandt | [4] SCC/SHPAC/SJC-SCC API. | 2024 Regular |

| Bill Number | Title | Sponsors | Action | Session |
|-------------|---|--|---|--------------|
| HB 58 | ADDITIONAL VIOLENT FELONIES | William "Bill" R. Rehm, Stefani Lord, Andrea Reeb | HPREF [2] HCPAC/HJC-HCPAC API. | 2023 Regular |
| HB 154 | CANNABIS USE AS CHILD DELINQUENT ACT | Andrea Reeb, William "Bill" R. Rehm | [2] HHC/HJC-HHC API. | 2023 Regular |
| SB 64 | NO LIFE SENTENCE FOR JUVENILES | Antoinette Sedillo Lopez, Gail Chasey, Bill B. O'Neill, Kristina Ortiz | SPREF [1] SHPAC/SJC-SHPAC [4] DP-SJC [8] DP/a - PASSED/S (32-8) [11] HCPAC/HJC-HCPAC [13] DP-HJC [14] DP [16] PASSED/H (37-25) [21] SGND BY GOV (Mar. 17) Ch. 24. | 2023 Regular |
| SB 388 | AGE LIMIT FOR CHILDREN IN CUSTODY | Bill B. O'Neill | [8] SHPAC/SJC-SHPAC [9] DP-SJC [12] DP - PASSED/S (36-1) [15] HJC-HJC [18] DP [19] PASSED/H (64-1) SGND BY GOV (Apr. 4) Ch.125. | 2023 Regular |
| SB 406 | MILITARY BASE CHILD CONCURRENT JURISDICTION | Harold Pope | [8] SHPAC/SJC-SHPAC [12] DP-SJC API. | 2023 Regular |
| HB 31 | ADDITIONAL VIOLENT FELONIES | William "Bill" R. Rehm, Stefani Lord | HPREF [2] not prntd-HRC API. | 2022 Regular |
| SB 43 | PROHIBITING LIFE WITHOUT PAROLE FOR A CHILD | Antoinette Sedillo Lopez, Gail Chasey, Dayan Hochman-Vigil | [1] SCC/SHPAC/SJC-SCC [4] germane-SHPAC [6] DP-SJC [8] DP - PASSED/S (23-15) [7] HCPAC/HJC-HCPAC- DP-HJC API. | 2022 Regular |
| SB 167 | YOUTHFUL OFFENDER & STAYED ADULT SENTENCE | Gregory A. Baca | [4] SCC/SHPAC/SJC-SCC-germane-SHPAC API. | 2022 Regular |
| HB 2 | CANNABIS REGULATION ACT | Javier Martínez, Andrea Romero, Deborah A. Armstrong, Katy M. Duhigg, Linda M. López | [1] HTRC/HJC-HTRC [2] DP/a-HJC- DP/a - f/a- PASSED/H (38-32) [4] SCW-SCW- DP/a [5] PASSED/S (22-15) [4] h/cncrd SGND BY GOV (Apr. 12) Ch. 4. | 2021 Special |
| *SB 3 | CANNABIS REGULATION ACT | Cliff R. Pirtle | [1] SCW-SCW | 2021 Special |
| HB 12 | CANNABIS REGULATION ACT | Javier Martínez, Andrea Romero, Deborah A. Armstrong | [2] HHC/HTRC-HHC [4] DNP-CS/DP-HTRC [7] DNP-CS/DP [8] f/a- PASSED/H (39-31) [11] STBTC/SJC-STBTC [14] DP/a-SJC [16] DP/a | 2021 Regular |
| HB 17 | CANNABIS REGULATION ACT | Tara L. Lujan, Roger E. Montoya | [2] HHC/HTRC-HHC | 2021 Regular |
| HB 58 | ADDITIONAL VIOLENT FELONIES | William "Bill" R. Rehm | HPREF [1] HCPAC/HJC/HAFC-HCPAC | 2021 Regular |
| HB 183 | NO FINES OR FEES FOR SOME JUVENILE CRIMES | Roger E. Montoya, Gail Chasey | [2] HCPAC/HJC-HCPAC [4] DP-HJC [7] DP [9] PASSED/H (66-0) [11] SJC-SJC [16] DP - PASSED/S (36-0) SGND BY GOV (Mar. 30) Ch. 15. | 2021 Regular |
| HB 305 | CONTRACT SVCS FOR SOME JUVENILE OFFENDERS | Jason C. Harper, Joshua N. Hernandez | [6] HHC/HJC-HHC | 2021 Regular |
| SB 13 | CANNABIS REGULATION ACT | Daniel A. Ivey-Soto | [3] STBTC/SJC-STBTC | 2021 Regular |
| SB 216 | POSSESSION OF A CONTROLLED SUBSTANCE | Jacob Candelaria, Leo Jaramillo | [3] SHPAC/SJC-SHPAC [5] DP-SJC | 2021 Regular |
| SB 247 | JUVENILE LIFE SENTENCES W/OUT PAROLE | Antoinette Sedillo Lopez, Dayan Hochman-Vigil | [3] SHPAC/SJC-SHPAC [9] DP/a-SJC [12] DP/a [14] f/a- PASSED/S (28-11) [12] HJC-HJC [14] DP/a | 2021 Regular |
| SB 257 | DELINQUENCY PLACEMENTS | Michael Padilla, Phelps Anderson | [3] SIRC/SJC-SIRC- DP-SJC | 2021 Regular |
| *SB 288 | CANNABIS REGULATION ACT | Cliff R. Pirtle | [3] STBTC/SJC/SFC-STBTC [14] DNP-CS/DP-SJC | 2021 Regular |

APPENDIX B - TASK FORCE ENDORSED BILLS

The following represents a list of bills endorsed by the Task Force for consideration during the 2026 legislative session.

Expand Serious Youthful Offender and Youthful Offender Offenses. The proposal will change the definition of “serious youthful offender” to increase the violent crimes in which a district attorney must charge a child as an adult and prosecute a child in district court rather than children’s court to include 2nd degree murder, voluntary manslaughter, armed robbery, and shooting at or from a vehicle or shooting at a dwelling or occupied building where bodily harm is caused. If found guilty of any of these additional violent crimes, a child would be sentenced as an adult and incarcerated in an adult prison. Currently, first degree murder is the only crime in which a child is mandated to be treated as an adult. The proposal will also change the definition of “youthful offender” to increase the crimes in which a district attorney can seek an adult sentence to include unlawful possession of a handgun, vehicular homicide, involuntary manslaughter, and failing to stop a vehicle at an accident that results in death or great bodily injury. A child charged as a youthful offender will continue to be prosecuted in Children’s Court, but if they are convicted of any of the enumerated youthful offender crimes, could be sentenced as an adult if they are not found to be amenable to rehabilitation as a juvenile.

Require Risk Assessment Tool to be Valid and Reliable. The proposal will require the Risk Assessment Tool to be valid and reliable, ensuring the metrics used and scoring criteria are validated and ensure the tool is better aligned to make recommendations about pretrial detention.

Extend Jurisdiction of Children’s Court to Adjudicated Juvenile Offenders up to 25 Years Old and Provide Flexibility in Probation and Juvenile Commitment Terms. The prefrontal cortex – the part of the brain responsible for planning, decision making, and impulse control – is one of the last parts of the brain to fully develop and usually doesn’t do so until around the age of 25. The proposal will extend the Children’s Court’s jurisdiction over delinquent juveniles and juvenile criminals until their 25th birthday for crimes or probation and parole violations committed prior to a child’s 18th birthday (new crimes committed by a person who has reached their 18th birthday would be prosecuted in adult court). This proposal mirrors laws in four other states that have extended juvenile court jurisdiction to a person’s 25th birthday. The proposal also provides far more flexibility when it comes to probation and juvenile commitments to a CYFD facility. The proposal extends the Court’s jurisdiction to a juvenile offender’s 25th birthday and allows probation or commitments to be imposed until a child’s 25th birthday based on the individual circumstances of each case.

Allow Juvenile Records to be Used in Certain Proceedings. Allows juvenile records that have been sealed to be used in any hearing where conditions of release or sentencing are being addressed, with prior notice to the Court; a party will no longer have to request to unseal these records. Additionally, the proposal will allow the existence of a juvenile’s record to be disclosed in court pleadings without discussing the contents of the record. This will ensure the Court is aware of a child’s past criminal activity and those activities are appropriately considered as a Court is determining whether to detain a child and during sentencing hearings.

Change Burden of Proof for Juvenile Probation Violations. Establishes clear and convincing evidence as the burden of proof for a juvenile probation violation.

Juvenile Competency. Establishes a process similar to the adult competency proceedings for juveniles found incompetent, including assessment for competency restoration and substance abuse treatment.

Hold Parents Accountable for Excessively Absent Juveniles. Reenacts a pre-2019 law that established misdemeanor penalties allowed a court to hold criminally liable the parent of a truant student.

Ensure Earlier School Attendance Intervention for Certain Juvenile Offenders. Establishes an early-intervention mechanism to address chronic school disengagement among juveniles who demonstrate elevated risk of continued delinquent behavior. Juvenile probation services would be required to verify the school attendance status of any juvenile offender who is not subject to informal disposition. If the offender is chronically absent, probation services would be required to refer the child to CYFD for the child and family to participate in an assessment and referral pursuant to the Families in Need of Court-Ordered Services Act.

Juvenile Offender Data Reporting to New Mexico Sentencing Commission. Allows the New Mexico Sentencing Commission to receive certain non-privileged data, including juvenile records, to be used for reports on and analysis of the criminal and juvenile justice system. The bill provides protections to ensure confidential individual-level data remains confidential.