

TITLE 8 SOCIAL SERVICES
CHAPTER 14 JUVENILE JUSTICE
PART 17 INFORMATION MANAGEMENT

8.14.17.1 ISSUING AGENCY: Children, Youth and Families Department.
[8.14.17.1 NMAC - N, 6/1/2010]

8.14.17.2 SCOPE: This rule applies to clients and staff of the juvenile justice division, also referred to as juvenile justice services, of the children, youth and families department.
[8.14.17.2 NMAC - N, 6/1/2010]

8.14.17.3 STATUTORY AUTHORITY: Sections 32A-1-1 et seq., 32A-2-1 et seq., 32A-3-1 et seq., 32A-4-1 et seq., 32A-11-1 et seq., 32A-15-1 et seq. NMSA 1978 Comp., as amended.
[8.14.17.3 NMAC - N, 6/1/2010]

8.14.17.4 DURATION: Permanent.
[8.14.17.4 NMAC - N, 6/1/2010]

8.14.17.5 EFFECTIVE DATE: June 1, 2010, unless a later date is cited at the end of a section.
[8.14.17.5 NMAC - N, 6/1/2010]

8.14.17.6 OBJECTIVE: To establish standards and guidelines for programs which serve the best interest of the clients, persons and property under the supervision or in the custody of the department including implementation of Cambiar New Mexico. This rule further establishes guidelines to address the safety of clients and staff and for the protection of department resources. This rule emphasizes the value and importance of staff in the delivery of services to our clients.
[8.14.17.6 NMAC - N, 6/1/2010]

8.14.17.7 DEFINITIONS:

A. “Cambiar (Change) New Mexico” refers to the name designated by the children, youth and families department (CYFD) for its juvenile justice reform initiative that focuses on rehabilitation and relationships. Clients and juvenile justice services’ staff members build one-on-one relationships with each other and learn to interact in a completely different way than the old “correctional” model. Group building activities designed to build trust and communication are key components as well as family and community involvement.

B. “Client” refers to a person who is committed to the custody of the CYFD juvenile justice services or who is receiving services from CYFD’s juvenile justice services.

C. “Department” refers to the New Mexico children, youth and families department.

D. “Director” refers to the juvenile justice services director.

E. “Facility” refers to a facility operated by, or on behalf of the CYFD’s juvenile justice services, or any other facility or location designated by the juvenile justice services director to house or provide care to clients committed to the custody of CYFD.

F. “Files and records” means the master delinquency file of a JJS client, which includes all facility master file records and field referral records, and actions taken while in custody including but not limited to commitment papers, court orders, detainers, personal property receipts, visitor’s lists, photographs, fingerprints, types of custody, disciplinary infractions with actions taken, work assignments, program participation, program progress and other relevant case data. It does not include the separate medical, behavioral health, or education sub files.

G. “Juvenile justice services” or “juvenile justice division” refers to the organizational unit within CYFD that operates juvenile justice facilities, and provides other services under the Delinquency Act, NMSA 1978 section 32A-2-1 et seq.

H. “Secretary” refers to the cabinet secretary of the New Mexico CYFD.

I. “Secure facility” refers to Camino Nuevo youth center, J. Paul Taylor center, youth diagnostic and development center or any other facility designated a secure facility by the director of juvenile justice services.

J. “Staff” refers to employee(s) of CYFD.

K. “Superintendent” refers to the chief administrator at a JJS facility.

L. “Youth care specialist” refers to juvenile justice services security employees whose primary duties include working directly with clients.
[8.14.17.7 NMAC - N, 6/1/2010]

8.14.17.8 INFORMATION MANAGEMENT: Juvenile justice services governs the establishment, use, content, access, privacy, storage, preservation, and destruction of operational and client files and records. In addition, procedures are in place for information storage and retrieval, master indexes, daily reports, evaluations and research.
[8.14.17.8 NMAC - N, 6/1/2010]

8.14.17.9 FILES AND RECORDS MANAGEMENT: Juvenile justice services maintains data on every client committed to its care and custody and establishes a record of services, programs, care, treatment, progress and interventions experienced by the client during their commitment. The content, access, storage and preservation of these files and records, and sub files, are controlled.
[8.14.17.9 NMAC - Rp, 8.14.1.24 NMAC, 6/1/2010]

8.14.17.10 NOTIFICATION AND REPORTING: Juvenile justice services promptly notifies key personnel of issues, situations and incidents that present a risk to clients, employees, visitors and the community.
[8.14.17.10 NMAC - Rp, 8.14.1.20 NMAC, 6/1/2010]

8.14.17.11 STANDARDIZED REPORTING: Juvenile justice services maintains a standardized reporting format and frequency to evaluate facility and program performance. Facility reports are written quarterly and include major developments, major incidents, population data, staff and client morale and major problems and plans for fixing them.
[8.14.17.11 NMAC - N, 6/1/2010]

8.14.17.12 STANDARD MEETING SCHEDULES: Juvenile justice services maintains a schedule of standard meetings to promote communication between the director’s office, facility superintendents, administrative department heads, managerial and supervisory personnel and other employees.
[8.14.17.12 NMAC - N, 6/1/2010]

8.14.17.13 RESEARCH REQUESTS AND REVIEWS: Juvenile justice services encourages appropriate scientific research which contributes to our knowledge of juvenile delinquency and promotes improvement in the juvenile justice system. No research activities can be initiated unless approved by the director of juvenile justice services.
[8.14.17.13 NMAC - Rp, 8.14.1.28 NMAC, 6/1/2010]

8.14.17.14 AUTOMATED INFORMATION SYSTEMS: Juvenile justice services maintains and utilizes electronic or automated information systems to produce reports, facilitate decision making, and timely respond to inquiries, as well as a mechanism for regular storage, retrieval and review of client and operational information.
[8.14.17.14 NMAC - N, 6/1/2010]

8.14.17.15 PROCEDURES: The juvenile justice services director will make appropriate procedures available to the public but reserves the right to add, delete or modify procedures under the information management policy without notice or comment in furtherance of the mission and goals of the department or service area.
[8.14.17.15 NMAC - N, 6/1/2010]

HISTORY OF 8.14.17 NMAC:
Pre-NMAC History: [RESERVED]

History of Repealed Material:
8 NMAC 14.1, General Provisions, filed 11/2/98 - Repealed effective 8/31/2005.
8.14.1 NMAC, General Provisions, filed 8/15/2005 - Repealed effective 12/30/2005.
8.14.1 NMAC, General Provisions, filed 12/16/2005 - Repealed effective 6/1/2010.