



New Mexico Children,  
Youth & Families Department

## **For Immediate Release**

Contact:  
Charlie Moore-Pabst  
505-750-4562

### **Roundup: CYFD secretary applauds governor, Legislature for steps forward on child welfare reform**

SANTA FE -- Children, Youth and Families Department Secretary Brian Blalock expressed his thanks this week to the New Mexico Legislature and Governor Michelle Lujan Grisham for approving a set of bills that will kick-start child welfare reform in the state.

“We are thrilled to see that Republicans and Democrats alike are serious about transforming New Mexico’s child welfare system, placing kids first,” Blalock said. “The department is encouraged as we undertake the monumental task of reforming our systems to ensure best practices, support the most vulnerable and set up our kids to become successful adults.”

Among the new laws signed by the governor is SB 23, Services for Youth Leaving Foster Care, which extends optional support to young adults who age out of foster care from 18 to age 21. The phased implementation will begin extending services in July of 2021, allowing the department to ensure additional infrastructure to fully support these newly-eligible young adults is in place.

“New Mexico kids are leaving home later in life than they did just a decade ago, but foster children are still forced out of the system at 18,” Blalock said. “This expansion of optional services will help with housing, education, employment, financial management and emotional support. This bipartisan bill passed both the House and Senate unanimously, showing New Mexicans will welcome improving services available to protect families.”

Several organizations throughout New Mexico already provide extended support for juveniles exiting the foster care system. NMCAN Executive Director Ezra Spitzer said of the new law, “As an organization that partners with young people, NMCAN is excited to work together to better meet the needs of young people in New Mexico. The opportunity to develop new programming from a fresh perspective is exciting and necessary. Age-appropriate supports to young people ages 18 to 21 are needed and CYFD must authentically engage both that age group of young people and community partners to meaningfully improve the transition to adulthood.”

Landmark legislation was also passed with the Plan of Safe Care Bill. The Children, Youth and Families Department will now receive notification any time an infant tests positive for addictive substances and be able to assess the family's strengths and needs without requiring opening a formal abuse or neglect case.

Dr. Janis Gonzales, president of the New Mexico Pediatric Society said, "This bill is a big step forward because it adds a layer of support for NM families by requiring notification-- but not necessarily abuse reporting-- for all infants born exposed, so even more families will receive help, but it will be done in a non-punitive way that will help mothers feel supported rather than persecuted. This approach has also been shown to increase the likelihood that pregnant women will self-report and receive treatment for substance use disorder early in pregnancy."

Crafted with guiding input from the medical community, HB 230 is expected to become a model bill for the rest of the country.

Normal mandatory CYFD reporting for abuse or neglect will still be required by current statute. This law also puts New Mexico in federal compliance with federal law requiring plans of care for exposed infants. The state is now eligible for an additional \$200,000 per year.

Victims of child sex trafficking will also receive additional support thanks to HB 56, Prostitution as a Delinquent Act. The bill decriminalizes prostitution charges for minors, authorizes law enforcement to take the child into protective custody, and requires a CYFD referral.

Sex trafficked youth are victims no matter the circumstance. This change will allow children to receive appropriate, trauma-informed services.

Karen Walker Brown, Director of Child Trafficking at the National Center for Youth Law said of the new law, "Public agencies and community partners must work together to fundamentally change the way children and youth who are commercially sexually exploited are viewed and treated. The critical first step to creating a supportive response to help this population is to recognize that these children and youth are victims of abuse that should not be criminalized for things done to them. New Mexico has taken this first step and should be applauded for it."

The Abuse and Neglect Multilevel Response System was also created by lawmakers with HB 376. It offers support services at the first signs of potential abuse or neglect, helping to stabilize the family before caseworkers are forced to remove children from the home due to deteriorating conditions.

"The paramount concern will always be the health and safety of children," Blalock said. "However, preference will now be given to keeping kids with their parents through tough times. Home visitation, income support, and other reasonable services will be made available to address the underlying causes of potential abuse and neglect."

The law was modeled after a successful family support program piloted in Bernalillo County. That program resulted in lowered rates of repeat mistreatment, and kept more children in their own homes. Outside monitoring will provide an independent look at the program so that families are getting the most from these supportive services.

A host of other bills that affect the safety and well-being of children were signed by the governor, including:

- HB 56: Prostitution as a Delinquent Act (Representatives Gail Chasey and Christine Trujillo)

All too often, children who are the victims of human trafficking are further traumatized by being arrested on prostitution charges. This bill will both help prevent that traumatization, and ensure that the child receives the support and services they need.

- HB 230: Plan of Safe Care (Representative Christine Trujillo)  
Everyone agrees that prenatal drug use can significantly affect a developing fetus, and current research indicates that non-punitive interventions have the most long-term benefits for the children and families. This bill, which brings New Mexico into line with federal requirements, will help ensure the child and its parents receive the support and services they need by giving caseworkers more options to protect the child.
- HB 236: Attendance for Success Act (Representative Patricio Ruiloba)  
Among the factors which have a direct effect on a child's educational success is their absentee rate: missing as few as two days a month can drastically affect a child's likelihood of graduating. This bill updates the New Mexico truancy laws to establish a progressive approach to addressing a child's absenteeism. As part of that process, CYFD will work closely with the schools, the child, and the family, to ensure that they are linked to appropriate community-based supports and services.
- HB 314: Children's Advocacy Centers (Representatives Linda Trujillo and Dayan Hochman-Vigil)  
Child Advocacy Centers are organizations that provide training, prevention, and treatment services to victims of child abuse and neglect, and their non-offending family members. This bill clearly establishes the criteria that a Child Advocacy Center operating in New Mexico must meet, based on the same best practices criteria that a Child Advocacy Center must meet in order to become accredited through the National Children's Alliance.
- SB 341: Transfer Complete Course Work (Senator Linda Lopez)  
This bill works to ensure that a child's educational achievements are not adversely affected by their involvement in the foster care system by ensuring that they receive full credit for all completed coursework regardless of their movement within the New Mexico primary and secondary school systems.
- SB 251: Tuition and Fee Waivers for Foster Children (Senator George Munoz)  
This bill expands the population of foster care children eligible for a full waiver of post-secondary tuition and fees at state institutions to any child who was in either state or tribal foster care on or after their 14<sup>th</sup> birthday. This waiver supports the goal of SB 23 of ensuring that children in foster care have all practicable supports and services necessary to achieve their full adult potential.

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