

Crossover Youth Fact Sheet*

The Children's Code Reform Task Force has drafted legislation enacting the "Crossover Youth Act" (COYA). The legislation creates a "Crossover Youth Program" within the Children, Youth and Families Department (CYFD), providing duties for the program, requiring training for the Judiciary, CYFD, the Law Offices of the Public Defender and the Administrative Office of the District Attorneys and requiring intra-agency and interagency collaboration. The COYA is borne from the desire to create better communication and collaboration that will assist high-risk, vulnerable crossover youth and prevent them from being overlooked or getting lost in complex systems.

Q: What is a "crossover youth"?

A: A "crossover youth" is a child who is simultaneously involved in both the child welfare and juvenile justice systems, whether or not the child has been adjudicated in those systems.

A child enters the child welfare system, typically, when CYFD receives a report of abuse and neglect and an investigation reveals the need for department involvement. A child enters the juvenile justice system as a result of an arrest or referral for either the commission of a criminal or delinquent act, or an offense related to being a child, such as truancy, underage drinking or drug use, or running away from home. Foster youth are at heightened risk of juvenile justice involvement due to inadequate responses to trauma.

A child is "adjudicated" when a legal process has been used to resolve a dispute or decide a case involving that child.

Q: Why is a "Crossover Youth Program" necessary and what will the program do?

A: The program will facilitate communication and cooperation between participants who serve crossover youth, who are some of the most vulnerable and at-risk youth in the state and who require the most intervention to keep them safe. While there are support systems for crossover youth currently in place, the systems and the people who work in them often don't talk to each other. The program is necessary to formalize processes that improve outcomes for these most vulnerable youth, who, without assistance and support, are at a higher risk of struggling, being incarcerated, institutionalized, marginalized and forgotten. Providing services for crossover youth now may also prevent the need for expensive state services such as incarceration and institutionalization to be extended to these youth later in life.

Q: How will the program assist a child who is a crossover youth?

A: Because crossover youth are involved in both the child welfare and juvenile justice systems, they are at a higher risk of being overlooked or getting lost. The program, through system communication and collaboration, will provide earlier and continuing identification and tracking of crossover youth, who are often without family support, at a time when they may be most vulnerable and most at risk.

*This fact sheet was prepared by the Children's Code Reform Task Force (<https://childlaw.unm.edu/childrens-code-reform-task-force/index.html>) and published in June 2024.