



Sexual Violence Crime in New Mexico



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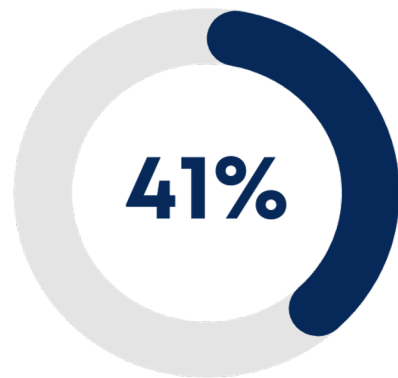
Marshall Martinez, Executive Director, EQNM

The Crime of Sexual Violence in NM

NM is 7th in the country in rates of sexual violence:

- 11,500 victims of sexual assault in 2020ⁱ
- 6,000+ victims-survivors accessed services in 2020 at SASPs
- 20,000 Hotline calls to sexual assault service programs
 - a 20-25% increase from the previous year

41% of reported assaults involve children under the age of 18



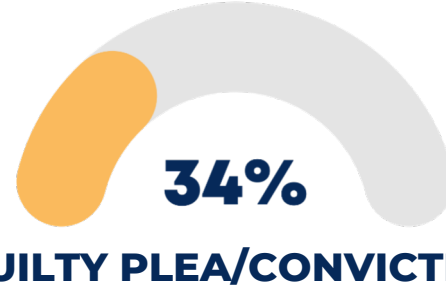
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Is there **JUSTICE** for Victims of Sex Crimes?



In 2019, 49% (298/608) of sexual crime cases were dismissed in district court



34% of sexual crime cases (205/608) obtained a guilty plea/conviction



In some judicial districts, dismissal rates of sexual crimes are as high as 91%

- As reports of sexual crime to law enforcement decrease, the number of survivors seeking services continues to increase.
- 83% of survivors of a sexual crime do not report to law enforcement (the national average is 75%)

Is there Economic **REPARATION** for Victims?

Rape is the **most costly** of all crimes to its victims, costing approximately \$122,461 per victimⁱ.

The cost is even greater for child victims:

- A child victim will lose **\$241,600** in income over their lifetime
- Studies show strong correlations between child sexual violence and negative health outcomes over the victim's lifespan (such as substance abuseⁱⁱ), leading researchers to recommend identifying and treating **ALL** survivors of child sexual abuseⁱⁱⁱ

i. C., DeGue, S., Florence, C., & Lokey, C. N. (2017).

ii. Dube, Anda, Whitfield, Brown, et. al, (2005).

iii. Dube, Anda, Whitfield, Brown, et. al, (2005).

iv. Ellis, Atkeson, & Calhoun, 1981

v. Peterson, C., DeGue, S., Florence, C., & Lokey, C. N. (2017).
Lifetime economic burden of rape among U.S. adults.

Who pays for sexual violence? **The victim:**

- An adult victim will pay **\$122,461** in medical costs, lost wages, property loss, etc.
- 50% of victims quit or are forced to leave their jobs in the year after the assault^{iv}
- 1/3 of the costs of rape are paid by the government sources, including health care, social services, and criminal justice systems^v

Every Rape Costs:

\$122,461

What is **JUSTICE & REPARATION** for sexual violence crime victims?

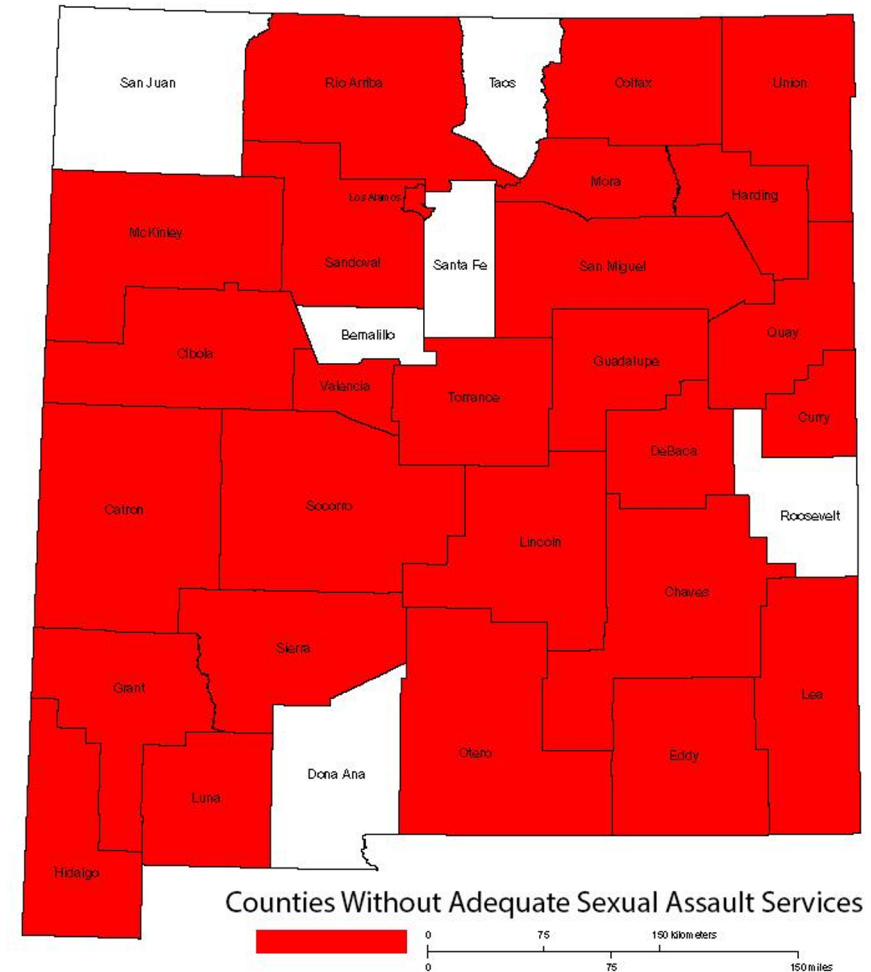
1. Commitment to fill gaps in services, rural areas & prevention
2. Prioritize sexual violence victims in legislation crime packages
3. Including training when increasing law enforcement budgets

1. Commitment to Filling Gaps

- Service gaps in southeastern NM, which has the highest rates of reported rape
- Survivors in crisis face a **12 MONTH WAIT** for counseling services due to programs inability to provide competitive salaries for mental health clinicians
- No designated sexual assault service provider east of Las Cruces

Should a victim of sexual assault be forced to travel for hours to receive crisis services?

Should that victim have to wait for crucial and time sensitive services?



1. Commitment to Filling Gaps

- No increased state funding to SANEs since 2003
- Current funding levels do not reflect this specialized medical care
- Inadequate funding in rural areas to pay for training & travel for SANE nurses
- No funding in most programs for the SANE nurse to serve as expert in court proceedings (can be up to 2+years)



2. Prioritize Sexual Violence Victims in Legislation Crime Packages:

The 13 SASPs, 11 CACs, and 11 SANE programs urge legislators to include the following in their victim of crime packages:

- a) **Affirmative Consent** - Yes Means Yes
- b) **End the legal system's repeated trauma of child sexual abuse victims**
- c) **\$5 million** for Sexual Assault Service Providers, Sexual Assault Nurse Examiners programs, Child Advocacy Centers, and Statewide SA Hotline

*The investment in **servicing one survivor** of sexual assault has a ripple effect in **preventing & ending the crime of sexual violence in NM.***

a) Affirmative Consent

Affirmative consent promotes healthy relationships and prevents sexual assault through respect and communication

- HB142 (Thomson) in 2021 regular session - strong bipartisan vote
- Requires every student be educated (within the 1 unit of required health education) about affirmative consent before sexual contact
- Defines affirmative consent as a conscious, voluntary agreement from all parties involved
- Provides invaluable skills for life by empowering the student to communicate, problem solve, and act if someone does not ask their permission before sexual contact
- Increases student safety by clarifying that consent is dynamic and teaches students the ability to say no in a situation where they do not feel safe

Sexual assault victimization was reduced by half when young people had comprehensive sex education before college that included training on affirmative consent.

Sexual Citizens, A Landmark Study of Sex, Power, and Assault on Campus, Hirsch & Kahn, (2020)

b) End the Repeated Trauma of Child Sexual Abuse Victims

Child victims must cope not only with the emotional consequences of criminal acts but also with the **potentially traumatizing effects of legal involvement**

- Few innovative techniques are used to help the children testify
 - *Testifying in criminal court: emotional effects on child sexual assault victims.*ⁱ
- The purpose of pre trial interviews and testimony in court is to provide trustworthy evidence
 - Sufficient intelligence, understanding, and ability to observe, recall, and communicate events
 - Ability to comprehend the seriousness of the oath
 - All Age Appropriate
 - *The Child Witness in the Courtroom*ⁱⁱ

i. Goodman GS, Taub EP, Jones DP, England P, Port LK, Rudy L, Prado L., (1992).

ii. Robert H. Pantell and Committee on Psychosocial Aspects of Child and Family Health, (2017)

c) \$5 Million Recurring General Fund Appropriation

- \$2 million for **SASPS** to increase services, address gaps in service areas across the state focusing on rural & underserved areas, and end the wait lists for services.
- \$1 million to sustain **SANE programs** to address geographic gaps in services
- \$1.3 million to sustain additional/satellite **Children's Advocacy Centers** in underserved and rural areas
- \$500,000 for the operation of the **Statewide Sexual Assault Hotline.**
- \$200,000 to support **Indigenous Research & Coordination of Tribal Services**
- Training for Law Enforcement & Prosecution Mentorship Project