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FISCAL IMPACT REPORT

SPONSOR: HJC DATE TYPED: 03/07/03 HB 491/HJCS

SHORT TITLE: Divert Children from a Life of Crime SB _____

ANALYST: Dunbar

APPROPRIATION

Appropriation Contained		Estimated Additional Impact		Recurring or Non-Rec	Fund Affected
FY03	FY04	FY03	FY04		
	\$135.0			Recurring	GF

(Parenthesis () Indicate Expenditure Decreases)

SOURCES OF INFORMATION

Responses Received From

Department of Health (DOH)
 Health Policy Commission (HPC)
 NM State Department of Education (NMSDE)
 Human Services Department (HSD)
 Children Juvenile Justice Council (CJJCC)
 Office of the Public Defender
 Administrative Office of the Courts (AOC)
 Children Youth and Families Department (CYFD)

SUMMARY

Synopsis of Bill

The House Judiciary Committee Substitute for HB 491 appropriates \$135,000 to CYFD for Fiscal Years 2004 and 2005 to support the work of the task force.

The House Judiciary Committee Substitute for House Bill 491 requires the Children, Youth and Families Department (CYFD) to create a task force to study methods to divert children from a life of crime. The task force would include two representatives from State Department of Education (SDE), a representative from the NM Municipal League, a representative from the NM Association of Counties, one representative from Department of Health (DOH), a representative from the Human Services Department, a designee appointed by the supreme court, a representa-

tive from the maternal child health planning council, a representative of the Public Defender Department, three public members from interested child-oriented organizations, and a law enforcement representative. The task force is instructed to examine programs providing opportunities to divert children from a life of crime and make a preliminary report to the legislative finance committee as well as the interim health and human services committee by October 2003 and a final report by October 2004.

Significant Issues

The House Judiciary Committee Substitute for House Bill 491 requires the collaboration between different agencies trying to respond to issues of youth aggression and violence. If enacted, the House Judiciary Committee Substitute for House Bill 491 would require the task force to examine programs that include pre- and postpartum home visits by professional, training/therapy for parents regarding aggressive school-age children, incentives for school completion (including cash) and monitoring and supervising youth who have exhibited delinquent behavior. Most of these recommendations were included in the 1996 Rand Report called "Diverting Children from a Life of Crime." This task force will provide the opportunity for policy change to support families in all stages of development.

FISCAL IMPLICATIONS

The appropriation of \$135.0 contained in this bill is a recurring expense to the general fund. Any unexpended or unencumbered balance remaining at the end of FY 05 shall revert to the general fund.

OTHER SUBSTANTIVE ISSUES

"While the causes of violence are highly complex and multifaceted, a growing body of scientific knowledge demonstrates that maltreatment during the nine months of fetal growth and the first twenty-four months after birth often leads to violent older children and adults." (Ghosts From the Nursery – R. Karr-Morse, M.S. Wiley, 1997)

Adequate support and attention during the early months assure that a child gets off to the best possible start, therefore improving childhood outcomes. New Mexico has a variety of home visiting programs, including the Family Infant Toddler program in Long Term Services division, programs funded through Public health, and Early Head Start. However, there is currently no comprehensive system of primary prevention home visiting services in New Mexico for families who desire and need additional support. The House Judiciary Committee Substitute for House Bill 491 would provide an opportunity to elaborate on the trajectory of a criminal from birth to adult criminal life, pointing out the critical times for intervention and prevention.

DOH explains that effective home visiting programs can improve relationships between parents and children, enhance child development and health, and teach parents about the detrimental effects that exposure to violence has on the developing vulnerable brains of infants & toddlers. Effective programs can also reduce prenatal substance abuse, maternal smoking, and rates of child abuse, injuries, accidental ingestions, and developmental delays. Effective home visiting programs decrease costs for foster care, hospitalizations, emergency room visits, and child protective services.

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HB 491 would require the task force to examine prevention and early intervention programs such as home visiting, parenting support for aggressive children, inducements to reduce the number of students who are in danger of dropping out of high school, and monitoring of youth who have exhibited delinquent behavior. These strategies come from a 1996 Rand Report called “Diverting Children from Life of Crime”. The strategies recommended in HB 491 are among the most cost-effective strategies suggested in the report.

DOH states that if enacted, the task force created by the House Judiciary Committee Substitute for House Bill 491 will provide an opportunity to highlight the mental health and substance abuse treatment needs of youth, including developing integrated models for screening of first offenders in the juvenile justice system for mental health and substance abuse issues and multi-systemic therapy. National rates of mental health problems among juvenile offenders range from 60% for conduct problems to 20-50% for depression, to 33% for post-traumatic stress disorders.

BD/prr