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FISCAL IMPACT REPORT

SPONSOR: Nava DATE TYPED: 2/9/03 HB _____

SHORT TITLE: Rape Crisis Center Programs SB 372

ANALYST: Dunbar

APPROPRIATION

Appropriation Contained		Estimated Additional Impact		Recurring or Non-Rec	Fund Affected
FY03	FY04	FY03	FY04		
	\$150.0			Recurring	GF

(Parenthesis () Indicate Expenditure Decreases)

SOURCES OF INFORMATION

Responses Received From

Department of Health (DOH)
Health Policy Commission (HPC)

SUMMARY

Synopsis of Bill

Senate Bill 372 appropriates \$150,000 in general fund to the Department of Health (DOH) for FY04 to contract in equal amounts for rape crisis program services in the Albuquerque, Santa Fe and Las Cruces areas.

Significant Issues

In 2001, there were 2,646 sex crimes reported to the New Mexico Interpersonal Violence Data Central Repository. Of these sex crimes, 41% (n=1098) were cases of criminal sexual penetration. Currently, DOH provides minimal support with federal funds to rape crisis centers and other sexual assault services through a contractual agreement with the New Mexico Coalition of Sexual Assault Programs.

A total of \$64,000 supports sexual violence prevention programs in Albuquerque, Santa Fe, Las Cruces, Taos, Aztec, and Roswell. These funds do not contribute to intervention or treatment programs in these centers. This report further reflects:

- Findings from law enforcement and service providers demonstrate that victims of sex crimes are overwhelmingly female and are most often victimized by age 12
- Sexual assault during childhood is a precursor to experiencing a sexual assault in the future. Almost half (46%) who sought assistance for a sexual assault in 2002, had experienced a prior sexual assault.
- Native Americans and Blacks were over-representing as sexual assault victims, but under-represented among those who sought therapeutic assistance.
- Sexual victimization of teens (13-17) more often involve a deadly weapon (gun or knife) than victims of other ages.
- Almost one-third (30%) of victims who sought assistance for a sexual assault had some type of disability before the sexual assault. Most of these victims (77%) were mentally/emotionally disabled.
- Only 32% of the sex crimes that came to the attention of service providers were reported to law enforcement.

DOH Behavioral Health Services Division (BHSD) is obligated by Sex Crimes Prosecution and Treatment Act [29-11-1 to 29-11-7 NMSA 1978] to provide “psychological treatment” to victims of sexual assault. It should be noted that the last time DOH/BHSD received an appropriation to carry out the provisions of this act was approximately nine calendar years ago in the amount of \$175,000 state general fund dollars for “sexual assault intervention services in Northern New Mexico”.

PERFORMANCE IMPLICATIONS

Proposed Performance Measure: Number of sexual assault service interventions provided by three rape crisis centers – Albuquerque, Santa Fe, and Las Cruces.

FISCAL IMPLICATIONS

The appropriation of \$150.0 contained in this bill is a recurring expense to the general fund. Any unexpended or unencumbered balance remaining at the end of FY 04 shall revert to the general fund.

DOH mentions an initiative by advocates to collaborate with the Governor’s office to develop legislation that would appropriate a larger amount of funds for a more comprehensive approach to sexual assault prevention and intervention services. The proposed amount is \$1 million to fund the statewide NM Coalition of Sexual Assault Programs, rape crisis centers statewide (5 sites), and the SANE Units (5) in NM.

Rape crisis centers engage in primary prevention through their outreach school programs. These programs have long been under-funded; the existing funds are insufficient to do the job. Currently, DOH supports funding for the rape crisis programs through a Centers for Disease and Prevention Grant, Coalition on Sexual Assault Program.

The only other funding related to sexual assault is the DOH Medical Fund, \$500,000, which flows through the Behavioral Health Services Division and goes directly to hospitals to pay for sexual assault medical exams.

ADMINISTRATIVE IMPLICATIONS

DOH/BHSD has in place personnel, promulgated standards and contractual language which helps fulfill their obligations under the “Sex Crimes Prosecution and Treatment Act”. DOH/BHSD already has through their Regional Care Coordinator contracts for rape crisis program services through Albuquerque Rape Crisis Center, Santa Fe Rape Crisis Center and La Pinion. Therefore, BHSD does not anticipate substantial administrative impact if SB 373 is enacted.

OTHER SUBSTANTIVE ISSUES

The “Sex Crimes Prosecution and Treatment Act” 29-11-1 to 29-11-7 NMSA 1978 states that the “administrator” (i.e., Director, BHSD) shall develop a statewide plan, which shall include, but is not, limited to:

- (1) education and training of law enforcement officers and criminal justice and medical personnel;
- (2) development of strategies for prevention of such crimes;
- (3) collection, processing and analysis of evidence which facilitates prosecution of suspects of sexual crimes;
- (4) medical and psychological treatment of victims of such crimes; and
- (5) arranging for victims of sexual crimes to obtain free forensic medical exams.

The act also provides for the creation of a Medical Fund for medical care to victims and directs the administrator to oversee the usage of the fund and most recently, the provision of free forensic medical examination.

The NM Clearinghouse on Sexual Abuse and Assault Services lists 5 NM rape crisis centers on its website. The centers/programs are located in Albuquerque, Aztec, Las Cruces, Santa Fe, and Taos. (Found at <http://www.swcp.com/nmcsaas/resources.html#3>.)

The Santa Fe Rape Crisis Center has provided support to Santa Fe and northern New Mexico residents for 25 years. It provides direct support services “to over 500 survivors of sexual violence and their families each year” and reaches over 10,000 people annually through outreach and prevention programs. (Found at <http://www.sfrcc.org/about/about.html#top>.)

In Las Cruces, La Piñon provides several support programs with three full and two part-time staff and close to 50 volunteers. (Found at <http://www.zianet.com>.)

The Albuquerque Rape Crisis Center annually responds to over 2,500 crisis calls and advocates for more than 400 survivors at the Sexual Assault Nurse Examiners (S.A.N.E.) Program unit and local hospitals. (Found at <http://www.rape-crisis.org/crisis.htm>.)

AMENDMENTS

There are many needs outside the Rio Grande corridor. Consideration should be given to including in this bill the rape crisis center initiatives in Aztec, Roswell, Silver City and Taos, as well as the existing 5 SANE (sexual assault nurse examiners) units in the state, and the statewide NM Coalition of Sexual Assault Programs. To accommodate this broader and more inclusive bill, the funding amount would need to be increased.

BD/njw:pr