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FISCAL IMPACT REPORT

SPONSOR: Pinto DATE TYPED: 02/10/03 HB _____

SHORT TITLE: Native American Domestic Violence Services SB 426

ANALYST: Weber

APPROPRIATION

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

(Parenthesis () Indicate Expenditure Decreases)

SOURCES OF INFORMATION

Responses Received From
Office of Indian Affairs
Department of Health

SUMMARY

Synopsis of Bill

Senate Bill 426 appropriates \$150,000 from the General Fund to the Office of Indian Affairs to provide emergency shelter and services to Native American victims of domestic violence.

Significant Issues

The Office of Indian Affairs indicates there are over 40,000 Indians living in Albuquerque, more than half women. Physical and sexual violence against women is a public health problem of epidemic proportions in the United States. There are 3 to 4 million women in the United States who report cases of domestic violence annually. These cases represent only the documented cases. It is estimated that 30-52% of female murder victims are killed by a current or former partner. In Native American communities, there are high incidences of domestic violence due to unemployment, poverty, substance abuse and many other factors. Indian women who leave their reservations often reside in cities far from their extended family, and are deprived of the necessary services that are tailored to their unique cultural needs. On the reservation, extended family and community may assist women in a violent and abusive domestic situations, but when residing in a city these services are often not available.

The Department of Health offers a similar picture, reporting that currently there are no domestic violence shelters off reservation/pueblo land dedicated solely to providing services to Native American women and their families. No general fund is appropriated to specialized, culturally appropriate services. The only domestic violence services specifically for Native American women are limited.

According to the June 2002 publication "Incidence and Nature of Domestic Violence in New Mexico III, Analysis of 2001 Data, of the 19,181 domestic violence reports 12% (2,373) were Native American and 13% (2,225) were Native American suspects. Not all incidents are reported to law enforcement for a variety of reasons; therefore, the number is estimated to be higher.

A Bureau of Justice Statistics Special Report, March 2001, indicate between 1993 and 1998, Native Americans sustained violence at the highest per capita rate (119 victimizations per 1,000 American Indians age 12 or older). For the same period, Native Americans women were victimized at rates higher than those of all other females – 23 American Indians per 1,000 persons. Among Native American women giving birth between 1997 and 1999 in New Mexico (excluding Navajo) 12.8% reported physical abuse by a partner in the 12 months before the pregnancy; and 9.7% reported physical abuse during pregnancy (NM PRAMS). These estimates are considered applicable for the urban Native American population in Albuquerque as well.

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 Fiscal year 2004 shall revert to the General Fund.

OTHER SUBSTANTIVE ISSUES

The Health Department adds, according to "Violence Against Women in New Mexico an Assessment (2000)", the complexity and diversity of tribal legal codes addressing violence against women; culturally specific intervention programs; gendered complimentary relationships between men and women as defined by long-held tribal values; and communal rather than individualistic tribal values makes domestic violence services extremely complex to deliver effectively. Many Native American are reluctant to seek services outside their reservations and pueblos. However, it is also very difficult to seek services on the reservation or in the pueblo because they cannot adequately remove themselves from the proximity where the domestic violence is experienced. For domestic violence services to be effective, the women and their children must have a safe and culturally appropriate environment in which to heal and be reintegrated into the community.

MW/njw