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FISCAL IMPACT REPORT

SPONSOR Lopez DATE TYPED 2/24/05 HB _____

SHORT TITLE Albuquerque Rape Crisis Services SB 730

ANALYST Dunbar

APPROPRIATION

Appropriation Contained		Estimated Additional Impact		Recurring or Non-Rec	Fund Affected
FY05	FY06	FY05	FY06		
	\$400.0			Recurring	General Fund

(Parenthesis () Indicate Expenditure Decreases)

SOURCES OF INFORMATION

LFC Files

Responses Received From

Children Youth and Families Department (CYFD)

Department of Health (DOH)

SUMMARY

Synopsis of Bill

Senate Bill 730 appropriates \$400 thousand dollars from the general fund to CYFD to contract for rape crisis services in Albuquerque.

Significant Issues

This bill would expand services to child victims of sexual abuse receiving services through CYFD's protective services program. Department of Health is the lead agency responsible for administering contracts from these services. This bill creates a new contractual responsibility for CYFD.

Sexual assault is a major problem in New Mexico. In the report "Sex Crimes in New Mexico: An Analysis of 2003 Data from the New Mexico Interpersonal Violence Data Central Repository", law enforcement agencies responsible for protecting over 85% of the state's population, reported 2,628 sex crimes.

Sexual assault of children is a critical issue in New Mexico. In 2003, the Children, Youth and Families Department Protective Services Division substantiated 445 cases of child sexual abuse. In 2002, 422 cases of child sexual abuse were substantiated.

The Department of Health supports sexual assault programs in both the Behavioral Services Division and in the Injury Prevention Bureau of the Epidemiology and Response Division.

FISCAL IMPLICATIONS

The appropriation of \$400 thousand dollars contained in this bill is a recurring expense to the general fund. Any unexpended or unencumbered balance remaining at the end of FY06 shall revert to the general fund.

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

SB 730 relates to SB 736, which would appropriate \$2,000,000 to DOH for sexual assault treatment and prevention services statewide.

TECHNICAL ISSUES

Ordinarily sexual assault services would be administered by DOH/BHSD, which has the experience and capability to administer the funds proposed in SB 730 as part of a statewide network of services. DOH/BHSD has the program monitoring and contract management responsibilities for all sexual assault services and could administer the increased funding with existing program staff. The sponsor of the bill may wish to consider amending the bill to provide for the appropriation to DOH.

OTHER SUBSTANTIVE ISSUES

The Behavioral Health Services Division (BHSD) in the Department of Health (DOH) is statutorily obligated to provide prevention and intervention services listed through the "Sex Crime Prosecution and Treatment Act [29-11-1 to 29-11-7 NMSA 1978]. DOH/BHSD's obligations are also addressed in the Preventive Health and Health Services (PHHS) Block Grant. The PHHS Block Grant Crime Bill provisions obligate the DOH/Injury Prevention Bureau to provide sexual assault prevention programs. During the 2003 legislative session, DOH received \$1 million for sexual assault treatment and prevention of which \$750,000 funded new rape crisis centers, sexual assault nurse examiner units, and child sexual abuse prevention programs in rural New Mexico. The remaining \$250,000 was used to enhance services at the five existing rape crisis centers. This was the first statewide appropriation specific to addressing sexual violence in New Mexico. The FY06 Executive Budget Recommendation continues \$1 million dollar appropriation.

Over the last eight years the demand for these treatment services has been steadily increasing.

According to the FBI Uniform Crime Reports for 1998 Incidence and Prevalence:

- New Mexico ranks 3rd in the nation for the amount of reported rapes per capita
- 957 reports of sexual assault were filed in NM in 1998, resulting in 90 arrests, or an arrest rate of 9.4%, the 46th lowest arrest rate in the nation
- 12.4% of all victims of reported rapes are under 12 years of age

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- 40% of all victims of reported rapes are between 12-17
- 57.4% of all victims or reported rapes are minors

BD/lg