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## FISCAL IMPACT REPORT

SPONSOR Lopez DATE TYPED 2-23-05 HB \_\_\_\_\_

SHORT TITLE Sexual Assault Treatment and Prevention SB 736

ANALYST Collard

### APPROPRIATION

Appropriation Contained		Estimated Additional Impact		Recurring or Non-Rec	Fund Affected
FY05	FY06	FY05	FY06		
\$2,000.0				Recurring	General Fund

(Parenthesis ( ) Indicate Expenditure Decreases)

### SOURCES OF INFORMATION

LFC Files

#### Responses Received From

Department of Health (DOH)

New Mexico Corrections Department (NMCD)

### SUMMARY

#### Synopsis of Bill

Senate Bill 736 appropriates \$2 million from the general fund to DOH for the purpose of providing statewide sexual assault treatment and prevention programs in FY05 and FY06.

#### Significant Issues

DOH indicates 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 percent of the state's population, reported 2,628 sex crimes.

Additionally, 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. DOH indicates the data represents only a portion of actual crimes committed due to the fact that sexual violence is historically underreported.

## **FISCAL IMPLICATIONS**

The appropriation of \$2 million 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.

DOH supports sexual assault programs in both the Behavioral Services Division and in the Injury Prevention Bureau of the Epidemiology and Emergency Response Division. The FY05 amount in Behavioral Services is just over \$1 million, broken out as follows: \$731.8 thousand for sexual assault programs, \$142.7 thousand for sexual assault medical kits, and \$250 thousand for rape crisis. In the Injury Prevention Bureau, this funding for FY05 is just over \$1.1 million. This includes \$279.2 thousand in federal dollars.

## **ADMINISTRATIVE IMPLICATIONS**

Currently, DOH administers the sexual assault treatment and prevention programs with existing program staff in two divisions.

NMCD indicates a short sexual assault prevention program could be incorporated into the annual forty-hour training for correctional officers.

## **OTHER SUBSTANTIVE ISSUES**

DOH's Behavioral Health Services Division (BHSD) 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 obligations are also addressed in the Preventive Health and Health Services (PHHS) Block Grant. Further, 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. \$750 thousand funded new rape crisis centers, sexual assault nurse examiner units, and child sexual abuse prevention programs in rural New Mexico. The remaining \$250 thousand was used to enhance the five existing rape crisis centers. This was the first state-wide appropriation specific to addressing sexual violence in the history of New Mexico. Over the last eight years the demand for these treatment services has been steadily increasing.

DOH research indicates, according to the FBI Uniform Crime Reports for 1998:

- New Mexico ranks third in the nation for the amount of reported rapes per capita.
- 957 reports of sexual assault were filed in New Mexico in 1998, resulting in 90 arrests, or an arrest rate of 9.4 percent, which is the 46<sup>th</sup> lowest arrest rate in the nation.
- 12.4 percent of all victims of reported rapes are under 12 years of age.
- 40 percent of all victims of reported rapes are between 12 and 17 years of age.
- 57.4 percent of all victims or reported rapes are minors.

DOH indicates the special appropriation for FY04 for sexual assault treatment and prevention has created and/or enhanced sexual assault services and child sexual abuse prevention programs throughout the state, including sexual assault crisis intervention and treatment services were in the cities of Alamogordo, Farmington, Portales, Santa Rosa, Shiprock, and Truth or Consequences. Sexual assault treatment services were enhanced in the cities of Albuquerque, Las Cru-

ces and Roswell and child sexual prevention programs were created and/or enhanced in the cities of Bayard, Roswell, Espanola and Zia Pueblo.

Additionally, treatment, crisis intervention services and prevention programs are designed to assist victims of sexual assault and child sexual abuse to receive the proper medical treatment and mental health services. Early intervention with victims of sexual assault has demonstrated effectiveness for reducing Post Traumatic Stress and risk related behavior that leads to further exposure to violence and compromised health conditions.

NMCD indicates sexual assault prevention programs from DOH would raise awareness of sexual assault amongst correctional staff.

**KBC/Ig**