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## FISCAL IMPACT REPORT

ORIGINAL DATE 2/19/07

SPONSOR Lovejoy LAST UPDATED \_\_\_\_\_ HB \_\_\_\_\_

SHORT TITLE Navajo Community Child Services Positions SB 1104

ANALYST Lucero

### APPROPRIATION (dollars in thousands)

Appropriation		Recurring or Non-Rec	Fund Affected
FY07	FY08		
	\$480.8	Recurring	General Fund

(Parenthesis ( ) Indicate Expenditure Decreases)

Duplicates, Relates to, Conflicts with, Companion to  
Relates to Appropriation in the General Appropriation Act

### SOURCES OF INFORMATION

LFC Files

#### Responses Received From

Indian Affairs Department (IAD)

Children, Youth and Families Department (CYFD)

### SUMMARY

#### Synopsis of Bill

Senate Bill 1104 appropriates \$480,792 from the general fund to Children, Youth and Families Department for expenditure in fiscal year 2008 to expand child abuse, child neglect and child abandonment case management and social worker positions in Tohajiilee, Alamo and other Navajo communities.

### FISCAL IMPLICATIONS

The appropriation of \$480,792 contained in this bill is a recurring expense to the general fund. Any unexpended or unencumbered balance remaining at the end of fiscal year 2008 shall revert to the general fund.

The appropriation is not part of Children Youth and Families Department's request and is not included in the Executive recommendation of Children Youth and Families Department.

CYFD requested an increase in the number of permanency planning workers statewide, and the request for additional positions has been included in the executive recommendation, the LFC recommendation, and HAFC's substitute for HB2. Distribution of any new positions received will be based upon current caseloads and reducing caseworker - child ratios. San Juan County currently has some of the highest caseloads in the state, although not the highest.

### **SIGNIFICANT ISSUES**

SB 1104 addresses child neglect and child abandonment in the Navajo New Mexico communities of To'hajiilee, Alamo and other Navajo Communities, two of the more remote Navajo communities, by providing an appropriation for the New Mexico Child, Youth and Families Department to hire additional Child abuse, neglect, and child abandonment case management and social worker positions.

### **PERFORMANCE IMPLICATIONS**

The bill could positively impact the CYFD strategic plan and General Accountability Act indicators of: incidence of repeat maltreatment, placement stability, timely reunification and timeliness of adoption.

### **ADMINISTRATIVE IMPLICATIONS**

If passed, the bill will have an administrative impact on children, youth and families department that the bill does not address.

Assuming an average annual salary of \$54,120, benefits cost per worker, and 1.75% for supplies, equipment, etc. the appropriation could support approximately eight caseworker positions.

### **CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP**

None identified at this time.

### **TECHNICAL ISSUES**

CYFD does not have jurisdiction on the Navajo Reservation.

### **OTHER SUBSTANTIVE ISSUES**

According to Census 2000 figures, 106,807 Navajo tribal members live in New Mexico, a large majority on the Navajo tribal reservation. The bill mentions Alamo, To'hajiilee, and Ramah which are three local Navajo entities. The Navajo Nation central government located in Window Rock, Arizona, presents a problem for the Alamo and To'hajiilee Navajo's because of the distance which provides barrier to receiving adequate social services from New Mexico and federal services.<sup>1</sup>

According to the report, "Child Sexual Abuse on New Mexico Tribal Land 1999-2004," Tribal members are victimized at higher rates than the general United States population.

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<sup>1</sup> Navajo Nation tribal demographics, Navajo Chapter Images 2006.

“The average violent crime rate among Native Americans is 124 per 1000 persons 12 or older—a rate 2 % times the national rate (Greenfield and Smith 1999:2). According to the [United States Department of Justice] Office of Justice Program's 1999 Fiscal Year Program Plan report,' rape and sexual assault, aggravated assault, simple assault, and robbery rates translate into 1 violent crime for every 8 Native Americans 12 or older, compared to 1 for every 20 residents 12 or older nationally. Additionally, these violent crimes are correlated with alcohol abuse. Alcohol related offending also constitutes a significant problem for Native Americans (Greenfield and Smith 1999).

Native American youth [,] while only one percent of the national youth population [,] are arrested at double (or in some cases triple) the rate of other youth (Bad Wound 2000). Gang activity has increased among Native American youth; in 2000 it was estimated that there were at least 113 gangs on American tribal lands (Bad Wound 2000). Gang problems are greater for larger tribes. In an OJJDP study of gang violence in Indian Country conducted in 2000, researchers found that 7% of tribes with populations of less than 2000 had gang problems, while 69% of those with populations over 2000 had gang problems (Major et al. 2000:4).”<sup>2</sup>

The study concluded that where victimization rates are high among Native Americans, women and children often suffer the worst.<sup>3</sup>

## ALTERNATIVES

CYFD estimates that the appropriation in this bill will support 8 additional staff. The bill sponsor may want to consider whether few positions are warranted and perhaps less of an appropriation is needed.

## WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL

Status Quo

DL/mt

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<sup>2</sup> Paul D. Steele, Nell Damon, Kristine Denman, December 2005, (citing, Bad Wound, Barbara, August 2000, “American Indian Youth Outnumber Others in Justice Systems,” Indian Country News), (also citing, Greenfield, L. A. and Smith, S. K. 1999, “ American Indians in Crimes,” Washington, D.C.: US Department of Justice, Office of Justice Programs, Bureau of Justice Statistics. Paper #NCJ 173386.)

<sup>3</sup> Id.