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FISCAL IMPACT REPORT

ORIGINAL DATE 3/10/19

SPONSOR HAFC LAST UPDATED _____ HB 278/HAFCS/ec

SHORT TITLE Missing & Murdered Indigenous Women SB _____

ANALYST Edwards

ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)

	FY19	FY20	FY21	3 Year Total Cost	Recurring or Nonrecurring	Fund Affected
Total	Minimal	Minimal	Minimal	Minimal	Recurring	General Fund

(Parenthesis () Indicate Expenditure Decreases)

SOURCES OF INFORMATION

LFC Files

Responses Received From

Indian Affairs Department (IAD)

Department of Public Safety (DPS)

SUMMARY

Synopsis of Bill

The House Appropriations and Finance Committee substitute for House Bill 278, with emergency clause, creates a task force chaired by the secretary of the Indian Affairs Department to study and determine how to increase state resources for reporting and identifying missing and murdered indigenous women in the state.

House Bill 278 authorizes the Missing and Murdered Indigenous Women Task Force to operate until the end of FY21.

FISCAL IMPLICATIONS

IAD will incur some costs to support the task force to cover per diem and mileage, staff time to create and maintain the task force, staff time to support the task force reporting requirements to the appropriate interim committees, and staff time to manage the funding. This analysis believe these costs are minimal and can be absorbed within the agency's budget.

SIGNIFICANT ISSUES

IAD provides the following analysis:

The issue of missing and murdered indigenous women has recently received much-overdue attention by federal and state lawmakers. According to U.S. Senate Bill 1942 of the 115th Congress, 2nd session (“Savanna’s Act,” which did not become law, but will be reintroduced):

- On some reservations, Indian women are murdered at more than 10 times the national average;
- American Indians and Alaska Natives are 2.5 times as likely to experience violent crimes and at least 2 times more likely to experience rape or sexual assault crimes—compared to all other races;
- More than 4 in 5 American Indian and Alaska Native women, or 84.3 percent, have experienced violence in their lifetime;
- More than 4 in 5 American Indian and Alaska Native men, or 81.6 percent, have experienced violence in their lifetime;
- Homicide is the third leading cause of death among American Indian and Alaska Native women between 10 and 24 years of age and the fifth leading cause of death for American Indian and Alaska Native women between 25 and 34 years of age...”

A recent report published by the Urban Indian Health Institute (UIHI), a division of the Seattle Indian Health Board and tribal epidemiology center (<http://www.uihi.org/wp-content/uploads/2018/11/Missing-and-Murdered-Indigenous-Women-and-Girls-Report.pdf>), provides the following data:

- 71 percent of American Indians/Alaska Natives live in urban areas
- 50.2 percent of the urban Indian population identified as female
- 506 unique cases of missing and murdered indigenous women were identified across 71 selected cities
 - a. 128 were cases of missing Indigenous women
 - b. 280 were cases of murdered Indigenous women
 - c. 98 were cases with an “unknown status”
 - d. 29 is the median age of missing and murdered indigenous women victims
- New Mexico has the highest identifiable number of missing and murdered indigenous women cases (78 since 1900).
- Thirty-seven (37) MMIG cases in Albuquerque, including Terri Benally, Kelly Watson and Ryan Hoskie, 3 Navajo trans-women killed from 2004-2009.

Jurisdictional gaps, reporting gaps, lack of coordination among law enforcement, uneven media coverage, among other issues all contribute to the issue of murdered and missing Indigenous women in New Mexico.

The Secretary of IAD (or designee) will serve as chairperson of the taskforce and report the recommendations to the appropriate interim legislative committee and governor by November 1, 2020. House Bill 278 does not indicate how many times the task force will meet.

The Secretary of IAD (or designee) will coordinate and lead the creation and goals of the task force. All administrative support for the task force will be coordinated through IAD towards the goal of reporting recommendations by November 1, 2020.

TECHNICAL ISSUES

IAD suggests the following:

The task force is to present a report of its “findings and recommendations” to applicable committees; however, since this task force is advisory and not regulatory, the sponsor may want to strike out the words “findings and.”

OTHER SUBSTANTIVE ISSUES

The Indian Affairs Department is waiting appointment of a cabinet secretary and general counsel. Therefore, analysis of House Bill 278 has not been reviewed by either IAD cabinet secretary or general counsel at this time. The submitted bill analysis has been reviewed by IAD’s Chief Financial Officer.

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL

IAD explains “the U.S. Congress will be considering a federal law that mandates coordination and communication across law enforcement jurisdictions. Database reporting requirements could change and, if House Bill 278 is not enacted, the State of New Mexico could lag behind federal requirements. Additionally, without the state taking a pro-active approach to create a task force, one more Indigenous woman would end up as ‘missing or murdered,’ which is one too many.”

TE/al/sb/gb