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FISCAL IMPACT REPORT

SPONSOR Tallman/Romero ORIGINAL DATE 1/24/2020
LAST UPDATED _____ HB _____

SHORT TITLE Services for Human Trafficking Victims SB 66

ANALYST Rabin

APPROPRIATION (dollars in thousands)

Appropriation		Recurring or Nonrecurring	Fund Affected
FY20	FY21		
	\$250.0	Recurring	General Fund

(Parenthesis () Indicate Expenditure Decreases)

Relates to House Bill 101

SOURCES OF INFORMATION

LFC Files

Responses Received From

Crime Victims Reparation Commission (CVRC)

SUMMARY

Synopsis of Bill

Senate Bill 66 appropriates \$250 thousand from the general fund to the Crime Victims Reparation Commission (CVRC) for the purpose of funding services for victims of human trafficking who are minors.

There is no effective date of this bill. It is assumed that the effective date is 90 days following adjournment of the Legislature.

FISCAL IMPLICATIONS

The appropriation of \$250 thousand contained in this bill is a recurring expense to the general fund. Any unexpended or unencumbered balance remaining at the end of FY21 shall not revert.

The 2018 General Appropriation Act included \$145 thousand in a nonrecurring special appropriation for services for victims of human trafficking, which CVRC used to contract with two non-profit organizations that provide statewide crisis stabilization as well as immigration services for victims of human trafficking. Laws 2019, Chapters 278 (Senate Bill 536) and 279

(House Bill 548) included \$150 thousand in recurring appropriations for victims of human trafficking, which CVRC directed to the same organizations in FY20. Over the past five years, no funds have been specifically appropriated to fund services for minor victims of human trafficking.

SIGNIFICANT ISSUES

According to CVRC, social service providers have estimated there are 5,000 homeless minors in Bernalillo County, a large number of which are identified as domestic minor sex trafficking victims. Domestic minor sex trafficking (DMST) is defined as the commercial sexual exploitation of children or lawful permanent resident children through prostitution, pornography or sexual performance for compensation, either monetary or other consideration (such as shelter, food, or drugs).

Social service providers in New Mexico have the capacity to provide services to adult victims, but have little to no capacity to address the needs of minors, according to CVRC. These services providers, along with law enforcement, are identifying gaps and challenges to create a best practice when working with this difficult population of victims. CVRC states the funding appropriated by SB66 would allow service provider organizations in the state to establish commonly used measures to respond and combat sex trafficking of minors, and notes these measures were established by the U.S. Department of State Office to Monitor and Combat Trafficking in Persons.

CVRC reports professionals are struggling with the complex issues that surround these victims, including flight risks and lack of willingness to cooperate in investigations. According to the agency, protection requires victim-centered rescue and restoration. Rescue is critical to remove the minor from the situation of trafficking; however, the importance of completing the rescue without re-victimizing the individual cannot be understated. Victim-centered, long-term restoration is essential, including secure, safe homes and appropriate services and programs. CVRC reports that safe housing is the most significant safety need for human trafficking survivors.

CVRC states there is a lack of appropriate placements that will keep DMST victims safe and provide them with the services and programs necessary for holistic restoration. A secure residential facility is required to house DMST victims diverted from the juvenile court system. A protective safehouse could meet their immediate needs (such as medical attention, hunger, hygiene, fatigue, detoxification, shelter away from trafficker/pimp, and assessment of acute physical, emotional and psychological needs). It could also begin to address intermediate needs (such as referral to resources to meet physical, emotional and physiological challenges, life skills training, isolation from traffickers and buyers, reconnection with parents or identification of other stable placement, and development of a treatment plan to meet long-term needs or issues).

According to CVRC, alternative placement options would provide law enforcement, the juvenile prostitution court, as well as many victim service providers with a safe and secure place to bring DTMs to receive services and begin to build the trust and confidence, in order to assist in the investigation and prosecution of their abuser.

CVRC's usual method of payment is reimbursement to victims for expenses they have incurred as a result of their victimization. In working with service providers, the agency reports it learned

that accessing these funds immediately is necessary for services such as relocation, rental assistance, transportation, medical and dental services, and counseling.

ADMINISTRATIVE IMPLICATIONS

CVRC is required to solicit non-profit organizations willing to administer this funding through a request for proposals process. Once an organization is selected to administer these funds, extensive training is required and all financial reimbursement requests must be approved by CVRC to ensure consistency and accountability.

RELATIONSHIP

SB66 relates to House Bill 101, which appropriates \$350 thousand from the general fund to CVRC to fund services for victims of human trafficking. The funding in HB101 is not restricted to services for minor victims.

OTHER SUBSTANTIVE ISSUES

CVRC adds that prevention of DMST requires identification of prostituted children as victims. The first component in prevention and identification is public awareness. The second component is the training of law enforcement, judiciary, detention staff and other professionals who interact with DMST victims. Although DMST victims should have access to numerous state services as a victim population, CVRC notes that their label as juvenile delinquents confuses the identification and availability of services for this population.

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