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FISCAL IMPACT REPORT

SPONSOR: Lopez DATE TYPED: 3/03/03 HB _____

SHORT TITLE: Needs of Children of Incarcerated Parents SB SJM 15/aSPAC

ANALYST: Chabot

APPROPRIATION

Appropriation Contained		Estimated Additional Impact		Recurring or Non-Rec	Fund Affected
FY03	FY04	FY03	FY04		
			\$125.0	Non-Recurring	General Fund

(Parenthesis () Indicate Expenditure Decreases)

Relates to HB 178.

SOURCES OF INFORMATION

LFC Files

Responses Received From

Children, Youth and Families Department (CYFD)

Department of Health (DOH)

Public Defender Department (PDD)

SUMMARY

Synopsis of SPAC Amendment

Senate Public Affairs Committee amendment to Senate Joint Memorial 15 adds caregivers of incarcerated children to be considered in developing the interdepartmental plan. In addition to CYFD, Human Services Department (HSD), DOH, State Department of Public Education (SDE) and Corrections Department (CD), the task force members are to include the State Agency on Aging, the Public Defender Department, representatives from a statewide association of district court judges, detention center affiliates of a statewide association of counties, state and local law enforcement agencies, a statewide association of district attorneys, caregivers and advocates for children and families. The task force is to report its findings to the interim Legislative Health and Human Services Committee at the October 2003 meeting.

Synopsis of Original Bill

Senate Joint Memorial 15 requests that CYFD and HSD convene a task force to create an inter-departmental plan to address the needs of children of incarcerated parents. The task force will consist of representatives of the DOH, SDE, CD, AOC, AODA, PD, county jails, law enforcement and advocates for children and families. The task force is to present its recommendations to the interim Legislative Health and Human Services committee no later than the October 2003 meeting.

Significant Issues

Approximately 5,000 children have a parent or parents in prison in New Mexico and studies indicate these children are six to eight times more likely to be incarcerated. Many of these children develop behavioral problems that go unrecognized until they become significant. DOH states that a 1998 study by Peanut Butter and Jelly Family Services, Inc. found that 94 percent of the incarcerated women were mothers, 56 percent had two or children with 81 percent of these under 18 years of age. Over half these children were still legally in the custody of their mothers. In addition, DOH states that a 1993 report by the National Council on Crime and Delinquency warned that children of incarcerated parents often suffer psychological problems including trauma, anxiety, guilt, shame and fear. These problems often manifest in poor academic achievement, truancy, dropping out of school, gang involvement, early pregnancy, drug abuse and delinquency.

PDD states that if an effective program is developed that address the needs of these "at risk" children that the obligations and caseloads would be reduced dramatically.

FISCAL IMPLICATIONS

No appropriation is contained in this joint memorial. House Bill 178 directs similar requirements and appropriates \$125.0 for establishing a pilot program in one county selected by CYFD. That bill authorizes 2 FTE who are licensed masters of social work.

ADMINISTRATIVE IMPLICATIONS

CYFD and HSD will have to organize a task force, arrange a meeting schedule and determine a methodology to accomplish the objectives of this joint memorial. The task force will need to indentify over-arching programs among agencies to develop an effective program to meet the needs of children of incarcerated parents.

GAC/yr:sb