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## FISCAL IMPACT REPORT

**SPONSOR** Lopez **ORIGINAL DATE** 02/05/14 **LAST UPDATED** 02/07/14 **HB** \_\_\_\_\_

**SHORT TITLE** Sexual Assault Prevention & Services **SB** 193/aSPAC

**ANALYST** Esquibel

### APPROPRIATION (dollars in thousands)

Appropriation		Recurring or Nonrecurring	Fund Affected
FY14	FY15		
	\$1,000.0	Recurring	General Fund

(Parenthesis ( ) Indicate Expenditure Decreases)

Relates to Appropriation in the General Appropriation Act

### SOURCES OF INFORMATION

LFC Files

#### Responses Received From

Department of Health (DOH)

Human Services Department (HSD)

### SUMMARY

#### Synopsis of SPAC Amendment

The Senate Public Affairs Committee amendment to Senate Bill 193 changes the agency receiving the appropriation for sexual assault prevention, services and training from the Human Services Department to the Department of Health.

#### Synopsis of Original Bill

Senate Bill 193 appropriates \$1 million from the general fund to the Human Services Department to fund sexual assault prevention, services and training.

### FISCAL IMPLICATIONS

SB 193 includes an FY15 general fund recurring appropriation of \$1 million. Any unexpended or unencumbered balance remaining at the end of FY15 shall revert to the general fund.

The LFC and Executive FY15 budget recommendations for the Department of Health both

include \$2.7 million for sexual assault prevention and treatment services. The House Appropriations and Finance Committee acted to add an additional \$80 thousand in general fund revenue for sexual assault prevention and treatment services within the Department of Health's FY15 budget.

## **SIGNIFICANT ISSUES**

The Human Services Department indicates that according to the Department of Health (source: [http://nmhealth.org/sexual\\_assault/sexual\\_assault.shtml](http://nmhealth.org/sexual_assault/sexual_assault.shtml)):

- The number of reported criminal sexual penetration crimes has increased each year from 1,337 in 2006 to 1,408 in 2009.
- The vast majority of rapes against both women and men remain unreported to police or sexual violence support organizations. In 2009, only 1 in 9.5 adult rapes came to the attention of law enforcement.
- Victims of sexual violence are overwhelmingly female (86 percent rape victims and 78 percent victims of non-penetration sex crimes).
- Almost one-third (31 percent) of rape victims and 29 percent of victims of non-penetration sex crimes are victimized before age twelve. Another 30 percent of rape victims and 32 percent of victims of non-penetration crimes are victimized before age eighteen.
- More than half (57 percent) of sexual assault victims were victims of a prior sexual assault.
- Almost two-thirds (60 percent) of prior assault victims were victimized by age twelve and 85 percent of these were victims of on-going sexual abuse.
- More than half of survivors and two-thirds of offenders had a history of domestic violence.

According to the Rape Crisis Center of Central New Mexico about women in New Mexico (Source: <http://rapecrisiscnm.org/>):

- 1 in 4 females will experience rape or attempted rape in their lifetime.
- 1 in 20 males will experience rape or attempted rape in their lifetime.

In addition, nationally:

- 18 percent of females nationally experience rape or attempted rape at some time in their lifetime.
- 3 percent of males nationally experience rape or attempted rape in their lifetime.
- 16 percent of rape survivors report the crime to law enforcement.

The U.S. Department of Veterans Affairs reports that 1 in 5 women and 1 in 100 men reported Military Sexual Trauma (MST), which can result in PTSD.

(source: [http://www.mentalhealth.va.gov/docs/mst\\_general\\_factsheet.pdf](http://www.mentalhealth.va.gov/docs/mst_general_factsheet.pdf))

## **ADMINISTRATIVE IMPLICATIONS**

The provision of sexual assault treatment and services would be new to HSD as DOH currently administers these contracts.

## OTHER SUBSTANTIVE ISSUES

DOH indicates New Mexico data on rape and sexual assault is gathered from different sources, including law enforcement reports, sexual assault service provider reports on the victims they served, and reports made by sexual assault nurse examiner (SANE) programs. For 2012, there were 4,176 rapes reported by law enforcement agencies, 1,875 victims served by sexual assault service providers, and 1,172 SANE patients. Also, 17 percent of rapes are reported; 28 percent of victims receive services through sexual assault service providers; and 15 percent result in the arrest of a suspect. Sexual assault data indicates that 24 percent of women and 5 percent of men in New Mexico have experienced a sexual assault in their lifetime, versus 18 percent of women and 3 percent of men in the U.S. as a whole. (B. Caponera. (2013) *Sex Crimes in New Mexico XI: An Analysis of 2012 Data from The New Mexico Interpersonal Violence Data Central Repository*)

Rape can have devastating psychological consequences on victims, culminating in post-traumatic stress disorders (PTSD) with an array of symptoms that include long-lasting, far-ranging health effects, and health consequences including physical injuries, sexually transmitted infections including Human Immunodeficiency Virus (HIV), and unwanted pregnancies.

The challenges to prevent and respond to sexual assault in New Mexico are unique and difficult: most sexual assault is perpetrated on the vulnerable individuals by someone whom they know, and over a quarter of the time, by the victim's own family member; there is limited access to both prevention and treatment resources; and many resources are not offered in a language other than English. Recent research documents the problem of sexual violence across communities, often finding its causes to be embedded in community and cultural norms.

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