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## FISCAL IMPACT REPORT

SPONSOR Begaye DATE TYPED 2/8/05 HB 343/aHGUAC

SHORT TITLE Shiprock Domestic Violence Shelter SB \_\_\_\_\_

ANALYST Hanika-Ortiz

### APPROPRIATION

Appropriation Contained		Estimated Additional Impact		Recurring or Non-Rec	Fund Affected
FY05	FY06	FY05	FY06		
	\$100.0			Recurring	GF

Relates to HB 334

### SOURCES OF INFORMATION

LFC Files

#### Responses Received From

Department of Health (DOH)

Department of Indian Affairs (IAD)

Children, Youth and Family Department (CYFD)

### SUMMARY

#### Synopsis of HGUAC Amendment

The House Government and Urban Affairs Committee amendment replaces the Department of Health with the Children, Youth & Families Department as the state agency to administer the domestic violence program funding in HB 343/aHGUAC.

#### Synopsis of Bill

HB 343 appropriates \$100 thousand from the general fund to the DOH for staff and program support for a shelter for victims of domestic violence in Shiprock, New Mexico.

#### Significant Issues

According to the DOH, the *Domestic Violence Trends in New Mexico, 2001-2003*, reported 1,033 domestic violence incidents in 2003. Of the reports that included race, 48% were Native

Americans, 34% white, 15% Hispanic, 2% black and 1% Asian and other. The DOH further detail Gloria Champion of The Home for Women and Children, Shiprock, NM, reporting ninety-nine percent (99%) of the people receiving services from the domestic violence shelter are from the Navajo Nation.

The IAD reports the prevalence and incidence of violence against Indian women is high when compared to other races. To reduce violent crimes against women, some tribes have established domestic violence and victim services programs. However, there is still a great need for culturally sensitive support and services for Native American women and their children

The Shiprock domestic violence shelter provides temporary residence for women and children that are victims of domestic abuse living in the Four Corners area of New Mexico, with the length of stay varying from 30-90 days. The shelter provides safety, shelter, advocacy, education, networking, and referrals for victims and their children.

### **PERFORMANCE IMPLICATIONS**

CYFD is the state agency identified in statute to administer domestic violence program funding. CYFD voices concerns they may be unable to track services if the appropriation included in HB 343 is administered by DOH, the end result being the potential for duplication of client services.

The DOH states HB 343 relates to the DOH Program Area 5: Behavioral Health Services, Strategic Direction: Increase access and choice for behavioral health services.

### **FISCAL IMPLICATIONS**

The appropriation contained in this bill is a recurring expense to the general fund. Any unexpended or unencumbered balance remaining at the end of FY06 shall revert to the general fund.

The Executive Budget Recommendation for CYFD in FY06 recommended continuation of the \$500 thousand for domestic violence shelters funded as a special appropriation. Also, recommended is \$2 million for domestic violence legal services and \$600 thousand for shelter services from Temporary Assistance for Needy Families (TANF) funds.

The Shiprock Domestic Violence Shelter received \$100 thousand for equipment as part of the capital outlay budget. The IAC reports they have not to date received a scope of work to initiate the joint powers of agreement (JPA) process; and this project will expire on June 30, 2005.

### **ADMINISTRATIVE IMPLICATIONS**

The DOH will administer the funds allocated in HB 343.

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

HB 343 relates to HB 334, Statewide Domestic Violence Shelters, which requests \$2 million from the general fund to go to CYFD to support services, including treatment, shelter and counseling for victims of domestic violence and their children statewide.

## **TECHNICAL ISSUES**

The DOH report CYFD may be the better choice to administer the funds. DOH further claim they did not seek out the appropriation, but would administer the funding appropriately if asked.

IAD recommends appropriating the funds to CYFD as CYFD has an established domestic violence division. IAD further identifies efforts made in the Executive Branch to coordinate all domestic violence shelter and services funds through CYFD.

IAD report that the few federal grant program funding sources are limited, and insufficient to address tribal priorities of reducing domestic violence.

## **OTHER SUBSTANTIVE ISSUES**

The DOH reports there has been a 20% decrease from 2001-2001 in the number of adult victims receiving services for domestic violence in San Juan County. The DOH further reports 48% of San Juan county law enforcement domestic violence incidents received services in San Juan county.

IAD report Native American's rate of exposure to violent crimes is twice the rate of all U.S. residents (US Department of Justice, Bureau of Justice Statistics, A BJS Statistical Profile, 1992-2002), and this disparity occurs across age groups, housing locations, and by gender.

## **ALTERNATIVES**

None indicated.

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

Domestic violence victims will continue to have access to the same level of service.

## **POSSIBLE QUESTIONS**

Statistics presented show Native Americans make up 48% of the domestic violence reports in San Juan county. Do existing shelters welcome the remaining 52%, or are they only equipped to provide services for Native Americans.

What is the department's policy regarding domestic violence against men, as domestic violence can be an equal problem for both genders. Are there services in place? What is the incidence rate?

Are there penalties in place for false accusations of domestic abuse?

**AHO/njw**