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## FISCAL IMPACT REPORT

SPONSOR Komadina DATE TYPED 2/26/2005 HB \_\_\_\_\_  
 SHORT TITLE Services for Children Exposed to Violence SB SJM 53  
 ANALYST Dunbar

### APPROPRIATION

Appropriation Contained		Estimated Additional Impact		Recurring or Non-Rec	Fund Affected
FY05	FY06	FY05	FY06		
	Minimal				

(Parenthesis ( ) Indicate Expenditure Decreases)

### SOURCES OF INFORMATION

LFC Files

#### Responses Received From

Children Youth and Families Department (CYFD)  
 Department of Health (DOH)  
 NM Public Education Department (NMPED)  
 Health Policy Commission (HPC)

### SUMMARY

#### Synopsis of Bill

Senate Joint Memorial 53 requests that the Children, Youth and Families Department (CYFD) and the Department of Health (DOH), in conjunction with interested community advocacy groups, conduct a study and make recommendations to Health and Human Services subcommittee on the issue of children exposed to family violence. The study should contain an assessment of current services, information on best practices, and recommendations for legislative changes in statute. The results of the study are to be reported to the legislative health and human services committee by November 1, 2005.

#### Significant Issues

The term family violence traditionally encompasses domestic violence, child abuse, and elder abuse. Domestic violence refers to violence perpetrated against a current or former spouse, boyfriend or girlfriend. SJM 53 focuses on domestic violence and the children of the intimate partner(s) who are exposed to it. Exposing children to domestic violence legally constitutes criminal child abuse in some states. (Domestic Violence and Children, Stephanie Walton). Whether or not a state defines a child's exposure to domestic violence as child abuse, the children who are

exposed to domestic violence experience that violence with their eyes, ears, hearts, minds and bodies. Bruce Jacobs, PhD, Extension Specialist, Dept. of Extension Home Economics, College of Agriculture and Home Economics, NMSU

Domestic violence, a systematic pattern of domination and control characterized by a coercive pattern of behavior, may include repeated battery and injury, psychological abuse, sexual assault, progressive social isolation, deprivation, intimidation, and restriction of access to food, clothing, money, friends, transportation, health care, and employment. Furthermore, these behaviors can be categorized into criminal acts and non-criminal acts. New Mexico Judicial Education Center at the Institute of Public Law, University of NM School of Law.(n.d.). New Mexico Domestic Violence Benchbook. Nov.15, 2004

There is clear evidence that damage is done to children exposed to violence, regardless of whether or not there is documented physical or sexual abuse, which often occurs concurrently in these families. SJM 53 requests a systematic approach to determine how these children are receiving services by county, what changes might need to be made in Child Welfare or Criminal law to better protect them, and how to more effectively get both victims and perpetrators the help they need in terms of parenting and substance abuse issues.

In 2003, over five thousand child victims of domestic violence received services in New Mexico. Children chronically exposed to domestic violence between their parents or caretakers may also be victims of neglect or physical, emotional or sexual abuse. The negative effects on children from exposure to domestic violence include emotional distress, somatic complaints, developmental delays or regression, post-traumatic stress symptoms, aggression, delinquency, anxiety and social withdrawal.

Efforts to strengthen enhance and expand services for children and adult victims of domestic violence can reduce violence in the home, increase positive health outcomes and help counteract the overall negative effects of domestic violence.

## **RELATIONSHIP**

SB325, Domestic Abuse Shelters & Child Services.  
HB497, Domestic Violence Shelters and Child Services.  
HB334, Statewide Domestic Violence Centers.  
SB63, Domestic Violence as Serious Violent Offense.  
SB447, Domestic Violence Hearing Officer Project.  
SB315, Domestic Violence Arrests Within 24 hours.  
HB420, Domestic Abuse as a Serious Violent Offense.  
HB384, Domestic Violence Treatment Fee Application.  
SC86, A Domestic Violence Shelter in Farmington,  
SC270, Domestic Violence Shelter Construction in Lincoln County.

## **OTHER SUBSTANTIVE ISSUES**

For 2002, New Mexico ranked 3<sup>rd</sup> highest among states for rate of females murdered by males. For homicides in which the victim/offender relationship was identified, 88% of female victims knew their murderer. Out of the 88%, 52% were former or current wives or girlfriends of the offender. (Violence Policy Center 2002. When men murder women; an analysis of 2002 homi-

side data. Retrieved: Nov. 15, 2004.)

DOH notes that no one knows the true number of victims of domestic violence. Addressing domestic violence is complicated by underreporting. Victims of domestic violence may not declare the cause of their injuries at the time they are seen in medical settings, and may refuse to report to law enforcement agencies.

The New Mexico Interpersonal Violence Data Central Repository receives data from law enforcement, district and magistrate courts and domestic violence providers in order to come up with a portrayal of domestic violence in New Mexico.

#### Law Enforcement

There were a total of 25,644 reported domestic abuse incidents to law enforcement in 2003. Of the 15,517 victims identified in 60% of reported incidents, 75% were female. 16 deaths occurred among the reported incidents. The number of law enforcement documented incidents in which children were present is unknown. (Caponara, B. 2004 Domestic Violence Trends in New Mexico, 2001-2003 based on the New Mexico Interpersonal Violence Data Central Repository)

#### The Courts

In 2003, there were 12,201 domestic abuse cases processed to disposition across all courts representing 48% of the total domestic violence cases reported by law enforcement for the same time period.

#### Domestic Abuse Service Provider Reports

In 2003, there were a total of 16,690 new clients at the 25 domestic violence service providers who submitted data. The number of adult victims seeking services with domestic violence service providers represent only 31% of the 25,644 cases of domestic violence reported by law enforcement agencies. Children less than 18 years of age made up 34% of the clients. Children were present in 58% of the incidents. While 93% of the adult victims who sought help were female, there was little gender distinction in the victimization of children: 52% were males, 48% were females. 5,757 children received services from providers in 2003.

DOH points out that children whose parents abuse each other are more likely to eventually become victims and/or perpetrators of abuse. Childhood exposure to domestic violence is associated with difficulties with behavior, emotional health, schoolwork and delinquency. Effects on such childhood exposures last into adulthood and include alcoholism, drug abuse, mental health problems, smoking and general poor health.

The results of a study such as requested in SJM 53 will help move forward a more coordinated approach to children exposed to domestic violence who, left untreated, are at increased risk for many adverse health behaviors.

The Department of Health currently funds the work of the New Mexico Interpersonal Violence Data Central Repository, which produces the *Report on Domestic Violence Trends in New Mexico*, and worked to establish a statewide coalition to represent domestic violence service providers, advocates and state agency representatives throughout the state.

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