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FISCAL IMPACT REPORT

ORIGINAL DATE 01/28/14
 SPONSOR HJC LAST UPDATED 02/12/14 HB 92 & 101/HJCS
 SHORT TITLE School Child Sexual Abuse Detection Training SB _____
 ANALYST Armstrong

APPROPRIATION (dollars in thousands)

Appropriation		Recurring or Nonrecurring	Fund Affected
FY14	FY15		
	NFI		

(Parenthesis () Indicate Expenditure Decreases)

Duplicates HB 101, SB 97

SOURCES OF INFORMATION

LFC Files

Responses Received From

Department of Health (DOH)
 Children, Youth and Families Department (CYFD)
 Public Education Department (PED)

SUMMARY

Synopsis of Bill

House Judiciary Committee Substitute for House Bills 92 & 101 amends Section 22-10A-32 NMSA 1978 to specify that all licensed school employees shall complete training to detect and report sexual abuse and assault within the first year of employment, or during the 2014-2015 school year for current employees. The bill also provides that health education courses, required in fourth through eighth grade and for high school graduation beginning with the class of 2018, must include age-appropriate sexual abuse and assault awareness and prevention training. PED shall consult with CYFD in developing a training program, and with the federal Centers for Disease Control and Prevention in developing both the evidence-based section on child sexual abuse and assault and department standards for school employee trainings based on evidence-based methods and materials.

FISCAL IMPLICATIONS

According to PED analysis of the original HB 92 and HB 101, this bill does not have any fiscal implications for state agencies or schools because online training is currently available through a collaborative effort among New Mexico State University, PED, CYFD, and DOH. HB 92 would not require the hiring of additional staff.

SIGNIFICANT ISSUES

The New Mexico Children's Code, Section 32A-4-3 NMSA 1978, mandates that certain individuals, including school teachers and officials, who have knowledge or a reasonable suspicion that a child is abused or neglected must report it immediately. According to CYFD analysis, school personnel account for approximately 13.5 percent of reports to the statewide central intake. In FY13, there were 4,455 calls made from school personnel.

The sexual victimization of children and adolescents has been a focus of clinical attention for many decades, and a wide range of psychological and interpersonal problems have been linked to sexual victimization. Reported issues include post-traumatic stress, cognitive disorders, emotional pain, avoidance, low self-esteem, guilt, self-blame, delinquency, substance abuse, vulnerability to repeated victimization, and interpersonal difficulties.

Child sexual abuse is a serious public health problem in New Mexico. According to DOH analysis citing *Sex Crimes in New Mexico XI: An Analysis of 2012 Data*:

- In 2012, children (age <13) comprised 27 percent of law enforcement reported sexual assaults. Over the same time period, one-third (34 percent) of the sexual assault victims of all ages that sought therapeutic services in New Mexico were victimized as children.
- In 2012, 51 percent of sexual assault victims that sought therapeutic services experienced a prior sexual assault. Almost two thirds (60 percent) of those abused as children were victims of ongoing or serial abuse rather than a single incident of rape.
- Only 3 percent of child rape cases are perpetrated by a stranger and relatives rape children at almost twice the rate of other known offenders, as reported by the SVV. Data from statewide service providers report that the worst offenders by far, are fathers (19 percent); who commit rape at a significantly higher rate than cousins (13 percent), uncles (12 percent), brothers (12 percent) and step-fathers (11 percent).
- Most child rape is perpetrated by one offender, who is male and of the same ethnicity as the victim, 86 percent.
- 40 percent of child rape cases involved physical assault of the victim as well.

Some successful school-based prevention programs are aimed at drug use, pregnancy prevention, and interpersonal skills development. Like sexual abuse prevention programs, many of these programs are cognitively complicated, involve judgments about the intentions of other people, and attempt to train children to resist pressures from other, in many cases, more authoritative people. Scientific literature supports this type of approach as a general prevention strategy. Exposure to a sexual abuse prevention program has additional benefits, including increased disclosure and the fact that program-exposed youth were less likely to blame themselves in the wake of victimization.

DUPLICATION

SB 97 duplicates HB 92 & 101/HJCS other than the provision clarifying that current employees must complete the training during the 2014-2015 school year.