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FISCAL IMPACT REPORT

SPONSOR Garcia Richard **ORIGINAL DATE** 2/18/15
LAST UPDATED _____ **HJM** 5

SHORT TITLE Domestic Violence Offender Treatment Programs **SB** _____

ANALYST Klundt

ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)

	FY15	FY16	FY17	3 Year Total Cost	Recurring or Nonrecurring	Fund Affected
Total						

(Parenthesis () Indicate Expenditure Decreases)

SOURCES OF INFORMATION

LFC Files

Responses Received From

Children, Youth and Families Department (CYFD)

SUMMARY

House Joint Memorial 5 (HJM5) requests the Children, Youth and Families Department (CYFD) convene a domestic violence offender treatment or intervention program task force to analyze various aspects of domestic violence offender treatment or intervention programs in New Mexico, and to make recommendations for program enhancements. The task force will include a representative from the New Mexico Coalition Against Domestic Violence, CYFD, the Legislative Finance Committee (LFC), the Administrative Office of the Courts, Corrections including its adult probation and parole division, the New Mexico Tribal-State Judicial Consortium, and offender treatment/intervention program providers and victim service providers. The task force will work with current domestic violence offender treatment or intervention programs to assess their operations including but not limited to curriculum, client assessments, qualifications of facilitators, and data collection. The task force will examine the roles of the courts, adult probation and parole in monitoring and enforcing treatment requirements/orders for offenders; review all current New Mexico laws, protocols, and the administrative rule pertaining to domestic violence; and review current research and best practices from programs in New Mexico and other states. The task force will make recommendations on best practices, methods of data collection that measure short and long term offender outcomes and methods to ensure judicial monitoring and enforcement and provide a comprehensive written report to be presented to the interim legislative Health and Human Services Committee and the Legislative Finance Committee by November 15, 2015.

FISCAL IMPLICATIONS

CYFD states there is no significant fiscal implication identified for the joint memorial at this time, and any additional administrative duties associated with implementing the provisions of HJM 5 can be absorbed by existing resources.

SIGNIFICANT ISSUES

Formal evaluation of domestic violence offender treatment/intervention programs in New Mexico and existing research is needed to ensure quality services are provided. Domestic violence offenders are in need of services that hold them accountable for their violent behaviors and teach them skills to be non-violent within their family relationships. CYFD states the agency has been challenged in identifying positive outcomes due to a lack of standardized measures determining success. Recidivism is the most common outcome measure identified; however, there is no clear definition of what recidivism means. For example, recidivism could be re-arrested or conviction rates; self-report of a new incident in group; violation of probation/parole; or violation of an order of protection. However, these measures do not capture new incidents that may not be reported to law enforcement, probation and parole, or group facilitators.

Judicial monitoring and enforcement of sentencing requirements is also a key component of holding offenders accountable. If an offender violates program rules or is terminated from the program, there have been reports of inconsistencies across the state in how legal consequences are enforced. This task force may assist in developing standards to ensure offenders are consistently held accountable for violent behaviors by the criminal justice system and offender service providers collaboratively.

PERFORMANCE IMPLICATIONS

CYFD has several performance measures related to this bill which may be positively affected as a result of this study's recommendations.

KK/aml