

LFC Requestor: Self Assigned

2025 LEGISLATIVE SESSION  
AGENCY BILL ANALYSIS

Section I: General

Chamber: Senate

Category: Bill

Number: 41

Type: Introduced

Date (of THIS analysis): 2.10.25

Sponsor(s): Angel M. Charley and Michelle Paulene Abeyta

Short Title: Turquoise Alert System

Reviewing Agency: Agency 665 - Department of Health

Analysis Contact Person: Arya Lamb

Phone Number: 505-470-4141

e-Mail: [arya.lamb@doh.nm.gov](mailto:arya.lamb@doh.nm.gov)

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Section II: Fiscal Impact

APPROPRIATION (dollars in thousands)

Appropriation Contained		Recurring or Nonrecurring	Fund Affected
FY 25	FY 26		
\$0	\$0		

REVENUE (dollars in thousands)

Estimated Revenue			Recurring or Nonrecurring	Fund Affected
FY 25	FY 26	FY 27		
\$0	\$0	\$0		

ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)

	FY 25	FY 26	FY 27	3 Year Total Cost	Recurring or Non-recurring	Fund Affected
Total	\$	\$250	\$250	\$500	Recurring	SGF

<b>Staff:</b>	
One staff (mid-range pay band 65) to coordinate Tribal outreach	\$95,000
<b>Travel:</b>	
Travel to meetings with Tribal Leadership regarding new bill elements (minimum of 12 trips throughout FY26 at \$1,250 each)	\$15,000
<b>Trainings:</b>	
Host a minimum of 12 training/consultations in FY26 on bill elements (includes venue, materials, facilitator, and communications related to trainings)	\$140,000
<b>Totals</b>	<b>\$250,000.00</b>

### Section III: Relationship to other legislation

Duplicates: None

Conflicts with: None

Companion to: None

Relates to: None

Duplicates/Relates to an Appropriation in the General Appropriation Act: None

### Section IV: Narrative

#### 1. BILL SUMMARY

a) Synopsis

Senate Bill 41 proposes the Public Safety Department implement a system to improve coordination the rapid dissemination of information related to missing American Indians.

Is this an amendment or substitution?  Yes  No

Is there an emergency clause?  Yes  No

b) Significant Issues

- The issue of Missing and Murdered Indigenous Women (MMIW) is an ongoing crisis affecting Indigenous communities, particularly in the United States and Canada. It involves the disproportionately high rates of violence, abduction, and homicide experienced by Indigenous women, girls, and Two-Spirit people.
- Indigenous women face significantly higher rates of violence compared to non-Indigenous women. In the U.S., Indigenous women are murdered at rates more than ten times the national average in some areas.
- On average, there are approximately 200 missing Native Americans across NM
  - Highest rates of MMIP are amongst Age Groups 30 - 39 & 40-49

- The Turquoise Alert bill, SB41, implements objectives 5 and 6 of the Indian Affairs Department State Response Plan.

[MMIWR\\_ResponsePlan2022\\_FINAL.pdf](#)

## 2. PERFORMANCE IMPLICATIONS

- Does this bill impact the current delivery of NMDOH services or operations?

Yes  No

To coordinate the information exchange needed for awareness of SB41, a staff member will need to be hired for this purpose, potentially in either the Sexual Assault or Violence Prevention office(s).

- Is this proposal related to the NMDOH Strategic Plan?  Yes  No

**Goal 1:** We expand equitable access to services for all New Mexicans

**Goal 2:** We ensure safety in New Mexico healthcare environments

**Goal 3:** We improve health status for all New Mexicans

**Goal 4:** We support each other by promoting an environment of mutual respect, trust, open communication, and needed resources for staff to serve New Mexicans and to grow and reach their professional goals

## 3. FISCAL IMPLICATIONS

- If there is an appropriation, is it included in the Executive Budget Request?

Yes  No  N/A

- If there is an appropriation, is it included in the LFC Budget Request?

Yes  No  N/A

- Does this bill have a fiscal impact on NMDOH?  Yes  No

- Budget listed above, approximately \$250,000 for FY26, with funding to be re-occurring to ensure awareness and compliance with SB41.

## 4. ADMINISTRATIVE IMPLICATIONS

Will this bill have an administrative impact on NMDOH?  Yes  No

**Staff needed to ensure the components of SB41 are carried out in accordance with the Bill and the State-Tribal Collaboration Act.**

## 5. DUPLICATION, CONFLICT, COMPANIONSHIP OR RELATIONSHIP

*None*

## 6. TECHNICAL ISSUES

Are there technical issues with the bill?  Yes  No

## 7. LEGAL/REGULATORY ISSUES (OTHER SUBSTANTIVE ISSUES)

- Will administrative rules need to be updated or new rules written?  Yes  No

- Have there been changes in federal/state/local laws and regulations that make this legislation necessary (or unnecessary)?  Yes  No
- Does this bill conflict with federal grant requirements or associated regulations?  Yes  No
- Are there any legal problems or conflicts with existing laws, regulations, policies, or programs?  Yes  No

**Page 5, Section 2 compliance with originating statutes does not include the State-Tribal Collaboration Act, specifically Section 3 C:**

A state agency shall make a reasonable effort to collaborate with Indian nations, tribes or pueblos in the **development and implementation of policies, agreements and programs** of the state agency that directly affect American Indians and Alaskan Natives.

## 8. DISPARITIES ISSUES

- **Historical and Systemic Racism:** Colonial violence, forced assimilation, and intergenerational trauma have created conditions of marginalization.
- **Jurisdictional Challenges:** A lack of coordination between Tribal, federal, and state/provincial law enforcement often leads to cases being ignored or unresolved.
- **Human Trafficking and Exploitation:** Many Indigenous women are vulnerable to trafficking due to poverty, lack of resources, and geographic isolation.
- **Failure of Law Enforcement:** There are numerous reports of law enforcement agencies failing to properly investigate cases, misclassifying deaths, or dismissing missing persons reports.

## 9. HEALTH IMPACT(S)

The crisis of Missing and Murdered Indigenous Women (MMIW) in New Mexico is a profound concern, with the state reporting the highest number of MMIW cases nationwide. A 2017 report highlighted that New Mexico had 78 cases, with Albuquerque and Gallup ranking among the top cities for such incidents.

Improved tracking of Missing and Murdered Indigenous Women (MMIW) cases can have several positive health impacts, both direct and indirect, for Indigenous communities. These impacts include:

### 1. Mental and Emotional Health

- **Reduced Trauma and Grief:** Improved tracking can provide families with answers and closure, reducing prolonged emotional distress.
- **Decreased Anxiety and PTSD:** Families and communities often experience chronic stress and post-traumatic stress disorder (PTSD) due to unresolved cases; better tracking can alleviate uncertainty.
- **Improved Mental Health Services:** Increased awareness and data collection can lead to targeted mental health support for affected families.

### 2. Public Health and Safety

- **Prevention of Violence:** Improved tracking helps identify patterns and risk factors, enabling proactive interventions to prevent future violence.

- **Enhanced Community Safety:** Reliable data informs better law enforcement responses, making Indigenous communities safer overall.
- **Increased Trust in Authorities:** Effective tracking can rebuild trust in law enforcement and healthcare systems, leading to greater reporting of violence and crime.

### 3. Healthcare Access and Support

- **Increased Resources for Victims:** Data-driven advocacy can lead to more funding for healthcare programs addressing domestic violence, sexual assault, and trauma recovery.
- **Better Training for Healthcare Providers:** Improved case tracking can support training programs for medical professionals on identifying and responding to gender-based violence in Indigenous communities.

### 4. Intergenerational Health Benefits

- **Healing for Future Generations:** Addressing MMIW cases contributes to breaking cycles of violence and trauma that affect Indigenous families for generations.
- **Reduction in Substance Abuse:** Trauma from missing or murdered relatives is often linked to increased substance use; better tracking and resolution of cases may reduce these impacts.

By improving MMIW case tracking, Indigenous communities can experience better mental health, stronger public safety measures, and increased healthcare access, leading to long-term improvements in overall well-being.

## 10. ALTERNATIVES

*None*

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

If SB41 is not enacted, failing to implement better tracking of Missing and Murdered Indigenous Women (MMIW) cases has severe consequences, impacting individuals, families, and entire communities. These consequences span across legal, health, social, and economic domains.

### 1. Continued Violence and Loss of Lives

- Without proper tracking, patterns of violence go unnoticed, allowing perpetrators to continue harming Indigenous women.
- The lack of accountability creates a cycle where offenders believe they can act without consequences, increasing the rates of missing and murdered cases.

### 2. Mental and Emotional Health Crisis

- Families of missing Indigenous women experience prolonged grief, trauma, and PTSD due to the lack of closure.
- Entire communities face collective trauma, leading to high rates of depression, anxiety, and suicide.
- The unresolved nature of cases erodes trust in law enforcement, leading to feelings of neglect and invisibility among Indigenous people.

### 3. Breakdown in Trust Between Indigenous Communities and Authorities

- The failure to track and investigate cases deepens the mistrust between Indigenous communities and law enforcement, leading to fewer reports of violence.
- Survivors of domestic violence, trafficking, or assault may not seek help, fearing that authorities will ignore their cases.

### 4. Increased Risk of Human Trafficking and Exploitation

- Poor tracking allows traffickers to operate with impunity, making Indigenous women more vulnerable to abduction and exploitation.
- Indigenous women and girls remain disproportionately targeted in trafficking networks due to systemic neglect.

#### **5. Lack of Legal and Policy Improvements**

- Without data, policymakers lack the evidence needed to push for stronger laws and better protections for Indigenous women.
- Funding for victim services, prevention programs, and law enforcement initiatives remains inadequate due to a lack of documented need.

#### **6. Economic and Social Hardships**

- Families are forced to spend their own resources searching for loved ones, leading to financial strain.
- The fear and trauma from unresolved cases discourage community engagement, economic growth, and social stability in Indigenous communities.

#### **7. Continued Erasure of Indigenous Women and Their Stories**

- Without proper tracking, the true scale of the crisis remains hidden, reducing public awareness and media attention.
- The ongoing invisibility of MMIW cases perpetuates systemic racism and discrimination against Indigenous communities.

The failure to implement improved tracking systems for MMIW cases leads to consequences, including ongoing violence, trauma, and institutional neglect. Strengthening tracking mechanisms is essential to ensure justice, enhance safety, and protect the lives of Indigenous women and girls.

## **12. AMENDMENTS**

None