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**2025 LEGISLATIVE SESSION
AGENCY BILL ANALYSIS**

Section I: General

Chamber: Senate
Number: 331

Category: Bill
Type: Introduced

Date (of THIS analysis): 02/11/2025

Sponsor(s): Antoinette Sedillo Lopez, Crystal Brantley

Short Title: DOMESTIC VIOLENCE PROGRAMS & PROBATION

Reviewing Agency: Center for Health Protection

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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	NA	NA

REVENUE (dollars in thousands)

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

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	\$0	\$0	\$0	\$0	NA	NA

Section III: Relationship to other legislation

Duplicates: None

Conflicts with: None

Companion to: None

Relates to: HB57, HB216, SB26, SB191

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

Section IV: Narrative

1. BILL SUMMARY

a) Synopsis

Senate Bill 331 (SB331) proposes to make amendments to sections 30-3-12 through 30-3-14, 30-3-17 and 30-3-18 NMSA 1978 and subsections E and F of section 40-13-6 NMSA 1978 which would:

- Require an offender of the following crimes complete a domestic violence offender treatment or intervention program.
 - Assault against a household member.
 - Aggravated assault against a household member.
 - Assault against a household member with the intent to commit a felony.
 - Multiple convictions of battery or aggravated battery.
 - Criminal damage to property of household member – deprivation of property of a household member.
 - Violation of an order of protection granted by a court under the Family Violence Protection Act.

Additionally, SB331 proposes that a person who violates a condition of probation ordered pursuant to a suspended or deferred sentence may be subject to any sentence the court could originally have imposed and not receive time served on probation on any of the above crimes.

Is this an amendment or substitution? Yes No

Is there an emergency clause? Yes No

b) Significant Issues

Domestic Violence Data in New Mexico and the United States

- According to data from the Centers for Disease Control and Prevention, approximately one in three women and men experience some form of domestic violence in their lifetime (36.4% of women and 33.6% of men). Men and women experience significant disparity in terms of the severity and impact of domestic violence. 25% of women compared to 10% of men experience some combination of fear, concern for safety, injury, loss of work, missing school, post-traumatic stress disorder symptoms, or need for medical help, law enforcement intervention, housing, legal services, crisis hotlines, or specialized advocacy ([The National Intimate Partner and Sexual Violence Survey : 2015 data brief – updated release](#))

- In New Mexico (NM) From 2017 to 2021 law enforcement reported domestic violence incidences has gone up 8% (19,234 and 20,776 respectively). ([DV Report 2021 Betty Caponera dec22web.pdf](#); [DV Report 2017 Betty Caponera jull8web.pdf](#))
- According to the New Mexico Crime Victimization Report 85% of respondents who experienced domestic violence said they had experienced this type of violence more than once. ([NM Crime Victimization Report102224.pdf](#))

*Due to CDC Datasets being currently unavailable these data above are the most recent data available for domestic violence.

Effectiveness of Domestic Violence Perpetrator Treatment

- Current research shows interventions to prevent recidivistic IPV have cited minimal benefits and have been critical of interventions adopting a ‘one-size-fits-all’ approach to a heterogenous category of offenders.
- Clarity is lacking in these types of studies making it difficult to determine if services show an effect or not. Variation in follow-up and the difficulty of measuring emotional or mental abuse are also challenging. ([The effectiveness of interventions to prevent recidivism in perpetrators of intimate partner violence: A systematic review and meta-analysis](#))
- While additional research is needed, the meta-analysis suggests that court-mandated treatment to group-based programs for misdemeanor intimate partner violence offenders is unlikely to reduce assaultive behaviors. While the authors of this research cannot definitively conclude that these programs don't work, the pattern of evidence is inconsistent with what the authors of this research would expect if they produced meaningful reductions in repeat offending across natural program variations and settings ([Court-mandated interventions for individuals convicted of domestic violence: An updated Campbell systematic review](#))
- A recent pilot study showed supporting the need for cognitive training in IPV interventions because the improvement in these variables might directly and/or indirectly reduce the future risk of recidivism. Thus, these results may lead clinicians and other professionals in psychology to design specific intervention programs based on IPV perpetrators’ needs. In fact, the authors of this research provide a neuropsychological assessment with a detailed cognitive training program that can guide future research in this field. ([Cognitive Flexibility and Reaction Time Improvements After Cognitive Training Designed for Men Perpetrators of Intimate Partner Violence: Results of a Pilot Randomized Controlled Trial](#))
- Another Study showed that with interventions that raise self-esteem and self-concept in offenders’ self-reported reoffending were 10.7% at post-treatment and 12.5% at follow-up, meaning that a considerable percentage of IPV perpetrators who attend intervention programs end or substantially reduce their abusive behavior ([The impact of an intervention program on abusive intimate behaviors, self-esteem, and self-concept of male perpetrators of intimate partner violence](#))

2. PERFORMANCE IMPLICATIONS

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

Yes No

If yes, describe how.

- 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

4. ADMINISTRATIVE IMPLICATIONS

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

5. DUPLICATION, CONFLICT, COMPANIONSHIP OR RELATIONSHIP

- SB331 relates to HB57 which would recognize the right of alleged domestic abuse victims to be represented by an attorney in legal matters related to the domestic abuse or domestic abuser.
- SB331 relates to HB216 which would make an appropriation to the Crime Reparation Commission for community-based domestic violence programs.
- SB331 relates to SB26 which would create the Domestic Violence Offender Treatment or Intervention Fund appropriation in the state treasury, which is funded by gifts, grants, donations, appropriations, and distributions to the fund made consistent with the Tax Administration Act.
- SB331 is related to SB191 which would make an appropriation to the Crime Reparation Commission for community-based domestic violence programs.

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

8. DISPARITIES ISSUES

According to the New Mexico Crime Victimization Report:

Offenders of Domestic Violence

- Seventy-eight percent (78%) of those respondents reported being abused by a male, 16% reported being abused by a female, and 6% reported being abused by both a male and female.
- Fifty-two percent (52%) of those respondents reported a Hispanic/Latino abuser, followed by 45% who reported a White/Caucasian abuser.

[\(NM Crime Victimization Report 102224.pdf\)](#)

Victims of Domestic Violence

- Respondents who were ever homeless were more likely than those who were never homeless to have experienced domestic violence, at 39% and 14%, respectively.
- Those who were ever incarcerated were more likely than those who were never incarcerated to have experienced domestic violence, at 37% and 16%, respectively.
- Black/African American respondents were more likely than respondents of other races to have experienced domestic violence, at 34% and 19%, respectively.
- Respondents with household incomes of less than \$25,000 were more likely to have experienced domestic violence, at 27%, compared to those with incomes of \$25,000 to \$74,999, at 20%, and those with incomes of \$75,000 and more, at 11%.
- Those aged 18 to 54 were more likely than those aged 55 and older to have experienced domestic violence, at 26%, compared to those aged 55 to 64, at 16%, and those aged 65 and older, at 3%.
- Hispanic respondents were more likely than non-Hispanic respondents to have experienced domestic violence, at 26% and 14%, respectively.
- Respondents of color were more likely to have experienced domestic violence than White, non-Hispanic respondents, at 24% and 12%, respectively.

[\(NM Crime Victimization Report 102224.pdf\)](#)

Barriers & Facilitators to Disclosing IPV

Pediatricians are in a unique situation to recognize victims of IPV during well child checkups, but victims may not disclose abuse unless questioned respectfully and in a safe environment ([Domestic Violence and Its Effects on Women, Children, and Families](#)).

Heron et al (2022) conducted 29 semi-structured interviews to identify barriers and facilitators for disclosure for victims of IPV in a diverse UK sample.

- Several barriers to reporting IPV included: self-blame by victim, partner's physical presence (controlling behavior) & language barriers (especially for minority women)
- The findings from this study recommend that:
 - Healthcare professionals should be trained to proactively ask about domestic violence (which is not standard practice)

- Have doctors wear buttons (“It’s ok to talk to me about family violence & abuse”), which elicits significantly more disclosures about IPV when comparing doctors (that have the same training) with/without the button

9. HEALTH IMPACT(S)

Health related costs of Intimate Partner Violence

IPV is broader than domestic violence since it includes physical aggression, threatening behavior, emotional abuse (i.e., intimidation or controlling behavior to isolate an individual) that can involve (a) parents, children, siblings, or roommates living in the same household; or (b) romantic partners that may or may not be living together ([Domestic Violence and Its Effects on Women, Children, and Families](#)).

Several economic costs of IPV include medical care, mental health care, and property damage and loss (<https://journals.sagepub.com/doi/pdf/10.1177/1524838010374371>). A recent study by Hisasue et al. (2024) estimated the direct health-related costs for victims of IPV using linked data from police reports and two healthcare registers in Finland from 2015 to 2020 (N=21,073) ([Health-Related Costs of Intimate Partner Violence: Using Linked Police and Health Registers](#)). Several key findings from this study were that:

- Victims of IPV had €6,910 of healthcare costs over the five year period after being first identified as a victim.
- Annual healthcare costs for victims of IPV were consistently higher than nonvictims (the general population) over the five-year period.
 - Healthcare costs were highest in the first year after the IPV, which is consistent with previous research.
- Women, unemployed individuals, and less educated individuals were more at risk for IPV.
- Only 20% of IPV victims had a violence-related health diagnosis in their health records over the five-year period.

Less research has focused on the impact of IPV on mental health, but a large body of research has found that ([Domestic Violence and Its Effects on Women, Children, and Families](#)):

- Mental illness is a consequence of IPV
 - For example, women who were victims of IPV were at risk for diagnoses of: generalized anxiety, depression, harmful alcohol consumption, and drug dependence
- Little research has focused on psychological abuse, but several studies have found that female victims of IPV argue that psychological abuse is more distressful than physical violence.

IPV & Child Development

IPV also impacts children exposed to IPV (e.g., witness violence, hear but don’t observe violence, or see bruises / broken furniture after an incident of IPV) in several ways including ([Domestic Violence and Its Effects on Women, Children, and Families](#)):

- About 50% of children exposed to IPV have clinical levels of emotional and behavioral problems that require behavioral health services
- Preschool children often have sleep disturbances (i.e., insomnia, nightmares, enuresis) and are at increased risk for physical injuries secondary to IPV between adults including head and eye injuries

10. ALTERNATIVES

None

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

If Senate Bill 331 (SB0331) is not enacted there will be no amendments to sections 30-3-12 through 30-3-14, 30-3-17 and 30-3-18 NMSA 1978 and subsections E and F of section 40-13-6 NMSA 1978 which would: Require an offender of the following crimes complete a domestic violence offender treatment or intervention program: assault against a household member, aggravated assault against a household member, assault against a household member with the intent to commit a felony, multiple convictions of battery or aggravated battery, criminal damage to property of household member – deprivation of property of a household member, violation of an order of protection granted by a court under the Family Violence Protection Act.

Nor would there be changes that a person who violates a condition of probation ordered pursuant to a suspended or deferred sentence may be subject to any sentence the court could originally have imposed and not receive time served on probation on any of the above crimes.

12. AMENDMENTS

None