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HOUSE MEMORIAL 71

**48TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2007**

INTRODUCED BY

Jimmie C. Hall

A MEMORIAL

REQUESTING THE NEW MEXICO SENTENCING COMMISSION TO STUDY THE  
FEASIBILITY AND APPROPRIATENESS OF INCLUDING THE CRIME OF  
AGGRAVATED STALKING WHEN THE VICTIM IS LESS THAN SIXTEEN YEARS  
OF AGE AS A SEX OFFENSE FOR PURPOSES OF THE SEX OFFENDER  
REGISTRATION AND NOTIFICATION ACT.

WHEREAS, one of the purposes of the Sex Offender  
Registration and Notification Act is to assist law enforcement  
agencies to protect their communities; and

WHEREAS, the Sex Offender Registration and Notification  
Act recognizes that the crimes of kidnapping and false  
imprisonment when the victim is a minor by a person other than  
a parent of the victim, whether or not there is a sexual  
motive, have a negative impact on the well-being of the minor  
victim, similar to that of a sex offense; therefore, the act

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1 requires a person convicted of kidnapping or false imprisonment  
2 to register as a sex offender; and

3 WHEREAS, the crime of aggravated stalking when the victim  
4 is less than sixteen years old can have, like the crimes of  
5 kidnapping or false imprisonment, a negative impact on the  
6 well-being of the minor victim, similar to that of a sex  
7 offense; and

8 WHEREAS, besides having a negative impact on the victim  
9 that is similar to that of a sex offense, the intention behind  
10 the crime of aggravated stalking is often the commission of a  
11 sex offense;

12 NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF  
13 REPRESENTATIVES OF THE STATE OF NEW MEXICO that the New Mexico  
14 sentencing commission be requested to study the feasibility and  
15 appropriateness of including as a sex offense, subject to the  
16 Sex Offender Registration and Notification Act, the crime of  
17 aggravated stalking when the victim is less than sixteen years  
18 of age; and

19 BE IT FURTHER RESOLVED that the New Mexico sentencing  
20 commission report its findings and conclusions, and proposed  
21 legislation if appropriate, to the appropriate interim  
22 legislative committee dealing with corrections by October 1,  
23 2007; and

24 BE IT FURTHER RESOLVED that copies of this memorial be  
25 transmitted to the New Mexico sentencing commission and to the

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1 New Mexico legislative council.

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