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SENATE JOINT MEMORIAL 12
54TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2020
INTRODUCED BY
Linda M. Lopez and Joy Garratt

A JOINT MEMORIAL
AFFIRMING THE COMMITMENT OF THE LEGISLATURE TO PROTECT CHILDREN
IN NEW MEXICO FROM ABUSE AND NEGLECT.

WHEREAS, violence against children includes all forms of violence against people under eighteen years of age, which may involve physical, sexual and emotional abuse and neglect; and

WHEREAS, there were fourteen thousand one hundred thirty-nine calls received in 2018 by the statewide central intake pertaining to possible crimes against children in the city of Albuquerque, all of which were investigated by Albuquerque police department officers; and

WHEREAS, in 2019, the average number of cases being reviewed by the Albuquerque police department's crimes against children unit was two hundred twenty-six cases per week; and

WHEREAS, the Children's Code allows for accused

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1 perpetrators to access minor victims' records and evidence as
2 an exception to its confidentiality section; and

3 WHEREAS, access to juvenile records by a potential
4 perpetrator could place the victim at risk for additional
5 trauma and provide suspects access to private interviews, safe
6 house interviews, videos, reports, limited medical information
7 and photos; and

8 WHEREAS, strengthening the Children's Code to amend its
9 confidentiality section to prevent accused perpetrators from
10 accessing minor victims' records and evidence and providing a
11 specific Inspection of Public Records Act exception for law
12 enforcement investigations could clarify existing law and
13 better protect access to a child victim's records; and

14 WHEREAS, defining "lewd and lascivious conduct" in New
15 Mexico law could allow for law enforcement agencies to bring
16 charges against individuals exhibiting these behaviors in
17 public and thereby potentially identify child predators and
18 prevent exposure of juvenile victims to these acts; and

19 WHEREAS, the New Mexico legislature is committed to
20 safeguarding and promoting the welfare of children and
21 protecting them from abuse and maltreatment; and

22 WHEREAS, it is the responsibility of legislators to
23 periodically revisit legislation with the aim of strengthening
24 laws that protect vulnerable populations and protecting the
25 children of New Mexico from abuse and neglect;

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