

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

AN ACT

RELATING TO LAW ENFORCEMENT; CREATING THE POSITION OF MISSING
INDIGENOUS PERSONS SPECIALIST WITHIN THE OFFICE OF THE
ATTORNEY GENERAL; PROVIDING DUTIES; CREATING THE
PARTNERSHIP IN NATIVE AMERICAN COMMUNITIES NETWORK GRANT
PROGRAM; CREATING THE PARTNERSHIP IN NATIVE AMERICAN
COMMUNITIES NETWORK GRANT FUND; MAKING AN APPROPRIATION;
DECLARING AN EMERGENCY.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

SECTION 1. A new section of Chapter 8, Article 5 NMSA
1978 is enacted to read:

"ATTORNEY GENERAL--AUTHORITY TO INVESTIGATE AND
PROSECUTE MISSING INDIGENOUS PERSONS CASES.--The attorney
general shall assist, with the consent of an Indian nation,
tribe or pueblo, with the investigation and prosecution of
all missing persons cases in which one or more indigenous
persons are reasonably believed to be victims pursuant to the
Missing Persons Information and Reporting Act."

SECTION 2. A new section of Chapter 8, Article 5 NMSA
1978 is enacted to read:

"MISSING INDIGENOUS PERSONS SPECIALISTS--DUTIES.--

A. The position of "missing indigenous persons
specialist" is created within the office of the attorney
general.

1 B. The attorney general shall employ one or more
2 missing indigenous persons specialists, who shall work in
3 collaboration with local, state, federal and tribal law
4 enforcement agencies on missing indigenous persons cases
5 pursuant to the Missing Persons Information and Reporting
6 Act.

7 C. The missing indigenous persons specialists
8 shall:

9 (1) review entries in the database of the
10 national crime information center of the United States
11 department of justice and other databases, including the
12 missing persons information clearinghouse, to ensure records
13 of missing indigenous persons are accurate, complete and made
14 in a timely fashion;

15 (2) collaborate with other state and
16 international missing persons programs and the national
17 center for missing and exploited children to aid in locating
18 indigenous children who are unlawfully taken out of or
19 unlawfully brought into New Mexico;

20 (3) provide public outreach and education
21 on missing indigenous persons issues and the prevention of
22 indigenous child abductions;

23 (4) provide support and technical assistance
24 to law enforcement agencies regarding data collection, data
25 sharing and the cooperative use of available resources;

1 (5) compile reports of pending missing
2 indigenous persons cases, including the status of pending
3 missing indigenous persons cases, the clearance rate of
4 investigating agencies responsible for tracking missing
5 indigenous persons cases and an analysis by year of the
6 characteristics of missing indigenous persons;

7 (6) assist with alerts and advisories at
8 the request of the department of public safety to assist in
9 locating a missing indigenous person; and

10 (7) collaborate with the New Mexico law
11 enforcement academy to facilitate training for law
12 enforcement agencies related to missing indigenous persons
13 cases."

14 SECTION 3. A new section of Chapter 8, Article 5 NMSA
15 1978 is enacted to read:

16 "PARTNERSHIP IN NATIVE AMERICAN COMMUNITIES NETWORK
17 GRANT PROGRAM--CREATED--PURPOSE.--

18 A. The "partnership in Native American communities
19 network grant program" is created within the office of the
20 attorney general. The purpose of the program is to create a
21 network to support the efforts by the state's Indian nations,
22 tribes and pueblos to identify, report and find Native
23 Americans who are missing.

24 B. The "partnership in Native American communities
25 network" shall be developed and operated by the office of the

1 attorney general as an online portal with a database to
2 securely upload information regarding missing indigenous
3 persons.

4 C. The office of the attorney general shall award
5 grants to create and administer the Native American
6 communities network and develop the application and criteria
7 for the grant program. The partnership in Native American
8 communities network grant program criteria shall include:

9 (1) policies and standards for technology
10 equipment, including data storage and security of information
11 entered into the network;

12 (2) standards for data verification;

13 (3) job qualifications and requirements for
14 a data specialist to administer the network; and

15 (4) development of a system to provide
16 automatic initial alerts pursuant to law enforcement, tribal
17 and community organizations when a missing indigenous person
18 report is made.

19 D. The office of the attorney general may also
20 award grants through the partnership in Native American
21 communities network grant program to a qualifying tribal
22 agency at each Indian nation, tribe and pueblo as matching
23 funds for a tribal agency to create and maintain access to
24 the partnership in Native American communities network."

25 SECTION 4. A new section of Chapter 8, Article 5 NMSA

1 1978 is enacted to read:

2 "PARTNERSHIP IN NATIVE AMERICAN COMMUNITIES NETWORK
3 GRANT FUND--CREATED.--The "partnership in Native American
4 communities network grant fund" is created in the state
5 treasury. The fund consists of appropriations, gifts, grants
6 and donations. Money in the fund at the end of fiscal year
7 2024 shall revert to the consumer settlement fund of the
8 office of the attorney general. The office of the attorney
9 general shall administer the fund, and money in the fund is
10 appropriated to the office of the attorney general to
11 administer the partnership in Native American communities
12 network grant program and to carry out the provisions of
13 Section 3 of this 2022 act. Disbursements from the fund
14 shall be made by warrant signed by the secretary of finance
15 and administration pursuant to vouchers signed by the
16 attorney general or the attorney general's authorized
17 representative."

18 SECTION 5. APPROPRIATION.--One million dollars
19 (\$1,000,000) is appropriated from the consumer settlement
20 fund of the office of the attorney general to the partnership
21 in Native American communities network grant fund for
22 expenditure in fiscal years 2023 and 2024 to provide grants
23 in accordance with the partnership in Native American
24 communities network grant program. Any unexpended or
25 unencumbered balance remaining at the end of fiscal year 2024

1 shall revert to the consumer settlement fund of the office of
2 the attorney general.

3 SECTION 6. DELAYED REPEAL.--Sections 3 and 4 of this
4 act are repealed effective July 1, 2024.

5 SECTION 7. EMERGENCY.--It is necessary for the public
6 peace, health and safety that this act take effect
7 immediately. _____

8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25