



Granting of Concurrent Legislative Jurisdiction to Two Units of the National Park System in New Mexico

Shared Law Enforcement Responsibility providing an increased public benefit and potential cost savings for the State of New Mexico.

Mr. Chairman and Members of the Committee, thank you for allowing us to present the benefits of this legislative proposal to you today for potential passage in this next legislative session. Also thank you to Senator Tallman for his support of this proposal.

I will mention briefly some of the benefits of this proposed legislation for you all to consider.

Good for Law Enforcement – Provides Shared Duty and Responsibility

- This proposed legislation is a resolution from the State of New Mexico that will grant Concurrent Legislative Jurisdiction to Petroglyph National Monument and the Valles Caldera National Preserve.
- This proposed legislation allows for a shared law enforcement workload and responsibilities in these two park units between Local/State and Federal agencies.
- Proven jurisdiction - this requested jurisdiction has been working successfully in 12 other National Park Service sites in New Mexico for the past 25+ years
- All the law enforcement agencies surrounding these two park units and the New Mexico State Attorney General's Office support this proposed legislation.
- This proposed legislation will increase collaboration and cooperation between Local/State and Federal law enforcement agencies and prosecutors by encouraging better communication and case discussion.
- The State of New Mexico and the Local/State law enforcement agencies will maintain all current authorities and continue to operate as usual in these two park units.
- This proposed legislation will continue to allow Local/State law enforcement officers to fight crime, enforce laws and conduct investigations within these two park units. In addition, it will allow Federal law enforcement officers to do the same.
- This proposed legislation will continue to allow Local/State prosecutors to prosecute all criminal cases within these two park units within State/Local courts as they currently do right now. However, it will also allow Federal prosecutors to do the same within Federal courts.

Potential Cost Savings for the State of New Mexico

- Federal law enforcement officers will be able to take all their criminal cases in these two park units all the way through the judicial process to federal prosecution.
- Moreover, because of that, this proposed legislation will save the State money when criminal cases from these two park units are prosecuted in federal court.

Public Benefit

- The increased flexibility with investigation and prosecution of crime through state or federal court systems, in turn, will give increased assurance and confidence to the public and to crime victims that justice will be served in these two park units for any criminal violations.
- This, in turn, will send a message to violators and lead to a reduction in criminal activity within these two park units, and potential crime reductions within the neighborhoods and locations immediately adjacent to the park units.

Thank you Mr. Chairman and Committee Members for your consideration of this proposed legislation in this upcoming legislative session.

Definition of Concurrent Legislative Jurisdiction

This is jurisdiction where the Federal government shares law enforcement responsibilities with the Local and State officers. In other words, should a crime occur on area owned concurrently with the state, either a Federal law enforcement agency or a Local/State law enforcement agency can respond, they can investigate, arrest and charge the suspect. If the Federal officer or agent handles the case, the suspect will usually be prosecuted in Federal court. If arrested and charged by a Local/State officer, the case will usually go to Local or State court.

Law Enforcement agencies usually prefer to have concurrent jurisdiction on lands, because the agencies can share the workload with each other.

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