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1 and

2 WHEREAS, New Mexico's highly publicized sex offender  
3 registry does not contain current information for all sex  
4 offenders, has wrongly included names of innocent persons and  
5 is not entirely accurate; and

6 WHEREAS, maintaining the sex offender registry is time-  
7 consuming and uses law enforcement resources; and

8 WHEREAS, posting a sex offender registry on the internet,  
9 where it is available to anyone in the world, can be seen as a  
10 second punishment for a crime for which the person convicted  
11 has already served time; and

12 WHEREAS, publicizing the sex offense can re-victimize a  
13 crime victim; and

14 WHEREAS, the common perception that police are monitoring  
15 all sex offenders and that a registry can be all-inclusive can  
16 lead to a false sense of security; and

17 WHEREAS, national statistics indicate that sex offenders  
18 are usually well-acquainted with their victims, often being  
19 relatives of or persons in authority over the victims, and  
20 their whereabouts are well-known within their communities; and

21 WHEREAS, in New Mexico, some small law enforcement  
22 agencies may soon face a choice between monitoring sex  
23 offenders and pursuing active crimes, and some law enforcement  
24 agents have been forced to provide protections against  
25 vigilantes seeking to retaliate against sex offenders whose

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1 names are published in the registry;

2 NOW, THEREFORE, BE IT RESOLVED BY THE LEGISLATURE OF THE  
3 STATE OF NEW MEXICO that a study of the efficacy of New  
4 Mexico's Sex Offender Registration and Notification Act be  
5 conducted by the New Mexico sentencing commission, that the  
6 study include statistics gathered from other states as to the  
7 rates of sex crimes both before and after implementation of the  
8 statute and that the commission report its findings to the  
9 appropriate interim legislative committee by October 2005; and

10 BE IT FURTHER RESOLVED that the study include statistics  
11 from states that have more experience with the implementation  
12 of sex offender registration and notification provisions so  
13 that such information can be used in New Mexico to prevent  
14 possible problems and legal challenges; and

15 BE IT FURTHER RESOLVED that all state agencies dealing  
16 with implementation of the Sex Offender Registration and  
17 Notification Act cooperate with the New Mexico sentencing  
18 commission; and

19 BE IT FURTHER RESOLVED that copies of this memorial be  
20 transmitted to the New Mexico sentencing commission and the  
21 department of public safety.