

SENATE JOINT MEMORIAL 12

54TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2020

INTRODUCED BY

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This document incorporates amendments that have been adopted during the current legislative session. The document is a tool to show the amendments in context and is not to be used for the purpose of amendments.

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

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

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

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

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

WHEREAS, the New Mexico legislature is committed to safeguarding and promoting the welfare of children and

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protecting them from abuse and maltreatment; and

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

NOW, THEREFORE, BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO that the legislature reaffirm its commitment to the prevention of child abuse and neglect; and

BE IT FURTHER RESOLVED that the legislature review and strengthen the laws that are meant to protect children from abuse and maltreatment; and

BE IT FURTHER RESOLVED that copies of this memorial be transmitted to the chief of the Albuquerque police department, the Bernalillo county sheriff's office, the chief of the New Mexico state police SPAC→, the secretary of early childhood education and care, the chair of the crime victims reparation commission←SPAC and the secretary of children, youth and families.

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