

Governor Bill Richardson “Declares War” on Sex Offenders Will Include Legislation to Toughen Sex Crime Laws on Call for October Special Session of NM Legislature

Governor Creates Office to Protect Rights of Violent Crime Victims

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ALBUQUERQUE- Stating “New Mexico is declaring war on sexual predators”, Governor Bill Richardson today announced he will include proposed legislation to strengthen laws dealing with sex crimes in his call for the planned October special session of the New Mexico Legislature.

“Sex crimes, and sexual predators represent an immediate and significant threat to our families, our children, and our communities, and we must act now to reduce the danger,” said Governor Bill Richardson.

Governor Richardson also announced he has allocated \$200,000 to create the Governor’s Office of Victims Assistance to ensure the rights of violent crime victims are not violated.

“Too often the rights of criminals are addressed ahead of, or instead of, the rights of their victims,” said Governor Richardson. “Victims must be heard to the same extent as a criminal defendant, and simply be treated with fairness and dignity.”

Governor Richardson’s prepared remarks:

“I am here today to take action on behalf of the victims of violent crime in New Mexico, whose rights are too often trampled on or ignored by our criminal justice system. Criminals choose to be criminals- their victims are not given a choice.

I have authorized 200-thousand dollars to create the Governor’s Office of Victims Assistance. The mission of this office is to ensure the rights of violent crime victims are not violated.

New Mexico was one of the first states in the country to add a victim’s bill of rights to our state constitution, and we did it thanks to the hard work of many legislators on both sides of the aisle.

New Mexico’s crime victims have a constitutional guarantee to be notified of all court proceedings; to be consulted on important decisions such as plea bargains and sentencing; to be heard to the same extent as a criminal defendant; and to simply be treated with fairness and dignity. Too often, that does not happen.

As I have traveled the state since becoming Governor, I have heard from an overwhelming number of crime victims and their families from across New Mexico looking for help. Today I want to say to them you are heard, you are not forgotten, and this Governor is committed to fixing the system.

The Governor's Office of Victims Assistance will review complaints, and when appropriate, work with victims to cut through the red tape of state government. The office will serve as an advocate for the victim when their rights have been violated.

The office will also work to educate the public on victims' rights. Existing laws will be studied and when necessary, the office will make recommendations on legislation to strengthen the rights of crime victims.

My Office of victims Assistance is not intended to be the voice for crime victims, rather it will work to ensure that the voice of every crime victim is heard.

This initiative will help, but it is not enough. One of my top priorities is working to make sure convicted violent criminals, particularly sex offenders, don't repeat their crimes, or have the chance to hurt or kill others while out on bail, probation, or parole.

I have great respect for our judiciary. I am committed to providing New Mexico's courts with resources that enhance judges' abilities to make sound decisions in court- decisions that directly affect our lives, our families, and our safety. I am committed to attracting and appointing the best-qualified candidates to become judges.

But my respect for the bench, and my respect for the constitutional separation of powers must be balanced against my responsibility for the safety of every New Mexican, particularly our children.

Over the past few weeks, we have seen the deadly consequences of judges' decisions that allowed dangerous violent criminals to roam freely in our communities.

One had been convicted of raping a four-year-old girl. Another was convicted of carjacking a woman and her two young children at gunpoint, and still another was convicted of child abuse, domestic violence, and cruelty to animals.

Each one of these men is now charged with murdering a child.

There are many examples of how our court system works to keep violent criminals off our streets. However, these incidents expose serious flaws in the system that can have deadly consequences. I will be proposing additional legislation to strengthen the court system to prevent further tragedies, and possibly restrict the discretion of our criminal courts.

Today, New Mexico is declaring war on sexual predators.

I feel so strongly about this that I have decided to include this on the call for the special legislative session we are planning for later this year. Violent crimes, and sex crimes represent immediate and significant threats to our families, our children, and our communities, and we must act now to reduce the danger.”

Governor Richardson’s Proposed Legislative Initiatives:

- Create a bail structure that restricts the release of offenders charged with child rape.
- Increase and expand the mandatory penalties for child rape, including making Criminal Sexual Contact eligible for tougher, mandatory penalties.
- Expand the opportunities for child rape victims to testify by video or other constitutionally recognized means, to avoid plea bargains intended to shield a child from the trauma of the courtroom.

Summary of what Governor Richardson has already committed to:

- Increase penalties for first time sentencing for sex crimes involving children, and for sex crimes perpetrated through violence (Note: sex crimes perpetrated against children 13 years or younger are prosecuted as first degree felonies which carry a mandatory sentence)
- Expand the “strike zone” of New Mexico’s under utilized “2 strikes” law, in which repeat sex offenders can be sentenced to life without parole.
- Increase maximum terms of parole and probation for sex offenders, and to allow for intensive supervision of sex offenders. Today, the maximum term of parole is two years and the maximum term of supervised probation is five years. I want to significantly increase the maximum term of parole and probation for sex offenders and to give the parole board the authority to deny parole to sex offenders still deemed dangerous.
- Require a sex offender on parole or probation to disclose that status to his/her employer and require employers to check the sex offender registry before hiring.
- Give the prosecution of violent sex crimes top priority on our dockets.
- Increase resources to crime labs for victims of sex crimes - Administration has already given \$500,000 to process the backlog of materials needed for prosecution of these crimes.
- Work with the Administrative Office of the Courts (AOC) to secure resources and commitment for mandatory intensive training for judges regarding the nature of sex offenses and sex offenders.