



State of New Mexico

Office of the Governor

Bill Richardson
Governor

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New Mexico Governor Bill Richardson signs bills to better protect the rights of victims of crime, domestic violence and sexual predators

Governor signs bills Amending the Children's Code to increase protection and accountability for the welfare of New Mexico children

SANTA FE - Governor Bill Richardson today signed bills to ensure that victims of violent crime, domestic violence and sexual predators have a right to justice.

"Enforcing victim rights is enforcing justice," said Governor Richardson. "A victim should not be traumatized a second time as they proceed through the criminal justice system. Victims have suffered enough."

HB 692 and HB 555

HB 692, sponsored by Representative Sheryl Williams Stapleton provides that:

At every hearing, the judge and the prosecutor must make sure that the victim's rights are honored, or they may have to reschedule the hearing;

If rights were violated, or the victim has a safety concern, the victim can now speak for themselves at the hearing;

Ensures that victim rights can no longer be compromised away due to inconvenience;

HB 555, sponsored by Representative Gail Beam provides tools for the victim to actually collect lost money from the offender.

“I said earlier that we were not going to look victims in the face and tell them we could not get the job done. With the passage of these two bills, I can look victims in the eye and say that we have delivered on that promise,” said Governor Richardson.

These bills reinforce the rights of victims to participate in the justice process.

SB 415 - Child Solicitation by Computer

Governor Richardson also signed SB 415, sponsored by Senator Mary Jane Garcia, that closes a loophole in the laws designed to protect children from sexual predators on the internet.

Currently sexual predators who cruise the Internet and chat rooms for children may not be prosecuted if the child they are attempting to lure turns out to be a police officer posing as a sexually vulnerable victim.

“Recently, the DA did not prosecute a man who was sexually explicit with what he thought was a 12-year-old girl. The man was arrested in a city park when he came for a planned meeting with whom he thought was a twelve-year-old girl. Instead he was met by the undercover officer and arrested. I am sad to say, this man was released. I am here today to say that will never happen again,” said Governor Richardson.

HB 440 - Medical Documentation of Domestic Violence

“Immediately following a domestic violence incident, too often in the emergency rooms of our hospitals the evidence is lost and the case can never be won,” said Governor Richardson. “From now on, with the action I am taking today, the victims will have the records they need to get the justice they deserve.”

HB 440, sponsored by Representative Danice Picraux:

Requires medical personnel to document the nature of injuries received from a domestic violence incident in a patient’s file.

Does not require medical personnel to report such incidents, in fact, the bill specifically states that the documentation of the abuse is confidential and may only be released with the written consent of the victim or by court order.

If the patient reports domestic violence, or if medical personnel suspect that the patient is a victim of domestic violence, then they must provide the patient with a referral to services of domestic violence.

Provides victims with the evidence they need in court proceedings such as requests for Orders of Protection or self-petitioning for legal resident status.

Senate Bill 233 and Senate Bill 91

Amending the Children's Code: Increasing Protection and Accountability for the Welfare of Our Children

“Today, we will insure that those we trust to take care of our kids can be trusted and that their backgrounds are thoroughly checked,” said Governor Richardson.

Senate Bill 91, sponsored by Senator Clinton Harden, corrects a loophole that could potentially expose our children in need to danger.

The FBI requires state agencies to have legislative approval before conducting national-level criminal background checks. Until now, the Children, Youth and Families Department only had approval to conduct FEDERAL background checks on those who work in juvenile justice facilities, childcare workers and prospective foster and adoptive parents.

Now, hundreds of juvenile probation and parole officers, and social workers -- people who all have direct contact with children, will also undergo complete local law enforcement and FBI background checks.

Senate Bill 233, sponsored by Majority Leader Michael Sanchez, makes some much-needed updates to the state's Children's Code, by giving children 14 and over the ability to have a voice in how their custody situations are handled by getting the opportunity to have an attorney.

“Giving teenagers more of a say-so in what happens with their lives means a better chance at happiness and success,” said Governor Richardson.