

CITY of ALBUQUERQUE

TWENTY THIRD COUNCIL

COUNCIL BILL NO. M-19-6 ENACTMENT NO. M-2019-003

SPONSORED BY: Cynthia D. Borrego and Ken Sanchez

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MEMORIAL

2 REAFFIRMING THE CITY OF ALBUQUERQUE'S COMMITMENT TO THE
3 PREVENTION OF CHILD ABUSE AND NEGLECT AND URGING THE NEW
4 MEXICO LEGISLATURE TO STRENGTHEN STATE LAWS PERTAINING TO
5 VIOLENCE AGAINST CHILDREN.

6 WHEREAS, violence against children includes all forms of violence against
7 people under 18 years old which may involve physical, sexual and emotional
8 abuse and neglect; and

9 WHEREAS, there were 14,139 calls received in 2018 by the Statewide
10 Central Intake (SCI) pertaining to possible crimes against children in the City
11 of Albuquerque, all of which were investigated by APD officers; and

12 WHEREAS, in 2019, the average of number of cases being reviewed by
13 APD's Crimes Against Children Unit (CACU) has been 226 cases per week;
14 and

15 WHEREAS, the New Mexico Children's Code, Chapter 32A-4, allows for
16 accused perpetrators to access minor victim records and evidence as an
17 exception to its confidentiality section at 32A-4-33 et seq.; and

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

22 WHEREAS, strengthening the New Mexico Children's Code to amend its
23 confidentiality section to prevent accused perpetrators from accessing minor
24 victim records and evidence and providing a specific IPRA exception for law
25 enforcement investigations could clarify existing law and better protect
26 access to a child victim's records; and

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1 **WHEREAS**, defining “Lewd and Lascivious Conduct”, in NM State law,
2 could allow for law enforcement to bring charges upon individuals exhibiting
3 these behaviors in public, and thereby potentially identifying child predators
4 and preventing exposure of juvenile victims to these acts; and

5 **WHEREAS**, the City of Albuquerque is committed to safeguarding and
6 promoting the welfare of children and protecting them from abuse and
7 maltreatment; and

8 **WHEREAS**, it is the responsibility of legislators to revisit legislation from
9 time to time with the aim of strengthening laws that protect vulnerable
10 populations and protecting our children from abuse or neglect.

11 **BE IT MEMORIALIZED BY COUNCIL, THE GOVERNING BODY OF THE CITY OF
12 ALBUQUERQUE**

13 **Section 1. The City Council reaffirms its commitment to the prevention of
14 child abuse and neglect.**

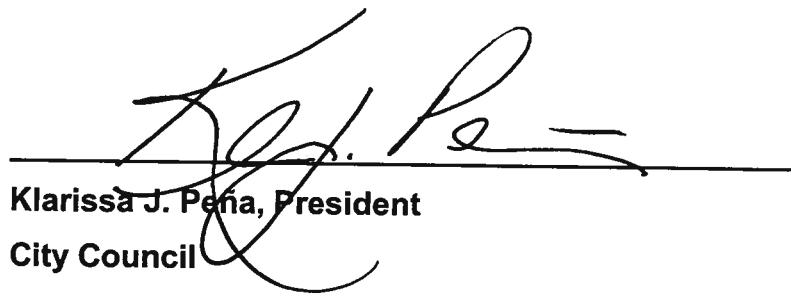
15 **Section 2. The City Council calls on the New Mexico State Legislature to
16 review and strengthen those laws that are meant to protect children from
17 abuse and maltreatment.**

18 **Section 3. The City Clerk is directed to send a letter and an email to each
19 member of our state legislative delegation with a copy of this memorial.**

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1 PASSED AND ADOPTED THIS 4th DAY OF November 2019
2 BY A VOTE OF: 9 FOR 0 AGAINST.
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9 Klarissa J. Peña, President
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16 Bill No. M-19-6
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27 ATTEST:
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30 Katy Duhigg, City Clerk
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