



**SANTA FE COORDINATED COMMUNITY RESPONSE COUNCIL**  
**Positions on 2010 Legislative Proposals Relating to**  
**Domestic and Sexual Violence**

*Please call (505) 216-9752 for more information*

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**SENATE BILL 27: RELATING TO LAW ENFORCEMENT; ESTABLISHING UNIFORM POLICE REPORTS FOR INCIDENTS OF DOMESTIC ABUSE**

*Introduced by Jane M. Garcia*

**STRONGLY SUPPORT:** The new Uniform Domestic Violence Incident Report Form includes an evidence-based lethality assessment which will help law enforcement to identify severe domestic violence situations, improve investigations and prosecutions, give judges more information at bond and sentencing hearings, and decrease domestic violence homicides.

**BILL, YET TO BE FILED: RELATING TO HEALTH; REQUIRING A DISTRICT ATTORNEY TO PETITION FOR A HUMAN IMMUNODEFICIENCY VIURS TEST ON A PERSON CHARGED WITH OR CONVICTED OF CERTAIN SEX OFFENSES UPON THE REQUEST OF THE VICTIM; PROVIDING THAT THE TEST BE PERFORMED WITHIN FORTY-EIGHT HOURS FROM THE DATE OF THE COURT ORDER**

**STRONGLY SUPPORT:** This change will bring New Mexico statute into compliance with VOWA requirements, and end the current increasing penalties to federal New Mexico grantees, which required the return of grant monies in 2009.

**SENATE BILL 2: RELATING TO DOMESTIC ABUSE; NARROWING THE DEFINITION OF "HOUSEHOLD MEMBER" IN THE CRIMES AGAINST HOUSEHOLD MEMBERS ACT AND THE FAMILY VIOLENCE PROTECTION ACT**

*Introduced by Peter Wirth*

**SUPPORT:** The term "domestic violence" is intended to define those intimate relationships where a pattern of uni-directional, violence-based coercion and control arise, and not the myriad of other family relationships where conflict can give rise to violence (known as situational violence). This change will help to prevent misuse of domestic violence laws, court procedure, and increased protections, which were specifically designed to intervene in dangerous situations where a gross imbalance of power exists.

**BILL, YET TO BE FILED:** RELATING TO DOMESTIC ABUSE; MAKING PROVISIONS TO THE FAMILY VIOLENCE PROTECTION ACT; ALLOWING A MINOR TO FILE FOR OR BE RESTRAINED BY AN ORDER OF PROTECTION REQUIRING PEACE OFFICERS TO ENFORCE ORDERS OF PROTECTION; REVISING STANDARDS AND PROCEDURES; EXPANDING DEFINITIONS; AMENDING AND ENACTING SECTIONS OF THE NMSA 1978.

**SUPPORT:** This long-overdue revision of the Family Violence Protection Act brings New Mexico into compliance with national standards, cleans up problematic language and procedure that provides loopholes to domestic abusers, strengthens provisions relating to the enforcement of Orders of Protection, and extends protections to minor dating partners.

**BILL, YET TO BE FILED:** RELATING TO LAW ENFORCEMENT; ENACTING THE UNIFORM INTERSTATE ENFORCEMENT OF DOMESTIC VIOLENCE PROTECTION ORDERS ACT; PERMITTING REGISTRATION OF FOREIGN DOMESTIC VIOLENCE PROTECTION ORDERS

**SUPPORT:** Victims of domestic violence are often forced to flee their perpetrators. This new language will clearly extend protections to protected parties when valid Orders of Protection are issued in other states, tribal governments, and foreign countries.

**HOUSE BILL 17:** RELATING TO LAW ENFORCEMENT; PROHIBITING DOMESTIC VIOLENCE OFFENDERS FROM BECOMING LAW ENFORCEMENT OFFICERS WITHIN THREE YEARS OF A VIOLATION; PROVIDING THAT A LAW ENFORCEMENT OFFICER MAY LOSE CERTIFICATION FOR COMMITTING A DOMESTIC VIOLENCE OFFENSE

*Introduced by Nathan P. Cole*

**SUPPORT:** This change will rightly give domestic violence crimes the same weight as theft, DWI, and substance abuse in determinations of the suitability of law enforcement officers.

**SENATE BILL 26:** RELATING TO DOMESTIC VIOLENCE; CREATING THE NEW MEXICO DOMESTIC VIOLENCE LEADERSHIP COMMISSION

*Introduced by Gerald Ortiz y Pino*

**SUPPORT:** The DVLC has been instrumental in helping to update New Mexico's domestic violence laws, ensuring current best practices and continued federal funding for domestic violence intervention programs. Attending to legislative matters is beyond the scope and capacity of most service agencies, making the work of the DVLC unique and necessary.

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*An organization with 750 people and 330 organizations in Santa fe, working to ensure safety for survivors and accountability for perpetrators of domestic violence, sexual assault and stalking through analysis, collaboration and action*