

1 SENATE BILL 453

2 **54TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2019**

3 INTRODUCED BY

4 Linda M. Lopez

5
6
7
8
9
10 AN ACT

11 RELATING TO LAW ENFORCEMENT; REQUIRING THE DEPARTMENT OF PUBLIC
12 SAFETY TO COLLECT DATA ON MISSING AND MURDERED NATIVE
13 AMERICANS.

14
15 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

16 SECTION 1. A new section of the Department of Public
17 Safety Act is enacted to read:

18 "[NEW MATERIAL] DATA COLLECTION--MISSING AND MURDERED
19 NATIVE AMERICANS.--

20 A. The secretary shall collect and maintain
21 statistics on Native Americans who were reported missing in New
22 Mexico, including the:

- 23 (1) ages of missing persons;
24 (2) genders of missing persons;
25 (3) tribal enrollment or affiliation

.212306.2

underscored material = new
[bracketed material] = delete

1 information of missing persons, if available;

2 (4) current number of open cases of missing
3 Native Americans in New Mexico;

4 (5) total number of closed cases of missing
5 Native Americans in New Mexico each calendar year; and

6 (6) other relevant information as required by
7 the secretary.

8 B. The secretary shall collect and maintain
9 statistics on Native Americans who were murdered or whose
10 remains were discovered in New Mexico, including the:

11 (1) ages of deceased persons;

12 (2) genders of deceased persons;

13 (3) tribal enrollment affiliation or
14 information of deceased persons, if available;

15 (4) current number of open cases of murdered
16 Native Americans in New Mexico;

17 (5) total number of closed cases of murdered
18 Native Americans in New Mexico each calendar year; and

19 (6) other relevant information as required by
20 the secretary.

21 C. In an effort to develop guidelines to respond to
22 cases of missing and murdered Native Americans, the secretary
23 shall collaborate with:

24 (1) the United States department of justice;

25 (2) the federal bureau of investigation;

- 1 (3) the federal bureau of Indian affairs;
2 (4) tribal, state and local law enforcement
3 agencies;
4 (5) medical examiners;
5 (6) coroners; and
6 (7) tribal, state and local organizations that
7 provide victim services.

8 D. The guidelines to respond to cases of missing
9 and murdered Native Americans shall include:

- 10 (1) best practices on interjurisdictional
11 cooperation among law enforcement agencies at the tribal,
12 federal, state and local levels, including interjurisdictional
13 enforcement of protection orders and detailing specific
14 responsibilities of each law enforcement agency;
15 (2) best practices for conducting searches for
16 missing persons on Indian land;
17 (3) standards on the collection, reporting and
18 analysis of data and information on missing persons and
19 unidentified human remains and information on culturally
20 appropriate identification and handling of human remains
21 identified as Native American, including guidance stating that
22 all appropriate information related to missing and murdered
23 Native Americans be entered in a timely manner into applicable
24 databases;
25 (4) best practices on improving law

underscored material = new
~~[bracketed material] = delete~~

1 enforcement agency response rates and follow-up responses to
2 cases of missing and murdered Native Americans; and

3 (5) best practices on ensuring access to
4 culturally appropriate victim services for victims and their
5 families."

6 SECTION 2. EFFECTIVE DATE.--The effective date of the
7 provisions of this act is July 1, 2019.

8 - 4 -
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25