

SENATE JOINT MEMORIAL 2

**56TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2024**

INTRODUCED BY

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This document may incorporate amendments proposed by a committee, but not yet adopted, as well as amendments that have been adopted during the current legislative session. The document is a tool to show amendments in context and cannot be used for the purpose of adding amendments to legislation.

A JOINT MEMORIAL

REQUESTING THE ATTORNEY GENERAL TO CONVENE A MISSING AND  
MURDERED INDIGENOUS WOMEN AND RELATIVES TASK FORCE.

WHEREAS, the welfare of New Mexican indigenous women, children and relatives is connected to the broader well-being, health and safety of all New Mexicans; and

WHEREAS, the missing and murdered indigenous women and relatives crisis in New Mexico and beyond is inextricably rooted in the larger, complex history of state-sanctioned

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colonial violence against indigenous people; and

WHEREAS, the New Mexico missing persons information clearinghouse data research analysis conducted in New Mexico between 2014 and 2019 reported nine hundred eighty-six missing person cases, ninety-seven percent of which remained unsolved and sixteen percent of which involve indigenous persons; and

WHEREAS, the 2019 New Mexico missing and murdered indigenous women task force, established during the 2019 legislative session, reported that Albuquerque and Gallup, New Mexico, are among the top ten cities in the United States for the highest number of missing and murdered indigenous women and girls; and

WHEREAS, Native American women in New Mexico have the highest rate of homicide victims among all racial and ethnic groups; and

WHEREAS, tribal nations across the United States face continued external threats that jeopardize tribal sovereignty and the well-being and safety of indigenous women, children and relatives; and

WHEREAS, it is critical that data be accurately reported and captured and that more research be done to fully understand the scope of the missing and murdered indigenous women and relatives crisis to formulate appropriate recommendations for justice; and

WHEREAS, law enforcement responses to missing and murdered

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indigenous women and relatives are impacted by a lack of clarity around jurisdiction, particularly in rural parts of the state where land status varies mile to mile and in urban populations and border towns with large indigenous populations; and

WHEREAS, jurisdictional restrictions among tribal, state and municipal boundaries create barriers that restrict the ease of access and accuracy of the information collected and available between agencies when reporting missing and murdered cases; and

WHEREAS, the 2019 task force, in partnership with the Native American budget and policy institute, reported to the governor and legislature on the task force findings and recommendations in December 2020, which led to the development of two pieces of legislation for the 2022 legislative session; and

WHEREAS, during the 2022 legislative session, Senate Bill 12 and Senate Bill 13 both passed and were signed into law. Senate Bill 12 created the missing indigenous persons specialist position within the office of the attorney general. Senate Bill 13 created the annual "missing in New Mexico event"; and

WHEREAS, in response to this ongoing crisis, Governor Michelle Lujan Grisham signed Executive Order 2021-013, which created the New Mexico missing and murdered indigenous women

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and relatives task force after the task force that was created during the 2019 legislative session reported its findings and recommendations to the governor and the legislature and was ended; and

WHEREAS, the 2021 task force was created to develop a state response plan addressing systemic changes that support prevention, reporting and investigation of incidents of missing and murdered indigenous women and relatives; and

WHEREAS, the 2021 task force developed a state response plan and in May 2022 released that plan, which outlined steps that all stakeholders must take to address the crisis in New Mexico; and

WHEREAS, on SIRC→~~October 20, 2023, Source New Mexico~~←SIRC SIRC→**October 19, 2023, New Mexico In Depth**←SIRC first reported that the missing and murdered indigenous women and relatives task force had been ended, leaving questions unanswered;

NOW, THEREFORE, BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO that the attorney general be requested to convene a missing and murdered indigenous women and relatives task force and house it within the office of the attorney general; and

BE IT FURTHER RESOLVED that the task force be created to update the 2022 state response plan and provide ongoing legislative recommendations on how to address the missing and murdered indigenous women and relatives crisis in New Mexico;

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and

BE IT FURTHER RESOLVED that the task force consist of no more than forty members appointed by the attorney general, with the attorney general or the attorney general's designee serving as the chair; and

BE IT FURTHER RESOLVED that the task force membership include the following:

A. no more than ten representatives from the department of public safety, including the department's missing persons clearinghouse; the children, youth and families department; the office of the attorney general; the United States bureau of Indian affairs; the United States bureau of Indian affairs' office of justice services; the New Mexico sheriffs' association; and the municipal police departments of the cities of Albuquerque, Gallup, Farmington and Santa Fe;

B. two legislators, including one senator and one representative nominated by the majority floor leaders of the house of representatives and senate and who serve on any of the following legislative interim committees: the committee that studies courts, corrections and justice, the committee that studies Indian affairs and the legislative health and human services committee;

C. no more than three pueblo representatives from a northern pueblo, a southern pueblo and the all pueblo council of governors;

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D. no more than two representatives from the Jicarilla Apache Nation;

E. no more than two representatives from the Mescalero Apache Tribe;

F. no more than three representatives from the Navajo Nation office of the president and vice president, the Navajo Nation council or representatives of Navajo Nation chapter houses;

G. no more than five representatives from an urban Indian center; a local nongovernmental organization that provides counseling services to indigenous people who have been victims of violence; a statewide or local nongovernmental organization that provides legal services to indigenous women and girls who have been victims of violence; a local nongovernmental organization that provides direct services to homeless individuals; or a local nongovernmental organization that provides direct services to survivors of sex trafficking;

H. no more than four representatives from other nonprofit organizations not mentioned in Subsection G of this resolving clause;

I. no more than five representatives who are indigenous survivors of violence or family members of an indigenous relative who has been a victim of violence; members of the lesbian, gay, bisexual, transgender, questioning and two-spirit plus community; and indigenous youth; and

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J. no more than four representatives who have experience working as a tribal prosecutor, a tribal criminal investigator, a tribal emergency dispatcher, a tribal police chief or a tribal social worker or program director; and

BE IT FURTHER RESOLVED that the task force members serve at the pleasure of the attorney general and shall not be compensated for their service, other than for per diem for members traveling more than one hundred miles to the designated meeting location or for contractual services that the attorney general deems necessary, subject to appropriations; and

BE IT FURTHER RESOLVED that copies of this memorial be transmitted to the attorney general, the twenty-three federally recognized Native American tribes of New Mexico and the governor.