

A JOINT MEMORIAL

REQUESTING A STUDY OF THE NEED TO PROVIDE FOR PREVENTION OR EARLY INTERVENTION PROGRAMS TO DEAL WITH INCORRIGIBLE CHILDREN.

WHEREAS, the Children's Code provides only for issues relating to violation of felony and misdemeanor laws by children, child abuse or neglect, adoption and foster care; and

WHEREAS, under the Children's Code, in order for a child to be considered delinquent, the child must have committed a criminal offense; and

WHEREAS, there is no current provision in the Children's Code that provides leverage in support of parents and the community as it relates to children who show evidence of negative, at-risk, antisocial or other incorrigible behavior; and

WHEREAS, under the present statutory scheme, there are no prevention or early intervention programs available for dealing with incorrigible children until after the fact; and

WHEREAS, the lack of statutes relating to incorrigible children may be sending out a clear message to our children that they are not going to be held accountable;

NOW, THEREFORE, BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO that the New Mexico legislative council be requested to designate an appropriate interim

committee to address the issue of incorrigible children; and

BE IT FURTHER RESOLVED that the committee investigate the need for a program that identifies children who show evidence of negative, at-risk, antisocial or other incorrigible behavior and that supports and empowers parents and communities by utilizing family unified prevention, intervention, law enforcement, educational initiatives and strategies; and

BE IT FURTHER RESOLVED that the committee report its findings and recommendations to the second session of the forty-fifth legislature; and

BE IT FURTHER RESOLVED that a copy of this memorial be transmitted to the New Mexico legislative council. _____