

AN ACT

RELATING TO LAW ENFORCEMENT; REQUIRING LAW ENFORCEMENT TO IDENTIFY MINOR OR DEPENDENT CHILDREN UPON AN ARREST; PROVIDING FOR GUIDELINES AND A TRAINING PROGRAM FOR ENSURING CHILD SAFETY UPON THE ARREST OF A PARENT OR GUARDIAN.

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

Section 1. A new section of the Law Enforcement Training Act is enacted to read:

"ENSURING CHILD SAFETY UPON ARREST--TRAINING.--Training for ensuring child safety upon the arrest of a parent or guardian shall be included in the curriculum of each basic law enforcement training class and as a component of in-service training each year for certified police officers."

Section 2. A new section of Chapter 31, Article 1 NMSA 1978 is enacted to read:

"IDENTIFICATION OF MINOR OR DEPENDENT CHILDREN UPON ARREST--REQUIRED INQUIRY--GUIDELINES.--

A. A state or local law enforcement officer who arrests a person shall, at the time of the arrest, inquire whether the person is a parent or guardian of minor or dependent children who may be at risk as a result of the arrest. The officer shall make reasonable efforts to ensure the safety of minor or dependent children at risk as a result of an arrest in accordance with guidelines established by the

