

SECTION III: NARRATIVE

BILL SUMMARY

Amends the criminal code to increase the penalty for resisting, evading or obstructing an officer of this state from a misdemeanor to a fourth-degree felony.

FISCAL IMPLICATIONS

No Fiscal Impact to DPS.

SIGNIFICANT ISSUES

No significant issues to DPS.

PERFORMANCE IMPLICATIONS

No performance implications to DPS.

ADMINISTRATIVE IMPLICATIONS

No administrative implications to DPS.

Increasing the penalty for resisting, evading, or obstructing an officer would send a clear message that resistance, evasion, or obstruction of law enforcement officers is a serious crime. These offenses often escalate situations, putting officers at risk of injury or death. By classifying this crime as a fourth-degree felony, the state would create a stronger deterrent to prevent individuals from engaging in these dangerous behaviors. Resisting arrest or obstructing an officer often leads to physical altercations or high-speed chases, both of which create significant risks to officers, suspects, and the general public. Increasing the penalty could help minimize instances of violent confrontations or reckless actions that may harm others, thereby protecting public safety.

Law enforcement officers work under stressful and often dangerous conditions. By making it a felony offense to resist or obstruct them, the state would demonstrate support for officers and help them perform their duties more effectively. The increase in penalties could serve as an additional tool to protect officers while they carry out their roles. This change would also be timely due to the increased number of attacks on peace officers in recent years, including multiple incidents in New Mexico where the attack was fatal.

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

No conflict, duplication, companionship, or relationship issues to DPS.

TECHNICAL ISSUES

No technical issues to DPS.

OTHER SUBSTANTIVE ISSUES

No other substantive issues to DPS.

ALTERNATIVES

Not applicable as no impact to DPS.

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL

Status quo will remain.

AMENDMENTS

None at this time.