
Bill Analysis 2017 Regular Session

SPONSOR: Rep. Nate Gentry

SHORT TITLE: Hate Crimes Against Law Enforcement

SYNOPSIS OF BILL: Adds law enforcement officers and on-duty firefighters or emergency medical technicians to the list of categories covered under New Mexico's Hate Crimes Act.

STRENGTHS: New Mexico has witnessed multiple tragic and horrifying murders of police officers recently. Ensuring the safety of law enforcement personnel is the highest priority for everyone. This bill might provide some moral support for officers serving in the field.

WEAKNESSES: From a policy perspective, this legislation is a solution in search of a problem. New Mexico already provides stiff enhanced penalties for violent crimes committed against police officers. As the New Mexico Attorney General's Office notes in the bill's fiscal impact report, "increased sentences always increase the costs of incarceration," as well as the overall burden on the criminal justice system, including costs to the courts, prosecutors and public defenders. These additional costs would be better spent on hiring more police officers or protective gear for officers, and de-escalation training, rather than increased penalties that are simply irrelevant to a criminal's motivation for harming an officer. Finally, no evidence seems to exist indicating that firefighters or emergency medical technicians are being targeted with violence based on hostility to these professions.

ADDITIONAL INFO: States began passing hate crimes laws in the 1980s. These laws have traditionally been confined to such immutable characteristics as race, ethnicity, religion or sexual orientation. Groups such as the Anti-Defamation League (ADL) have stated a concern that expanding hate-crime laws to cover professions such as police would dilute their original intent.

<u>Safer</u>	<u>Apolitical</u>	<u>Fiscally-Responsible</u>	<u>Evidence Based</u>	Grade
<p>Like every other state in the country, New Mexico already provides enhanced penalties for violent crimes committed against police officers, rendering HB79 unnecessary.</p>	<p>Ensuring the safety of law enforcement personnel is the highest priority for everyone. However, this legislation is still a solution in search of a problem.</p>	<p>The fiscal impact report for HB79 did not estimate the specific additional funds such a law would require, but it did note that there would be additional costs. There are better ways to spend limited public dollars to protect officers.</p>	<p>There is no evidence that firefighters and EMTs are being targeted with violence. As previously noted, enhanced penalties in New Mexico for violent crimes committed against police officers already exist.</p>	<p>D</p>