



Veterans & Military Families Caucus

Democratic Party of New Mexico

SB406



**Military Base Child
Concurrent Jurisdiction**
Senator Pope

Why VMFC supports SB 406

New Mexico is home to **four military installations**, 21,738 service members, 3,215 spouses, and **13,501 military children**.

Without concurrent jurisdiction, juvenile misconduct, to include problematic sexual behavior in children and youth, is **adjudicated in the federal court system**, which lacks appropriate juvenile-focused resources and often **tries juveniles as adults**.

Adoption of concurrent jurisdiction facilitates **early engagement of juveniles** through diversion programs and rehabilitation **reduces the likelihood of repeat offenses** and **ensures victims are not denied justice**.

We **recommend passage of SB 406** to afford military children the full range of services available to help them.

Juvenile misconduct on military installations subject to exclusive federal legislative jurisdiction can only be adjudicated in the federal court system, which is **designed for adults**. States' juvenile courts can adjudicate juvenile offenses when **concurrent jurisdiction is established between state and federal authorities** over military installations.

Concurrent jurisdiction allows the federal and state government to share jurisdiction and **enforce both federal and state laws**, and **provide both federal and state services**. Once established, offenses can be adjudicated through the juvenile court system, allowing for **more appropriate sentencing** and **case management outcomes**.

This requires one or two levels of effort, where New Mexico:

- ★ **Establishes a new policy** accepting concurrent jurisdiction to allow state authorities to intercede.
- ★ **Creates MOUs between the state and installations** to dictate how and when the state will intercede.

Florida and **Virginia** are examples of successful one and two levels of effort, respectively, per Military One Source Best Practices.

Entering juveniles into rehabilitation or diversion programs and associated service programs enables them to become productive and successful members of society. Studies have shown that **investment in early intervention programs** that steer young people from wrongdoing is **4.2 times more effective** in preventing crime than spending the same amount on prisons.

Concurrent jurisdiction for juveniles on military installations is **supported** by the **International Association of Chiefs of Police (IACP)**.

Sources: DMDC, Dec, 2021, Military One Source

<https://download.militaryonesource.mil/StatePolicy/pdfs/2022/bestpractices-concurrent-jurisdiction.pdf>, IACP

<https://www.theiacp.org/resources/addressing-the-gap-in-united-states-juvenile-justice-on-military-installations> and the ACLU

<https://www.aclu.org/other/aclu-fact-sheet-juvenile-justice-system#:~:text=They%20have%20been%20shown%20to,prevention%20costs%20less%20than%20imprisonment.>

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