

## Statement on State of New Mexico v. Almanzar

The NM Coalition Against DV and its member programs, including Enlace Comunitario, believe that yesterday's Supreme Court's decision in State of NM v Almanzar is a good start toward greater protection for domestic violence victims. We celebrate the Supreme Court's reliance on the Family Violence Protection Act and their recognition that the first priority in addressing domestic violence is ensuring the safety of victims and their children.

Since the initial decision by the appeals court, which defined "at the scene" narrowly for warrantless arrests, many law enforcement officers reported that they ceased to pursue domestic violence offenders who had walked even a few blocks from the scene of an incident. In a state where almost two-thirds of domestic violence charges are dismissed and plea bargains often exclude offender treatment or monitoring, the appeals court decision gave offenders even more ways to evade justice. (Caponera, 2013) It left victims and their children more vulnerable to attacks that frequently follow calls to law enforcement.

The Supreme Court decision broadens the definition of "at the scene" for these arrests, which are so critical to the safety of victims. We also recognize that the parameters of how long after the incident and how far from the scene officers can make an arrest is yet to be determined in case law.

In order to properly ensure safety, law enforcement officers need the ability to arrest violent offenders without a warrant not just next door or across the street, but wherever they are. We call on committed law enforcement officers and prosecutors to place the safety of victims and their children first, and pursue dangerous offenders to the fullest extent of the law.

### Works Cited

Caponera, B. (2013). *Incidence and Nature of Domestic Violence in New Mexico XII: An Analysis of 2012 Data*. New Mexico Interpersonal Violence Data Central Repository. Albuquerque: New Mexico Coalition of Sexual Assault Programs.