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Legislation aims at getting tougher on gangs

By Ashley Meeks Sun-News reporter

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LAS CRUCES — No state Legislature can eradicate gangs forever, but a change being advocated across the state would toughen sentences for crimes made in furtherance of gang activity.

Tamera Barnard, program manager of the New Mexico Gang Task Force, says two pieces of legislation would help: a bill making it a crime to recruit a gang member and a bill boosting penalties on crimes determined to be gang-related.

"We are the only state in the Southwest region that hasn't enacted some kind of gang legislation," Barnard said. "New Mexico becomes a place that gang members can migrate to and easily set up shop and do business."

The latest statewide threat assessment, surveying 167 law enforcement respondents, reported the presence of gangs; 80 percent perceive gang activity to have worsened over the last decade and 70 percent perceive it to have worsened compared to five years ago.

"They do believe that the problem is growing," Barnard said.

Doña Ana County District Attorney Susana Martinez said while sentences can be extended if a gun was involved, no such state "enhancements" exist for the involvement of a gang.

"You can have a gang-related crime where the only thing you can charge is aggravated battery; that is

only a three-year maximum sentence. Or you can have a crime where a person has killed someone, second-degree murder, facing 15 years," Martinez said. "There have been efforts in the last three years for the Legislature to adopt such enhancements and the Legislature has failed to do that. It doesn't seem to make any sense to me."

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