



CHANGING SYSTEMS  
TRANSFORMING LIVES



## COMMUNITY SPOTLIGHT: NEW MEXICO

Across the country, communities are disarming domestic violence offenders by implementing and enforcing firearm prohibitions in domestic violence cases. Leaders and innovators in these communities have developed pragmatic and responsible policies, protocols and practices directed at all aspects of firearm surrender and seizure.

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## New Mexico

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### Sparse Population, but High Rates of Violence

New Mexico, the Land of Enchantment, is known for its beautiful deserts, its connection to current and historic Native American tribes, delectable food, and of course alien encounters. It is the fifth largest state in the United States; however, New Mexico is sparsely populated with only 2.1 million residents. Despite the sparse population, New Mexico ranked 2nd in 2019 for the number of females killed by male offenders per 100,000 residents.

On July 1, 2019, a new law went into effect in New Mexico prohibiting the purchase or possession of firearms by persons convicted of misdemeanor crimes of domestic violence or subject to final domestic violence protection orders. In New Mexico, a final order for protection requires an additional judicial finding to trigger firearm surrender. If the court makes a credible threat determination, the judge will then inquire whether the restrained party possesses firearms and order them to surrender to law enforcement or a licensed firearms licensee within 48 hours.

### Form Creation Leads to Tracking Threat Determination

The task of developing a protocol and forms for surrender under the new law fell to Patricia Galindo, supervising staff attorney for the New Mexico Administrative Office of the Courts. Galindo, a self-described lover of forms and checkboxes, created a series of three forms and rolled them out for use across the entire state. Galindo likens form development as a journey of trying to determine what data is useful and how to collect it. Through the forms she developed she can track how many temporary protection orders are applied for and how many result in a permanent order. She also tracks how many orders have a credible threat determination and how many respondents surrender firearms or file a declaration that they do not own firearms.

Form creation and data collection wasn't the end of Galindo's task but the beginning. She worked to roll out training for criminal justice partners on how to use the new forms. Galindo partnered with the National Center on Gun Violence in Relationships and the National Instant Criminal Background Check System (NICS) to develop and deliver the training.

## Saving Lives Through Firearm Surrender

The new relinquishment protocol is already seeing success. In its first year of enactment, from July 2019 through June 2020, 40 firearms were relinquished and though there was a slowdown, likely related to the pandemic there were still 22 firearms surrendered from July 2020 to June 2021. With the passage of the surrender law, New Mexico is becoming a national leader in firearm surrender and saving lives.