

## Public Safety Assessment Risk Factor and Outcome Definitions New Mexico

This document identifies the State of New Mexico Chapter 30 Criminal Code offenses that meet the definition of a violent offense for the purpose of administering the Public Safety Assessment. The PSA definition specifies that offenses are considered violent when a person causes or attempts to cause physical injury to another person. The specific criminal offenses that meet the PSA definition of a violent offense have been identified and are listed below. In some instances, a criminal offense may include subsections wherein a subsection or subsections meet the definition of a violent offense and another subsection(s) does not meet the definition. If a charged offense does not include a specific subsection, a default (e.g., violent offense or non-violent offense) is included in the list provided below.

Article	Statute	Charge	Default, If not Listed
Article 2 - Homicide	30-2-1	Murder	
Article 2 - Homicide	30-2-3	Manslaughter	
Article 3 – Assault and Battery	30-3-3	Assault With Intent to Commit a Violent Felony	
Article 3 – Assault and Battery	30-3-4	Battery	
Article 3 – Assault and Battery	30-3-5	Aggravated Battery	
Article 3 – Assault and Battery	30-3-7	Injury to Pregnant Woman	
Article 3 – Assault and Battery	30-3-8	Shooting at Dwelling or Occupied Building; Shooting from a Motor Vehicle	
Article 3 – Assault and Battery	30-3-13	Aggravated Assault Against a Household Member	
Article 3 – Assault and Battery	30-3-14	Assault Against a Household Member with Intent to Commit a Violent Felony	
Article 3 – Assault and Battery	30-3-15	Battery Against a Household Member	
Article 3 – Assault and Battery	30-3-16	Aggravated Battery Against a Household Member	
Article 3 – Assault and Battery	30-3-1 (A)	Assault [(B) and (C) are non-violent; if sub-sections are not listed, the default is violent.]	Violent
Article 3 – Assault and Battery	30-3-2	Aggravated Assault	
Article 3 – Assault and Battery	30-3-9(B)(1), (C)(1), (C)(2), (D), (E), or (F)	Assault; Battery – School Employee [(B)(2) and (C)(3) are non-violent; if sub-sections are not listed, the default is violent.]	Violent
Article 3 – Assault and Battery	30-3-9.1(B), (D), (F), or (H)	Assault; Battery – Sports Official [(B) includes violent and non-violent but subsections are not a code in the court data system; the default is violent.]	Violent
Article 3 – Assault and Battery	30-3-9.2 (B), (C)(1)(2), (D), (E), or (F)	Assault; Battery – Health Care Worker [(B) includes violent and non-violent but subsections are not a code in the court data system; the default is violent.]	Violent
Article 3 – Assault and Battery	30-3-12 (A)(1)	[(A)(2) is non-violent; if subsections are not listed,	Violent
Article 3A - Harassment and Stalking	30-3a-3	Stalking; Penalties	
Article 3A - Harassment and Stalking	30-3a-3.1	Aggravated Stalking; Penalties	
Article 4 - Kidnapping	30-4-1	Kidnapping	
Article 4 - Kidnapping	30-4-3	False Imprisonment	
Article 6 – Crimes Against Children and Dependents	30-6-1	Abandonment or Abuse of Child	
Article 6A – Sexual Exploitation of Children	30-6a-3	Sexual Exploitation of Children	

Article 6A – Sexual Exploitation of Children	30-6a-4	Sexual Exploitation of Children by Prostitution	
Article 7 – Weapons and Explosives	30-7-4 (A)(1)	Negligent Use of a Deadly Weapon; (A)(1) is violent. [(A)(2), (A)(3), and (A)(4) are non-violent; if sub-sections are not listed, the default is non-violent.]	Non-violent
Article 7 – Weapons and Explosives	30-7-5	Dangerous Use of Explosives	
Article 7 – Weapons and Explosives	30-7-6	Negligent Use of Explosives	
Article 9 – Sexual Offenses	30-9-1	Enticement of Child	
Article 9 – Sexual Offenses	30-9-11	Criminal Sexual Penetration	
Article 9 – Sexual Offenses	30-9-12	Criminal Sexual Contact	
Article 9 – Sexual Offenses	30-9-13	Criminal Sexual Contact of a Minor	
Article 16 - Larceny	30-16-2	Robbery	
Article 16 - Larceny	30-16-4(C)	Aggravated Burglary; (C) is violent. [(A) and (B) are non-violent; if sub-sections are not listed, the default is non-violent.]	Non-violent
Article 17 - Fire	30-17-5	Arson and Negligent Arson	
Article 17 - Fire	30-17-6	Aggravated Arson	
Article 22 – Interference with Law Enforcement	30-22-17(B) or (C)	Assault by Prisoner [Sub-sections are not listed in the court data system; the default is violent.]	Violent
Article 22 – Interference with Law Enforcement	30-22-21	Assault Upon Peace Officer	
Article 22 – Interference with Law Enforcement	30-22-22	Aggravated Assault Upon Peace Officer	
Article 22 – Interference with Law Enforcement	30-22-23	Assault with Intent to Commit Violent Felony upon Peace Officer	
Article 22 – Interference with Law Enforcement	30-22-24	Battery Upon Peace Officer	
Article 22 – Interference with Law Enforcement	30-22-25	Aggravated Battery upon Peace Officer	
Article 22 – Interference with Law Enforcement	30-22-26	Assisting in Assault upon Peace Officer	
Article 22 – Interference with Law Enforcement	30-22-27	Disarming a Peace Officer	
Article 24 - Bribery	30-24-3	Bribery or Intimidation of a Witness; Retaliation Against a Witness	
Article 28 – Initiatory Crimes	30-28-2	Attempt to Commit a Felony – only if underlying charge is a listed violent offense	
Article 28 – Initiatory Crimes	30-28-2	Conspiracy – only if underlying charge is a listed violent offense	
Article 28 – Initiatory Crimes	30-28-3	Criminal Solicitation; Penalty – only if underlying charge is a listed violent offense	
Article 37 – Sexually Oriented Material Harmful to Minors	30-37-3.2	Child Solicitation by Electronic Communication Device	
Article 52 – Human Trafficking	30-52-1	Human Trafficking	
Criminal Traffic Offenses	66-8-101	Vehicular Homicide, GBH	
Criminal Traffic Offenses	66-8-101.1	Injury to a Pregnant Woman by Vehicle	
<b>Total</b>		<b>51</b>	