

Other Information Regarding Victoria (not contained in any PSD case file)

March 28, 2016:

A source called SCI stating that Michelle Martens voluntarily disclosed to the reporting party that Ms. Marten's former boyfriend previously attempted to kiss her daughter Victoria. The reporting party stated that Ms. Martens had immediately broken up with the ex-boyfriend and that he no longer had any access or contact to Ms. Martens or her family. The reporting party stated that Victoria did not make any disclosures of physical or sexual abuse. The information provided to SCI by the reporting party indicated that the former boyfriend was not a parent (biological or adoptive), guardian (an individual appointed by a court or through a power of attorney to provide care for a child), or a custodian (an adult with whom the child lives) of Victoria, therefore it did not fall within CYFD's abuse and neglect jurisdiction as is provided for in NMSA 1978, Sections 32A-4-2(B) and (F). SCI, pursuant to policy, did not send the allegation to an investigator with the Protective Services Division because the matter fell outside of CYFD's legal authority to investigate. SCI referred the matter to an appropriate local law enforcement agency. The information was sent to CACU of APD pursuant to the Children's Code.