

NMDPS CONTRIBUTING TO DELINQUENCY - TATTOO

Defendant drove her daughter and her friend Nicole (age fifteen) to a tattoo parlor in Ruidoso. Nicole had never met Defendant before. She said her mother had given her permission to get her tongue pierced (not true). New Mexico law (NM Admin Code 16.36.5.11) requires a minor to have a parent or guardian's consent and their presence during a piercing.

It seemed like a cool thing to do. Defendant signed a release form indicating she was Nicole's parent or guardian. Nicole got her tongue pierced and Defendant's daughter got her belly button pierced. Defendant did not inform Nicole's mother about the piercing.

Contributing to the Delinquency of a Minor is an act or omission encouraging the delinquency of persons under the age of eighteen. Because it protects juveniles, "delinquency" has a broad interpretation, including health and welfare. It's not illegal for a juvenile to get a tattoo; but it's something else for an adult to ignore New Mexico law to help a juvenile get a tattoo.

True, Defendant did not actively encourage the piercing. But in transporting Nicole to the tattoo parlor, and falsely signing the release form, she helped Nicole get a piercing by deceiving her mother. Court of Appeals upheld the jury verdict of contributing to the delinquency of a minor. NMSA 1978, Section 30-6-3. State v. Webb (2012).

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**Ok, so I signed a form, I thought it was for
a tongue ring, not a complete make-over!**