

2018 Legislative Session

# Closing Strategy Guide



## **ACLU of New Mexico**

### **Legislative Closing Strategy 2018**

The 2018 New Mexico legislative session will end at noon on Thursday, February 15. This guide outlines the high priority bills that remain in play and how you – as trained ACLU-NM legislative advocates – can continue to help us advance the good ones and stop the bad ones during this final crucial period of the session.

With your help, we've been able to block some major pieces of bad legislation. These include misguided and highly politicized proposals to reinstate the death penalty and expand New Mexico's "three strikes" law. As we expected at the beginning of the session, the majority of our work has involved pushing back against these types of bills in collaboration with our other partners in the New Mexico SAFE coalition ([www.nmsafe.org](http://www.nmsafe.org)). On the reproductive rights front, we've also managed to block an effort to force a young woman to notify her parents when she's getting an abortion, regardless of the circumstances.

During the final eight days of the session, our work will revolve almost entirely around criminal justice reform. We will continue to take small groups of ACLU-NM activists up to the Roundhouse on specific days to help us advocate for our key issues. If you are interested in doing this, please contact Ana Moran ([amoran@aclu-nm.org](mailto:amoran@aclu-nm.org)) or Maggie Sandoval ([msandoval@aclu-nm.org](mailto:msandoval@aclu-nm.org)).

Thank you so much for your help. We could not do this without you!

## **Push for a New Approach to Public Safety**

Up to this point in the session, legislators have spent large amounts of time discussing how to reduce crime in New Mexico communities. A lot of this conversation has been based on misinformation. To address this problem, the ACLU of New Mexico produced a brief report called [“Beyond the Myths: Making Sense of the Public Debate Around Crime in New Mexico.”](#) Another similar report by analysts from the Legislative Finance Committee also provides some fact-based context around this debate. It’s called [“Status Report of LFC Review of Criminal Justice System in Bernalillo County.”](#) It is very much worth your time to review this two reports.

**WHAT YOU CAN DO:** After absorbing the information contained in these reports, call or email your legislators to object to the onslaught of enhanced criminal sentencing bills that have been introduced during this legislative session. In particular, point to the finding on page 11 of the LFC report that **“increasing the severity of punishment does little to deter crime.”** Tell your legislators that if we’re going to succeed in increasing public safety in our state, we need to move beyond the failed, hyper-punitive, tough-on-crime policies that were the trend in the 1980s and 1990s. We need to take a more pragmatic approach to addressing crime, in part by addressing the underlying social and economic factors that contribute to it.

## **Start Conversations About Specific Bills**

Many key bills are still in play this legislative session. We have listed 10 of them below.

**WHAT YOU CAN DO:** Pick one or more of the listed bills that you particularly care about and talk to your legislator about it. Also, reach out to the legislators on the committee or in the chamber where the bill is next coming to a vote. You can find a link to these legislators under the bill’s location, also listed below.

If you click on the title of the bill you will be taken to the New Mexico SAFE report card for that bill, which contains brief facts about each piece of legislation to aid you in your conversations with legislators. If you click on “Bill Page” you will go to the official legislative sight for that bill. Finally, if you click on the “Location” of the bill you will be taken to the committee or floor where the bill is expected to come up for a vote, if you scroll down you will get the list of legislators on that committee or in that chamber. Click on the name to get their contact information.

Keep in mind that the bill locations listed below are moving targets: They change every day. Until the end of the session, we will attempt to update this closing strategy guide every couple of days to give activists the most up-to-date information possible.

We've arranged these 10 bills in three categories with the highest priority category ("Bills That Have Traction") on top and the lowest priority category ("Bills That Are Stalled (But Still Alive)") on the bottom.

### **Bills That Have Traction**

These three bills started in the House and have either passed the House Floor (HB 19CS, HJM 9) or are expected to be scheduled for the House Floor (HB 160). That means there is still plenty of time for them to pass the senate side and, in the case of HB 19CS and HB 160, make it to the governor's desk. Joint Memorials like HJM 9 just need to pass both legislative chambers to go into effect.

- 1) [HB 19CS: Omnibus Crime Bill](#) (B-)

[Bill Page](#) (click on "Amendments in Context" for current text of bill)

*Location:* [Senate Judiciary Committee](#)

*Sponsors:* Rep. Nate Gentry and Sen. Daniel Ivey-Soto

- 2) [HB 160: Nonviolent Offender Interventions](#) (A)

[Bill Page](#)

*Location:* [House Floor](#)

*Sponsor:* Rep. Sheryl Stapleton

- 3) [HJM 9: Public Safety Data Needs](#) (B)

[Bill Page](#)

*Location:* [Senate Rules Committee](#)

*Sponsor:* Rep. Sheryl Stapleton (HD19)

### **Bills That Have Made Some Progress**

These bills have passed at least one committee. They still have a long way to go, but they have at least made some progress. Some of the best proposals introduced this session are in this category.

- 1) [SB 38: Battery of CYFD Workers](#) (D)

[Bill Page](#)

*Location:* [Senate Judiciary Committee](#)

*Sponsors:* Rep. Monica Youngblood and Sen. Howie C. Morales

- 2) [SB 111: Law Enforcement Assisted Diversion Programs](#) (A)

[Bill Page](#)

*Location:* [Senate Finance Committee](#)

*Sponsor:* Sen. Nancy Rodriguez

- 3) [SB 123: Sexual Assault Exam Kit Processing](#) (A)

[Bill Page](#)

*Location:* [Senate Finance Committee](#)

*Sponsor:* Sen. Cisco McSorley

NOTE: The ACLU-NM is also advocating for funding for communities who are fighting for sexual assault services. We are requesting that \$1.25 million be put into HB2 by the Senate Finance Committee, so please contact committee members about this as well.

- 4) [SJR 4: Marijuana Possession, Use & Taxes](#) (A)

[Bill Page](#)

*Location:* [Senate Judiciary Committee](#)

*Sponsor:* Sen. Gerald Ortiz y Pino

### **Bills That Are Stalled (But Still Alive)**

These bills haven't even been heard in their first committee, so they are much lower priority for us because it's unlikely they will make it through both legislative chambers before the session ends. That said, they're still alive in the process, and they're all very bad proposals. So if you have time, it wouldn't hurt to tell your legislators why these bills are so problematic.

- 1) [HB 91: Alteration of Basic Sentence](#) (D)

[Bill Page](#)

*Location:* [House Consumer and Public Affairs Committee](#)

*Sponsors:* Rep. Greg Nibert, Rep. Bill Rehm, and Rep. Rod Montoya

- 2) [HB 190: Dual Sentencing for Youthful Offenders](#) (D)

[Bill Page](#)

*Location:* [House Consumer and Public Affairs Committee](#)

*Sponsor:* Rep. Monica Youngblood

- 3) [HJR 5: Additional Grounds for Denial of Bail](#) (F)

[Bill Page](#)

*Location:* [House Consumer and Public Affairs Committee](#)

*Sponsor:* Rep. Bill Rehm

## **Tell It to the Governor**

Some of these bills could get to the governor's desk. She will have the final say about whether or not they become the law of the land in New Mexico.

**WHAT YOU CAN DO:** If they pass both chambers, we will need to mobilize volunteers very quickly to contact her office in support or opposition to these measures. We will provide [updates](#) on which bills, if any, get through along with additional details on the ACLU-NM's position on them. Click [here](#) for information on how to contact the governor.

**Stay tuned and THANK YOU for everything you're doing to defend the civil liberties of all New Mexicans!**

REMINDER: You can find additional information about the session and the legislative process in New Mexico at [the official website of the legislature](#).