

Amendment I: Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, or to petition for a redress of grievances.

Amendment V: No person shall be held to answer for a capital, or otherwise infamous crime, unless on a presentment or indictment of a grand jury, except in cases arising in the land or naval forces, or in the militia when actually on the service of the United States in time of war or public danger.

Amendment VII: In suits at common law, where the value in controversy shall exceed twenty dollars, the right of trial by jury shall be preserved, and no fact tried by a jury, shall be otherwise reexamined in any court of the United States, according to the rules of the common law.

Building a Bright Future in Dark Days

ACLU of New Mexico 2018 Annual Report



ACLU
New Mexico

We know what we're standing **against**,
but we also know what we're standing **for**.



Cover image: Thousands of protesters gather on Albuquerque's Civic Plaza for the "Families Belong Together Rally" in conjunction with 750 other cities across the country. Saturday, June, 30, 2018.

Photo by Jim Thompson/Albuquerque Journal

This page: ACLU of New Mexico Immigrants' Rights Attorney Kristin Greer Love speaks at a press conference before the "Families Belong Together Rally."



Building a Bright Future in Dark Days

From the Desk of ACLU-NM Executive Director Peter Simonson

It's been a tough year. Every day it seems there's been some fresh outrage, some new cruelty emanating out of the Trump administration that threatens the safety and dignity of our communities. In recent months, we've seen children torn from their parents' arms and placed in cages. We've seen the President of the United States fuel violence against people of color and religious minorities with his rhetoric. We watched him strip 800,000 young Dreamers of their legal status only to use them as bargaining chips for border wall funds. And we witnessed as he fought tooth and nail to ensure a man credibly accused of sexual assault would be elevated to the nation's highest court.

But in the midst of one of our nation's darkest moments, I have never been more inspired by the way New Mexicans have galvanized in defense of basic American values and common decency. I've seen thousands marching in the streets against family separation, volunteer attorneys working through the night to free asylum seekers imprisoned in our state's federal immigration detention centers, and students staging school walkouts to demand a path to citizenship for young people brought to this country by their parents.

The ACLU of New Mexico has been right at the center of the fight. Over the past year, our attorneys helped file the class action lawsuit that blocked the Trump administration's program of arbitrarily detaining asylum seekers, collaborated with the national ACLU on the lawsuit that forced the government to halt its cruel practice of family separation, and have helped secure the release of individuals suffering through prolonged immigration detention.

But critically, the ACLU of New Mexico's work goes far beyond simply resisting the worst impulses of the Trump administration—we're creating a bold new vision for transforming New Mexico into a place that embodies the best of American values. We are committed to not just resisting Trump's deportation machine, but establishing New Mexico as an intentionally immigrant friendly state. We didn't just repudiate Trump's racist criminal justice policies here in New Mexico, we've launched a campaign to overhaul our state's criminal justice system to make it more fair, equitable, and effective. While Trump's DOJ tries to roll back police reform efforts, the ACLU of New Mexico is working with community partners to ensure police are fully in step with their communities. When Trump puts another anti-abortion justice on the Supreme Court, we work to make New Mexico a refuge for reproductive freedom.

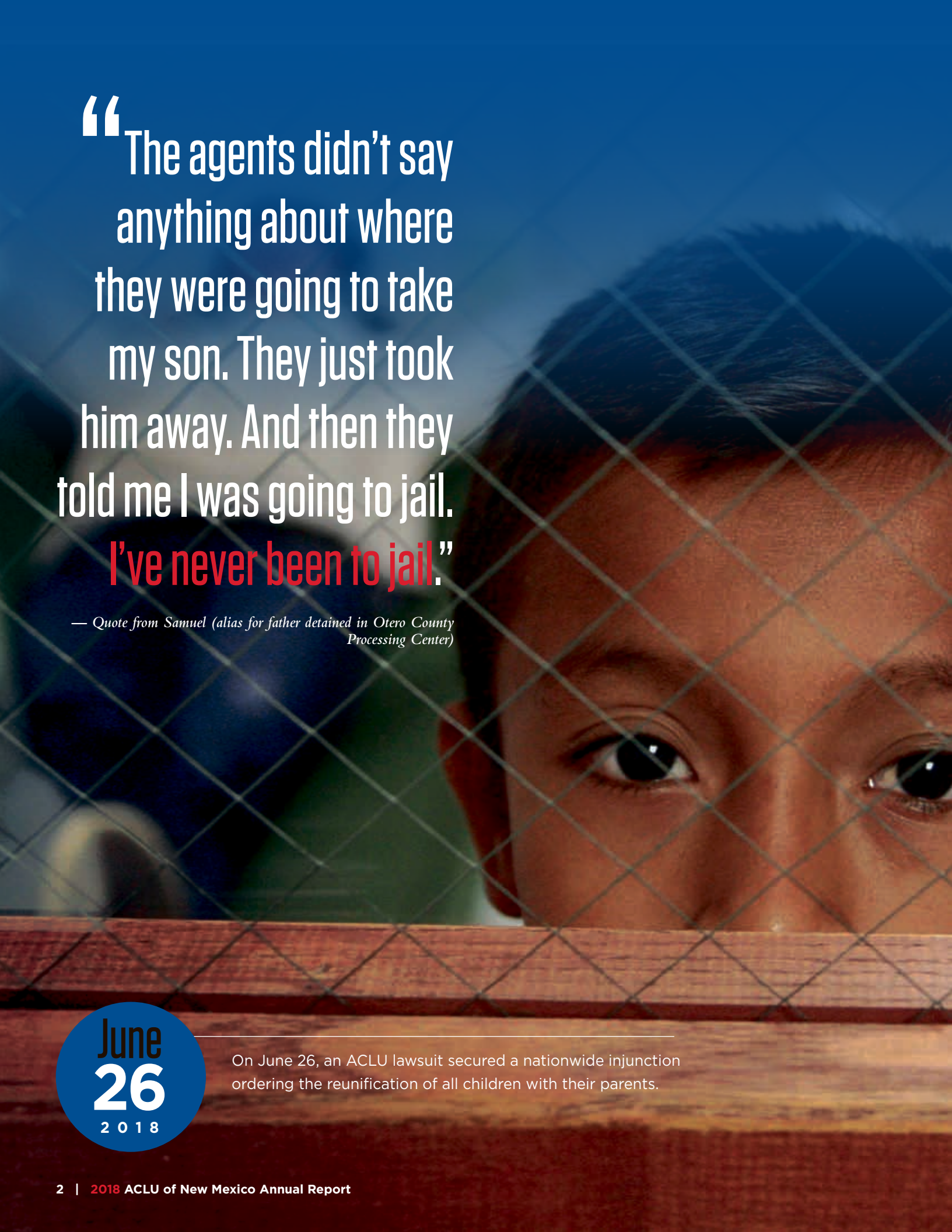
We know what we're standing against, but we also know what we're standing for. Our ideas are big and ambitious, and they have the potential to transform the lives of New Mexicans for the better. Even in this time of darkness, we're building a bright future for liberty, justice, and equality in New Mexico.

Sincerely,

A handwritten signature in blue ink, appearing to read "Peter Simonson".

Peter Simonson

ACLU of New Mexico Executive Director



“The agents didn’t say
anything about where
they were going to take
my son. They just took
him away. And then they
told me I was going to jail.
I’ve never been to jail.”

— Quote from Samuel (alias for father detained in Otero County
Processing Center)

June
26
2018

On June 26, an ACLU lawsuit secured a nationwide injunction
ordering the reunification of all children with their parents.



An Immigrant Friendly New Mexico

In the face of the Trump administration's horrific assault on immigrants and asylum seekers, the ACLU of New Mexico is committed to establishing our state as a safe place for immigrant families to live, work, and prosper.

Over the past year, we've fought to keep families together, end arbitrary detention, and ensure that immigrant families and communities of color can go about their daily lives without fear that local law enforcement will act as federal immigration agents.

Striking a Blow against Trump's Family Separation Policy

This year, the Trump administration took its xenophobic, anti-immigrant agenda to a brutal new low, ripping thousands of children away from their parents to deter immigration. We all saw the images of children held in chain link cages inside remote government detention centers. We all heard the leaked recordings of children screaming and weeping for their parents. The ACLU sprang into action, filing a class-action lawsuit in February on behalf of a Congolese mother who was separated from her seven-year-old daughter for months after she sought asylum at the border. In support of the suit, ACLU of New Mexico attorneys traveled to detention centers in Otero County, Cibola County, and El Paso to gather testimony from parents whose children were also taken from them. On June 26, a federal judge issued a nationwide injunction ordering the reunification of all children with their parents. Although hundreds of children have already been reunited with their parents, the fight continues to reunite hundreds more children with parents who were deported without their children.

In June, the ACLU of New Mexico, together with over a dozen community organizations, joined in a nationwide day of protest, hosting a Families Belong Together rally in Albuquerque's Civic Plaza. Thousands of outraged community members turned out to hear from faith leaders, elected officials, and undocumented activists who denounced Trump's policy of family separation, and condemned his plans to build a wall on the southern border and construct massive detention centers for immigrant families.

Ending arbitrary detention of Asylum Seekers

Under Trump, people fleeing violence in their home countries have encountered fresh horror in the country they expected to provide safe sanctuary. After five Immigration and Customs Enforcement (ICE) field offices began jailing almost all asylum-seekers indefinitely — denying humanitarian parole even to those who passed credible fear screenings— the ACLU filed a class action lawsuit on behalf of nine plaintiffs, three of whom are represented by the ACLU of New Mexico. The practice of issuing blanket denials of parole is not only unconstitutional, it also violates U.S. immigration laws and the Department of Homeland Security's own written policy.

In July, a federal judge found in favor of asylum seekers, blocking the administration from arbitrarily jailing them and ordering ICE to do a case-by-case review of each request for release from detention. That decision brought swift relief to more than 20 women detained for months on end in the transgender unit in Cibola County Correctional Center in Milan, NM. The ACLU continues to monitor the government's compliance with the order, and will continue fighting for the release of asylum seekers who remain detained.

A Refuge for Reproductive Freedom

It's a frightening time for women in America in the wake of Trump packing the U.S. Supreme Court with justices who are hostile to reproductive rights.

If *Roe v. Wade* were overturned, safe and legal abortions could be outlawed in many states—including New Mexico. We're not going to let that happen.

Striking Down New Mexico's Criminal Abortion Statute

The ACLU of New Mexico is working with local reproductive justice groups and legislators to remove a pre-*Roe v. Wade* statute that criminalizes abortion providers. For decades, New Mexico has been a refuge of freedom in an environment increasingly hostile to women and restrictive of their reproductive healthcare decisions. The anti-abortion statute slumbering in our legal code is out of step with our state's values, and we will see it removed.

Dismantling the Shame and Stigma

Together with coalition partners in Respect NM Women— a statewide campaign to build respect for women's reproductive healthcare decisions— the ACLU of New Mexico co-hosted the second annual "Respect 140" event. Respect 140 featured a night of storytelling, performance, and poetry by 20 speakers who took the stage for 140 seconds in a packed theatre to raise their voices in support of reproductive health and justice and against gendered violence in all its forms. The presenters spoke about miscarriage, birth, abortion, inequality, and assault, courageously sharing their experiences to dismantle the stigmas that are too often used to silence and disempower women.

Ending Religious Refusals in New Mexico

Earlier this year, Trump's Department of Health and Human Services created a special "Conscience and Religious Freedom Division" in the Office for Civil Rights to make it easier for healthcare facilities to deny reproductive and other medically appropriate care to women and LGBTQ people under the guise of religious liberty. As measures like this continue to embolden discriminatory denials of care already taking place throughout our state and country, we're working alongside community partners to stop them in their tracks. We've launched a collaborative public education and advocacy campaign to ensure New Mexicans are not denied basic services or healthcare because of who they are or the care they need.





“We are not asking you, we are **demanding** you
stop waging war with our bodies.”

— Nikki Archuleta (shown speaking at the Respect 140 event)



The second annual Respect 140 event featured a night of storytelling, performance, and poetry by 20 speakers who took the stage for 140 seconds in a packed theatre to raise their voices in support of reproductive health and justice and against gendered violence in all its forms.

A More Fair, Equitable, and Effective Justice System

New Mexico prison population has grown a staggering 480 percent since 1980, and yet crime has been on the rise. It's time for a fresh, innovative approach to crime and public safety that look beyond prison walls for solutions. We can transform New Mexico's criminal justice system to make our communities safer, keep families together, and help people reintegrate successfully as productive, valued members of society.

Smart Justice Campaign Launch

This year, the ACLU launched the Campaign for Smart Justice — an unprecedented, multiyear effort to reduce the U.S. jail and prison population by 50% and to combat racial disparities in the criminal justice system. While the Trump administration has been hard at work propping up outdated “tough-on-crime” policies that harm our communities and do nothing to make us safer, we’ve unveiled a bold new vision for criminal justice reform in our state that actually tackles the root causes of crime — not just the symptoms. In partnership with community-serving organizations, formerly incarcerated people, and survivors of crime, we’re working toward public safety solutions that invest in our families and the future of New Mexico. To date, we’ve met with dozens of organizations, conducted Know Your Rights Advocacy trainings



The Smart Justice New Mexico campaign is working with people directly impacted by the criminal justice system to build momentum for a smarter approach to crime and public safety.



around the state, and held listening sessions with over 350 people impacted by the criminal justice system to improve the solutions we are proposing.


Ultimately we aim to pass an ambitious legislative agenda that would reform the use of solitary confinement in New Mexico correctional facilities, provide avenues for expungement to help people move past a criminal record, and reduce the collateral consequences of incarceration so that formerly incarcerated people face fewer barriers to employment, education, and housing.




480
PERCENT

New Mexico prison population has grown a staggering 480 percent since 1980, and yet crime has been on the rise.

ACLU-NM volunteer Carl Schenk signs people in at the Smart Justice BBQ in Albuquerque.



ACLU-NM hosted a mayoral forum with APD Forward, a community-led campaign for police reform.



“The police and city officials want us out of sight. But we are a poor state and poverty is going to show.”

— John Martin

“If I hold a piece of cardboard, I’ll get handcuffed, publicly humiliated, and taken to jail or given a ticket.”

— Rhonda Brewer





Police in Step with their Community

We believe in a future where law enforcement agencies throughout New Mexico work with their communities, not against them. But Trump's Department of Justice is rolling back federal oversight and police reform programs that hold troubled departments accountable, threatening the progress we've made in New Mexico.

Over the past year, the ACLU of New Mexico stepped up to provide critical accountability and oversight to local law enforcement departments, challenging unconstitutional policing tactics, and stood up for the rights of communities most vulnerable to police brutality and harassment.

Centering Police Reform in Albuquerque's Mayoral Race

In advance of last year's elections in Albuquerque, we hosted a mayoral forum with our partners in APD Forward, a community-led campaign for police reform. Candidates spoke to a packed house at the African American Performing Arts Center about their visions for holding the Albuquerque Police Department (APD) accountable to reforms laid out by Department of Justice, and about how they would work to restore trust between impacted communities and APD.

Protecting Your Digital Privacy

Last year, the ACLU of New Mexico filed a public records lawsuit after the Albuquerque Police Department refused to turn over records regarding the Department's use of cell-site simulators, controversial surveillance technology that allows law enforcement to gather cellphone users' data and track individuals' movements. In January, the City finally released the records, showing APD has possessed the technology since 2012.

Cell-Site Simulators, often referred to by the brand name Stingray, mimic cell phone towers and trick phones within range into transmitting their locations and identifying information, and in some cases, the contents of communications. Now that we've brought this technology out of the shadows, the ACLU-NM is working with the City and APD to implement policies that safeguard the public against warrantless invasion of their digital privacy.

Decriminalizing Poverty and Homelessness

Many cities and towns throughout New Mexico have unconstitutional ordinances on the books that make it a crime to stand on public property and ask for help. In January, after the City of Albuquerque passed an ordinance making it illegal for anyone to ask for help from motorists at medians or access ramps, we sued. In July, we sent letters to ten other municipalities demanding they repeal unconstitutional panhandling ordinances as well. Albuquerque has since agreed not to enforce its ordinance while litigation is ongoing, and other cities, like Artesia, have agreed to rescind their ordinances or work with the ACLU on a solution.

Financials

American Civil Liberties Union of New Mexico and the American Civil Liberties Union of New Mexico Foundation consolidated statement of activities for the years ended March 31, 2018 and March 31, 2017.

** Includes unspent multi-year grant funds which are carried forward for future expenses.*

	2018	2017
Support and Revenue		
Grants	\$1,284,413	\$1,514,325
Contributions & Bequests	\$745,144	\$993,896
Donated Legal Services	\$193,825	\$109,103
Membership	\$481,131	\$271,527
Other Revenue	\$425,565	\$67,813
Total Revenue and Support	\$3,130,078	\$2,956,664
Expenses		
Program Services	\$1,756,487	\$1,517,024
Management & General	\$216,025	\$133,701
Fundraising	\$225,850	\$189,618
Total Expenses	\$2,198,362	\$1,840,343
Change in Net Assets*	\$931,716	\$1,116,321
Net Assets		
Beginning	\$3,450,130	\$2,333,809
Ending	\$4,381,846	\$3,450,130

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