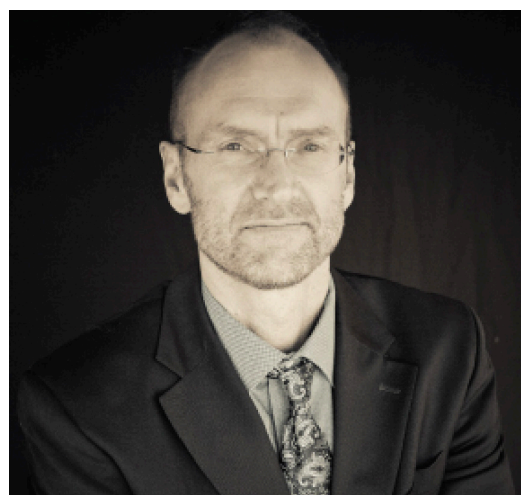


# 2021/2022 ANNUAL REPORT



**FROM EXECUTIVE DIRECTOR**  
PETER SIMONSON



**& MANAGING REPRODUCTIVE RIGHTS ATTORNEY**  
ELLIE RUSHFORTH



COVER ART: REPRODUCTIVE JUSTICE MURAL BY JODIE HERRERA

**Jodie Herrera** is a Northern New Mexican painter and muralist with Chicana and Indigenous ancestry. Born into a family of artists, her life and her work are infused with and inspired by the landscapes, ecology, and culture of the Southwest. In her murals, Jodie aims to connect and uplift marginalized people, like herself, while providing a platform for important issues around social justice and intersectional feminism.

"This 'Reproductive Justice' mural was created in collaboration with the ACLU to support bill SB10 in the NM legislature. In her palm the model cradles a blossom, illustrating how women should hold their power to decide if and when they want to create life in their own hands. The cactus flower is local to our land and resembles the resilience of New Mexican women and how we flourish despite circumstance."

The Supreme Court of the United States delivered a devastating blow to civil liberties when it ruled against a person's right to bodily autonomy in *Dobbs v. Jackson Women's Health Organization*, which overturned *Roe v. Wade*.

This ruling has allowed politicians to ban abortion in states across the country, with an eye toward a nationwide ban. With that, they've turned their attention to our home. Extremist outsiders are pushing an agenda that is not aligned with New Mexican values and are trying to dictate our policy regarding reproductive healthcare. We expect anti-freedom politicians will continue to press forward in their plans to stigmatize, shame, and even block access to abortion here and in neighboring states.

As we watched the Supreme Court cast off precedent and tilt far right, we knew it was only a matter of time before our most fundamental rights, including abortion, would be under assault. That is why the ACLU of New Mexico has been preparing for this moment for years. Our Managing Reproductive Rights and Gender Equity Attorney Ellie Rushforth is on the frontlines of this fight, so I wanted to give her this space to tell you what comes next to protect New Mexicans' reproductive care.

In solidarity,

Abortion care remains safe and legal in New Mexico thanks to decades of tireless work by advocates throughout the state. That includes our efforts alongside coalition partners during the 2021 legislative session to repeal a pre-*Roe* abortion ban that was still on the books.

13 states have banned abortion, 12 have severely restricted this care leading to de facto bans, and others are fighting in court to take away their resident's right to bodily autonomy. Today, patients and their health care providers face stigma, investigation, criminalization, and real danger. Anti-abortion extremists have manufactured a public health crisis that is playing out all across this country and in our own communities.

This crisis will continue to have a devastating impact on people of color, LGBTQ+ communities, young people, those living in rural areas, and people with low incomes. In New Mexico, that means our rights are under greater threat, even as providers work hard to help people from states seeking reproductive care here.

Overturing *Roe* was never just about abortion rights. The same extremist politicians and decision-makers aim to roll back other monumental civil rights victories in reproductive freedom (like the right to contraception), transgender rights, racial justice, immigrant's rights, marriage equality, the rights of people with disabilities, the rights of people currently incarcerated, and far more.

What's at stake is nothing short of our democracy. Access to reproductive health care and the ability to make personal decisions about if and when to have a child is critical to an individual's ability to fully direct their lives as free and equal citizens. Reproductive freedom is not a result of our democracy, it is the keystone.

Today and every day, we will continue fighting until everyone can get the health care they need, including abortion. And we'll keep envisioning a world where politicians no longer try to interfere in our most intimate health care decisions.

I hope you will join us.

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## WHERE WE'VE BEEN

### ACLU-NM SUCCESSES & ACCOMPLISHMENTS

We built a new, multidisciplinary team of staff to keep abortion safe and legal in the state of New Mexico--this despite growing attacks in the wake of the *Dobbs* decision. Five ACLU-NM staff now work full-time toward that purpose and we will grow to six by year's end.

We worked towards a more just and equitable New Mexico this legislative session including efforts that improved police training, provided funding for crime prevention, and invested \$30 million in the Tribal Remedy Framework, the passage of The Harm Reduction Act, The Paid Family Medical Leave Memorial, and the Indian Family Protection Act.

We and cooperating attorneys filed two lawsuits on behalf of local activist and organizer, Clifton White. The first lawsuit brings claims for wrongful arrest and detention and the second lawsuit is against New Mexico Corrections Department for keeping him on parole and probation three years after the state had no jurisdiction over him.

Police in New Mexico kill residents at a rate that is at or very near the top of the country every year. This year, we continued to hold police accountable and called for transparent and thorough investigations, including the immediate release of body-camera footage, of several police shootings by the Las Cruces Police Department, Albuquerque Police Department, Bernalillo County Sheriff's Office and the Chavez County Sheriff's Office.

The ACLU of New Mexico and the Law Offices of the Public Defender won a court victory for Michael Brown, one of the first New Mexico children to be sentenced to life in prison.

We filed a complaint against San Juan County's redistricting plan that denies Navajo Nation citizens and other Indigenous voters an equal opportunity to participate in the political process and to elect representatives of their choice.

The ACLU of New Mexico sent letters to the Alamogordo City Commission and the Otero County Commission reiterating that resolutions opposing the provision of abortion care have no force of law in our state. The letters were sent in response to recently passed resolution in Otero County and pending resolutions by the Alamogordo City Commission seeking to denounce and potentially restrict legal access to abortion care.

After the Department of Homeland Security's Inspector General published an urgent alert about conditions at the Torrance County Detention Facility (TCDF), we published our own report on conditions and demanded the termination of the U.S. Immigration and Customs Enforcement (ICE) contract to detain immigrants and asylum seekers at the facility. We were joined in those calls by the ACLU following the death in TCDF of a young Brazilian man.

On behalf of Innovation Law Lab, the ACLU of New Mexico and the law firm of Coyle & Benoit, PLLC filed a lawsuit related to records requests to obtain documents showing ICE and TCDF's owner CoreCivic had long known about unsanitary conditions and severe understaffing at the detention facility.

The ACLU of New Mexico and ACLU of Texas for the first time anywhere obtained and published an investigation report written by a Customs and Border Protection (CBP) Critical Incident Team after a fatal Border Patrol vehicle pursuit in our state. The report raised troubling questions about how these teams shield Border Patrol agents from accountability.

After two separate Border Patrol vehicle pursuits in southern New Mexico left four people dead and more than a dozen injured, the ACLU of New Mexico sent letters to CBP demanding fair and thorough investigations of both incidents.

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, 2022 and March 31, 2021.

	2022	2021
<b>SUPPORT &amp; REVENUE</b>		
Grants & Support from National	\$ 1,854,067	\$ 2,542,101
Contributions & Bequests	\$ 2,155,862	\$ 1,572,364
Donated Legal Services	\$ 104,758	\$ 156,398
Program Income	\$ 405,751	\$ 230,555
Other Revenue	\$ 72,045	\$ 153,987
<b>Total Revenue &amp; Support</b>	<b>\$ 4,592,483</b>	<b>\$ 4,655,405</b>
<b>EXPENSES</b>		
Program Services	\$ 2,434,380	\$ 2,324,654
Management & General	\$ 303,133	\$ 275,409
Fundraising	\$ 357,988	\$ 322,848
<b>Total Expense</b>	<b>\$ 3,095,501</b>	<b>\$ 2,922,911</b>
<b>Change in Net Assets*</b>	<b>\$ 1,496,982</b>	<b>\$ 1,732,494</b>
<b>Net Assets</b>		
Beginning	\$ 8,058,690	\$ 6,326,196
Ending	\$ 9,555,672	\$ 8,058,690

\* Includes unspent temporarily restricted funds that are carried forward and may produce deficits in the years that they are expended.

## WHERE WE'RE GOING

### OUR PRIORITIES MOVING FORWARD

In the wake of the disastrous Supreme Court ruling that overturned *Roe v. Wade*, we will work to protect and expand access to reproductive healthcare including abortion. This includes pushing for gender equity and continuing to support criminal legal reform and immigrants rights as key pieces of our reproductive justice vision for New Mexico.

We will advocate for legislation that ensures accountability for police officers and will continue our efforts to litigate abuses of power by officers when they occur. Additionally, we will work to reduce the number of people in our prisons and jails, challenge the inherent racism that exists in our criminal legal system, and work to eliminate destructive court orders fines and fees in the legislature.

Over the next year, we will continue to expand our work to defend the rights, dignity, and sovereignty of Indigenous communities in New Mexico. This will include expanded staff capacity to build a base of support to expand our ability to work in the legislature to advocate lawmakers advance equity and justice for Indigenous communities.

In conjunction with the national ACLU and other ACLU affiliates, we will continue our efforts to address inhumane treatment of migrants at the border including rebuilding our asylum system, advancing alternatives to detention for migrants, and continuing to push for accountability for Customs and Border Patrol officers who violate our constitutional rights. People seeking safety in our country should be met with respect and dignity as well as due process as required by our laws and our values.



FINANCIALS