



LEGISLATIVE ADVOCACY GUIDE  
**2020 LEGISLATIVE SESSION**



**2020 Legislative Advocacy Guide**

**January 21 – February 20**

**[www.ACLU-NM.org](http://www.ACLU-NM.org)**



## **2020 Legislative Advocacy Guide**

The 2020 legislative session will focus on the state budget and priorities the Governor wants to see pass. It's a short session, meaning it will run for only 30 days from January 21 – February 20. We anticipate new misguided “tough-on-crime” policies that will cost the state a lot of money but do little to increase public safety in our communities. We also expect to see dangerous efforts to limit access to reproductive healthcare. Because it is a short session, proactive bills that are unrelated to the state budget can't be introduced without the explicit approval of the Governor.

This advocacy guide provides information about the ACLU-NM's legislative agenda and how you can help protect and expand justice, liberty and equity for all New Mexicans. Because the legislative session moves quickly, we will keep in regular touch with you about situations as they develop by sending occasional updates about the status of our priority legislation via social media, email and text. We will also issue regular urgent calls to action via social media, email and text.

Where available, we have provided links to the bills that have already been introduced below. If you are using the digital version of this guide, once the bill has been introduced you can just click on its title to go to the webpage for that particular bill. (If no bill number is provided, the bill has not been introduced yet.) You can also follow the status of specific bills on the New Mexico Legislature's website: [www.nmlegis.gov](http://www.nmlegis.gov).

During the 2020 session, we will engage in four days of action in partnership with our allies. See calendar at the end of this guide for dates. We also will be taking 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 participating in these activities, please contact Barron Jones ([bjones@aclu-nm.org](mailto:bjones@aclu-nm.org)) or if you live in the southern part of the state, please contact Maria Coronado ([mcoronado@aclu-nm.org](mailto:mcoronado@aclu-nm.org)).

## Our 2020 Priorities

### 1) Protect and Expand Access to Reproductive Healthcare

As politicians in other states put up barriers to accessing reproductive health care, New Mexicans stand firm in our values that these decisions are personal and should remain between individuals and their health care providers. While other states have enacted almost 500 anti-abortion laws since *Roe v. Wade* was decided, and over 300 in the past six years alone, New Mexico remains a place where people from our communities and across the country can access the safe and legal reproductive healthcare their families need. Building on successes in expanded coverage of contraception and in collaboration with the Respect New Mexico Women coalition, the ACLU-NM will work during the 2020 legislative session to ensure that a full range of reproductive healthcare remains accessible in our state.

#### Budgetary Priorities

We will support increases in access to Long Acting Reversible Contraception and to improve sexual and reproductive health education.

#### Respect Abortion Decisions Act

**Sponsors: TBD**

**Bill number: Not Yet Introduced**

Our constitutional right to safe and legal abortion health care is under more threat at the federal level than ever in its 47 year history and believe it or not, New Mexico still has an old, outdated law from the 1960s on the books that makes abortion in almost all circumstances a felony. New Mexico communities have made it clear time and again that women and families must be able to make personal decisions about abortion for themselves without politicians interfering in the exam room. Although the law is unconstitutional (and currently unenforceable) under *Roe v. Wade*, there is a renewed sense of urgency and energy to ensure that the laws on our books will continue to protect the health and safety of New Mexico women, reflect best practices for individualized care in medicine, and allow women and families to make their own personal decisions about abortion no matter what happens at the federal level. The 2019 bill to repeal this dangerous old abortion ban passed the House and Senate committees, but several legislators refused to listen to the majority of New Mexicans who support repeal. We are again asking our legislature to repeal this abortion ban once and for all so we can continue our state's tradition of protecting access to safe and legal abortion.

#### **Pregnant Worker Accommodation**

**Sponsors: Gail Chasey**

**Bill Number: Not Yet Introduced**

Pregnant workers shouldn't have to choose between having a safe pregnancy and their job. New Mexican women deserve to work during their pregnancy and not be forced into unnecessary, unpaid leave when a basic accommodation would allow them to continue working. New Mexico needs to guarantee women the right to continue working when a reasonable accommodation can be provided and forbid employers from forcing women on unnecessary, unpaid leave. These reasonable accommodations can be as simple as allowing an employee to have water at her work station or take bathroom breaks when needed. Employers should not be permitted to fire women when an accommodation could allow them to do their jobs. Vetoed by Governor Martinez in 2017, the Respect New Mexico Women coalition, including the ACLU-NM, will work to ensure these essential protections for pregnant workers are a priority for this Legislature.

## **2) Reduce Mass Incarceration**

Crime and public safety continue to be at the forefront of many New Mexican's minds. Unfortunately, the response of some legislators is to propose outdated, regressive "tough on crime" policies that don't get at the root issues of public safety and are civil liberties disasters. We know that the best way to create positive public safety outcomes is to have access to good jobs, safe affordable housing, educational opportunities, and good affordable health care but these strategies are long term investments in the future of New Mexico. Instead, some politicians look for quick, reactionary policies to manipulate the public and aid in their reelection even though we know those quick fixes won't do anything to make New Mexico communities safer. We need courageous leadership in this area that will take public safety seriously and invest in evidence based policies that will actually make us safer.

This year our strategic focus, informed by people who have lived experience with the criminal legal system, will be to pass smart legislation that would reduce the number of people in prison, remove unnecessary barriers to employment, and protect civil liberties.

### **Budgetary Priorities**

Together with our partners at New Mexico SAFE ([www.nmsafe.org](http://www.nmsafe.org)), we are supporting full funding for the Law Offices of the Public Defender, funding for transitional living centers, funding for diversion and substance abuse treatment, funding for audits of the corrections department, and funding for implementation, assistance with expungement of criminal records.

### **Probation and Parole Reform**

**Sponsor: Rep. Moe Maestas**

**Bill Number: Not Yet Introduced**

Nearly one in three inmates in New Mexico are serving time due to a technical violation. New Mexico taxpayers spend 40 million dollars annually to house people who have technically violated their probation or parole. According to the Legislative Finance Committee, most technical violations involve someone's inability to pass a drug test resulting in a missed appointment with probation or a failed urine analysis. Technical violations do not include new crimes or absconding. This legislation

would reduce the number of people incarcerated for technical violations of probation and parole, thereby saving the state millions of dollars and re-focusing efforts on root causes of addiction instead of treating a public health issues as a criminal justice issue. This legislation passed both the House and the Senate in 2019 and was vetoed by the Governor after law enforcement raised concerns with the legislation. The Governor has indicated that she supports the concept but wants all stakeholders to come together to find a path forward.

### **Occupational Licensing for People with Criminal Records**

**Sponsors: Rep. Andrea Romero, Sen. Mark Moores**

**Bill Number: Not Yet Introduced**

Nearly one in five jobs in New Mexico requires some sort of license and people with criminal records often face barriers to obtaining these occupational licenses. This bill would clarify outdated restrictions in the law and narrow the number and types of convictions that could prevent licensure to those that are directly related to the license sought. With one in three American adults having a publicly available criminal record, people should not be excluded from an occupation just because they have a criminal record. Instead, licensing boards should narrowly tailor the barriers to licensure and provide opportunities for people to present evidence of rehabilitation. This legislation passed both the House and the Senate in 2019 and was vetoed by the Governor after concerns were raised about how the bill was drafted. The Governor has indicated she is generally in favor of the concept but we do not know for sure if this bill will be on the call for 2020.

### **Defense**

This session we'll be watching proposals such as the expansion of hate crime legislation, domestic terrorism legislation, attempts to repeal the Electronic Communications Privacy Act, and attempts to appeal the constitutional amendment on bail reform.

## **3) Block Trump's Deportation Machine**

The ACLU-NM has engaged in efforts to defend the civil liberties of immigrants and immigrant communities for many years. Partly because we maintain an office in Las Cruces, we have particularly focused our attention on programs designed to limit the militarization of the southern border region of our state. The Trump administration's overt hostility to immigrant communities has generated a new urgency in this work. The ACLU-NM is committed to rising to the challenge to resist Trump's deportation machine.

### **State Disclosure of Sensitive Information**

**Sponsor: Representative Miguel Garcia**

**Bill Number: Not Yet Introduced**

Some local jurisdictions in New Mexico have privacy and confidentiality policies that prohibit the disclosure of sensitive private information obtained by public employees to outside agencies, such as a person's social security number, sexual orientation, a person's status as a recipient of public

assistance, or immigration status. During the 2019 session, the State Disclosure of Sensitive Information Act, House Bill 141, passed the House 43-24 but ran out of time on the Senate side. The Act creates a provision prohibiting state employees from disclosing “sensitive personal information” acquired through the person’s employment. The bill defines “sensitive personal information” to include the person’s status as a recipient of public assistance or as a crime victim, and the individual’s “sexual orientation, gender identity, physical or mental disability, immigration status, national origin or religion,” and a person’s social security number or individual tax ID. This year we are working to expand the protections of this bill.

### **Much, Much More**

The bills described above are just the tip of the ice berg. We have described them for you because they will be our biggest priorities during the upcoming session. But we will also be working with partners on many other measures, including legalizing marijuana, strengthening voting rights laws, and much, much more. In addition to proactive bills, we anticipate new efforts to restrict the civil liberties of New Mexicans. We’ll need your help to stay on top of these damaging efforts as well. As additional bills gain traction at the Roundhouse, we’ll send you updates to ask for your support to advance good legislation and block all the bad stuff.

### **WHAT YOU CAN DO**

**If you don’t already know, find out who your legislator is.** Go to this page on the New Mexico Legislature’s website: [https://nmlegis.gov/Members/Find My Legislator](https://nmlegis.gov/Members/Find_My_Legislator). Click on “Search By Your Address” for both the House and the Senate. This will show your address on a district map of the state. By zooming into the map you can find your legislative district number. Then using the same link, click on “Search By Name or District” to look up your senator and representative.

**Connect with your legislators.** Once you know who your legislator is, reach out to them by email or phone about the issues listed above that matter most to you. It’s important to talk about the specific policy that you want to see passed. You can use the information provided above to help determine what points you would like to make. What’s even more important is to explain why a particular policy matters to you on a personal level. Have you or a family member had to access reproductive healthcare in New Mexico? Have you been a survivor of crime but recognize that people with conviction records need support in reintegrating into our communities? Are you or a friend an undocumented immigrant living in fear in Trump’s America? Tell your legislator about that. It matters. They will listen to you. Just remember to always be polite. **We will provide you with Legislative Visit Report sheets so you can report on your conversations with legislators and staff and report back to us.** You can find contact information for legislators at the same link: [https://nmlegis.gov/Members/Find My Legislator](https://nmlegis.gov/Members/Find_My_Legislator).

**Visit the Roundhouse.** As we have during past legislative sessions, we will be bringing small groups of ACLU-NM activists to the state capitol four days per week during the session (Monday through Thursday), to meet with legislators, help us monitor committees and engage in other useful activities. We will also participate in several “days of action” at the Roundhouse (see below) that you can attend to collaborate with other advocates in other

organizations to get these priority bills passed. If you are interested in participating in these activities, please contact Barron Jones ([bjones@aclu-nm.org](mailto:bjones@aclu-nm.org)) or if you live in the southern part of the state, please contact Maria Coronado ([mcoronado@aclu-nm.org](mailto:mcoronado@aclu-nm.org)).

**Tell it to the Governor.** As noted above, proactive bills can't be introduced during short legislative session without the explicit blessing of Governor Michelle Lujan Grisham. She needs to hear from you on these issues. Take the time to reach out to her to let her know how much these issues matter to you. As is true with contacting legislators, make it personal: Let her know how these issues impact you, your family and your friends. Remember to be polite. You can contact the governor by phone or email by going to this website: <https://www.governor.state.nm.us/contact/>

**Stay tuned for urgent calls to action.** We'll be sending out calls to action on a roughly weekly basis via social media, email and text to mobilize advocates in support of our legislative priorities. As a bill comes up in committee or as they reach the full House or Senate for a floor vote, we'll send you a note with instructions on how you can help raise the pressure on legislators to vote for our priority bills, or against the slew of bad bills we're also expecting. When we get our priority bills passed through both chambers, we'll need to urge the governor to sign them. We'll send out calls to action for that purpose as well.

**Finally, THANK YOU for everything you're doing to fight for justice, liberty and equity for all New Mexicans!**

**Important Dates:**

- January 21 – First Day of Session
- January 23- Roe v Wade Day (Rally and Lobby Day)
- January 27 – Immigrant Day of Action
- February 5 - Impacted People Day (Lobby Day and Legislative Training)
- February 12 – Respect NM Women (Lobby Day and Legislative Training)
- February 20 – Session Ends