



BETWEEN THE SESSIONS 2018-19

AN ACTIVIST'S GUIDE



2019 LEGISLATIVE SESSION

New Mexico House of Representatives:

70 Members

New Mexico Senate:

42 members



My State Senator:

My State Representative:

Website: www.nmlegis.gov

IMPORTANT DATES

May - June, 2018	Interim legislative committees hold orientation meetings to map out their work plans for the year.
July - December, 2018	Interim legislative committees meet for 2-3 days each month to discuss relevant research and policy proposals. First and last meetings are almost always in Santa Fe.
December 17, 2018 - January 11, 2019	Legislation may be pre-filed.
January 15, 2019	Opening day of legislative session starts at noon. The governor will give a “state of the state” address that day to outline the administration’s goals for the session.
February 14, 2019	Deadline for introduction of legislation.
March 16, 2019	Session ends at noon.
April 5, 2019	Legislation not acted upon by governor is pocket vetoed.
June 14, 2019	Effective date of legislation if it is not a general appropriation bill or a bill carrying an emergency clause or other specified date.

Courts Corrections and Justice Committee (CCJ)

<u>Date</u>	<u>Location</u>
May 30	Santa Fe
July 16-17	Albuquerque
August 6-7	Albuquerque (meeting with LHHS)
September 6-7	Albuquerque
September 24-25	Albuquerque
October 18-19	Albuquerque
November 29-30	Santa Fe

Criminal Justice Reform Subcommittee (CJR)

<u>Date</u>	<u>Location</u>
July 18	Albuquerque
August 10	Ruidoso
August 24	Albuquerque
September 26	Albuquerque
October 17	Albuquerque
November 13	Albuquerque

A GUIDE FOR SMART JUSTICE ACTIVISTS

This guide is designed to give Smart Justice activists all the information they need to begin advocating legislators in the long period from May to December before the regular session starts. As you will see, this period is vital for doing the hard work of winning the hearts and minds of legislators to support criminal justice reform for the state of New Mexico. As the ACLU-NM's plan for the 2019 session continues to evolve, this guide will be updated to include more specific details about the bills the ACLU will be actively endorsing. We will hold trainings throughout the year to provide activists with the most up-to-date information possible about our ambitious plans for the 2019 session.

DON'T WAIT TILL THE SESSION

During regular legislative sessions in New Mexico, legislators are often busy and distracted. This can make it difficult for activists to get a hearing with them. They are often in a rush and don't have much time to have an in-depth conversation. This is especially true the final frantic weeks at the end of the session.

For this reason, successful advocacy requires us to start having conversations with legislators long before the session starts. The New Mexico legislature has what's called an "interim period" that extends roughly from May to December every year. During the interim period, legislators have much more time to talk to their constituents. They tend to be more relaxed and more open to different perspectives. It's during this period that you can have deeper, more intimate conversations with them about the issues that matter the most to you.

STAY UP TO DATE!

This guide will be updated periodically throughout 2018 as our plan for the 2019 legislative session evolves. We'll also provide you with information about the latest interim committee schedules.

Please contact our organizers if you have any questions at all about this guide or the ACLU-NM's interim legislative advocacy plan.

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TELL YOUR STORY BETWEEN THE SESSIONS

With the interim legislative session kicking off right around now, we ask you to start engaging your legislators in more general conversations about criminal justice reform. We have provided you with an activist guide to help facilitate these conversations.

The most effective advocates tell persuasive stories. Are you or someone you know a survivor of crime? Have you been involved in the criminal justice system? When talking to legislators, it's important to talk about the problems our society is facing. But it's even more important to humanize and personalize your conversations with legislators, so they can actually *feel* why criminal justice reform matters to you.

You can send emails to legislators. You can call them on the phone. The best option is to either arrange for a face-to-face meeting with them in their districts, or to show up at one of the interim legislative committee meetings and speak your mind during the public comment period.

INTERIM COMMITTEES

During the regular legislative session, committees meet to take votes on active legislation. During the interim legislative period, interim legislative committees meet. These interim committees don't have the power to vote on active bills, but they do deliberate on legislative proposals and relevant data and research. Interim committees usually meet for two to three days each month between May and December. Many interim committee meetings are in Santa Fe, but they also happen in other cities and towns around the state.

The most important interim legislative committees for the ACLU of New Mexico are:

Courts, Corrections and Justice Committee: This committee spends a lot of time on various criminal justice issues. Government agencies such as the New Mexico Corrections Department, the Law Office of the Public Defender, the Children Youth and Families Department and many others often provide presentations to this committee. The ACLU-NM and its advocacy allies also present in front of this committee regularly.

Criminal Justice Reform Subcommittee: This is a subcommittee of Courts, Corrections and Justice that focuses entirely on criminal justice reform. We hope to help shape the work of this subcommittee to help influence overall legislative priorities during the 2019 session.

Legislative Health and Human Services Committee: The ACLU-NM and its allies frequently present in front of this committee on a variety of issues, including healthcare in New Mexico prisons.

Legislative Finance Committee: This committee focusses on facilitating discussions about the state budget. The committee also often sponsors important research reports on issues of importance to the ACLU-NM and its allies.

TALK ABOUT THE ISSUES!

CRIMINAL JUSTICE

As part of the **New Mexico SAFE** coalition, we will be developing a proactive legislative agenda around criminal justice reform. This will start with bills that the coalition gave an “A” grade to that Governor Martinez has vetoed in the past. Use the accompanying fact sheet from the New Mexico SAFE coalition to talk about how important it is for legislators to move away from politicizing crime and start coming up with solutions that will actually make our communities safer.

In these conversations, it’s important to acknowledge that there has been a recent spike in crime in some New Mexico communities – notably Albuquerque – in recent years. But we can’t incarcerate our way out of this problem. It’s no accident that New Mexico is a poor state that also struggles with crime. Until we provide people with good jobs, good educations, good behavioral health services, etc, we’re never going to lower our crime rates. In fact, most other states have been lower their crime rates at the same time they’re lowering their incarceration rates. New Mexico is one of the few states in the country where our crime rates are going up at the same time as our incarceration rates. If we can’t fix our economy and provide real opportunity and services for people, crime will continue to be a problem regardless of how many people we stuff into our prisons and jails.



Making New Mexico safe for all children & families

How to Talk About Criminal Justice Reform

New Mexicans want safe and strong communities for their families.

New Mexico is a fantastic place to live. We have deep culture, strong families, breath-taking landscapes, and near-perfect weather. But crime is on the rise in many New Mexico communities and the question is what are we going to do about it?

For too long, too many politicians have reacted to rising crime by proposing tired, recycled, tough-on-crime legislation as a way to score easy points with voters. Unfortunately, instead of making communities safer, these policies have decimated New Mexican families. Too many of us are faced with the vicious cycle of poverty, mental illness, substance abuse, homelessness and incarceration. It is time we demand real solutions – solutions that support and empower families with the tools they need to thrive.

In an effort to focus on sensible strategies to increase public safety in our state, New Mexico SAFE has created a litmus test to grade reforms. The idea is to spark a reality-based discussion about what laws will actually help keep New Mexicans safer, and what ones won't. Based on the acronym "SAFE," the litmus test has four parts.

SAFER for CHILDREN and FAMILIES

Tougher penalties simply do not correlate with a decrease in crime. Instead, imprisonment traumatizes incarcerated people and hurts families and communities. Investing in proven strategies that support families makes us safer.

APOLITICAL

Many politicians use tough-on-crime legislation to appeal to voters' fears with little thought put into whether or not the proposed legislation actually works. Serious legislation must address the problem of crime and public safety, not advance a candidate's political agenda.

FISCALLY-RESPONSIBLE

For the last four decades, this country has relentlessly expanded the size of our criminal justice system, needlessly throwing away too many lives and wasting trillions of taxpayer dollars. New Mexico can't afford tough-on-crime laws that don't increase safety.

EVIDENCE-BASED

Evidence shows that tough-on-crime policies do not make communities safer, instead they increase racial and economic disparity and fail to deter crime. We need proven solutions that actually work and are supported by data.

What's really going on in New Mexico?

When they say New Mexico is too lenient on criminals:

1. New Mexico has the highest rate of imprisonment for Latinos of any state.
2. Black adults in New Mexico are incarcerated at six times the rate of white adults.
3. The prison population in New Mexico grew 483% between 1980 – 2015.
4. While the United States saw a prison population decline of 6% between 2000-2015, New Mexico saw a 31% increase.
5. New Mexico incarcerates a higher percentage of people in private prisons than any other state.
7. New Mexico uses solitary confinement more than almost any other state.
8. New Mexico has one of the highest rates of children with incarcerated parents of any state.

When they say crime is rising due to repeat offenders and “catch and release”:

1. Crime rates across the country are at historical lows compared to the 1980s and 1990s.
2. Crime rates in Albuquerque started to trend up in 2010.

Why is New Mexico seeing crime rates go up when other states are seeing a decrease?

From 2010 – 2016, in Bernalillo County:

- a. Poverty rates rose
- b. Poverty rates for families with children rose
- c. Albuquerque residents living in high poverty neighborhoods rose
- d. The percentage of people in the labor force dropped
- e. Families receiving public assistance rose
- f. Drug overdose rates rose
- g. Number of chronically homeless rose

What Can We Do?

In addition to analyzing bills using the “SAFE” litmus test, New Mexico SAFE believes there are other steps we as a state need to take to reduce crime and increase public safety. First off, all bills that increase criminal sentences must have an appropriation and a thorough fiscal analysis attached to them. We need to analyze each bill on its impact and cost relative to other approaches, and see which serves crime survivors and taxpayers best. For example, the death penalty carries an enormous cost and has no correlation to reductions in violent crime. What if those funds were applied to treatment or behavioral health services? Which approach would actually prevent some of these terrible tragedies? We need policies that keep families intact and provide treatment and rehabilitation to individuals in need.

Second, we need to shift resources into preventing violent crime, rather than trying to address quality of life issues better left out of the criminal justice system. Police often talk about how they have to spend countless hours on infractions like loitering and urinating in public, leaving little time to address serious crime. If we treated substance abuse and mental health as a public health issue, we wouldn't need so many police officers, district attorneys, public defenders, and jail cells. But our current system is upside down and doesn't work to protect New Mexicans from serious crime.

About New Mexico SAFE

New Mexico SAFE is a coalition dedicated to creating a safe, fair, and prosperous New Mexico. We are community leaders, social workers, faith leaders, and concerned individuals representing a wide array of New Mexico communities and points of view. We are working together to refocus our state's correctional efforts on cost-effective, evidence based alternatives to incarceration that rehabilitate offenders, keep families intact, and make our communities safer. For more information, go to www.nmsafe.org.

How to Talk

So Your New Mexico Legislator Will Listen

It may only take a couple dozen phone calls, emails, or other contact from constituents to get an issue on your legislators' radar.

DO A LITTLE RESEARCH

Visit legislators' websites to learn their backgrounds and positions or go to www.nmlegis.gov

- Sign up for their emails.
- Sign up for ACLU-NM updates www.aclu-nm.org and ACLU [People Power](#) to stay in the loop and take action at critical moments.

MEET IN PERSON

- Attend town halls meetings or voter or legislative forums. Come prepared with a question and be sure to introduce yourself after.
- During session, visit your legislators at the New Mexico Capitol in Santa Fe. Contact them in advance.
- Out of session, in their home area, legislators have more time. Set up a meeting and bring like-minded friends.



WRITE A LETTER



Old-fashioned pen and paper can be very effective since it's increasingly rare. Go to the ACLU of New Mexico web site for messaging or use your own words. Encourage others to write as well.

MAKE A CALL



Simply pick up the phone and call your legislator's office. You may reach a staffer or leave a message. State the issue(s) and what you want them to do about it.

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New Mexico

Pro Tips

- Be brief. Legislators want to know what you think. Write just a paragraph or two and keep phone messages to a few sentences.
- Be firm but courteous. Use respectful language. If possible, include praise for a position the legislator has taken in the past.

WE NEED YOU NOW!

In collaboration with our various partners, the ACLU-NM will take several months to work out the specifics of our 2019 legislative plan, partly because our plan will be shaped by conversations with various coalitions and other stakeholders. Some specifics won't be finalized till a few weeks before the beginning of the legislative session in January 2019.

Even though our plan isn't yet fully formulated, right now is the perfect time to start reaching out to legislators about criminal justice reform and reproductive freedom. They've had time to recover from the 2018 session, and they're just gearing up for the interim period.

The best way to make use of this guide is to make it your own, and we're here to help you if you have any questions or need any support.

Please contact our organizers you have any questions at all about this guide or the ACLU-NM's interim legislative advocacy plan.

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