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THE TORCH

The Newsletter of the American Civil Liberties Union of New Mexico

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U.S. SUPREME COURT HANDS FINAL VICTORY TO ACLU-NM IN TEN COMMANDMENTS CASE

By Micah McCoy

After six years of litigation, the ACLU of New Mexico's Ten Commandments lawsuit, which wound its way from the New Mexico District Court to the very steps of the U.S. Supreme Court, has come to an end. On Monday, October 16, the Supreme Court of the United States announced that it had denied the petition for certiorari in *Felix v. Bloomfield*, the case we filed in 2012 against the City of Bloomfield after they allowed a five-foot-high granite monument featuring the Ten Commandments (also known as the Decalogue) to be erected on the front lawn of City Hall. After the Supreme Court decides not to hear a case, there's nowhere else to go. The two lower courts' rulings on the monument's unconstitutionality became final, and the city was forced to relocate the monument in November to private property at a nearby church.

Councilor Kevin Mauzy proposed that the City of Bloomfield allow citizens to erect a Ten Commandments monument on the front lawn of Bloomfield City Hall. Despite objections from a number of citizens, Mauzy's measure was unanimously approved by the council.

Jane Felix, the high priestess of the local Wiccan coven and the named plaintiff in the ACLU's suit, recalls the fruitless protests she and several dozen other Bloomfield residents registered at the time.

"We had 50 or 60 signatures opposing it, but we think our petition found the circular filing cabinet if you know what I mean," recalls Felix. "They completely ignored our petition, and when we went to the city council meetings we were shot down by others verbally abusing us."

The ACLU of New Mexico's road to the supreme court began back in 2007, when then Bloomfield City

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THE CRIME OF BEING POOR IN PUBLIC

How Albuquerque's New Panhandling Ordinance Criminalizes Poverty

By Katie Hoepfner

John Martin makes a living soliciting donations for bottles of water on the side of the street. Every day he swallows his pride, puts on a smile, and offers the best service he can right now. Not too long ago he was homeless, but thanks to the generosity of strangers and strangers-turned-friends, he and his wife now have a roof over their heads – something he is beyond grateful for as the cold weather moves in. John knows all too well that those donations are all that's standing between him and the cold hard floor of a tent or a shelter.

"Every single day that I wake up, I am grateful for that."

But lately, John, 49, is more scared than ever of losing his home. The police often harass, intimidate and cite him for bogus violations. According to John, one officer even threatened, "If I weren't an APD officer, I would kill you." Another boasted, "See these stripes right here? That means I can do whatever I want."

"The people who have gotten to know me watched me start out with a shopping cart out there dirty as can be trying to make it. And they watched me go from there to a motel room to getting an apartment," said John.

A recent ordinance that went into effect on December 6 drastically increases John's chances of being cited and harassed by the police. Before, officers had to craft

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TEN COMMANDMENTS VICTORY

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When asked at a council meeting as to what religion Bloomfield was endorsing through the proposed monument, Mauzy was reported as saying, “If you don’t like living here, you can go somewhere else.”

Over the next four years, Mauzy gradually raised the necessary funds for the monument from private sources after setting up accounts through two local churches. On July 4, 2011, Mauzy, now off the council, presided over a dedication ceremony for the monument replete with prayer, religious observances, and religiously charged statements. At one point during the ceremony, Mauzy proclaimed:

“Some would believe that this monument is a new thing. They have been so busy trying to remove God from every aspect of our lives that they have overlooked our history. Well, I’ve got news for you, it’s been here all along... You and I are average citizens who believe just like most of our fellow Americans. We want the government to leave us alone and to keep their hands off our money, our religion, our Ten Commandments, our guns, our private property, and our lives... God and his Ten Commandments continue to protect us from our evil.”

Despite Mauzy’s defiant words proclaiming the preeminence of Christianity, the area has long been home to many different faiths and religious traditions, including native religions that predate the arrival of European colonists. The small group of Wiccans that call Bloomfield home have all the same rights and responsibilities that Christian community members enjoy. After the installation of a monument that sent such a clear exclusionary message to her and her coreligionists, Jane Felix felt something had to be done. She also knew that she was one of the few who could actually do something about it.

“Some of us in the Wiccan community are open, but others are in the ‘broom closet’—as we say—because we live in a community that’s highly motivated in its belief that Christianity is the only acceptable religion,” said Jane. “Many Wiccans were afraid to push back because they or a family member worked for the city government and were afraid it would cost them their jobs. As a retired person, that wasn’t really a problem for me.”

Jane and another man in their community, B.N. Coone, reached out to the ACLU of New Mexico and we agreed to represent them in the case. In January 2012, the ACLU of New Mexico filed a lawsuit claiming that the monument represented an unconstitutional government endorsement of religion.

“For me I just want to live in a country where I have freedom of religion and don’t get discriminated against for that religion,” said Jane, recalling her motivation for filing the lawsuit. “The monument was a statement by the City of Bloomfield saying, ‘This is what we endorse.’ It’s one group of people pushing their beliefs on everyone else, and I was just not okay with that.”

A Legal Mess

“Quite frankly, the current law on the constitutionality of Ten Commandments monuments on public property is a mess,” said Andy Schultz, ACLU-NM Board Member and lead cooperating attorney on Felix v. Bloomfield. “There are precedents from the courts that say that the Ten Commandments has secular, legal, and historical value as an early document of law, but

of course in the same breath the courts also say that the Ten Commandments has an undeniable religious connotation as well.”

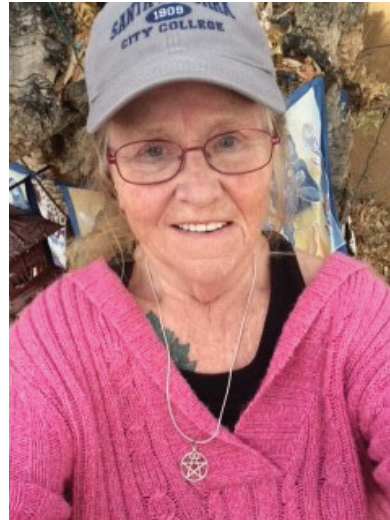
In fact, in 2005 the Supreme Court released two separate and contradictory Ten Commandments decisions on the very same day. In *Van Orden v. Perry*, the Court ruled that the Decalogue standing outside the Texas state capitol building wasn’t an unconstitutional endorsement because it was part of a larger secular display containing 17 monuments and 21 historical markers celebrating the “people, ideals, and events that compose Texan identity.” The Court also found that, since the monument had stood for 40 years without challenge, few people have interpreted it to indicate an endorsement of religion by the government.

That same day, however, the Court also released a decision in *McCreary County v. ACLU* that determined that the Ten Commandments display in a Kentucky courthouse failed to serve any secular purpose and therefore constituted an unconstitutional endorsement of religion. Given these conflicting Supreme Court rulings, the lower courts have reached different results when passing on the constitutionality of various 10 Commandments displays around the country. Older displays, that often appear with other historical monuments, have been upheld, while newer displays which are erected for sectarian purposes or over strong community opposition are found unconstitutional.

Given the Supreme Court’s contradictory rulings, those who would like to see the government more closely aligned and identified with the Judeo-Christian faith have sought to test the boundaries of where they can get away with installing Ten Commandments monuments. One of the most prominent of these groups is the Alliance Defending Freedom (ADF), a conservative Christian legal advocacy group that claims to fight for the religious liberty of Christians. Although occasionally the ACLU and ADF are aligned on a particular case, we more often find ourselves facing one another across the courtroom because, according to ADF’s interpretation of religious freedom, Christians have the “right” to discriminate against non-Christians and LGBT people.

Eager for an opportunity to push the limits of Ten Commandments law, ADF offered advice to Mauzy on how the city might construct a monuments policy that could withstand a legal challenge. The group also offered to defend the monument should anyone file a lawsuit seeking its removal. Buoyed by the support of this powerful legal group, the city created a monument policy that established the Bloomfield City Hall lawn as a public forum for the display of privately-funded “historical” monuments—although the policy was never advertised to the public and Mauzy was the only community member to erect a monument under the policy.

When the Decalogue was installed in 2011, Bloomfield placed a sign on the lawn stating that “any message hereon is of the donors and not the City of Bloomfield and does not necessarily reflect the opinions of the City” in a further effort to inoculate itself against legal challenge. In an attempt to provide more legal camouflage, three other monuments were later installed farther back on the lawn that featured the Gettysburg Address, the Bill of Rights, and the Declaration of Independence so that the city could argue that the Ten Commandments was just one of several monuments erected by the “Four Corners Historical Monument Project.”



Lead plaintiff Jane Felix

Continued on page 4.

FROM THE DESK OF EXECUTIVE DIRECTOR PETER SIMONSON

Early in December, the staff and I gathered to prepare a presentation on our efforts to resist Trump's policies in New Mexico during 2017. Part of the presentation included a video we produced this summer about Kadhim Albumohammed and his family, describing how their lives would be rocked by Kadhim's impending deportation to Iraq.

Teary-eyed, Kadhim's teenage daughter described her fears. "Will I ever get to see him again? And it's hard because, like, what is the last thing you are ever going to say to your dad when you know that's the last time you are ever going to see him? I don't know what I'm going to say. I don't want to have to think about that because he's my best friend. And I don't want him to leave."

At that point, she bows her head and breaks into tears. And, in that moment, I couldn't help but cry a little too.

But, my emotions weren't just a response to the pain and anguish I saw in Kadhim's family. I was also overcome with pride. This summer, the ACLU of New Mexico, the ACLU of Michigan and the National ACLU Immigrants' Rights Project filed a nationwide lawsuit that successfully blocked Trump's scheme to deport more than 1,400 Iraqi refugees. Our lawsuit gave Kadhim and hundreds of others a fighting chance to avoid removal to a country where they would face persecution, torture, or death.

It struck me at that moment how the ACLU can be such a powerful force for basic decency and human dignity, and how critical that really is during times such as these. At its heart, that's what the Constitution is really about. Protecting our ability to live lives of dignity free from fear.

When I reflect on our work, it strikes me how central these values are to everything we do. Protecting families from being torn apart by inhumane immigration policies, defending a woman's basic right to make decisions about her body, advocating against police



brutality, guarding the rights of religious minorities, standing up to laws that unfairly target people of color and people in poverty—the list goes on. All of this critical work has a real impact on millions of real people like Kadhim and his family.

As you read this newsletter, I hope you share in the sense of pride I feel when I reflect on the ways we continually safeguard the basic dignity of all Americans. After all, the ACLU isn't just lawyers and policy wonks—it's the card-carrying members like you who power this organization. Because of the work we do together, Trump and his acolytes are having a lot tougher time stripping us of the dignity and security that is our birthright.

And that's something worth feeling proud about.

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

Peter Simonson
Executive Director

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Give the gift of liberty this holiday season!



What better way to show love to your friends and family this holiday season than to help make the state they live in a more free and fair place? Your gift is especially important as we continue to face increasingly complex issues that require strong and sustained efforts. With you by our side, we will strategically confront these ongoing threats to our civil liberties. You may send your contribution in the remittance envelope included with this newsletter or online at www.aclu-nm.org.

Happy Holidays!

TEN COMMANDMENTS VICTORY

Continued from page 2

Showdown in the Courts

Despite the backing of ADF and the great lengths that the City of Bloomfield went to provide a veneer of secular historicalness, the ACLU of New Mexico stripped away any pretense that this monument constituted private speech rather than a government endorsement of religion at trial before a federal district court in 2014.

“In 2011 the front lawn of the city hall was just a blank lawn, it was like a blank canvas,” said Schultz. “They could have put anything they wanted on that lawn, anywhere they wanted, in any order. The city chose to put one thing: the Ten Commandments. Later it was joined by the Gettysburg address and the Bill of Rights, the Declaration of Independence—but they didn’t put any of those first. They also prominently placed the Ten Commandments at the very front of the front lawn right next to the American flag. It gives a very strong impression that this is City Hall saying, ‘This is what we believe in.’ That isn’t a question of history, that’s a question of telling non-Christians that they are not welcome.”



PHOTO: A local pastor leads a prayer at the Ten Commandments dedication ceremony on July 4, 2011. Kevin Mauzy pictured in background wearing an American flag shirt.

During the cross-examination of Kevin Mauzy, the ACLU even got him essentially to admit that his motivations for installing the monument were religious in nature. When asked the simple question, “Do you believe this lawsuit is an attack on your religious liberty?” Mauzy considered for a long moment and replied, “Yes, I believe I do.”

If his motivation for erecting a monument to the Ten Commandments at Bloomfield City Hall was purely secular and historical in nature, how could our lawsuit possibly be an attack on his religious liberty? When presented with all of the evidence—the fundraising through churches, the sham open forum, the preferential placement of the Decalogue, and the religious dedication ceremony—Judge James Parker determined that the monument was an unconstitutional endorsement of religion. He concluded:

“...The Ten Commandments monument is government speech regulated by the Establishment Clause because the Ten Commandments monument is a permanent object located on government property and it is not part of a designated public forum open to all on equal

terms...In view of the circumstances surrounding the context, history, and purpose of the Ten Commandments monument, it is clear that the City of Bloomfield has violated the Establishment Clause because its conduct in authorizing the continued display of the monument on City property had the primary or principal effect of endorsing religion.”

Undaunted by their loss at the district level, the City of Bloomfield and Alliance Defending Freedom appealed to the Federal 10th Circuit Court of Appeals, where we argued the case again before a three judge panel in 2016. The 10th Circuit unanimously upheld the District Court decision, agreeing that the Ten Commandments monument constituted a government endorsement of religion. Finally, the City of Bloomfield filed a petition asking the United States Supreme Court to review the appellate court’s holding. The Court denied the city’s petition in October 2017, thus leaving in place the lower courts’ rulings that the 10 Commandments erected in front of the City of Bloomfield’s Town Hall violated the Establishment Clause of the First Amendment.

Why it Matters

A lot of people—usually those belonging to the religious majority—don’t get why these types of cases are important. We often hear variations of, “What’s the big deal? Why shouldn’t a majority Christian town be able to put up a Ten Commandments monument at City Hall? If people don’t like it, they don’t have to look at it.”

We are too apt to forget why our nation’s founders were so intentional about preventing our government from ever endorsing or sponsoring a religion. Many of the first Europeans to arrive in what is now the United States came fleeing persecution by a state-sponsored religion. For more than a hundred years the European Wars of Religion left an entire continent devastated by conflict and civil war. This was all still fresh in the minds of the men who put pen to page and wrote “Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof...” into the very first amendment to our constitution.

Putting a religious monument on public property may be many steps away from civil war or burning heretics at the stake, but it is still a significant step away from the ideals of religious freedom our country was founded on. Our country is home to many diverse and vibrant religious traditions that are an important part the lives of millions of Americans, and a growing number of Americans identify with no particular religion at all. The government should never be in the business of deciding which set of beliefs should be favored above all others. Our victory in the Bloomfield Ten Commandments case helps enshrine this principle even more strongly within our laws, and will make it harder for other towns and governments to use “historical monuments” as a fig leaf for the endorsement of religion.

But on a more personal level, this case matters because now people like Jane Felix can pay their water bill at city hall without feeling that their personal religious beliefs make them a second-class citizen.

“I feel justice was served,” said Jane, reflecting on the legal battle that took her from Bloomfield, NM all the way to the steps of the U.S. Supreme Court. “I feel that the ACLU supported a cause that is important to many of us, and I’m proud to be part of that. The monument was actually moved to a location within the city that is more prominent than the City Hall lawn, but I’m okay with that because it’s no longer on city property. It belongs on private property, and now that’s where it is.”

CRIMINALIZING THE POOR

Continued from page 1

disingenuous reasons for citing people like John for exercising their free speech rights from a median or a highway off-ramp. The new ordinance now makes it illegal for anyone to solicit money from motorists at medians or ramps, and for motorists, in turn, to interact with anyone seeking donations in these places. This has the potential to criminalize not just the homeless and the poor, but also anyone raising money for a kids' football team or firefighters running a "fill the boot" campaign.

John wants a job more than anything, but past non-violent convictions, including time served for drug possession, still loom over his head. Every time he fills out a job application and comes across the question asking if he's ever been convicted of crime, a sinking feeling sets in. He knows if he checks the box, the phone will never ring.

“

My ex is still stalking me and I can do nothing about it. But if I hold a piece of cardboard, I'll get handcuffed, publicly humiliated, and taken to jail or given a ticket.

”



Despite being jobless and suffering from PTSD and addiction, John never stops fighting to make a better life for himself and his family.

"I go to treatment. I go every day. It's a lifetime struggle, said John. "I have to find a way to function in this society and I'm having a hard time right now. I want to go back to work."

Until then, John packs up his water every morning and hits the streets, hoping the police won't cite him. He can't afford to pay the tickets and he worries that if they continue to mount, he'll wind up behind bars again.

Like John, Rhonda Brewer depends on the generosity of Albuquerque residents to get by. She had a home just two and a half years ago, but after her partner physically abused her, she landed on the streets. When she needed the police most, they questioned her claims, saying "I don't see any marks on you," and "What did you do to make him do that?"

Now that she's homeless at sixty-six years old, she panhandles to buy food and to stay a night or two at a motel in between visits to Joy Junction and Road Runner Food Bank.

Though many Albuquerque residents have shown Rhonda kindness, others have treated her with outright cruelty. One man gave her what appeared to be a nicely wrapped sandwich that she was grateful to receive, until she opened it up to discover human feces in-between two slices of bread. Because of callous and inhumane acts like these, Rhonda now prefers to receive either pre-packaged foods or money when possible, so that she can buy her meals food from trusted sources.

While out asking for money, she's caught the ire of police, who she says have thrown her face-down, handcuffed her, and taken her to jail for panhandling.

"My ex is still stalking me and I can do nothing about it. But if I hold a piece of card board, I'll get handcuffed, publicly humiliated, and taken to jail or given a ticket," said Rhonda.

She now suffers from chronic obstructive pulmonary disease and would give anything to get into public housing, where she could safely use the nebulizer she needs, but she knows people who have been on the waiting list for three years. For now, she's making the best out of a dire situation that she worries will be made worse by the new city ordinance.

Mary O'Grady also knows what it's like to feel scared and ashamed. She wound up living in her car in Austin at just 19, in 1975.

"My family was in great chaos. There was a lot of substance abuse. There was a lot of brutality. And I found myself homeless," said Mary.

She now holds a master's degree in Zoology, and has had a successful career in radio and print journalism, but she still remembers the experience of homelessness well, including the struggle to stay clean and find food. That's why she carries water bottles and pre-packaged string cheese in her car with her every day and hands them out to Albuquerque residents in need. When she visits hotels, she packs up the complimentary toiletries and makes baggies equipped with a disposable razor and wash cloth for homeless people.

"They're always glad to get them and sometimes if there's time I tell them at the intersection that I was homeless as a teenager and I wish them good luck and a better life," said Mary.

Even though it's been decades since Mary was homeless, she still counts her blessings every time she gets in the bathtub. She hopes that when people see a homeless person, "no matter what kind of physical condition they're in, they would see a person with potential rather than a disposable person."

Under the new ordinance, Mary could be cited and arrested for helping people who are just struggling to survive, as she once did.

Though the City insists the new ordinance is intended to protect pedestrians, bicyclists, and motorists, this measure isn't about public safety; it's about trying to push poor people out of public spaces. We're currently planning a legal challenge to the order, just as we successfully challenged a 2003 ordinance that similarly targeted the poor and violated their free speech rights.

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ACLU BOARD OF DIRECTORS NOTICE OF ELECTIONS, 2018

If you desire to run for one of the seven open positions on the ACLU-NM Board of Directors in 2018, please send to the ACLU-NM Nominating Committee a 250 word statement expressing your interest in and qualifications for serving on the Board. With the Board's approval, the Committee will send a slate of 7 recommended candidates to the membership for a vote in March. Candidates who are not selected for the slate are eligible to place themselves on the ballot by obtaining a petition signed by 1% of the ACLU-NM membership (currently 11,707 members total), supporting their nomination, along with a 250 word statement of interest.

The ACLU-NM office must receive statements of interest by January 31, 2018. Nominees' names will be placed on the election ballot and their statements will be published on the ACLU-NM website.

Please mail statements to:

Nominating Committee
c/o ACLU of New Mexico,
PO Box 566, Albuquerque, NM
87103

Statements may also be faxed to:
(505) 266-5916

Information on voting will be sent to members at least two weeks prior to the election. The election will be held on March 31, 2018.

NEW STAFF



JACKIE CRONIN
Office Administrator

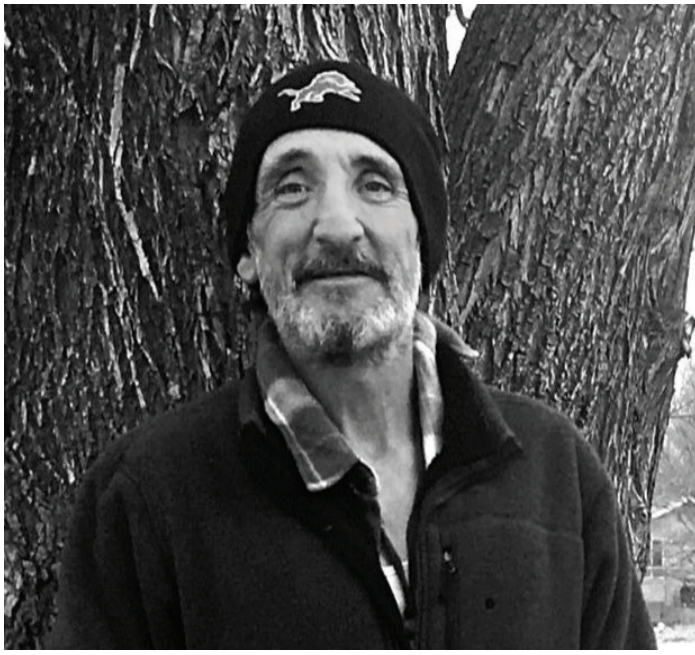
Jackie Cronin joined the ACLU of NM with close to ten years of administrative experience, most recently with SWCA Environmental Consultants. Prior to that she worked for five years as Office Administrator and Graphic Designer at Euphoria Lash Studio & Med Spa. She has an Associates of Science degree in Graphic Design from the Art Institute of Pittsburgh and has organized more than 120 hours of community service volunteer opportunities through the Walk to End Alzheimer's Make-A-Wish Foundation, PB&J Family Services and Roadrunner Food Bank.



JULIE BERNARD
Director of Philanthropy

Julie Bernard graduated with a Bachelor's Degree in Theater from the College of Santa Fe and has over 15 years of professional experience in fundraising, marketing and managing special events for arts organizations, educational institutions, and non-profits. She began her career in fundraising at the Tony Award-winning Berkeley Repertory Theatre in Berkeley, California. From there she went on to work at the women's college at Tulane University, College of Santa Fe, the Georgia O'Keeffe Museum, and New

Continued opposite sidebar.



“It took me forever to get from the street to having a roof over my head. I don't want to lose that. And I don't know what I'm going to do. I'm terrified.”

CRIMINALIZING THE POOR

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“The City's attempt to justify the law based on ‘pedestrian safety’ fools no one,” said María Martínez Sánchez, Staff Attorney at the ACLU of New Mexico. “This is, undeniably, an ordinance targeted at the poorest in our community. Aside from being unconstitutional the law is simply cruel. It goes into effect right as winter falls upon Albuquerque and smack dab in the middle of the holiday season. It is, quite frankly, a stain on the conscience of our city.”

The ordinance is not only cruel, it does nothing to address the root causes of homelessness and poverty. What Albuquerque needs is more behavioral and social services, not laws that criminalize the poor and send them spiraling further into instability.

At the time of this writing, John has three days to make the remaining \$250 for his rent. Recently, he's had to move from intersections where people know him and support him to evade the cops, weakening his profits. He knows no matter where he goes, they may still find and fine him. If that happens, he'll have to choose between paying tickets to stay out of jail and paying his rent to stay off the streets. But if he chooses the former, he may well wind up homeless again anyway.

“It took me forever to get from the street to having a roof over my head. I don't want to lose that. And I don't know what I'm going to do. I'm terrified,” said John. “I feel like my hands are tied. What do I do now?”

The City says it has a vested interest in adopting laws that promote public safety for all, but the panhandling ordinance only exposes the city's most vulnerable people to greater harm. We'll keep fighting until Albuquerque upholds the free speech rights and dignity of everyone in our city.

THE POWER OF WOMEN'S WORDS

Turning Tides of Injustice and Violence

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On November 14, together with coalition partners in Respect NM Women, the ACLU of New Mexico co-hosted the second annual “Respect 140” event, a night of storytelling, performance, and poetry featuring 20 speakers who each had 140 seconds to raise their voices in support of reproductive health and justice and against gendered violence in all its forms.

UNM student Danielle Ho, read *Thump Thump*, a poem she wrote while grappling with her two close friends' experiences of sexual assault. In writing *Thump Thump*, Danielle's own memories of assault, buried deep within, bubbled to the surface.

“There are so many people stronger than me who have found the courage to speak out about their own assaults, and I knew that I had to ride their momentum before I lost my own,” said Danielle. “This event is only the third time that I told other people that I have been assaulted. It was hard enough to say it out loud the first time, and it damn nearly ruined me the second. Sharing

the details are still difficult to share, and it was the hardest to tell my mother—but this event marks a step forward in the right direction, I think. I was so young when I was assaulted. It took me all these years to find the resilience to say that out loud.”

Danielle is one of countless women across the country who have had enough. They've had enough of the constant threat of sexual assault and harassment. They've had enough of the feelings of shame and powerlessness that silence them. They've had enough of smiling men in fitted suits passing laws that exert control over their bodies, while a growing number of these same men stand accused of heinous crimes against women.

And is it any wonder? Donald Trump gloated about sexually assaulting women and still won the presidency. Harvey Weinstein pretended to be an ally to women while he preyed on them for decades, shielded by money, power, and the complicity of the entertainment



By Katie Hoepfner

industry. Alabama Senate candidate Roy Moore stands accused of multiple incidents of pedophilia and sexual assault and as of this writing is still the frontrunner in Alabama's special election.

We're in a unique moment here in our country. Gender-based violence, sexual assault, and attempts to control women's reproductive lives are nothing new in our society. But this past year has been a tipping point, and women are speaking out and fighting back in numbers we haven't seen before.

An estimated five million women and allies took to the streets the day after Trump's inauguration. Millions worldwide have used the #metoo hashtag to share their personal stories of harassment and assault. Survivors of sexual harassment and assault have been coming forward in historic numbers to expose abuse in entertainment, media, finance, and politics, creating what the media has called a "watershed moment."

Like so many rain drops, released in mass from swollen clouds into an aging dam, women have begun to breach an enduring, but crumbling system of oppression.

New Mexico communities have been on the front lines of this mass movement. Like women across the country, New Mexico women have experienced sexual harassment, assault, and rape. They have been shamed, violated, and silenced. Every year, New

day to keep deeply personal decisions about abortion and reproductive health between a woman and her medical provider. We're pushing back against bad legislation and advancing proactive bills, but we're also speaking out and encouraging women and their allies to share stories about abortion, pregnancy, fertility, miscarriage, and sexual assault to end the stigma and shame that surround reproductive choices and experiences.

Respect 140 packed the auditorium at the National Hispanic Cultural Center and featured compelling presenters from diverse communities and walks of life. Hadley Brown, a New Mexico public defender, spoke to a public audience for the first time about an emotional experience - an abortion she had when she was just 16 years old and the turmoil that followed.

"Many of us have abortions. It is a common experience. But we feel our shame in isolation. The isolation allows shame to swell in our throats and bellies and it deadens our voices," said Hadley. "The shame and fear that follows abortion and sexuality is manufactured in our culture. The whole time I felt unworthy of my life I did not realize the shame belonged to others."

Others, like UNM student Isabella Baker, called out the catch-22 women face. If they decide to have children when young, they're sneered at for being "teen moms." But if they decide to have an abortion, they're shamed.



Mexico politicians try to pass laws that would strip women of the ability to make decisions about their own reproductive health. But New Mexico women are fighting back and demanding the respect they deserve. They're not only calling out sexual harassment and violence, but they're calling out the onslaught of attempts to exert control over their bodies.

Try as some people may to separate these two issues, they can never be torn apart. Every executive order, every bill, and every administrative tweak to reproductive health access that threatens women's autonomy is an act of violence, often cloaked in misleading language of fear and protection.

For women and families to live safe and healthy lives, they need access to the full range of family planning and pregnancy-related services, including abortion. If these services become unavailable, women who are not ready or do not want to be pregnant may undergo unsafe procedures, risking their lives like they did for so many decades before *Roe V. Wade*. Pregnant women who are eager to be mothers, but who experience complications, may suffer life-threatening barriers to service. Women who are already mothers will be stripped of the ability to make their own personal decisions about what is best for the families they love and care for. These realities will fall hardest on women of color and low-income women who lack the resources to overcome legal obstacles safely. For all people to live in dignity, we must continue to call out gendered violence in all of its forms so that it can be stopped.

To proactively build a platform for women's voices and power in New Mexico, the ACLU of New Mexico works with Respect New Mexico Women, a movement of women, families, faith leaders, medical providers, and community-based organizations that is fighting every

As the child of young parents, she knows the scorn all too well.

"Women are reprimanded every day for exercising their rights to make their own choices about their own bodies and it's no one else's business," said Isabella. "It's hypocrisy to bash women's rights to abortion and then turn around and reprimand women who have a baby very young."

Nikki Archuleta read a powerful letter aloud addressed to those that trample on women's rights, violate their bodies, and shame them for their decisions and experiences.

"We are all taught that our bodies are not our own. That our rapist's college experience is more important than the womb in which life blossoms. That we as women are not allowed self-expression because when men violate our bodies it becomes a conversation of 'she was asking for it' and not 'he will be held responsible.' That our ovaries don't belong to us, but to the men who constantly infringe upon our rights," said Nikki.

Whether women spoke about miscarriage, birth, abortion, inequality, or assault, in each case they courageously owned their voices and their experiences. Events like Respect 140 take shape within the context of a large and powerful movement that is demanding an end to violence against women in all its forms, including the violence that results from trampling on their decision-making power and the violence of assault, sexual or otherwise.

We are deeply grateful to all of the brave women and survivors across the world, country, and New Mexico who are sharing their stories and turning the tides of injustice, for their words weigh heavy on the foundations of oppression.

"There's something in my chest that pounds with the thump, thump of desperate college dorm rooms and the thump, thump of rum soaked nights. It is the beating of my fists against a strange man - thump, thump - with his hand down my shirt and his tongue in my mouth, whenever I try to speak about the problems of wearing a dress. There are eyes on my body, old or young, but always hungry and they stare at my quivering form underneath a veil of 'Ts,' as in I should not have drank so much, or I should not have teased."

- Danielle Ho, *Thump Thump*

NEW STAFF, CTD.

Mexico Appleseed. Prior to joining the ACLU, Julie spent 6 years at New Mexico School for the Arts as the founding Development Director. Julie is a former Board member of Slow Food Santa Fe, has served as a grant review panelist for the New Mexico Arts Commission, and is a graduate of the Leadership Santa Fe program. A lifelong advocate for arts, education, and social justice, Julie is honored to be a part of the ACLU.

THE TORCH

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SUPPORTER SPOTLIGHT: REV. JIM COLLIE

A Minister's Life-Long Fight for Justice

By Katie Hoepfner

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Long before Reverend Jim Collie took up preaching, he was taking to the streets, demonstrating in Washington D.C. during the height of the Vietnam War. He was even on the National Mall to witness the presidential helicopter whisk Nixon from his seat of power the day he resigned. The blades chopped at the air above, kicking up a cloud of dust that would not settle. Jim stood there at a loss. The president was gone, but the country was in chaos.

That was forty-seven years ago. But the afternoon is fresh in his mind these days.

“With this presidency, I feel like I’m standing on the mall again watching the helicopter take off. I have no idea what’s going to happen and I feel like so many of the issues will never be resolved. I’m asking, how does a single citizen stick his head in and make a difference?” said Jim.

When Jim asked himself that same question decades ago, he discovered the answer lay in joining the ministry. Growing up, his grandparents and parents taught him by example that being a Christian meant advocating for social justice and equality. Jim remembers the First Presbyterian Church in Pecos, Texas where his grandparents attended services, as a salient example of a church that fostered a spirit of civic engagement. Its members included people like Marj Carpenter, the small-town reporter who helped break news that Texas financier Billy Sol Estes was scamming millions of dollars by tricking finance companies into writing mortgages for non-existent fertilizer tanks.

“That little church operated out of that mentality. It created the environment in which people thought the civic world was an important world to operate in and that principles of honesty and justice ought to be part of the deal. That’s just what you did,” Jim said.

Jim served as a pastor for over twenty years in Louisiana and Texas before moving to New Mexico to become Executive Presbyter at the Presbytery of



Santa Fe, where he worked for over fifteen years. When he moved here, the ACLU of New Mexico caught his attention for its commitments to justice and equality.

“What I admire about the ACLU is that it’s often the first in before other folks on critical issues,” said Jim. “They spend their lifeblood on it. They don’t just say, ‘oh we’ll do what we can.’ They do what needs to be done. And I think that’s pretty respectable.”

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He only wishes more religious leaders would speak out about the many injustices facing the country right now, including gender violence, racism, and discrimination against immigrants. He remembers pastors, priests, and rabbis publicly denouncing these injustices and working together to solve them when he was growing up.

Jim says his “great disappointment is that over the past 20 years, churches have stepped back and stopped taking public action on these issues.” Unfortunately, Trump has seized the opportunity to roll back people’s rights in the name of religion, something that he finds “reprehensible.”

Jim is uncertain about the future, but he’s not lost. He sees an administration so focused on its policy agenda, that it’s forgotten the ultimate role of government is to do justice to its citizens. As long as the Trump Administration refuses this grave responsibility, we’ll have to step in and hold it accountable.

“It doesn’t take long to see who in the community is moving with integrity and has a sense of community and isn’t engaged in blaming or finger pointing, but is trying to make the community whole,” says Jim.

We may all be standing on the figurative mall right now, but together, with people like Jim and all of our supporters, we can win the fight for justice.

A TIME OF TRANSITION FOR THE RCBR

After more than ten years operating out of Las Cruces, NM, the Regional Center for Border Rights (RCBR) is moving to El Paso, TX where it will continue its border rights advocacy under the auspices of the ACLU of Texas. By relocating the RCBR office to one of the nation’s largest border cities, the ACLU hopes to further raise the profile of the center’s work fighting for the rights and dignity of people living in the border region, including those here in New Mexico.

As one of the four southern border affiliates, the ACLU of New Mexico will continue to collaborate closely with the RCBR to advocate against border militarization, demand accountability from federal agents in the region, and fight against immigration policies that tear New Mexican families apart.

Although no longer home to the RCBR, the ACLU of New Mexico will maintain an office in Las Cruces to continue our organizing, public education, and advocacy efforts in the southern part of our state.