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# the TORCH

The Newsletter of the American Civil Liberties Union of New Mexico

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## Your Civil Liberties and the 2011 Legislative Session

**E**very year the ACLU of New Mexico goes to bat for your civil liberties in the state legislature, lobbying tirelessly to protect and extend your constitutional rights. This legislative session, more than any other in recent memory, we saw an influx of unconstitutional bills from an energized opposition. However, with the help of your calls and emails, we fought back attempts to deny a woman's right to make reproductive health decisions, so-called "Defense of Marriage Acts," attempts to establish religion in public schools, bills requiring drug testing for people receiving public assistance and many other attacks on our basic liberties. The ACLU of New Mexico also took proactive measures, advocating for bills that would prevent Arizona-style racial profiling and give non-violent drug offenders the treatment they need to become productive members of society. Here is an overview of the priority bills we have been working on during the 2011 legislative session:



### Reproductive Freedom

#### Parental Notification



Many states have enacted legislation that requires minors to obtain parental notification before they can receive an abortion. Anti-choice legislators introduced a bill that would add New Mexico to that list in an attempt to chip away at a woman's right to make her own reproductive health decisions. This policy unnecessarily subjects the health and safety of young women to the moral principles of politicians, especially for minors trapped within physically or sexually abusive family environments. Under the proposed bill, minors who feel they cannot inform their parents would be forced to seek a "judicial bypass" of the law, needlessly delaying the procedure and increasing risk of complications.

#### Abortion Ban After 20 Weeks

Last year, the Nebraska Legislature enacted legislation banning abortions after the twenty-week mark, putting the government in the middle of an extremely private medical decision between a woman and her doctor. Anti-choice legislators

in New Mexico introduced copy-cat bills in a callous attempt to undermine a woman's right to an abortion and impose one rule on every woman, regardless of the circumstances of her pregnancy.

### Drug Law Reform

#### Substance Abuse & Crime Prevention Act



Every year in New Mexico, the state imprisons thousands of men and women for non-violent drug offenses, crippling their chances for successful addiction treatment and future employment. In an attempt to lower the barriers that former drug users face in rejoining society, lawmakers introduced the *Substance Abuse and Crime Prevention Act*, a bill that would allow courts to begin rehabilitating drug offenders under the close supervision of medical professionals in proper rehabilitation facilities rather than harsh prison environments where people stand little hope of effective treatment. Furthermore, the law would allow offenders who complete the treatment to initiate hearings to clear their drug-

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## THE TORCH

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# 2011 Legislative Session

*Continued from page 1*

related criminal record. Research shows that this kind of reintegration program removes barriers to employment for non-violent drug offenders and reduces rates of recidivism.

## First Amendment

### Teaching Creationism in Science Class



One particularly audacious bill introduced in 2011 aimed to allow public school teachers in New Mexico to present creationism as a valid scientific theory. The bill falsely asserted that teachers have the “academic freedom” and “free speech” right to teach a narrow set of religious beliefs cloaked in a mantle of junk-science. Numerous federal courts have already ruled that these types of bills are nothing more than unconstitutional stealth attempts to circumvent the Establishment Clause.

## LGBT Rights

### DOMA Constitutional Amendment and Statute



As of 2011, 30 states have annexed so-called “Defense of Marriage Acts” (DOMA) to their state constitutions, denying the freedom to marry to committed same-sex couples. This year, lawmakers introduced proposals to codify anti-gay discrimination into our own constitution as well. These bills would forever deny loving and committed gay and lesbian couples the security and societal acceptance that marriage confers on a relationship.

## Immigrants’ Rights

### Community Policing Ban of Local Law Enforcement of Federal Immigration Law



In response to the enactment of SB 1070 (Arizona’s “show me your papers law”), the New Mexico legislature introduced a bill that would explicitly prohibit New Mexico law enforcement from using state or federal resources for the purpose of detecting or apprehending persons whose only violation of law is being unlawfully present in the United States. This bill constitutes an effective guard against racial profiling and would greatly improve public safety by ensuring that victims and witnesses of crime are never afraid to contact the police.

## Voters’ Rights

### Requiring Photo ID to Vote



Legislators introduced two separate bills that would require all New Mexicans to present a valid photo ID. at the polls in order to exercise their constitutional right to vote. These proposals incorrectly assume that all New Mexicans have ready access to the types of identification documentation many of us take for granted. In fact, as many as 10 percent of voting-age New Mexicans lack a picture ID, essentially transforming the bill into a poll-tax that would deny suffrage to many vulnerable populations throughout the state. The right to vote is not a privilege but a liberty protected by five different constitutional amendments and a host of state and federal laws. A healthy democracy demands universal suffrage and participation, not prejudicial, unnecessary legislation aimed at disenfranchising the poorest of citizens.

## Unreasonable Searches and Seizures

### Mandatory Drug Testing for People Receiving Public Assistance



In one of the more cynical and callous moves this session, lawmakers introduced two separate bills that would require drug testing as a condition of receiving public assistance. The first bill would empower social workers to force welfare recipients to take a drug test based only on a vague suspicion that they were using illegal drugs. The second would make drug testing *mandatory* for anyone applying for unemployment benefits—and charge them for cost of the drug test! These bills turn the presumption of innocence on its head and force struggling New Mexicans to submit to unreasonable searches as a condition of receiving benefits that they are otherwise entitled to.

- Ryan Schotter, *Legislative Intern*



# Executive Director's Notes

## A New Era in New Mexico Politics



By the time you read this, some of the dust will have settled from the 2011 legislative session and New Mexicans will have a much clearer sense about the implications of last November's elections for civil liberties in our state. At this point, it's evident that the outcome of the elections have emboldened reactionary legislators to introduce bills that they may not have considered before. Bills that we easily killed in past years now loom as legitimate threats.

Already our lobbying team has stopped legislation that would require anyone who applies for public assistance to submit to drug testing if a social worker suspects they are using drugs. Another bill, carried by Senate Pro Tem Tim Jennings (D-Roswell), would impose drug testing on anyone who applies for unemployment insurance—never mind suspicion—and even require them to pay for the test. Yet a third would deny public assistance to families struggling with children who are truant from school.

We're accustomed to seeing legislators appeal to constituents with bills that stack new penalties on convicted criminals, but this specific targeting of poor people is something rather new. At a time when unemployment in New Mexico hovers at 10 percent, how ironic that legislators are trying to

win votes by heaping indignities on families that need state help to make ends meet.

Another line of bills seeks to impose narrow moral standards about marriage and reproductive health. Our lobbying team is working hard to stop six bills that would put the government in the middle of a private medical decision between a woman and her doctor. We also face three bills that would, by altering our state constitution, forever deny same-sex couples the right to marry. Not only would this legislation permanently stigmatize gay and lesbian relationships in New Mexico, but it would also turn the purpose of our constitution on its head, changing it from a document that bestows individual freedoms to a document that takes them away.

A final trend worth noting has been a handful of bills that assert state autonomy from the federal government. Representative Dennis Roch (R-Texico) sponsored a memorial that would claim state authority over any powers not explicitly granted to the federal government in the US Constitution. Meanwhile Rep. Dennis Chavez (R-Los Lunas) introduced legislation calling for an Article 5 Convention, allowing states to propose amendments to the US Constitution. The last, and only, time such a convention gathered was in 1787.

I'm hopeful that our team of lobbyists, staff, interns, and volunteer bill-readers will enable the ACLU to stop the most threatening legislation. But, it's clear that the change in state politics is going to present new challenges to our organization in the coming years, and new reasons to call upon ACLU members to defend civil rights.

## New Staff

### Julie Weinstein, Director of Philanthropy



Julie Weinstein, Director of Philanthropy, joined the ACLU- NM in January of 2011. Prior to that, Julie led a dynamic membership and development program for five years at Bioneers, an international environmental and social justice non-profit based in Santa Fe, NM. For several years, she oversaw the annual fund and membership program, with 18,000 members, and managed a multi-million dollar capital campaign for TreePeople, an urban forestry non-profit in Los Angeles, CA. Earlier, she directed fundraising and public education

programming for the Los Angeles Museum of Contemporary Art's Decorative Arts Council.

As a development professional for the past 15 years, Julie's focus has been on raising millions of dollars for social justice, environmental and arts organizations. She is particularly interested in helping members and donors make personally significant investments in the work and causes that are most important to them, for the benefit of the greater good.

Julie lives in the mountains outside of Santa Fe with her partner and their two children. She serves on the Board of Directors for HaMakom: The Place for Passionate & Progressive Judaism, and runs a small alpaca farm.

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## 2011 ACLU Board of Directors Candidates

ACLU of New Mexico Board Members are elected to serve staggered three-year terms with a third of the positions becoming vacant each year. This year, the Board Administration Committee of the ACLU-NM Board of Directors has nominated seven candidates to fill seven board openings. Because there is no competition for the openings, the Committee concluded that there is no need for a vote by the membership. We publish the candidate statements here to introduce the board members who shall begin three-year terms on April 1, 2011.

### Frank Susman

For the past several years and continuing to date, I have served as President of the Northern Chapter of the ACLU of New Mexico. Previously, I served as a Board Member for over 25 years and as President of the ACLU of Eastern Missouri, and I served for ten years on the ACLU National Board.

I have been practicing law for over 43 years, primarily (although not exclusively) in the fields of security law, municipal law (representing various cities as City Attorney), general counsel to a large metropolitan school district, civil litigation, very infrequently serious criminal defense matters, as general counsel to corporations, and involved in mergers and acquisitions.

I have acted as chief trial counsel in over 20 different state and federal district courts; and as appellate counsel in over 130 appeals, including: eight appeals before the United States Supreme Court (having briefed and argued five cases, having co-authored briefs in two additional cases and having served as co-counsel during argument in one additional case); 39 appeals before the United States Circuit Courts of Appeal for the Sixth, Seventh and Eighth Circuits (each briefed and argued); Nine appeals before the Missouri Supreme Court (having briefed and argued eight cases and having co-authored the brief in one additional case); And 77 appeals before the Courts of Appeal of Missouri and Illinois (each briefed and argued).

I have been “semi-retired” in Santa Fe for over four years, during which time I have continued to try major litigation cases for my law firm in St. Louis, continue to serve in various capacities to law enforcement agencies, including the department of justice (having retired as a Lieutenant Colonel of Police, with specialized homicide training) and doing creative advertising and promotional work for a New York City ad agency.

It would be my honor and pleasure to serve on the ACLU of New Mexico Board of Directors.

### Tova Indritz

I am a criminal defense lawyer, doing trials, appeals, and post-conviction remedy cases.

I practice in federal and state courts and occasionally in Indian tribal courts. In my 36 years of representing accused persons who are presumed innocent, I have seen the ever-quickenning erosion of the Bill of Rights, especially the Fourth, Fifth and Sixth Amendments. The U.S. now incarcerates a higher percentage of its population than any other country in the world,

and we persist as the only Western country with the death penalty.

I have a particular interest in the harsh consequences of criminal convictions for non-U.S. citizens and was pleased to have successfully represented the ACLU of New Mexico before the New Mexico Supreme Court in a landmark case in 2004 which held that criminal defense lawyers must ascertain if their client is a U.S. citizen, determine the immigration consequences of the charges, and fully inform the client of those immigration consequences. Like other cases the ACLU of New Mexico undertakes, this case will help thousands of people for years to come.

I have also been an ACLU-NM cooperating attorney in a criminal case. I am a keen advocate of the First Amendment, especially the separation of church and state.

I have been proud to serve on the ACLU of New Mexico board since 1987, and have been an officer and member of various committees. I recognize the need to pay attention to the structure and finances of our organization as well as our important programmatic work.

I have also sometimes spoken to community groups on behalf of the ACLU.

Eternal vigilance continues to be the price of liberty!

### Gary Mitchell

The Great Defender of Liberty is the ACLU. Historically, no organization has shown as much courage, persistence and determination as the ACLU, and that is certainly true in New Mexico. It has been an honor to be involved as a member, director and an officer of the ACLU of New Mexico for many years, and I would like to continue that work provided the members agree.

My entire career as an attorney has been devoted to the protection of liberty and civil rights. I have worked for over 35 years as a representative of the oppressed and the indigent. I would like to believe my fight against the death penalty, for children's rights, for help for the mentally ill, for immigrants, for the imprisoned and for the falsely accused shows my passion, courage and strength.

The ACLU of New Mexico is a force to be reckoned with, and I would like to continue to be a part of it. In New Mexico, the ACLU is needed now more than ever.



## Adriana Ramírez de Arellano

Our nation's struggle to deliver the promise of Constitutional rights to every individual living within our borders will forever be a work in progress. Certain fundamental rights are still beyond the reach of specific classes of individuals (e.g., same-sex marriage). Immigrant populations hope for a status whereby their very existence is not only legitimate, but which will afford them the most basic rights and privileges enjoyed by others in the country where they live, work and serve.

Since its creation in the 1920s, The American Civil Liberties Union has served as a driving force in landmark cases that have shaped American jurisprudence. However, our Constitutional process—far from being linear and progressive—has in fact suffered serious setbacks in the last decade alone: the reemergence of torture practices, the threat to reproductive rights and the repression of sexual minorities mark some of the recent tragic detours that have moved us away from this very American quest for freedom.

I would be honored to serve the ACLU's longstanding tradition of forging and fine-tuning the liberties at the heart of this American experience. As a lawyer and an anthropologist specializing in the U.S. legal system, I can offer a useful perspective to the work of the Board. I am most excited at the opportunity to bring my long-term experience with the non-profit sector in New Mexico, my rigorous research skills, my interest in emerging social issues, my commitment to disenfranchised populations, and most importantly my enthusiasm, to the organization's noble efforts.

## Kendra Jimenez

I have great interest in reelection to the board of directors of the ACLU of New Mexico.

My service on the board over the past ten months has been an honor as well as an invaluable educational experience. To be a part of the critical role the ACLU plays in protecting liberty and the rights of individuals in New Mexico has strengthened my ability and desire to be an advocate. In thinking of the freedoms allotted to *all of us* by the Constitution, I realize the urgency and fundamental need for individuals who can recognize when liberties are violated and who are willing take action against those violations.

In my profession, I witness the immigrant population stripped of due process and equal protection rights, resulting in families that are ripped apart, risks to public safety, and dehumanization. As I watch the most vulnerable members of our communities become targets, my desire to continue service on the board increases. I am certain that as the months progress, the need for energetic advocates of the Constitution will also increase, and I am excited to continue the fight.

I also maintain an interest in ensuring that younger generations are educated and involved in the ACLU's key issues. I am fortunate to have been involved in organizing the ACLU of New Mexico's first "Art for Your Rights" event that drew in young professionals interested in

learning more about our mission. I look forward to using creative and innovative methods to fundraise and develop our membership, so that New Mexico will continue to be a national leader in advancing the cause of civil liberties.

## Theo R. Crevenna

My concern with civil rights and liberties began in Germany when, as a teenager I witnessed the persecution of Jews and was involved in providing some assistance to Jewish families (money, false passports, tickets, etc.) who had to leave Germany.

The second encounter which raised my civil liberties concerns in the McCarthy era was when some colleagues in our international organization were accused of communist activities, and I was able to testify in some of the hearings. During this period I became a life member of ACLU.

The third difficult period occurred in Louisiana with a segregated army that had more discriminatory severe actions both in camp and the adjoining city than I can describe.

Since returning to New Mexico in 1978, I was elected to the board of the ACLU of New Mexico in 1979 and several times thereafter. I have had the honor to serve both as President and Vice President of the Board, as well on a number of committees. The most important for me was and is the Legislative Committee providing assistance to our superb lobbyists and thereby trying to keep unacceptable measures out of or not passed by the New Mexico State Legislature.

Some additional concerns have been the budget and planning for the future of our organization. I would greatly appreciate and be proud to have the opportunity to continue serving the ACLU of New Mexico on its board of directors.

## Ahmad Assed

I have always respected this organization and all that it stands for. Specifically, its efforts to support liberty and to promote individual rights. As an Arab-American, I especially appreciated the initiatives that both the ACLU of New Mexico and National ACLU took regarding protecting the constitutional rights of Arab and Muslim Americans. The steadfast efforts of the ACLU in combating the unconstitutional practices committed at the Guantanamo Bay detention facility is a perfect example of the important work the ACLU continues to perform on behalf of mankind. I was honored to be one of the attorneys selected by the ACLU national organization through the John Adams Project to represent detainees held at Guantanamo bay.

During this process, I gained a whole new respect for the organization and sacrifices it was willing to make to ensure that our Constitution won the day.

If elected to the board I will work hard to ensure the organization continues to grow and will continue to promote the honorable beliefs this organization holds.



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Mark your calendars for the premiere ACLU-NM event of the year. Join us for our annual celebration of civil liberties and the New Mexicans who help defend them.



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RCBR Dispatches

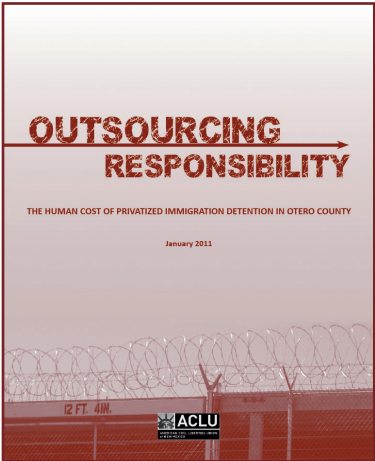
Report Exposes Abuse in Immigrant Detention

On January 24, after many months of investigation, the Regional Center for Border Rights (RCBR) released the report *Outsourcing Responsibility: The Human Cost of Privatized Immigration Detention in Otero County*. Authored by Policy Advocate Emily Carey, the report provides a rare glimpse into the realities of immigrant detention, as seen through the lens of the Otero County Processing Center (OCPC) in Chaparral, New Mexico.

After its opening in 2008, Immigration and Customs Enforcement (ICE) contracted out OCPC day-to-day operations to the Management and

based on the report above the fold on the front page of its Sunday edition. The Associated Press also picked up the story, spreading news of the deplorable conditions at OCPC throughout the country.

Local ICE officials took immediate notice, meeting twice with RCBR staff since the report's release to discuss and review specific concerns and recommendations regarding the facility. RCBR also provided copies of the report to ICE headquarters in D.C. with the hope of spurring a reassessment of oversight and accountability processes, especially in privately contracted facilities.



*“...I am just one voice on the inside that yearns to be treated with morals and dignity at Otero County Processing Center. I assure you that there are many more souls among me that are ill treated and afraid to come out of the shadows.”*

—Keron (pseudonym), OCPC detainee

Training Corporation, a privately run prison management company with a history of inmate abuse and neglect. Although focused on one facility, the report highlights broader concerns with transparency, oversight and accountability when the federal government cedes responsibility for civil immigration detention to private, for-profit prison management companies.

The RCBR conducted 42 in-depth interviews with detainees at OCPC, constructing the report directly from their experiences and testimonies. In doing so, the report not only provides the general public a window into the realities of immigrant detention, but also gives a more complete picture of actual detention practices and detainee experiences to federal officials who oversee operations at the local and national levels.

Within a few days of the report's release it began to make waves across the nation. On January 23, the Albuquerque Journal featured an article

ICE shows signs that it will take concrete steps to reform detention policies and practices, including assigning a Detention Service Manager and Immigration Health Services Corps member to oversee operations at OCPC. However, much remains to be done to address insufficient access to legal resources, abusive and discriminatory treatment of detainees, inadequate medical care and treatment and ineffective grievance procedures.

Keeping with the ACLU's long tradition of speaking out with and for those whose civil liberties are threatened, the RCBR continues to monitor conditions at OCPC, provide support and legal assistance to detainees and encourage ICE to institutionalize respect for civil and human rights in detention practices and policies both in Otero County and throughout the nation.

- Brian Erickson, RCBR Project Coordinator

RCBR Launches Abuse Documentation System

Denial of attorney access by Immigration and Customs Enforcement in California, excessive use of force by Border Patrol in Arizona, racial-profiling by local police in New Mexico or unlawful search of a home without consent or a warrant by DEA agents in Texas may soon share more in common than being examples of civil liberties violations. Although seemingly isolated events from one another, these incidents will soon be connected through a shared, online database.

Border-wide collaboration of human, civil and immigrant rights organizations, led by the Regional Center for Border Rights (RCBR), took another step forward this January with the launch of the U.S.-Mexico Bi-national Abuse Documentation System.

“This is an important milestone for the documentation system,” notes Vicki B. Gaubeca, Director for the ACLU of New Mexico Regional Center for Border Rights. “The system will essen-

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# Legal Highlights

## Protecting Free Speech in the U.S. Border Patrol

Bryan Gonzalez had a bright future and a promising career ahead of him. By April, 2009 he was halfway through his second year as a U.S. Border and Customs Protection agent, patrolling the border near Deming, NM. His supervisors praised his work ethic and always selected Gonzalez for special tasks reserved for only the most responsible and trustworthy agents. For his excellent service, the Border Patrol even awarded Bryan “Employee of the Month” for his substation.

Little did he know that it would all fall apart because of a single conversation.

On a slow day in April 2009, Gonzalez encountered his colleague Shawn Montoya on patrol and they pulled their vehicles alongside to share news and converse. In the course of the conversation, the topic naturally turned to border issues central to their jobs: human smuggling and drug trafficking.

Gonzalez, after hearing a representative from the organization Law Enforcement Against Prohibition (LEAP) interviewed on the radio, had researched the “War on Drugs” and came to the conclusion that the United States had lost the drug war and that we should consider how legalizing drugs could reduce their harm on society. In the course of the conversation, Gonzalez mentioned this view to Montoya, stating that he believed that the legalization of drugs would end the drug war and related violence in Mexico. He also stated that the root of the problem lay with American demand for drugs, rather than suppliers in Mexico. Although the two agents did not see eye-to-eye on these issues, the conversation was amicable and they soon went their separate ways.

Unfortunately, Montoya mentioned Gonzalez’s political opinions to another agent, who reported it directly to Joint Intake Command in Washington, D.C. Within three weeks a full-blown Internal Affairs investigation of Bryan Gonzalez was underway. After the Report of Investigation was filed, Gonzalez received summons to appear before an investigative panel at the El Paso sector headquarters.

“It felt more like an interrogation than anything else,” said Gonzalez. “They asked me if I had plans to overthrow the government. They asked if I was a socialist.”

Soon after, Gonzalez received a letter of termination which stated that he held “personal views that were contrary to the core characteristics of Border Patrol Agents, which are patriotism, dedication, and esprit de corps.”

“I was devastated,” said Gonzalez. “I loved that job. I was considering making a career of it and retiring with the Border Patrol.”

Bryan obtained representation through the Border Patrol union, but failed in his appeal. With less than a month to go on his probationary period, he had no administrative remedy under the Civil Service Reform Act.



ABOVE: Bryan Gonzalez (RIGHT) at Border Patrol Academy graduation

Having exhausted his options internally, Gonzalez reached out to the ACLU for representation. On January 20, 2011, ACLU- NM cooperating attorney George Bach, along with Co-legal Directors Julie Sakura and Reber Boulton, filed suit, alleging that the U.S. Customs and Border Patrol unlawfully retaliated against Gonzalez for exercising his right to free speech under the First Amendment to the U.S. Constitution.

“Firing a public servant because of their political opinions is an egregious violation of the First Amendment,” said ACLU- NM Executive Director Peter Simonson. “We cannot require, nor should we expect uniformity of thought within our law enforcement institutions. Purging the ranks of government employees who fail “ideological purity” tests is about as un- American as it gets.”

The American public agreed. The case set off a media firestorm, prompting outrage from all over the political spectrum. LEAP released a statement in solidarity with Bryan, the Huffington Post featured the story on their front page, and even Fox News pundit Judge Andrew Napolitano decried the Border Patrol’s actions, calling for Gonzalez’s immediate reinstatement.

But Bryan Gonzalez just wants to make sure that no other Border Patrol agents have to endure the same vindictive treatment he experienced.

“I was paid to do a job, and my opinions had no interference with the ability to do my job, just like any soldier can disagree with the war and still fight the war,” said Gonzalez. “Having an opinion *is* patriotic. There are many good people in the Border Patrol and they shouldn’t be fired for their political opinions.”

Hopefully Bryan Gonzalez’s brave stand will make the Border Patrol think twice before retaliating against another agent for exercising their right to free speech guaranteed by the very Constitution they swore to uphold.

- Micah McCoy, *Communications Specialist*



The ACLU-NM Legal Department litigates 30 to 40 cases per year in order to advance and defend civil liberties in the State of New Mexico. You can learn more about our work on our website at [aclu-nm.org](http://aclu-nm.org).



SUPPORT THE ACLU!

The need has never been greater for freedom-loving people to join the ACLU and take a stand against the growing threats to our most cherished liberties.

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Documentation System

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tially become a tool to help organizations manage individual cases, develop and share research tools, compile hard statistics on abuse in the border region, and create dialogue with partners throughout the region in a community e-forum where reports, strategies, findings, and resources can be shared and discussed.”

The development of this system started when, in February of 2009, advocates gathered from both sides of the border to discuss the impacts of enforcement on their communities and identify strategies to continue pushing for respect of civil and human rights. One major need was identified: a bilingual system that supports the work of organizations documenting individual cases of abuse while also giving them the option of releasing non-identifying information about the nature of individual abuses for border-wide trend reports.

The RCBR took the lead in coordinating this effort. Year one consisted of meetings with regional partners to identify organizational needs and gather feedback to guide construction of the system. Now in year two of the project, RCBR staff will meet again with regional partners

to offer both training and orientation to the system and explore possibilities for shared, border-wide campaigns.

Regionally, the system compliments ongoing collaborations and helps identify systemic abuses through the reporting of cases from San Diego, California, to Brownsville, Texas. Locally, it empowers those who have suffered abuses to tell their story and be given control over deciding whether that story is kept completely confidential, shared anonymously in the system to guide advocacy efforts or made public for potential impact litigation or administrative grievances and investigations.

Looking specifically at southern New Mexico, the RCBR is now poised to expand partnerships with community organizations, leaders and members. By combining “Know Your Rights” presentations with training on how to document abuse, the RCBR will continue to support efforts to strengthen community capacity around understanding and asserting individual rights. The RCBR will also continue searching for opportunities for litigation and advocating for just policies and practices to hold local and federal agencies accountable to Constitutional protections.

- Brian Erickson, RCBR Project Coordinator

Development Corner

Exciting New Ways to Invest in Liberty

Dear Fellow Freedom Defender,

Tax season is in full swing! As we all file paperwork, dreaming of a large refund check appearing in our mailboxes, I offer you three more tax-related things to consider:

**Donate your tax refund to the ACLU-NM Foundation.** You can write it off when you do your taxes next year! Make a tax-deductible donation with some or all of your tax refund check.

**Rollover funds from your Individual Retirement Account (IRA)** for charitable giving to the ACLU-NM Foundation, before midnight on December 31<sup>st</sup>. A provision in the tax legislation was signed into law by President Obama in December 2010 allowing people 70 ½ or older to transfer funds directly from their IRA to worthy non-profits (like the ACLU of New Mexico) without taxes or penalty.

**List the ACLU of New Mexico in your estate plans.** Leave your legacy by including the ACLU of New Mexico in your will or estate plans. Given the unfortunate fact that the need for our work protecting civil liberties and rights will never end, you can feel confident in trusting that your bequest or other type of legacy gift will live on in our daily fight for freedom. Tax season is a great time to review wills and other estate planning documents, and to talk to accountants and tax advisors.

The ACLU of New Mexico’s fiscal year ends on March 31<sup>st</sup>. We welcome your continued partnership now, to help successfully close the fiscal year out (we’ve got \$48,750 left to raise), and anytime of the year—because freedom doesn’t protect itself! There’s an enclosed envelope for your convenience.

There are so many ways to invest in the work of the ACLU of New Mexico. I invite you to call or e-mail me to discuss the giving option that best fits your budget and philanthropic goals.

In solidarity and with thanks,

Julie Weinstein, Director of Philanthropy

*“The ACLU is an organization that I’m proud to be a member of. I rolled over part of the Required Minimum Distribution (RMD) from my IRA to the ACLU of New Mexico because it was such an easy way to donate.”*

- Jane Ronca-Washburn,  
long-time ACLU-NM donor