



TORCH

American Civil Liberties Union - New Mexico

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2003 Legislative Docket

ACLU lobbyist Diane Wood and Executive Director Peter Simonson are gearing up for the '03 legislative session, which begins January 21st. We are hopeful that the turnover in the governor's office presents legislative opportunities that organizations like the ACLU have not had for eight years. Much of our effort will focus on containing the developing threats to our freedoms under the guise of "anti-terrorism."

As always, we will rely on the grassroots support of our members to get across our message to New Mexico legislators. Thanks to the members who already have notified us of their ACLU issues of interest and expressed interest in receiving legislative alerts. If you have not already returned your "orange card" and would like to help in our advocacy efforts, please contact us at aclunmpa@swcp.com

Here is a brief look at our legislative prospectus, focusing on our priority bills. If you are interested in tracking particular bills, tune into the NM Legislative website, <http://legis.state.nm.us>

ANTI-TERRORISM

Civil Liberties Memorial (Support)

(Sponsor: Rep. Max Coll)

ACLU-NM is collaborating with the ACLU Northern Chapter, Global Dialog, Peace Action New

Mexico and other activists in Santa Fe in the design of a Joint Memorial asking the legislature to reaffirm its commitment to uphold the Bill of Rights and not engage in unconstitutional surveillance and investigative activities in the name of "anti-terrorism." This bill is based on model legislation that the National ACLU drafted for city government and resembles the resolution passed before the Santa Fe city council last October. At last count, twenty-four cities across the country have approved this type of proposal, but no state legislatures.

State Emergency Preparedness

(Sponsor: Sen. Dede Feldman)

This legislation outlines the state's powers to declare an emergency, quarantine, and seize property in the case of a biological threat to the public. Over the last year, a tri-agency task force made up of the Attorney General's Office, Department of Public Safety, and Department of Health held town-hall meetings around the state to gather public input on the law. In response to ACLU's extensive recommendations, the work group and Senator Feldman made substantive, positive changes to the language of the original draft of the bill, beefing up due process protections and expanding accommodations for people who are isolated or quarantined. We are waiting to see the final draft of

IN THIS ISSUE

3

Bill of Rights Dinner Speeches

7

New Mexico Homeland Security

10

Legal Docket

13

Candidates' Statements

15

ACLU-NM Board of Directors Ballot

this bill before we consider a formal endorsement.

Definition of Anti-Terrorism

(Sponsor: Rep. Ben Lujan)

This bill, originally modeled after language in the federal USA PATRIOT Act, seeks to define and create criminal sanctions for "acts of terrorism." A version of this bill died during the 2002 legislative session. It defined "acts of terrorism" as "any act of violence that is or may be reasonably expected to be dangerous to human life or to cause property damage in excess of twenty thousand dollars and that is intended to intimidate or coerce a civilian population or influence the policy or conduct of any units of government." ACLU-NM strongly opposed this language as overly broad and a threat to legitimate protest activity. The Attorney General's Office has responded

Continued on p. 12



Executive Director's Notes

Opposition to "War on Terrorism" Growing in NM

New Mexicans have an appreciation for personal independence that sets us apart from many other Americans. You see it in the ranching and farming communities that endure despite economic and regulatory threats to their ways of life. You see it in Albuquerque in the profusion of grassroots non-profit groups despite a paucity of local funding to sustain such activity. You even see evidence of it in Santa Fe with its artsy eccentricities and the costume-like styles that tourists feel liberated to wear in "the city different". Whether it's the frontier spirit of the West or a reaction to the grandeur of our surrounding landscape, New Mexico engenders a sense of possibility, of freedom, that not only is unique, but also attracts people to our great state.

That's why it should come as no surprise to local policy makers that New Mexicans around the state are beginning to rebel against the federal government's campaign to expand its ability, under the rubric of "anti-terrorism," to invade our privacy through extensive new powers to conduct surveillance and gather intelligence without proof of criminal activity. The clearest example came in recent months when the Santa Fe City Council passed a resolution, nine votes to one, reaffirming the city's commitment "to the protection of civil rights and civil liberties for all of its residents...to embody democracy and to embrace, defend, and uphold the inalienable rights and fundamental liberties granted under the United States and New

Mexico State Constitutions." In addition to posing a scathing critique of the USA Patriot Act, the resolution directs local law enforcement to uphold Santa Feans' constitutional rights even if requested to do otherwise by federal or state law enforcement agencies acting under new powers created by the USA Patriot Act or by Executive Order. Santa Fe joins twenty-three other cities across the country that have taken a stand against the Bush administration's far-reaching grab for power since September 11th. Groups are discussing similar proposals for Albuquerque, Socorro, and even for the state.

There is other evidence of growing opposition to the federal government's actions. In October, over 100 students and community residents gathered in Socorro, on the campus of New Mexico Tech,

for a teach-in entitled "War, Civil Liberties and You" to listen to professors and activists critique the domestic and international wars on terrorism. In the last year, thousands more attended similar panel discussions, teach-ins, and rallies in Albuquerque, Santa Fe, Las Vegas, Taos, and Las Cruces. ACLU membership in New Mexico has grown by 30 percent in the last year, from 2,500 to 3,300.

When a task force of three state agencies hosted a public forum in Albuquerque last May to gather public input on state emergency preparedness, many of the participants offered not only their advice on how to manage bio-terrorist disasters, but also their outrage at the passage of the USA Patriot Act. A range of speakers, from a retired war veteran to anti-nuke activists, urged state legislators not to make the same mistake as Congress did in passing the anti-terrorism act. Indeed, only an outpouring of public concern and a cautious reluctance on the part of a few key legislators delayed an "acts of terrorism" bill from passing in the 2002 session. The proposal would have established a dangerously broad definition of terrorism in state law resembling the "domestic terrorism"

Continued on p. 3

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Opposition, continued from p. 2

provision that was tucked into the federal USA Patriot Act.

Admittedly, public participation in rallies, conferences and legislation does not give a representative sample of the attitudes of all New Mexicans. However, it does show that New Mexicans who care enough about developments in the war on terrorism to express their opinions publicly generally oppose the expansion of police powers and any erosion of civil liberties. How many local rallies have been held to encourage the government to profile Middle Eastern men or to implement Bush's TIPS program (to train neighborhood leaders and public utility workers to spy on others and report "suspicious activity" to the Department of Justice)?

State officials made an admirable effort to gather the general public's views on plans to improve state emergency preparedness. Why has no such effort been made to ask the public's opinion on expanding the power of state police to gather intelligence in the name of anti-terrorism? Or to create a new crime of "terrorism" in state law when

existing statutes safely protect us in that area?

In recent months, the NM Department of Public Safety issued its 2002 Homeland Security Strategic Plan to bolster counter-terrorism intelligence capabilities and share information with other government agencies. In fact, as part of this plan, the DPS recently initiated its own variation of a "TIPS" hotline. According to its own report, the only effort that DPS made to tap public input for these plans was a private symposium for "private industry representatives." No forums were held to listen to the concerns of average New Mexico

residents or community groups. Do our opinions only count if we own businesses?

With our legislative session quickly approaching, policy makers and legislators should pay more attention to the public outcry against the government's grab for power and the assault on our civil liberties. The voices are there and their strength is growing; you just have to listen for them. New Mexicans are a rare breed when it comes to interference in our private lives. There's a little bit of the frontier in us that just won't compromise on freedom.

"Bill of Rights v. Bill of Wrongs"

Keynote speech by Gene Franchini, retired NM Supreme Court Chief Justice, presented at the 2002 ACLU-NM "Bill of Rights" Dinner

It is not news that we are in a war. But the war is not against terrorism or Iraq. The war we should be fighting is against fear--a fear generated by terror, but energized

by the subsequent actions of our own government.

Take the USA Patriot Act, for example. It is an acronym for: "Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism." The government's proposed strategy to provide

Continued on p. 4



Over three hundred ACLU supporters gather for the Annual Bill of Rights Dinner to celebrate ACLU-NM's 40th anniversary.

Rights, Wrongs, continued from p. 3

“appropriate tools” is to temporarily eliminate as many of the Bill of Rights as we can, without court oversight so that we will not be at a disadvantage in the war vs. terrorism. We intend to level the playing field. The question is, whose level, ours or theirs?

Fear for our safety and security, the safety and security of our families, and our nation is the real enemy. Not terrorism, not Osama bin Laden, not Al Qaeda, not Saddam Hussien. Why should we be fighting this fear? First, because fear is the most devastating of all human emotions. Because a fearful person will believe or disbelieve anything, do or not do anything, accept or reject anything just to feel more secure, even if it does not make the person more secure in fact.

The second reason why we should be fighting this fear is that if you can get the clear majority of a community to be fearful, even if that community is an entire nation, the effect on civil rights particularly can be devastating.

Almost 70 years ago this fear began in one of the worlds most literate and intelligent nations, Germany. Times were terrible, no one had jobs, inflation was rampant, people were starving, violent terror ruled the streets, and everyone was afraid. Along came Adolph Hitler who was a master at taking advantage of that fear and when he had the majority of his people fearful enough, he provided his simple solutions. You need a strong fearless leader. You need strength and pride to defeat our enemies, not rights. Rights never filled your stomachs nor made you strong. They weakened you and made you insecure.

He came to power and he proceeded to destroy the German Constitution including all of its stated rights and freedoms.

He proceeded to destroy the German Bar Association, the defenders of Freedom, so that the people had no defenders and no defenses.

He proceeded to destroy human rights and civil liberties.

He proceeded to destroy freedom and deny the people any voice, their freedom of speech. Of lawyers he said “I will not rest until every German realizes what a shameful thing it is to be a lawyer.”

And he did it with their full consent because they were so afraid. They believed that this man and his police state would give them the security they longed for and that losing their freedom, their liberty and their rights to get security was a small price to pay. The war began and the world divided. Fifty million people died and after it ended, various Nazi leaders were tried as war criminals. One of the principal charges was, get this, starting and maintaining an aggressive war for which a conviction could bring the death penalty.

In his defense, Reich-Marshall Hermann Goering stated as to this major charge:

“Naturally, the common people don’t want war: neither in Russia, nor in England, nor for that matter in Germany. That is understood. But after all, it is always a simple matter to drag people along, whether it is a democracy or a fascist dictatorship or a parliament, or a communist dictatorship.

Voice or no voice, the people can always be brought to the bidding of the leaders. That is easy. All you have to do is tell them they are being attacked and denounce the peacemakers for lack of patriotism for exposing the country to danger. It works the same in any country.”



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Attorney Bill Dixon displays his award for his defense of the First Amendment. Las Cruces attorney Michael W. Lilley received the Attorney of the Year award for his involvement in the ACLU-NM Southern Chapter and his representation of two students arrested for leafleting on New Mexico State University campus.

Can this happen here? Probably not, but maybe the attempt has already begun. One tremendous asset that we have that they didn’t was someone to consistently speak up for the people and their rights. We have the American Civil Liberties Union who has always spoken out and for their magnificent efforts have had heaps of anger, fowl press and horrible attacks made upon it and its members for doing so. It has been said and written countless times that the ACLU by speaking out, was showing their lack of patriotism and exposing the country to great danger. But to your credit, you have never stopped speaking up and speaking out because you refuse to be silent when it comes to freedom.

It genuinely amazes and certainly mystifies me that those people who would abandon, restrict or diminish one or another if not all 10 of these rights today are trying to do so in the name of preserving them in the future. It is a palpable contradiction that cannot stand any scrutiny or analysis. It makes no sense.

Continued on p. 5

Rights, Wrongs, continued from p. 4

The fact is that we are not in any great danger. Our existence as a people is not seriously threatened, and neither, as a matter of fact, is our security and stability as a nation. What is threatened is the very foundation upon which this nation came into existence and what has made it the mightiest nation on earth, our Constitution and its Bill of Rights.

The Declaration of Independence was adopted when our existence as a nation was seriously threatened by the then most powerful nation on earth, Great Britain. But we survived, and we survived by courageously adopting and embracing the principle of the Declaration of Independence and later the Constitution. But only after passing the first 10 Amendments. Without them the states would not have ratified it. Now that we have been tested numerous times by various enemies who were intent on depriving us of them by force, we are now being asked to give them up voluntarily. Some are attempting to make us do to ourselves what our enemies have been unable to do to us by force or violent action for over 200 years.

How? By making us so afraid for our own personal safety that suspending or restricting our Constitutional rights actually seems to be a good idea. Our own government is saying if you just give us a little slack on protection and enforcement of your Constitutional Rights you will be more secure. Give up a little of your freedom and rights now and we will give you security in the future. That is a lie, a terrible lie, and unfortunately I think those who are telling it know it.

To paraphrase Ben Franklin, *a person who is willing to give up his freedom and liberty for security deserves neither.* And, I might add, *will soon lose both.*

The President tells us the war on terror will take years. Secretary Rumsfeld says decades. What is nearer to the truth is: never. Terrorists, like the poor, will always be with us. And as long as we can use words like terror and war to scare people, the easier it is to restrict their rights and liberty.

This organization must continue to challenge those who would restrict or eliminate those rights and freedoms. The ACLU must continue to expose the lie that some are telling. We are being told that such action is only temporary and in our best interests.

Remember, once freedom and liberty are taken away or voluntarily relinquished, you never get them back. I was seven-years old and listening to President Roosevelt in one of his fireside chats. I didn't understand then but I understand now what he was saying. He said:

"The war is very expensive and we need to collect income taxes more quickly, therefore, I am asking Congress for a law requiring all self-employed citizens to pay their income taxes quarterly rather than on April 15 of each year. Don't worry because as soon as the war is over, we will go back to the April 15 date for self-employed citizens."

That was 60 years ago and quarterly returns are still with us.

Finally, this organization must work to debunk permanently the fallacious idea that the

Bill of Rights is a hindrance to their freedom and security rather than the very foundation for it.

The Constitution and Bill of Rights greatest champion, Justice William J. Brennan, Jr., said this:

"The Constitution will endure as a vital charter of human liberty as long as there are those with the courage to defend it, the vision to interpret it, and the fidelity to live by it."

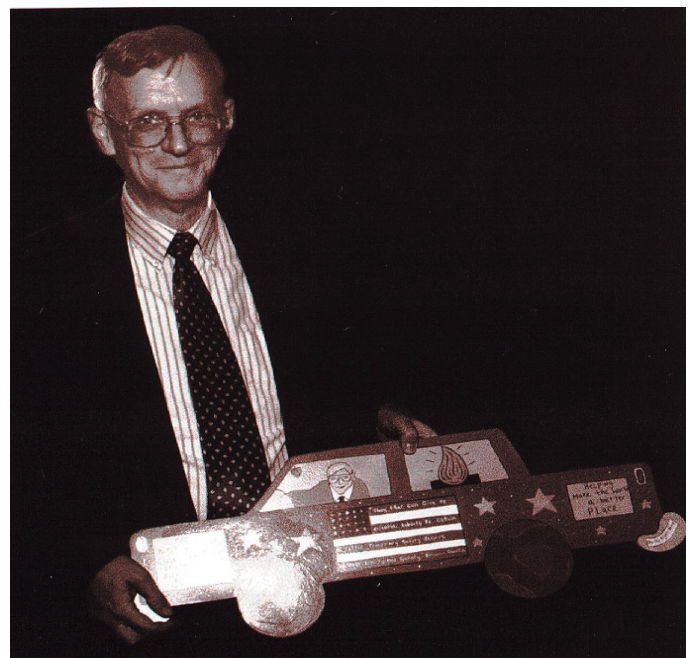
And The Memorial Resolution of the Bar of the U.S. Supreme Court as part of the Democracy program says about this great man:

"Justice Brennan a reading of the Bill of Rights in defense of the innate dignity of the individual, not as an alienated island, but as a participant in a democracy of equals."

This organization ACLU NM has and must continue to speak up for the Bill of Rights.

Rev. Martin Niemoller, a prominent Lutheran Theologian in Germany

Continued on p. 6



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Attorney and UNM Law School Faculty member Jim Ellis received ACLU-NM's "Civil Libertarian of the Year" Award. Ellis filed briefs before the US Supreme Court in *Atkins v. Virginia* which declared unconstitutional the execution of the mentally retarded.

Rights, Wrongs, continued from p. 5

spent over 8 years in concentration camps for eventually speaking out about the Nazi regime and their violation of fundamental human rights. He survived and after the war made a trip to the US in 1946. He spoke to various audiences and said in every talk:

“They came for the communists, and I did not speak up because I was not a communist;

They came for the socialists, and I did not speak up because I was not a socialist;

They came for the union leaders, and I did not speak up because I wasn't a union leader;

They came for the Jews, and I did not speak up because I wasn't a Jew;

Then they came for me, and there was no one left to speak up for me.”

Thank you American Civil Liberties Union for being there to speak up for me and for yourselves, for all who cherish freedom and liberty. Thank you for speaking up, today, tomorrow and for as long as we are on this earth and continue to cherish freedom and liberty. Never let it

be said that we lost our greatness as a people or a nation because we voluntarily let our freedom and liberty go or consented in any way to their restriction or elimination.

ACLU-NM History

Speech by Grace Williams, former ACLU-NM Executive Director, at the 2002 Annual Bill of Rights Dinner

I see so many good friends and associates I'm glad I came, but my brilliant speaker friends preceding me are really a tough act to follow. Here we are celebrating our ACLU Affiliates' 40th birthday and National ACLU's 82nd birthday. Believe it or not, the national organization is older than I am. For 82 years the ACLU has been defending the constitution. Most of us are familiar with the more famous national cases, but I wonder how many know that during World War II, ACLU was the only major organization that defended the rights of the Americans of Japanese ancestry who were interned. That was a long time ago, but the work of ACLU is well known everywhere today.

Here in New Mexico, when I came on in 1975 after Nancy Hollander as the second full time Executive Director and found out how little money we had, it scared me. So we sent out a headline of *The Torch* with no newspaper under it, and we told the

Never let it be said that we lost this war on fear because we succumbed to it. NEVER! Happy 40th Anniversary ACLU New Mexico. Happy Birthday and Thank You.

membership that that would be their last *Torch* unless they started helping financially. Letters came in from all over the state with 5, 10 and 20 dollar checks and letters of encouragement. This response was a real upper, which enabled us to pay our bills and later hire a 3-hour a-day Development Director to join our 3 hour a day secretary and me.

From our beginning, volunteers have always been an important part of the work of the ACLU, starting with the Board of Directors. I cannot possibly name all of these dedicated people in case I should overlook a name. A good example: This banquet would not have come off if our long-time volunteer Ann Steinmetz had not seen to all the details. Before I came on the job, Paul Phillips was the whole volunteer legal department, and he continued as a volunteer attorney for years afterward. Chuck Daniels served as legal director and later as president of the board. Phil Davis and Reber Boulton joined us as legal directors and are still there. I would be remiss if I did not mention my good friend Ray Schowers who was legal director, board president and member of the national board. He also gave some of the best parties in town. Unfortunately, Ray is no longer with us. We also worked with several attorneys around the state to take care of things in their neck of the woods. We had auctions, jazz bands, picnics and suppers with the help of volunteers. Volunteers were wonderful still are.

There were many states that had no ACLU presence then, but New

Continued on p. 7



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Bill of Rights Dinner Moderator Linda Vanzi introduces Keynote Speaker and former NM Supreme Court Justice Gene Franchini.

History, continued from p. 6

Mexico was one of the early small affiliates, and we were pretty isolated.

When the executive directors organized the "Executive Directors Council," it was the best thing that could have happened. We met once a year, all had same kinds of problems, and were very supportive of each other.

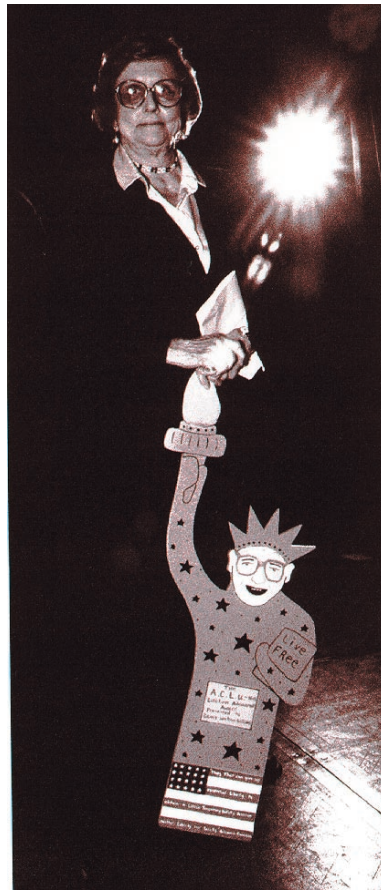
Once at a meeting I was sitting at lunch with Ira Glasser who was then the New York Affiliate Director. He said, "Grace, it must be great to be out there in the wide-open West with just you manning the barricades." I asked, "Are you nuts? I think it would be a great luxury to have a staff person to assign to help out with these things." Shortly after that, he became National Director and came here several times to speak with our affiliate. He was a great hit.

When we started our major gifts program in the early 80's, it enabled us to make the positions of secretary and development director full time. In addition to the interesting work, we also had some fun. At an early meeting of the Executive Director's Council, some clever director wrote ACLU words to popular songs, and we performed the ACLU Follies when we sang and danced at the next Biennial Conference. Everybody said that was the best Biennial Conference ever. We also had our scary times, such as death threats and other nasty threats, although even some of those were actually funny.

One important case in which we were involved was the *Duran versus the New Mexico Department of Corrections*. We had received so many complaints from prisoners at the maximum-security prison in Santa Fe, we could hardly answer all the letters. With a great deal of persuasion, the National Prison Project, with its paid attorneys, plus

our volunteer attorneys filed the suit in 1978. In 1980, the famous and terrible riot took place at the prison and 33 inmates were murdered by fellow inmates. This case went on for years. Recently, this affiliate filed a suit against the Supermax Prisons in Santa Fe and Las Cruces, which just proves the point yet again that "no civil liberties battle ever stays won." We are still taking the same cases we always have because our sole purpose is defending the constitution.

I am proud to be so long associated with ACLU. It was a pleasure working with you all as Executive Director for 17 years. I thank the Board of Directors for this honor you have given me and congratulate the other recipients.



ACLU-NM Executive Director from 1975 to 1993, Grace Watson Williams stands with her Lifetime Achievement Award. Attorney Paul A. Phillips also received the award for his work as ACLU-NM's Legal Director during the same period. Grace and Paul were founding members of the ACLU-NM.

New Mexico Homeland Security

By Janet Steinberg

Along with his own inauguration on January 1, 2003, Governor Bill Richardson established a new Cabinet level department, the New Mexico Department of Homeland Security. Such departments in all 50 states have been mandated by the federal government in light of the September 11, 2001, attacks in New York and Washington, D.C. Richardson appointed R.L. Stockard to his Cabinet to head up this department. Stockard's no nonsense approach and clear commitment to creating a well coordinated, well trained network of interdisciplinary experts and professionals to protect and respond to all of New Mexico's security needs, be those needs stimulated by natural or terrorist acts, surely encouraged his appointment.

Obviously, Mr. Stockard, a former State Senator from 1996 – 2000, and retired State Police Captain, is just getting his feet wet. As of this writing, Stockard did not yet have an office, address, telephone number, email nor immediate support staff from and with which to function. Additionally, he had not yet been briefed by Thomas L. English who had been the Homeland Security Advisor to former Governor Gary Johnson nor Larry Austin of the Office of Emergency Services and Security within the Department of Public Safety.

State Strategic Plan and Questions of Racial Profiling

Both English and Austin had primary responsibility under the auspices

Continued on p. 8

Homeland, continued from p. 7

of the Department of Public Safety for drafting the State's Homeland Security Strategic Plan published in August, 2002. That plan, along with its nascent coordination and training efforts, will likely not be wholly predictive of what may become policy and structure of implementation under Stockard's leadership. Most immediately different, the Department of Homeland Security is now its own cabinet level department, its own umbrella so to speak, rather than being under the umbrella of the Department of Public Safety. That being the case however, it is useful to look at several areas stated within the initial plan that strongly mirror the federal government's approach to anti-terrorism.

The primary goal as stated on page 9 of the strategic plan next to a photo of four bearded, turbaned Middle Eastern looking men holding raised rifles over their heads is to protect New Mexico from terrorist attacks. The connection of that goal with that photograph raised every hair on my body. Racial profiling and terrorism? I asked both Stockard and Lt. Robert Shilling, the New Mexico State Police Public Information Officer, about the obvious implications of that photo next to that goal.

Stockard: "I won't allow any photo like that in any publication while I am in charge of this department."

Shilling: "Speaking for the New Mexico State Police, absolutely not! We are not like New Jersey where this has been a problem. We have a zero tolerance for racial profiling. We have an anti-racial profiling policy. We investigate actions, not how people look. We have domestic terrorists of all colors. I simply do not foresee racial profiling as being a problem here.

A photo like that will not appear in anything we produce."

We will check to see if any forthcoming publication from the department makes such an error.

Central to achieving this goal of protecting New Mexico from terrorist attacks is to beef up intelligence and warning systems and domestic counter-terrorist efforts. Stockard would not comment on how he proposes doing that at this point in his very brief tenure. Last year, English initiated in-service training programs on and equipment procurement for surveillance, cyberterrorism, chemical and biological terrorism and state-of-the-art information systems technology for intelligence gathering for "first responders," (state police, fire fighters, public health and medical professionals, emergency management system workers, counter terrorism workers within a July, 2002, English-established special investigative unit, criminal investigation retention gatherers, motor transportation specialists, border officials, etc.).

Emergency Response and Preparedness

The second major goal stated in the strategic plan is to reduce New Mexico's vulnerability to terrorist attacks. The national strategy critical mission areas suggested to achieve this goal are defending against catastrophic threats, protecting critical infrastructure and key assets and border and transportation security. According to Stockard, 60 - 80% of all key infrastructure assets in New Mexico are in the hands of the private sector. The state has already sponsored in-service training for private industry representatives to come together with state and local protective personnel as "first responders" to limit key asset risk and vulnerability in the above mentioned areas. Large businesses located here in the state, such as

Qwest and Alltel, have participated in such training. The FBI, PNM, Aquila Technology Group (cyber environment security), and Crada International (private sector security priorities specialists) include some of the trainers.

The last goal as stated in the State's strategic plan is to minimize whatever effects might occur in the event of terrorist attacks. Emergency preparedness coordination in New Mexico began last year with in-service training and hands on field exercises of all the above mentioned "first responders" professionals in all regions throughout the state to reduce reaction time. Additional outreach and involvement with the Los Alamos and Sandia National Laboratories were been initiated. According to Stockard, "our labs are two of five in the nation that can handle chemical terrorism. Their equipment and resources are significant. We may ask the labs for administrative assignments of key personnel to help with our implementation of health training."

Terrorist Hotlines and Enforcement of Immigration Law

Targeting "potential" terrorists and/or terrorist activities has historically been a federal law enforcement function, according to Lt. Shilling. It continues to be under Homeland Security guidelines. The FBI, Department of Defense and Department of Justice provide states with information from their networks when there might be potential threats. If someone, a private citizen, in any state sees something suspicious, Shilling suggests that "...the person talk to a uniformed officer or call the state police. That police officer will forward whatever information to our counter terrorist people and they will

Continued on p. 9

Homeland, continued from p. 8

forward it to the Feds. We in the business of normal crimes like rape, traffic, robbery. The Feds are in the business of and have the resources to deal with terrorism.”

There is some talk at this point of setting up a “counter terrorism hotline” that people could call if they see something or someone “suspicious.” Such a hotline would be consistent with President Bush’s suggestion that there be a Citizen’s Corps. Nothing much has happened with the Citizen’s Corps but its idea is similar to the one discussed some months ago, again by the administration, that everyday neighbors and service people such as Federal Express delivery people report to some central place any activity they might see while on their daily rounds. You know, a local citizen’s watchdog group sort of like the one the Nazis installed in the concentration camps during World War II. Or sort of like the 1950’s in this country when private citizens were asked to “name names” of alleged sympathizers of the Communist Party. Such private citizens were identified from lists provided by Edgar Hoover’s Federal Bureau of Investigation. Those who did not “cooperate” with Senator Joe McCarthy’s Subcommittee on Unamerican Activities were “blacklisted” and/or jailed. Many of those blacklisted never again worked in their professions. Stockard would not comment on either the Citizen’s Corps or a counterterrorism hotline.

Will New Mexico protection personnel be deputized to perform federal duties concerning immigration or counterterrorism? “No” say both Stockard and Shilling. Peace officers are sworn to oaths to both the US government and the government of the State of New Mexico. “We’ve discussed deputizing our officers concerning immigration and we’re not interested in those issues,” said Shilling. “With

counterterrorism, if someone is violating federal law, there is a high probability that state law is being violated as well. Our authority is sufficient.”

In creating New Mexico’s unique Department of Homeland Security, Cabinet Member and Director Stockard plans to take on all counter terrorism, preparedness and emergency management issues including natural as well as terrorist inflicted disaster within the state. The profile of the department will include expertise on intelligence, environmental and chemical issues, technology, research, the Federal Emergency Management Administration and hazard emergency management as well as coordination with the State Departments of Public Safety,

Health, National Guard, Emergency Management Bureau, etc. Stockard’s vision is to coordinate efforts of all existing resources and personnel so that all systems are enabled to deliver their services as efficiently and quickly as possible when called upon. “We all have to get together,” he said.

DHS—a Nascent Department

How much has already been spent on training and equipment isn’t known yet as Stockard had not been briefed by the Department of Finance as of this writing. Lt. Shilling did indicate that from a \$5.1 million equipment grant received in 2002 from the Department of Justice, \$526,000

Continued on p. 10

Military Recruitment Access

On January 8, 2002, President Bush signed into law the No Child Left Behind Act (“NCLB”), Public Law 107-110. While this legislation purportedly was designed to improve the quality of education of American children, a less known and troublesome component of the legislation is its Military Recruiter Access provision, which mandates disclosure of student contact information to the military on request.

Under section 9528 of the NCLB, school districts receiving certain federal funding are required to provide student contact information to the U.S. military for recruiting purposes and to ensure that military recruiters have the same access to students as do institutions of higher education and employers. Thankfully the law also provides crucial privacy protections to students and their families, requiring that schools inform both students and parents of their right to non-disclosure.

However, many school districts have ignored this privacy protection

requirement. ACLU affiliates around the country have received complaints that schools have begun to comply with the federal mandate. The ACLU of New York has taken the lead on this issue, sending a memorandum to school officials and parents in New York which provides guidance in how schools can preserve the privacy rights of high school students. The ACLU-NM also urges New Mexico school districts to protect the privacy of its students by notifying students and their families of the rights and by creating procedures that facilitate their lawful ability to “opt-out.”

ACLU-NM is happy to assist school officials develop consent forms to insure that their students and their families can freely choose to withhold their contact information from military recruiters. If you have any questions on this topic or are interested in a sample opt-out form, please contact us at aclunmpa@swcp.com

Security, continued from p. 9

had been spent on protection gear for first responders (such as masks, gloves, etc). An additional \$1.25 million had been earmarked for communications (radios) and decontamination (portable showers) gear.

How much will Stockard propose for his budget? He doesn't know yet what he needs, what the state legislature will approve nor what will be available from combined federal and state appropriations.

Both federal and state legislative sessions will determine those allocations as their sessions begin during the middle and end of this month. Some analysts in Washington are predicting that all federal service program budgets will be frozen except for the Department of Homeland Security due to the Bush administration's singular focus on war and terrorism.

Director Stockard and I agreed to speak again in the next several months. By that time, the parameters, structure and budget of the newly created New Mexico Department of Homeland Security will be more defined. Also by that time, I hope the methods of protecting individual civil liberties while protecting the security of individuals, infrastructure and resources within the State will be more defined. To be continued.

ACLU-NM Legal Docket

January, 2003

New Developments in Supermax Case

In this class action lawsuit against the NM Department of Corrections and named defendants, ACLU-NM Cooperating Attorneys approached newly-appointed officials of the Richardson administration to urge them to enter into negotiations to address the problems in the Special Controls or "Supermax" facilities in Santa Fe and Las Cruces. Corrections officials seem motivated to improve the system they inherited from the Johnson administration and have expressed a genuine interest in opening productive discussions with a view toward the possible resolution of this lawsuit without need for further litigation. ACLU-NM's Cooperating Attorneys Peter Cuba, Mark Donatelli, Larry Kronen, Ed Macy, and Nancy Simmons, working on the case with ACLU National Prison Project lawyer David Fathi and ACLU-NM Co-Legal Director Phil Davis, are cautiously optimistic that such discussions can be successful in obtaining substantial relief for our clients and the plaintiff class.

Filed in October, 2002, the Supermax lawsuit alleges cruel and unusual punishment in violation of the 8th Amendment, as well as

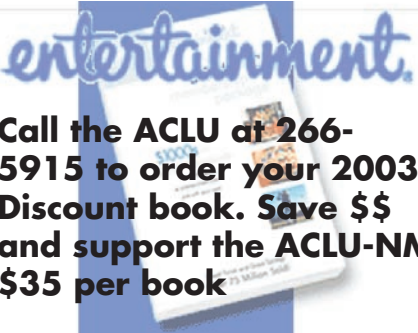
rights violations under the 1st, 4th and 14th Amendments, the American Disabilities Act, and the Rehabilitation Act. Most violations stem from the Department's program of "cognitive restructuring" which purports to rehabilitate inmates by requiring them to earn their way out of extreme sensory-depriving conditions by completing writing assignments in which they must acknowledge the unacceptability of their behavior. By only allowing inmates to advance through the Level System upon providing specific, pre-approved answers to cognitive restructuring quizzes and assignments, the defendants force plaintiffs to abandon their free speech rights in return for a chance to escape from conditions of cruel and unusual punishment.

Inmates begin at Level 6 in which they are locked into their cells during all but six hours each week and are permitted to go outdoors once every fifteen days. They are allowed only three letters, three photographs, no personal reading material, three books from the prison library, five sheets of writing paper per week, no use of a telephone, no visiting, no work, no educational services and no other programs. If family members send letters or photographs, inmates have to give up one of the materials in their possession in order to keep the new one.

If inmates enter the North Facility sound of mind, typically they develop mental health problems while they are there. If inmates have mental health problems when they enter, those problems get worse. Mental health treatment in the facility is woefully deficient.

Recent changes in federal law have severely restricted what litigation organizations like the ACLU can

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Continued on p. 11

Docket, continued from p. 10

undertake to reform state prisons. However, the circumstances surrounding the DOC's level system are so repressive we believe they present possibilities for successful litigation and reform. [*Ayers, et al. v. Perry et al.*]

Excessive Force and Racial Profiling at the Beach

In December, 2002, the ACLU-NM filed suit against the Bernalillo County Sheriff's Office for brutally beating a young African American man and accosting his sister after a County-sponsored concert event at The Beach Water Park. Plaintiffs Michael and Robin Bradford accuse sheriff's deputies of using excessive force as well as false arrest and malicious prosecution. They also accuse The Beach of negligence and reckless endangerment. Their lawsuit seeks compensatory and punitive damages.

On the evening of June 6, 2001 fights broke out between teenagers at a hip-hop concert event entitled "Dance, Dance, Dance." Michael Bradford, a member of his high school ROTC outfit, who has since graduated and is now enrolled at TVI, called his mother to ask that she hurry to come get him and his sister. Even though he was not involved in the fights, Michael was grabbed by unidentified sheriff's officers and violently handcuffed and thrown upon on the hood of a nearby police car. Although Michael tried to explain that he and his sister were waiting for their mother to take them home, sheriff's officers kneed him in the groin and threw him to the ground. Sheriff's officers kicked and beat Michael until he lost consciousness.

After being ushered out the gates of The Beach, Michael's sister, Robin, a high school varsity athlete, saw an unidentified officer violently grab her cousin in a choke-hold

and force her to the ground. As Robin attempted to help her cousin to her feet, another officer grabbed her from behind and threw her to the ground, stripping the shirt from Robin's back and leaving her exposed.

When Michael and Robin's mother arrived to pick up her children, she found her son in the back of a patrol car, handcuffed and bleeding from the head. Michael was taken to the Juvenile Detention Center where a nurse instructed his mother to take him to the Emergency Room for immediate medical attention.

Sheriff's deputies did not charge or cite Robin Bradford. Both criminal charges brought by sheriff's officers against Michael were ultimately dismissed. ACLU-NM Legal Co-Director Phil Davis and Cooperating Attorney Parish Collins are litigating the suit on the ACLU-NM's behalf. [*Bradford et al. v. Bernalillo Co. Sheriff's Office*]

Can State Police Enforce Immigration Law?

ACLU-NM Cooperating Attorneys Linda Vanzi and Luis Stelzner and ACLU-NM Co-Legal Director Phil Davis met with NM Department of Public Safety legal counsel in January of this year in the hopes of persuading DPS to establish a State Police policy directing its officers to not engage in the enforcement of federal immigration laws. The policy discussion came about as a result of ACLU representation of two individuals in separate New Mexico communities who were the subject of State Police investigations of their immigrant status, with threats in both cases to "repatriate" the subjects to Mexico, one of whom is a United States citizen who never has visited Mexico in her life.

In one case, the officer mutilated a "green card," rendering it useless as a legal document and jeopardizing the lawful presence in the United States

of the legal immigrant to whom it belonged. The officer berated the woman, present in this country as a legal permanent resident for twenty years, for speaking Spanish. The officer stopped her for a supposed traffic violation, but the State Police have been unable to locate the traffic tickets the officer claims to have written and the courts have no record of it either.

In the other case, the victim was a United States citizen whose Social Security card was seized by a state police officer who had come to her home to assist in the removal of some property by another person and who suspected the victim of having a counterfeit card. The officer had no reason to ask the woman her identity, but insisted that she produce identification anyway.

In each of these cases, the officer relied on his perceived power to enforce federal immigration laws to act as he did.

Other law enforcement agencies, primarily in California, have issued directives that their officers are not to inquire into the immigration status of anyone. Oregon state law contains a statute prohibiting state police from expending resources in the enforcement of federal immigration laws unless subjects have committed crimes.

New Mexico State Police took heat a year or so ago when they participated in an INS operation in Santa Fe to round up and deport undocumented immigrants despite the local ordinance proclaiming Santa Fe an "immigrant friendly" city.

The Santa Fe police were not involved in the INS operation. John Denko is the new Secretary of the Department of Public Safety. He is a former Chief of the State Police and was the Chief of the Santa Fe Police at the time the State Police participated in the INS operation that drew criticism.

Legislative Docket,

continued from p. 1

favorably to our suggested changes in the language, including a far more narrow definition and a provision allowing evidence of terrorist intent to be admissible in court only if it is directly associated with the commission of the crime. We are hopeful that the new language in this bill will avoid most or all of the First Amendment concerns that prompted our opposition to last session's proposal.

IMMIGRATION**Police Immigration Law Enforcement (Support)***(Sponsor: Sen. Richard Martinez)*

This bill prohibits law enforcement agencies and other political subdivisions of the state from using agency money, equipment or personnel for the purpose of detecting or apprehending persons whose only violation of law is that they are persons of foreign citizenship residing in the United States in violation of federal immigration laws. The bill would, however, permit agencies to exchange information with INS in order to verify the immigration status of a person if he or she is arrested for any criminal offense or to request criminal investigation information with reference to persons named in service records. Oregon is the only other state in the country with such a law.

Drivers' Licenses for Immigrants (Support)*(Sponsor: ?)*

Last year, legislators passed a law giving the Secretary of the NM Department of Taxation and Revenue the authority to determine which identification documents the Motor Vehicle Division would accept for drivers' license applications. This

year, immigrant advocacy groups are introducing a bill that would allow applicants to use an Individual Tax Identification Number (ITIN) in lieu of a social security number for purposes of identification. This would extend the privilege of lawful driving to all immigrants, regardless of status, and contribute to public safety by requiring all immigrant drivers to undergo driver testing. The law would also make all immigrants eligible for driver's insurance.

GAY AND LESBIAN RIGHTS**Human Rights Act (Support)***(Sponsor: Sen. Cisco McSorley)*

This bill adds sexual orientation and gender identity to race, religion, nationality, age, and gender as a protected class under the New Mexico Human Rights Act. This amendment is very important as members of the gay and lesbian community are currently without protection if they are discriminated against because of their sexual orientation.

TECHNOLOGY AND PRIVACY**Genetic Data and Human Rights (Support)***(Sponsor: Rep. Danice Picraux)*

This bill restricts private access to personal genetic information. It would expand New Mexico's privacy protection law to ban discrimination based on a person's genetic code, effectively preventing employers from making hiring and promotion decisions or health insurance companies from denying coverage because of knowledge of one's genetic makeup.

YOUTH ISSUES**Teen Curfew (Oppose)***(Sponsor: ?)*

This bill seeks to amend the state's Children's Code, 'empowering' local governments to impose teen curfews and enabling police to detain children overnight and fine parents for violations. A similar ordinance was passed several years ago in Albuquerque but was successfully challenged by the ACLU of New Mexico. This bill, like the Albuquerque ordinance, has many flaws and serious consequences for children and their parents.

RELIGIOUS FREEDOM**Moment of Silence (Oppose)***(Sponsor: Rep. Gloria Vaughn)*

This bill would allow each school board to authorize a moment of silence at the beginning of each school day to be used for "contemplation, meditation, or prayer." Ample references in the bill to prayer and religion make it an obvious tactic to create loopholes to allow religious proselytizing in the schools. New Mexico courts have struck down "moment of silence" laws in the past as violative of the Establishment Clause of the First amendment.

REPRODUCTIVE RIGHTS**Parental Notification (Oppose)***(Sponsor: Rep. Larry Larrañaga)*

This proposal would require physicians to give parents prior notification to performing abortions for young women. ACLU-NM opposes parental notification on the grounds that it infringes on the privacy rights of minors.

2003 ACLU-NM Board Candidates' Statements

Candidates: Jack Steadman, Elwin Nunn, George Bach, Rob Schwartz, Daniel Montoya, Nancy Koenigsberg, Dianne Layden

George Bach - Albuquerque

I feel honored to have been nominated to the Board of Directors for the New Mexico ACLU, during what is certainly one of the most important times for the organization in recent history. As Woodrow Wilson said, "the history of liberty is the history of resistance" and I look forward to strengthening the "resistance" as a Board member. I am a recent graduate (Class of 2002) of the UNM School of Law, where I was active in the student chapters of ACLU, LAMBDA Law Caucus, and the National Lawyers Guild, and am currently practicing as an associate with attorney Lee Peifer in labor and employment law. The three initial goals I would bring with me to the Board would be 1) strengthening ties to the law students at UNM, 2) increasing the attention to labor issues in New Mexico, and 3) reaching out to the lesbian, gay, bisexual, and transgender communities on behalf of the ACLU. As President of the New Mexico Lesbian and Gay Bar Association, I very much would like to see these two organizations work together in defense of the civil rights of all New Mexicans.

In addition to these three initial goals, I of course would like to see the ACLU continue its challenges to the steady infringement on the Bill of Rights by the current administration in Washington. I would like to see active resistance directed to the "scarlet letter" of modern times, the sex offender registration laws.

Also, I believe the immigrant communities, in particular, need protection as "homeland security" manifests itself in increasingly racist and xenophobic ways.

If chosen by the membership to serve on the Board, above all else I promise energetic and enthusiastic devotion to the position. Additionally, I hope to be very accessible, not only to the specific communities to which I am connected, but to the membership as a whole. Thank you for the honor of being nominated and for allowing me to set forth some of my ideas. Please feel free to contact me if you'd like to talk more: e-mail at georgebachnm@hotmail.com or by phone at (505) 400-3423.

Nancy Koenigsberg - Albuquerque

I work as the Legal Director of a sister organization, the New Mexico Center on Law and Poverty. In the last few years, our ACLU and the Center have worked on joint projects regarding access to health care for low income and immigrant New Mexicans. Due to the circumstances in our nation at this time, we will likely encounter more situations in which individuals considered as outsiders (they) will be given less than fair and adequate consideration in our communities. Our faltering economy will find more people excluded from things most of us take for granted: food, shelter and medical care. There will be an increasing need to examine the intersection of the Bill of Rights with economic insecurity and racial prejudice in addition to more traditional ACLU areas such as freedom of speech, reproductive rights and church and state issues. I would like to continue on the board

as our affiliate tackles new areas and speaks for those who have little voice in our justice and policy making systems.

Dianne Layden - Santa Fe

I was appointed to the ACLU state board in June 2002. I have been a member for perhaps 30 years and made a commitment during the Skokie ordinance controversy - I went to high school in Skokie. I have spoken out in behalf of civil rights and civil liberties for over 40 years.

I am a college professor who has lived in New Mexico for nearly 17 years - 1969-1979, 1986-1991, and May 1991 to date. Since 1969, I left the state twice for employment, but returned for good in 2001. In the mid-1970s, I served as Personnel Director and then as an Assistant County Manager at Bernalillo County. During this period (1973-1979), I worked as a personnel and labor relations executive in Albuquerque. My current post is Human Resources Administrator at the City of Santa Fe, where I administer the training and tuition assistance program and serve as HR Liaison to the Santa Fe Police Department.

I hold a doctorate from UNM in American Studies (1983); collective bargaining in good faith was the subject of my dissertation. I taught and worked as an administrator in higher education for nearly 30 years, including the college program at the medium security prison in Los Lunas. Primary teaching areas are human resources management, labor relations, ethics, legal studies, and women's studies. I served as Chair, Business and Professional Studies, at Santa Fe Community College, until a major reorganization took place in 2002. Since 1992, the focus of my research has been workplace and school violence.

Continued on p. 14

Candidates, continued from p. 13

Daniel T. Montoya - Ojo Sarco

When I was a young boy I decided I wanted to be a lawyer. I remember thinking that I would some day help those less fortunate, that I would be a crusader for the downtrodden, for the outcasts - that I would help the outsiders become a part of the "American Dream."

As I embarked out into the world, I realized that I was an outsider myself. As a Chicano from a poor rural community in Colorado, I used my outsider status to drive me to graduate from both Columbia College (1981) and Columbia Law School (1984). I was determined to succeed no matter how many times I was told or felt I didn't belong there. As I came to terms with being gay, I realized that I did not fit in with much of my Hispanic community, my church/religion and many of the friends I had made. In the mid-80's when I realized that I was also HIV+, I knew that I would have to overcome a whole new set of obstacles - not the least of which was the belief that I would be dead before I was 30. In each and every case, I refused to believe what I was told. I refused to accept the status quo.

Today I look back on my 43 years and see that I have accomplished much.

I practiced law in New York City for 14 years, beginning with municipal finance and corporate law, then moving to venture capital and securities law, and eventually to Banking and International Law. I worked for some of the top firms and the biggest banks, and even worked on some of the biggest transactions in history, but always as an outsider. While I was excited intellectually by this work, my heart longed to do more for my fellow man.

In the late-80's I did pro bono work for Gay Men's Health Crisis helping people with AIDS put their wills, etc. in order. In the early 90's, I taught Tai Chi Chuan and Qigong to people suffering from life-threatening illnesses. Since moving to northern New Mexico in 1996, I established Taos Community Foundation to support the work of local nonprofits. I am on the Board of Directors and Chair of the Fundraising Committee of our local HIV/AIDS Clinic, and I have assisted various New Mexico nonprofits with fundraising, management, and governance matters.

This work has fulfilled my need to be of service to a degree, but I believe that I have much more to give. Since September 11, 2001, I have been seeking the best way to be of service, and I have come to the conclusion that it was the dream I had as a small boy that will satisfy my heart.

I am excited to be nominated for the Board of Directors of the ACLU-NM Chapter. I believe in the work of the ACLU and believe that I have a great deal to contribute to the organization. I would be honored to represent the northern communities of our state and to bring my experience and passion to my role as a Board member. I believe that through the ACLU-NM I can finally put my outsider status to best use. I ask that you elect me to the Board of Directors.

Elwin C. Nunn - Las Cruces

I've served on the Board of Directors of the ACLU on NM for over thirty years. During this time, I've worked on a variety of projects, including chapter development (and re-development), by-laws revision, long range planning, executive director search committees (for Jenny Lusk and Peter Simonson), and co-president (twice). I am also active in the Southern Chapter. If re-elected, I will continue to serve

the cause of civil liberties in NM in whatever way I can. My main goal will be to continue to extend our presence to the out-lying areas of the state, -- through chapter development (as the opportunity arises), area representatives, "out of town" board meetings, "road shows" or whatever will work. Recently, I've begun looking into the technology that will allow us to conduct some of our board meetings without traveling (e.g., telephone and internet video conferencing).

Rob Schwartz - Albuquerque

I have been a member of the Board for a decade, and I served as President of the Board for five years. After a brief time practicing law in New Mexico, I have taught law, bioethics and health policy at the University of New Mexico Schools of Law and Medicine. I am also the faculty advisor to the law school chapter of the ACLU-NM.

I maintain an interest in limiting the reach of government into the private lives of its citizens (and others), and, in particular, in helping the ACLU work to restrict the scope of the USA Patriot Act. I also have an interest in recognizing the right to physician assisted death, in preserving the rights of patients in the health care system, and in assuring that the rights of immigrants are respected. Over the past fifteen years I have worked with others to assure that the wall of separation between church and state in New Mexico is a high one that cannot be breached.

Jack Steadman - Santa Fe

I joined the ACLU in 1950, my senior year in high school (my Senator was Joe McCarthy). I became a tutor at St. John's College, Annapolis, MD, in 1962 and have been a tutor at SJC here in Santa Fe since 1967. For the last nine years I have

Continued on p. 16

LET'S RECLAIM OUR LIBERTIES!

AT THE NORTHERN NEW MEXICO ACLU CHAPTER

ANNUAL MEETING AND LUNCH

SATURDAY, FEBRUARY 22, LA FONDA HOTEL, SANTA FE

(Lunch at 12:00 pm; meeting begins at 1:15 pm)

The keynote address will be delivered by Dr. Valerie Gremillion, executive director, Global Dialog Project, who spearheaded the Santa Fe-based drive that led to a City Council resolution backing the First Amendment and the civil liberties stemming from it. Dr. Gremillion, who holds a doctorate from the University of California at San Diego, is a neuroscientist working to achieve positive social change through the application of complex structures science. She will talk on Constitutional Themes of the War against Terrorism: Are We Trading Liberty for Security? Also speaking will be Peter Simonson, Executive Director, ACLU NM, and Diane Wood, ACLU-NM lobbyist, who will provide an update on civil liberties issues for the upcoming NM legislative session. A Chapter Annual Report will be presented. Members' questions and comments will be an essential part of the program.

RESERVATION FORM

Send this form with a check made out to "ACLU of New Mexico" to ACLU-NM, PO Box 80915, Albuquerque, NM 87198 by February 15.

Cost per person: \$20. If cost is a concern or for other information, call Trish Steindler at 505-438-0518.

How many _____ Name(s) _____ Phone Contact # _____

Menu choice: How many chicken? _____ How many vegetarian? _____

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Board of Directors Ballot for the ACLU of New Mexico

Instructions for voting:

There are seven candidates and eight open seats. To vote, check the box next to the candidate's name.

For households with two New Mexico ACLU members, each member may vote - simply check off the votes in the second column. For households with one ACLU member check off votes in one column only.

We must confirm ACLU-NM membership and still keep the votes anonymous. We need your help to do this. Cut out the ballot and insert in an envelope with your name clearly printed on the outside envelope. For two-member household each member must be listed.

After we confirm membership, we discard the outer envelope and count the ballots anonymously. Ballots must reach the ACLU office by February 28. Volunteers will count the ballots and all candidates will be notified. Election results will be posted in the next *Torch* issue.

Send ballots to: ACLU-NM

PO Box 80915

Albuquerque, NM 87198

Ballots must be in our office by February 28:

CANDIDATES in alphabetical order

- | | | |
|--------------------------|--------------------------|-------------------|
| <input type="checkbox"/> | <input type="checkbox"/> | George Bach |
| <input type="checkbox"/> | <input type="checkbox"/> | Nancy Koenigsberg |
| <input type="checkbox"/> | <input type="checkbox"/> | Dianne Layden |
| <input type="checkbox"/> | <input type="checkbox"/> | Daniel T. Montoya |
| <input type="checkbox"/> | <input type="checkbox"/> | Elwin Nunn |
| <input type="checkbox"/> | <input type="checkbox"/> | Rob Schwartz |
| <input type="checkbox"/> | <input type="checkbox"/> | Jack Steadman |

Candidates, continued from p. 14

been treasurer of the NM Affiliate and have been on the budget and executive committees. I have always been especially concerned with First Amendment and equal rights issues: equal rights for racial minorities, women, homosexuals, everybody.

In 1963 my wife and I, along with a quarter million other people, were part of the historic "March for Peace and Freedom" in Washington, DC. We were there when Martin Luther King, Jr., gave his "I have a

dream" speech from the steps of the Lincoln Memorial. We still have that dream, the dream that "one day this great nation will rise up and live out its fundamental principle: we hold these truths to be self evident, that all men are created equal..." Unfortunately, it takes continuous and extraordinary effort, by ordinary citizens, to accomplish that dream and to keep from slipping back. It especially requires extraordinary effort now that we have an unending "War on the Constitution," a.k.a. "War on Terrorism." The ACLU's work is more important than ever.

ACLU NM Board Elections

Vote!!

NM Civil Liberties Foundation
P. O. Box 80915
Albuquerque, New Mexico 87198

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Thanks to the technological know-how of ACLU-UNM president Bruce Thompson, the ACLU-NM website is up and running. Please add us to your Favorites list and check us for local civil liberties news updates.

PERIODICAL