

Black History Month

Black history is American history

THE DEFENDER

*Newsletter of the
New Mexico Law Offices of the Public Defender*



FEBRUARY/MARCH 2021

Message from the Chief



We all know that the LOPD is the largest – and I think the best – law firm in New Mexico. That means we are in court a lot to fulfill our core mission of representing clients. What you might not know much about is all of the behind-the-scenes work that supports this mission. This newsletter focuses on that work: our advocacy for our budget and our legislative advocacy.

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Every year about this time, a group of LOPDers switches gears from their daily client duties to focus on a very different but crucially important part of the law: where it is made.

The legislative team's work often goes unnoticed, but it is ultimately what secures our salaries and very importantly is what steers good ideas into law and bad ideas out the door.



Their success relies on a carefully tended reputation, quick-paced research, and the relationships they've built over years of being present at the Roundhouse and available as an honest resource.

What we do



Appellate Defender Kim Chavez Cook is LOPD's policy advocate - the point person on issues of criminal law during legislative sessions. She adds a full 40 hours a week on top of her regular duties to monitor bills, help draft bills the department wants to formally sponsor, testify about the effect bills will have, and answer questions from legislators.

She and Chief Ben Baur contact legislators to tell them about the department's view of bills and push for changes. Together they track the progress of bills through the process and coordinate with ally groups to rally support for or against bills. They also work on the reports legislators use to help them decide about how to vote on bills.

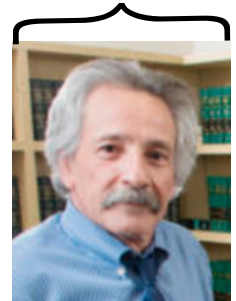


General Counsel Adrienne Turner and 16 appellate attorneys, including Kim Chavez Cook, are on call to do quick legal research on newly filed bills that could have an effect on LOPD or our clients. The analysis has to be typed up in what's called a Fiscal Impact Report, or an FIR. The FIR has to be researched and written within 24 hours. The team looks for constitutional issues, the financial impact on the department, logistical court issues, and ways the law could be misinterpreted. Our input can influence the fate of a bill.



On budgetary issues, Deputy Chief Cydni Sanchez and Chief Financial Officer Christina Keyes and their teams work - sometimes on the fly - during testimony before the legislators who decide LOPD's budget. Their preparation of reports and ability to answer legislator questions is what secures our budget (and the increases we have received over the last several years) to keep us paid and supplied.

Deputy Chief Philip Larragoite goes to the Roundhouse each Legislative session to serve as Chief of Staff to the Senate Judiciary Committee.



Commissioners as champions



LOPD commissioners introduce the department during budget presentations and advocate for adequate funding and systemic reform to help clients and improve public defender caseloads. They also individually advocate with their contacts on issues that affect the department. Pictured are Commission Chair Thomas J. Clear III and Budget Committee Chair Hon. Michael Vigil.

Our partners

LOPD's political team doesn't act alone. We partner with community groups.



A coalition working to refocus our state's correctional efforts on cost-effective, evidence based alternatives to incarceration that rehabilitate offenders, keep families intact, and make our communities safer.



Our fans



Kim Chavez Cook's son watches Speaker of the House Brian Egolf during a House Judiciary Committee meeting.

Penelope, daughter of Rikki-Lee Chavez, the NMCDLA lobbyist, watching Kim Chavez Cook testify as the expert on HB 114 in House Judiciary at about 7 p.m. Monday. The committee voted to pass the bill and it is now headed to the House Floor.



Big issues this year

In years past, the lone voice against new, ineffective “tough on crime” bills has often been LOPD. This year is a bit different, as criminal justice reform has become a more mainstream topic.

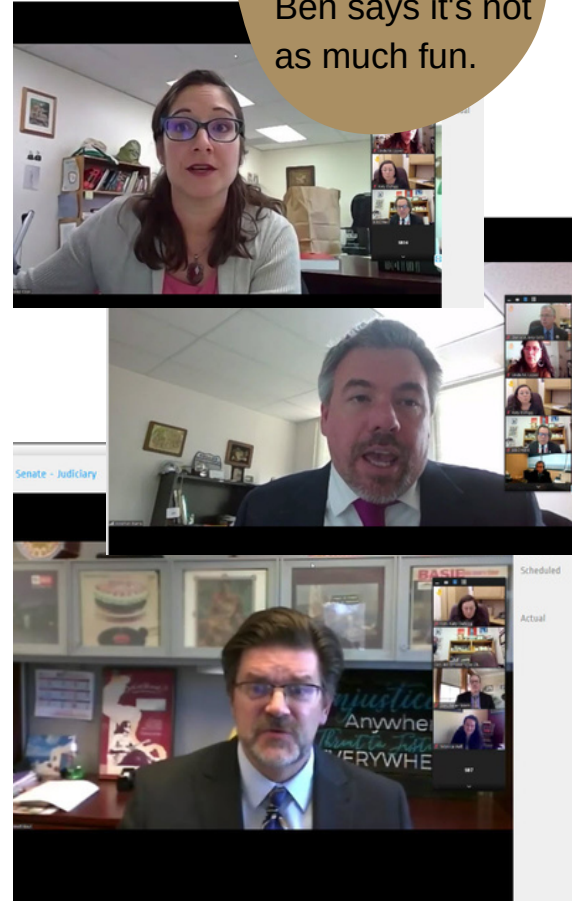
In-person testimony on bills and connection with legislators is all virtual this year. Ben says it's not as much fun.

Bills we are working hard on this year:

(We helped write both of these)

- HB 114 - This bill would allow judges to have a choice about giving our clients an enhanced sentence instead of it being mandatory.
- SB 141 – This bill would change how probation and parole violations are punished so our clients have a better chance of success.

We are supporting many bills that improve the criminal legal system, including bills that would change the fines and fees statutes to reduce financial strains on poor defendants, a bill that would create a parole option for very sick, dying, or older prison inmates, as well as a bill to give early parole eligibility to children sentenced as adults. And we're supporting drug policy reform; access to substance and behavioral health treatment; and reentry assistance and economic opportunity for people with felony histories. We also support measures that streamline the criminal process, reduce the disparate impacts of the system on poor or marginalized communities, and improve due process.



Top, Kim Chavez Cook provides LOPD's opinion on a bill. Attorney Jonathan Ibarra, middle, contributes his testimony, along with Chief Baur.

More important is stopping the bills we don't like. In most years, that's what we focus 90% of our effort on.

- Kim Chavez Cook

We're opposing bills that reduce or infringe on constitutional protections, create new and unnecessary crimes, expand the scope of existing crimes, increase penalties, or otherwise perpetuate the injustices of the criminal legal system.

Message from the Chief continued

We have to have resources to represent our clients. You need to get paid. We have to hire witnesses, pay for travel, buy printer paper, rent our buildings, and so much more. We've worked really hard to get increases to our budget over the last several years. Despite the COVID pandemic and the subsequent budget crisis for all government agencies, we are fighting to maintain the progress we've achieved.

At the same time, we are working to make the laws better in our state, to improve conditions for our clients and our communities, and to lessen the racially disparate impacts of the criminal system. We know that our criminal processing system often does more harm than good with its emphasis on incarceration and being "tough on crime." Our legislative team, working with allies like the NM SAFE Coalition, pushes back on this and actually leads the way in making change. We have had a lot of success in areas like the decriminalization of marijuana, drug paraphernalia, and some traffic offenses, and in blocking penalty increases and the whittling away of due process for our clients.

I hope that you all find this helpful and informative. Thank you all for the work that you do – in court and out.

-Ben

Whoops



A picture in the Dec./Jan. newsletter misidentified our team in this picture. Attorney Yolanda Joiner stands left. Sitting is paralegal Josie Enriquez, and standing right is office manager Mayra Gallardo. Chief Ben Baur stands center outside the Hobbs Office.

Big Nate!

Carlsbad Managing Attorney Nate Banks has been appointed by the New Mexico Supreme Court to serve on the Commission on Equity and Justice.

The Commission was created in October with the goal of studying issues related to bias and inequities.

"The Commission is going to study those biases with the intent to hopefully start initiatives to tackle those biases within the legal system," Banks said.



Nate can also now be found on the radio.

He landed a role as an On Air Radio Personality for Fierro 106.1, broadcasting live, Sundays from 1-5 p.m.

His show is called, "The Old School Drive, From 1-5, with **Big Nate.**"

Black history is American history

February is Black History Month. This month is dedicated to shining light on the glorious history of achievements of the African American community - achievements that may have not made it to our children's textbooks. We can start with Madam C.J. Walker, who was the first U.S. woman to become a self-made millionaire; George Washington Carver, who derived nearly 300 products from the peanut; Rosa Parks, who sparked the Montgomery Bus Boycott and galvanized the civil rights movement; Shirley Chisholm, who was the first African American woman elected to the U.S. House of Representatives; Barack Obama, the first Black President, and of course, Kamala Harris, the 1st Black Woman Vice President. Black History Month started out as "Negro History Week" by Carter G. Woodson, famed educator, scholar & historian. He chose the week in part to coincide with the celebration of fierce and brilliant abolitionist Frederick Douglas's chosen birthday, Feb. 14. The week developed into Black History Month in 1976.

Though we celebrate achievements in the Black community, division between the races remains. The divisiveness of hate has been stoked and fed by forces that capitalize on divisiveness. It is hurtful to see such hate and adversity. So each one of us must work tirelessly against that hate. We must examine our on biases, so we can become better people and affect our community with positive change. Each one of us at LOPD was led to this job. You might take the job because it is employment, but you stay because you believe in the mission. And our mission must include diversity and fundamental fairness. That work still remains. That fight still remains.

- Nate

A lot going on. Here's a breakdown.

There are four important efforts underway that will succeed only with your participation. To help keep it all organized and fresh, here is a little guide.

Strategic Planning Process

WHAT: Intentional co-creation of the department's goals, mission and direction. The Maryland Public Defenders is facilitating.

WHO: Every single person at LOPD

WHEN: [Survey due Tuesday](#); Final product in about 6 months

- PARTICIPATION:
- [Fill out the survey by Tuesday, Feb. 16. Survey \[HERE\]\(#\) and attached to email](#)
 - Attend the virtual retreat, date TBD

CONTACT: Cydni Sanchez
cydni.sanchez@lopdm.us

Workload Study

WHAT: Key to LOPD getting adequate funding. Tracking time spent on cases.

WHO: In-house & contract attorneys

WHEN: now - end of 2021

- PARTICIPATION:
- Input hours on tasks into defenderData
 - Selected attorneys complete survey

CONTACT: Malia Brink
Malia.Brink@americanbar.org

Employee Awards

WHAT: Recognition of colleagues for outstanding work, dedication. To be presented during the

WHO: Every single person at LOPD

WHEN: due Feb. 26

- PARTICIPATION:
- Nominate a colleague or supervisor using the survey [HERE](#) and attached to email

CONTACT: Julie Kitch
julie.kitch@lopdm.us

NAPD Conference

WHAT: **We The Defenders: Rise. Resist. Represent.**

More than 5,000 people from public defense across the U.S. are attending. LOPD is paying for every LOPD employee to attend.

WHO: Every single person at LOPD

WHEN: March 18-20, 2021

- PARTICIPATION:
- Register yourself. Link, instructions coming soon
 - Attend the trainings

CONTACT: Liz Holmes
elizabeth.holmes@lopdm.us

Congrats!!



LOPD's Alma Roberson, left, and Britt Baca-Miller make their transition to the bench. Judge Roberson will serve the 2nd District Children's Court and Judge Baca-Miller will sit on the criminal 2nd Judicial District Court.

LOPD Anniversaries

Celebrating 1, 5, 10,
15, 20+ years

20 Years



Aztec office manager
Susan Crook



Las Cruces Sec. Supervisor
Roxy Reyes

Not pictured: Michelle Romero

15 Years



Social worker
Iris Jacinto



IT Director Matt Bevington



Social Work director
Louella Arellano

Not pictured:
Boris Smith
Elizabeth Aranda

10 Years

Joe Rodriguez, Carlsbad

5 Years

Margaret Broenniman
Jennifer Birmingham

1 Year

Doreen Ortiz
Maggie Shepard
Marie Tapia
Kimberly Knox
Jacob Ort
Victor Sanchez
Theresa Edwards

Leon Richter-Freund
Mikki Garnenez
Ruslan Ivanov
Ashleigh Steele
Jessica Franklin
Wade Swift

Ulysses Grajeda
Pedro Herrera
Sadie Stidstone
Richard Luman
Patricia Mata
Michael Reyes

Angel Rivera
Andrea Miles
Stephanie Padilla
William Garza
Elizabeth Rogers
Charlene Romero
Arlene Ortiz



Whoops! The anniversaries and new hires were skipped for May, April. My mistake. Sorry! They are included here with Jan., Feb., March.

- Maggie

Welcome to the LOPD team!

Joseph Moreno
Maura Guaderrama
Wenona Benally

Shane Brill
Sabrina Cook
Thomas Lewis
Michael Pannitto

Thank you to Cassandra Montoya for compiling these lists. If your name was somehow left off a list, please know it was not on purpose. Just let Maggie Shepard know and she'll make it right in the next newsletter.

Drop In Winter Meditation Breaks

Feeling overwhelmed and need
a break in your day?

We have you covered!



Drop in for 20-min live, guided mindfulness meditations with other employees from all over New Mexico! These sessions are brought to you by **The Solutions Group** and are available to all client groups and their employees and members.

Every Thursday 12:00 pm -12:20 pm
Drop in any Thursday. Register to get the link
<https://tsgmeditations1.themindfulcenter.com>

Come to all the sessions or just drop in when your schedule allows!

These sessions will be led by
Michelle DuVal, MA, director of The Mindful Center.

Sign up to get yours



Deputy Chief Jennifer Birmingham receives the first of her coronavirus vaccinations.

If you have not yet received a vaccination and you want one, make sure to register on the state website. Many pharmacies are also offering vaccinations by appointment.

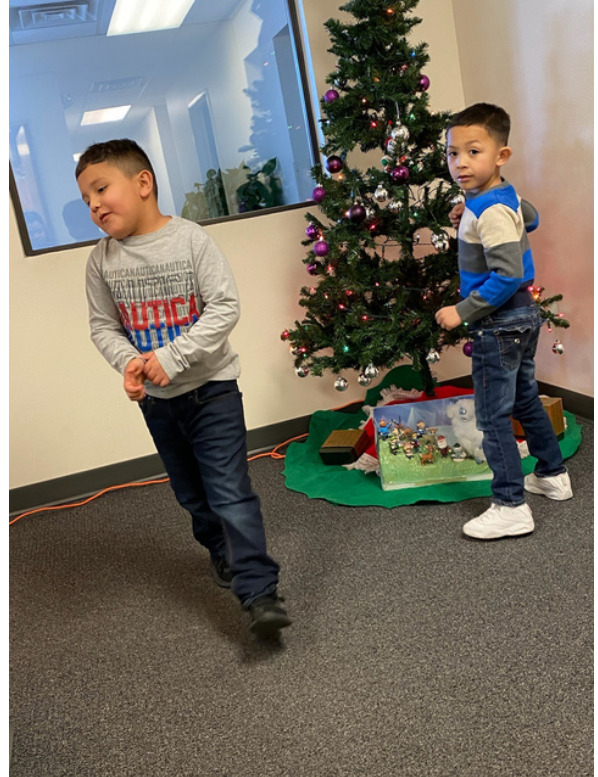
 Do you want to pre-register for your COVID-19 Vaccine?
Visit cvvaccine.nmhealth.org to register today.

Call 1-855-600-3453 if you have questions or need help registering.

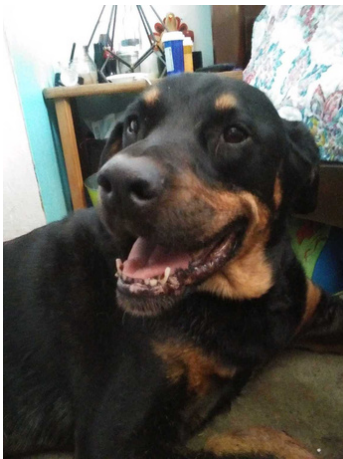
Comfort and joy



Mari Ortega's Fashionista Elf Jacket



Clovis Christmas tree helpers courtesy of mamas Summer Martinez and Angel Rivera



RIP Groucho and welcome Icabod the Corgi from Cheyenne Burton-Lucero's family