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HOUSE MEMORIAL 54

**53RD LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2018**

INTRODUCED BY

Patricia Roybal Caballero

A MEMORIAL

AFFIRMING THE COMMITMENT OF NEW MEXICO AND ITS POLITICAL  
SUBDIVISIONS TO HUMAN AND CIVIL RIGHTS AND TO FREEDOM FOR  
REFUGEES AND IMMIGRANTS, BOTH DOCUMENTED AND UNDOCUMENTED.

WHEREAS, a substantial portion of New Mexico's population  
is of Hispanic heritage, and many people's roots in New Mexico  
go back four hundred years to Native Americans and the original  
Spanish explorers; and

WHEREAS, through many centuries, New Mexico has been home  
to many migrants and immigrants who came seeking better lives  
for themselves and their families; and

WHEREAS, the people of New Mexico have rich and lasting  
multicultural traditions and a history of tolerance toward all  
people, cultures, traditions and lifestyles and recognize the  
right to define their way of life; and

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1           WHEREAS, the human and civil rights of the residents of  
2 the state should not be diminished or otherwise infringed; and

3           WHEREAS, no state law, ordinance, resolution or policy  
4 should be enacted or adopted nor should any action be condoned  
5 that discriminates on the basis of ethnicity, race, age,  
6 religion, creed, color, national origin, ancestry, sex, gender,  
7 sexual orientation, physical or mental disability, medical  
8 condition or citizenship status; and

9           WHEREAS, the productive relationship between New Mexico  
10 and immigrants living in the state would be undermined if the  
11 state were to retreat from its long-standing support of  
12 immigrant-friendly policies; and

13           WHEREAS, New Mexico should adopt policies that welcome,  
14 integrate and embrace migrants, undocumented immigrants,  
15 refugees and their families into the local community,  
16 irrespective of their citizenship status; and

17           WHEREAS, New Mexico does not discriminate on the basis of  
18 a person's national origin, and all persons will be treated  
19 equally with respect and dignity, regardless of their  
20 immigration status; and

21           WHEREAS, no state resources will be used to identify or  
22 apprehend any non-citizen on the sole basis of the person's  
23 immigration status, unless otherwise lawfully required to do  
24 so; and

25           WHEREAS, New Mexico has long recognized the contributions

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1 made to its economy and culture by its community of immigrants,  
2 who often live in mixed-status families with United States  
3 citizen children and are long-time residents of the state; and

4 WHEREAS, the use of resources by the state to enforce  
5 federal civil immigration laws both diverts resources from  
6 other productive services for the people of New Mexico and  
7 undermines a productive and trusting relationship between the  
8 undocumented community and the state; and

9 WHEREAS, the state has the authority to preserve the  
10 confidentiality of certain private and sensitive information of  
11 its residents obtained for the purposes of carrying out  
12 essential state functions, and the residents of New Mexico have  
13 a basic expectation that certain sensitive and private  
14 information will be not be disclosed; and

15 WHEREAS, the tenth amendment to the United States  
16 constitution provides that the powers that are not delegated  
17 expressly or by implication to the United States or prohibited  
18 to the states are reserved to the states, respectively, or to  
19 the people, and that has been interpreted by the United States  
20 supreme court to preclude the federal government from  
21 compelling or commandeering any state or local government,  
22 either directly or by the use of coercive threats to withhold  
23 federal funding, to adopt federal programs or enforce federal  
24 laws, including immigration laws; and

25 WHEREAS, New Mexico and its political subdivisions,

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1 agents, agencies, officers and employees in performance of  
2 official duties should not, to the extent legally possible,  
3 assist or voluntarily cooperate with United States department  
4 of homeland security investigations or arrest procedures  
5 relating to alleged violations of immigration law;

6 NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF  
7 REPRESENTATIVES OF THE STATE OF NEW MEXICO that it affirm and  
8 continue to abide by its nondiscrimination and integration  
9 policies toward residents, irrespective of immigration and  
10 citizenship status; and

11 BE IT FURTHER RESOLVED that the house of representatives  
12 affirm its immigrant-friendly status and commitment; and

13 BE IT FURTHER RESOLVED that the house of representatives  
14 recognize the state's status as a welcoming community and ask  
15 that all state agencies and all agencies operating under a  
16 political subdivision of the state accept driving authorization  
17 cards and non-REAL-ID-compliant identification cards issued by  
18 the motor vehicle division of the taxation and revenue  
19 department for all purposes for which it accepts REAL-ID-  
20 compliant driver's licenses and identification cards issued by  
21 the division; and

22 BE IT FURTHER RESOLVED that the house of representatives  
23 request that no one acting on behalf of the state or its  
24 political subdivisions voluntarily use the federal e-verify  
25 system to investigate or determine the work eligibility of

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1 applicants for employment unless required by law for the  
2 purposes of administering a federal benefit or program; and

3 BE IT FURTHER RESOLVED that the house of representatives  
4 continue to promote, enforce and defend policies and procedures  
5 that protect the human and civil rights of all residents and  
6 that ensure adherence to the nondiscrimination principles; and

7 BE IT FURTHER RESOLVED that copies of this memorial be  
8 transmitted to the governor and all New Mexico counties and  
9 incorporated municipalities.