



State of New Mexico

Susana Martinez
Governor

EXECUTIVE ORDER 2011-009

RESCINDING AND SUPERSEDING PRIOR EXECUTIVE ORDER PROVIDING SANCTUARY FOR INDIVIDUALS ARRESTED FOR CRIMES OTHER THAN VIOLATION OF IMMIGRATION LAWS

WHEREAS, the State of New Mexico has a diverse population, including legal immigrants from many countries, whose contributions to the community are vital and from which the State of New Mexico greatly benefits; and

WHEREAS, it is essential that victims of, and witnesses to, crime are able to report those crimes and that they be assured access to our criminal justice system without fear of deportation or other immigration consequences; and

WHEREAS, Executive Order 2005-019 established a "sanctuary" policy that prohibited state law enforcement officers from inquiring about a criminal suspect's immigration status; and

WHEREAS, this policy offers a shield to those who are arrested for committing crimes and are in this country illegally; and

WHEREAS, it is not the responsibility of state law enforcement officers to enforce federal immigration laws; however, in compliance with their sworn duties to uphold all laws, state law enforcement officers shall cooperate and communicate with federal authorities; and

WHEREAS, when a person, regardless of race, is arrested for a crime, state law enforcement officers shall inquire into the criminal suspect's immigration status, and report relevant information to federal immigration enforcement authorities;

NOW, THEREFORE, I, Susana Martinez, Governor of the State of New Mexico, by virtue of the authority vested in me by the Constitution and the laws of the State of New Mexico, do hereby ORDER and DIRECT:

1. Executive Order 2005-019 is rescinded and this Executive Order shall supersede it;
2. State law enforcement officers shall not inquire about the immigration status of crime victims, witnesses, or others who call or approach law enforcement seeking assistance or reporting a crime; and
3. State law enforcement officers shall inquire into the criminal suspect's immigration status, and report relevant information to federal immigration enforcement authorities.

THIS ORDER supersedes any other previous orders, proclamations, or directives to the extent they are in conflict. This Executive Order shall take effect immediately.

ATTEST



DIANNA J. DURAN
SECRETARY OF STATE

SIGNED AT THE EXECUTIVE OFFICE
THIS 31ST DAY OF JANUARY, 2011.

WITNESS MY HAND AND THE GREAT
SEAL OF THE STATE OF NEW
MEXICO.



SUSANA MARTINEZ
GOVERNOR

