

Legislators approve new anti-harassment policy

Written by By Matthew Reichbach NM Political Report
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Lawmakers voted to update the State Legislature's sexual harassment policy, the first such change in a decade.

The 15-0 Legislative Council vote came a day before the start of the 2018 legislative session.

The council adopted the policy crafted by eight legislators who rewrote it at a time where many industries and organizations, including political institutions, are grappling with sexual harassment.

The policy allows for an outside investigator to look into allegations of sexual harassment against legislators. It also calls for "outside counsel who is experienced in harassment matters" to determine in consultation with legislative leaders if a complaint merits an investigation.

If leaders decide an investigation is necessary, a subcommittee of the chamber's ethics committee will hire outside counsel. The counsel will give suggestions to the subcommittee, which will determine if probable cause exists to send the allegations to the full ethics committee. Then, the ethics committee could vote to send the case to the full chamber, with recommendations on punishment.

Reps. Debbie Armstrong and Gail Chasey, Democrats from Albuquerque, expressed concern over the lengthy process and how many people will be told about the complaint before an

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investigation occurs.

“It just seems like a lot of people,” Armstrong said. “Everyone in the Legislature from a defensive point of view may want that, but from the point of view of the person reporting, it can have a chilling effect.”

Speaker of the House Brian Egolf, D-Santa Fe, said only a limited number of people in leadership would know in the initial stages.

Rep. Jim Dines, R-Albuquerque, was a member of the group who helped write the new policy. He said the Legislature itself will make any final decisions.

This is because legislators are the only ones who can levy punishment on other legislators.

The policy also outlines policies for complaints against legislative staff and those not employed at the Legislature, such as lobbyists. For those offenders, punishments could include denial of access to legislative buildings or activities. Staff members could be fired.

The group also changed the portion of the policy that initially referred to “false reporting.” The new language says a complaint “that is found to be intentionally or recklessly dishonest or malicious” would be a violation of the policy.

The final policy also took out a provision that would have required a victim to report harassment within a certain time period after the alleged incident occurred. The new language calls for the allegations to be reported “as soon as possible.”

Legislators and employees will be required to go through at least four hours of training every two years.

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So far, no sitting legislator has been publicly accused of sexual harassment. However, lobbyist Vanessa Alarid accused former Democratic State Rep. Thomas A. Garcia of asking her to trade sex in exchange for a vote on a bill she lobbied for.

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