



State of New Mexico

Michelle Lujan Grisham
Governor

EXECUTIVE ORDER 2021-002

DECLARING AN EMERGENCY DUE TO THE THREAT OF RIOTS AND INSURRECTION

WHEREAS, on January 6, 2021, there was a violent insurrection at the nation's capitol in Washington DC, wherein armed individuals forced their way into the capitol building and committed numerous violations of law, injured multiple individuals, caused unprecedented destruction, and caused the death of at least two individuals;

WHEREAS, there is credible intelligence that threats of similar riots exist and are likely to occur at the capitol buildings and other prominent government buildings in all 50 states either before or on January 20, 2021 to coincide with the inauguration of President-Elect Joseph R. Biden and Vice President-Elect Kamala D. Harris;

WHEREAS, the State of New Mexico is still in the midst of a critical public health emergency due to COVID-19 and any mass gathering of individuals has the likelihood of exacerbating the spread of the virus and causing further strain on first responders and health care providers;

WHEREAS, it is reasonable to believe that similar riots will occur and will endanger the safety of legislators, legislative staff, and members of the public, as well as destroy public and historic infrastructure in the State;

WHEREAS, this emergency requires immediate action to preserve the peace, health, and safety and the public property of the people of the State of New Mexico; and

WHEREAS, this emergency is of such a magnitude as to be beyond local control and requires the resources of the State to avoid or minimize economic or physical harm and to take action necessary to protect the public health, safety, and welfare.

NOW THEREFORE, I, Michelle Lujan Grisham, Governor of the State of New Mexico, by virtue of the authority vested in me by the Constitution and Laws of the State of New Mexico, do hereby declare a State of Emergency to exist in the State of New Mexico due to the ongoing and pervasive threat of riots and insurrection beginning on January 16th through the day the Governor's Authorized Representative determines to be the end of the emergency period.

I DIRECT the Department of Homeland Security and Emergency Management to coordinate all requests for assistance and responses to such requests authorized and determined by the Governor and the Governor's Authorized Representative, and to request such aid and assistance from the

Federal Emergency Management Agency as may be appropriate. In addition to such other eligibility criteria as may be established by the Governor or the Governor's Authorized Representative, applicants requesting financial assistance from the State for necessary action taken in response to the emergency shall be required to demonstrate that the cost of the necessary action exceeds their available resources, as determined based upon criteria developed in conjunction with the State agencies (if any) with financial and budgetary oversight responsibilities for the applicant.

I FURTHER DIRECT the Adjutant General to order into service any element of the New Mexico National Guard as may be needed to provide military support to civil authorities for this emergency. This action is pursuant to and in accordance with NMSA 1978, §§ 20-1-1 to -8, NMSA 1978, §§ 20-2-1 to -8, and NMSA 1978, §§ 20-4-1 to -14-4, as well as Article V, Section 4 of the New Mexico Constitution. Such emergency assistance shall be provided during the period of need at the discretion of the Governor's Authorized Representative.

I FURTHER DIRECT all Cabinet Departments and State agencies to provide any assistance that may be required by the Department of Homeland Security and Emergency Management and the State Emergency Operations Center under the authority of the Governor's Authorized Representative.

THIS ORDER shall take effect immediately and shall remain in effect until such time as the Governor rescinds it.

ATTEST:

Maggie Toulouse Oliver

MAGGIE TOULOUSE OLIVER
SECRETARY OF STATE

DONE AT THE EXECUTIVE OFFICE
THIS 13TH DAY OF JANUARY 2021

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

Michelle Lujan Grisham
MICHELLE LUJAN GRISHAM
GOVERNOR

