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‘All Clear’: New Mexico Ethics Commission and New Mexico Supreme Court Disciplinary Board Review and Dismiss Complaints Against Attorney General Balderas; State Auditor Finds No Wrongdoing

Albuquerque, NM—The New Mexico Ethics Commission dismissed a complaint filed against Attorney General Balderas by several individuals and the Santa Fe non-profit group New Energy Economy; an identical complaint was filed with the Office of the State Auditor. A hearing officer for the Commission adopted the recommendation of the Commission’s general counsel to outright dismiss the complaint, while an independent auditor hired by the Office of the State Auditor extensively tested the Office of the Attorney General’s procurement processes and legal billing practices, finding no violations. These rejections of the complaint come after the New Mexico Supreme Court’s Disciplinary Board rejected an identical complaint there.

“Our office abides by the highest standards of procurement, and as the State’s top criminal and civil law enforcement office, we will always enforce the law in the best interests of New Mexicans,” said Attorney General Balderas. “While we have always maintained that these complaints were baseless slurs and deliberately misleading, we are glad that the New Mexico Supreme Court’s board, the New Mexico Ethics Commission, and the Office of the State Auditor have weighed the merits and summarily rejected them.”

The complaints, all identical, filed July 15 of this year, lacked clear allegations of any violation of law, but rather generalized that the Office of the Attorney General had inappropriately handled procurement of legal services and exercise of its authority in the enforcement of several of the office’s cases, allegations that have been summarily dismissed by these entities.

The independent auditor reviewed the office’s practices as part of its annual audit, finding no material weakness or violations in the office’s control over procurement of legal services or in the expenditure of funds for those services. This follows years of examination of these same processes and expenditures, through previous State Auditors Wayne Johnson and Tim Keller, where examinations by independent auditors also found no violations or material weaknesses.

On August 5, 2021 the New Mexico Supreme Court’s Disciplinary Board rejected an identical complaint as the one filed with the Ethics Commission, finding no conflicts of interest between Attorney General Balderas and outside law firms that work on contract for the Office of the Attorney General and finding the Office of the Attorney General’s procurement of legal services was appropriate. That decision was appealed twice and subsequently rejected both times.

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