

A stylized, abstract illustration of a hot air balloon. The balloon's envelope is composed of large, overlapping shapes in shades of red, orange, and yellow. A large, stylized sun with a circular center and radiating lines is positioned behind the balloon. The background features layered, geometric shapes in shades of blue and brown, suggesting a landscape with mountains and a sky. The overall style is modern and graphic.

**RAÚL TORREZ**  
**ATTORNEY GENERAL**

# 2024 Annual Report

**THE ROAD TO SAFETY AND JUSTICE**



**New Mexico**  
**Department**  
**of Justice**



## New Mexico Department of Justice

Dear Fellow New Mexicans,

Over the past year, we have continued to advance our mission to safeguard public safety, promote good government, and protect the most vulnerable among us. From landmark criminal cases to innovative initiatives that address systemic challenges, the New Mexico Department of Justice has remained steadfast in its dedication to serving the people of New Mexico.

In the fight against digital exploitation, Operation MetaPhile and Operation Overwatch showcased our commitment to protecting children from online predators. These efforts, paired with ongoing lawsuits against major tech platforms like Meta and Snap, aim to hold corporations accountable for the harm their platforms have caused to vulnerable users.

Transparency and accountability have remained central to our mission. We introduced an updated Inspection of Public Records Act guide and took decisive legal action to ensure government institutions, including the judiciary, uphold the public's right to information. Additionally, we advanced litigation to protect stream access rights, combat environmental contamination, and address corporate monopolies that harm consumers.

Our achievements for New Mexico are not just measured in legal victories but in the lives impacted—whether through our support for crime victims, our proactive consumer protection measures, or our efforts to make New Mexico's communities safer and more resilient.

As we look to the future, we remain guided by a vision of transforming New Mexico into one of the safest, healthiest, and most prosperous states in the nation. Together, we will continue to uphold justice, embrace innovation, and advocate for every New Mexican.

Sincerely

A handwritten signature in black ink, appearing to read 'RT', with a long horizontal stroke extending to the right.

Raúl Torrez

Attorney General

# PROTECTING OUR CITIZENS

## Mission

To promote good government, safeguard the public interest, and protect vulnerable members of our community, through dedicated and professional advocacy.

## Vision

To help transform New Mexico into one of the safest, healthiest, and most prosperous places in the world.



**“It is from numberless diverse acts of courage and belief that human history is shaped. Each time a man stands up for an ideal, or acts to improve the lot of others, or strikes out against injustice, he sends forth a tiny ripple of hope, and crossing each other from a million different centers of energy and daring, those ripples build a current which can sweep down the mightiest walls of oppression and resistance.”**

**– Robert F. Kennedy**



# Protecting Children

Children in New Mexico face significant risks from online harms, including exploitation, cyberbullying, and exposure to predators.

The New Mexico Department of Justice addresses these challenges through a comprehensive strategy that includes legal action against tech companies, investigative operations targeting offenders, and community education initiatives. By holding platforms accountable, raising awareness, and collaborating with law enforcement, the NMDOJ is taking bold steps to create safer digital environments and protect the state's most vulnerable population for future generations.

# CONFRONTING SOCIAL MEDIA'S HARM TO OUR YOUTH



On January 31, 2024, New Mexico Attorney General Raúl Torrez spoke at a rally in Washington, DC, organized by Accountable Tech and Design It For Us. The event aimed to hold tech and social media companies accountable for protecting teens. (Photo by Jemal Countess/Getty Images for Accountable Tech)

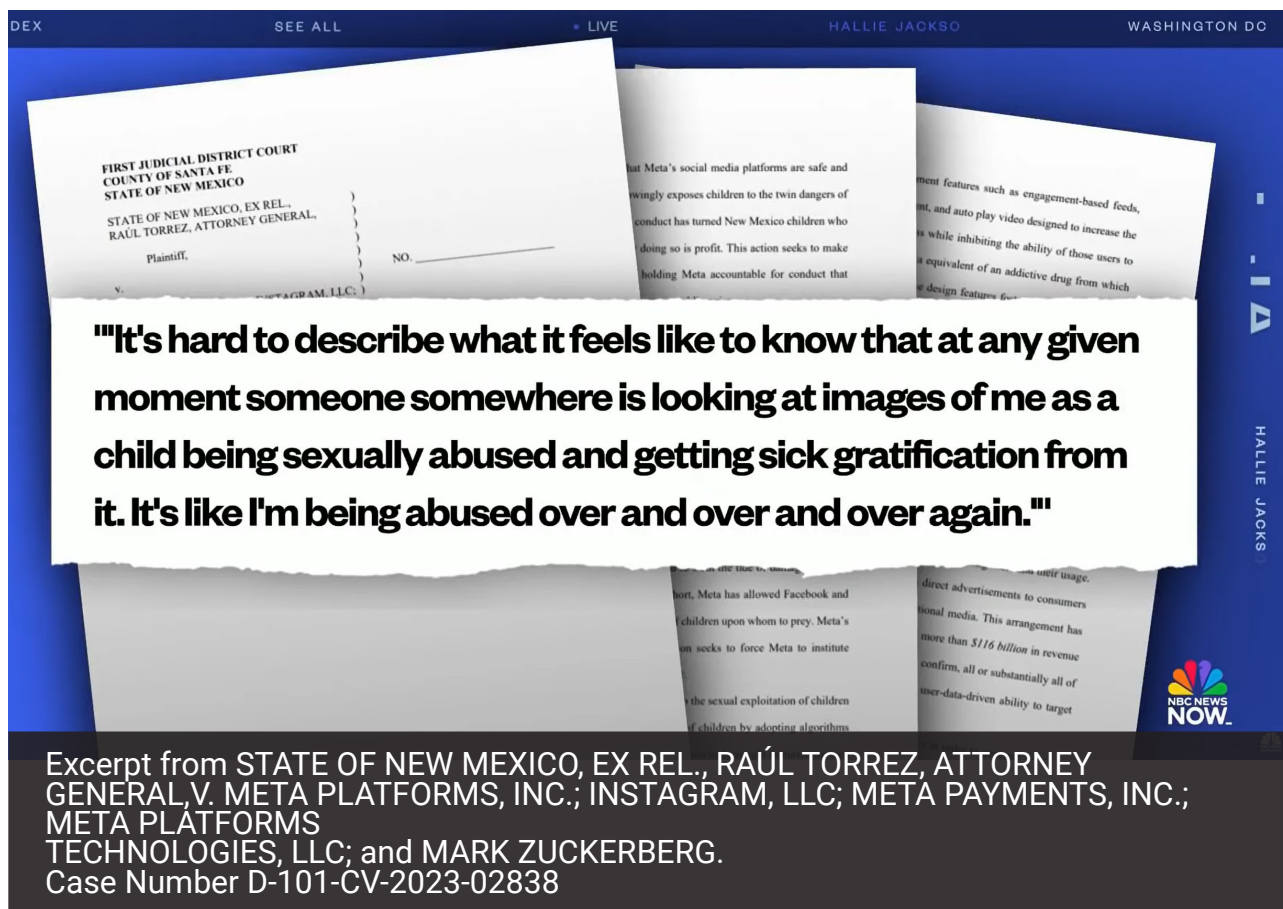
## ADDRESSING THE CRISIS OF ONLINE MEDIA PLATFORMS

The New Mexico Department of Justice (NMDOJ) has uncovered alarming evidence of systemic failures on social media platforms Meta (parent company of Facebook and Instagram) and Snap Inc. (parent company of Snapchat) that have exposed children to sexual exploitation, human trafficking, and mental health harms. This has led to Attorney General Raúl Torrez to take decisive legal action against these companies, revealing their prioritization of profits over user safety.

## HOLDING TECH COMPANIES ACCOUNTABLE AND EMPOWERING FAMILIES

Attorney General Torrez has filed lawsuits against both Meta and Snap, citing their systemic failure to address the sexual exploitation of minors, algorithm-driven harm, and inadequate safeguards for children. The lawsuits seek to hold these companies accountable under the New Mexico Unfair Practices Act, requiring them to implement verifiable safety measures to protect their youngest users. The litigation also underscores the broader need to balance platform innovation with public safety, urging the companies to prioritize child protection over profits.

In addition to legal action, the NMDNJ has launched SMART CHATS, an initiative designed to provide resources and education to parents and teens on safe online practices.



The image is a screenshot from a news broadcast. At the top, there is a blue header with the text "DEX", "SEE ALL", "LIVE", "HALLIE JACKSO", and "WASHINGTON DC". Below the header, there are several overlapping white documents. The most prominent one is a court document from the "FIRST JUDICIAL DISTRICT COURT COUNTY OF SANTA FE STATE OF NEW MEXICO". The plaintiff is listed as "STATE OF NEW MEXICO, EX REL., RAÚL TORREZ, ATTORNEY GENERAL," and the defendant is "INSTAGRAM, LLC.". A quote from Raúl Torrez is overlaid on the documents: "It's hard to describe what it feels like to know that at any given moment someone somewhere is looking at images of me as a child being sexually abused and getting sick gratification from it. It's like I'm being abused over and over and over again." The quote is in bold black text. To the right of the quote, there is a vertical text "HALLIE JACKSO". At the bottom right, there is the "NBC NEWS NOW" logo. Below the quote, there is a black box with white text: "Excerpt from STATE OF NEW MEXICO, EX REL., RAÚL TORREZ, ATTORNEY GENERAL, V. META PLATFORMS, INC.; INSTAGRAM, LLC.; META PLATFORMS TECHNOLOGIES, LLC; and MARK ZUCKERBERG. Case Number D-101-CV-2023-02838".

## SYSTEMIC ISSUES ACROSS PLATFORMS

Both Meta and Snap have been shown to knowingly disregard their own safety standards:

- **Insufficient Moderation:** Snap ignored 90% of account-level reports and allowed Child sexual abuse material (CSAM) and sextortion complaints to fall “through the cracks,” while Meta perpetuated algorithms that actively recommended exploitative content to minors.
- **Ineffective Age Verification:** Both platforms allowed children under 13 to create accounts by entering false birthdates, exposing them to significant risks.
- **Minimal Parental Controls:** Snap’s Family Center, designed to provide parental oversight, have been described as “extremely hard to find,” with only 0.33% of teens utilizing it.



## **META: A BREEDING GROUND FOR EXPLOITATION**

Meta's platforms have been implicated in numerous failures to protect children:

- **Prevalence of Exploitation:** CSAM is over ten times more prevalent on Facebook and Instagram than on other platforms like Pornhub and OnlyFans.
- **Grooming and Solicitation:** Meta's platforms enabled adults to solicit explicit content from minors, often ignoring multiple complaints.
- **Mental Health Crisis:** Internal research tied Meta's engagement-driven algorithms to rising rates of addiction, anxiety, depression, and self-harm among teens and preteens.
- **Profit Over Safety:** Despite earning \$116 billion in advertising revenue in 2022, Meta failed to build adequate safety systems, rejecting proposed measures and perpetuating harm to protect its business model.

## **SNAP: A PLATFORM FOR ABUSE AND ADDICTION**

Snapchat, while widely popular among teens, has been equally culpable in facilitating harm by facilitating:

- **Unwanted Contact and Sextortion:** Internal Snap data revealed that 30% of teen boys and 33% of teen girls experienced unwanted contact. In a survey, 25% of Gen Z users reported being sextorted within the past three months.
- **Algorithmic Failures:** Features like Quick Add, designed to suggest connections based on mutual contacts or location, can be exploited by predators to target minors. Flaws such as loose suggestion criteria and inadequate age verification allow strangers to appear in minors' recommendations.
- **Addictive Design:** Features like Snapstreaks, which reward uninterrupted usage, were explicitly designed to foster addiction.
- **Drug and Gun Trafficking:** Snap's internal investigations found that at least 700,000 users were exposed to drug-related content daily, and dealers used ephemeral messages to target teens with untraceable transactions.
- **Ignoring Red Flags:** Internal communications showed that Snap executives dismissed numerous safety concerns raised by employees, prioritizing design and engagement metrics over child safety.

# OPERATION METAPHILE

## THE SUCCESS OF OPERATION METAPHILE

In conjunction with the lawsuit, the NMDOJ conducted Operation MetaPhile. This investigation involved creating decoy accounts of children aged 14 and younger. The findings were alarming: Meta's platforms enabled adults to find, contact, and pressure minors into providing sexually explicit material and engage in sexual acts. The operation led to the arrest of three suspected child predators who used Meta's platforms to solicit sex with minors.

## BRANCH SPOTLIGHT: CRIMINAL AFFAIRS

This division plays a pivotal role in protecting vulnerable victims across the state. A key strength of this division lies in its specially trained undercover chat investigators. These experts are adept at navigating online platforms, identifying predators, and gathering critical evidence to combat digital exploitation. It was their expertise and dedication that made the success of Operation MetaPhile possible, highlighting their essential role in safeguarding the most vulnerable members of our communities.

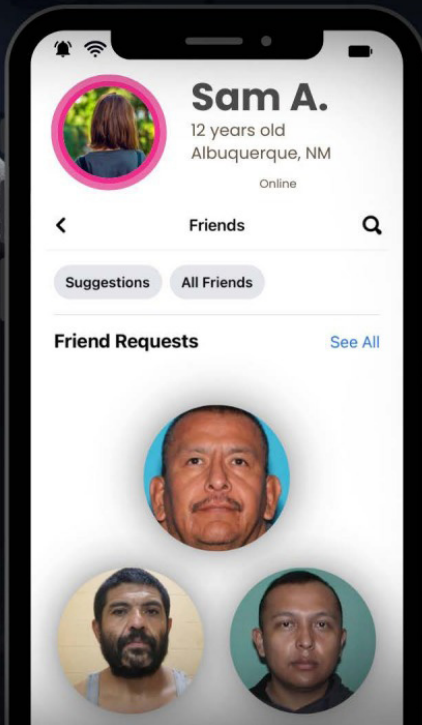
## ARRESTS AND CHARGES

Operation MetaPhile led to the arrests and arraignment of three suspected child predators who had been using Meta's platforms to solicit sex from underage decoy accounts created by the NMDOJ.

**Fernando Clyde:** Charged with second-degree felonies for child solicitation and attempted sexual penetration of a minor. Arrested in Gallup after sending explicit images and planning an assault

**Marlon Kellywood:** Charged with having initiated unsolicited explicit conversations, having sent explicit images and attempting to meet the decoy for illegal sexual activity.

**Christopher Reynolds:** Charged with a third-degree felony for child solicitation after contacting a decoy and a real 11-year-old.. His arrest was facilitated by the Chaves County Sheriff's Office and Roswell Police Department.



## META'S ROLE AND ONGOING LEGAL BATTLE

Operation MetaPhile is part of the NMDOJ's broader legal strategy against Meta. In December 2023, the department filed a landmark lawsuit against Meta and its subsidiaries, Instagram and Facebook, for failing to protect children from sexual abuse and human trafficking. The lawsuit alleges that Meta's lax policies and recommendation algorithms have enabled child predators to exploit children on a massive scale.

Attorney General Torrez has called Meta the world's "single largest marketplace for pedophiles," citing internal company documents revealing that an estimated 100,000 children face sexual harassment on Meta's platforms daily. The NMDOJ remains dedicated to prosecuting individuals who exploit children via social media and pushing for systemic changes, including stricter regulations and fines, to create a safer online environment.

A clear example of Meta's reluctance to address its shortcomings is the "Bad Emotional Experience Feedback" (BEEF) survey, which revealed that 13% of users under 16 experienced unwanted sexual advances in a single week. Despite these findings, Meta discontinued the survey, laid off the team behind it during its "year of efficiency," and largely ignored its implications, intensifying legal and public demands for accountability.

## ADDITIONAL COMMUNITY OUTREACH AND EDUCATION

On May 30, 2024, AG Torrez participated in a virtual town hall moderated by NBC's Kate Snow, alongside Emma Lembke, founder of LOG OFF, and Zamaan Qureshi, co-chair of Design It For Us. The event focused on the negative impacts of social media on young people and explored strategies to protect children online. AG Torrez emphasized the ongoing failures of "big tech" to safeguard vulnerable users, advocating for updated regulations such as age verification, clear AI usage guidelines, and third-party audits to ensure accountability and safety.

In addition to these efforts, AG Torrez joined 42 attorneys general in calling on Congress to enact the recommended warnings on algorithm-driven platforms. This initiative supports the Surgeon General's focus on the mental health risks associated with social media, including depression, anxiety, and suicidal ideation among youth. By combining state-level actions with federal collaboration, AG Torrez continues to champion comprehensive solutions to protect children and create a safer online environment.



During a Senate Judiciary Committee hearing on social media safety, Meta CEO Mark Zuckerberg stood to address families of people who died by suicide or were exploited as a result of social media abuse.  
© The Associated Press

# LAWSUIT AGAINST SNAP INC.



Kevork Djansezian/Getty Images

## LEGAL ACTION AND INVESTIGATIONS TO COMBAT CHILD EXPLOITATION

In September 2024, Attorney General Raúl Torrez filed a lawsuit against Snap Inc. alleging that the platform's practices facilitated child exploitation and failed to protect its users. The lawsuit detailed systemic issues, including Snap's failure to implement effective age verification, its tolerance of harmful features like "Quick Add" that connect minors with adults, and its inadequate response to reports of sextortion and grooming.

The case took a significant turn in October 2024, when an unredacted complaint was filed, exposing internal Snap documents and communications. These documents revealed that Snap knowingly ignored reports of sextortion, acknowledged flaws in its age-verification systems, and prioritized design and engagement over user safety. Snap employees raised repeated concerns, including a 2022 report indicating that 1/3 of teen girls and 30% of teen boys experienced unwanted contact on the platform.

The lawsuit follows the 2023 conviction of Alejandro Marquez, a New Mexico resident, who used Snap's "Quick Add" to assault an 11-year-old. This case underscores the urgent need for reforms to protect vulnerable users. Torrez aims to hold Snap accountable and set a precedent for safer digital environments.

## UNCOVERING SNAP'S HARMFUL PRACTICES

The unredacted complaint reveals disturbing internal communications at Snap, where employees acknowledged serious issues on the platform but faced resistance from upper management. Key findings include:

- **Failure to Verify Age:** Internal messages show that Snap had no effective age-verification system, allowing children to easily create accounts by entering fake birth dates.
- **Ignored Sextortion Reports:** Snap employees reported receiving 10,000 reports of sextortion per month in 2022, yet the company took minimal action to address these alarming trends.

# OPERATION OVERWATCH



- **Facilitating Exploitation:** Features like Discover, Spotlight, and Snap Map were identified as tools that directly enabled predators to connect with minors, while the app's lack of transparency made it difficult for parents to monitor their children's activities.

In October 2024, the NMDNJ announced the successful conclusion of Operation Overwatch, an undercover online investigation targeting child predators. This operation, which resulted in the arrest of eight individuals and the issuance of one additional warrant, represents a major step forward in the battle against child exploitation in New Mexico.

The operation was a collaborative effort between multiple law enforcement agencies, including the Bernalillo County Sheriff's Office (BCSO), Albuquerque Police Department (APD), Santa Fe Police Department (SFPD), the Federal Bureau

of Investigation (FBI), and Homeland Security Investigations (HSI). Together, they targeted individuals attempting to engage in illegal activities involving minors.

## UNVEILING THE OPERATION

The NMDNJ and its partners created decoy online accounts on various platforms such as Kik, SkiptheGames, Discord, Grindr, MocoSpace, and Fetlife. These accounts posed as either minors or adults offering children for exploitation. The suspects initiated contact with these decoy accounts, seeking to arrange meetings with underage individuals. Once they arrived at predetermined locations, the suspects were apprehended. Strategically staged in Albuquerque, agents conducted meticulous surveillance inside two homes, awaiting the arrival of the perpetrators. The swift and coordinated arrests were made possible through the dedication and expertise of the law enforcement teams involved.

## BRINGING PREDATORS TO JUSTICE

Operation Overwatch resulted in the arrests of individuals from varied backgrounds, including a middle-school teacher and a graduate student, on charges like child solicitation, attempted sexual penetration, and exploitation of minors, with sentences ranging from three to nine years per charge.

One of the key arrests was that of Stephen Charles Phillips, a middle-school teacher in Albuquerque, who was caught attempting to engage in sexual activity with a minor. Posing as a parent willing to traffic a child, agents were able to apprehend Phillips after he explicitly requested to meet and engage in illegal acts with a child under the age of 13.

Another notable case involved Rafael Eduardo Rosas, who initiated contact with a decoy account posing as a 15-year-old female. Rosas solicited explicit photos and arranged a meeting to engage in sexual acts. Upon arriving at the meet-up location, he was arrested by NMDNJ and BCSO agents.

These arrests send a clear message: law enforcement in New Mexico is committed to using every tool at its disposal to protect children and bring predators to justice.

## A UNIFIED FRONT AGAINST EXPLOITATION

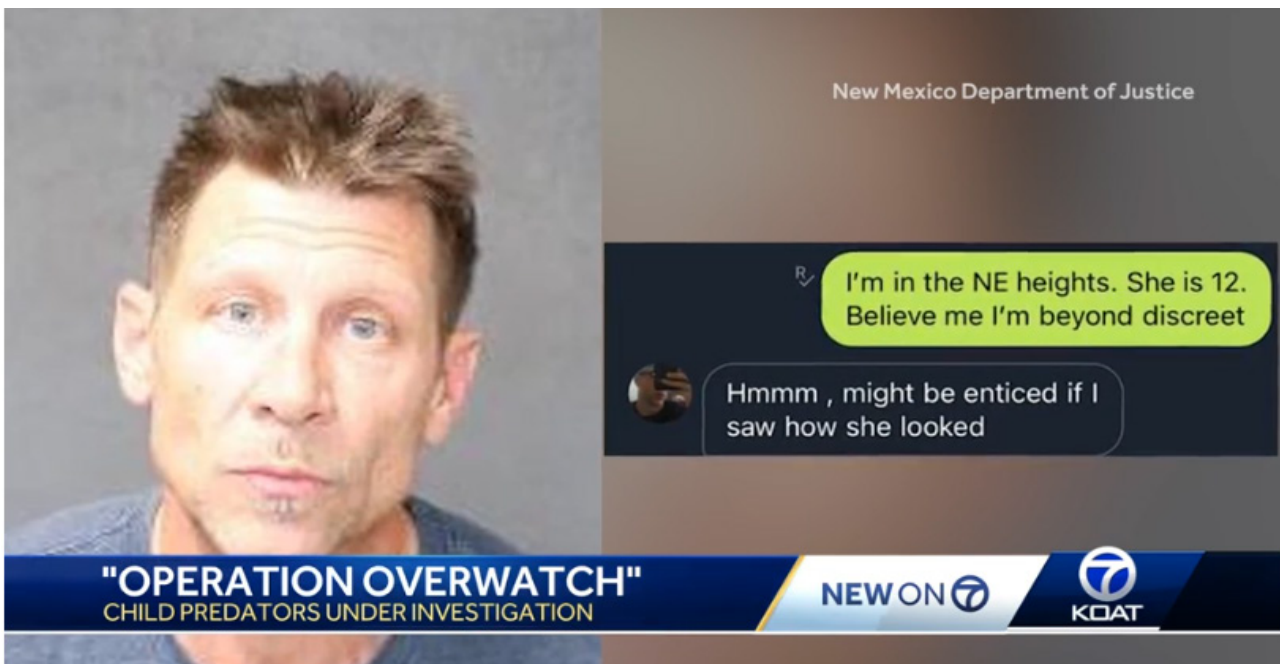
“Operation Overwatch” was not only a success in apprehending predators but also in demonstrating the effectiveness of collaboration between federal, state, and local agencies, including the FBI and HSI. Leaders highlighted the importance of unified efforts to remove predators and prevent future exploitation.

**“This enforcement action has effectively removed harmful child predators from our communities, sending a powerful message to those seeking to harm children for their satisfaction.”**

**-Jason T. Stevens**

## PREVENTING FUTURE EXPLOITATION

While Operation Overwatch was a successful take down of child predators, it also served as a wake-up call for parents and caregivers. Online platforms, particularly non-traditional sites like those used in this operation, continue to pose a risk to vulnerable children. Parents need to be vigilant in monitoring their children’s online activity, and law enforcement agencies are working to increase awareness.



# INTERNET CRIMES AGAINST CHILDREN TASK FORCE IMPACT AND MILESTONES

The Internet Crimes Against Children (ICAC) Task Force has played a pivotal role in addressing online child exploitation and protecting vulnerable children in our community. Through strategic prevention efforts, rigorous investigations, and robust legal actions, the ICAC Task Force continues to make significant strides in combating internet crimes against children.



## INVESTIGATIVE ACTIONS

In response to citizen complaints and Cybertips, the ICAC Task Force conducted 3,410 reactive and 122 proactive investigations leading to 83 arrests, including 22 hands-on offenders, and the rescue of 25 children from ongoing abuse. The task force also identified 52 new child victims, showcasing its effectiveness in uncovering exploitation.

## FORENSIC AND DIGITAL ANALYSIS

The digital forensics unit conducting 197 on-scene examinations and analyzed over 108,647 gigabytes of data from computers, mobile devices, and other digital storage.

## LEGAL AND JUDICIAL SUPPORT

Over the year, 188 cases were referred for prosecution at state and federal levels, supported by the issuance of 826 subpoenas and 652 search warrants. These actions resulted in 80 cases being accepted for state or local prosecution, ensuring that offenders were held accountable.

## TRAINING AND CAPACITY BUILDING

The ICAC Task Force organized 13 training events and trained 314 law enforcement officers, 22 prosecutors, and other professionals. The task force also provided 239 technical assists to partner agencies, strengthening their capacity to address online crimes.

## SMART CHATS: PROTECTING NEW MEXICO'S YOUTH ONLINE

Today's online world presents unprecedented risks for children and teens. The internet, with its vast reach and rapid evolution, exposes young people to a range of threats—from cyberbullying and sextortion to online predators and privacy breaches. As these dangers grow, the responsibility to shield our youth from harm becomes critical.

In response, the NMDNJ has launched launched SMART CHATS (Social Media Awareness Roundtables Creating Healthy Avenues Towards Safety) to educate and empower parents, educators, and teens against online threats like cyberbullying, sextortion, and predators.



Jenny Bartos, NMDNJ Outreach Program Coordinator, educating Sandia Preparatory students on online safety.



### ENGAGING SCHOOLS AND COMMUNITIES

As part of this initiative, the NMDNJ outreach team is visiting schools across New Mexico, hosting in-person sessions to create a safe space for students—particularly sophomores and young women—to discuss online experiences and learn safer internet practices. Workshops for families and educators address topics such as privacy settings, sextortion prevention, and reporting harmful content. The team also highlights resources like Take It Down and StopNCII.org, empowering communities to remove exploitative material and improve online safety.

### SOCIAL MEDIA GUIDES

The NMDNJ recognizes the need for parents, guardians, and educators to have access to tools and resources that can protect children in the digital world. To this end, the NMDNJ has developed Privacy and Internet Safety Guides, tailored to address the specific challenges of online safety on platforms such as YouTube, Snapchat, X (formerly Twitter), Twitch, TikTok, Gaming Consoles, Reddit, Meta Platforms, and Discord.

These guides offer actionable tips for enabling privacy settings, managing account visibility, and monitoring content access, empowering families to better protect their children from online threats.

# ADVANCING THE FIGHT AGAINST CHILD EXPLOITATION

## THE ARREST OF JARED CORDUM

The NMDOJ played an integral role in the investigation, arrest, and ongoing prosecution of Jared Cordum, a Clovis-based occupational therapist accused of sexually assaulting multiple children during in-home “therapy” sessions. This case highlights NMDOJ’s steadfast commitment to safeguarding children and ensuring that predators are held accountable for their crimes.

## INITIATING THE INVESTIGATION

In May 2024, the Clovis Police Department reached out to NMDOJ for assistance after receiving disturbing reports of alleged sexual abuse involving Cordum. These reports came from concerned parents, guardians, and a school therapist, who described inappropriate and invasive actions taken by Cordum under the guise of occupational therapy. The allegations included physical abuse, invasive medical procedures, and behavior that violated professional standards of care.

NMDOJ immediately mobilized its Special Agents to assist in the investigation, working closely with the Clovis Police Department and the Roswell County Sheriff’s Department to uncover the full extent of Cordum’s actions. Together, these agencies initiated a thorough investigation that spanned multiple jurisdictions.

## ARREST AND EXPANDING THE CASE

On July 9, 2024, NMDOJ Special Agents, with the Clovis Police and Roswell County Sheriff’s Departments, arrested Cordum at his Clovis home. Initially charged with criminal sexual penetration of a minor, multiple counts of sexual contact, battery, and practicing without a license, he now faces charges involving six victims. At present, the NMDOJ is reviewing over 60 additional complaints regarding Cordum’s concerning conduct.





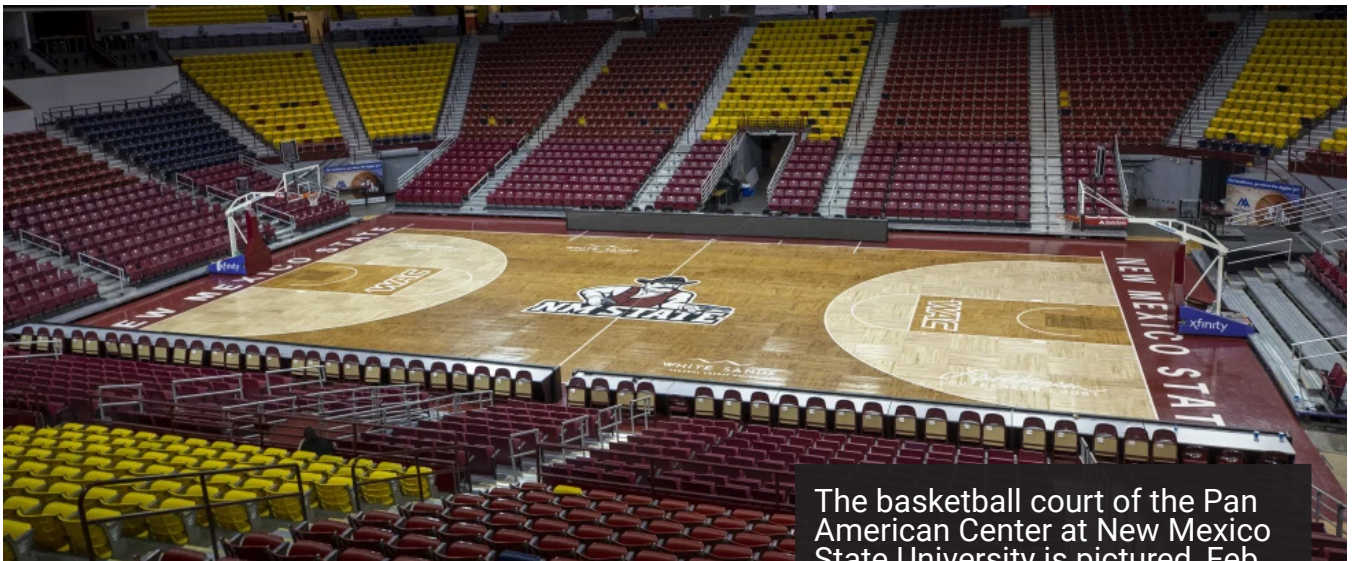
# Protecting Students

Hazing, cyberbullying, and mass threats remain serious problems in educational institutions, endangering student safety and well-being while undermining trust in learning environments. Inconsistent penalties, weak enforcement, and gaps in prevention and reporting have allowed these harmful practices to persist, causing physical, emotional, and psychological harm. High-profile incidents, like those at New Mexico State University, underscore the urgent need for action.

To address this, the NMDOJ is advocating for comprehensive legislative reforms, stricter accountability, and cultural change to ensure that all students can learn and thrive in safe, respectful, and supportive environments.

# COMBATING HAZING IN EDUCATIONAL INSTITUTIONS

The NMDOJ has taken decisive steps to address the pervasive issues of hazing and cyberbullying within New Mexico's educational institutions, recognizing the severe impact these practices have on student safety, well-being, and trust in learning environments.



The basketball court of the Pan American Center at New Mexico State University is pictured, Feb. 15, 2023, in Las Cruces, N.M. (AP Photo/Andrés Leighton, File)

## CRIMINAL CHARGES AND INVESTIGATION

In November 2023, Attorney General Raúl Torrez announced criminal charges against three former members of the New Mexico State University (NMSU) basketball team for a series of hazing incidents during the fall of 2022. The NMDOJ also released a report in December 2024 which detailed these failures and provided 35 recommendations to improve campus safety, including mandatory training, consistent discipline, enhanced interdepartmental coordination, and the creation of a sexual violence prevention resource center.

## LEGISLATIVE REFORMS

Building on these findings, the NMDOJ introduced comprehensive legislation in January 2025 to criminalize hazing and establish clear penalties for offenders. The proposed Anti-Hazing Legislation categorizes hazing offenses based on severity, with penalties ranging from misdemeanors for less harmful acts to second-degree felonies for cases resulting in death. It also mandates reporting by faculty and staff, requires institutions to implement hazing prevention committees, and provides education on hazing prevention.

# PROPOSED LEGISLATION TO COMBAT CYBERBULLYING

The NMDOJ has also proposed new legislation to criminalize cyberbullying, addressing its growing impact on students' mental health, academic performance, and safety. This initiative reflects the NMDOJ's commitment to fostering a secure environment for children in schools and online.

## SUPPORTING EVIDENCE AND THE NEED FOR ACTION

Cyberbullying is linked to significant mental health issues, including depression, anxiety, and suicidal ideation. A 2023 study in the Journal of the American Academy of Psychiatry and the Law found that 14.9% of adolescents have experienced cyberbullying, with 13.6% making serious suicide attempts. The term "cyberbullicide" was introduced to describe suicides influenced by online aggression.

Cases such as Rebecca Sedwick, a 12-year-old who ended her life after over a year of relentless bullying and cyberbullying, and Channing Smith, a 16-year-old who died by suicide after being outed online, illustrate the devastating consequences of unchecked harassment. These incidents highlight the urgent need for robust legal measures and educational initiatives to protect vulnerable youth.

These cases highlight how the anonymity and persistence of online harassment can magnify its impact, making it inescapable for victims. Such incidents underscore the urgent need for robust legal measures and educational initiatives to combat cyberbullying and protect vulnerable youth.

## PROVISIONS OF THE PROPOSED LEGISLATION

The bill introduces penalties for cyberbullying, with escalating consequences. Key elements include:

Definition of Cyberbullying: Communications, written or electronic, targeting students and resulting in:

- Fear of physical harm.
- Detrimental effects on physical or mental health.
- Interference with academic performance or participation in school activities.

## PENALTIES

- Misdemeanor for standard offenses.
- Fourth-degree felony if it results in physical or significant psychological harm.
- Third-degree felony for great physical harm.
- Second-degree felony if the offense leads to death.

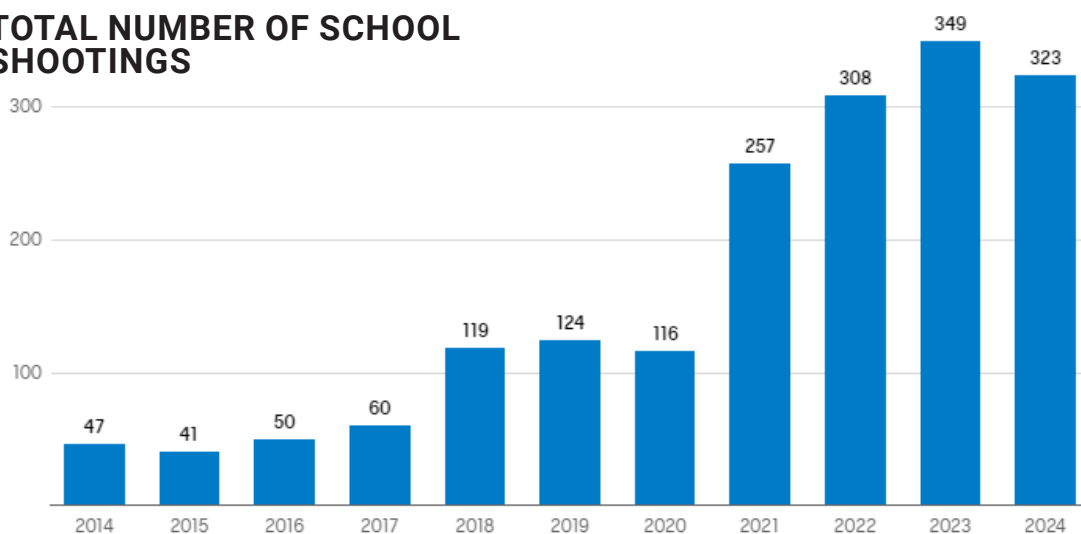


# STRENGTHENING PENALTIES FOR SCHOOL THREATS

Mass shooting threats are rising, both nationally and across New Mexico, disrupting schools in Albuquerque, Clovis, Las Cruces, Santa Fe, and beyond. In September 2024, Albuquerque Police investigated 28 incidents, straining resources and undermining students' sense of safety, essential for effective learning.

In response, Attorney General Raúl Torrez unveiled a legislative proposal on October 29, 2024, at Cleveland High School in Rio Rancho. The bill elevates school threats from a misdemeanor to a fourth-degree felony under Section 30-20-16.

## TOTAL NUMBER OF SCHOOL SHOOTINGS



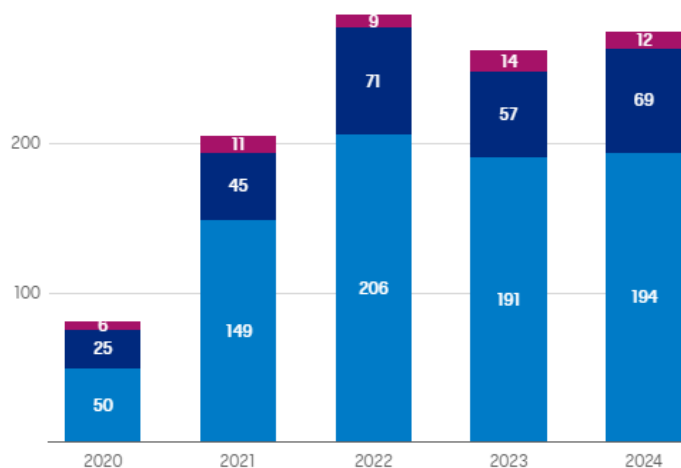
Source: Riedman, David (2023). K-12 School Shooting Database. / [Get the data](#)

## SCHOOL SHOOTING VICTIMS

Shooters Killed

Victims Killed

Victims Wounded



Source: Riedman, David (2023). K-12 School Shooting Database. / [Get the data](#)

## ADDRESSING GAPS IN THE LAW

The proposal closes a loophole in the Children's Code that resolves some misdemeanors without prosecutorial involvement. By reclassifying threats as felonies, concerning patterns of youth behavior can be identified earlier, allowing timely intervention and support.



# Protecting Vulnerable Populations

The NMDOJ addresses the unique risks faced by vulnerable populations—such as the elderly, individuals with disabilities, low-income communities, Indigenous peoples, and children—who are often targets of abuse, neglect, and exploitation in physical, emotional, financial, and systemic forms. These actions undermine dignity, health, and safety while deepening systemic inequalities.

To combat these issues, the NMDOJ has implemented targeted initiatives, forged strategic partnerships, and strengthened law enforcement efforts to protect and uphold the rights of New Mexico's most at-risk citizens.

# VICTIM SERVICES: GUIDING VOICES IN THE JOURNEY FOR JUSTICE

The journey through the criminal justice system can be overwhelming, especially for victims of crime. The Victim Services Division of NMDNJ exists to guide these individuals, offering support throughout all stages of the criminal process including criminal appeals. With a team of highly trained advocates, some on the path to national certification, the division has become a beacon of hope and assistance in moments of crisis.

This year, the division's impact has been profound, providing critical assistance to victims of human trafficking and other vulnerable populations. Participation in events like National Night Out in Santa Fe, Las Cruces, and Albuquerque where they engaged directly with nearly 1,000 community members, spreading awareness and support.



The division has played a vital role in significant cases, including sex offender parole hearings and Internet Crimes Against Children operations, where their advocacy has been instrumental in safeguarding victims' safety and well-being. Their commitment goes beyond the courtroom, with team members participating in national training conferences to enhance their expertise in victim advocacy, ensuring they are prepared to face future challenges.



## STRENGTHENING PROTECTIONS FOR CRIME VICTIMS

In October 2024, Attorney General Raúl Torrez and a coalition of lawmakers introduced legislation to enhance protections for crime victims in New Mexico. The proposed amendments to the Victims of Crime Act grant victims the right to sue if their rights are violated, ensuring accountability and enforcement. Additionally, the legislation includes pretrial interview protections to reduce secondary trauma and promote a more victim-centered legal process, reaffirming the NMDNJ's commitment to safeguarding victims' rights.

# ADDRESSING ABUSE AND NEGLECT OF OUR SENIOR CITIZENS

## RESIDENTIAL CARE FACILITIES

In December 2024, the NMDOJ's Medicaid Fraud Control Unit conducted an investigation that led to charges against four caregivers in separate elder abuse cases, exposing systemic issues in residential care facilities across New Mexico. These cases, occurring in Santa Fe, Rio Rancho, and Las Vegas, revealed disturbing incidents of abuse against vulnerable residents.



In Santa Fe, Salomon Sanchez was caught on video refusing to assist a resident, subsequently shoving them into a table and holding them down.

At Pacifica Senior Living Facility, Lee Carrizales verbally assaulted two residents, with one incident captured on video and uploaded to social media.

In Rio Rancho, Edwards Bonilla-Aguinada was accused of aggressively treating an 89-year-old Alzheimer's patient during a diaper change, ignoring her discomfort.

Linda Romero, a caregiver in Las Vegas, was charged for striking a patient in her care.

**“The treatment of our elders and residents in care facilities is a direct reflection of our values as a community. When caregivers violate that trust and inflict harm, they not only hurt individuals but undermine the safety and dignity of our entire system of care. My office will use every tool at our disposal to ensure those responsible are held fully accountable and to restore trust in the care these individuals deserve.”**

**- Raúl Torrez**

# REPAIRING FAILING SYSTEMS

## ENSURING ACCOUNTABILITY AND SYSTEMIC REFORM

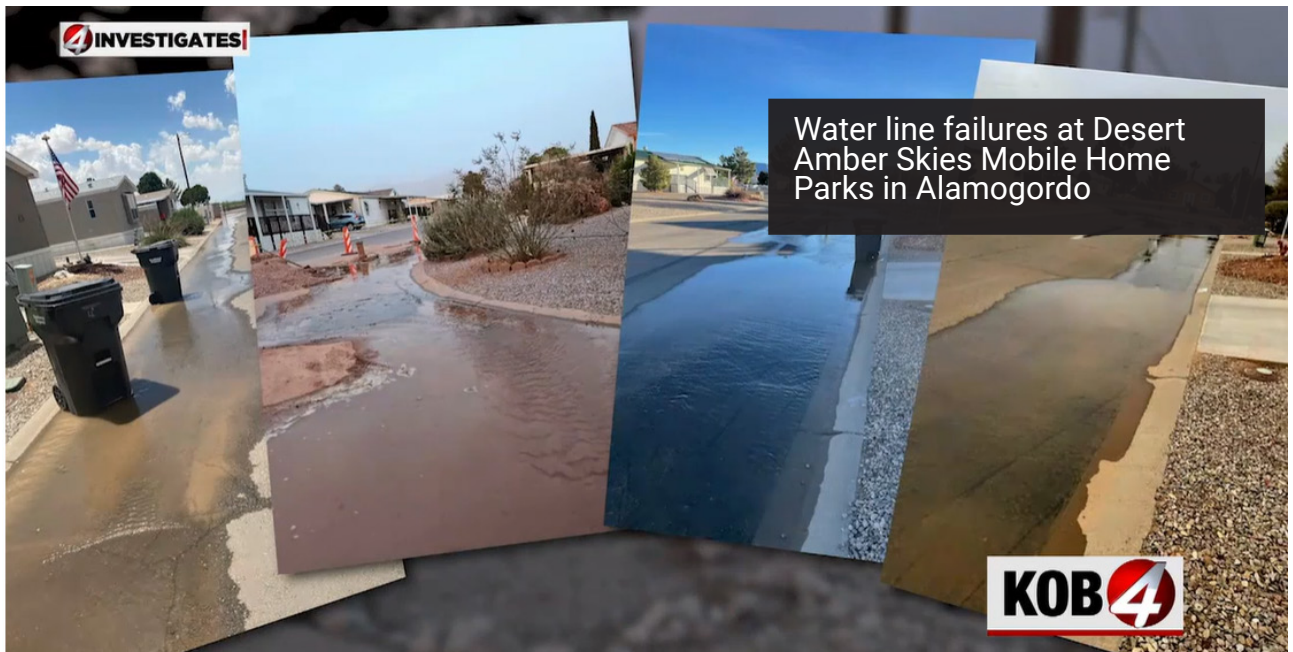
In October 2024, the NMDOJ reached a significant agreement with the operators of Desert Palms and Amber Skies Mobile Home Parks in Alamogordo, addressing persistent infrastructure failures that jeopardized residents' health and safety. Following numerous complaints from residents, investigations revealed systemic issues, including failing natural gas infrastructure at Desert Palms and intermittent access to running water at Amber Skies.

### DESERT PALMS MOBILE HOME PARK:

- Residents endured unsafe conditions due to failing natural gas lines.
- Agreement includes rent abatements during repairs and a commitment to complete upgrades by December 31, 2024, with NMDOJ oversight for compliance.

### AMBER SKIES MOBILE HOME PARK:

- Residents experienced chronic water supply disruptions due to faulty infrastructure.
- Agreement mandates contractors replace failing systems, with repair timelines shared with residents and NMDOJ.
- These agreements highlight NMDOJ's dedication to enforcing the Unfair Practices Act, ensuring immediate relief for residents, and holding property owners accountable for maintaining safe living conditions.



The Alamogordo agreements are a testament to the NMDOJ's commitment to addressing systemic neglect and holding property owners accountable for maintaining safe and habitable living conditions. By leveraging the New Mexico Unfair Practices Act and pursuing agreements, the NMDOJ has secured relief for residents while maintaining the option to pursue legal action if commitments are not met.

# SAFEGUARDING FINANCIAL AND MEDICAL SECURITY

## RIO RANCHO COUNSELOR INDICTED FOR MEDICAID FRAUD

In May 2024, the NMDOJ secured an indictment against Rio Rancho counselor Mayra Haynes for Medicaid fraud. Haynes was charged with falsifying documents and fraudulently claiming over \$20,000 from Medicaid between 2019 and 2021. Prosecutors identified four witnesses to support the case, which underscores the Medicaid Fraud Control Unit's (MFCU) commitment to uncovering financial exploitation within the Medicaid system.



## FRAUDULENT RECOVERY CENTER OPERATIONS

A significant Medicaid fraud case involved Morgan Ortiz, a former New Mexico State Police officer, and Dr. Keith Levitt, a physician, who were charged with 16 counts of Medicaid fraud, identity theft, and document falsification. Operating a substance abuse recovery program in Albuquerque, the defendants were accused of billing over \$800,000 for uncredentialed services.

## PARTNERSHIP WITH DEVELOPMENTAL DISABILITIES WAIVER PROVIDERS

Over the past 16 months, the MFCU has strengthened collaboration with the Department of Health's Division of Health Improvement (DHI) to address criminal abuse, neglect, and exploitation under the Resident Abuse and Neglect Act. Quarterly meetings have led to actionable referrals, Pre-Enforcement Alert Letters, and swift responses to safeguard the vulnerable Developmental Disability Waiver community through criminal investigations and administrative actions.

## **INVESTIGATION INTO ALLEGED DENIAL OF ESSENTIAL MEDICAL CARE**

In July 2024, the NMDOJ launched an investigation into Memorial Medical Center in Las Cruces over allegations of denying essential care to low-income and uninsured patients, including cancer patients. Reports indicate that the hospital demanded full upfront payments for critical treatments, failed to screen patients for financial assistance programs, and violated state laws such as the Unfair Practices Act and the Indigent Hospital and County Health Care Act, depriving vulnerable individuals of potentially life-saving resources.

## **COMMUNITY IMPACT AND ADVOCACY**

Memorial Medical Center serves a vulnerable population in Doña Ana County, where nearly 15% of residents lack health insurance, and 23% live below the poverty line according to the 2023 Census. Allegations of denying care contradict the hospital's stated

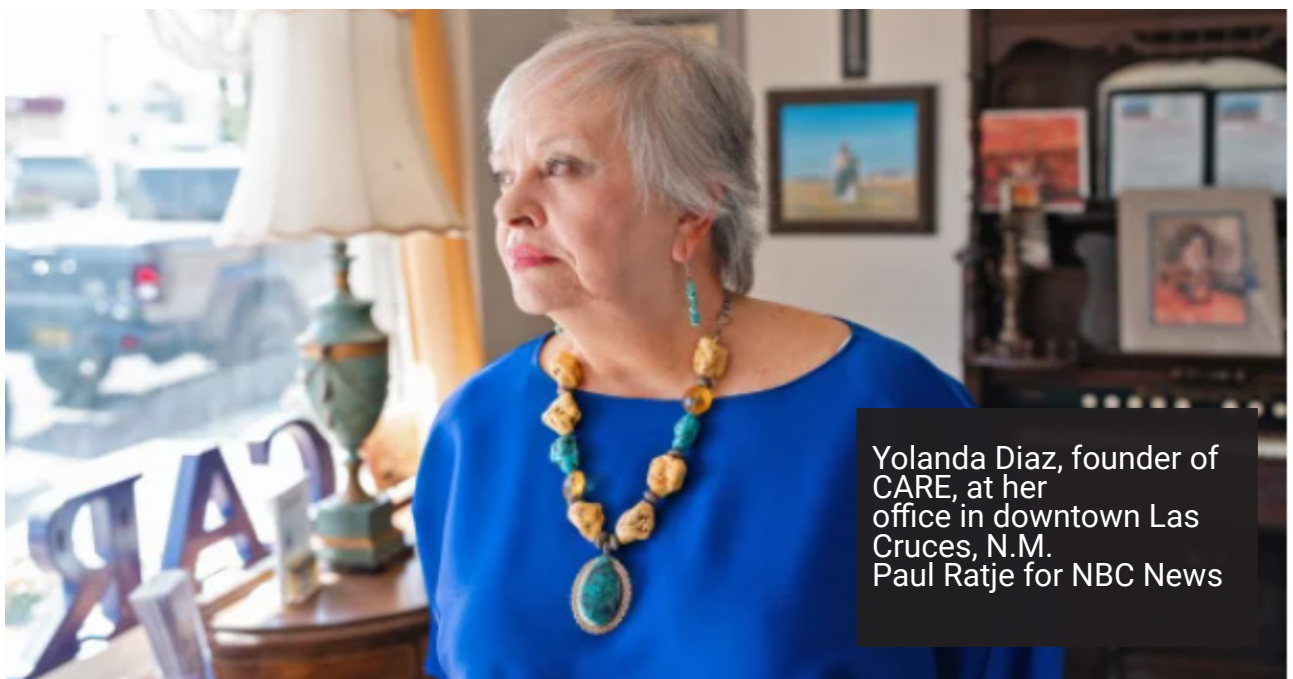
mission to provide services “regardless of patients’ ability to pay.”

Local patient advocate Yolanda Diaz, founder of CARE Las Cruces, has long highlighted the hospital's failure to meet its obligations. She praised the NMDOJ's investigation, calling it “the absolute best course of action to achieve justice and systemic change.”

## **HOLDING PRIVATE EQUITY-OWNED HOSPITALS ACCOUNTABLE**

Owned by Apollo Global Management and operated by Lifepoint Health, Memorial is part of a broader trend of private equity prioritizing profits over care. Private equity-owned hospitals in New Mexico face higher costs, reduced service quality, and worse patient outcomes.

AG Torrez's investigation is a critical step toward ensuring equitable healthcare and addressing the harmful effects of private equity ownership in the state's hospitals.



Yolanda Diaz, founder of CARE, at her office in downtown Las Cruces, N.M. Paul Ratje for NBC News

# SUPPORTING INDIGENOUS COMMUNITIES

## ABOUT MISSING AND MURDERED INDIGENOUS PEOPLE

In March of 2024, the NMDOJ launched an interactive missing and murdered indigenous people (MMIP) portal to enhance transparency and collaboration on MMIP cases in New Mexico. The portal provides real-time updates on active cases, facilitates public leads, and improves communication between law enforcement agencies, offering critical support for families seeking answers.

The MMIP Portal in New Mexico is a centralized resource to help families and communities find missing Indigenous persons. It provides tools to report and search for missing individuals, with filters by name, age, and last seen dates. The portal supports collaboration between law enforcement, communities, and the public to address the crisis of violence and disappearances in Indigenous communities.

### OUR MISSION:

- **Supporting Families and Communities:** Through accessible, transparent, and sensitive resources.
- **Raise Awareness:** Highlight the MMIP crisis and foster collaboration among law enforcement, community organizations, and the public.
- **Advocate for Systemic Change:** Work towards preventing further injustices by promoting policy changes.

The portal serves as a hub for information, advocacy, and



Families and community members came together at the MMIP holiday outreach event to connect, share support, and find joy during the holiday season

support, honoring the resilience of Indigenous communities while working toward justice and safety.

## SUPPORTING ADEQUATE REPRESENTATION IN OUR NATIVE COMMUNITIES

In order to ensure adequate representation in New Mexico's Native communities, our Indian Affairs division has two attorneys who regularly meet with all of the Pueblos across the state to discuss legal issues. These efforts are part of our ongoing commitment to ensuring Indigenous communities have the legal support and advocacy they deserve. By fostering open communication and addressing systemic barriers, we aim to strengthen representation and trust within the legal system.

**“We have to break down barriers to communication in this space and give the public and key stakeholders direct access to the information we have regarding Missing and Murdered Indigenous People”.**

**- Raúl Torrez**



# Protecting Consumers

New Mexicans face numerous challenges when businesses exploit vulnerable individuals, engage in unfair competition, or use deceptive practices. Whether during crises, through monopolistic corporate actions, or by targeting unsuspecting consumers, these behaviors harm families, communities, and the state's economy. The New Mexico Department of Justice is committed to safeguarding consumers from unethical conduct and promoting fairness in the marketplace.

From combating price gouging and fraud during emergencies, to blocking anticompetitive mergers and holding corporations accountable for monopolistic and deceptive practices, the NMDOJ works tirelessly to protect New Mexicans. By pursuing legal action, fostering collaboration with local leaders, and advocating for fair competition, the NMDOJ ensures that families and workers are not taken advantage of and have access to affordable goods and services.

# CONSUMER SETTLEMENT DOLLARS AT WORK



## **COMMUNITY IMPACT: \$285,000 SETTLEMENT FUNDS FOR HEALTH CARE GRANTS**

In November 2024, the NMDOJ awarded \$285,000 in settlement funds to the Las Vegas New Mexico Community Foundation (LVNMCF). These funds, stemming from a 2022 lawsuit against Alta Vista Regional Hospital and its former owner, Quorum Health Corp., were designated to address critical community health care needs in San Miguel County, including behavioral health services.

The settlement, filed under the Unfair Practices Act for misleading advertising and unconscionable trade practices, highlights NMDOJ's commitment to safeguarding community interests. Attorney General Raúl Torrez presented the check, emphasizing the importance of these resources in strengthening local health care infrastructure.

The LVNMCF, under the leadership of Executive Director Elmo Baca, will oversee the grant process, ensuring funds are awarded to nonprofit organizations in San Miguel County that meet specific eligibility criteria. This initiative not only supports nonprofits addressing health and wellness but also ensures compliance with state regulations to maintain trust and transparency.

Additionally, the NMDOJ allocated an extra \$115,000 directly to consumers, further expanding the positive impact of this settlement on the community. These combined efforts reflect NMDOJ's strategic focus on protecting residents and advancing critical health care initiatives that benefit underserved populations in San Miguel County.

# STANDING AGAINST EXPLOITATION: FIGHTING PRICE GOUGING AND FRAUD DURING CRISES

## COMBATING PRICE GOUGING AND FRAUD IN TIMES OF CRISIS

In response to price gouging and fraud targeting those affected by the South Fork and Salt Fires, Attorney General Raúl Torrez urged vigilance and reporting of unethical behavior. Speaking in Ruidoso, AG Torrez warned that exploitation during crises will face swift legal action, including criminal prosecution for fraud and price gouging by hotels, contractors, and retailers. As part of this effort, the NMDOJ recovered several thousand dollars that went back to consumers who were overcharged by hotels during the crisis.

## COMMUNITY LEADERS ECHOED HIS MESSAGE:

Ruidoso Mayor Lynn Crawford highlighted the generosity shown by surrounding communities while condemning those who exploited residents: “Our neighbors in Roswell really stepped up in our time of need and welcomed Ruidosoans with open arms. It is so upsetting to hear that some people took advantage of our citizens when they were vulnerable and in need of shelter.”

Lincoln County Undersheriff Geraldine Martinez affirmed the importance of collaboration with the Attorney General’s Office: “No one should be taken advantage of in a time of crisis. I’m happy to work with the New Mexico Department of Justice to shed light on potential crimes that may be taking place in Lincoln County.”



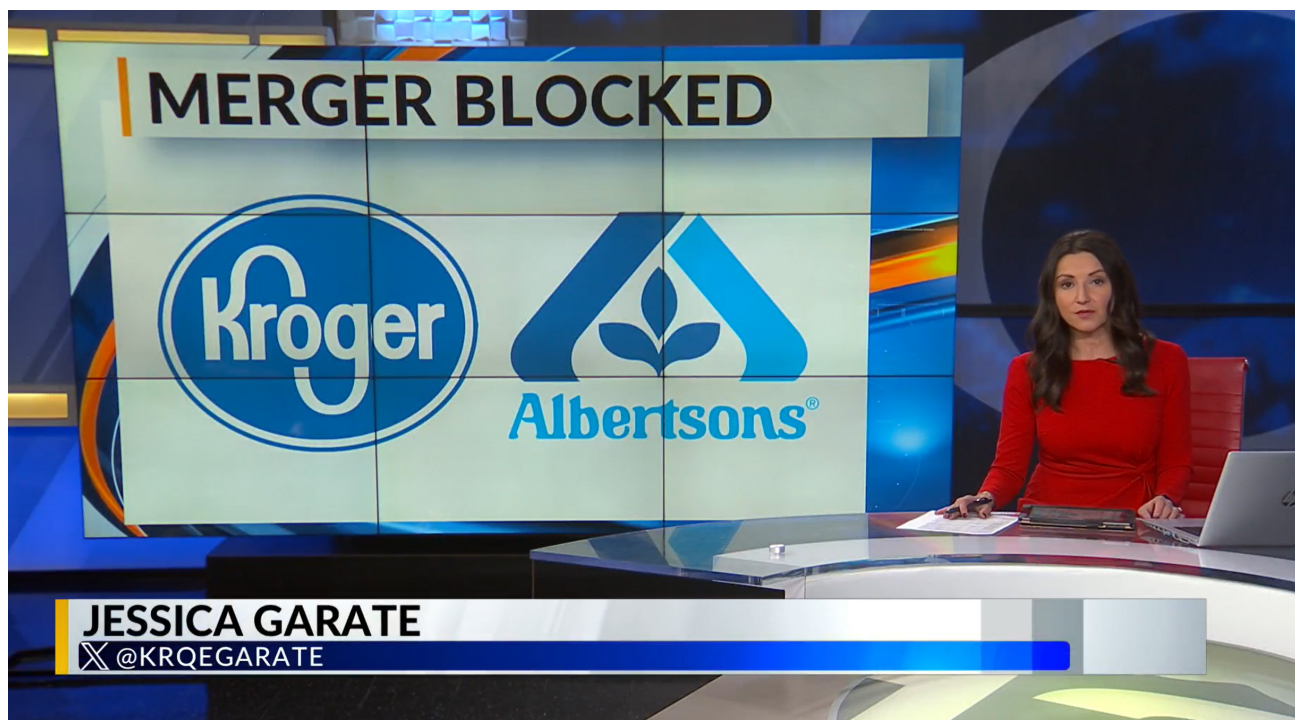
# PROTECTING CONSUMERS AND COMPETITION

## CHALLENGING ANTICOMPETITIVE MERGERS

In a significant victory for the NMDOJ and consumers statewide, two courts have blocked the \$24.6 billion Kroger-Albertsons merger, a major victory for the NMDOJ and consumers. The merger, the largest proposed grocery consolidation in U.S. history, was opposed for its potential to:

- Raise food prices for families across New Mexico.
- Eliminate competition in many communities where Kroger and Albertsons are the primary grocery providers.
- Hurt workers by reducing labor market competition, leading to lower wages and diminished benefits.

Kroger and Albertsons operate under Smith's, Price Rite, Albertsons, and Safeway banners in New Mexico, where the companies are each other's biggest competitors. If allowed, the merger would have created grocery monopolies in several regions, severely impacting local consumers and workers.



**“This victory is a direct result of our unwavering commitment to fighting for New Mexican families and workers. By blocking this anticompetitive merger, we are ensuring affordable groceries, preserving local competition, and protecting hard-working employees. This is a proud day for the New Mexico Department of Justice and everyone who relies on their neighborhood supermarkets.” – Raúl Torrez**



## TACKLING CORPORATE MONOPOLIES AND DEFENDING FAIR COMPETITION

In 2024, Attorney General Raúl Torrez joined a coalition of 40 state Attorneys General and the U.S. Department of Justice in a major antitrust lawsuit against Live Nation-Ticketmaster. The lawsuit, filed in the Southern District of New York, alleges that Live Nation-Ticketmaster engaged in monopolistic practices, harming both consumers and the live entertainment industry. The NMDNJ's participation in this litigation underscores its commitment to promoting fair competition and protecting New Mexicans from corporate greed that restricts access to live events.

The division also spearheaded litigation aimed at preventing the Kroger-Albertsons merger, which threatened to further reduce competition in the grocery industry. Additionally, the NMDNJ played a key role in securing a victory against Google for its monopolistic practices in online search and advertising services.



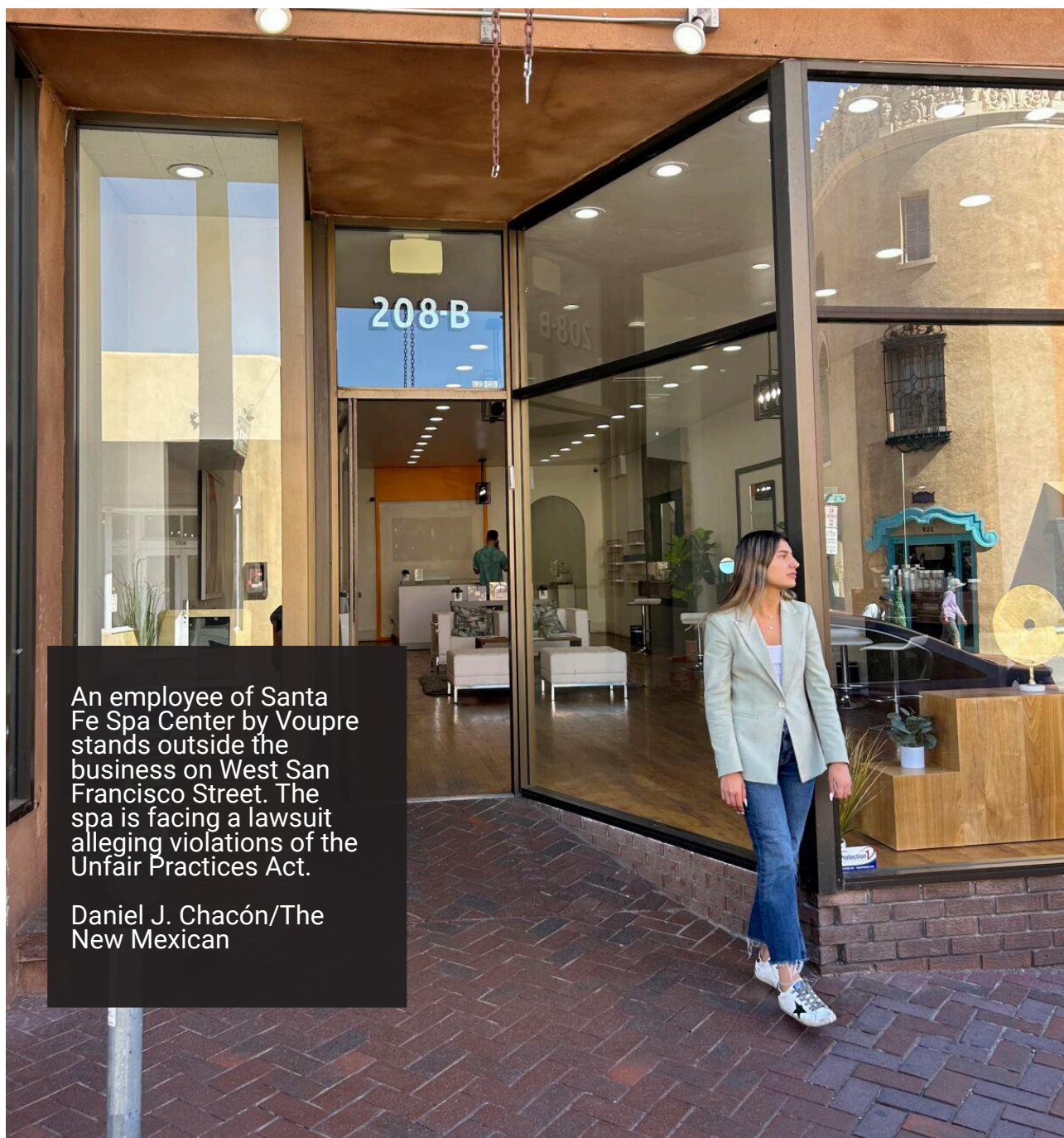
**“By holding this company accountable, we are standing up for the rights of New Mexicans and millions of Americans who have been unfairly impacted by these anticompetitive actions,”**

**— Raúl Torrez**

# CRACKING DOWN ON CONSUMER FRAUD

## HOLDING FRAUDULENT BUSINESSES ACCOUNTABLE: THE VOUPRE SPA CASE

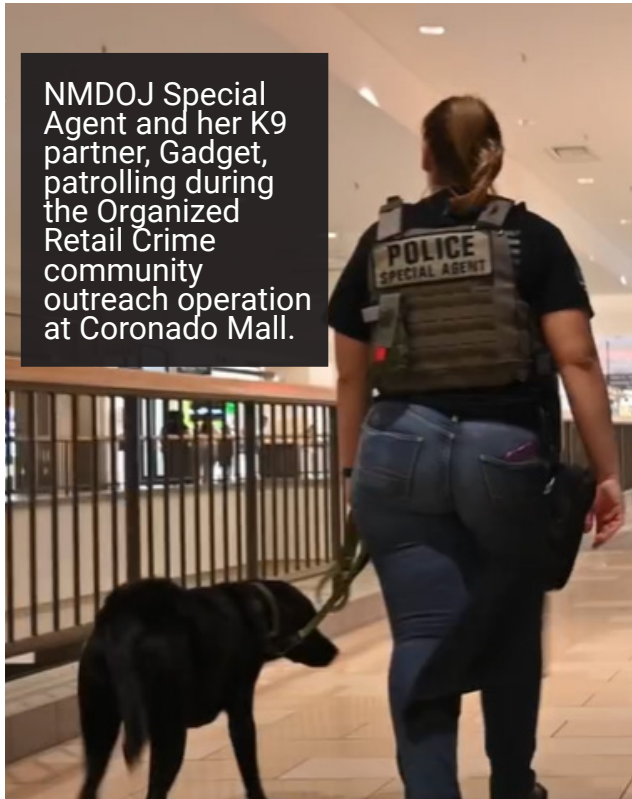
In September 2024, the NMDNJ filed a lawsuit against Voupre Spa in Santa Fe, accusing the business of defrauding consumers through deceptive sales tactics. Voupre was found to have lured customers into purchasing overpriced products by using misleading claims and aggressive pressure, with some consumers unknowingly charged up to ten times the agreed-upon amount. This lawsuit highlights the NMDNJ's ongoing efforts to protect New Mexicans from predatory businesses and ensure that consumers are treated fairly in the marketplace.



An employee of Santa Fe Spa Center by Voupre stands outside the business on West San Francisco Street. The spa is facing a lawsuit alleging violations of the Unfair Practices Act.

Daniel J. Chacón/The New Mexican

# PROTECTING NEW MEXICO'S CONSUMERS, EMPLOYEES & RETAILERS

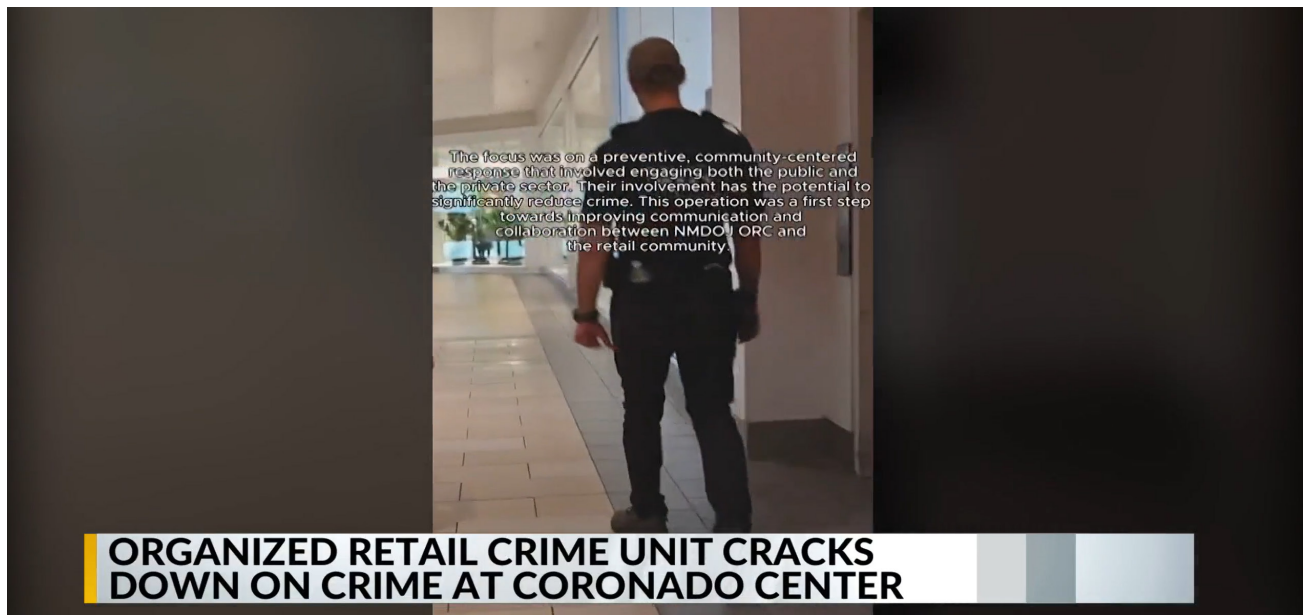


NMDOJ Special Agent and her K9 partner, Gadget, patrolling during the Organized Retail Crime community outreach operation at Coronado Mall.

## FIGHTING ORGANIZED RETAIL CRIME

The NMDOJ is committed to tackling organized retail crime, which harms businesses and drives up prices for consumers. In 2023, the NMDOJ played a major role in the creation and passing of a new organized retail crime bill, which became law on June 16, 2023. This legislation empowers prosecutors to aggregate the value of stolen goods, enabling stricter penalties for high-value thefts, including second-degree felonies for cases exceeding \$20,000 in stolen merchandise. It also introduced the crime of "aggravated shoplifting," targeting offenders who assault others with a deadly weapon while shoplifting.

These legal tools have already strengthened efforts to combat retail crime. For example, on November 15, 2024, Angel Cedino was indicted on six felony charges, including organized retail



crime theft, four counts of shoplifting valued between \$2,500 and \$20,000, and two counts between \$500 and \$2,500. Over thirteen months, Cedino stole more than \$40,000 in merchandise, impacting retailers statewide.

Additionally, the Organized Retail Crime Unit conducted a significant community outreach operation at Coronado Mall in response to recent violent incidents. Over 100 retailers were engaged, addressing multiple shoplifting cases and gathering critical information on organized crime networks. Through the operation, the unit recovered over hundreds of dollars worth of merchandise.

# NMDOJ LOWERS RATE INCREASE AND CHALLENGES PNM'S PRACTICES

## FAIR ENERGY RATES AND FINANCIAL ASSISTANCE FOR NEW MEXICANS

The New Mexico Department of Justice (NMDOJ) played a pivotal role in negotiating a significant reduction to Public Service Company of New Mexico's (PNM) proposed rate increase and ensuring financial assistance for those most affected. Additionally, the NMDOJ continued its advocacy for consumer protection and environmental accountability by appealing PNM's handling of the Four Corners Power Plant.

Key Achievements in Rate Negotiations:

- **Reduced Rate Increase:** The NMDOJ successfully lowered PNM's proposed rate hike from \$23 to \$9.79 per month by 2026, implemented in two phases: \$2.79 in July 2025 and \$7 in April 2026.
- **Good Neighbor Fund Contribution:** PNM agreed to a \$1.5 million shareholder-funded donation to its Good Neighbor Fund, providing bill assistance to low-income households struggling with utility costs.
- **Lower Revenue Request:** PNM's requested annual revenue increase of \$174.5 million was reduced to \$105 million, helping mitigate the financial burden on customers.



## FOUR CORNERS POWER PLANT APPEAL

The NMDOJ also appealed PNM's handling of the Four Corners Power Plant, a controversial coal-fired facility. In July 2023, the New Mexico Supreme Court upheld a ruling by the Public Regulation Commission (PRC) that denied PNM's plan to transfer ownership of its shares in the plant to a Navajo power company. The court found PNM acted with "imprudence" by investing in the plant in 2016 and prohibited the company from recovering nearly \$85 million from ratepayers.

The NMDOJ's appeal highlighted:

- **Consumer Protection:** Opposing PNM's attempt to pass costs of "imprudent" investments onto customers.
- **Environmental Advocacy:** Challenging plans that would delay transitioning away from coal, undermining the goals of the Energy Transition Act and exacerbating climate and health concerns.



# Protecting Our Natural Resources

New Mexico faces significant environmental and public health challenges, including water disputes, PFAS contamination, and food safety risks, which threaten natural resources, public health, and the state's economic well-being.

The NMDOJ is addressing these issues through proactive legal action, enforcement, and advocacy to safeguard resources, protect public access rights, and ensure a sustainable and equitable future for all New Mexicans.

# FIGHTING FOR FAIR AND SHARED WATERS: THE RIO GRANDE DISPUTE

## PROTECTING THE ENVIRONMENT: RIO GRANDE WATER DISPUTE

For decades, the Rio Grande has been at the center of a complex water dispute between Texas, Colorado, and New Mexico, governed by the 1938 Rio Grande Compact. This agreement was meant to ensure the fair distribution of water across state lines, but as water demands grew and drought intensified, tensions escalated. New Mexico's groundwater pumping, critical to sustaining its agricultural communities, became a flashpoint, as Texas argued it reduced surface water deliveries downstream. Adding further complexity, the federal government raised concerns about how these disputes impacted a 1906 treaty requiring the U.S. to deliver water to Mexico.

On June 21, 2024, the U.S. Supreme Court weighed in, rejecting a proposed agreement between Texas and New Mexico that excluded federal oversight. In a sharply divided 5-4 ruling, the Court declared that the federal government must have a voice in any solution, given its role in upholding international obligations.



The Rio Grande at the New Mexico-Texas border near El Paso in 2013. Credit: Ivan Pierre Aguirre for The Texas Tribune

### WHAT THIS MEANS FOR NEW MEXICO

The decision presents challenges and opportunities. New Mexico must balance its agricultural and municipal needs with Compact obligations while safeguarding the Rio Grande's ecological health for future generations.

### NEXT STEPS

This ruling opens the door for renewed collaboration—a chance for Texas, New Mexico, and federal agencies to develop a sustainable, equitable water management

plan that satisfies competing demands. Moving forward, New Mexico will need to return to the negotiation table with all parties involved. This includes reworking agreements to comply with both domestic and international water obligations. Federal agencies, such as the U.S. Bureau of Reclamation, will play a larger role in overseeing water deliveries and ensuring compliance. At the same time, New Mexico is committed to engaging with stakeholders and communities across the state, ensuring transparency and public involvement in decisions that impact the state's water future.

# DEFENDING PUBLIC ACCESS

## UPHOLDING STREAM ACCESS RIGHTS

In August 2024, Attorney General Raúl Torrez expanded an existing lawsuit to include Pecos property owners Richard and Jean Jenkins and filed a contempt motion against Erik Briones for violating a consent decree entered with the NMDOJ in March 2024. These actions were in response to continued obstruction of public access to the Pecos River, including barriers and misleading signs that violated legal obligations.

AG Torrez emphasized, “Today’s legal action underscores our unwavering commitment to safeguarding the public’s right to access New Mexico’s streams and waterways. We will not tolerate violations of the law and will continue to fight for the rights of all New Mexicans to enjoy their natural resources.”

This commitment was further validated in January 2025 when the NMDOJ secured a major victory in federal court. Property owners had challenged the New Mexico Supreme Court’s 2022 ruling that declared all state waterways accessible to the public, even those running through private lands. The federal court dismissed the lawsuit, siding with the state and affirming the public’s constitutional right to access waterways. AG Torrez celebrated the decision, stating, “This outcome underscores the strength of our state’s constitution and the fundamental rights it guarantees to every New Mexican.”

The Attorney General’s efforts were praised by organizations such as the New Mexico Wildlife Federation and the Adobe Whitewater Club of New Mexico, who commended the NMDOJ’s bold enforcement of public access rights. These victories highlight the department’s dedication to protecting New Mexicans’ constitutional rights and ensuring equal access to public natural resources.



New Mexico Attorney General Raúl Torrez stands near a barrier that spans the Pecos River, north of Terrero, recently. The Attorney General’s Office has filed a lawsuit to have the barrier removed.  
Eddie Moore /Albuquerque Journal

# FIGHTING FOR ACCOUNTABILITY



Contractors move equipment as part of a 2021 study of removing per- and polyfluoroalkyl (PFAS) from the aquifer under Cannon Air Force base, near Clovis, New Mexico. New Mexico asked a judge to require the federal government to pay current and future damages from PFAS in court documents filed Monday, July 8, 2024. (Courtesy U.S. Air Force Staff Sgt. Maxwell Daigle)

## **ENSURING ENVIRONMENTAL JUSTICE: THE FIGHT AGAINST PFAS CONTAMINATION**

The NMDOJ, in partnership with the New Mexico Environment Department and the Office of Natural Resources Trustee, intensified its legal battle against the U.S. Department of Defense for contaminating New Mexico's natural resources with per- and polyfluoroalkyl substances (PFAS). In 2024, the department filed an amended complaint to include contamination sites at Holloman Air Force Base, Kirtland Air Force Base, White Sands Missile Range, and Fort Wingate.

PFAS, often called "forever chemicals," have caused significant harm to groundwater and pose serious health risks, including cancer and liver damage. The NMDOJ's litigation seeks damages and clean-up costs, ensuring accountability for the extensive environmental harm inflicted on New Mexico communities.

## **COMBATING TOXIC METALS IN BABY FOOD**

Earlier in the year, Attorney General Torrez joined a coalition of 20 state Attorneys General in urging the FDA to address the alarming presence of toxic metals, such as lead and arsenic, in baby food. The coalition called for stringent testing of all baby food products, citing widespread cases of childhood lead poisoning linked to contaminated food. The NMDOJ's involvement in this effort reflects its dedication to ensuring the safety and well-being of New Mexico's most vulnerable populations—its children. Through these efforts, the Affirmative Litigation Division has proven itself to be a steadfast defender of New Mexicans' rights, health, and economic well-being. By pursuing justice on multiple fronts, the division continues to fight for accountability and ensure a fairer, safer future for all New Mexicans.



# Promoting Government Transparency

The Open Meetings Act (OMA) and the Inspection of Public Records Act (IPRA) are New Mexico's foundational Sunshine Laws, addressing the critical need for transparency in government decision-making. OMA ensures public policy decisions occur in open meetings, where citizens can attend, observe, and hold officials accountable. The New Mexico Department of Justice seeks to uphold the public's right to access deliberative processes, encourage civic participation, and ensure that government actions remain open and accountable to all New Mexicans.

# CHAMPIONING TRANSPARENCY

## ENFORCING OMA

The Attorney General and district attorneys have primary authority to file lawsuits for OMA violations in New Mexico district courts. Private citizens can also enforce OMA by first providing written notice to the governmental body in question. To streamline enforcement, the Attorney General's Office has implemented a complaint system, allowing New Mexicans to report suspected OMA violations to the Government Counsel & Accountability (GCA) team.

GCA attorneys review these complaints, investigate potential violations, and often resolve issues informally by guiding entities to take corrective action. This collaborative approach not only addresses individual violations but also improves compliance practices across state and local government entities. In cases where informal resolution fails and violations persist, the GCA team can file lawsuits to enforce OMA requirements, ensuring that government remains open and accountable.

## OMA TRAINING AND GUIDANCE

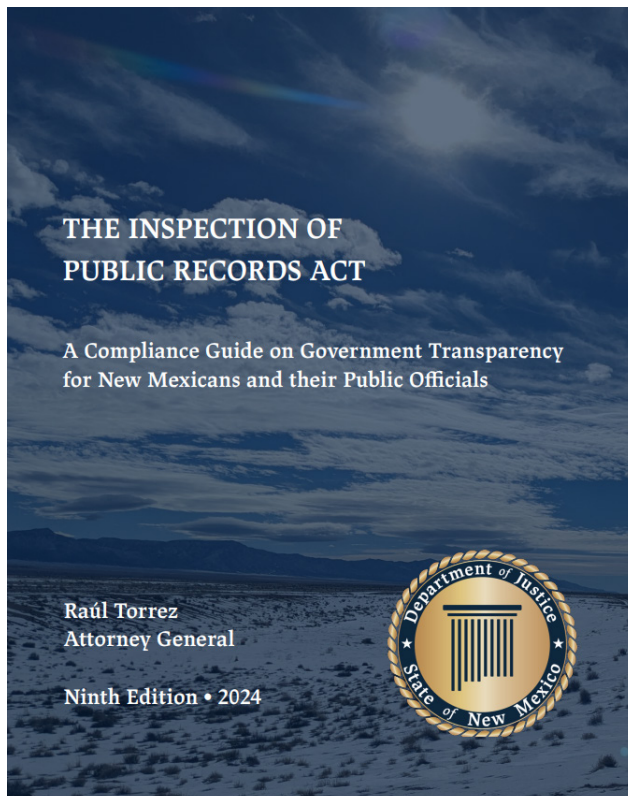
The NMDOJ is committed to promoting OMA compliance through education and outreach. GCA attorneys, leveraging their extensive experience, have developed the OMA Compliance Guide, a vital resource for both government officials and the public. This guide has been a trusted tool for nearly 20 years, outlining rights under OMA and best practices for open meetings.

To further promote compliance, the GCA team provides statewide training programs on OMA and IPRA. These free educational presentations are open to state and local officials, school boards, public bodies, the media, and the general

public. These sessions emphasize the importance of transparency, clarify OMA requirements, and encourage civic participation by empowering citizens with knowledge of their rights.

## INSPECTION OF PUBLIC RECORDS ACT (IPRA) INITIATIVES AND ENFORCEMENT ACTIONS

In April 2024, Attorney General Raúl Torrez released an updated Inspection of Public Records Act (IPRA) guide, reflecting a decade of legal developments and recent amendments. This accessible resource provides practical examples for agencies to fulfill IPRA obligations, ensuring clarity, consistency, and the public's right to access government information. The guide reinforces Torrez's commitment to transparency and accountability in records management.



# USING IPRA TO PROTECT OUR COMMUNITIES

## URGING TRANSPARENCY IN PRETRIAL SERVICES RECORDS

Attorney General Raúl Torrez has called for the release of pretrial GPS alert data to evaluate the effectiveness of pretrial services, emphasizing transparency's role in public accountability. When the Second Judicial District Court refused to provide these records, AG Torrez filed a lawsuit to enforce compliance with the Inspection of Public Records Act (IPRA).

Torrez argued that withholding such information undermines public confidence, especially amid New Mexico's high violent crime rates and bail reform debates. The lawsuit seeks to ensure transparency in pretrial supervision practices, reinforcing the principle that public institutions must operate openly to safeguard community safety and accountability.



## APPEAL IN THE PRETRIAL DETENTION DECISION FOR DEFENDANT CRISTIAN BENCOMO

On May 8, 2024, Cristian Bencomo allegedly shot his stepmother during a graduation ceremony at Albuquerque's Convention Center. The Second Judicial District Attorney's Office initially filed for preventive detention, citing video evidence of Bencomo's presence at the scene. However, Judge Emeterio Rudolfo denied this request, opting instead to place Bencomo under house arrest with a GPS monitor. When additional evidence later emerged, the DA's Office requested a reconsideration of the detention decision, which Judge Rudolfo again denied, resulting in Bencomo's release.

## **NEW MEXICO DEPARTMENT OF JUSTICE'S LAWSUIT AGAINST THE SECOND JUDICIAL DISTRICT COURT**

Attorney General Raúl Torrez has taken legal action against the Second Judicial District Court (SJDC) for its refusal to comply with the Inspection of Public Records Act (IPRA), marking a significant step in the fight for transparency and public accountability. This lawsuit stems from the court's denial of records requests submitted by journalists, including data regarding the effectiveness of GPS monitoring as part of pretrial services.

The withheld records are critical for evaluating whether pretrial supervision effectively ensures public safety and compliance with court-ordered conditions. By denying access to this information, the SJDC has hindered public oversight and raised concerns about the transparency of its operations. AG Torrez has emphasized that this lack of accountability undermines public confidence in the justice system, particularly in light of ongoing debates surrounding bail reform and the release of violent offenders.

Torrez also highlighted specific cases, such as that of Cristian Bencomo, whose release on GPS monitoring after being accused of a violent crime has amplified questions about the reliability of pretrial services. The Attorney General has called for immediate action to address these issues, urging state lawmakers and the Governor to prioritize transparency in pretrial services during the upcoming special session.

The lawsuit aims to enforce IPRA compliance, ensuring that public institutions remain accountable and that citizens are informed about the measures in place to safeguard their communities.



KRQE News 13

**“Public safety is the most important issue in our state, and citizens have a right to know if pretrial services are an effective alternative to detention.”**

**— Raúl Torrez**



# Engaging with Our Communities and Promoting Safety

The NMDNJ's Outreach and Communications efforts in 2024 were pivotal in strengthening connections with communities and fostering trust across New Mexico. Through innovative programs like SMART CHATS and proactive media engagement, the teams amplified public safety initiatives, educated citizens on critical issues, and ensured transparency in the department's work. These efforts not only bridged the gap between the NMDNJ and the public but also reinforced the office's commitment to safeguarding justice, protecting families, and promoting a safer, more informed state.

# STRENGTHENING COMMUNITY CONNECTIONS

## OUTREACH TEAM: 2024 ANNUAL HIGHLIGHTS

In 2024, the NMDOJ Outreach Team, led by Deputy Director Eric Castillo and supported by Jenny Bartos and Juan Mendoza, played a pivotal role in advancing the office's mission to safeguard vulnerable populations and promote public safety. Through both new initiatives and by supporting the agency's divisions ongoing work, the team connected with over 10,000 New Mexicans statewide, fostering trust and raising awareness of critical issues.



## SUPPORTING THE NMDOJ MISSION:

The Outreach Team also supported broader NMDOJ initiatives by leading community engagement programs, including consumer protection events like shred days, fraud awareness activities tailored for seniors, and participation in community events such as National Night Out. In response to natural disasters, such as flooding in Roswell and wildfires in Ruidoso, the team worked closely with Attorney General Torrez to educate affected communities about scams, price gouging, and fraudulent fundraising while providing resources to support recovery efforts.

Through these varied efforts, the Outreach Team amplified the NMDOJ's presence and delivered vital resources to communities statewide, strengthening trust and enhancing public safety.

## COMMUNICATIONS DIVISION: 2024 ANNUAL HIGHLIGHTS

The Communications Division of the NMDNJ plays a critical role in connecting the department's work with the public. In 2024, the division reinforced its commitment to transparency, accountability, and public engagement by proactively sharing key updates and initiatives with New Mexicans.



### KEY ACCOMPLISHMENTS:

- **Media Outreach:** The team successfully generated 69 stories, including 38 press releases and 31 media alerts, highlighting the NMDNJ's legal actions, policy initiatives, and achievements aimed at protecting families and upholding justice.
- **Social Media Impact:** Through innovative campaigns, the division reached over 3 million impressions across platforms, with a 6% engagement rate, far exceeding the industry standard of 1-2%.

### ENGAGEMENT AND TRANSPARENCY:

The division's efforts ensured timely updates on crucial developments, fostering trust and transparency. By leveraging modern communication tools and creating engaging content, the Communications Division amplified the NMDNJ's reach and strengthened its connection with taxpayers, showcasing the vital work being done on behalf of New Mexicans.

These initiatives reflect the NMDNJ's dedication to keeping the public informed, reinforcing its role as a tireless advocate for justice and the well-being of the state's residents.

# A YEAR OF PROGRESS AND COMMITMENT

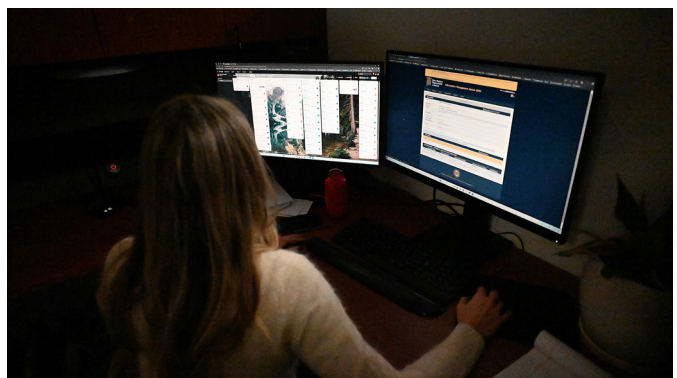
As 2024 comes to a close, the New Mexico Department of Justice (NMDOJ) reflects on a year of significant achievements and progress in our mission to protect the people of New Mexico. It has been an honor to serve the diverse communities of our state, and we are proud of the strides we've made to safeguard justice, uphold public safety, and address the concerns of our citizens.



## MAJOR ACCOMPLISHMENTS IN 2024

This year, we resolved over 10,500 constituent matters, spanning issues such as consumer complaints, criminal allegations, civil rights concerns, and housing disputes. Our efforts to address these critical areas demonstrate the NMDOJ's unwavering commitment to justice and accountability:

- **Consumer Protection:** Successfully resolved 1,068 retail service complaints and addressed 523 solar-related issues, providing relief and support to affected residents.
- **Housing Advocacy:** Managed 225 landlord-tenant disputes and tackled 217 contractor complaints, ensuring fair treatment and accountability in housing matters.
- **Scam Prevention:** Handled 620 phone scams and 421 internet scam cases, protecting New Mexicans from fraud and exploitation.
- **Criminal Justice:** Investigated and resolved 262 criminal allegations, reinforcing public safety and trust in the justice system.





As we prepare for the year ahead, the NMDOJ remains steadfast in its dedication to improving justice and safety across New Mexico. With a focus on transparency, advocacy, and responsiveness, we aim to build on this year's progress to ensure that every New Mexican feels protected and supported.

Thank you for trusting us to serve you in 2024. We are committed to continuing this vital work in 2025, striving to enhance safety and create a stronger future for all New Mexicans.



**New Mexico  
Department  
of Justice**

**Santa Fe**

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