

ANNUAL REPORT 2007

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MESSAGE FROM ATTORNEY GENERAL GARY K. KING

With thanks to the professionals that have been assembled to carry out the multi-faceted duties and responsibilities of the Attorney General's Office (AGO), I am pleased to report to the Legislature that the inaugural year of my administration proved to be a successful one. As the following paragraphs indicate, the interests of New Mexico residents were protected on a number of fronts.



Making it a crime to participate in Human Trafficking in New Mexico is a top tier goal of mine as Attorney General. We formed a special task force to discuss and craft legislation that would accomplish this goal and presented it to the Legislature. We have also entered into an agreement with the Attorney General of Chihuahua, Mexico to combat human trafficking on both sides of the border.

This office successfully defended the state's "Cockfighting Ban" in District Court and also formed a group to help ensure the protection of animals in New Mexico. The Animal Cruelty Taskforce (ACT) continues to advocate for humane treatment of all animals.

With the help of local law enforcement and others, we successfully prosecuted a rape case in Carlsbad that had gone cold after more than a decade. The victim was only 8 years old when she was attacked by her own uncle but new evidence and aggressive prosecution finally brought justice for a young woman who can now finally get on with her life.

The Attorney General's Office added a new division in 2007. The Government Accountability Division is solely dedicated to protecting New Mexicans from abuses in government by public officials. This division will evaluate, investigate and prosecute any violations of "good government" laws and ethical standards.

Our Consumer Protection Division in Albuquerque completed a long awaited move to a ground floor location in the building that houses the AGO. This move created better access for the public and helps our personnel better serve consumers.

Nearly \$2 million has been returned to consumers through the division's dispute resolution services. Also, an Immigrant Consumer Services unit within the division was established to help protect the state's vulnerable immigrant consumers who are often targeted by fraudulent activities such as scams, identity theft and counterfeit checks.

The expanded Medicaid Fraud & Elder Abuse Division successfully prosecuted a number of cases where perpetrators preyed on elderly victims directly and/or the systems that help pay for their care and well being. The message in this area is that my office will aggressively protect our senior citizens

and those who victimize them will be punished.

My office continues to promote stronger and more encompassing DWI laws; we have teamed with others in campaigns to discourage underage drinking; and we have won court approval to admit blood alcohol testing in drunken driving cases. We have also joined national efforts to curb sales of tobacco to minors.

Over the past year this office has advocated for lower title insurance rates for New Mexico homeowners; joined in antitrust lawsuits to protect consumers and recover some of their losses; challenged federal efforts to weaken clean air standards; and worked to facilitate settlements of water rights issues while helping to protect our most precious natural resource.

While we accomplished a great deal in 2007, we look forward to new challenges and continuing to work hard for the people of New Mexico.

Sincerely,



New Mexico Attorney General
Gary K. King



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REPORT FROM THE EXECUTIVE OFFICE

CHIEF DEPUTY ATTORNEY GENERAL
AL LAMA



As New Mexico's chief law enforcement officer and legal advisor, Attorney General King has the demanding responsibility of providing legal services to the state and its citizens.

The past year has been one of change and great productivity for the AGO. As presented in this annual report, great strides were made in our efforts to protect the vulnerable, prosecute criminals, provide advice to clients and ensure that public officials execute their duties legally and ethically, in order to preserve the trust that the public has placed in them. The successes achieved last year should serve as a reminder to the public that the Attorney General's Office is an

important and valuable public resource.

The coming year promises to be an extremely busy one. New and increasingly complex legal issues emerge on a daily basis. We will work to ensure that we are prepared to address those issues in a proactive and dynamic way. In terms of staffing, we will continue building the strongest team possible to meet the ever-increasing demands placed on the office. In legislative matters, we will work to enact and subsequently enforce laws that make the lives of every New Mexican better. 2008 will also bring several new initiatives that Attorney General King has defined as his priorities for the year and in the future. We look forward to another year of service to the people of New Mexico and anticipate that the second year of Attorney General King's term will prove to be one of its brightest.



Sincerely,

A handwritten signature in cursive script that reads "Al Lama". The signature is written in black ink on a light-colored background.

Chief Deputy Attorney General
Al Lama

DEPUTY ATTORNEY GENERAL
DAVID THOMSON



As Deputy Attorney General, David Thomson serves as one of Attorney General King's advisors concerning Civil Litigation. His duties include counsel for and supervision over the general operation and management of the civil legal service divisions in the agency. Deputy Thomson provides legal advice to the Attorney General on legislative efforts and at the Attorney General's direction, assists in the execution of multi-state litigation.

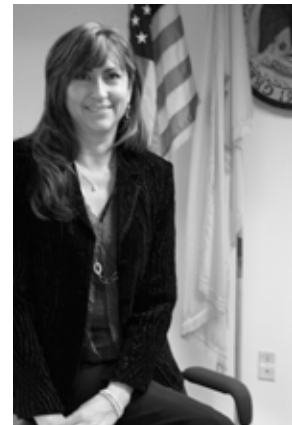
In the coming year, Mr. Thomson will serve as a general partner for all litigation generated out of the various civil law divisions of this office. In addition, Mr. Thomson will manage contract counsel litigation involving substantial claims that allege millions of dollars in damages suffered by the State of New Mexico. Among other things, these cases involve securities fraud, damage to natural resources and deceptive trade practices. Because these cases represent a significant recovery for losses incurred by many New Mexicans, Attorney General King has charged Deputy Thomson with the task of closely monitoring the course of each case to ensure that the best interests of the public are vigorously represented and that taxpayer dollars are recovered if possible.

CHIEF OF STAFF
MICHELLE GARCIA

As Chief of Staff for the New Mexico Attorney General's Office, Michelle Garcia oversees a variety of issues. Her duties include working on overall priorities and policies for the office. One of Attorney General King's priorities for 2007 was to provide better public accessibility to the office. Mrs. Garcia oversaw the Consumer Protection Division's move to an improved location which accomplished that goal.

Chief of Staff Garcia serves as the law enforcement liaison for the Attorney General's Office and represents the Attorney General on several boards, including the Anti-Terrorism Advisory Council (ATAC).

Mrs. Garcia also worked on other AG priorities such as strengthening sex offender laws and restoring public trust by fighting public corruption. She contributed to the AGO's efforts to get the Child Solicitation by Computers Act passed during the 2007 Legislature and helped in the establishment of the AG's Government Accountability Division.



Chief of Staff Garcia is spearheading another of Attorney General King's priorities that began in 2007 involving the formulation of a comprehensive plan to address New Mexico's burgeoning methamphetamine abuse problem. The plan includes an education and awareness campaign designed to not only deter the use of the drug but to encourage treatment for those already suffering from the methamphetamine scourge.

SENIOR COUNSEL
STUART BLUESTONE

2007 was an eventful year at the Attorney General's Office for Mr. Bluestone. Stuart served as AG King's Chief Deputy for the first six months of his administration, then officially retired, served for three months on a contract with the office and returned to state employment in December as the AG's Senior Counsel. Stuart says he very much enjoyed helping in the transition into office for Attorney General King who he believes has set in place an outstanding, experienced team of top advisors. The office is well prepared under AG King's leadership to tackle new challenges and provide New Mexico with consistently high quality legal representation, according to Senior Counsel Bluestone.



AG King has asked Mr. Bluestone to help oversee his legislative agenda, and to focus on a number of important ethics law proposals. In addition, the Attorney General has asked him to develop ethics laws training programs throughout the State. Stuart says he is very much looking forward to the task.

SPECIAL COUNSEL
STEVEN SUTTLE



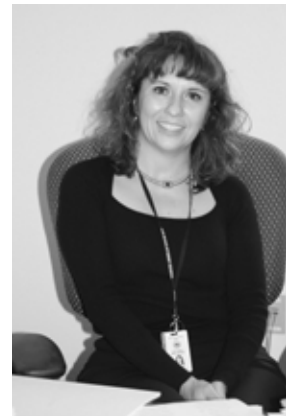
Special Counsel Steven Suttle serves as the Attorney General's adviser on criminal law matters. He oversees the operations of the Investigations, Prosecutions, Border Violence, Violence Against Women, Governmental Accountability, and Criminal Appeals divisions of the agency.

Special Counsel Suttle represents the Attorney General on several task forces as well as state and national commissions. He also assists in the presentation of legislative initiatives concerning the criminal law and victim's rights.

Suttle, a former district attorney, is a career prosecutor with thirty-three years of experience as both a trial and appellate prosecutor. He has been with the agency since 1996.

LEGISLATIVE LIAISON
VICTORIA BRANSFORD

Attorney General King says New Mexicans can look forward to “honest, independent and transparent leadership,” from his office. In order to ensure professional public service, the Attorney General has tasked Victoria Bransford with coordinating a program of internal training for all employees. Topics include: Professionalism, Personal and Work Place Safety, Cyber Forensic Investigations, High Profile Cases and the Media, Effective/Persuasive Writing, Negotiation Strategies and Ethics. Ms. Bransford will continue working with employees to advance curriculum to promote staff development.



In addition to coordinating internal training, Victoria works with Senior Counsel Stuart Bluestone on the Attorney General’s Legislative Team. It is imperative that good coordination and communication exist between legislative and executive agencies. Ms. Bransford also coordinates several task forces appointed by the Attorney General that are responsible for making recommendations for legislative proposals.

CONSTITUENT SERVICES COORDINATOR
CORDY MEDINA



Attorney General Gary King came into this agency with the goal of increasing Attorney General’s Office services to the public however possible. One way to accomplish that goal was to appoint a resourceful staff member to field questions and help resolve issues reported to the office; a type of all-purpose utility player on the Attorney General’s team.

In the past year, Cordy Medina has had contact with hundreds of New Mexicans who have sought her guidance on matters of great importance to them. Where fitting, these constituent concerns were directed to the appropriate staff within the Attorney General’s Office or handled personally by Ms. Medina. In many other cases, people were referred to state, federal and local agencies that could properly address their problems. The Constituent Services Office is a busy place and expects to remain so in the coming year.

ENSURING INTEGRITY AND SERVICE FOR NEW MEXICO COMMUNICATIONS OFFICE

DIRECTOR
PHIL SISNEROS

VISION

Attorney General Gary King's philosophy of promoting transparency in government is what guides the Communications Division. For example, Dr. King has built a reputation for respecting and cooperating with the news media, i.e., the public. Communications strives to provide the media with appropriate information and/or direct inquiries to sources where questions can be answered. The statutory responsibilities of the Attorney General's Office are many and wide-ranging, thus, the numerous daily requests for information from the public are handled as quickly and efficiently as possible. Part of the mission for 2008 is to improve fact gathering capabilities of the Communications Division and expedite information dissemination to the public.



Communications is also responsible for conceptualizing, developing and maintaining various Attorney General's Office initiatives and educational efforts. The division's education & outreach agenda includes the production of publications such as the Inspection of Public Records Act (IPRA) and Open Meetings Act (OMA) guides. These guides are used by state, county and municipal officials to help them ensure that their various boards, councils and commissions are complying with state law. The publications are also used by the general public to familiarize themselves with provisions in the Acts. The division also produces a number of brochures and booklets on such topics as identity theft, Internet safety, prescription drug pricing, scams and elder abuse. Another facet of this division involves offering live presentations to public and special interest groups about consumer protection and public safety concerns.

In summary, the vision of the Attorney General's Office Communications Division is to continue to be a user-friendly information resource for the general public, the media and other government agencies while advancing specific issues and initiatives as directed by the Attorney General.

THE YEAR IN REVIEW

Communications Division highlights from 2007 include a new website at a new web address: "<http://nmag.gov/>." This innovative, user friendly website was a collaborative effort between all divisions in the AGO and was expertly implemented by our Information and Technology Division. We accomplished last year's goal of providing the public with easier and faster access to important information with this new website. Constantly adding new information and improving access is a continuing goal.

We expanded our information presence on the Attorney General's website by monthly posting of scams and other frauds that the AGO has learned about from many sources. And, as planned, we now post Open Meetings Act (OMA) and Inspection of Public Records Act (IPRA) inquiries and track them through resolution on the website. In addition, AG Opinion requests from government officials are posted on the website.

Attorney General King says, "I believe it is vital to keep the Attorney General's Office up to date with emerging technologies that help improve communication with the people we serve. Our new website is a quantum leap in that direction."



Communications staff recently established an online database of reported counterfeit checks used in scam attempts on the AGO website.

2007 saw the implementation of a marketing moniker entitled "The AGO Roadshow" to help publicize statewide Education & Outreach events that included "Sunshine Law" seminars, Non-Profit information seminars and Identity Theft and Scam prevention presentations.

The division expanded its Education & Outreach efforts in Internet Safety presentations for New Mexico students and their parents.

LOOKING AHEAD

For the coming year, the Communications Division has a number of goals and ideas aimed at increasing the public's access to the Attorney General's Office; increasing statewide awareness of the Office's many services; and expanding the public face of the AGO around the state.

For example, preliminary discussions have begun with the University of New Mexico on developing an internship program whereby students could learn about various aspects of the Attorney General's Office and receive school credit for helping the division in selected education & outreach programs.

A Speakers Bureau is being discussed so that the general public and community or private organizations can request a speaker to address their groups about the work being done in the AGO.

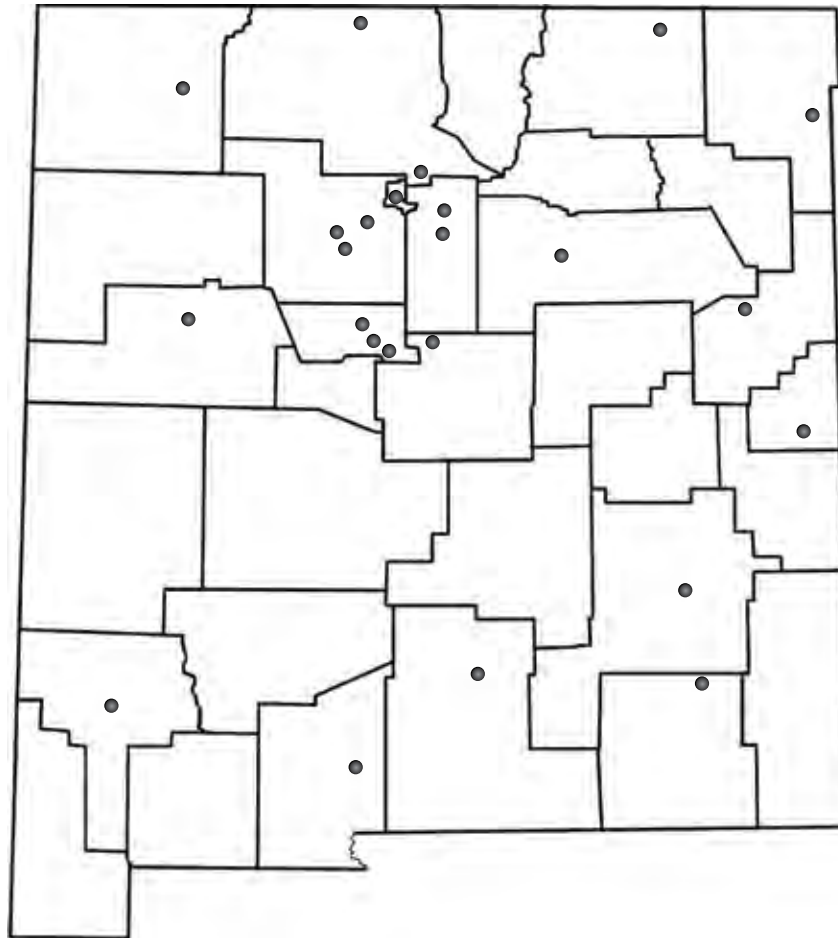
Communications staff will be closely involved in a planned methamphetamine abuse awareness and prevention campaign.

The division is also working closely with the AGO Information & Technology Division in the development of a secure Internet network for schools. Students, teachers and parents would be able to safely use the Internet without fear of child predators and non-educational distractions.

AGO EDUCATION AND OUTREACH ROADSHOW

Attorney General Gary King and his staff have been travelling all around the state to educate the public on topics such as Open Government Laws, Internet Safety, Non-Profits, Identity Theft, and Scams. The Roadshow has also included Border Violence and Financial Crimes trainings for organizations, prosecutors, and law enforcement.

These dots show everywhere the Roadshow reached in 2007:



Number of Attendees

Public Education and Outreach

Internet Safety	1058
Scams	496
Sunshine Laws	452
Identity Theft	103
Non-Profits	41

Training

Border Violence	329
Financial Crimes	96

INFORMATION & TECHNOLOGY

CHIEF INFORMATION OFFICER
JAMES FERREIRA

VISION

The goal of the Information and Technology Division is to create the best possible communication between computerized systems and people.

YEAR IN REVIEW

Over the past year, the focus was on upgrading outdated equipment and policies into an efficient, powerful and reliable network, necessary for the day-to-day functioning of the Attorney General's Office. One major accomplishment was the launch of new website for the Attorney General's Office: <http://nmag.gov>. Unlike traditional information websites that work on the principle of a card catalogue, nmag.gov functions like a librarian and asks, "How Can I Help You Today".



On the inter-agency side, IT has installed new equipment and software that ensures security and speeds daily activities. There is six times more email storage capacity; new email archiving systems that allow for complete compliance with the Inspection of Public Records Act; and end-point security upgrades that ensure confidential information does not make it out of the agency. To keep AGO staff informed about important information, a new web browser-based Intranet has been installed. This allows staff to access information from anywhere in the agency and remotely as well. Some of the most used features of the Intranet are calendaring, announcements, and document storage.

LOOKING AHEAD

Last year a sturdy ship was built and this year, it will set sail and take our technology services to the public.

The Attorney General is committed to educating children, teachers and parents about the dangers of cyber predators. The AG's MySchool Project takes cyber safety a step further by providing schools with a solution that is secure, allows children to interact socially online, and has all of the tools for students to excel at school work projects. Not only is MySchool free to New Mexico schools, but it saves parents from purchasing costly office applications used by students to complete homework. Because the project is web-based, students can access it from anywhere. A pilot project to implement MySchool is currently underway.

With the help of the Information Technology Division, the entire agency is moving toward an e-government model in which many of the traditional paper documents will be available electronically. This reduces costs, saves trees and serves as an example of Attorney General King's environmentally conscious office policies.

ADMINISTRATIVE SERVICES DIVISION

DIRECTOR
EVANGELINE TINAJERO

VISION

The objective of the Administrative Services Division is to serve the entire Attorney General's Office and facilitate its efficient and effective operation within the parameters of the budget established by the Legislature. The Division also provides human resources management and services for the Attorney General's Office. The Office seeks to provide a stimulating environment and opportunity for growth so that in turn, the citizens of New Mexico are served to the best of the office's abilities. The money to operate this Agency comes from the taxpayers of New Mexico and it falls to the Administrative Services Division to make certain taxpayers receive "their money's worth."



YEAR IN REVIEW

The Administrative Services Division devoted its efforts in 2007 to assuring that the Attorney General's Office received adequate budget funding and to assure that each division of the Office was assisted in reaching the division's goals. Administrative Services is working toward building a solid customer service-oriented relationship with both our internal and external customers. Efforts to assist each division in the office help to contribute to the vision and objectives of the Attorney General.

One of the projects accomplished this year was to assist the Information Technology Division in bringing the Attorney General's Office to a much higher level of technical competency. This included changes in how technology is used through the AGO web page to advertise employment opportunities and requests for proposals. The Division's assistance in these projects helped to reach the level of professionalism necessary in a highly functioning law office.

To help increase the ability to serve the public through the Consumer Protection Division, the Administrative Services Staff assisted in obtaining new space in the Albuquerque Office to set up an office more easily accessible and visible to those we serve.

LOOKING AHEAD

In the year ahead, the Administrative Services Division will continue to refine its skills as a customer service organization. The Division will stand ready to meet any challenges and continue working to facilitate the ability of the Attorney General Office's to provide New Mexicans with the highest caliber of public service.

BORDER VIOLENCE DIVISION

DIRECTOR
MARIA SANCHEZ-GAGNE

VISION

In October 2005, the Border Violence Division was formed to develop and maintain liaison on mutual law enforcement matters between Mexico and New Mexico and to coordinate between prosecutors and law enforcement agencies in New Mexico with similar entities in the Republic of Mexico. The Border Violence Division provides specialized legal and technical assistance to law enforcement and district attorneys in New Mexico in matters of foreign prosecutions with Mexico and international extraditions. District attorneys and law enforcement refer these cases to the Border Violence Division for the expertise needed in these complex and specialized cases to ensure that criminals do not evade justice by fleeing across the border into Mexico or any other country.



THE YEAR IN REVIEW

Training and Public Outreach

The division conducted training sessions on crime scene investigation on two occasions in Chihuahua, Mexico. Attendees included prosecutors and investigators from throughout Mexico. Training was also provided on foreign prosecutions/extraditions and consular notification. Attendees included members of the U.S. Marshal's Service, various law enforcement and district attorneys.

Chihuahua is the first state in Mexico to adopt an oral adversarial trial process and reform their criminal justice system; the Border Violence Division has been instrumental in the process. The cooperation and sharing of information and trial & investigative techniques between the New Mexico Attorney General's Office and its counterpart in the State of Chihuahua has recently been attracting interest from other U.S. border states and other AGs in Mexico.

Seminars and conferences were provided concerning bilateral cooperation efforts with Chihuahua; participation in the New Mexico Crimes Against Children Task Force and the Human Trafficking Task Force.

Extradition/Deportation Cases

Nicholas Himmelsbach was wanted in Bernalillo County for attempted murder, assaulting three persons with a deadly weapon, and other related crimes.

The Second Judicial District Attorney's Office requested the Border Violence Division to assist with returning Himmelsbach to New Mexico to face charges. The Border Violence Division worked with the Costa Rican authorities and the U.S. Marshals Service to facilitate the deportation process of Himmelsbach.

ENSURING INTEGRITY AND SERVICE FOR NEW MEXICO

Manuel Noriega Ruvalcaba aka: Manuel Noriega, was arrested in Trancoso, Zacatecas, Mexico pursuant to a Provisional Arrest Warrant Request requested by the Border Violence Division. Ruvalcaba was indicted on five counts of criminal sexual penetration, kidnapping, and other related crimes in September of 2006, but fled to Mexico before Santa Fe police could arrest him. The Border Violence Division filed a request for Ruvalcaba's extradition from Mexico in September 2007. The extradition request is pending the final appeal process.

Article Four Prosecution:

Carlos Luis Valerio was charged in September 1996 with the murder of Selina Marie Sedillo in Bernalillo County. Valerio fled to Mexico and in 1996 the Office of New Mexico Attorney General filed the case in Mexico City for a prosecution in Mexico according to Article Four of the Federal Mexican Penal Code. Valerio remained a fugitive for ten years traveling throughout Mexico using several aliases. He was finally arrested in September 2005 and tried in Mexico for the crime of murder. In February 2007, the Court found Valerio guilty of murder and sentenced him to 30 years incarceration. The case is pending the final appeal process.

LOOKING AHEAD

Human Trafficking Legislation:

The Border Violence Division has drafted legislation making human trafficking a state felony offense. The proposed legislation models the federal statute with provisions to provide services to victims and mandate a statewide task force.

The Border Violence Division also applied for grant funding from the Office of Refugee Resettlement Services, through the U.S. Department of Health to provide funding needed for



**NM Attorney General King and State
of Chihuahua Attorney General
Patricia Gonzalez Rodriguez**

outreach awareness and law enforcement and victim service provider training. Grant awards will be disbursed in 2008.

Child Abuse Multidisciplinary Investigative Teams Legislation:

Legislation to mandate child abuse multi-disciplinary teams for each jurisdiction in the state is proposed for the 2008 Legislature. Attorney General Gary King chairs the New Mexico Crimes Against Children Task Force, which consists of law enforcement, district attorneys and CYFD representatives, developed the legislation to improve the investigation of child abuse cases. The multi-disciplinary teams (MDTs) will set up the best practice and minimum standards for investigating and prosecuting child abuse cases.

The bill seeks an appropriation amount for MDT training and money for a computer link to the Consolidated Offender Query system law enforcement to log into CYFD (SCI) in an effort to begin tracking child abuse cases statewide.

CIVIL DIVISION

DIRECTOR
ELIZABETH GLENN

VISION

The Civil Division strives to provide quality legal services to the Attorney General's Office and its state agency clients.

The Division's primary areas of responsibility are: the provision of legal advice and representation to over 100 state agencies, boards and commissions; researching and drafting Attorney General opinions and advisory letters in response to requests by state legislators, state officers and district attorneys. The Civil Division also enforces the Open Meetings Act and Inspection of Public Records Act by handling complaints alleging violations of the Acts and providing training to state and local government bodies and members of the public regarding their rights and responsibilities under the Acts. The Division's Charities Unit is responsible for registering nonprofit organizations and investigating claims under the Charitable Solicitations Act.



YEAR IN REVIEW

- For the 2007 Legislative Session, the Attorney General's Office provided 487 bill analyses, most of which were prepared by the Civil Division.
- The Attorney General's Office issued 7 formal opinions and 26 advisory letters in 2007. Topics addressed include the Gift Act, cabinet officials' salaries, and use of public money to defend public employee defendants, campaign expenditures, medical marijuana, and independent police departments created by public school districts.
- Civil Division provided legal services to state agency clients, including providing legal advice at board meetings and disciplinary hearings; defending agency decisions in judicial appeals; and reviewing contracts and other legal documents. Notable examples of the Division's activities in this area in 2007 include successfully defending the New Mexico Environmental Improvement Board's rule-making process on the issue of whether New Mexico should adopt California-level tailpipe emission standards for new cars and advising the Water Quality Control Commission through multiple days of hearings on proposed rules affecting the mining industry.
- The Civil Division handled 97 Open Meetings Act and Inspection of Public Records Act complaints in 2007 and, with the Attorney General, held 11 training sessions on both Acts throughout New Mexico.
- The Charities Unit had 597 new registrations in 2007, bringing the total to 5,431. The Unit completed financial reviews of five nonprofit organizations, stepped up its training efforts, and assisted in lawsuits for breach of fiduciary duty against officers of Housing Enterprises, Inc.

LOOKING AHEAD

The Civil Division looks forward to another year of providing legal services to its state agency clients and will renew its efforts to enhance communication and cooperation with those clients to ensure

ENSURING INTEGRITY AND SERVICE FOR NEW MEXICO

that they are able to perform their public functions creatively and effectively within the confines of their statutory authority. Regarding the Open Meetings and Inspection of Public Records Acts, the Division will continue to implement the Attorney General's policies for facilitating the handling and resolution of complaints, provide training statewide and will soon publish revised compliance guides for both Acts. The Charities Unit is implementing online registration and reporting with its new database and web-based registry in the near future.

BOARDS AND COMMISSIONS

Attorney	Boards and Commissions
Andrea Buzzard	<ul style="list-style-type: none"> • Alcohol & Gaming Division (appeals) • Animal Sheltering Services Board • Cumbres & Toltec Scenic RR Commission • Department of Higher Education • Education Retirement Board • Indian Affairs Commission • Livestock Board • Podiatry Board • Public Employees Labor Relations Board
Alvin Garcia	<ul style="list-style-type: none"> • Acequias Commission • Adult Parole Board • Athletic Trainers Board • Border Authority • Game Commission • Municipal Boundary Commission • Records & Archives Commission • Respiratory Care Advisory Board • State Armory Board • Thanatopractice Board
Elizabeth Glenn	<ul style="list-style-type: none"> • Financial Institutions Division
Lesley Lowe	<ul style="list-style-type: none"> • Apprenticeship Council • Border Commission • Commission for the Blind • Crime Victims Reparation Commission • Nursing Board • School for the Visually Handicapped • Speech-Language Pathology, Audiology & Hearing Aid Dispensers Practices Board • State Fair Commission • Veterinary Board

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Marty Daly	<ul style="list-style-type: none"> • Board of Finance • Charities Unit • Judicial Nominating Commission and Committees • New Mexico Finance Authority --Water Trust Board • Small Business Investment Authority
Mary Smith	<ul style="list-style-type: none"> • Civil Legal Services Commission • Dental Board • Engineers & Land Surveyors Board • Hispanic Cultural Center Board of Trustees • Landscape Architects Board • Natural History Museum Board of Trustees • Pharmacy Board • State Mine Inspector
Melanie Carver	<ul style="list-style-type: none"> • Board of Finance (private activity bond matters only) • Interior Design Board • Labor and Industrial Division • Lottery Authority • Manufactured Housing Commission • Osteopathic Board • Psychology Board • State Auditor
Mona Valicenti	<ul style="list-style-type: none"> • Architects Examiners Board • Commission on the Status of Women • Massage Therapy Board • Museum of New Mexico – Board of Trustees • Occupational Therapists Board • Optometry Board • Physical Therapy Board • State Personnel Board
Sally Malave	<ul style="list-style-type: none"> • Accountancy Board • Coal Surface Mining Commission • Commission for the Deaf and Hard of Hearing • Human Rights Division • Mining Commission • Public Safety Advisory Committee • School for the Deaf • Veterans Affairs

ENSURING INTEGRITY AND SERVICE FOR NEW MEXICO

Tania Maestas	<ul style="list-style-type: none"> • Barbers and Cosmetologists Board • Crime Stoppers Advisory Board • Developmental Disabilities Planning Council • Governor’s Commission on Disability • Human Rights Commission • Juvenile Parole Board • Organic Commodities Commission • Real Estate Appraisers Board • Social Work Examiners Board • Racing Commission
Zack Shandler	<ul style="list-style-type: none"> • Chiropractors Board • Environmental Improvement Board • Law Enforcement Academy Board • Public Employees Retirement Board • Secretary of State • State Investment Council • Taxation & Revenue Department • Water Quality Control Commission
Vacant Position	<ul style="list-style-type: none"> • Acupuncture Board • Counseling & Therapy Practice Board • Health Policy Commission • Martin Luther King Commission • Medical Board • Nutrition & Dietetics Practice Board • Occupational Health & Safety Review Commission • Signed Language Interpreting Board
Vacant Position	<ul style="list-style-type: none"> • Athletic Commission • Arts Commission • Construction Industries Commission • Cultural Properties Review Commission • Farm and Ranch Heritage Museum Board of Trustees • Human Rights Commission • Nursing Home Administrators Board • Real Estate Commission • Space History Museum Commission

CONSUMER PROTECTION DIVISION

DIRECTOR
KAREN MEYERS

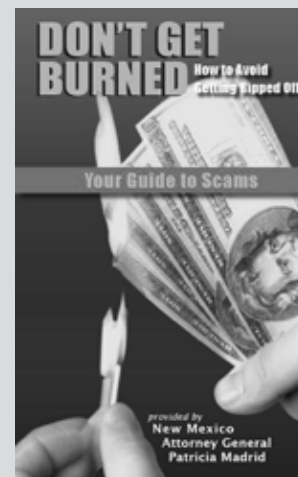
VISION

The Consumer Protection Division (CPD) is charged with enforcing consumer protection laws to prevent and deter unfair, deceptive, and unlawful practices that injure consumers and businesses that conduct their activities in a lawful manner. Division staff members promote consumer protection through **community education and outreach** throughout New Mexico with presentations, discussions and publications that educate the public on consumer issues and unlawful trade practices. The CPD provides **informal dispute resolution services** to consumers and businesses and **investigates suspicious business practices** where business activities or practices indicate violations of consumer protection laws. The division may intervene in the **enactment and promulgation of laws, rules and regulations** to improve consumer protection. **Legal actions on behalf of the public interest** to enforce the New Mexico Unfair Practices Act may be pursued by the CPD. Lastly, this division **works in cooperation** with other public agencies and private organizations that share its mission and participates in multi-state consumer protection enforcement actions where the illegal practice impacts consumers in multiple jurisdictions.



New Mexico's Most Frequent Consumer Problems Reported (2007)

- Foreign Lotteries
- Used Car Sales
- Payday loans and lenders
- Auto Repair
- Collection Agencies
- Mail Solicitations
- Unsolicited Faxes
- Construction & Home Improvement
- Cellular Phone Service
- New Car Sales
- Credit Reporting



YEAR IN REVIEW

Through its dispute resolution services, staff provided effective assistance to consumers and businesses to resolve disputes without the need for legal intervention.

ENSURING INTEGRITY AND SERVICE FOR NEW MEXICO

Direct restitution to consumers through dispute resolution services:

\$1.9 Million

Number of written complaints filed by consumers:

3,792

Number of community outreach and education events:

58 (FY 2007)

In addition to continuing scam and ID theft prevention and awareness presentations for public and business entities, the division provided Internet safety presentations to students and their parents. Consumer Protection also disseminates Scam Alerts to consumers and the media, and has implemented a counterfeit check database in cooperation with New Mexico banks. Consumers and businesses can compare suspicious checks to the known counterfeits shown on the AG's website.



In March 2007, Attorney General King established the Immigrant Consumer Services Unit as part of the Consumer Protection Division. The Attorney General designated an experienced, bi-lingual attorney to develop this unit to expand protection for this vulnerable population in matters where immigrants are targeted for deceptive or unscrupulous trade practices, such as wage claims, delivery of immigrant consultant services, consumer purchases, and door-to-door sales.



Consumer Division attorneys continued litigation, brought actions in or prepared to initiate litigation to address cases involving violations of the "Used Car Lemon Law"; deceptive or fraudulent furniture sales; memberships in travel clubs; debt collection practices; sale of undeveloped land; title and licensing practices of automobile dealers; practices of contractors for home improvement and unconscionable or illegal arbitration clauses in retail sales contracts. The Division attorneys have worked with Attorneys General of other states to achieve multi-state settlements against national corporations.

On behalf of the Attorney General, staff served on the Governor's Task Force on Mortgage Lending to respond to and address abusive lending practices in the sub-prime mortgage market.

LOOKING AHEAD

The staff of the division has a long standing and solid reputation for effective and committed consumer advocacy. The Attorney General and Division Director have initiated a dialogue with the business community to strengthen its ability to resolve disputes and potential violations wherever possible and improve marketplace fairness. When violations of the law are identified, the Office of the Attorney General will pursue all available legal remedies to ensure the rights of consumers and advance marketplace fairness throughout New Mexico.

CRIMINAL APPEALS DIVISION

DIRECTOR
MARGARET MCLEAN

VISION

The Criminal Appeals Division is comprised of fourteen attorneys and two support staff. In addition to direct appeals and federal habeas corpus proceedings, the division is responsible for state habeas corpus cases in State District Court and the New Mexico Supreme Court. The division offers liaison services to all district attorneys throughout the State. This service provides an update on recent cases, advice for any pending legal issue, and an education about appellate procedure.



YEAR IN REVIEW

For 2007, the increase in the volume of cases for the state and federal courts was substantial and required extraordinary efforts by the members of the division.

Significant cases included the affirmance of the first-degree murder convictions in State v. Gonzales and State v. Dominguez. This was the “Baby Briana” case in Las Cruces involving the brutal death of a five-month old baby by members of her immediate family.

An important death penalty case involving the payment of attorneys’ fees was State v. Young. Another death penalty case involving jurisdiction for appellate review was State v. Smallwood.

The constitutionality of the New Mexico Criminal Sentencing Act was addressed and decided in State v. Frawley and other related appeals. The aggravation of a felony sentence in New Mexico is now barred and the issue awaits a legislative solution.



Appeals concerning DWI cases were complex and numerous. Two important DWI cases were decided by the New Mexico Supreme Court: State v. Lizzol and State v. Martinez. The division prevailed in State v. Hughey. This was a New Mexico Supreme Court case involving a pretrial ruling regarding retrograde extrapolation evidence.

Assistant Attorney General Ann Harvey worked on a case of first impression in the New Mexico Supreme Court involving fraud and the lawful ownership of a website in State v. Kirby.

In State v. Chavez, Assistant Attorney General Anne Kelly argued for affirmance of a child abuse resulting in death conviction. This case involved a mother who was under the influence of

ENSURING INTEGRITY AND SERVICE FOR NEW MEXICO

methamphetamine when her baby died due to criminal neglect. Other appeals involving the prosecution of sexual abuse of children were State v. Otto and State v. Martinez, Assistant Attorney General Katherine Zinn in the New Mexico Court of Appeals, argued and won an appeal involving the appropriate jury instructions for multiple counts of sexual abuse.

The question of the presence of an interpreter in the jury room during deliberations was decided in State v. Pacheco.

In State v. Hinahara, Assistant Attorney General James Grayson argued a Fourth Amendment search and seizure issue. This prosecution involved the search warrant to obtain a computer for evidence



relating to sexually explicit images of minors. The trial court ruling was reversed because the search warrant was sufficient to justify the search and seizure. The same attorney also prevailed in State v. Weidner, an appeal involving two exceptions to the warrant requirement.

In the New Mexico Supreme Court, Special Counsel Steve Suttle won an appeal in State v. Moya. This statutory interpretation case considered whether a Utah

misdemeanor conviction could be used to enhance a felony conviction in New Mexico. And in State v. Emmons, the issue of the submission of self defense and defense of property jury instructions was decided in favor of the State.

During the 2007 Legislature, the division reviewed and analyzed thirty-three bills. The division was also active and successful in advocating for the change in the DWI law permitting the admission of breath alcohol test results within three hours of driving.

LOOKING AHEAD

The Criminal Appeals Division will continue to vigorously advocate for and represent the State of New Mexico in the enforcement of criminal law and the affirmance of lawful convictions in all state and federal courts.

GOVERNMENT ACCOUNTABILITY PROSECUTIONS DIVISION

DIRECTOR
ANN BADWAY



VISION

Good government: to fight public corruption and ensure that state government benefits all New Mexicans. Attorney General King is committed to protecting the citizens of New Mexico from abuses in government. Public corruption poses the greatest single threat to the credibility of government institutions at all levels. As part of his dedication to good government, Attorney General King formed the Governmental Accountability Division (GAD). The division's mission is to investigate, evaluate and prosecute complaints of public corruption and to provide oversight for the conduct of the people's business. The vigorous enforcement of laws intended to ensure open and clean government benefits all New Mexicans.

THE YEAR IN REVIEW

Legislative funding for the Government Accountability Division became effective July 1, 2007. Currently, GAD is staffed with three lawyers, a forensic computer analyst, and three special agents of the Investigations Division specifically assigned to investigate and prosecute public corruption. The creation of a new Special Counsel for the Investigations, Prosecutions and Appeals divisions, rounds out the team formed by the Attorney General.

Pending trial in GAD is the West Las Vegas School District case involving four co-defendants indicted with charges stemming from the fraudulent spending of federal Title III money along with state funds specifically appropriated for the Bilingual program at the West Las Vegas School District.

LOOKING AHEAD

The Government Accountability Division is looking forward to having a forensic accountant join the team. As the division's special agents complete current, ongoing investigations, Attorney General King expects additional prosecutions to be undertaken by the division's first-year anniversary, July 1, 2008.



VIOLENCE AGAINST WOMEN DIVISION

DIRECTOR
ANN BADWAY

VISION

This division's focus is to take care of New Mexico families and children. A top priority of Attorney General King is the protection of our citizens who are most vulnerable. The rates of domestic violence, intimate partner violence and stalking in New Mexico are staggering. New Mexico ranks third in the nation for incidents of domestic violence and fourth in the rate of women murdered by men. Our state ranks ninth in the nation for sexual assault. In New Mexico, one in fourteen adult males and one in four adult females has been the victim of stalking. The Violence Against Women Division prosecutes specific crimes including domestic violence and/or sexual assault against women and children and provides statewide training for law enforcement officials and other professionals.

THE YEAR IN REVIEW

Department of Justice Grant to Encourage Arrest Policies and Enforcement of Protection Orders

This 1.4 million dollar grant project involves an intensive study of enforcement of orders of protection in both state and tribal jurisdictions in our state. Identified by communities statewide as a critical concern, the project will identify best practices for law enforcement, prosecution, and the judiciary involved in protection order enforcement. Survey instruments developed through the project have been administered already in three areas selected for study around the state. Areas selected for intensive study encompass rural and urban communities, tribal lands, and areas with large immigrant populations. A task force comprised of representatives of law enforcement, prosecution and defense, judiciary, civil legal advocates, emergency dispatch, therapists, victim advocates, and other stakeholders, will collaborate to identify and adapt replicable best practice models for enforcement and develop implementation strategies. Training on best practice models will be conducted in 2008 through the project.





**Family Violence Protection Act
Taskforce Meeting**

Attorney General's Family Violence
Protection Act Task Force

Attorney General King is committed to improving and enforcing current laws that protect victims of domestic violence, sexual assault, and stalking. This year a task force was created by the Attorney General to review the Family Violence Protection Act and make legislative recommendations to ensure that it is in compliance with federal funding mandates. Sponsored by Attorney General King, this Act has been the primary tool for fighting domestic violence in our state since 1987.

LOOKING AHEAD

Legislative Initiatives

As a result of the intensive work and collaboration by the task force, four bills will be proposed in the 2008 legislative session. Three of the bills ensure New Mexico is in federal compliance so that current and future funding associated with specific federal grant programs is not jeopardized. The fourth bill enhances compliance with federal certification requirements regarding enforcement of orders of protection. The funding at stake supports sexual assault programs, domestic violence shelters and programs, and other services statewide.

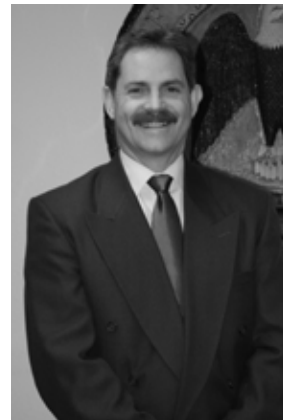


INVESTIGATIONS DIVISION

DIRECTOR
EARL HOLMES

VISION

Investigation Division is the law enforcement arm of the Attorney General's Office. The team of highly experienced investigators assists investigative operations conducted by state, local and county law enforcement agencies. The division includes: the Internet Crimes Against Children Unit (ICAC) which consists of a multi-agency network of law enforcement personnel whose mission is to locate, track and capture Internet child sexual predators and Internet child pornographers; the Special Investigations Unit, which assists district attorneys and local law enforcement agencies in complex or multi-jurisdictional investigations and in cases where local conflicts of interest arise and the unit conducts special investigations as directed by the Attorney General. It also investigates a broad range of criminal inquiries and cases, including violent crimes, such as child abuse, homicide, and sexual assaults; a newly formed group of agents was developed this past year to specifically assist the Government Accountability Division address abuses in government. This Government Accountability unit's mission is to investigate and help evaluate and prosecute cases of public corruption.



YEAR IN REVIEW

The development of ICAC investigations was initiated through the funding of a federal grant managed by the Attorney General's Office. Working with the U.S. Department of Justice, Office of Juvenile Justice and Delinquency Prevention over the past year, the ICAC unit has increased its investigative capabilities to New Mexico law enforcement agencies by providing specific training and mentoring for criminal investigators and investigations specific to ICAC. Investigative efforts within the ICAC Task Force resulted in more than sixteen search warrants and seven felony arrests statewide. The ICAC Unit has a fully equipped computer lab specifically designed to provide forensic



ICAC Investigator in the forensics lab

analysis. This year's purchase of a new Forensic Recovery Evidence Device (FRED) will enhance the lab's evidence recovery capabilities and forensic analysis for the myriad of complex cases that are investigated by the Attorney General's Office

The Special Investigations Unit investigated 614 inquires and 16 felony cases. Agents successfully developed additional leads and evidence related to a 12 year old 1st degree sexual assault case in Carlsbad. Another investigation was instrumental in a successful prosecution in 2007, where

both targets conducted illegal dentistry work resulting in bodily harm. After the beginning of the new fiscal year in July 2007, the Government Accountability Investigations Division was able to select special agents for public corruption investigations. However, a number of public corruption cases were well underway since the beginning of January 2007 and are being prepared for indictment.

Other division milestones for the year include revamping the evidence room, staffing a permanent security officer in the Santa Fe office, initiating an intake protocol, regular case reviews regarding ongoing investigations/inquiries, automating case tracking, purchasing much needed equipment such as digital tape recorders, digital cameras, flashlights, etc., and setting up a high tech recording system in both the interview and evidence rooms in the Albuquerque office.



LOOKING AHEAD

The Investigations Division will continually strive toward improving the investigative capabilities of the New Mexico Attorney General's Office over the coming year by fine tuning many of the changes that have been made over the past year.

The division is committed to providing cutting edge technological investigations along with old school commitment and dedication to ensure that the highest level of case quality and investigations are provided.

The division will continue its efforts for collaborative and cooperative efforts with other federal, state and local government agencies and work toward educating New Mexicans regarding crime prevention and safety.

LITIGATION DIVISION

DIRECTOR
JOCELYN TORRES

VISION

The vision of the Litigation Division of the Attorney General's Office is to provide professional, well-executed legal representation for state officials and state agencies. It is also to protect the citizens of New Mexico when necessary by initiating lawsuits on behalf of the State. Finally, it seeks to conduct administrative prosecutions in an effective and ethical manner that furthers the policy goals of the various state boards and commissions and also protects the due process of licensees.



YEAR IN REVIEW

In 2007, the Division represented state officials, judges, agencies, boards and commissions when those entities were sued in their official capacities in non tort related claims. The division also represented many judges and state officials whose decisions were challenged by writs of superintending control or by mandamus in the New Mexico Supreme Court.

The division spent a great deal of time in 2007 in the enforcement of the Master Settlement Agreement of the Tobacco Settlement. This includes filing lawsuits against those manufacturers who fail to comply with the statutes implemented to enforce the agreement, and also includes litigation against those who do participate but fail to properly pay the amounts due per statute.

During 2007, 42 litigation cases were concluded, 391 boards and commissions prosecutions were concluded, 51 writ filings in the Supreme Court were monitored and the division actively participated in representation of state officials and judges in 37 of those writs filed.

Case Highlights

New Mexico Gamefowl Association, et al. v. State of New Mexico, et al.

After the New Mexico Legislature enacted NMSA 1978 § 30-18-9, banning dog and cockfighting, the New Mexico Gamefowl Association sued the State of New Mexico, Governor Bill Richardson, Attorney General Gary King, and Faron Segotta, head of the Department of Public Safety, to enjoin the enforcement of the ban on cockfighting. Assistant AGs Scott Fuqua and Eric Miller filed a motion to dismiss the complaint, and on December 15, 2007, Judge William McBee granted that motion, dismissing the plaintiffs' claims in their entirety.

Bankruptcy Litigation

James C. Jacobsen, a member of the Litigation Division since 2002, represents the State in bankruptcy matters. Through his efforts in FY 2007, and those of the Taxation and Revenue Department's Bankruptcy Section, with whom he works closely, the State recovered \$1,730,133.

Antitrust Litigation

The primary antitrust activities of the division in 2007 centered on the continued prosecution of the Dynamic Random Access Memory (DRAM) Litigation. This multi-state litigation, involving price-fixing by numerous foreign and domestic corporations in the memory chip market, began in 2005. 2007 yielded proposed settlements with two defendants in the amount of \$12 million, now pending public comment and court approval. Trial preparation continues with the expectation of a trial against the remaining defendants in the summer of 2008.

In other activities, antitrust staff finally closed the Compact Disc Litigation, a multi-state matter that originated in 2001, in September by distributing a grant to the Albuquerque Philharmonic Orchestra for the purpose of exposing elementary students in the Albuquerque public school system to music in the schools and by overseeing the transfer of more than 47,000 music CDs to the USO for distribution to military personnel. In November, the various states reached settlement with the remaining defendants in the long-standing Vitamins Litigation, a price-fixing case. The Attorney General will have the opportunity to distribute more than \$225,000 to selected charities in the spring of 2008 as a result.

LOOKING AHEAD

The Litigation Division seeks to expand its role in initiating lawsuits on behalf of the State that were generated out of other Divisions of the Attorney General’s Office. It will continue its reputation of providing the best legal representation to State Agencies and State Officials.

Tobacco Manufacturers Directory

This directory contains the brand names and families of tobacco products that are compliant with the Tobacco Model Escrow Statute and the Tobacco Escrow Fund Act. Only brand names and families in the Directory may be sold in New Mexico. A brand of tobacco product not included in the Directory is considered contraband and subjects its manufacturer to civil penalties and other sanctions and the product to seizure.

Choose one of the following view options to refine the list.

Participation: All Participation Types

Manufacturer: All Manufacturers

Brand: All Brands

When choosing a Brand, the Manufacturer will be selected for you.

Manufacturer	Part	Dates												
Anderson Tobacco Company 150 Summer Lane Andersen, SC 29526 USA	PM	MSA: 11/5/2003 Add: 11/5/2003 Remove: 2/14/2007												
Beikenton, S.A. 693 Lincoln Rd., St. 303 Miami Beach, FL 33139 USA	PM	MSA: 6/25/2003 Add: 6/25/2003 Remove: 6/26/2007												
<table border="1"> <thead> <tr> <th>Brand Name</th> <th>Product Type</th> <th>Date Added</th> <th>Date Removed</th> </tr> </thead> <tbody> <tr> <td>The Brave</td> <td>Cigarettes</td> <td></td> <td></td> </tr> </tbody> </table>			Brand Name	Product Type	Date Added	Date Removed	The Brave	Cigarettes						
Brand Name	Product Type	Date Added	Date Removed											
The Brave	Cigarettes													
Canary Island Cigar Co. 782 N.W. Lejeune Rd., St. 539 Miami, FL 33125 USA	PM	MSA: 9/26/2003 Add: 9/26/2003 Remove: 6/6/2007												
Caribbean-American Tobacco Corp. (CATCORP) 782 NW Lejeune Road, St. 539 Miami, FL 33125 USA	PM	MSA: 8/7/2001 Add: 8/7/2001 Remove:												
<table border="1"> <thead> <tr> <th>Brand Name</th> <th>Product Type</th> <th>Date Added</th> <th>Date Removed</th> </tr> </thead> <tbody> <tr> <td>Davenport</td> <td>Cigarettes</td> <td></td> <td>5/7/2007</td> </tr> <tr> <td>Freemont</td> <td>Cigarettes</td> <td></td> <td></td> </tr> </tbody> </table>			Brand Name	Product Type	Date Added	Date Removed	Davenport	Cigarettes		5/7/2007	Freemont	Cigarettes		
Brand Name	Product Type	Date Added	Date Removed											
Davenport	Cigarettes		5/7/2007											
Freemont	Cigarettes													
Carolina Tobacco Company 5620 S.W. Dover Lane	MPH	MSA: Add: 8/31/2006												

New Web Directory of Tobacco Manufacturers that can be searched by participation, manufacturer, or brand.

MEDICAID FRAUD & ELDER ABUSE DIVISION

DIRECTOR
ELIZABETH STALEY

VISION

Federal law requires each state receiving Medicaid funds to have a certified Medicaid fraud unit independent of the state agency receiving such funds. That unit is the Medicaid Fraud and Elder Abuse Division, which was renamed in 2007 by Attorney General King to emphasize his administration's commitment to prosecuting crimes against the elderly and all Medicaid recipients. Certified by the federal government to identify and prosecute fraud committed by Medicaid providers in New Mexico, the division also prosecutes the abuse, neglect and exploitation of residents in long-term care facilities receiving Medicaid funding. Goals are:



- To continue to take action to ensure the integrity of the Medicaid program by investigating and prosecuting those who attempt to abuse or neglect its recipients or defraud the program.
- To assure the integrity of the Medicaid Program through civil and criminal prosecutions as it changes its method of service delivery to a managed-care model.
- To protect of residents in facilities or those receiving Medicaid-funded in-home services in the community.
- To establish collaborative relationships in these areas with state and federal agencies through presentations, task forces and meetings.
- To continue to seek recoupment from pharmaceutical companies who violate Medicaid regulations and to participate in multistate and qui tam litigation.

THE YEAR IN REVIEW

- Increased emphasis on criminal prosecution of providers that commit Medicaid Fraud, including the actions brought against Valerie Potter (sentenced for fraud), Tami Menzel and Abrian Ortiz (guilty pleas in a Medicaid fraud scheme) and the recent indictments of Dr. Lillian Jaime (for substantially inadequate treatment and alternatively; seven counts of fraudulent billings and five counts of falsification of documents) and Israel Keppel.
- Increased prosecution of abuse and neglect in nursing homes
- Active outreach to and collaboration with other agencies that deal with Medicaid fraud, abuse or neglect to address common issues and facilitate joint prosecutions.
- Achieved clearer regulations concerning ICFMR billings and documentation for Reserve Bed Days as a result of investigations. The regulations reduce the possibility of fraudulent billings.

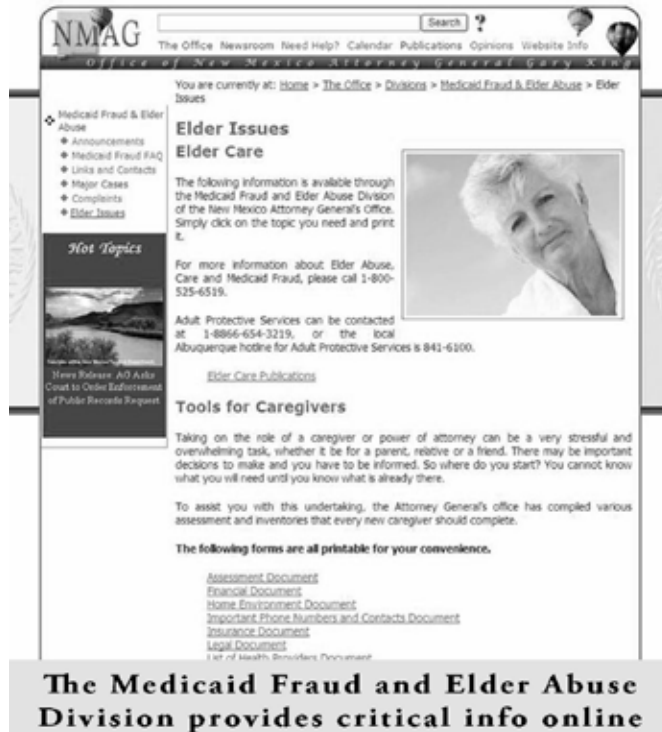
2007 Medicaid Fraud Unit Highlights:

- 29 investigations of fraud, abuse or exploitation opened
- 2 convictions
- Completed 64 ongoing investigations
- Collections of more than \$1.22 million in Medicaid overpayments
- Identification of \$10 million in Medicaid program savings for a three-year period



LOOKING AHEAD

- Active participation in the newly formed Multistate Qui Tam Working Group to maximize monetary recovery for the Medicaid Single State Agency utilizing Medicaid laws and regulations and the Fraud Against Taxpayers Act.
- Continued efforts to cement the relationships between agencies that deal with Medicaid matters through direct contact, meetings and investigation assistance with the goal of a continued increase the number of investigation referrals received.
- Continue to provide updated MFEAD presentations and handouts to providers and clients to increase awareness of MFEAD functions and capabilities among Medicaid recipients, family members and providers.
- Proactive facility visits to ascertain regulation compliance and recipient safety.



SPECIAL PROSECUTIONS DIVISION

DIRECTOR
MICHAEL COX

VISION

The Special Prosecutions Division serves as the statewide general prosecutions arm of the Attorney General's Office. Prosecutors handle a variety of cases including murder, child sexual abuse, identity theft and securities fraud. Developing successful strategies for prosecuting major crimes and sharing them with prosecutors around the state is another function of this division.



YEAR IN REVIEW

Members of the Division, in partnership with the Ninth Judicial District Attorney's Office, convicted Stanley Bedford of the murders of Odis and Doris Newman of Portales, New Mexico. Following a six week trial, Bedford was sentenced to serve 120 years after the jury failed to reach agreement on the death penalty.

Assistant Attorney General Mary Helen Baber prosecuted William Miller, of Carlsbad. He was convicted of child sexual abuse in a trial, and sentenced to serve 18 years in prison.

The Division, in collaboration with the New Mexico Securities Division, aggressively prosecuted securities violations:

- Michael Soutar of Santa Fe was convicted of numerous securities fraud crimes and racketeering- he was sentenced to serve 39 years in prison.
- Angelo Garcia, of Albuquerque, was convicted of numerous counts of securities fraud and racketeering committed on the elderly and was sentenced to 20 years in prison.

Prosecutions also targeted identity theft crimes, providing specialized training in Roswell and Farmington and successfully prosecuted Nathan Sims of Tucumcari for Identity Theft and related charges, for which he received a 7 year prison term.

Division attorneys also prosecuted a number of internet predators like John Kallman, Jeremie Dante, Jerry Mierra, and Donald Orr.

Working with the Attorney General's Internet Crimes Against Children (ICAC), the division helped lobby the Legislature for the passage of stiffer penalties for child solicitation by computer, making it a felony to send pornographic images to a minor, and requiring predators convicted of soliciting minors on line to register as sex offenders.

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LOOKING AHEAD

- Trials of Robert Young, Reis Lopez, and David Sanchez for the murder of Ralph Garcia.
- Trials of Michael Soutar in Santa Fe for numerous counts of fraud and in Albuquerque for escape from jail.
- Continuing outreach to the community, both children and parents, on the perils of Internet predators.
- Partnership with the Securities Division in the investigation and prosecution of securities crimes.
- Assistance statewide to District Attorneys in the prosecution of Internet Crimes Against Children and other priority cases needing assistance.



AGO Staff at the sentencing of William Miller

WATER, ENVIRONMENT, & UTILITIES DIVISION

DIRECTOR
STEPHEN FARRIS



VISION

The staff of the Water, Environment and Utilities Division (WEUD) work to protect, preserve and recover New Mexico's beautiful but fragile environment as well as our precious water and other natural resources. The division does this through litigation when necessary and through unique cooperative efforts with stakeholders such as farmers, environmentalists, municipalities, industry and state and federal government agencies. In addition, we will continue to represent the interests of New Mexico's residential and small business consumers in matters of gas, electricity and telecommunication regulation.

THE YEAR IN REVIEW

Multi-State Litigation - New Mexico along with other states won a significant victory in the United States Supreme Court this year. The Supreme Court agreed with the states, the Court indicated that the Environmental Protection Agency was required by the Clean Air Act to regulate greenhouse gas emissions from automobiles. In addition, New Mexico continues to work with other states on national issues that affect New Mexico's environment and the health of our citizens.



Groundbreaking Ceremony
for Los Lunas Silvery
Minnow Refuge

Interstate Compacts – The Attorney General's Office continues its multi- year effort to coordinate and supervise the legal and technical work necessary for defending against threatened interstate litigation on the Lower Rio Grande with the State of Texas. In addition it continues to monitor and prepare for potential litigation on the Colorado and other rivers where New Mexico is a signatory to an interstate compact.

Endangered Species – New Mexico continues to work actively with stakeholders in the middle Rio Grande to recover the endangered Rio Grande silvery minnow while allowing existing and future uses of water to continue. Since the inception in 1999 of the Middle Rio Grande Endangered Species Collaborative Program, the Attorney General's Office has actively worked with stakeholders to restore habitat, provide breeding facilities for endangered silvery minnows, purchase water from willing sellers,

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rescue minnows when the river dries and obtain scientific data on the endangered species for future planning and projects.

In the ongoing silvery minnow litigation, the state presented its oral arguments to the Tenth Circuit Court of Appeals in May of 2007. A decision in that case is pending.

Environment – The state is appealing the federal district court’s decision regarding oil and gas leasing on Otero Mesa. Briefing on that appeal is currently underway.

Utility Regulation and Related Work – The WEUD is actively representing the interests of residential and small business consumers in a variety of gas, electric and telecommunication cases throughout the state. In addition, it is actively participating in hearings regarding the regulation and pricing of title insurance.

LOOKING AHEAD

The work of the Water, Environment and Utilities Division is long-term. Environmental and water litigation can and does take many years. In addition, our cooperative efforts to protect New Mexico and New Mexicans are projects that require long-term planning and implementation. These efforts continue and, as new issues arise, they will be analyzed and action taken, as necessary to protect and preserve New Mexico’s environment, natural resources, the health and welfare of New Mexicans and the interests of utility consumers.



Otero Mesa

THE PEOPLE MEET THEIR LAWYER





National Alcohol Teen Awareness Effort
Girl Talk



AG King plays at the AGO
Open House with his band,
the Band of Rogues



Law Enforcement Torch Run for the
Special Olympics

AG King gives a
presentation on protecting
yourself from scams



ENSURING INTEGRITY AND SERVICE FOR NEW MEXICO



AG King with the AGO Roadshow in Los Alamos



News conference on Identity Theft and the new credit freeze law



AG King at the Legislature



AG King at a scam presentation in Moriarty

2007 EMPLOYEE AWARDS



Attorney of the Year
Joel Jacobson



Division of the Year
Border Violence



Consumer Advocate of the Year
Pauline Cordova



Division Director of the Year
Karen Meyers

ENSURING INTEGRITY AND SERVICE FOR NEW MEXICO



Support Staff of the Year
Richard Russell



Legal Assistant of the Year
Elora Martinez



Adminstrative Assistant of the Year
Rose Butler

Investigator of the Year
Michael Valdez
(photo not available)