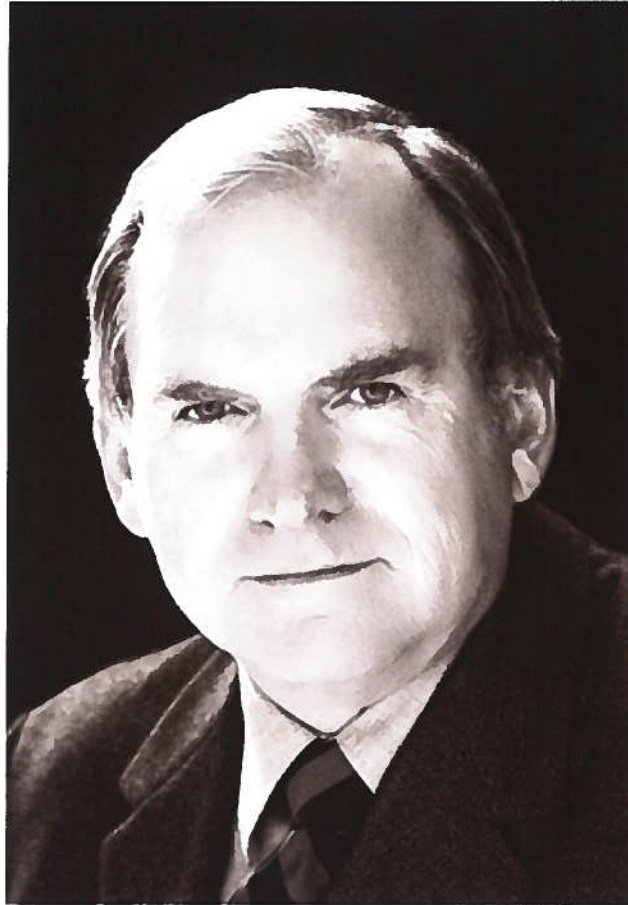




NEW MEXICO
ATTORNEY GENERAL'S OFFICE
2014 ANNUAL REPORT



MESSAGE FROM ATTORNEY GENERAL
GARY K. KING

Thanks to the good work by the staff of the New Mexico Attorney General's Office, 2014 was another productive and exemplary year that benefitted the citizens of our state in ways that are detailed in this final Report to the Legislature from my administration. Here are a few examples:

The Consumer Protection Division (CPD) recovered approximately \$3,638,460 for New Mexico consumers through successful litigation or settled matters involving: high cost lending, debt settlement, retail sales, unlicensed practice of law, mortgage scams, mortgage servicing fraud, door-to-door sales, automotive repair practices, off-labeling of drugs, and used car sales. CPD also secured an important court decision verifying that certain high cost loans, that force many consumers into a destructive spiral of debt, are unconscionable under New Mexico's

Unfair Practices Act and requiring restitution to those victimized by predatory lenders.

During 2014, the agency's Medicaid Fraud & Elder Abuse Division (MFEAD) secured four indictments and three convictions in its criminal prosecutions. Regarding civil prosecutions, the MFEAD secured 20 civil actions, which resulted in \$7.32 million in recoveries ordered.

It is the mission of the Government Accountability Division (GA) to attack corruption and work to ensure that government officials recognize their obligation to serve New Mexicans honestly and ethically. In 2014, GA processed upwards of 100 matters involving violations of the public trust.


Our New Mexico Internet Crimes Against Children (ICAC) Task Force, which is funded through a grant administered by the AGO, works to protect children through the identification, apprehension, and prosecution of those who commit Internet crimes against them and through educational outreach to schools and communities. The task force consists of 74 federal, state, local, tribal law enforcement agencies as well as prosecutors, and non-profit organizations. Over the past year, the task force executed 263 separate federal and state search warrants throughout New Mexico and seized computers and computer-related evidence pertaining to child pornography offenses, resulting in 91 arrests. The ICAC Task Force conducted more than 540 investigations, 1070 forensic exams, and 413 technical assists throughout the state.

In its continuing effort to protect New Mexico's precious water supplies, natural resources, and environment--the Water, Environment, & Utilities Division pursued its mission by initiating important litigation to save water provided to our citizens by the Rio Grande. Meanwhile, the U.S. Supreme Court case regarding New Mexico's rightful claim to its water resources will continue to require a significant commitment of time,

effort, and resources and is expected to take several years to resolve. Our office continues its work to protect New Mexico families and our most vulnerable residents by pursuing ongoing efforts to prevent human trafficking and collaborating with our counterparts throughout the world in fighting international criminal organizations to interdict the illicit funding that supports the sale of illegal drugs and arms. We continue working to prevent domestic violence and extreme cruelty to companion animals as a factor in domestic abuse. We also continue to fight cruelty to animals by pursuing ongoing efforts to prevent the slaughter of horses for human consumption.

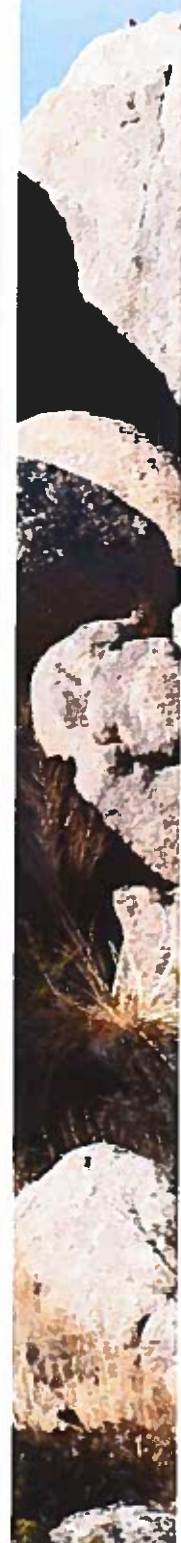
I am proud of the work done by each employee of the Attorney General's Office for the past eight years on behalf of New Mexico's citizens. I want to thank each one of them for their service to the state.

Finally, I would like to thank the Legislature for working with the Attorney General's Office over the past eight years on important legislation for the state. As public servants, we are charged with the task of doing our best to make New Mexico a better and safer place in which to live.



GARY K. KING

NEW MEXICO ATTORNEY GENERAL
(2007-2014)



LEGISLATIVE TEAM

--*Protect New Mexico consumers*, especially with regard to homeowner protections, to address improper and unfair mortgage foreclosure practices and ensure that homeowners are not saddled with unreasonable tax burdens imposed unilaterally by developers; to provide that loans are not predatory traps that ensnare borrowers with debts they cannot realistically repay; to prevent unfair business practices with regard to automobile sales and repairs; and, to represent the best interests of residential and small business owners in major public utility and health-related issues brought to the Legislature.

--*Protect victims of Human Trafficking*, including enhancing law enforcement tools and providing needed services, resources, and protections to victims preyed upon in what has been described accurately as a modern-day version of slavery.

--*Combat the serious chronic problem of DWI in New Mexico*, not only by imposing stricter penalties for the many DWI repeat offenders, but also by seeking to raise the necessary funds to allow for much more effective education, prevention and treatment programs to address underlying societal problems and thereby change the culture of drinking and driving that has caused and continues to cause so many tragedies throughout the State; a particular focus has been placed on the serious problem of underage drinking.

--*Protect New Mexico's precious water supplies, natural resources, and environment* by seeking legislative support to allow the AG's Office to litigate fully and effectively against unjustified attacks and demands by any entity against New Mexico's rights to our water; by ensuring that our air, land, and water protection laws provide for realistic and effective enforcement mechanisms, including the right to private enforcement by New Mexicans harmed by the actions of polluters; and, by adopting effective civil penalty provisions to impose against violators of New Mexico's important environmental protection laws.

--*Advocate for meaningful Ethics in Government and Campaign Finance Reform*, e.g., by consistently supporting proposals

for a truly independent Ethics Commission, with full authority to act and disclose governmental fraud and improprieties; seeking effective disclosure of the real sources of campaign finance funds, including independent third-party groups that are being shielded from public scrutiny; and by trying to fix flaws in the limited public financing alternatives provided in NM law, and to expand those opportunities to more offices.

--*Guard the health of the elderly, infirm, and other vulnerable New Mexicans* from Medicaid fraud and other health care delivery system problems and scams, including repeated problems associated with tobacco use and the more recent phenomenon of e-cigarettes, especially as targeted to our youth.

--*Fight Fraud against Government and Corruption by Public Officials* while ensuring that Open Meetings and Public Records laws provide for transparent government and that enforcement of those laws can be effective.

--*Protect Children and the Victims of Domestic Violence* by seeking stronger measures against the perpetrators of child abuse and more commonsense application of governing laws.

--*Prevent Wage Theft* and protect workers and employers who comply fully with the law, following up on recommendations by a Task Force created by Attorney General King, to ensure that all workers are treated fairly and paid all that they are owed, e.g., by not being forced to work "off the clock" and not being paid for overtime legitimately worked.

Legislative related Task Forces that AG King has created at his own initiative have addressed: 1) Human Trafficking; 2) Domestic Violence; 3) Animal Cruelty; and 4) Wage Theft Prevention. The AG's Office under AG King has followed up on each area with targeted legislative proposals.

One more recent issue of concern to AG King has been the shift in emphasis to require the AG's Office budget to comprise an

ever-increasing amount of funds generated from its own case victories and settlement funds. The problem the AG's Office has noted is that cases should be settled only when the public interest and the ultimate interest in justice prevails. The AG's Office should not have to settle cases to balance its budget. AG King has steadily urged the Legislature to make the AG's Office a fully General Fund-supported agency, with all revenues received from case victories and settlements going similarly to the General Fund for the Legislature to appropriate as it deems best.

As a legislator himself for many years, AG King understands how important legislation, particularly that of a controversial nature, can take many years to finally pass and become law. The AG's Office under AG King hopes that it has helped advance the cause of law reforms in many critical civil and criminal areas of the law.



BORDER VIOLENCE DIVISION

VISION

The Border Violence Division (BVD) of the New Mexico Attorney General's Office (NMAGO) specializes in International Extraditions, Investigations, and Prosecutions of Human Trafficking and Money Laundering cases throughout the state. Using a multi-agency, multi-jurisdictional approach, the BVD strives to educate and foster cooperation and mutual support among the network of legal, law enforcement, and social service agencies which serve as collaborative partners. BVD provides investigative support and training to all NM law enforcement agencies in these areas. The division was instrumental in drafting New Mexico's anti-human trafficking statute and has taken the lead role in training law enforcement, promoting awareness, and prosecuting New Mexico's first human trafficking cases. The BVD provides awareness through trainings and media campaigns as well as through the development of statewide anti-human trafficking work groups which have established partnerships between law enforcement and victim service providers.

YEAR IN REVIEW

- ***Human Trafficking Cases:***

In the past year the BVD has successfully convicted three individuals for human trafficking and other extensive charges, two are still awaiting sentencing. Rufus E. Byers was sentenced to seven-and-a-half years imprisonment. All were charged under the New Mexico Human Trafficking statute. In addition, three cases are currently awaiting trial. Sharoski Jackson was successfully prosecuted and will be sentenced in 2015. As part of an outreach effort, human trafficking pull-tab dispensers are located throughout New Mexico along Interstate highway rest areas and truck stops. The pull-tabs display the National Human Trafficking Hotline number and The Life Link's Text Hotline number, which continue to provide awareness and education to the public. In addition, the division's Human Trafficking Law Enforcement Training Manual, which is designed to instruct law enforcement

on how to investigate human trafficking crimes and develop a victim centered investigation, is still being utilized for trainings and is distributed to law enforcement personnel at human trafficking trainings conducted by the BVD. This past year, seven Human Trafficking Trainings for law enforcement and service providers were conducted.

- ***International Extraditions:***

One of the Border Violence Division's missions is to bring fugitives to justice who have fled the country in order to avoid prosecution and is a major facet of BVD's work. The division assists district attorneys and law enforcement throughout the state to locate and request international extradition of fugitives who have committed crimes in New Mexico. In all of BVD's international extradition cases, a multi-agency, multi-jurisdictional approach is applied. It involves local law enforcement, prosecutors, and federal agencies. This includes the US Marshals Service, the Office of International Affairs/Department of Justice and other foreign government agencies such as the Office of the Attorney General of Chihuahua and the Mexican Federal Attorney General's Office. In the past year, the BVD has submitted six provisional arrest warrant requests. Four fugitives have been arrested and are in custody. Their cases are proceeding through the Extradition process in Mexico and Guatemala. In a high profile case, the BVD and federal law enforcement partners successfully apprehended and extradited accused murderer Raul Pena Roque from Mexico. Pena Roque was a fugitive from justice for more than three years.

- ***Money Laundering:***

The Border Violence Division's New Mexico Anti-Money Laundering Alliance is currently investigating significant and complex money laundering cases throughout the state. These investigations include high-dollar money laundering operations, human trafficking operations, and narcotic trafficking organizations. A seven-member

racketeering, money laundering, and narcotics trafficking ring is currently being prosecuted in conjunction with the 12th Judicial District Attorney's Office in Alamogordo. To date, three members have successfully been convicted for money laundering and other extensive charges. Robert Chavez was sentenced to thirty-six years imprisonment, Joe Chavez was sentenced to forty-eight years imprisonment and Matias Loza was sentenced to twelve years imprisonment. BVD continues to work collaboratively with the 12th District Attorney's Office to prosecute the four remaining defendants involved in the illicit operation. BVD agents are also actively investigating eleven other cases throughout New Mexico involving money laundering activity. In addition, the division has conducted ten money laundering trainings for law enforcement and financial institutions. The Alliance has made great strides partnering with Federal, State, and local law enforcement agencies.

- ***Trainings:***

In 2014, the Border Violence Division provided seven Human Trafficking trainings to local law enforcement and victim service providers. The Human Trafficking trainings focus on identifying potential victims of human trafficking and investigation techniques. Seventeen Money Laundering Trainings were also conducted. The Money Laundering trainings focus on emerging trends of money laundering, Bank Secrecy Act, Federal and State money laundering, and asset forfeiture laws. The Alliance continues to establish relationships with Compliance officials at local banks to foster direct communication.

LOOKING AHEAD

BVD will continue to provide human trafficking training and awareness to law enforcement, social service providers, victim service providers, and the general public; increase investigations and prosecutions pertaining to crimes involving human trafficking; and coordinate benefits and services for victims of human trafficking.

The division will also continue to provide assistance to District Attorneys throughout New Mexico with International Extradition Requests; increase IERs by continuing to provide awareness trainings to law enforcement and District Attorneys of services provided by the BVD.

The Anti-Money Laundering Alliance will continue to partner with Federal, State, and local law enforcement agencies to investigate significant money laundering cases. The Alliance will continue to provide training opportunities throughout New Mexico in 2015. Additionally, the Alliance will continue its outreach program in an effort to construct a statewide infrastructure for the investigation of money laundering.



CIVIL DIVISION

VISION

The Civil Division has three primary areas of responsibility: (1) provide legal advice and representation to more than 100 state agencies, boards and commissions; (2) research and draft Attorney General opinions and advisory letters in response to requests by state legislators, state officers, and district attorneys; and (3) enforce the Open Meetings Act and Inspection of Public Records Act by investigating and responding to complaints alleging violations of the Acts and by providing training to governmental bodies and the public regarding their rights and responsibilities under the Acts. Other responsibilities of the Division include the review and approval of state professional services contracts for compliance with certain provisions of the Governmental Conduct Act, filing answers to writs of garnishment that seek to attach state employee wages, and issuing opinions approving school district general obligation bond issues.

YEAR IN REVIEW

The Civil Division staff attorneys provided legal services to their state agency clients on a daily basis; provided legal advice at board meetings, disciplinary hearings, and rulemaking proceedings; defended and enforced agency decisions in judicial appeals and reviewed contracts and other legal documents.

The division continued to experience a substantial litigation caseload in 2014, handling approximately 40 new and ongoing judicial appeals and similar court proceedings on behalf of state agencies, boards and commissions. Some controversial and contentious proceedings handled by the division included an appeal to the Supreme Court of New Mexico of a decision by the Alcohol and Gaming Division to allow a convenience store to sell alcohol 300 feet from an elementary school; an appeal of the Public Education Department's secretary grant of a waiver to a charter school; injunctions against unlicensed veterinarians and other challenges to

decisions by professional licensing boards to revoke or suspend licenses; appeals of decisions of the Real Estate Commission, the Dental Examiners Board, the Board of Nursing, the Racing Commission, the Construction Industries Commission, the Law Enforcement Academy Board, Water Quality Control Commission, and several other state agencies.

The Civil Division reviewed and investigated approximately 72 inquiries and complaints regarding the Open Meetings Act and Inspection of Public Records Act and issued formal determinations. The Attorney General's Office issued six advisory letters and six formal opinions. Topics addressed in the formal Opinions included whether counties have the authority to charge utility companies for using rights of way; whether private landowners may exclude others from fishing in a public stream across their private properties; NMVA and K-12 virtual schools; the application of the Governmental Conduct Act to a community college; and, the effect of a gubernatorial pardon to a convicted felon's eligibility for a concealed gun license. Topics addressed in the advisory letters included interpretation of the Citizen Substitute Care Review Act; the anti-nepotism policy of Luna Community College; fees charged by car rental companies; voter approval of hold harmless gross receipts tax; and, the Attorney General's position on a county's ability to propose a question on a statewide election ballot.

As part of the Attorney General Office's outreach program, Civil Division attorneys conducted training sessions throughout the state on the Open Meetings Act and Inspection of Public Records Act, including four Attorney General's Office "Roadshows." The division made numerous additional presentations at trainings and conferences of other organizations and associations. Division attorneys also answered telephone and email inquiries regarding the Open Meetings Act and the Inspection of Public Records Act on a daily basis. Questions came from government officials, members of the news media, and the general public.

The division reviewed and issued more than 37 opinions on school district general obligation bonds issues totaling approximately \$326 million and reviewed approximately 101 state agency contracts for legal sufficiency and/or compliance with the former state employee provisions of the Governmental Conduct Act. The Division also processed 225 writs of garnishment involving creditor attachment of state employee wages. During the 2014 30-day Legislative Session, the Civil Division received, routed, and administered 263 requests from the Legislative Finance Council and others for bill analyses.

LOOKING AHEAD

The Civil Division will continue to provide high-quality legal representation of state agencies. The Civil Division will seek to eliminate the backlog of opinion requests caused mostly by staffing shortages and increased litigation workload. To help ensure state agency clients are able to effectively perform their public functions, the division will continue to improve upon its training for boards and commissions on the administrative process. Regarding the Open Meetings and Inspection of Public Records Acts, the division will work to quickly facilitate the resolution of complaints and will continue to provide statewide training to government agencies and the public.



COMMUNICATIONS DIVISION

VISION

The division's main goal is to consistently and accurately serve as the conduit by which important information from the AGO is passed on to the public. Using agency news releases, media advisories, publications, and social media outlets, Communications disseminates public information throughout the State of New Mexico and often places advertising/public service announcements with various print, broadcast, and other media. The division also presents education & outreach events on a number of topics, such as Internet Safety, Cyberbullying, and in 2014, concluded a years-long series of awareness and prevention seminars on the dangers of Methamphetamine use. Staffers have the ability and means to design, write, and produce almost all of the AGO's many publications, some in Spanish, that deal with everyday consumer and other issues. Communications is responsible for maintaining, updating, and providing content for the agency's website.

YEAR IN REVIEW

Communications Division Education/Outreach Coordinator and staff made presentations on Internet/Cyber Safety twice a month, on average, across the State. Locations included Alamogordo, Albuquerque, Belen, Estancia, Jicarilla Apache Reservation, Rio Rancho, and Socorro. A number of anti-methamphetamine presentations were also performed by staff around New Mexico, although the grant-funded AG initiative has ended.

At the Attorney General's direction, two major events were planned and executed by Communications Division staff and other AGO division staffers during 2014. The Community Violence Summit and Safe Schools Summit were well-attended and attracted stakeholders in various programs that address the issues. Attendees included law enforcement, government agencies, non-governmental organizations, and interested political and community leaders from all over the State. In 2014, the division added a Teen Dating Violence Coordinator who, in partnership with the state

Public Education Department's grant through the Federal Office of Adolescent Health, performs outreach presentations for teens across the State.

The division continues to take full advantage of social media outlets, such as: Facebook, Tumblr, Twitter, and Pinterest to promote various events and accomplishments of other AGO divisions.

Communications staff maintained the AGO website and public records project website that contains all AG Opinions and Advisory Letters; OMA and IPRA complaints and determinations; legislative Bill Analyses; Annual Reports; and, New Mexico Biased Based Policing Policies. Staff also implements the agency's Snow Day Policy notification system during inclement weather and produces identity badges for all AGO employees.

The division director, in cooperation with the AG, continued to write and submit a monthly article about AGO activities to the state employee Round the Roundhouse publication. Communications also partnered with other AGO divisions to help with various community events throughout the year, such as the New Mexico State Fair, where staff are available to answer questions from the public and distribute AGO publications about scams, home mortgage foreclosure, identity theft, human trafficking, drug use prevention, and many other topics.

Communications staff also provided trial support for major civil and criminal proceedings by designing and developing motion graphics, timeline illustrations, and other visual aids.

LOOKING AHEAD

The Communications Division is looking forward to helping the newly-elected Attorney General present his own initiatives, priorities, and policies to the general public. New communications technologies are constantly being introduced and the division intends to use them to the greatest advantage possible to benefit the citizens of New Mexico.

CONSUMER PROTECTION DIVISION

VISION

The Consumer Protection Division (CPD) acts on behalf of the public to enforce consumer protection laws and prevent and deter unfair, deceptive, and unlawful practices that injure consumers and harm businesses that operate lawfully in the competitive marketplace. The Consumer Protection Division also includes the Charitable Organizations Unit which enforces the provision of the Charitable Solicitations Act, including registration and reporting, and acts on behalf of the public to protect the interest of donors to charitable organizations, the beneficiaries of those donations, and to ensure that each charity meets the obligations it has assumed under the public trust. The Consumer Protection Division also includes Keep Your Home New Mexico, the Homeownership Preservation Project, to assist homeowners who face mortgage delinquency or foreclosure and deter mortgage rescue scams and fraud.

YEAR IN REVIEW

Dispute Resolution, Outreach and Civil Enforcement Actions-FY 14:

- Recovered approximately **\$3,638,460** for consumers through dispute resolution
- Number of new written complaints filed: **2,277**
- Number of complaints closed: **2,083**
- Number of telephone inquiries: **11,000+**
- Presented **37 community outreach and education events** to New Mexicans throughout the state on consumer protection issues

Successful litigation or settled matters involving:

High cost lending, debt settlement, retail sales, unlicensed practice of law, mortgage scams, mortgage servicing fraud, door-to-door sales, automotive repair practices, off-labeling of drugs, and used car sales.

Charitable Organization Unit:

- 7,028 charities registered in the COROS registration database
- Conducted 9 outreach events to New

- Mexicans throughout the state
- Staff assists with registration and reporting issues upon request
- Received 30 complaints from the public regarding charitable organizations
- Public has access to information on charities registered on COROS
- Outreach and education program to provide registration information to charitable organizations
- Serves as co-counsel with Federal Trade Commission (FTC) on largest multi-state action in charitable fraud case

KeepYourHomeNewMexico

(Homeownership Preservation Program)


Hotline: 1-855-664-6630

Website: KeepYourHomeNewMexico.org

- Recovered \$1.2 million in refund or value to homeowners who filed consumer complaints because of fraud or who sought loan escalation in loan modification
- Enforcement of Unfair Practices Act against unlicensed mortgage consultants and foreclosure scam companies
- Assist homeowners who face mortgage delinquency or foreclosure through coordinated effort including:
 1. Single 1-800 number hotline and website
 2. Statewide provision of housing counseling to homeowners delinquent on mortgage and seeking alternatives to foreclosure
 3. Statewide access to legal services for homeowners in foreclosure actions
 4. Education and outreach to homeowners and social service providers about foreclosure prevention
 5. Coordination with major banks on loan review and escalation to resolve loan modification issues resulting in increase in approved loan modifications in New Mexico
 6. Monitoring and enforcement of National Mortgage Settlement Consent Decree
 7. Implementation of Foreclosure Settlement Facilitation Pilot Project in 2nd and 13th Judicial Districts

Civil Enforcement actions: (limited examples)
State v. B&B Investments (dba Cash Loans Now) and American Cash Loans, NM Supreme Court Decision, June 26,





2014, held that loans bearing interest rates of 1,147 to 1,500 percent contravene the public policy of New Mexico, the interest rate term in Defendants' loans is substantively unconscionable and invalid (reversing the trial court's decision). The Court held that the contract rate was subject to the statutory 15% default interest rate provided by law. The Supreme Court also affirmed the lower court's ruling that the companies engaged in procedurally unconscionable trade practices and upheld the permanent injunction prohibiting specific lending practices. The Court reversed the denial of restitution to consumers and remanded the case to the district court for entry of an award of restitution limiting interest on each loan to be at the maximum rate of 15% with a refund of all charges collected in excess of that rate. The case has been remanded to the First Judicial Court to determine the amount of restitution and implement the refund process. Restitution to borrowers is presently estimated at \$600,000.

Google, multistate settlement with Google arising from the use of "cookies" on web browsers during 2011 and 2012 and misleading representations made to users. Settlement includes injunctive relief and payment of \$253,093 to New Mexico.

AT&T, multistate settlement with AT&T as a result of "cramming" of unauthorized charges to customer billings. Settlement includes injunctive relief and refunds to consumers wrongly charged.

State v. A-Reliable Engine Rebuilders, Business failed to provide an automotive repair estimate, failed to post warranty disclosure, offered to rebuild engines but rebuilt engines were not fit for their ordinary purposes or merchantable. Judgment entered against defendant.

SunTrust, Small national mortgage servicer engages in mortgage loan origination, servicing, and foreclosure abuses. Nationally, multistate settlement provides for estimated \$550 million in first lien principal reductions, refinance, and loan modifications and direct payments to homeowners who lost their homes to foreclosure. For New Mexico homeowners, potential benefit of \$800,000 in mortgage relief and direct payments.

Agreement also requires compliance with comprehensive servicing standards.

Ocwen, Fourth largest national mortgage servicer engages in mortgage loan origination, servicing, and foreclosure abuses. Nationally, multistate settlement provides for \$2 billion in first lien principal reductions and over \$125 million in cash payments to homeowners who lost their homes as a result of foreclosure. For New Mexico homeowners, potential \$7 million in mortgage relief and direct payments. Agreement also requires compliance with comprehensive servicing standards.

State v. GlaxoSmithKline, multistate action resolving allegations that GSK unlawfully promoted its asthma drug and antidepressant drugs and misrepresented the uses and qualities of these drugs. Consent Judgment filed providing for injunctive relief and payment of \$1.3 million to New Mexico.

State v. ITT Tech, ITT is a for-profit school providing post-secondary degree programs in New Mexico. The AGO lawsuit alleges, among other allegations, that ITT's nursing program has never been accredited by the entity that accredits associate nursing degree programs; that ITT falsely marketed the program as holding this programmatic accreditation; and that ITT made misrepresentations regarding the costs of the program, its flexibility, student loans, and the amount of types of debt incurred by the students. This matter is still pending.

State v. Greentree, Consent Decree filed in case against mortgage servicer who sought appointment as the personal representative (PR) of a borrower's estate through use of an informal probate proceeding and then pursued mortgage foreclosure against the estate, served itself as PR and failed to answer the complaint for foreclosure or protect the interests of any estate beneficiaries. Consent Decree provides for payments of civil penalties and injunctive relief.

State vs. Ralph Riley, Huey R. Curl Patrick Jennings and Edward Jennings, each individually And d/b/a Black Rock Asphalt, Door-to-door paving services in mostly rural NM communities and targeting

elderly homeowners engaging in practices that violate the Door-to-Door Sales Act and misrepresent quality of paving service. Default Judgment entered on August 12, 2013 ordering restitution in the amount of \$87,948, civil penalties in the amount of \$55,000, and permanent injunction enjoining defendants from offering paving services in New Mexico.

State v. Schultz, Blue Sky Auto, Auto dealer sold motor vehicles without titling and registering with MVD. Financier placed himself as the lien holder in titles of vehicles and withheld titles refusing to release title to buyers. Secured injunctive relief prohibiting these practices. Judgment for restitution entered against auto dealer and settlement reached with owner of dealership, financier, and holders/assignees of sales for full restitution to each of the consumers known to AGO.

State v. Credit Arbitrators, Debt settlement companies that charge up-front fees for debt settlement services and engage in other practices in violation of federal and state law. After entry of summary judgment by federal District Court Judge Martha Vasquez on two of the State's claims, the defendants settled the matter agreeing to cease all prohibited practices and to payment of restitution to affected consumers in the amount of \$160,000. Restitution to consumers is pending.

Actions against mortgage rescue scams, The Attorney General has taken action against several firms that take advantage of homeowners facing foreclosure. The firms identified include New York lawyers soliciting business and taking money from consumers in New Mexico although not licensed to practice law; a Utah business sending deceptive mailers to New Mexico consumers containing fraudulent promises of loan modifications; and, a Virginia business offering loan modifications and taking an upfront fee in violation of New Mexico law.

Other activities:

Promulgation of regulation pursuant to NMSA 57-12-6, 12.2.14 NMAC.

Pursuant to its rulemaking authority, the Attorney General promulgated a regulation to implement and enforce the statutory

duty of motor vehicle sellers to disclose, by affidavit, when to the "best of the seller's knowledge" the vehicle for sale has prior wreck damage, repair or alteration equal to or in excess of 6% of the sales price. Despite the statutory duty to disclose, motor vehicle dealers regularly sell motor vehicles without making the required disclosure of prior wreck damage, repair or alteration. The rule adopted by the AG sought to ensure consistent enforcement and implementation of the statutory provision. A group of auto dealers and dealer associations has sued the Attorney General challenging the regulation. This matter is pending in the 7th Judicial District Court and the rule has been stayed pending the court's decision.

LOOKING AHEAD

Division staff will continue to promote and improve consumer protection through:

- Community education and outreach;
- Voluntary dispute resolution services to resolve consumer complaints;
- Monitoring and investigations of suspicious business practices when business activities or practices may violate consumer protection laws;
- Regulatory enactment and legislative proposals to address evolving issues;
- Promulgation of regulations and legislative initiatives; and,
- Legal actions to enforce consumer protection laws where violations have occurred.



CONNECTING WITH NEW MEXICO

The Attorney General's Office participates in many different regional events through outreach activities. The importance of outreach by government agencies cannot be understated. Government agencies have important information that the public needs but too often this information is only distributed at the agency offices. Outreach by the AG's office has allowed the public access to information on consumer protection, Internet safety, homeowner assistance, and many other services offered by the office.



CRIMINAL APPEALS DIVISION

VISION

The Criminal Appeals Division represents the State of New Mexico in the state district courts, the New Mexico Court of Appeals, the New Mexico Supreme Court, the United States District Court for the District of New Mexico, the United States Court of Appeals for the Tenth Circuit, and the United States Supreme Court. The duties and responsibilities of the division are mandatory and the division is a core function of the Attorney General's Office. See NMSA 1978, Section 8-5-2 (1975).

The division is staffed with one division director (no deputy director), 12 staff attorneys, and two support staff. Four staff attorney openings currently exist. The victim advocate, Elora Martinez, is part of the division on an "as needed" basis, specifically to arrange for the attendance of any victim(s) and/or family members for oral arguments.

The division director carries a full caseload of state and federal cases in addition to the management of the division. Case assignments generally occur every two weeks; the case assignments memorandum is submitted to the Attorney General and Chief Deputy Attorney General, with the specific assignments as well as an update on all relevant topics involving and highlighting the activities of the division. The staff serves in Santa Fe and Albuquerque; the majority of staff attorneys are located in Albuquerque.

During 2014, the division remained short-staffed. Three attorneys took extended leave under the FMLA. As in 2013, staffing decreased; the workload increased. Claire Welch is the Albuquerque paralegal who primarily provides support for all state habeas corpus and federal habeas corpus proceedings. Ms. Welch provides administrative support for the entire Albuquerque office. Rose Leal is the Santa Fe administrative assistant who is responsible for all direct appeals. Ms. Welch and Ms. Leal are exceptional employees who are committed to the work of the division.

Each attorney manages an intense and large workload with an average assignment of four briefs pending and other projects daily. Time and case management skills are essential because of the volume, the complexity of the issues, research, and the need to review the record. Because of the caseload and staffing, the New Mexico Court of Appeals and the New Mexico Supreme Court have accommodated the need for extensions of deadlines.

The majority of federal habeas corpus cases are assigned to Jane Bernstein, with some cases assigned to Margaret McLean. Mark Lovato practices exclusively in the area of state habeas corpus and is responsible for pleadings and appearances at hearings throughout the State. This arrangement is part of an agreement with the New Mexico Corrections Department. Mr. Lovato is also responsible for maintaining cooperative relationships with the New Mexico Corrections Department and the Adult Probation and Parole Board.

The tenure of the attorneys ranges from less than one year to more than 25 years of criminal appellate practice. New attorneys hired in 2014 include Ken Stalter and Paula Ganz. Attorneys possess expertise in juvenile cases, death penalty cases (two inmates remain on death row—Timothy Allen and Robert Fry), DWI cases, and sexual assault appeals. The division also provides support and advice through a long-standing and established liaison program to the district attorneys in the 13 judicial districts throughout New Mexico. It is not uncommon for an emergency request to be made for support and solutions to a problem experienced by a prosecutor. The division counsels and advises other divisions including Litigation, Government Accountability, Prosecutions, Medicaid Fraud, and Border Violence. The specialized knowledge and proficiency about criminal law, appellate law, and writ proceedings are distinctive to the division. Another function is to provide notice as required by the Victims of Crime Act, NMSA 1978, Section 31-26-1 (1994). This notice is provided by the victim advocate.



YEAR IN REVIEW

As of November 14, 2014, 265 cases were reported on Westlaw involving CA. The cases are reported from the New Mexico Court of Appeals, the New Mexico Supreme Court, and the Tenth Circuit Court of Appeals.

The Just Conviction and Exoneration Unit continued the case review and response for any claims of actual innocence and requests for post-conviction DNA testing. The three members of this unit are Nicole Beder, James Grayson, and Margaret McLean. A memorandum of understanding describes the working relationship with all 13 district attorneys. Three cases are now the focus of this unit. Ms. Beder and Mr. Grayson attended a nationwide seminar regarding a claim of actual innocence and other post-conviction challenges.

Another specialized unit handles all DNA expungement requests, as provided by statute. This unit is comprised of Margaret McLean, Sri Mullis, Anne Kelly, and Jacqueline Medina. The requests for DNA expungement review have increased due to the expansion of 'Katie's law' to cover the taking of a DNA sample from all felony arrestees.

Two pending United State Supreme Court cases involve Criminal Appeals. *New Mexico v. Schwartz*, No. 14-317, is pending on the State of New Mexico's petition for a writ of certiorari. This petition raises the use of two-way video conferencing at a criminal trial and the Confrontation Clause. The second case is *State of Ohio v. Clark*, No. 13-1352. In that case, Joel Jacobsen was solicited to write an amicus curiae brief on behalf of the National District Attorneys Association. The Confrontation Clause in a child abuse prosecution is the focus.

403 files were opened and 486 files were closed during 2014. Approximately 109 state habeas corpus and federal habeas corpus files were opened. One 182 briefs were filed in state appellate courts; 17 responses; 30 memoranda in opposition; and 31 petitions for writ of certiorari. Attorneys appeared for 21 oral arguments in the New Mexico Court of Appeals and New Mexico Supreme Court. Oral

arguments were held in Roswell, Grants, and Rio Rancho as part of the New Mexico Court of Appeals high school program.

Major issues on direct appeal include the scope and statutory interpretation of the kidnapping statute; whether metropolitan court appeals are subject to two appellate reviews and a challenge to the jurisdiction of the New Mexico Court of Appeals; the difference between a border checkpoint and an international port of entry; Indian country jurisdiction and law enforcement; ineffective assistance of counsel for pleas involving a non-United States citizen; sex offender registration, and, child pornography prosecutions. Child abuse appeals remain in constant flux for statutory interpretation, sufficiency of the evidence, and theories of prosecution.

In the New Mexico Supreme Court, petitions for writ of certiorari and responses were filed for Rule 12-501 NMRA and Rule 12-502 NMRA cases. Interlocutory appeals are also part of the work of the division as well as Rule 12-504 NMRA writ practice. During the 2014 session of the New Mexico Legislature, the division performed bill analysis for proposals involving criminal law. Cooperation with the Governor's Office, on request, included review of extraditions and renditions.

Miscellaneous activities, primarily completed by the division director, include responses and cooperation with the National Association of Attorneys General re: survey of laws, requests for participation in amicus filings, and other inquiries; responses to IPRA requests; and responses to correspondence and letters of inquiry by inmates and private citizens.

Similar to the direct appeal practice, state habeas corpus and federal habeas corpus proceedings are numerous and varied. Mark Lovato prepared and filed responses and appeared at evidentiary hearings for challenges to conditions of confinement. For habeas, 73 hearings were held; 163 responses, answers and replies were prepared and filed; six briefs; two evidentiary hearings in federal district court; one deposition involving a first-degree murder conviction; 20 motions and one oral argument in the Tenth Circuit in Denver.

Margaret McLean attended a National Association of Attorneys General training regarding federal habeas corpus law in Atlanta, Georgia, and the summer NAAG appellate chiefs conference in Washington, D.C. Joel Jacobsen spoke at the Midwest Children's Resource Center, attended a National Symposium on Reduction of Crime and spoke at the conference "Strategies for Justice: Advanced Investigation and Prosecution of Child Abuse & Exploitation" in Scottsdale, Arizona. Ken Salter participated at an American Bar Association meeting in Boston, Massachusetts for the Young Lawyers Division; Mr. Stalter is the Chair of this division in 2015. Mr. Stalter also volunteers for the Wills for Heroes program and mentors University of New Mexico Law School students. Attorneys of the division served on the DNA Oversight Committee, the Rules of Criminal Procedure Committee, the Rules of Appellate Procedure Committee, and the State Habeas Corpus Working Committee. Margaret McLean participated in the statewide district attorneys conference in the spring and fall of 2014, at the Second Judicial District Attorney's June 2014 Jubilee Conference, and provided updates on specialized areas of the law. Joel Jacobsen continues his survey of Confrontation Clause cases for nationwide distribution to prosecutors and judges.

LOOKING AHEAD

In 2015, as in all previous years, the hardworking members of the Criminal Appeals Division will continue the able and competent representation and advocacy on behalf of the State of New Mexico in all criminal appeals and habeas proceedings. This task involves ethical and professional judgment and discretion. It is the day-to-day work, the mandatory deadlines, and the perseverance and determination to offer timely and quality legal representation by each member of the division that are the hallmarks of the division. Attorneys work independently, efficiently, and constructively to meet deadlines. The very nature of the work involving violent crimes requires dedication and passion.

Other activities will continue to include appearances for oral arguments at high schools throughout New Mexico as part of the education program developed by the New Mexico Court of Appeals. Public service to the criminal justice system and the community will continue through participation on various committees and cooperation with other law enforcement and related agencies.

The working relationships with the appellate courts are critical and will continue to be a priority of the division. Systems have been developed and will remain in place to track appeals by the State of New Mexico and coordinate the receipt and delivery of pleadings, records, and orders.

The liaison program will provide advice to prosecutors and valuable updates on criminal law. Ongoing cooperation will take place with other divisions to ensure a comprehensive and consistent approach to legal issues and analysis for the Attorney General.



GOVERNMENT ACCOUNTABILITY DIVISION

VISION

The Government Accountability Division (GA) collaborates with other state and local law enforcement agencies, as well as the IRS, FBI, US Attorney's Office, US Secret Service, and Homeland Security. GA furnishes trainers under a Memorandum of Understanding with the US State Department's Bureau of International Narcotics and Law Enforcement in an international anti-corruption outreach effort. GA also represents the Attorney General's Office in the multi-jurisdictional Public Corruption Working Group.

Public corruption has always threatened government and its credibility with citizens. Attorney General King is committed to protecting the people of New Mexico from corruption and abuses in government. As part of this dedication, the mission is to attack corruption and work to ensure that state government serves all New Mexicans.

YEAR IN REVIEW

GA/Prosecutions/Investigations Intake and Complaint Review:

The Attorney General's office routinely receives reports from the public and governmental agencies and employees alleging potential criminal activities. During the past year, together with the Prosecutions Division and the Investigations Division, GA staff reviewed 690 inquiries/IMS matters, approximately 263 were investigated and closed. This represents total number of matters reviewed through triage--written reports of potential criminal activity.

After initial review, matters assigned to GA may be subject to further investigation and review by GA agents and attorneys. Many of these cases concern areas of law not typically associated with New Mexico's criminal code, although GA cases do encompass those. More often however, the criminal conduct under review includes violations of the Governmental Conduct Act, securities and tax laws, the Procurement Code, Mileage and Per Diem Act, the Campaign Reporting Act, and the NM Election Code in general.

By the end of 2014, GA will have processed upwards of 100 matters. Cases that involve ongoing investigation, and matters that were reviewed and resolved without criminal charges, are not available for public release.

The Attorney General's office takes pride in the skills, experience and commitment of its prosecutors. This year we make special note of an attorney in GA prosecutions, LynneAnne Maxwell, who was recently recognized by the Prosecutors Section of the New Mexico State Bar as "White Collar Crimes Prosecutor of the Year." We congratulate LynneAnne on her accomplishments in this field, and have been honored by her dedicated efforts on behalf of the people of New Mexico.

GA Division Case Examples for 2014

• Jerome Block

On February 14, 2014, the GA Division filed a motion to revoke Mr. Block's probation after his probation officer reported a urinalysis test positive for controlled substances. Mr. Block has been on probation supervision since his March 28, 2012, sentencing on six felony charges. Mr. Block admitted the violation on April 9, 2014, and the Court revoked and reinstated his probation on that date.

• Virginia Guzman

Although this case was pled and sentenced in 2013, the GA Division continued to work on the case to ensure that the incarcerated sentence and restitution payments ordered by the Court were served by Ms. Guzman. On January 9, 2014, a warrant was issued for Ms. Guzman for Failure to Report to CCP, based on her Oct 7, 2013 conviction of six felony counts of Attempt to Evade or Defeat Tax. On January 16, 2014, the GA Division filed a Motion to Review Conditions of Release and Request for Bench Warrant. On January 23, 2014, she was arrested by BCSO and placed into custody. Ms. Guzman filed a Motion to Review Conditions of Release and on February 26, 2014, the Court ordered a no bond hold pursuant to the J & S and also authorized CCP. On August 1, 2014, the State filed on Order Amending Judgment, Sentence, and Order Partially Suspending Sentence to ensure

that MCDC was following the Court's original order. On September 18, 2014, the State assisted Probation/Parole with the specifics of the defendant's court ordered restitution. Guzman has since served her term of incarceration and is currently serving 5 years of supervised probation.

- Andrew Torres

The GA Division volunteered to take this case after the Eighth Judicial District Attorney's Office was disqualified by the Court. Mr. Torres filed a Petition for Writ of Habeas Corpus while serving a 34 year sentence for Robbery, Aggravated Burglary, False Imprisonment and Tampering with Evidence. The Division filed a Response with supporting affidavits requesting a denial of the Petition on December 19, 2013. The Court denied Mr. Torres' petition on April 17, 2014. Mr. Torres filed a Petition for Writ of Certiorari to the New Mexico Supreme Court on June 12, 2014, which was summarily denied by Order on July 25, 2014.

- Region 3 Housing Authority

The GA Division spent several months in preparation for the May 5, 2014 trial date of Dennis Kennedy and Robert Strumor. After an exhaustive review of the evidence, the charges against Dennis Kennedy, Robert Strumor, and David Hernandez were dismissed.

- Christopher Valdez and Joy Ansley

On March 5, 2014, the Court found probable cause and filed a Bind-Over Order on both defendants in response to written closing arguments from the November 2013 preliminary hearing. No subsequent court hearings took place in 2014 due to the extended leave of absence and eventual permanent resignation of the assigned district court judge. The GA division continued work on the case. In November, the decision was made not to proceed to trial on the basis of problematic witness testimony during the preliminary hearing and the charges were dismissed.

Additionally the GA Division has reviewed numerous written complaints of potential criminal activity.

LOOKING AHEAD:

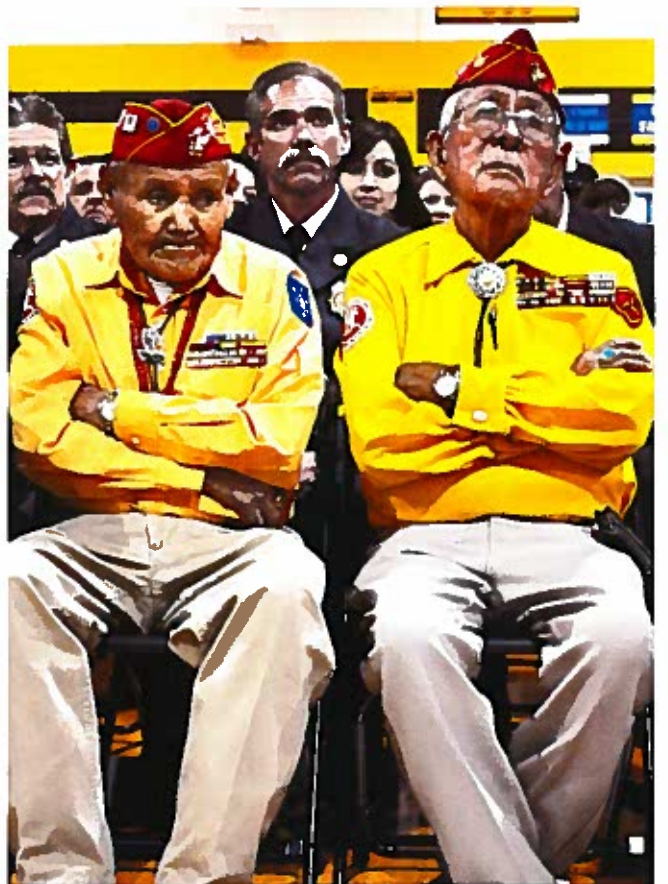
Attorneys in the Governmental Accountability Division will continue to prosecute public officials and employees for violations of New Mexico's criminal laws. They also intend to propose amendments to certain key criminal statutes during the 2015 legislative session in an effort to clarify under what circumstances the conduct of a public official or employee is a violation of law.

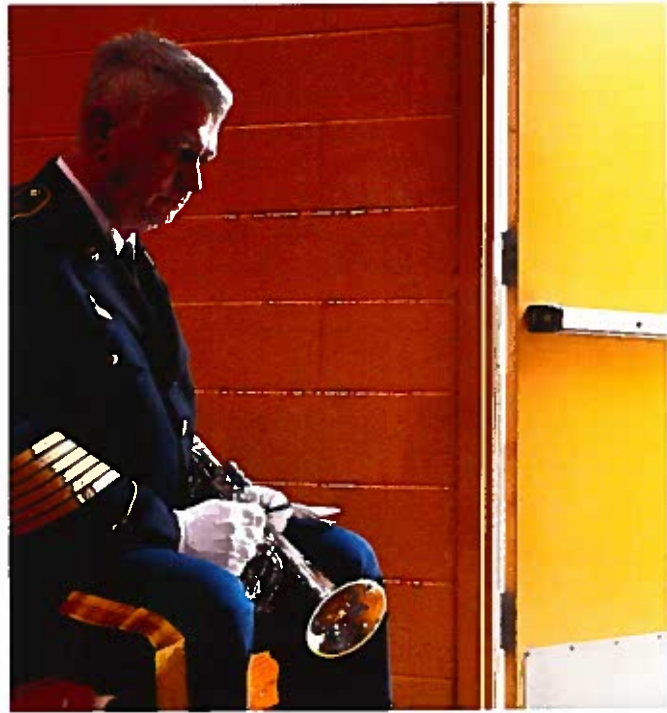


THE BLUE MASS



The Blue Mass is a multi-denominational event sponsored by the Archdiocese of Santa Fe. The event is attended by hundreds of local law enforcement, military members, and their families. The Blue Mass speakers range from members of the Archdiocese staff to members of law enforcement and military organizations.





INVESTIGATIONS DIVISION

VISION

The Investigations Division provides highly experienced Special Agents to conduct major criminal investigations throughout the state and assists district attorneys offices and local law enforcement agencies in complex and multi-jurisdictional investigations. Many cases involve local conflicts of interest. Additionally, the division handles criminal inquiries and cases including violent crimes, property crimes, and a wide range of other criminal activities. Working in cooperation with local, state, and federal agencies, the division is dedicated to ensuring that all investigative avenues are utilized to facilitate successful prosecutions.

YEAR IN REVIEW

The division is currently staffed with four Special Agents and two administrative assistants. In FY14, the Investigations Division received and reviewed a total of 690 inquiries/IMS matters, approximately 263 were investigated and closed. Special Agents carry large caseloads and work closely with AGO attorneys on indicted cases, assisting with subpoena service, and a variety of other trial support duties. Special Agents have also assisted other AGO divisions 37 times throughout the last year. The Investigations Division Director also supervises the Attorney General's Office Internet Crimes Against Children (ICAC) Unit. This unit is part of the statewide New Mexico ICAC Task Force. The AGO's ICAC unit consists of five Special Agents; three are certified forensic examiners, one administrative assistant, one Criminal Analyst, and one Special Agent in Charge (SAC). The SAC writes the funding grant for the larger Task Force; provides supervision, including assigning investigations; deconflicts with other task forces around the country; implements enterprise operations; provides training and equipment to task members; and speaks at public venues on the ICAC Mission. The Attorney General ICAC SAC assigns 80% of the ICAC investigations to the Task Force to investigate, which includes the AGO ICAC unit. In September 2014, the local AGO ICAC unit completed a federal

cross-designation training with Homeland Security Investigations under Title 19.

It is the mission of the New Mexico ICAC Task Force to protect New Mexico children through community education and the identification, apprehension, and prosecution of those who commit Internet crimes against them. The Task Force consists of 74 federal, state, local, tribal law enforcement agencies, and prosecutors, in addition to non-profit organizations. Task Force members have seven computer forensic labs at their disposal. Over the past year, the Task Force executed 263 unrelated federal and state search warrants throughout New Mexico and seized computers and computer-related evidence pertaining to child pornography offenses, resulting in 91 arrests. The Task Force conducted more than 540 investigations, 1070 forensic exams, and 413 technical assists throughout the state. The Task Force community education and public outreach impacted about 36,300 adults and children statewide.

Training in 2014:

The NM ICAC Task Force provided nine advance trainings to all task force members in the State, in addition to ICAC members outside the State; Special Agents in the AGO's ICAC Unit facilitated several of the trainings. The Task Force has continued to increase the investigations and outreach efforts statewide. There has been a substantial increase in the number of investigations submitted for state and federal prosecution. Task Force members worked in a collaborative effort in enterprise operations such as the national "Operation Broken Heart".

LOOKING AHEAD

The NM ICAC Task Force continues to move forward with the national ICAC mission and objectives. 1) Statewide training (national and local trainers), 2) Development of investigators and forensic examiners, 3) Continued public outreach and education, 4) Increased arrests and search warrants.

Meanwhile, the investigative capabilities of the Attorney General's Office continue to evolve technologically. The Investigations Division expects to apply newly acquired technologies and methods internally and to its cooperative efforts involving federal and other state/local agencies. The Investigations Division continually strives 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 such as:

- Increased effectiveness
- Improved investigative product
- More comprehensive investigations
- Integration of the Governmental Conduct Act as it relates to joint investigations with local law enforcement agencies



LITIGATION DIVISION

VISION

The Litigation Division, broadly speaking, performs two basic functions. The first is the representation of the State of New Mexico in all of its non-tort claim civil litigation (the Risk Management Division typically provides a defense in tort cases, though the Attorney General's Office does sometimes handle tort cases as well). This civil litigation consists primarily of defending the constitutionality of New Mexico's legislative and regulatory enactments and of civil enforcement of various legal mandates. It also includes representation of the judiciary in original writ proceedings initiated in the New Mexico Supreme Court. The second function of the Litigation Division is to prosecute on behalf of the several professional licensing boards in New Mexico. Those prosecutions entail disciplinary action taken against licensed professionals for violations of the Uniform Licensing Act and the regulations adopted by each of those licensing boards. The Litigation Division provides such prosecutorial services for every professional licensing board in New Mexico with the exceptions of the State Bar, the Medical Board, and the Nursing Board.

YEAR IN REVIEW

This year, as in years past, the Litigation Division successfully prosecuted hundreds of professional licensing cases. Each of those cases represents critical assistance to the Regulation and Licensing Division of its core mission to protect New Mexico citizens from the unscrupulous (or worse) practices of licensed professionals in the State. Assistant Attorneys General Gloria Lucero, Sally Galanter, Walter Hart, Sean Cunniff, and David Black handled the bulk of that caseload, which resulted in the payment to the State of tens of thousands of dollars in fines and in other disciplinary action, including the revocation of those licenses held by the most egregious offenders. Assistant Attorney General Nick Sydow also prosecutes on behalf of licensing boards.

AAG Ari Biernoff ran the Attorney General's tobacco escrow enforcement litigation, handling several lawsuits against those

tobacco manufacturers who failed to pay the escrow required by law. Those lawsuits remain pending.

Assistant Attorney General Gloria Lucero handled a significant administrative prosecution docket before several New Mexico professional licensing boards. She successfully completed more than 70 cases before her retirement at the end of September, including cases for the Pharmacy Board, the Engineers and Surveyors Board, and the Real Estate Commission.

AAG Walter Hart also handled a significant administrative prosecution docket in 2014. Mr. Hart prosecutes for the Law Enforcement Academy Board and the Construction Industries Commission, the two highest volume boards for which the Attorney General's Office prosecutes. Of note in 2014 was a Construction Industries Commission case involving a Union Pacific Railroad project just outside of Santa Teresa, New Mexico. The case involved a number of claims, mainly arising out of the failure of the two lead contractors to obtain separate licensing of their joint venture and the misrepresentation made by a qualifying party when the application for a license ultimately was submitted for the joint venture. After mediation, the cases resulted in a \$150,000 settlement agreement that was accepted by the Construction Industries Commission at its meeting in July 2014.

Assistant Attorney General Sean Cunniff prosecuted for several licensing boards, including the Racing Commission. He also represented the State in litigation concerning the adequacy of New Mexico's public school funding formula. That litigation is pending. Mr. Cunniff represents the Attorney General's Office in ongoing litigation arising from regulations promulgated by the Attorney General concerning used car sales in New Mexico. Mr. Cunniff also represented the State in ongoing litigation concerning the constitutionality of the State employee retirement contribution shift initially passed by the Legislature in 2008.

AAG David Black provided administrative

prosecution services for several professional licensing boards in 2014, including the Massage Therapy Board and the Construction Industries Commission (in conjunction with Walter Hart). Mr. Black successfully completed more than 50 cases in 2014.

Assistant Attorney General Ari Biernoff has successfully represented the State in litigation concerning the decision of Valley Meat Company to begin horse slaughter operations earlier this year. Mr. Biernoff obtained injunctive relief against Valley Meat on the basis primarily of past environmental regulation violations. He also represents State interests in road access to State trust lands used by New Mexican citizens for recreational purposes. That litigation is also pending.

AAG James Jacobsen represents various state agencies in bankruptcy cases pending in New Mexico and elsewhere. At the present time, he is counsel for New Mexico in 502 active cases in New Mexico. During 2014, he has recovered upwards of \$3 million for the State, including \$1,159,441.05 for the Oil Conservation Division, Energy, Minerals and Natural Resources Department in the I & W, Inc. case in Carlsbad, and \$2,061,983.80 for the Taxation and Revenue Department in the Furr's Supermarkets case in Albuquerque. In conjunction with the Consumer Protection Division, he confirmed a creditor's chapter 11 plan for FastBucks payday loan company, in the Dallas Bankruptcy Court. The plan provided that the State's damage claims, together with those of New Mexico consumers, and the ability to collect on them, were not impaired by the bankruptcy.

Assistant Attorney General Seth Cohen represented the State in actions filed pursuant to the Fraud Against Taxpayers Act. As the leading qui tam attorney in the State, Mr. Cohen handled litigation against a large oil company concerning State funds used to clean up gas stations owned by or affiliated with that company. The litigation is ongoing. Mr. Cohen also supervised litigation against several pharmaceutical companies in 2014 that resulted in substantial payments to the State.


AAG Nick Sydow represented the State of New Mexico in antitrust litigation and

investigations. Among his other cases, Mr. Sydow settled the State's lawsuit against Apple Inc. and five major book publishers for conspiring to fix the prices of e-books. Settlements with the book publishers will provide almost \$1 million to New Mexico consumers, while the settlement with Apple will provide up to \$2.4 million depending on the outcome of a pending appeal. He also recovered approximately \$210,000 for state and local governments and New Mexico consumers' share of a nationwide, \$310 million settlement for price fixing among DRAM computer memory manufacturers. In addition to antitrust litigation, Mr. Sydow continued to review corporate mergers and acquisitions that may threaten competition. Finally, Mr. Sydow has investigated markets and industries where public inquiries or other information suggests that competition may be restrained, including investigations of gas prices in Lea and San Juan Counties. Mr. Sydow also successfully defended the constitutionality of New Mexico's system of Magistrate Courts.

Assistant Attorney General Sally Galanter successfully represented the New Mexico Racing Commission and several individual former commissioners in litigation concerning the role played by the Commission in the payment of the purse to the winner of the 2008 All-American Futurity, the richest quarter horse race in the country. Ms. Galanter obtained the dismissal with prejudice of the Commission and its Commissioners. As an administrative prosecutor, AAG Galanter secured the revocation of a veterinarian's license in the face of incompetence, gross negligence, and dishonesty that had resulted in the mistreatment of the animals the veterinarian was supposed to be treating. The allegations included improper use of x-rays, the use of unsterilized surgical equipment, the use of expired medications, and outright cruelty to animals.

AAG and Litigation Division Director Scott Fuqua represented judges from nearly every judicial district in various original jurisdiction proceedings before the New Mexico Supreme Court. Mr. Fuqua was also involved in several cases brought against State agencies under the Inspection of Public Records Act, including the successful defense of the Human Services Department and the Attorney General's Office in separate actions concerning the application of the law





enforcement exception to an audit report performed by a contractor of the Human Services Department concerning several mental health providers in New Mexico. Mr. Fuqua also represented the First Judicial District Court and Judge Matthew Wilson in IPRA litigation brought by a litigant who had appeared before Judge Wilson seeking documents related to that litigation and represented the Secretary of State in IPRA litigation concerning documents related to the Secretary of State's claim about non-New Mexico citizens registering to vote in New Mexico. That litigation is currently on appeal of an award of attorneys' fees to the plaintiff. Mr. Fuqua represented the Attorney General's Office and the Second Judicial District Attorney's Office in the appeal of a district court's decision that New Mexico's criminalization of assisted suicide is unconstitutional. Finally, Mr. Fuqua continues to represent the State Investment Council in its efforts to recover losses sustained by the pay-to-play conduct of investment professionals with which the Council did business. Those efforts, which are ongoing, have resulted in several settlements totaling approximately \$25 million to date.

LOOKING AHEAD

In 2015, the Litigation Division will continue its efforts to aid New Mexico's professional licensing boards in fulfilling their core mission of protecting the public from the illegal and harmful actions of licensed professionals in the State. The Litigation Division will continue to represent the State in those bankruptcy actions in which the State is a creditor, protecting the State's financial interests in actions across the country. The division will also continue its civil enforcement efforts of New Mexico law to protect the interests of the State and its citizens. Finally, the Litigation Division will continue to represent the interests of the State and its instrumentalities in litigation that targets the constitutionality of the duly-enacted laws of the State.

MEDICAID FRAUD AND ELDER ABUSE DIVISION

VISION

The Medicaid Fraud and Elder Abuse Division (MFEAD) is the Medicaid Fraud Control Unit for the State of New Mexico. Pursuant to Section 42 U.S.C. 1396b(q) of the Social Security Act, the MFEAD is vested with the responsibility for the investigation and prosecution of all applicable state laws regarding any aspect of fraud in connection with the provision of medical assistance, and for reviewing and acting upon all complaints regarding abuse, neglect, or exploitation of patients residing in health care facilities.

The mission is to ensure the integrity of the Medicaid program by protecting New Mexico's healthcare resources from fraud through investigation, prosecution, and prevention efforts. Also, MFEAD strives to protect the vulnerable, elderly, and disabled from being abused, neglected, and/or exploited.

YEAR IN REVIEW

During 2014, the MFEAD's criminal prosecutions secured four indictments and three convictions. Additionally, four individuals were sentenced to incarceration and probation, which contributed toward cumulative restitution of \$29,380.52.

MFEAD conducts criminal investigations into three general areas of criminal conduct: 1) allegations of fraud committed by Medicaid providers; 2) physical and psychological abuse and neglect of residents; and, 3) exploitation of residents in long-term care facilities. One type of investigation which the MFEAD faces regularly involves improper billing by home health care providers. These home health care workers may be paid through Medicaid to provide a certain number of hours per week or month to assist an elderly or disabled individual in performing activities of daily living, such as cooking and housework. Many times, a MFEAD investigation reveals that these home health care workers are not working the hours they claim. Common scenarios include:

- A home health care worker who has another job for which they have submitted a

timesheet for the exact times that they are supposed to be working as a home health aide, or

- Either the home health aide, or the recipient of the services is incarcerated during the times when the home health worker claims to be providing a service.

Pursuit of this type of fraud is critical for two main reasons. First, this situation is common and the perpetrators are collectively draining significant funds from the Medicaid system. Prosecution of these cases provides a deterrent effect on the industry in general, and specifically prevents any convicted individual from receiving Medicaid funds (or any funds from any federally funded program) for at least five years from their conviction. Secondly, although this type of conduct is generally charged and prosecuted as fraud, the underlying effect when an individual falsely reports the time they are being paid to assist the elderly and disabled, is that those vulnerable clients are not receiving any actual services. Such clients are more in need of assistance and more easily preyed upon than the general population, making them ideal targets for criminals. In prosecuting these types of cases, MFEAD is not only protecting the Medicaid system, but also its vulnerable recipients.

Regarding civil prosecutions, the MFEAD secured 20 civil actions, which resulted in \$7.32 million in recoveries ordered. Medicaid program recoveries are returned to the New Mexico Human Services Department to ensure that the funds are credited exclusively to, and available for expenditure under, the Medicaid program.

Primarily through the MFEAD's participation in the National Association of Medicaid Fraud Control Units, the MFEAD participated in 10 national settlements which identified \$6.75 million in recoveries for the State. In other civil settlements with Medicaid providers, investigations disclosed Medicaid payments for multiple claims, lack of documentation, and failure to comply with applicable Medicaid statutes and regulations specific to the types of services being provided.



LOOKING AHEAD

In support of its mission, the division is exploring new strategies to become more effective. It is anticipated that new personnel that has joined the division will contribute to our increased productivity. Additionally, the division anticipates introducing legislation which will enable the Unit to qualify for a larger percentage of monetary recoveries in civil actions filed under the Federal False Claims Act.





LAW ENFORCEMENT DAY

Each year, the law enforcement community in New Mexico gathers for public events. They bring equipment and information on their respective units and organizations. This event is informative and it gives the public a chance to see what New Mexico law enforcement utilizes to combat crime.





WATER, ENVIRONMENT & UTILITIES DIVISION

VISION

The Water, Environment & Utilities (WEA) division mission is to protect New Mexico's scarce water resources and maintain a healthy environment for the citizens of the state. Additionally, the Water Environment and Utilities Division represents residential and small business consumers in matters before the NM Public Regulation Commission.

YEAR IN REVIEW

The Rio Grande continues to generate significant litigation. New Mexico's case against the United States Department of Interior challenging the 2008 Operating Agreement for the Rio Grande Project, alleging it illegally reallocates water from New Mexico to Texas, *New Mexico v. United States, et al.*, No. 1:11-cv-00691-JB/ACT (USDC NM), remains stayed in light of the case Texas brought against New Mexico in the United States Supreme Court in 2013, *Texas v. New Mexico and Colorado*, No. 141 Original. In the United States Supreme Court case, Texas alleges that New Mexico is violating the Rio Grande Compact by allowing New Mexico water users illegally to deplete water from the Rio Grande. Texas claims these depletions prevent Texas from receiving its full Compact apportionment. According to the official accounting of the Rio Grande Compact Commission, New Mexico remains in compliance with the Rio Grande Compact. The Supreme Court case will continue to require a significant commitment of time, effort, and resources and is expected to take several years to resolve.


WEU continued to work to protect New Mexico's ground water through its challenge to the Copper Mine Rule, promulgated by the New Mexico Water Quality Control Commission (WQCC) in 2013. The Copper Mine Rule turns back 36 years of groundwater quality protection in the state by authorizing groundwater contamination above water quality standards underneath vast areas of copper mine sites. The Attorney General's Office intervened in the rulemaking because the rule violated the New Mexico Water

Quality Act (WQA). The Attorney General's Office has brought a direct appeal to the Court of Appeals of the WQCC's turn-back. The appeal is fully briefed and pending. Consistent with WEU's protection of groundwater, WEU intervened in amendments to the Dairy Rule proposed by the dairy industry before the WQCC. The proposed amendments would roll back groundwater quality protections at dairy sites. More than 60% of dairies have caused groundwater pollution. The Dairy Rule, which became effective in 2011, requires synthetic liners and source monitoring at dairies to protect groundwater. The dairy industry proposes to change those provisions, and allow groundwater pollution underneath dairy sites. WEU has intervened to protect groundwater consistent with the WQA.

In the area of natural resource damages, the AGO along with the New Mexico Office of the Natural Resources Trustee (ONRT), entered into a Consent Decree with Chevron/Molycorp to settle claims of natural resources at the Molycorp site near Questa, NM. The settlement included monetary damages of \$4 million. The settlement is currently pending before the federal district court in New Mexico. Additionally, WEU is actively involved in the natural resource damage assessment representing ONRT for the Los Alamos National Laboratory site and the Quivera mining site, where Rio Algom Mining LLC mined uranium.

WEU has been active in multistate litigation and federal rulemakings to protect the environment. In *re Murray Energy Corp.*, No. 14-1112 (D.C. Ct. App.), New Mexico joined with other states in an amicus to oppose a coal company's efforts to stop a rulemaking by the U.S. Environmental Protection Agency (EPA) to set greenhouse gas (GHG) limits on existing power plants. New Mexico joined with 10 other states to intervene in *West Virginia v. EPA*, No. 14-1146 (D.C. Ct. App.), a suit challenging a 2010 settlement New Mexico and its state partners entered into with EPA requiring a schedule to set limits on GHG emissions from new and existing power plants. In *White Stallion Energy Center, LLC v. EPA*,





748 F.3d 1222 (D.C. Ct. App. 2014), the court upheld an EPA rule, supported by New Mexico, limiting mercury and toxic air pollutants from power plants. Petitions for writ of certiorari have been filed in the U.S. Supreme Court, and New Mexico joined with other states opposing the cert petitions. *Utility Air Regulatory Group v. EPA*, 134 S. Ct. 2427 (2014) is an industry challenge to the EPA Tailoring Rule that New Mexico and other states supported. The Supreme Court affirmed in part, upholding EPA authority to require best available control technology for GHGs. In an EPA rulemaking, New Mexico joined with other states in comments in support of EPA's proposed rule limiting GHGs from new power plants.

In a gas utility case, the Attorney General's Office was instrumental in negotiating a three year rate reduction resulting from TECO Energy's acquisition of New Mexico Gas Company.

In an electricity utility case, the AGO has been engaged in litigation with PNM and other parties regarding the proposed abandonment of two units of the San Juan Generating Station in the Four Corners Area. PNM's initial application would have resulted in a rate increase of more than \$90 million. The AGO has entered into a stipulation with PNM and other parties that will result in a significantly smaller rate case.

Pending on appeal in the New Mexico Supreme Court, the AGO is appealing a PRC Order which allowed Southwest Public Service Company to reallocate millions of dollars of costs from large industrial customers to New Mexico residential ratepayers.

In telecommunications, the AGO continued to advocate on behalf of consumer interest in widespread, accessible, and affordable networks. Specifically, the AGO presented a plan for reforming how the state subsidizes New Mexico's 16 small rural carriers. Additionally, the AGO presented a reform plan that would lower the monthly surcharge assessed to fund the states' Universal Service Fund. This fund is disbursed to the states' small, mostly rural telephone companies. The AGO's proposal includes making broadband Internet services

available equally throughout the state.

LOOKING AHEAD

The division continues its involvement in the Middle Rio Grande Endangered Species Act Collaborative Program. The goals of that program are to recover the endangered species in the Middle Rio Grande and also to protect existing and future uses of water. Unfortunately, litigation has been filed against the United States by an environmental group which has also filed a notice of intent to sue the state of New Mexico's Interstate Stream Commission and State Engineer. It is uncertain whether the environmental group will follow through with that intent but in any event, litigation will inevitably slow progress in the Collaborative Program.

Now that the United States Supreme Court has appointed a special master in *Texas v. New Mexico and Colorado*, No. 141 Original, the AGO looks forward to defending New Mexico in court.

PROSECUTIONS DIVISION

VISION

Sex crimes against children, online crimes against children, homicide, domestic violence, sex offender parole, and certain white collar crimes are the primary focus of the Prosecutions Division. Attorney General Gary King regularly selected significant and impactful cases for investigation and prosecution by this division.

YEAR IN REVIEW

The Prosecutions Division has continued to be highly productive over the past year, with more than 90 cases actively being prosecuted. Internet Crimes Against Children (ICAC) cases have continued to be a strong focus of the division, with more than 70 ICAC cases being handled by prosecutors from the division in 2013 – 2014. The division is prosecuting two homicide cases and cases involving hands-on abuse of children. White collar/ financial crimes, likewise, continue to be a focus of the division with seven cases being actively prosecuted in judicial districts around the state.

The Attorney General's Office is charged by statute to represent the State at Sex Offender Parole Review and Continuation Hearings conducted before the New Mexico Adult Parole Board. In 2014, Assistant Attorney General Michael Sanchez represented the State in more than a dozen such hearings before the Parole Board. The numbers of these hearings are expected to increase substantially in coming years, as the number of defendants convicted of sex crimes since 2004 (the date of enactment of the sex offender parole statute) continues to rise.


KIVA Students Partnership with AGO: During 2014, the Prosecutions Division continued its partnership with Santa Fe Public School District's "Keeping Independent Values Alive" (KIVA) program, which is designed to develop job skills for challenged young adults. KIVA students continued their work from 2013 on the destruction and shredding of duplicate and triplicate documents acquired during AGO litigation. KIVA students' work has resulted in the

recycling of shredded paper, notebook binders, and other office supplies-saving the AGO the cost of commercial shredding, and measurably reducing office supply costs. This program receives no funding through the AGO, and the students require no additional equipment or oversight by staff. KIVA students are proud to partner with the AGO. This worthwhile program is expected to continue.

LOOKING AHEAD

State v. Christopher Davis: The defendant is currently being prosecuted by Assistant Attorney General Kevin Graham on a total of 21 felony counts in two separate cases filed in Los Alamos County District Court on charges including multiple crimes of Criminal Sexual Penetration of a Minor and Sexual Exploitation of Children (Manufacture). This case (so far) involves two young victims in Los Alamos County who the defendant made contact with through the Internet and then, allegedly, arranged in-person meetings where he could engage in hands-on offenses against the victims. It is highly likely the continuing investigation of this matter will lead to the defendant facing charges in additional State cases for his alleged acts of preying upon young girls through the Internet and in-person crimes on juvenile girls, as well as potential federal charges for crimes committed against victims in other States. This matter was first reported to the Attorney General King's Internet Crimes Against Children (ICAC) Task Force by a contact from law enforcement officers in the State of Minnesota who had been investigating a subject who had been communicating with a 13-year-old girl in Minnesota over the Internet. The Minnesota officers believed the individual they were investigating was located in the State of New Mexico, and they contacted Special Agent Jay Ratliff, with the New Mexico Attorney General's Office ICAC Task Force, for assistance. Special Agent Ratliff took over the investigation in New Mexico, and working with attorneys in the Prosecutions Division was able to obtain a search warrant for the home of Christopher Davis in Los Alamos, New Mexico. The evidence obtained through the search warrant of the





defendant's home, as well as an interview of the defendant conducted by Special Agent Ratliff and Special Agent Owen Pena, identified multiple additional victims of the alleged crimes of the defendant. Detailed examination of the defendant's computers and electronic equipment by ICAC personnel and continuing investigation by Special Agent Ratliff have produced evidence identifying multiple additional offenses believed to have been committed by the defendant against victims both within the State of New Mexico as well as victims the defendant is suspected of having contacted in other states. The investigation of this matter continues, and AAG Graham anticipates filing at least two more felony cases against the defendant in the State of New Mexico, as well as aiding investigators in Minnesota and other states with their cases against the defendant.

State v. Thomas Dolphus: This case is set for trial early 2015 with the defendant charged with possession and manufacturing of child pornography under the Sexual Exploitation of Children statute for the State of New Mexico. Due to the recent New Mexico Supreme Court ruling in the Olsson case, the 45 counts of Possession of allegedly pornographic images of children the defendant originally faced in this case have been consolidated down to one count of Possession, however, despite multiple motions filed by the defense (and multiple motion hearings), attorneys from the Prosecutions Division have successfully argued for the Bernalillo County District Court to keep in place a total of 14 counts of Manufacturing child pornographic images under the Sexual Exploitation of Children statute. This means the defendant still faces a potential sentence of more than 126 years imprisonment (if convicted on all counts). This case is being prosecuted by Assistant Attorney General Kevin Graham of the Prosecutions Division and it is anticipated this matter will go to jury trial.

State v. Mark McCoy; State v. Kyle Sanchez; State v. Edelberto Villicana; State v. Kyle Crockett: These are only four of a number of cases being prosecuted by the Prosecutions Division that arose from "sting" operations conducted jointly by the Albuquerque Police Department and

the Department of Homeland Security Investigations Division. The investigation/operation targeted individuals using social networking sites and "classifieds" sites (such as Craigslist) who were seeking to have sexual encounters with underage victims. In these cases officers posted online, fictitious advertisements for "parties" where individuals would be engaging in risqué sexual encounters with "young" participants through "glory holes." Interested individuals were invited to respond via email/text to the organizers of the "parties" (who were actually undercover officers.) Individuals who electronically communicated with the undercover officers were told the sexual encounters would involve children as young as nine and eleven. Individuals who continued to express interest - despite knowing the extremely young ages of the children - were offered the chance to meet and have sexual contact with the children at a number of pre-arranged locations around Bernalillo County where officers from the task force were waiting. While some of these cases have resulted in pleas to felony counts, the cases listed above are expected to go to jury trial. *State v. Kyle Sanchez* went to jury trial in the 2nd Judicial District the week of October 27, 2014, but, unfortunately, the jury was unable to reach a unanimous verdict and a mistrial was declared. This case will be retried as soon as the district court can set the matter for a new trial. Trial on *State v. Edelberto Villicana* is set for April of 2015, and *State v. Kyle Crockett* is anticipated to take place in the spring of 2015. These cases are being prosecuted by AAG Kevin Graham.

State v. Mark Norris: This case, filed in the Gallup County District Court, involves charges of Possession and Distribution of child pornography in the form of still images and videos and is charged under the Sexual Exploitation of Children statute. AAG Kevin Graham is the assigned prosecutor from the Prosecutions Division and the lead investigator/case agent is Special Agent Owen Pena from the Internet Crimes Against Children (ICAC) Task Force. In recent months Special Agent Pena has been focusing on the rising number of incidents involving what are known as "peer to peer" or "P2P" networks where individuals utilize specialized software that allows them to connect their computers directly over the

Internet to the computers of other individuals utilizing the same software. Individuals using these programs can then directly transmit files (including very large video files or large numbers of images) at a very high rate of speed. While file sharing programs of this nature have previously been best known for the sharing of music files amongst users ("Napster" being the most famous) in recent years this technology has been heavily co-opted by individuals seeking to share/exchange files containing child pornography. Special Agent Pena's investigation of this matter led to the identification of the defendant, then to a search warrant for the defendant's home and computers, and ultimately to the charges in the current felony case. While negotiations on a potential plea are on-going, this matter is currently set for a jury trial in December, 2014, but it appears the trial will be continued at the request of the defense.

State v. Curtis Jones: This matter is being prosecuted by Assistant Attorney General Kevin Graham and involves a case of alleged hands-on child abuse that led to the death of a toddler in Carlsbad, New Mexico. The charges in this case include Child Abuse Resulting in Death and a Criminal Sexual Penetration of a Minor case from 2004. The State is awaiting the outcome of an appeal of the ruling of the trial court that the autopsy doctor was available and the State had to call him for trial or the autopsy would be suppressed. Court of Appeals ruling was in State's favor, however the agency is still awaiting a decision by Defense whether to ask for 'cert' from the Supreme Court, and whether they will accept the case or not in order to proceed forward.

State v. Dallas Hnulik: Specially Commissioned Assistant Attorney General Mary Helen Baber and Assistant Attorney General Michael Sanchez are prosecuting Dallas Hnulik for first-degree murder in a conflict-case arising out of New Mexico's Fifth Judicial District. Hnulik has been ordered bound over to District Court to stand trial for the murder of his girlfriend Brandi Capps, in Artesia, New Mexico. The State alleges this murder took place in New Mexico 19 days after Hnulik was released from custody regarding a Lubbock, Texas, domestic violence incident involving the same girlfriend, Ms. Capps. Though

Lubbock police officers had confiscated a pistol used in the Lubbock incident, the defendant rearmed himself with another handgun once he returned to New Mexico. The defendant then shot Ms. Capps in the face at point blank range a month later, killing her. This case was set for trial on December 4, 2014, in Carlsbad, New Mexico, but the defendant sought to have the trial vacated, which the court has done. A jury trial has been set for July 2015.

State v. Bobby Willis: Bobby Willis, the former owner of New Mexico Title Co., New Mexico Escrow Co., and Golden Rule, LLC, faces multiple felony charges, including racketeering, fraud, embezzlement, and securities fraud -stemming from the 2012 financial collapse of his companies. Willis stands accused of victimizing upwards of 900 Four Corners-area residents, and of embezzling money and property valued in the multiple-millions of dollars. Willis also allegedly misled investors for a proposed multimillion dollar Veterans' Hospital project in Kirtland, NM, a project that never materialized. A warrant for Willis' arrest was originally issued for Willis in August 2012. Police located Willis in January 2013 in Branson, Missouri. Although Willis fought extradition on the grounds he was too ill to travel, he was nevertheless successfully extradited back to New Mexico in June of this year, where he will now stand trial. The Attorney General's Office has taken over prosecution of Willis from the 11th Judicial DA's Office, partly because of the extreme complexity of the case. According to 11th Judicial District Chief Deputy DA Dusty O'Brien, "We could have hired two attorneys to work on it for a year, and they would probably be working more than full time, just to review everything and make sense of it." Assistant Attorney General Michael Sanchez was assigned to this matter and is pursuing the possibility of additional charges against Willis.

State v. Kenneth Carrejo: AAG Michael Sanchez is prosecuting Kenneth Carrejo, a retired career Central NM Correctional Facility (CNMCF) Captain. Carrejo is accused of engaging in illicit sexual activity with an incarcerated male prisoner at the Los Lunas facility where Carrejo was formerly employed as a supervising correctional officer. Charged with four counts of



second-degree felony criminal sexual penetration, Carrejo was scheduled to be tried before a jury in October 2014. Defendant sought to vacate the trial setting, which was granted. The court has not reset this matter for trial.

State v. Crabtree and State v. Mares: Richard Crabtree and Loretta Mares have each pled guilty to second-degree felonies for crimes associated with a long-term economic fraud scheme perpetrated against a historic regional hospital in Northern New Mexico. A hearing to determine the amount of monetary restitution owed by the defendants is set for January 2015, before the District Court.

The Attorney General's Office also handles Habeas Corpus actions. Convicted child rapist Joel Cordova has alleged his defense-attorney provided ineffective assistance of counsel at his 2005 jury trial. Cordova, a former Taos police officer, was convicted of multiple felonies for sexually molesting his then-girlfriend's minor daughter. Having been sentenced to more than 30 years in prison for his crimes, Cordova now seeks to have his convictions overturned. In October 2014, AAG Michael Sanchez defended the State at a multi-day Habeas Corpus trial in which the court upheld the convictions.



[Graphic used for partnership poster between agencies that participated in child predator sting.]

NEW MEXICO LAW ENFORCEMENT MEMORIAL SERVICE



Every year, the New Mexico Law Enforcement Community gathers to honor its fallen members and their families. The solemn ceremony is held at Santa Fe Department of Public Safety Law Enforcement Academy.







2014

408 GALISTEO STREET
VILLAGRA BUILDING
SANTA FE, NM 87501
PHONE: (505) 827-6000

NMAG.GOV