
LAS CRUCES SUN-NEWS

Dear New Mexico Attorney General Gary King:

The Las Cruces Sun-News formally requests that you begin an investigation into a likely violation of the New Mexico Open Meetings Act that occurred in Sunland Park, N.M., on April 18, 2012.

A quorum of the Sunland Park City Council held a high-interest public meeting, during which a number of people who wanted to hear and participate in the proceedings were blocked from the meeting hall by city police officers. The city council did nothing to accommodate the overflow crowd, such as by postponing the meeting until a larger venue could be scheduled or arranging for a speaker system to be set up outdoors for people to hear the dialogue. As we understand it, the New Mexico Open Meetings Act requires that "all persons desiring shall be permitted to attend and listen to the deliberations and proceedings." (Section 10-15-1.A)

A Sun-News employee photographed some would-be attendees pecking through a window into the meeting hall, attempting to learn what was happening inside. They had no other recourse. Another Sun-News employee interviewed several Sunland Park residents who reported that they had no clue what transpired during the meeting because they'd been blocked from getting inside.

During the meeting, the city council appointed a new city mayor. Two men who were hoping to be considered for the mayor's seat were among the attendees who were blocked out of the session.

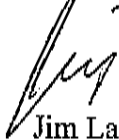
As you may be aware, the city of Sunland Park has been embroiled in turmoil in recent weeks, as local prosecutors have uncovered -- according to their allegations -- wide-ranging public corruption. City officials are accused of operating with what seems to be near-reckless disregard for the public's interests and well-being.

The Sun-News several times in recent years has reported about likely violations of state open meetings act laws by Sunland Park officials. And residents have long complained of other violations, including of the New Mexico Inspection of Public Records Act. We believe a strong part of what has cultivated an environment for public corruption to thrive in Sunland Park is the fact city officials have not been held legally liable for violating state open government laws. In the absence of transparency, government abuses will happen.

It's time for the situation to change. Sunland Park officials must learn that the state's sunshine laws indeed must be taken seriously.

We are formally notifying you, as the state's top prosecutor and top official charged with enforcing state government transparency laws, that the Sun-News is lodging a complaint in connection with the April 18 meeting. We ask that our concerns be handled with prompt attention and the utmost seriousness.

Respectfully,



Jim Lawitz

Editor

Las Cruces Sun-News