

GOVERNMENT TRANSPARENCY

IPRA • OMA

We hold the door open.
For everyone.

nmfog
FOUNDATION FOR
OPEN GOVERNMENT

ANNUAL REPORT

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2024 BOARD OF DIRECTORS

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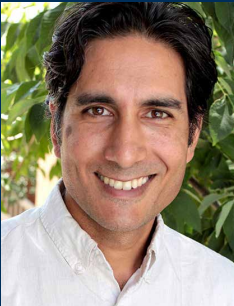


Lucas Peerman
VICE PRESIDENT
Asst. Managing Editor
Albuquerque Journal



Sammy Lopez
TREASURER
Executive Director
New Mexico Press Association

Sammy Lopez, our treasurer and longtime board member, passed away on Oct. 6, 2024. During his career, he was a publisher at newspapers across New Mexico, always championing the rights of open government. He will be missed.



Rashad Mahmood
SECRETARY
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New Mexico Local
News Fund



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Karen Moses
IMMEDIATE
PAST PRESIDENT
Retired journalist

OUR MISSION

We are a nonprofit, nonpartisan organization that believes you have a fundamental right to know what your government is doing, and that includes the right to inspect public records and the right to attend public meetings.





Melanie Majors, former Executive Director, NMFOG

The end of 2024 brought the retirement of our longtime Executive Director Melanie Majors and the hiring of Christine Barber, who once found a lifeline in NMFOG when she was starting her career as a journalist.

CHANGING of the Guard

I was scribbling a few final notes in my reporter’s notebook as the city council meeting wrapped up when a city staffer approached and invited me to dinner with the councilors.

I had moved to New Mexico from Florida only a few months earlier to start my first reporting job at a small town newspaper, and I was still getting the hang of how local government worked.

“Will they talk about city business at dinner?” I asked, thinking back to my media law classes. If a majority of councilors were there, wouldn’t that make a quorum? That meant they couldn’t talk about city business since it wasn’t an official meeting, right? I couldn’t remember.

“It’s the only time we get any work done,” a councilor said, joining us.

“Do all the councilors go?” I asked.

“Usually,” she said, “and the mayor.”

I tried not to react. Did they just admit to holding off-the-record city council meetings?

I made my excuses and ran back to the newspaper to tell the other reporters what had happened.

Their response? I should have gone to the dinner.

“That’s how things are done,” one said.

When I mentioned open-meeting laws, they just shook their heads. “None of that stuff matters here,” they said.

I kept complaining until, finally, my editor gave me a phone number. I had no idea who I was calling, but I was pretty sure they’d think I was overreacting, too.

The person who answered was Bob Johnson, the first executive director of the New Mexico Foundation for Open Government. He and FOG became my lifeline. Thanks to their help, the after-hours meetings stopped.

At the time, the older reporters told me that after I’d been in the newspaper business for a while, I’d learn that open-government rules and the Freedom of Information Act didn’t really matter.

They were wrong.

I am truly honored to now be the one who will answer the phone at FOG when a journalist, lawyer or concerned citizen reaches out at their wit’s end.



Christine Barber, Executive Director NMFOG



I am truly honored to now be the one who will answer the phone at FOG when a journalist, lawyer or concerned citizen reaches out at their wit’s end.

2024 Accomplishments



We believe in the power of the First Amendment. It is what prevents the government from blocking access to public information and from deciding whose viewpoint is heard. It is what guarantees your fundamental right to know what your government is doing.

But we don't just believe — we act.

To protect this right, we educate, advocate, and, when necessary, litigate.

Advocate

Dixon Awards

Every year, NMFOG honors citizens in New Mexico who advocate for a government that is open, accountable, and transparent in its dealings with the public by giving out the Dixon Awards. In 2024, we honored five New Mexicans with the award: Katherine Korte, John Kreienkamp, Nathan Small, Brittany Costello and Debra Mayeux.

Speaking Up

In May, we called out the University of New Mexico Police in the media after they arrested two journalists who were reporting on a pro-Palestinian encampment on campus, calling the action “blatantly unconstitutional.” Charges against the two were later dismissed.

In November, we sent letters to school districts across the state, reminding them that state law requires the publication of their annual accountability reports — also known as school report cards — which track how schools are progressing toward their goals in educating students.

Our Hotline

In 2024, we answered close to 500 calls on our hotline, providing information and guidance to members of the public, media representatives, and elected officials when they had questions about the Inspection of Public Records Act or the Open Meetings Act. Together these two acts make up the Sunshine Laws, which are statutes that shine light on the inner workings of our government.

**NMFOG Open
Government Hotline**

(505) 764-3750

Litigate

Lawsuit Against Bernalillo County

In July, we filed a lawsuit against Bernalillo County for failure to comply with public records requests regarding the beating death of an inmate at the Metropolitan Detention Center, which the county operates. The records we asked for included video footage of the beating and complaints against the former warden. The case is still pending.

Town of Taos Saves Itself From a Lawsuit

In August we drafted a complaint and were prepared to file a lawsuit against the Town of Taos for its failure to provide documents as part of an IPRA request. At issue were the circumstances around the sudden resignation of the town manager. At the eleventh hour, the town provided the records, which showed the town manager had been asked to “voluntarily resign” with a payout of more than \$100,000.

Amicus Brief in the New Mexico Court of Appeals Case

In July, we filed an amicus brief — which allows us to provide the court with our perspective in a case in which we were not involved — in Aaron Borrego v. First Judicial District Attorney's Office. We argued that the DA's office improperly relied on New Mexico rules of evidence to bar disclosure of public records regarding plea agreements. The Court of Appeals has not yet ruled on the appeal.

Educate

Town Halls

As part of our 2024 education project, we held two public forums to acquaint the public with how the New Mexico Legislature creates the state budget. Joining us were state senators, representatives and members of Legislature's Finance Committee. About 50 people attended the events, with one held in Las Cruces in June and the other in Santa Fe in September. The town halls were sponsored by the Thornburg Foundation.

Bootcamps

Every month, we offer "bootcamp" trainings free of charge to the public to inform them of their rights under the Inspection of Public Records Act and the Open Meetings Act. In 2024, we expanded the program, offering a course for public officials and government employees which highlights their responsibilities under our state's Sunshine Laws.

Continuing Legal Education Seminar

In November, we held our Continuing Education Seminar, attended in person and virtually by attorneys, journalists and members of the public. Participants learned about new developments in open meeting and public records law. There also was a panel discussion with former New Mexico Supreme Court Justices Barbara Vigil and Richard Bosson, and former Court of Appeals Judge Michael Bustamante.

Lawmaker Survey

We surveyed lawmakers about the state budget process and 25 New Mexico legislators were brave enough to stand up for transparency and answer the survey. The legislators answered 12 questions ranging from modernizing the legislature to transparency and accountability. Overall, respondents supported strengthening and broadening the Inspection of Public Records Act and the Open Meetings Act.

Taking Action

Every year, we are contacted by several hundred New Mexicans facing public records or open meetings issues with their community governments. When needed, our legal director steps in to help. In 2024, NMFOG successfully resolved compliance issues with the following public bodies:

MUNICIPALITIES

- Albuquerque
- Santa Fe
- Rio Rancho
- Farmington
- Carlsbad
- Los Lunas
- Española
- Taos
- Edgewood
- Truth or Consequences

COUNTIES

- Otero
- Bernalillo
- Santa Fe
- Valencia
- Rio Arriba
- San Juan

LAW ENFORCEMENT

- Santa Fe County Sheriff's Office
- San Juan County Sheriff's Office
- Rio Arriba County Sheriff's Office

SCHOOL DISTRICTS

- Los Lunas Public Schools and its contractors
- Clovis Municipal Schools

- Albuquerque Public Schools

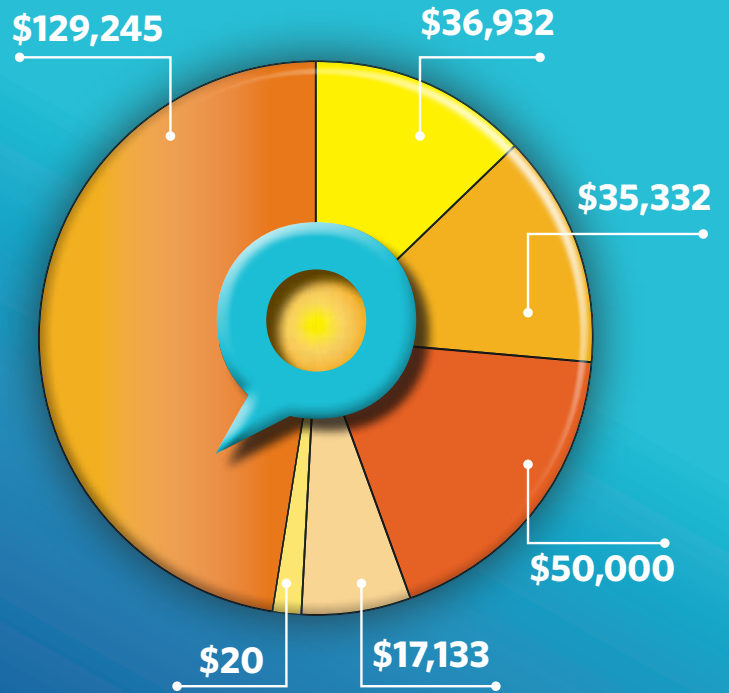
STATE AGENCIES

- Children, Youth and Families Department
- New Mexico Department of Corrections
- First Judicial District Attorney's Office
- New Mexico Department of Health
- Scientific Laboratory Division
- Office of the Medical Investigator
- New Mexico Environment Department
- Department of Taxation and Revenue
- Secretary of State
- Worker's Compensation Administration
- General Services Department

FINANCIALS

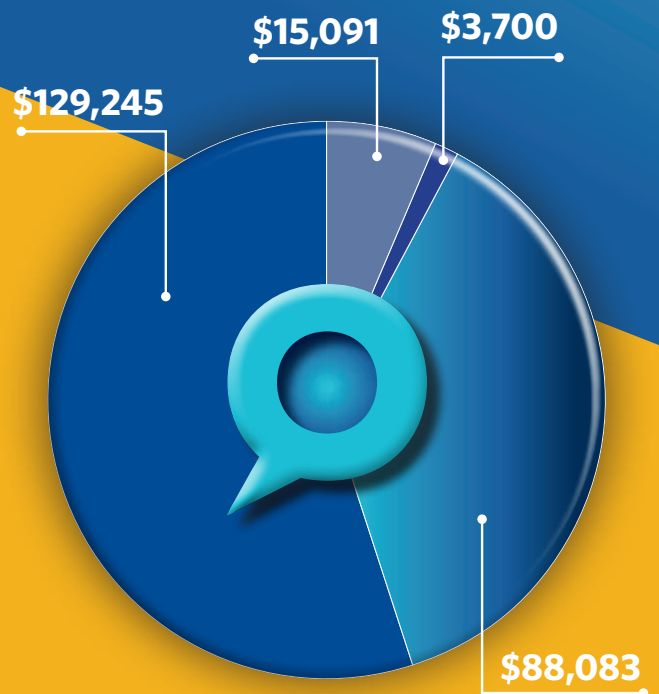
Income

DONATIONS	35,332
EVENT INCOME	36,932
GRANT INCOME	50,000
INVESTMENT INCOME	17,133
OTHER INCOME	20
LEGAL INITIATIVE INCOME	129,245
TOTAL INCOME	268,662



Expenses

EVENTS	15,091
FUNDRAISING	3,700
MANAGEMENT AND GENERAL	88,083
LEGAL INITIATIVE	129,245
TOTAL EXPENSES	236,119





2024 Dixon Awards



The award honors the late William S. Dixon, a First Amendment advocate and co-founder of the New Mexico Foundation for Open Government.

Brittany Costello, one of two Dixon Award recipients in the Media Category, gives her acceptance speech during the ceremony.

For 22 years, we have been presenting the Dixon Awards to citizens who fight for the right of New Mexicans to know what their government is doing.

At a banquet on Oct. 15, 2024, we presented five New Mexicans with the William S. Dixon First Amendment Award for advancing government transparency in the areas of media, government and citizenry.

KATHERINE KORTE, chief of government affairs for Bernalillo County, was honored in the Citizen Category. Throughout her career in public service, both as an elected official and county employee, she has embodied the tenets of this award. This includes filing an open meeting complaint against the county commission, which was later substantiated by the New Mexico Department of Justice.

JOHN KREIENKAMP, a hearing examiner at New Mexico Public Regulation Commission, was one of two award winners in the Government Category. His

educational efforts in government transparency include authoring an influential New Mexico Law Review article on how IPRA applies to private entities that hold records on behalf of public bodies.

REP. NATHAN SMALL, who was also honored in the Government Category, has been in the New Mexico Legislature for a short time, yet his presence has been felt. As chair of the House Appropriations and Finance Committee, he opened the budget hearings to public comments and created subcommittees and workgroups comprised of advocates, agency heads, and executive and legislative staff. He also led an effort for the creation of easy-to-understand budget information sheets, then posted the information online.

BRITTANY COSTELLO, a reporter at KOB TV 4 in Albuquerque, was one of two recipients in the Media Category. She spent much of her time at the station working to expose government corruption and assisting in the public's right to

know. For the past several years, she concentrated her efforts on accountability at the state's CYFD department. She battled for records from the Office of the Medical Examiner in the deaths of children, revealing some had died from substance exposure.

DEBRA MAYEUX, a reporter at the Tri-City Record in Farmington, was also a recipient in the Media Category. Through her open government efforts, she has shed light on the actions of the city of Farmington, the Bloomfield School District, the Farmington School District, as well as the San Juan Sheriff's Department. She used records requests to bring to light incidents the Farmington Municipal Schools had not mentioned to parents, including embezzlement by a finance secretary and a substitute teacher accused of assaulting two students.



Defending your right to know

2025

Message from incoming **PRESIDENT** of the Board of Directors

A German shepherd paperweight sits on my desk at the Albuquerque Journal, a reminder of the government watchdog I must be as a journalist and now as board president for the New Mexico Foundation for Open Government.

I've been a print journalist in New Mexico for more than 25 years and am one of the few who have worked at the state's three largest daily publications, the Santa Fe New Mexican, the Las Cruces Sun-News and now the Journal, where I am currently employed as the assistant managing editor for sports and features.

Also, for the past six years I've proudly served on the NM FOG board and have witnessed the organization fight for transparency and accountability and train citizens to become watchdogs of their own governments.

Now staffed with an executive director and a legal director, NM FOG is as prepared as ever to advocate, educate and litigate to ensure all citizens know their rights and all governments know the rules.

I'm eager to take on the role as board president to ensure our organization continues to be a beacon for both citizens and governments. It's my intention this beacon be as tall and loud as it needs to be.

We need your help to achieve this mission. Champion government watchdogs by supporting NM FOG today.

Thank you.
Lucas Peerman



Lucas Peerman, President, Board of Directors, NMFOG, with his dog, Beck

WELCOME to our new BOARD of DIRECTORS

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Vice President
- **Paula Maes**
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Secretary
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At Large Member
- **Daniel Yohalem**
At Large Member
- **Jessica Onsurez**
Immediate Past
President

BOARD MEMBERS

- **Karen Moses**
- **Gregory Williams**
- **Chris Keller**
- **Barbara Vigil**
- **Kip Purcell**
- **Daniel Russell**
- **Wende Schwingendorf**
- **Rebecca Valdez**

NEW BOARD MEMBERS

- **Kelly Fajardo**
- **Andy Lyman**
- **Adam Flores**
- **Matt Robinson**
- **Jennifer Garcia**



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