THE RIGHT TO KNOW

LAST SUMMER, Searchlight New Mexico filed a routine public records request with the Children, Youth and Families Department. Three months later, we got a response: 92 blank pages.

It was a level of redaction so extreme that Searchlight’s staff thought it must be a mistake — maybe some words would appear if we changed the font color or searched the metadata? Nope. There was truly nothing there.

Searchlight, like all media outlets, files public record requests all the time. Doing so is a critical part of news-gathering, since it gives us access to public records — emphasis on the word public — that reveal how our government is working or, in some cases, not working. And we’ve come to expect some amount of hammering, honing and redacting when we submit an IPRA, as it’s known. But never before has one of our requests brought a response that can rightly be called censorship.

Why (you might wonder) am I telling you this? First, it’s because these records belong to you, the public. When your government refuses to obey its own public records law, it’s actually thumping its nose at you. Second: Democracy, today more than ever, depends on the free flow of accurate information. When the government stonewalls their public records available to the public.

There’s also a third reason, and it has to do with Searchlight’s incredibly hardworking staff.

We’ve been holding CYFD accountable since we first launched in 2018. Obviously, we’re not the first to zero in on this powerful but incompetent department. And we won’t be the last. Our stories have exposed how CYFD destroyed public records, pursued a questionable contract and fired people who raised concerns. A blistering memo from the state’s Office of the Medical Investigator, the Public Education Department and Albuquerque Public Schools have all been equally contemptuous.

“My department is not the only one flouting the law. The state’s Office of the Medical Investigator, the Public Education Department and Albuquerque Public Schools have all been equally contemptuous.” — ICE WILLIAMS, Staff Writer

“I don’t know why so many agencies feel they can so blatantly break the law,” said Melanie J. Majors, executive director of the New Mexico Foundation for Open Government. “Does this mean they break the law in other areas? Do they break the law when they drive? Do they break the law when they pay their taxes? Why do they think they can break the law when it comes to this particular law?”

“The fact is they often pay a price — though of course it’s our tax money that’s being used to cover their misdoings.”

In 2019, city and state departments throughout New Mexico paid out $1.2 million in penalties for noncompliance of the IPRA law. In November 2021, the payout came to $846,150. And all because government agencies didn’t want to make their public records available to the public.

This penchant for secrecy becomes a hurdle routinely placed in the path of our reporters. I’m immensely proud of our doggedness, their refusal to take no for an answer. You can see it in every story that in this magazine, our fourth annual hard-hitting work from 2021.

“You can certainly see it in Ed Williams’ investigation of CYFD’s use of Signal, an encrypted messaging app that some staff set to auto-delete at the end of the business day.”

“I think when public officials know they can get away with violating public records transparency laws, they will.”

David Cuiller, president of the National Freedom of Information Coalition, told me some time ago. “Democrat, liberal, conservative, Republican, it doesn’t matter. They will use whatever tools they can to avoid public transparency.”

The U.S. Freedom of Information Act was signed into law in 1967 for the sole purpose of preventing such obfuscation. But these days you can easily wait a couple years for an answer to your FOIA request, known by many journalists as the Freedom from Information Act.

New Mexico needs to do better. As such laws go, IPRA is an excellent one—at least on paper. You can have the best law in the world, but if governments don’t abide by it, it’s meaningless.

In fact, as Cuiller pointed out, the world’s strongest public records law happens to exist in Afghanistan. That should tell you everything you need to know.
AMY LINN is deputy editor at Searchlight. She has written about social issues and child well-being throughout her career, starting at the Miami Herald and including work for the Philadelphia Inquirer and Bloomberg News. She was the recipient of a 2015 Alicia Patterson Journalism Fellowship to write about teenagers on death row; the resulting stories appeared in The New York Times, Salon and other publications. Amy has been an editor at Outside Magazine and Wired as well as a freelancer for magazines. She is the former editor of the Criminal Justice Project, an investigative reporting unit that covered New Mexico’s troubled justice system.

DON J. USNER was born in Embudo, NM, and has written and provided photos for several books, including The Natural History of Big Surf; Sabino’s Map: Life in Chimayo’s Old Plaza; Benigna’s Chimayo: Cuentos from the Old Plaza, Valles Caldera: A Vision for New Mexico’s National Preserve (winner of a Southwest Book Award), and Chasing Dichos through Chimayo (finalist for a 2015 New Mexico-Arizona Book Award). Don contributed a chapter and photographs to The Plazas of New Mexico (also a winner of a Southwest Book Award), and writes for periodicals as well. His photographs were featured in the photography journal Lenswork and in an online blog of the New Yorker.

SARA SOLOVITCH is the executive director and editor of Searchlight New Mexico. Her investigative and long-form stories have been published in Esquire, Wired, Politico, and The Washington Post. As a staff reporter at the Philadelphia Inquirer, Sara traveled throughout New Mexico and Alaska while reporting for the Robert Wood Johnson Foundation on health care in under-served areas. Her book Playing Scared: A History and Memoir of Stage Fright was published by Bloomsbury in 2015.

CHRISTIAN MARQUEZ, director of operations at Searchlight, was born and raised in the Land of Enchantment. Christian was accepted into the Dow Jones News Fund internship program, and started as an intern at Searchlight in 2018. His past work has focused on the issues of health care access, housing security and homelessness, economic development and job growth. He is a graduate of the University of New Mexico.

ED WILLIAMS has reported on poverty, public health and the environment in the U.S. and Latin America for digital, print and radio media outlets since 2005. He came to Searchlight by way of KUNM Public Radio in Albuquerque, where he worked as a reporter covering public health. Ed’s work has appeared in the Austin American-Statesman, NPR, Columbia Journalism Review, and others.

IKE SWETLITZ has traveled the world to hold policy-makers, businesses, and scientists accountable. He focuses on criminal justice, and also writes about education and health care. Before coming to Searchlight, he covered health and medical science at STAT in Boston and Washington, DC.

Raised in the northern New Mexican village of Truchas, ALICIA INEZ GÜZMÁN has written about histories of place, identity, and land use in New Mexico. She brings this knowledge to her current role as education reporter at Searchlight, where she focuses on the lived experiences of New Mexico’s students and the role that equity and cultural literacy should play in the classroom and educational policy-making. The former senior editor of New Mexico Magazine, Alicia holds a Ph.D. in visual and cultural studies from the University of Rochester in New York.

LINDSAY FENDT got her start covering the environment as a reporter for The Tico Times in San José, Costa Rica. She covered human rights, immigration and the environment throughout Latin America before moving to Colorado in 2017 for the Scripps Fellowship in Environmental Journalism at the University of Colorado. Before joining Searchlight, Lindsay worked as a freelancer and is finishing a book about the global rise of murders of environmentalists.

JOE RULL is a multimedia journalism graduate of the University of New Mexico. Originally a sportswriter and stats geek, Joe founded the data desk at UNM’s Daily Lobo, where he created and maintained a fully comprehensive COVID data tracker, among the first of its kind in the state. He brings these skills to the Searchlight team, where he manages digital, data, and social media production.

SUNNIE R. CLAHCHISCHILIGI is an award-winning Diné journalist from Teec Nos Pos, Arizona. She was the sports writer for the Navajo Times for over 10 years. Her work has appeared in The New York Times, Sports Illustrated and other publications. She is a Ph.D. student in rhetoric and writing at the University of New Mexico. She is a fifth-generation Navajo rug weaver.

J. WESTON PHIPPEN has reported on the Southwest, primarily focusing on the border and the U.S.-Mexico relationship, for 10 years. He is a former staff writer and editor at Outside magazine and The Atlantic, and his writing has also appeared in Mother Jones and Rolling Stone.

DILLON BERGIN has written about immigration and migration, climate change and food for the New Republic and the Philadelphia Inquirer. He was a Fulbright Germany Journalism Fellow from 2019 to 2020, and a Report for America corps member at Searchlight in 2021.

MICHAEL BENANAV is a photographer and writer whose work appears in The New York Times, Sierra, Geographical, and other publications. He’s also the author of three books, most recently Himalaya Bound: One Family’s Quest to Save Their Animals and an Ancient Way of Life. Visit his website at www.michaelbenanav.com.

CURTIS RAY BENALLY is an enrolled member of the Navajo Nation. He is a professional artist, photographer and actor. He is the owner of Turkeyboy Photography. He has a bachelor’s degree from Weber State University and a master’s degree from the University of Oklahoma. His artworks are in private collections.
NAVAJO STUDENTS WENT TO EXTRAORDINARY LENGTHS TO ATTEND VIRTUAL CLASSES IN INTERNET DEAD ZONES. HOW DID THEY DO IT?

SCHOOL IN A CAR

BY SUNNIE R. CLAHCHISCHILIGI | JULY 8, 2021

SHIPROCK, N.M. — Snuggled between tumbleweeds and utility poles, with a view of Ute Mountain through the windshield, high school sophomore Evan Allen placed his school-issued laptop on the center armrest of his grandmother’s truck and switched on his mobile Wi-Fi hotspot. Another school day was about to begin.

Every weekday, not long after the sun rested on the foothills of the Comoro Mountains, Evan would rise from his foldout bed in his grandmother’s home in T’iis Nááts’iiní and into a vehicle to make the 5.5-mile drive to the top of the hill above the local trading post, where a decent internet connection could be found.

Students had to drive or be driven miles from home in search of a Wi-Fi connection. They sat in vehicles for hours on end, on land fought for by their ancestors, drawing on their resilience.

School started at 8, but he made a point to get to the hill early and prepare for his seven classes from the driver’s seat of his maidiní’s Chevy. He’d stay in the truck for up to 10 hours, surrounded by dirt roads, parched juniper and desert terrain that stretched beyond the horizon.

Evan, now 16, attended virtual classes from the top of that same hill for more than a year, starting last March, when his school, Northwest Middle and High School, in the Navajo community of Shiprock, went remote because of the pandemic. His grandmother’s house was in an internet and cellular dead zone, so the hotspot in the truck was his only option.

“It’s exhausting, physically and mentally,” he confessed this spring. “I have to constantly do all this stuff that’s back-to-back, and I don’t have time to rest.”

Evan wasn’t alone. Thousands of schoolchildren on the Navajo Nation live without internet access, computers, or cellular service or basics like electricity. When the pandemic hit, more than 23,398 Native American students in New Mexico lacked the high-speed internet and devices they needed for remote learning, the state’s Public Education Department concluded. The true figure is significantly higher, since the agency’s calculation didn’t include the thousands of Indigenous students in Bureau of Indian Education schools, Albuquerque Public Schools and others.

Help was in short supply across all of Indian Country. Indigenous students in New Mexico sat in the cold and heat outside of community Wi-Fi hotspots that were set up to provide internet access to children. At the same time, officials struggled to keep up with the flood of requests for devices and internet access. The state’s Public Education Department calculated that 38,502, or 77 percent, of schoolchildren needed for remote learning, the state’s Public Education Department concluded. The true figure is significantly higher, since the agency’s calculation didn’t include the thousands of Indigenous students in Bureau of Indian Education schools, Albuquerque Public Schools and others.

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Help was in short supply across all of Indian Country. Indigenous students in New Mexico sat in the cold and heat outside of community Wi-Fi hotspots that were set up in school buses parked at gas stations or on dirt roads. Students drove for miles to work outside of schools or chapter houses in a desperate search for signals. And even at these hotspots, they often grappled with slow internet speeds that made it difficult to do schoolwork or download and upload assignments.

“Most of us, we don’t like it,” Evan said. “Some classmates just gave up. They left school, or didn’t even sign up at all.”

Problems with internet access were not new — government agencies had documented them for more than 15 years — but the situation was vastly exacerbated when the COVID-19 pandemic struck and schools switched to remote learning.

The coronavirus swept through the Navajo Nation with ferocity, fueling some of America’s highest infection rates. While the majority recovered, at least 1,354 people died. The fall semester starts in August. Evan doesn’t know yet whether he’ll be in a classroom or in a truck on the hill. The fall semester starts in August. Evan doesn’t know yet whether he’ll be in a classroom or in a truck on the hill. Because for Evan, the risk in giving up is far greater for a reservation student learning out of his grandmother’s truck in the middle of the desert.

“With the virtual school thing, I know that he’s not in danger of anything, any virus or anything that can harm him,” Moone said. “I know that he’s being safe, and I know where he’s at.”

For Diné students, however, safety came at a cost. Many online learners dealt with depression, stress, isolation or despair. In cases like Evan’s, they managed to survive by exerting formidable discipline and commitment. But it took its toll.

PACKETS AND EMPTY POCKETS

School staff and teachers, for their part, described difficult work environments that made it impossible to help students. Some had to make their own homework packets and pay for copies out of their own pockets.

Many teachers had no broadband at home and had to drive for miles to get internet access. Some used personal laptops and bought cameras with their own money, just to be able to teach their classes from a parking lot in Shiprock. They shared stories of students disappearing from classes altogether, and of parents who never responded when staff tried to find the vanished children.

Gary Montoya, school board president for the Central Consolidated School District, saw still other crises. He traveled the dirt and washboard roads in the Four Corners region, off and on the Navajo Nation, to deliver homework packets to students accompanied by his wife, Karla Aspaas-Montoya, a teacher in the district.

“She was there, doing the same thing,” Montoya said at one point he realized that the best he and his wife could do was to deliver packets and try to stay in touch with families that needed it.

“It would be nice if in a perfect world every child had a MacBook, a Chromebook, had Wi-Fi and running water,” he said.

Some families didn’t have running water or electricity. Others had no vehicle. Some students were looked after by grandparents, who often had little formal education and couldn’t help with schoolwork. Parents, grandparents and even great-grandparents pleaded for assistance.

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DRIVEN TO SUCCEED

While the troubles of remote learning formed an interwoven fabric of failure, it was the students who were most affected. Some have been scarred, afraid to return to school. Others will need to repeat a grade or will suffer in the coming school year because they learned so little during the pandemic.

Still, in pickup trucks on hillsides, students have also shown enormous resiliency.

Evan’s mother said she saw it in her son every day. He and countless children like him chose to keep trying, keep driving up the hill, keep parking at trading posts, keep sitting outside their local chapter houses, keep logging on.

“I commend him for it because it takes hard work and he’s very committed to his education,” Moone said recently, fighting back tears. Evan had finished the spring term and officially become a high school junior. He is determined to forge a better life for himself, his mother said.
SEEKING SHELTER

With the federal eviction moratorium set to expire, this New Mexico town on the edge of the Navajo Nation is reaching a breaking point.
GALLUP, N.M. — Every afternoon, 23-year-old Audrey sits on the couch in the one-bedroom apartment she shares with her mom and her sister, waiting for the creak of footsteps in the hall and the sound of an eviction notice being tacked to their door. More than two months ago, she and her family packed most of their belongings into boxes, which still sit in a haphazard, chin-high stack near the entryway.

“We have to be able to get our stuff into storage quick, so we can find a motel to sleep in,” she said, thumbing through a three-ring binder stuffed with late rent notices, eviction warnings and court documents. “The landlord’s only going to give us three days’ notice to leave. We don’t really have a plan for what comes next.”

Since early last year, the family, which asked to be identified by their middle names, has been living in this small unit in a brick complex near Gallup’s historic Route 66. Frigid air wafts and bugs crawl through meandering cracks in the walls, doors and window sills. A steady percussive drip rings out from a leaking water line under the sink. On cold nights, homeless people jimmy open the building’s outside doors and sleep in the stairwells and hallways.

But at $600 a month, it is a rare find in their price range. And it is also a potentially life-saving refuge from COVID-19, which swept through Gallup and the neighboring Navajo Nation with such force last spring that the governor called in the National Guard to barricade the highway in and out of town and assist with the state’s most stringent lockdown.

Even with federal and state protections intended to ease housing instability during the pandemic, many landlords here have continued to evict tenants who can’t pay rent. Several — including Audrey’s landlord — even stepped up their eviction filings.

Those familiar with Gallup’s housing crisis are quick to point out that COVID-19 is not the cause; it was gas poured onto an already burning fire. Tenants who were hard-pressed to make rent before the pandemic have been disproportionately laid off from work. Overcrowding, a longstanding problem in Gallup’s low-rent housing, has only gotten more severe as extended families take in relatives who have been evicted, accelerating the spread of the coronavirus among the most vulnerable.

“There was already an eviction pandemic before the COVID pandemic started,” said Jean Philips, an attorney with New Mexico Legal Aid who represents low-income renters like Audrey. “Some of the original sins that this place is built on involve displacement of people from their homes.”

An analysis of data by the New Mexico Center on Law and Poverty estimates that by the time the federal moratorium lifts, up to 105,000 renters could face eviction statewide. That has a particularly painful context in Gallup and McKinley County, where 80 percent of the population is Native — yet a disproportionate share of real estate is owned by white and Hispanic residents.

“They call it the Indian capital of the world, but most of us can’t manage to actually live here,” said Christopher Hudson, a coordinator with the McKinley Community Health Alliance.

As the first cases of COVID-19 landed in the U.S. in early 2020, Audrey and her family watched the headlines from their temporary home in El Capitan, one of a string of motels on Route 66 decked with neon lights and marquees advertising cheap weekly rates aimed at locals with nowhere else to stay.

“I knew how this thing was going to play out,” Audrey’s mother recalled. “I knew it was going to be bad. We had to find somewhere to ride it out.”

With the pandemic closing in around them, they scoured the classifieds for apartment listings. The family was on a tight budget, and Gallup is short more than 2,000 affordable rentals.

As the virus swept through Audrey’s complex, her family sealed off their apartment with duct tape and plastic sheeting.
Making matters worse, federally subsidized housing, which must meet strict livability requirements, makes up a small fraction of affordable rentals. Roughly one-third of renters in town survive on an annual income under $15,000, and wait lists for subsidized rentals can run up to 18 months. Attorneys and housing advocates say this lack of safe, affordable rentals has pushed people into “unprotected affordable housing” — low-cost units where tenants are subject to the whims of landlords.

In February, Audrey learned of an opening at a small complex just a stone’s throw away from the historic district, a string of western-themed hotels, restaurants and tourist shops selling Navajo wares. She knew the place well. The family had rented from the same property management company years ago, in another complex across the street.

“They were pretty bad there with gangs and drugs before,” Audrey said.

But the place seemed decent enough now — the graffiti had been scrubbed from the walls, and utilities were included. Most importantly, it was affordable. They signed a lease as quickly as they could.

Shortly after, infection rates in Gallup and the surrounding Navajo Nation exploded, overwhelming hospitals and upending the local economy.

As the virus swept through Audrey’s complex, her family set out to seal off their apartment. With the sound of coughs coming through the walls, they covered every crack with duct tape and plastic sheeting, even building a plastic-boxed portal in the entryway to block air from the hallway when the door was open. Her mother, who is in her mid-fifties and advocates for missing and murdered Indigenous women, stayed locked inside for six full weeks. When Audrey and her sister had to venture out, they would don makeshift plastic face masks fashioned from clear one-gallon water bottles, shuffle quickly through the hall, and dash out the side door.

They managed to avoid catching the virus, but not the collateral damage the pandemic wrought. In March 2020, Audrey was laid off from her job as a victim advocate at the local domestic-violence shelter — a job she relied on to support her family. When rent came due the next month, she was $200 short.

A few days later, she woke to find an eviction warning taped to the door. That same day, her landlord, a local attorney named David Jordan, filed eviction cases against two of her neighbors. Jordan did not respond to multiple requests for comment.

Court records show that since January 2020, Jordan’s property-management company has been one of Gallup’s most prolific filers of eviction cases, submitting 13 claims against his tenants, nearly all of them for nonpayment of rent. Another property-management company, Century 21 Action Realty of Gallup, filed 11 cases since 2020, the majority of them in early 2021, in the midst of the city’s devastating second wave of COVID-19.

Jordan and her family describe a pattern of dangerous negligence in Jordan’s building. In November 2020, as COVID-19 cases surged in Gallup, a defective burner on their stove erupted in flames, nearly setting fire to their apartment, which was missing legally required smoke alarms. Jordan did not replace the appliance for more than two months, according to court filings. Several months later, he cut off the apartment’s electricity for two days, leaving them without heat in freezing temperatures.

After they pushed back, he filed a second eviction notice.

During the 2020 legislative session, House Democrats introduced a bill to strengthen renters’ rights. The bill included provisions to protect tenants from landlord retaliation and force landlords to renew leases during public-health emergencies — a major loophole in the moratorium that housing advocates say has led to thousands of de facto evictions.

The bill was opposed by a majority of Republicans, as well as real estate industry groups. It never made it to the floor.

“It’s not a fair fight,” said Elizabeth Korver-Glenn, a sociologist at the University of New Mexico who studies housing inequality and segregation. “There’s an extraordinary power imbalance between landlords and renters in New Mexico, and it’s going to take a lot to change that.”

In the absence of legislation, the New Mexico Supreme Court in March of 2020 provided temporary relief for renters who faced eviction because of the loss of income from COVID-19. While that order has saved many residents from eviction, it requires renters to prove their hardship in virtual court hearings. That’s been particularly difficult for residents of Gallup, where many lack internet access.

Several prominent local officials have opposed reforms that advocates say could help low-income renters. Short-term loan companies have long been criticized by anti-poverty groups and the Navajo Nation government for predatory marketing practices and astronomical interest rates that lock borrowers in debt. Nearly every legislative cycle, the companies face a barrage of bills aimed at capping interest rates and strengthening borrowers’ rights. But those bills have largely landed with a thud — thanks in part to Gallup’s delegation to the state House and Senate, who have generally supported the area’s loan industry. Today, Gallup has more storefront lenders per capita than anywhere in New Mexico.

Today, Audrey and her family remain in their one-bedroom apartment, boxes still packed and waiting, despite the two eviction cases filed against them. They stay only because they were able to file a counterclaim asserting their rights under the moratorium. Since then, they’ve been able to make rent thanks in part to their federal stimulus checks.

Their situation is unusual. Most people facing eviction do not fight so tenaciously to stay housed — a daunting, often drawn-out court process with no guarantee of success. Phillips, the Legal Aid lawyer, says she often sees tenants “self-evict” only to move into uninsulated Tuff Sheds, a type of storage shed that sells for under $3,000 at the local Home Depot. The sheds, which are scattered across tribal and private land on the outskirts of Gallup, have no plumbing or electricity. Still, those who live in them don’t have to pay rent or worry about being evicted.

But the next time Audrey and her family come up short on rent money, they might not have the same luck. The federal moratorium that kept a roof over their head during the pandemic expired on June 30.
LAS VEGAS, N.M. — A loud bass beat vibrated through the air in the kitchen of The Skillet, but line cook Kyle Conway worked in silence. The 18-year-old, a big kid with the suggestion of a mustache, spiralized potatoes into ribbon fries, dumped breaded green chile into bubbling oil and assembled hamburgers hour after hour in the busy back room of the small restaurant.

“Things aren’t handed to you in life,” Conway said during a short break. “You have to work for the things you want.”

Conway wants a better future for his city of Las Vegas. Growing up there, he saw how few options young people had. They might hang out at the bowling alley or catch a high school basketball game, stop by the drive-in theater or ride around town listening to music. He and his friends liked growing up in a small town, but they wanted more. Some classmates quit school or turned to alcohol. “It’s hard to do something when there’s nothing to do,” he said.

Between 2006 and 2019, the number of young people in town dropped dramatically, from about 3,300 to 2,300, according to the U.S. Census. “The youth tend to leave,” said Joaquin Romero, an 18-year-old from Mora, a rural community 30 miles north of Las Vegas, who’s currently studying at an international boarding school near town.

“Instead of staying and helping to make the community something that they would want to live in, it’s just easier to go somewhere else and make it for yourself.”

But Conway, Romero, and a handful of other young people have decided to make Las Vegas into the kind of place they want to stay. Over the past year, as COVID-19 ravaged the world, they’ve been busy creating infrastructure to support their town. They’ve helped with the census, started and built up local businesses and gotten involved in city government.

Conway’s sticking around for the long-term — he’s finishing up his senior year of high school, then it’s off to college and law school. Someday he wants to work in the local district attorney’s office, where he once interned. Hopefully, he said, he can help break the cycles of incarceration that trap too many New Mexicans. “That’s my yellow brick road,” Conway said.

MAKE IT COUNT

Las Vegas was once a railroad boomtown, but no longer. The historic Victorian homes and grand old hotels are still there, but so are the run-down storefronts and dilapidated buildings. In recent decades, many have tried to bring about another boom, but progress is slow.

Before COVID-19, small towns like Las Vegas were gearing up for the census. The city’s isolation and the dearth of services in San Miguel County, where Las Vegas sits, make the census hard, so the county hired local young people to help.

Last spring, Conway and six other young people stood on the plaza in downtown Las Vegas, handing out free...
Jonathan Roybal and Lauraina Vernon greet customers at the Swift's Rolled Ice Cream, Desserts and Eatery.

burritos to motorists and encouraging them to fill out the census. They went door to door around the city, and drove to outlying communities like Pecos to set up laptops on a table outside the Family Dollar, so that people could fill out the census right then and there.

“As soon as I found out that it meant money, it meant funding, it meant books in schools, it meant libraries, it meant roads being fixed, it meant all these different things; it meant hospitals being updated, it meant the betterment of the community — that’s what really sparked my interest,” Probst said.

That pride in Las Vegas’ future drives its band of boosters. That includes Matthew Probst. Though a generation older than Conway at 46, he is as devoted to seeing the city revived. Probst is medical director and chief quality officer for El Centro Family Health, a group of health clinics in Northern New Mexico, including five in Las Vegas. His county has kept up high rates of COVID-19 testing and vaccinations, but the pandemic has also shed a painful spotlight on the relationship between an individual’s health and means.

“It’s that thing of, you’ve been exposed, and I need you to quarantine at home — ‘I don’t have a home,’” Probst said. “Or, I need you to wash your hands — ‘I don’t have running water.’ OK, let’s set you up a telehealth visit — ‘I don’t have a phone.’”

He sees the insidious effects of that lack throughout town. Take Commerce Field, a sports field wedged between the railroad tracks and the interstate. “It’s dirt, it’s clumpy grass if there is grass, there’s rocks, it’s just not in good shape,” said Probst, who’s also a youth soccer coach. Out-of-town kids show up in their fancy buses and laugh at the town’s state of disrepair. Probst said, leaving local teens feeling inferior. He’s excited about the city’s $3.5 million plan to redevelop Rodriguez Park, on the west side of town, which might include building new sports fields.

**Scooting Onward**

Over the past year, local teenagers decided it wasn’t enough to depend on adults, even supportive ones like Probst. A group put together a proposal for the city to start a youth commission, an arm of the city government that could advocate on behalf of the kids. “There’s always been adults running things,” Conway said. “It’s been difficult for the youth and young adults to have a say in what goes on.”

They had their first official meeting on April 6, where Conway was chosen as chair. Almost immediately, the teen council got a taste of adult politics, over a fleet of electric scooters.

Just one day after the meeting, city councilors voted 3-1 to end an agreement with Bird, a company that was renting out electric scooters around town. Council members worried about underage riders, scooter-related injuries and lawsuits against the city. But as Conway saw it, “That decision was to remove something for the youth to do.”

The next morning, his phone rang. The mayor wanted to know what the youth could do to help save the scooters. But it wasn’t so simple. After talking with other youth commissioners and weighing his options, Conway decided to stay out of it, fearing potential political repercussions and legal action.

“We want to be careful,” Conway said. “Something happens, and there goes the youth commission.”

Diners at The Skillet beside murals created by artist-owners Isaac and Shawna Sandoval.

**Keep on Trucking**

Jonathan Roybal, 27, and Lauraina Vernon, 23, are running a much less controversial start-up — a food truck serving rolled ice cream, a Thai dessert that’s grown in popularity in the U.S. The pair started dishing out flavors on April 20, a month into the pandemic, and business has been good.

About a year after opening, Roybal said they were thinking about bringing on some employees. Vernon said their success has even motivated her young friends to think of opening their own businesses. She says it’s a resilient town — a place people keep finding ways to believe in. “There is definitely potential here in Las Vegas,” she said. “I think a lot more people are starting to see that.”

Isaac and Shawna Sandoval, the owners of The Skillet, also started their business as a food truck when they were in their twenties. Now they’re 33 and 37, and until April they lived upstairs from the restaurant. The eatery’s namesake, a 300-pound cast-iron skillet fashioned by Isaac himself, hangs over the front entrance. The Sandovals took advantage of last spring’s shutdown to expand the outdoor courtyard. In it rests a rusted-out, half-size school bus with a few tables inside, whose flank bears a prescient command: “EATHERENOWEATHERENOWEATHRE.”

Despite the pandemic, residents have been following the bus’ instruction, making The Skillet into a community gathering spot. During the summer, Wednesday night was pizza night, and Isaac cooked pies in an outdoor horno oven he’d built during the lockdown. The crowds came even as the temperature dropped. To keep diners warm, the staff burned a cord of wood every week in fire pits and replenished the outdoor heaters’ propane supply every other day.

“I think The Skillet has become something,” Isaac said. “Even during a pandemic, there’s something exciting happening here.”
CARLSBAD, N.M. — The blue van turned onto the pitted road, and for miles the tallest objects on the horizon were the brush and yucca. Soon, signs appeared with arrows that pointed to dirt trails with curious names like “Illinois Camp Booster.” Suddenly, what looked like a hidden city appeared and the landscape was filled with warehouses, tall cylindrical gas storage tanks and, as far as the eye could see, rusted, bobbing oil pumpjacks.

Inside the van were three members of Citizens Caring for the Future (CCFF), practically the lone organized resistance to the oil and gas industry in Southeastern New Mexico. They were an odd bunch. At the wheel was Nick King, a Mennonite pastor and owner of a small solar company. Behind him was Joan Brown, a Catholic Franciscan nun with a grandmother’s delicate voice. And aiming a camera out the passenger window was Nathalie Eddy, a field organizer with Earthworks, a national environmental nonprofit, who’d driven from Colorado for the day’s excursion.

“This is what it’s like, 24/7,” Eddy said, pointing at the busy landscape, the trucks entering and leaving and the arms of the pumpjacks rotating.

The Permian Basin stretches from Carlsbad, New Mexico, 30 miles across the Texas border. It is 75,000 square miles of metal and tubes and spire-like pipes burning gas, all above jackrabbit scrubland. Depending on your feelings about the industry, the Permian Basin is either awe-striking or nauseating.

An inescapable fact is that it stinks. A hard-to-place mixture of rotten eggs and the oily undercarriage of a car wafted in the wind, and it was the source of this smell — gas leaks — that Eddy’s $70,000 camera was designed to find.

The crew’s first stop was a place that Eddy had visited at least 10 times before. Instantly, her camera lit up with a rainbow of colors — signaling gas leaks from what seemed to be a corroded pipe. “I’ve stopped filing complaints here,” she said, “because at some point it becomes redundant.”

With Eddy’s help, the group has already filed 130 complaints with the New Mexico Environment Department. The task is left to them, in part, because of the insular and overwhelmingly pro-industry politics in the region, and because state regulators are stretched thin. But they’ve also taken on the work because, while oil and gas have brought untold wealth, jobs and tax money, they want to expose the hidden toll that comes with living beside one of the world’s largest oil fields.

Last year, as the pandemic shuttered trade and brought travel to a standstill, oil prices went negative for the first time in history. By June, the lost revenue threatened to cost the state billions, prompting legislators to cut spending and tap into the government’s financial reserves. And so began an internal debate that’s repeated every time the pumpjacks slow: Is it time, finally, for New Mexico to disentangle itself from near-total reliance on a single industry?

In its 2020 annual report, the New Mexico Oil and Gas Association credited the industry with bringing $2.8 billion to state coffers — totaling one-third of New Mexico’s annual budget. “And that percent is just from royalties,” noted Eddy County Commissioner Ernie Carlson, a former industry accountant who wears a stockman’s brimmed cowboy hat. “There are a lot of other industries tied to oil and gas, and if you measure that it’s about 45 percent of the state’s budget.”

Carlson and other industry proponents argue that without oil and gas, New Mexico’s economy would dry up and blow away. They point to the fact that the industry in 2019 underwrote $1.36 billion of the state’s education costs, and...
Brandon Moss. “It’s always up and down in this business.”

So it came as a surprise to many when the state’s Democratic governor sought to reverse President Joseph Biden’s 60-day moratorium on new federal oil and gas leases. Biden’s moratorium so riled Gov. Michelle Lujan Grisham that last March she sent a letter to the president, asking him to change his decision and let the oil flow. More than half of New Mexico’s wells are on federal land. As her letter put it: “Oil and gas production remains a significant economic force in New Mexico.”

Was this the same governor who in her first month in office signed an executive order to create a climate strategy, one that would hold the industry accountable?

Whatever the answer, energy leaders believe New Mexico faces two opposing futures: Act swiftly and become the leader of green energy, or stick with oil and gas as the rest of the nation pivots. Whichever path the state takes will be particularly consequential for Carlsbad. It is rich in oil and gas but also in wind and sun. It stands to be at the epicenter of the state’s renewable-energy revolution.

PERMIAN PARIAH

Gene Harbaugh, an 85-year-old retired Presbyterian minister and one of the founders of CCFF, brings a religious mindset to the group’s mission of conservation in the Permian Basin. And like many core members, he now finds himself a pariah in a place where he was once an influential leader.

Things were different in 1986, when he first arrived in the community. “It was a very civicly active town,” Harbaugh said, recalling a time when he oversaw a church of 300 souls. The mayor prayed with his congregation, and each year the community gathered on Thanksgiving to eat pies.

But as the area began to develop economically, “gradually things began to turn,” he said. “Carlsbad turned to the sort of industries that were really, to me at least, dead ends.”

By that “sort of industry,” Harbaugh was referring to fracking — the technology of horizontal drilling in which wells once unreachable began yielding black gold. For Carlsbad, it meant a boom unlike any other. Lines of tanker trucks on U.S. Route 285 stretched from the new Lowe’s at the north end to the southside IHOP. Accidents increased 70 percent, giving 285 the moniker “the highway of death.”

Residents near drilling sites have suffered mysterious nose bleeds. Rigs have exploded and showered noxious frackings chemicals onto people and their land. Southwestern New Mexico, and Eddy County in particular, has the worst rates of asthma in the state. Eddy is one of only two rural counties in the nation to make the list for worst air quality. The Permian Basin, meanwhile, released more methane than any other site in the nation, emitting one million tons of the greenhouse gas per year.

A psychic shift occurred in the community. Harbaugh said. And while he can’t totally blame the oil boom for the dwindling of his former congregation, he said the industry, by nature, breeds a mentality of total self-reliance.

Success is what can be pulled from the ground by one man or one company. “Individual freedoms are what now seem to be paramount,” he lamented. “People are supposed to do whatever they want as long as it benefits them.”

The oil boom brought more jobs and population, more businesses and investment, which meant more tax growth, streets repaired, schools renovated and police officers hired. At Blake’s Lotaburger, it meant a line of new trucks paid for by oil money, packed with workers grabbing a quick meal.

The oil and gas industry employs some 134,000 workers in the state. And it’s not likely that any one industry will ever replace it. Today, wind and solar account for about 5,000 New Mexico jobs, even the brightest projections allow for just 13,700 long-term renewable energy jobs in the next decade.

“Common business sense tells you that when you have a number-one product as we do in oil and gas, that we ought to be studying how to enhance the industry so we can make more money,” said Eddy County Commissioner Carlson. To his frustration, “every year we have to fight bills that would curtail the oil and gas industry.” Even if they don’t pass, he argues, “they send a message that this is not a favorable place for the industry to be.”

DORMANT FUMES

As the blue van jostled to a stop, the Mennonite pastor, the Catholic Franciscan nun and the Colorado-based environmental activist stepped out and stared at a set of tanks in the nearby distance. The stench of rotting eggs hung in the air. Nathalie Eddy aimed her camera and, sure enough, the screen showed leaking gas.

The three climbed back into the van. Silent. But before they turned for home, Eddy had one last place in mind, a site she’d visited two years earlier, where a tank had been spewing oil.

Now, as the van pulled up, the site looked abandoned. Eddy seemed relieved. That is, until she pointed her camera at the tank. “Look,” she said, motioning toward the camera’s screen. Dormant fumes were still escaping from the top, drifting into the air, blowing over the town of Carlsbad.
Josh Jasso stood among mounds of greenery in an otherwise parched expanse, squinting at the fields of La Semilla Community Farm. Its 14 acres are hemmed in by a railyard owned by an El Paso-based gravel company, a young pecan farm and fields of alfalfa.

Roughly 24 miles to the south, a rumble of semitrucks crosses the U.S.-Mexico border, carrying tons of freight from one side to the other. To the west lies the ailing Rio Grande, a river desiccated by years of drought.

At La Semilla, a small farm dedicated to sustainability and food justice, there is always something to be wary of: pollutants from the train line, pesticide use on neighboring farms, the rise of invasive species — or the toll of the pandemic on local farmworkers. Adding to the nonprofit’s worries, irrigation officials recently allotted a historically low amount of water to the farm from Elephant Butte Reservoir. With so little rain and snowfall over the past year, Jasso had worried they wouldn’t get any water at all.

Farming is a precarious business in the desert. But in a small border community like Anthony, much else is precarious, too. Residents here are not only witnessing the effects of climate change — a future of hotter and drier weather — but also struggling with grinding poverty, a dearth of public health services and the dire impacts of COVID-19.

In a city of 9,239 residents, at least 2,568 have tested positive for the disease to date — more than 1 out of 4 people, according to Doña Ana County. Advocates believe the actual number is even higher than state officials have acknowledged.

For migrant workers who provide essential labor at the region’s major agricultural operations, the pandemic has taken a singularly harsh toll. Here and across the country, unsafe conditions at large-scale farms and dairies left workers at risk of contracting the coronavirus. Due to their uncertain immigration status, many were reluctant to seek medical help when they got ill. Others quietly died at home, whether that was in Anthony or with family across the U.S.-Mexico border. In those instances, their deaths were seldom disclosed beyond their circle of family and friends, said Carlos Marentes, executive director of the El Paso-based Centro De Los Trabajadores Agricolas Fronterizos (Border Farmworkers Center).

Networks of mutual aid emerged where social systems fell short. Food pantries, vaccination drives, rental assistance and emergency funds all became part of the community’s response. Yet for all the efforts, the pandemic has...
both illuminated and exacerbated what it means to live on the margins in this and other small towns along New Mexico’s southern border. And it has paved open a dialogue about what sustainability — for the land, the town and its people — will look like moving forward.

**HISTORY ON THE LINE**

Today’s residents are a combination of recent immigrants, migrant and seasonal workers, and families whose grandparents and great-grandparents crossed the border in earlier waves of immigration. Many people continue to lead transnational lives, traveling to Juárez, Palomas and elsewhere in Mexico to visit relatives, seek medical care or go shopping.

On a recent walk, longtime Anthony resident Sarah G. Holguín, a Spanish-language interpreter and chair of the city’s planning and zoning commission, stood on a blocked-off downtown sidewalk. One foot was in New Mexico and the other in Texas, thanks to yet another border that defines Anthony, N.M. It is a stone’s throw from “the other Anthony,” a town with the same name, except that it’s in the Lone Star state. The boundary would be imperceptible if not for a small street sign that reads, “New Mexico State Line.”

Anthony’s quirks and needs were “forgotten” during the pandemic, Holguín said. Governor Michelle Lujan Grisham, she said, “has no idea we’re here.”

The governor, to Holguín’s irritation, issued multiple shelter-in-place orders that instructed New Mexicans to stay in the state — in other words, to avoid going to places like Texas. “Our city has no grocery stores, so we have to go to Texas,” Holguín said. La Feria, a supermarket in Texas, was but a block away from where she stood. To shop for groceries in New Mexico would mean driving to Las Cruces — 34 miles away.

Behind her stood a row of adobe buildings from another era, most of them for sale or lease. One had a tree growing inside. Another, in decades past, was home to the Line Bar, a local joint where the bartender served drinks from Anthony, Tex., and customers downed them in Anthony, N.M.

Holguín lives with her 7-year-old son in a home she fixed up on an acre of land. During the pandemic, she bought chickens and built a coop and is now getting ready to start planting squash, her own small way of becoming less dependent on the local supermarket.

Moving deftly between English and Spanish, she recalled arriving in Anthony with her father, an auto mechanic, from Mexico City when she was a child. Her grandmother already lived here, having arrived decades before to “pick cabellitas and chiles” from El Paso to Las Cruces as a participant in the Bracero Program. Launched in 1942, the program offered temporary visas to Mexican farmworkers, purportedly in exchange for fair working conditions. In truth, braceros most often existed within a shadow economy, laboring under harrowing circumstances and for very little money.

Though the agricultural legacy has remained strong in the Mesilla Valley, Anthony itself hasn’t thrived for decades. Even before COVID-19, the city’s per capita income was $11,058, one of the lowest in the state.

When her work as an interpreter dried up as a result of the pandemic, Holguín was grateful she owned her own home. “If I didn’t, I’d be homeless,” she said wryly.

**BEAREAVEMENT AND BARRIERS**

The barriers to getting vaccinated have proved almost insurmountable, including the complicated online registration process, the fear of losing work, fears over documentation status and lack of faith in the American health-care system.

There is no way to access a drive-through testing center without a vehicle, which many farmworkers don’t have. And many laborers are unwilling — or unable — to take the day off from work to get tested. Some farm owners around the region have threatened to fire workers who get a positive test, another major disincentive, news stories and advocacy groups report.

To address the problems, a coalition of farmworker advocates began to organize its own vaccination drives, including one at Tierra del Sol Housing Corporation, a nonprofit affordable housing complex in Anthony where many farmworkers live.

Marentes’ organization, Centro De Los Trabajadores, is partnering with other local nonprofits to raise money for a cash-assistance fund to help farmworkers, a majority of whom were excluded from public and federal assistance programs; undocumented workers can’t collect unemployment and didn’t receive CARES Act stimulus checks. The fund will help people pay for rent and utilities, or even take a day or two off work to get the vaccine, said Marentes, who’s been making food deliveries to people’s homes.

“Thence,” she said, “are the times of solidarity. And the most urgent gesture of solidarity is to support the man, women and children working in the fields.”

**POSSIBLE PLANTED**

On the northern edge of Anthony, a freshly painted mural presides over La Semilla Community Farm’s sunbaked landscape. Across the facade of an old storage container, two adobe-colored hands roll corn masa for tortillas, each flanked by stalks of vibrant, lapis-colored blue corn.

La Semilla Food Center was founded in 2010 in response to the need for sustainable farming, with a mission of building an equitable food system and providing access to fresh produce in the entire Paso del Norte region. The small community farm was a natural outgrowth of that project — a demonstration farm where students and the public could learn how to grow food in southern New Mexico’s water-stressed landscape.

Water, of course, is critical for any crop. And southern New Mexico is in particularly short supply. This year, water won’t be released from Elephant Butte Reservoir into the Mesilla Valley’s stretch of the Rio Grande until June, several months later than usual.

La Semilla is not only adjusting to the impacts of a multiyear drought, but also attempting to build a groundswell of small farmers who can rebuild the soil depleted by the region’s big commodity crops, like pecans and cotton.

The global food production and distribution system was “garbage and exploitative to begin with,” as Jasso put it. The coronavirus only revealed the depths of the crisis. Here, in one of New Mexico’s most agriculturally productive regions, and in a county that is third in the state for the number of farms and ranches, food insecurity is among the gravest concerns. In Doña Ana County, at least one in six people have experienced food insecurity.

“This is not a food desert,” said Michelle Carreon, who gathers community stories about food justice at La Semilla. “It’s food apartheid.”

Since March 2020, La Semilla has distributed 1,162 food boxes from its farm and 23 others in the region, most of them smaller than an acre. Anything left over gets donated to the food pantry at the Women’s Intercultural Center, a nonprofit community hub near downtown Anthony.

Locals pick up boxes of food and Mother’s Day gifts from the Women’s Intercultural Center in Anthony. New Mexico. “In Latin America,” said Mary Carter, the center’s executive director, “people give to the church. Here, they give to each other.”

It’s food apartheid. — MICHELLE CARREON

This is not a food desert.

— MICHELLE CARREON

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MOTEL OF LAST RESORT

TEXT AND PHOTOS BY DON J. USNER | SEPTEMBER 23, 2021

THIS MOTEL IS JUST OFF CARLISLE BOULEVARD in Albuquerque offers hassle-free shelter for people with nowhere else to go. Some have fallen on hard times, having lost lives of comfort and security. “Tenía una casa, tenía un hogar, pero me enfermé, y bueno, se acabó toda esa vida,” said Mauricio Acuña, who is originally from Puerto Rico. “I had a house, I had a home, but I got sick and, well, all that life ended.” This photo essay presents a glimpse into the lives of seven people who landed for a brief stay at this, one of several similar motels in Albuquerque.

I WAS BORN HERE IN ALBUQUERQUE, but I was raised in Denver. I guess Denver is home. My oldest daughter, she lives in Denver. But I came back here six years ago, when I grew a new appreciation for this state. When I leave here, I’ll probably go to my mom’s, at Laguna. I’m half Native, half Irish—well, like a quarter Laguna, a quarter Acoma.

So, I just appreciate both sides, my White and my Native culture. I’m still like, piecing together the cultural ways. Because culture I think sometimes can take an interesting turn with people and how they view things. But sometimes I feel awkward, and when I feel out of place I just kind of sit. Yeah, I kind of, wait. It’s just my thing, what I do.

—CHRIS HUTCHENS
I DON’T HAVE A RESERVATION FOR THIS ROOM. These rooms go fast, fast, fast, if you don’t have a reservation. I think it’s because they don’t require a deposit here, like some of these motels do. The rooms are clean. The stay is, like, peaceful and quiet. I stay in a lot of these places because I’ve been homeless for more than 10 years, 14 years. I came here to Albuquerque in 2007 because of a relationship that ended up being violent. And I’ve got the scars to show it.

— NINA SANDOVAL

I GREW UP IN ALBUQUERQUE, and I’ve bounced between motels, including this Motel 6, The Ambassador and other Motel 6s. You don’t want to go near some of those places. You got lucky with me, but you try to talk to people hanging around there and they’ll go after you. And these places take advantage of homeless people. The managers are crooked. There’s lots of drugs in there. They’re easy to get — the blue pills [fentanyl] are so flooded in this city.

— DANIEL GARCIA
ALBUQUERQUE HAS THE WORST HOMELESS PROBLEM of any city I've ever seen. It really is atrocious. And we are among the homeless of the streets. My wife and I retired about six months ago, we had it all set up, we would stay at an assisted living. She had insurance to pay for it, but unfortunately, they had a change of management and things didn’t work out. Right after that my mother passed away, and everyone wanted to get their finger in the inheritance, and — fooled them all — there ain’t no inheritance. Anyway, we’re basically living hand to mouth.

Three nights ago, we’re in the psych ward, in Santa Fe, and we slept in a tunnel. I said, ‘I just can’t take it anymore, I can’t handle this anymore.’ And they asked me, ‘Are you just coming here for a place to stay?’ And I told them that my wife’s hurt. She has got major health problems. I’ve been homeless before, off and on, but this poor lady right here — she’s lived well. And she’s not used to it at all. And if anything happens to her, I will kill myself. And I mean it. I can’t live without her. She’s the best thing that ever happened to me. — TIM SALERS
MY MOM HAS BEEN CLEAN for about six, seven years now, and I mostly stay at her house. I stay at this motel now because my boyfriend’s here. That’s his living situation. He’s basically homeless. And drug dealing is what goes on here — and in Albuquerque, period. It doesn’t matter where you’re at. It could be an abandoned apartment complex. It’s full of drug addicts. I stayed in these motels when I was a kid whenever my mom was homeless. Then she lost me because she was on heroin. So, I went into foster care when I was nine years old. But I ended up running away five and a half years later because of the abuse that went on in the foster homes. And after I ran away, I kind of stayed gone. And when CYFD ended up finding me again, at the age of 17, I already had a full-blown heroin habit. — “DREAMY”

This is my husband. He’s all tatted down. We’re still married but we’re pretty much homeless. Have been for eight months. He got off probation and went on a crack binge and well, spent all our money. And then I started doing dope again, and, yeah, so it went in a downward spiral real quick.

— ESTHER MIERS
IN THE STATE DEPARTMENT CHARGED WITH CHILD WELFARE, LEADERSHIP AND STAFF AVOID A PAPER TRAIL WITH ENCRYPTED MESSAGING.

Blalock acknowledged that CYFD routinely deletes communications on Signal, but said that the information was not subject to New Mexico’s Inspection of Public Records Act.

“We destroy records every day because we have to; otherwise, we’d run out of space,” Blalock said, adding that the department also shreds paper communications and deletes conversations on other messaging software used by employees.

“Our lawyers have thoroughly vetted the use of all of our platforms,” he said. “None of our new technology is designed to make anything less transparent.”

Barring personnel records, medical records and several other narrowly defined exceptions, New Mexico law defines as public records what’s best for the children. In order to keep the children safe, we need to have access to all the information. To have the state routinely deleting any sort of communications is outrageous.”

In an interview with Searchlight, CYFD Secretary Brian Blalock said he was not subject to New Mexico’s Inspection of Public Records Act.

“Our job and our obligation is to investigate, and do what’s best for the children. In order to keep the children safe, we need to have access to all the information. To have the state routinely deleting any sort of communications is outrageous.”

Two days after this story was published, New Mexico Attorney General Hector Balderas confirmed his office had launched an investigation into CYFD’s use of Signal.

Two weeks later, CYFD fired the husband and wife who blew the whistle on the state’s destruction of official records. Cliff W. Gilmore, the former head of the department’s Public Information Office, and his wife, Debra Gilmore, an attorney who led the agency’s newly formed Office of Children’s Rights, subsequently filed a lawsuit against CYFD, claiming they were fired from their jobs in retaliation.

Three months later, Brian Blalock resigned as secretary of CYFD and in announcing his resignation, Governor Michelle Lujan Grisham said she was disturbed by his lack of transparency and use of Signal. In the meantime, Searchlight revealed that the Office of the Governor and the state’s Department of Information Technology also supported the systematic deletion of messages through a different encrypted service.

SINCE AT LEAST LAST YEAR, the department tasked with overseeing foster care and child welfare in New Mexico has been encrypting and routinely deleting its communications, making much of its work essentially untraceable.

The leadership of the Children, Youth and Families Department (CYFD) has directed staff to use Signal, a secure communication app, and has set chats to automatically delete. In contrast to standard text messages or emails — which can be accessed by attorneys, reporters and members of the public under the state’s open-records laws — messages sent via Signal are all but impossible to retrieve. Once deleted, virtually no trace of a Signal conversation remains, even on the company’s server.

Attorneys and child advocates say the practice likely violates state open-records laws and could hamper any investigation into the department, which has been subject to lawsuits and massive criticism for its management of the foster-care system.

Records of employee communications have been central to journalists’ coverage of state agencies, including Searchlight New Mexico’s 2018 investigation of abuse within the foster care system.

“You can’t just encrypt and automatically delete communications between state employees,” said Melanie Majors, executive director of the New Mexico Foundation for Open Government. “That’s no different than putting official documents in the shredder at the end of every day.

“Improper destruction of public records is a fourth-degree felony,” she added.

In an interview with Searchlight, CYFD Secretary Brian Blalock said the department began using Signal near the outset of the COVID-19 pandemic. The move was part of an agency-wide information technology upgrade, which Blalock said was needed in order to protect confidential records of children in state custody and to facilitate secure, remote communications.

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RENEE GARNETT IS A REGULAR at Sagebrush Church in Albuquerque, where Sunday prayers are led by a five-piece worship band and everyone gets a chance at a better life. On Oct. 9, the 51-year-old grandmother took a seat near the front of the sanctuary, her greying hair pulled back tight, her black rectangular reading glasses resting on her forehead. She was one of the first to jump to her feet when the music swelled.

Garnett had a lot to pray for. For the past week, she and her 13-year-old grandson hadn’t had a home.

“I’m losing hope in finding a place,” she said. “Coming to church keeps me hanging on, because I know God works miracles. I know he does. I wish he could do it for me now.”

Her landlord terminated her lease at the end of September, and though she’d been given six weeks advance notice, she wasn’t able to find a single available apartment whose landlord would accept a Section 8 voucher. The federally funded housing assistance program covers most of her rent, but it only works when a landlord agrees to participate.

Garnett’s predicament exemplifies a worrisome trend seen by New Mexico housing advocates and housing authority directors. It’s increasingly difficult for tenants with Section 8 vouchers to find landlords to rent to them, leaving people like Garnett and her grandson with fewer and fewer options. Despite several attempts by the state and federal governments to provide pandemic-related housing assistance, people with little money and resources still aren’t getting the help they need.

“The increase in Albuquerque has been particularly extreme: 28 percent during the pandemic. In September, the average two-bedroom apartment in Albuquerque cost an estimated $1,235 a month. “They’re able to demand a higher market rent than I can give them as a housing authority,” Valdez said.

A tenant with a voucher typically pays 30 percent of their income on rent, while the voucher covers the rest — up to a limit, which is updated yearly. If the apartment is more expensive than the limit, the tenant must pay the remainder or find a different place to live. Garnett’s voucher limit is $940 a month, including utilities.

“Occupancy levels are so high,” said Linda Bridge, executive director of the Albuquerque Housing Authority. “Rents are increasing. It’s difficult for people to utilize their vouchers.”

Research shows there are other reasons landlords might not accept Section 8 vouchers. They may not want to navigate the government bureaucracy, or they may have had negative experiences with Section 8 tenants in the past.

The executive director of the Apartment Association of New Mexico declined an interview request. In an emailed statement, Alan LaSeck said he would “not comment on sensational journalism that is being used to incite chaos and used for a political agenda.”

Section 8 vouchers, officially called Housing Choice Vouchers, are so named because tenants can choose where to live and aren’t required to live in public housing projects, cheap apartments, or poor neighborhoods. About 11,500 households in New Mexico receive benefits through the program — approximately 1.5 percent of the state’s households, according to federal data. That’s slightly lower than the country-wide rate, which stands at 1.9 percent.

Above: Renee Garnett packs up her Albuquerque apartment after learning that her landlord has terminated her lease.
But the choice only exists if there are enough landlords willing to rent to Section 8 tenants. Otherwise, it turns into a crueler choice — between a bad place to live and no place to live at all.

Over the past few months, Garnett spent hours upon hours driving around Albuquerque in her 1997 Pontiac Grand Am, looking for a home. She chronicled her progress in a dog-eared black notebook wedged between her seat and the console, crossing off the names of apartment buildings one after another. On a Wednesday in the middle of September, she headed to a neighborhood about 10 minutes north of the University of New Mexico where she heard there was an apartment available.

A row of two-story buildings stood in pastel colors against the scorching Albuquerque sky — dirty white, pavement gray, mustard yellow, raw salmon. She couldn’t find the building she was looking for — the number appeared to be missing — but that didn’t matter. She was getting a bad feeling about the place.

“There’s some stuff that goes on when the lights go out,” Garnett said. As if on cue, she drove past a 31-year-old beat-up Honda Civic station wagon, its front windshield spiderwebbed and its back window missing completely. The license plate was absent, and the trunk was stashed with trash. In a past life, the car might have been silver. “I can just tell this is not an area that I want to live in.”

Whatever apartment she rents will be for herself and her grandson, who wants a yard and a dog and the certainty that he’ll be able to stay in the same school and keep his friends. He had a traumatizing childhood, living for years with foster families. His dad is in federal prison in Virginia. Garnett wants her grandson to have a better life than she was able to give her own children, and she knows the area where they end up will have a big impact. “We want to stop the cycle of violence and drugs,” Garnett said. “How are we going to do that if we live in that community?”

A lot can change in a matter of blocks, especially in Albuquerque.

A few minutes north, Garnett passed a collection of two-story buildings that looked in much better repair, called Villas Esperanza, a 188-unit development near Corancha and Carlisle. The buildings were painted white with olive green trim and surrounded by a black metal fence with gates that opened and closed. “NOW LEASING,” declared a yellow banner with images of balloons. Garnett called the complex number. Yes, they took Section 8, and yes, they had two-bedroom apartments — but nothing was available until the end of October. A month after Garnett needed to find a place. “Ok, well, I appreciate your time,” she said politely.

She made a note of it anyway, just in case her landlord would let her stay a little while longer. One perk of Villas Esperanza, she said, was that they didn’t require a monthly income that’s two or three times the rent, a situation she’s run into before. She estimates that her total monthly income is about $1,300, including food stamps and disability payments — she suffers from post-traumatic stress disorder, as well as panic and anxiety disorder. She also has fibromyalgia, a painful disease that has prevented her from holding down a job.

Garnett needed to head home to prepare for a doctor’s appointment, so she turned south on Carlisle and then east on Aspen. Now, instead of sprawled apartment complexes and busted-out cars, there were single family homes with yards and private garages. She passed Altura Park, where oak and elm trees towered over city tennis courts.

“I like it when it’s real woodsy like this,” Garnett said. She used to go camping with her grandson, borrowing her cousin’s truck to drive up into the Jemez Mountains and the Pecos Wilderness. The young boy loved it, she recalled. “Grandma, we’re sitting out here by a campfire and it’s snowing and you can hear the river and it smells so good.”

She passed a “FOR RENT” sign in front of a one-story white house with a neat front yard of landscaped rocks. “Yes!” she exclaimed. She pulled over and called the number, but the landlord would not accept Section 8.

A nearby house boasted a pomegranate tree, the fruit just starting to ripen. Part of the reason Garnett has had so much trouble finding a place is that it’s perfectly legal for New Mexico landlords to refuse Section 8 vouchers. That’s not unusual; it’s the case in at least 18 other states as well.

A bill in the 2021 state legislative session would have outlawed this practice, but the provision was removed during negotiations and the bill died in committee. Rachel Biggs, chief strategy officer at Albuquerque Health Care for the Homeless, said that advocates might try their luck again in the future. A spokesperson for Gov. Michelle Lujan Grisham did not respond to an inquiry about whether the governor would support such a change.

With nothing forcing landlords to participate in the program, tenants with vouchers can search for weeks or months before finding a place to live.

In Santa Fe County, the median amount of time between a Section 8 tenant getting their voucher and signing a lease was 74 days in 2020. In Doña Ana County, the median amount of time over the past 12 months was 45 days, according to Lorena Rivera, deputy director of the Mesilla Valley Public Housing Authority.

Vouchers don’t come with an unlimited life span. Tenants are initially given 60 days to use their voucher, after which the local housing authority can grant an extension. Housing authorities in Albuquerque and Las Cruces have been issuing more and more extensions lately.

“The demand is there, but there’s not the availability,” Rivera said. “Our families are having a hard time.”

In Albuquerque, 81 percent of households with Section 8 vouchers live in its most impoverished neighborhoods — zip codes where the median household income falls below the city average of $54,000. That’s according to estimates from the U.S. Census Bureau, as well as data from the Albuquerque and Bernalillo County housing authorities.

The largest number of Albuquerque Section 8 voucher households live in zip code 87108. That includes the area Garnett calls the “War Zone,” a section of southeast Albuquerque known for underinvestment, poverty, crime and drugs.

Garnett knows the area well — she’s lived there before and doesn’t want to return. It’s where her three grown children live, afflicted by addiction and poverty.

By mid-October, Garnett had moved out of her apartment and was staying with family on the west side of town. It was difficult to have so many people under one roof, but she wanted her grandson to have a bed. “If I didn’t have him, I would be sleeping in my car.”

The landlord had terminated her lease after complaints from neighbors, according to an interview with the building’s property manager. Garnett said she was never given a reason, despite calling the property management company multiple times.

She’s worried about how the instability might affect her grandson, a concern that comes from raising her own children. Back then, she was addicted to drugs — she’s been clean 24 years, with only one relapse — and the family moved frequently. “The instability makes them feel it’s OK, they can do whatever they want, without following rules, following laws,” she said. Garnett wants something different for her grandson.

“He’s at that age. He can go in either direction.”
In response, the NM Public Education Department made a rushed and questionable decision: It hired a Utah company called Graduation Alliance to pilot an untested “re-engagement” and academic coaching program that relied on phone calls, emails and texts to help at-risk students.

For its outreach efforts—which critics likened to spam or robocalls—the Salt Lake City-based firm earned $4.6 million.

What remains unclear is whether the program was worthwhile. Graduation Alliance, purchased last year by private-equity giant KKR & Co.—one of the world’s top investment firms—did not provide detailed information about what its coaching entailed or offer meaningful proof of effectiveness. A review of company reports and 748 pages of public records revealed no verifiable evidence that it helped students improve their attendance, get better grades, graduate on time or otherwise make academic progress.

In spring 2020, uncertainty quickly turned to desperation, as tens of thousands of students—as many as one in five across the state—were failing a class, skipping school or nowhere to be found.

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To its most vocal critics, Graduation Alliance epitomized a trend at PED of outsourcing sensitive services to out-of-state companies. The agency’s lack of in-house staff to implement needed programs, as one legislative analyst put it, resulted in a troubling pattern of seeking expertise and skills outside the department.

Hiring Graduation Alliance wasn’t even logical, some observers said. How, they puzzled, could a Utah call center bring some of the most at-risk students back into the education fold? And why was a private company being paid to replicate services that local school employees were already providing? Teachers and school staff had been sending early-morning text messages, calling and emailing family members—even showing up on doorsteps to drop off supplies and food—ever since COVID-19 arrived.

“Why wasn’t I paid more to do the same thing?” said one northern New Mexico teacher who, like others, asked for anonymity because she feared job repercussions.

From April 2020 through June 2021, public schools entrusted Graduation Alliance with the names of 45,944 vulnerable schoolchildren, including students who needed help with online learning, were at risk of dropping out or failing—or had fallen off attendance rolls completely. An estimated 17,494 of those students, or 38 percent, eventually signed up for the free and voluntary academic coaching, according to the company and PED.

The program was a great success, according to data in Graduation Alliance’s July 1 final report. The company backed up this conclusion with the results of a survey: A whopping 91 percent of all parents, 100 percent of Spanish-speaking parents, 96 percent of school districts and 92 percent of 6th-to-12th graders thought the program “maintained or increased” students’ engagement during the 2020-21 school year, the report stated.

The report did not, however, disclose that less than 3 percent of participating students and parents took the
The task was Sisyphean: find vulnerable children who were by default some of the most difficult to track — and who often lived in homes without broadband and cell-phone service — and somehow draw them into online classrooms.

Survey — a sample so small that it’s impossible to conclude success.

“I fear this is the norm among education vendors.” Todd Rogers, a professor of public policy at the Harvard Kennedy School, wrote in an email. Rogers, a school absenteeism expert, said education companies often misrepresent the success of their programs based on anecdotal evidence instead of rigorous testing. “It’s particularly offensive and immoral since the stakes for kids are so high.”

Searchlight New Mexico contacted 20 school districts and canvassed educators from 15 public and charter schools around the state to assess the value of Graduation Alliance’s program, officially dubbed ENGAGE New Mexico. A few educators voiced approval; they said it added an important layer of support for struggling students and families during the chaos and isolation of the pandemic. The majority — especially harried teachers — had never heard of it.

‘HEMORRHAGING ATTENDANCE’

Cobre Consolidated Schools, located in the small southwestern mining town of Bayard, knew it well: The district referred almost the entirety of the student body — 929 of 1,061 students around the state to assess the value of Graduation Alliance’s program, officially dubbed ENGAGE New Mexico. A few educators voiced approval; they said it added an important layer of support for struggling students and families during the chaos and isolation of the pandemic. The majority — especially harried teachers — had never heard of it.

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The district referred almost the entirety of the student body — 929 of 1,061 students — to the re-engagement program last fall.

“It seemed like in the first quarter of the school year we were hemorrhaging attendance,” said Tony Sosa, the district’s attendance success coach.

The task in Cobre and elsewhere was Sisyphean: find vulnerable children who were by default some of the most difficult to track — and who often lived in homes without broadband and cell-phone service — and somehow draw them into online classrooms. This included students who were “completely disengaged or chronically absent in the virtual learning environment,” a Graduation Alliance report noted, as well as children who were in foster care, lacked stable housing or faced other crises.

Graduation Alliance provided schools with weekly spreadsheets detailing the number of its contacts with students, which Sosa believed were helpful. But ultimately, he was uncertain whether the program affected academic performance or had an impact on attendance.

“I would check my individual spreadsheets to see if the student was progressing on our end, and it didn’t always translate. Graduation Alliance would say, ‘Yeah we’re really working well with this family,’ but we didn’t always see the benefit of it.”

The service was nevertheless attractive, not only because it was free but also because school officials were trying everything in their power to help struggling families and, perhaps most critically, find errant students.

By November 2020, PED had discovered that approximately 12,000 students had vanished completely from attendance counts. Some of the children had dropped out, left the state, transferred, were incarcerated or even, in a very few cases, died.

PED launched a major multi-agency effort to locate the students and referred them to Graduation Alliance for help. The company had been in the “drop-out recovery” business for more than a decade; it had some 200 employees at its disposal.

“We worked very quickly together to bring those resources to bear,” said Rebekah Richards, Graduation Alliance’s co-founder and chief academic officer.

The company did what school districts couldn’t do with their own thinly stretched personnel: reach students in high volume, said Katarina Sandoval, PED’s deputy cabinet secretary of academic engagement and student success. The coaching helped create structure and routine — aspects of a kid’s day-to-day school life that were “gone in the blink of an eye” when life went remote.

BLURRED LINES

Graduation Alliance’s benefits to students might not have been obvious. But the benefits to the company were indisputable. With considerable speed, it essentially became an arm of PED. As such, it was given access to private information about tens of thousands of students, but without the same level of transparency that state agencies must provide.

Emails also reveal the company’s remarkable clout with cabinet-level officials. It won its first no-bid contract with the state (awarded on an emergency basis) in late April just nine working days after submitting a proposal for the re-engagement program, emails show.

In June, Graduation Alliance released a white paper co-authored by two top officials, lauding the nascent services they said they’d co-created. PED’s Sandoval and Gwen Perea Warniment, deputy secretary of teaching, learning and assessment, joined with Richards to launch what they called a first-in-the-nation collaboration — one that would foster resiliency in students and help them build learning strategies during the global health emergency.

In the coming months, Graduation Alliance was able to use this same white paper to sell its engagement program to Arkansas, Michigan, South Carolina, Arizona and Ohio. The company won at least $9 million in contracts in the process.

The program was a success in New Mexico, even if only 40 percent of students signed up for it, Sandoval said. “We absolutely think that if it’s 40 percent or if it had been half or a quarter [percent] it would still be a success, she said. “Every support that we could possibly provide to our students so that they did not become part of the 12,000 unaccounted for [students], is a success.”

It’s possible that Graduation Alliance helped hundreds or even thousands of students. But there’s no way to tell, because the company didn’t measure outcomes. Its reports provide lots of numbers, but the numbers say nothing of the quality, length or benefits of the academic coaching.

Among the numbers: Graduation Alliance employees — scores of them out of state and four in New Mexico — made more than 563,611 “interventions,” as the contacts were called Academic coaches, who might or might not have credentials in teaching or counseling, made an average of 35 interventions per student, reports said.

The company has its controversies. Erin Luper, its vice president of government relations and public affairs, is a former lobbyist for the NRA. Luper is credited with defeating gun safety legislation in Tennessee during a string of tragic child shooting deaths and mass shootings at schools around the country.

Graduation Alliance’s methods, meanwhile, borrow heavily from Wall Street, with its New Mexico contract calling for PED to pay per “tranches” of student referrals, a term more commonly associated with mortgage-backed securities than schoolchildren.

The firm’s risk-and-reward logic stems directly from the investment world of subprime loans: For every student in the tranche who got an academic coach, more than one did not because they were unreachable or chose not to participate. PED nonetheless paid for both. In all, the state paid for 28,450 students whom Graduation Alliance never reached or who rejected the service, company data show.

Nearly every education agency around the country has been looking for a silver bullet during the pandemic, making urgent solutions akin to currency. History shows that the need for such solutions only grows more intense after disasters. Opportunities for making profits also grow in the wake of the coronavirus, which forced more than 1 billion students worldwide to pursue classes online, the U.S. ed-tech sector attracted a staggering $2.2 billion in private investments — its biggest gains ever.

Back at Cobre, Tony Sosa walked away wondering who saw the greatest benefit from ENGAGE New Mexico — students or the Utah-based company. “Were they working in the interest of Cobre Schools,” he wondered, “or Graduation Alliance?”

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A BLACK LIFE ENDS IN A NEW MEXICO POLICE SHOOTING

BY DILLON BERGIN | NOVEMBER 25, 2020

RODNEY APPLEWHITE, 25, WAS DRIVING through New Mexico on his way to Arizona to spend Thanksgiving with his mother and other family members.

Just outside of Los Lunas, on the last leg of a trip that started in South Bend, Indiana, a New Mexico State Police officer attempted to pull Applewhite over for what was described as a traffic stop. It was 8:32 a.m., an NMSP press release said. About 10 minutes later, two state troopers tried to arrest Applewhite. When an altercation occurred with the first officer, the second officer shot Applewhite, firing “at least one round,” the NMSP said. Applewhite, unarmed, died that day in the hospital.

“I can’t sleep, I can’t eat. I’m heartbroken,” Applewhite’s mother, Katrina Cox, said by phone. “Why is it always shoot to kill? Because he’s tall and he’s a Black man?”

Cox said she did not find out about her son’s death until nine hours after the November 19 incident. At that point, Applewhite was overdue to arrive in Phoenix, and they were worried that he hadn’t answered their calls. When his aunt saw an online news report about a shooting on a New Mexico highway, she sent it to his sister and mother.

“My aunt thought it couldn’t be him, because the man was dead and we hadn’t heard from the police,” said Baysia Cox, Applewhite’s sister. “But I knew it was Rodney when I saw that it was his car.”

At about 5 p.m. Applewhite’s mother called the NMSP but was told she needed to email them proof of her identification before they could speak with her. She did so, and then spoke to NMSP officer Charles Volk.

Hoping for more information, Katrina called again on the morning of November 20 and was told that the police would follow up with the family. Since then, they’ve heard nothing. As of press time, state police had not even released Applewhite’s name.

In a November 24 email to Searchlight New Mexico, the NMSP said it had no new details to provide, adding that the incident was under investigation. Family members have been left with only the barest details offered in a press release.

“We just want the truth, and to know everything was done the correct way,” Baysia Cox said. “But we haven’t heard anything, and it just didn’t feel right to us.”

According to the press statement, Applewhite was driving his gray Chrysler 200 on the Manzano Expressway, a barren two-lane road east of I-25, when the first officer tried to pull him over. He fled and the state police pursued him, using tire-deflation devices to try to stop him. About seven minutes later, a dispatcher described his whereabouts and the two officers involved in the shooting inci-
dent found him standing outside the car. When they tried to take him into custody, Applewhite resisted arrest and grabbed one officer’s gun, the report said. The second officer shot and killed him.

Applewhite is the second Black American to be fatally shot by police in New Mexico in the past five years. The first, 40-year-old John Bailon, was also killed in Los Lunas — shot 12 times by Valencia County deputies in January 2018. Bailon’s estate brought a wrongful death suit against the county, which recently settled the case, said Philip Davis, a plaintiffs’ attorney in the proceeding.

Excessive use of force is a serious problem today in New Mexico law enforcement, Davis said. “If you ask communities of color, they’ll tell you it’s been bad for 100 years, or 300 years. We give officers an awesome amount of power to use force, and too often they abuse that force.”

There have been 114 fatal police shootings in New Mexico since 2015, according to a Washington Post database of police shooting deaths. Body cameras, which help document possible law enforcement abuses, were used in only 16 of those cases, the data show.

TRYING TO CHANGE HIS LIFE
Applewhite was on probation, stemming from an incident in 2015, when two of his friends robbed a drug dealer during a party, carrying an unloaded gun. Applewhite was waiting outside in the getaway car. At the time, he was in the National Guard and attending college at Indiana University South Bend.

“He knew he was on probation and just freaked out,” his mother said. “You know, [with] police behind you. Anyone would freak out.”

It was through Facebook and texts that Searchlight learned about the shooting. This reporter grew up in South Bend and went to high school with Rodney, playing with him on the same football team. Rodney was a linebacker, a talented and hardworking athlete who was known for his cheerfulness. His dimples made it look like he was always about to smile.

Since January 2021, Applewhite had been working two jobs — at a factory in Elkhart, Indiana, as well as at a Mexican restaurant in Elkhart.

“He was just trying to figure out how he could change his life so he wouldn’t end up back in jail,” said Rhamon Mallard, a close friend of Applewhite’s.

“The thing that I really didn’t like about the police report,” Mallard added, “is that they didn’t want to put his name out there. But they did say that he was a criminal.”

A PERSONAL CONNECTION
Over Facebook, one of Applewhite’s co-workers described how much she appreciated him, passing along a message she got from him when they first met. “I drive a forklift in Elkhart for a carpet company and I plan on doing online classes for accounting and finance because I’m really good with numbers,” Applewhite wrote her. “I like to play basketball and write poems on my free time. I’m a firm believer that beauty and riches come within. LOL I’m an open but closed book.”

Instead of celebrating Thanksgiving with him, Applewhite’s family is answering call after call from loved ones across the country, and organizing his funeral.

“I’ve lost my only sibling,” his sister said. “What am I supposed to be thankful for?”

IMAGES

INSTEAD OF CELEBRATING THANKSGIVING, APPLEWHITE’S FAMILY IS ORGANIZING HIS FUNERAL. “I'VE LOST MY ONLY SIBLING,” HIS SISTER SAID. “WHAT AM I SUPPOSED TO BE THANKFUL FOR?”

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MORE DEADLY POLICE SHOOTINGS

AT LEAST 114 PEOPLE IN NEW MEXICO HAVE DIED IN POLICE SHOOTINGS SINCE 2015, A WASHINGTON POST DATABASE SHOWS.

The Rodney Applewhite incident was the state’s 14th fatal shooting this year. Several other deadly shootings by state police have also occurred in the Los Lunas area.

ON OCTOBER 17, a state police officer shot Richard James Romero, 49, after a high-speed car chase that started near Los Lunas and ended on Interstate 40 near Laguna Pueblo, involving Valencia County Sheriff’s deputies, Laguna Tribal Police and the NMSP. After Romero’s car crashed, he fired a gun through his front windshield; an officer returned fire, the NMSP reported.

ON APRIL 12, after another high-speed chase in Los Lunas, a state police officer fatally shot Ruben Deleon, 25, and wounded his brother, Alonzo Deleon. The officer began pursuing the vehicle after he saw it race through a stop sign. When the car crashed into a ditch, the brothers climbed out and confronted the officer, who fired on them.

AND ON MARCH 14, state police officers fatally shot Jeremiah Medina after a high-speed car chase that began in Espanola. Medina, 31, driving a stolen car, had sped off when an officer tried to initiate a traffic stop, the NMSP reported.

ORGINIZING HIS FUNERAL.

I’VE LOST MY ONLY SIBLING,” HIS SISTER SAID. “WHAT AM I SUPPOSED TO BE THANKFUL FOR?”
IN JULY, NEW MEXICAN NEWSPAPERS published a letter by Attorney General Hector Balderas disparaging the efforts of an unnamed woman — “insistent on getting her way” — to derail a proposed multibillion-dollar utility merger. Days later, Mariel Nanasi, the head of New Energy Economy, sat at her computer, smirking at the ambiguity of the letter by Balderas. She read, “That would be me.”

Still, she often wins in court and in the commission meetings where energy-regulation decisions are made. Her vision goes beyond renewable energy, to ending what she sees as New Mexico’s role as an “energy colony.” She wants to see the public own and control the flow of electricity, rather than the large companies that have historically profited from it.

Nanasi has gotten used to political mudslinging during her time at the helm of New Energy Economy, a Santa Fe-based renewable-energy advocacy group. A former civil rights lawyer in Chicago, Nanasi developed a bold legal approach in high-profile police misconduct cases. These days, she applies that same passion and energy to theUtilities Commission, where energy-regulation decisions are made. Her uncompromising pursuit of that vision has put her at odds with environmental groups. It’s even more often pitted her against PNM executives, who see her as willing to subvert the needs of the New Mexican public in pursuit of profit.

“I do hate them, but I hate them because they are liars and cheaters and they steal from the poorest people,” she said.

For Nanasi, the battle over the proposed merger is a culmination of everything she’s ever fought for, one that will decide whether New Mexico doubles down on its current energy model or works toward something new.

In October 2020, PNM and Avangrid, an energy company with utilities and generation facilities in 24 states, announced their intentions to merge. The $8.3 billion deal is worth 20 times PNM’s projected earnings next year and would deliver a $713 million cash buyout to company shareholders. The merger would make PNM a subsidiary of Avangrid, which is itself a subsidiary of Iberdrola, a Spanish company with $38 billion in revenues and energy operations around the world.

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It would make PNM a part of the international energy market, instead of just the biggest fish in New Mexico’s relatively small pond. The companies argue it would also be a move to clean up PNM’s fossil-fuel-riddled legacy.

PNM, which provides electricity to some 800,000 homes and businesses, is one of the most influential companies in New Mexico. It is one of the largest corporate contributors to state elections, outspent only by Chevron and Devon Energy since 2014. PNM and lobbyists affiliated with the company gave more than $50,000 to Michelle Lujan Grisham’s campaign for governor, making them one of her largest contributors. They’ve poured hundreds of thousands of dollars into elections for the Public Regulation Commission, PNM’s own regulating body, and to dark money groups linked to election spending in New Mexico.

The company makes no secret of its disdain for New Energy Economy. PNM executives have publicly admonished Nanasi, while shareholders once took out a full-page newspaper ad directly attacking her.

“Michelle — excuse me — Governor Lujan Grisham has always been open to education and learning,” said PNM spokesman Ray Sandoval. “But what if that were New Mexico’s money?”

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“Michelle — excuse me — Governor Lujan Grisham has always been open to education and learning,” said PNM spokesman Ray Sandoval. "But what if that were New Mexico’s money? PNM executives are usually tight-lipped about the company’s political spending, most of which is coordinated through an employee-funded PAC. In the 2018 election, the PAC poured $165,150 into state races. When asked about the company’s political influence, CEO Patricia Vincent-Collawn said its aim was purely educational.

"Michelle — excuse me — Governor Lujan Grisham has always been open to education and learning," said Vincent-Collawn, who has personally given at least $6,000 to Lujan Grisham’s past congressional campaigns. "It happens that our visions are aligned, but I don’t think any contributions we would give to the governor would make any influence on her."
made by the governor,” said Kendall Witmer, a spokesper-
son for the Lujan Grisham campaign.
Utilities typically wield outsized influence in state gov-
ernment, many are allowed competition-free monopolies in
return for state regulation. They often own large portions
of the infrastructure that goes into generating and deliv-
ering electricity; the more they own, the more they can
charge customers, making big investments economically
appealing.
Nanasi sees this as a perverse incentive for utilities to in-
vest in large, costly fossil-fuel infrastructure. It is one of the
driving forces holding back the expansion of clean energy,
she says, arguing that renewables — particularly solar en-
ergy — threaten this century-old utility system. Rather than
shift their business models, many utilities in the U.S. have
worked to rig the carbon-free energy transition in their
favor, pushing for bailouts or laws that stifle competition.
For example, in 2020, federal agents uncovered a $60
million bribery scheme orchestrated by an Ohio state rep-
resentative and the utility FirstEnergy Solutions to pass a
massive bailout. Investigations by media and law enforce-
ment have uncovered dark money groups funded by utili-
ties in Michigan, Arizona, Wyoming and others, as well as
a bribery scheme in Illinois where executives arranged pay-
ments to elected officials.
PNM hasn’t been implicated in illegal schemes, and its
spending habits are common in modern politics. While PNM
and its allies have lobbied for policies that help its bottom
spending habits are common in modern politics. While PNM
wasn’t having it. She argued that PNM’s decision to reinvest
in a dirty coal plant not only damaged the environment but
amounted to bad budgeting — and that utility customers
should not be held responsible.
She won when the PRC administrators agreed with her.
But that was only round one. When the ruling went up
for a vote, the full commission decided to defer the deci-
sion, buying the utility time. In 2019, the company turned to
the state’s legislature, pushing members to pass the Pub-
clic Regulation Commission, an elected five-member board
that regulates the state utilities. PNM wanted ratepayers to reimburse them for $148
million it had spent on pollution controls and upgrades for the
Four Corners Power Plant on the Navajo Nation. Nanasi
wasn’t having it. She argued that PNM’s decision to reinvest
in a dirty coal plant not only damaged the environment but
amounted to bad budgeting — and that utility customers
should not be held responsible.
Nanasi got her start in law in the early ’90s, working on
people’s rights and police misconduct cases in Chicago. Her
courtroom clashes with the Chicago Police Department
often wound up in local newspapers and they bear resem-
bliance to her more recent spats with PNM.
“It’s not that she’s not willing to make a deal, but that
there are certain principles she will not compromise on,”
said her husband Jeff Haas, one of the founders of the
People’s Law Office, well-known for its defense of activists,
Puerto Rican nationalists and Black Panthers. He says she’s
made enemies of many of the environmental groups in
the state, in spite of their shared focus on climate change.
“I think that does take a personal toll, because she gets
blamed for the fact that she’s really standing up for the
principles that they all should be fighting for”
”the more Nanasi fought against fossil fuels, the more
her focus began to shift to the arcane dealings of the Pub-
lic Regulation Commission, who represents utility customers’ interests in the merger
hearings — agreed to sign on to the deal at the request of
Marcus Rael, a lawyer for Iberdrola and a close friend.
A spokesman for Balderas called the corruption accusa-
tions a “sideshow,” but the hearing examiner charged with
overseeing the case, Ashley Schanouer, sided with Nanasi.
In early August, Schanouer ruled that there was a clear
conflict of interest with Iberdrola’s lawyer and ordered Rael
to step down.
A few weeks later, on the day of the first live-streamed
hearing, Nanasi wore a pastel tweed jacket, her long hair
pulled back from her face, her face floating in the bottom
corner of the screen — just one more muted talking head.
But called to speak, her energy and disdain for the oppos-
ing lawyers was palpable. After a PNM lawyer unleashed
a string of objections to her argument, she dramatically
rolled her eyes before explaining her reasoning for present-
ing certain evidence.
As one of the only parties opposing the merger, Nanasi’s
role seemed outsized. Though she may lack the support of
prominent environmental groups, Nanasi was not entirely
alone. As the hearings began, a solar engineer who grew
up in New Mexico sent New Energy Economy $150 and a
reminder: “Fight, Fight, Fight!”
WHEN INDIGENOUS PEOPLES’ DAY ARRIVED, the sun cast a low, warm light on the obelisk. The Soldiers’ Monument, as it’s officially known, was already looking besieged as a crowd began to gather around it for a third day of demonstrations. The tip of the 33-foot structure — a presence in the Santa Fe Plaza for 152 years — had been removed months earlier by contractors in the middle of the night. There was still the vague silhouette of red spray paint — marks left by protesters — that couldn’t be scrubbed from one of its four sides. And one of the marble tablets at the obelisk’s base was entirely busted. It had once read: “To the heroes who have fallen in the various battles with savage Indians in the territory of New Mexico.” In the 1970s, an Indigenous man chiseled out the word “savage” in broad daylight. In its place, others had written adjectives like “resilient.”

Masked bystanders pressed up against the flimsy metal blockade that enclosed the obelisk, as Three Sisters Collective, the group of Indigenous women who’d called on Santa Fe Mayor Alan Webber to remove it in June, stood in the nearby bandstand, speaking of a city that only valued Native people as tourist commodities. “This,” they called out, “is Tewa land.” As the women spoke, city workers erected a second protective barrier around the monument, an effort that had the feeling of a last stand.

For Indigenous peoples, the obelisk was a proxy for the trauma caused by waves of colonization, by genocide, by decades of missing and murdered Indigenous women, and this year, by the disproportionate impact of COVID-19 on the Navajo Nation and other tribal lands. Some in the Spanish community, however, said the removal of the monument would be a painful reminder of decades of displacement, gentrification and the marginalization of Spanish culture. Obelisk supporters, including large numbers of Anglos, believed taking it down would be akin to erasing the past.

The obelisk epitomized some of Santa Fe’s most harrowing history and raised the city’s thorniest questions. Who owned the Plaza? Who could lay claim to the historic eastside? Even today the city was being colonized, it was argued, this time by wealthy, mostly Anglo transplants who’d turned the barrios into million-dollar neighborhoods, pushing locals to the margins.

“What are you gonna do, white allies?” one of the speakers at the Plaza challenged the mostly Anglo crowd. “Are you gonna go buy more fake Native American jewelry?”

REST IN PIECES

BY ALICIA INEZ GUZMÁN | DECEMBER 29, 2020

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BY 2020, SANTA FE, LIKE OTHER AMERICAN CITIES, WAS PRIMED TO RECONSIDER WHO AND WHAT WAS MEMORIALIZED IN PUBLIC SPACES.
‘MOMENT OF MORAL TRUTH’

Mayor Webber had called for the removal of the obelisk and two other monuments almost four months before the demonstration on the Plaza. He’d met with the Three Sisters Collective — including Diné, Comanche, Mohawk, Chicana and Pueblo women — and hours later released a statement. The city, it read, had “arrived at a moment of moral truth.” What that meant was unclear.

It marked the end of a slab of sandstone that was reviled by many, ignored by most and cherished by a few. Throughout its life, its glorification of violence divided residents. Now nothing but rubble, it was still causing rifts and exposing the chasms of resentment and pain that New Mexicans have carried for centuries.

Christopher Columbus fell. Some were detached from pedestals with torches, lifted off by cranes and carted off in flat-bed trucks. Others were spray-painted, beheaded or leveled by dissenters, who held that they were public testaments to racism, genocide, colonialism and other forms of state-sanctioned violence.

In Santa Fe, the obelisk continued to be listed as the “American Indian War Memorial” in the city’s online inventory, an indication that understandings of its history remained entirely misleading and inaccurate.

PRESIDENTIAL PARANOIA

The obelisk was originally intended to honor Union soldiers who died in Civil War battles in New Mexico territory. But in 1867, two years after proposing the monument, the territorial Legislature decided to add the now-infamous inscription, paying homage to those killed while fighting Native Americans.

One might wonder why lawmakers would float the idea of a Civil War memorial. The brunt of the fighting, after all, happened east of the Mississippi. But the war also included brutal battles in the West and Southwest to defeat Confederate forces and put down uprisings that President Abraham Lincoln perceived to be just as threatening.

“All the tribes between the Mississippi River and the Rocky Mountains” were planning an attack on white settlements, Lincoln erroneously declared in his 1862 State of the Union address. The 1860 Homestead Act had made millions of acres — much of them in Indigenous territory — available to settlers, who poured West to stake their claims. Their arrival sparked armed conflicts with peoples like the Navajo, Ute, Apache and Comanche. Playing into the paranoia that tribes were banding with the Confederacy, Lincoln dispatched Union soldiers to snuff out the rumored insurrections.

Native Americans, and Hispanics were dispatched to fight for the Union — a classic tactic of divide and conquer. For as they went to battle, the Union was engineering history’s most massive transfer of land and wealth from tribal and Hispanic populations to white settlers and land barons, a maneuver that still has implications today.

COLONIALISM BRINGS ERASURE

Obelisks are expressions of imperial and colonial presence, dirges to Confederate loss and observances of Union triumphs. That they are overtly phallic makes them not masculinity incarnate, but simulations — a bluff, you might say. The phallus, the French psychoanalyst Jacques Lacan once lectured, makes us think there is power where there is none. When American forces arrived, they needed a language to demonstrate influence. The obelisk was the very anchor of that vocabulary.

In Santa Fe, public spaces themselves were statements of oppression. Before the American annexation of New Mexico, the Plaza was an open, dirt expanse “used for a variety of purposes — social activities and gatherings, an announcement space, and also ceremonies,” said Porter Swentzell, professor of Indigenous liberal studies at Santa Fe’s Institute of American Indian Arts. When American forces arrived, the Plaza and its surroundings were shaped into a proper American square, an effort that Swentzell calls an “architecture of violence.”

The Plaza became the pivotal battleground for the Americanization of Santa Fe. Pueblo and Hispanic parades and religious festivals around it were replaced with Fourth of July parades. American merchants purchased adobe buildings along the square and remodeled them, ushering in a style that attempted to mimic the Greek Revival tradition, but that — given the death of brick in the region — created a strange Southwest composite. Trees and grass were planted. Military bands played American tunes from a bandstand in the central square.

The insertion of the obelisk into the Plaza in 1868 was yet another reminder that Santa Fe was American. It was a statement of imperial might in a city that 20 years prior had been part of the Mexican Republic.

The Americanization ran parallel to other efforts to whitewash the city’s mixed Indo-Hispanic population — racist campaigns that Swentzell refers to as a “rehabilitation of Mexicans into Spaniards.” New Mexico, the U.S. Congress believed, was “too Mexican” to be granted statehood. So white tourism boosters, anthropologists and legislators (many of them slave owners) began a massive rebranding to cast residents as Spanish-American, an identity that was “closer to white.” Claiming pure Spanish ancestry was a way to identify with your oppressor so that you could eat scraps at the table he took from you.

In Santa Fe, this cultivated a certain self-erasure, a denial of one’s ancestry. “The only people who’ve been unhurt are white people,” Artemisio Romero y Carver, the city’s youth poet laureate, said.

New Mexicans who want to hold onto monuments that honor Spanish colonizers or brutal U.S. conquests are, in a sense, trying to feel some semblance of control over their hometown, Swentzell said.

But there is no real control. Barrios on the historic east side, once predominantly Hispanic, are now some of the most expensive real estate in town. Houses there regularly sell for upwards of a million dollars, mostly to white residents. Some 20 percent of the owners only live in Santa Fe part-time.

The city is bearing witness to another wave of gentrification, or, perhaps, a continuation of something that never ended.

The obelisk, then, was never truly meant for anyone here. Nor could it ever truly reflect the complexity of identities that reside in this region.
THE DAY THE WAR ON DRUGS CAME TO CHIMAYÓ

On a September morning in 1999, federal agents descended on the village as part of a nationwide heroin crackdown. The bust changed nothing and everything.

FRANCESQUITA MARTINEZ’S WORDS ARE SLOW and deliberate, perhaps a result of the methadone she’s taking to kick her addiction, perhaps because she is lost in the memory of September 29, 1999 — the Archangel’s day. The day the war on drugs came to Chimayó.

Francesquita, 8 years old at the time, had slept overnight at her grandparents’ house, where her father was living. She was getting ready for school that morning when she came across him, looking worried. “Good morning, baby,” he said, placing his index finger over his mouth and listening as if he heard movement outside. “Shhhhh.”

Within seconds, men in SWAT gear battered down the door of the house. “GET DOWN ON THE FLOOR!” they shouted, assault rifles drawn.

“I sat on the couch watching my dad being slammed to the floor, guns pointing at him, at my grandma, even one at me,” Francesquita, now 30, recalls. All she could do was cry. “I just wanted so badly to run to my dad and lay on him and tell them, ‘Please don’t take him! Please don’t take him.’ But I couldn’t — I was frozen.”

Almost everyone in Chimayó, a rural village located halfway between Santa Fe and Taos, can recall a fragment of that morning. If nothing else they remember the sounds — the sirens and helicopters — and the overwhelming feeling of confusion. At dawn, 150 law-enforcement officers, including DEA and FBI agents, descended on the town, beat down doors, and in one instance shot and killed pet dogs in their determination to find suspects in the heroin trade. Thirty-four people were arrested.

The national media pounced at the opportunity to narrate Chimayó’s demise: The village became a news sensation, drawing reporters from across the country, eager to mine an exotic new narrative about heroin. This wasn’t the standard story about addicts in urban helscapes; it was about a Hispanic hamlet with breathtaking vistas. “Beautiful land, ugly addictions,” as The Los Angeles Times put it.

Francesquita describes the bust during a recent visit to her mother’s house, a single-wide in Chimayó, located off a labyrinthine county road lined with soaring cottonwoods, thick-walled adobe homes and a morada, a meeting house for a religious brotherhood. Just down the road is the seven-acre Barela compound, where dealers once plying their trade. Confiscated by the federal government, it’s now overgrown with mullein, wild lettuce, juniper and cota plants among buried car parts and tangled barbed wire. Francesquita says her grandparents’ place still stands on the other side of town, across the arroyos that overflow in the monsoon season and State Road 76, where lowriders cruise on Sundays.

This story isn’t just a news headline to me; it’s personal history. I grew up eight miles northeast, in an even tinier village called Truchas. At 13, I saw our communities become a spectacle. It wasn’t lost on me that the raid happened on the day the Archangel Michael is said to have defeated
Lucifer in a war over heaven. The bust has hung like a spec-
ter over Chimayó ever since.

My mother, then the principal of Chimayó Elementary, can still picture the helicopters hanging low on the skyline when she drove to school that morning. Some of her stu-
dents, children rumored to be the sons and daughters of the arrested, were no-shows. One parent was in her office. Her husband had been arrested and their house raided. In a school with fewer than 300 students, many of them rela-
tives or neighbors, it was as if the rapture had hit. And those who remained either bore witness or were left to pick up the pieces.

“Que lástima,” my mother says of the day. What a tragedy.

I often tagged alongside my mom on after-school home visits, riding shotgun in an old Buick down Chimayó’s dirt lanes. She’d climb up makeshift porches and knock on doors. “Donde ‘sta?” she’d ask, looking for one kid after another. Years later I found out who we were searching for: absentees, children whose parents had fallen into addiction or were in jail.

Only 3,000 people lived in Chimayó, so the arrests touched nearly every family. The village, it turned out, was the first stop in a sweeping nationwide sting called Operation Tar Pit, involving hundreds of DEA and FBI agents, local police and sheriffs in a crackdown on traffickers peddling black tar heroin from Nayarit, Mexico. At least a dozen cities were raided, netting more than 200 arrests from San Diego to Detroit. Chimayó was the smallest target by far.

FROM PICKLE JARS TO CHOPPERS

In earlier times, Chimayó was famed for its weavings, chiles, apple orchards and a church called El Santuario de Chimayó, where thousands flock each year in a holy pilgrimage. Today, it’s marked by resilience and blight — thriving fields among abandoned houses and water-filled acequias beside fellow plots of land. Only drug dealers and employees of the nearby Los Alamos National Laboratory had the good roofs in town, as a postmaster in Truchas once put it:

Few remember a time before LANL’s arrival in 1943, when scientists were secretly recruited to northern New Mexico to make the atomic bomb. The lab held the region’s best-paying jobs, pulling men and women out of their fields in the Española Valley and into blue-collar work in Los Alamos, an exodus that left a generations-old agricultural economy fragile. Hispanic or Indigenous workers were often given the most dangerous and low-paying jobs, as janitors, security guards or laborers cleaning up nuclear waste.

Chimayó and Truchas became rural commuter suburbs that saw little of the prosperity Los Alamos enjoyed, creating a racial and economic chasm that only widened with time. Los Alamos County, almost 70 percent white, has one of the nation’s highest median incomes; neighboring Rio Arriba County, 70 percent Hispanic, is one of the poorest counties in the state.

The decline in agriculture led to a loss of cultural practices, fueling a deep sense of melancholy in entire families, which in turn fueled substance abuse. The lab’s “dried up the souls of the people here,” as a beloved local priest said.

FROM PICKLE JARS TO CHOPPERS

By the ’90s, the town was beset by accidental drug over-
doses, some due to black tar heroin — inky, viscous and 70 percent pure — but most due to a combination of sub-
stances, including alcohol and pills. “It was dismal,” says Quintin McShan, a retired state police captain patrolling Chimayó at the time. “They were filling up the cemetery with mostly Hispanic youth.”

Desperate for help, a small group of residents formed the Chimayó Crime Prevention Organization and pressed for an intervention. Crime had “reached epidemic propor-
tions,” Bruce Richardson, the group’s president, said. Sue Ellen Straie, who would go on to found the Chimayó Youth Conservation Corps, recalled that even before she signed the final paperwork on her adobe house, “the place was cleaned out.” Addicts might take anything from a lightbulb to a TV, then sell it to feed their habit. Used hypodermic needles ended up in acequias, where farmers drew water for crops. In a dramatic flourish, Richardson gathered up some needles, put them in a pickle jar and wielded it at hearings and news conferences, a prop that never failed to garner outrage.

Resident Linda Pedro called on the Penitente broth-
erhood to lead pilgrimages from nearby Española to El Santuario. Mothers of children who’d died of overdoses were among the supplicants. One carried a portrait of her daughter, Venessa Valerio, a nine-year-old diabetic who was fatally shot by a heroin addict who’d broken into their home looking for insulin syringes.

To the relief of many, U.S. Senator Pete Domenici of New Mexico called for a major crackdown. It was critical to declare war on the “terrible scourge of heroin,” the Repub-
lican lawmaker said.

But it wasn’t until helicopters roared into Chimayó on September 29 that anti-crime residents, along with every-
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GOOD ROOFS, SECRET RECRUITS

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There’s no way around it. Our “Chaos and Cannabis” series is a prime example: The eight-month project revealed that an alleged “hemp” farm on the Navajo Nation was actually a massive illegal marijuana operation that relied on human trafficking and child labor. The series triggered investigations by the U.S. State Department’s human trafficking unit, the FBI, DEA and other authorities. Trafficking victims were helped directly: The state dropped charges against them and helped them return home.

**THE TOTAL COST?** $85,000, which paid for reporting, editing, photography, fact-checking, Diné translations and more.

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Local nonprofits and residents are committed to breaking the cycle. Among them are Miguel Moreno, a recovering heroin addict, and his friend Marcos Vigil, who have founded a farm called Chimayó Hemp Enterprises, which hires people recovering from addiction.

The farm sits just north of the Barela compound — ground zero for the bust. Vigil ushered me through the acreage, pointing out a robin’s egg blue fender that’s jutting from a riverbank. Years ago, he and others in the Chimayó Youth Conservation Corps hauled away most of the detritus. But this piece somehow remained, swallowed by overgrowth and age-old remedios for ailments of all kinds — stomach aches, ear infections, pain, abscesses and anxiety.

“This went from a place that poisoned the valley to a place that could potentially heal,” Vigil tells me. But now, it was abandoned and, like the memory of the bust, only partially scarred over.

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“I WISH ONE DAY THERE WOULDN’T BE NO DRUGS HERE.”
— BERTHA MARTINEZ
we give thanks.
to us in 2020. To all of you,
Many others gave
whose time, money and
$500-$1,000 PER YEAR
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Nancy Wirth
Jeff Wilson
Nan Schwanfelder
Bill Richardson
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