

SANTA FE NEW MEXICAN

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Shawn Charlee **Octaviano Vigil** **Jared Oshnell** **Hunter Schumaker**

4 snared in online child-sex sting

By Nico Roesler
The New Mexican

Three Santa Fe men and an Arizona resident have been arrested on charges of soliciting sex with a child, and 10 other people are being sought in connection with a sting

operation run by the Crimes Against Children Unit of the Santa Fe Police Department.

Police said one of the men, Shawn Charlee, 35, traveled to Santa Fe from Tuba City, Ariz., apparently convinced that he would be meeting with a 13-year-old girl.

"Instead of meeting a 13-year old girl, he met with a couple detectives from our unit," said Santa Fe police Lt. Louis Carlos. Arrests at residences around Santa Fe began Jan. 30 with Charlee, Octaviano Vigil,

Please see **SNARED**, Page A-5

CITY COUNCIL CANDIDATE PROFILES DISTRICT 2

3 newcomers face off



From left, Santa Fe City Council District 2 candidates Peter Ives, Elizabeth "Dolly" Lujan and Bob Sarr participate in a January forum presented by the Democratic Party of Santa Fe County. CLYDE MUELLER/for the NEW MEXICAN

Peter Ives

Age: 57
Education: Bachelor's degree in philosophy from Harvard College; law degree from Georgetown University.
Occupation: Senior counsel with Trust for Public Land for the last 14 years.
Experience: Spent 15 years in private law practice; serves on the boards of the New Mexico Activities Association Foundation, Diné People's Legal Services and New Mexico Academy of Healing Arts; taught law courses at The University of New Mexico.
Personal: Moved to Santa Fe in 1983; serves as an officer of the Knights of Columbus for St. Francis Cathedral Council 1717; is married to attorney Patricia Salazar; has three adult children; lives in the Sol y Lomas neighborhood.
Campaign info: Publicly financed campaign; santafeives@aol.com.

Elizabeth "Dolly" Lujan

Age: 64
Education: Nursing degree from Northern New Mexico Community College.
Occupation: Nurse.
Experience: Worked at Christus St. Vincent Regional Medical Center for more than 40 years; now works at Southwestern Ear, Nose and Throat and for a nursing agency; served on Santa Fe County Health Board; former president of District No. 1199 Hospital Employees and Nurses Union; ran in 2008 County Commission race.
Personal: Lifelong Santa Fe resident; married to Tobias Lujan; three adult children, seven grandchildren; daughter Tara Lujan is running for Santa Fe County clerk; son Eric Lujan has run unsuccessfully for City Council.
Campaign info: Privately financed campaign; \$1,000 contribution from the AFSCME; dlujan@msn.com.

Bob Sarr

Age: 69
Education: Bachelor's degree in economics from Drew University, master's in business administration from Stanford University.
Occupation: Runs BSarradventures, a small business that hauls and sorts recyclables.
Experience: Retired president of Santa Fe Southern Railway; U.S. Army Medical Service Corps officer, 1967-70; labor relations specialist for Procter & Gamble; personnel manager for Buckeye Cellulose; consultant for Colgate-Palmolive Europe.
Personal: Moved to Santa Fe in 1990; married to Carol Raymond; two adult children.
Campaign info: Publicly financed campaign; http://facebook.com/sarrbob.

Santa Fe's southeast-side City Council District 2 will again get a new representative no matter who wins in the upcoming municipal election. First-term Councilor Rosemary Romero opted not to seek a second term, and three people are campaigning for the open seat. Before Romero, the seat was held for eight years by Karen Heldmeyer.

None of the current candidates has held elected office before, but all have lived in District 2 for most or all of their time in Santa Fe.

Lifelong resident Elizabeth "Dolly" Lujan, a nurse, is competing with two men who have spent several decades in the city. Bob Sarr, whose home is off San Mateo Road, is best known around town for his involvement with the Santa Fe Southern Railway.

Peter Ives, who lives in Sol y Lomas, is an attorney with the Trust for Public Land.

The district includes historic neighborhoods along the Acequia Madre and in the South Capitol District that are home both to longtime Santa Fe families and new arrivals. Inside its boundaries are most of the city's medical facilities, view lots in the Sangre de Cristo foothills, high-priced infill condominiums and middle-class subdivisions around the site of a commuter train station that remains unopened.

Each of the four council districts has two representatives, elected to staggered four-year terms. Rebecca Wurzbarger is halfway through her third term as the district's other representative.

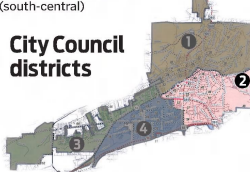
See profiles on Page A-6

COMING UP

This is the third in a series of profiles of City Council candidates:

- ◆ Sunday: District 3 (southwest)
- ◆ Monday: District 1 (north)
- ◆ Tuesday: District 2 (southeast)
- ◆ Wednesday: District 4 (south-central)

City Council districts



Cop job can't factor in

Judge says ex-police officer can't be held to higher standard in his trial. **PAGE A-7**



Obituaries

Pauline P. Cable, 93, Tucson, Ariz., Oct. 17
Daniel Garcia, Santa Fe, Feb. 3
Juan A. Gurule, Santa Fe, Feb. 3
Elizabeth S. Estes, Feb. 1
Manuel L. Salinas, 73, Feb. 3
PAGE A-9



Today

Sunny to partly cloudy, breezy. High 43, low 20. **PAGE B-6**

2012 LEGISLATURE

Little local support for bill to battle corruption

S.F.-area Dems defend 'no' votes; GOP seizes on campaign opportunity

By Steve Terrell
The New Mexican

A weekend vote in the House of Representatives on a corruption bill could have reverberations on the campaign trail around the state.

The House on Saturday voted 41-26 to pass House Bill 111, which would increase criminal penalties when a crime is committed by a public official. It also would mean that officials convicted of crimes — such as embezzlement, bribery and making false vouchers — could lose part of their state pensions and would not be allowed to become lobbyists.

Not long after the two-hour debate on the bill, the state Republican Party emailed a news release with an all-caps subject line that shouted: "TWENTY-SIX DEMOCRATS VOTE AGAINST ANTI-CORRUPTION BILL."

GOP Executive Director Bryan Watkins said in the release, "It appears some Democrats will run for re-election on the platform of giving driver's licenses to illegal

Please see **CORRUPTION**, Page A-12

INSIDE

◆ House panel approves budget; Indian Affairs nominee's confirmation on hold; Legislative roundup. **PAGE A-5**

Expert: Late-season snows may lift state's grim water outlook

By Staci Matlock
The New Mexican

It would only take a couple of hefty snowstorms in the next six weeks to set Northern New Mexico up for a better spring, according to a state snow surveyor.

But the trend right now is toward a continued warm, dry spell in the Southwest due to La Niña, the weather pattern caused by cooler-than-usual temperatures in the oceans around the equatorial Pacific.

Meanwhile, the latest U.S. Drought Monitor map from Jan. 31 shows more than 60 percent of the state, including Santa Fe, is in severe to extreme drought.

Wayne Sleep, New Mexico snow surveyor for the federal Natural Resources Conservation Service, said both the snowpack and latest forecasted water supply through July is better than last year at this time. "We're ahead of

Please see **SNOWS**, Page A-12

Pasapick

Igudesman & Joo

The violinist and pianist present their slapstick-inspired theatrical concert, A Little Nightmare Music, pre-concert talk 6:30 p.m., performance 7:30 p.m., Lensic Performing Arts Center, 211 W. San Francisco St., \$20-\$72, 988-1234, tickets.santafe.org.

More events in Calendar, A-2 and Fridays in Pasatiempo



House panel OKs budget with room for tax cuts

By Barry Massey
The Associated Press

A more than \$5 billion state budget proposal is back on track in the House, and the spending blueprint leaves nearly \$42 million available for possible tax cuts advocated by Republican Gov. Susana Martinez and legislators.

The budget was unanimously approved Monday by the House Appropriations and Finance Committee and sent to the 70-member House for debate and a vote, which likely will happen later this week.

The measure allocates about \$5.6 billion for public education and government programs, including courts and

prisons, in the budget year starting July 1. That provides for a spending increase of nearly 4 percent, or \$215 million.

The proposal doesn't spend all the new revenues that are anticipated next year, leaving \$41.8 million for budget increases when the Senate considers the bill or to offset the costs of tax cuts.

If lawmakers agree on reducing taxes, those proposals will be handled in separate legislation rather than being part of the budget. The governor has proposed \$55 million in tax cuts for businesses and veterans. Democratic lawmakers also are pushing a wide range of tax relief measures.

The budget was on hold last week

in the committee while lawmakers wrangled over a provision that would have withheld money for several of the governor's initiatives if the state's financial revenue weakened.

That provision was dropped from the bill endorsed Monday, but lawmakers agreed on another safety valve if finances deteriorate. The budget will allow the governor to make across-the-board spending cuts to balance the budget if revenues unexpectedly drop.

However, several programs and agencies will be protected from cutbacks: Medicaid, which provides health care for the poor and uninsured children; services for the developmentally

disabled; state prisons; state police and law enforcement in the Department of Public Safety; and agencies with a budget of less than \$5 million, which includes many district courts and district attorney offices.

Some lawmakers have expressed concerns the state might not collect as much money as expected next year because natural gas prices have been falling. However, the latest financial forecast calls for revenues to hold steady at nearly \$57 billion next year.

Public education accounts for the largest share of the proposed budget. Schools, the Public Education Department and other educational programs

will receive about \$2.4 billion, an increase of 3.8 percent, or \$89 million.

The measure earmarks \$8.5 million to help children improve their reading in early grades, which is less than the \$12.4 million requested by the governor. About \$3.5 million is provided for the governor's initiatives to help struggling schools, and \$2.5 million will pay for more frequent testing of students in grades four to 10. The governor told reporters Monday that she was pleased the committee agreed to have her administration allocate the money to school districts rather than having it distributed through the state's school funding formula.

Legislative roundup

Days remaining in session: 9
A cloud over Sunshine Portal bill? A bill to expand the state Sunshine Portal website passed the Senate, but not before the vote passed an amendment that killed nearly all the bill's Republican support.

Senate Bill 30, sponsored by Sen. Sander Rue, R-Albuquerque, would expand the definition of "state agency" to include all branches of state government and would require that the names and salaries of almost all state employees are posted on the Sunshine Portal site.

Gov. Susana Martinez last year issued an executive order requiring state employees to be listed on the website. Rue's bill would make it law, so that a future governor couldn't reverse the order.

But Sen. Eric Griego, D-Albuquerque, offered an amendment that also would add the names and salaries of employees of companies contracting with New Mexico to the state website. Griego and others argued that it's not fair to require the names and salaries of public employees but not those of workers and managers of companies being paid by the state.

"I don't know if it's a poison pill to kill the bill altogether, or if it was political posturing," Rue told a reporter after the vote.

"I don't agree with every name of every [private sector] employee," he told a reporter, "but the corporate officers, great." He also said he agrees that the Sunshine Portal should indicate whether a corporation doing business with the state is based in New Mexico or out of state.

But he said the issue should be thoroughly studied by a committee in the months between legislative sessions.

The Senate passed Griego's amendment, with Republicans voting no and most Democrats voting yes. The bill passed by a 25-16 vote, with Rue the only Republican supporting it. It goes now to the House.

Senate serves up bartender bill? Bartenders and other liquor servers would have to go through more training under a bill passed unanimously Monday by the Senate. But under SB 111, sponsored by Sen. Bob Burt, R-Roswell, the crime of serving alcohol to a minor would be reduced from a fourth-degree felony to a misdemeanor for the first offense.

"We need to understand that many of our servers in the hospitality industry are hard-working people who take their jobs seriously," Burt said in a written statement. "I do not think they should be penalized so harshly by being charged with a felony if they mistakenly accept the fraudulent identification a minor might hand them. By charging a misdemeanor rather than a felony on an honest mistake, we are giving servers one more chance."

The bill goes on to the House. **Trujillo's education amendment fails:** A House Committee last week voted down a constitutional amendment proposed by Rep. Jim Trujillo, D-Santa Fe, that would have made permanent the rate at which the state taps money from a state fund for education.

Trujillo's House Joint Resolution 2 would have kept the 5.8 percent annual distribution from the Land Grant Permanent Fund to public schools and other beneficiaries. That rate is scheduled to begin decreasing next year, eventually going down to 5 percent in 2017.

In a 2003 special election, state voters by a slim margin approved constitutional amendments that increased the percentage of interest on the permanent fund. Then-Gov. Bill Richardson spearheaded that move.

The measure mainly was opposed by many Republicans, who called it a "raid" on the fund.

Lawmakers target metal theft: Senators unanimously passed leg-

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islation Monday to help curtail the theft of metal. SB 67, sponsored by Sen. Steven Neville, R-Artee, would require secondhand or scrap-metal dealers to register with the New Mexico Department of Regulation and Licensing, a news release said. It also would tighten requirements when dealing in metal materials such as electrical transmission wire, transformers and bronze. The dealers would have to record any transactions involving those regulated materials and to upload them to a department database accessible to law enforcement.

"This bill is intended to go after the thieves who are ripping off metal such as copper, brass, steel and aluminum out of buildings, transformers, and even manhole covers," Neville said in the release.

The bill goes to the House now. **Looking ahead:** The annual Legislative Basketball Game between the House and Senate is scheduled for 7 p.m. Friday night in the Santa Fe High School gym. All proceeds from the game will benefit the UNM Cancer Center.

Last year, the event raised \$20,000 for the center. Tickets cost \$5 per person and may be purchased in advance in Room 125 of the Capitol or at the door on game night.

Quote of the day: "Sometimes it's funny down here making sausage." — Senate President Pro Tem Tim Jennings of Roswell during a debate Monday on the Senate floor.

The New Mexican

Confirmation on hold for Indian Affairs pick

Lawmakers question man's ties to store that may sell prohibited gigs



Arthur Allison
The Associated Press

By Barry Massey
The Associated Press

Gov. Susana Martinez's nominee to lead the Indian Affairs Department is under scrutiny from lawmakers over possible illegal sales of cigarettes at a store operated by the Cabinet secretary's family.

The Senate Rules Committee agreed Monday to temporarily postpone a vote on the confirmation of Indian Affairs Secretary-designate Arthur Allison because of questions about the sale of untaxed cigarettes at the Star Ranch Store, which is near Farmington on the Navajo Nation.

At issue are sales to non-Indians of cigarettes without New Mexico's tax and the sale of certain cigarettes that the Attorney General's Office contends are prohibited in New Mexico.

Martinez appointed Allison last year to run the agency. He is the first Navajo appointed to the Cabinet-level job. Allison told the committee that he has turned over the store's operation to his son and doesn't receive compensation from it.

"I take no profit from it. I am not the managing member," said Allison, who described himself as a "passive member" of the partnership that owns the gasoline and convenience store.

However, Sen. Peter Wirth, D-Santa Fe, repeatedly quizzed Allison about his financial stake in the store and said it's possible for a "passive member" to be entitled to a share of a partnership's money. Wirth pointed out that Allison's state financial disclosure statement listed the store under a category of "other business interests in New Mexico of \$10,000 or more." Allison said he included the store because it had sales of more than \$10,000.

At the request of lawmakers, Allison said he will provide the committee with a copy of the operating agreement for the store. Wirth said that will shed light on whether Allison continues to have a financial interest in a store that possibly violated state law.

Wirth and Senate President Tim Jennings, D-Roswell, said the committee must resolve questions about the store and Allison's involvement to avoid a potential confirmation fight in the Sen-

ate. Allison must step down from his \$87,000-a-year government job if the Senate rejects his nomination.

"I don't want to do anything that hurts Mr. Allison's reputation," Wirth said.

Jennings said, "I don't think anybody questions his honesty."

However, several committee members expressed concerns that unregulated sales of certain cigarettes by tribal vendors may put New Mexico at risk of losing some of the more than \$35 million the state receives yearly under a 1998 nationwide settlement with large tobacco companies.

The committee plans to resume considering Allison's nomination Wednesday and wants to hear from the Attorney's General Office, which sent a letter to the Governor's Office last May telling the administration that cigarette sales at Allison's store violate state law and that Allison "is aiding and abetting the sale of contraband."

A month later, a reporter for The Associated Press was still able to buy Seneca brand of cigarettes without a state tax stamp.

Allison told the committee he doesn't know whether the store continued to sell Seneca cigarettes.

The Canadian-based manufacturer of the Seneca brand, Grand River Enterprises, is not certified to sell its products in New Mexico, according King's office. However, the company has sued New Mexico and the attorney general, contending the state can't prohibit the sales of Seneca and other cigarettes on tribal lands. The company describes itself as the largest manufacturer of Native American-made tobacco products in North America.

Under a 2010 law, New Mexico increased its tax on cigarettes by 75 cents a package to a total of \$1.66. However, the state agreed to give tribal retailers a price advantage by exempting them from 91 cents of the New Mexico tax if a tribe or pueblo levied its own tax of at least 75 cents.

Allison said the Navajo Nation charges a tax on cigarettes. However, the tribal government has not certified to the state that the tax meets requirements of the 2010 law, according to a spokesman for the Taxation and Revenue Department.

Arthur Allison must leave his \$87,000-a-year job if the Senate rejects his nomination.

Snared: 3 suspects released on bail

Continued from Page A-1

37, of 3 Val Verde Drive, Jared Oshell, 35, of an unidentified address in Santa Fe; and Hunter Schumaker, 19, of 1071 Willow Way, also were arrested and charged with child solicitation by electronic communication and criminal sexual communication with a child. Arrest warrants also were issued for up to 10 other unnamed suspects. Vigil is being held on a cash-only \$100,000 bond. Charlie was released Wednesday, according to Santa Fe County

jail records, and Oshell and Schumaker were released Friday. Oshell faces arraignment Feb. 13 in Magistrate Court.

Detectives in the unit, who were trained in the attorney general's Crimes Against Children Task Force, posed as 13-year-old children on websites such as Facebook, Craigslist and Google Plus.

Since Jan. 23, the detectives engaged in the sting have accumulated a list of about 10 suspected sexual predators.

It didn't take long for officers

to collect incriminating evidence through chat sites and online messaging boards, Carlos said.

"The types of predators, they immediately start to solicit sexual acts," he said.

"We have worked cases where members of the unit... will either portray or absorb the identity of a child and use social-media sites as the place where all of this sort of evolves," Carlos said.

Contact Nico Roessler at 986-3089 or nroessler@fnmexican.com.

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