

JUDICIAL RETENTION RECOMMENDATION DETAILS

Supreme Court Judge Retention

- **David K. Thomson** **Recommendation: Vote NO on Retention.** 2019 Appointed by Gov. Michelle Lujan Grisham
 - 2026 Concurred in a decision allowing an attorney to clerk for the Supreme Court in lieu of passing the bar exam.
 - 2025 Invalidated abortion restrictions adopted by Lea and Roosevelt counties and Hobbs and Clovis. State statutes preempted the local ordinances, including abortion-clinic licensing and private enforcement provisions.
 - 2024 Denied a request to compel certification of referendum petitions against two 2023 election laws. Held the laws exempt from referendum under NM's public peace, health, or safety exception.
 - 2023 Affirmed the district court's decision upholding NM's congressional map. Held that factual findings had substantial evidentiary support, supported the legal conclusions, and disclosed no legal error.
 - 2023 Concurred with the decision requiring Equity in Justice continuing education for attorneys.
 - Plus several cases upholding the release of repeat offenders.

Shannon Bacon **Recommendation: Vote NO on Retention.**
Co-founder of Emerge New Mexico 2019 Appointed by Gov. Lujan Grisham

- 2026 Concurred in a decision allowing an attorney to clerk for the Supreme Court in lieu of passing the bar exam.
- 2025 Wrote the court's opinion that invalidated abortion restrictions adopted by Lea and Roosevelt counties and Hobbs and Clovis. State statutes preempted the local ordinances, including abortion-clinic licensing and private enforcement provisions.
- 2024 Denied a request to compel certification of referendum petitions against two 2023 election laws. Held the laws exempt from referendum under NM's public peace, health or safety exception.
- 2023 Wrote the dispositional order affirming the district court's decision upholding NM's congressional map. Held that factual findings had substantial evidentiary support, supported the legal conclusions, and disclosed no legal error.
- 2023 Sponsored the decision requiring Equity in Justice continuing education for attorneys.
- Plus several cases upholding the release of repeat offenders.

Detail on why we recommend voting NO on retention. Emerge graduates or affiliates are an automatic NO vote. For more information, visit [Better Together New Mexico News](#)

District & Lower Court Judge Retention

FIRST JUDICIAL DISTRICT

NO • Francis J. Mathew, Division 1, Santa Fe, Rio Arriba, Los Alamos Counties. Mathew's 2022 ruling removed Couy Griffin from office and disqualified him under the Fourteenth Amendment's insurrection clause. The U.S. Supreme Court declined to hear Griffin's appeal in March 2024. **Emerge graduate.**

NO • T. Glenn Ellington, Division 7, Santa Fe, Rio Arriba, Los Alamos Counties. Judge Ellington has historically been a key stakeholder in implementing and managing the First Judicial District's Pretrial Justice Program, which focuses on balancing community public safety with standard pretrial release conditions.

NO • Kathleen McGarry Ellenwood, Division 10, Santa Fe, Rio Arriba, and Los Alamos Counties. **Emerge graduate.**

SECOND JUDICIAL DISTRICT

NO • William E. Parnall, Division 1, Bernalillo County. Children's courts need a clean slate of judges to get it on course.

NO • Beatrice J. Brickhouse, Division 4, Bernalillo County. **Emerge graduate.**

NO • Alma C. Garcia Roberson, Division 7, Bernalillo County. **Emerge graduate.**

NO • Bruce C. Fox, Division 10, Bernalillo County. High criminal release rate.

NO • Amber Chavez Baker, Division 22, Bernalillo County. **Emerge graduate.**

NO • Lisa Chavez Ortega, Division 13, Bernalillo County. **Emerge graduate.**

NO • Jane C. Levy, Division 25, Bernalillo County. **Emerge graduate.**

NO • Jennifer J. Wernersbach, Division 16, Bernalillo County. High criminal release rate.

NO • Clara Moran, Division 28, Bernalillo County. **Emerge graduate.** High criminal release rate.

THIRD JUDICIAL DISTRICT

NO • Manuel I. Arrieta, Division 1, Doña Ana County. High criminal release rate.

NO • Douglas R. Driggers, Division 7, Doña Ana County. High criminal release rate.

SIXTH JUDICIAL DISTRICT

NO • Thomas F. Stewart, Division 1, Grant, Hidalgo, and Luna Counties. A 2019 report describes Stewart signing a **stipulated release order** for a defendant accused of sexually abusing children, with house arrest, GPS monitoring, and restrictions involving minors. This is a case to examine, but its stipulated nature matters; I would not characterize it as the judge overriding prosecutors without reviewing the agreement.

NO • Jarod K. Hofacket, Division 4, Luna, Grant, and Hidalgo Counties. High criminal release rate.

SEVENTH JUDICIAL DISTRICT

NO • Mercedes C. Murphy, Division 1, Socorro, Catron, Sierra, and Torrance Counties. Murphy issued orders restricting journalist James Springer's access to district courthouses, requiring specific court business and a law-enforcement escort. His lawsuit alleged additional restrictions on attending hearings and accessing records. The Tenth Circuit affirmed dismissal on **November 7, 2025**, based on the capacities in which defendants were sued and sovereign immunity. **It did not adjudicate the underlying allegations as proven constitutional violations.** The orders warrant review, but the guide should not say the federal court found Murphy violated the First Amendment.

EIGHTH JUDICIAL DISTRICT

NO • Emilio Jacob Chavez, Division 1, Colfax, Taos, and Union Counties. In *In re Chavez*, **2017-NMSC-012**, the Supreme Court found that Chavez, while a prosecutor, engaged in a pattern of issuing investigative subpoenas outside pending court or grand-jury proceedings. The opinion identifies **at least 94 subpoenas issued in 2012–2013** and a violation of the Rules of Professional Conduct.

The Court ordered a formal reprimand, **deferred for one year and subject to withdrawal if no further violations occurred**. It also expressly found no evidence of bad faith or intent to deceive.

ELEVENTH JUDICIAL DISTRICT

NO • Curtis R. Gurley, Division 4, San Juan and McKinley Counties. Reporting documents Gurley allowing Joseph Bresch, accused of severe abuse of his infant daughter, to leave jail for a **supervised federal halfway house with GPS restrictions**. That decision merits examining the detention order and hearing record. It was a restricted placement, not unrestricted release, and does not establish an overall release percentage.

Gurley also recused himself from a 2025 homicide case after a dispute arose over an in-chambers discussion about a time waiver that could require his testimony. **Recusal itself is not evidence of misconduct**, but the underlying procedure is a reasonable review subject.

THIRTEENTH JUDICIAL DISTRICT

NO • James L. Sanchez, Division 1, Valencia, Cibola, and Sandoval Counties. High criminal release rate.

NO • Amanda Sanchez Villalobos, Division 4, Cibola, Sandoval, and Valencia Counties. **Emerge graduate.**

BERNALILLO COUNTY METROPOLITAN COURT

NO • Christine E. Rodriguez, Division 2. High criminal release rate.

NO • Joshua J. Sanchez, Division 4. High criminal release rate.

NO • Jill M. Martinez, Division 8. High criminal release rate.

NO • Brittany Maldonado Malott, Division 10. **Emerge Graduate.** High criminal release rate.

NO • Vidalia G. Chavez, Division 14. High criminal release rate.

NO • Claire Ann McDaniels, Division 16. **Emerge Graduate.**

Contested Judge Races – Recommendation Detail

Metropolitan Court, Division 5, Bernalillo County

- **Ramon J. Maestas (Incumbent)**
- **Kerry J. Morris.** **Vote for Kerry Morris** based on local attorney experience, not a current judge with any ties to current judicial problems and endorsed by Albuquerque Police Officers Association.

Eleventh Judicial District, Division 06, McKinley County & San Juan County

- **Brenna Clani-Washinawatok (Incumbent)**
- **Brian D. Decker.** **Vote for Brian Decker** based on local attorney experience, endorsements from tough on crime elected officials and not a current judge with any ties to current judicial problems.