

2022 RACE FOR GOVERNOR

TV station rejects Lujan Grisham's request to pull attack ad from airwaves

By: Daniel J. Chacón | Santa Fe New Mexican | Oct 19, 2022



This image taken from video shows a clip from a KOB-TV news report pointing out an inaccuracy in an attack ad. Gov. Michelle Lujan Grisham's campaign asked KOB to pull the ad.

An Albuquerque-based TV station has rejected a request from Gov. Michelle Lujan Grisham's reelection campaign to pull an attack ad one of its reporters said contained an inaccuracy.

Citing KOB-TV's own reporting, legal counsel for New Mexicans for Michelle, the governor's campaign committee, last week demanded the station take the ad off the airwaves.

"KOB must pull this ad from the air immediately given your own admission it is false," attorney Courtney Weisman of the Washington, D.C.-based Elias Law Group wrote in a letter to the station manager.

Michelle Donaldson, the station's vice president and general manager, said Wednesday KOB-TV isn't going to pull the ad down.

“I don’t usually get into the details of our review,” she said. “I will say that we followed our process that we always do. We asked for the substantiation from the party that purchased the ad. We spent a great deal of time reviewing that, asked for follow-up materials ... and made our decision.”

Donaldson said the station receives requests to pull campaign ads from air from time to time.

“The election law is very clear that we should give wide latitude to candidates,” she said. “We don’t censor candidates’ messages. But we do take seriously requests to verify a provable falsehood.”

The ad, paid for by the RGA New Mexico 2022 PAC, a political action committee affiliated with the Republican Governors Association, accuses the Lujan Grisham administration in the early release of an inmate who went on to commit murder.

Christopher Beltran did, in fact, get out of prison 12 days early in September 2020 under an executive order the governor issued in April of that year to try to slow or stop the spread of COVID-19 inside the state’s correctional facilities.

Beltran wasn’t a free man for long. He was arrested the following month for violating the conditions of his parole and sent back to prison.

Four days after his release in June 2021, Beltran shot and killed his ex-girlfriend in Roswell.

The district attorney whose office prosecuted Beltran maintains he was released early from prison both times, while the Department of Corrections is adamant he was released in June 2021 after completing the entirety of his sentence, which included a reduction of nearly five months for good time.

When asked to provide documents showing how Beltran's good time was calculated, the department has only provided its "earned meritorious deductions" policy and not a specific matrix for Beltran.

In KOB-TV's fact check of the ad, a reporter for the station said the implication Beltran's release from custody last year happened under the governor's executive order was "inaccurate."

KOB reporter Ryan Laughlin, who has been harshly criticized on Twitter over the fact check, tweeted Wednesday the ad included a picture of Lujan Grisham's executive order "when referencing the second time [Beltran] was released from prison," which he called "misleading."

Weisman, the governor's legal counsel, labeled the ad "materially false" in her letter to the TV station.

"Its crux — that the Lujan Grisham administration's early release of Beltran in June 2021 directly resulted in murder days later — is false. There was no such early release in June 2021," she wrote.

Weisman did not return messages seeking comment.

Delaney Corcoran, a spokeswoman for Lujan Grisham's reelection campaign, wrote in a statement multiple news outlets have called the ad out for its inaccuracies. Although a PAC is paying for the ad, Corcoran linked it to GOP gubernatorial candidate Mark Ronchetti, whose candidacy the Republican Governors Association is supporting.

"Even the *Santa Fe New Mexican* pointed out that questions remain about the claims made in the ad," she wrote. "Continuing to run a blatantly false ad is a clear sign of desperation from Mark Ronchetti's campaign."

In response to the Lujan Grisham campaign's request to pull the ad from the air, an attorney for the PAC told KOB-TV in a letter dated Oct. 15 the group stands "completely behind" the spot.

"As of the drafting of this letter, the Corrections Department still refuses to release the rationale for the extra awarded days," attorney Jessica Furst Johnson wrote to the station.

"Even when asked by the press, the Corrections Department has declined to explain," she added. "They simply didn't think they would be required to explain, and given the events that transpired upon Beltran's early release, there is no amount of explaining that would justify this terribly fateful, baseless decision."