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SPPI FILES OPEN GOVERNMENT LAWSUIT AGAINST THE CITY OF ALBUQUERQUE'S AUTOMATED SPEED ENFORCEMENT PROGRAM

ALBUQUERQUE, NM – The Southwest Public Policy Institute (SPPI), a non-profit organization dedicated to transparency and integrity in public policy, announced today that it has initiated a lawsuit against the City of Albuquerque and Ethan Watson, in his official capacity as the City Clerk, alleging violations of the New Mexico Inspection of Public Records Act (IPRA), specifically over the data collection connected to Albuquerque's Automated Speed Enforcement program.

The lawsuit, filed in the Second Judicial District of Bernalillo County, stems from a public records request made by the Institute on January 10, 2023. The request sought the disclosure of the citation database related to the City's "Automated Speed Enforcement" program, which is maintained by a third-party company, NOVOAGLOBAL. Despite repeated attempts by the SPPI to access these records, the City has allegedly failed to respond in a timely and complete manner.

"We are concerned that the City of Albuquerque's speed camera placement and policies could be disproportionately impacting minorities and low-income drivers," Patrick M. Brenner, president of the Southwest Public Policy Institute, stated. "We believe that the City's 'Automated Speed Enforcement' program could be leveraging public data in the face of substantive profiling concerns, which is reinforced by City Clerk Ethan Watson's intentional, repeated, and wrongful denial of multiple requests to inspect the citation database."

Through its counsel, Jordon George of the Aragon Moss George Jenkins law firm, SPPI asserts that the City of Albuquerque and Mr. Watson have wrongfully denied the records request. The Institute contends that this denial constitutes a violation of the state's public records law, which mandates that all public records are to be made available for inspection, regardless of their physical form or characteristics, and irrespective of who maintains them, as long as they are held on behalf of any public body.

Brenner added, "New Mexico's public records laws are clear. Public records, no matter where they are held, must be accessible to citizens. This lawsuit emphasizes our commitment to upholding the public's right to access information about government actions. In this case, there has been a delay of over seven months without any documents being made available for inspection. While increasingly commonplace, delays like these are antithetical to the principles of open and transparent government."

Through this lawsuit, SPPI seeks an order for the defendants to permit inspection of the requested records, alongside statutory and actual damages, costs, and attorney's fees related to this case.

The Southwest Public Policy Institute remains steadfast in its commitment to ensuring transparency and accountability in government operations. This lawsuit underlines the need for openness, reinforcing the right of citizens to access information and ensuring that public bodies uphold their legal responsibilities.

For more information about this litigation, or to schedule an interview, please contact Liam Gray at 804-217-2917, lgray@southwestpolicy.com or press@southwestpolicy.com.

About the Southwest Public Policy Institute

The Southwest Public Policy Institute (SPPI) is a leading free-market research institute dedicated to formulating, promoting, and defending sound public policy solutions in the American Southwest. SPPI's mission is simple: to deliver **better living through better policy**. Visit southwestpolicy.com for more info.

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