

April 20, 2023

List of Offenses by Old Pass Road Landowners and the City of Raton, NM Officials vis a vis the Illegal Private Gate Erected to Prevent Citizen Access to Public Property.

1. Vigilantism

What Is Vigilantism? (Exerpt from [legalmatch.com](https://www.legalmatch.com))

A vigilante is essentially someone who takes the law into their own hands when they believe that the law is not doing enough to ensure justice. Sometimes, a group of citizens form to undertake the law enforcement responsibilities of their community, without any legal authority, according to their own sense of right and wrong.

For example, neighborhood watches work with local police, but they have no authority to make arrests or take actions, as that is typically reserved for police officers. Thus, when a neighborhood watch takes matters into its own hands, instead of sharing information with local peace officers, it may be considered an act of vigilantism.

Vigilantism can also be used to describe a general state of lawlessness or chaos, when competing groups of people, such as opposing gangs, all claim to enforce the law in a given area affected by that lawlessness.

Most vigilantism is motivated by the feeling that the vigilante needs to step in in order to obtain justice. Some other motivations include:

- A personal agenda to protest existing laws that the vigilante finds unacceptable or a hindrance to justice;
- Enforcing existing laws more efficiently, such as harsher punishments for those that the vigilante feels should be more harshly punished;
- Calling attention to one's belief of a higher law; or
- Calling attention to a perceived failure by the government.

Many vigilantes have good intentions, and believe they are bettering their communities by protecting those vulnerable to legal exploitation. However, that is not always the case. Some vigilante efforts include targeting the poor, minorities, and other disenfranchised groups that the vigilante believes should not exist in their ideal society. This is why all vigilantism is generally considered to be dangerous. Although being a vigilante is not technically illegal, nearly every aspect of vigilantism is.

Another aspect to consider is the social definition of a vigilante versus the actual definition. Batman is technically a vigilante, as are most superheroes you read about in the comic books.

These are people who are usually breaking the law to protect others, and many people think of them when they hear "vigilante" or "vigilantism." The true definition is quite different, and refers to someone who is, in their own way, enforcing the law that already exists.

2. Public Nuisance

2011 New Mexico Statutes

Chapter 30: Criminal Offenses

Article 8: Nuisances, 30-8-1 through 30-8-14

Section 30-8-1: Public nuisance.

Universal Citation: [NM Stat § 30-8-1 \(1996 through 1st Sess 50th Legis\)](#)

30-8-1. Public nuisance.

A public nuisance consists of knowingly creating, performing or maintaining anything affecting any number of citizens without lawful authority which is either:

- A. injurious to public health, safety, morals or welfare; or
- B. interferes with the exercise and enjoyment of public rights, including the right to use public property.

Whoever commits a public nuisance for which the act or penalty is not otherwise prescribed by law is guilty of a petty misdemeanor.

3. Corruption

2021 New Mexico Statutes

Chapter 30 - Criminal Offenses

Article 24 - Bribery

Section 30-24-1 - Bribery of public officer or public employee.

Universal Citation: [NM Stat § 30-24-1 \(2021\)](#)

Bribery of public officer or public employee consists of any person giving or offering to give, directly or indirectly, anything of value to any public officer or public employee, with intent to induce or influence such public officer or public employee to:

- A. give or render any official opinion, judgment or decree;

B. be more favorable to one party than to the other in any cause, action, suit, election, appointment, matter or thing pending or to be brought before such person;

C. procure him to vote or withhold his vote on any question, matter or proceeding which is then or may thereafter be pending, and which may by law come or be brought before him in his public capacity;

D. execute any of the powers in him vested; or

E. perform any public duty otherwise than as required by law, or to delay in or omit to perform any public duty required of him by law.

Whoever commits bribery of public officer or public employee is guilty of a third degree felony.