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November 1, 2021

**Town of Mountainair
Mountainair, New Mexico**

Attn: Mayor Peter Nieto

Mayor Nieto,

We were asked to look into three (3) allegations against the Mountainair Police Chief, initially we learned that there were no formal written complaints by any citizen and there was only a handwritten letter and videos from citizens at council meetings complaining about Police Chief Juan Reyes.

We learned after meeting with you on September 28, 2021, that the persons complaining had not formally filled out a "Mountainair Police Department Report of Complaint Against Police Personnel" form that the Town of Mountainair requires to be filled out by citizens wanting to complain against its police officers.

During our meeting with you, we informed you that in order for us to continue with our investigation, we would need to have formal complaints filled out by the complaining citizens so we were not out chasing "rumors or gossip".

We informed you that we would contact all three (3) persons that had verbally or had handwritten complaints against the police chief to see if they would like to pursue their complaints, and I would ask them if they did want to continue, then I would ask them to fill out a formal "Mountainair Police Department Report of Complaint Against Police Personnel" form.

Prior to meeting with you, we went to the police department so we could introduce ourselves to the police chief, during our meeting with the police chief, he clearly told us that, "On the advice of his attorney, he would not be answering any questions" from us regarding any allegations against him.

We contacted all three complaining citizens and asked them if they wished to pursue their complaints:

Mary Nelson told us she wanted to pursue her complaint and she would immediately go and fill out her formal complaint, which she did.

Linda McCarthy told us she did not want to continue with her complaint and asked that we not contact her anymore and that as far as she was concerned, the matter was closed.

John Gamel told us he wanted to continue with his complaint, we asked him to fill out a formal complaint, he told us he and his wife had previously filled out complaints against Chief Reyes, he told us he gave the complaints to the Mountainair town clerk.



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He then told us the town lost his and his wife's complaints, we asked him to go and fill out a complaint again if he wanted to pursue the matter, we never received any formal complaint from Mr. Gamel or from the town of Mountainair.

Our investigation continued only on the complaint by Mary Nelson against the police chief.

10-18-21

Our interview with Mary Nelson was conducted on October 18, 2021, in Mountainair, NM. In summary, we learned the following information during our interview:

Mary Nelson told us that for about the last two (2) years, Chief Reyes has made comments about her to other people that she believes are slanderous to her character and reputation. She told us she submitted a typewritten letter to the Mountainair Town Council and Mayor on July 14, 2021, outlining her complaint against Chief Reyes. She stated nothing was ever done by the Mayor or Town Council to stop Chief Reyes from saying things about her that were not true.

She stated people have told her Chief Reyes has called her a "whore, home wrecker, lesbian, and that she was having an affair with a married officer".

We asked her if Chief Reyes had ever made any of these comments directly to her, she stated he had not, he has only said things about her to other people who have told her about what he has been saying.

Because she was alleging sexual harassment against Chief Reyes and pursuant to the Town of Mountainair's Sexual Harassment/And Sexual Misconduct Policy, we asked her if Chief Reyes had ever made any unwelcome sexual advances, any request for sexual favors or any other verbal or physical conduct of a sexual nature to her directly, she stated he had not.

Ms. Nelson provided us with three (3) names of witnesses who were police officers for the Town of Mountainair that had heard Chief Reyes make comments about her.

She also provided us with a copy of two (2) documents, one being a one-page handwritten letter that was not dated, from former police officer Benita Harry, and a one-page type written letter also not dated, from former police officer Gabriel Reynolds.

Both letters are attached to this report for your review.

The other witness's name that she provided to us was former police officer Nick Olivas.

On 10-28-21 we attempted to contact Nick Olivas, Benita Harry, and Gabriel Reynolds, only Nick Olivas and Gabriel Reynolds returned our calls; Gabriel Reynolds told us he was out of the State and he would call us back when he returned which would be about two (2) weeks, he never called us back. Benita Harry never returned our calls.



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Nick Olivas told us he had no information regarding any type of sexual harassment against Ms. Nelson by Chief Reyes, he told us he had his own issues with Chief Reyes and did not want to comment any further.

Summary:

The information in this report is based only on witness interviews from people that gave Ms. Nelson information on what Chief Reyes is alleged to have said about Ms. Nelson, two of the three witnesses did not return our calls.

We did not interview Chief Reyes, he indicated to us that his attorney had advised him not to answer any questions from us.

We make no conclusions, opinion, or recommendations on the complaint by Mary Nelson against Chief Reyes, the governing body of the Town of Mountainair can make their own conclusions and take what action, if any, they deem appropriate based on the information that we have learned and provided on this report.

End of report.

Ricky Madrid
Mesilla Valley Private Investigations