

**Sixth Judicial District Attorney
State of New Mexico**



**Norman R. Wheeler
District Attorney**

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 Lordsburg, NM 88045
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Grant County
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August 22, 2025

Re: Giglio Concerns

To: Law Enforcement Agencies

The Sixth Judicial District Attorney's Office is committed to ensuring the fair administration of justice and compliance with our constitutional and ethical obligations. It has come to our attention that there may be concerns regarding whether officers within your agency are subject to disclosure under Giglio v. United States. After review, I want to affirm that your officers are not being targeted for Giglio purposes by this office.

As you are aware, the Giglio line of cases requires prosecutors to disclose to defense counsel any information that may be used to impeach the credibility of a government witness, including law enforcement officers. This may include but is not limited to:

- Prior dishonest acts or false statements,
- Findings of untruthfulness in internal investigations, ● Criminal charges or convictions,
- Bias, misconduct, or other matters bearing on credibility.

The Sixth Judicial District Attorney's Office is assessing information related to specific officers to determine whether Giglio disclosure obligations may apply in future cases. There is some concern about whether our office maintains a "Giglio" list and confusion as to what that means. As you should conclude from the above, we have a legal obligation to disclose the names of officers which have the issues set out above. Understand, officers by their conduct earn their way to have their name placed on this list. This office has no choice but to disclose, for example, that an officer has criminal charges or has provided false statements. We are obligated to inform defendants of the names of those officers as it relates to their truthfulness. However, we do not maintain a list of officers we are targeting to place on the list. In other words, you earn a place on the list through your conduct. I hope it never happens to you. I hope none of your friends or coworkers place you in a position of making you make a choice about testifying untruthfully. If they do put you in this position, they are no friend.

Please understand that our duty to disclose information is ongoing. Should any future matters that implicate disclosure obligations, we will notify your agency in accordance with the law.

I have attached my position paper that was discussed with each of our prosecutors for your review. I expect the same from our law enforcement partners.

We greatly appreciate the professionalism and integrity of your officers and their continued commitment to serving our community. Please help us restore confidence in our system and make this a better place to live.

Sincerely,

A handwritten signature in black ink, appearing to read "Norman R. Wheeler".

Norman R. Wheeler
District Attorney