

Budget Request FY 2028

*Submitted to the Legislative Finance
Committee*

October 21st, 2026



Our Work.

In FY 2026, the NMDOJ won or protected \$2 billion for New Mexico, and it is seeking \$40 billion in a pending judgment against Meta, while defending the state against federal retaliation.

CYFD
Reform



\$942 Million
from Meta



\$885 Million+
Federal Funds



175+ Active
Lawsuits



Threats to New Mexicans Are Growing

Federal retaliation, digital harm, and child safety demand more attorneys and investigators



Federal Retaliation

Four major suits against the NMDOJ, including challenges from the CFTC, Polymarket, and two federal DOJ actions.



Digital Harm

AI-enabled mass scams, “nudification” apps, and surveillance pricing that adjusts to vulnerable consumers in real time.



Child Safety

Online predators target children in new ways. Operation Midnight Harvest led to 10 arrests—all of which will be prosecuted by the NMDOJ.



Public Accountability

Removal of the McKinley County DA; the NMDOJ is now remediating 40+ mishandled cases.

● ● ● \$2B Returned, \$21.8M Requested

~ 1%

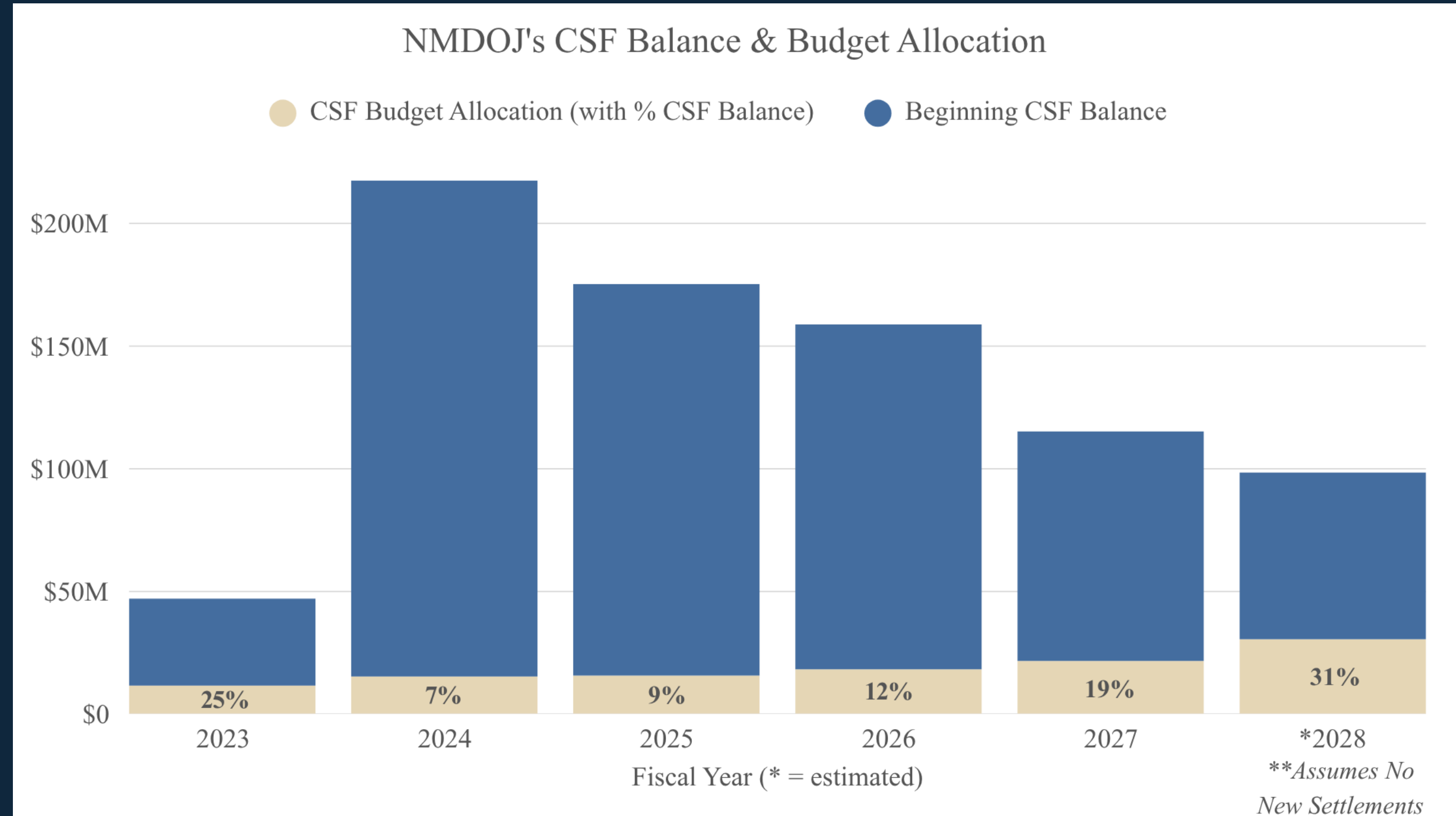
FY 2028 ask as a percentage of the \$2 billion in funds won or restored

2019

Last General Fund increase was 8 years ago

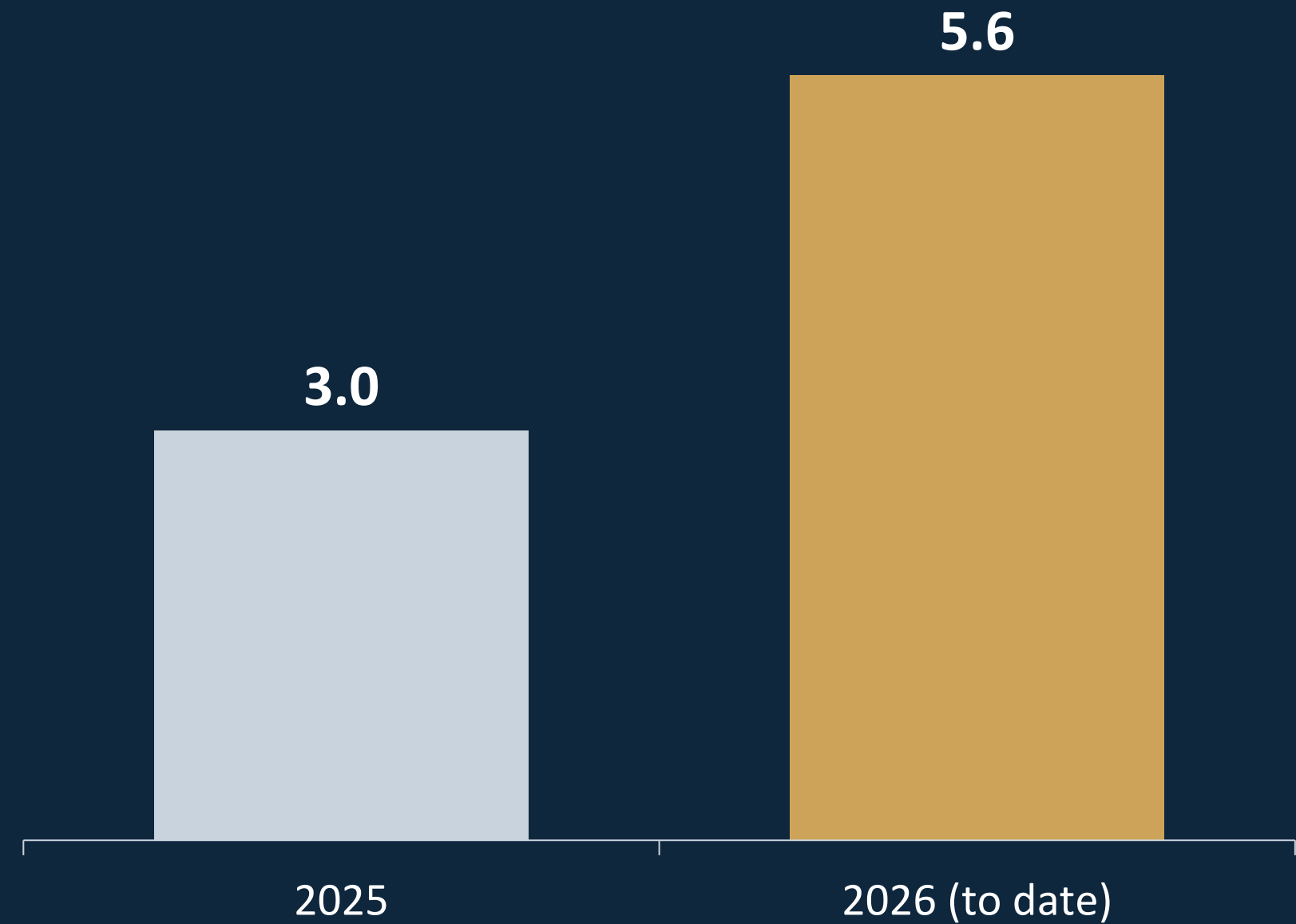
14%

Average CSF allocation as a share of funds earned for the State, 2023–2027



Impact Caseloads Up 87%, Staffing Flat

Civil suits initiated per Impact Litigation attorney



30 → 56

Civil suits initiated, 2025 vs. 2026 to date, with the same 10 attorneys

Agency-wide vacancies as of October 9, 2026 pay period

Category	Vacancy Rate	Vacant	Available
Attorneys	15%	16	104
Non-Attorneys	15%	27	186
Total	15%	43	290

Proven Programs, Measurable Returns



Crime Gun Intelligence Center

Statewide, launched December 2025

544

Incidents linked by ballistic evidence
(Sept. 1, 2026)

41%

Of leads resulted in an arrest

2,000+

Ballistic acquisitions entered into
NIBIN

\$805K

Recurring GF to replace federal
support for ballistics machines



Medicaid Fraud Control Unit

400+ active matters with 28 FTEs

\$20M

Recovered in FY 2026, five times the
prior year

75%

Federally funded

\$5.65M

FY 2028 request, about a 10%
increase

\$109K

Increase requested from the General
Fund

Recent CGIC cases

Roswell (Sept. 2026)

NIBIN linked evidence from two homicides to a gun recovered from the suspect's home. An arrest followed.

Gallup and Albuquerque (Aug. 2026)

A gun recovered in a Gallup road-rage shooting matched an unsolved 2025 Albuquerque homicide, merging two cases.

● ● ● The \$6.7M Special Appropriation

Specialized litigation capacity to defend the wins secured and take on the cases ahead

What it funds

Defense against retaliatory suits

CFTC and Polymarket actions over prediction markets; federal DOJ suits over the Immigrant Safety Act and the unredacted voter roll.

Appeals of major judgments

Meta will appeal both judgments. A well-defended record protects the \$942M secured and any pending judgment.

Affirmative multi-agency cases

Litigation with other state agencies against federal overreach and corporate harm.

Why it is necessary

Demand has nearly doubled

56 civil suits initiated in 2026, up from 30 in 2025, with 10 Impact Litigation attorneys.

Expertise must be brought in

Commodities and gaming law, federal immigration and election-data law, and appellate work on large judgments.

Sized from actual costs

FY 2026 specialized support across six of the largest matters, scaled to 30 anticipated matters.

Our Ask.

1

\$21.81M increase

Split equally between the General Fund and the Consumer Settlement Fund

2

41 approved + 47 new positions

\$5.9M and \$6.9M, respectively, for staffing to meet growing caseloads

3

Space, technology, and training

To house added staff and fully equip the agency

4

\$6.7M special appropriation

Specialized litigation capacity

