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Ex-Los Alamos police officer charged with perjury

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A former Los Alamos police officer faces a perjury charge after he was accused of lying in court about fraternizing with confidential informants in a drug trafficking case.

Matthew Lyon, 33, declined to comment on the charge, a fourth-degree felony punishable by up to 18 months in prison. He referred questions to his attorney, John D’Amato Jr., who said “there is a whole other story behind the perjury charge,” which will come to light when Lyon’s case goes to trial.

“The state is going to present a case that they think is a perjury case, but by the time the trial is done, they’ll have a whole new perspective on this case and past cases,” D’Amato Jr. said in an interview Tuesday.

“I’m pretty confident that A: He didn’t commit perjury; and B: Once the facts of the underlying case where all this emanated from [are] given a little sunshine, the jury will understand where this is all coming from,” D’amato added.

The case in which Lyon is accused of giving false testimony involves drug trafficking charges against Eric Greene, 20, of White Rock.

Prosecutors charged Greene with two counts of trafficking controlled substances, one count of distribution of a controlled substance and contributing to the delinquency of a minor in 2022 after receiving reports from “school officials, concerned parents and students” alleging he was dealing drugs to the area’s young people, according to an arrest warrant affidavit.

The Los Alamos Police Department used social media posts and confidential informants to arrange “controlled” buys during which Greene was accused of selling suspected fentanyl pills and a bottle of prescription codeine to the informants working with police, the affidavit says.

If convicted of all four charges, Greene faced more than 20 years in prison.

The First Judicial District Attorney's Office dismissed Greene's charges after Lyon was suspected of lying on the witness stand during an Aug. 17, 2023, hearing in the case.

According to Greene's defense attorney, William Snowden, and online court records, Snowden asked Lyon whether he had fraternized with the confidential informants — including the mother of Greene's child — and Lyon denied he had done this.

However, Snowden said, he had obtained videos showing Lyon "hanging out with these kids."

The footage shows Lyon "out fishing and drinking" with the young adult informants, some of whom are not old enough to drink, Snowden said, adding Lyon is shown in one clip talking to an informant about naked pictures.

"It's disgusting and outrageous we have an officer sworn to protect the community and he was able to manipulate these young adults and take advantage of them for this situation," Snowden said.

"And as a practical matter, I believe Los Alamos Police Department should have been more aware of what their detectives were doing," he added.

The criminal charges against Greene were dropped the day of Lyon's testimony, court records show.

Special Investigator Justin Dominguez filed a perjury charge against Lyon the same day in Los Alamos County Magistrate Court, according to online court records.

Lyon, who had worked for the force since late 2014, also resigned that day, Los Alamos police Chief Dino Sgambellone said.

Sgambellone declined to comment on the specifics of the case, including whether the department had reported the charge against Lyon to the New Mexico Law Enforcement Certification Board.

"Generally speaking, conduct related to an Officer's relationship with a confidential source that could be considered contrary to policy includes social dating, personal intimacy, sexual relations, cohabitation, private monetary indebtedness between the two, and/or any type of relationship that is where a business relationship is not maintained," Sgambellone wrote in an email Tuesday.

District Attorney Mary Carmack-Altwies appointed 5th Judicial District Attorney Dianna Luce as a special prosecutor in Lyon's case in May, court records show, and the case was transferred Monday to the First Judicial District Court for prosecution.

Nathan Lederman, a spokesman for the First Judicial District Attorney's Office, wrote in an email Tuesday, "The [district attorney] has been conflicted out of the case mentioned in your inquiry. Once we have determined a conflict is present, we send the entire case file to another office or attorney. At that point we lose complete control over the trajectory of the case, and no information about the case is shared with us due to the conflict."

Lederman referred questions about the case to Luce, who did not respond to a message seeking comment.

The state Law Enforcement Certification Board confirmed in an email Tuesday the agency "is currently investigating" Lyon's certification following a misconduct report filed by the Los Alamos Police Department on Oct. 18.

"After Mr. Lyon's arrest and felony charge, the Board issued a Notice of Temporary Immediate Suspension on June 5, 2024, with further actions pending," state Department of Public Safety spokesman Herman Lovat wrote.

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Courts Reporter