

Hobbs city manager falsely claimed to be a finalist for Las Cruces job

Heath Haussamen, NMPolitics.net 5:53 p.m. MT July 11, 2016



(Photo: Courtesy)

J.J. Murphy claimed to be a “finalist” for the open city manager job in Las Cruces earlier this year when applying for another city manager position in Dunedin, Florida.

But officials in Las Cruces have not named finalists for the job, Mayor Ken Miyagishima confirmed. The mayor said he had “never met with, spoken to or interviewed Mr. Murphy, ever.”

The contradiction revealed by public records may be relevant to the current debate in New Mexico about whether applications for high-profile public jobs like city manager should be kept confidential.

Murphy, currently the city manager in Hobbs, was clear in an April 18 email (http://nmpolitics.net/index/wp-content/uploads/2016/07/MurphyFLApp_Redacted.pdf) to The Mercer Group, the private firm that is running the Las Cruces city manager search and also ran Dunedin’s search.

“Attached please find my cover letter and resume for the Dunedin City Manager position,” Murphy wrote in the email. “While I am currently a finalist for Gainesville, FL and Las Cruces, NM right now, I do not want to miss your deadline in case I am not selected for one of the above positions.”

The email was provided to city officials in Dunedin, who [posted it online \(http://dunedin.granicus.com/MetaViewer.php?view_id=6&clip_id=1545&meta_id=97027\)](http://dunedin.granicus.com/MetaViewer.php?view_id=6&clip_id=1545&meta_id=97027) along with Murphy’s résumé and cover letter and applications submitted by others.

At the time, Murphy was a finalist for the [job in Gainesville \(http://www.wuft.org/news/2016/04/20/five-vie-for-city-manager-position-to-be-decided-thursday/\)](http://www.wuft.org/news/2016/04/20/five-vie-for-city-manager-position-to-be-decided-thursday/), though he [was not hired \(http://www.wuft.org/news/2016/04/21/anthony-lyons-named-as-gainesvilles-new-city-manager/\)](http://www.wuft.org/news/2016/04/21/anthony-lyons-named-as-gainesvilles-new-city-manager/). Dunedin decided to put its city manager search [on hold \(http://www.tampabay.com/news/localgovernment/dunedin-suspends-city-manager-search/2279079\)](http://www.tampabay.com/news/localgovernment/dunedin-suspends-city-manager-search/2279079) until after November’s election, saying it wasn’t happy with the applicants The Mercer Group’s search produced.

Officials in Las Cruces similarly weren’t satisfied with their initial applicant pool. The Mercer Group received 51 applications and [forwarded 11 \(http://nmpolitics.net/index/2016/05/las-cruces-releases-some-city-manager-applications-withholds-dozens-more/\)](http://nmpolitics.net/index/2016/05/las-cruces-releases-some-city-manager-applications-withholds-dozens-more/) to city officials for consideration in March — including Murphy’s.

Las Cruces officials interviewed three candidates — not including Murphy — before saying they were continuing their search, which is ongoing.

Murphy refused to answer questions about why he called himself a finalist for the Las Cruces job.

“I am on vacation and will not be discussing anything with you but my award-winning work in Hobbs,” Murphy wrote in an email to [NMPolitics.net \(http://NMPolitics.net\)](http://NMPolitics.net). “Have a nice day!”

The importance of transparency

In New Mexico, state law requires disclosure [of all applications \(http://nmpolitics.net/index/2016/05/las-cruces-doesnt-want-to-release-names-of-city-manager-applicants/\)](http://nmpolitics.net/index/2016/05/las-cruces-doesnt-want-to-release-names-of-city-manager-applicants/) for most high-profile public jobs. An exemption allows secrecy in the case of applications for a public university president job except those submitted by finalists.

Las Cruces has released the [11 applications \(http://nmpolitics.net/index/2016/05/las-cruces-releases-some-city-manager-applications-withholds-dozens-more/\)](http://nmpolitics.net/index/2016/05/las-cruces-releases-some-city-manager-applications-withholds-dozens-more/) it received from The Mercer Group but has refused to release dozens more, arguing that the private contractor, not the city, has possession of them so they don’t have to be released. [NMPolitics.net \(http://NMPolitics.net\)](http://NMPolitics.net) has [sued the city and The Mercer Group \(http://nmpolitics.net/index/2016/05/nmpolitics-net-sues-for-release-of-city-manager-applications/\)](http://nmpolitics.net/index/2016/05/nmpolitics-net-sues-for-release-of-city-manager-applications/), arguing that the city can’t avoid transparency law by outsourcing government services. The case is pending.

Some argue that public disclosure discourages people from applying for public jobs. But Murphy's claim may provide an example of why releasing applications is important. If Las Cruces hadn't released Murphy's application, the public might not know he had applied for that job. And if Dunedin hadn't posted Murphy's email and application online, the public might not know that he said he was a finalist in Las Cruces when he was not.

Citizens of Hobbs and elected members of that city's commission — Murphy's bosses — might be interested to know about his claim. So might citizens and governing officials in cities including Las Cruces and Dunedin where Murphy has applied for other jobs.

"When it's a public job, there are certain privacy rights you give up when you apply," said Susan Boe, executive director of the nonprofit [New Mexico Foundation for Open Government \(http://nmfog.com/\)](http://nmfog.com/). "If you're a public official you've just got to expect that anything you do is going to come out."

Boe said people have a tendency "to always put a good gloss on our applications for jobs." Disclosure, she said, "may force applicants for public jobs to be very careful about what they say and how they present themselves."

'A red flag'

Boe also questioned The Mercer Group's role in the Las Cruces and Dunedin searches. Were they aware that Murphy claimed to be a finalist in a search they were running when he was not a finalist?

"That's what they're supposed to do, is be on top of stuff like this," Boe said. "If I'm running a search firm, which I haven't, that would immediately set off a red flag."

[NMPolitics.net \(http://NMPolitics.net\)](http://NMPolitics.net) emailed officials with The Mercer Group who were involved in the Las Cruces and Dunedin searches to ask why the company didn't catch Murphy's claim. W.D. Higginbotham Jr., a Mercer Group senior vice president in Florida, responded to say his only comment was that [NMPolitics.net \(http://NMPolitics.net\)](http://NMPolitics.net)'s email "presents some assumptions and conjecture as fact when in 'fact' they are not."

Higginbotham didn't respond to a follow-up email asking what was not factual.

Editor's note: Though personal contact info Murphy included in [his April 18 email and application \(http://nmpolitics.net/index/wp-content/uploads/2016/07/MurphyFLApp_Redacted.pdf\)](http://nmpolitics.net/index/wp-content/uploads/2016/07/MurphyFLApp_Redacted.pdf) for the Dunedin job is public record, [NMPolitics.net \(http://NMPolitics.net\)](http://NMPolitics.net) redacted it before posting Murphy's application with this article.

Heath Haussamen publishes [NMPolitics.net \(http://NMPolitics.net\)](http://NMPolitics.net).

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