

First Judicial District Attorney

Santa Fe, Rio Arriba & Los Alamos Counties

Mary Carmack-Altwies

District Attorney



FY 2026
Appropriation Request

Agency 25100



STATE OF NEW MEXICO

First Judicial District Attorney

Santa Fe, Rio Arriba & Los Alamos Counties

Mary Carmack-Altwhies

District Attorney

Santa Fe Main Office
327 Sandoval Street
PO Box 2041
Santa Fe, NM 87504-2041
Telephone: (505) 827-5000
Fax: (505) 827-5076

Espanola Office
1122 Industrial Park Road
PO Box 1209
Espanola, NM 87532
Telephone: (505) 753-7131
Fax: (505) 753-7133

September 3, 2024

Mario Semiglia
State Budget Division
Department of Finance and Administration
407 Galisteo St., Room 190
Santa Fe NM 87501

Dear Mario:

The First Judicial District Attorney's Office respectfully submits our FY26 Appropriation request. The priority is to obtain an overall budget that allows for funding for our staff to remain competitive when hiring new employees and retaining experienced attorneys and support staff. Our request includes an expansion request to include thirteen (13) additional positions and an increase to base.

We appreciate the funding and additional positions we have received these past few fiscal years. This funding assists the First Judicial District Attorney's Office to enforce state laws and to ensure and improve the protection, safety, welfare, health, and quality of life for the citizens and visitors within Santa Fe, Rio Arriba and Los Alamos Counties.

Thank you for your consideration.

Sincerely,

A handwritten signature in blue ink that reads "C. Renee Padilla".

C. Renee Padilla
Chief Financial Officer
First Judicial District Attorney

FY26 Appropriation Request Checklist

Agency Name: First Judicial District Attorney

Business Unit: 20100

Type text here

Reports to Include in PDF Submission

Form #	Title	Agency Level	
<input checked="" type="checkbox"/>	Cvr Ltr	Cover Letter	Agency Level
<input checked="" type="checkbox"/>	S-1	Certification	Agency Level
<input checked="" type="checkbox"/>	S-2	Organizational Chart	Agency/Program Level
<input checked="" type="checkbox"/>	S-8	Financial Summary (BFM)	Agency/Program Level
<input checked="" type="checkbox"/>	S-9	Account Code Revenue / Expenditure Report	Agency/Program Level
<input checked="" type="checkbox"/>	S-10	Fund Balance Projection	Fund Level
<input checked="" type="checkbox"/>	S-13	Detail of Rate Line Items (see instructions)	Agency Level
<input type="checkbox"/>	P-1	Program Narrative	Program Level
<input type="checkbox"/>	R-2	Transfer Report	Agency Level
<input checked="" type="checkbox"/>	REV/EXP	Revenue-Expenditure Comparison Report	Agency/Program Level
<input type="checkbox"/>	FFRW	Detail of Federal Funds Revenue Worksheet	Agency/Program Level
<input checked="" type="checkbox"/>	EB-1	Expansion Justifications	Program Level
<input checked="" type="checkbox"/>	EB-2	Expansion Fiscal Summary	Program Level
<input checked="" type="checkbox"/>	EB-3	Expansion Line Item Detail	Program Level
<input type="checkbox"/>	LFR	Legislating for Results Expansion Tool	Program Level
<input checked="" type="checkbox"/>	E4	Pcode Detail	Program Level
<input checked="" type="checkbox"/>	E5	Contract by Pcode	Program Level
<input type="checkbox"/>	SAR	Special Appropriation Request Report	Agency Level
<input checked="" type="checkbox"/>	APR	Annual Performance Report	Program Level
<input checked="" type="checkbox"/>	Table 2	Table 2 Performance Measure Summary	Program Level
<input checked="" type="checkbox"/>	SP	Strategic Plan	Agency Level
<input type="checkbox"/>	ITP	Information Technology Plan	Agency Level
<input type="checkbox"/>	C-1	Base Operating Budget	Agency Level
<input type="checkbox"/>	C-2	IT Request Plan	Agency Level
<input type="checkbox"/>	Perf Audit	Update to LFC Performance Audits (within last 2 years)	Agency Level

Documents to Attach in BFM (PDF Optional)

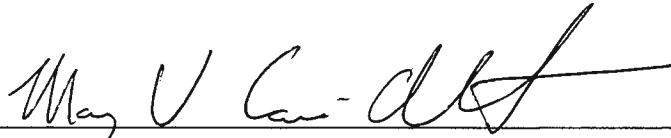
<input type="checkbox"/>	Board Cert	Board or Commission Budget Certification	Where to Attach Form 9900
<input type="checkbox"/>	E-6B	Leased Passenger-Related Vehicles	Form 3300/4300

**APPROPRIATION REQUEST
CERTIFICATION
FORM S-1**

Agency Name: First Judicial District Attorney

Business Unit: 25100

I hereby certify that the accompanying summary and detailed statements are true and correct to the best of my knowledge and belief and that the arithmetic accuracy of all numeric information has been verified.



Mary Carmack-Altwhies, District Attorney



C. Renee Padilla, Chief Financial Officer

327 Sandoval Street
Santa Fe, New Mexico 87501

505-428-6918

rpadilla@da.state.nm.us

Note: Appropriation Requests for agencies headed by a board or commission must be approved by the board or commission by official action and signed by the chairperson. Operating Budgets of other agencies must be signed by the director or secretary. Appropriation Requests not properly signed will be returned.

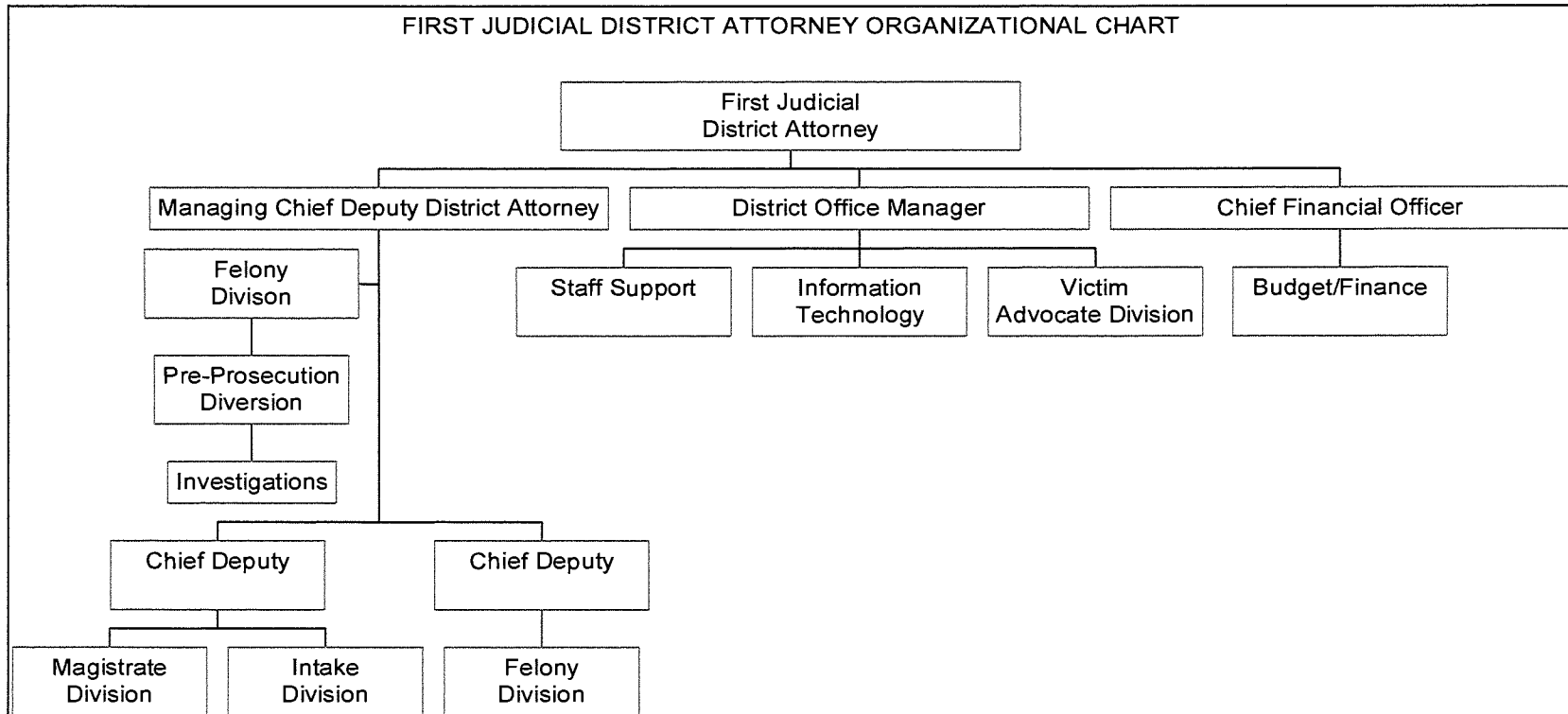
Agency Name: First Judicial District Attorney Office
Program Name: Prosecution

Business Unit: 25100
Program Code: P250

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OPERATING BUDGET ORGANIZATION CHART FORM S-2

FIRST JUDICIAL DISTRICT ATTORNEY ORGANIZATIONAL CHART



Check Box if this form is a revision

Revision no:

Revision Date:

Page

S-8 Financial Summary

(Dollars in Thousands)

BU PCode Department
25100 P251 000000

	2023-24 Opbud	2023-24 Actuals	2024-25 Opbud	2025-26 PCF Proj	Base	----- FY 2026 Agency Request -----		Total
						Expansion		
REVENUE								
111 General Fund Transfers	8,483.7	8,104.8	8,815.1	0.0	9,162.4	1,703.2		10,865.6
112 Other Transfers	152.6	500.8	77.6	0.0	77.6	0.0		77.6
120 Federal Revenues	120.1	96.8	120.1	0.0	120.1	0.0		120.1
150 Fund Balance	0.0	0.0	0.0	0.0	0.0	0.0		0.0
REVENUE, TRANSFERS	8,756.4	8,702.3	9,012.8	0.0	9,360.1	1,703.2		11,063.3
REVENUE	8,756.4	8,702.3	9,012.8	0.0	9,360.1	1,703.2		11,063.3
EXPENSE								
200 Personal Services and Employee Benefits	8,047.6	7,733.9	8,304.0	9,457.4	8,449.8	1,547.0		9,996.8
300 Contractual services	97.8	268.3	97.8	0.0	98.9	156.2		255.1
400 Other	611.0	604.4	611.0	0.0	811.4	0.0		811.4
EXPENDITURES	8,756.4	8,606.6	9,012.8	9,457.38	9,360.1	1,703.2		11,063.3
EXPENSE	8,756.4	8,606.6	9,012.8	9,457.38	9,360.1	1,703.2		11,063.3
FTE POSITIONS								
810 Permanent	79.00	90.00	79.00	90.00	79.00	13.00		92.00
820 Term	5.00	2.00	5.00	2.00	5.00	0.00		5.00
FTEs	84.00	92.00	84.00	92.00	84.00	13.00		97.00
FTE POSITIONS	84.00	92.00	84.00	92.00	84.00	13.00		97.00

BU PCode Department
25100 0000 0000000000

S-9 Account Code Revenue/Expenditure Summary
(Dollars in Thousands)

		2023-24	2023-24	2024-25	2025-26	----- FY 2026 Agency Request -----		
		Opbud	Actuals	Opbud	PCF Proj	Base	Expansion	Total
499105	General Fd. Appropriation	8,483.7	8,104.8	8,815.1	0.0	9,162.4	1,703.2	10,865.6
111	General Fund Transfers	8,483.7	8,104.8	8,815.1	0.0	9,162.4	1,703.2	10,865.6
451909	Federal Contract - Interagency	152.6	121.9	77.6	0.0	77.6	0.0	77.6
499905	Other Financing Sources	0.0	378.9	0.0	0.0	0.0	0.0	0.0
112	Other Transfers	152.6	500.8	77.6	0.0	77.6	0.0	77.6
451903	Federal Direct - Operating	120.1	96.8	120.1	0.0	120.1	0.0	120.1
120	Federal Revenues	120.1	96.8	120.1	0.0	120.1	0.0	120.1
327900	Assigned FB - GOV	0.0	0.0	0.0	0.0	0.0	0.0	0.0
150	Fund Balance	0.0	0.0	0.0	0.0	0.0	0.0	0.0
TOTAL REVENUE		8,756.4	8,702.3	9,012.8	0	9,360.1	1,703.2	11,063.3
520100	Exempt Perm Positions P/T&F/T	5,631.9	5,428.7	5,708.8	6,910.4	5,708.8	1,169.5	6,878.3
520200	Term Positions	202.7	99.5	136.6	87.9	136.6	0.0	136.6
520600	Paid Unused Sick Leave	0.0	7.9	0.0	0.0	0.0	0.0	0.0
520700	Overtime & Other Premium Pay	0.0	32.4	0.0	0.0	0.0	0.0	0.0
520800	Annl & Comp Paid At Separation	0.0	62.7	0.0	0.0	0.0	0.0	0.0
521100	Group Insurance Premium	594.3	459.9	741.8	551.7	806.9	49.8	856.7
521200	Retirement Contributions	1,035.7	1,050.5	1,090.2	1,330.9	1,115.0	225.8	1,340.8
521300	F I C A	412.9	416.9	441.5	432.2	452.2	72.5	524.7
521400	Workers' Comp Assessment Fee	0.7	0.7	0.8	0.0	0.8	0.0	0.8
521410	GSD Work Comp Insur Premium	18.4	18.3	18.4	0.0	26.2	0.0	26.2
521500	Unemployment Comp Premium	0.0	0.0	5.1	0.0	5.8	0.0	5.8
521600	Employee Liability Ins Premium	40.9	47.1	62.2	0.0	96.1	0.0	96.1
521700	RHC Act Contributions	110.1	109.3	98.6	144.3	101.4	29.4	130.8
521900	Other Employee Benefits	0.0	0.0	0.0	0.0	0.0	0.0	0.0
200	Personal Services and Employee Bene	8,047.6	7,733.9	8,304.0	9,457.4	8,449.8	1,547.0	9,996.8
535200	Professional Services	0.0	28.6	0.0	0.0	0.0	0.0	0.0
535300	Other Services	2.7	17.5	2.7	0.0	2.7	156.2	158.9
535309	Other Services - Interagency	0.0	18.3	0.0	0.0	0.0	0.0	0.0
535400	Audit Services	20.1	19.3	21.4	0.0	22.5	0.0	22.5
535500	Attorney Services	75.0	184.5	73.7	0.0	73.7	0.0	73.7
535600	IT Services	0.0	0.0	0.0	0.0	0.0	0.0	0.0
300	Contractual services	97.8	268.3	97.8	0.0	98.9	156.2	255.1
542100	Employee I/S Mileage & Fares	2.0	1.5	2.0	0.0	2.0	0.0	2.0

BU PCode Department
25100 0000 0000000000

S-9 Account Code Revenue/Expenditure Summary
(Dollars in Thousands)

		2023-24	2023-24	2024-25	2025-26	----- FY 2026 Agency Request -----		
		Opbud	Actuals	Opbud	PCF Proj	Base	Expansion	Total
542200	Employee I/S Meals & Lodging	10.0	28.2	14.0	0.0	14.0	0.0	14.0
542500	Transp - Fuel & Oil	30.9	28.9	35.1	0.0	35.1	0.0	35.1
542600	Transp - Parts & Supplies	15.0	22.9	15.7	0.0	15.7	0.0	15.7
542700	Transp - Transp Insurance	3.2	3.1	3.6	0.0	3.4	0.0	3.4
543200	Maint - Furn, Fixt, Equipment	2.0	0.0	2.0	0.0	2.0	0.0	2.0
543300	Maint - Buildings & Structures	1.0	0.1	0.0	0.0	0.0	0.0	0.0
543400	Maint - Property Insurance	0.1	0.0	0.1	0.0	0.1	0.0	0.1
543820	Maintenance IT	2.5	0.0	2.5	0.0	2.5	0.0	2.5
543830	IT HW/SW Agreements	207.1	166.5	207.1	0.0	207.1	0.0	207.1
544000	Supply Inventory IT	19.5	8.0	16.5	0.0	16.5	0.0	16.5
544100	Supplies-Office Supplies	10.0	13.8	12.0	0.0	12.0	0.0	12.0
544400	Supplies-Field Supplies	5.0	13.2	5.0	0.0	5.0	0.0	5.0
544800	Supplies-Education&Recreation	0.0	2.8	0.0	0.0	0.0	0.0	0.0
544900	Supplies-Inventory Exempt	13.0	24.2	15.0	0.0	115.0	0.0	115.0
545600	Reporting & Recording	70.0	94.2	70.0	0.0	70.0	0.0	70.0
545710	DOIT HCM Assessment Fees	29.2	27.6	30.2	0.0	30.8	0.0	30.8
545900	Printing & Photo Services	4.5	5.1	4.5	0.0	4.5	0.0	4.5
546100	Postage & Mail Services	7.5	1.9	5.0	0.0	5.0	0.0	5.0
546400	Rent Of Land & Buildings	10.0	8.1	10.0	0.0	10.0	0.0	10.0
546500	Rent Of Equipment	25.0	26.3	32.0	0.0	32.0	0.0	32.0
546600	Communications	60.0	46.1	52.0	0.0	52.0	0.0	52.0
546700	Subscriptions/Dues/License Fee	62.0	51.3	48.9	0.0	48.9	0.0	48.9
546800	Employee Training & Education	4.0	6.1	5.0	0.0	5.0	0.0	5.0
546900	Advertising	1.0	3.4	0.8	0.0	0.8	0.0	0.8
547900	Miscellaneous Expense	12.5	9.9	15.0	0.0	15.0	0.0	15.0
547999	Request to Pay Prior Year	0.0	6.6	0.0	0.0	0.0	0.0	0.0
548400	Other Equipment	0.0	0.0	0.0	0.0	100.0	0.0	100.0
549600	Employee O/S Mileage & Fares	3.0	4.0	5.0	0.0	5.0	0.0	5.0
549700	Employee O/S Meals & Lodging	1.0	0.7	2.0	0.0	2.0	0.0	2.0
400	Other	611.0	604.4	611.0	0.0	811.4	0.0	811.4
TOTAL EXPENSE		8,756.4	8,606.6	9,012.8	9,457.38	9,360.1	1,703.2	11,063.3
810	Permanent	79.00	90.00	79.00	90.00	79.00	5.00	9.0 84.00
810	Permanent	79.00	90.00	79.00	90.00	79.00	5.00	84.00

BU **PCode** **Department**
25100 0000 0000000000

S-9 Account Code Revenue/Expenditure Summary
(Dollars in Thousands)

820	Term	5.00	2.00	5.00	2.00	5.00	0.00	5.00
820	Term	5.00	2.00	5.00	2.00	5.00	0.00	5.00
TOTAL FTE POSITIONS		84.00	92.00	84.00	92.00	84.00	5.00	89.00

9.0

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BU PCode Department
 25100 P251 000000

S-9 Account Code Revenue Summary
 (Dollars in Thousands)

	Provider PCode	2023-24 Opbud	2023-24 Actuals	2024-25 Opbud	2025-26 PCF Proj	----- FY 2026 Agency Request -----		
						Base	Expansion	Total
499105	General Fd. Appropriation	8,483.7	8,104.8	8,815.1	0.0	9,162.4	1,703.2	10,865.6
111	General Fund Transfers	8,483.7	8,104.8	8,815.1	0.0	9,162.4	1,703.2	10,865.6
451909	Federal Contract - Interagency	152.6	121.9	77.6	0.0	77.6	0.0	77.6
499905	Other Financing Sources	0.0	378.9	0.0	0.0	0.0	0.0	0.0
112	Other Transfers	152.6	500.8	77.6	0.0	77.6	0.0	77.6
451903	Federal Direct - Operating	120.1	96.8	120.1	0.0	120.1	0.0	120.1
120	Federal Revenues	120.1	96.8	120.1	0.0	120.1	0.0	120.1
327900	Assigned FB - GOV	0.0	0.0	0.0	0.0	0.0	0.0	0.0
150	Fund Balance	0.0	0.0	0.0	0.0	0.0	0.0	0.0
TOTAL REVENUE		8,756.4	8,702.3	9,012.8	0.0	9,360.1	1,703.2	11,063.3

BU PCode Department
 25100 0000 0000000000

S-9 Account Code Expenditure Summary
 (Dollars in Thousands)

		2023-24	2023-24	2024-25	2025-26	----- FY 2026 Agency Request -----		
		Opbud	Actuals	Opbud	PCF Proj	Base	Expansion	Total
520100	Exempt Perm Positions P/T&F/T	5,631.9	5,428.7	5,708.8	6,910.4	5,708.8	1,169.5	6,878.3
520200	Term Positions	202.7	99.5	136.6	87.9	136.6	0.0	136.6
520600	Paid Unused Sick Leave	0.0	7.9	0.0	0.0	0.0	0.0	0.0
520700	Overtime & Other Premium Pay	0.0	32.4	0.0	0.0	0.0	0.0	0.0
520800	Annl & Comp Paid At Separation	0.0	62.7	0.0	0.0	0.0	0.0	0.0
521100	Group Insurance Premium	594.3	459.9	741.8	551.7	806.9	49.8	856.7
521200	Retirement Contributions	1,035.7	1,050.5	1,090.2	1,330.9	1,115.0	225.8	1,340.8
521300	F I C A	412.9	416.9	441.5	432.2	452.2	72.5	524.7
521400	Workers' Comp Assessment Fee	0.7	0.7	0.8	0.0	0.8	0.0	0.8
521410	GSD Work Comp Insur Premium	18.4	18.3	18.4	0.0	26.2	0.0	26.2
521500	Unemployment Comp Premium	0.0	0.0	5.1	0.0	5.8	0.0	5.8
521600	Employee Liability Ins Premium	40.9	47.1	62.2	0.0	96.1	0.0	96.1
521700	RHC Act Contributions	110.1	109.3	98.6	144.3	101.4	29.4	130.8
521900	Other Employee Benefits	0.0	0.0	0.0	0.0	0.0	0.0	0.0
200	Personal Services and Employee Benefits	8,047.6	7,733.9	8,304.0	9,457.4	8,449.8	1,547.0	9,996.8
535200	Professional Services	0.0	28.6	0.0	0.0	0.0	0.0	0.0
535300	Other Services	2.7	17.5	2.7	0.0	2.7	156.2	158.9
535309	Other Services - Interagency	0.0	18.3	0.0	0.0	0.0	0.0	0.0
535400	Audit Services	20.1	19.3	21.4	0.0	22.5	0.0	22.5
535500	Attorney Services	75.0	184.5	73.7	0.0	73.7	0.0	73.7
535600	IT Services	0.0	0.0	0.0	0.0	0.0	0.0	0.0
300	Contractual services	97.8	268.3	97.8	0.0	98.9	156.2	255.1
542100	Employee I/S Mileage & Fares	2.0	1.5	2.0	0.0	2.0	0.0	2.0
542200	Employee I/S Meals & Lodging	10.0	28.2	14.0	0.0	14.0	0.0	14.0
542500	Transp - Fuel & Oil	30.9	28.9	35.1	0.0	35.1	0.0	35.1
542600	Transp - Parts & Supplies	15.0	22.9	15.7	0.0	15.7	0.0	15.7
542700	Transp - Transp Insurance	3.2	3.1	3.6	0.0	3.4	0.0	3.4
543200	Maint - Furn, Fixt, Equipment	2.0	0.0	2.0	0.0	2.0	0.0	2.0
543300	Maint - Buildings & Structures	1.0	0.1	0.0	0.0	0.0	0.0	0.0
543400	Maint - Property Insurance	0.1	0.0	0.1	0.0	0.1	0.0	0.1
543820	Maintenance IT	2.5	0.0	2.5	0.0	2.5	0.0	2.5
543830	IT HW/SW Agreements	207.1	166.5	207.1	0.0	207.1	0.0	207.1

BU PCode Department
 25100 0000 0000000000

S-9 Account Code Expenditure Summary
 (Dollars in Thousands)

		2023-24	2023-24	2024-25	2025-26	----- FY 2026 Agency Request -----		
		Opbud	Actuals	Opbud	PCF Proj	Base	Expansion	Total
544000	Supply Inventory IT	19.5	8.0	16.5	0.0	16.5	0.0	16.5
544100	Supplies-Office Supplies	10.0	13.8	12.0	0.0	12.0	0.0	12.0
544400	Supplies-Field Supplies	5.0	13.2	5.0	0.0	5.0	0.0	5.0
544800	Supplies-Education&Recreation	0.0	2.8	0.0	0.0	0.0	0.0	0.0
544900	Supplies-Inventory Exempt	13.0	24.2	15.0	0.0	115.0	0.0	115.0
545600	Reporting & Recording	70.0	94.2	70.0	0.0	70.0	0.0	70.0
545710	DOIT HCM Assessment Fees	29.2	27.6	30.2	0.0	30.8	0.0	30.8
545900	Printing & Photo Services	4.5	5.1	4.5	0.0	4.5	0.0	4.5
546100	Postage & Mail Services	7.5	1.9	5.0	0.0	5.0	0.0	5.0
546400	Rent Of Land & Buildings	10.0	8.1	10.0	0.0	10.0	0.0	10.0
546500	Rent Of Equipment	25.0	26.3	32.0	0.0	32.0	0.0	32.0
546600	Communications	60.0	46.1	52.0	0.0	52.0	0.0	52.0
546700	Subscriptions/Dues/License Fee	62.0	51.3	48.9	0.0	48.9	0.0	48.9
546800	Employee Training & Education	4.0	6.1	5.0	0.0	5.0	0.0	5.0
546900	Advertising	1.0	3.4	0.8	0.0	0.8	0.0	0.8
547900	Miscellaneous Expense	12.5	9.9	15.0	0.0	15.0	0.0	15.0
547999	Request to Pay Prior Year	0.0	6.6	0.0	0.0	0.0	0.0	0.0
548400	Other Equipment	0.0	0.0	0.0	0.0	100.0	0.0	100.0
549600	Employee O/S Mileage & Fares	3.0	4.0	5.0	0.0	5.0	0.0	5.0
549700	Employee O/S Meals & Lodging	1.0	0.7	2.0	0.0	2.0	0.0	2.0
400	Other	611.0	604.4	611.0	0.0	811.4	0.0	811.4
TOTAL EXPENSE		8,756.4	8,606.6	9,012.8	9,457.38	9,360.1	1,703.2	11,063.3

BU PCode Department
25100 P251 000000

EB-1 Expansion Justifications
(Dollars in Thousands)

CMO 5 Senior Trial Attorney

Rank: 0

New Initiative	2025-26 GF Sources	2025-26 OSF Sources	2025-26 ISF/ IAT Sources	2025-26 FF Sources	2025-26 Total Request	2025-26 Exec Recommendation
General Fund Transfers	706.8	0.0	0.0	0.0	706.8	0.0
REVENUE, TRANSFERS	706.8	0.0	0.0	0.0	706.8	0.0
Personal Services and Employee	706.8	0.0	0.0	0.0	706.8	0.0
EXPENDITURES	706.8	0.0	0.0	0.0	706.8	0.0
Permanent	0	0	0	0	5	
FTEs	0	0	0	0	5	0

Brief Description:

Legislative Change: _____

Session Law Citation:

Legal Settlement: _____

Case Number or Citation:

CMO & Magistrate 2 Prosecution Specialists

Rank: 0

New Initiative	2025-26 GF Sources	2025-26 OSF Sources	2025-26 ISF/ IAT Sources	2025-26 FF Sources	2025-26 Total Request	2025-26 Exec Recommendation
General Fund Transfers	162.0	0.0	0.0	0.0	162.0	0.0
REVENUE, TRANSFERS	162.0	0.0	0.0	0.0	162.0	0.0
Personal Services and Employee	162.0	0.0	0.0	0.0	162.0	0.0
EXPENDITURES	162.0	0.0	0.0	0.0	162.0	0.0
Permanent	0	0	0	0	2	
FTEs	0	0	0	0	2	0

Brief Description:

Legislative Change: _____

Session Law Citation:

Legal Settlement: _____

Case Number or Citation:

EB-1 Expansion Justifications
(Dollars in Thousands)

CMO 2 Senior Legal Assistants

Rank: 0

New Initiative	2025-26 GF Sources	2025-26 OSF Sources	2025-26 ISF/ IAT Sources	2025-26 FF Sources	2025-26 Total Request	2025-26 Exec Recommendation
General Fund Transfers	151.5	0.0	0.0	0.0	151.5	0.0
REVENUE, TRANSFERS	151.5	0.0	0.0	0.0	151.5	0.0
Personal Services and Employee	151.5	0.0	0.0	0.0	151.5	0.0
EXPENDITURES	151.5	0.0	0.0	0.0	151.5	0.0
Permanent	0	0	0	0	2	
FTEs	0	0	0	0	2	0

Brief Description:

Legislative Change: _____

Session Law Citation:

Legal Settlement: _____

Case Number or Citation:

CMO 1 Victim Witness Coordinator

Rank: 0

New Initiative	2025-26 GF Sources	2025-26 OSF Sources	2025-26 ISF/ IAT Sources	2025-26 FF Sources	2025-26 Total Request	2025-26 Exec Recommendation
General Fund Transfers	92.6	0.0	0.0	0.0	92.6	0.0
REVENUE, TRANSFERS	92.6	0.0	0.0	0.0	92.6	0.0
Personal Services and Employee	92.6	0.0	0.0	0.0	92.6	0.0
EXPENDITURES	92.6	0.0	0.0	0.0	92.6	0.0
Permanent	0	0	0	0	1	
FTEs	0	0	0	0	1	0

Brief Description:

Legislative Change: _____

Session Law Citation:

Legal Settlement: _____

Case Number or Citation:

EB-1 Expansion Justifications
(Dollars in Thousands)

Magistrate Assistant Trial Attorney

Rank: 0

New Initiative	2025-26 GF Sources	2025-26 OSF Sources	2025-26 ISF/ IAT Sources	2025-26 FF Sources	2025-26 Total Request	2025-26 Exec Recommendation
General Fund Transfers	240.0	0.0	0.0	0.0	240.0	0.0
REVENUE, TRANSFERS	240.0	0.0	0.0	0.0	240.0	0.0
Personal Services and Employee	240.0	0.0	0.0	0.0	240.0	0.0
EXPENDITURES	240.0	0.0	0.0	0.0	240.0	0.0
Permanent	0	0	0	0	1	
FTEs	0	0	0	0	1	0

Brief Description:

Legislative Change:

Session Law Citation:

Legal Settlement:

Case Number or Citation:

IT Technology Project Manager

Rank: 0

New Initiative	2025-26 GF Sources	2025-26 OSF Sources	2025-26 ISF/ IAT Sources	2025-26 FF Sources	2025-26 Total Request	2025-26 Exec Recommendation
General Fund Transfers	110.3	0.0	0.0	0.0	110.3	0.0
REVENUE, TRANSFERS	110.3	0.0	0.0	0.0	110.3	0.0
Personal Services and Employee	110.3	0.0	0.0	0.0	110.3	0.0
EXPENDITURES	110.3	0.0	0.0	0.0	110.3	0.0
Permanent	0	0	0	0	1	
FTEs	0	0	0	0	1	0

Brief Description:

Legislative Change:

Session Law Citation:

Legal Settlement:

Case Number or Citation:

EB-1 Expansion Justifications
(Dollars in Thousands)

Juvenile & Young Adult Diversion WTGF Prosecution Specialist

Rank: 0

New Initiative	2025-26 GF Sources	2025-26 OSF Sources	2025-26 ISF/ IAT Sources	2025-26 FF Sources	2025-26 Total Request	2025-26 Exec Recommendation
General Fund Transfers	83.8	0.0	0.0	0.0	83.8	0.0
REVENUE, TRANSFERS	83.8	0.0	0.0	0.0	83.8	0.0
Personal Services and Employee	83.8	0.0	0.0	0.0	83.8	0.0
EXPENDITURES	83.8	0.0	0.0	0.0	83.8	0.0
Permanent	0	0	0	0	1	
FTEs	0	0	0	0	1	0

Brief Description:

Legislative Change:

Session Law Citation:

Legal Settlement:

Case Number or Citation:

WTGF Juvenile & Young Adult Diversion Program

Rank: 0

New Initiative	2025-26 GF Sources	2025-26 OSF Sources	2025-26 ISF/ IAT Sources	2025-26 FF Sources	2025-26 Total Request	2025-26 Exec Recommendation
General Fund Transfers	156.2	0.0	0.0	0.0	156.2	0.0
REVENUE, TRANSFERS	156.2	0.0	0.0	0.0	156.2	0.0
Contractual services	156.2	0.0	0.0	0.0	156.2	0.0
EXPENDITURES	156.2	0.0	0.0	0.0	156.2	0.0

Brief Description:

Legislative Change:

Session Law Citation:

Legal Settlement:

Case Number or Citation:

First Judicial District Attorney

BU	PCode	Department
25100	P251	000000

State of New Mexico

EB-1 Expansion Justifications
(Dollars in Thousands)

EB-2 Expansion Fiscal Summary
(Dollars in Thousands)

CMO 5 Senior Trial Attorney

Rank: 0

		2025-26 GF Sources	2025-26 OSF Sources	2025-26 ISF/ IAT Sources	2025-26 FF Sources	2025-26 Total Request	2025-26 Exec Recommendation
111	General Fund Transfers	706.8	0.0	0.0	0.0	706.8	0.0
REVENUE, TRANSFERS		706.8	0.0	0.0	0.0	706.8	0.0
200	Personal Services and Employee Benefits	706.8	0.0	0.0	0.0	706.8	0.0
EXPENDITURES		706.8	0.0	0.0	0.0	706.8	0.0
810	Permanent	0	0	0	0	5	0.0
FTEs		0	0	0	0	5	0

CMO & Magistrate 2 Prosecution Specialists

Rank: 0

		2025-26 GF Sources	2025-26 OSF Sources	2025-26 ISF/ IAT Sources	2025-26 FF Sources	2025-26 Total Request	2025-26 Exec Recommendation
111	General Fund Transfers	162.0	0.0	0.0	0.0	162.0	0.0
REVENUE, TRANSFERS		162.0	0.0	0.0	0.0	162.0	0.0
200	Personal Services and Employee Benefits	162.0	0.0	0.0	0.0	162.0	0.0
EXPENDITURES		162.0	0.0	0.0	0.0	162.0	0.0
810	Permanent	0	0	0	0	2	0.0
FTEs		0	0	0	0	2	0

CMO 2 Senior Legal Assistants

Rank: 0

		2025-26 GF Sources	2025-26 OSF Sources	2025-26 ISF/ IAT Sources	2025-26 FF Sources	2025-26 Total Request	2025-26 Exec Recommendation
111	General Fund Transfers	151.5	0.0	0.0	0.0	151.5	0.0
REVENUE, TRANSFERS		151.5	0.0	0.0	0.0	151.5	0.0
200	Personal Services and Employee Benefits	151.5	0.0	0.0	0.0	151.5	0.0
EXPENDITURES		151.5	0.0	0.0	0.0	151.5	0.0
810	Permanent	0	0	0	0	2	0.0
FTEs		0	0	0	0	2	0

CMO 1 Victim Witness Coordinator

Rank: 0

		2025-26 GF Sources	2025-26 OSF Sources	2025-26 ISF/ IAT Sources	2025-26 FF Sources	2025-26 Total Request	2025-26 Exec Recommendation
111	General Fund Transfers	92.6	0.0	0.0	0.0	92.6	0.0

BU PCode Department
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EB-2 Expansion Fiscal Summary
(Dollars in Thousands)

REVENUE, TRANSFERS	92.6	0.0	0.0	0.0	92.6	0.0
200 Personal Services and Employee Benefits	92.6	0.0	0.0	0.0	92.6	0.0
EXPENDITURES	92.6	0.0	0.0	0.0	92.6	0.0
810 Permanent	0	0	0	0	1	0.0
FTEs	0	0	0	0	1	0

Magistrate Assistant Trial Attorney

Rank: 0

	2025-26 GF Sources	2025-26 OSF Sources	2025-26 ISF/ IAT Sources	2025-26 FF Sources	2025-26 Total Request	2025-26 Exec Recommendation
111 General Fund Transfers	240.0	0.0	0.0	0.0	240.0	0.0
REVENUE, TRANSFERS	240.0	0.0	0.0	0.0	240.0	0.0
200 Personal Services and Employee Benefits	240.0	0.0	0.0	0.0	240.0	0.0
EXPENDITURES	240.0	0.0	0.0	0.0	240.0	0.0
810 Permanent	0	0	0	0	1	0.0
FTEs	0	0	0	0	1	0

IT Technology Project Manager

Rank: 0

	2025-26 GF Sources	2025-26 OSF Sources	2025-26 ISF/ IAT Sources	2025-26 FF Sources	2025-26 Total Request	2025-26 Exec Recommendation
111 General Fund Transfers	110.3	0.0	0.0	0.0	110.3	0.0
REVENUE, TRANSFERS	110.3	0.0	0.0	0.0	110.3	0.0
200 Personal Services and Employee Benefits	110.3	0.0	0.0	0.0	110.3	0.0
EXPENDITURES	110.3	0.0	0.0	0.0	110.3	0.0
810 Permanent	0	0	0	0	1	0.0
FTEs	0	0	0	0	1	0

Juvenile & Young Adult Diversion WTGF Prosecution Specialist

Rank: 0

	2025-26 GF Sources	2025-26 OSF Sources	2025-26 ISF/ IAT Sources	2025-26 FF Sources	2025-26 Total Request	2025-26 Exec Recommendation
111 General Fund Transfers	83.8	0.0	0.0	0.0	83.8	0.0
REVENUE, TRANSFERS	83.8	0.0	0.0	0.0	83.8	0.0
200 Personal Services and Employee Benefits	83.8	0.0	0.0	0.0	83.8	0.0
EXPENDITURES	83.8	0.0	0.0	0.0	83.8	0.0

BU **PCode** **Department**
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EB-2 Expansion Fiscal Summary
 (Dollars in Thousands)

810	Permanent	0	0	0	0	1	0.0
FTEs		0	0	0	0	1	0

WTGF Juvenile & Young Adult Diversion Program **Rank: 0**

		2025-26 GF Sources	2025-26 OSF Sources	2025-26 ISF/ IAT Sources	2025-26 FF Sources	2025-26 Total Request	2025-26 Exec Recommendation
111	General Fund Transfers	156.2	0.0	0.0	0.0	156.2	0.0
REVENUE, TRANSFERS		156.2	0.0	0.0	0.0	156.2	0.0
300	Contractual services	156.2	0.0	0.0	0.0	156.2	0.0
EXPENDITURES		156.2	0.0	0.0	0.0	156.2	0.0

0.0

EB-3 Expansion Line Item Detail
(Dollars in Thousands)

CMO 5 Senior Trial Attorney

Rank: 0

		2025-26 GF Sources	2025-26 OSF Sources	2025-26 ISF/IAT Sources	2025-26 FF Sources	2025-26 Total Request	2025-26 Exec Recommendation
520100	Exempt Perm Positions P/T&F/T	532.6	0.0	0.0	0.0	532.6	0.0
521100	Group Insurance Premium	25.1	0.0	0.0	0.0	25.1	0.0
521200	Retirement Contributions	102.8	0.0	0.0	0.0	102.8	0.0
521300	F I C A	33.0	0.0	0.0	0.0	33.0	0.0
521700	RHC Act Contributions	13.3	0.0	0.0	0.0	13.3	0.0
200	Personal Services and Employee Benefit	706.8	0.0	0.0	0.0	706.8	0.0
Total for CMO 5 Senior Trial Attorney		706.8	0.0	0.0	0.0	706.8	0.0

CMO & Magistrate 2 Prosecution Specialists

Rank: 0

		2025-26 GF Sources	2025-26 OSF Sources	2025-26 ISF/IAT Sources	2025-26 FF Sources	2025-26 Total Request	2025-26 Exec Recommendation
520100	Exempt Perm Positions P/T&F/T	126.1	0.0	0.0	0.0	126.1	0.0
521100	Group Insurance Premium	0.6	0.0	0.0	0.0	0.6	0.0
521200	Retirement Contributions	24.3	0.0	0.0	0.0	24.3	0.0
521300	F I C A	7.8	0.0	0.0	0.0	7.8	0.0
521700	RHC Act Contributions	3.2	0.0	0.0	0.0	3.2	0.0
200	Personal Services and Employee Benefit	162.0	0.0	0.0	0.0	162.0	0.0
Total for CMO & Magistrate 2 Prosecution Specialists		162.0	0.0	0.0	0.0	162.0	0.0

CMO 2 Senior Legal Assistants

Rank: 0

		2025-26 GF Sources	2025-26 OSF Sources	2025-26 ISF/IAT Sources	2025-26 FF Sources	2025-26 Total Request	2025-26 Exec Recommendation
520100	Exempt Perm Positions P/T&F/T	114.1	0.0	0.0	0.0	114.1	0.0
521100	Group Insurance Premium	5.4	0.0	0.0	0.0	5.4	0.0
521200	Retirement Contributions	22.0	0.0	0.0	0.0	22.0	0.0
521300	F I C A	7.1	0.0	0.0	0.0	7.1	0.0
521700	RHC Act Contributions	2.9	0.0	0.0	0.0	2.9	0.0
200	Personal Services and Employee Benefit	151.5	0.0	0.0	0.0	151.5	0.0
Total for CMO 2 Senior Legal Assistants		151.5	0.0	0.0	0.0	151.5	0.0

CMO 1 Victim Witness Coordinator

Rank: 0

		2025-26 GF Sources	2025-26 OSF Sources	2025-26 ISF/IAT Sources	2025-26 FF Sources	2025-26 Total Request	2025-26 Exec Recommendation
520100	Exempt Perm Positions P/T&F/T	69.7	0.0	0.0	0.0	69.7	0.0

BU PCode Department
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EB-3 Expansion Line Item Detail
(Dollars in Thousands)

521100	Group Insurance Premium	3.3	0.0	0.0	0.0	3.3	0.0
521200	Retirement Contributions	13.5	0.0	0.0	0.0	13.5	0.0
521300	F I C A	4.3	0.0	0.0	0.0	4.3	0.0
521700	RHC Act Contributions	1.8	0.0	0.0	0.0	1.8	0.0
200	Personal Services and Employee Benefit	92.6	0.0	0.0	0.0	92.6	0.0
Total for CMO 1 Victim Witness Coordinator		92.6	0.0	0.0	0.0	92.6	0.0

Magistrate Assistant Trial Attorney **Rank:** 0

		2025-26 GF Sources	2025-26 OSF Sources	2025-26 ISF/IAT Sources	2025-26 FF Sources	2025-26 Total Request	2025-26 Exec Recommendation
520100	Exempt Perm Positions P/T&F/T	180.8	0.0	0.0	0.0	180.8	0.0
521100	Group Insurance Premium	8.5	0.0	0.0	0.0	8.5	0.0
521200	Retirement Contributions	35.0	0.0	0.0	0.0	35.0	0.0
521300	F I C A	11.2	0.0	0.0	0.0	11.2	0.0
521700	RHC Act Contributions	4.5	0.0	0.0	0.0	4.5	0.0
200	Personal Services and Employee Benefit	240.0	0.0	0.0	0.0	240.0	0.0
Total for Magistrate Assistant Trial Attorney		240.0	0.0	0.0	0.0	240.0	0.0

IT Technology Project Manager **Rank:** 0

		2025-26 GF Sources	2025-26 OSF Sources	2025-26 ISF/IAT Sources	2025-26 FF Sources	2025-26 Total Request	2025-26 Exec Recommendation
520100	Exempt Perm Positions P/T&F/T	83.1	0.0	0.0	0.0	83.1	0.0
521100	Group Insurance Premium	3.9	0.0	0.0	0.0	3.9	0.0
521200	Retirement Contributions	16.0	0.0	0.0	0.0	16.0	0.0
521300	F I C A	5.2	0.0	0.0	0.0	5.2	0.0
521700	RHC Act Contributions	2.1	0.0	0.0	0.0	2.1	0.0
200	Personal Services and Employee Benefit	110.3	0.0	0.0	0.0	110.3	0.0
Total for IT Technology Project Manager		110.3	0.0	0.0	0.0	110.3	0.0

Juvenile & Young Adult Diversion WTGF Prosecution Specialist **Rank:** 0

		2025-26 GF Sources	2025-26 OSF Sources	2025-26 ISF/IAT Sources	2025-26 FF Sources	2025-26 Total Request	2025-26 Exec Recommendation
520100	Exempt Perm Positions P/T&F/T	63.1	0.0	0.0	0.0	63.1	0.0
521100	Group Insurance Premium	3.0	0.0	0.0	0.0	3.0	0.0
521200	Retirement Contributions	12.2	0.0	0.0	0.0	12.2	0.0
521300	F I C A	3.9	0.0	0.0	0.0	3.9	0.0
521700	RHC Act Contributions	1.6	0.0	0.0	0.0	1.6	0.0
200	Personal Services and Employee Benefit	83.8	0.0	0.0	0.0	83.8	0.0

BU **PCode** **Department**
 25100 P251 000000

EB-3 Expansion Line Item Detail
 (Dollars in Thousands)

Total for Juvenile & Young Adult Diversion						
WTGF Prosecution Specialist	83.8	0.0	0.0	0.0	83.8	0.0

WTGF Juvenile & Young Adult Diversion Program **Rank:** 0

	2025-26 GF Sources	2025-26 OSF Sources	2025-26 ISF/IAT Sources	2025-26 FF Sources	2025-26 Total Request	2025-26 Exec Recommendation
535300 Other Services	156.2	0.0	0.0	0.0	156.2	0.0
300 Contractual services	156.2	0.0	0.0	0.0	156.2	0.0
Total for WTGF Juvenile & Young Adult Diversion Program	156.2	0.0	0.0	0.0	156.2	0.0

State of New Mexico

S-13 Line Items by Business Unit Expenditures

(Dollars in Thousands)

BusUnit	Line Item	2023-24	2024-25	Request		Recommendation		Opbud	
		Actuals	Opbud	Base	Expansion	Base	Expansion		
25100	P251-R	First Judicial District Attorney							
	520100	Exempt Perm Positions P/T&F/T	5,428.74	5,708.8	5,708.8	1,169.5	0	0	0.0
	520200	Term Positions	99.46	136.6	136.6	0	0	0	0.0
	520600	Paid Unused Sick Leave	7.92	0	0	0	0	0	0.0
	520700	Overtime & Other Premium Pay	32.41	0	0	0	0	0	0.0
	520800	Annl & Comp Paid At Separation	62.7	0	0	0	0	0	0.0
	521100	Group Insurance Premium	459.88	741.8	806.9	49.8	0	0	0.0
	521200	Retirement Contributions	1,050.47	1,090.2	1,115	225.8	0	0	0.0
	521300	F I C A	416.9	441.5	452.2	72.5	0	0	0.0
	521400	Workers' Comp Assessment Fee	0.72	0.8	0.8	0	0	0	0.0
	521410	GSD Work Comp Insur Premium	18.31	18.4	26.2	0	0	0	0.0
	521500	Unemployment Comp Premium	0	5.1	5.8	0	0	0	0.0
	521600	Employee Liability Ins Premium	47.09	62.2	96.1	0	0	0	0.0
	521700	RHC Act Contributions	109.27	98.6	101.4	29.4	0	0	0.0
	535200	Professional Services	28.61	0	0	0	0	0	0.0
	535300	Other Services	17.53	2.7	2.7	156.2	0	0	0.0
	535309	Other Services - Interagency	18.26	0	0	0	0	0	0.0
	535400	Audit Services	19.31	21.4	22.5	0	0	0	0.0
	535500	Attorney Services	184.54	73.7	73.7	0	0	0	0.0
	542100	Employee I/S Mileage & Fares	1.5	2	2	0	0	0	0.0
	542200	Employee I/S Meals & Lodging	28.22	14	14	0	0	0	0.0
	542500	Transp - Fuel & Oil	28.93	35.1	35.1	0	0	0	0.0
	542600	Transp - Parts & Supplies	22.88	15.7	15.7	0	0	0	0.0
	542700	Transp - Transp Insurance	3.1	3.6	3.4	0	0	0	0.0
	543200	Maint - Furn, Fixt, Equipment	0	2	2	0	0	0	0.0
	543300	Maint - Buildings & Structures	0.05	0	0	0	0	0	0.0
	543400	Maint - Property Insurance	0	0.1	0.1	0	0	0	0.0
	543820	Maintenance IT	0	2.5	2.5	0	0	0	0.0
	543830	IT HW/SW Agreements	166.54	207.1	207.1	0	0	0	0.0
	544000	Supply Inventory IT	8	16.5	16.5	0	0	0	0.0
	544100	Supplies-Office Supplies	13.85	12	12	0	0	0	0.0
	544400	Supplies-Field Supplies	13.25	5	5	0	0	0	0.0
	544800	Supplies-Education&Recreation	2.77	0	0	0	0	0	0.0

State of New Mexico

S-13 Line Items by Business Unit Expenditures

(Dollars in Thousands)

544900	Supplies-Inventory Exempt	24.23	15	115	0	0	0	0.0
545600	Reporting & Recording	94.17	70	70	0	0	0	0.0
545710	DOIT HCM Assessment Fees	27.55	30.2	30.8	0	0	0	0.0
545900	Printing & Photo Services	5.11	4.5	4.5	0	0	0	0.0
546100	Postage & Mail Services	1.91	5	5	0	0	0	0.0
546400	Rent Of Land & Buildings	8.06	10	10	0	0	0	0.0
546500	Rent Of Equipment	26.27	32	32	0	0	0	0.0
546600	Communications	46.09	52	52	0	0	0	0.0
546700	Subscriptions/Dues/License Fee	51.29	48.9	48.9	0	0	0	0.0
546800	Employee Training & Education	6.1	5	5	0	0	0	0.0
546900	Advertising	3.41	0.8	0.8	0	0	0	0.0
547900	Miscellaneous Expense	9.9	15	15	0	0	0	0.0
547999	Request to Pay Prior Year	6.55	0	0	0	0	0	0.0
548400	Other Equipment	0	0	100	0	0	0	0.0
549600	Employee O/S Mileage & Fares	4.04	5	5	0	0	0	0.0
549700	Employee O/S Meals & Lodging	0.67	2	2	0	0	0	0.0
Subtotal for:	25100 P251-R First Judicial District Attorney	8,606.57	9,012.8	9,360.1	1,703.2	0	0	0.0
25100		8,606.57	9,012.8	9,360.1	1,703.2	0	0	0.0

Totals by Line Item

BusUnit	Line Item	2023-24	2024-25	Request		Recommendation		Opbud
		Actuals	Opbud	Base	Expansion	Base	Expansion	
25100	520100 Exempt Perm Positions P/T&F/T	5,428.74	5,708.8	5,708.8	1,169.5	0	0	0.0
	520200 Term Positions	99.46	136.6	136.6	0	0	0	0.0
	520600 Paid Unused Sick Leave	7.92	0	0	0	0	0	0.0
	520700 Overtime & Other Premium Pay	32.41	0	0	0	0	0	0.0
	520800 Annl & Comp Paid At Separation	62.7	0	0	0	0	0	0.0
	521100 Group Insurance Premium	459.88	741.8	806.9	49.8	0	0	0.0
	521200 Retirement Contributions	1,050.47	1,090.2	1,115	225.8	0	0	0.0
	521300 F I C A	416.9	441.5	452.2	72.5	0	0	0.0
	521400 Workers' Comp Assessment Fee	0.72	0.8	0.8	0	0	0	0.0

State of New Mexico

S-13 Line Items by Business Unit Expenditures

(Dollars in Thousands)

521410	GSD Work Comp Insur Premium	18.31	18.4	26.2	0	0	0	0.0
521500	Unemployment Comp Premium	0	5.1	5.8	0	0	0	0.0
521600	Employee Liability Ins Premium	47.09	62.2	96.1	0	0	0	0.0
521700	RHC Act Contributions	109.27	98.6	101.4	29.4	0	0	0.0
535200	Professional Services	28.61	0	0	0	0	0	0.0
535300	Other Services	17.53	2.7	2.7	156.2	0	0	0.0
535309	Other Services - Interagency	18.26	0	0	0	0	0	0.0
535400	Audit Services	19.31	21.4	22.5	0	0	0	0.0
535500	Attorney Services	184.54	73.7	73.7	0	0	0	0.0
542100	Employee I/S Mileage & Fares	1.5	2	2	0	0	0	0.0
542200	Employee I/S Meals & Lodging	28.22	14	14	0	0	0	0.0
542500	Transp - Fuel & Oil	28.93	35.1	35.1	0	0	0	0.0
542600	Transp - Parts & Supplies	22.88	15.7	15.7	0	0	0	0.0
542700	Transp - Transp Insurance	3.1	3.6	3.4	0	0	0	0.0
543200	Maint - Furn, Fixt, Equipment	0	2	2	0	0	0	0.0
543300	Maint - Buildings & Structures	0.05	0	0	0	0	0	0.0
543400	Maint - Property Insurance	0	0.1	0.1	0	0	0	0.0
543820	Maintenance IT	0	2.5	2.5	0	0	0	0.0
543830	IT HW/SW Agreements	166.54	207.1	207.1	0	0	0	0.0
544000	Supply Inventory IT	8	16.5	16.5	0	0	0	0.0
544100	Supplies-Office Supplies	13.85	12	12	0	0	0	0.0
544400	Supplies-Field Supplies	13.25	5	5	0	0	0	0.0
544800	Supplies-Education&Recreation	2.77	0	0	0	0	0	0.0
544900	Supplies-Inventory Exempt	24.23	15	115	0	0	0	0.0
545600	Reporting & Recording	94.17	70	70	0	0	0	0.0
545710	DOIT HCM Assessment Fees	27.55	30.2	30.8	0	0	0	0.0
545900	Printing & Photo Services	5.11	4.5	4.5	0	0	0	0.0
546100	Postage & Mail Services	1.91	5	5	0	0	0	0.0
546400	Rent Of Land & Buildings	8.06	10	10	0	0	0	0.0
546500	Rent Of Equipment	26.27	32	32	0	0	0	0.0
546600	Communications	46.09	52	52	0	0	0	0.0
546700	Subscriptions/Dues/License Fee	51.29	48.9	48.9	0	0	0	0.0

State of New Mexico

S-13 Line Items by Business Unit Expenditures

(Dollars in Thousands)

546800	Employee Training & Education	6.1	5	5	0	0	0	0.0
546900	Advertising	3.41	0.8	0.8	0	0	0	0.0
547900	Miscellaneous Expense	9.9	15	15	0	0	0	0.0
547999	Request to Pay Prior Year	6.55	0	0	0	0	0	0.0
548400	Other Equipment	0	0	100	0	0	0	0.0
549600	Employee O/S Mileage & Fares	4.04	5	5	0	0	0	0.0
549700	Employee O/S Meals & Lodging	0.67	2	2	0	0	0	0.0
Grand Total		8,606.57	9,012.8	9,360.1	1,703.2	0	0	0.0

Program Description:

The First Judicial District Attorney's Office ("FJDA") is obligated to provide prosecution services to the citizens of the State of New Mexico under Article VI, Section 24 of the New Mexico Constitution. The purpose of the FJDA is to enforce state laws and to ensure and improve the protection, safety, welfare, health, and quality of life for the citizens and visitors within Santa Fe, Rio Arriba and Los Alamos Counties. The FJDA services include prosecution, victim/witness assistance, diversion programs, trial preparation, law enforcement technical assistance, investigations, and community outreach.

Major Issues and Accomplishments:

Recently, District Attorney Carmack-Altewies summed up the issue in a statement to the executive, proclaiming that "all of the crime fighting initiatives will not improve our safety if prosecutors cannot prosecute. The legislature continues to send money to recruit police officers, but many ADAs and nearly all support staff are now paid less than the police, and all are paid less than the civil attorneys in state agencies." Increasing the number of police officers may result in more arrests and criminal charges, but while the felony arrest/charge triggers court process and deadlines for the prosecution, rarely does the complaint adequately account for all that a viable prosecution entails. Most, if not all, of our nine (9) law enforcement partners continue to lack the staffing and resources that prioritize a high-quality investigation and collection of evidence over an immediate arrest. Moreover, law enforcement agencies lack the staffing, processes, and systems that guarantee that discovery is organized, complete, and produced in compliance with the rules and governing standards.

In its FY25 budget proposal, the FJDA submitted a seemingly flat budget request. This FY25 budget requested would not have been flat had the District Court or Supreme Court informed the FJDA that it was moving forward with the rulemaking process to bring the Case Management Order to the first judicial district in FY25.

Local Proposed Rule LR1-307

On September 24, 2023, nearly one month after the FJDA's flat budget was submitted, the First Judicial District Court notified the FJDA and the Law Offices of the Public Defenders (LOPD) that it was moving forward with Local Proposed Rule LR1-307. As proposed, the local rule has an effective date of January 1, 2025. Notably, both the Law Offices of the Public Defender (LOPD) and the FJDA submitted comments opposing the CMO. The Supreme Court's final decision on the local proposed rule is pending, and the FJDA has not received any communication or correspondence from the courts since July 3, 2024.

That said, the FJDA was stripped of any opportunity to proactively plan for the impending CMO. As explained in District Attorney Carmack-Altewies's August 5, 2024, correspondence to Chief Judge Biedscheid and Supreme Court Chief Justice David K. Thompson, the CMO will upend public safety efforts in the first judicial district and run afoul of the public's outcry for more, not less, accountability in our criminal justice system. (The FJDA requests and strongly encourages the budget authorities to read this correspondence.)

In its evaluation of the resources that adjusting to CMO requires, the FJDA is requesting a total of ten full-time employees (10 FTE) to build out a unit that will work between intake and the trial team to ensure cases conform to incredibly strict mandates prior to the case proceeding with felony prosecution in district court. (This unit will handle most of the volume as intake will continue to file pretrial detentions and honor the expedited timelines for the most violent and prolific offenders.)

A paradigm shift: a law enforcement arrest and/or charge is not a "case referred for prosecution."

As LFC and DFA are aware, "cases referred for prosecution" is the baseline denominator for many of our performance measures. Not speaking for the other districts, the FJDA asserts that this is not a true reflection or baseline by which prosecution efforts should be measured. For example, this measure assumes that every case charged by LEAs is pre-screened for probable cause or viability. This, however, is not the case. In the FJD, the magistrate court accepts and files every criminal complaint submitted to the court. It has no bearing on the initiation of the felony criminal proceedings, whether an ADA has approved or denied the charges, asked for follow-up investigation, or if the charges in the complaint are correct. In sum, this measure assumes that each felony case filed by LEA is appropriate for prosecution, and the FJDA is measured by this assumption. It is unrealistic and unworkable to assume that the FJDA can approve every criminal complaint, but there must be a distinction between cases filed/charged in Magistrate Court by LEAs and cases that the FJDA determines are viable for prosecution.

As part of FJDA's data project and partnership with the New Mexico School of Mines and Technology, we are

working towards an implementation of "Case Catcher," which is a true referral software system that interfaces between the FJDA and our law enforcement partners. Initially built as part of the Department of Justice Grant awarded to the Albuquerque Chamber of Commerce, this software is currently in its implementation phase between the Second Judicial DA's Office and the Albuquerque Police Department (APD). Despite hurdles and pushback from the Administrative Office of the District Attorney (AODA) that resulted in a delay in this program's launch, the FJDA anticipates rolling out "Case Catcher" with the Santa Fe County Sheriff's Office for misdemeanor DWIs in the next few months. Once gaps in process are identified, the FJDA expects to roll out the software and referral system for each of the FJDA's nine (9) law enforcement partners over the course of the next year.

FJDA Data System

During the 2022 Special Session, and thanks to the support of many legislators, the FJDA was appropriated \$360.0 "for an integrated prosecution, intervention, and diversion data system." During FY23, the FJDA entered into an intergovernmental agreement with ICASA, a research public service project (RPSP) at the New Mexico Institute of Mining and Technology, for this project. With the help of legislative staff, the FJDA worked with DFA to encumber the unspent money, which rolled over into FY24. The data system was delivered to the FJDA by the NMT/ICASA; however, AODA's continued reluctance to allow the FJDA or NMT/ICASA any meaningful access to the FJDA data contained within our internal Case Management System (CMS) continues to hamstring the FJDA's ability to integrate the data dashboard in the FJDA operations.

Grant Funding

In September 2019, FJDA, in collaboration with the New Mexico Sentencing Commission and the University of New Mexico, was awarded a three-year \$450k grant from the William T. Grant Foundation. This grant, titled "Reducing Ethnoracial Inequality: a Prosecutor-Led Community-Based Diversion Program for Juveniles and Young Adults, is a research-based initiative designed to create and evaluate a diversion program in the First Judicial District for juveniles (ages 12–17) and young adults (ages 18–25). The program is designed to (1) reduce recidivism, (2) be developmentally informed in ways that encourage young people to make successful transitions to adulthood, and (3) to reduce racial/ethnic disparities in the criminal justice process. The program considers the recommendations of justice system stakeholders and former justice system-involved youth and uses a community prosecution approach that involves collaborations between community agencies and researchers. The first stage: the development stage began on July 1, 2020. Due to COVID-19 and the impacts the pandemic had on the ability to move forward with the first phase of the grant, the FJDA applied for and received a no-cost grant extension through December 31, 2025. The FJDA and our grant partners are working diligently on the implementation phase of this grant and will begin deflecting and diverting Rio Arriba County youth to the PIVOT Diversion Project (promoting innovative and vital opportunities for transformation) by the end of September 2024 (this month!).

As highlighted in its FY25 program narrative, for FY26, the FJDA is requesting an expansion budget of \$240.0 to sustain and expand the efforts of the PIVOT project pilot program.

The FJDA sought and received grant funding for fiscal year 2024 from HIDTA (High Intensity Drug Trafficking Are

P-1 Program Overview

BU PCode
25100 P251

Overview of Request:

Total FJDA FTEs: 80
Attorneys: 31 (includes one grant funded ADA)
District Attorney: 1
Managing Chief Deputy: 1
Intake: 8
Trial Team Santa Fe: 11
Trial Team Rio Arriba: 6
Magistrate Court: 3
Los Alamos: 1
Support Staff, Support Staff Supervisors, and Preprosecution Diversion: 33 (includes one position partially funded by the HIDTA grant)
Victim Advocates: 6 (includes a position funded by the VOCA grant)
Investigators: 4
Administrative Team, IT, and Finance: 6

FY26 Budget Request

FY25 Total Budget: \$8,815,100

FY 26 Total Request: \$11,063,300, which includes:

(1) Sustaining current FY25 budget: \$8,815,100

(2) Expansion Request: \$1,703,200

a. The Impending Case Management Order, Local Proposed Rule LR1-307 (10 FTE)

b. Shoplifting and Commercial Crimes in Magistrate Court (3 FTE)

c. Juvenile and Young Adult Diversion Program, sustaining the William T. Grant Foundation initiative. (\$240.0)

(3) Increase to Base:

a. Furniture: \$100,000

b. Vehicles: \$100,000

Anticipated vacancy rate for FY25: 2.0%

Programmatic Changes:

The implementation of the CMO will far surpass the program and structure changes necessitated by the pretrial detention process and NMRA Rule 5-409, yet the FJDA accepts that the implementation of the CMO is not a question of if, but when. Therefore, the only recourse the FJDA has is its request for a fair opportunity and sufficient time to adequately prepare. The FY26 expansion request, coupled with the FJDA's request to the Supreme Court to postpone the implementation date to January 1, 2026, will better afford the FJDA and its law enforcement partners a valuable opportunity to plan and prepare for the CMO.

The District Court asserted that the FJDA can merely "reallocate" resources to comply with the CMO. As explained to the district court, this notion that the FJDA can adequately respond to the CMO as proposed is unrealistic. Other CMO districts, such as the Second Judicial District and Third Judicial District, required major funding and staff increases; the FJDA is not any different.

The FJDA contemplates an entirely new prosecution unit that will function in addition to the intake team and felony trial team. Comprised of ten (10) FTEs, this unit would be comprised of three (3) senior trial attorneys, four (4) support staff, one (1) victim advocate, one (1) information technology project manager, and one (1) Investigator. This information stems from an evaluation and assessment of the bandwidth and staffing of our law enforcement partners and from meeting with the Second Judicial District Attorney's Office to evaluate how their operations adapted to the CMO demands. The FJDA request recognizes that the volume of cases in the Second Judicial District far exceeds that in the First Judicial District; therefore, the budget and staffing increases in the Second District Attorney's Office (2DA) do not offer a fair comparable for the FJDA. As a result, the FJDA's CMI implementation looks to the Albuquerque Police Department's "Shield Unit" and reimagines it as a unit within the FJDA.

Created in 2017 and in response to the CMO, the APD Shield Unit consists of up to twelve (12) employees who are responsible for "preparing thousands of criminal cases for prosecution." APD Expands Shield Unit to Prepare Cases for Prosecution—City of Albuquerque (cabq.gov). While an APD unit, this team works out of the offices of the 2DA. Because the FJDA serves nine (9) different law enforcement agencies, it is more conducive to the system and structure of the first judicial district to create a unit within the FJDA that includes an IT project manager who can interface with the various systems of each agency, an investigator who can ensure quality and complete investigations, support staff that can organize the cases within our discovery system, attorneys to initiate the proceedings once the case is organized and complete, and an advocate who can interface with the victims to mitigate frustrations with a process that delays a case.

Misdemeanor Shoplifting Prosecutions

In addition to the ten (10) positions requested for the CMO, the FJDA is also requesting three FTEs to prosecute misdemeanor shoplifting in Magistrate Court. The FJDA has never been funded to prosecute misdemeanor offenses other than crimes involving domestic violence (DV) or driving under the influence of intoxicating liquor and/or drugs (DWI). This is not unique to the FJDA, and most larger DA offices around the state do not screen or prosecute misdemeanor offenses that are eligible for officer prosecution pursuant to Rule 6-108 of the New Mexico Rules of Criminal Procedure.

In January 2021, the FJDA implemented a "Misdemeanor ("MR") Prosecution Policy and Procedure whereby an ADA will enter his/her appearance for misdemeanor offenses if the law enforcement officer follows certain prerequisites. Each of our nine (9) law enforcement partners has been trained on the MR procedure, yet rarely does an officer submit a MR case to the FJDA for prosecution pursuant to the policy.

With the uptick of shoplifting and the dire need to assist our local businesses with curtailing these crimes, these positions will screen and prosecute viable misdemeanor shoplifting crimes in Santa Fe, Los Alamos, and Rio Arriba County. This centralized team will work with law enforcement, local businesses, chambers of commerce, and other jurisdictions to identify and track the prolific misdemeanor offenses and potentially aggregate shoplifting pursuant to the 2023 changes to NMSA 1978, Section 30-16-20.

In addition to prosecuting and working to hold offenders accountable for any degree of shoplifting crime charged, this unit will work with local businesses and law enforcement to ensure that evidence is properly documented, collected, preserved, and produced. Having sufficient evidence, the appropriate foundational witnesses, and proof of value are often missing from investigatory packets, and this incomplete and uncollected evidence adversely impacts prosecution effort.

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Base Budget Justification: Since 2015, the FJDA's Santa Fe Office has been waiting on Santa Fe County to procure, via RFP, start and complete critical building renovations. Each year the FJDA announces that the renovation is forthcoming, and each year comes and goes. Each year, the FJDA asks the budget authorities to reauthorize capital outlay to fund the internal costs associated with the move, temporary relocations, and renovation. The FJDA remains in limbo but was recently offered promising news that the county has a plan in motion. This plan would give the FJDA more office space, which could also help cure the space issue in Rio Arriba County. In Rio Arriba, the county authorities will not consider a larger office space in the city of Espanola. As a result, the Rio Arriba team cannot grow to meet the increasing demands and uptick in community crimes. It is the FJDA's hope that with a new plan in motion in Santa Fe, the FJDA can grow a team that can work out of the Santa Fe Office but prosecute crimes occurring in Rio Arriba County.

The FDJA's total increase to base is \$200,000.0. This increase to base includes \$100,000.0 for furniture and \$100,000.0 for vehicles. With an impending move to a temporary building or a recent development of a new building all together, the FJDA staff requires furniture. In terms of vehicles, not only is the FJDA fleet aging, but more cars are necessary for staff who travel from Santa Fe to Rio Arriba District Court in Tierra Amarilla.

REV EXP COMPARISON

(Dollars in Thousands)

25100 - First Judicial District Attorney

	General Fund	Other Funds	Other Transfers	Federal Funds	Total
SOURCES	10,865.6	0.0	77.6	120.1	11,063.3
Personal Services and Employee Benefits	9,799.1	0.0	77.6	120.1	9,996.8
Contractual services	255.1	0.0	0.0	0.0	255.1
Other	811.4	0.0	0.0	0.0	811.4
USES Total:	10,865.6	0.0	77.6	120.1	11,063.3
Net:	0.0	0.0	0.0	0.0	0.0

Fund	Account		2023-24	2024-25	2025-26	FY 2026 Agency Request				Justification	
			Actuals	Opbud	PCF Proj	GF	OSF	ISF/IAT	FF		Total
00000	520100	Exempt Perm Positions P/T&F/T	0.0	0.0	259.8	0.0	0.0	0.0	0.0	0.0	
00000	521100	Group Insurance Premium	0.0	0.0	16.17	0.0	0.0	0.0	0.0	0.0	
00000	521200	Retirement Contributions	0.0	0.0	60.81	0.0	0.0	0.0	0.0	0.0	
00000	521300	F I C A	0.0	0.0	16.05	0.0	0.0	0.0	0.0	0.0	
00000	521700	RHC Act Contributions	0.0	0.0	7.62	0.0	0.0	0.0	0.0	0.0	
15500	520100	Exempt Perm Positions P/T&F/T	5,348.5	5,708.8	6,574.7	5,708.8	0.0	0.0	0.0	5,708.8	
15500	520200	Term Positions	13.4	0.0	10.26	0.0	0.0	0.0	0.0	0.0	
15500	520600	Paid Unused Sick Leave	7.9	0.0	0	0.0	0.0	0.0	0.0	0.0	
15500	520700	Overtime & Other Premium Pay	32.4	0.0	0	0.0	0.0	0.0	0.0	0.0	
15500	520800	Annl & Comp Paid At Separation	62.7	0.0	0	0.0	0.0	0.0	0.0	0.0	
15500	521100	Group Insurance Premium	444.8	719.0	511.58	784.1	0.0	0.0	0.0	784.1	
15500	521200	Retirement Contributions	1,018.4	1,065.4	1,240.69	1,090.2	0.0	0.0	0.0	1,090.2	
15500	521300	F I C A	404.5	430.8	406.7	441.5	0.0	0.0	0.0	441.5	
15500	521400	Workers' Comp Assessment Fee	0.7	0.8	0	0.8	0.0	0.0	0.0	0.8	
15500	521410	GSD Work Comp Insur Premium	18.3	18.4	0	26.2	0.0	0.0	0.0	26.2	
15500	521500	Unemployment Comp Premium	0.0	5.1	0	5.8	0.0	0.0	0.0	5.8	
15500	521600	Employee Liability Ins Premium	47.1	62.2	0	96.1	0.0	0.0	0.0	96.1	
15500	521700	RHC Act Contributions	105.9	95.8	133.62	98.6	0.0	0.0	0.0	98.6	
15500	521900	Other Employee Benefits	0.0	0.0	0	0.0	0.0	0.0	0.0	0.0	
25800	520100	Exempt Perm Positions P/T&F/T	48.8	0.0	0	0.0	0.0	0.0	0.0	0.0	
25800	520200	Term Positions	42.6	50.6	46.92	0.0	0.0	50.6	0.0	50.6	
25800	521100	Group Insurance Premium	12.0	12.8	15.03	0.0	0.0	12.8	0.0	12.8	
25800	521200	Retirement Contributions	17.9	9.4	8.96	0.0	0.0	9.4	0.0	9.4	
25800	521300	F I C A	6.8	3.8	2.89	0.0	0.0	3.8	0.0	3.8	
25800	521400	Workers' Comp Assessment Fee	0.0	0.0	0	0.0	0.0	0.0	0.0	0.0	
25800	521700	RHC Act Contributions	1.9	1.0	0.93	0.0	0.0	1.0	0.0	1.0	
25800	521900	Other Employee Benefits	0.0	0.0	0	0.0	0.0	0.0	0.0	0.0	
25900	520100	Exempt Perm Positions P/T&F/T	31.4	0.0	75.85	0.0	0.0	0.0	0.0	0.0	
25900	520200	Term Positions	43.5	86.0	30.77	0.0	0.0	0.0	86.0	86.0	
25900	520800	Annl & Comp Paid At Separation	0.0	0.0	0	0.0	0.0	0.0	0.0	0.0	
25900	521100	Group Insurance Premium	3.1	10.0	8.92	0.0	0.0	0.0	10.0	10.0	
25900	521200	Retirement Contributions	14.2	15.4	20.41	0.0	0.0	0.0	15.4	15.4	
25900	521300	F I C A	5.6	6.9	6.58	0.0	0.0	0.0	6.9	6.9	

BU PCode
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E4 PCode Detail
(Dollars in Thousands)

Fund	Account		2023-24	2024-25	2025-26	FY 2026 Agency Request				Total	Justification
			Actuals	Opbud	PCF Proj	GF	OSF	ISF/IAT	FF		
25900	521400	Workers' Comp Assessment Fee	0.0	0.0	0	0.0	0.0	0.0	0.0	0.0	
25900	521700	RHC Act Contributions	1.5	1.8	2.12	0.0	0.0	0.0	1.8	1.8	
	200	Personal Services and Employee Bene	7,733.9	8,304.0	9,457.38	8,252.1	0.0	77.6	120.1	8,449.8	
15500	542100	Employee I/S Mileage & Fares	1.5	2.0	0	2.0	0.0	0.0	0.0	2.0	
15500	542200	Employee I/S Meals & Lodging	28.2	14.0	0	14.0	0.0	0.0	0.0	14.0	
15500	542500	Transp - Fuel & Oil	28.9	35.1	0	35.1	0.0	0.0	0.0	35.1	
15500	542600	Transp - Parts & Supplies	22.9	15.7	0	15.7	0.0	0.0	0.0	15.7	
15500	542700	Transp - Transp Insurance	3.1	3.6	0	3.4	0.0	0.0	0.0	3.4	
15500	543200	Maint - Furn, Fixt, Equipment	0.0	2.0	0	2.0	0.0	0.0	0.0	2.0	
15500	543300	Maint - Buildings & Structures	0.1	0.0	0	0.0	0.0	0.0	0.0	0.0	
15500	543400	Maint - Property Insurance	0.0	0.1	0	0.1	0.0	0.0	0.0	0.1	
15500	543820	Maintenance IT	0.0	2.5	0	2.5	0.0	0.0	0.0	2.5	
15500	543830	IT HW/SW Agreements	166.5	207.1	0	207.1	0.0	0.0	0.0	207.1	
15500	544000	Supply Inventory IT	8.0	16.5	0	16.5	0.0	0.0	0.0	16.5	
15500	544100	Supplies-Office Supplies	13.8	12.0	0	12.0	0.0	0.0	0.0	12.0	
15500	544400	Supplies-Field Supplies	13.2	5.0	0	5.0	0.0	0.0	0.0	5.0	
15500	544800	Supplies-Education&Recreation	2.8	0.0	0	0.0	0.0	0.0	0.0	0.0	
15500	544900	Supplies-Inventory Exempt	24.2	15.0	0	115.0	0.0	0.0	0.0	115.0	Requesting to replace furniture that is damaged and falling apart for staff. The current furniture is falling apart and if moved it will just completely break.
15500	545600	Reporting & Recording	94.2	70.0	0	70.0	0.0	0.0	0.0	70.0	
15500	545710	DOIT HCM Assessment Fees	27.6	30.2	0	30.8	0.0	0.0	0.0	30.8	
15500	545900	Printing & Photo Services	5.1	4.5	0	4.5	0.0	0.0	0.0	4.5	
15500	546100	Postage & Mail Services	1.9	5.0	0	5.0	0.0	0.0	0.0	5.0	
15500	546400	Rent Of Land & Buildings	8.1	10.0	0	10.0	0.0	0.0	0.0	10.0	
15500	546500	Rent Of Equipment	26.3	32.0	0	32.0	0.0	0.0	0.0	32.0	
15500	546600	Communications	46.1	52.0	0	52.0	0.0	0.0	0.0	52.0	
15500	546700	Subscriptions/Dues/License Fee	51.3	48.9	0	48.9	0.0	0.0	0.0	48.9	
15500	546800	Employee Training & Education	6.1	5.0	0	5.0	0.0	0.0	0.0	5.0	
15500	546900	Advertising	3.4	0.8	0	0.8	0.0	0.0	0.0	0.8	
15500	547900	Miscellaneous Expense	9.9	15.0	0	15.0	0.0	0.0	0.0	15.0	
15500	547999	Request to Pay Prior Year	6.6	0.0	0	0.0	0.0	0.0	0.0	0.0	

BU PCode
25100 P251

E4 PCode Detail
(Dollars in Thousands)

Fund	Account	2023-24 Actuals	2024-25 Opbud	2025-26 PCF Proj	FY 2026 Agency Request				Total	Justification
					GF	OSF	ISF/IAT	FF		
15500	548400 Other Equipment	0.0	0.0	0	100.0	0.0	0.0	0.0	100.0	Requesting to purchase two vehicles. We currently have two vehicles with very high mileage and needing more and more repairs. The attorney's travel considerable distance.
15500	549600 Employee O/S Mileage & Fares	4.0	5.0	0	5.0	0.0	0.0	0.0	5.0	
15500	549700 Employee O/S Meals & Lodging	0.7	2.0	0	2.0	0.0	0.0	0.0	2.0	
	400 Other	604.4	611.0	0	811.4	0.0	0.0	0.0	811.4	
TOTAL EXPENSE		8,338.3	8,915.0		9,063.5	0.0	77.6	120.1	9,261.2	

BU PCode
25100 P251

Contract by PCode Detail
(Dollars in Thousands)

Fund	Account	#	Contract Purpose	Actuals	FY 2026 Agency Request				Total	Justification
					GF	OSF	ISF/IAT	FF		
15500	535200	Professional Services	1000	28.6	0.0	0.0	0.0	0.0	0.0	
15500	535300	Other Services	1000	17.5	2.7	0.0	0.0	0.0	2.7	Shredding documents when needed and security systems for all DA offices
15500	535400	Audit Services	1000	19.3	22.5	0.0	0.0	0.0	22.5	Audit Contract increased cost
15500	535500	Attorney Services	1000	184.5	73.7	0.0	0.0	0.0	73.7	Requesting this for contract attorney's for high profile cases that we receive.
15500	535600	IT Services	1001	0.0	0.0	0.0	0.0	0.0	0.0	
43260	535309	Other Services - Interagency	1000	18.3	0.0	0.0	0.0	0.0	0.0	
43260	535309	Other Services - Interagency	1001	0.0	0.0	0.0	0.0	0.0	0.0	
TOTAL EXPENSE				268.3	98.9	0.0	0.0	0.0	98.9	

DFA Performance Based Budgeting Data System

Annual Performance Report

Agency: 25100 First Judicial District Attorney

Program: P251 First Judicial District Attorney

The purpose of the first judicial district attorney program is to provide litigation, special programs and administrative support for the enforcement of state laws as they pertain to the district attorney and to improve and ensure the protection, safety, welfare and health of the citizens within Santa Fe, Rio Arriba and Los Alamos counties.

Performance Measures:		2023-24 Target	2023-24 Result	Met Target	Year End Result Narrative
Explanatory	Average time from filing of charges to final disposition for adults, in months	N/A	10	N/A	Discontinued
Explanatory	Average time from filing petition to final disposition for juveniles, in months	N/A	7	N/A	There has been an uptick in juvenile cases involving violence. The majority of these cases are prosecuted in children's court, but the cases are more complex based upon the number of people involved and the nature of the offense. Please see the FJDA expansion request that includes an explanation of FJDA active efforts to divert/deflect certain juveniles into behavioral health and community based services versus using the formal criminal justice process. This will allow the FJDA to focus on the serious juvenile offenders and gun violence amongst youth.
Explanatory	Number of pretrial detention motions made	N/A	161	N/A	Discontinued
Explanatory	Percent of pretrial detention motions granted	N/A	%	N/A	Discontinued
Outcome	Average number of cases added to attorney caseloads	150	170	No	Met
Outcome	Number of cases prosecuted	0	3,112	Yes	
Output	Average attorney caseload	150	239	Yes	Met
Output	Number of cases handled per attorney	0	0	Yes	
Output	Number of cases in which defendant was referred into a pre-prosecution diversion program	170	18	Yes	This measure only captures the number of defendants that opt for the formal preprosecution diversion program. The FJDA asked that this measure change to "number of cases in which prosecution was diverted." The FJDA notes reflect this was changed for FY24, but the measure was not updated in the system. The target measure was based upon the measure's modification as Defendants in the FJDA are diverted through processes and programs other than formal PPD.

DFA Performance Based Budgeting Data System

Annual Performance Report

Program: P251 First Judicial District Attorney

Performance Measures:		2023-24 Target	2023-24 Result	Met Target	Year End Result Narrative
Output	Number of cases referred for screening	0	4,504	Yes	This measure is based on the number of criminal complaints that law enforcement files in magistrate court, which does not require prosecutor approval. As a result, and as the FJDA brings up each year, this measure improperly assumes that every criminal complaint is properly charged, results in a viable case, and is eligible for prosecution. This is inaccurate and misunderstands the FJDA screening process. Therefore, this measure is an inaccurate denominator for purposes of PBB.

State of New Mexico
Full Program and Measure Report

BusUnit: First Judicial District Attorney

Code: 25100

Program Name: First Judicial District Attorney

Code: P251

Authority:

Purpose: The purpose of the first judicial district attorney program is to provide litigation, special programs and administrative support for the enforcement of state laws as they pertain to the district attorney and to improve and ensure the protection, safety, welfare and health of the citizens within Santa Fe, Rio Arriba and Los Alamos counties.

Performance Measures:		2023-24 Actuals	2024-25 Target	2025-26 Target
Explanatory	Average time from filing of charges to final disposition for adults, in months	10	N/A	N/A
Explanatory	Average time from filing petition to final disposition for juveniles, in months	7	N/A	N/A
Explanatory	Number of pretrial detention motions made	161	N/A	N/A
Explanatory	Percent of pretrial detention motions granted	%	N/A	N/A
Outcome	Average number of cases added to attorney caseloads	170	150	150
Outcome	Number of cases prosecuted	3,112	3,000	2,000
Output	Average attorney caseload	239	150	150
Output	Number of cases handled per attorney	0	0	0
Output	Number of cases in which defendant was referred into a pre-prosecution diversion program	18	175	50
Output	Number of cases referred for screening	4,504	4,000	3,000

FIRST JUDICIAL DISTRICT ATTORNEY’S OFFICE
FY26 Program Description

The First Judicial District Attorney’s Office (“FJDA”) is obligated to provide prosecution services to the citizens of the State of New Mexico under Article VI, Section 24 of the New Mexico Constitution. The purpose of the FJDA is to enforce state laws and to ensure and improve the protection, safety, welfare, health, and quality of life for the citizens and visitors within Santa Fe, Rio Arriba and Los Alamos Counties. The FJDA services include prosecution, victim/witness assistance, diversion programs, trial preparation, law enforcement technical assistance, investigations, and community outreach.

Projected Structure and Staffing as of September 1, 2024

Total FJDA FTEs: 80

Attorneys: 31 (includes one grant funded ADA)

 District Attorney: 1

 Managing Chief Deputy: 1

 Intake: 8

 Trial Team Santa Fe: 11

 Trial Team Rio Arriba: 6

 Magistrate Court: 3

 Los Alamos: 1

Support Staff, Support Staff Supervisors, and Preprosecution Diversion: 33 (includes one position partially funded by the HIDTA grant)

Victim Advocates: 6 (includes a position funded by the VOCA grant)

Investigators: 4

Administrative Team, IT, and Finance: 6

FY26 Budget Request

FY25 Total Budget: \$8,815,100

FY 26 Total Request: \$11,063,300, which includes:

 (1) Sustaining current FY25 budget: \$8,815,100

 (2) Expansion Request: \$1,703,200

 a. The Impending Case Management Order, Local Proposed Rule LR1-307 (10 FTE)

 b. Shoplifting and Commercial Crimes in Magistrate Court (3 FTE)

 c. Juvenile and Young Adult Diversion Program, sustaining the William T. Grant Foundation initiative. (\$240.0)

 (3) Increase to Base:

 a. Furniture: \$100,000

 b. Vehicles: \$100,000

Anticipated vacancy rate for FY25: 2.0%

Accomplishments and Issues

The landscape of criminal justice in the State of New Mexico is everchanging, which includes increased responsibility and scrutiny on public safety practitioners. Like our public defender counterparts, a prosecutor's job is high stakes and high stress. Unlike our public defender counterparts, prosecutors must balance constitutional obligations and arduous court mandates implemented outside the legislative process with the public's outcry and demand for safer communities. Upon implementation of the CMO, the FJDA will be in the impossible position to explain to the public why prosecution efforts are even more hampered by unilateral and unfunded court mandates that both the FJDA and Law Office of the Public Defenders (LOPD) oppose.

Recently, District Attorney Carmack-Altwies summed up the issue in a statement to the executive, proclaiming that "all of the crime fighting initiatives will not improve our safety if prosecutors cannot prosecute. The legislature continues to send money to recruit police officers, but many ADAs and nearly all support staff are now paid less than the police, and all are paid less than the civil attorneys in state agencies." Increasing the number of police officers may result in more arrests and criminal charges, but while the felony arrest/charge triggers court process and deadlines for the prosecution, rarely does the complaint adequately account for all that a viable prosecution entails.

Most, if not all, of our nine (9) law enforcement partners continue to lack the staffing and resources that prioritize a high-quality investigation and collection of evidence over an immediate arrest. Moreover, law enforcement agencies lack the staffing, processes, and systems that guarantee that discovery is organized, complete, and produced in compliance with the rules and governing standards.

In its FY25 budget proposal, the FJDA submitted a seemingly flat budget request. This FY25 budget requested would not have been flat had the District Court or Supreme Court informed the FJDA that it was moving forward with the rulemaking process to bring the Case Management Order to the first judicial district in FY25.

Local Proposed Rule LR1-307

On September 24, 2023, nearly one month after the FJDA's flat budget was submitted, the First Judicial District Court notified the FJDA and the Law Offices of the Public Defenders (LOPD) that it was moving forward with Local Proposed Rule LR1-307. As proposed, the local rule has an effective date of January 1, 2025. Notably, both the Law Offices of the Public Defender (LOPD) and the FJDA submitted comments opposing the CMO. The Supreme Court's final decision on the local proposed rule is pending, and the FJDA has not received any communication or correspondence from the courts since July 3, 2024.

That said, the FJDA was stripped of any opportunity to proactively plan for the impending CMO. As explained in District Attorney Carmack-Altwies's August 5, 2024, correspondence to Chief Judge Biedscheid and Supreme Court Chief Justice David K. Thompson, the CMO will upend public safety efforts in the first judicial district and run afoul of the public's outcry for more, not

less, accountability in our criminal justice system. ¹(The FJDA requests and strongly encourages the budget authorities to read this correspondence.)

In its evaluation of the resources that adjusting to CMO requires, the FJDA is requesting a total of ten full-time employees (10 FTE) to build out a unit that will work between intake and the trial team to ensure cases conform to incredibly strict mandates prior to the case proceeding with felony prosecution in district court. (This unit will handle most of the volume as intake will continue to file pretrial detentions and honor the expedited timelines for the most violent and prolific offenders.)

A paradigm shift: a law enforcement arrest and/or charge is not a “case referred for prosecution.”

As LFC and DFA are aware, “cases referred for prosecution” is the baseline denominator for many of our performance measures. Not speaking for the other districts, the FJDA asserts that this is not a true reflection or baseline by which prosecution efforts should be measured. For example, this measure assumes that every case charged by LEAs is pre-screened for probable cause or viability. This, however, is not the case. In the FJD, the magistrate court accepts and files every criminal complaint submitted to the court. It has no bearing on the initiation of the felony criminal proceedings, whether an ADA has approved or denied the charges, asked for follow-up investigation, or if the charges in the complaint are correct. In sum, this measure assumes that each felony case filed by LEA is appropriate for prosecution, and the FJDA is measured by this assumption. It is unrealistic and unworkable to assume that the FJDA can approve every criminal complaint, but there must be a distinction between cases filed/charged in Magistrate Court by LEAs and cases that the FJDA determines are viable for prosecution.

As part of FJDA’s data project and partnership with the New Mexico School of Mines and Technology, we are working towards an implementation of “Case Catcher,” which is a true referral software system that interfaces between the FJDA and our law enforcement partners. Initially built as part of the Department of Justice Grant awarded to the Albuquerque Chamber of Commerce, this software is currently in its implementation phase between the Second Judicial DA’s Office and the Albuquerque Police Department (APD). Despite hurdles and pushback from the Administrative Office of the District Attorney (AODA) that resulted in a delay in this program’s launch, the FJDA anticipates rolling out “Case Catcher” with the Santa Fe County Sheriff’s Office for misdemeanor DWIs in the next few months. Once gaps in process are identified, the FJDA expects to roll out the software and referral system for each of the FJDA's nine (9) law enforcement partners over the course of the next year.

FJDA Data System

During the 2022 Special Session, and thanks to the support of many legislators, the FJDA was appropriated \$360.0 “for an integrated prosecution, intervention, and diversion data system.” During FY23, the FJDA entered into an intergovernmental agreement with ICASA, a research

¹ District Attorney Carmack-Altwhies’s August 5, 2024, letter is included as supplemental information in its FY26 budget documents.

public service project (RPSP) at the New Mexico Institute of Mining and Technology, for this project. With the help of legislative staff, the FJDA worked with DFA to encumber the unspent money, which rolled over into FY24. The data system was delivered to the FJDA by the NMT/ICASA; however, AODA's continued reluctance to allow the FJDA or NMT/ICASA any meaningful access to the FJDA data contained within our internal Case Management System (CMS) continues to hamstring the FJDA's ability to integrate the data dashboard in the FJDA operations.

Grant Funding

In September 2019, FJDA, in collaboration with the New Mexico Sentencing Commission and the University of New Mexico, was awarded a three-year \$450k grant from the William T. Grant Foundation. This grant, titled "Reducing Ethnoracial Inequality: a Prosecutor-Led Community-Based Diversion Program for Juveniles and Young Adults, is a research-based initiative designed to create and evaluate a diversion program in the First Judicial District for juveniles (ages 12–17) and young adults (ages 18–25). The program is designed to (1) reduce recidivism, (2) be developmentally informed in ways that encourage young people to make successful transitions to adulthood, and (3) to reduce racial/ethnic disparities in the criminal justice process. The program considers the recommendations of justice system stakeholders and former justice system-involved youth and uses a community prosecution approach that involves collaborations between community agencies and researchers. The first stage: the development stage began on July 1, 2020. Due to COVID-19 and the impacts the pandemic had on the ability to move forward with the first phase of the grant, the FJDA applied for and received a no-cost grant extension through December 31, 2025. The FJDA and our grant partners are working diligently on the implementation phase of this grant and will begin deflecting and diverting Rio Arriba County youth to the PIVOT Diversion Project (*promoting innovative and vital opportunities for transformation*) by the end of September 2024 (this month!).

As highlighted in its FY25 program narrative, for FY26, the FJDA is requesting an expansion budget of \$240.0 to sustain and expand the efforts of the PIVOT project pilot program.

The FJDA sought and received grant funding for fiscal year 2024 from HIDTA (High Intensity Drug Trafficking Area) "Operation-Up the Ladder" in the amount of \$120,100. The HIDTA funding secures one prosecutor, and one support staff at the FJDA with the duties of providing front line prosecution for drug cases.

The FJDA has sought and received grant funding for fiscal year 2024 from the Victims of Crime Act (VOCA) in the amount of \$77,600. This provides for one (1) victim advocate.

******* Describe policy or programmatic changes to be implemented in the next fiscal year. This is not limited to program changes your agency requested through the Accountability in Government Act process, but also includes significant changes in policies that will change how your agency operates and affect your budget request. (Max 5000 Characters Allowed) *******

The implementation of the CMO will far surpass the program and structure changes necessitated by the pretrial detention process and NMRA Rule 5-409, yet the FJDA accepts that the

implementation of the CMO is not a question of if, but when. Therefore, the only recourse the FJDA has is its request for a fair opportunity and sufficient time to adequately prepare. The FY26 expansion request, coupled with the FJDA's request to the Supreme Court to postpone the implementation date to January 1, 2026, will better afford the FJDA and its law enforcement partners a valuable opportunity to plan and prepare for the CMO.

The District Court asserted that the FJDA can merely "reallocate" resources to comply with the CMO. As explained to the district court, this notion that the FJDA can adequately respond to the CMO as proposed is unrealistic. Other CMO districts, such as the Second Judicial District and Third Judicial District, required major funding and staff increases; the FJDA is not any different.

The FJDA contemplates an entirely new prosecution unit that will function in addition to the intake team and felony trial team. Comprised of ten (10) FTEs, this unit would be comprised of three (3) senior trial attorneys, four (4) support staff, one (1) victim advocate, one (1) information technology project manager, and one (1) Investigator.

This information stems from an evaluation and assessment of the bandwidth and staffing of our law enforcement partners and from meeting with the Second Judicial District Attorney's Office to evaluate how their operations adapted to the CMO demands. The FJDA request recognizes that the volume of cases in the Second Judicial District far exceeds that in the First Judicial District; therefore, the budget and staffing increases in the Second District Attorney's Office (2DA) do not offer a fair comparable for the FJDA. As a result, the FJDA's CMI implementation looks to the Albuquerque Police Department's "Shield Unit" and reimagines it as a unit within the FJDA.

Created in 2017 and in response to the CMO, the APD Shield Unit consists of up to twelve (12) employees who are responsible for "preparing thousands of criminal cases for prosecution." [APD Expands Shield Unit to Prepare Cases for Prosecution—City of Albuquerque \(cabq.gov\)](https://www.cabq.gov/newsroom/2017/07/20/apd-expands-shield-unit-to-prepare-cases-for-prosecution). While an APD unit, this team works out of the offices of the 2DA. Because the FJDA serves nine (9) different law enforcement agencies, it is more conducive to the system and structure of the first judicial district to create a unit within the FJDA that includes an IT project manager who can interface with the various systems of each agency, an investigator who can ensure quality and complete investigations, support staff that can organize the cases within our discovery system, attorneys to initiate the proceedings once the case is organized and complete, and an advocate who can interface with the victims to mitigate frustrations with a process that delays a case.

Misdemeanor Shoplifting Prosecutions

In addition to the ten (10) positions requested for the CMO, the FJDA is also requesting three FTEs to prosecute misdemeanor shoplifting in Magistrate Court. The FJDA has never been funded to prosecute misdemeanor offenses other than crimes involving domestic violence (DV) or driving under the influence of intoxicating liquor and/or drugs (DWI). This is not unique to the FJDA, and most larger DA offices around the state do not screen or prosecute misdemeanor offenses that are eligible for officer prosecution pursuant to Rule 6-108 of the New Mexico Rules of Criminal Procedure.

In January 2021, the FJDA implemented a “Misdemeanor (“MR”) Prosecution Policy and Procedure whereby an ADA will enter his/her appearance for misdemeanor offenses if the law enforcement officer follows certain prerequisites. Each of our nine (9) law enforcement partners has been trained on the MR procedure, yet rarely does an officer submit a MR case to the FJDA for prosecution pursuant to the policy.

With the uptick of shoplifting and the dire need to assist our local businesses with curtailing these crimes, these positions will screen and prosecute viable misdemeanor shoplifting crimes in Santa Fe, Los Alamos, and Rio Arriba County. This centralized team will work with law enforcement, local businesses, chambers of commerce, and other jurisdictions to identify and track the prolific misdemeanor offenses and potentially aggregate shoplifting pursuant to the 2023 changes to NMSA 1978, Section 30-16-20.

In addition to prosecuting and working to hold offenders accountable for any degree of shoplifting crime charged, this unit will work with local businesses and law enforcement to ensure that evidence is properly documented, collected, preserved, and produced. Having sufficient evidence, the appropriate foundational witnesses, and proof of value are often missing from investigatory packets, and this incomplete and uncollected evidence adversely impacts prosecution efforts.

The positions include one (1) trial attorney to screen and prosecute the shoplifting cases in Santa Fe, one (1) trial attorney to screen and prosecute the shoplifting cases in Rio Arriba County, and one (1) support staff member to support the caseloads of the two attorneys. The three (3) FTEs as a unit will be responsible for the training and community engagement with local businesses and interfacing with the statewide Organized Retail Crime Association “OCRA” to share and disseminate information for prolific shoplifters throughout New Mexico.

See above for information on building and sustaining the collaborative efforts in researching and implementing the Juvenile Justice and Young Adults Diversion Program.

******* What are your agency’s most significant base budget increase requests? What is the amount and funding source of each of these requests? How will each of these requests improve performance. If not specifically tied to agency performance measures, please provide evidence or data supporting the need for funding. Please attach supplemental documentation on this form as needed. (Max 5000 Characters Allowed) *******

Since 2015, the FJDA’s Santa Fe Office has been waiting on Santa Fe County to procure, via RFP, start and complete critical building renovations. Each year the FJDA announces that the renovation is forthcoming, and each year comes and goes. Each year, the FJDA asks the budget authorities to reauthorize capital outlay to fund the internal costs associated with the move, temporary relocations, and renovation. The FJDA remains in limbo but was recently offered promising news that the county has a plan in motion. This plan would give the FJDA more office space, which could also help cure the space issue in Rio Arriba County. In Rio Arriba, the county authorities will not consider a larger office space in the city of Espanola. As a result, the Rio Arriba team cannot grow to meet the increasing demands and uptick in community crimes. It is the FJDA’s

hope that with a new plan in motion in Santa Fe, the FJDA can grow a team that can work out of the Santa Fe Office but prosecute crimes occurring in Rio Arriba County.

The FDJA's total increase to base is \$200,000.0. This increase to base includes \$100,000.0 for furniture and \$100,000.0 for vehicles. With an impending move to a temporary building or a recent development of a new building all together, the FJDA staff requires furniture. In terms of vehicles, not only is the FJDA fleet aging, but more cars are necessary for staff who travel from Santa Fe to Rio Arriba District Court in Tierra Amarilla.

STRATEGIC PLAN FY 2026



AGENCY CODE: 25100

FIRST JUDICIAL DISTRICT ATTORNEY STRATEGIC PLAN

Introduction

The First Judicial District Attorney represents the people of the State of New Mexico and is comprised of three counties: Santa Fe, Los Alamos and Rio Arriba, and is charged with the duties of initiating and conducting prosecutions of criminal offenses and enforcing State laws pursuant to Article VI, Section 24 of the New Mexico Constitution.

The First Judicial District Attorney's Office maintains three offices, Santa Fe (main), Los Alamos (branch) and Rio Arriba (branch) each with the following staff and/or divisions:

- Intake Division
- Trial Division
 - Violent Crimes Division
 - Special Victim's Unit
 - General Felony Division
 - Drug Prosecution Division
 - Felony DUI Division
- Magistrate Court Division
- Investigations
- Victim/Witness Assistance Division
- Children's Court Division
- Pre-Prosecution Diversion Division
- Administrative Division

The First Judicial District encompasses 7916 square miles of north central New Mexico and serves over 202,000 residents. The First Judicial District Attorney, Mary Carmack-Altwies began her term January 1, 2021. It is the goal of the administration to enhance its working relationship with state and local law enforcement to make our communities safer. Our ability to work together between offices and divisions, as well as our ability to collaborate with state and local enforcement agencies is essential to achieve our goals.

This Strategic Plan responds to these challenges through three strategic goals focused on advancing the office's priorities and reflecting the outcomes the citizens and visitors of the First Judicial District deserve.

Agency Vision Statement

Enhance community safety by processing all cases referred to the First Judicial District Attorney's Office in an expeditious and impartial manner, collaborating with criminal justice partners and the public at large, maximizing the efficient use of technology and staff, and preserving the integrity and professionalism of the office while meeting all constitutional and statutory mandates.

Agency Mission Statement

The mission of the First Judicial District Attorney is to reduce crime through fair, just, and victim-centered prosecution by targeting violent and prolific offenders and selecting and diverting substance use disorder and mental health related offenses from the criminal justice system.

Program Purpose Statement

The First Judicial District Attorney's Office is obligated to provide prosecution services to the citizens of the State of New Mexico under Article VI, Section 24 of the New Mexico Constitution. The purpose of the Prosecution Program is to enforce state laws and to ensure and improve the protection, safety, welfare, health, and quality of life of the citizens and visitors within Santa Fe, Rio Arriba and Los Alamos Counties. The Program's services include investigation, victim/witness assistance, trial preparation, administration, law enforcement technical assistance, and community outreach. Beneficiaries of the First Judicial District Attorney's Office services are the citizens of New Mexico and its visitors, because prosecuting those suspected of criminal activity is essential to ensure equal justice under the law.

Goals

1. Protect citizens of the First Judicial District from victimization and/or re-victimization.
2. Ensure accountability for violators of criminal statutes that are commensurate with the offense.
3. Provide prompt cooperation and collaboration with other entities in the criminal justice system.

The First Judicial District Attorney embodies these strategic goals into its management and operations to ensure a more efficient and unified office. This involves setting long-term goals and objectives, translating those goals and objectives into program or division plans, monitoring performance and evaluating the results.

Objectives & Strategies

Goal #1 - Protect citizens of the First Judicial District from victimization and/or re-victimization.

Objectives:

- A. To expand community outreach efforts in order to increase prevention services.
- B. To expeditiously process criminal cases in order to ensure that convicted offenders receive just and equitable sentences/sanctions.
- C. To provide meaningful and timely services to victims of crime in order to minimize possible re-victimization.

Strategies :

These objectives can be met through the use of: community prosecution concepts, the wide array of sentencing options that are available in each community, and a coordinated response to the short and long-term needs of victims.

Goal #2 - Ensure accountability for violators of criminal statutes that is commensurate with the offense.

Objectives:

- A. Effectively and efficiently screen all cases in order to maximize staff time and efforts and to ensure swift resolution of each case.
- B. To obtain the necessary staffing levels in order to ensure that caseloads are manageable and realistic.
- C. To give priority to cases involving violent offenders in order to ensure that they are processed by the most experienced staff members and in compliance with all laws.

Strategies:

These objectives can be met through the use of: valid screening procedures, periodic workload assessments, and the continuation of specialized prosecution units within the Office.

Goal #3 - Provide prompt cooperation and collaboration with other entities in the criminal justice system.

Objectives:

- A. To maintain a full staff in order to adequately staff all divisions within the office.
- B. To ensure that staff receive regular training and/or re-certification in their areas of expertise in order to maintain a high level of professionalism.
- C. To streamline processes with agencies in order to comply with timelines, policies, and procedures.

Strategies:

These objectives can be met through the use of retention efforts aimed at reducing staff turnover, the funding of staff development programs and opportunities, and by regularly attending multi-disciplinary meetings and conferences that involve entities at the local, state and federal levels.

Performance Measures

Type	Measure
Output	Number of cases referred for screening
Output	Number of cases prosecuted
Output	Average number of cases added to attorney caseloads
Output	Average attorney caseload
Output	Number of cases in which defendant was referred into a pre-prosecution diversion program

Summary

The overall mission of the First Judicial District Attorney's Office is to prosecute violations of state laws to provide protection to its citizens, hold offenders accountable, and cooperate with other criminal justice entities. The Agency provides an array of services such as criminal prosecution, investigations, victim assistance, trial preparation, administration, and community outreach. The objectives and strategies associated with these services ensure that the Agency's goals and performance measures are met.

Funding for the First Judicial District Attorney is legislatively appropriated by the State of New Mexico, with limited funds coming from federal grants such as the High Intensity Drug Traffic Area (HIDTA), and Victim of Crime Act (VOCA). The FJDA also has one private grant for youth and emerging adult diversion, funded by the William T. Grant Foundation. The office is authorized 79 full time employees whose positions are funded from the General Fund. There are also 5 term employees who are partially funded from the federal grants mentioned above. The majority of all funding received by the First Judicial District Attorney's Office is dedicated to personnel cost, the remaining budget is expended on essential needs such as office equipment rental, telecommunications, postage, annual audit fees, Do-IT services, HCM fees, attorney bar association dues, expert witness fees, reporting and recording fees, supplies, and training for the purpose of retention.

**EXPANSION REQUEST
CASE MANAGEMENT ORDER (CMO)**



Agency Expansion Request Justification

New Mexico agencies making significant requests to expand agency budgets, other than workload changes, or for large special appropriations that appear to expand an agency’s recurring budget are being asked to assess the proposals and report on their purpose, potential for success, and plans for implementation and accountability in accordance with the [Budget Guidelines of the New Mexico Legislative Finance Committee \(LFC\)](#) and LFC's [Legislating for Results Framework](#).

Program Premise

What public problem does this program seek to address? How will this program address the problem? Does the proposed program link to a goal in the agency’s strategic plan?

What is the extent of the problem stated in numerical, geographic, and equity terms? What portion of the total need identified does this program seek to address?

Needs Assessment

Program Description

What specific activities in the program will achieve these expected program outcomes? What are costs per person or activity? Once the program is fully operational, what are the estimated ongoing annual costs?

Is the program based on evidence or research or a promising practice? Will it need formal evaluation?

Research and Evidence

Implementation Plan

What activities are needed to implement the program? How much will it cost? What is the timeline for each startup activity?

Will the program be implemented with equity and fidelity? Do you have a checklist of the program components need to achieve the impacts?

Fidelity Plan

Measurement and Evaluation

What specific outcomes are expected? What are key performance measures? How often will the program be measured and evaluated?

Agency and Expansion Request Information

Agency: First Judicial District Attorney's Office ("FJDA")

Short Title of Request: FJDA FY26 Expansion Request

Expansion 1: The impending Case Management Order, Local Proposed Rule LR1-307

Point of contact for follow-up information:

Name: C. Renee Padilla

Title: Chief Financial Officer

Phone: 505-629-5202

E-Mail: rpadilla@da.state.nm.us

Is the requested expansion solely the result of a workload change? No

If yes, no further information is needed. If no, please provide narrative responses addressing item below.

1. Program Premise

FJDA Expansion 1: The impending Case Management Order, Local Proposed Rule LR1-307

In this section, provide information describing the problem this funding is proposed to address.

a. Why is this expansion needed and what problem or need it is attempting to address?

By way of unilateral decision, on December 21, 2023, the First Judicial District Court initiated the formal rulemaking process for Local Proposed Rule LR1-307 (LR1-307). Otherwise known as the Case Management Order (CMO), the rule usurps legislative and executive authority, and will upend public safety efforts in the first judicial district.

The proposed effective date of the rule is January 1, 2025, however the FJDA has requested that this date be pushed back until January 1, 2026, to ensure that we have proper staffing and a suitable transition period to mitigate the fallout. As explained to the Supreme Court and First Judicial District Court, once effective, the CMO shifts the implementation responsibilities to the FJDA, which requires different processes and procedures with the nine (9) originating law enforcement agencies to ensure a complete case file before prosecution can commence. Notably, most of the FJDA's nine (9) partners use different software records and software systems and all are understaffed. Inevitably the public safety burden caused by this administrative rule falls squarely on the FJDA and to bridge the gap between our law enforcement partners and the courts, the FJDA requires an entirely new unit comprised of, at a minimum ten (1) new positions funded via an expansion.

In short, the executive and legislative public safety priorities will have little to no effect or community impact if prosecutors cannot prosecute. Although the current and longstanding process is imperfect, it works in the first judicial district and the CMO undermines the prosecution's ability and function.

b. How does this request differ from existing programming?

The CMO completely changes the criminal legal practice and process in the first judicial district. This monumental change is one reason why even the local Law Office of the Public Defenders are opposed to this measure. Moreover, to make these massive changes with little to not notice or opportunity to prepare runs afoul of our district's (and state's) outcry from safety and resources.

c. How does the requested program fit into the agency's strategic plan?

Frankly, the proposed CMO and its implications undermines the FJDA's strategic plan. The FJDA goals are:

1. Protect citizens of the First Judicial District from victimization and/or re-victimization.
2. Ensure accountability for violators of criminal statutes that are commensurate with the offense.
3. Provide prompt cooperation and collaboration with other entities in the criminal justice system.

Under the terms of the proposed CMO, the FJDA cannot meet and honor its goals and strategic plan with the status quo and existing resources. This is not an issue of reallocating resources: the FJDA is fully staffed, and existing staff have caseloads that far exceed the national average.

As the State has seen in the Second and Third Judicial Districts, the result of the CMO is 100s (if not 1000s) of dismissed cases. This means that technicalities and administrative rules prevail at the expense of protecting citizens and ensuring the accountability of offenders as required by the FJDA strategic plan.

- d.** Has the agency developed a logic model describing the agency's theory of change?

No

- e.** If yes, please provide a copy of the logic model as a picture below or as an additional attachment with the form as part of the agency's submission in BFM. If no, please contact your LFC or DFA analyst for assistance in developing a logic model.



2. Needs Assessment

In this section, provide specifics on the extent of the problem this proposal proposes to solve.

- a.** What is the extent of the problem to be addressed?

This question must be qualified based upon the timing of the CMO. If the CMO is adopted in accordance with the District Court’s proposal – the problem come January 1, 2025, will be massive and widespread across the first judicial district counties of Santa Fe, Los Alamos, and Rio Arriba.

If the CMO is adopted on January 1, 2026, and pursuant to the FJDA’s request, then the proposed expansion would give the FJDA an invaluable opportunity to be proactive in its preparation and planning. Anticipating the CMO and funding the FJDA expansion in FY26 will provide the FJDA a fair opportunity to prepare by: working alongside our law enforcement partners and defense bar, developing and implementing a uniform IT referral, discovery, and case management systems, ensuring victim engagement and safety while a case is pending complete discovery, and mandating that only the viable cases proceed in district court.

- b.** What is the total statewide need in numerical or geographic terms? If applicable, this may include a description and analysis of historically unserved or underserved populations.

The first judicial district encompasses 7916 square miles of north central New Mexico and services over 202,000 residents. On average, the first judicial district screens over 4000 felony, misdemeanor domestic violence, and misdemeanor driving while under the influence of alcohol or drugs each fiscal year.

- c.** What percentage of the previously identified total statewide need does this request seek to address?

The additional unit would be a part of our centralized intake team which serves the entire first judicial district but is housed out of the Santa Fe Office. The staff working in the new unit would be responsible for travel to Rio Arriba and Los Alamos Counties, as needed.

3. Program Description

In this section, provide information detailing activities, costs, and benefits of the proposal.

- a. How much is the agency's request for FY26 and from what source is the agency requesting additional funding?

\$1,169,400.00

- b. Provide a list of specific activities that will be carried out if this request is granted.

1 Victim-Witness Coordinator \$69,700 2 Prosecution Specialists \$126,000 2 Senior Legal Assistants \$114,100 5 Senior Trial Attorney \$532,600 1 IT Technology Project Manager \$83,100 1 Prosecution Specialist \$63,100 to sustain the William T. Grant Foundation position 2 Assistant Trial Attorney \$180,800 Magistrate Attorney's

- c. Provide a cost per unit for the funding (such as the cost per individual or cost per activity).
- d. If available and applicable, provide a benefit-to-cost ratio for this program (the total monetized benefits divided by total costs).
- e. Does the agency anticipate additional increases above the FY26 request will be needed in future years to continue to operate the program? If so, please describe these additional expenses and projections of future financial needs.

No

4. Research and Evidence Categorization

In this section, provide information regarding the evidence and research supporting your request.

- a. As defined in [New Mexico's Accountability in Government Act](#), specify whether your program is evidence-based, research-based, a promising program or practice, or none of the above.

None

- b. Please provide any references or links to relevant research supporting your categorization. For example, sources may include published research or categorization provided by [clearinghouse databases](#).

By way of unilateral decision, on December 21, 2023, the First Judicial District Court initiated the formal rulemaking process for Local Proposed Rule LR1-307 (LR1-307). Otherwise known as the Case Management Order (CMO), the rule usurps legislative and executive authority and will upend public safety efforts in the first judicial district.

- c. How will you evaluate the program to confirm your categorization?

5. Implementation Plan

In this section, describe all activities related to implementation of your proposal (What, when, where, who, and how) by addressing the following items:

- a. What are the training and startup requirements for the proposed program?

The training and startup requirements are contingent upon when the CMO is adopted. Again, if the CMO is adopted as proposed by the District Court on January 1, 2025, the ramifications are dire and the FJDA will be in a position to implement this massive undertaking without the necessary resources.

If the Supreme Court agrees to delay the implementation date to January 1, 2026, then the executive and legislative leaders are in an important position to assist the FJDA in providing a staffing structure that has the luxury of time to evaluate, adapt, and adjust to changes the CMO brings.

The FJDA has already procured and is working on implementing a crucial case referral system. This software, “Case Catcher” was developed in partnership with the New Mexico School of Mines and Technology. Currently, the FJDA and NM Tech are working on rolling this software out with the Santa Fe County Sheriff’s Office on a small subset of cases. This pilot will inform the next steps as the FJDA plans on implementing this software as necessary step to a case referral process throughout the district and with all of its law enforcement partners. This FJDA anticipates that this rollout and implementation with its nine (9) law enforcement partners will take somewhere between 12-18 months.

- b. Provide an estimated timeline for implementation of activities. Include planned benchmarks, milestones, and a target date for full implementation. If the request includes new FTE, provide your current vacancy rate and plan for recruitment.

Current Vacancy Rate 6%

Again, contingent upon when the unilateral CMO mandate is adopted.

6. Fidelity Plan

In this section, provide information regarding how you will ensure your proposal is delivered as intended.

- a. Describe key components critical to the success of your program.

Contingent upon funding.

- b. Provide a checklist or specific process metrics you will use to ensure component parts are implemented, including equity if applicable.

7. Measurement and Evaluation Plan

In this section, provide information about measuring outcomes and the impact of your proposal.

- a. What measurable outcome is the agency trying to achieve with the requested expansion?

Reduce the number of dismissals that are an inevitable result of the proposed CMO. With proper funding and a proactive opportunity to prepare the FJDA can create a process and system that comports with the CMO mandates. The expansion will help ensure that only complete cases move forward therefore focusing on the quality of cases versus the quantity of the caseloads (a PBB measure we have refuted as an appropriate accounting of the prosecutorial process for many years). With proper preparation, the FJDA is not opposed to the CMO and if implemented productively and with stakeholder engagement will reduce caseloads for prosecutors, defense attorneys, and the courts.

- b. Will the requested program affect any existing performance measures?

Yes

- i. If yes, which performance measures will be affected?

Average time from filing of charges to final disposition for adults, in months

Number of cases prosecuted

Number of cases referred for screening

Average number of cases added to attorney caseloads

Average attorney caseload

- c. What program outputs will the agency measure?
- d. What efficiency metrics will the agency monitor?
- e. Does the agency have baseline data for the proposed measures?

No

- i. If yes, please provide baseline data.
- ii. If no, when and how does the agency anticipate collecting baseline data?

Implementing “Case Catcher” as a true referral system will positively shift the denominator by which the FJDA is measured. The denominator “cases referred for screening” will no longer be based upon the number of criminal complaints filed by law enforcement agencies and will instead be based upon the number of cases, referred with complete discovery and a complete investigation, are viable for prosecution.

- f. How often will the agency collect and report on these performance metrics?

Via Case Catcher and queries in the existing Case Management System (and new case management system if funded/implemented)

- g. How do you plan to share the results of your program with the public and the Legislature?

Upon request or via the standard PBB reporting process.

EXPANSION REQUEST
SHOPLIFTING AND COMMERCIAL CRIMES



Agency Expansion Request Justification

New Mexico agencies making significant requests to expand agency budgets, other than workload changes, or for large special appropriations that appear to expand an agency’s recurring budget are being asked to assess the proposals and report on their purpose, potential for success, and plans for implementation and accountability in accordance with the [Budget Guidelines of the New Mexico Legislative Finance Committee \(LFC\)](#) and LFC's [Legislating for Results Framework](#).

Program Premise

What public problem does this program seek to address? How will this program address the problem? Does the proposed program link to a goal in the agency’s strategic plan?

What is the extent of the problem stated in numerical, geographic, and equity terms? What portion of the total need identified does this program seek to address?

Needs Assessment

Program Description

What specific activities in the program will achieve these expected program outcomes? What are costs per person or activity? Once the program is fully operational, what are the estimated ongoing annual costs?

Is the program based on evidence or research or a promising practice? Will it need formal evaluation?

Research and Evidence

Implementation Plan

What activities are needed to implement the program? How much will it cost? What is the timeline for each startup activity?

Will the program be implemented with equity and fidelity? Do you have a checklist of the program components need to achieve the impacts?

Fidelity Plan

Measurement and Evaluation

What specific outcomes are expected? What are key performance measures? How often will the program be measured and evaluated?

Agency and Expansion Request Information

Agency: First Judicial District Attorney's Office ("FJDA")

Short Title of Request: FJDA FY26 Expansion Request 2: Shoplifting and Commercial Crimes in Magistrate Court.

Point of contact for follow-up information:

Name: C. Renee Padilla

Title: Chief Financial Officer

Phone: 505-629-5202

E-Mail: rpadilla@da.state.nm.us

Is the requested expansion solely the result of a workload change? No

If yes, no further information is needed. If no, please provide narrative responses addressing item below.

1. Program Premise

FJDA Expansion 2: Shoplifting and Commercial Crimes

In this section, provide information describing the problem this funding is proposed to address.

a. Why is this expansion needed and what problem or need it is attempting to address?

The First Judicial District Attorney’s Office (FJDA) has never been funded to prosecute misdemeanor offenses other than crimes involving domestic violence (DV) or driving under the influence of intoxicating liquor and/or drugs (DWI). This is not unique to the FJDA and most larger DA offices around the state do not screen or prosecute misdemeanor offenses that are eligible for officer prosecution pursuant to Rule 6-108 of the New Mexico Rules of Criminal Procedure.

In January 2021, the FJDA implemented a “Misdemeanor (“MR”) Prosecution Policy and Procedure whereby an ADA will enter his/her appearance for misdemeanor offenses if the law enforcement officer follows certain prerequisites. Each of our nine (9) law enforcement partners have been trained on the MR procedure, yet rarely does an officer submit a MR case to the FJDA for prosecution pursuant to the policy.

With the uptick of shoplifting and the dire need to assist our local businesses with curtailing these crimes.

b. How does this request differ from existing programming?

These positions would screen and prosecute viable misdemeanor shoplifting and commercial crimes in Santa Fe, Los Alamos, and Rio Arriba County. This centralized unit will work with law enforcement, local businesses, chambers of commerce, and other jurisdictions to identify and track the prolific misdemeanor offenders and potentially aggregate shoplifting per the 2023 changes to NMSA 1978, Section 30-16-20.

In addition to prosecution and working to hold offenders accountable for any degree of shoplifting crime charged, this unit will work with local businesses and law enforcement to ensure evidence is properly documented, collected, preserved, and produced. Having sufficient evidence, the appropriate foundational witnesses, and proof of value are often missing from investigatory packets and this missing information adversely impacts prosecution efforts.

c. How does the requested program fit into the agency’s strategic plan?

Protect citizens of the First Judicial District from victimization and/or re-victimization.

1. Ensure accountability for violators of criminal statutes that are commensurate with the offense.
2. Provide prompt cooperation and collaboration with other entities in the criminal justice system.

d. Has the agency developed a logic model describing the agency’s theory of change?

No

- e. If yes, please provide a copy of the logic model as a picture below or as an additional attachment with the form as part of the agency's submission in BFM. If no, please contact your LFC or DFA analyst for assistance in developing a logic model.



2. Needs Assessment

In this section, provide specifics on the extent of the problem this proposal proposes to solve.

- a. What is the extent of the problem to be addressed?

The shoplifting problem is dire and serious across the state.

- b. What is the total statewide need in numerical or geographic terms? If applicable, this may include a description and analysis of historically unserved or underserved populations.

The first judicial district encompasses 7916 square miles of north central New Mexico and services over 202,000 residents. On average, the first judicial district screens over 4000 felony, misdemeanor domestic violence, and misdemeanor driving while under the influence of alcohol or drugs each fiscal year.

- c. What percentage of the previously identified total statewide need does this request seek to address?

These positions will serve Santa Fe, Los Alamos, and Rio Arriba counties.

3. Program Description

In this section, provide information detailing activities, costs, and benefits of the proposal.

- a. How much is the agency's request for FY26 and from what source is the agency requesting additional funding?

\$240,000 from General Fund

- b. Provide a list of specific activities that will be carried out if this request is granted.

These positions would screen and prosecute viable misdemeanor shoplifting and commercial crimes in Santa Fe, Los Alamos, and Rio Arriba County. This centralized unit will work with law enforcement, local businesses, chambers of commerce, and other jurisdictions to identify and track the prolific misdemeanor offenders and potentially aggregate shoplifting per the 2023 changes to NMSA 1978, Section 30-16-20

- c. Provide a cost per unit for the funding (such as the cost per individual or cost per activity).
- d. If available and applicable, provide a benefit-to-cost ratio for this program (the total monetized benefits divided by total costs).
- e. Does the agency anticipate additional increases above the FY26 request will be needed in future years to continue to operate the program? If so, please describe these additional expenses and projections of future financial needs.

No

4. Research and Evidence Categorization

In this section, provide information regarding the evidence and research supporting your request.

- a. As defined in [New Mexico's Accountability in Government Act](#), specify whether your program is evidence-based, research-based, a promising program or practice, or none of the above.

None

- b. Please provide any references or links to relevant research supporting your categorization. For example, sources may include published research or categorization provided by [clearinghouse databases](#).
- c. How will you evaluate the program to confirm your categorization?

5. Implementation Plan

In this section, describe all activities related to implementation of your proposal (What, when, where, who, and how) by addressing the following items:

- a. What are the training and startup requirements for the proposed program?

If the expansion is granted and positions funded, then the startup is a matter of recruitment. Once these positions are filled, the unit will work alongside local businesses and law enforcement partners to train them on compiling and providing complete prosecution packets.

- b. Provide an estimated timeline for implementation of activities. Include planned benchmarks, milestones, and a target date for full implementation. If the request includes new FTE, provide your current vacancy rate and plan for recruitment.

Unlike many DA offices across the State, the FJDA does not struggle with recruitment and retention. In fact, as of September 1, 2024, the FJDA is fully staffed, and existing staff are overworked with large caseloads and heavy workloads. The FJDA needs the ability to grow to meet the needs of our community and court mandates as explained in the FJDA Expansion Request 1.

The current vacancy rate is 6%

6. Fidelity Plan

In this section, provide information regarding how you will ensure your proposal is delivered as intended.

- a. Describe key components critical to the success of your program.

Contingent upon funding.

- b. Provide a checklist or specific process metrics you will use to ensure component parts are implemented, including equity if applicable.

N/A

7. Measurement and Evaluation Plan

In this section, provide information about measuring outcomes and the impact of your proposal.

- a. What measurable outcome is the agency trying to achieve with the requested expansion?

Prosecute all levels of crime for viable cases charged pursuant to NMSA 1978 Section 30-16-20. Holding these offenders accountable for any provable act of shoplifting is a critical step towards assisting our local business community.

The screening and prosecution will be measured pursuant to our case management system. The number of cases referred, screened, and prosecuted will be eligible for reporting via a query of the case management system. The support staff requested by this expansion will be responsible for opening and tracking these cases with correct data entry so that the case information and reporting has fidelity.

- b. Will the requested program affect any existing performance measures?

Yes

- i. If yes, which performance measures will be affected?

Average time from filing of charges to final disposition for adults, in months

Number of cases prosecuted

Number of cases referred for screening

Average number of cases added to attorney caseloads

Average attorney caseload

- c. What program outputs will the agency measure?
- d. What efficiency metrics will the agency monitor?
- e. Does the agency have baseline data for the proposed measures?

No

- i. If yes, please provide baseline data.
- ii. If no, when and how does the agency anticipate collecting baseline data?

The baseline will be captured by the case management system.

- f. How often will the agency collect and report on these performance metrics?

The current case management system is wholly insufficient to capture “real time” data. However, the FJDA can query information in the form of reports. The FJDA is open to collecting and reporting on information related to shoplifting and commercial crimes on a routine basis, outside of standard quarterly reporting, so that the public and local businesses are informed.

- g. How do you plan to share the results of your program with the public and the Legislature?

8. The FJDA will partner with local businesses to disseminate information on the statewide OCRA system. The FJDA is also open to sharing data and case information on shoplifting offenders on its website. Additionally, the FJDA will report on this measure via a footnote in its quarterly PBB reporting.

EXPANSION REQUEST
JUVENILE AND YOUTH DIVERSION PROGRAM



Legislating for Results: Budget Development Tool

Agency Expansion Request Justification

New Mexico agencies making significant requests to expand agency budgets, other than workload changes, or for large special appropriations that appear to expand an agency's recurring budget are being asked to assess the proposals and report on their purpose, potential for success, and plans for implementation and accountability in accordance with the [Budget Guidelines of the New Mexico Legislative Finance Committee \(LFC\)](#) and LFC's [Legislating for Results Framework](#).

1 Program Premise

What public problem does this program seek to address? How will this program address the problem? Does the proposed program link to a goal in the agency's strategic plan?

What is the extent of the problem stated in numerical, geographic, and equity terms? What portion of the total need identified does this program seek to address?

2 Needs Assessment

3 Program Description

What specific activities in the program will achieve these expected program outcomes? What are costs per person or activity? Once the program is fully operational, what are the estimated ongoing annual costs?

Is the program based on evidence or research or a promising practice? Will it need formal evaluation?

4 Research and Evidence

5 Implementation Plan

What activities are needed to implement the program? How much will it cost? What is the timeline for each startup activity?

Will the program be implemented with equity and fidelity? Do you have a checklist of the program components need to achieve the impacts?

Fidelity Plan

7 Measurement and Evaluation

What specific outcomes are expected? What are key performance measures? How often will the program be measured and evaluated?

Agency and Expansion Request Information

Agency: First Judicial District Attorney's Office ("FJDA")

Short Title of Request: FJDA FY26 Expansion Request 3: Juvenile and Young Adult Diversion Program, sustaining the William T. Grant Foundation initiative.

Point of contact for follow-up information:

Name: C. Renee Padilla

Title: Chief Financial Officer

Phone: 505-629-5202

E-Mail: rpadilla@da.state.nm.us

Is the requested expansion solely the result of a workload change? No

If yes, no further information is needed. If no, please provide narrative responses addressing item below.

1. Program Premise

FJDA Expansion 3: Juvenile and Young Adult Diversion Program, sustaining the William T. Grant Foundation initiative.

In this section, provide information describing the problem this funding is proposed to address.

a. Why is this expansion needed and what problem or need it is attempting to address?

The FJDA is the recipient of a grant from the William T. Grant Foundation. This grant titled “Reducing Ethnoracial Inequality: A Prosecutor-Led Community Diversion Based Diversion Program for Juvenile and Young Adults” is set to expire on December 31, 2025. For the reasons below and as stated in the FJDA Program Narrative, the FJDA is requesting an expansion budget of \$240.0 to grow and sustain the juvenile and young adult diversion program in the first judicial district.

b. How does this request differ from existing programming?

This request would convert the grant into a sustainable and reoccurring diversion program that has developed from years of research and collaboration with the University of New Mexico – Department of Sociology, New Mexico Sentencing Commission, other state agencies, and community partners and not-for-profit organizations.

c. How does the requested program fit into the agency’s strategic plan?

Protect citizens of the First Judicial District from victimization and/or re-victimization.

1. Ensure accountability for violators of criminal statutes that are commensurate with the offense.
2. Provide prompt cooperation and collaboration with other entities in the criminal justice system.

Diversion efforts rooted in evidence based and best practices is a critical component to District Attorney Carmack-Altwhies’s goals and leadership. During the prior administration and the COVID pandemic, the traditional Prosecution Diversion Program was rendered nearly obsolete. Despite efforts to rebuild that program, the FJDA has relied upon other diversionary practices through court process to connect offenders to treatment. Rooted in principles of harm reduction, the FJDA strives to divert substance abuse effected and non-violent offenders to treatment and court-treatment programs, when appropriate. However, these diversion efforts are not captured in the PBB measures, and the PBB measure only tracks the numbers of individuals referred to the FJDA formal pre-prosecution diversion program (PPD).

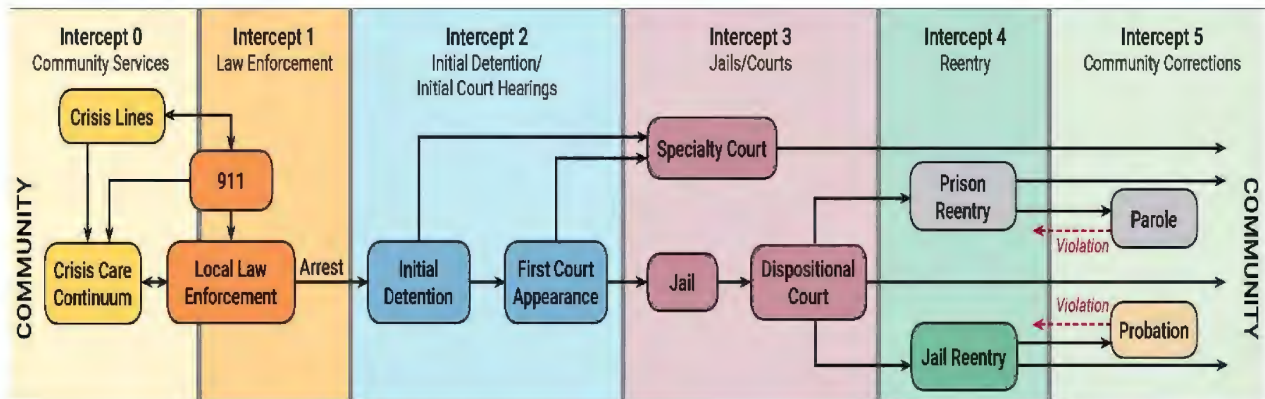
This grant and corresponding initiative are very different from both the traditional PPD program and the diversion practices in court proceedings.

Also, the traditional PPD program in the FJDA has never accepted juveniles and children court cases into the program. This model changes that.

d. Has the agency developed a logic model describing the agency’s theory of change?

Yes

- e. If yes, please provide a copy of the logic model as a picture below or as an additional attachment with the form as part of the agency’s submission in BFM. If no, please contact your LFC or DFA analyst for assistance in developing a logic model.



See Attached Document “Santa Fe Bid Landscape Analysis” for additional detail on the Sequential Intercept Model and its interplay in the development and implementation of this diversion project.

2. Needs Assessment

In this section, provide specifics on the extent of the problem this proposal proposes to solve.

- a. What is the extent of the problem to be addressed?

From the years of research, the FJDA, NM Sentencing Commission and UNM have developed a program model that (1) is designed to occur at the front end of the criminal justice system for youth and to maximize reductions in Criminal Justice System (CJS) contact, (2) ensures fewer people encounter the CLS, and (3) incorporates the community in solutions.

The objective is to implement diversion practices that:

- Reduce contact with and reliance on the CLS,
- Enhance youth well-being
- Reduce racial, ethnic, gender, and socioeconomic inequalities in the CLS processing and its consequences,
- Improve policy.

- b. What is the total statewide need in numerical or geographic terms? If applicable, this may include a description and analysis of historically unserved or underserved populations.

The first judicial district encompasses 7916 square miles of north central New Mexico and services over 202,000 residents. On average, the first judicial district screens over 4000 felony, misdemeanor domestic violence, and misdemeanor driving while under the influence of alcohol or drugs each fiscal year.

This diversion program will serve youth under the age of 18 throughout the first judicial district and emerging adults up to the age of 25.

- c. What percentage of the previously identified total statewide need does this request seek to address?

Unknown- this is contingent upon funding. As reference, the research and community-based pilot program that will be implemented in the next 30 days will serve a total of 20 youth through June 30, 2025. The pilot program is rooted in principles of intervention and prevention and serves youth in Rio Arriba County. Intervention: ten (10) of these youth will be referrals from the FJDA. These will be children accused of delinquent acts and referred for court prosecution. Prevention: ten (10) of the youth will be referred to the pilot program from schools.

3. Program Description

In this section, provide information detailing activities, costs, and benefits of the proposal.

- a. How much is the agency's request for FY26 and from what source is the agency requesting additional funding?

The FJDA is requesting \$240.0 to grow and sustain this program upon expiration of the grant on December 31, 2025.

- b. Provide a list of specific activities that will be carried out if this request is granted.

The practices are being designed to occur at the front end of the CJS and to maximize reductions in CLS contact, ensure fewer people encounter the CLS, and incorporate the community in solutions. The grant partners are currently identifying the current practices and are working to improve them. Through this past year, the grant team has integrated its findings and engaged in collaborative partnerships with community-based programs. One essential goal of the diversion program is that while the referrals stem from the FJDA and the FJDA tracks and oversees the project, the actual program will be led completely outside of the FJDA's office and by the community based and behavioral health practitioners to meet the needs of the youth and his/her/their families and support systems.

- c. Provide a cost per unit for the funding (such as the cost per individual or cost per activity).

Through the pilot's development and nearing implementation, the anticipated costs for the initial program year (past the grant period) is as follows:

FJDA program manager: 40.0 (part-time employee to provide case management)

Consulting Costs: 30.0

Community-based navigator: 60.0

Behavioral Health Services: 60.0 (leveraging Medicaid is a critical component of this project, but there must also be flexible fund for undocumented youth or other participants that do not meet the eligibility criteria for Medicaid).

Research Costs: 30.0

**these are estimated costs.*

- d. If available and applicable, provide a benefit-to-cost ratio for this program (the total monetized benefits divided by total costs).

N/A - the costs associated with diverting or deflecting youth away from the CJS cannot (and should not be) quantified.

- e. Does the agency anticipate additional increases above the FY26 request will be needed in future years to continue to operate the program? If so, please describe these additional expenses and projections of future financial needs.

Yes. The FJDA is requesting that after initial expansion, this funding be sustained through the FJDA base budget in future fiscal years.

4. Research and Evidence Categorization

In this section, provide information regarding the evidence and research supporting your request.

- a. As defined in [New Mexico's Accountability in Government Act](#), specify whether your program is evidence-based, research-based, a promising program or practice, or none of the above.

Research-Based

- b. Please provide any references or links to relevant research supporting your categorization. For example, sources may include published research or categorization provided by [clearinghouse databases](#).

Existing

Painter, Davis, Noah. University of New Mexico College of Arts and Sciences: Team Research Symposium. First District Youth Diversion Program(s). Public Impact Research Presentation. University of New Mexico, April 19, 2022. *Annotation: presentation delivered to UNM students and faculty.*

Jennifer Padgett Macias and Noah Painter-Davis. "First District Diversion Program." Presentation at William T. Grand Foundation Board of Trustees Meeting Session: Progress on Prosecution Research. October 18, 2021. New York, NY. *Annotation: presentation on project progress to WTGF Board of Trustees.*

Noah Painter-Davis. "Reentry and Diversion: Strategic Offramps from Harm and Onramps to Wellness?" T32 Training Faculty. Dr. Katie Witkiewitz National Institute on Alcohol Abuse and Alcoholism Addiction Funded T32 Addiction Seminar. October 20, 2021. University of New Mexico. *Annotation: Lecture to pre-doctoral and post-doctoral students who are funded by NIAAA T32 grant.*

Painter-Davis, Noah, and Dr. Andrew Hsi. "First District Youth Diversion Practices". May 4, 2021. Project ECHO (Extension for Community Healthcare Outcomes) Crisis Intervention Team. University of New Mexico. *Annotation: presentation to law enforcement members on the diversion program.*

Painter-Davis, Noah, "First District Youth Diversion Program". April 29, 2021. Dr. Ryan Goodman's Research Methods (Soc 380) class. University of New Mexico. *Annotation: presentation to UNM students on the diversion program.*

Also, Co-I Painter Davis has given several talks about the diversion practices to undergraduate classes at UNM.

Currently Planned

Painter-Davis, Noah, Lisa Broidy, Christopher Lyons. Re-envisioning diversion: Practices to improve public safety? *Annotation: This is a policy report regarding Diversion Practices that will be published by the New Mexico Sentencing Commission. The report will help inform the development of a diversion practices and will be modified and submitted to an annual review journal in 2023.*

Joseph, Verlin, Noah Painter-Davis, and Christopher Lyons. Developing a Diversion Program: Accounting for the Role of Stigma at Multiple Levels. To be presented at the American Society of Criminology Annual Conference. (Atlanta, Georgia) November 18, 2021. *Annotation: This presentation about our initial efforts to design diversion practices that reduce stigma.*

Painter-Davis, Noah, Christopher Lyons, and Thaneshwar Paneru. Racial/Ethnic disparity in criminal legal system processing among juveniles and young-adults. *Annotation: The study will help identify the stages in the CLS in which racial/ethnic disparity is occurring and its sources.*

Painter-Davis, Noah, Christopher Lyons, Thaneshwar Paneru, and Davyd Setter. Racial/Ethnic disparity in Recidivism and Desistance among Youth. *Annotation: The study will help identify the extent and sources of recidivism and desistance and any racial/ethnic disparity therein.*

Broidy, Lisa, Katie Rickers, Noah Painter-Davis, Christopher Lyons, and Thaneshwar Paneru Gender and criminal legal system processing among Youth. *Annotation: This study will identify gender differences in the sources of CLS contact processing in the First Judicial District.*

Broidy, Lisa, Noah Painter-Davis, Christopher Lyons, and Thaneshwar Paneru. Gender and Desistance among Youth. *Annotation: This study will identify gender differences in the sources of recidivism and desistance in the First Judicial District.*

The research team has also begun initial work on several papers. These include systematic reviews which combine reviews of the literature with qualitative data from our upcoming interviews and focus groups. reviews are in progress by team of researchers. We are also designing papers on pre-implementation, process evaluation, and community engagement.

- c. How will you evaluate the program to confirm your categorization?

Implementation Science: The program model adopts implementation science to promote the integration of research findings into practice. To do so, the program is actively identifying and addressing barriers and facilitators to the uptake, fidelity, and sustainment of best practices.

5. Implementation Plan

In this section, describe all activities related to implementation of your proposal (What, when, where, who, and how) by addressing the following items:

- a. What are the training and startup requirements for the proposed program?

In its inception phase, the FJDA is contracting with Moving Arts Espanola for the facilitation and implementation of the PIVOT Diversion Project (*Promoting Innovative and Vital Opportunities for Transformation.*) With a projected date of September 2024, the PIVOT project summary includes:

Moving Arts Española, the Provider, will assist in the facilitation and implementation of the PIVOT Diversion Project (*Promoting Innovative and Vital Opportunities for Transformation*) for UNM. The purpose of this project is to establish and develop a network to reduce REI in the CLDS while providing prevention and intervention support to youth and young adults ages 15-25.

The PIVOT Project will provide support to a minimum of 8-10, and a maximum of 16-20, clients who are identified and referred to MAE for services. Fifty percent of referrals will come directly from Public Schools and Community providers, and 50% will come directly from the District Attorney's Office. These clients will participate in an intake screening and evaluation process that may include the family and caretakers. In the process some participants may require behavioral health and mental health services and provisions. These clinical services would be provided by a qualified Behavioral Health Services Provider

- b. Provide an estimated timeline for implementation of activities. Include planned benchmarks, milestones, and a target date for full implementation. If the request includes new FTE, provide your current vacancy rate and plan for recruitment.

The implementation phase, funded through the grant, will aid in the research and development of this timeline. It is the goal of the partners that this expansion will allow the program to grow and as a research-based and community led program may serve as a model for CLJ diversion and deflection programs around the state of New Mexico.

6. Fidelity Plan

In this section, provide information regarding how you will ensure your proposal is delivered as intended.

- a. Describe key components critical to the success of your program.

Contingent upon funding.

- b. Provide a checklist or specific process metrics you will use to ensure component parts are implemented, including equity if applicable.

7. Measurement and Evaluation Plan

In this section, provide information about measuring outcomes and the impact of your proposal.

- a. What measurable outcome is the agency trying to achieve with the requested expansion?

Reduce the number of dismissals that are an inevitable result of the proposed CMO. With proper funding and a proactive opportunity to prepare the FJDA can create a process and system that comports with the CMO mandates. The expansion will help ensure that only complete cases move forward therefore focusing on the quality of cases versus the quantity of the caseloads (a PBB measure we have refuted as an appropriate accounting of the prosecutorial process for many years). With proper preparation, the FJDA is not opposed to the CMO and if implemented productively and with stakeholder engagement will reduce caseloads for prosecutors, defense attorneys, and the courts.

- b. Will the requested program affect any existing performance measures?

Yes

- i. If yes, which performance measures will be affected?

Average time from filing of charges to final disposition for adults, in months

Number of cases prosecuted

Number of cases referred for screening

Average number of cases added to attorney caseloads

Average attorney caseload

- c. What program outputs will the agency measure?
- d. What efficiency metrics will the agency monitor?
- e. Does the agency have baseline data for the proposed measures?

No

- i. If yes, please provide baseline data.
- ii. If no, when and how does the agency anticipate collecting baseline data?

Implementing “Case Catcher” as a true referral system will positively shift the denominator by which the FJDA is measured. The denominator “cases referred for screening” will no longer be based upon the number of criminal complaints filed by law enforcement agencies and will instead be based upon the number of cases, referred with complete discovery and a complete investigation, are viable for prosecution.

- f. How often will the agency collect and report on these performance metrics?

Via Case Catcher and queries in the existing Case Management System (and new case management system if funded/implemented)

- g. How do you plan to share the results of your program with the public and the Legislature?

Upon request or via the standard PBB reporting process.