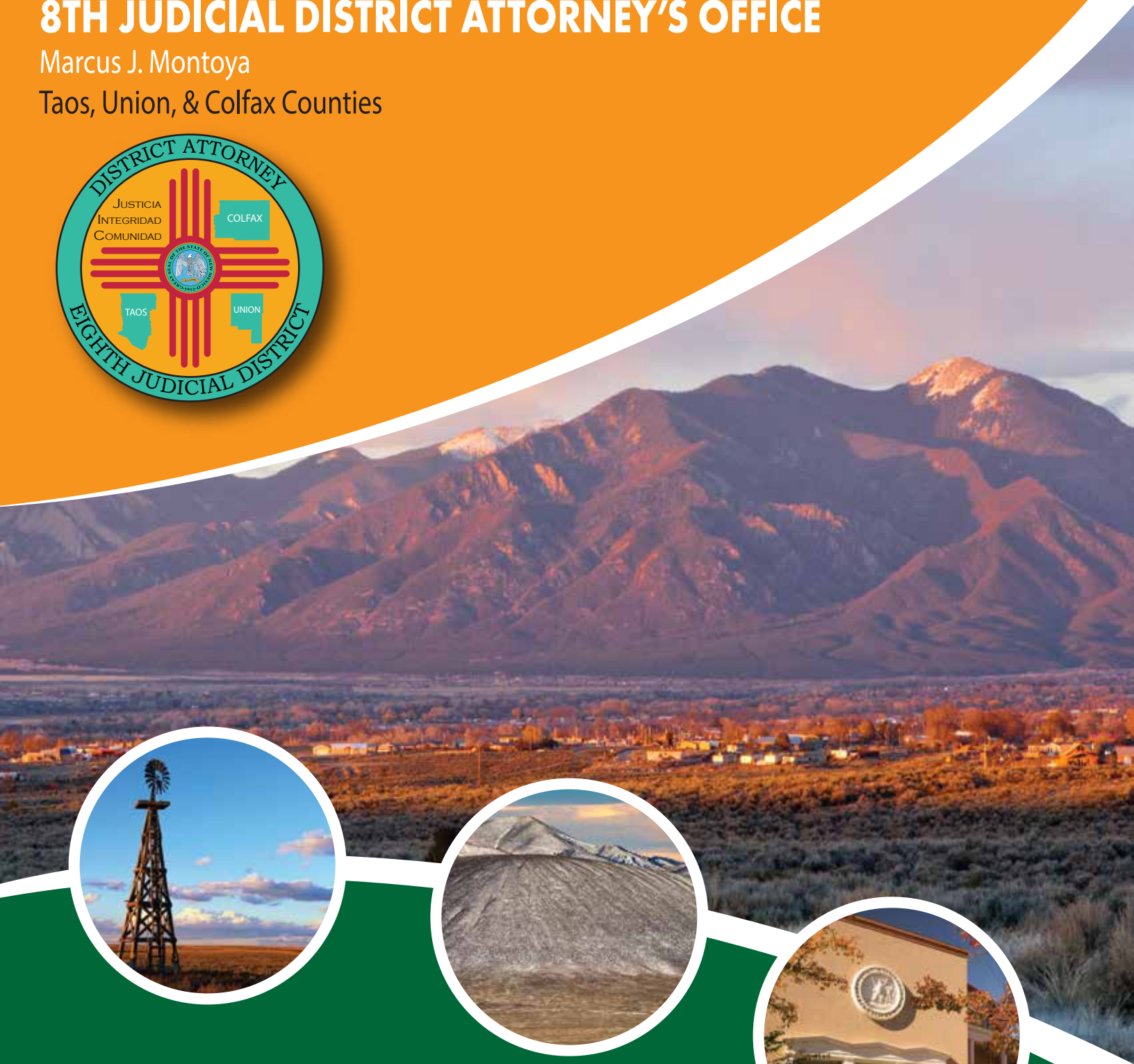
8TH JUDICIAL DISTRICT ATTORNEY'S OFFICE

Marcus J. Montoya

Taos, Union, & Colfax Counties



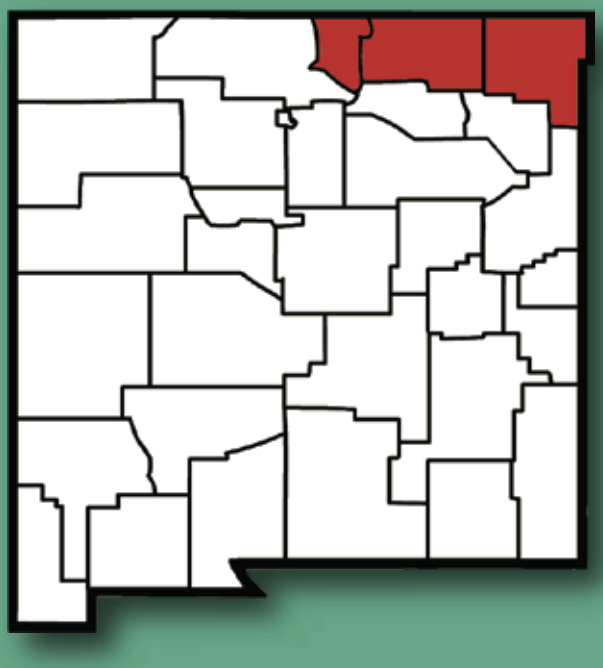
LEGISLATIVE FINANCE COMMITTEE
Wednesday, November 18, 2026

8th Judicial District Attorney Budget Request
105 Albright St., Suite L
Taos, NM 87571
www.8thda.com

NEW MEXICO'S EIGHTH JUDICIAL DISTRICT ATTORNEY'S OFFICE
AGENCY OVERVIEW

The Eighth Judicial District Attorney's Office provides a comprehensive range of prosecutorial and public safety services, including criminal case investigation, victim assistance, trial preparation, administrative support, law enforcement coordination, technical assistance, and community outreach.

The primary beneficiaries of these services are the residents of Colfax, Taos, and Union Counties. The Office also collaborates with other judicial district attorney offices throughout New Mexico to support statewide public safety initiatives and prosecutorial functions. Current service levels include comprehensive case screening, investigative support, victim advocacy services, and strong partnerships with community organizations and governmental agencies.



Mission: Pursuing public safety by promoting justice through fair and impartial prosecution of criminal cases and miscellaneous civil matters

Vision: Contributing to communal health, promoting public safety, balancing the sometimes competing interests of defendant's rights with victim's rights, while striving to provide accountability to the community.

Values: Hard work, transparency, accountability, humility, and prudence in our approach to serving the citizens of New Mexico.

PUBLIC SAFETY & PROSECUTION EFFORTS

The Eighth Judicial District Attorney's Office remains committed to prosecuting violent felonies, driving while intoxicated (DWI) offenses, domestic violence crimes, and other serious criminal matters. The Office has successfully prosecuted several high-profile cases involving violent crime and firearms offenses and continues to dedicate resources toward reducing juvenile crime through early intervention and prevention efforts.

The Office works closely with the Taos County Juvenile Justice Board, Adult Drug Courts, the Law Enforcement Assisted Diversion (LEAD) Program, Family Violence Court, and juvenile probation services. These collaborative efforts have produced positive outcomes, with many program participants successfully transitioning into productive members of their communities.

Notable Criminal Cases

State v. Justin Vosicky-McCoy - Trafficking Controlled Substances - Sentenced to 9 Years
State v. Jason Bustillos - Second-Degree Arson - Sentenced to 18 Years
State v. Dustin Lee Pettit - Criminal Sexual Penetration of a Minor - Sentenced to 48 Years
State v. David Degroat - First-Degree Murder - Guilty Plea; Sentenced to 44 Years

Law Enforcement Training

The Office provides high-quality training opportunities to law enforcement agencies throughout the district. Training focuses on legislative updates, investigative best practices, effective courtroom testimony, criminal report writing, and emerging legal issues affecting law enforcement operations.

Understanding Trials, Pretrial Interviews, and Depositions for Law Enforcement
Verbal De-escalation Crash Course for Law Enforcement
Juvenile Delinquency Law Overview for Law Enforcement
New Mexico Red Flag Law Training for Law Enforcement

Community Outreach

The Eighth Judicial District Attorney's Office actively participates in public education and community safety initiatives, including:

National Prescription Drug Take Back Day
Taos County DWI Awareness Day
Taos Town Hall on Immigration
Career Day at Taos Academy

JUNIOR DISTRICT ATTORNEY PROGRAM

The Junior District Attorney Program provides students in grades 9 through 11 from Taos High School with an immersive introduction to the criminal justice system.

To date, the program has served 43 students and is currently continuing its fifth cohort. The program encourages career exploration, develops leadership skills, and builds confidence among participating youth. Students gain firsthand exposure to criminal justice careers through direct interaction with prosecutors, law enforcement officers, judges, and other justice professionals, creating valuable mentorship opportunities and fostering future workforce development.









CURRENT FLEET STATUS

The Eighth Judicial District Attorney's Office currently maintains a fleet of ten vehicles utilized by investigators, support staff, and prosecutors to perform essential duties, including attending court proceedings, conducting investigations, serving subpoenas, and participating in meetings throughout the district.

The district encompasses the rural counties of Colfax, Taos, and Union, covering approximately 9,803 square miles and serving nearly 51,000 residents. Courthouses located in Taos, Raton, and Clayton require frequent travel by staff, with round-trip distances ranging from approximately 140 miles (Taos to Raton) to 266 miles (Taos to Clayton). These routes traverse mountainous terrain and are frequently affected by severe winter and spring weather conditions.

Currently, two vehicles in the Office's fleet have exceeded 100,000 miles. One vehicle, a 2005 Toyota Matrix assigned to a senior trial attorney who regularly serves Colfax and Union Counties, has accumulated 142,282 miles. According to Kelley Blue Book estimates, the average service life of this vehicle model is approximately 147,428 miles, demonstrating an urgent need for replacement to ensure employee safety and operational reliability.

INCREASING CASELOADS & RESOURCE DEMANDS

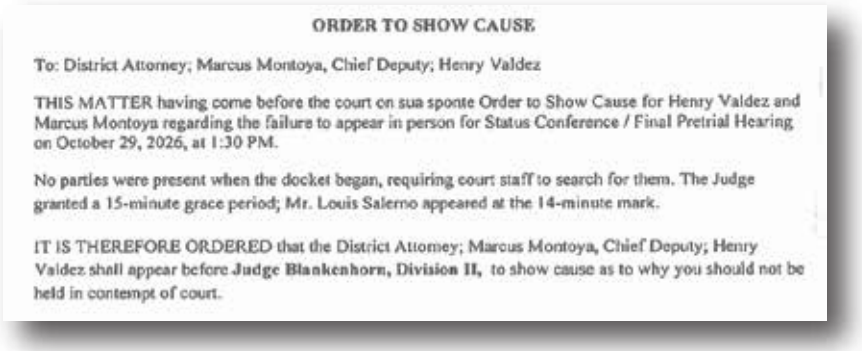
The Eighth Judicial District continues to experience a significant increase in violent crime, drug-related offenses, and complex criminal prosecutions, particularly in Taos County. This rise in serious criminal activity has placed substantial demands on prosecutors, investigators, victim advocates, and support personnel.

Current caseloads include 63 juvenile delinquency cases, including a recent incident involving six juveniles charged in connection with a shooting, as well as 12 active homicide prosecutions, with several additional homicide cases anticipated for filing. Prosecutors have also submitted numerous motions for pretrial detention and are preparing for a substantial number of felony jury trials in the coming year.

These cases require extensive investigation, legal research, motion practice, victim coordination, witness preparation, and trial litigation.

The growing volume and complexity of criminal cases have strained available prosecutorial resources and highlighted the challenges of staffing multiple court calendars across a three-county jurisdiction. Prosecutors are frequently required to appear simultaneously in District Court, Magistrate Court, and Children's Court, creating unavoidable scheduling conflicts and staffing shortages.

This challenge was illustrated on November 11, 2026, when a Taos County Magistrate Court proceeding went unattended because all available prosecutors were engaged in other court proceedings. The resulting Order to Show Cause directed to the District Attorney and Chief Deputy District Attorney underscored the significant difficulties courts and prosecutors face when staffing levels are insufficient to meet increasing workload demands.



ORDER TO SHOW CAUSE

To: District Attorney; Marcus Montoya, Chief Deputy; Henry Valdez

THIS MATTER having come before the court on sua sponte Order to Show Cause for Henry Valdez and Marcus Montoya regarding the failure to appear in person for Status Conference / Final Pretrial Hearing on October 29, 2026, at 1:30 PM.

No parties were present when the docket began, requiring court staff to search for them. The Judge granted a 15-minute grace period; Mr. Louis Salerno appeared at the 14-minute mark.

IT IS THEREFORE ORDERED that the District Attorney; Marcus Montoya, Chief Deputy; Henry Valdez shall appear before **Judge Blankenhorn, Division II,** to show cause as to why you should not be held in contempt of court.

As caseloads continue to grow, additional funding for attorneys, investigators, victim advocates, and support personnel is essential to ensure the timely administration of justice, support crime victims, reduce case delays, and maintain public safety throughout Colfax, Taos, and Union Counties. Without additional resources, the Office's ability to effectively prosecute serious criminal offenses and fulfill its obligations to the courts and the public will become increasingly challenged.

2028 BUDGET REQUEST

Total Amount Requested: $6,067,200

The Eighth Judicial District Attorney's Fiscal Year 2028 budget submission reflects a 16.7% increase over the prior fiscal year's budget. This increase is necessary to support the Office's core mission and ensure sufficient resources are available to meet growing public safety demands and statutory obligations.

Budget Request Components

Attorney Salaries: A 33% increase consistent with the proposed FY28 New Mexico District Attorney Classification Salary Schedule and the statewide unified budget request submitted by New Mexico's district attorneys.

Personnel Expansion: An additional **$195,900** to support the creation of a **Senior Trial Attorney** position to address increasing caseloads and staffing demands.

Contractual Services (Category 300): An increase of **$137,200** to support contract attorneys and accommodate updated FY28 contractual rates.

Other Costs (Category 400): An increase of **$126,700**, including **$75,000** dedicated annually to replacement of the agency's aging vehicle fleet to maintain operational readiness across the district's three counties.

FY	200 CATEGORY	300 CATEGORY	400 CATEGORY
FY 2026	$4,498,700	$148,100	$308,500
FY 2027	$4,742,300	$148,100	$308,900
FY 2028	$5,346,300	$285,300	$435,600

"Thank you for your commitment and investment to the Eighth Judicial District . Together we can make a positive impact on the citizens of the district and state."

-DA Marcus Montoya

Paula Sisneros, Chief Financial Officer email: psisneros@da.state.nm.us

Victoria Bransford, District Office Manager email: vbransford@da.state.nm.us