

Policy Spotlight: Felony Arrests and Outcomes



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Summary

Large investments in the criminal justice system have not substantively reduced violent crime or made accountability more efficient and certain.

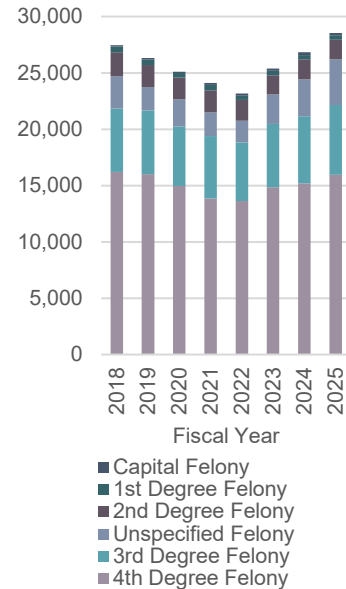
New Mexico has some of the highest crime rates in the nation, particularly for violent crimes like homicide, rape, and assault. While both violent and property crime rates have fallen since a 20-year peak in 2018, they remain well above the national average and stubbornly high. The Legislature has appropriated more than \$380 million in one-time funding since FY21 to initiatives including improved staffing and streamlined information-sharing across the criminal justice system. However, available data does not indicate that those investments have meaningfully improved public safety in the state or increased the certainty of accountability for crimes.

As reflected in police clearance rates, or the number of reported crimes that result in an arrest, the likelihood of being arrested for serious crimes appears to have declined precipitously in New Mexico since the mid-2010s. However, roughly half of law enforcement agencies in the state were not current in their reporting of crime and clearance rates as of September 2025 and several large agencies have recently cautioned they have been reporting inaccurately for years. Court filings for felony crimes have not shifted substantially, suggesting arrest rates are probably roughly the same as in FY18.

Outcomes for felony cases have also remained broadly stable over time, despite recent investments, with fewer felony cases disposed of within a year than the national average, and between 44 and 51 percent of felony cases ending in dismissal, depending on the data source. At the same time, over a five-year period from FY21 to FY25, roughly one-third of defendants were responsible for about two-thirds of felony cases and one-fifth of people released pretrial on felony charges were arrested for another felony crime before the first case was resolved. Together, those indicators all point to a system that promises neither swift nor certain accountability.

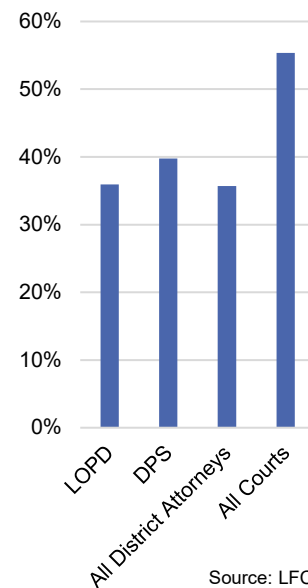
Coordination and data-sharing among criminal justice agencies is key to closing that accountability gap. Currently, law enforcement, district attorneys, and judges lack a common view of a person’s identity and criminal history, making it difficult to assess risk and target limited supervision, treatment, and housing resources toward the relatively small group of people who cycle repeatedly through the system. Similarly, limited coordination between law enforcement and district attorneys means weak cases end up in the courts, consuming court, defense, and prosecution capacity that could be focused on stronger cases. Reducing redundant and error-prone data entry and building capacity to analyze information rather than just collect it would make it easier for both agencies and policymakers to target resources and track results.

Chart 1. Felony Case Filings



Note: Cases classified by highest charge at filing
Source: LFC analysis of AOC data

Chart 2. Percent Increase in Criminal Justice Agency Recurring Budgets FY21-25



Source: LFC

Project Objectives

1. Describe recent felony crime trends in New Mexico.
2. Evaluate where accountability gaps arise in New Mexico's criminal justice system regarding felony crimes.
3. Recommend improvements that would ensure felony cases are appropriately disposed of.

Key Findings

- Investments in police and data have not meaningfully improved crime trends or arrest reporting.
- The swiftness of justice has not kept pace with investments.
- Problems with coordination and cooperation make justice less efficient and less certain.

Key Recommendations

The Legislature should consider:

- Legislation that ties grant funding for local law enforcement agencies to timely and complete reporting of crime data as required by Section 29-3-11 NMSA 1978; and
- Amending Section 9-3-10 NMSA 1978 and Section 34-9-3 NMSA 1978 to reallocate responsibility for the creation and maintenance of a data-sharing network, and analysis of that data, from the New Mexico Sentencing Commission to the Administrative Office of the Courts.

The Department of Public Safety should:

- Collect the crime data from local law enforcement it is mandated to collect under Section 29-3-11 NMSA 1978, publish a monthly list of local law enforcement agencies that have not reported their data, conduct an evaluation of obstacles to consistent reporting, and develop a strategy to improve compliance;
- Promulgate rules, as required by Section 29-3-8 NMSA 1978, addressing the collection and submission of biometric identifying information and the creation of state identification numbers and state tracking numbers by booking facilities and collect and publicly report data on detention centers that are not collecting biometric information from arrestees, as they are required to do by Section 29-3-8 NMSA 1978; and
- Produce an annual report, as required by Section 29-3-11 NMSA 1978, on the nature and extent of crime in New Mexico, including a breakdown of felony and misdemeanor crimes, arrests, the charges associated with those arrests, and the percentage of recorded arrests that have an associated court disposition.

The courts, through the Administrative Office of the Courts, should:

- Work with the AOC case management system vendor (Tyler Technologies or new vendor), to build out functionality that would allow AOC to assign a universal case number to all court events related to the same initial incident, cutting across both magistrate and district court and all related hearings (competency, probation violations etc.);
- Work with the case management vendor to create an opt-in system of automated text message and email notifications about case events for interested parties, including the DPS crime labs, local law enforcement agencies, detention centers, victims, and witnesses; and
- Track the impact of case management rules on time to disposition and case dispositions and report on those publicly, including the underlying methodology for the analysis.

The district attorneys, through the Administrative Office of the District Attorneys, should:

- Establish uniform guidelines for district attorney review of felony cases prior to filing in court and report to the Legislative Finance Committee as part of the district attorneys' quarterly performance report on the percentage of felony cases referred to district attorneys prior to filing in court, by judicial district;
- Track declinations of cases referred to district attorneys in a uniform template that includes actionable feedback on why cases were declined and communicate that feedback to law enforcement as soon as a case is rejected;
- Rework the New Mexico Statewide Automated Victim Information Notification system (NMSAVIN) to interface with AODA's case management system and automatically notify victims of all hearings in a case, as required under the Victim of Crimes Act; and
- Track victim notification statewide in a uniform format and report quarterly in Legislative Finance Committee performance reports on contact methods, percentage of successful contacts, and total contact attempts.

Local law enforcement agencies should:

- Report National Incident-Based Reporting System (NIBRS)-compliant crime and clearance data to DPS and the FBI, as required by Section 29-3-11 NMSA 1978; and
- Pool resources with other agencies to adopt and implement a NIBRS-compliant records management system (RMS) in jurisdictions that do not currently have one.

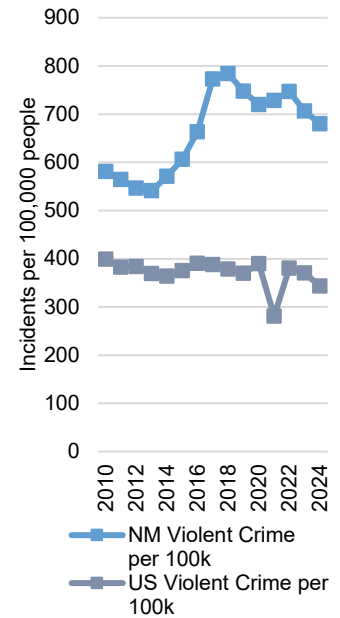
Background

New Mexico’s crime rates are stubbornly high. As past LFC evaluations have noted, crime is a complex problem with roots in a combination of social conditions, including poverty and illegal drug use. The Legislature has made large investments recently in programs designed to address those root causes, including through the 2025 Behavioral Health Reform and Investment Act. The Legislature has also made large investments to increase the likelihood of accountability for crimes that occur. Those investments have included increased spending on staffing and salaries for law enforcement and judicial agencies, as well as more than \$40 million for technology projects designed to improve data collection and sharing across the criminal justice system.

New Mexico has some of the highest crime rates in the nation, particularly for violent crimes.

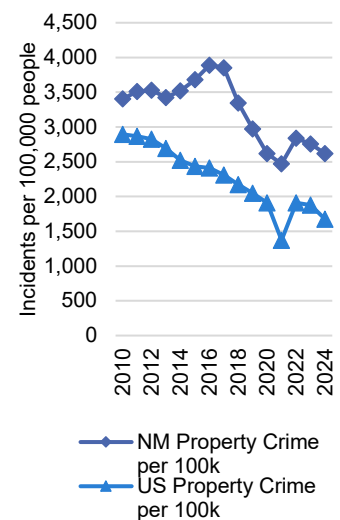
After reaching then-historic lows in 2010, New Mexico experienced sharp increases in violent and property crime between 2012 and 2018, with rates of murder, aggravated assault, burglary, and motor vehicle theft rising to roughly twice the national average. Although property crime rates have since declined, FBI data shows violent crime remains high. Nearly half of all reported crimes in 2024 occurred in the Albuquerque metro area, but Gallup, Taos, and Belen had higher overall crime rates. The Department of Public Safety (DPS) is required by Section 29-3-11 NMSA 1978 to collect and summarize crime trends in the state in an annual report, but has not done so since 2020, leaving FBI data as the most reliable source of information about crime in New Mexico. Because felony and misdemeanor crimes are defined by state statute, FBI data does not reflect those distinctions.

Chart 3. Violent Crime Rate for New Mexico and the U.S.



Source: FBI UCR

Chart 4. Property Crime Rate for New Mexico and the U.S.



Source: FBI UCR

Table 1. Crime Rates for Select Crimes in New Mexico and the U.S., 2024
(per 100,000 people)

	Homicide	Aggravated Assault	Rape	Robbery	Arson	Burglary	Larceny	Motor Vehicle Theft
New Mexico	0.94	51.2	4.6	5.8	1.05	43.3	152.8	44.2
US	0.42	21.3	3.1	5.1	0.91	19.3	105.0	21.6

Source: FBI UCR

Murder rates in New Mexico were double the national average in 2024, as were rates of aggravated assault, burglary, and motor vehicle theft.

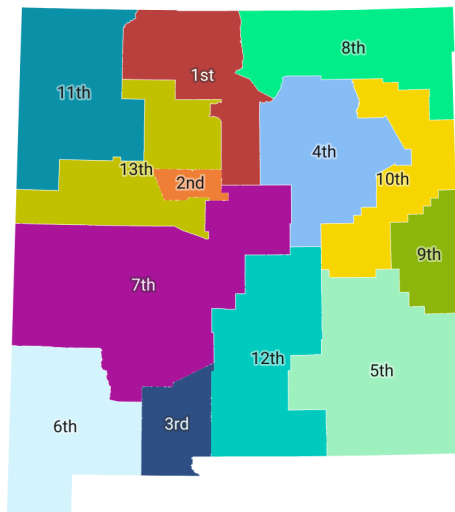
The FBI’s Unified Crime Reporting (UCR) Program focuses on eight serious offenses known as Part I crimes, which are divided into two categories: violent crimes and property crimes. Violent crimes are homicide, rape, robbery, and aggravated assault. Property crimes are arson,

burglary, larceny-theft, and motor vehicle theft. In New Mexico, all eight are classified as felonies. Albuquerque had the most crime in 2024, reflecting its large population, but not the highest crime rate, according to FBI data (Appendix C). However, it is important to note that rates in smaller communities can be influenced by modest changes in raw counts, and not all law enforcement agencies report data to the FBI. Also, the data is only for reported crimes, and crimes may go unreported. Reporting rates for crimes like rape and larceny are estimated at under 50 percent, meaning the true level of crime is likely higher.

Crimes that result in an arrest follow different paths in New Mexico’s court system depending on the severity of the alleged crime.

Criminal cases can be initiated in court in New Mexico by either law enforcement or prosecutors, through a criminal complaint, indictment, or information. Misdemeanors and petty misdemeanors are typically resolved in the state’s 43 lower (magistrate and Metropolitan) courts, while felony cases begin there, but must be “bound over” to one of the state’s 34 district courts for adjudication. Many other states (Colorado, Texas, Alaska) have a similar two-tiered structure for adjudication of felony crimes, although some assign exclusive jurisdiction for felony crimes to upper courts (Utah, Arizona, Oregon), which a 2020 National Center for State Courts study found resulted in more efficient resolution of cases.

Figure 1. New Mexico Judicial Districts



Source: AOC

New Mexico’s criminal justice system consists of dozens of local and state agencies. Law enforcement at the local, county, and state levels investigate reported crimes in their respective jurisdictions and refer cases to elected district attorneys in the state’s 13 judicial districts. Each district has limited-jurisdiction lower courts (magistrate or Metropolitan) as well

Glossary of Terms

Police clearance rate: Measures the percentage of crimes that end in arrest or could end in arrest, but for exceptional circumstances (e.g. the death of the alleged offender).

Felony: In New Mexico, a felony is a crime that state law designates as a felony, or for which the law authorizes a sentence of one year or more in prison upon conviction of that offense.

Misdemeanor: Crime punishable by jail time in a county detention facility for up to 364 days.

Bind over: Process through which felony cases move from lower courts (magistrate or Metropolitan) to district courts. The lower courts, or a grand jury, decide whether there is enough evidence for a felony case to proceed in district court. The lower court or grand jury does not determine guilt or innocence, only whether there is probable cause to believe that a crime was committed and that the defendant committed the crime. If so, the defendant is bound over and the prosecution can initiate a case in district court.

Disposition: The final outcome or resolution of a criminal case. These outcomes can be summarized at a high level as: guilty, not guilty, dismissed, or diverted.

Dismissal: A case that the prosecutor or judge has terminated before a verdict or guilty plea. A case dismissed “with prejudice” is permanently closed and cannot be refiled. A case dismissed “without prejudice” may be refiled by prosecutors in the future.

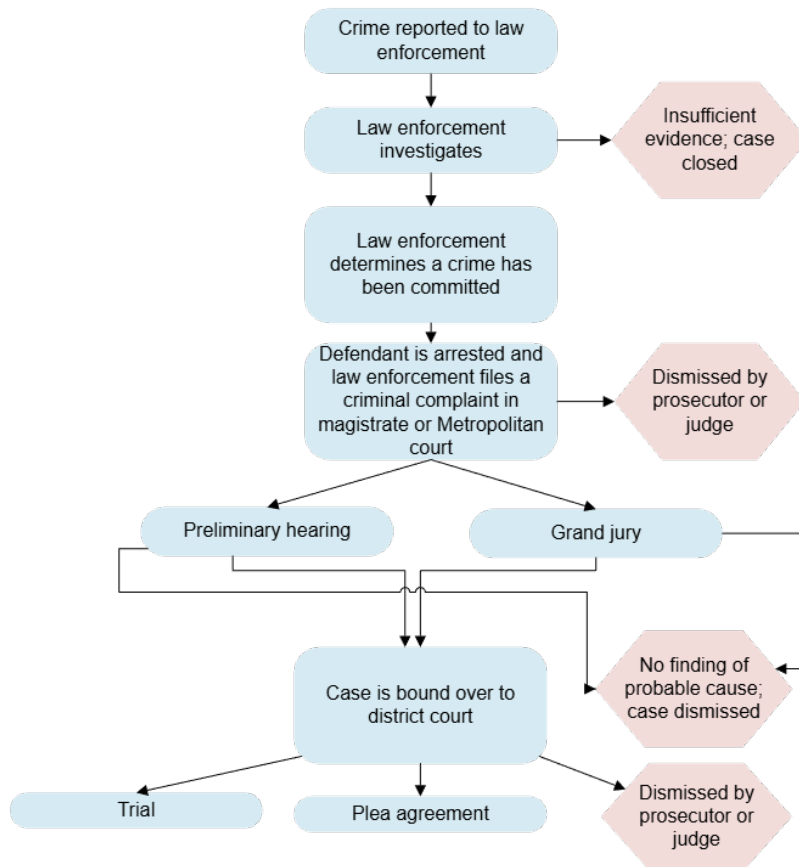
as district courts. Statewide support for the district attorneys’ offices and the courts is provided, respectively, by the Administrative Office of the District Attorneys (AODA) and the Administrative Office of the Courts (AOC). Indigent criminal defendants are represented by the Law Offices of the Public Defender (LOPD), an independent agency designed to safeguard the constitutional right to counsel.

Felony crimes are defined in statute as offenses for which the authorized punishment is more than one year in prison. Criminal offenses are enumerated in Chapter 30 NMSA 1978. The Criminal Code lists more than 50 categories of offense, ranging from loan sharking to homicide, with most categories encompassing several specific offenses. Offenses enumerated in the statute are classified as either felonies, misdemeanors, or petty misdemeanors. Felonies are defined as any crime for which the law authorizes a punishment of more than a year in prison for the offense or death (although New Mexico has abolished the death penalty). Felony crimes are further assigned degrees, ranging from capital to fourth, denoting a descending level of severity of the crime. Roughly 150 offenses are classified as felonies: approximately 110 fourth degree, 26 third degree and a dozen second, first, or capital offenses.

New Mexico Criminal Justice Statutes

Chapter	Title
29	Law Enforcement
30	Criminal Offenses
31	Criminal Procedure
32A	Children's Code
33	Correctional Institutions
34	Court Structure and Administration
35	Magistrate and Municipal Courts
36	Attorneys
37	Limitation of Actions
38	Trials
39	Judgments, Costs, Appeals

Figure 2. Typical Felony Case Procedure in New Mexico



Source: LFC

The estimated cost of a felony crime and conviction is \$218 thousand.

In a 2018 evaluation of Bernalillo County’s criminal justice system, LFC developed an average cost estimate for felony crimes that result in a conviction, using the New Mexico Results First approach. Accounting for inflation since then, the estimated cost in 2025 is \$218 thousand. The estimate includes the costs to the victim, for police, courts, jail or detention time, and pretrial supervision. The estimate does not include the wider social costs of crime, which are significant. However, even without estimating those costs, the figure allows policymakers to estimate the potential return on investment of programs that reduce the incidence of felony crime.

In New Mexico, felony cases are typically resolved through a two-tiered court process, starting in magistrate or Metropolitan court and proceeding to district court after a grand jury indictment or finding of probable cause in a preliminary hearing. Felony cases begin when a crime is reported to law enforcement. If, after investigating, officers determine there is sufficient evidence the crime occurred, they present a complaint in magistrate or Metropolitan court (Bernalillo County) or refer the case to the relevant district attorney. If the case begins with a complaint filed in court, it is also then referred to the relevant district attorney for prosecution. If the district attorney decides to proceed, felony cases must be “bound over” to district court in one of two ways: either through a preliminary hearing before a judge or a grand jury indictment. A preliminary hearing functions like a mini-trial, with testimony, cross-examination, and adherence to legal rules of evidence. Defendants can—and frequently do—waive their right to a preliminary hearing. A grand jury, by contrast, is convened by the district attorney and meets in private without adversarial defense participation; at least eight of 12 jurors must agree there is probable cause. The goal in both cases is to ensure the evidence is sufficient to warrant prosecution. Although felony cases typically must be heard in both courts, AOC treats proceedings in lower and district courts as unrelated events, meaning they do not consistently track cases in Odyssey, the statewide case management system, from one court to the other, even though a defendant experiences the proceedings as part of a single prosecution. That split record-keeping can complicate efforts to reconstruct what actually happened in a felony case from start to finish.

Once a felony case has entered the court system, it can end in one of four ways: guilty, not guilty, dismissed, or diverted. “Guilty” outcomes can result from either a guilty plea or a trial verdict. A 2020 study found 90 percent of guilty outcomes (convictions) in the United States resulted from plea agreements; the rate in New Mexico is even higher according to a 2024 study from the University of New Mexico—98 percent. “Not-guilty” outcomes are acquittals at trial. Dismissals come in many different varieties and can be initiated by either a judge or the prosecutor. A nolle prosequi (or “nolle”) is a prosecutor-initiated dismissal, often used when evidence is insufficient, key witnesses are unavailable, the defendant pleads to other counts or cases, or the person is diverted to a treatment program. Other dismissals are court-ordered, such as dismissals for violating speedy-trial or case-processing time limits, for prosecutor suppression of critical evidence, for lack of probable cause at a preliminary hearing, following failure to secure an indictment, or in cases where the defendant is deemed incompetent. There are also administrative or housekeeping dismissals when a case is consolidated, refiled in another court, or superseded by other charges. The final possible outcome for a case is diversion, which includes deferred-sentence pathways that often culminate in a dismissal on successful completion. Those cases may be coded as “dismissed” in court data but should not be lumped together with dismissals by the prosecution or judges.

DPS plays a coordinating role for law enforcement through its two main programs: State Police and Law Enforcement Support, including training, criminal records, and forensics.

AOC manages the administration of all state courts, including budgets, technology, and human resources.

AODA provides statewide support for prosecutors, including mandatory training, technology, and assistance with conflict cases.

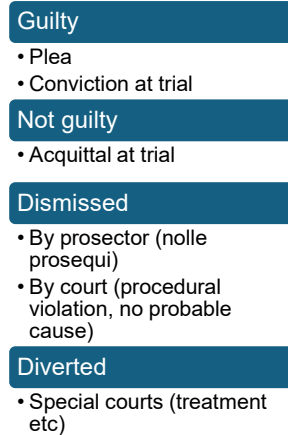
LOPD provides constitutionally-required legal representation for individuals who cannot afford counsel in cases that could result in incarceration.

NMSC produces analysis to inform decisions and improve understanding of the justice system.

NMCD operates state prisons and administers probation, parole, and reentry programs.

CVRC compensates victims of crime and supports their participation in the justice process.

Figure 3. Criminal Case Dispositions



Source: LFC

The Legislature has invested more than \$380 million since FY21 to improve staffing and streamline data-sharing within the criminal justice system.

Since FY21, New Mexico has substantially increased criminal justice spending, with the budgets of major justice agencies growing by nearly 20 percent overall. Even before those increases, New Mexico already ranked 10th in the nation in per capita spending on criminal justice and the highest among surrounding states. In addition to increased base budgets, the Legislature has appropriated more than \$380 million in non-recurring funding since FY21, in large part to support staff recruitment and retention and technology upgrades intended to improve data collection and sharing. Investing in staffing as a lever for improving public safety and court performance is consistent with research that links adequate law enforcement staffing to crime deterrence and emphasizes the role of well-resourced courts, prosecution, and defense in protecting the right to speedy and fair adjudication. Investing in better data infrastructure ensures decision-makers have complete information about criminal history and risk and helps policymakers direct resources toward the most effective initiatives.

Chart 5. Percent Increase in Criminal Justice Agency Recurring Budgets FY21-25

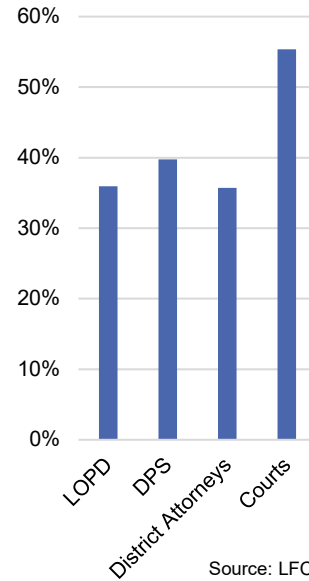
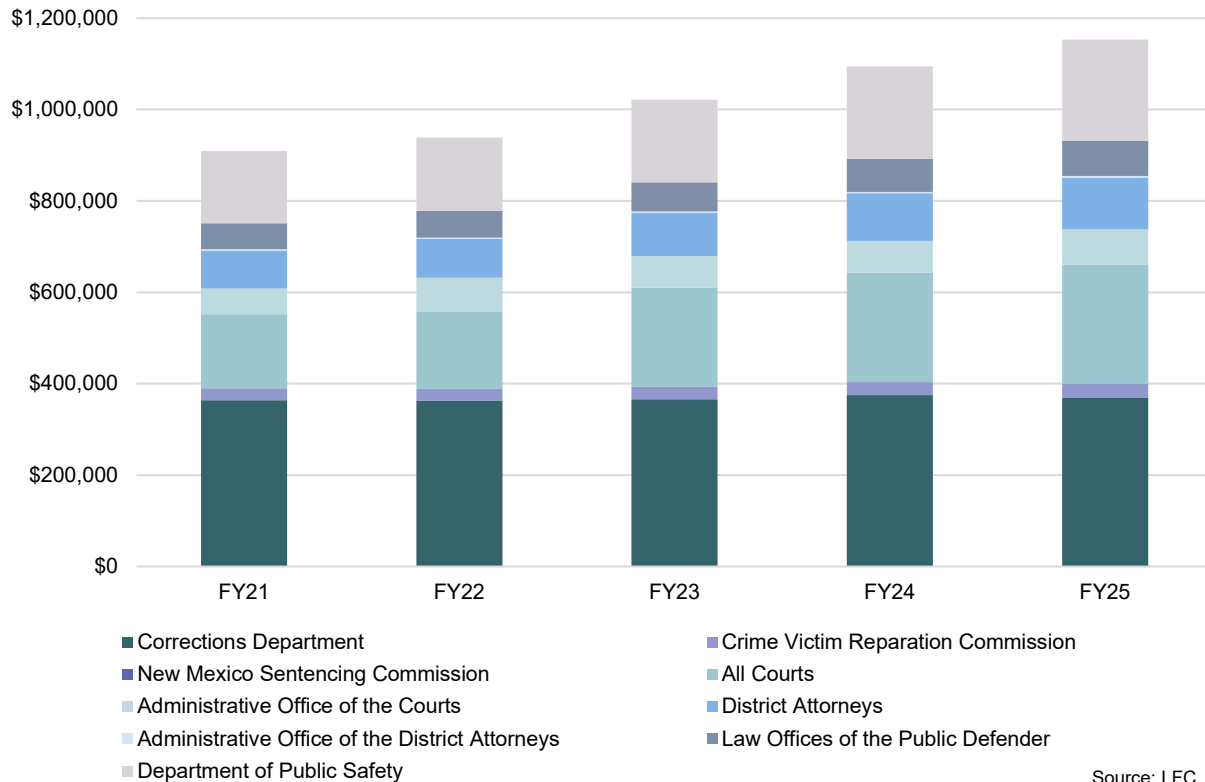
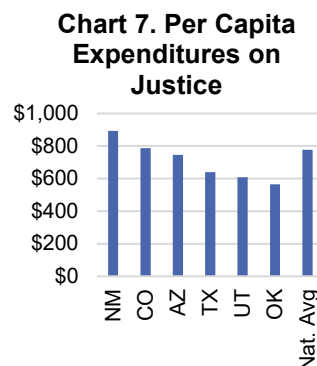


Chart 6. Criminal Justice Agency Recurring Budgets FY21-25
(in thousands)



New Mexico had the 10th highest per capita expenditures on justice in the United States in 2019, before recent budget increases, and the highest among surrounding states. The federal Bureau of Justice Statistics publishes regular reports comparing total expenditures on “justice” taken from multiple sources within the U.S. Census Bureau. While the most recent data is from 2019, compiled in 2021, it offers a method of comparing New Mexico’s expenditures to nearby states, as well as the country, on both total and per capita bases. Per the data, the United States spent \$255 billion on justice, defined as the sum cost of corrections, law enforcement, and the judiciary, in 2019. That equates to \$776 per capita nationwide. In the same year, New Mexico spent \$1.9 billion or \$893 per capita, 15 percent higher than the national average, and the 10th highest among all the states. It was also the highest in the Southwest, exceeding the per capita expenditures of Arizona, Utah, Colorado, Oklahoma, and Texas. The largest share of the spending goes to local police, followed by state corrections. Given that New Mexico has some of the highest crime rates in the nation, the comparatively high expenditures may be appropriate to fight crime, but may also point to inefficiencies in the system because the investment has not been successful at lowering the crime rate.



Source: Bureau of Justice Statistics

Table 2. Major Non-Recurring Investments in Criminal Justice Agencies and Projects Since FY21 by Agency (in thousands)

Agency	Investment	% of Total
DFA	\$213,400.0	55.9%
DPS	\$48,625.6	12.7%
HCA	\$31,445.7	8.2%
NMCD	\$21,073.0	5.5%
AOC	\$12,128.0	3.2%
CVRC	\$8,500.0	2.2%
HSEM	\$7,468.6	2.0%
LOPD	\$6,789.7	1.8%
Courts (All)	\$6,745.7	1.8%
NMSC	\$6,050.0	1.6%
DAs (All)	\$5,442.6	1.4%
AODA	\$4,939.0	1.3%
DOH	\$4,750.0	1.2%
CYFD	\$4,500.0	1.2%
Total	\$381,857.9	

Source: LFC Files

The recurring operating budgets of criminal justice agencies have increased by nearly 20 percent since FY21, with the largest increases going to DPS (39.8 percent) and AOC (39.5 percent). While the budgets of the courts, district attorneys, and the public defender have all increased steadily, the budgets and actual spending of the courts have increased the fastest among the three, both in dollar amounts and as a percentage. From FY21 to FY25, the courts and AOC collectively saw a 55 percent budget increase, from \$218 million to \$339 million. Over the same time period, district attorneys and AODA saw their budgets grow 36 percent, from \$86 million to \$117 million while the public defender’s also grew by 36 percent, from \$57 million to \$77 million. It is important to note that while the district attorneys and the public defender are focused exclusively on criminal justice, criminal cases make up only about a third of the courts’ work.

In addition to increased budgets, the Legislature has appropriated more than \$380 million in non-recurring funds to criminal justice agencies since FY21, with particularly large investments in staff and technology. The appropriations include more than \$180 million for recruitment and retention efforts targeted towards law enforcement, district attorneys, and public defenders and more than \$40 million for major technology projects, including DPS’ criminal justice information system modernization and crime lab and fingerprinting equipment. Additional non-recurring appropriations have supported a new case management system for AODA and data-sharing infrastructure at AOC. (For more detail on both recurring budget growth and non-recurring investments, see Appendix B.)

Investments in Police and Data Have Not Meaningfully Improved Crime Trends or Arrest Reporting.

New Mexico has more law enforcement officers today than a decade ago, in part thanks to substantial recruitment and retention investments, but serious crime remains high, raising questions about how effectively that additional capacity is being used. In principle, more officers should increase the likelihood that serious offenses are investigated and result in arrest, but the state does not currently have sufficiently reliable information about either crime or arrest activity to assess whether that is happening. Many local law enforcement agencies do not report crime and clearance data consistently, leaving court filings as the best proxy for arrests. Those filings suggest arrests for felony crimes have remained roughly flat since FY18. By embracing the coordinating role envisioned for it in statute, DPS can help ensure accurate crime and clearance reporting, consistent fingerprinting of arrestees, and effective use of disposition data to link arrests to individuals and outcomes.

Despite recent investments in police recruitment and retention, crime rates remain high.

A large body of criminal justice research has found the certainty of apprehension has a more significant deterrent effect on criminal behavior than the severity of any ensuing consequences. The idea is often summarized as “it is better to prevent crimes than to punish them.” That deterrent effect can be achieved in multiple ways, but one well-documented strategy is to increase police presence, and thereby the likelihood of apprehension. Past studies show simply increasing police manpower has a mild deterrent effect. Concentrating increased police presence in crime hot spots can have an even greater effect, with some randomized studies reporting double-digit reductions in reported crime. Other studies have estimated the return on investment for deploying additional officers at roughly \$5 for every dollar expended. The Legislature has made significant investments in recruitment and retention of law enforcement officers in New Mexico recently, including \$182 million in nonrecurring appropriations since FY23 specifically for that purpose. The number of officers employed in the state has increased on both a per capita and an absolute basis in recent years, but their ability to affect crime also depends on how those officers are deployed. Roughly half of respondents to an LFC survey of law enforcement agencies said they do not use real-time data to guide officers’ work, pointing to a possible disconnect between crime and response. At the same time, a recent review flagged significant gaps in the state’s basic law-enforcement training curriculum, raising questions about whether officers have the training they need to be effective.

National Institute of Justice Principles of Deterrence

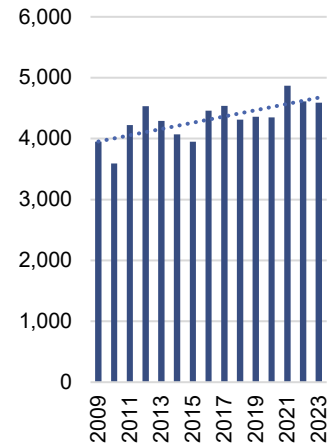
- The certainty of being caught is a vastly more powerful deterrent than the punishment.
- Sending an individual convicted of a crime to prison is not a very effective way to deter crime.
- Police deter crime by increasing the perception that criminals will be caught and punished.
- Increasing the severity of punishment does little to deter crime.
- There is no proof that the death penalty deters criminal activity.

While local governments are principally responsible for funding law enforcement, the Legislature has appropriated \$182 million in non-recurring funding for law enforcement recruitment and retention since FY23. Among nonrecurring investments in the criminal justice system, the single largest investment has been in providing grant funding to local law enforcement agencies for recruitment and retention. In FY23, the Legislature appropriated \$50 million “to distribute to local law enforcement agencies that use or intend to use community oriented policing for officer recruitment or retention stipends, with no more than ten million dollars (\$10,000,000) distributed per fiscal year through fiscal year 2027.” Language vetoes by the governor removed the requirement for community-oriented policing and the spending cap. In FY24, the Legislature created the law enforcement workforce capacity building fund and appropriated an additional \$32 million, as well as \$57 million from the general fund for commissioned officers. Subsequent appropriations in FY25 went to recruitment grants and the law enforcement retention fund.

Crime rates remain high despite an increased number of police officers in New Mexico. Both FBI and federal Bureau of Labor Statistics (BLS) data show that the number of law enforcement officers in New Mexico has increased over time, both in absolute numbers and relative to the state’s population. According to FBI data, in 2009, New Mexico had 3.4 law enforcement officers per 1,000 people while in 2024 it had 4. That mirrors the trend in absolute numbers of law enforcement officers shown in BLS data. However, as noted above, while there may be a mild deterrent effect from simply increasing police manpower, more significant reductions in crime depend on how those officers are deployed.

Half of law enforcement agencies responding to an LFC survey reported they do not use real-time crime data to inform staff deployment decisions, potentially resulting in a mismatch between crime and response. Real-time crime data allows agencies to move from general “more patrols everywhere” strategies to focused, evidence-based approaches like hot spot policing that concentrate officers where and when crime is actually occurring. When departments routinely analyze recent incident reports, calls for service, and related data they can identify small areas that generate a disproportionate share of crime and then direct patrols, traffic stops, license-plate readers, and other resources to those locations during the highest-risk periods. However, half of law enforcement agencies indicated “no” in response to a question that asked, “Does your agency use real-time crime data to deploy resources?” While law enforcement agencies in smaller communities may not require the level of data analytics that larger agencies do, all law enforcement agencies can benefit from using data—even basic mapping or spreadsheets—to guide resource deployment. Among the half that reported using real-time data, most mentioned using an Artificial Intelligence-assisted analytics software, with a few noting they also use mapping, drones, automated license plate readers, and traffic data.

Chart 8. Total Law Enforcement Officers in New Mexico



Source: LFC analysis of U.S. BLS data

Examples of Real-Time Crime Data

Up-to-date incident logs
Regularly updated information on calls for service, reported crimes, and officer-initiated activity, not just annual or quarterly summaries.

Basic mapping of recent crime and calls
Simple maps or pin boards that show where incidents are clustering in recent days, so patrols and problem-solving can focus on repeat locations.

Timely summaries for supervisors
Short, recurring reports (daily, weekly, or shift briefings) highlighting recent serious incidents, repeat addresses, and emerging patterns.

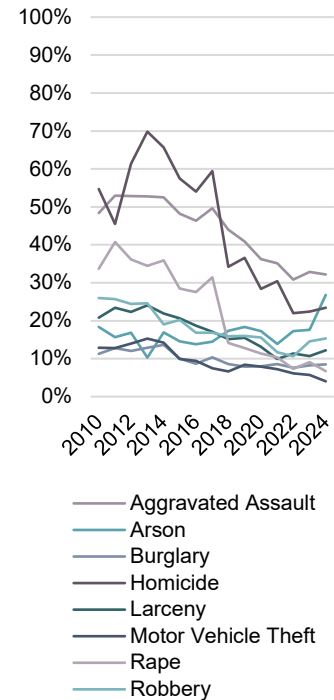
Simple pattern and repeat-offender tracking
Lists of repeat call locations, frequent arrestees, or recurring problems (e.g., a particular bar, motel, or road segment) that are refreshed and reviewed on a regular schedule.

DPS is updating the state's law enforcement basic training curriculum after a 2024 review found it is deficient in a number of areas, including in training on tasks essential to the prosecution of cases. The New Mexico Law Enforcement Academy (NMLEA) commissioned the review from the International Association of Directors of Law Enforcement Standards and Training, a non-profit. The review identified the core tasks someone in a law enforcement role would be expected to be able to complete satisfactorily following basic training and compared those tasks to the current training curriculum. Out of the 434 tasks identified, the association's review found 87 percent were covered on some level in NMLEA's basic training curriculum, but that 56 tasks were not, including some tasks that are essential to prosecution of cases, like obtaining search and arrest warrants. Those are particularly important skills in New Mexico, where law enforcement officers can initiate criminal cases without prior review by district attorneys. The association also identified deficiencies in the curriculum's learning objectives, delivery standards, testing instruments, and content, noting "NMLEA curriculum materials are very broad, high-level outlines that lack ample supporting context, detail or elaboration to meet best practices for curriculum development." The review concluded, overall, the training standards and curriculum leave the state open to "moderate" liability, meaning the courts might conclude that through a lack of training, the state had exercised "deliberate indifference" to the constitutional rights of people with whom law enforcement comes into contact. In response to the curriculum review, DPS awarded a \$1.4 million contract to the association for a full curriculum overhaul by July 2028. The association is currently on track to meet those deadlines, with the first section of the new curriculum, on professional standards, delivered in July 2025.

Law enforcement agencies are not accurately reporting arrests, but court filings suggest felony arrests are roughly the same as in FY18.

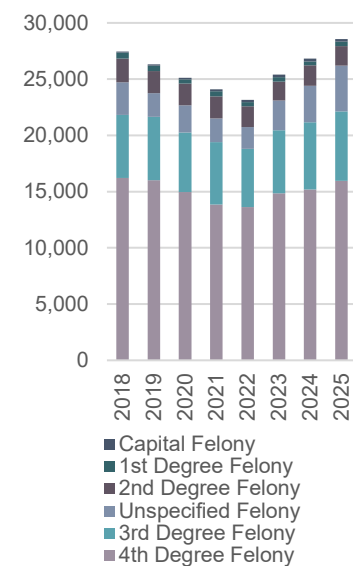
New Mexico's arrest and court filing statistics tell conflicting stories about how many crimes result in an arrest. Reported data from law enforcement agencies appears to show sharp declines in arrests for assault, homicide, and other serious offenses since the mid-2010s but low reporting rates and errors in reported information mean those trends likely reflect data problems as much as real changes in enforcement. By contrast, court records show the number of criminal cases and charges filed, including felony cases, was largely flat between FY18 and FY25, implying that the volume of cases reaching prosecutors and courts has not changed dramatically. The mix of charges in those felony cases has also been relatively stable: Drug possession is the most common felony charge, but aggravated assault with a deadly weapon, domestic violence, child abuse, and battery on law enforcement officers are all frequently charged, suggesting serious crimes are being regularly prosecuted, despite what arrest statistics indicate.

Chart 9. Part I Crime Clearance Rates



Source: FBI

Chart 10. Felony Case Filings FY18-25



Note: Cases classified by highest charge at filing
Source: LFC analysis of AOC data

Police clearance rates for serious crimes, including assault and homicide, appear to have declined precipitously since the mid-2010s, but several large agencies may have been reporting incorrectly.

Clearance rates reflect the number of reported crimes that result in an arrest—or that would result in an arrest, barring exceptional circumstances. As such, they are a valuable proxy for understanding how frequently police are solving crimes. In New Mexico, reported clearance rates for all serious crimes have declined since 2010, with particularly notable declines in clearance rates for violent crimes, including homicide, aggravated assault, and rape (Chart 10). However, the State Police and several other large police agencies in New Mexico have recently flagged they have been inaccurately reporting clearance rates to the FBI for years, likely skewing statewide clearance rates.

As of September 2025, 18 percent of law enforcement agencies in New Mexico had not reported crime and clearance data in more than a year and 51 percent were not current in their reporting, making it difficult to respond to trends. State law makes the Department of Public Safety (DPS) the central repository for incident and arrest data and directs the agency to operate a uniform crime-reporting system (Section 29-3-11 NMSA 1978). The data is then sent to the FBI, which serves as the primary source of information about crime trends in the United States. However, many local law enforcement agencies in New Mexico do not report or do not report in a timely fashion. While the percentage of agencies reporting regularly has increased in recent years, reaching as high as 90 percent population coverage in some months, reporting often lags, with coverage dropping to less than 70 percent of the population for the most recent months. Incomplete or late reporting makes it impossible to understand and respond to crime trends in the state.

DPS should develop a multi-pronged strategy to improve crime and clearance reporting, focused on understanding local barriers and supporting agencies' transition to compliant records management systems. DPS has not systematically examined why so many agencies fail to submit accurate data to the FBI's National Incident-Based Reporting System (NIBRS), but an LFC survey of law enforcement agencies found that more than half of responding agencies reported difficulty submitting crime and clearance data and that roughly half of those cite their records management system as a key challenge. DPS is well-positioned to (1) inventory which vendors each agency uses, (2) determine which systems are fully NIBRS-compliant, and (3) help agencies work with vendors either to upgrade existing systems or transition to compliant ones. Coordinating those efforts, potentially including regional or group purchasing to reduce costs, would move DPS from a passive role to an active statewide support function, directly addressing the technical and coordination barriers that currently undermine the completeness and reliability of New Mexico's crime statistics.

Table 3. New Mexico Law Enforcement Agencies Not Reporting Crime Data in 2025

Agency	Last reporting date
Española Police Department	5/31/2020
Otero County Sheriff's Office	7/31/2020
Lovington Police Department	11/30/2022
Mesilla Marshals Department	12/31/2022
Tucumcari Police Department	1/31/2023
Union County Sheriff's Office	1/31/2023
Moriarty Police Department	5/31/2023
Luna County Sheriff's Office	9/30/2023
Sierra County Sheriff's Office	2/29/2024
Cloudcroft Police Department	3/31/2024
Quay County Sheriff's Office	10/31/2024
Deming Police Department	-
Estancia Police Department	-
Harding County Sheriff's Office	-
Loving Police Department	-
NM Highlands University Police Department	-
Colfax County Sheriff's Office	-
Cuba Police Department	-
Grant County Sheriff's Office	-
Lincoln County Sheriff's Office	-
Mountainair Police Department	-
Rio Arriba County Sheriff's Office	-
Ruidoso Police Department	-
Silver City Police Department	-

Source: DPS

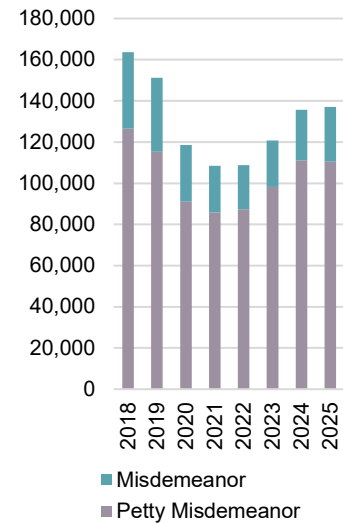
Despite reported declines in clearance rates, the number of criminal cases and charges filed in court remained largely flat between FY18 and FY25. While clearance rates are the most reliable measure of whether police are making arrests, court filings are a reasonable proxy. Unlike reported clearance rates, court filings do not indicate a large drop-off in arrests in recent years, with criminal case filings staying relatively steady, especially for felony crimes. AOC data shows 168 thousand criminal cases were filed in New Mexico courts in FY25. Most cases (roughly 82 percent) had a misdemeanor or petty misdemeanor as the highest charge while 17 percent of cases (28,549) included a felony charge, and less than 1 percent had an unspecified charge degree. Most of those felony charges were fourth degree or indeterminate degree felonies (Chart 10). The number of more serious felony charges (capital, first, second, and third degree) has remained relatively steady over time while the number of cases filed with an indeterminate felony degree has grown. Analysis of AOC and Administrative Office of the District Attorneys (AODA) data suggests the primary felony crime for which people are being arrested is possession of a controlled substance.

DPS has not fulfilled its statutory role in coordinating accurate, person-level data about arrests and outcomes.

A well-functioning justice system depends on reliably identifying people and tracking their history across agencies—two things New Mexico is unable to do consistently. Modern standards for criminal justice information established by the FBI assume that states can capture fingerprints at booking, assign consistent identifiers, and trace the outcome of an arrest. In New Mexico, those responsibilities are assigned in statute to DPS, whose Law Enforcement Support program is charged with collecting uniform crime data, promulgating rules for fingerprinting of arrestees, and tracking the final court disposition of arrests. However, the agency is not playing its essential coordinating role in those efforts. At the same time, DPS has received major technology appropriations to upgrade its criminal justice information systems, but those upgrades do not fix basic problems with accurate identification and complete criminal histories.

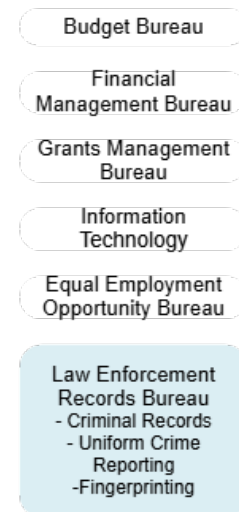
Upgrades to criminal justice information systems at DPS are focused on technology, without addressing underlying coordination and cooperation challenges. DPS received a \$20 million appropriation in FY24 to update various elements of the state’s criminal justice information system, including connections with county detention centers, fingerprinting equipment at those detention centers, and the criminal history databases that feed into the FBI’s National Crime Information Center, the central repository for criminal records. Among the stated objectives of the project are improving accuracy, reducing the time required to produce records, and creating consistent quality controls. While the project is on track, it is not expected to result in major changes to the state’s criminal justice information systems, in part because it is principally technology-focused

Chart 11. Misdemeanor and Petty Misdemeanor Case Filings FY18-25



Note: Cases classified by highest charge at filing
Source: LFC analysis of AOC data

Figure 4. DPS Law Enforcement Support Program



Source: DPS

and does not address underlying challenges with data collection outlined below.

The importance of fingerprinting

Accurate identification is essential for building criminal histories, tracking repeat offenses, and making informed pretrial decisions, but names, dates of birth, and social security numbers are easy to falsify and easy to enter incorrectly. In New Mexico, the same person can appear associated with multiple identifiers across different case management systems (AOC, AODA, DPS, LOPD). Fingerprinting is the only reliable way to anchor records to a single individual over time and across agencies, a point underscored by these real examples from AODA's case management system of where non-fingerprint identifiers break down:

Case A: One person under six different names, with two dates of birth and a single social security number.

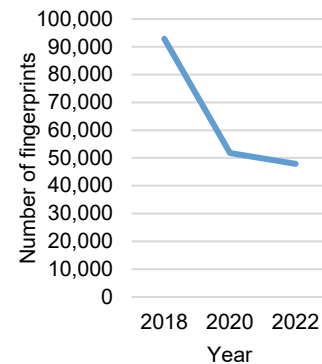
Case B: Three names linked to the same date of birth but two different social security numbers.

Case C: Two spellings of the same name, three different social security numbers, and a missing date of birth, leaving no single clean identifier to connect the records without fingerprints.

Less than 40 percent of felony court cases are associated with a fingerprint-derived state identification number (SID), the only proof-positive verification of someone's identity.

While DPS spent \$13 million between FY20 and FY25 on fingerprinting infrastructure, it has not promulgated associated rules to ensure people are fingerprinted, as required by a 2019 law. Without a unique identifier like fingerprints, it is not possible to know with confidence who someone is. To address that problem, the Legislature amended state law in 2019 (Section 29-3-8 NMSA 1978) to require booking facilities to collect biometric data (fingerprints) for every person arrested on misdemeanor or felony charges, each time they are arrested, and to share that information with DPS, which in turn is supposed to share it with criminal justice agencies at all levels of government. Comparing DPS' responses to a 2024 survey from the federal Bureau of Justice Statistics and AOC data on court filings suggests that in 2022, at least 10 percent of arrestees were not fingerprinted. DPS reports some detention centers do not fingerprint arrestees consistently or at all (Appendix C). The 2019 legislation also directed DPS to promulgate rules for how booking facilities should use fingerprint data to assign each arrestee a unique state identification number (SID) and a state tracking number (STN) for each incident, so that courts, prosecutors, police, and public defenders can accurately build criminal histories. However, DPS has not promulgated those rules and did not provide data in response to an LFC request regarding the percentage of arrestees who are assigned an SID. Even when people are fingerprinted, those records are frequently not linked to the relevant court cases—less than 25 percent of all court cases in AOC's data and only 40 percent of felony cases are associated with an SID.

Chart 12. Number of Fingerprints Processed for Criminal Justice Purposes in New Mexico



Source: Bureau of Justice Statistics

DPS has only recorded final dispositions for 7 percent of arrests made in New Mexico in the last five years, potentially jeopardizing the reliability of background checks and undermining basic law enforcement feedback loops. When arrest records lack a disposition, law enforcement agencies lose a basic feedback loop about which arrests lead to convictions, dismissals, or diversion, making it harder to learn from weak cases and improve practice. Missing dispositions also increase the risk that employers, licensing boards, and firearm background checks will clear people who should be disqualified or block people who should be eligible, with consequences for both public safety and individuals. Section 29-3-8 NMSA 1978 directs DPS to collect disposition data from AOC for all criminal cases that enter the court system, and from AODA for any pre-filing prosecution declinations, and to forward that information within five days to the National Crime Information Center. Since 2024, SEARCH and the National Center for State Courts have been working with DPS and other criminal justice agencies in New Mexico to improve disposition reporting, but DPS records still lack outcomes for the vast majority of arrests.

DPS’s intelligence-led policing initiative shows it can integrate detailed data across agencies; the agency should ensure it has robust audit procedures and independent oversight associated with the resulting database. Historically, law enforcement agencies have only had detailed insights into crime trends within their jurisdictions, even when activity in those jurisdictions impacts other law enforcement agencies. In FY23, DPS received an initial \$5.6 million appropriation for its intelligence-led policing (ILP) initiative, which is spearheaded by the New Mexico State Police. The primary product of ILP is a database that continuously pulls in information from a variety of sources, including law enforcement agency records management systems, computer-aided dispatch systems, court data and the statewide citation and arrest warrant system, TraCs. Law enforcement agencies that participate in the initiative share their own data and are also able to search the aggregated database. Officers can view information about police contacts with any individual from any participating jurisdiction, including past dispatch records (911 calls), arrest reports (regardless of whether the arrest resulted in a conviction), booking sheets and court records, among other things. That kind of intelligence can help law enforcement build more robust cases for prosecution and deploy limited resources more effectively to crime hot spots. Shared databases can also mitigate the risk that different agencies hold conflicting or incomplete information about the same person or incident, helping prevent dangerous people from falling through the cracks of the justice system. At the same time, large, long-lived databases that contain detailed information about many people—most of whom are never convicted of a crime—pose distinctive risks to constitutionally guaranteed rights. The convenience of the system can also invite more mundane abuses, like officers querying records out of curiosity, for personal reasons, or for investigations unrelated to any legitimate law-enforcement purpose. DPS has the ability to audit use of the system and should report on its plans to do so, in addition to ensuring it has strong data-quality safeguards, strict purpose limits, clear penalties for misuse, and independent oversight.

New Mexico has the fewest dispositions associated with an arrest of any state, jeopardizing the reliability of background checks and criminal histories.

Figure 5. Law enforcement agencies participating in DPS’ Intelligence-Led Policing Project as of November 2025

- New Mexico State Police
- Eddy County SO
- Bernalillo County SO
- Albuquerque PD
- Las Cruces PD
- San Juan County SO
- Rio Rancho PD
- Farmington PD

Source: DPS

Recommendations

The Legislature should consider:

- Legislation that ties grant funding for local law enforcement agencies to timely and complete reporting of crime data as required by Section 29-3-11 NMSA 1978

The Department of Public Safety should:

- Collect the crime data from local law enforcement it is mandated to collect under Section 29-3-11 NMSA 1978, publish a monthly list of local law enforcement agencies that have not reported their data, conduct an evaluation of obstacles to consistent reporting, and develop a strategy to improve compliance;
- Promulgate rules, as required by Section 29-3-8 NMSA 1978, addressing the collection and submission of biometric identifying information and the creation of state identification numbers and state tracking numbers by booking facilities; collect and publicly report data on detention centers that are not collecting biometric information from arrestees, as they are required to do by Section 29-3-8 NMSA 1978;
- Produce an annual report, as required by Section 29-3-11 NMSA 1978, on the nature and extent of crime in New Mexico, including a breakdown of felony and misdemeanor crimes, arrests, the charges associated with those arrests, and the percentage of recorded arrests that have an associated court disposition; and
- Develop and implement an independent audit regime for intelligence-led policing databases that routinely monitors access logs for misuse and evaluates data quality and bias.

Local law enforcement agencies should:

- Report crime and clearance data compliant with the National Incident-Based Reporting System to DPS and the FBI, as required by Section 29-3-11 NMSA 1978; and
- Pool resources with other agencies to adopt and implement a NIBRS-compliant records management system in jurisdictions that do not currently have one.

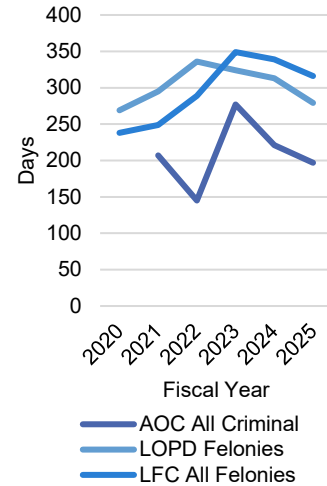
The Swiftness of Justice has not Kept Pace with Investments.

Timely case resolution is both a constitutional right and a cornerstone of public trust. When cases drag on, accountability becomes harder—witnesses move or lose contact, memories fade, and victims and communities can lose confidence that charges will ever be resolved. The Legislature has made investments to improve the speed of criminal case processing in recent years, particularly through funding for increased staff and salaries at criminal justice agencies. However, those investments have yet to result in substantial changes to the swiftness of justice. Case management rules imposed in several judicial districts by the state Supreme Court appear to have had an impact on timeliness, but have also increased dismissals in some districts, indicating a need for further study of how they are achieving improvements in timeliness.

While the number of felony cases filed in court has remained flat since FY18, timeliness has not improved.

National standards, like those from the National Center for State Courts (NCSC), set benchmarks for the share of cases that should be completed within specific timeframes (for example, within one year for most felonies). In New Mexico, AOC reports time to disposition and the age of pending cases separately for magistrate and district courts and does not track felony and misdemeanor cases from filing through final outcome, complicating comparison with national standards or with other states. Even so, the New Mexico Supreme Court has concluded that timeliness is a problem in some courts, imposing case management rules in several judicial districts since 2015 to push cases toward faster resolution. LFC analysis indicates those rules are associated with quicker disposition of felony but also with higher dismissal rates in some districts, suggesting efforts to speed up case processing may be changing not just how fast cases are resolved but how they are resolved.

Chart 13. Average Time to Disposition



Source: AOC, LFC analysis of AOC, LOPD data

National Center for State Courts Recommended Performance Measures

1. Access and fairness survey
2. **Clearance rate***
3. **Time to disposition***
4. **Age of active pending caseload***
5. Trial date certainty
6. Reliability and integrity of case files
7. Legal financial obligations
8. Effective use of jurors
9. Court employee satisfaction survey
10. Cost per case

Note: Bolded performance measures are reported quarterly to the LFC although tracking methodology differs from NCSC

Only 79 percent of felony cases filed in New Mexico in FY24 were resolved within 365 days, less than the national standard and the average for other courts in the country. A 2020 study from NCSC examined time to disposition for 1.2 million court cases across 21 states with the goal of testing previously established “model time standards” against on-the-ground realities. Those model time standards, adopted in 2011 by the NCSC and the American Bar Association, among others, recommend courts aim to resolve 98 percent of felony cases within 365 days. The 2020 study found no courts were able to meet that standard, but efficiency varied greatly between courts. The “most timely” courts in the study were able to resolve more than 90 percent of felony cases within 365 days, while the “least timely” courts resolved less than 80 percent of felony cases within 365 days. The average was 83 percent. The main thing distinguishing more and less timely courts was the number of continuances and hearings per case. Notably, more efficient courts reported dismissing fewer cases than less efficient courts and were more efficient across all case types. The study authors concluded courts can ensure speedier justice without influencing case outcomes by adhering to strict deadlines and not allowing repeated continuances. In New Mexico, AOC has historically reported on time-to-disposition separately for lower and district courts, which is not aligned with NCSC recommendations and not comparable to the referenced study group. LFC analysis linked cases between courts to be able to follow a case from filing to disposition. According to that analysis of AOC data, courts across all judicial districts in New Mexico resolved 79 percent of cases within 365 days in FY24, although the percentage varied significantly across districts. No districts fell in the “most timely” group. A caveat is that the analysis cannot account for cases not disposed because of factors outside of the court’s control, like outstanding bench warrants. The number of felony cases disposed in less than 365 days has improved across-the-board since FY17, despite many districts still performing at the least-timely tier.

Chart 14. NM Versus Model Time Standards For Felony Cases

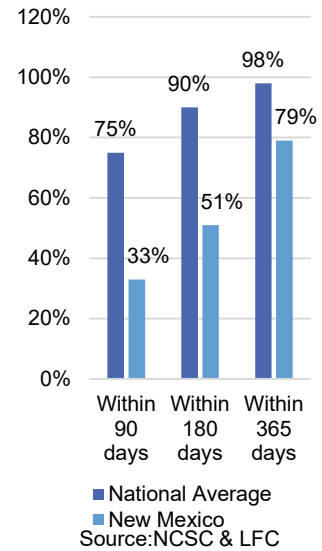
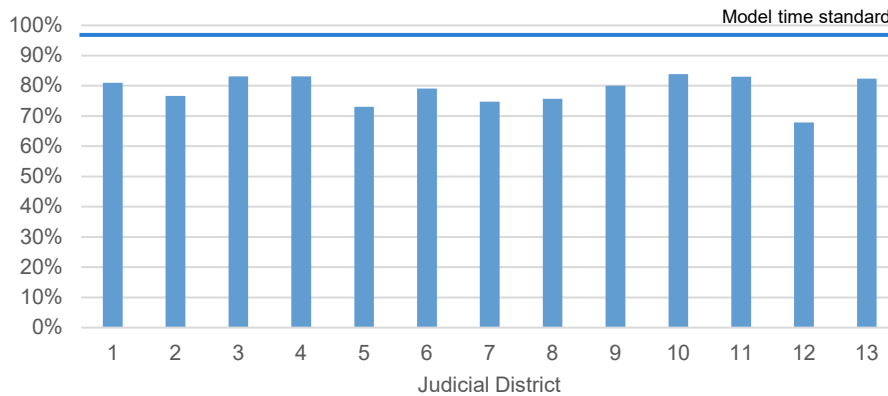


Chart 15. Percent of Felony Cases Resolved <365 Days, by Judicial District
FY24

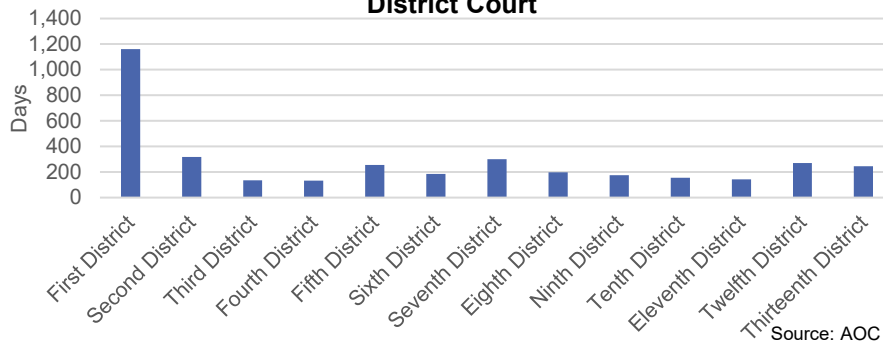


By adhering to strict deadlines and not allowing repeated continuances, courts can ensure speedier justice without influencing case outcomes.

- National Center for State Courts Report on Case Management (2020)

Felony cases resolved in FY24 in New Mexico took an average of 316 days to reach their disposition, and a median of 164. The 2020 study from the National Center for State Courts (NCSC) found courts were able to dispose of felony cases in an average of 256 days and a median of 153 days. As noted above, AOC has not historically tracked time-to-disposition across court tiers, but in FY25 AOC reported the average time-to-disposition for criminal cases (misdemeanors and felonies) in magistrate court as 85 days and in district court as 197 days. Linking felony cases across magistrate and district courts, LFC analysis found much higher average and median times-to-disposition, of 316 and 164 days, respectively, in FY24. Those are down from a high point in FY22, but up from FY17. The analysis does not include all cases disposed of in FY24 and cannot account for cases not disposed of because of factors outside of the court’s control, like outstanding bench warrants. AOC should run the analysis using its more comprehensive dataset to better understand how trial courts in New Mexico compare to peers in other states. Law Offices of the Public Defender (LOPD) data shows similar average and median times to disposition for felony cases disposed of in FY24.

Chart 16. Age of Active Pending Criminal Cases in District Court



For FY25, AOC reports district court backlogs grew at the same time as the average age of pending criminal cases exceeded two years in magistrate court. In the court context, clearance rates compare the number of cases disposed in a given time period versus the number of cases filed. As with other performance measures, AOC reports on clearance rates separately for magistrate, Metropolitan, and district courts. In FY25, magistrate courts had an average clearance rate of 103 percent, indicating they are resolving more cases than are being filed. However, the average age of pending criminal cases in magistrate court was 800 days. Both the Metropolitan Court and district courts had clearance rates below 100 percent, indicating a growing backlog of cases. The Metropolitan Court, in Bernalillo County, had a 99 percent clearance rate, while districts courts averaged 97.9 percent in FY25, although some districts had much lower clearance rates. The age of pending cases in district courts was shorter than in magistrate courts at 354 days.

Case Study: When Cases Are Delayed, Justice Becomes Increasingly Uncertain

In July 2018, Defendant A and others went to the victim’s apartment; someone shot and killed the victim, and as they fled, someone in their vehicle fired shots at a witness. Police later found Defendant A in custody in El Paso on a separate violent charge, but New Mexico prosecutors did not secure a grand jury indictment until October 2021—more than three years after the crime. In November 2021, the court ordered pretrial detention and set a deadline for trial no later than January 16, 2023. The court then reset the trial date three times and never brought the case to trial. By late 2023, more than five years after the shooting, prosecutors and defense attorneys were still trying to locate and interview key witnesses but could not find several of them, and the prosecutor dismissed the case without prejudice in December 2023. Prosecutors refiled in January 2024 and scheduled a jury trial for November 2025, but a continuance pushed that setting back after a co-defendant made an inculpatory (incriminating) statement. As of December 2025, more than seven years after the offense, Defendant A still has not gone to trial, and the extended delays have weakened the evidence and left a homicide without a final resolution.

To speed up case resolution, AOC should standardize performance tracking, report additional performance measures, and issue guidance on best practices for continuances. As noted above, the number of hearings and continuances is one of the strongest predictors of delay; courts that actively manage those two levers resolve cases more quickly without increasing dismissal rates. Tracking time to disposition, clearance rates, and the age of felony and misdemeanor cases in accordance with NCSC standards would give AOC a baseline for understanding where delays are concentrated. Adding simple, action-oriented measures, such as the average number of hearings and continuances per felony case and the share of cases older than one year, would help identify specific bottlenecks and backlogs. Coupling those metrics with statewide guidance that limits open-ended continuances, requires specific on-the-record reasons tied to defined criteria, and encourages shorter, structured continuance intervals would align New Mexico’s practices with national best practice and give judges and court leaders practical tools to reduce unnecessary delay in felony case processing.

Case management rules in some districts have improved timeliness but AOC should analyze other outcomes.

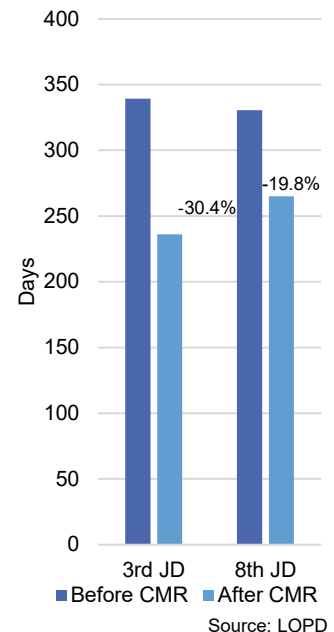
Since 2015, the New Mexico Supreme Court has implemented case management rules (CMRs) in the 2nd, 3rd, and 8th judicial districts to reduce backlogs and shorten the time it takes to resolve criminal cases. These rules establish strict deadlines for different stages of prosecution, with sanctions for prosecutors who miss them, including possible dismissal (with or without prejudice). AOC does not systematically track the impact of CMRs even though all existing rules are designated as “pilot” programs. A 2018 LFC evaluation of the Bernalillo County criminal justice system found the initial CMR in the 2nd Judicial District increased timeliness and reduced the rate of dismissals. That CMR has been significantly amended since then. Analysis of more recent CMRs in the 3rd and 8th Judicial Districts shows felony cases proceeded faster after the rules were implemented, but case dismissal rates increased. Given the limited scope of the current study, and the earlier findings, AOC should complete a more rigorous evaluation of the effects of both current and forthcoming CMRs.

Table 4. Case Management Rules

Judicial District	Effective Date
2nd Judicial District	Feb-15
8th Judicial District	Sep-22
3rd Judicial District	Jun-23
1st Judicial District	Jan-26

Source: LR2-308, LR3-303, LR8-301, LR1-307 NMRA

Chart 17. Effect on Time to Disposition Before and After Implementation of Case Management Rules (CMR)



AOC does not track the impact of case management rules on time to disposition or disposition outcomes. All case management rules

currently in effect in New Mexico are designated in the New Mexico Rules Annotated (NMRA), the Supreme Court’s rules of practice for courts, as “pilot” programs. While individual districts have published limited analyses of the impact of CMRs, the overall impact of CMRs on time to or type of disposition has not been analyzed, even as the number of CMRs has grown to encompass all three of the state’s largest judicial districts. The analysis is critical to understanding the effects of the rules overall as well as to evaluating the efficacy of differences in the rules regarding deadlines for lab evidence and transport notifications.

LFC analysis shows that after implementing case management rules, felony cases in the 3rd and 8th judicial districts were disposed of more quickly but were also dismissed more frequently, in contrast to prior findings in the 2nd. The 8th Judicial District adopted its CMR on September 12, 2022, followed by the 3rd Judicial District on June 1, 2023. Analysis of case-level data from LOPD reveals that felony cases assigned to a public defender after the implementation of a CMR reached disposition more quickly but were more likely to result in dismissal. In each case, the differences were statistically significant, despite the “after” analysis capturing a smaller sample of cases than the “before.” That finding contrasts with a 2018 LFC evaluation that found timeliness improved and dismissal rates declined after implementation of a CMR in the 2nd Judicial District. The difference may be attributable to differences in the rules themselves, since rules are not identical across districts. AOC should conduct further analysis, given the mixed results, and publish both the results and the underlying methodology.

New positions and higher pay for attorneys and judges have not translated into faster resolution of felony cases.

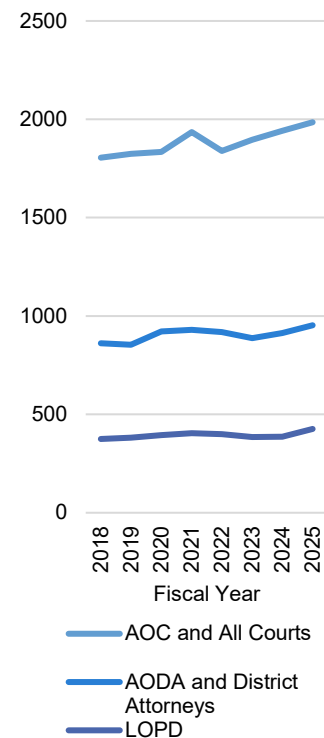
Timely case resolution depends on having enough experienced judges, prosecutors, and public defenders to move cases through the system without repeated continuances or dismissals. As noted in the previous section, felony case timelines have remained relatively stable even as New Mexico has added positions and raised salaries for the courts, district attorneys’ offices, and the public defender in recent years. Both LOPD and most district attorneys’ offices report they still do not have enough attorneys, and average attorney turnover in district attorney offices was close to 30 percent in FY24, with the highest rates among junior lawyers. Prosecutor and public defender offices around the country are struggling to recruit and retain attorneys because of low pay and heavy workloads. The Legislature has tried to address pay through base-budget increases and the public attorney workforce capacity fund, but the impact of those investments is difficult to assess. On the workload side, a more comprehensive, up-to-date study of district attorney workloads—as contemplated in the public attorney workforce capacity fund’s enabling legislation—would help policymakers evaluate the true extent of staffing gaps and set realistic expectations for attorney caseloads.

Table 5. 3rd and 8th Judicial District Dismissal Rates by Court, Before and After CMR

Court	Before CMR	After CMR
3 rd Magistrate	57.0%	55.7%
8 th Magistrate	41.6%	53.1%
3 rd District	25.2%	39.2%
8 th District	14.9%	21.1%

Source: LFC analysis of LOPD data

Chart 18. Judicial Branch Headcounts



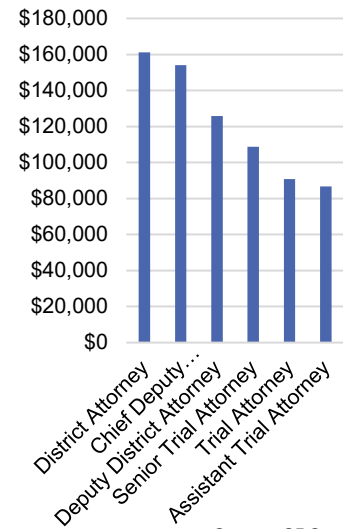
Source: Sunshine Portal

Courts, district attorneys, and the public defender all have more staff than in FY18. AOC and the courts saw a 10 percent increase in actual staffing (headcounts) between the beginning of FY18 and the beginning of FY25, with AOC growing by 66 percent since FY20, from 130 to 216. Staffing at the district attorneys’ offices and AODA grew 9 percent since FY18, from 862 to 943 while the public defender grew 19 percent, from 375 to 448. Despite the increases in staff, district attorneys and LOPD continue to report that caseloads are unmanageable and that they need additional staff positions, particularly attorneys.

Salaries for judges, prosecutors, and public defenders have risen, although not uniformly, and are now more in line with market rates. Low salaries are often cited as a barrier to the recruitment and retention of judges, prosecutors, and public defenders, but salaries for all three have risen in recent years. Judges received a 17 percent salary increase between FY21 and FY22 and all other court staff received a 7 percent increase. In 2024, the Legislature adopted legislation that raised judge salaries across-the-board, including for Supreme Court justices, Court of Appeals judges, district court judges, and Metropolitan Court judges (magistrates were excluded from the bill but addressed elsewhere). The salary legislation, in conjunction with the General Appropriations Act, raised Supreme Court justices’ salaries to \$240 thousand per year and district court judge salaries to \$216 thousand per year. These salaries exceed the recommendations made in the 2023 New Mexico Judicial Salary Commission Report; the commission has not recommended further increases since then. Attorneys in district attorneys’ offices have also seen average salaries increase roughly 10 percent since FY23, and close to 50 percent since FY17. The district attorneys recently proposed a new pay plan for FY27 that would raise salaries for attorneys at all levels, bringing minimum salaries above comparable pay bands in the executive branch. Average pay for public defenders has risen by roughly a third for most attorney positions since FY17 but has been flat since FY23.

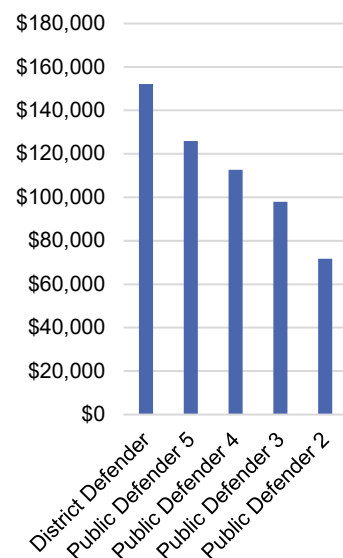
Turnover is highest among junior prosecutors in district attorneys’ offices, suggesting retention efforts should focus on them. In an LFC survey, 13 out of 15 district attorneys’ offices reported not having enough prosecutors. The survey also asked about challenges to hiring and retention of attorneys. The primary barriers cited by district attorneys’ offices were location and too few candidates, with salary as a close third. Less-cited factors included stress, cost-of-living, housing, and competition with other state agencies. Those survey responses echo financial data that shows some district attorneys’ offices cannot spend their personnel budgets, likely due to recruitment issues, while others are fully expending their personnel budgets but still reporting caseload strains. Part of the problem may also be turnover, which varied widely across district attorneys’ offices in FY24, with an average of 31 percent. The calculation does not account for

Chart 19. Average Attorney Salaries in New Mexico District Attorneys’ Offices
July 2025



Source: SPO

Chart 20. Average Salaries for New Mexico Public Defenders
July 2025



Source: SPO

individuals who moved between offices. Fiscal year 2024 was not an election year, when some degree of turnover would be expected among attorneys in a district attorney’s office, who serve at the pleasure of the elected district attorney, but the average rate does not differ significantly from FY25, which was an election year. The turnover rate in both years was highest for assistant trial attorneys (54 percent) and trial attorneys (43 percent). That suggests retention of junior attorneys is the principal problem in prosecutors’ offices, and efforts to improve salaries and working conditions should be targeted at those employees.

Like the public defender, district attorneys should conduct exit surveys of departing employees and ensure funding appropriated through the public attorney workforce capacity fund is used in a targeted way. Since FY23, the Legislature has appropriated \$4 million to the public attorney workforce capacity building fund, but it is difficult to link spending from the fund to concrete recruitment and retention outcomes. The 2023 legislation that created the fund in statute allocated a million dollars each to AODA and LOPD and directed a four-member committee (two from each agency) to award grants to local offices. LOPD principally used the money on pay differentials for new and existing attorneys. Exit surveys of departing employees conducted by LOPD since September 2024 show the principal reason public defenders cite for leaving the agency is pay, indicating pay differentials may help increase retention. The agency also used the funding to pay stipends for externships, placing 13 law students in externships in FY24 and 20 in FY25. Eight of those externs ultimately ended up joining LOPD after graduation. Finally, LOPD used some of the funding on targeted recruitment efforts at law schools, including tabling at job fairs and campus interview events. Most district attorneys’ offices reported using their grants to provide bonuses—either across all attorneys or targeted to new hires and attorneys viewed as at risk of leaving. Some district attorneys also reported using the funds for other purposes, including continuing legal education, clothing stipends, bar association dues, and paying contract attorneys. None of the district attorneys reported quantitatively on outcomes from use of the funds, but several noted they believed it had improved morale.

Table 6. Biggest Challenges to Recruitment of Attorneys in District Attorney’s Offices

Survey Response	Percent of respondents
Location	80.0%
Too few candidates	80.0%
Salary	73.3%
Workload/Case Volume	53.3%
Other	40.0%
Opportunities for Advancement	26.7%
Benefits	6.7%

Source: AODA, LFC Files

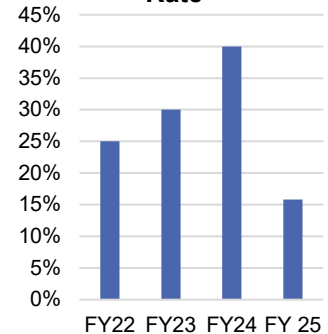
Timeliness in evidence processing at the state crime labs has been a problem but should be improving.

DPS operates forensic laboratories in Santa Fe, Las Cruces, and Hobbs that support criminal cases statewide. In recent years, the labs have reported long evidence turnaround times, especially for DNA, which has the potential to delay timely resolution of court cases. Legislative funding since FY20 has allowed the labs to fill many long-standing vacancies and expand staffing, resulting in improved turnaround times across all disciplines. However, the DNA backlog remains large enough that it will take more than a decade to clear at current rates. The labs are also using outsourcing to address the backlog, but it is costly and inefficient. At the same time, weak communication with police, prosecutors, and the courts means the labs sometimes analyze evidence in cases that have already been dismissed or otherwise resolved, undermining efficient use of limited forensic capacity. Together, these patterns suggest that recent investments have put the labs in a better position to support timely case processing but clearing the DNA backlog and improving coordination with justice partners will be critical to realizing that potential.

Turnaround times have improved with increased staffing but at the current turnaround rate for DNA cases, the lab will be backlogged until 2038. After years of high vacancy rates, DPS has made significant progress in hiring forensic scientists and technicians, particularly for DNA and biological evidence, and turnaround times have improved in all disciplines. Vacancies for forensic scientists peaked at about 40 percent in FY24 but had fallen to roughly 16 percent by late 2025, and the Santa Fe lab tripled its DNA/biology scientist positions from five to 15 in a single year. However, most of those new scientists are still in the process of completing 12 months to 18 months of required training, during which they cannot carry full caseloads. Supervising scientists must also devote substantial time to training, so staffing gains are not yet fully reflected in case throughput. The average DNA/biology backlogged case is 807 days old and the Santa Fe lab has a backlog of roughly 3,000 DNA cases. Based on the average number of DNA/biology cases completed each year in the last three years, new cases opened per year, and existing open cases, the DPS crime lab will not clear its DNA backlog until 2038.

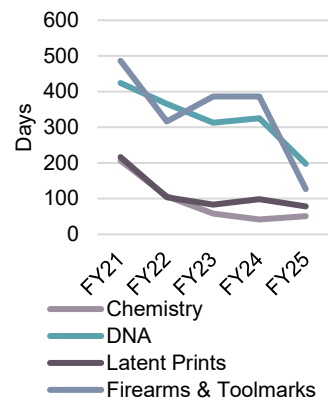
Outsourcing DNA cases is far less cost-effective than taking steps to prevent backlogs, illustrated by the fact the cost of outsourcing will nearly eclipse the yearly operating budget of the Santa Fe crime lab in FY26. Using federal grant funds, DPS has outsourced 217 DNA/biology cases since FY24 at a cost of \$421 thousand or an average of \$1,943 per case. For FY26, the Legislature also made a \$5.7 million nonrecurring appropriation to DPS to clear the backlog. That is roughly the same amount of money as the annual operating budget for the Santa Fe lab. A more cost-effective solution would be to improve turnaround times at the state-funded labs.

Chart 21. Forensic Scientist & Technician Vacancy Rate



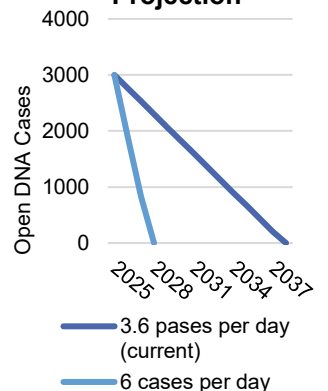
Source: DPS

Chart 22. Turnaround Time by Discipline Type



Source: DPS

Chart 23. DNA Backlog Clearance Projection



Source: LFC analysis of DPS data

Stronger prioritization policies could help focus lab resources on the most time-sensitive evidence. The labs use a three-tiered triage system to prioritize incoming cases. A one-page DPS case prioritization document notes the reallocation of resources and prioritization of cases outside of the normal priority standards will be exercised in public safety emergencies, but DPS does not have a standard procedure for how expedited requests should be communicated or handled. The National Institute of Justice recommends labs have specific policies on how to submit an expedited request, designate specific staff to review requests, and consistently apply review criteria to cases. In addition to more transparency around case prioritization, the labs could help turnaround times by using a tiered approach to evidence submission and reviewing submission requests prior to case acceptance in disciplines other than DNA/biology. For example, the *Washington State Patrol Forensic Services Guide* requires law enforcement agencies to list items submitted in order of highest priority for analysis for all discipline types. The same guide requires agencies to contact the laboratory prior to submitting cases with six or more exhibits of physical evidence.

Lack of centralized court scheduling may result in scientists working on evidence in cases that have been dismissed or pled down, affecting the prioritization of more urgent casework. At the Santa Fe crime lab, two law clerks manually track cases in which a subpoena has been issued to a scientist to know when scientists are required in court. DPS staff report the absence of an automated communication system between the labs and the courts combined with large case volumes sometimes results in scientists performing analysis on evidence when a case has been dismissed or pled down. If the labs were able to connect to AOC’s data-sharing platform, the dataXchange, to automatically receive notifications about cases, it would allow for better prioritization and prevent scientists from working on cases that no longer need analysis.

Unlike some states, performance measures for the crime labs do not include the timeliness of different evidence types being processed. DPS performance measures track the number of cases received and completed per quarter, the number of sexual assault examination kits that are older than 180 days, and the vacancy rate for forensic scientists and technicians. However, the labs do not report on the turnaround times for cases, differences in turnaround times for different disciplines, or the age of backlogged cases by discipline. In comparison, the Arizona Department of Public Safety publishes laboratory evidence processing data monthly by type of analysis, number of backlogged cases, and average turnaround time. The National Institute of Justice (NIJ) recommends laboratories have specific metrics to monitor increases or decreases in demand, laboratory analysis, turnaround times, and analyst performance. NIJ defines a backlogged case as a case open for more than 30 days but notes labs should use internal data to determine their own backlog standard. DPS currently does not have a standard. The state crime labs should begin to track and publicly report case turnaround times by discipline and the number of backlogged cases.

DPS Case Prioritization Framework

Priority 1: Expedited

- Cases with Discovery requests
- Cases with subpoenas
- Cases involving juveniles (including child abuse)

Priority 2: Violent

- Homicide offenses
- Officer involved shooting
- Kidnapping
- Robbery offenses
- Aggravated offenses
- Shooting offenses
- Sex offenses

Priority 3: Non-violent

- Stolen vehicles
- Burglary offenses
- Felon in possession of a firearm
- Arson
- Controlled substance offenses

Recommended Tracking Metrics for Forensic Labs

1. Define and track case backlogs
2. Turnaround times by discipline
3. Number of samples analyzed
4. Trends in demand in discipline type
5. Resource allocations
6. Budget needs

Source: NIJ

Recommendations

The Legislature should consider:

- Requiring the Administrative Office of the Courts to include in its annual report to the Legislature and the Supreme Court (Section 34-9-3(C) NMSA 1978) the following information addressing the functioning of the court system as a whole and each judicial district: the number of felony and misdemeanor cases filed, the disposition of those cases and their time to disposition, the rate of pretrial re-offense, the percentage of cases attributable to defendants accused of more than one felony in a five year period, and the cost per case, as well as all additional trial court performance standards recommended by the National Center for State Courts.

The Department of Public Safety should:

- Track and publicly report each month on the Department of Public Safety website, as well as in quarterly LFC performance report cards, the average forensic case turnaround times in days for the crime labs by discipline.

The courts, through the Administrative Office of the Courts, should:

- Work with the AOC case management system vendor (Tyler Technologies or new vendor), to build out functionality that would allow AOC to assign a universal case number to all court events related to the same initial incident, cutting across both magistrate and district court and all related hearings (competency, probation violations etc.);
- Amend performance measures related to time-to-disposition and age of pending cases in trial courts in accordance with the National Center for State Courts guidelines, tracking felony and misdemeanor cases separately via a universal case number from their filing in either lower or district court to their highest disposition;
- Track the impact of case management rules on time to disposition and case dispositions and report on those publicly, including the underlying methodology for the analysis; and
- Limit the number of continuances and hearings associated with cases, in accordance with best practices.

The district attorneys, through the Administrative Office of the District Attorneys, should:

- Ensure monies appropriated for recruitment and retention through the public attorney workforce capacity fund are used in accordance with statutory guidance; target discretionary funds towards the employees most at risk of turnover, and regularly survey exiting employees on their reason for departure.

Problems With Coordination and Cooperation Make Justice Less Efficient and Less Certain.

Felony case outcomes in New Mexico point to a system that is working hard but not always working efficiently. Across datasets, roughly half of felony cases filed in court end in dismissal, suggesting many weak or unviable cases are entering the system and consuming resources. Prosecutors most often cite victim or witness non-cooperation and insufficient evidence as reasons for dismissal, but victim notification and support is not systematically tracked and many law enforcement agencies report they receive little or no feedback on why prosecutors decline to proceed with a case. At the same time, data on pretrial detention and high-frequency defendants—those repeatedly charged with new felony offenses—shows that some people are detained for long periods in cases that are ultimately dismissed, while a relatively small group of repeat defendants drives a disproportionate share of filings, underscoring the need to target attention and services more strategically. Clearer front-end screening, better feedback loops between prosecutors and law enforcement, and more coordinated use of data across agencies is essential to reduce unnecessary dismissals and make felony case outcomes more certain and efficient.

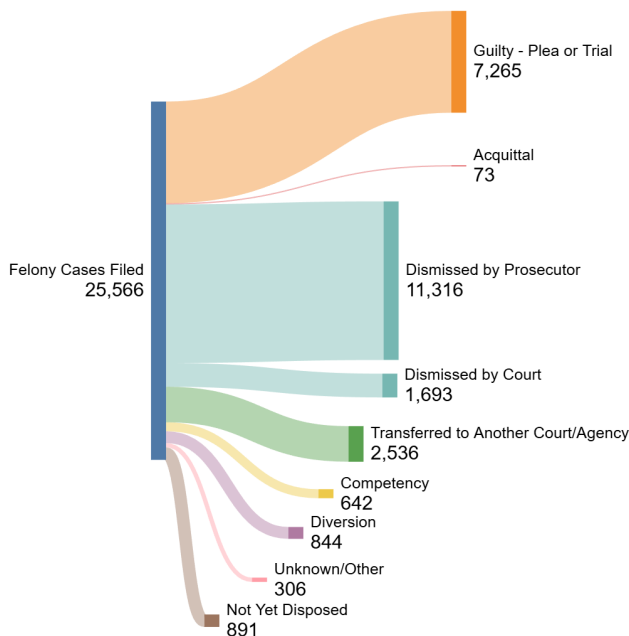
Roughly half of felony cases filed in New Mexico end in dismissal, depending on the source of the data, suggesting many unviable cases are ending up in the court system.

While recent research is sparse, past studies have found that, on average, only about half of felony arrests end in conviction. The rest never have charges filed in court, are reduced to misdemeanors, or dismissed. Many studies have found prosecutors most often cite victim or witness non-cooperation and evidentiary weaknesses (including problems with investigations and lab results) as the key reasons for attrition. High dismissal rates are not automatically a sign of failure: Some attrition reflects appropriate exercise of prosecutorial discretion in screening out weak or unsuitable cases. However, unusually high or uneven dismissal patterns can be a signal to look more closely at front-end screening practices, investigative quality, and how consistently reasons for dismissal are tracked and used to improve performance. In New Mexico, where roughly half of felony cases end in dismissal and dismissal patterns vary widely by judicial district and charge type, the data suggest significant gaps in early case review and coordination with law enforcement, resulting in inefficient use of court resources and unnecessary involvement of people in criminal proceedings.

High rates of dismissal may indicate insufficient prosecutorial screening of cases before they enter the judicial system.

Roughly 50 percent of felony cases in New Mexico end in dismissal and 30 percent in the defendant being found guilty, depending on the source of the data. In the AOC case management system, courts in New Mexico track how a case was disposed of in magistrate or Metropolitan Court and, separately, how a case was disposed of in district court. AOC does not link magistrate and district court cases in a consistent manner, complicating the assignment of a final court outcome to an arrest. For the purposes of analyzing the final outcome of an arrest, LFC staff linked magistrate and district court cases and assigned the most complete simplified disposition for any charge to the entire case. Using that methodology (Appendix A), 32 percent of felony cases disposed of between FY18 and FY24 ended in a finding of guilt, while 44 percent were dismissed by prosecutors and 7 percent by the courts, making dismissals the most common disposition for felony cases. That figure is consistent with a 2024 study from the Institute for Social Research at the University of New Mexico, which found 54 percent of felony cases ended in dismissal, mostly in the lower courts. However, applying the same methodology to Administrative of the District Attorneys (AODA) and Law Offices of the Public Defender (LOPD) data, both of which use their own systems for linking magistrate, Metropolitan, and district court cases, yields lower rates of dismissal—44 percent in the AODA data and 45 percent in the LOPD data (LOPD tracks only cases assigned to a public defender) and higher rates of guilty outcomes—46 percent in both LOPD and AODA data.

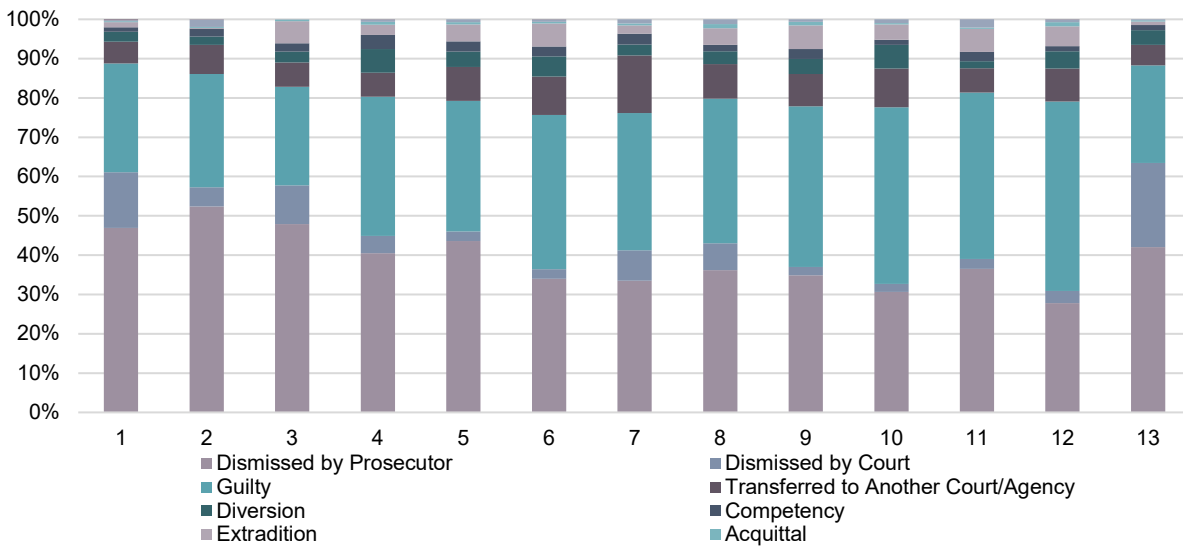
Chart 24. Disposition of Felony Cases Filed in FY24



Source: LFC analysis of AOC data

Dispositions vary widely by judicial district, with some districts having much higher dismissal and conviction rates than others. While statewide the most common disposition for felony cases between FY18 and 24 was dismissal, the party responsible for those dismissals, and the percentage of cases that end in dismissal varies widely by judicial district. Those findings mirrors prior research from the University of New Mexico that found prosecutors in the state’s most populous districts (1st, 2nd, 3rd and 5th) are much more likely to dismiss cases than prosecutors in more rural districts.

Chart 25. Felony Case Dispositions by Judicial District FY18-24



Note: Underlying data represents cases filed between FY18-24; 93 percent have been disposed. Cases not yet disposed are excluded.

Source: LFC analysis of AOC data

Lack of victim and/or witness cooperation is the principal reason prosecutors cite for why felony cases are dismissed; the two are separate problems and should be tracked independently. In AODA’s case management system, prosecutors have the option to enter a reason for why they dismissed or declined to prosecute a case. Data provided by AODA on charge dispositions between FY18 and FY24 includes 91 different reasons, ranging from “Conduct Not Criminal” to “Insufficient Evidence” to “Convicted in Another Case.” The principal reason cited for why prosecutors dismissed a case is “Victim/Witness Uncooperative,” followed by “Insufficient Evidence.” That aligns with past studies, including the 2018 LFC Bernalillo County criminal justice system evaluation, which found victim and witness cooperation and insufficient evidence were the most common reasons for case dismissal. Victim cooperation and witness cooperation are two distinct problems, especially because witnesses may include law enforcement officers. Given that, the district attorneys should track those categories separately going forward.

New Mexico does not require district attorney review before felony charges are filed, unlike many states. Prosecutorial discretion is widely understood to be a foundational component of the U.S. criminal justice system, as reflected in national standards for prosecutors. The American Bar Association’s *Model Rules of Professional Conduct* instruct prosecutors to “refrain from prosecuting a charge” they know is not supported by probable cause, and to exercise independent professional judgment in deciding which cases go forward. However, different states structure the handoff from law enforcement to prosecutors in different ways. In New Mexico, law enforcement officers can initiate criminal cases in court by filing a complaint, which prosecutors then review and either decide to pursue or dismiss. However, in many other states, charging authority is centralized with the prosecutor. Some jurisdictions go further still, requiring prosecutorial approval not just before charges are filed but even before a warrantless arrest. As a result of those different structures, many cases that show up as “dismissed” in New Mexico would never become court cases elsewhere and would appear instead as district attorney declinations or rejections, complicating comparisons of dismissal rates across jurisdictions.

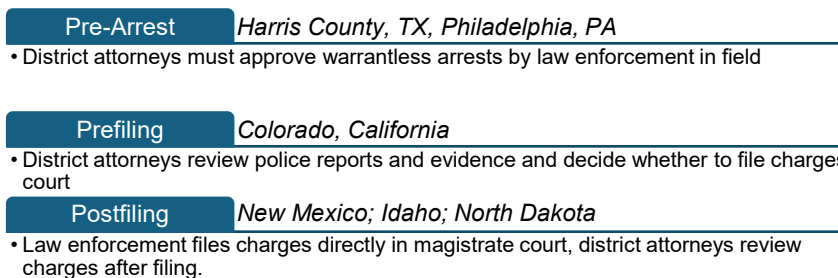
Table 7. Top Reasons Cited by District Attorneys for Prosecutor Case Dismissals FY18-24
(n=52,264)

Reason	% of Cases
Victim/Witness Uncooperative	29%
Insufficient Evidence	22%
Essential Witness Unavailable	7%
Convicted in Another Case	6%
Accused Mentally Incompetent	4%
Age of Case	4%
Defendant Deceased	3%
Law Enforcement agency uncooperative	3%
State Will Not Extradite	3%
Officer Failed to Appear	3%
Referred for Federal Prosecution	2%
Defendant Complied with Pretrial Conditions	2%
Completed Diversion Program	2%

*Note: Not all prosecutor-dismissed cases include a reason for dismissal; table does not show reasons cited in <1% of cases examined.

Source: AODA

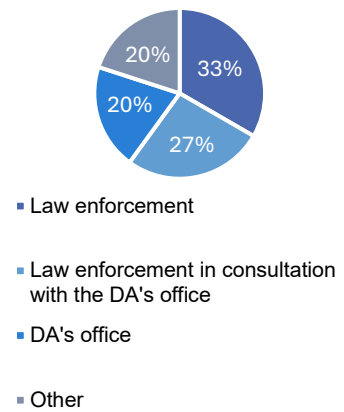
Figure 6. Timing of Prosecutorial Review in the Criminal Justice Process by Jurisdiction



Source: LFC

Nearly 80 percent of felony cases are filed in court at the same time as or before they are referred to a district attorney’s office and one-third of district attorneys say they do not screen felony cases prior to filing, suggesting a lack of coordination between police and prosecutors. Data provided by AODA suggests that police and prosecutors in New Mexico are often not operating in a coordinated way. Referral dates for 54 percent of felony cases are after the listed court filing date (a median of four days later), and another 25 percent have a referral date that is the same as the court filing date, suggesting law enforcement agencies file many cases that reach the court docket without prior district attorney review. The share of felony cases referred after filing ranges from 9 percent in the 10th Judicial District to 66 percent in the 3rd, indicating wide variation across judicial districts. While these figures should be interpreted with some caution since formal case referrals may take place after informal consultation, they indicate a need for additional scrutiny of practices and procedures around when prosecutors are being brought into

Chart 26. Who files felony charges, by judicial district



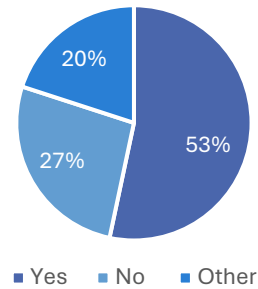
Source: LFC survey

cases so they can perform their intended screening function and decrease the risk that unprosecutable cases enter the system. That is reinforced by the results of an LFC survey of district attorneys in which one-third of district attorneys reported law enforcement typically files felony charges without prior review by prosecutors.

Feedback loops are essential for building stronger cases, but only half of law enforcement agencies responding to an LFC survey said they are always notified and given a clear rationale when prosecutors decline a case. Law enforcement agencies indicated that feedback from prosecutors is limited and inconsistent, making it harder for them to strengthen future cases. Only about half of agencies said they receive any notification when cases are declined or dismissed, or an explanation of why. In response to an open-ended survey question, agencies described broader concerns about poor communication, high prosecutor turnover, inexperienced attorneys, missed deadlines, discovery problems, and perceived reluctance to pursue certain case types, including drug, domestic violence, and stolen vehicle cases. While these comments come from a relatively small group of respondents and may not be representative, they highlight recurring worries that weak feedback and coordination with prosecutors undermines law enforcement’s ability to build stronger cases and contributes to delays and dismissals.

Better performance metrics and uniform guidance from AODA could help district attorneys strengthen front-end screening and reduce unnecessary case attrition. Current performance measures for district attorneys focus primarily on volume of cases, basic timeliness, and the number of motions for pretrial detention, which offers only a partial view of how effectively offices are screening cases and preventing avoidable dismissals. Given that roughly half of felony cases end in dismissal, that dismissal rates and responsible parties vary widely by judicial district, and that many cases appear to reach court without prior district attorney review, more targeted metrics could help identify where screening and coordination are breaking down. If AODA adopted uniform statewide tracking of the percentage of cases rejected at filing versus dismissed after filing, as well as a more uniform system for communicating about those rejections to law enforcement, district attorneys would have better tools to understand why cases are being dismissed, to improve early case review and communication with law enforcement, and to reduce the number of weak or un-prosecutable cases that enter the court system.

Chart 27. Does your office have attorneys dedicated to intake?



Note: "Other" includes offices with partially dedicated attorneys, and one that reported needing such a position.

Source: LFC survey

“I strongly believe that we can do better in the way we communicate with the DA’s office and the courts. Better communication will make everyone more efficient, minimizing liability and obtaining better results in the interest of justice.”

- Law enforcement respondent in LFC survey

Improving victim and witness cooperation should be a priority for district attorneys.

Victims and witnesses are essential to timely and certain resolution of felony cases, yet current systems do not reliably support or track their participation. As noted above, “victim/witness uncooperative” is the most frequently cited reason for felony case dismissals. District attorneys are statutorily responsible for notifying victims of court proceedings under the Victims of Crime Act, but the primary automated tool for doing so, the New Mexico Automated Victim Information Notification system (NMSAVIN), has been non-operational for more than a year, and there is no uniform system for tracking whether required notifications occur. District attorneys’ offices employ nearly 90 victim advocates statewide, but roughly half report having no formal way to assess advocate performance or outreach outcomes. At the same time, domestic-violence-related cases are disproportionately dismissed. Previous LFC reports have recommended implementing community coordinated response (CCR) teams to improve provided services and safety for victims of domestic violence. Separately, police failure-to-appear in court is itself a documented reason for thousands of dismissals, often tied to preventable issues such as scheduling conflicts, late or missing subpoenas, or last-minute schedule changes.

Victim notification is a constitutional and statutory requirement, but the primary notification system has been offline for more than a year, and compliance is not systematically tracked. Article II of the New Mexico Constitution guarantees victims the right to notification of court proceedings in which they are the injured party, and the Victims of Crime Act (Sections 31-26-1 through 31-26-15 NMSA 1978) charges law enforcement, district attorneys, and courts with specific duties to inform and assist victims in eligible cases. When offenses covered by the act are filed, courts must notify the relevant district attorney’s office, and the district attorney is then responsible for notifying the victim of upcoming hearings. Historically, district attorneys relied on NMSAVIN to meet those obligations. At the time of this report, however, NMSAVIN had been non-operational for more than a year, and it is not expected to be fully restored until at least January 2026, when AODA completes its transition to a new case management system. During this period, district attorneys’ offices have been notifying victims manually, mainly through mail, phone calls, and subpoenas, but they do not systematically track how often victims are or are not reached. Although the Victims of Crime Act requires courts to inquire on the record whether an attempt has been made to notify the victim and to delay rulings if notification has not occurred, there is no statewide reporting on compliance with these safeguards. In contrast, some states publish regular statistics on victim notifications and requests. Going forward, AODA’s new case management system and the restored NMSAVIN should be configured to send text, phone, and mail notifications for all hearings covered by the act and to track, in a uniform format, the method of contact, the number of attempts, and whether contact was successful.

Hearings Requiring Notification to Victims

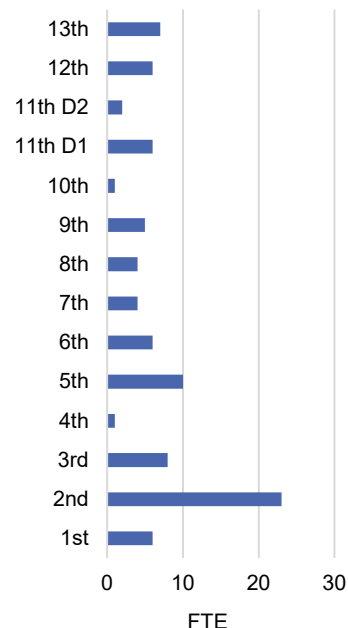
- 1) Arraignment
- 2) Release hearings
- 3) Hearings considering modifications of release conditions
- 4) Preliminary hearings or pretrial hearings
- 5) Hearings related to scheduling or conduct of the trial
- 6) Hearings on motions to amend or dismiss charges, set aside the conviction, order or judgment
- 7) Entry of guilty or no contest plea
- 8) Trial Restitution hearings
- 9) Sentencing
- 10) Hearings on any motions to reconsider the sentence
- 11) Hearings related to a deferred sentencing agreement
- 12) Probation violation or revocation hearings
- 13) Any post-sentencing hearings related to release of the offender, including the Parole Board Hearing

Source: NM Victims’ Rights

The absence of an automated system makes victim notification less likely and compliance uncertain.

District attorneys employ victim advocates statewide but do not systematically measure whether outreach is timely or effective. Victim advocates are often the first and primary point of contact for victims within district attorney offices. Across the state, district attorneys employed 89 victim-witness advocates in FY25 whose jobs is to inform victims and witnesses about their rights, explain the court process, provide hearing and release notifications, assist with applications to the Crime Victims Reparation Commission, and connect victims to services. Despite this investment, roughly half of district attorneys responding to an LFC survey indicated they have no formal system for evaluating victim advocate performance. National initiatives such as the Prosecutorial Performance Indicators Project recommend straightforward measures that link victim advocacy work to efficiency and certainty of justice, including the percentage of felony cases with victims in which the victim had at least one contact with an advocate and the average number of days from felony referral to first contact. Establishing simple, statewide performance measures along those lines would help district attorneys’ offices and policymakers assess whether victims are being contacted consistently and early enough to support their participation, and whether outreach efforts are aligned with reducing dismissals tied to victim noncooperation.

Chart 28. Victim-Witness Advocates by Judicial District



Source: SHARE

Cases with an underlying domestic violence charge are disproportionately likely to be dismissed by prosecutors, even though national guidance supports evidence-based prosecution when victims will not cooperate. Analysis of AOC data shows cases with an underlying domestic violence charge are disproportionately likely to end in dismissal by the prosecutor. While victim cooperation is clearly an issue, national guidance encourages “evidence-based prosecution” in domestic violence cases where the victim is unable or unwilling to testify, so long as the evidence is legally sufficient and safety concerns are addressed. Examples of such evidence include 911 recordings, photographs, medical records, and prior police reports. The *2025 New Mexico Intimate Partner Violence Death Review Team Annual Report* documents instances where earlier domestic violence cases were dismissed because officers did not attend required hearings and others where charges were dropped when victims declined to cooperate. It recommends law enforcement improve internal notification systems and prosecutors consider proceeding, where appropriate, even without victim participation.

Improved tracking of police failure-to-appear could reduce avoidable felony dismissals. According to AODA data, failure of law enforcement officers to appear at mandatory court hearings resulted in at least 3,000 case dismissals between FY17 and FY25. However, that likely understates the impact of officer nonappearance because some instances may be

Coordinated Community Response Can Improve Safety and Cooperation

A 2017 LFC report on domestic violence programs for victims and batterers found New Mexico’s response to domestic violence is fragmented and uncoordinated, which places victims and funding at risk. The report recommended implementation of coordinated community response to improve the safety of domestic violence survivors. The goal of coordinated community response is to house domestic violence provider agencies, shelters, counseling providers, and prevention programs under one roof to provide services and facilitate handoffs for domestic violence and sexual assault survivors.

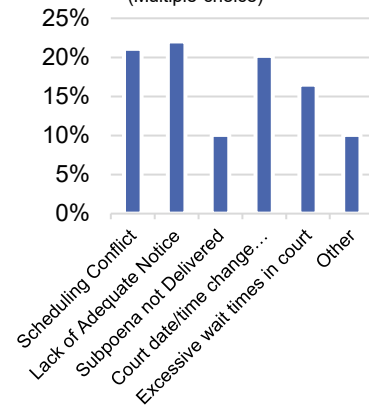
categorized under broader “victim/witness uncooperative” or “law enforcement agency uncooperative” reason codes; the latter category alone accounts for an additional 2,338 dismissals. AOC currently provides the New Mexico State Police with statewide data on officer failure to appear, enabling district commanders to follow up and identify procedural problems such as incorrect subpoena addresses. Expanding this type of reporting to other agencies and reporting publicly on rates of failure-to-appear by agency would create a clearer line of accountability, reduce avoidable dismissals, and increase the likelihood that felony cases proceed as scheduled.

Better information about defendants will improve the efficiency of the justice system.

Timely, accurate information about defendants is essential to identifying the relatively small group of high-frequency defendants who consume a disproportionate share of justice-system resources. It is also essential to distinguish who can safely be released pretrial and who requires detention. Right now, New Mexico does not systematically focus supervision, treatment, housing, and employment supports on the small group of repeat defendants who drive significant case volumes and detains many people pretrial whose cases ultimately end in dismissal. Part of the problem is that no single, unified framework ensures that judges and justice partners see the same, up-to-date picture of a defendant’s history, risk, and needs across courts and agencies. Improving both the quality of information available and the way it is shared and used—who gets what, and when—would help align detention with risk and target interventions where they are most likely to reduce repeat offending and relieve pressure on courts and jails.

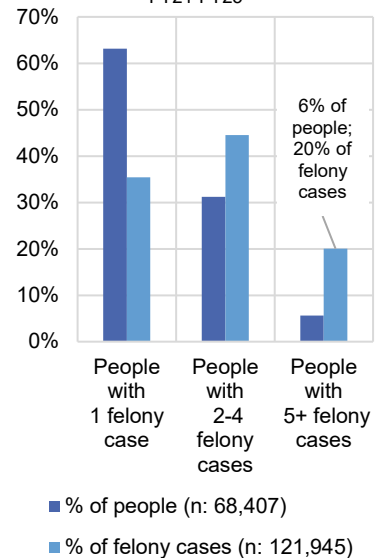
One-third of defendants accounted for roughly two-thirds of felony cases filed in New Mexico between FY21 and FY25, suggesting many people cycle repeatedly through the system. Out of the 122 thousand felony cases filed during that five-year time period, most defendants were accused of a single felony (63 percent), but 3,842 defendants (6 percent) were associated with five or more felony cases, accounting for roughly 20 percent of the entire felony case volume. For defendants with multiple cases, the cases were often spread across multiple judicial districts, with some defendants facing felony charges in as many as six districts over the five-year period. Patterns in AOC data are consistent with LOPD data, which shows the 32 percent of defendants with more than one felony accounted for roughly 58 percent of the agency’s cases over the same five-year period, with 4 percent (1,367) accused of five or more felony cases.

Chart 29. What are the primary challenges to officers appearing in court when requested for felony cases?
(Multiple choice)



Source: LFC survey

Chart 30. Distribution of People and Felonies
FY21-FY25



Source: LFC analysis of AOC data

The most common charge associated with felony cases is possession of a controlled substance, but possession charges are even more common in cases associated with high-frequency defendants. Roughly 30 percent of all felony cases filed in New Mexico between FY21 and FY25 included charges containing the keywords “controlled substance” or “drug paraphernalia.” When looking at cases associated with people who have five or more felonies in the same five-year period, that increases to 37 percent of cases. Those high-frequency defendants are also associated more frequently with charges of felony shoplifting and stolen motor vehicles, while being less frequently associated with charges of child abuse, battery on a household member, and assault with a deadly weapon. A 2025 study from the UNM Institute for Social Research found people with 11 or more arrests were almost three times more likely to be associated with property crimes as one-time defendants, while one-time defendants were more likely to be associated with violent crimes and DWIs. As the report noted, “The high proportion of violent and DWI offenses suggests that many one-time offenders enter the system through serious but potentially isolated incidents rather than ongoing criminal activity.”

According to AOC pretrial data, 21 percent of defendants who had a felony case filed against them between FY21 and FY25 were subsequently accused of another felony crime while awaiting trial. AOC pre-trial data includes 109.5 thousand felony cases filed between FY21 and FY25 in New Mexico. During the pre-trial phase of those initial felonies, AOC recorded 23 thousand new felony cases associated with those same defendants, meaning 21 percent of felony defendants accrued new felony charges during the pretrial phase. Of those subsequent felony arrests, 7.8 thousand were for violent crimes, meaning 7 percent of felony arrests were followed by a subsequent violent felony arrest during the pre-trial period. Overall, the data is consistent with courts and justice performance reporting that shows between 75 and 80 percent of defendants are not charged with a new crime in the pretrial stage.

Case Study: The High Stakes of Pretrial Decision-Making

In December 2020, Defendant B was arrested and charged with receiving stolen property, drug distribution, and shooting at a dwelling. Prosecutors moved for pretrial detention, but the court denied the motion and instead ordered release with strict conditions, including GPS monitoring and a requirement that Defendant B remain at home except for work, school, or medical appointments. For roughly three months there were no reported violations, and in March 2021 Defendant B asked the court to loosen those conditions; the court set a hearing for April 27, 2021. The day before that hearing, however, police arrested him for new violent offenses: on April 25, 2021, he robbed a 7-Eleven at gunpoint and fled, leading to charges of armed robbery, aggravated assault with a deadly weapon, resisting an officer, and criminal damage to property. Prosecutors cited his earlier case and argued that his conduct showed disregard for public safety and court orders, and this time the court granted pretrial detention. Subsequent filings consolidated the 7-Eleven robbery with charges arising from an April 23, 2021 murder, and after competency issues delayed trial, a jury convicted Defendant B in October 2023 of first degree murder, armed robbery, aggravated assault, conspiracy, tampering with evidence, and criminal damage to property. He was sentenced in January 2024 to life plus 25 years in prison. While justice was eventually served, the offender committed murder while on pretrial release and while wearing the court-mandated GPS ankle monitor.

Table 8. Pretrial Criminal Cases, New and Violent Crimes

Filing Year	Initial Felonies	New Cases	New Felonies	New Violent Charge	New Felonies as % of Initial Felonies	New Violent Charge as % of Initial Felony
FY21	18,066	5,787	4,343	1,665	24.0%	9.2%
FY22	20,616	6,609	5,042	1,775	24.5%	8.6%
FY23	22,073	6,846	5,051	1,627	22.9%	7.4%
FY24	23,672	6,878	4,848	1,558	20.5%	6.6%
FY25	25,060	5,610	3,690	1,158	14.7%	4.6%
Totals	109,487	31,730	22,974	7,783	21.0%	7.1%

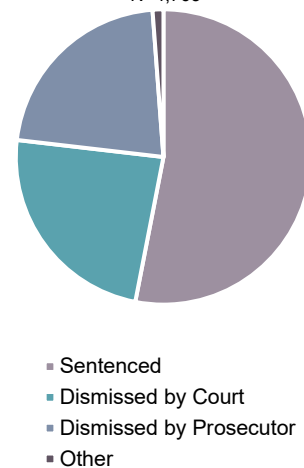
Source: AOC

In May 2024, the New Mexico Supreme Court prohibited the use of risk assessment tools, like the Arnold tool, to make decisions on whether to release or detain a defendant pretrial. Prior to the rule change, judges were directed to consider all relevant facts, followed by several named factors, including “any available results of a pretrial risk assessment instrument approved by the Supreme Court for use in the jurisdiction, provided that the court shall not defer to the recommendation in the instrument but shall make an independent determination of dangerousness and community safety based on all information available at the hearing.” The rule change removed that factor from those named for consideration (5-409 NMRA). If judges choose to release the defendant, a PSA can be used to determine the supervision conditions.

A UNM study of the 2nd Judicial District found 37 percent of cases where a judge granted the prosecution’s pretrial detention motion ended in dismissal, either by the court or the prosecutor; defendants in those cases spent a median of 123 days in jail. The 2024 UNM Institute for Social Research study reviewed felony cases in the 2nd Judicial District in which prosecutors filed a pretrial detention motion between July 2017 and June 2023, following risk scores, pretrial detention decisions, case outcomes, and jail stays. Among cases where judges granted the pretrial detention motion, 63 percent were ultimately sentenced, but 37 percent ended in dismissal. For those defendants who were detained and later had their cases dismissed, the study reports they spent a median of about four months in the Metropolitan Detention Center compared with roughly eight days in jail for cases where the detention motion was denied. A separate 2024 UNM study estimated the average daily cost of jailing someone at the Metropolitan Detention Center in FY23 at \$123 per day, or roughly \$15 thousand for four months, not accounting for the many indirect societal costs associated with detention. The study authors conclude that cases in which the prosecution seeks and obtains preventive detention consume substantial system resources and produce extended incarceration even though a large share are ultimately dismissed.

Structured, statistics-based tools usually make more accurate and consistent predictions than unaided human judgment alone. Large reviews of different pre-trial risk assessment tools find they are generally more accurate than human judgment alone. A 2020 meta-analysis of six different risk assessment tools found they were all good at predicting outcomes like missed court dates and new arrests. In a 2024 study, UNM revalidated the use of the Arnold Public Safety Assessment (PSA) in the Second Judicial District, which uses a version of the PSA exclusively for felony cases. The study looked at whether people missed court, picked up any new criminal charge (misdemeanor or felony), or any new violent charge while their case was pending. It found the PSA performed in the “good” range for predicting failure-to-appear and any new arrest, but was weaker for predicting new violent arrests, and that some parts of the tool,

Chart 31. Final Case Outcomes for Defendants with Pretrial Detention Motion in Bernalillo County
N=4,763



Source: UNM Institute for Social Research

especially certain age-based factors, did not meaningfully improve its predictions. The authors emphasized that their findings describe Bernalillo County’s use of the PSA under its specific mix of cases and policies and should not be assumed to apply to other parts of New Mexico.

Both DPS and AOC have created criminal history divisions within the last eight years to provide information to judges, but the divisions do not coordinate with each other and the total number of reports they produce accounts for only about half of the misdemeanor and felony cases filed in any given year. DPS created its criminal history clearinghouse in 2018, in response to the constitutional amendment eliminating cash bail. According to a 2018 presentation to the Legislature’s Courts, Corrections & Justice Interim Committee, the clearinghouse was created to “provide comprehensive and up to date reports to the Judges and their staffs on all defendants prior to their arraignments,” with the goal of helping judges make pretrial detention decisions. In FY25, the clearinghouse had seven full-time employees who staff it 24/7 and “synthesize data from law enforcement databases, court records, and other sources” for 18 magistrate judges in 16 counties. DPS reports the clearinghouse produces an average of 24 reports a day and 8,589 reports a year. AOC created its Background Investigations Unit in 2020. The unit operates 22/7 compiling information from the FBI’s National Crime Information Center and court records, “to ensure judges have the report at First Appearance Hearing.” According to the AOC Pretrial Services Division annual report for 2024, the unit employed 25 people that year and produced 19 thousand reports, or an average of 52 reports a day.

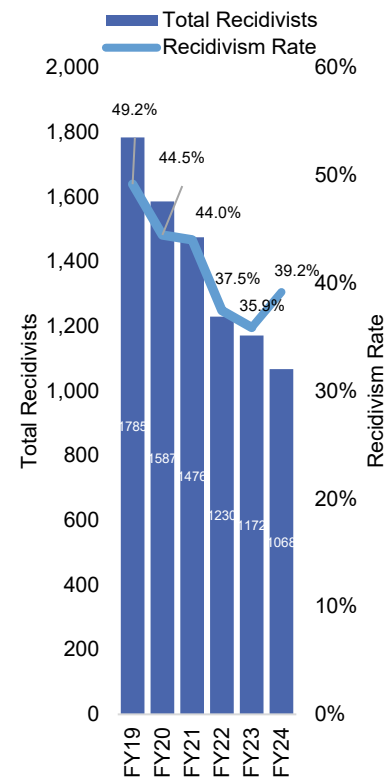
Managing repeat offenders requires accurate risk assessment of individuals, incarceration of those dangerous to communities, targeted supervision for those of lower risk, and effective use of substance-use, mental-health, employment, and housing programs. As noted above, judges cannot use the Arnold tool to make pretrial detention decisions, but they may use it to determine conditions of release. Once convicted, the New Mexico Corrections Department (NMCD) is required to use the Correctional Offender Management Profiling for Alternative Sanctions (COMPAS), a risk assessment tool that evaluates an individual’s needs and risk of reoffending, to determine eligibility for programs and to inform case plans, though previous LFC evaluations have identified concerns with implementation. New Mexico has made significant investments in resources that may benefit offenders at risk of re-offending, including expansions of substance use treatment programs and behavioral health services through the Behavioral Health Executive Committee created in statute in 2025, which coordinates behavioral health planning and delivery across agencies and communities to divert people from the justice system into treatment. Past LFC reports have found those programs can make a difference but are underutilized. At the same time, additional efforts are needed around housing and employment for justice-involved individuals; research shows failure to address these needs increases the chances of recidivism and contributes to repeat offending.

Counties where magistrate judges receive reports from the DPS Criminal History Clearinghouse:

- Colfax
- De Baca
- Guadalupe
- Harding
- Hidalgo
- Lincoln
- Los Alamos
- Mora
- Quay
- Rio Arriba
- San Miguel
- Santa Fe
- Taos
- Torrance
- Union
- Valencia

Source: DPS

Chart 32. Recidivism Trends



Source: NMCD

AOC could play a broader coordinating role to reduce identified inefficiencies in case processing.

Where DPS has an essential coordinating role to play for law enforcement agencies when it comes to gathering data and uniform procedures, the Administrative Office of the Courts (AOC) has an essential coordinating role to play for justice agencies. The agency’s enabling statute, Section 34-9-1 through Section 34-9-8 NMSA 1978, makes clear AOC has broad authority over administration of the courts, including ensuring records are compiled and transmitted in uniform ways. AOC should exercise that authority to ensure court records are compiled in ways that make it easy to understand how justice is being exercised, that all justice agencies receive the information they need, when they need it about court proceedings and that individual defendants are accurately identified. The agency has started down that path with the dataXchange, its platform for sharing court information with other criminal justice partners. However, it can do more to get buy-in from other agencies and to create a platform that is more useful to other criminal justice partners. AOC also has an opportunity to strengthen its own data analysis and reporting on how criminal cases move through the courts, helping policymakers understand where delays, dismissals, and bottlenecks occur so that resources can be targeted to the areas of greatest need.

In 2019, the Legislature tasked the New Mexico Sentencing Commission with creating a “data-sharing network” for criminal justice agencies; AOC has created a version of that network, although participation is limited. In 2019, the Legislature adopted legislation that tasked the New Mexico Sentencing Commission (NMSC) with creating and maintaining a “data-sharing network to receive, store, analyze and disseminate criminal justice data for and between participating criminal justice and behavioral health agencies.” The new law also required NMSC to promulgate rules governing the data-sharing network and to provide data analysis using the collected data, as requested by other agencies. In separate legislation, lawmakers appropriated \$907 thousand for the network. Rather than building and operating its own stand-alone system, NMSC used those appropriations primarily to fund partner projects through grants and contracts. A principal legacy of that effort is the NM dataXchange, a platform operated by AOC that provides other criminal justice agencies access to selected court records and related data. AOC developed the dataXchange with an initial \$500 thousand grant from NMSC. The agency received an additional \$250 thousand in non-recurring appropriations in FY22 for continued maintenance of the platform and has since incorporated ongoing expenses into its operating budget, expending an additional \$1.1 million between FY23 and FY25 for the dataXchange. According to a 2023 presentation from AOC, available datasets at the time included state court information (notices of hearing, open and active warrants, domestic-violence orders of protection, criminal dispositions and sentences, transport orders, landlord-tenant eviction cases, and certain probate cases), along

Regular users of the dataXchange:

- NM Department of Public Safety
- Office of Family Representation and Advocacy
- NM Sentencing Commission
- AODA
- LOPD
- NM Attorney General
- Crime and Justice Institute
- Justice Counts
- NM CYFD
- Chaves County
- City of Albuquerque
- Bernalillo County Metropolitan Detention Center
- Eddy County Corrections Department

Source: AOC

The benefits of a more robust dataXchange

Currently, criminal justice data entry in New Mexico is error-prone and duplicative. Without a single, reliable shared view, each agency maintains its own spreadsheet or calendar and re-enters names, case numbers, dates, and conditions. That multiplies the chances for typos and mismatches; pulling those core fields once from dataXchange would cut down on inconsistent records and ensure everyone gets relevant information at the same time.

Examples of problems a more robust dataXchange would solve:

- Defendants failing to appear at court hearings because detention centers did not know a hearing was rescheduled.
- Forensic scientists traveling for hearings that have been canceled or postponed.
- Victims not being notified that defendants have been released from custody.

with jail and arrest data from Bernalillo, Sandoval, and San Juan counties and limited state identification data from the Department of Public Safety. In essence, the dataXchange platform now functions as the de facto statewide “data-sharing network” contemplated by the 2019 legislation, but participation and coverage remain partial.

AOC should use its record-keeping authority to standardize person and case identifiers so criminal histories are accurate and usable across agencies. Right now, the same person can appear under multiple court identifiers in AOC data, many cases never get state identification numbers attached, and magistrate and district court case numbers are not consistently linked, which makes it hard to follow one arrest through multiple courts. Recognizing the only reliable way to identify someone is via fingerprinting, which is outside of AOC’s control, New Mexico’s courts should prioritize connecting court records to unique state identification numbers and, barring that, do everything in their power to reduce duplicate court IDs for the same person. AOC should also adopt a uniform “case key” rule that ties together all magistrate and district court cases for the same person and arrest or offense date, rather than treating them as unrelated files. That combination—a reliable court ID number and a shared case key—would sharply reduce duplicate or fragmented records.

AOC should strengthen dataXchange as a shared operating platform that helps justice agencies see the same cases, the same way, at the same time. The dataXchange already moves some court information to other agencies, but it could do more to support day-to-day work if AOC and its partners agree on a standard set of fields and views that everyone can rely on. Washington’s AOC runs the Judicial Information System (JIS), the primary statewide court information system, which functions as a statewide clearinghouse for criminal history information, domestic-violence protection orders, and outstanding warrants, and provides courts and partner justice agencies with access to that consolidated history information. AOC could move the dataXchange in that direction by working with DPS, local law enforcement, district attorneys, public defenders, and jail administrators to define a “core case view” in dataXchange that always includes, for each defendant: all open case numbers, next hearing date and time, hearing type, judge and courtroom, current custody status, active warrants, active protection orders, and current conditions of release. AOC could then build simple tools on top of that data—such as opt-in notification alerts for warrant recalls or hearing changes and a daily “upcoming hearings” export for each agency so that officers, victim advocates, and supervision staff are working from the same schedule and status information.

**Figure 7.
One Person, Six Court
Party IDs**

Crt_PartyID	PersonKey
9695586	10277494
9764397	10277494
9764397	10277494
9771975	10277494
9771975	10277494
9695586	10277494
9695586	10277494
9695586	10277494
10277494	10277494
2017847	10277494
2145578	10277494
2017847	10277494
9771975	10277494
10277494	10277494
10277494	10277494

Source: LFC analysis of AOC data

Standardized defendant information that should be available to all criminal justice agencies

- State Identification Number (SID)
- Arrest/offense dates with law enforcement case numbers
- All open court case numbers
- Next hearing date and time
- Prior failures-to-appear
- Current custody status and location
- Active warrants
- Active protection orders
- Current conditions of release

Figure 8. Example of AOC pretrial background investigation report

CRIMINAL HISTORY SUMMARY	
Open Cases	1
Currently on PTS	Y
Misdemeanor or Felony PTS	M
Misdemeanor FTA's	2
Felony FTA's	2
Misdemeanor Case Convictions	2
Felony Case Convictions	1
Currently on Probation	Y
Misdemeanor or Felony Probation	F
Probation Violations	1

NAME: Williams, Timothy	NEW CASE#: M-14-MR-2021-99911
DOB: 01/01/01	COURT: Choose an item.
SSN: XXX-XX-0000	
Alias: N/A	
CHARGES:	
1. Disorderly Conduct (M)	
Date of Offense: 5/25/2021	Date of Arrest: 5/27/2021
Completed By: R. McBee	Date Completed: 5/27/2021

<Booked PV BW>

LIST ANY CASES WHICH ARE STILL PENDING, OTHER THAN THE NEW CASE				
DATE	CHARGES	PTS Info	Next Hearing	FTA
04/11/20	1. Agg DWI (2nd) (M)	Placed on PTS	05/31/21	04/15/20
M-14-DR-2020-11199	2. Speeding (TR)	04/27/2020	Jury Trial	

LIST ANY CASES IN WHICH THE DEFENDANT IS ON PROBATION			
DATE	CHARGES	Probation Info	Warrants/PV's
12/25/19	1. Residential Burglary (F)	12/31/2020	04/28/20 FTA
M-15-FR-2019-89898		Placed on 4 years probation.	05/05/21 PV

Source: AOC

Other states with centralized court data systems (Kentucky, New Jersey) generate reports for individuals with repeated filings or failures, and Bernalillo County's Behavioral Health Initiative already uses linked jail and crisis-service data to prioritize housing and treatment.

AOC should standardize pretrial information and use court data to generate a simple, statewide view of frequent utilizers so judges, prosecutors, defenders, and law enforcement share a consistent picture of risk and of people cycling through the system. A required pretrial “packet” completed before first appearance and updated at each pretrial hearing could use structured fields (not free text, as in Figure 8 above) and feed directly into the dataXchange so district attorneys, public defenders, and supervising agencies see the same information without re-entering it. With more reliable person IDs and case keys, AOC could then use that same data to produce simple quarterly reports for each district flagging individuals with repeated filings or failures to appear, similar to approaches used in Kentucky, New Jersey, and Bernalillo County’s Behavioral Health Initiative. AOC’s role would be to apply agreed criteria, refresh the lists regularly so they do not become static labels, and share them securely with local partners, who would decide how to respond in individual cases, allowing scarce supervision, housing, and treatment resources to be focused on the relatively small group of people who generate a disproportionate share of system use.

If AOC adopted a more active performance and analytical role, it could give New Mexico a clearer picture of how criminal cases move through the courts and where reforms are most needed. AOC already manages budgets, technology, personnel systems, and basic data collection for the courts, and its enabling statute (Section 34-9 NMSA 1978) directs the AOC director to “prepare and transmit...statistical data and reports as to the business of the courts.” If AOC used that authority to go beyond raw statistics and provide more in-depth analysis of timeliness, clearance rates, dismissals, and other key outcomes, it could give judges, court leaders, and policymakers a much more complete view of court performance across districts and over time. Experiences in other states suggest what this might look like: Utah’s courts publish dashboards and annual reports with

Table 9. Summary of Select States' Judicial Analysis Units

<i>Within Judiciary Analysis</i>
Colorado
Texas
Utah
<i>Legislative/Independent Judiciary Analysis</i>
Minnesota
New Mexico
Washington
<i>National Center for State Courts/Other National Performance Benchmarking</i>
Maine
New Mexico
North Dakota

Source: Various state judiciary websites

detailed filing and performance information; Texas' Office of Court Administration maintains a court activity database and also deploys court consultants who help trial courts evaluate their own data and redesign calendaring and caseflow practices; Colorado's State Court Administrator reports district performance against statewide time standards for criminal and other cases and uses those results in its planning and analysis work. Adopting similar models in New Mexico would help build feedback loops in the judiciary and allow for more efficient use of resources.

Recommendations

The Legislature should consider:

- Amending Section 9-3-10 NMSA 1978 and Section 34-9-3 NMSA 1978 to reallocate responsibility for the creation and maintenance of a data-sharing network, and analysis of that data, from the New Mexico Sentencing Commission to the Administrative Office of the Courts.

The district attorneys, through the Administrative Office of the District Attorneys, should:

- Establish uniform guidelines for district attorney review of felony cases prior to filing in court and report to the Legislative Finance Committee as part of the district attorneys' quarterly performance report on the percentage of felony cases referred to district attorneys prior to filing in court, by judicial district;
- Track declinations of cases referred to district attorneys in a uniform template that includes actionable feedback on why cases were declined and communicate that feedback to law enforcement as soon as a case is rejected;
- Ensure its new, off-the-shelf case management system, scheduled for deployment by January 2026, has all functionality outlined in the vendor contract before releasing further payments;
- Rework NMSAVIN to interface with AODA's case management system and automatically notify victims of all hearings in a case, as required under the Victim of Crimes Act;
- Track victim notification statewide in a uniform format and report quarterly in Legislative Finance Committee performance reports on contact methods, percentage of successful contacts, and total contact attempts; and
- Adopt the performance measures recommended by the Prosecutorial Performance Indicator project and collect the data from all district attorneys necessary to track performance with them.

The courts, through the Administrative Office of the Courts, should:

- Work with the AOC case management vendor to create an opt-in system of automated text message and email notifications about case events for interested parties, including the DPS crime labs,

local law enforcement agencies, detention centers, victims, and witnesses;

- Track and report publicly on the AOC website the number and percentage of defendants who are arrested for a new alleged crime while on pretrial release, separating felony from misdemeanor offenses; and
- Track and publicly report on the AOC website on rates of prosecutor/police failure-to-appear, by law enforcement agency, at least quarterly.

Appendix A. Methodology

Case Processing Methodology

LFC staff principally used AOC data to produce case-level statistics on filings, dispositions, and time-to-disposition, cross-referencing that analysis with methodologically comparable analyses of AODA and LOPD data. The AOC source data was charge-level data for case filings between FY17 and FY25; LFC staff constructed an episode-level table from that data in which each row represents one criminal episode (hereafter, “case”). Individuals are uniquely identified by a combination of their assigned court party identifier, name, and date of birth.

Case construction: Cases are defined by grouping charge rows that belong to the same person, court case number, and charge date. Because clerical variation can record slightly different offense (“charge”) dates for the same matter, cases are anchored to the earliest charge date observed within that person–case–number cluster. A case is treated as a felony filing if any charge filed on that case’s first filing date is a felony.

Exclusions: Extraditions are excluded for case filings because they do not represent new New Mexico felony episodes. Cases with a top disposition of “Transferred to Another Court/Agency” that never appear in district court are excluded from disposition counts used for timeliness (see below) so that transfer bookkeeping does not inflate “resolved” volumes.

Filings: Counts of distinct cases classified as felony at filing, organized by fiscal year (July 1–June 30).

Dispositions: Felony cases typically begin in magistrate or metropolitan court and are later bound over to district court. To report one outcome per case while respecting this two-tier path, LFC staff selected a top disposition as follows:

1. Within each court tier, identified the most complete outcome using a disposition-completeness hierarchy.
2. Preferred district court when a district outcome existed; otherwise used magistrate/metropolitan.
3. Within the preferred tier, selected the latest date among outcomes at the top completeness level and reported that row’s simplified disposition as the case’s top disposition.

Time-to-disposition: Elapsed days from filing to the top disposition.

- **Denominator (eligible cohort):** Felony cases filed on or before June 30, 2025. If a case resolved as a lower-only transfer, it was removed from the cohort. Cases that remained unresolved by the as-of date stayed in the denominator and counted against the timeliness benchmarks they failed to meet.
- **Numerator:** Within that cohort, cases that reached a top disposition by June 30, 2025 with an elapsed time from filing at or below the benchmark (90, 180, or 365 days), excluding pure lower-only transfers.

Survey Methodology

LFC surveyed local law enforcement agencies across the state of New Mexico to gain a better understanding of policies and procedures related to felony case processing. LFC constructed this survey on the Survey Planet platform, which allows for question branching, multiple-choice, multiple response, and short and long essays, as well as basic analytics. The survey included a total of 17 questions, with most agencies completing all 17 in about 10 minutes. LFC worked with DPS to send the survey to approximately 129 local law enforcement agencies. Officials from New Mexico State Police distributed the survey to area commanders. The agencies targeted by the survey included local municipal police departments, sheriff's offices, state police, and college and university police, and marshal's offices. These agencies were chosen because they work with district attorneys to process felony cases. The 129 agencies contacted were given two weeks in early November 2025 to complete the survey, of which 51 ultimately submitted responses—a response rate of 39.5 percent.

The questions LFC asked on the survey were as follows:

1. What law enforcement agency do you represent in your responses to this survey? Essay
2. What is the process for filing felony charges in your jurisdiction? Are charges predominantly filed: Multiple Choice
3. All law enforcement agencies in New Mexico are required to report crime and arrest statistics monthly to the Department of Public Safety's Law Enforcement Records Bureau or directly to the FBI's National Incident-Based Reporting System. Does your agency find it challenging to report crime statistics regularly and on time? (Select all that apply) Multiple Choice
4. Does your agency use real-time crime data to deploy resources? Multiple Choice
5. When a suspect is arrested, who is responsible for ensuring they are fingerprinted in your jurisdiction? Multiple Choice
6. How does your agency transfer evidence to the district attorney? (Select all that apply) Multiple Choice
7. Does the district attorney notify your agency when they decline a case submitted by your officers? Multiple Choice
8. If yes, what information do they provide you? Multiple Choice
9. How do you use the information provided by the DA about case declinations? Multiple Choice
10. In New Mexico, prosecutors most frequently cite a lack of evidence as the reason for declining cases. Upon completing basic training, your agency's officers understand evidence and its role in a prosecution. Multiple Choice
11. What is the primary method your district attorney uses to communicate that your officers need to appear in court for a proceeding? Multiple Choice
12. Who in your office receives and is responsible for information regarding police officers needing to appear in court? Multiple Choice
13. Does your agency track missed court appearances by officers? Multiple Choice
14. If yes, How do you track that information? Multiple Choice
15. What are the primary challenges to officers appearing in court when requested for felony cases? Multiple Choice
16. In New Mexico, prosecutors most frequently cite victim and witness cooperation as the reason for case dismissals. What steps does your agency take to ensure that the victim and any witnesses will be cooperative and available as the district attorney prosecutes the case? Essay
17. Is there anything else you would like us to know? Essay

LFC also surveyed all of the district attorney's offices across the state of New Mexico to learn about their policies and procedures related to felony case processing. LFC constructed this survey on the Survey Planet platform, which supports question branching, multiple-choice and multiple-response options, short and long essays, and basic analytics. The survey included 21 questions, and most offices completed it in about 10 minutes. LFC worked with AODA to distribute the survey to all 13 judicial districts, including both 11th districts, as well as AODA itself. The survey suggested that the respondents should be the district attorney themselves or another person with deep institutional knowledge. The 15 offices contacted were given two weeks in early October 2025 to complete the survey, of which 14 ultimately submitted responses—a response rate of 93.3 percent.

The questions LFC asked on the survey were as follows:

1. Which district are you representing in your response? Multiple Choice
2. What is the process for filing felony charges in your district? Are charges predominantly filed: Multiple Choice
3. Are there specific attorneys in your office assigned to intake? Multiple Choice
4. If yes, how many attorneys are assigned to intake? Essay
5. How do you track rejections when your office decides not to pursue a case? Multiple Choice
6. If you track rejections in the AODA case management system, how is it recorded? Essay
7. Does your office maintain a separate case management system from AODA, AOC, or any other statewide entity? Multiple Choice
8. If yes, is the system supported by a third-party vendor? Multiple Choice
9. If yes, who is the vendor? Essay
10. Which methods do law enforcement use to transmit discovery to your office? (Choose all that apply) Multiple Choice
11. If you contract for evidence management, who is the vendor? Multiple Choice
12. Does your current evidence management system satisfy your data needs? (if other, please explain) Multiple Choice
13. Does your office have enough attorneys at present? Multiple Choice
14. If no, how many attorneys would your office need for you to consider it fully staffed? Multiple Choice
15. What are the biggest challenges to recruitment of attorneys in your office? (Select all that apply) Multiple Choice
16. Besides salary, what other benefits do you offer to recruit and retain attorneys? Essay
17. Does your office track the efficacy of your victim advocacy efforts? Multiple Choice
18. If you do track victim advocacy, what do you track? Essay
19. When your office dismisses a case nolle prosequi, do you track why? Multiple Choice
20. If you track nolle prosequi dismissals, which categories do you track? Multiple Choice
21. Does your office track the attendance of police officers at court hearings where their presence is required? Multiple Choice

Appendix B. Criminal Justice Budgets

Agency	Budget FY21 (in thousands)	Budget FY25 (in thousands)	Budget Growth (FY21-FY25)	Major NR Investments Since FY21 (in thousands)	Major NR Investments Since FY21
Administrative Office of the Courts (218)	\$55,820	\$77,865	39.49%	\$ 12,128.0	
				\$ 500.0	(FY21) for pretrial services monitoring
				\$ 500.0	(FY21) To upgrade information technology systems at district courts.
				\$ 400.0	(FY21) To implement a statewide information management system for problem-solving courts.
				\$ 250.0	(FY22) For a subscription service for a data-sharing platform to enable justice partners to share case management and jail management data.
				\$ 270.0	(FY22) to replace cameras in detention centers and the judicial information division
				\$ 500.0	(FY23) For pretrial services monitoring
				\$ 648.0	(FY23) To develop and provide regular training to local pretrial programs, courts and staff.
				\$ 1,060.0	(FY24) For technology projects subject to review by the judicial technology council.
				\$ 2,000.0	(FY24) For judicial district court and magistrate court security, technology and connectivity upgrades.
				\$ 4,000.0	(FY24) To pilot universal needs and risk screening, including for treatment court placement at courts, pilot professional peer support for pretrial services and at courts, provide grants for other pilot programs to improve pretrial services and behavioral health services and evaluate the effectiveness of all funded programs. See bill for more language.
				\$ 2,000.0	(FY24) For a two-year pilot program to create judicial clerkships for district court judges in rural areas.

Policy Spotlight: Felony Arrests and Outcomes

Agency	Budget FY21 (in thousands)	Budget FY25 (in thousands)	Budget Growth Percentage (FY21 - FY25)	Major NR Investments Since FY21 (in thousands)	Major NR Investments Since FY21
District Courts (All) (231-234)	\$120,839.60	\$170,816.20	41.36%	\$ 6,745.7	
				\$ 19.2	(FY21) (1st Judicial District) To digitize human resource records.
				\$ 100.0	(FY21) (1st Judicial District) To purchase and install network switches.
				\$ 50.0	(FY21) (1st Judicial District) To upgrade magistrate court phone systems.
				\$ 10.0	(FY21) (1st Judicial District) To upgrade the voicemail system.
				\$ 299.0	(FY21) (Bernalillo County Metropolitan Court) To pay an approved emergency loan from the board of finance to purchase the lot adjacent to the north of the court.
				\$ 2.5	(FY22) (Court of Appeals) To correct an over-reversion in fiscal year 2016
				\$ 90.0	(FY22) (1st Judicial District) To fund a new judgeship created in Paragraph (1) of Subsection B of Section 4 of Chapter 83 of Laws 2020 and to fund associated staff in the first judicial court.
				\$ 30.0	(FY22) (3rd Judicial District) For shortfalls related to the magistrate court consolidation in Dona Ana county.
				\$ 90.0	(FY22) (3rd Judicial District) To fund a new judgeship created in Paragraph (3) of Subsection B of Section 4 of Chapter 83 of Laws 2020 and to fund associated staff in the third judicial district court.
				\$ 83.0	(FY22) (8th Judicial District) For furniture and equipment related to the fiscal year 2021 capital appropriation for colocation of the 8th judicial district and magistrate court consolidation.
				\$ 20.0	(FY22) (10th Judicial District) For shortfalls in the personal services and employee benefits category for the magistrate courts in De Baca, Quay, and Harding counties.
				\$ 71.9	(FY22) (12th Judicial District) To fund a new judgeship created in Paragraph (12) of Subsection 3 of Section 4 of Chapter 83 of Laws 2020 and to fund associated staff in the 12th judicial district court.
				\$ 22.2	(FY22) (13th Judicial District) To correct an over-reversion in fiscal year 2016.
				\$ 70.4	(FY23) (3rd Judicial District) For security at Dona Ana magistrate court.
				\$ 36.8	(FY23) (3rd Judicial District) For shortfalls related to the consolidation of magistrate courts in Dona Ana county.

Agency	Budget FY21 (in thousands)	Budget FY25 (in thousands)	Budget Growth Percentage (FY21 - FY25)	Major NR Investments Since FY21 (in thousands)	Major NR Investments Since FY21
District Courts (All) (231-234) (cont'd)	\$120,839.60	\$170,816.20	41.36%	\$ 16,635.9	
				\$ 130.0	(FY24) (Court of Appeals) For technology upgrades, including replacement computers, updated software and internet connectivity and building access system and building improvements.
				\$ 975.0	(FY24) (Supreme Court) To purchase and install a backup generator for the New Mexico supreme court building.
				\$ 100.0	(FY24) (Supreme Court) From pro tem judges to address court backlog.
				\$ 2,000.0	(FY24) (Supreme Court) For security upgrades, including replacing outdated security camera and access control systems, at the New Mexico supreme court. Any unexpended funds remaining at the end of fiscal year 2024 from this appropriation shall not revert and maybe be expended through fiscal year 2025.
				\$ 135.0	(FY24) (Supreme Court) To replace the existing video conferencing solution at the New Mexico supreme court courtroom with new hybrid video streaming technology equipment.
				\$ 197.5	(FY24) (Bernalillo County Metropolitan Court) To address the case backlog.
				\$ 368.5	(FY24) (Bernalillo County Metropolitan Court) For facilities improvements.
				\$ 107.1	(FY24) (Court of Appeals) To address a projected shortfall in personal services and employee benefits.
				\$ 331.3	(FY24) (2nd Judicial District) For personal services and employee benefits to support a judge and staff.
				\$ 63.4	(FY24) (3rd Judicial District) For shortfalls in the contractual services category for security.

Agency	Budget FY21 (in thousands)	Budget FY25 (in thousands)	Budget Growth Percentage (FY21 - FY25)	Major NR Investments Since FY21 (in thousands)	Major NR Investments Since FY21
District Courts (All) (231-234) (cont'd)	\$120,839.60	\$170,816.20	41.36%	\$ 12,228.1	
				\$ 92.2	(FY24) (3rd Judicial District) For magistrate judge salaries.
				\$ 50.8	(FY24) (4th Judicial District) For magistrate judge salaries.
				\$ 52.9	(FY24) (6th Judicial District) For magistrate judge salaries.
				\$ 42.3	(FY24) (8th Judicial District) For magistrate judge salaries.
				\$ 39.6	(FY24) (10th Judicial District) For magistrate judge salaries.
				\$ 60.5	(FY24) (11th Judicial District) For magistrate judge salaries.
				\$ 51.7	(FY24) (12th Judicial District) For magistrate judge salaries.
				\$ 101.5	(FY24) (13th Judicial District) For magistrate judge salaries.
				\$ 90.0	(FY24) (6th Judicial District) For personal services and employee benefits to fully staff the office.
				\$ 60.0	(FY24) (11th Judicial District, Division 1) For staffing related to victim and witness support.
				\$ 170.0	(FY25) (Bernalillo County Metropolitan Court) For facilities improvement.
				\$ 531.4	(FY25) (Bernalillo County Metropolitan Court) For technology and connectivity upgrades.

Agency	Budget FY21 (in thousands)	Budget FY25 (in thousands)	Budget Growth Percentage (FY21 - FY25)	Major NR Investments Since FY21 (in thousands)	Major NR Investments Since FY21
District Attorneys (All) (251-263, 265) (cont'd)	\$83,364.90	\$94,382.50	13.22%	\$ 5,442.6	
				\$ 100.0	(FY21) (1st Judicial DA) To purchase office furniture and telephones.
				\$ 360.0	(FY24) (1st Judicial DA) For prosecution expenses.
				\$ 982.6	(FY25) (2nd Judicial DA) For a prior-year shortfall in personal services and employee benefits.
				\$ 4,000.0	(FY25) (2nd Judicial DA) For personal services and employee benefits to fully staff the office.

Agency	Budget FY21 (in thousands)	Budget FY25 (in thousands)	Budget Growth (FY21-FY25)	Major NR Investments Since FY21 (in thousands)	Major NR Investments Since FY21
Administrative Office of the District Attorneys (264)	\$2,699	\$3,537	31.1%	\$ 4,939.0	
				\$ 2,564.0	(FY23) (C2) Enterprise Comprehensive Case Management System Project
				\$ 250.0	(FY24) To the district attorney fund
				\$ 2,000.0	(FY24) Workforce Capacity Building Fund
				\$ 125.0	(FY25) To the district attorney fund.
Law Office of the Public Defender (280)	\$56,758	\$77,155	35.9%	\$ 6,789.7	
				\$ 49.7	(FY21) To purchase legal software for discovery research.
				\$ 160.0	(FY21) To purchase vehicles.
				\$ 500.0	(FY21) For contract defense attorneys and expert litigation services.

Agency	Budget FY21 (in thousands)	Budget FY25 (in thousands)	Budget Growth (FY21-FY25)	Major NR Investments Since FY21 (in thousands)	Major NR Investments Since FY21
Law Office of the Public Defender (280) (cont'd)	\$56,758	\$77,155	35.94%	\$ 6,789.7	
				\$ 550.0	(FY22) For litigation related to personnel matters
				\$ 1,070.0	(FY22) (C2) Document Management System
				\$ 2,350.0	(FY23) (C2) Scanning and Survivable Storage Project
				\$ 2,000.0	(FY24) PD Attorney recruitment and retention
				\$ 110.0	(FY25) For rural staffing and discovery technology
New Mexico Sentencing Commission (354)	\$1,240	\$1,566	26.25%	\$ 6,050.0	
				\$ 50.0	(FY22) To update reports on pretrial detention in the second judicial district court
				\$ 2,000.0	(FY23) Expand crime reduction grant program
				\$ 4,000.0	(FY24) Crime Reduction Grant Act
Healthcare Authority (630) - Behavioral Health Services (BHSD)	\$73,388	\$98,020	33.56%	\$ 31,445.7	
				\$ 20,000.0	(FY23) To develop providers, including startup costs, to implement evidence-based behavioral health services and evidence-based community child welfare services that will be eligible for medicaid or federal Title IV-E of the Social Security Act families first reimbursement. The human services department shall also work with the children, youth and families department to develop evidence-based children's behavioral health and evidence-based community child welfare services that are eligible for medicaid funding or federal Title IV-E of the Social Security Act families first reimbursement.
				\$ 2,325.0	(FY23) To facilitate the planning and implementation of the 988 crisis now behavioral health crisis response system.
				\$ 1,428.2	(FY24) 988 Mobile Crisis
				\$ 2,500.0	(FY24) Reentry Medicaid pilot
				\$ 5,192.5	(FY25) For costs associated with operating the New Mexico 988 crisis and access line

Agency	Budget FY21 (in thousands)	Budget FY25 (in thousands)	Budget Growth (FY21-FY25)	Major NR Investments Since FY21 (in thousands)	Major NR Investments Since FY21
Department of Health (665)	\$565,716	\$542,179	-4.16%	\$ 4,750.0	
				\$ 750.0	(FY21) To provide naloxone for local law enforcement agencies.
				\$ 4,000.0	(FY24) For mobile homelessness response
Children, Youth and Families Department (690) - Juvenile Justice	\$71,742	\$82,322	14.75%	\$ 59,480.5	
				\$ 1,000.0	(FY21) For new behavioral health programs.
				\$ 54,980.5	(FY22) (C2) Comprehensive Child Welfare Information System (CCWIS) Modernization System
				\$ 500.0	(FY23) For domestic violence treatment programs statewide programs
				\$ 3,000.0	(FY24) To support the CYFD workforce development plan, including secondary trauma self-care support, training and professional development support, local recruitment campaigns, recruitment incentives for licensed social work graduates in New Mexico and other states to work for protective services, caseload improvement cross-training, evidence-based core competency model development, mentorship program development and leadership development
Corrections Department (770)	\$363,661	\$368,869	1.43%	\$ 21,073.0	
				\$ 3,000.0	(FY21) For hepatitis c treatment and planning. The corrections department shall report to the legislative finance committee and the department of finance and administration quarterly on the number of inmates infected with and treated for hepatitis c, the rate of treatment success, expenditures from all funding sources for hepatitis c drugs and other treatment costs and anticipated future hepatitis c treatment needs. The corrections department shall coordinate with the human services department to prioritize Medicaid-funded treatment for individuals incarcerated in county jails likely to enter the prison system.

Policy Spotlight: Felony Arrests and Outcomes

Agency	Budget FY21 (in thousands)	Budget FY25 (in thousands)	Budget Growth (FY21-FY25)	Major NR Investments Since FY21 (in thousands)	Major NR Investments Since FY21
Corrections Department (770)	\$363,661	\$368,869	1.43%	\$ 21,073.0	
				\$ 300.0	(FY21) To pilot and study re-entry programming, including employment counseling, housing assistance and case management, with a randomized control trial in at least two counties. The corrections department shall report to the legislative finance committee and the department of finance and administration by October 1, 2020 on the proposed design of the study, and by October 1, 2022 on the results of the study including the impact of programming on one-year recidivism rates among study participants.
				\$ 500.0	(FY22) (C2) Electronic Health Records System Implementation
				\$ 8,663.0	(FY23) (C2) Electronic Health Records Project
				\$ 7,000.0	(FY24) To continue hepatitis c treatment and planning. The corrections department shall report to the legislative finance committee and the department of finance and administration quarterly on the number of inmates infected with and treated for hepatitis c, the rate of treatment success, expenditures from all funding sources for hepatitis c drugs and other treatment costs and anticipated future hepatitis c treatment needs. The corrections department shall coordinate with the human services department to prioritize medicaid-funded treatment for individuals incarcerated in county jails likely to enter the prison system. The other state funds appropriation is from the penitentiary income fund. Any unexpended balances from this appropriation remaining at the end of fiscal year 2024 shall not revert and may be expended through fiscal year 2026.
				\$ 1,000.0	(FY24) To convert paper offender files to electronic records
				\$ 360.0	(FY25) To improve broadband efficiency and reliability of current services agencywide.
				\$ 250.0	(FY25) For women's menstrual products.

Agency	Budget FY21 (in thousands)	Budget FY25 (in thousands)	Budget Growth (FY21-FY25)	Major NR Investments Since FY21 (in thousands)	Major NR Investments Since FY21
Crime Victim Reparations Committee (CVRC) (780)	\$25,248	\$28,523	12.97%	\$ 8,500.0	
				\$ 1,000.0	(FY23) Increase funding for sexual assault programs and other victim services
				\$ 500.0	(FY23) to fund law enforcement-based advocates for victims of gun violence and violent crime statewide
				\$ 4,000.0	(FY25) PARTIAL VETO For law enforcement-based advocates for victims of homicide and other violent crimes.
				\$ 1,000.0	(FY25) For sexual assault victims.
				\$ 2,000.0	(FY25) To supplement federal grants under the federal Victims of Crime Act.
Department of Public Safety (DPS) (790)	\$158,168	\$221,083	39.78%	\$ 48,625.6	
				\$ 250.0	(FY21) For computer-aided dispatch information technology hardware.
				\$ 350.0	(FY21) For a data-sharing project with the administrative office of the courts.
				\$ 2,500.0	(FY22) To purchase and equip law enforcement vehicles
				\$ 892.8	(FY23) For advanced training initiatives for commissioned New Mexico state police officers.
				\$ 400.0	(FY23) To purchase license plate readers and mobile units for the New Mexico state police
				\$ 562.5	(FY23) In-car and body cameras
				\$ 250.0	(FY23) To conduct a police officer job task analysis for the New Mexico law enforcement academy board.
				\$ 9,000.0	(FY23) To purchase and equip law enforcement vehicles
				\$ 168.5	(FY23) To purchase drones and laser mapping systems for crimes scene and crash scene mapping for the New Mexico state police
				\$ 1,800.0	(FY23) (C2) Criminal Justice Information Services (CJIS) Business Continuity to configure the Las Cruces data center as a backup site to enhance business continuity.
				\$ 5,585.0	(FY23) (C2) Intelligence Led Policing and Public Safety Project)

Policy Spotlight: Felony Arrests and Outcomes

Agency	Budget FY21 (in thousands)	Budget FY25 (in thousands)	Budget Growth (FY21-FY25)	Major NR Investments Since FY21 (in thousands)	Major NR Investments Since FY21
Department of Public Safety (DPS) (790) (cont'd)	\$158,168	\$221,083	39.78%	\$ 48,625.6	
				\$ 500.0	(FY24) To conduct a police officer job task analysis for the New Mexico law enforcement academy board or other primary entity responsible for police officer training.
				\$ 20,005.0	(FY24) (C2) Criminal Justice Information System and Intelligence Led Policing Project
				\$ 1,461.8	(FY24) To purchase equipment for the New Mexico state police, including ballistic shields and plates, tasers and ammunition
				\$ 250.0	(FY24) To purchase a machine to assist with violent gun crime investigations.
				\$ 150.0	(FY24) To purchase and replace crime scene investigation equipment.
				\$ 4,000.0	(FY24) For the peace officers' New Mexico mounted patrol members' and reserve police officers' survivors fund.
				\$ 500.0	(FY24) For the honor guard equipment distribution program.
Homeland Security and Emergency Management (795)	\$108,008	\$138,951	28.65%	\$ 7,468.6	
				\$ 1,000.0	(FY21) For border security.
				\$ 500.0	(FY21) For information technology hardware and software.
				\$ 68.6	(FY21) For office furniture.
				\$ 950.0	(FY21) To purchase vehicles.
				\$ 4,000.0	(FY24) For the firefighters' survivors fund.
				\$ 300.0	(FY24) For operations including grants management.
				\$ 550.0	(FY24) For non-disaster grant matching to support operations and federal projects.
				\$ 100.0	(FY25) For the state fire marshal's office to conduct a feasibility study to assess the practicality, cost-benefit and site selection process for a satellite fire training academy.

Agency	Budget FY21 (in thousands)	Budget FY25 (in thousands)	Budget Growth (FY21-FY25)	Major NR Investments Since FY21 (in thousands)	Major NR Investments Since FY21
Department of Finance and Administration (341)				\$ 213,400.0	
				\$ 67,000.0	<p>(FY23) For evidence-based criminal justice reform efforts and police recruitment and retention stipends. The department of finance and administration shall transfer nine million dollars (\$9,000,000) to the department of health to establish criteria for distribution of grants supporting violence intervention programs statewide, awarding no more than three million dollars (\$3,000,000) per year through fiscal year 2025. The department of finance and administration shall transfer four million dollars (\$4,000,000) to the administrative office of the courts to establish criteria for the distribution of grants supporting pretrial services statewide, awarding no more than one million three hundred forty thousand dollars (\$1,340,000) per year through fiscal year 2025. The four million dollars (\$4,000,000) for pretrial services includes sufficient funding for the administrative office of the courts to provide monitoring twenty-four hours per day, seven days per week. The department of finance and administration shall establish criteria for distribution of four million dollars (\$4,000,000) to law enforcement agencies to support community-oriented policing or other evidence-based forms of police training, awarding no more than one million three hundred forty thousand dollars (\$1,340,000) per year through fiscal year 2025. The appropriation to the department of finance and administration includes fifty million dollars (\$50,000,000) to distribute to local law enforcement agencies that use or intend to use community-oriented policing for officer recruitment or retention stipends, with no more than ten million dollars (\$10,000,000) distributed per fiscal year through fiscal year 2027. The appropriation is from the general fund and not the appropriation contingency fund.</p>
				\$ 5,000.0	<p>(FY23) For local law enforcement police officer retention stipends. The appropriation is contingent on enactment of House Bill 86 or similar legislation of the second session of the fifty-fifth legislature creating the law enforcement retention fund.</p>

Agency	Budget FY21 (in thousands)	Budget FY25 (in thousands)	Budget Growth (FY21-FY25)	Major NR Investments Since FY21 (in thousands)	Major NR Investments Since FY21
Department of Finance and Administration (341)				\$ 213,400.0	
				\$ 100,000.0	<p>(FY24) For law enforcement programs. The general fund appropriation includes thirty-two million five hundred thousand dollars (\$32,500,000) for the law enforcement workforce capacity building fund through fiscal year 2028, contingent on enactment of House Bill 357 or similar legislation of the first session of the fifty-sixth legislature creating the fund. The general fund appropriation also includes fifty-seven million dollars (\$57,000,000) for state and local law enforcement agencies for commissioned law enforcement officers and civilian personnel whose positions directly support commissioned law enforcement officers and crime reduction efforts, ten million dollars (\$10,000,000) for felony warrant enforcement statewide and five hundred thousand dollars (\$500,000) for the department of public safety for enforcement projects related to fentanyl, heroin and illegal cannabis through fiscal year 2026. The other state funds appropriation is from the law enforcement workforce capacity building fund to carry out the purposes of the fund through fiscal year 2024, contingent on enactment of House Bill 357 or similar legislation of the first session of the fifty-sixth legislature. Any distributions from these appropriations shall only be made to law enforcement agencies in compliance with statutory reporting requirements. Any unexpended balances from the general fund appropriations remaining at the end of the specified fiscal years shall revert to the general fund.</p>
				\$ 8,200.0	(FY24) To the law enforcement protection fund.
				\$ 25,000.0	(FY25) For statewide and local law enforcement, correctional and detention agencies for recruitment grants for law enforcement, probation, correctional and detention officers. Local law enforcement agencies shall submit monthly crime incident and ballistic information to the department of public safety as prescribed by the secretary of the department of public safety.
				\$ 8,200.0	(FY25) To the law enforcement retention fund.

Appendix C. Supplemental Charts and Figures

Degrees of New Mexico Felonies

Capital Felony: The only capital felony is first-degree murder. Carries a basic sentence of up to life in prison.

First Degree Felony: Includes murder, kidnapping, armed robbery, rape, and human trafficking. The standard sentence is up to 18 years in prison.

Second Degree Felony: Includes public shootings, child pornography, robbery, arson, drug trafficking, and embezzlement. Carries a standard sentence of up to nine years in prison.

Third Degree Felony: These include aggravated battery, domestic violence, stalking, sexual crimes, and voluntary manslaughter. Carries a standard sentence of up to three years in prison.

Fourth Degree Felony: Includes crimes such as property damage, larceny over \$500 but less than \$2,500, burglaries, involuntary manslaughter, aggravated assault, identity theft, and possession of a controlled substance. Carries a standard sentence of up to 18 months in prison.

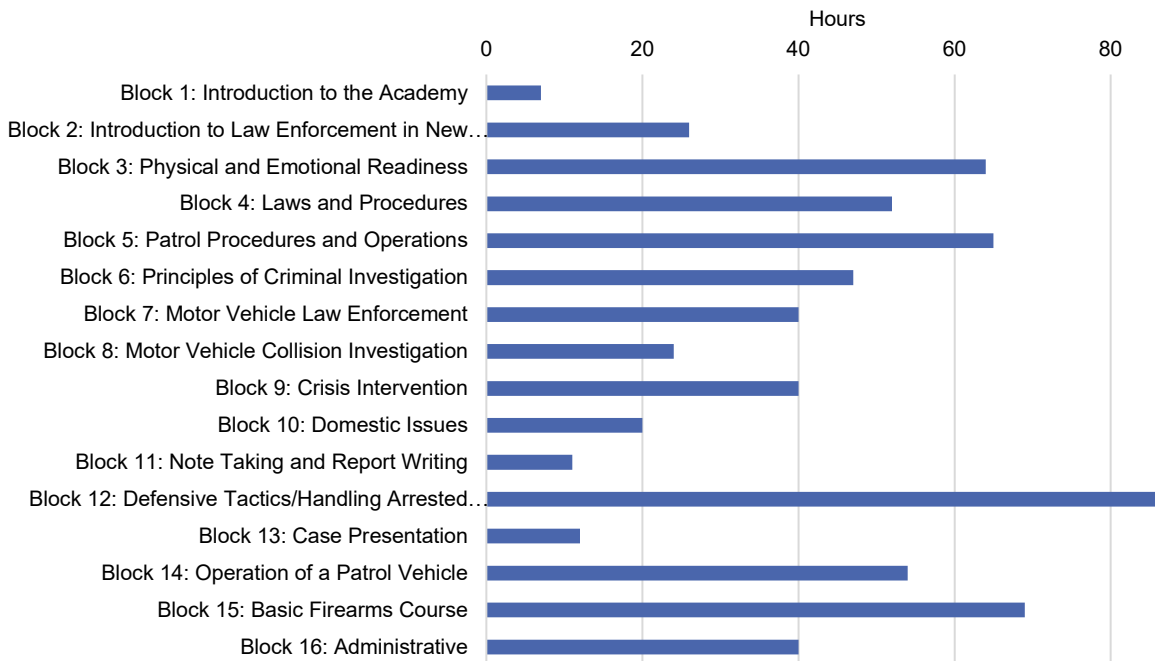
New Mexico Cities with the Highest Crime Rates

Rate per 1,000 Residents, 2024

City	Population	Overall Crime Rate	Violent Crime Rate	Property Crime Rate
Gallup	20,019	137	15	39
Taos	6,406	131	9	61
Belen	7,508	129	12	43
Albuquerque	558,745	118	12	48
Santa Fe	89,652	118	8	53
Las Cruces	115,977	118	7	50
Roswell	46,677	107	9	25
Hobbs	38,972	106	8	40
Farmington	46,150	97	9	25
Alamogordo	31,401	86	3	29

*Note: Not all jurisdictions report data to NIBRS.

New Mexico Law Enforcement Basic Training Curriculum



Source: DPS

15 Most Common Charges Associated with Felony Cases in New Mexico, FY25

Charge Description	% of Felony Cases with Charge	Count of Felony Cases with Charge
Possession of a Controlled Substance (Felony)	17.80%	4870
Possession of a Controlled Substance - Felony	14.70%	4022
Possession of Drug Paraphernalia (PA)	9.60%	2634
Aggravated Assault (Deadly Weapon)	7.10%	1955
Battery (household member)	6.10%	1657
Abuse of a Child (Does Not Result in Death or Great Bodily Harm)	4.90%	1347
Battery upon a Peace Officer	4.70%	1290
Criminal Damage to Property (Over \$1000)	4.50%	1226
Resisting, Evading or Obstructing an Officer (Arrest)	4.40%	1207
False Imprisonment	4.30%	1182
Aggravated Fleeing a Law Enforcement Officer (No Injury or Great Bodily Harm)	3.70%	1026
Tampering with Evidence (Highest Crime a Third, Fourth or Indeterminate Degree Felony)	3.70%	1015
Aggravated Battery Against a Household Member (Strangulation or Suffocation)	3.30%	911
Resisting, Evading or Obstructing an Officer	3.30%	901
Resisting, Evading or Obstructing an Officer (Resisting)	3.20%	889

*Note: Cases can contain multiple charges; charge descriptions are pulled directly from AOC data, which includes many identical charges entered with slightly different names.

Source: LFC analysis of AOC data

Case Management Order Milestones and Deadlines

Arraignment	Within 15 days of indictment/bind-over/(or arrest for informations); 7 days if in custody
Track Assignment	Within 30 days of arraignment, court assigns Track 1 / 2 / 3 and issues a scheduling order
Time-to-trial (from arraignment)	Track 1 - 210 days Track 2 - 300 days Track 3 - 455 days
Witness interviews	Deadlines scale by track (60 / 75 / 100 days before trial for Tracks 1 / 2 / 3)

*Note: Deadlines vary slightly across CMOs

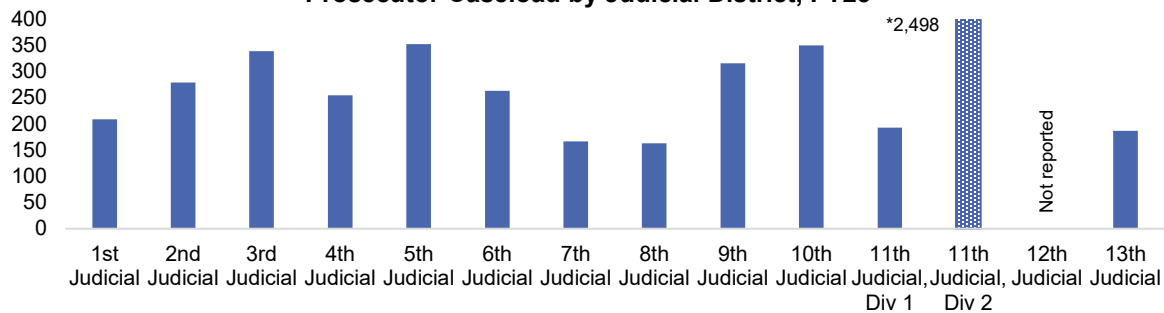
Source: NMRA LR2-308, LR3-303, LR8-301

**Percentage of Cases with Named Charges Dismissed by Prosecutor
FY21 to FY25**

Out of State Fugitive	65%
Aggravated Battery (household member)	65%
Aggravated Assault Against a Household Member	62%
Battery (household member)	62%
Aggravated Battery Against a Household Member (Strangulation or Suffocation)	62%
Assault Against a Household Member	61%
Deprivation of the Property of a Household Member	61%
Criminal Damage to the Property of a Household Member (Over \$1,000)	59%
False Imprisonment	59%
Interference with Communications	58%
Aggravated Battery (deadly weapon) (household member)	57%
Embezzlement of a Motor Vehicle (1st Offense)	56%
Criminal Damage to the Property of a Household Member (Under \$1,000)	56%
Aggravated Assault (deadly weapon) (household member)	56%

Source: LFC analysis of AOC data

Prosecutor Caseload by Judicial District, FY25



Source: AODA

Public Attorney Fund Grant Rules
(Section 9-6-18 NMSA 1978)

A grantee may use a grant award to:

- Provide a recruitment differential disbursement to newly hired attorneys, including a recruitment differential disbursement for relocation expenses; provided that the attorney remains employed as an attorney with that same agency for one additional year;
- Provide a retention differential disbursement to attorneys already employed by the applicant; provided that the attorney remains employed as an attorney with that same agency for one additional year;
- Implement professional development initiatives designed to recruit, train and retain attorneys; and
- Implement campaigns to recruit in-state and out-of-state candidates.

A grantee shall not use a grant:

- For recurring initiatives, except the grantee may use a grant for a recurring initiative if the grantee has provided a plan to replace nonrecurring funds with recurring funds to fund that initiative;
- To create new attorney positions or fund the base salary of existing attorney positions; or
- To contract with private attorneys for prosecution or defense services, except if the initiative is focused on increasing the number or capacity of private attorneys available to provide prosecution or defense services in a county or judicial district.

Council of State Governments Prosecution Performance Metrics

Categories						
	Capacity and Costs	Population Movements	Operation and Dynamics	Public Safety	Demographics	Fairness
Tier 1	Funding, Expenses, Staff, Caseload	Cases: referred, declined, diverted/deferred, prosecuted	Cases Disposed		Cases declined; Cases diverted/deferred; Cases prosecuted	Violations filed resulting in discipline
Tier 2	Staff by: race and ethnicity, gender, age, tenure, attrition, salaries; Victim advocate caseload	Sentence recommendations; Cases with probable cause finding	Pretrial release recommendations accepted by court; Diversion program offered; Diversion program completions; Convictions; Acquittals; Cases disposed with reduced charges	New case for person with previous convictions; Non-fatal shooting cases referred; Homicide filing rate	Diversion program offered; Diversion program completions; Cases disposed with reduced charges; Non-fatal shooting cases referred	Restitution orders requested; cases reversed due to prosecutorial misconduct

Reentry begins upon intake: NMCD’s use of the COMPAS

The New Mexico Corrections Department (NMCD) uses the COMPAS assessment, a statistically based tool developed by the Northpointe Institute, to evaluate risks and needs related to recidivism, violence, failure to appear, and community supervision. COMPAS draws on 22 empirically validated scales covering criminal history, relationships, personality, family, and social stability, and incorporates both self-assessment and interviewer input. It produces actuarial risk scores for general and violent recidivism and includes needs assessments to guide case planning in areas such as education, employment, substance use, and housing stability. NMCD policy requires COMPAS to be administered within four weeks of intake and updated every six months to inform programming and treatment recommendations. However, a 2018 LFC evaluation found that program assignments often depend more on security-level restrictions, statutory requirements such as mandatory literacy programs, and sentencing mandates like DWI courses, which are not evidence-based, than on COMPAS results. The 2024 evaluation found evidence of more consistent application of the assessment but could not quantify those efforts. That evaluation recommended completing the transition to a new offender management system, which should enable systematic tracking of COMPAS use and make future analytics and evaluation feasible.

Agencies Not Reporting Fingerprint Data to DPS in 2025

Location	City	County	Date
019 Espanola Police Department	Espanola	Espanola	3/26/2017
039 Northeastern NM Correctional Facility	Clayton	Union	8/24/2017
022 Ramah Detention Center	Ramah	McKinley	7/5/2018
711 Las Cruces PD East Mesa	Las Cruces	Dona Ana	7/18/2018
052 PD Navajo Crownpoint District (Not DPS-	Crownpoint	McKinley	10/3/2019
053 PD Navajo Shiprock District (Not DPS-	Shiprock	San Juan	3/17/2020
035 San Miguel County Detention Center	Las Vegas	San Miguel	8/17/2020
054 Laguna Pueblo PD	Laguna	Laguna	10/30/2020
018 Taos County Detention Center	Taos	Taos	9/23/2021
041 Clayton Police Department	Clayton	Union	10/1/2021
710 Las Cruces PD (Not DPS-Owned)	Las Cruces	Dona Ana	12/2/2021
001 Socorro County Detention Center	Socorro	Socorro	7/21/2022
501 Hobbs PD	Hobbs	Hobbs	7/21/2022
009 Chaves County Detention Center	Roswell	Chaves	11/23/2022
042 Santa Rosa Police Department	Santa Rosa	Guadalupe	2/10/2023
043 Eunice Police Department	Eunice	Eddy	5/3/2023
058 McKinley County Sheriffs Office	Gallup	McKinley	9/28/2023
045 Artesia Police Department	Artesia	Eddy	3/12/2024
057 Curry County Sheriffs Office	Clovis	Curry	5/13/2024
026 Roswell Police Department	Roswell	Chaves	10/4/2024
601 Albuquerque PD (Not DPS-Owned)	Albuquerque	Bernalillo	10/16/2024
056 Valencia County Sheriffs Office	Los Lunas	Valencia	12/4/2024
031 Lea County Sheriffsj Office	Lovington	Eddy	12/11/2024

Source: DPS