

New Mexico Administrative Office of the Courts



Pretrial Justice Program July 25, 2022

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New Mexico AOC Pretrial Justice Program

Mission Statement:

Foster and enhance
pretrial justice throughout
New Mexico

Vision:

Continue to be a
national leader in Pretrial
Justice



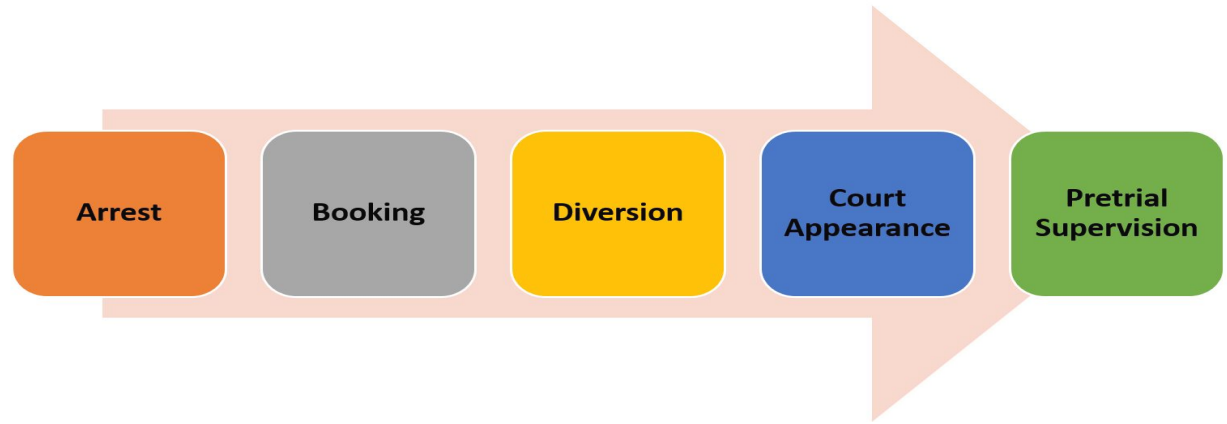
Pretrial Justice Guiding Principles

“In our society, liberty is the norm and detention prior to trial or without trial is the carefully limited exception.” U.S. v. Salerno

- Presumption of innocence
- Use of least restrictive conditions to reasonably ensure court appearance and public safety
- Preventative detention only when no conditions can be applied to reasonably protect public safety

Pretrial Justice is a system, not a program or a tool

Pretrial Systems utilize legal and evidence-based practices to promote return to court and public safety



- **Least restrictive**
- **Practices shown to work**
- **Risk principle**



The Goals of Pretrial System: “The 3 M’s”



Goal:



**Maximize
Court
Appearance**




**Maximize
Public
Safety**



**Maximize
Release**


Roles of Pretrial Services Agencies

- Help courts make informed bail decisions
- Promote release, maximize court appearance, maximize public safety, and increase successful outcomes
- Measure pretrial justice outcomes to ensure legal and evidence-based practices are implemented and followed



Provide information to the Court to assist judicial officers with the pretrial release decision

Provide supervision and services ordered by the court

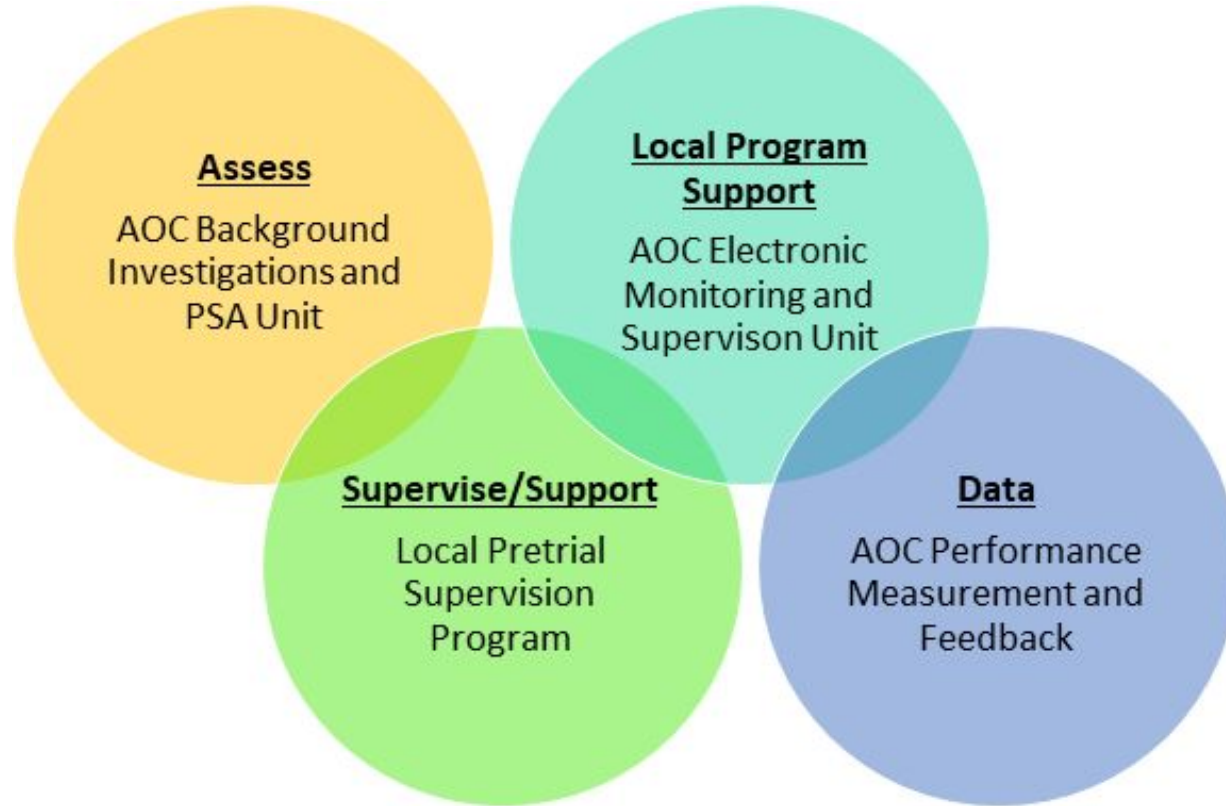


Pretrial Investigation and Risk Assessment

Pretrial Release Recommendation (terms & conditions)

Supervision/Support

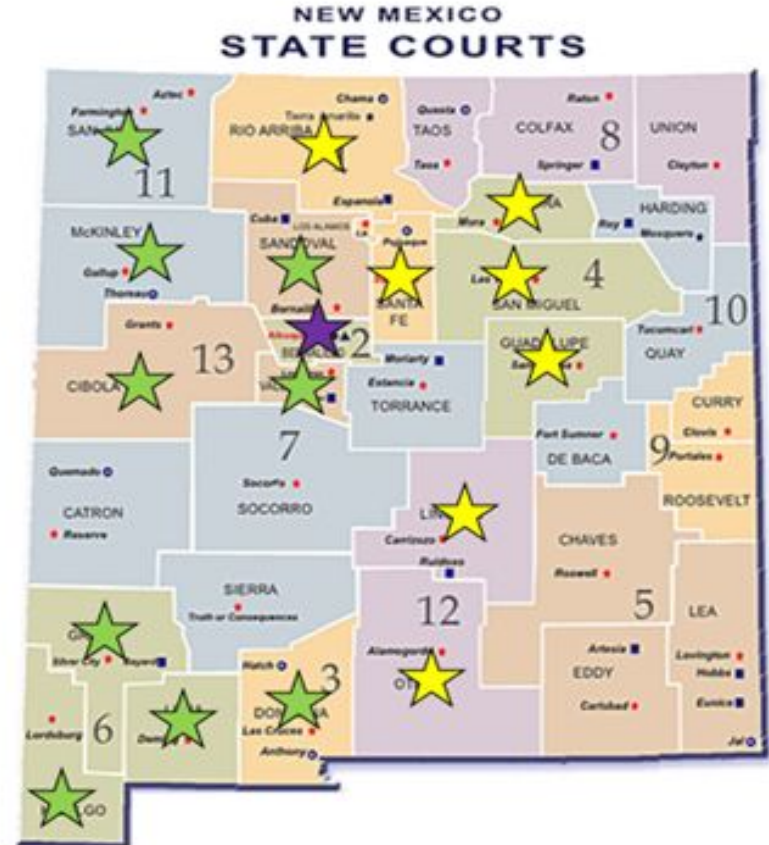
AOC New Mexico Pretrial Justice Program Infrastructure



Statewide Implementation Status

- ★ FY21 and FY22 Sites
- ★ FY23 Sites
- ★ Non-AOC Pretrial Program

Full state implementation to be completed by end of FY25



Background Investigations and PSA (BI/PSA) Unit

20 employees

Current Sites:
3rd, 6th, 11th and 13th

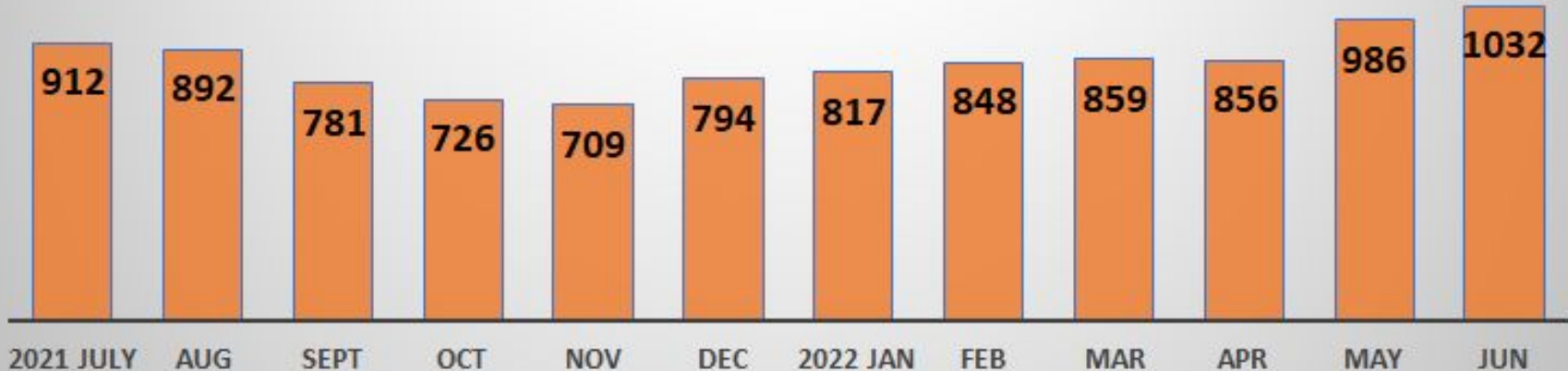
FY23 Expansion Sites:
1st, 4th and 12th



What are the Numbers?

Public Safety Assessments (PSA) and Background Investigations Reports (BIR) completed by AOC BI/PSA Unit and provided to the courts in FY22: **10,212**

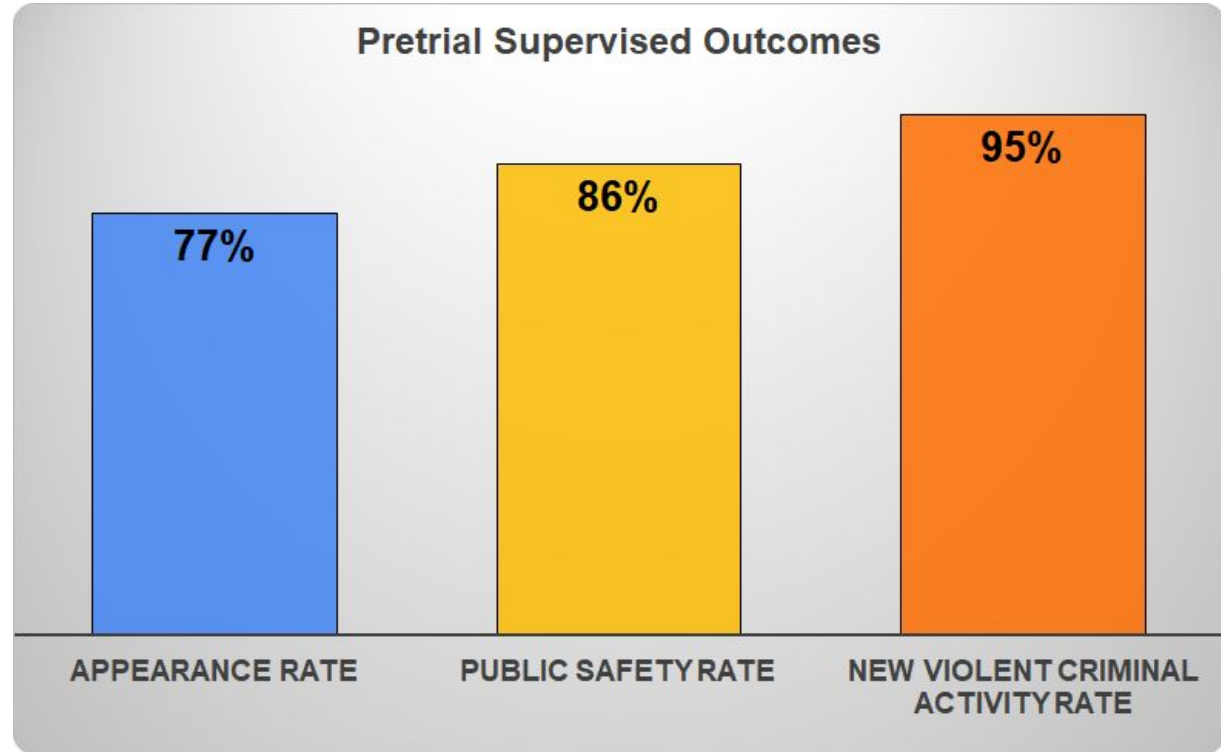
Public Safety Assessments Completed
AOC Background Investigations and PSAs
FY22-(10,212)



Pretrial Supervised Outcomes

(Current AOC Pretrial Sites Only)

- ❑ **3595** cases under pretrial supervision closed between October 1, 2021 and June 30, 2022
- ❑ **2786 (77%)** of defendants **appeared for all court hearings** while under supervision
- ❑ **3085 (86%)** of defendants were **not charged with a new crime** while under supervision
- ❑ **3403 (95%)** of defendants were **not charged with a new violent crime** while under supervision



Pretrial Supervision - We Measure Risk to Manage Risk

Effective Pretrial Supervision includes legal and evidence-based practices shown to promote success (maximizing court appearance, minimizing continued criminal activity, and maximizing public safety) :

- Matching supervision levels to likelihood of a person's pretrial success - individualized approach
- Court date reminders
- Contact with defendants
- GPS for some defendants - tool used to monitor other conditions
- Prompt notice of non-compliance to the court and parties
- Responding to compliance and non-compliance
- Remembering pretrial is not probation
- “Less is more” approach, produces higher rates of success

Supervision Numbers:

- **In FY22, 4101 defendants were actively supervised by a local AOC Pretrial Services Program.**
- **On July 21, 2022 there were 1162 defendants actively reporting to a local AOC Pretrial Services Program that day.**
- **In FY22, 3426 Intakes were completed by a local AOC Pretrial Services Program.**

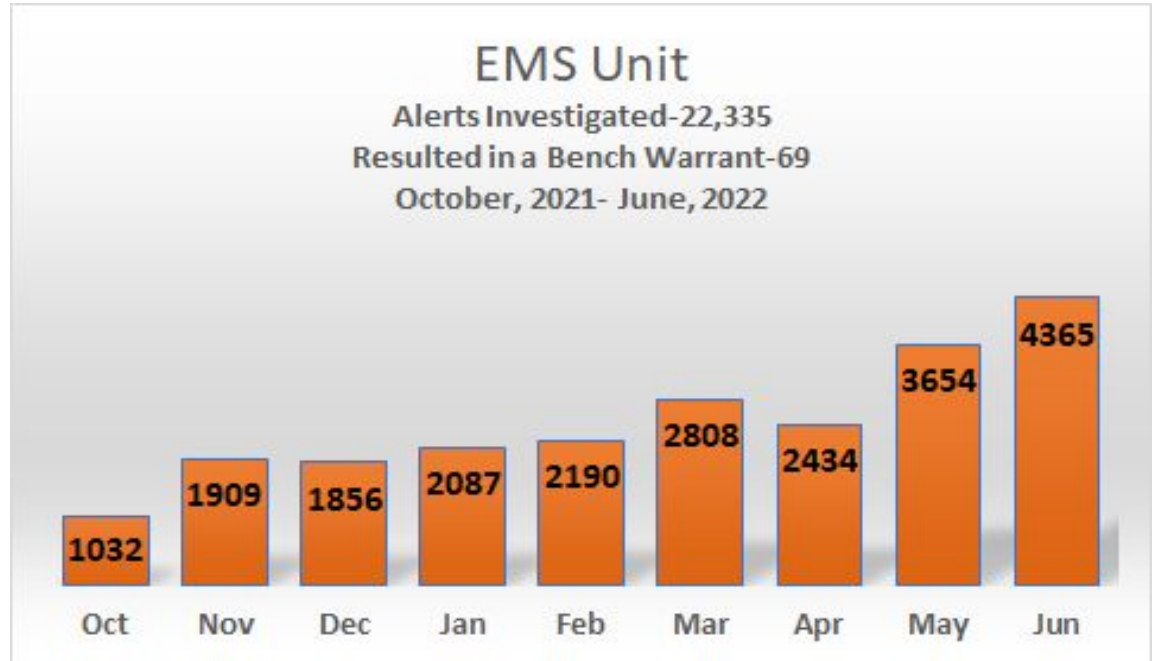
Electronic Monitoring & Supervision (EMS) Unit Data

Operates 7 days a week when courts are closed, including weekends and holidays

15 positions

Current Sites:
2nd, 3rd and 13th

FY23 Expansion Sites:
11th, 1st and 6th



Bench Warrants Issued by Violation Type:

- 44-Dead Battery
- 14-Equipment Removal
- 5-Exclusion Zone Violations
- 5-Curfew Violations
- 1-Geographic Region Violation

Pretrial System Measurement

New Mexico
DataXchange



NM DataXchange Benefits:

- **Real time performance measures and outcomes**
- AOC Pretrial Justice Program can filter data and create reports
- The platform is active and expanding to multiple criminal justice stakeholders
- The platform **allows for integration** of criminal justice data from multiple sources (Courts, jails, law enforcement, etc...)
- Follows national best practice for high functioning systems
- Ability to **measure pretrial system** as a whole, not just court data (ex. cite and release practices, pretrial detention length of stay)

AOC Pretrial Justice Program: Management Team

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