



Twelfth Judicial
District Attorney's
Office

FY 2020 Budget Request
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Budget Requests

- Requesting a total FY 2020 General Fund Allocation of **\$4,104,200**
- Current successes are **not** sustainable at current funding level.
- The Twelfth Judicial DA's Office is **at risk** of losing cases through the cracks if the Legislature does not adequately fund the office. Without an effective DA's Office, Otero and Lincoln Counties will experience a rise in crime similar to what Albuquerque suffered from in the last five years.

Expansion requests:

- **Recruitment and Retention Funds:** Recruiting and retaining employees with professional degrees (lawyers, doctors, psychologists, etc.) to work in rural New Mexico is always difficult. To remain competitive, employers must pay professionals more in rural New Mexico than the professional would otherwise make in an urban community.
 - Currently, the Twelfth Judicial DA's Office is having difficulty recruiting and retaining attorneys in both offices. 5 of the 11 attorneys currently working for the office commute from Las Cruces every day. We have been unable to fill vacancies in our Carrizozo Office for over six months.
 - In order to retain attorneys, our office has had to raise the salaries of several of our employees. To accommodate this adjustment, we have had to leave positions vacant to not overspend our budget.

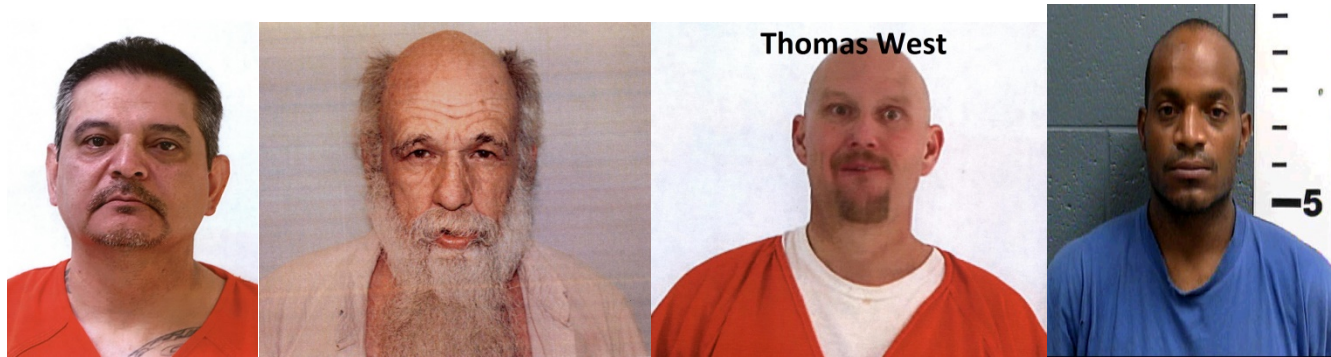


Carrizozo, New Mexico:

Population of approx. 900 people. County seat of Lincoln County, home to 21,000 people. 45 miles away from Ruidoso where the overwhelming majority of the population lives.



- **LOST HIDTA Funds:** We are seeking to convert two temporary H.I.D.T.A. positions into permanent positions funded through the general fund. This request is being made for the third time. The Twelfth Judicial DA's Office lost \$124,500 in federal H.I.D.T.A. grant funds in FY 2017 when the Otero County Sheriff's Office (OCSO) withdrew from the H.I.D.T.A. task force. When OCSO withdrew from H.I.D.T.A., the task force was disbanded resulting in a significant decrease in the number of "H.I.D.T.A.-generated" cases prosecuted by our office resulting in the loss of funding. Our office continues to prosecute the same number of drugs cases, if not more, as we did when OCSO was part of H.I.D.T.A., but we no longer receive the funding and have been forced to leave those two positions vacant resulting in higher caseloads.



Targeting Drug Dealers

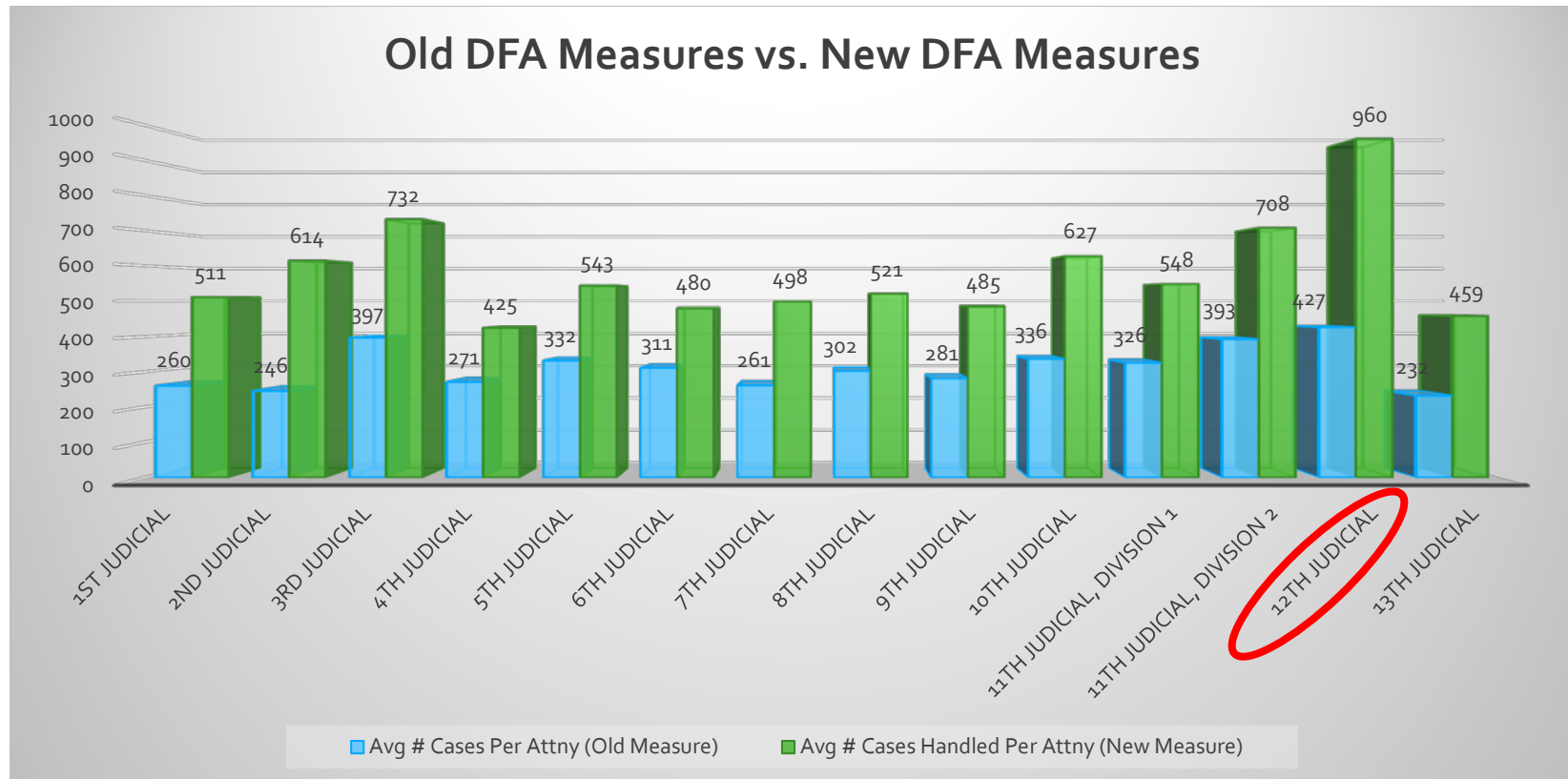
Pedro Ybarra (far left): Sentenced to 19 years in prison for trafficking 6 ounces of cocaine. Ybarra is a member of the Barrio Azteca gang and has a prior murder conviction and prior attempted murder conviction out of Texas.

Wade Willis (left-center): Willis, age 65, was convicted at trial of trafficking one pound of methamphetamine. He faces up to 10 years in prison.

Thomas West (right-center): Serving 43 years in prison for trafficking and conspiracy convictions. Based on his extensive criminal history dating back to 1995, West was sentenced as a habitual offender.

James Manning (far right): Convicted in two separate trials of trafficking methamphetamine, Manning is serving 38 years in prison. His history includes multiple felony convictions going back to the late 1990s.

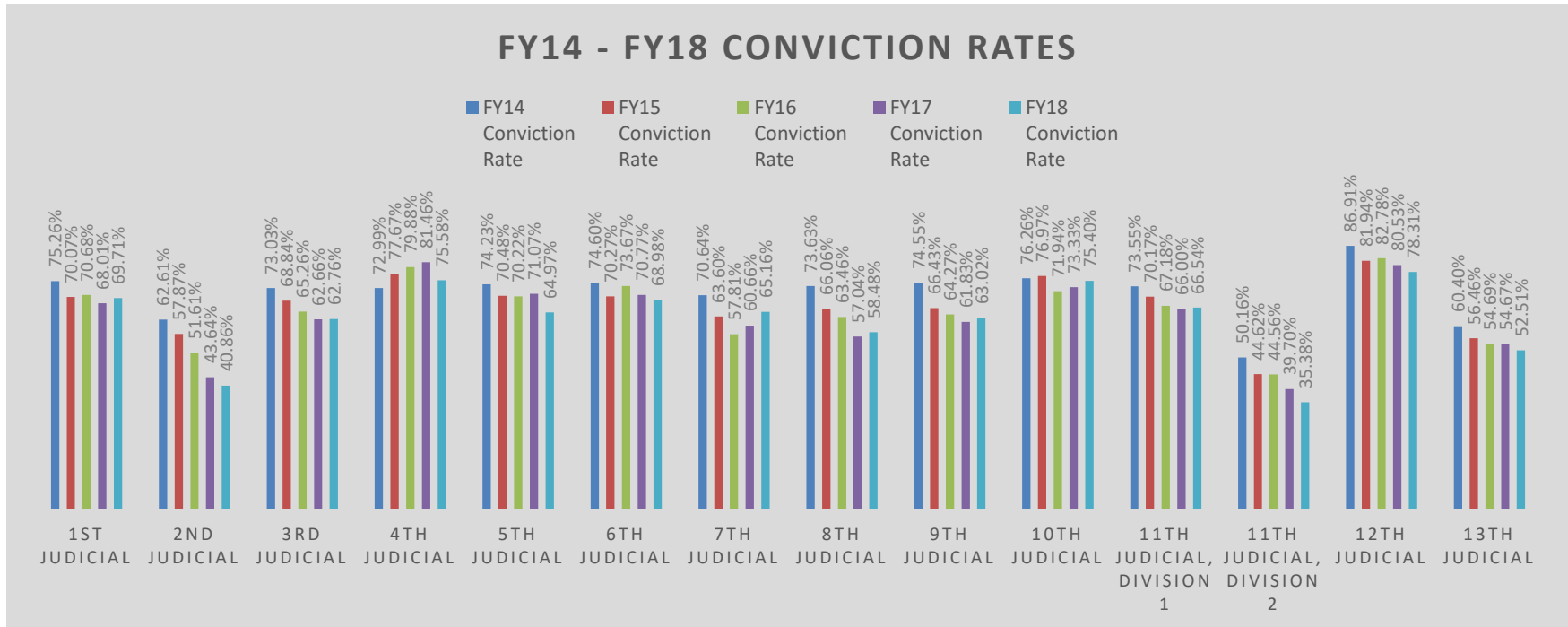
Average Number of Cases Handled per Attorney



Source: Administrative Office of District Attorneys, *Data Analysis: Possible Impacts on Performance Measures*, presented at the New Mexico District Attorneys' Association August 14, 2018 meeting.

The Twelfth Judicial District Attorney's Office handles more cases per attorney than any other office in the State.

Conviction rates for FY 14- FY 18



Source: Administrative Office of District Attorneys, *Data Analysis: Possible Impacts on Performance Measures*, presented at the New Mexico District Attorneys’ Association August 14, 2018 meeting.

In general, the Twelfth Judicial District Attorney’s Office is against using conviction rates as a performance measure due to the ethical and professional responsibilities that prosecutors maintain.¹ However, this graph is being provided to show that despite handling the heaviest caseloads in the State, our office has also consistently maintained the highest conviction rate in the State.

¹ Heild, Colleen, “Otero DA Dismisses 35 felony cases,” Albuquerque Journal, <https://www.abqjournal.com/1209025/otero-da-dismisses-35-felony-cases.html>

Jury Trial Data

Judicial District	# of Trials to Verdict	Conviction at Trial	Conviction Rate at Trial	FY 18 Budget	Budget/# of trials to verdict
1st	33	25	75.8%	5245.4	159.0
2nd	102	67	65.7%	18955.3	185.8
3rd	45	30	66.7%	5438.5	120.9
4th	10	9	90.0%	3098.3	309.8
5th	116	77	66.4%	5215.5	45.0
6th	16	8	50.0%	3087.9	193.0
7th	7	4	57.1%	2475	353.6
8th	12	7	58.3%	2682.5	223.5
9th	51	42	82.4%	2981.9	58.5
10th	1	1	100.0%	1248.9	1248.9
11th*	50	47	94.0%	7004.6	140.1
12th**	57	48	84.2%	3359.5	58.9
13th	49	44	89.8%	5195.2	106.0

Sources: HB 2, Regular Session 2017; 2017 Statistical Addendum to the New Mexico Judicial Branch's 2017 Annual Report

* The 11th Judicial District has two independent District Attorney Offices (11th-1 and 11th-2), but they have been combined for this comparison.

** Includes 317.8 in grant funds – FY 18 general fund appropriation was 3,041.7

Southeast New Mexico (5th, 9th and 12th Judicial Districts) continues to have significantly more jury trials on average than the rest of the State. Combined with the conviction data provided in the chart on page 3, it is clear that our office is running efficiently and effectively.

Highlights of FY 18 - FY19



Terrick Thompkins: Convicted and sentenced to two life sentences plus 45 years.

Thompkins, wearing tactical gear and equipped with 4 guns, assassinated his ex-wife and her new boyfriend in front of four small children in Alamogordo, New Mexico. Thompkins was in the middle of a heated custody battle with his ex-wife. His insanity defense was unsuccessful, and the jury convicted him of two counts of willful and deliberate first degree murder, four counts of child abuse, one of which resulted in great bodily harm, shooting at an occupied dwelling involving great bodily harm, and aggravated burglary.

Jared Young: Convicted of second degree murder and sentenced to 20 years in prison.

Young was convicted of second degree murder following a four-day jury trial. Young had been high on methamphetamine and awake for three days when he shot and killed a husband and father just before Christmas in December 2016. The victim's wife gave birth to the couple's third child not more than month after the victim was killed by Young. The Victim Advocates of the 12th Judicial District Attorney's Office arranged a visit from Santa Claus and gifts from Toys for Tots for the victim's family.





Child Sex Offender Trials

Anthony Anderson (left): Sentenced to 36 years in prison following his convictions of two counts of first degree criminal sexual penetration of a minor (child under 13) after a two-day jury trial. The victim was 4 years old at the time of the attack.

Christopher Mitchell (center): Sentenced to 131 years in prison following his convictions of first degree criminal sexual penetration (child under 13) and seven counts of criminal sexual contact of a minor after a two-day jury trial. Mitchell sexually abused his girlfriend's daughter from age 6 to 17.

Carlos Pacheco (right): Convicted and facing up to 51 years in prison after a jury found him guilty of two counts of first degree criminal sexual penetration of a minor (child under 13) and one count of criminal sexual contact of a child. Victim was 7 years old at the time of the offense and abuse had been happening for years while family lived in Juarez, Mexico.

Sandra and Allan Quick: Sentenced to 10 years in prison followed by 5 years of probation. Defendants were convicted of 6 counts of child abuse following a four-day trial. The Quicks pled no contest to 8 counts of extreme animal cruelty and 22 counts of cruelty to animals without a plea agreement on the day of trial in a related case.

