

FIFTH JUDICIAL DISTRICT ATTORNEY'S OFFICE
Chaves, Eddy and Lea Counties

Agency 25500

REQUESTS:

1. Maintenance of the NICE Justice Digital Evidence System: \$195,000

We are pleased to report that our agency was awarded a grant through the Sentencing Commission for the **NICE Justice Digital Evidence System** for the current fiscal year. This cloud-based software system will provide our agency with a scalable and secure platform for storing, retrieving, and sharing digital evidence. As you are aware, the volume and complexity of digital evidence in criminal cases has increased substantially, and this system represents a significant step forward in ensuring our agency can manage and present evidence in a timely, efficient, and legally compliant manner.

However, the grant we received was allocated only for the remaining current fiscal year beginning January 2025. To maintain the system and ensure its continued functionality for the next fiscal year, we are requesting an increase of **\$195,000** in our budget as a recurring expense. These funds will cover ongoing costs for cloud storage, software maintenance, technical support, and any necessary upgrades to ensure the system remains a robust, scalable solution for our digital evidence management needs.

2. Recruitment and Retention Challenges: Increased Budget Due to Vacancies

The Prosecutor's Office has faced significant challenges in recruiting and retaining qualified attorneys, particularly due to our location in a rural area, where lower pay, high stress, and limited professional development opportunities contribute to turnover. Our budget has been reduced in response to vacancies, which often remain unfilled for extended periods due to the lengthy recruitment process. New hires typically come from out of state, requiring time for recruitment, relocation, and training, all of which delays the effective use of budgeted funds. By the time we hire an attorney, budget allocations are already reduced because of prior vacancies.

To address this issue, we request an adjustment to our budget to better reflect the realities of recruitment and retention in our office. Specifically, we are requesting funding to allow for competitive salaries, recruitment incentives, and additional resources to help us attract and retain qualified attorneys in our jurisdiction. Without these investments, we face ongoing challenges in maintaining staffing levels, which directly impacts the effectiveness of our office in handling cases and serving the public.

We utilized the State Budget Projection Spreadsheet on July 15, 2024, with current budgeted employees and projected expenses in the 200 Category (Personnel and Employee Benefits for FY25 and discovered we would only have a remaining budget of \$4,116.39 in this category (copy is included in Budget Appropriation request). At the time this spreadsheet was prepared, 5 of the 11 vacancies were

attorney positions. We redid the projection spreadsheet to include the attorney positions, and it would have a deficit of \$563,651.70 if those positions were filled. If all 11 vacancies were filled, it would have been a \$979,547.59 deficit. The applied vacancies to our budget have been detrimental to our agency as we have not had the budget to recruit and hire attorneys to better serve our district.

3. Increased Crime Due to Transient Workers in the Oil and Gas Industry

Our region's economy has been significantly impacted by the oil and gas industry, which, while providing substantial revenue for the state, has also brought an influx of transient workers. These workers, many of whom do not live in the area full-time, are not fully accounted for in census data, leading to an underestimation of the population and its impact on crime rates. The influx of transient workers has led to an increase in crime, particularly in areas like property crime, drug offenses, and violent crimes. These crimes place additional pressure on our office to prosecute cases and provide services to victims, yet the resources available to us have not kept pace with these increases.

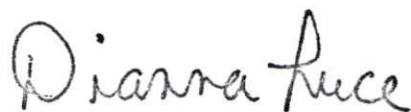
We are requesting additional funding to address the impact of the increased crime in our community. This funding will support additional prosecutorial staff, case management, and victim services to ensure that our office can respond effectively to the growing number of criminal cases. Given the unique challenges posed by transient populations, it is essential that we have the resources necessary to maintain public safety and ensure justice for all victims.

Conclusion

In summary, we are requesting an increase of \$195,000 for the maintenance of the NICE Justice Digital Evidence System and fund our vacant positions. By not funding our allocated positions, it is creating/causing hardship for our agency to prosecute cases properly and effectively in our district due to lack of funding for us to hire employees to manage our district. With the funding of vacant positions in our budget, we will be able to address recruitment and retention challenges, and manage the impact of increased crime resulting from the transient workforce in the oil and gas industry. These investments will ensure that our office remains effective, efficient, and able to meet the needs of our community.

Thank you for considering our request. We are committed to ensuring that our office continues to serve with integrity and diligence, and these resources will allow us to do so more effectively.

Sincerely,

A handwritten signature in cursive script that reads "Dianna Luce". The signature is written in dark ink and is positioned above the typed name.

Dianna Luce, Fifth Judicial District Attorney

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STATISTICS 7-2-2024 –11-19-2024

Caseloads for General Fund Attorneys

Chaves	1,935
Eddy	1,361
Lea	2,197
TOTALS	5,493

14 General Funded Attorneys - caseload average is 392 cases

HIDTA Funded Attorneys 1 HIDTA Funded Attorney per County / Total of 3

Chaves	320
Eddy	217
Lea	479
TOTALS	1,016

Pre-Trial Interviews (PTI)

Chaves	298
Eddy	221
Lea	624

Pre-Trial Detention (PTD)

Chaves	9
Eddy	21
Lea	11