

8th Judicial District Attorney's Office

Marcus J. Montoya

Taos, Union and Colfax Counties



Main Office: 105 Albright Street - Suite L

Taos, NM 87571

(575) 758-8683

<https://www.8thJDA.com>

Our most valued asset is the employees of the 8th JDA

Together

Our Mission is to protect the public's safety by promoting justice through the fair and impartial prosecution of all felony and misdemeanor criminal cases, and miscellaneous civil matters.



Above: The Staff of the 8th JDA at the NMDAA 2022 Spring Conference in Albuquerque, NM

Below: Victim Advocate, Carla Trujillo, DA Marcus Montoya, Victim Advocate Theresa Martinez and Courthouse Support Dog Shane



The 8th JDA was honored to have Shane chosen by the NMDAA as **Canine of the Year**

Our Vision

Our vision is to judiciously prosecute cases, providing accountability to the community and victims; and to work with the community to create opportunities for the citizens of the 8th JDA to proactively work towards solutions that make us all safer.

We Value

Prudence
Accountability
Kindness
Hard Work
Humility
Transparency



Left: Jennifer Lucero, 2022
Statewide Support Staff of the
Year Winner & DA Montoya

Below: Celina Mandonado, 2022
8th JDA Support Staff of the
Year Winner & DA Montoya



*Ms. Lucero and Ms. Mandonado
both exemplify the 8th JDA's
values of dedication and
willingness to help coworkers.*

*Our staff's professionalism and
high caliber productivity ensures
our success.*



8th Judicial District Attorney's Office

Successful Outcomes and Accomplishments

Case Outcomes Important to the Community

SNM v. Desiree Lensegrav

Guilty of Murder after a two week trial. Sentenced to Life in prison plus 15 years.

SNM v. Aram Montoya

Guilty of Murder and Sentenced to Life in prison plus 18 years.

SNM v. Efrain Bernal Corral

Guilty of 2nd Degree Criminal Sexual Penetration and False Imprisonment after a 1-1/2 week jury trial

SNM v. Lori Ortega

Guilty of 2nd Degree Murder and Aggravated Assault with a deadly weapon, with Sentence ranging between 20 to 28.5 years

Other Accomplishments

8th JDA Fitness Policy

Extern/Internship Opportunities

Desk Bikes

Monthly Employee Newsletter

Ergonomic Sit/Stand Desks

Staff Community Outreach Projects

Our Goals & Objectives

- *To demand accountability from defendants by tough prosecutions of all crimes, especially violent crimes and cases involving the trafficking of illegal drugs.*
- *To lead the effort in reducing juvenile crimes by increasing collaborations with local school districts and other supporting agencies.*
- *To be accountable to the public by providing regular status updates.*
- *To train local law enforcement in effective investigations for a strong prosecution.*
- *To create a healthy work environment by offering training programs and promoting and incentivizing employees.*
- *To lead discussions with partner agencies and the public to improve the safety, health, and welfare of the citizens of the Eighth Judicial District.*
- *To seek and utilize the latest technological tools in jury trials, training presentations and case processing.*

2024 Budget Request

Total Amount Requested: \$3,956,800 (9.8% Increase)

200 Category

FY 22 Actuals \$2,883,700

FY 23 OPBUD \$3,366,000

FY 24 Request \$3,573,200

Increase in the FY 24 request includes two expansion requests for Full Time IT employees and \$49,800 increase in GSD Rates.

300 Category

FY 22 Actuals \$168,500

FY23 OPBUD \$74,800

FY 24 Request \$146,100

Additional monies needed to fulfill our contract obligations such as legal experts, janitorial service and experts as needed for trial preparation.

400 Category

FY 22 Actuals \$214,800

FY 23 OPBUD \$162,600

FY 24 Request \$237,500

Amount requested in FY 24 is only \$22,734 over the FY 22 Actuals. With COVID restrictions lifted our attorneys are now able to attend in-person trainings. Monies are needed for travel and fuel. Our agency is also exploring updating IT equipment to allow for remote work capabilities.

Expansion Request Justification:

We rely on a program specialist to keep up with the daily IT needs of our 34 employees in three locations spread out by 200 miles or 3.5 hour drive. Our needs are not always addressed because the program specialist covering IT related duties is also the agency records custodian, worker's comp liaison, loss prevention and control administrator, fleet and facilities coordinator and other administrative duties. It is also very difficult for the program specialist to schedule earned time off because our attorneys continually need IT support in the courtrooms district wide. The creation of two IT positions will enable the needs of our employees district wide to be met. The total request is \$156.4. The expansion request is our offices first in over 15 yrs.

Position	Request
IT Administrator	\$90.5
IT Assistant	\$65.9

8th JDA



8th JDA Current Status of the Fleet

State Vehicles for the 8th Judicial District Attorney's Office						
Make/Model	Year	Office Location	Mileage	Vehicle Body	Date of Inspection	Last Scheduled Maintenance
Toyota Matrix (CTR)	2005	Raton/Clayton	115,052	Front and rear bumper dented, headlight frames cracked, hood damaged, entire vehicle has hail damage.	8/19/2022	10/20/20 Replace Windshield 4/06/22 Replace Gas Cap 6/16/2022 Oil pan gasket replaced- Fluid change. Spark plugs & Wipers
Chevrolet Malibu	2008	Taos	105,297	Windshield wipers do not work. Cracked back right bumper it is also scraped and chipped. The back left side bumper is also chipped and has a slight dent. The tires are worn and cracked. There is a scrape on the front left bumper and it is also slightly loose, chipped and cracked. The middle front bumper is loose and scraped as well as the front right bumper. The rim on the back left tire is slightly popped out. There is a chip on the drivers side handle and a dirty	8/19/2022	3/3/2022 Oil Change
Chevrolet Impala	2008	Taos	113,748	Tire air sensor stays on saying tires need air, rear wiper needs replacing-on order.	8/19/2022	11/3/21 Replace Rear Tires /Alignment. Fixed Oil leak 6/2/22 Catalytic Converter 6/28/22 Replace Windshield
Ford F150 (COF)	2010	Raton	91,645	Bed cover doesn't stay up, gas tank cover doesn't close, spot light broken off, drivers seat torn, steering wheel torn and worn out.	8/19/2022	7/23/2020 Oil Change 8/21/2020 Battery Replacement 9/16/2020 Windshield Replaced 10/9/2020 Power steering Pump 5/25/2021 Oil Change 10/25/2021 Oil Change-Rotate Tires 6/14/2022 Oil Change New Tires
Chevrolet Equinox (1LG 26)	2011	Raton/Clayton	114,299	Inoperable vehicle	10/17/2022	Vehicle is leaking oil, no longer drivable.
Chevy Cruze - Red	2014	Clayton	45,521	Left front bumper dented.	8/19/2022	5/7/2021 New Tires/Alignment 7/26/2021 Oil Change, Drive belt 8/30/2022 Oil Change 2 belts
Chevy Cruze (1PL) - Silver	2015	Taos	27,626	Tires are cracked. Red scrape on left bumper also another scrape on left front bumper. White scrape White scrape above right back tire on the drivers side. Small white scrape on left back bumper. Chip on the bottom right side of the trunk. Scrape on passenger side on the front door handle and back passenger door. Chips on back drivers side door.	8/19/2022	8/31/2022 Oil Change
Chevy Silverado (CK1)	2016	Taos	56,675	Dented and scraped right front bumper. Slight white scrape on the bottom back right side bumper. There's a few white chipped paint spots on the drivers side of the truck. Black scrape on bottom drivers side of pickup that is painted over. White scrape on passenger side front door handle. On the passenger front door there is a small scratch on the front hood on the left hand side.	8/19/2022	8/12/2020 Oil Change 5/12/2021 Oil Change
Ford Explorer	2021	Taos	14,618.00	Small dent on drivers side door. Small white scrape on the drivers side passenger door or back right door.	8/19/2022	1/25/2022 Oil Change 6/28/2022 Oil Change
Jeep Grand Cherokee	2019	Taos	52,248	Chip on the bottom left bumper and scratch on drivers side door. Slight scrape by gas tank drivers side. Black scrape on passenger side back door by the door handle. There is a black scrape on the passenger mirror.	8/19/2022	5/12/2021 Oil Change 7/11/22 Oil Change-Air Cleaner 8/29/22 New Wipers Key - Fob battery

The 8th JDA is proposing to begin converting some of the Fleet to Electric Vehicles. The list of vehicles below can safely accommodate the weather and terrain in the 8th Judicial District. Per direction from our analysts, vehicle purchases must be made through a Capital Outlay request. We are hoping to replace 5 high mileage vehicles.

Base Price Gas Vehicles		Electric Vehicle Base Price		Hybrid Base Price	
Ford Edge	\$28,543	Chevy Bolt	\$28,366	Ford Escape	\$23,796
Ford Escape	\$22,968	Ford Escape	\$24,755	Ford Fusion	\$22,720
Ford Explorer	\$26,968	Only 2 electric vehicles on statewide Pricing agreement		Honda Accord	\$23,699

8th District adapts to shorter trial timelines

- By Will Hooper
- Oct 20, 2022 Updated Oct 24, 2022

While the new case management order may provide for speedier justice, the local public defender's office and the 8th Judicial District Attorney's Office are both short-staffed, with the public defender's office down an attorney and investigator, and the district attorney's office in need of two additional lawyers.

"Everyone's kind of short-staffed," said 8th Judicial District Attorney Marcus Montoya. "The workforce is not what it once was. We'll see how the system handles the rigors of these compressed timelines. We just don't know yet."

He said all parties will have to work smarter and harder. "I think it takes very good vetting, and cooperation with our law enforcement in terms of charging and launching a case. I think it takes very responsible docket management by the courts to make sure that certain witnesses and cases are set that are likely to go to trial, and not cases that aren't likely to go to trial."

Montoya said the compressed timelines were "a burden of the state," and said he hopes to find a good balance between justice and expediency. "I don't want to exchange efficiency for duty."

Regardless, both Montoya said the new rules were a positive change. "This case management order — it facilitates my office's ability to get accountability for victims and their families in a more timely manner," said Montoya. He said his office "accepts the challenge of working more efficiently with, of course, law enforcement, and with the courts to better serve the community's interest, and what we hope is an improvement in the criminal justice process."

Supreme Court Case Management Order - Pilot Program in the 8th Judicial District

Approved July 29, 2022

LR8-301

Effective 9/12/2022

The new rule sets 3 different tracks for cases with deadlines and time frames for the progression of a case according to complexity. Track 1 is for simple cases and will go to trial within 210 days of arraignment, Track 2 is for intermediately complex cases and will go to trial within 300 days of arraignment, and Track 3 is for cases considered complex and will go to trial within 455 days of arraignment.

The goal of the Pilot Program is to increase efficiency and expediency.

Recruitment & Housing Hurdles

Snapshot

As of 10/31/2022

- 5 houses available (not pending/contingent) for sale in Taos ranging from \$322K-\$385K
- \$90k annual income is recommended for a housing budget of \$339K with current mortgage rates
- 9 Rental Properties available ranging from \$1,025 monthly to \$4K monthly

Sources:

https://www.realtor.com/realestateandhomes-search/Taos_NM

<https://www.zillow.com/taos-nm/rentals>

<https://www.google.com>



Legislators hear Taos housing woes

October 5, 2022 By Geoffrey Plant

"A Legislative Finance Committee factsheet indicates that Taos County, with a population of 32,593 people, is upside down when it comes to median household income versus the cost of housing. Only 57 percent of renters can afford average rent prices in Taos County, and just 9.4 percent of renters can afford a median-priced home, according to the committee's analysis.

At around \$40,000, median annual household income in Taos County is \$11,000 less than the median income across New Mexico; and Taos County households earn over a third less than the average American household, which makes about \$62,000 annually. Meanwhile, the median home price in Taos County has long been well above the state average. And with Taos County home prices increasing at a rapid clip between 2018 and today, the cost of buying a home in Taos County — which in 2018 only just exceeded the average cost of buying a home in the United States — now far exceeds the national average."

Cost of Living in Taos Above State Average

Cost of Living in Taos, New Mexico

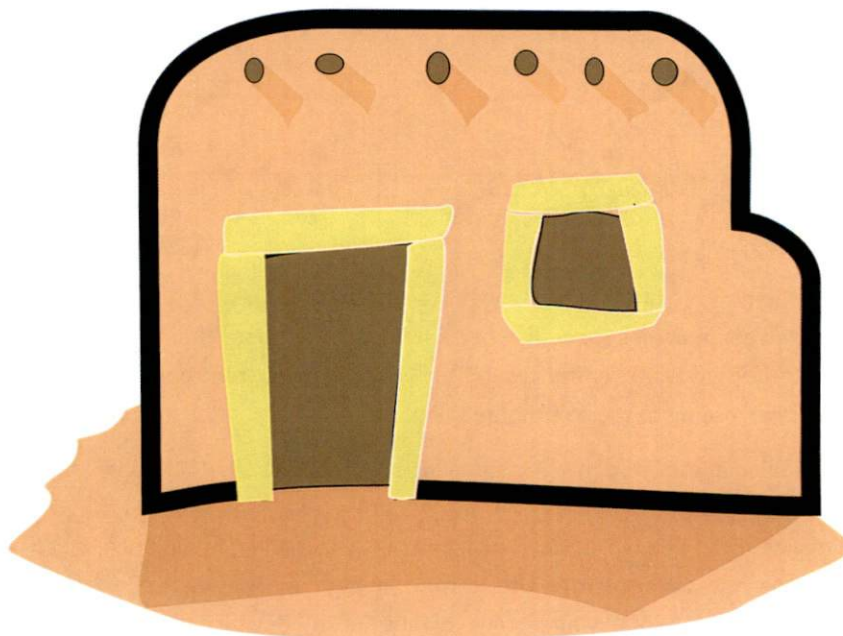
Our cost of living indices are based on a US average of 100. An amount below 100 means Taos is cheaper than the US average. A cost of living index above 100 means Taos, New Mexico is more expensive.

Taos cost of living is 96.6

	Taos	New Mexico	USA
<u>Overall</u>	96.6	88.4	100
<u>Grocery</u>	99.1	93.3	100
<u>Health</u>	84.5	82.6	100
<u>Housing</u>	114.6	84.3	100
<u>Median Home Cost</u>	\$334,400	\$246,000	\$291,700
<u>Utilities</u>	105.7	100.4	100
<u>Transportation</u>	73.8	84.6	100
<u>Miscellaneous</u>	97	85.5	100

100=National Average

Source: https://www.bestplaces.net/cost_of_living/city/new_mexico/taos



CRIME REPORT

EIGHTH JUDICIAL DISTRICT

Ripped Off the Front Page

KRQE September 20, 2022

Taos student stabbed, suspect in custody

The Albuquerque Journal September 30, 2022

Taos man charged in girlfriend's shooting

The Santa Fe New Mexican October 6, 2022

Taos woman dead, man critical in shooting, one person arrested

Current Investigations

NMSP and TCSO

- 3 Shootings in Taos area
- 2 murders in Questa

Pending Adjudication

- 5 defendants accused of Murder
- Murder case in Las Vegas

Opioid related crimes in the 8th JDA

Illegal possession and trafficking	Domestic Violence	Property Crimes
DWI	Child Abuse and Neglect	Home Invasion
Retail theft	Aggravated Battery	Homicide

Fentanyl Awareness

"Fentanyl is the single deadliest drug threat our nation has ever encountered," said Administrator Anne Milgram. "Fentanyl is everywhere. From large metropolitan areas to rural America, no community is safe from this poison. We must take every opportunity to spread the word to prevent fentanyl-related overdose death and poisonings from claiming scores of American lives every day."

<https://www.dea.gov/fentanylawareness>

Our Community's Response

- Partnering with the Attorney General's Office, local law enforcement and the School District on School Safety.
- Taos LEAD - Diversion out of the criminal justice system and into intensive case management for low level, non-violent, drug related crimes.
- Community Against Violence - CAV's mission is to foster and support a community free from all forms of domestic and sexual violence. CAV officers a 24-hour Helpline.
- Law Enforcement Training in the District - Prosecutorial lead training across the district on new court rules and other emerging legal topics.
- Drug Court - The Taos Adult Drug Court (TADC) program is a drug and alcohol treatment strategy partnership with criminal justice, mental health and treatment professionals. The mission is to provide alternatives to traditional sanctions through comprehensive service and intensive court and community based supervision. The goals are to reduce recidivism by addressing the long term needs of the participants and to support participants in becoming sober, productive and contributing members of the community.
- Domestic Violence Court - Funded by Taos County, the MOU allows for the program to contract with behavioral health services to create an intensive program for repeat domestic violence offenders. The goals of restorative justice is to help individuals become healthy members of the community and stop the cycle of violence.
- Veteran's Program - Our District is still working to establish a Veterans Treatment Court to address the more specific needs of veterans. As a result of their service to the country, many veterans suffer from untreated mental illness, homelessness and substance abuse.
- US Attorney Co-Prosecutor Program - This partnership is aimed at addressing organized criminal activity that can be more complex and resource-heavy and is more appropriate for the Federal Court.





Faces of the 8th JDA

