

CRIMINAL JUSTICE COORDINATING COUNCIL

2019-20 STRATEGIC PLAN

SECOND JUDICIAL DISTRICT • BERNALILLO COUNTY



Criminal Justice Coordinating Council • Bernalillo County

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LETTER FROM THE CHAIR AND VICE CHAIR

Dear CJCC Members,

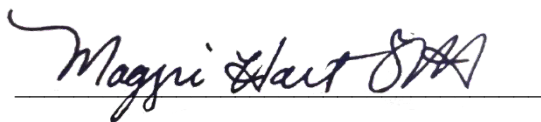
The Bernalillo County Criminal Justice Coordinating Council (“Council”) is pleased to present its 2019/2020 Strategic Plan.

Since first convening in 2013, the Council has served as a forum for criminal justice stakeholders to promote public safety and efficient use of resources by identifying and collaboratively solving problems in the criminal justice system. The CJCC’s goals include developing strategies to ensure justice and improved outcomes for victims of crime and for those accused of crimes, remove roadblocks that impede the fair and timely disposition of cases, and improve communication among criminal justice entities.

Central to the Council’s success is honoring the spirit of collaboration among its members who serve very different, often opposing, roles in the criminal justice system. As a result, the Council has successfully tackled difficult issues because all Council members have made a commitment to public safety and overall system improvement. This strategic plan is a reflection of that commitment and the dedicated work of Council members and staff over the past twelve months.

The Council undertook the strategic planning process to identify our goals and chart our course over the next eighteen months. We solicited input from Council members and others whose work significantly impacts the criminal justice system. Ultimately, we developed priorities in four targeted areas: criminal case processing; behavioral health; data integration; and council operations. We are already at work addressing these areas.

Thank you for your commitment to improving our criminal justice system in Bernalillo County and thanks to all who have a commitment to the rule of law and the administration of justice. We look forward to working with you and sharing our experiences, undertakings, and lessons learned as we move forward.



Commissioner Maggie Hart Stebbins
CJCC Chair



Damon Martinez
CJCC Vice-Chair

OVERVIEW

The Criminal Justice Coordinating Council (CJCC) in Bernalillo County began in 2013 as the Bernalillo County Criminal Justice Review Commission (BCCJRC). The BCCJRC was created by the New Mexico Legislature to review and improve criminal case processing in Bernalillo County (Albuquerque, NM), New Mexico's largest judicial district. When the BCCJRC legislation expired in 2017 the criminal justice partners agreed to reorganize as a CJCC. In 2019 the New Mexico State Legislature enacted legislation requiring CJCCs to convene in every judicial district making the Bernalillo County's CJCC a statutory and member-formed organization.¹

Pursuant to its bylaws², the CJCC serves as the forum on the law, the legal system and the administration of justice. Using this forum, the CJCC identifies issues and their solutions and facilitates cooperation with the common aim of enhancing public safety and reducing crime and recidivism in Bernalillo County. The CJCC is a venue for constructive dialog concerning the fair and timely disposition of cases, maximizing efficient use of resources and improving justice and outcomes for those accused of crimes and victims of crimes. Both the 2019 Legislation and the CJCC, itself, express the commitment to using data-driven policies and evidence-based best practices to inform and guide this work.

The CJCC consists of eleven voting members including the Chief Judges of the District Court and Metropolitan Court, the District Attorney and District Defender, the president of the NM Criminal Defense Lawyers Association, the County Sheriff and City Police Chief, a County Commissioner, the City Chief Administrative Officer, the Regional Administrator of NM Probation and Parole and the Administrative Office of the Court's Director. While many of the named voting members attend in person, a voting member may send a designee. In addition, the CJCC meetings are open to the public and have been attended by additional representatives of voting members' organizations as well as representatives of various community and governmental entities.

County Commissioner Maggie Hart Stebbins serves as the CJCC Chair and Albuquerque Police Department Senior Policy Analyst Damon Martinez serves as the Vice-Chair. The Chair and Vice-Chair preside over and facilitate the CJCC meetings, host the Executive Committee with CJCC support staff, oversee the official actions of the CJCC and establish and appoint subcommittees. Bernalillo County has provided funding through dedicated staff support to the CJCC since inception. The CJCC has four subcommittees: the System Streamlining & Performance Subcommittee (Working Group); the Diversion and Reentry Subcommittee; the Criminal Justice Information Systems Subcommittee (Data & Technology) and the Law Enforcement Subcommittee. It also has an Executive Committee.

¹ See Section 31-28-1 through 31-28-6 NMSA.

² See appendix for link to Bernalillo County CJCC bylaws

Current Members

Chief Judge of the Second Judicial District Court

Judge Stan Whitaker

Chief Judge of the Bernalillo County Metropolitan Court

Judge Sandra Engel

Bernalillo County District Attorney

District Attorney Raúl Torrez

Bernalillo County District Public Defender

District Defender Jeff Rein

NM Criminal Defense Lawyers Association

Richard Pugh

Bernalillo County Sheriff

Sheriff Manuel Gonzales (Chief Deputy Sheriff Ray Chavez)

Albuquerque Police Chief

Chief Michael Geier

Bernalillo County Commissioner

Commissioner Maggie Hart Stebbins

City of Albuquerque Chief Administrative Officer

Sarita Nair, CAO (Gilbert Ramirez, Dep Director of City Family & Community Services)

Bernalillo County Regional Administrator of NM Probation and Parole

Cheryl Hobbs, Region II Manager

Administrative Office of the Courts Director

Arthur Pepin, Executive Director (Kelly Bradford, State PTS Director)

CJCC Staff

Gabriel Nims, Adult Detention Reform Coordinator

Nan G. Nash, CJCC Consultant

Jason Weaks, Bernalillo County Government Relations

Brandon MacEachen, Commissioner's Assistant

Interested Parties³:

Second Judicial District Court:

Judge Charlie Brown, Presiding Judge - Criminal

Joy Willis, Criminal Division Supervising Attorney

Gilbert Jaramillo, Director Pretrial Services Division

Bernalillo County Metropolitan Court:

Robert Padilla, CEO

Melissa Garcia, Deputy Court Executive Officer

Bernalillo County District Attorney:

Adolfo Mendez

James Grayson

Rachel Eagle

Johnn Osborn

Bernalillo County Public Defender's Office:

Toni Abeyta

Jennifer Barela

Heather LeBlanc

Chris Knight

Bernalillo County:

Julie Morgas Baca, County Manager

Ken Martinez, County Attorney

Chief Ralph Fernandez, MDC Chief

City of Albuquerque:

City Councilor Pat Davis

Esteban Aguilar, Jr., City Attorney

Peter Cubra, Esq.

³ The parties listed regularly attend and provided input into strategic plan.

THE STRATEGIC PLANNING PROCESS

In 2015 the MacArthur Foundation through the Justice Management Institute produced a report describing the attributes of a true criminal justice system. *From Silo to System: What Makes a Criminal Justice System Operate Like a System?*⁴ details how the various entities in the larger criminal justice system need to behave to evolve away from silos and towards working together as a system. The report showcases highly-functional systems around the country that have achieved measurable success through collaboration and communication. The study identified five critical characteristics:

- A culture of collaboration at both the leadership level and the operational level built on trust and shared vision;
- Detailed problem analysis and on-going evaluation of system performance;
- Orientation towards solutions and innovation;
- Cross-system education; and
- Integrated system structure.

Keeping the model characteristics in mind, the CJCC began its strategic planning process in early 2019. The CJCC has informally set goals in the past and the CJCC bylaws contemplate a yearly review and assessment of the topics that impact members and need addressing. This yearly review was regularly engulfed by pending business such that a formal yearly review was not accomplished. When the 2019 legislation included a requirement for a strategic plan, Bernalillo County provided funds for the CJCC to engage in a systematic process to develop the plan.

Strategic planning is a process for defining the strategy and direction of an organization. The Strategic Plan is the formal chart of the organization's future course of action. In undertaking the Plan, the BCCJCC considered:

Policy Planning: Analyzing issues and setting objectives to answer "What should we do and why?"

Program Planning: Defining strategies, policies and plans to chart a course of action and answer "What can we do and how?"

The strategic planning process began in March 2019 with the chair, vice-chair and executive team members meeting with each CJCC member and other interested parties to develop a catalogue of issues and ideas for further review. The issues were categorized and placed into an "Idea Library" for further review. The library included sections that aligned with

⁴ See appendix for link to this report

the three subcommittees⁵. Each subcommittee continued working to refine the issues identified into priorities. Progress towards defining and prioritizing issues was shared with the CJCC at each monthly meeting resulting in further group and individual meetings to define and refine strategies.

Members of the executive team also reviewed the strategic plans developed by CJCCs across the nation, through our membership in the National Network of Criminal Justice Coordinating Councils (NNCJCC). Those plans informed the development of this strategic plan and the CJCC is grateful for the guidance provided by the National Network and peer-member CJCCs⁶. The elements of the strategic plan were formally presented to the CJCC in October 2019 and, after further discussion and revision, adopted by the CJCC in November 2019.

⁵ The Law Enforcement Subcommittee was not formed until August 2019

⁶ Special thanks to Aimee Wickman and Tom Eberly from Justice Management Institute and the entire NCCJCC community for sharing their work that helped to shape ours.

SUMMARY OF PAST BERNALILLO COUNTY CRIMINAL JUSTICE REFORMS

While the CJCC has not operated under a strategic plan historically, it has accomplished and contributed to a number of significant changes in the Bernalillo County criminal justice system through partner collaboration. Many of the changes are still works in progress. Significant changes include:

Changing the focus of pretrial detention to public safety through

- Adoption of a validated risk assessment tool
- Focus on risk and appearance rate in making pretrial release decisions
- Elimination of cash bond system for most release decisions
- Recognition of data driven best practices for pre-trial supervision

Implementing processes to improve case processing times and reduce unnecessary length of stay at the Metropolitan Detention Center once release has been ordered through

- Collaboration with the New Mexico Supreme Court in the development and implementation of a Case Management Rule to track and expedite conclusion in felony cases
- Establishment of and funding for specialized docket to address probation violations
- Increased use of preliminary hearings
- Funding of assistant district attorney to represent the state at non-record misdemeanor arraignments

Improved processes for criminal defendants with the goal of ensuring appearance at court proceedings and reducing recidivism through

- Implementation of a court date reminder system
- Creation of a Resource Reentry Center by Bernalillo County so that inmates released have available services upon release
- Improved processes for notifying defendants of next hearing date

These and other changes made by the individual criminal justice partners have contributed to a forty percent (40%) reduction since 2013 of the Metropolitan Detention Center population and the elimination of the felony case backlog in the Second Judicial District Court. The systematic dialogue about issues facing the criminal justice partners has additionally changed the focus of the criminal justice partners, both internally and externally, to consider system-wide implications when contemplating changes and in many cases to seek system-wide input before implementing those changes.

CJCC STRATEGIC PRIORITIES

The CJCC identified four strategies for the 2019-2020 Strategic Plan:

- 1.** Improve the processing of criminal cases by improving the preliminary hearing process;
- 2.** Improve the interaction between the behavioral health and criminal justice intersect by enhancing behavioral health services for justice involved individuals;
- 3.** Improve data sharing between the CJCC partners by developing a data sharing system and data sharing agreements;
- 4.** Establish and sustain the CJCC through addressing its structure and funding.

Each strategic priority has several objectives. The strategies and their corresponding objectives, together with timelines for completing those objectives are set forth below. Also included are “outputs” which are the things that will be produced by completing the objectives and “outcomes” which reflect the anticipated change to be accomplished.

STRATEGY 1: IMPROVE THE PROCESSING OF CRIMINAL CASES

Challenge:	Various inefficiencies exist within the current pretrial and preliminary hearing process. The inefficiencies result in extra work for criminal justice partners and defendants remaining in jail longer than necessary.
Goal:	To fairly and expeditiously process criminal cases through pretrial and preliminary hearing process
Lead Partners:	Courts, District Attorney, Defense counsel

Objective	Timeline	Deliverables	Key Outcomes
Early dismissal of cases	0 – 6 months	<ul style="list-style-type: none"> • DA early case review system • Case review by DA/PD 	<ul style="list-style-type: none"> • Cases to preliminary sustainable • Fewer Nolle/mistrial
Better appearance rate for defendants, witnesses and officers	6 – 12 months	Early identification of cases where defendant non-compliant with COR and improved notice of hearings to defendants	Reduce unnecessary hearings
		Better coordination between SJDC and Metro PTS and Resource/Reentry Center	Improved PTS appearance and compliance
		Improved notice of hearing at prior hearing	Partners/defendants receive early notice
		Eliminate cases with multiple preliminary hearing/grand jury settings	Improved notice, appearance and preparation
		Reduce unnecessary officer summons and officer court time	More officers on street and less overtime

Objective	Timeline	Deliverables	Key Outcomes
Streamline use of preliminary hearing time	6 – 12 months	Address defense counsel contact and entry of appearance	Increased pleas
		Increase plea offers from DA prior to prelim	Increased pleas
		Allow CR prep time for counsel before docket called for DA/defense to organize pleas and cases ready to go	Better organization of preliminary hearing dockets for court and parties
		Develop standardized process for notifying court when defendant does not appear	More state Ws released earlier in the process
		<ul style="list-style-type: none"> • Ensure adequate judicial time and resources • Review continuance policy within sixty (60) days 	<ul style="list-style-type: none"> • Reduced time past normal working day • Fewer Nolles
Address Plea Process	6 – 12 months	Return all or some misdemeanor pleas to metro	Reduced time and effort by SJDC, DA and defense
		Develop supervision MOU between Metro and Probation/Parole	Appropriate probationer supervision
		Streamline bind-over process for pleas	Efficiency of process
		Address COR process for detained defendants entering pleas	

STRATEGY 2: ENHANCE BEHAVIORAL HEALTH SERVICES FOR JUSTICE INVOLVED INDIVIDUALS

Challenge:	A substantial number of individuals involved in the criminal justice system have behavioral health issues.
Goal:	To divert persons with behavioral health issues when appropriate and ensure they receive access to care when they are involved in the CJS
Lead Partners:	Bernalillo County and City of Albuquerque

Objective	Timeline	Deliverables	Key Outcomes
Position the Diversion & Reentry Subcommittee to be impactful at the BH/CJ nexus	Ongoing	Demonstrate progress on identified priority recommendations outlined in the Fall 2019 <i>System Analysis Report</i>	Improved interventions and coordination between partners. Focused communication of challenges and opportunities to key decision-makers.
Improve methods for collecting, analyzing and reporting data relative to the four key Stepping Up measures	Ongoing	Develop preliminary reports of key system performance measures, as outlined by the Stepping Up Initiative	Stakeholders and decision-makers will benefit from having better and consistent reporting of system performance
Reduce the number of people with behavioral health issues booked into MDC	9 – 12 months	Define and catalyze, where possible, opportunities for expanding diversion programs for individuals with BH issues	Reduced number of BH-involved individuals in MDC and CJS
Reduce the length of stay in MDC for BH-involved individuals	9 – 12 months	Define and improve pathways out of custody into services for BH involved defendants	Reduced number of BH involved individuals in MDC and CJS
Increase connections to community-based services	9 – 15 months	<ul style="list-style-type: none"> • Cultivate partnerships between CJS partners and service providers • Improve referral network, establish data sharing and track connections 	Higher number of BH-involved individuals connecting to and sustaining with community-based services
Reduce recidivism of people involved in CJS with BH issues	Ongoing	Achieve better understanding of recidivism of individuals with BH issues	Reduced number of BH involved persons in CJS

Objective	Timeline	• Deliverables	Key Outcomes
Support diversions that include exit from CJ system and access to BH services	6 – 12 months	<ul style="list-style-type: none"> • Improve specialty court referral rate • Expand early diversion • Support LEAD 	Increased diversion opportunities for defendants with BH issues
Utilize best practices in PTS	6 – 12 months	Adopt evidence-based pretrial services practices	Appropriate diversion and services where warranted
Monitor and evaluate the BH/CJS intersect	Ongoing	Develop data regarding all components	Better planning and utilization of available resources

STRATEGY 3: ENHANCE DATA INTEGRATION

Challenge:	Numerous inefficiencies exist within the criminal justice system due largely to antiquated approaches to integrating and sharing data between criminal justice stakeholders.
Goal:	Integrate CJ data more effectively
Lead Partners:	Bernalillo County, Administrative Office of the Courts

Objective	Timeline	Deliverables	Key Outcomes
Utilize \$77,175 grant from New Mexico Sentencing Commission for data integration demonstration project	6 months	<ul style="list-style-type: none"> Ability to track criminal defendant’s location from arrest through eventual release Develop project outline and work scope with criminal justice partners and New Mexico Tech Craft and enter into Access Memorandums of Understanding between partners 	Improved efficiency and easier access to information for CJS partners
Seek further funding to provide access to tools developed and expand data sharing	6 months	<ul style="list-style-type: none"> Leverage strategic plan and current work with state and federal delegations and key funding agencies Identify and pursue resource opportunities for/with all partners to improve data sharing capabilities 	Access to data throughout the CJS
Continue exploration of data integration using up to date methodology	6 – 12 months	Increased data integration between CJS partners	More efficient CJS
Assure understanding of and access to data sharing tools developed by Judicial Information Division (JID)	6 – 12 months	Automated processes developed by JID utilized as needed by CJS partners	More efficient CJS

STRATEGY 4: SUSTAIN THE CJCC AND ITS PAST INITIATIVES AND ACCOMPLISHMENTS

Challenge:	Ensuring this CJCC achieves the goals and objectives outlined in this plan and also monitor and sustain past initiatives requires a shared commitment to properly fund, staff and manage the operations and activities of this CJCC.
Goal:	To strengthen the structure and function of the Bernalillo County Criminal Justice Coordinating Council and to institutionalize its past-implemented initiatives.
Lead Partners:	All CJCC members

Objective	Timeline	Deliverables	Key Outcomes
Ensure adequate CJCC structure	1 – 12 months	<ul style="list-style-type: none"> Review CJCC membership Review CJCC committees and committee functions and priorities 	Strong CJCC
Ensure adequate CJCC funding	1 – 12 months	Explore CJCC funding options through legislature, grants and members	Increased CJCC staff and stability
Identify dedicated personnel to support ongoing work of CJCC	6 – 12 months	<ul style="list-style-type: none"> Positions created – CJCC Executive Director and Stepping Up Coordinator Position hired 	Criminal justice partners work together to improve public safety
Explore CJCC role in data production	6 – 12 months	<ul style="list-style-type: none"> Catalog current data produced and utility of data Determine additional data needs for measurement of system priorities Develop materials that effectively communicate criminal justice data and criminal justice information to the public Seek funding for data generation Track implemented initiatives to ensure sustainability 	Improved data integration

Objective	Timeline	Deliverables	Key Outcomes
Explore statewide CJCC engagement	9 – 12 months	Create statewide CJCC network	Statewide CJCC collaboration
Develop a system for detailed problem analysis and on-going evaluation of system performance	6 – 12 months	<ul style="list-style-type: none"> • Identify data needed to analyze and evaluate system • Identify plan for periodic update of strategic plan 	Better feedback loop to review and evaluate impact of changes and identification of future needs
Explore cross-system education as a method for developing greater understanding of partners' roles and challenges	12 months	Education plan	Greater understanding and trust amongst partners

APPENDIX A – RESOURCES AND CONTACT

Resource links referenced in this report:

[Bernalillo County CJCC Approved Bylaws](#) (Amended June 2019)

[2016 MOU creating the Bernalillo County CJCC](#)

[From Silo to System: What Makes a Criminal Justice System Operate Like a System?](#) (2015), Justice Management Institute.

[Past Reports and Studies](#)

For more information about the Bernalillo County Criminal Justice Coordinating Council:

Visit: www.bernco.gov/CJCC

Staff Contact:

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APPENDIX B – INVENTORY OF PAST CJCC ACTIVITIES/ACCOMPLISHMENTS

The CJCC has contributed to:		Implementation Date / Status
1	Manual phone calls post-warrant and for court date reminders	Implemented
2	Failure to appear warrants - set for automatic hearing	Jan '14
3	Improve notice on arraignments	Mar '14
4	SJDC/MDC MOU to eliminate jail overcrowding	Mar '14, Jul '17
5	Provide inmate conditions of release upon MDC release	Mar '14 to 2017**
6	Probation violation hearings 20 days earlier	Apr '14
7	Hold 7 day probation violation custody hearing	Apr '14*
8	Expansion of early plea program	Apr '14
9	Preliminary hearing	Ongoing
10	Judge re-assignment if needed for entry of plea within 30 days	Jun '14
11	Reduce Pretrial Services remand hearings	Jun '14
12	Eliminate ICE holds	Jul '14
13	Increase citations instead of arrests	Jul '14
14	Process for medical evaluations for entry into community programs	Jul '14
15	Failure to appear warrants - ensure notice to Public Defender	Sep '14
16	DA approval on arrest warrants	Oct '14
17	Add DA to Metro arraignment for misdemeanor cases	Oct '14
18	New Order Setting Conditions of Release (OSCR)	Oct '14, FY17
19	Bond transfer from Metro to District courts	Nov '14
20	Use of best practices in SJDC Pretrial Services	Dec '14
21	Input into the Case Management Deadlines (CMO)	Feb '15
22	Objective Risk Assessment Instrument (RAI)/Public Safety Assessment (PSA)	2015, Jun '17
23	Warrant Amnesty Program	Oct '16
24	Medicaid Enrollment	2016
25	Metro and District court information sharing	2016
26	Nolle Prosequi at or soon after first appearance	Ongoing
27	Improve Court / MDC processes to ensure timely release	Ongoing
28	Add DA / Public Defender to weekend arraignments	Ongoing
29	Competency process improvements	Ongoing
30	Increase use of Pre-Booking and Pre-Plea Diversion Programs	Ongoing
31	Improve notice on summons	FY 2018
32	Court date reminder system	FY 2018
33	Electronic communication about Metro release orders	Ongoing
34	Overhaul of current, or purchase of new Jail Information Management System	FY 2019
35	Induction to the National Network of CJCCs	FY 2018
36	Modernize criminal statutes and decriminalize petty misdemeanors	FY 2019
37	Participation at the NNCJCC Annual Member Conference	FY 2018 & FY 2019
38	Timely judgment and sentencing	Proposed

* Later discontinued ** Needs to be newly implemented, lost in transition to new DA