

EAGA Business Builder

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Today's guest speaker was Bernalillo County District Attorney, Raul Torres



Born and raised in Albuquerque, Mr. Torrez is a former federal prosecutor and senior advisor in President Obama's Department of Justice. For over a decade, he has worked at every level of the criminal justice system. This morning, District Attorney Torres was kind enough to provide us with some information, and perspective, about the activity, challenges, and plans for the office since he became DA in 2017. Mr. Torres noted that when he took office, he arrived to find almost 2,200 file boxes stacked in various rooms throughout the workplace. Those boxes contained evidence and information from cases that had not yet been cleared. That included about 8,000 unlaunched felony cases (meaning that no investigation, really nothing at all, had been done to investigate them). In all (in those boxes and elsewhere) there were over 54,000 open cases. Since then his office has made substantial progress in investigating and prosecuting, or otherwise clearing, that backlog. The coronavirus epidemic generated closures, hinderances, and general complications in the endeavors, but to date, only about 30% of those cases remain open. In a coincidence of timing, last night it was reported that the New Mexico Senate tabled the "revolving door" legislation which was intended to keep repeat and sometimes violent criminals from getting back onto the streets while awaiting trial. Mr. Torres noted that the way it is now, New Mexico's judicial system component for addressing pre-trial detention is broken. A few years ago, nearly 87% of the voters agreed to a constitutional amendment allowing judges to decide whether or not to order pre-trial detention. In an attempt to assist judges in making that determination, the state adopted a risk-assessment tool which, in theory, uses evidence based data to provide a recommendation for each specific case. The tool is provided by The Arnold Foundation and it contains various components. Apparently the New Mexico system has not implemented all of the components, which could cause the overall predictor results to be skewed. The District Attorney's experiences indicate that the tool is not working in a satisfactory manner. The recommendations received from the analytical tool quite often differ from recommendations that would be received from a human applying rational logic. Mr. Torres provided several examples of instances when the system recommended exactly opposite of standard logic. In some, the tool recommended release, but rational analysis indicated the defendant would be a threat to society. In other instances, the tool recommended detention, when review of the case data and defendant's history would recommend monitored release. Overall the DA's office has requested pre-trial detention in about 70% of the most violent cases; the data analysis tool recommends detention in only about 30% of those instances. Under the current system, only about half of the crimes involving a gun result in the detention. In contrast, the Federal system does not use the risk assessment tool and has been found to be much more receptive to pre-trial incarceration for cases involving crimes of murder, rape, human trafficking and child abuse. In federal courts, about 91% of the requests for detention are accepted - versus about 60% in New Mexico state courts. There are other, detention related issues with the New Mexico state court system too. It has been discovered that the defendants who have been granted pre-trial release with monitoring requirements are not actually monitored to the degree that was expected by the release conditions. Monitoring is not taking place at night, or on weekends. And in at least one high profile incident, no one reported an ankle monitor battery failure, so the defendant was actually not being monitored at all for 91 days. During at least two of those days it has been determined that the individual committed additional violent crimes. Another complication for speedy and complete justice within the New Mexico judicial system is the limiting of access to the Grand Jury system. Right now there are two avenues for a prosecutor to pursue an indictment of an individual: The Grand Jury process or a Preliminary Hearing. The Grand Jury system provides for a substantially more predictable schedule. Witnesses and police officers can be given a specific time that they are to appear; they know about how long they are expected to participate; and approximately when they will be free to leave. That predictability is very desirable, particularly for police officers because it gets them back to their normal duties in a timely manner. The Preliminary Hearing is an evidentiary process very similar to a small trial. Witness questioning, submitting of evidence and the general process do not have a predictable schedule. Witnesses and law enforcement personnel have to remain on-site and available for whenever they are called. The police officers have no way of telling when they will be able to return to normal duties. And a worse circumstance is that they may be there for the entire day without having testified at all because the defendant did not appear, and the hearing cannot proceed if the defendant is not there. In those instances, the judge can issue an arrest warrant, but it just means that the proceedings are taken up again at another time, with potentially the same loss of productive time. So what is to be done? Mr. Torres notes that a majority of criminals are actually not a great danger to society. There are, however many that are, and the judicial system needs to concentrate on properly dealing with those criminals. The system can be fixed. But in order to fix it, everyone needs to become involved. Community leaders, businessmen, individuals, all need to engage the problem. It is not sufficient to leave resolution to the politicians. The elected officials are not doing enough to solve the problem. Mr. Torres recommends a great place to start would be to get a way to easily share data between the four major law enforcement departments. Currently each maintains their own database with information pertinent to their investigations. If all the data were to be made readily available to all the departments, the investigative efficiencies would be substantially increased. The District Attorney's office is currently working on that very thing. They have scanned a majority of the data that was in those previously mentioned 2,100+ boxes so the information is now electronically available. In addition, Mr. Torres is working on a joint venture with Sandia Labs where Sandia is creating a repository, or a linking mechanism, that will provide easier access to sharing of data across all the databases. It is imperative that the NM Judicial System become an efficient, fair and meaningful system for reducing crime in our community. And it needs to be done soon. January has historically been Albuquerque's lowest crime month. This past January, there were 12 murders. Extrapolating that count out through December indicates 144 murders during 2022. That is already above the 117 record number that occurred last year - and it will be worse considering that January is usually the lowest crime month. We very much appreciate District Attorney Torres taking the time to provide us with an interesting and beneficial presentation. And we hope that, with everyone's help, he can successfully achieve a substantial reduction in crime. Not only in Albuquerque, but throughout New Mexico.

[If interested, you can find various information about the Arnold Foundation risk assessment tool on the internet. Including a March 2020 article from the Albuquerque Journal abqjournal.com/1431185].

Leads & Business Information:

New restaurant—Karma Café There are no menus, you just come in and you will get what you deserve. 😊
- Lionel Specter—Zeon Signs

Reciprocity:

None written down or emailed in this week. Hopefully some Five Star Google ratings have been submitted though.

◆ Second announcement for a prospective new member:

Sierra Peaks Corp
Representative: John Rockwell
Category: Manufacturing
Sponsor: Michael Caldwell

First announcement for a prospective new member:

Jerry Patton State Farm
Representative: Jerry Patton
Category: Residential Property and Casualty Insurance
Sponsor: Gary Sanchez

First announcement for a prospective new member:

AAA Pumping Services, Inc
Representative: Mike Krepfl
Category: Liquid Waste Hauler
Sponsor: Laurence Saban

If you have an objection to any of these businesses becoming a member, or if you have information that you feel should be considered during the review process, please contact our Membership Committee Chairman, Jack Zipper (via telephone number 505-259-5959 or email at jdzipper@comcast.net) as soon as possible.

- ◆ The many announcements for prospective new members (thank you to their sponsors) leaves very little room for anything else...other than to thank everyone for attending the meeting this week. All chairs were full. And remember that we have some just as interesting speakers lined up for at least our next 7 meetings. Hope to see you all there for those too.

Badge Board Greeters

Feb 15 th	Hass Aslami—Pizza 9 Franchise System
Feb 22 nd	John Woods—Phocus Real Estate
Mar 1 st	Frank McCallister—Color New Mexico
Mar 8 th	Lance Darnell—Darnel Cable & Fasteners
Mar 15 th	Rich Rosley—A-TECH Security
Mar 22 nd	
Mar 29 th	

Upcoming Speakers

Feb 15 th	Kit Turpen—Berger Briggs Insurance
Feb 22 nd	Gary Sanchez—The Why Institute
Mar 1 st	Nestor Romero—Payroll Company
Mar 8 th	Larry Sonntag—New Mexico Business Coalition
Mar 15 th	Mark Abramson—Los Ranchos Gun Shop
Mar 22 nd	Paul Jew—Moji Studio
Mar 29 th	Damian Pascetti—Pascetti Steel

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