

Third Annual Statistical Report on DWI Court Dispositions In New Mexico

A report to the Legislative Finance Committee on New
Mexico Driving While Intoxicated (DWI) court
dispositions, 1997 through 2007.



**New Mexico Administrative
Office of the Courts**

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A Statistical Report on DWI in New Mexico, 1997 - 2007

Prepared by the Administrative Office of the Courts

Introduction

The Administrative Office of the Courts (AOC) is pleased to present the Third Annual Statistical Report on DWI Court Dispositions in New Mexico. The report contains statistical information on all New Mexico Driving While Intoxicated (DWI) cases disposed in New Mexico State and municipal courts from 1997 through 2007. The report features statistical tables on all types of DWI convictions and dismissals for magistrate courts, district courts, municipal courts, and the Bernalillo County Metropolitan Court (BCMC). The methods used to derive the statistical data used in the report were reviewed by the University of New Mexico's Division of Government Research for validity.

DWI Overview

For the 2007 report, the AOC, for the first time, began the process of matching dismissed magistrate cases with cases that were subsequently refiled as felonies in a district court. The results showed that 24.1 percent of magistrate court dismissals were subsequently refiled as felonies in district courts by prosecutors. By factoring in dismissed DWI cases that were later refiled in a district court, the statewide 2007 magistrate dismissal rate was reduced from 27.6 percent to 22 percent. While these cases were technically "dismissed" in a magistrate court, in actuality, the defendants associated with these dismissed cases were merely re-charged by prosecutors as felons rather than misdemeanants.

In states that do not separately count limited and general jurisdiction criminal dispositions, a dismissal typically means that the defendant was set free with no further obligation to the court, but in states such as New Mexico, that separately count dismissals for limited and general jurisdiction courts, limited jurisdiction court dismissals are frequently no more than a prelude to bringing felony charges against a defendant.

2007 Statistical Summary

During calendar year 2007, 19,505 DWI cases were adjudicated by all courts in New Mexico. District courts throughout the state disposed of 2,682 felony DWI cases, magistrate courts disposed of 7,772 misdemeanor DWI cases, and the BCMC disposed of 6,851 misdemeanor DWI cases. In addition, 2,200 DWI cases were charged under municipal ordinances and disposed in municipal courts. During 2007, 83.7 percent of district court DWI defendants were convicted and 71.5 percent of magistrate defendants were convicted. Conviction rates for BCMC and New Mexico municipal courts were 71.8 percent and 88.5 percent, respectively.

In 2007, conviction rates for magistrate and district courts rose slightly, and the conviction rate for the BCMC increased from 69.1 percent in 2006, to 71.8 percent in

2007. These slight increases are not statistically significant and could reflect random variations rather than imply a change in practice or processing that might affect overall conviction rates.

As in most states, the New Mexico DWI court process is complex. At present, district courts, magistrate courts, municipal courts and the BCMC all hear DWI cases. Preliminary hearings for felony DWI cases will likely first be heard in a magistrate court or at the BCMC, before transfer to a district court. These transfers, called “bind-overs,” are not dismissals, but are a means of transferring the most serious DWI cases from a limited jurisdiction court to a general jurisdiction court that has the ability to try felonies. Since 1997, the bind-over rate has fluctuated between 8.5 and 14.5 percent. As indicated earlier in this report, cases that are refiled by prosecutors are not counted by magistrate courts as anything but dismissals since the AOC cannot know with any degree of certainty what prosecutors do with cases once they are dismissed at the magistrate level.

DWI Refilings by Prosecutors

The jump in average prosecutor-initiated dismissal rate between 2004 and 2005, from 12.6 percent to 21.7 percent, could reflect a recent trend by prosecutors to first dismiss cases in magistrate courts before reinitiating the same cases against the same defendants in district courts. It was this sharp rise in prosecutor-initiated dismissals between 2004 and 2005, that motivated the AOC to examine underlying causes by analyzing whether cases were truly dismissed or simply reinitiated as felonies.

For the purpose of this report, the dismissal statistics for magistrate courts reflect refiled DWI cases as magistrate dismissals, but a new table on page 8 shows felony refile rates for all magistrate courts. This table on refiled cases should be considered when viewing magistrate court dismissals on pages 4 and 7, to gain a true picture of magistrate DWI dismissals.

How DWI Convictions are Counted

Even when all DWI charges against a defendant are dismissed, past research has shown that many DWI cases counted as DWI dismissals actually contain convictions on underlying non-DWI traffic charges. This frequently results when a person is stopped by police for a traffic infraction and the police officer smells alcohol or observes that the driver appears intoxicated. When a driver is initially charged by police with DWI, the officer may also cite the driver for underlying traffic offense, and if the DWI charge is ultimately dismissed in a court, the judge may convict the defendant on any associated traffic charges. For the purposes of this report, convictions for such underlying traffic offenses are not counted as DWI convictions.

A very small percentage of DWI cases have a sentence of “deferred,” pending satisfactory completion of court-ordered treatment or other court-ordered interventions. For purposes of this report, these cases were counted as convictions since the

offenders were punished and many were subsequently sentenced to greater sanctions when they failed to abide by court ordered deferral conditions.

Statistical Differences

As noted in the 2005 and 2006 DWI reports, court statistics are not always in agreement with statistics derived from data provided by the the New Mexico Motor Vehicle Division (MVD) to the New Mexico DWI Resource Center. Three possible reasons for discrepancies between MVD statistics and AOC statistics are as follows:

1. The MVD continues to rely primarily upon manual reporting for DWI data. Court dispositions reported on paper are manually entered into the MVD system and may be either entered incorrectly, under-reported to MVD by courts disposing of DWI cases, or misplaced during the manual transfer process. In contrast, the figures provided in this report are derived from a transaction-based court case management system that captures all case initiations and dispositions as they occur, which helps ensure data completeness, timeliness and accuracy.

2. Statistics contained in this and previous DWI reports were not derived by comparing arrests with dispositions in a single year since DWI cases are not always adjudicated in the same year as initiated. In contrast, DWI Resource Center statistics are calculated by comparing all DWI arrests for a particular year with all court dispositions for that same year. On average, a DWI case will take approximately 110 days to complete in magistrate court, and 250 days in district court, thus many DWI arrests for a particular year will actually be disposed in a later year. As such, almost half of all court dispositions do not take place in the same year as the underlying arrest, which means that court dismissal figures will never entirely agree with MVD-derived statistics published by the DWI Resource Center.

3. Any DWI arrest that is not formally charged as a DWI by a prosecutor and subsequently filed with a court will not be factored into court DWI statistics. In addition, it is possible for a DWI arrestee to be released by the arresting police agency without charging, perhaps as a result of a breathalyzer test that indicates that the arrestee did not meet the .8 percent blood alcohol criterion. Such releases will likely be counted as non-convictions by MVD, but because the AOC cannot know of DWI arrests that are never referred to a court, individuals arrested for DWI but not formally charged cannot be factored into court statistics.

DWI Cases Disposed For Calendar Years 1997 Through 2007

District Courts By Year

	Total Cases	Total Convictions	Total Acquittals	Conditionally Discharged	Other Dispositions	Total Dismissed	Dismissed by Prosecutor	Dismissed by Court	Dismissed 6 Month Rule	Dismissed Failure To Appear	Other Dismissals
1997	1221	84.7%	0.4%	0.0%	3.8%	11.1%	6.0%	0.0%	0.0%	0.0%	5.2%
1998	1458	82.3%	0.3%	0.0%	2.7%	14.7%	8.8%	0.0%	0.0%	0.0%	6.0%
1999	1700	83.6%	0.5%	0.0%	2.7%	13.2%	8.4%	0.0%	0.2%	0.0%	4.6%
2000	1751	78.5%	0.5%	0.1%	1.1%	19.9%	9.0%	0.1%	0.3%	0.0%	10.5%
2001	1687	84.7%	0.4%	0.1%	0.5%	14.3%	7.3%	0.0%	0.2%	0.0%	6.8%
2002	1938	84.4%	0.5%	0.2%	2.0%	13.0%	5.7%	0.0%	0.3%	0.0%	6.9%
2003	1961	85.3%	0.5%	0.2%	0.7%	13.3%	10.2%	0.6%	0.3%	0.0%	2.2%
2004	2224	86.5%	0.5%	0.8%	0.1%	12.1%	10.1%	1.2%	0.5%	0.0%	0.4%
2005	2331	83.4%	0.9%	0.7%	0.1%	14.9%	11.5%	2.6%	0.5%	0.0%	0.4%
2006	2350	82.7%	1.2%	1.0%	0.0%	15.1%	12.6%	1.7%	0.4%	0.0%	0.3%
2007	2682	83.7%	1.1%	0.4%	0.1%	14.7%	12.2%	1.7%	0.4%	0.0%	0.3%

Magistrate Courts By Year

	Total Cases	Total Convictions	Total Acquittals	Conditionally Discharged	Other Dispositions	Total Dismissed	Dismissed by Prosecutor	Dismissed by Court	Dismissed 6 Month Rule	Dismissed Failure To Appear	Other Dismissals
1997	7459	80.2%	0.8%	0.2%	0.5%	18.4%	5.9%	0.0%	0.5%	0.0%	12.0%
1998	7152	77.5%	0.6%	0.1%	0.6%	21.2%	6.2%	0.1%	0.5%	0.0%	14.3%
1999	7392	77.0%	0.7%	0.1%	0.9%	21.3%	7.5%	0.1%	1.0%	0.0%	12.6%
2000	7399	76.5%	0.5%	0.3%	0.3%	22.4%	8.0%	0.1%	0.8%	0.1%	13.4%
2001	7109	76.1%	0.6%	0.2%	0.6%	22.5%	8.9%	0.2%	0.9%	0.1%	12.3%
2002	6700	77.8%	0.8%	0.2%	0.9%	20.3%	8.3%	0.1%	0.9%	0.1%	10.8%
2003	7516	76.9%	0.6%	0.2%	1.1%	21.2%	9.9%	0.2%	0.7%	0.0%	10.3%
2004	8176	75.5%	0.9%	0.1%	0.9%	22.6%	12.6%	0.4%	1.3%	0.2%	8.0%
2005	7637	72.4%	0.7%	0.0%	0.0%	26.9%	21.7%	1.6%	0.9%	0.9%	1.8%
2006	7542	69.4%	0.8%	0.0%	0.1%	29.6%	25.3%	1.2%	0.8%	0.7%	1.6%
2007	7772	71.5%	0.9%	0.0%	0.1%	27.6%	23.2%	1.9%	1.0%	0.4%	1.1%

Total Cases	All cases disposed in a year
Total Convictions	Total conviction rate for all cases filed
Total Acquittals	Total acquittal rate for all cases filed
Conditionally Discharged	Total conditional discharge rate for all cases filed
Other Dispositions	Cases that were not dismissed but do not fit into heading categories
Total Dismissed	Dismissal Rate for All Cases Filed
Dismissed by Prosecutor	Cases filed that were dismissed by prosecutor
Dismissed By Court	Cases filed that were dismissed by a judge
Dismissed 6 Month Rule	Cases filed that were dismissed under the six month rule
Dismissed Failure To Appear	Cases filed that were dismissed due to failure of an officer/witness to appear
Other Dismissal	Cases field that were dismissed but do not fit into heading categories

Note: Approximately 12% of Magistrate Court Cases are bound over to District Court and approximately 10% of the Dismissed cases are refiled in District Court

DWI Cases Disposed For Calendar Years 1997 Through 2007

Bernalillo Metropolitan Court By Year

	Total Cases	Total Convictions	Total Acquittals	Conditionally Discharged	Other Dispositions	Total Dismissed	Dismissed by Prosecutor	Dismissed by Court	Dismissed 6 Month Rule	Dismissed Failure To Appear	Other Dismissals
1997	2869	58.3%	1.9%	0.0%	0.1%	39.7%	5.5%	5.0%	3.1%	23.0%	3.1%
1998	5119	67.0%	2.0%	0.0%	0.0%	31.0%	3.9%	5.2%	2.1%	17.3%	2.6%
1999	4980	64.4%	2.6%	0.0%	0.1%	33.0%	3.3%	5.0%	4.1%	17.2%	3.4%
2000	4899	69.5%	1.6%	0.0%	0.0%	28.9%	4.3%	3.9%	3.7%	14.7%	2.3%
2001	6073	70.6%	1.4%	0.0%	0.1%	28.0%	4.7%	3.9%	4.0%	12.9%	2.5%
2002	6144	66.1%	1.6%	0.0%	0.0%	32.2%	4.7%	5.0%	4.6%	15.3%	2.7%
2003	6706	62.6%	1.8%	0.0%	0.0%	35.7%	6.9%	5.9%	5.5%	14.9%	2.5%
2004	6407	60.0%	2.0%	0.0%	0.0%	38.0%	5.0%	5.5%	5.3%	18.8%	3.3%
2005	6536	64.2%	2.0%	0.0%	0.0%	33.7%	4.7%	4.5%	2.8%	19.4%	2.3%
2006	5940	69.1%	2.0%	0.0%	0.0%	28.9%	8.4%	1.0%	1.3%	17.9%	0.4%
2007	6851	71.8%	1.3%	0.0%	0.0%	26.8%	9.3%	0.7%	1.4%	14.7%	0.7%

Municipal Courts By Year

	Total Cases	Total Convictions	Total Acquittals	Conditionally Discharged	Other Dispositions	Total Dismissed	Dismissed by Prosecutor	Dismissed by Court	Dismissed 6 Month Rule	Dismissed Failure To Appear	Other Dismissals
1997	2267	98.1%	0.0%	0.0%	1.9%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%
1998	2411	98.4%	0.0%	0.0%	1.6%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%
1999	2223	98.1%	0.0%	0.0%	1.3%	0.5%	0.3%	0.0%	0.0%	0.0%	0.3%
2000	2446	96.9%	0.0%	0.0%	1.8%	1.3%	0.3%	0.0%	0.0%	0.0%	1.0%
2001	2326	98.2%	0.0%	0.0%	1.8%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%
2002	1711	97.8%	0.2%	0.0%	1.8%	0.1%	0.0%	0.1%	0.0%	0.0%	0.0%
2003	1745	98.5%	0.1%	0.0%	1.4%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%
2004	2215	97.3%	0.6%	0.0%	2.0%	0.1%	0.0%	0.0%	0.0%	0.0%	0.0%
2005	2109	96.0%	0.7%	0.0%	1.8%	1.6%	1.3%	0.1%	0.1%	0.0%	0.0%
2006	2199	84.5%	0.9%	0.0%	3.6%	11.0%	6.9%	2.0%	0.5%	0.3%	1.4%
2007	2200	88.5%	1.3%	0.0%	0.0%	10.1%	4.5%	3.4%	0.2%	0.3%	1.8%

Total Cases	All cases disposed in a year
Total Convictions	Total conviction rate for all cases filed
Total Acquittals	Total acquittal rate for all cases filed
Conditionally Discharged	Total conditional discharge rate for all cases filed
Other Dispositions	Cases that were not dismissed but do not fit into heading categories
Total Dismissed	Dismissal Rate for All Cases Filed
Dismissed by Prosecutor	Cases filed that were dismissed by prosecutor
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Other Dismissal	Cases field that were dismissed but do not fit into heading categories

Note: Approximately 12% of Magistrate Court Cases are bound over to District Court and approximately 10% of the Dismissed cases are refiled in District Court

DWI Cases Disposed For Calendar Year 2007

District Courts By Location

County	Total Cases	Total Convictions	Total Acquittals	Conditionally Discharged	Other Dispositions	Total Dismissed	Dismissed by Prosecutor	Dismissed by Court	Dismissed 6 Month Rule	Dismissed Failure To Appear	Other Dismissals
BERNALILLO	618	90.9%	0.0%	0.3%	0.0%	8.7%	7.6%	0.6%	0.3%	0.0%	0.2%
CATRON	3	33.3%	33.3%	0.0%	0.0%	33.3%	33.3%	0.0%	0.0%	0.0%	0.0%
CHAVES	70	77.1%	2.9%	0.0%	0.0%	20.0%	14.3%	5.7%	0.0%	0.0%	0.0%
CIBOLA	27	81.5%	0.0%	0.0%	0.0%	18.5%	18.5%	0.0%	0.0%	0.0%	0.0%
COLFAX	17	76.5%	0.0%	0.0%	0.0%	23.5%	17.6%	5.9%	0.0%	0.0%	0.0%
CURRY	205	82.4%	0.0%	1.0%	0.5%	16.1%	9.8%	4.4%	1.5%	0.0%	0.5%
DE BACA	3	100.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%
DONA ANA	553	81.0%	2.5%	0.0%	0.0%	16.5%	14.8%	0.7%	0.4%	0.0%	0.5%
EDDY	41	82.9%	0.0%	0.0%	0.0%	17.1%	14.6%	2.4%	0.0%	0.0%	0.0%
GRANT	27	92.6%	0.0%	3.7%	0.0%	3.7%	3.7%	0.0%	0.0%	0.0%	0.0%
GUADALUPE	5	100.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%
HARDING	0	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%
HIDALGO	10	100.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%
LEA	51	74.5%	2.0%	0.0%	0.0%	23.5%	21.6%	2.0%	0.0%	0.0%	0.0%
LINCOLN	21	95.2%	0.0%	0.0%	0.0%	4.8%	4.8%	0.0%	0.0%	0.0%	0.0%
LOS ALAMOS	7	85.7%	0.0%	0.0%	0.0%	14.3%	14.3%	0.0%	0.0%	0.0%	0.0%
LUNA	17	100.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%
MCKINLEY	100	88.0%	1.0%	1.0%	0.0%	10.0%	9.0%	1.0%	0.0%	0.0%	0.0%
MORA	4	75.0%	0.0%	0.0%	0.0%	25.0%	25.0%	0.0%	0.0%	0.0%	0.0%
OTERO	78	83.3%	3.8%	0.0%	0.0%	12.8%	9.0%	1.3%	1.3%	0.0%	1.3%
QUAY	13	92.3%	0.0%	0.0%	0.0%	7.7%	7.7%	0.0%	0.0%	0.0%	0.0%
RIO ARRIBA	49	67.3%	0.0%	0.0%	0.0%	32.7%	24.5%	8.2%	0.0%	0.0%	0.0%
ROOSEVELT	8	87.5%	0.0%	0.0%	0.0%	12.5%	12.5%	0.0%	0.0%	0.0%	0.0%
SAN JUAN	331	93.1%	1.8%	0.6%	0.0%	4.5%	3.9%	0.6%	0.0%	0.0%	0.0%
SAN MIGUEL	49	77.6%	0.0%	0.0%	0.0%	22.4%	18.4%	2.0%	2.0%	0.0%	0.0%
SANDOVAL	100	70.0%	0.0%	1.0%	0.0%	29.0%	29.0%	0.0%	0.0%	0.0%	0.0%
SANTA FE	142	79.6%	0.0%	2.1%	0.0%	18.3%	15.5%	2.8%	0.0%	0.0%	0.0%
SIERRA	5	80.0%	0.0%	0.0%	0.0%	20.0%	20.0%	0.0%	0.0%	0.0%	0.0%
SOCORRO	32	71.9%	0.0%	0.0%	0.0%	28.1%	21.9%	6.3%	0.0%	0.0%	0.0%
TAOS	34	61.8%	0.0%	0.0%	0.0%	38.2%	38.2%	0.0%	0.0%	0.0%	0.0%
TORRANCE	23	87.0%	4.3%	0.0%	0.0%	8.7%	4.3%	0.0%	0.0%	0.0%	4.3%
UNION	6	100.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%
VALENCIA	33	24.2%	0.0%	0.0%	3.0%	72.7%	42.4%	21.2%	9.1%	0.0%	0.0%
Total	2682	83.7%	1.1%	0.4%	0.1%	14.7%	12.2%	1.7%	0.4%	0.0%	0.3%

Total Cases	All cases disposed in a year
Total Convictions	Total conviction rate for all cases filed
Total Acquittals	Total acquittal rate for all cases filed
Conditionally Discharged	Total conditional discharge rate for all cases filed
Other Dispositions	Cases that were not dismissed but do not fit into heading categories
Total Dismissed	Dismissal Rate for All Cases Filed
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DWI Cases Disposed For Calendar Year 2007

Magistrate Courts By Location

County	Total Cases	Total Convictions	Total Acquittals	Conditionally Discharged	Other Dispositions	Total Dismissed	Dismissed by Prosecutor	Dismissed by Court	Dismissed 6 Month Rule	Dismissed Failure To Appear	Other Dismissals
CATRON	27	70.4%	7.4%	0.0%	0.0%	22.2%	14.8%	3.7%	0.0%	0.0%	3.7%
CHAVES	237	71.7%	0.0%	0.0%	0.0%	28.3%	27.8%	0.4%	0.0%	0.0%	0.0%
CIBOLA	462	72.5%	1.1%	0.2%	0.0%	26.2%	22.5%	2.4%	0.6%	0.4%	0.2%
COLFAX	73	68.5%	0.0%	0.0%	0.0%	31.5%	30.1%	0.0%	1.4%	0.0%	0.0%
CURRY	266	59.0%	0.8%	0.0%	0.8%	39.5%	38.7%	0.8%	0.0%	0.0%	0.0%
DE BACA	15	46.7%	0.0%	0.0%	0.0%	53.3%	26.7%	13.3%	0.0%	13.3%	0.0%
DONA ANA	1352	61.6%	0.0%	0.0%	0.0%	38.4%	37.3%	1.0%	0.1%	0.0%	0.0%
EDDY	168	89.9%	2.4%	0.0%	0.0%	7.7%	6.5%	1.2%	0.0%	0.0%	0.0%
GRANT	121	88.4%	0.0%	0.0%	0.0%	11.6%	7.4%	2.5%	0.8%	0.0%	0.8%
GUADALUPE	32	93.8%	0.0%	0.0%	0.0%	6.3%	6.3%	0.0%	0.0%	0.0%	0.0%
HARDING	3	100.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%
HIDALGO	61	86.9%	0.0%	0.0%	0.0%	13.1%	9.8%	0.0%	0.0%	0.0%	3.3%
LEA	209	77.5%	1.0%	0.0%	0.0%	21.5%	19.1%	1.0%	0.0%	0.0%	1.4%
LINCOLN	134	80.6%	1.5%	0.0%	0.0%	17.9%	15.7%	1.5%	0.0%	0.0%	0.7%
LOS ALAMOS	39	61.5%	2.6%	0.0%	0.0%	35.9%	23.1%	5.1%	2.6%	2.6%	2.6%
LUNA	153	76.5%	0.7%	0.0%	0.0%	22.9%	13.1%	0.0%	1.3%	0.0%	8.5%
MCKINLEY	811	75.8%	1.1%	0.0%	0.1%	22.9%	18.7%	0.9%	3.1%	0.1%	0.1%
MORA	50	72.0%	0.0%	0.0%	0.0%	28.0%	28.0%	0.0%	0.0%	0.0%	0.0%
OTERO	140	85.0%	3.6%	0.0%	0.0%	11.4%	10.0%	0.7%	0.7%	0.0%	0.0%
QUAY	92	83.7%	0.0%	0.0%	0.0%	16.3%	14.1%	0.0%	1.1%	0.0%	1.1%
RIO ARRIBA	414	69.8%	0.2%	0.0%	0.0%	30.0%	22.5%	0.7%	3.1%	0.5%	3.1%
ROOSEVELT	153	80.4%	1.3%	0.0%	0.0%	18.3%	12.4%	3.9%	0.0%	0.7%	1.3%
SAN JUAN	773	80.9%	1.3%	0.0%	0.0%	17.9%	11.8%	5.2%	0.6%	0.1%	0.1%
SAN MIGUEL	266	81.6%	0.8%	0.0%	0.0%	17.7%	13.5%	2.6%	1.5%	0.0%	0.0%
SANDOVAL	316	53.5%	1.6%	0.0%	0.3%	44.6%	30.4%	6.3%	2.8%	1.3%	3.8%
SANTA FE	503	79.7%	0.8%	0.0%	0.0%	19.5%	16.7%	2.2%	0.6%	0.0%	0.0%
SIERRA	67	74.6%	0.0%	0.0%	0.0%	25.4%	23.9%	0.0%	0.0%	1.5%	0.0%
SOCORRO	199	70.9%	2.0%	0.0%	0.0%	27.1%	18.1%	2.5%	0.5%	4.0%	2.0%
TAOS	185	58.9%	1.1%	0.0%	0.5%	39.5%	36.2%	1.1%	1.6%	0.0%	0.5%
TORRANCE	115	75.7%	2.6%	0.0%	0.0%	21.7%	18.3%	0.9%	1.7%	0.0%	0.9%
UNION	51	54.9%	0.0%	0.0%	0.0%	45.1%	39.2%	5.9%	0.0%	0.0%	0.0%
VALENCIA	278	48.2%	1.1%	0.0%	0.0%	50.7%	37.8%	1.8%	0.7%	1.8%	8.6%
Total	7765	71.4%	0.9%	0.0%	0.1%	27.6%	23.2%	2.0%	1.0%	0.4%	1.1%

Total Cases	All cases disposed in a year
Total Convictions	Total conviction rate for all cases filed
Total Acquittals	Total acquittal rate for all cases filed
Conditionally Discharged	Total conditional discharge rate for all cases filed
Other Dispositions	Cases that were not dismissed but do not fit into heading categories
Total Dismissed	Dismissal Rate for All Cases Filed
Dismissed by Prosecutor	Cases filed that were dismissed by prosecutor
Dismissed By Court	Cases filed that were dismissed by a judge
Dismissed 6 Month Rule	Cases filed that were dismissed under the six month rule
Dismissed Failure To Appear	Cases filed that were dismissed due to failure of an officer/witness to appear
Other Dismissal	Cases field that were dismissed but do not fit into heading categories

Note: Approximately 12% of Magistrate Court Cases are bound over to District Court and approximately 10% of the Dismissed cases are refiled in District Court

**Impact of Magistrate Court DWI Cases
Refiled in District Court on Dismissed by
Prosecutor Rate for 2007**

County	Total Cases	Dismissed by Prosecutor	Dismissed by Prosecutor w/o Refile
CATRON	27	14.8%	14.8%
CHAVES	237	27.8%	11.4%
CIBOLA	462	22.5%	19.7%
COLFAX	73	30.1%	28.8%
CURRY	266	38.7%	30.8%
DE BACA	15	26.7%	26.7%
DONA ANA	1352	37.3%	15.4%
EDDY	168	6.5%	6.0%
GRANT	121	7.4%	7.4%
GUADALUPE	32	6.3%	6.3%
HARDING	3	0.0%	0.0%
HIDALGO	61	9.8%	8.2%
LEA	209	19.1%	18.2%
LINCOLN	134	15.7%	7.5%
LOS ALAMOS	39	23.1%	23.1%
LUNA	153	13.1%	12.4%
MCKINLEY	811	18.7%	18.6%
MORA	50	28.0%	28.0%
OTERO	140	10.0%	8.6%
QUAY	92	14.1%	14.1%
RIO ARRIBA	414	22.5%	20.8%
ROOSEVELT	153	12.4%	11.1%
SAN JUAN	773	11.8%	11.1%
SAN MIGUEL	266	13.5%	12.7%
SANDOVAL	316	30.4%	29.4%
SANTA FE	503	16.7%	14.6%
SIERRA	67	23.9%	23.9%
SOCORRO	199	18.1%	17.1%
TAOS	185	36.2%	30.6%
TORRANCE	115	18.3%	18.3%
UNION	51	39.2%	37.3%
VALENCIA	278	37.8%	37.1%
Total	7765	23.2%	17.6%