

# Fourth 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 2008.



**New Mexico Administrative  
Office of the Courts**

**June, 2009**

# *Contents*

<b>Introduction</b>	<b>1</b>
<b>Calendar Year 2008 Statistical Summary</b>	<b>1</b>
<b>Misdemeanor Dismissals and Felony Refilings</b>	<b>1</b>
<b>How DWI Convictions are Counted</b>	<b>1</b>
<b>DWI Statistical Tables</b>	<b>3-7</b>

# **A Statistical Report on DWI in New Mexico, 1997 - 2008**

Prepared by the Administrative Office of the Courts

## **Introduction**

The Administrative Office of the Courts (AOC) is pleased to present the Fourth Annual Statistical Report on DWI Court Dispositions in New Mexico. This report contains statistical information on New Mexico Driving While Intoxicated (DWI) cases adjudicated from 1997 through 2008, in state and municipal courts. It features statistical tables on all DWI cases adjudicated by magistrate courts, district courts, municipal courts, and the Bernalillo County Metropolitan Court (BCMC).

## **Calendar Year 2008 Statistical Summary**

In calendar year 2008, 20,203 DWI cases were adjudicated by state and municipal courts in New Mexico. District courts throughout the state disposed of 3,111 felony DWI cases, magistrate courts disposed of 8,034 misdemeanor DWI cases, and the BCMC disposed of 7,135 misdemeanor DWI cases. In addition, 1,923 DWI cases were charged under municipal ordinances and disposed in municipal courts.

During 2008, conviction rates for magistrate courts dropped slightly, from 71.3 percent to 70.7 percent. The conviction rates for the district courts also dropped from 83.5 percent to 82.3 percent, and the conviction rate for the BCMC dropped from 71.8 percent to 69.4 percent. The conviction rate also dropped for the municipal courts, from 88.3 percent to 87.5 percent. These slight decreases are not significant and could reflect random statistical variations rather than imply a change in procedure or process that affected overall conviction rates.

## **Misdemeanor Dismissals and Felony Refilings**

A comparison of 2008 magistrate DWI case dismissals and district court felony DWI case initiations shows that 23.8 percent of magistrate court dismissals were later refiled by prosecutors as felonies in district courts. By factoring in these refiled cases, the overall statewide magistrate and BCMC dismissal rate was effectively reduced by 4.6 percent. While these cases were technically "dismissed" in a magistrate court or the BCMC, the defendants associated with these dismissed cases were merely re-charged by prosecutors as felons rather than misdemeanants, and the overall dismissal rates for these re-filed cases are ultimately accounted for in district court conviction rates. As such, the BCMC and magistrate court disposition tables on pages 4 and 6, should be compared to the prosecutor refile table on page 7, for a more complete and accurate picture of the overall magistrate and BCMC DWI dismissal rate.

## **How DWI Convictions are Counted**

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 are first heard in a magistrate court in all counties except Bernalillo County. During a preliminary hearing, when a magistrate

---

judge rules that probable cause exists for a particular DWI case, that case will be transferred to a district court for a felony trial.

These transfers, called “bind-overs,” are not dismissals, but are simply an expedient means of transferring the most serious DWI cases from a limited jurisdiction court to a general jurisdiction felony court. Since 1997, the bind-over rate has fluctuated between 8.5 and 14.5 percent of magistrate DWI case initiations. While felony bind-over statistics are not included in this report, all cases bound over to district courts are eventually counted as district court DWI adjudications.

Even when all DWI charges against a defendant are dismissed, field research has shown that many dismissed DWI cases actually contain convictions on underlying non-DWI traffic charges. These ancillary traffic charges result when a driver is stopped for a traffic infraction and the arresting officer smells alcohol, or observes that the driver appears intoxicated. When a driver is initially charged with DWI, the officer may also cite the driver for underlying traffic offenses. If the DWI charge is later dismissed in a court, the judge may convict the defendant on the associated traffic charges. For purposes of this report, convictions for such underlying traffic offenses were not counted as DWI convictions.

## DWI Cases Disposed For Calendar Years 1997 Through 2008

### 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	1224	84.6%	0.4%	0.0%	3.8%	11.2%	6.0%	0.0%	0.0%	0.0%	5.1%
1998	1460	82.2%	0.3%	0.0%	2.7%	14.9%	8.9%	0.0%	0.0%	0.0%	6.0%
1999	1705	83.6%	0.5%	0.0%	2.8%	13.1%	8.3%	0.0%	0.2%	0.0%	4.6%
2000	1753	78.4%	0.5%	0.1%	1.1%	20.0%	9.1%	0.1%	0.3%	0.0%	10.4%
2001	1687	84.7%	0.4%	0.1%	0.5%	14.3%	7.3%	0.0%	0.2%	0.0%	6.8%
2002	1936	84.4%	0.5%	0.2%	2.0%	13.0%	5.7%	0.0%	0.3%	0.0%	6.9%
2003	1960	85.2%	0.6%	0.2%	0.7%	13.4%	10.3%	0.6%	0.3%	0.0%	2.2%
2004	2218	86.4%	0.5%	0.7%	0.0%	12.4%	10.3%	1.2%	0.5%	0.0%	0.3%
2005	2326	83.4%	0.9%	0.7%	0.0%	15.0%	11.7%	2.5%	0.5%	0.0%	0.4%
2006	2416	82.3%	1.2%	1.0%	0.0%	15.5%	12.9%	1.8%	0.5%	0.0%	0.3%
2007	2725	83.5%	1.1%	0.4%	0.0%	15.0%	12.5%	1.8%	0.4%	0.0%	0.3%
2008	3111	82.3%	1.0%	0.0%	0.2%	16.4%	14.2%	1.6%	0.5%	0.0%	0.2%

### 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	7458	80.1%	0.8%	0.2%	0.5%	18.5%	5.8%	0.0%	0.8%	0.0%	11.9%
1998	7161	77.5%	0.6%	0.1%	0.6%	21.2%	6.1%	0.1%	0.6%	0.0%	14.4%
1999	7412	77.0%	0.7%	0.1%	0.9%	21.3%	7.6%	0.1%	1.0%	0.0%	12.6%
2000	7415	76.5%	0.5%	0.3%	0.3%	22.5%	8.0%	0.1%	0.8%	0.1%	13.4%
2001	7119	76.1%	0.6%	0.2%	0.6%	22.5%	8.9%	0.2%	0.9%	0.1%	12.3%
2002	6713	77.7%	0.8%	0.2%	0.9%	20.3%	8.4%	0.1%	0.9%	0.1%	10.8%
2003	7529	76.8%	0.6%	0.2%	1.1%	21.3%	10.0%	0.2%	0.8%	0.0%	10.3%
2004	8181	75.5%	0.9%	0.1%	0.9%	22.6%	12.7%	0.4%	1.3%	0.2%	7.9%
2005	7633	72.4%	0.7%	0.0%	0.0%	26.8%	21.7%	1.5%	0.9%	0.9%	1.8%
2006	7571	69.6%	0.8%	0.0%	0.1%	29.6%	25.3%	1.2%	0.8%	0.7%	1.6%
2007	7914	71.3%	0.9%	0.0%	0.0%	27.7%	23.3%	1.8%	1.0%	0.4%	1.1%
2008	8034	70.7%	0.7%	0.0%	0.1%	28.5%	23.7%	1.9%	1.0%	0.3%	1.6%

<b>Total Cases</b>	Cases disposed in a year
<b>Total Convictions</b>	Conviction rate for cases disposed
<b>Total Acquittals</b>	Acquittal rate for cases disposed
<b>Conditionally Discharged</b>	Conditional discharge rate for cases disposed
<b>Other Dispositions</b>	Cases not dismissed but which do not fit into column heading categories
<b>Total Dismissed</b>	Dismissal rate for all cases disposed
<b>Dismissed by Prosecutor</b>	Cases dismissed by a court subsequent to motion for dismissal by a prosecutor ( for net dismissal rate see page 8 )
<b>Dismissed By Court</b>	Cases dismissed by a judge
<b>Dismissed 6 Month Rule</b>	Cases dismissed under the six month rule
<b>Dismissed Failure To Appear</b>	Cases dismissed due to failure of an officer/witness to appear
<b>Other Dismissal</b>	Cases dismissed for other reasons

## DWI Cases Disposed For Calendar Year 2008

### 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%
2008	7135	69.4%	0.7%	0.0%	0.0%	29.9%	9.4%	0.7%	0.8%	18.2%	0.9%

### 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	2315	98.1%	0.0%	0.0%	1.8%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%
1998	2435	98.4%	0.0%	0.0%	1.6%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%
1999	2284	98.1%	0.0%	0.0%	1.3%	0.6%	0.3%	0.0%	0.0%	0.0%	0.3%
2000	2472	96.9%	0.0%	0.0%	1.7%	1.3%	0.3%	0.0%	0.0%	0.0%	1.0%
2001	2332	98.2%	0.0%	0.0%	1.8%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%
2002	1725	97.8%	0.2%	0.0%	1.9%	0.1%	0.0%	0.1%	0.0%	0.0%	0.0%
2003	1761	98.5%	0.1%	0.0%	1.5%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%
2004	2233	97.3%	0.6%	0.0%	2.0%	0.1%	0.0%	0.0%	0.0%	0.0%	0.0%
2005	2137	95.9%	0.8%	0.0%	1.8%	1.5%	1.3%	0.1%	0.1%	0.0%	0.0%
2006	2224	84.7%	0.9%	0.0%	3.6%	10.8%	6.8%	1.9%	0.4%	0.3%	1.4%
2007	2298	88.3%	1.3%	0.0%	0.0%	10.4%	4.7%	3.5%	0.2%	0.3%	1.7%
2008	1923	87.5%	0.9%	0.0%	0.6%	11.0%	5.1%	1.8%	0.8%	0.4%	2.9%

<b>Total Cases</b>	Cases disposed in a year
<b>Total Convictions</b>	Conviction rate for cases disposed
<b>Total Acquittals</b>	Acquittal rate for cases disposed
<b>Conditionally Discharged</b>	Conditional discharge rate for cases disposed
<b>Other Dispositions</b>	Cases not dismissed but which do not fit into column heading categories
<b>Total Dismissed</b>	Dismissal rate for all cases disposed
<b>Dismissed by Prosecutor</b>	Cases dismissed by a court subsequent to motion for dismissal by a prosecutor ( for net dismissal rate see page 8 )
<b>Dismissed By Court</b>	Cases dismissed by a judge
<b>Dismissed 6 Month Rule</b>	Cases dismissed under the six month rule
<b>Dismissed Failure To Appear</b>	Cases dismissed due to failure of an officer/witness to appear
<b>Other Dismissal</b>	Cases dismissed for other reasons

## DWI Cases Disposed For Calendar Year 2008

### 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	714	89.4%	0.1%	0.0%	0.0%	10.5%	9.2%	1.1%	0.1%	0.0%	0.0%
CATRON	4	75.0%	0.0%	0.0%	25.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%
CHAVES	113	79.6%	4.4%	0.0%	0.0%	15.9%	15.0%	0.9%	0.0%	0.0%	0.0%
CIBOLA	27	77.8%	0.0%	0.0%	0.0%	22.2%	22.2%	0.0%	0.0%	0.0%	0.0%
COLFAX	17	88.2%	0.0%	0.0%	0.0%	11.8%	11.8%	0.0%	0.0%	0.0%	0.0%
CURRY	155	82.6%	0.6%	0.0%	0.0%	16.8%	12.9%	3.9%	0.0%	0.0%	0.0%
DE BACA	4	100.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%
DONA ANA	696	77.6%	1.4%	0.0%	0.0%	21.0%	19.8%	0.4%	0.4%	0.0%	0.3%
EDDY	44	95.5%	0.0%	0.0%	0.0%	4.5%	2.3%	2.3%	0.0%	0.0%	0.0%
GRANT	19	94.7%	0.0%	0.0%	0.0%	5.3%	5.3%	0.0%	0.0%	0.0%	0.0%
GUADALUPE	3	66.7%	0.0%	0.0%	0.0%	33.3%	33.3%	0.0%	0.0%	0.0%	0.0%
HARDING	2	100.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%
HIDALGO	6	100.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%
LEA	33	78.8%	0.0%	0.0%	0.0%	21.2%	21.2%	0.0%	0.0%	0.0%	0.0%
LINCOLN	33	78.8%	9.1%	0.0%	0.0%	12.1%	3.0%	6.1%	0.0%	0.0%	3.0%
LOS ALAMOS	6	100.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%
LUNA	19	84.2%	0.0%	0.0%	0.0%	15.8%	15.8%	0.0%	0.0%	0.0%	0.0%
MCKINLEY	93	78.5%	1.1%	0.0%	0.0%	20.4%	16.1%	1.1%	2.2%	0.0%	1.1%
MORA	4	50.0%	0.0%	0.0%	0.0%	50.0%	50.0%	0.0%	0.0%	0.0%	0.0%
OTERO	63	79.4%	3.2%	0.0%	0.0%	17.5%	12.7%	3.2%	0.0%	0.0%	1.6%
QUAY	11	90.9%	0.0%	0.0%	0.0%	9.1%	9.1%	0.0%	0.0%	0.0%	0.0%
RIO ARRIBA	76	68.4%	5.3%	0.0%	0.0%	26.3%	17.1%	6.6%	1.3%	0.0%	1.3%
ROOSEVELT	37	75.7%	0.0%	0.0%	0.0%	24.3%	18.9%	5.4%	0.0%	0.0%	0.0%
SAN JUAN	414	91.3%	0.5%	0.0%	0.2%	8.0%	6.8%	1.2%	0.0%	0.0%	0.0%
SAN MIGUEL	36	72.2%	0.0%	0.0%	13.9%	13.9%	13.9%	0.0%	0.0%	0.0%	0.0%
SANDOVAL	133	72.2%	1.5%	0.0%	0.0%	26.3%	23.3%	1.5%	1.5%	0.0%	0.0%
SANTA FE	216	77.3%	0.5%	0.0%	0.0%	22.2%	15.7%	4.2%	2.3%	0.0%	0.0%
SIERRA	7	57.1%	0.0%	0.0%	0.0%	42.9%	42.9%	0.0%	0.0%	0.0%	0.0%
SOCORRO	31	80.6%	0.0%	0.0%	0.0%	19.4%	19.4%	0.0%	0.0%	0.0%	0.0%
TAOS	34	61.8%	0.0%	0.0%	0.0%	38.2%	35.3%	2.9%	0.0%	0.0%	0.0%
TORRANCE	27	77.8%	0.0%	0.0%	0.0%	22.2%	22.2%	0.0%	0.0%	0.0%	0.0%
UNION	8	100.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%
VALENCIA	26	65.4%	0.0%	0.0%	0.0%	34.6%	30.8%	3.8%	0.0%	0.0%	0.0%
<b>Total</b>	<b>3111</b>	<b>82.3%</b>	<b>1.0%</b>	<b>0.0%</b>	<b>0.2%</b>	<b>16.4%</b>	<b>14.2%</b>	<b>1.6%</b>	<b>0.5%</b>	<b>0.0%</b>	<b>0.2%</b>

- Total Cases Cases disposed in a year
- Total Convictions Conviction rate for cases disposed
- Total Acquittals Acquittal rate for cases disposed
- Conditionally Discharged Conditional discharge rate for cases disposed
- Other Dispositions Cases not dismissed but which do not fit into column heading categories
- Total Dismissed Dismissal rate for all cases disposed
- Dismissed by Prosecutor Cases dismissed by a court subsequent to motion for dismissal by a prosecutor ( for net dismissal rate see page 8 )
- Dismissed By Court Cases dismissed by a judge
- Dismissed 6 Month Rule Cases dismissed under the six month rule
- Dismissed Failure To Appear Cases dismissed due to failure of an officer/witness to appear
- Other Dismissal Cases dismissed for other reasons

## DWI Cases Disposed For Calendar Year 2008

### 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	21	61.9%	4.8%	0.0%	4.8%	28.6%	28.6%	0.0%	0.0%	0.0%	0.0%
CHAVES	326	79.4%	0.3%	0.0%	0.9%	19.3%	18.1%	0.9%	0.0%	0.0%	0.3%
CIBOLA	282	73.0%	0.0%	0.0%	0.0%	27.0%	23.4%	1.8%	0.7%	0.7%	0.4%
COLFAX	88	64.8%	0.0%	0.0%	0.0%	35.2%	31.8%	1.1%	1.1%	0.0%	1.1%
CURRY	238	54.2%	0.4%	0.0%	0.8%	44.5%	43.7%	0.0%	0.4%	0.4%	0.0%
DE BACA	10	50.0%	0.0%	0.0%	0.0%	50.0%	40.0%	10.0%	0.0%	0.0%	0.0%
DONA ANA	1377	67.5%	0.0%	0.0%	0.1%	32.4%	32.1%	0.1%	0.2%	0.0%	0.0%
EDDY	168	85.7%	3.0%	0.0%	0.0%	11.3%	9.5%	1.2%	0.0%	0.6%	0.0%
GRANT	173	75.7%	0.6%	0.0%	0.0%	23.7%	19.1%	4.0%	0.0%	0.0%	0.6%
GUADALUPE	50	80.0%	2.0%	0.0%	0.0%	18.0%	16.0%	2.0%	0.0%	0.0%	0.0%
HARDING	11	72.7%	0.0%	0.0%	0.0%	27.3%	27.3%	0.0%	0.0%	0.0%	0.0%
HIDALGO	83	88.0%	0.0%	0.0%	0.0%	12.0%	12.0%	0.0%	0.0%	0.0%	0.0%
LEA	167	86.2%	1.2%	0.0%	0.0%	12.6%	10.8%	0.6%	0.0%	0.0%	1.2%
LINCOLN	143	84.6%	1.4%	0.0%	0.0%	14.0%	11.9%	2.1%	0.0%	0.0%	0.0%
LOS ALAMOS	12	75.0%	0.0%	0.0%	0.0%	25.0%	25.0%	0.0%	0.0%	0.0%	0.0%
LUNA	125	72.8%	1.6%	0.0%	0.8%	24.8%	20.0%	4.0%	0.8%	0.0%	0.0%
MCKINLEY	915	69.1%	0.5%	0.0%	0.0%	30.4%	24.0%	2.8%	3.1%	0.4%	0.0%
MORA	29	72.4%	0.0%	0.0%	0.0%	27.6%	24.1%	3.4%	0.0%	0.0%	0.0%
OTERO	195	81.0%	1.5%	0.0%	0.0%	17.4%	16.9%	0.0%	0.5%	0.0%	0.0%
QUAY	74	81.1%	0.0%	0.0%	0.0%	18.9%	16.2%	0.0%	0.0%	1.4%	1.4%
RIO ARRIBA	409	59.4%	0.2%	0.0%	0.0%	40.3%	23.2%	0.5%	1.5%	0.5%	14.7%
ROOSEVELT	121	86.8%	0.8%	0.0%	0.0%	12.4%	10.7%	0.0%	0.0%	0.8%	0.8%
SAN JUAN	884	82.5%	1.0%	0.0%	0.0%	16.5%	13.0%	3.1%	0.3%	0.0%	0.1%
SAN MIGUEL	257	80.2%	1.6%	0.0%	0.4%	17.9%	14.4%	3.5%	0.0%	0.0%	0.0%
SANDOVAL	280	55.7%	1.1%	0.0%	0.4%	42.9%	32.1%	7.1%	1.1%	1.4%	1.1%
SANTA FE	640	70.8%	0.6%	0.0%	0.2%	28.4%	24.2%	1.9%	1.9%	0.2%	0.3%
SIERRA	122	65.6%	1.6%	0.0%	0.0%	32.8%	27.0%	0.8%	4.9%	0.0%	0.0%
SOCORRO	208	63.0%	1.9%	0.0%	0.0%	35.1%	27.4%	3.8%	0.0%	1.4%	2.4%
TAOS	173	56.6%	0.6%	0.0%	0.0%	42.8%	36.4%	5.8%	0.6%	0.0%	0.0%
TORRANCE	77	89.6%	0.0%	0.0%	0.0%	10.4%	9.1%	0.0%	0.0%	0.0%	1.3%
UNION	26	57.7%	3.8%	0.0%	0.0%	38.5%	38.5%	0.0%	0.0%	0.0%	0.0%
VALENCIA	350	46.0%	0.6%	0.0%	0.0%	53.4%	33.1%	1.4%	2.6%	2.3%	14.0%
<b>Total</b>	<b>8034</b>	<b>70.7%</b>	<b>0.7%</b>	<b>0.0%</b>	<b>0.1%</b>	<b>28.5%</b>	<b>23.7%</b>	<b>1.9%</b>	<b>1.0%</b>	<b>0.3%</b>	<b>1.6%</b>

<b>Total Cases</b>	Cases disposed in a year
<b>Total Convictions</b>	Conviction rate for cases disposed
<b>Total Acquittals</b>	Acquittal rate for cases disposed
<b>Conditionally Discharged</b>	Conditional discharge rate for cases disposed
<b>Other Dispositions</b>	Cases not dismissed but which do not fit into column heading categories
<b>Total Dismissed</b>	Dismissal rate for all cases disposed
<b>Dismissed by Prosecutor</b>	Cases dismissed by a court subsequent to motion for dismissal by a prosecutor ( for net dismissal rate see page 8 )
<b>Dismissed By Court</b>	Cases dismissed by a judge
<b>Dismissed 6 Month Rule</b>	Cases dismissed under the six month rule
<b>Dismissed Failure To Appear</b>	Cases dismissed due to failure of an officer/witness to appear
<b>Other Dismissal</b>	Cases dismissed for other reasons

**Impact of Magistrate Court and Bernalillo Metropolitan Court DWI Cases Refiled in District Court on Dismissed by Prosecutor Rate for 2008**

County	Cases Dismissed by Prosecutor	Cases Refiled as Felony DWI By Prosecutor	Percentage of Prosecutor Dismissals Refiled as Felony DWI	Total Dismissal Rate Before Subtracting Refiled Cases	Net Dismissal Rate After Subtracting Refiled Cases
BERNALILLO	668	252	37.7%	29.9%	26.4%
CATRON	6	0	0.0%	28.6%	28.6%
CHAVES	59	26	44.1%	19.3%	11.3%
CIBOLA	66	20	30.3%	27.0%	19.9%
COLFAX	28	3	10.7%	35.2%	31.8%
CURRY	104	51	49.0%	44.5%	23.1%
DE BACA	4	1	25.0%	50.0%	40.0%
DONA ANA	442	258	58.4%	32.4%	13.7%
EDDY	16	3	18.8%	11.3%	9.5%
GRANT	33	0	0.0%	23.7%	23.7%
GUADALUPE	8	0	0.0%	18.0%	18.0%
HARDING	3	0	0.0%	27.3%	27.3%
HIDALGO	10	3	30.0%	12.0%	8.4%
LEA	18	2	11.1%	12.6%	11.4%
LINCOLN	17	4	23.5%	14.0%	11.2%
LOS ALAMOS	3	0	0.0%	25.0%	25.0%
LUNA	25	0	0.0%	24.8%	24.8%
MCKINLEY	220	5	2.3%	30.4%	29.8%
MORA	7	0	0.0%	27.6%	27.6%
OTERO	33	13	39.4%	17.4%	10.8%
QUAY	12	1	8.3%	18.9%	17.6%
RIO ARRIBA	95	7	7.4%	40.3%	38.6%
ROOSEVELT	13	1	7.7%	12.4%	11.6%
SAN JUAN	115	3	2.6%	16.5%	16.2%
SAN MIGUEL	37	0	0.0%	17.9%	17.9%
SANDOVAL	90	2	2.2%	42.9%	42.1%
SANTA FE	155	14	9.0%	28.4%	26.3%
SIERRA	33	0	0.0%	32.8%	32.8%
SOCORRO	57	4	7.0%	35.1%	33.2%
TAOS	63	6	9.5%	42.8%	39.3%
TORRANCE	7	1	14.3%	10.4%	9.1%
UNION	10	2	20.0%	38.5%	30.8%
VALENCIA	116	20	17.2%	53.4%	47.7%