

Restorative Justice

Personal and community healing
through in-person, deep accountability



Chief Baur

In our current court system, it's rare that we can say that anyone "wins," or that a case or prosecution has in any way improved our community. Our clients are punished in a way that doesn't help them recover or make real amends, often leaving them with more trauma and set up to re-offend. If there is one, the victim – the person harmed – gets nothing but maybe a little vengeance. No answers. No healing. No real accountability. Yet the "system" grinds along. There has to be a better way to address crime.

One possible way that is gaining more attention recently is the world of Restorative Justice. For me, the concepts and success stories of Restorative Justice, which can provide that option for making amends, are exciting. While it's not a new concept, having very old roots in indigenous cultures across the world, it is almost unknown and seriously underutilized in New Mexico's criminal court system. And it is something I and others at LOPD believe could be effective at addressing community health and safety issues while helping some of our clients.

We all got into this work to help people and to improve our communities. As the system is now, that means fighting for our clients to get a case dismissed and to keep the system from crushing them. Trying Restorative Justice doesn't mean we stop fighting. What it means to me is working with others to create what could be a better, alternative system, an option. Concepts of Restorative Justice are not going to be appropriate in many instances, maybe because the local police or community (or our client) aren't ready for it, or maybe the case is too awful. But where we can find a way to give this process a chance, I think we should try. After you've read this issue and some of the referenced materials, if you want to learn more or if you have a case (any charge) that you think might benefit from a Restorative Justice approach, please reach out to me, Deputy Chief Jennifer Barela and your District Defender.

— Ben



Punishment & retribution

Prison

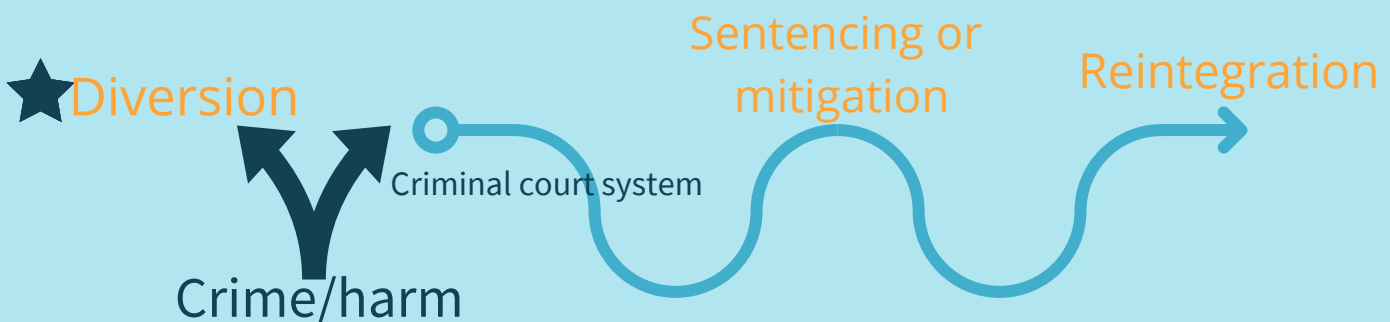
Shift in language

victim ↔ harmed party defendant ↔ responsible party
sentencing ↔ Repair Plan or Community Restorative Plan

What is it?

Restorative Justice practices vary by community and purpose, including in schools, churches, neighborhoods, and families. It is more about the set of principles driving the process than it is about a formula of steps. The most common element is a voluntary but guided meeting of the people involved in the crime/harm: the one who did the harm, those who were harmed (victims), and a facilitator. Those who were harmed can be a broad net and can include witnesses, those who had to clean up after the wrongdoing, community members, and police, etc.. The group of prepared participants meets for sharing and listening, often sitting in a circle. The group collaborates on a plan for the responsible party to "make right" the harm caused. This can be very creative and tailored to the individuals (maintenance of a descanso, education talks, \$ restitution, etc.). It can blend with traditional incarceration. And it can address the causes of crime, often a harm the responsible party has endured (hurt people hurt people).

Where restorative practices can fit in our work



A real-life story of Restorative Justice from Taos

An 'advantage of being forgiven'

Antonia Miera was 16 when she was fatally run over by her boyfriend, Arturo Mondragón Jr., who was drunk and trying to drive away from their late night parking lot conflict. He was charged and eventually went to prison, but he and Antonia's family were offered an unusual opportunity they all say saved their lives.

They were offered the path of Restorative Justice, which led them eventually into a room together to talk and listen about what happened that night. Together they reached forgiveness and accountability. They began to carry each other's sadness. And they made a plan for Mondragón Jr. to make amends for the harm he caused.

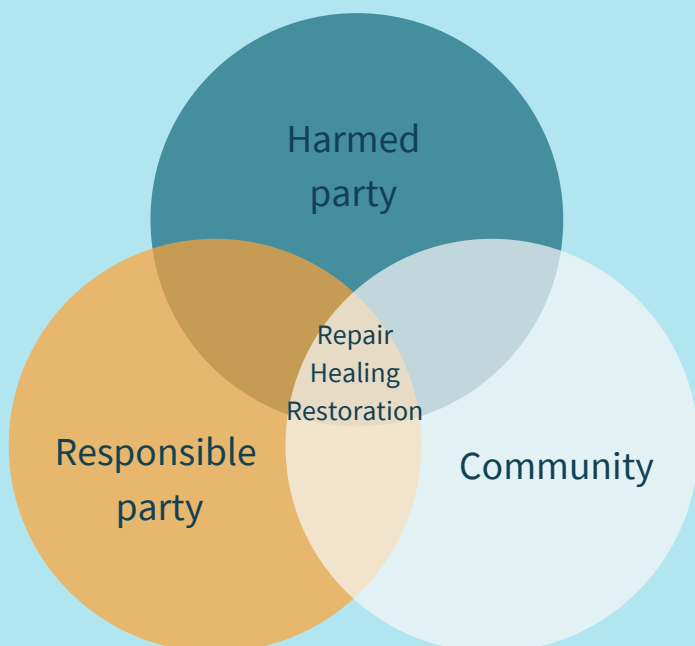
"There's something about that forgiveness that helped me," Mondragón told the Taos News after his release from prison. Antonia's mother and husband said the process allowed them to move through their anger and reach a sense of peace, eventually routinely meeting with him in prison, "...I went in with a lot of anger. By the time it was over, I was able to get up and give him a hug," Antonia's mother's husband told the Taos News.

TAOS NEWS

The man who killed Roybal- Gonzales' daughter, 27-year-old Arturo Mondragón Jr., was released from prison in Los Lunas last month. And Roybal-Gonzales and her husband David are prepared to help Mondragón move on. Roybal-Gonzales and her husband David Gonzales credit a ground-breaking healing process called restorative justice for their ability to forgive Mondragón and welcome him back to Taos.



Davis says that there are more men like Mondragón in prison than people think, but they don't have the advantage of being forgiven.



Resident Pioneer: Thom Allena

New Mexico is lucky to claim one of the leaders of the Restorative Justice movement as its own. Thomas Allena has lived in Taos, Santa Fe, and most recently Corrales, New Mexico. He teaches Restorative Justice courses at the University of New Mexico and in the community and operates his long-time comprehensive consulting firm helping corporations, schools and universities, courts -- LOPD -- and others pursue unique conflict resolution strategies. LOPD has consulted with Thomas on several cases over the last 10 years and is working with him to find current LOPD cases in which the practice could be used. Thom's work includes assessing the case, strategizing the needs of the stakeholders and coordinating and facilitating the process.



He has worked on hundreds of criminal cases and countless non-court restorative circles in his 35+ years in the field. Thomas, often referred to as a pioneer in the field, helped establish the Longmont, Colorado, program referenced in the documentary "How to Love Your Enemy" discussed on the next page.

How do we know if it's working?

Using the criminal justice metric of recidivism, the Restorative Justice program in Longmont, Colorado, is an astonishing success. Before the city implemented an independent (not run by prosecutors or police) Restorative Justice program, they tracked just at the national recidivism trend at 55-60%, meaning 55-60% of the people arrested/convicted of a crime committed another offense after initial police contact or incarceration. That rate now hovers around 10% and lower.

Leaders in the Longmont Community Justice Project say quantifying the human and community improvements is much more difficult. Their story is documented in the film "How to Love Your Enemy," which recently screened in Albuquerque -- with a team of LOPDers in the audience -- on its national tour. It is free to watch [HERE](#) on YouTube.



Concerns about RJ

Not all is perfect with the practice. Some offenders fail out of the system, risking additional harm to victims. Some people worry that cultural differences in how people express regret and responsibility might influence who is selected as a suitable candidate for the process. Others warn that the process should not be housed under victim services at prosecutor offices nor at police departments - or public defender offices. And some feel RJ is a more difficult path for our clients, especially if the law requires only a short jail stay compared to the involved and emotional RJ process.

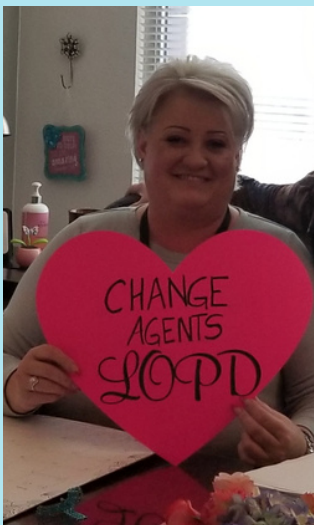
Continuing Recruiting



LOPD brought a team to a recent student law group meeting at UNM in Albuquerque, talking about public defense life.



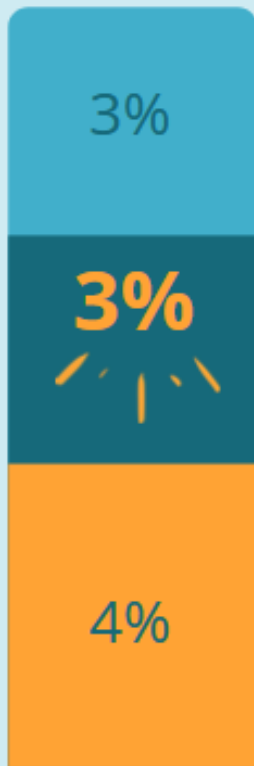
Social work recruiting



LOPD social workers Jennifer Smith, right, and Andrea Miles, left, represented LOPD at the NMSU School of Social Work career seminar recently, helping to educate – and hopefully recruit – graduating students.

Raises on their way

10.3% salary increase



From the legislature
for non-probationary state employees
You'll see it in your April 22 paycheck

For all LOPD employees
You'll see it in your
May 6 paycheck

From the legislature
for non-probationary state employees
You'll see it in your July 29 paycheck

*probationary employees will receive raises upon completion of their probationary period

Boxes be gone

Statewide archiving project continues, this time in SF

*At least 19 million pages
in about 6,000 banker boxes set for scanning*

Box by box, decades of client files are set for destruction or scanning in the department's epic digitization and archiving project. On schedule for completion over the next year, the project will eventually allow digital storage of all case files.

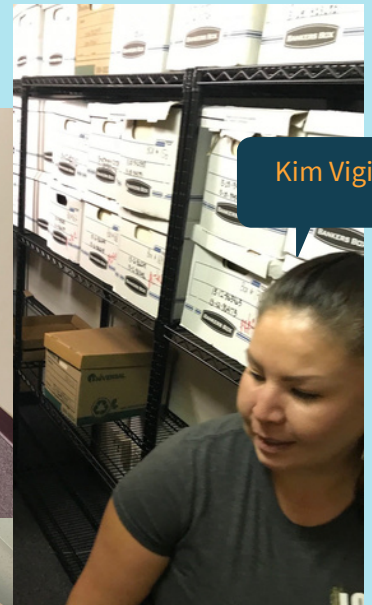


Zac Olivas

Kortney Barker



Adrienne Turner



Kim Vigil



DC Jennifer Barela



Maggie Shepard

Judy Gonzales

LOPD Conference

The Awards and Message from the Chief will be presented on June 15, 2022.

This will be for everyone.

The LOPD Virtual Conference learning sessions will continue June 15-17, 2022.

The sessions are for attorneys.



Gratitude swag

Albuquerque Administrative
Operations Manager

Veronica Rosales poses with
her personalized LOPD bag,
a gift to her and other staff
from a grateful colleague.

National Women's Month meeting

Hobbs office hosts breakfast chat



Atty Yolonda Joiner



Cattle rustling Caitlin

LOPD's appellate attorney Caitlin Smith argued — and won — before the Supreme Court and New Mexico students for the court's Rule of Law event in March. No opinion has been announced.

She argued for our client to face 3 years in prison — not 75 — if convicted of cattle rustling.

Featured in Court

We're not the only ones with a newsletter. Second District Court in Albuquerque recently featured some of us in its newsletter.



A recent Young Adult Court Graduation Ceremony included Presiding Judge Cindy Leos, third from the left, four graduates, Program Manger Coral Mendez-Flores, third from the right, as well as prosecuting attorney and defense attorneys.



Lawrence Benavidez, holding certificate, celebrates his graduation on March 10, 2020 with the Mental Health Court Team.

Good eggs on Good Friday



Albuquerque felony floor hunted for eggs Good Friday afternoon with Candace Archibeque, left, sweeping the competition and Laurene Latasa, right, winning the grand prize from egg hider Prescilla Gum.

Action: Law School

Clovis' Maggie Chavez accepted

and Carolyn Gonzales rocking Y1



"I'm super excited!!!" said Chavez on her acceptance at Widener University in Delaware, Western Michigan University – Cooley, and Vermont.



Carolyn Gonzales started at the Washburn University School of Law in the Spring Semester 2022



Baby Edwards

Fiscal Unit's Theresa Edwards and Trevor Edwards welcomed a wonderful little boy on Sunday, March 27th at 5:17 p.m.

Vincent Edwards, 8lbs, 2oz.

Grilling in Las Cruces



Frank DePalma grilling outside the Las Cruces office.

Las Cruces hosted their first potluck since the pandemic began, choosing St. Patrick's Day grilling to kick it off.

MARCH/APRIL/MAY/JUNE

LOPD Anniversaries

Celebrating 1, 5, 10,
15, 20+ years

25 years



Susan Hernandez
Office Manager
Carlsbad

1 year

Robyn Walker
Whitney Trujillo
Martin Wolfson
Mally Darnell
Monica Gautreaux

Valeria Sanchez - Guevara
Sonseeahray Begay-Rodriguez
Caitlin Pozernick
America Morales

10 years

Milton Rodriguez
Traci Henderson
Courtney Aronowsky

5 years

James Scott Price	Caitlin Smith
Candace Archibeque	Robert Zamora
Rina Griego	Stephen Ochoa
Ivey Hendrix	Brendan Hicks
Jeremiah Hall	Frank DePalma
	Ronald Day

Welcome to the LOPD team!

Sabrina Tafoya	Senior Secretary
Barbara Mulvaney	Attorney
Renee Money	Senior Secretary
Gabriel Brownlee	Senior Secretary
David Codispoti	Attorney
Patrick Smith	Attorney
Gordon Lazar	Attorney

Retirement

Brenda Rodriguez

Thank you to the HR team for compiling these lists. If your name was somehow left off a list, please know it was not on purpose. Just let Maggie Shepard know and she'll make it right in the next newsletter.

To contribute, correct, compliment or criticize newsletter content or to talk to LOPD Communication Director Maggie Shepard, contact her at maggie.shepard@lopdnm.us or (505) 690-4529. All newsletter content is compiled by Maggie Shepard and approved by LOPD leadership.