



**OFFICE OF THE DISTRICT ATTORNEY
SECOND JUDICIAL DISTRICT
STATE OF NEW MEXICO**

**SAM BREGMAN
DISTRICT ATTORNEY**

October 8, 2024

Dear fellow New Mexicans,

There is a Fentanyl Crisis in Bernalillo County. This drug is destroying lives, neighborhoods, and businesses throughout our city and state. Fentanyl is one of the top drivers of crime in Albuquerque, from shoplifting to armed robberies to murder.

It is clear there is a severe lack of coordination when it comes to treatment for people who have become addicted to this poison. Even though our office is prosecuting hundreds of cases for trafficking this awful drug, it has become apparent that we cannot prosecute our way out of this problem.

We must have a robust and coordinated effort to address the demand for this drug. We must target our efforts and work together to combat this crisis.

This report spells out the problems we have, and some possible solutions. Please review this it and contact the Bernalillo County District Attorney's Office for additional questions or suggestions. It is also available on our website at [Home - Bernalillo County District Attorney \(nm.gov\)](https://www.nm.gov/home-bernalillo-county-district-attorney).

Sincerely,

Sam Bregman
District Attorney



OFFICE OF THE DISTRICT ATTORNEY
SECOND JUDICIAL DISTRICT
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The Fentanyl Crisis in Bernalillo County



Compiled by: The Special Projects Division

Second Judicial District Attorney's Office

District Attorney Sam Bregman

October 8, 2024



The Fentanyl Crisis in Bernalillo County

Over the past several years, an insidious plague has been continuously spreading across our country, an undeniable issue facing every facet of our community is Fentanyl.

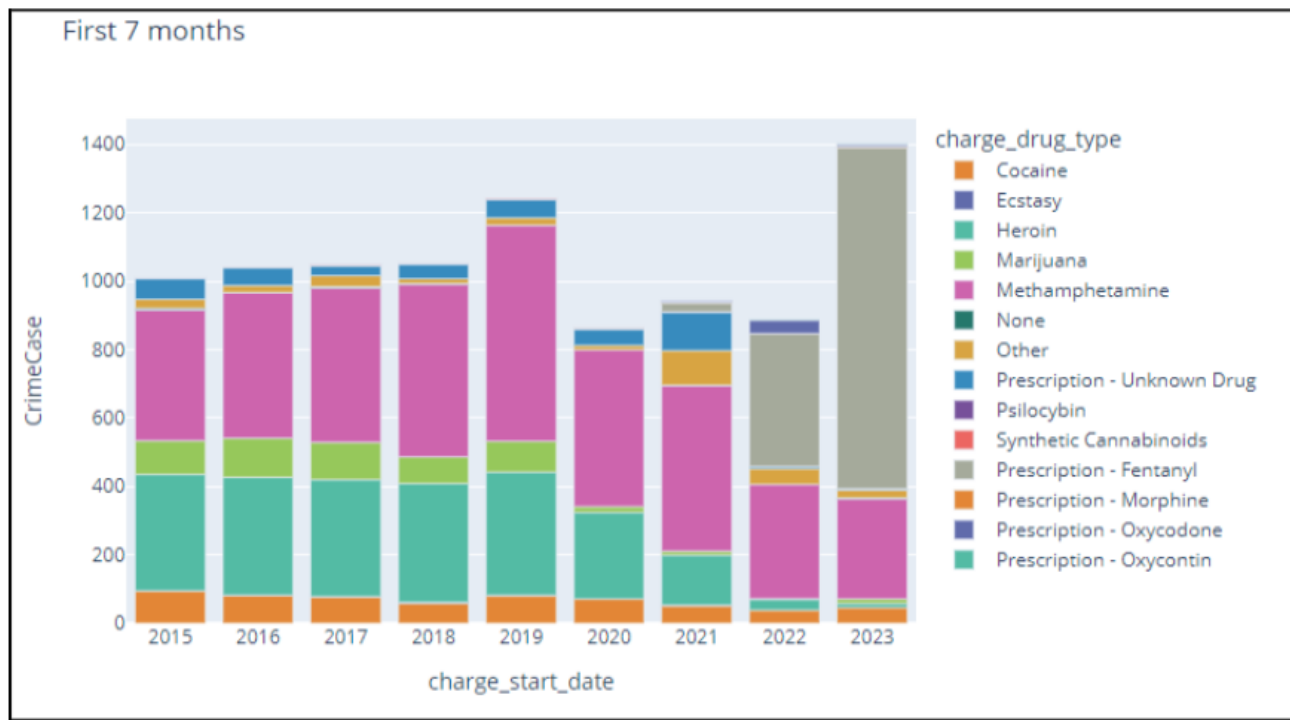
Fentanyl is a potent synthetic opioid drug approved by the Food and Drug Administration for use as an analgesic (pain relief) and anesthetic. It is approximately 100 times more potent than morphine and 50 times more potent than heroin as an analgesic. Fentanyl is a Schedule II narcotic under the United States Controlled Substances Act of 1970.



In July 2023, the Albuquerque Police Department released statistics for the first 5 months of the year (January to May). This report highlighted that drug and narcotics offenses in the city increased by 154% (from 623 to 1579) compared to the same time frame in 2022.

Accordingly, the Bernalillo County District Attorney's Office has seen a **substantial increase** in the relative number of drug cases involving Fentanyl. **Considering the first 7 months of 2023, the number of referred drug related cases (possession or trafficking) increased by 58%** (from 888 to 1401). See *Figure 1*.

Figure 1.



Compare the first seven months of 2022 to 2023. **This increase is entirely driven by Fentanyl**, as the number of methamphetamine, heroin, and cocaine referrals stayed flat or even decreased over that time. The percentage of cases indicating Fentanyl as the primary drug has also increased from 52.5% in 2022 to staggering 71.1% in 2023.



The Trend Continues To Worsen.

Fentanyl continues to be the largest driver of drug and narcotics crime.

The Albuquerque Police Department reported on September 23, 2024, that between January - June 2024, there was a **12% increase in drug/narcotics offenses** in Albuquerque. (See Figure 2).

Figure 2.

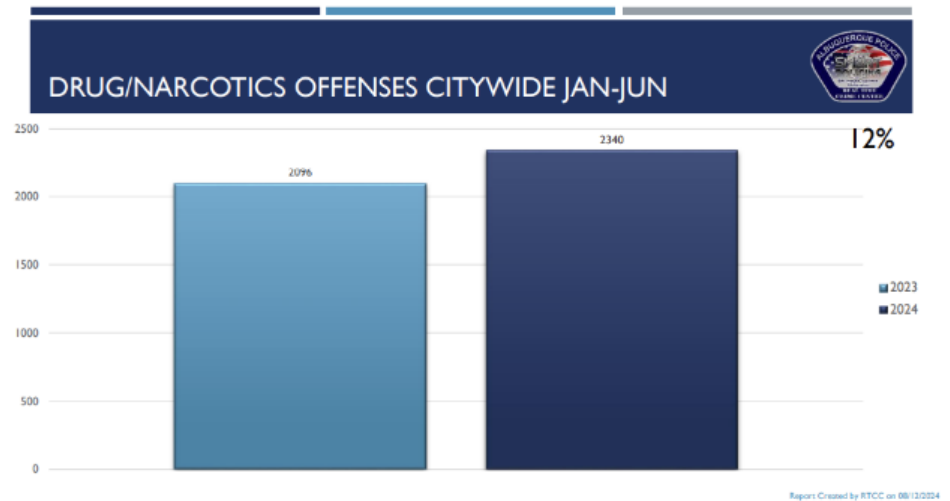


Figure 3 shows the drug/narcotic offenses in the Southeast Area Command, which has the highest number of calls for service in Albuquerque and had a **33% increase** of drug/narcotics offenses in the first six months of 2024.

Figure 3.

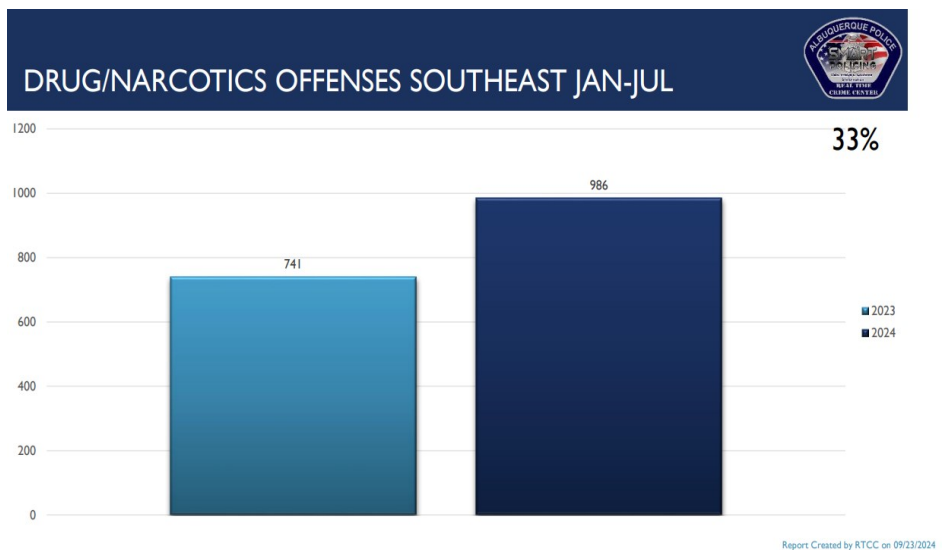
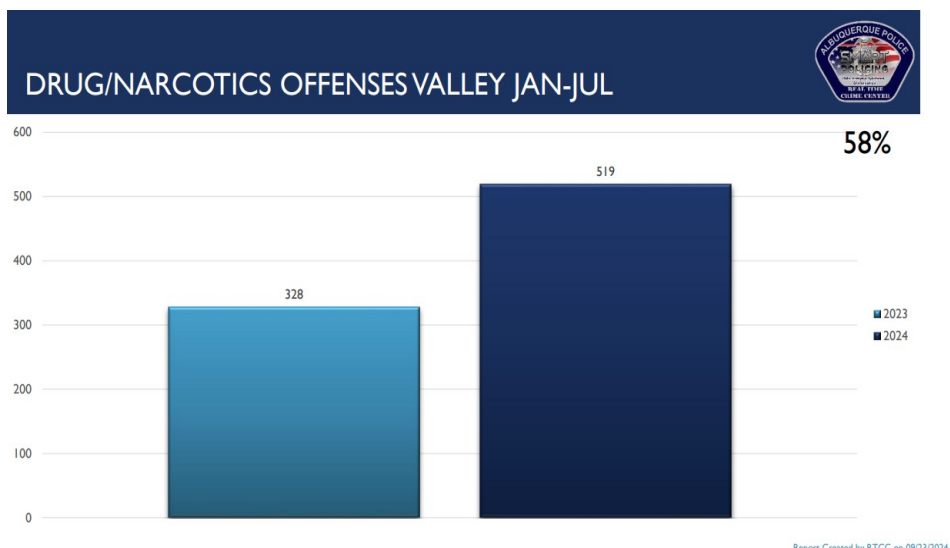


Figure 4 shows the drug/narcotic offenses in the Valley Area Command, which includes Downtown Albuquerque. In 2024, this area had a **58% increase** of drug/narcotics offenses compared to 2023.

Figure 4.





What Bernalillo County is Doing

Diversion

The Diversion team within the Second Judicial District Attorney's Office is a dedicated group that quickly identifies and resolves nonviolent cases with a number of treatment options and specialty court programs. The Diversion team also includes the Pre-Prosecution Diversion (PPD) program, which is focused on providing treatment and supervision for defendants on a wide variety of misdemeanor and felony charges. Even with capacity limitations, this team has diverted more people since 2023, than it has in the history of the office. In the



last year, there were 1872 individuals who entered into the Diversion Program, with 414 in PPD. During that time, 838 participants completed the Diversion Program and 257 completed the PPD program.

Prosecution of Fentanyl Traffickers

The Second Judicial District Attorney's Office has a robust team prosecuting drug traffickers, including those that are trafficking Fentanyl. From January to July 2024, there were 350 cases in the drug trafficking unit. The primary issue regarding the prosecution of Fentanyl trafficking is the sheer amount that one may use for personal use, with users claiming to use up to 200 pills a day.



Resource Re-Entry Center (RRC)

The RRC is a first stop option for individuals released from the Metropolitan Detention Center (MDC) as they reintegrate into the community. The goal of the RRC is to support individuals as they transition back into the community to avoid recidivism and provide services to prevent them returning to the same circumstances that led to their arrest. Based on an analysis of MDC, it is expected that approximately 21,000 individuals will be eligible to utilize the center each year. The RRC also continues to face staffing issues, but has prioritized recruitment, hiring, and training.

Second Judicial Supervision & Diversion Programs (JSDP)

The JSDP is made up of three diversion courts: Young Adult Court (YAC), Mental Health Court (MHC), and Felony Repeat Offender DWI Court. These specialty courts work collaboratively with stakeholders and participants to follow best-practice standards to address and improve individuals' life outcomes through specialized supervision, treatment engagement, linkage to community resources, and supportive practices. As of Monday, September 10, 2024: Young Adult Court had 84 participants with 12 people on the waitlist, Mental Health Court had 45 participants with 11 on the waitlist, and Felony DWI Court had 25 total participants. As the need for these specialty courts continues to grow, capacity is an ever present issue.



Albuquerque Community Safety(ACS)

ACS is a City cabinet-level public safety department. ACS allows 911 dispatch to send trained professionals with backgrounds in behavioral and mental health and social services to non-violent and non-medical calls. The goal is to deliver the right response at the right time and to improve access to the broad range of social services from government and community-based organizations. In their first two years, ACS took a total of 46,482 calls for service and diverted 28,322 calls from the police department.

Bernalillo County Behavioral Health Services CARE Campus & Community Programs

The Department of Behavioral Health Services provides a variety of direct care programs to reduce the impact of alcoholism, alcohol use, drug dependence, drug use, and mental health conditions within the community.

Programs provided include the Observation & Assessment unit, Detoxification from Alcohol and Substance Use, the Residential Supportive Aftercare Program, the Addiction Treatment Program (at MDC), the Mariposa Residential Program, and the Crisis Stabilization Unit.



The programs offer services to individuals in need of financial assistance and intensive care. The direct care programs are housed at the CARE Campus, formally the MATS (Medication-assisted treatment) Campus. They are funded primarily through the Department of Finance and Administration's Liquor Excise Tax grant dollars, the behavioral health tax, and other private funding.

Service Providers in the Bernalillo County Metropolitan Area.

There are a host of rehabilitation centers, many that take Medicaid and many more that take private insurances. At any given time, there are roughly 100 available service providers and approximately 3 for youth available in Bernalillo County. **The primary issue is that there is not a centralized HUB for law enforcement, providers, and/or clients to see where there is availability.** If an individual is interested in seeking treatment, it is a daunting task to not only find a viable list of service providers but then needing to call through the list and find an agency that fits their needs is another overwhelming obstacle. **It is imperative that it be made easy and efficient for someone seeking treatment to obtain the services they need.**

There are both public and private services available across the County, but it is extremely difficult to track down which providers have capacity.



What We Can Do Better

Having met with a number of individuals and entities working in the field of Fentanyl diversion and cessation, the Special Projects Division has compiled an extensive but **not exhaustive** list of ideas as to best battle the opioid crisis.

There is no coordinated effort when it comes to Fentanyl treatment in the State of New Mexico.

WE NEED:

- **A clearer, one stop page for recovery services.** As of now, the City of Albuquerque and Bernalillo County's websites both have resource pages, but neither is quickly accessible. Furthermore, a centralized HUB where service providers can upload their service capabilities, i.e. space available in outpatient programs, or beds available for inpatient programs. This will help in directing those who are ready to seek help obtain it quicker and easier.
- **To rebuild the behavioral health service provider network here in New Mexico.** Since it was dismantled in 2013, our statewide behavioral health program has been struggling. Many private service providers left the state and rebuilding that network has proven to be difficult, leaving a gap in services. More investment in bringing in and keeping service providers would help mitigate this issue.
- **A more holistic approach to treatment.** Recognizing that there is undoubtedly an underlying mental illness that needs to be treated on top of the addiction issue. Treating the physical dependency to a substance is important but the root cause of the self-medicating needs to be determined and addressed to ensure success in further sobriety.
- **To expand the specialty court system.** Most of the specialty courts are operating at capacity and have a wait list. Investing in programs such as these greatly reduce recidivism.
- **To expand services for youth experiencing addiction.** Currently Serenity Mesa and Noon Day are the only locations providing assistance to anyone under 18 in the Bernalillo County.
- **To expand services for indigent and unhoused.** There are many service providers that take Medicaid and even more that take private insurance, but many of the people who are in the most need do not have private insurance and need assistance applying for Medicaid.
- **A better understanding of the dosage of methadone needed for Fentanyl users.** Their need is very different from a heroin user.





- **A more consistent sentencing system for drug traffickers.** Many first offense cases receive probation, while a secondary conviction carries a mandatory 18 years.
- **A stronger safety net for those on the backend of addiction recovery.** Including more sober living options, transportation and aid with food scarcity.



We Should Explore:



- **Having the New Mexico Department of Health coordinate and manage** an easily accessible web-site/dashboard, which lists and has daily updates on the resources that are available and where.
- **Having probation/parole officers work closer with clinicians on how to better serve the client.** There is no one size fits all answer to treatment and each individuals' needs should be addressed to ensure success.
- **Rehab and detox programs in the Metropolitan Detention Center.** An intensive outpatient style program with 6+ hours of programming everyday with both one-on-one and group counseling, as well as job and life skill training.
- **We should explore a day outpatient program.** 6 hours a day including therapy and life skill building.
- **Developing a memorandum of understanding between Pre-Prosecution Diversion and Mental Health Court to take individuals that may need more intensive care that the PPD program is not equipped to handle.** The Diversion program may not have the tools to handle more intense cases of mental health issues as Mental Health Court and it would be detrimental to let them fall through the cracks.
- **A method of addressing bad actors** in the Medicaid services space, who bill for services that are not being provided. Not only are such activities detrimental to the clients and taxpayer dollars, but they also take away from the validity of other providers.



Conclusion

It is evident that **the Fentanyl crisis cannot be solved by prosecuting our way out of it** or just throwing money at the issue without a succinct course of action. There needs to be a multifaceted approach to not only stopping the flow of illicit substances, such as Fentanyl into our community, but also helping those struggling with addiction to obtain the services they need **quickly, easily, and efficiently**.

At this juncture, the hurdles people suffering have to jump through in order to obtain the services they need can be insurmountable, especially to those who are already at their lowest. **It is a failure that treatment information is not readily available and accessible to those seeking help.** There is no one single entity to be blamed for this situation but it will take buy in from State, County, City governmental agencies, advocates and service providers to rectify these issues.

Coordination is the only way to solve this problem.

As a united front, it is possible to move the needle on the Fentanyl crisis, but it does mean building meaningful communication and coordination between all actors involved. Establishing a coordinated effort and creating a centralized HUB where any individual, including law enforcement, agencies, and everyday citizens, can find an up-to-date list of services available is paramount if we are going to find a meaningful way to tackle this issue.

We can do this if we work together.

