

## District Attorney's Renteria's Quotes versus his Office's Actions

Frost McGahey, Investigative Journalist



Bev's schizophrenic daughter, Melinda, should have been involuntarily committed to a rehabilitation facility. She was charged for battery of a household member after attacking her stepfather. He had to tackle her to keep her from punching him again. There were times she threatened to kill him as she had her mother. The court ruled Melinda was incompetent. However, the District Attorney's office kept releasing her. And now she's dead at 29.

Melinda as a young girl loved sports, especially basketball although only 5'4". She played with her brothers and grew up as tomboy. Then at 16 she was diagnosed with bipolar disorder. In later years her mother wasn't sure if it was the meth or the schizophrenia that overwhelmed her. The schizophrenia split her mind into multiple personalities and made her fierce. At one point, this small woman spent four years in prison for disarming a police officer.

Her mother sought help. Treatment was successful in prior years with the Invega Sustenna injection. Then later, per Melinda's request, the psychiatrist reduced her medication and gave her Risperidone. Medication slowed her words enough so they no longer came out in a jumble, but could be understood.

Melinda was arrested four times for various offenses.

April 2023

Battery upon a Police Officer - 4th Degree Felony

Additional Charges: Resisting, evading, obstructing an Officer- Misdemeanor

Case was dismissed without prejudice/defendant found Incompetent.

August 2023

Battery upon a Police Officer - 4th degree Felony

Addl. Charges: Resisting, evading, obstructing an officer - Misdemeanor

Possession of Drug Paraphernalia

Case was dismissed/defendant found incompetent

September 2023

Battery upon a police Officer- 4th degree Felony

Addl: Delivery or Manufacture of Drug Paraphernalia- Misdemeanor

Concealing Identity - Petty Misdemeanor

Case was dismissed/defendant found incompetent

September 2023

Battery upon a Healthcare worker - 4th degree Felony

Case dismissed/defendant found incompetent

November 2023 case

Battery on a household member - Misdemeanor

Case states "transferred" after an order for competency.

"End each time she was found incompetent and released by the district attorney's office," Bev said. "If she'd been held accountable, she might have changed. The way the DA's office operated, there were no consequences for her bad behavior. I begged to have her involuntarily committed so she could get clean and find out if she really was incompetent or not." (Only the district attorney's office can have someone involuntarily committed. The family can't do it.)

When Melinda's case for battery came before the judge, the district attorney's office had only issued the subpoenas that day for the arresting officer and her step-father. At the Magistrate court, Bev and her family were asked to come upstairs while the arraignment of her daughter was happening. Bev said, "If I'd been there, I would have asked that she be involuntarily committed, but the attorney just let her go. Later the attorney said to me she needs more help than we can give her.\* So you do *Nothing*? I was furious."

In April, Melinda had an episode where she threatened to throw herself out of a moving car. The police were called and took her to Mesilla Valley Hospital. Unfortunately, she had run out of her medication. Her mother said, "I couldn't get her regular psychiatrist to refill it. The doctor said she would do it, but never did. I wasn't able to talk to anyone at Mesilla because my daughter wouldn't give me her patient ID, and the hospital ignored my Power of Attorney."

After just a few days stay, the hospital released Melinda. The next day she overdosed on meth and died. Her mother found her. Bev said, "The death of my daughter broke my heart. If she'd been given a competency exam and involuntary committed, she would be alive today."

There are two facilities in New Mexico to take involuntarily committed persons.\* However, District Attorney Michael Renteria and his office don't seem to be using them. In a recent article, Renteria said about the competency bill now before the legislature. "I think it'll help my office be a little more effective with getting people into treatment,"\*\*\* and goes on to explain that new facilities are needed.

However Norm Wheeler, former deputy district attorney, said, "DA's office doesn't have to summarily accept a finding that a defendant is not competent, dismiss the case, and turn them back onto the street. There are additional ways to help that individual, the family, and the community."

\*Under the New Mexico's Supreme Court interpretation of the Bail Reform Law, only district attorneys, not judges, can involuntary commit someone.

\*\*New Mexico Behavioral Health Institute in Las Vegas and the University of New Mexico Hospital in Albuquerque

\*\*\*DA: State must fund facilities for treatment, July 18, 2024, Silver City Daily Press, Juno Ogle