

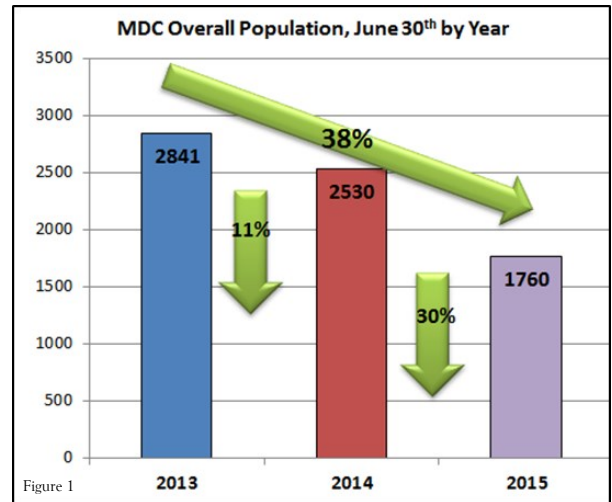


# Metropolitan Detention Center

Report Date: August 1, 2015

## Report Highlights:

- As of June 30th 2015, the overall population of MDC was 30% lower than the same day in 2014 and 38% lower than 2013.
- Due to the decreasing population, MDC was able to cease shipping inmates out of County during December 2014.
- The number of bookings, releases and the average length of stay at MDC decreased during FY15.
- In a three month time period, there were 162 hearings resolved as part of the Early Plea Program.
- The resolution rate at Preliminary Hearings was 59%.
- The ADA resolved 55.9% hearings at misdemeanor first appearances as well as 89 cases not on the docket.



## Criminal Justice Reforms Impact Jail Population

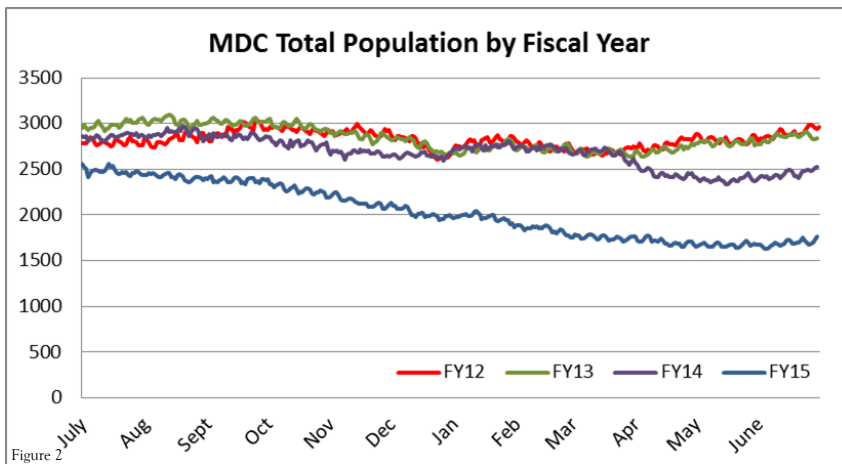


Figure 2

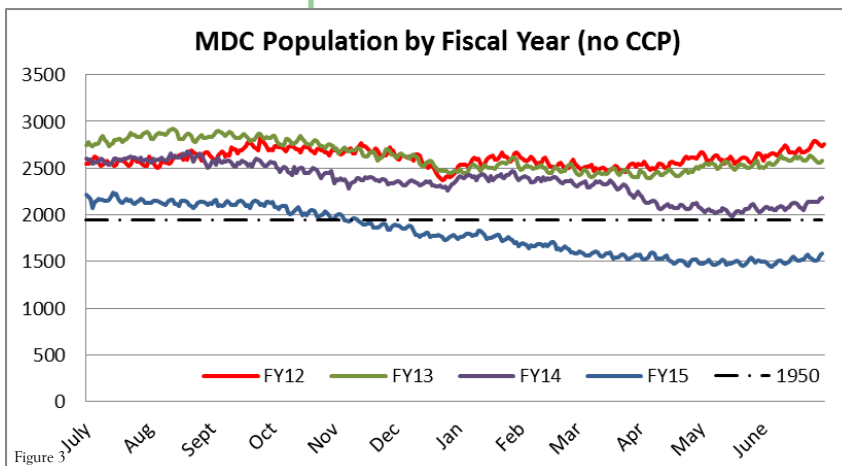
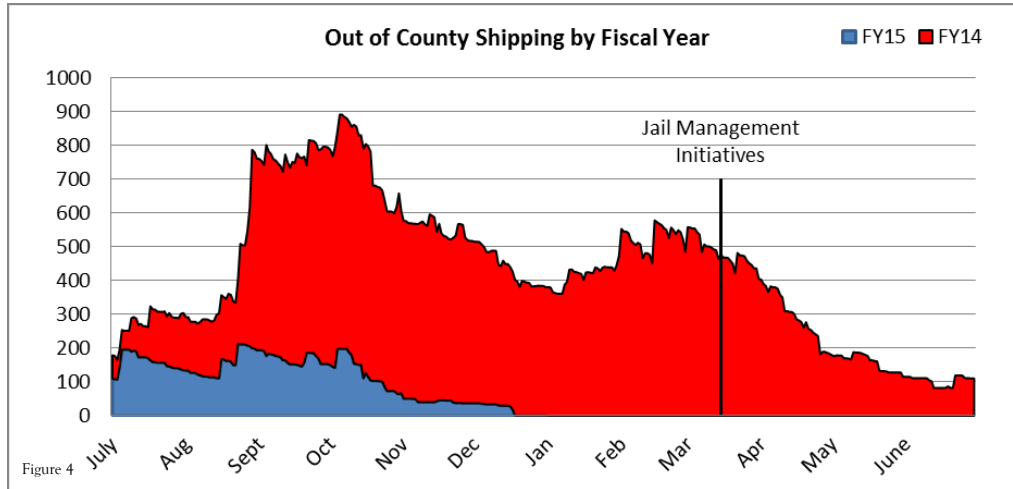


Figure 3

- The total MDC population<sup>1</sup> has decreased overall since the implementation of criminal justice reforms. **The total population for June 20, 2015 was 30% lower than the same day in 2014 and 38% lower than 2013.** (Figure 2)
- In 2014 Bernalillo County elected to develop a population plan to keep the number of inmates below 1,950<sup>2</sup> (not including inmates on CCP). (Figure 3)
- MDC actively collaborates with criminal justice partners to maintain the jail's population below 1,950. Criminal justice reforms continue to impact the jail population. Despite the recent seasonal increase, typical of seasonal historic trends, **MDC has remained at or below 1,950 for 231 consecutive days.**

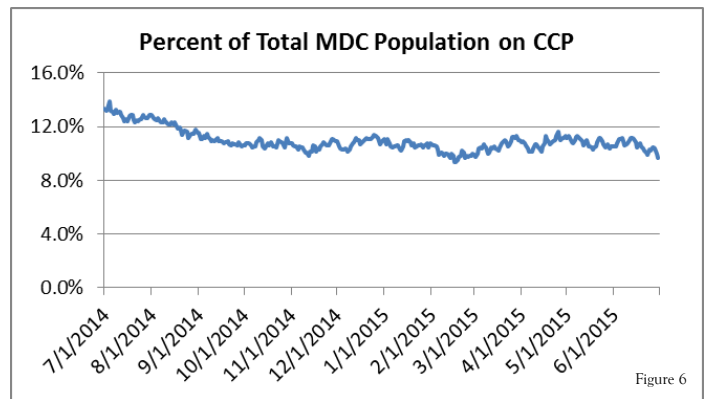
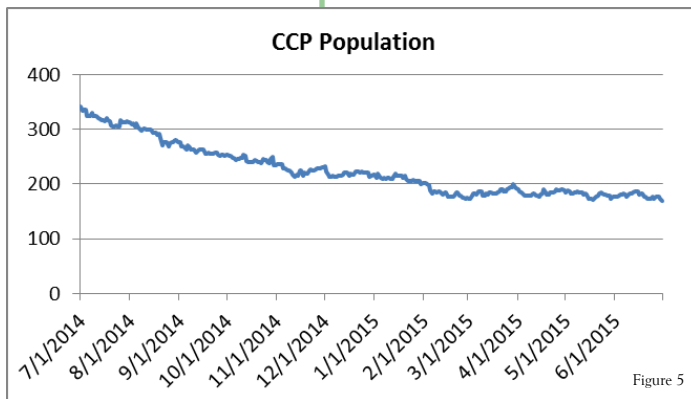
## Out of County Shipping



*MDC ceased housing inmates out of county in December of 2014.*

- Out of county shipping began June of 2013 in an effort to meet the operational capacity of MDC. Out of County shipping increased quickly as contracts for shipping were approved. In October of 2013, there were 707 inmates being shipped out of County.
- Due to the reduced jail population, MDC was able to cease shipping inmates out of county in December 2014.
- With MDC capacity capped at 1950, more shipping would have been necessary to meet the McClendon lawsuit mandates had the population management initiatives not been implemented.

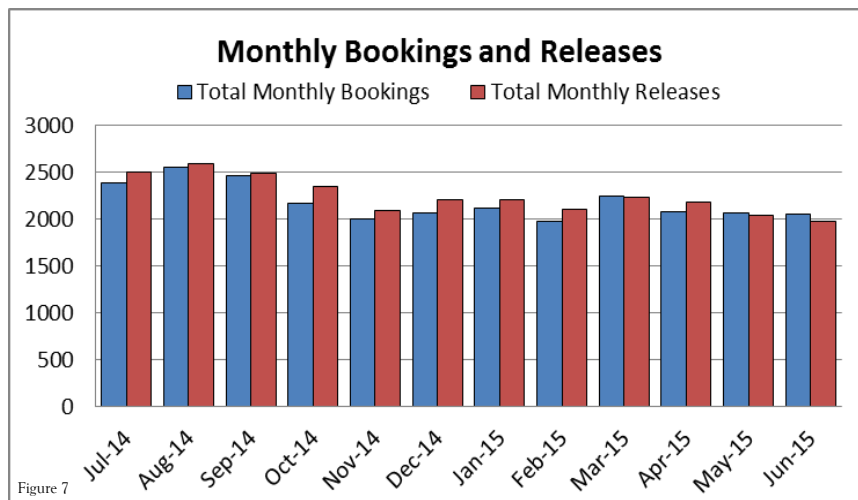
## Community Corrections Program



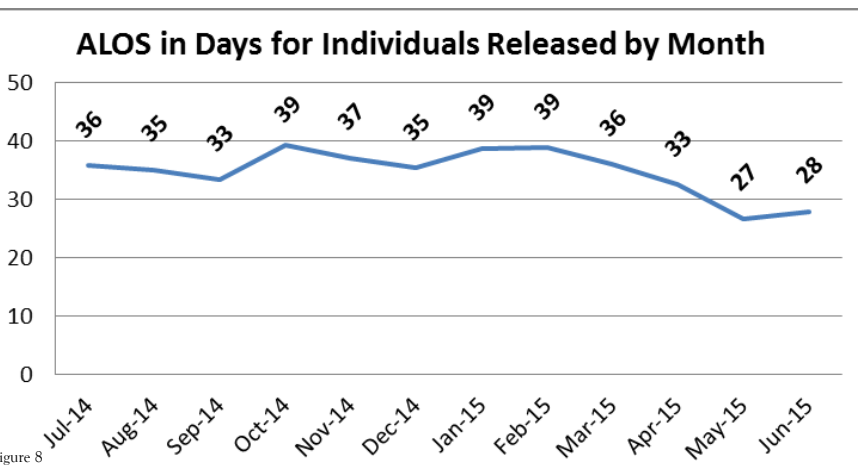
- The use of CCP decreased during FY15. At the beginning of the fiscal year there were 342 people on CCP and at the end of the fiscal year there were half as many people on CCP, a total of 170.
- While it is expected that the number of people on CCP would decrease as the jail population decreased, the percent of the population on CCP has decreased as well, from 13.3% at the beginning of the year to 9.7% at the end of the year.

## Bookings, Releases, and Length of Stay

The population of a jail is driven by three factors: the number of individuals booked into the facility, the number of individuals released, and the length of stay in the jail.



- Bookings and releases both decreased during FY15.
- In July of 2014 there were 2,379 bookings and 2,495 releases.
- In June of 2015 there were 2,047 bookings and 1,966 releases. This is a difference of approximately 14% in bookings and 21% in releases.



- The average length of stay (ALOS) by month decreased overall during FY15.
- In July of 2014 the ALOS was 36 days and in June of 2015 the ALOS was 28 days, a difference of approximately 22%.
- The ALOS is easily skewed by an increase in release of individuals with longer stays at MDC.

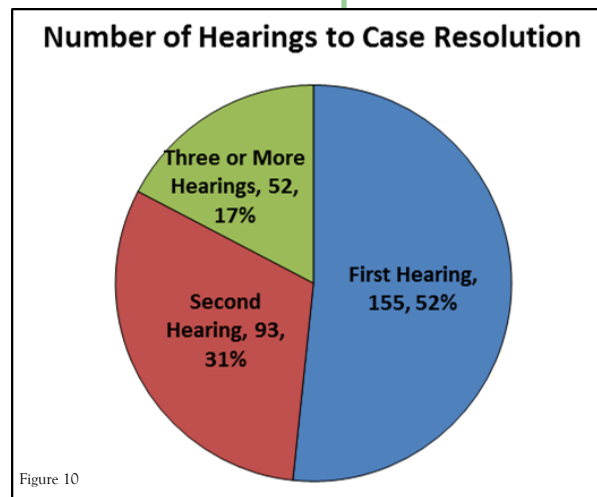
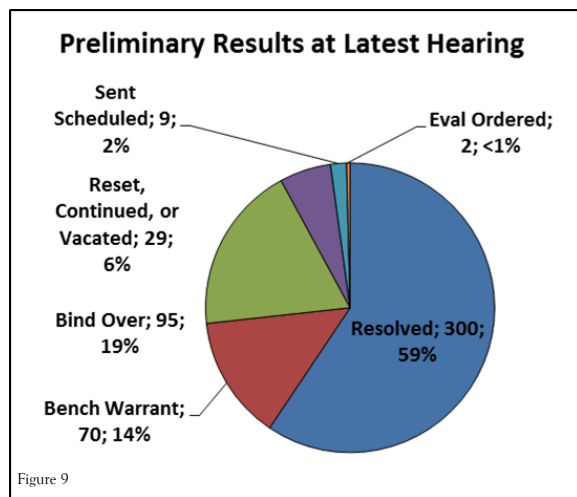
The decrease in bookings does not account for the entire decrease in the MDC population, particularly in conjunction with a similar decrease in releases. The average length of stay (ALOS), which has decreased, can fluctuate a great deal based on individuals who have been in MDC for extended periods of time. The changes in the population correspond with the implementation of criminal justice reform initiatives.

## Highlights of Criminal Justice Reforms and Initiatives Implemented in FY2015

*Since mid March 2014, the County has partnered with the criminal justice family to design and implement several court initiatives aimed at creating efficiencies in the criminal justice system which have contributed to recent population reductions. The Criminal Justice collaborative continues to identify opportunities to realize additional efficiencies some of which will further impact the jail pop-*

- **New Case Management Order (CMO) in District Court.** CMO established deadlines and timelines for case adjudication moving cases more expeditiously.
- **District Court assigned 3 judges to target pre-CMO cases to address the backlog of cases.**
- **National Institute of Corrections (NIC) Criminal Justice Pretrial Justice Summit occurred.**
- **State v. Brown-New Mexico Supreme Court reiterates law that pretrial defendants are entitled to release on own recognizance unless other release conditions are required to address identifiable risk.**
- **Pretrial Release Risk Assessment Instrument adopted (pending decision on Arnold Risk Assessment Instrument) to more accurately assess risk of pretrial defendants to assist judge in determining appropriate release conditions.**
- **MDC eliminated ICE holds.**
- **ADA in Metro Court– Metro Court ADA is able to resolve non-record misdemeanor cases quickly reducing the jail length of stay for this population**
- **Expanded Preliminary Hearings.**
- **Expanded Early Plea Program**
- **Increased Settlement Conferences**
- **Metro Court started processing all non-record cases more quickly**
- **Metro Court started new Homeless Court program.**
- **Supportive Housing Program began taking first clients.**
- **District Court Pretrial Services began telephone reminder calls for Felony Arraignment Hearings to reduce risk of failure to appear.**
- **Medicaid enrollment for Community Custody Program (CCP) and Pretrial Services (PTS) clients.**
- **Revision of the District Court Order setting conditions of release unlinking specific conditions and follow the orders of release considerations outlined in State v. Brown.**
- **District Court Probation Violation program began setting cases for the initial hearing 20 days earlier.**
- **District Attorney's Office began using nolle (type of dismissal) on some categories of 10 day indictment cases rather than ROR which continued conditions of release on individuals who were not indicted.**
- **Metro Court and District Court utilized Odyssey case management system to transfer bonds from one court to other increasing individuals ability to post bond.**
- **MDC instituted a process for individuals requiring medical exams before being released to community programs.**
- **District Court implemented process for setting FTA warrants for automatic hearings and to ensure notice of arrest to the Public Defender's Office.**

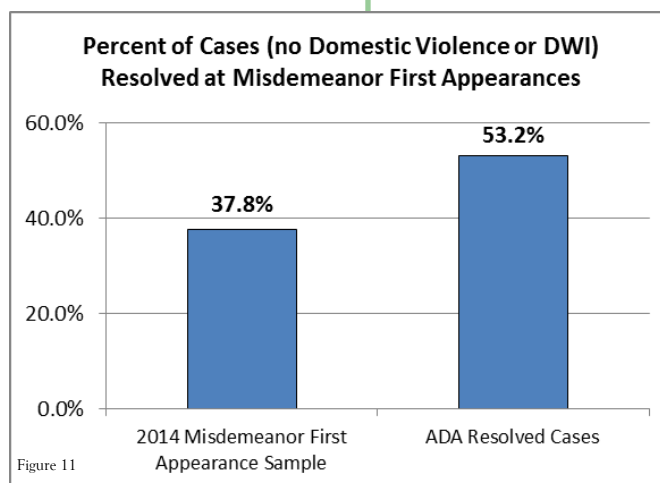
## Preliminary Hearings



- Between June 23, 2015 and June 29, 2015, a total of 864 hearings were scheduled for 509 cases (cases were at times reset and hearings for the same case for a separate incident were considered unique).
- At the latest hearing for the cases, approximately 59% were resolved at the preliminary hearing. Outcomes such as the scheduling of a sentencing hearing will likely result in an upcoming resolution.
- Of the 300 cases that have been resolved to date, 83% were resolved within one or two hearings.
- Due to the success of the preliminary hearings at resolving cases, beginning in September the number of grand jury panel hearings held was reduced by two per week. Preliminary hearings will soon take place for a full day rather than part of a day and in August, plans are in place to add another day of these hearings.

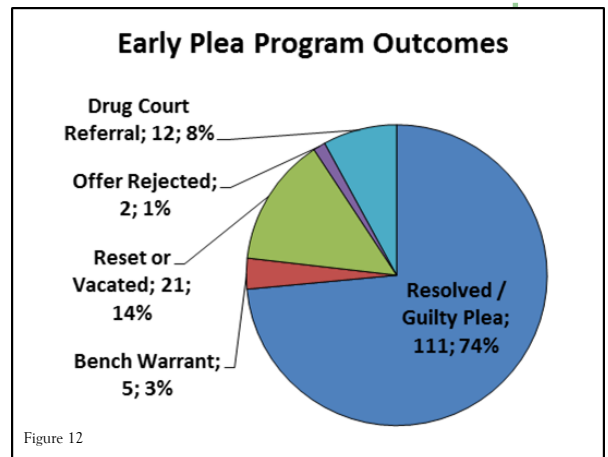
## ADA Case Resolution

- From October 14, 2014 to June 30, 2015, the new ADA has resolved approximately 1,787 cases for 1,249 people. In addition, offers were made but subsequently rejected in approximately 259 cases in addition to the 1,787.
- More than 1 in 3 individuals with resolved cases had more than one case. These were often resolved on the same day.
- These resolutions were almost exclusively for criminal and traffic cases.
- A 16 week sample beginning April 2014 (one day per week) was previously collected for custody arraignments. For non-DV and DW cases, the resolution rate was 37.8%.
- Since the new ADA started, for non-DV and DW cases, the resolution rate was 53.2% AND there were 96 cases resolved not on the docket. **The ADA resolution rate is 15.4% higher than the 2014 sample of similar cases.**



## Early Plea Program

- While the Early Plea Program was only recently expanded, early hearing results are promising. From March 23, 2015 and June 30, 2015, 162 hearings were scheduled.
- At the latest hearing for the cases, 74% of the cases were resolved. (either the defendant had pled or nolle pros-type of dismissal)



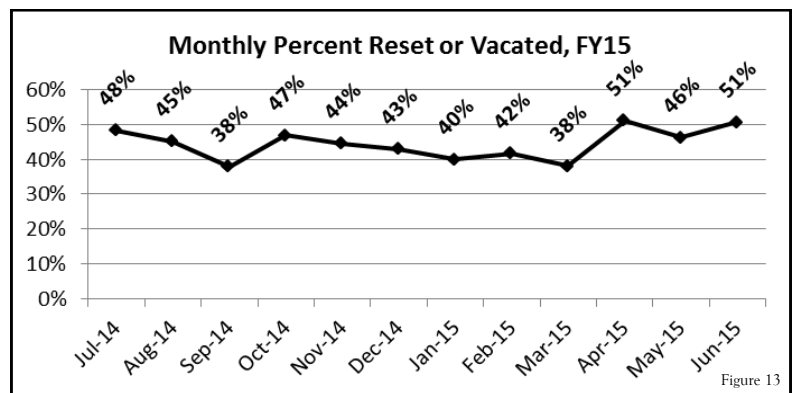
## Probation Violations

Several initiatives have been implemented that impact the Length of Stay (LOS) for probation violators. Starting March 24, 2014 the scheduling of PV hearings was changed from 30 days from the filing of the motion to revoke probation to 20 days from arrest.

- In early samples of PV hearings, the time from arrest to disposition was typically around 30 days.
- In both the April 2014 sample and the June 2014 through June 2015 sample the median time from arrest to disposition was significantly faster at 21 and 24 days.
- Over the last several months the number of hearings reset or vacated has increased—51% of hearings in April, 46% in May, and 51% in June. This has resulted in longer case processing times and is steadily increasing the median time from arrest to disposition, resulting in longer stays at MDC. Criminal Justice partners are working to understand why this is occurring and implement solutions.

Study	Study Dates	Primary Source Data	Valid Cases	Days Arrest to Disposition - Median
Pro-Tem Sample 1	1/2013-2/2013	PPD Arrest Orders	155	32
Pro-Tem Sample 2	07/2013	PPD Arrest Orders	59	33
PV Comparison Group Sample	9/2009-12-2009	DA PV Reopen Files	178	30
Pro-Tem April Hearings Sample	4/7/14–4/24/2014	Docket Sample	127	21
2014 to 2015 PV Hearings	06/2014-06/2015	PV Dockets	5,185	24

Table 1



## NOTES

1. The overall population of MDC includes all individuals in custody at the facility with the exception of individuals in RDT, out of the facility at the hospital, or on furlough. Inmates in CCP and those housed OOC are included in the overall population.
2. The figure does not include those who are housed Out of County (OOC) as the County's goal is to achieve the 1,950 without housing inmates out of county.

For further information, contact the Bernalillo County Public Safety Division at 505-468-7008.

