



Bernalillo County Metropolitan Detention Center

August Population Update
Report Date: September 16, 2020

Prepared for Bernalillo County by the Institute for Social Research
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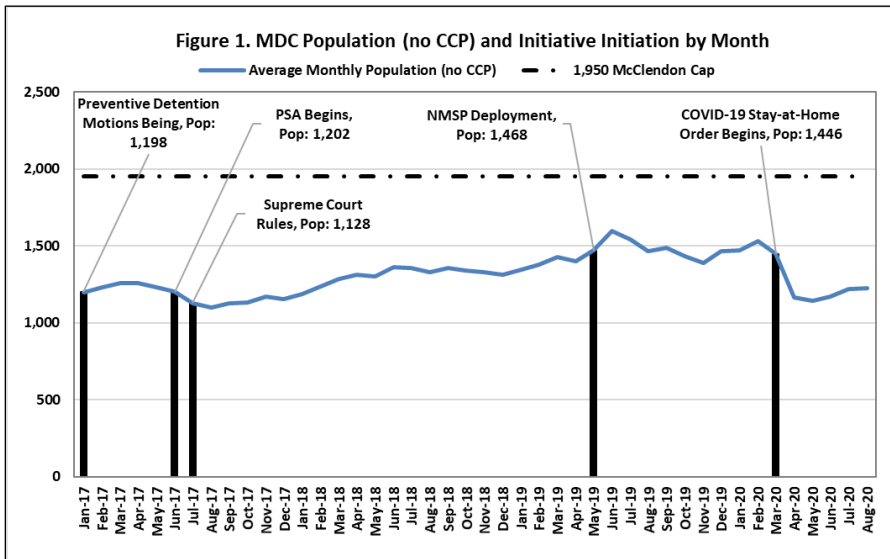
CRIMINAL JUSTICE REFORMS AND THE JAIL POPULATION

Table 1. MDC Population Figures by Month

| Quick Population Figures | Aug-19 | Mar-20 | Apr-20 | May-20 | Jun-20 | Jul-20 | Aug-20 |
|---|--------|--------|--------|--------|--------|--------|--------|
| On-Site Average Male Population | 1,189 | 1,181 | 962 | 958 | 995 | 1,069 | 1,056 |
| On-Site Average Female Population | 268 | 259 | 195 | 178 | 174 | 144 | 166 |
| On-Site Average Infirmary | 8 | 7 | 6 | 5 | 4 | 6 | 5 |
| On-Site Average Daily Population (ADP) ⁱ | 1,465 | 1,447 | 1,163 | 1,141 | 1,173 | 1,219 | 1,227 |
| Average Community Custody Program | 72 | 68 | 70 | 65 | 53 | 42 | 42 |
| Average Total Jail Population (w/CCP) | 1,537 | 1,515 | 1,233 | 1,206 | 1,226 | 1,261 | 1,269 |
| Monthly Bookings | 2,255 | 1,634 | 1,121 | 1,265 | 1,125 | 1,369 | 1,544 |
| Petty Misdemeanors (no warrants or PVs) | 43 | 16 | 23 | 21 | 20 | 18 | 19 |
| Monthly Releases | 2,239 | 1,885 | 1,314 | 1,193 | 1,101 | 1,382 | 1,505 |
| Average Length of Stay (in Days) | 20.8 | 24.8 | 33.7 | 30.6 | 27.2 | 28.8 | 29.1 |
| Total Consecutive Days 1,950 or Less | | | | | | | 2,120 |

Report Highlights

- Bookings increased 12.8% (175) and releases increased 8.9% (123) from July to August 2020, while the length of stay (LOS) increased 1.3% (.3 days).
- The MDC on-site population increased .7% from 1,219 in July 2020 to 1,227 in August 2020.
- CCP remained low, accounting for 42 inmates in August 2020, or 3.4% of the MDC population. Historically, this was 41.7% fewer than 72 inmates in August 2019 and 46.2% fewer than 78 inmates in August 2018.
- There were 19 bookings in August with a petty misdemeanor as the highest charge (no warrants or probation violations), accounting for 1.2% of bookings.

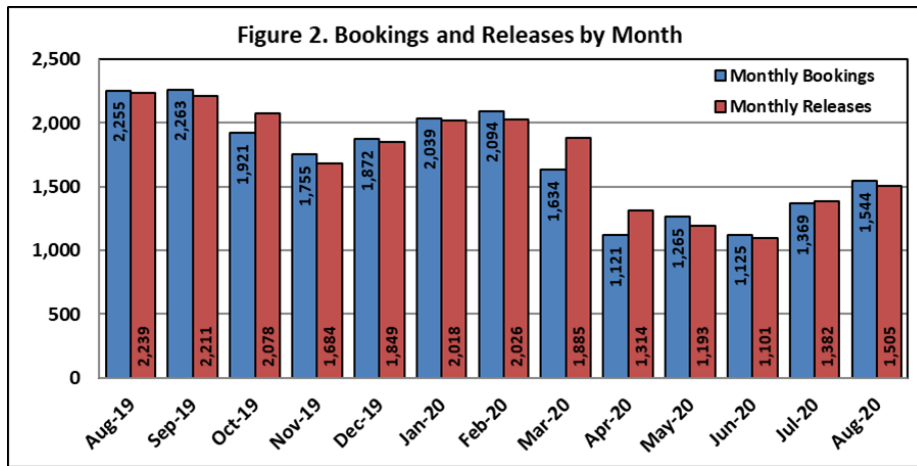


In response to COVID-19 in New Mexico, changes have occurred across the criminal justice system, including changes in how inmates are screened and housed, how hearings are scheduled and held, and what cases are indicted. There have been decreases in bookings and releases at the MDC and the population has decreased since March 2020 (see Figure 1). In March 2020, the on-site daily population was

1,447. In August 2020, the on-site daily population was 1,227, a decrease of 15.2% or 220 inmates.

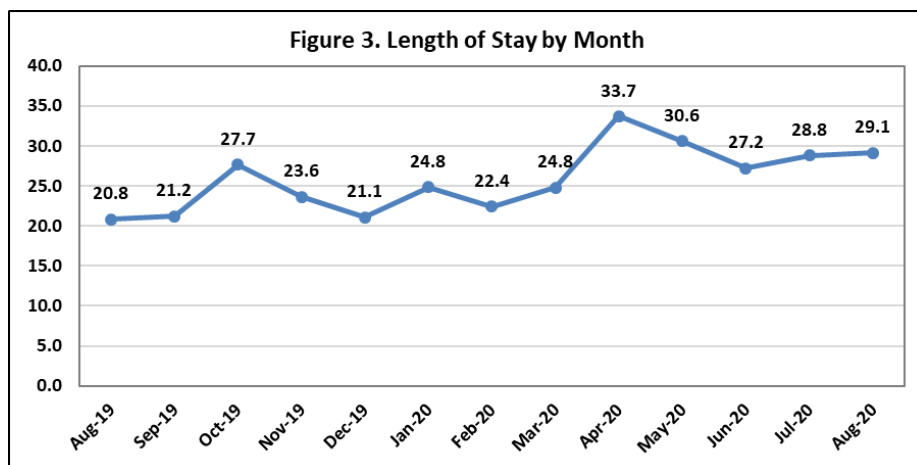
BOOKINGS AND RELEASES

Jail population is affected by two factors: how many people are booked and how long they stay. From July to August 2020, bookings increased 12.8%, from 1,369 bookings in July 2020 to 1,544 bookings in August. Releases also increased, from 1,382 in July to 1,505 in August, an 8.9% increase (see Figure 2). Bookings and releases in August 2020 were much lower than in August 2019. There were 2,255 bookings in August 2019 and 1,544 in August 2020, a 31.5% decrease. There were 2,239 releases in August 2019 and 1,505 in August 2020, a 32.8% decrease.



LENGTH OF STAY

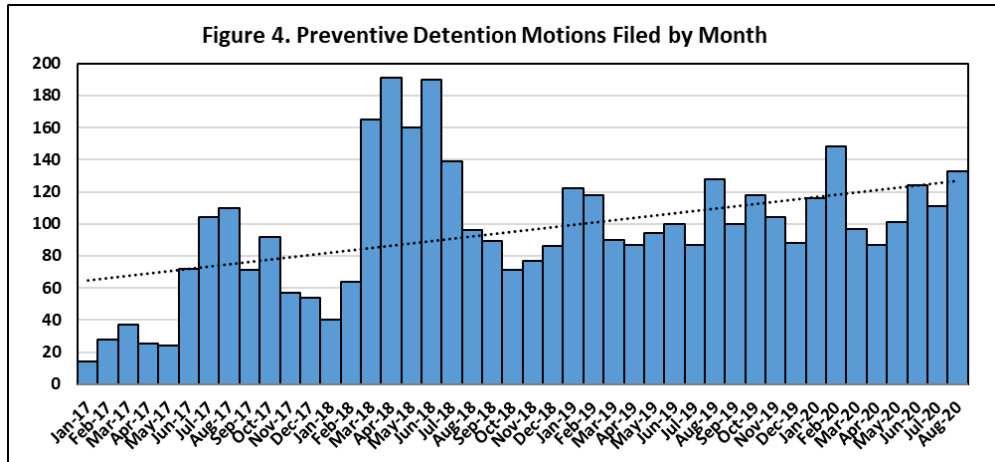
The LOS in August 2020 was 29.1 days, .3 days more than the LOS of 28.8 in July 2020, an increase of 1.3% (see Figure 3). The LOS in August 2020 was 8.3 days higher than the LOS of 20.8 in August 2019, an increase of 40.0%. The increase in LOS is due in part to changes in the criminal justice system in response to COVID-19 in New Mexico. The jail population is comprised of a larger portion of felons and there have been delays as hearing scheduling and procedures have changed since March 2020.



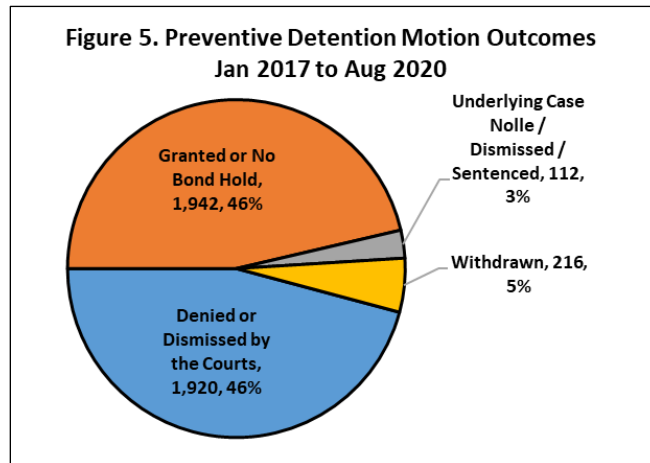
PREVENTIVE DETENTION MOTIONS

From January 2017 through August 2020, there were approximately 4,214 motions for preventive detention filed for 3,524 individuals. This includes motions filed in both Metro and District Court. The preventive detention motions were filed for a variety of charge types, including shoplifting, burglary, auto theft, assault, and murder.

During 2019, the number of PTD motions filed ranged from 87 to 128 (see Figure 4). In 2020 the number of motions filed by month has ranged from 87 to 148 with an average of 115 per month. There were 133 motions filed in August 2020.



On August 31, 2020, there were approximately 24 cases that had a motion still pending. These cases were removed from the monthly outcomes. Between January 2017 and August 2020, motions were granted (46.3%) or denied (45.8%) at nearly the same rate (see Figure 5). In this same time frame, the motion was withdrawn in 216 cases (5.2%), and in 112 (2.7%) the case was nolle'd, dismissed, or sentenced.

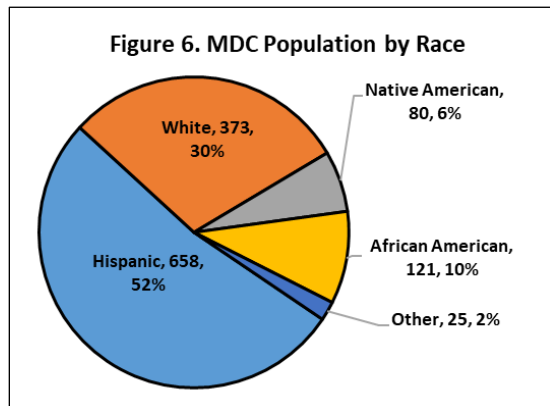


IN CUSTODY BONDS, PREVENTIVE DETENTION HOLDS, AND RACEⁱⁱ

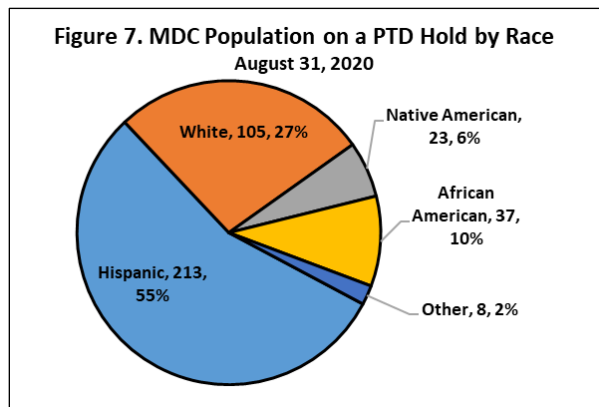
At the end of the day on August 31, 2020 there were 1,257 people in custody. Thirty-seven people were in custody who could be released if all bonds were paidⁱⁱⁱ (see Table 2). Just over half of the those with a bond (51.4%) had bonds of \$100 or less. An additional 16.2% had bonds of \$101 to \$500. There were an additional 386 inmates with a no bond hold and a granted or pending motion for preventive detention (PTD), accounting for 30.7% of the confined population.

Table 2. In Custody Bonds and Preventive Detention Holds by Race

| In Custody Bond Figures | Hispanic | White | African American | Native American | Other / Unknown | Total |
|---|------------|------------|------------------|-----------------|-----------------|--------------|
| \$100 or Less | 8 | 6 | 1 | 3 | 1 | 19 |
| \$101 to \$500 | 2 | 1 | 1 | 1 | 1 | 6 |
| \$501 to \$1,000 | 0 | 1 | 1 | 1 | 0 | 3 |
| \$1,001 to \$2,000 | 1 | 2 | 0 | 0 | 0 | 3 |
| \$2,001 to \$5,000 | 2 | 0 | 0 | 0 | 0 | 2 |
| \$5,001 to \$10,000 | 0 | 2 | 0 | 0 | 0 | 2 |
| \$10,001 to \$15,000 | 0 | 0 | 0 | 0 | 0 | 0 |
| \$15,001 to \$50,000 | 0 | 0 | 0 | 0 | 1 | 1 |
| Over \$50,000 | 0 | 1 | 0 | 0 | 0 | 1 |
| Total on Bond | 13 | 13 | 3 | 5 | 3 | 37 |
| Preventive Detention (Granted or Pending) | 213 | 105 | 37 | 23 | 8 | 386 |
| On-Site Population (End of Month) | 658 | 373 | 121 | 80 | 25 | 1,257 |



On August 31, 2020, just over half of the MDC population was Hispanic (52.3%) (see Figure 6). Just under a third were White (29.7%) and approximately 10% were African American (9.6%). Of the 1,257, (6.4%) were Native American and the remaining (2.0%) were another race or an unknown race.



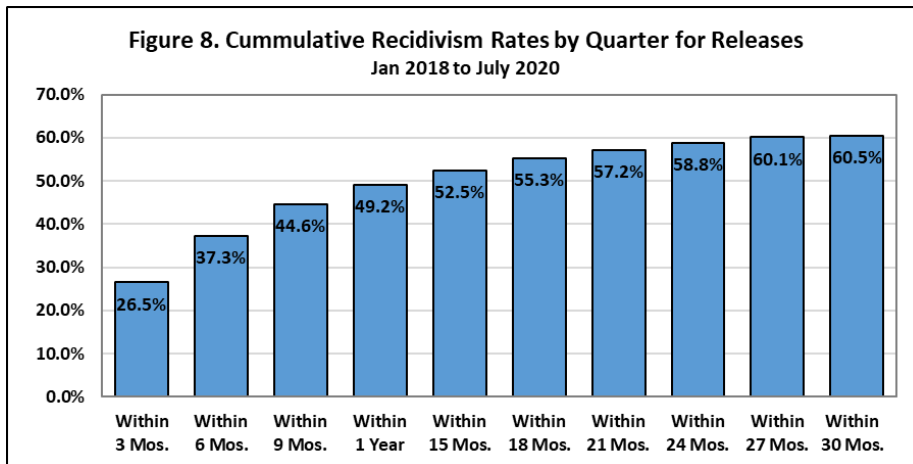
By race, inmates in custody on a no bond hold with a PTD motion either pending or granted were held at a rate similar to the race composition of the jail overall. The inmate population was 52.3% Hispanic and 55.2% of the inmates on a PTD hold, a difference of +2.9%. Inmates who were White accounted for 29.7% of the population and 27.2% of those on a PTD hold, a difference of -2.5%. Inmates in all other categories were on a PTD hold within .4% of the population rate (.0% for African American inmates, .4% for Native American inmates, and .1% for other / unknown inmates).

RECIDIVISM

According to the Bureau of Justice Statistics^{iv}, a recidivism measure requires three items: a starting event, such as a release from a facility; a measure of failure, such as a booking; and a follow-up time period extending from the starting event. Compared to prisons, jails have a much higher rate of turnover. Recidivism rates will vary depending on the length of the time period for the starting event and the follow-up time period. A preliminary recidivism rate was calculated for the MDC using the following:

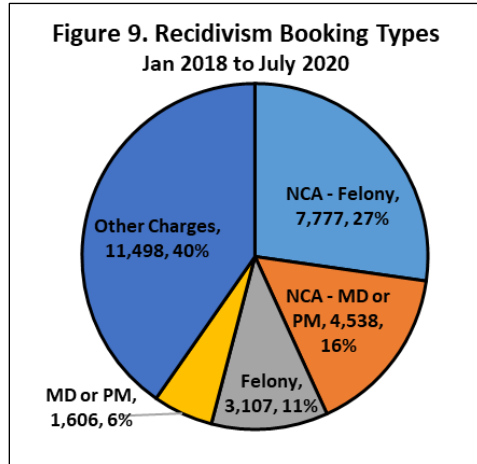
- Unique monthly releases for each month beginning in January 2018 and ending March 2020. The releases end the month prior to reporting to allow the same follow-up time period for each month.
- Bookings in subsequent months within approximate 1-month intervals (365/12).
- The measure of failure is any new booking into the MDC.

During the first 3 months following release from the MDC, approximately 26.5% of inmates return to custody (see Figure 8). Within 6 months, the rate increased to 37.3%. The recidivism rate increased over time, with 60.5% of inmates returning to custody for any booking within 30 months following release from the MDC.



Jail data was reviewed to assign a charge category to the recidivism bookings. While the jail and court data do not always match due to a variety of factors (such as the unavailability of codes for specific statutes, etc.) jail data is a good indicator of charge levels. The categories of charges are intended to identify if an inmate is being booked on new criminal activity (NCA), booked on a charge (such as a subsequent booking), or coming into custody on something else (such as a warrant or probation violation). There are five categories of charges available: NCA—Felony, NCA—MD or PM, Felony, MD or PM, and Other Charges. If it was the first an individual is booked on the charge, it was considered NCA. Any subsequent bookings are not NCA.

Within the first 30 months of release from the MDC, there were 28,526 bookings for inmates released from custody (see Figure 9). Of these bookings, just over 1 in 4 was for a new felony (27.3% or 7,777). New misdemeanors and petty misdemeanors accounted for 15.9% (4,538) of bookings. Felony re-bookings accounted for 10.9% (3,107) of bookings and misdemeanor or petty misdemeanor bookings accounted for 5.6% (1,606) of bookings. The largest category was for other charge types (40.3% or 11,498), which consist primarily of probation violations and warrants.



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ⁱ Monthly totals slightly higher due to rounding.

ⁱⁱ In data from the MDC, Hispanic is included as both a race and as an ethnicity. Racial categories were limited based on both categories. For example, an individual listed as White and Hispanic was categorized as Hispanic. Individuals listed as Mexican were collapsed into the Hispanic category.

ⁱⁱⁱ An inmate was considered in custody on a preventive detention motion if the motion had been granted or was pending on the last day of the month, the inmate had a hold on at least one case, and the inmate was not serving a sentence on any other case. Bond amounts reflect the financial requirement that would be needed to be released from MDC. Although cash surety bonds can vary in the percentage that may be required to post bond, if no percent is assigned, it is assumed that this amount would be approximately 10% of the bond amount. In instances where requirements must be met before the inmate can be released, such as the completion of ATP, the individual is considered on hold until that obligation is met. Bonds on multiple cases were combined to determine the total bond amount holding the individual.

^{iv} Bureau of Justice Statistics described recidivism in their Recidivism of Sex Offenders Released from State Prison: A 9-Year Follow-Up (2005-14) summary published May 2019. https://www.bjs.gov/content/pub/pdf/rsorsp9yfu0514_sum.pdf.