

**BERNALILLO COUNTY —
 METROPOLITAN DETENTION CENTER**

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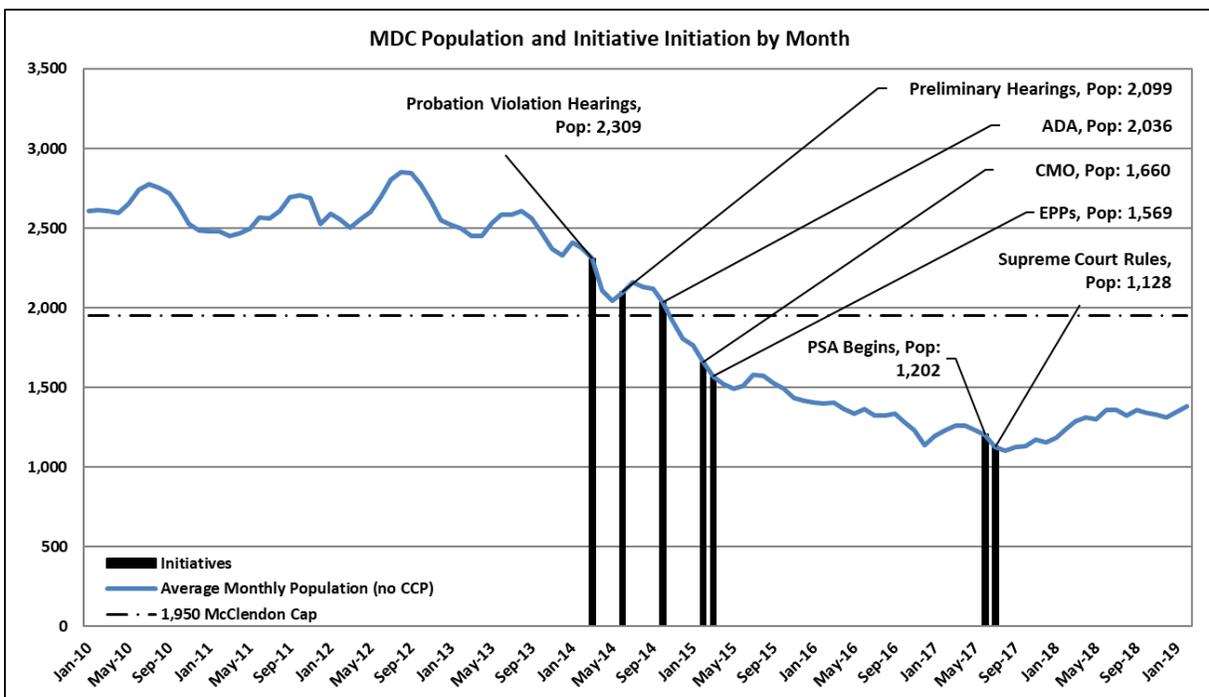
THE MDC POPULATION AND CRIMINAL JUSTICE REFORMS

Quick Population Figures	Sep-18	Oct-18	Nov-18	Dec-18	Jan-19	Feb-19
On-Site Average Male Population	1,110	1,077	1,066	1,077	1,091	1,129
On-Site Average Female Population	242	256	256	228	248	244
On-Site Average Infirmarium	6	7	7	7	6	8
On-Site Average Daily Population	1,358	1,340	1,329	1,301	1,345	1,381
Average Community Custody Program	76	76	74	81	84	88
Average Total Jail Population (w/CCP)	1,434	1,416	1,403	1,382	1,429	1,469
Monthly Bookings	2,009	1,892	1,769	1,797	2,087	1,880
Monthly Releases	1,981	1,923	1,798	1,769	2,048	1,802
Average Length of Stay (in Days)	18.2	24.7	22.4	20.3	27.1	22.3
Total Consecutive Days 1,950 or Less						1,570

Report Highlights

- The MDC population increased 6.3% from 1,382 in December 2018 to 1,469 in February 2019.
- The MDC population has been below the 1,950 cap for over 4 years.

- Jail population is a result of two factors: how many people are booked and how long they stay.
- Population reduction initiatives have helped to reduced the length of stay which, combined with reduced bookings, decreased the jail population.
- The MDC population increased during January and February 2019.



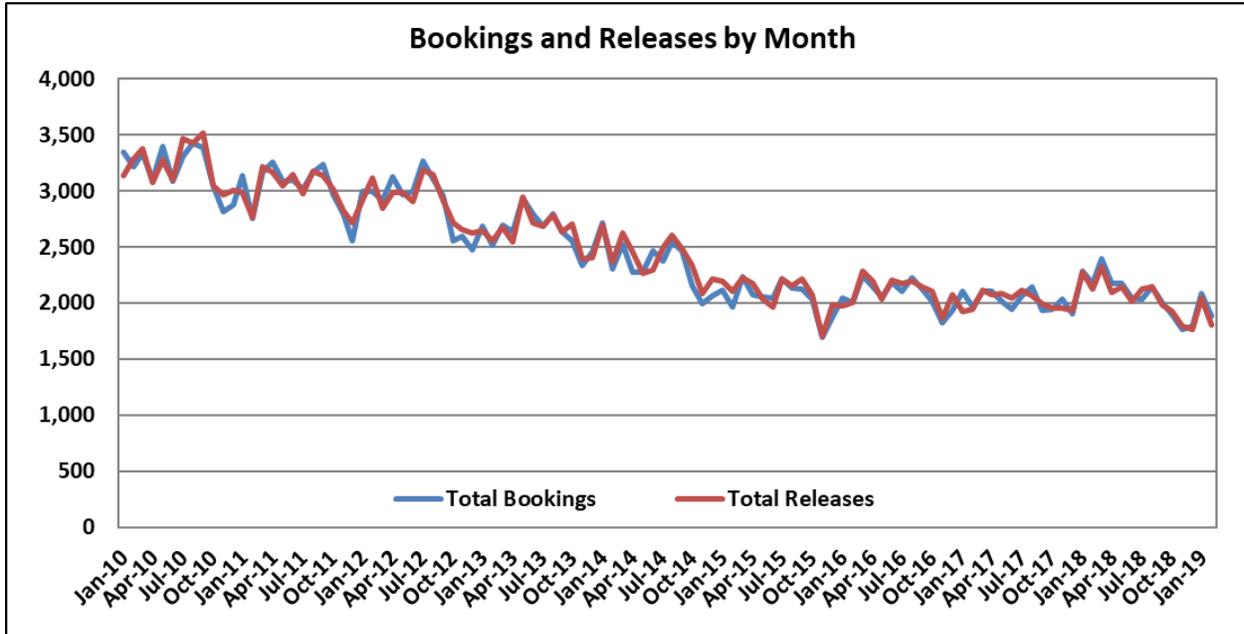
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CRIMINAL JUSTICE REFORM INITIATIVES

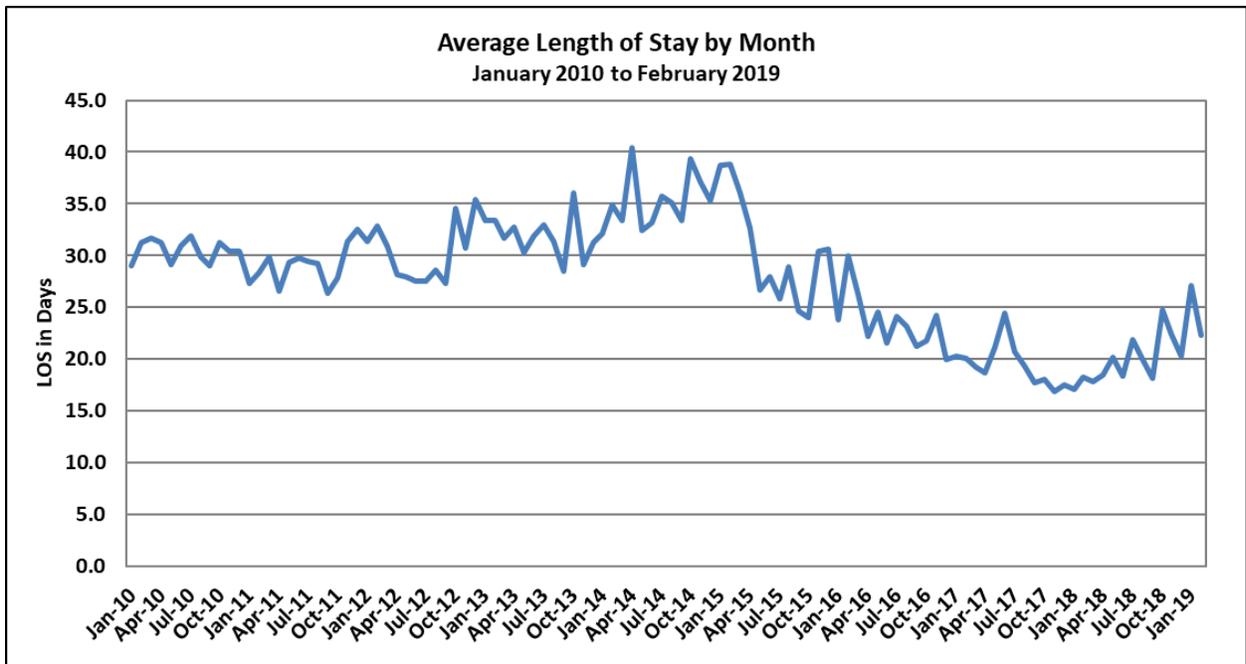
Bernalillo County collaborates with criminal justice stakeholders to implement a variety of initiatives aimed ensuring the system operates fairly, efficiently and effectively. The Bernalillo County Criminal Justice Coordinating Council (CJCC) and its member stakeholders commit to review, introduce and implement criminal justice best practices and the utilization of data to inform decision-making. Ongoing efforts include:

- Over the January and February 2019 CJCC meetings, members voted to appoint new leadership. Members selected Bernalillo County Commissioner Maggie Hart Stebbins as CJCC Chair and Mr. Damon Martinez, Senior Policy Advisor at the Albuquerque Police Department as Vice-Chair.
- The 2019 state legislative session considered a number of criminal justice-related bills, many of which currently sit on the Governor's desk awaiting signature. HB267 also awaits signature and includes provisions directly impacting the structure and activities of the Bernalillo County CJCC. For more information about the bill go here: <https://www.nmlegis.gov/Legislation/Legislation?chamber=H&legType=B&legNo=267&year=19>
- The Second Judicial and Metropolitan Courts continue implementation of the Arnold Public Safety Assessment (PSA), which is administered for all felony in-custody defendants. New research and media stories about the PSA and the impacts of cash bail systems have been circulating recently- see links below:
 - * Article about Philadelphia DA supporting reforms to money bail system: <https://www.philly.com/news/philly-district-attorney-larry-krasner-money-bail-criminal-justice-reform-incarceration-20190219.html>
 - * PSA validated in Lucas, County Ohio: <https://www.arnoldventures.org/stories/new-data-ohio-validates-psa-impact/>
 - * New York Times article discussing cash bail system reforms and new research: <https://www.nytimes.com/2019/03/01/business/cash-bail-system-reform.html>
 - * More new research about the PSA: <https://www.psapretrial.org/about/research>
- The County Department of Behavioral Health Services (DBHS) and the LEAD (Law Enforcement Assisted Diversion) Planning Team under the CJCC Diversion & Reentry Subcommittee continue steady progress on developing a program for the County. The County will utilize \$50,000 from the MacArthur Safety + Justice Challenge and \$250,000 in recurring county Behavioral Health Initiative dollars to hire case managers. New money from the state may also be on the horizon.
- Implementation efforts are underway around the Justice and Mental Health Collaboration Program (JMHCP), a 2-year, \$611,000 award to Bernalillo County that will explore opportunities for reducing the prevalence of individuals in the county jail with mental health disorders. The CJCC's Diversion & Reentry subcommittee is working with UNM Project Echo to establish a planning team as a mechanism for improving system communication and collaboration.
- The CJCC now has three functioning subcommittees that attempt to meet monthly: 1) Working Group, 2) Diversion & Reentry group, and 3) Data & Technology group. Please contact Gabriel Nims at gknims@bernco.gov for more information about these groups.

BOOKINGS, RELEASES, AND LENGTH OF STAY



- Until a slight increase in 2016, annual bookings had decreased since 2009.
- The number of annual bookings and releases has remained relatively consistent the last 4 years.

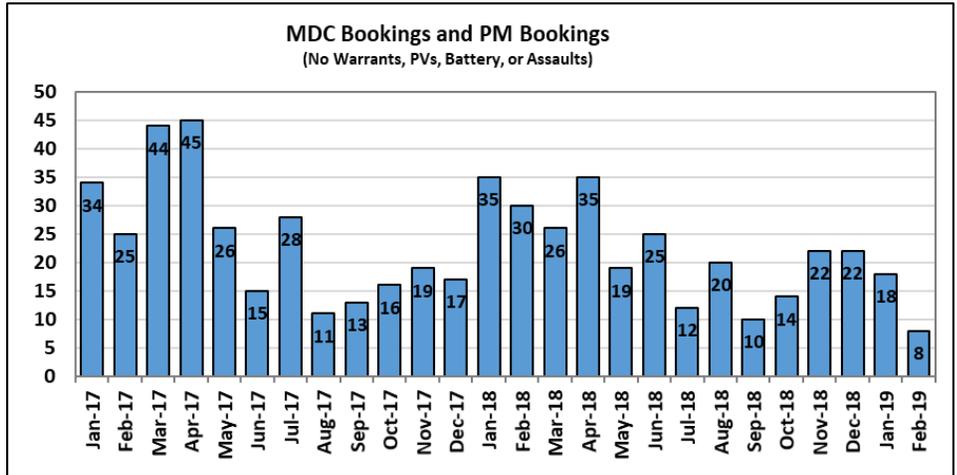


- The Average LOS for February 2019 was 22.3 days, 4 days higher than February 2018 (18.3 days) and just over two days higher than February 2017 (20.1 days).
- Criminal justice initiatives have reduced the LOS, improved efficiency, and increased the rate at which inmates turnover at the jail.

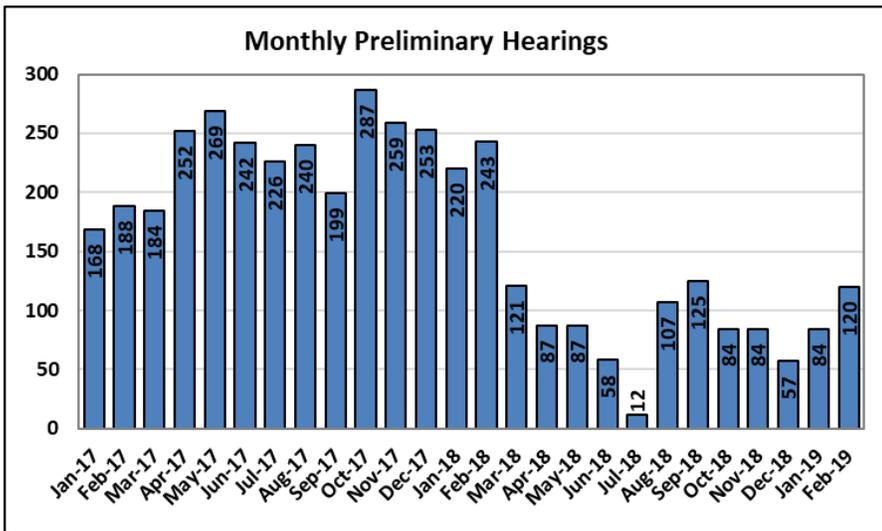
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PETTY MISDEMEANOR BOOKINGS

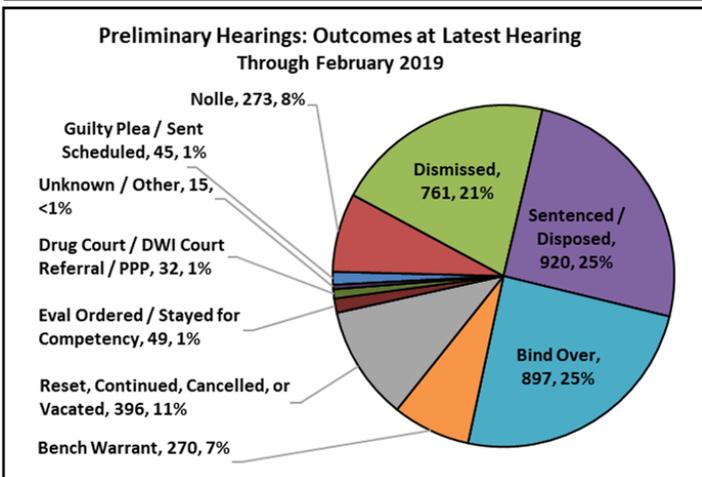
- Bookings at the MDC were reviewed for new charges that included petty misdemeanors and did not include warrants, probation violations, or battery or assault charges.
- In February 2019 there were 8 petty misdemeanor bookings compared to 30 in February 2018.
- Since January 2017, the number of these types of bookings peaked at 46 in March 2017 and averaged 23 per month for 2018.
- Petty misdemeanor bookings can include charges such as larceny, shoplifting, traffic violations, criminal trespass, or public intoxication.



DISTRICT PRELIMINARY HEARINGS



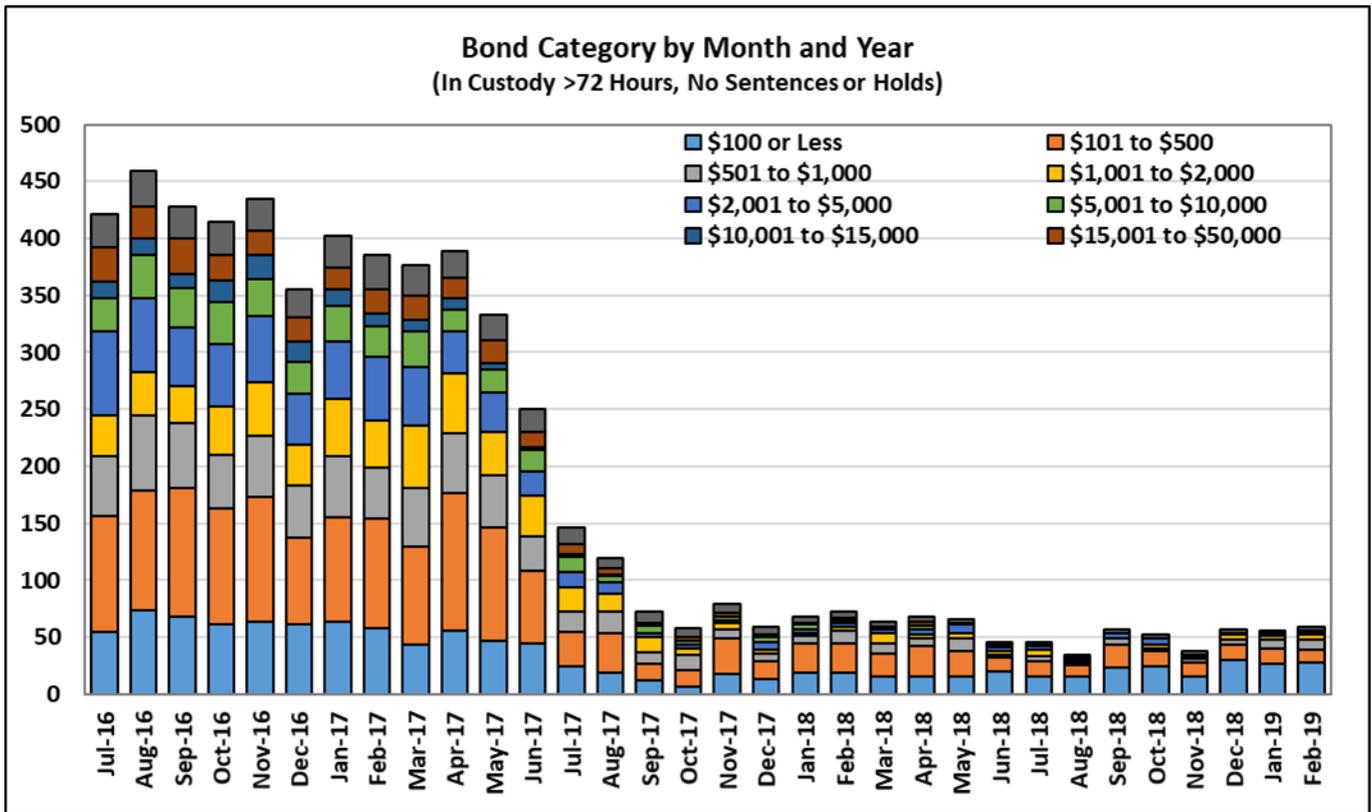
- Between June 23, 2014 and February 28, 2019, a total of 6,993 hearings were scheduled for 3,658 cases (cases were at times reset and hearings for the same case for a separate incident were considered unique).
- The number of preliminary hearings scheduled increased during January and February 2019.



- At the latest hearing for the 3,658 cases, approximately 53.4% resulted in case resolution.
- Of the resolved cases, approximately 21% (761) were dismissed, 8% (273) were nolle pros, and 25% (920) were sentenced or disposed.
- Reset and vacated hearings accounted for 396 (10.8%) of the outcomes at the latest hearing.

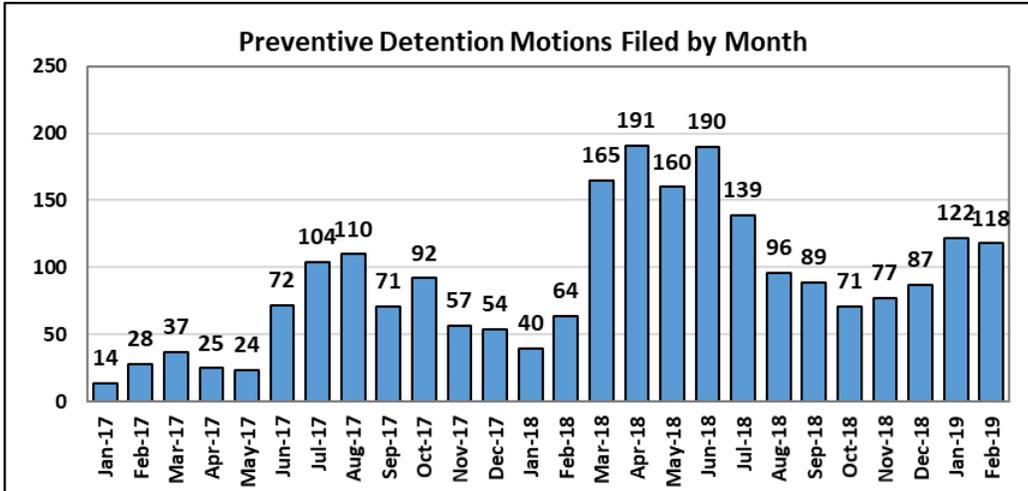
IN CUSTODY BOND AMOUNTS

- On February 28, 2019, there were approximately 259 inmates in custody on a no bond hold that had a preventive detention motion either granted or still pending.
- There were 59 individuals who could be released from custody if all bonds were paid. This accounted for 4.2% of the confined population.
- This excludes any inmate on a hold or who were serving a sentence that would otherwise keep them in custody. This excludes those who had the option to bond out or release to a third party.
- The number of inmates in custody on a bond excludes inmates who have been in custody less than 72 hours.
- Those with \$100 or less in unpaid bonds² represented approximately 47.5% (28) of the 59 inmates who could be released if all bonds were paid and 2.0% of the confined population. Those individuals with bonds requiring payment of between \$101 and \$500 accounted for 18.6% (11) of those in on a bond and 0.8% of the confined population.
- Overall, 48 inmates out of 59 were in custody with bonds requiring payment of \$1,000 or less.

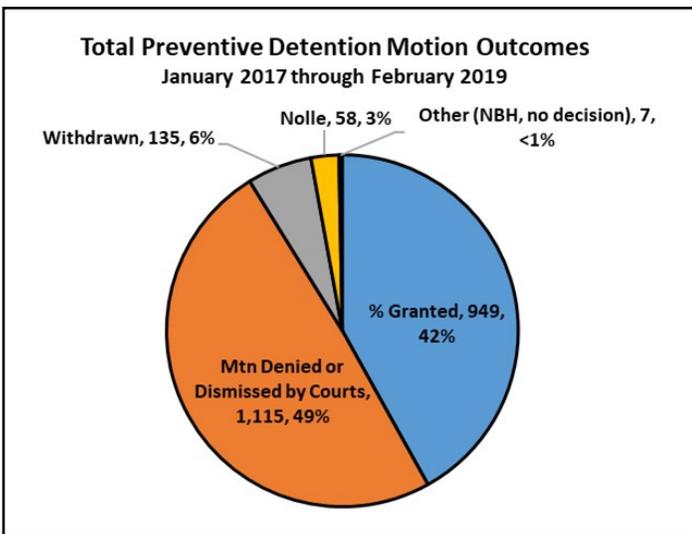


Over time, the number of individuals in custody who could be released if all bonds were paid has decreased. The decrease in the higher categories in particular may have decreased in part due to the implementation of preventive detention. Lower bond amounts in particular have been addressed by special hearings set by the courts in order to help ensure that financial conditions are not the sole reason low-risk inmates are detained at MDC.

From the beginning of January 2017 through February 28, 2018, there were approximately 2,297 motions for preventive detention filed for 1,979 individuals. Some individuals have been in custody at the MDC on more than one booking and had more than one unique motion filed. This includes motions filed in both Metro and District Court. During the review of these motions, outcomes were categorized based on each motion rather than the overall outcome per individual.



There was an initial increase in the number of preventive detention motions filed in June and July 2017 followed by a decrease in late 2017. Motions increased in 2018 until the number of motions began to decrease in July of 2018 and then increase again starting in November 2018.



The preventive detention motions were filed for a variety of charge types, including shoplifting, burglary, auto theft, assault, and murder. As of February 28, 2019, there were approximately 33 cases that had a motion still pending. These cases were removed from the monthly outcomes.

- Approximately 7% more motions were denied or dismissed by the courts than were granted (1,115 compared to 949).
- In 135 instances (6%) the motion was withdrawn, and in another 58 (3%) the case for which the motion was filed was nolle'd, dismissed, or sentenced.

NOTES

* Monthly averages slightly higher due to rounding.

1. 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 for the month of August of 2017 were updated in this report to fix a corrected error in removal of individuals in custody less than 72 hours. Bonds on multiple cases were combined to determine the total bond amount holding the individual.
2. Corrected filing dates or previously unlisted cases may result in slight changes in the figures from one month to the next.

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