



# Bernalillo County—Metropolitan Detention Center

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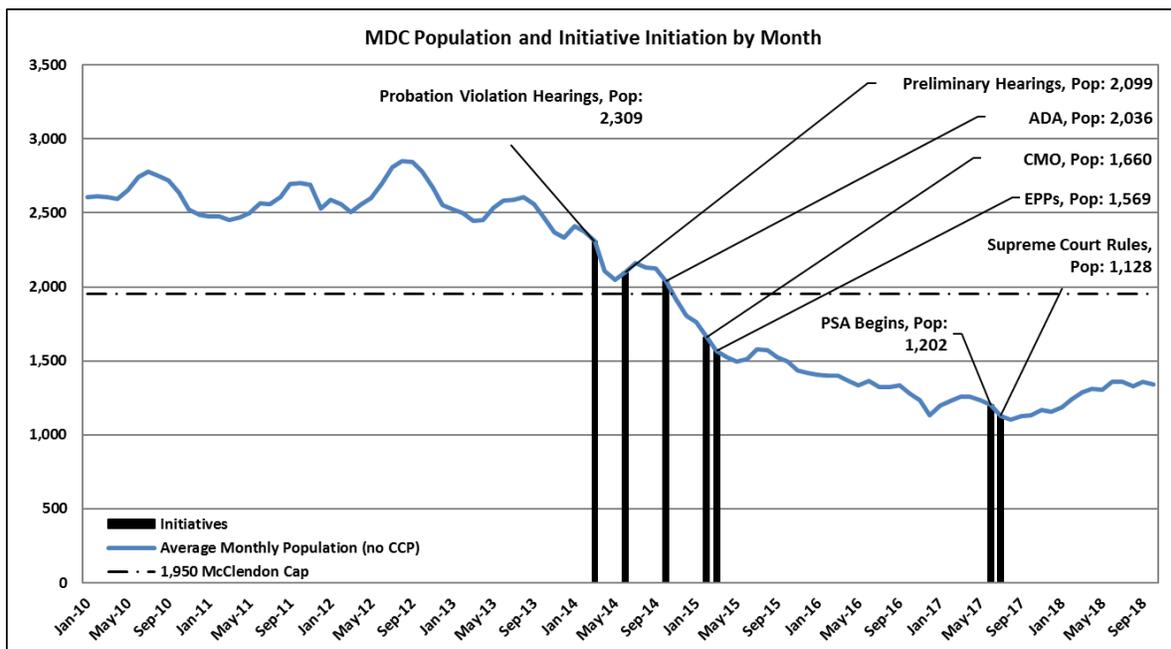
## THE MDC POPULATION AND CRIMINAL JUSTICE REFORMS

Quick Population Figures	May-18	Jun-18	Jul-18	Aug-18	Sep-18	Oct-18
On-Site Average Male Population	1,048	1,093	1,097	1,088	1,110	1,077
On-Site Average Female Population	246	261	252	233	242	256
On-Site Average Infirmary	8	7	8	6	7	7
On-Site Average Daily Population	1,302	1,361	1,357	1,327	1,359	1,340
Average Community Custody Program	78	84	80	78	76	76
Average Total Jail Population (w/CCP)	1,380	1,445	1,437	1,405	1,435	1,416
Monthly Bookings	2,179	2,050	2,032	2,150	2,009	1,892
Monthly Releases	2,148	2,017	2,127	2,145	1,981	1,923
Average Length of Stay (in Days)	20.1	18.4	21.9	20.0	18.2	24.7
Total Consecutive Days 1,950 or Less						1,450

**Report Highlights**

- From May 2018 to October 2018:
  - The total MDC population increased from 1,380 to 1,416
- Of the inmates in custody on a hold on October 31, 2018, 247 had a preventive detention motion granted or pending. This comprises 18.4% of the confined population.

- Jail population is a result of two factors: how many people are booked and how long they stay.
- Bookings decreased annually from 2009 through 2015 followed by a slight increase in 2016 and a slight decrease in 2017. The total bookings per month for 2018 have been fairly stable, averaging 2,136 per month.
- Population reduction initiatives have helped to reduced the length of stay which, combined with reduced bookings, decreased the jail population.
- The MDC population decreased slightly during December 2017. A small increase was seen from January to July 2018 followed by a 2.2% decrease in total MDC population from July to August 2018.

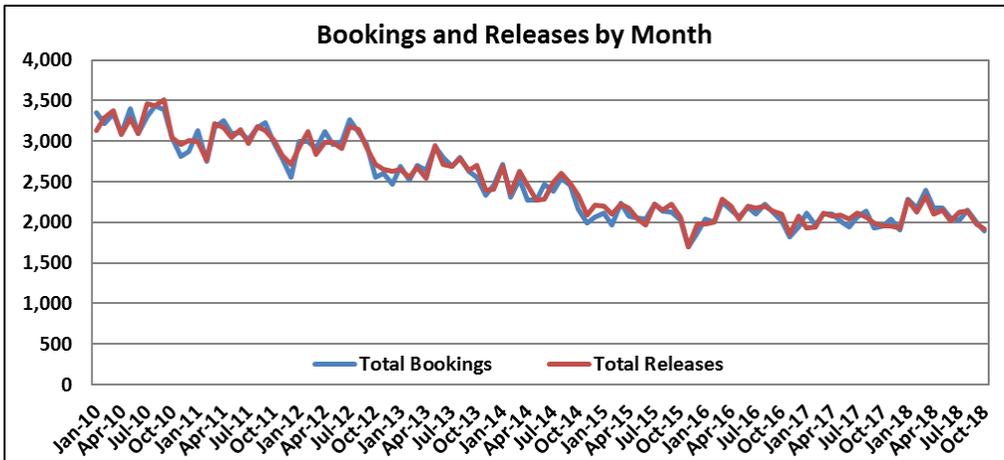


## CRIMINAL JUSTICE REFORM INITIATIVES

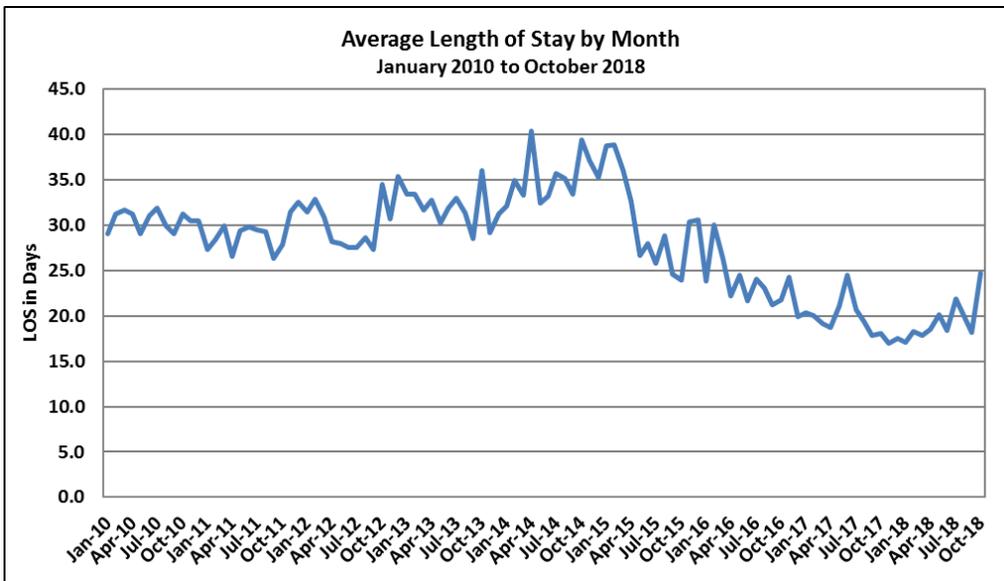
Since mid-March 2014, Bernalillo County has collaborated with criminal justice stakeholders to implement an array of initiatives that help the system operate more efficiently and effectively. Partners place particular emphasis on opportunities to introduce or improve criminal justice best practices and the use of data to inform decisions about reforms and program and process improvements. Ongoing efforts include:

- The County Department of Behavioral Health Services and the LEAD (Law Enforcement Assisted Diversion) Planning Team under the CJCC Diversion and Reentry Subcommittee continue steady progress on developing a program for the County. The County was awarded a \$50,000 MacArthur Foundation grant under the Safety + Justice Challenge initiative. Additionally, in October 2018, the County Commission approved \$250,000 in recurring dollars from the Behavioral Health Initiative to provide up to three LEAD case managers.
- The County Reentry Program, with its team of UNMH Transition Planners at MDC and UNM Health Sciences Center Community Support Workers at the Reentry Resource Center (RRC), continues to refine processes and practices to best serve individuals transitioning from MDC to community. In October, the County announced award of a federal grant under the Bureau of Justice Assistance's Jail and Mental Health Collaboration program. The 2-year, \$611,000 award will support efforts to expand and enhance case management and transition planning services for high-risk/high-need clients exiting the jail. The CJCC's Diversion and Reentry subcommittee is working with County officials to develop a planning committee to help define and develop the program starting early 2019.
- In late October, the County's Adult Detention Reform Coordinator attended a Peer Exchange event in Des Moines, Ia. The event was organized by the National Association of County's (NACo) Stepping Up Initiative. The exchange featured the activities and programs in Polk County and its CJCC to reduce the number and length of stay of individuals with mental illness in the county jail.
- The CJCC now has three functioning subcommittees that attempt to meet monthly; 1) Working Group, 2) Diversion and Reentry group, and 3) The Data and Technology group. Please contact Gabriel Nims at [gknims@bernco.gov](mailto:gknims@bernco.gov) for more information about these groups.
- The Second Judicial and Metropolitan Courts continues implementation of the Arnold Public Safety Assessment (PSA), which is administered for all felony in-custody defendants. The UNM Institute for Social Research (ISR) is engaged by Bernalillo County to complete a review of pretrial outcomes that includes an examination of outcomes prior to PSA implementation and over the first year of use of the PSA.

## BOOKINGS, RELEASES, AND LENGTH OF STAY



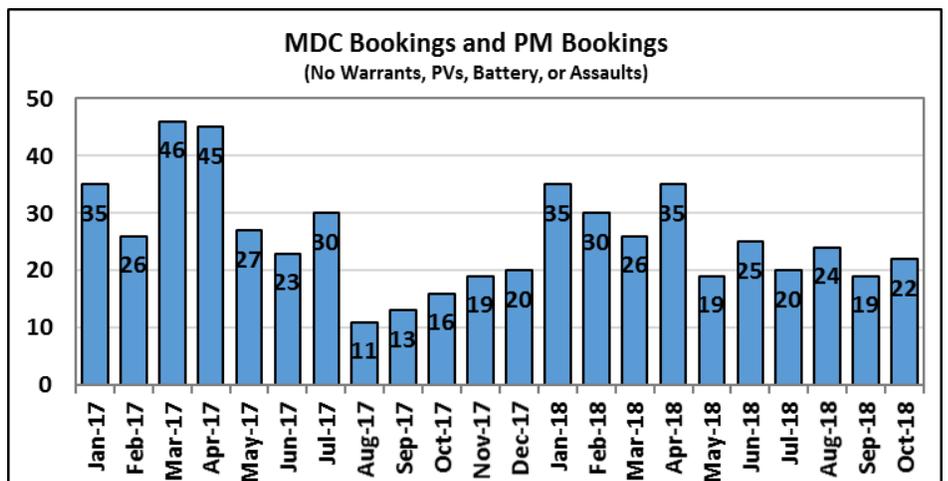
- Until a slight increase in 2016, annual bookings had decreased since 2009.
- There was a 0.5% decrease in monthly bookings from December 2017 (1,902) to October 2018 (1,892).



- The Average LOS for October 2018 was 25 days, 7 days higher than October 2017 and 3 days higher than October 2016.
- Criminal justice initiatives have reduced the LOS, improved efficiency, and increased the rate at which inmates turnover at the jail.

## PETTY MISDEMEANOR BOOKINGS

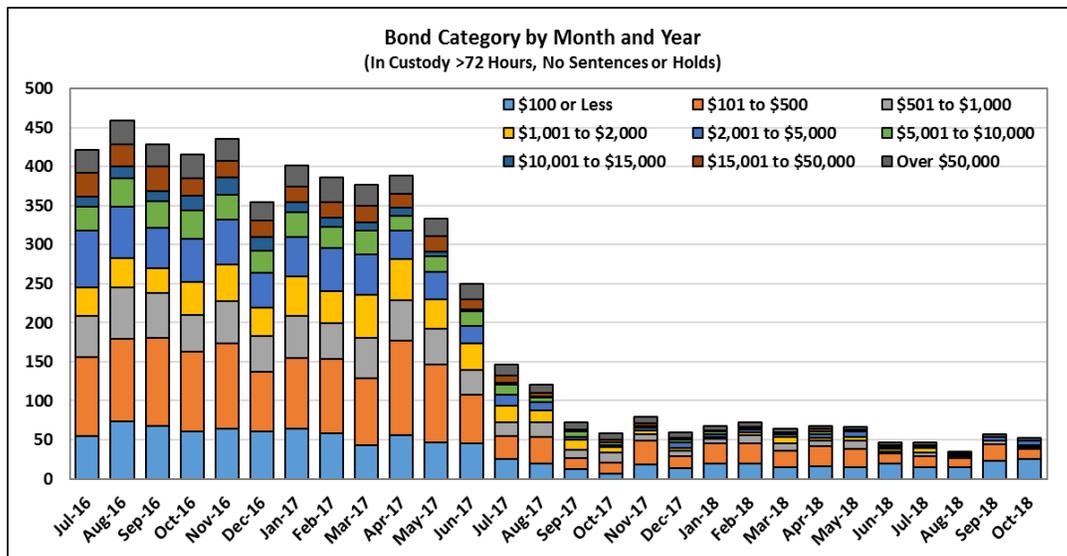
- Bookings at the MDC were reviewed for new charges that included petty misdemeanors and did not include warrants, probation violations, or battery or assault charges.
- In October 2018 there were 22 petty misdemeanor bookings compared to 16 in October 2017.
- In the last year the number of these types of bookings peaked at 46 in March 2017 and averaged 25 per month over the last 12 months and 26 per month for 2018.
- Petty misdemeanor bookings can include charges such as larceny, shoplifting, traffic violations, criminal trespass, or public intoxication.



### IN CUSTODY BOND AMOUNTS

- On October 31, 2018, there were approximately 247 inmates in custody on a no bond hold that had a preventive detention motion either granted or still pending.
- There were 52 individuals who could be released from custody if all bonds were paid. This accounted for 3.8% 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 bonds<sup>2</sup> represented approximately 48% (25) of the 52 inmates who could be released if all bonds were paid and 1.8% of the confined population. Those individuals with bonds requiring payment of between \$101 and \$500 accounted for 25% (13) of those in on a bond and 2% of the confined population.
- Overall, 40 inmates out of 52 were in custody with bonds requiring payment of \$1,000 or less.

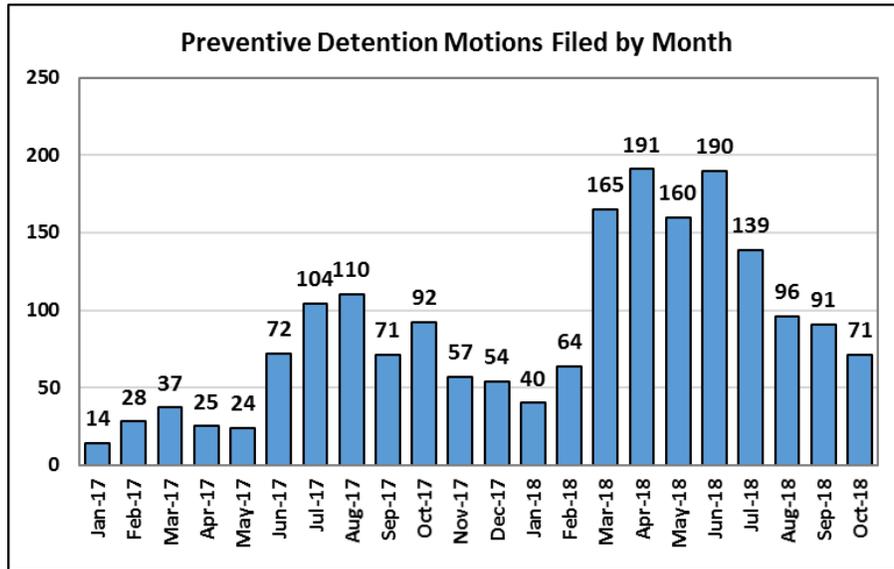
Over time, the number of individuals in custody who could be released if all bonds were paid has decreased. The decrease in the higher categories in particular may have decreased in part due to the implementation of preventive detention. Lower bond amounts in particular have been addressed by special 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.



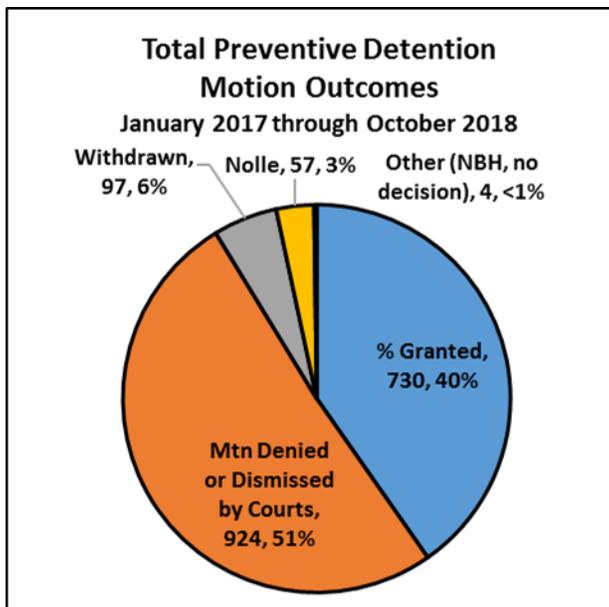
The number of inmates in custody on a bond decreased from 57 to 52 from September 30, 2018 to October 31, 2018. The number of inmates in custody with bonds of \$100 or less increased from 23 to 25 inmates and the number of inmates with bonds between \$101 and \$500 decreased from 21 to 13. There were decreases in nearly all other bond amount categories.

## PREVENTIVE DETENTION

From the beginning of January 2017 through October 31, 2018, there were approximately 1,932 motions for preventive detention filed for 1,677 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 of 2017 followed by a decrease in late 2017. There was an increase in the number of motions filed per month starting in February 2018 and a decrease beginning August of 2018. An average of 121 motions have been filed per month for 2018. There were 71 motions filed in October 2018, 41.3% less than the 2018 monthly average

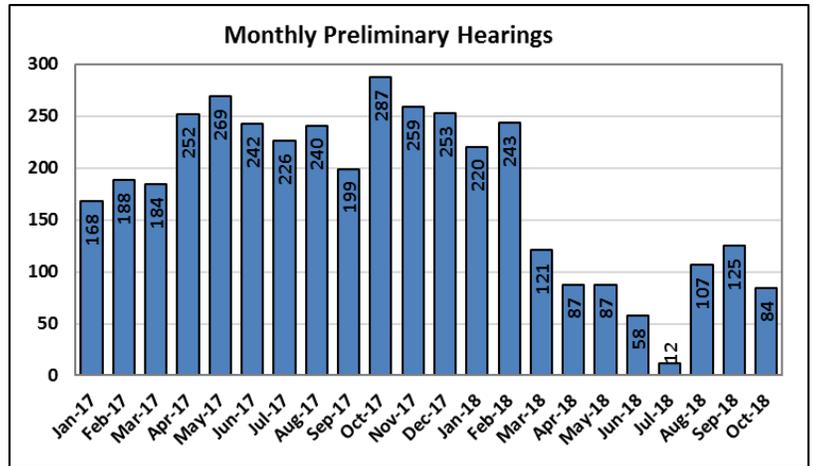


The preventive detention motions were filed for a variety of charge types, including shoplifting, burglary, auto theft, assault, and murder. As of October 31, 2018, there were approximately 13 cases that had a motion still pending. These cases were removed from the monthly outcomes.

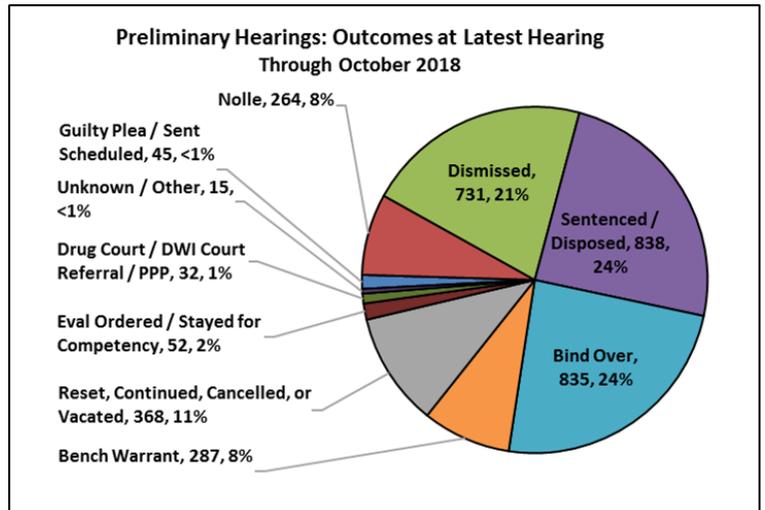
- Approximately 11% more motions were denied than were granted (924 compared to 730).
- In 97 instances (6%) the motion was withdrawn, and in another 57 (3%) the case for which the motion was filed was nolle'd, dismissed, or sentenced.

## DISTRICT PRELIMINARY HEARINGS

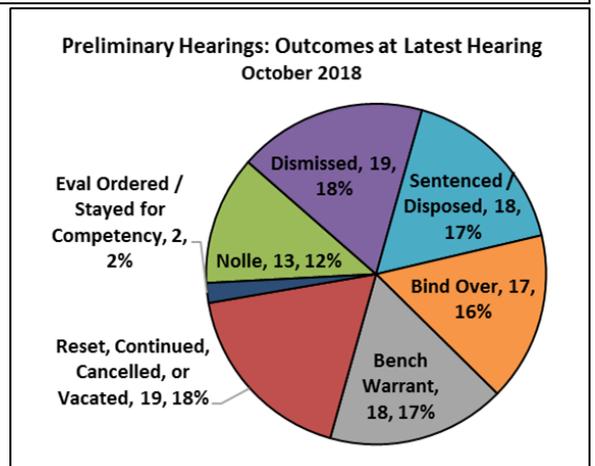
- Between June 23, 2014 and October 31, 2018, a total of 6,649 hearings were scheduled for 3,464 cases (cases were at times reset and hearings for the same case for a separate incident were considered unique).
- The number of preliminary hearings scheduled has increased since July 2018. The number of hearings peaked at 287 in October of 2017 and decreased monthly through July of 2018, when the number of hearings decreased to 12.



- At the latest hearing for the cases from June 2014 to October 2018, approximately 53% were resolved at a preliminary hearing.
- Of the resolved cases, 24% (838) were sentenced or disposed. An additional 21% (731) were dismissed and 8% (264) were nolle pros.



- At the latest hearing for the 72 unique cases during October 2018, approximately 47% were resolved at a preliminary hearing.
- Of the resolved cases, approximately 18% (19) were dismissed, 12% (13) were nolle pros, and 17% (18) were sentenced or disposed.
- Reset and vacated hearings accounted for 19 (16%) of the 72 cases.



### NOTES

- \* Monthly averages slightly higher due to rounding.
- 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.
  - 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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