



BERNALILLO COUNTY METROPOLITAN DETENTION CENTER

Prepared for Bernalillo County by the Institute for Social Research

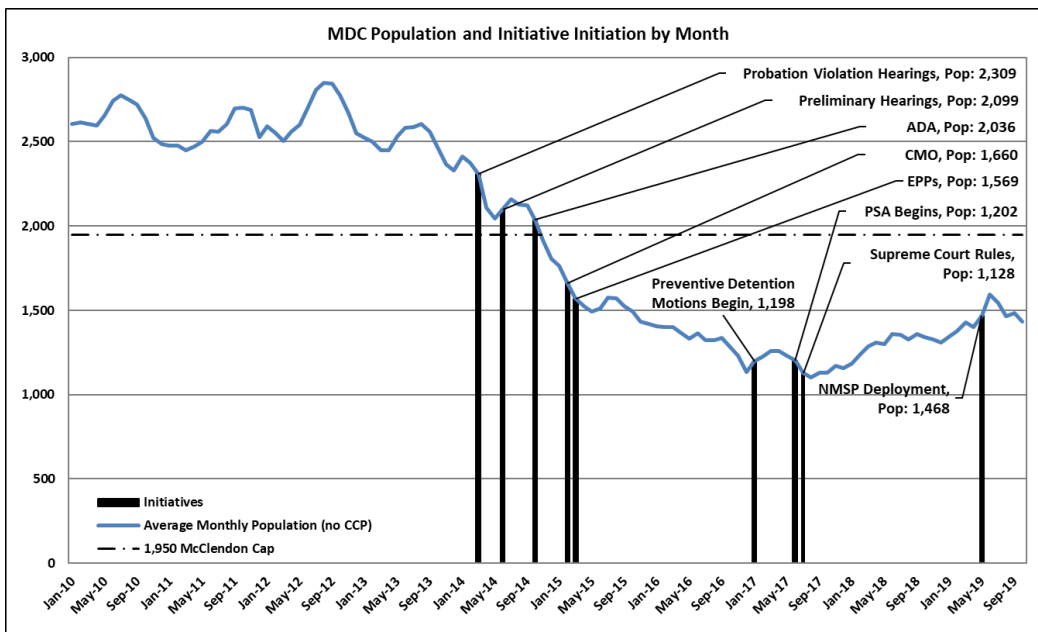
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THE MDC POPULATION AND CRIMINAL JUSTICE REFORMS

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

Quick Population Figures	May-19	Jun-19	Jul-19	Aug-19	Sept-19	Oct-19
On-Site Average Male Population	1,197	1,300	1,260	1,189	1,194	1,166
On-Site Average Female Population	263	288	277	268	285	259
On-Site Average Infirmarium	9	9	8	8	8	9
On-Site Average Daily Population (ADP)	1,469	1,597	1,545	1,465	1,487	1,434
Average Community Custody Program	94	83	82	72	74	76
Average Total Jail Population (w/CCP)	1,563	1,680	1,627	1,537	1,561	1,510
Monthly Bookings	2,513	2,358	2,320	2,255	2,263	1,921
Monthly Releases	2,398	2,294	2,499	2,239	2,211	2,078
Average Length of Stay (in Days)	21.8	18.9	25.8	20.8	21.2	27.7
Total Consecutive Days 1,950 or Less						1,815

* Monthly averages slightly higher due to rounding.



- The MDC population began increasing in late 2017. This increase continued through June 2019 when the population began to decrease. From June 2019 to October 2019, the on-site population of the MDC decreased from 1,597 down to 1,434, a decrease of 10.2%.

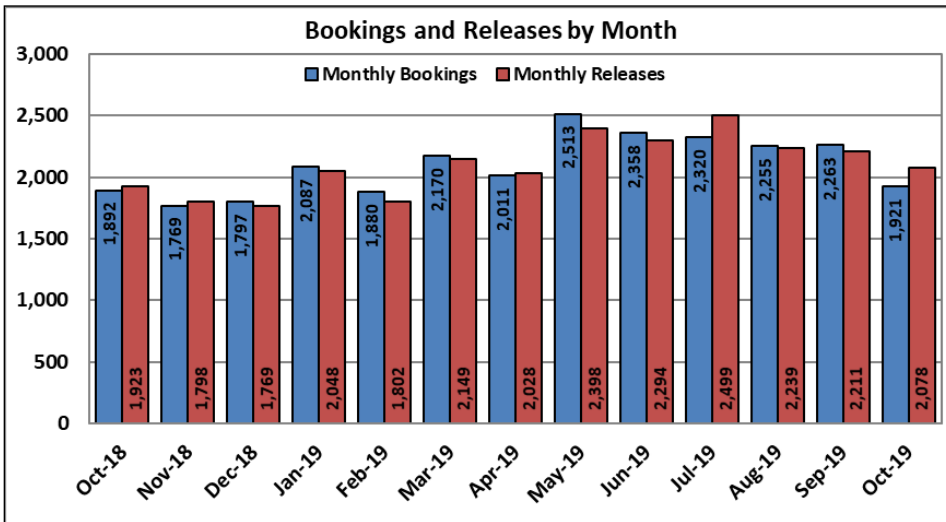
Report Highlights

- The MDC average on-site ADP decreased from 1,469 in May 2019 to 1,434 in October 2019.
- Bookings and releases decreased from May 2019 to October 2019.
- The number of preliminary hearings increased, from 4 in June 2019, to 89 in October 2019.

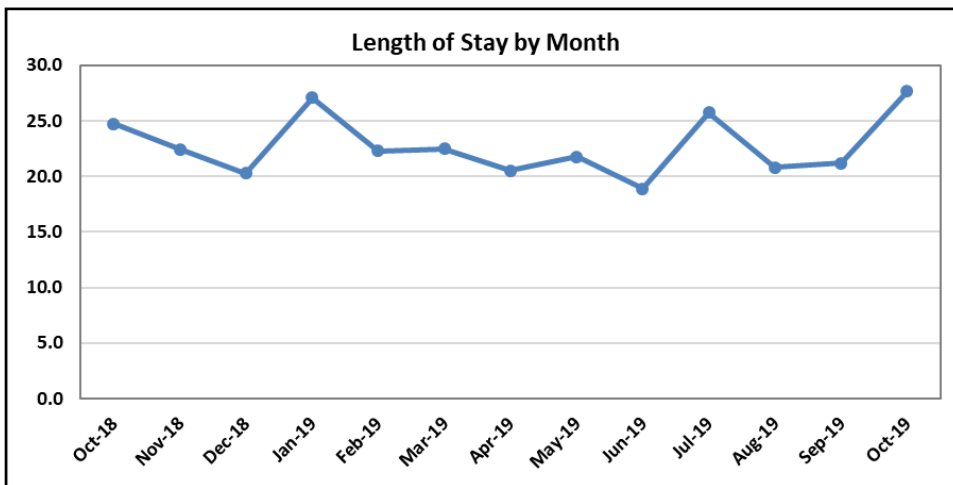
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BOOKINGS, RELEASES, AND LENGTH OF STAY

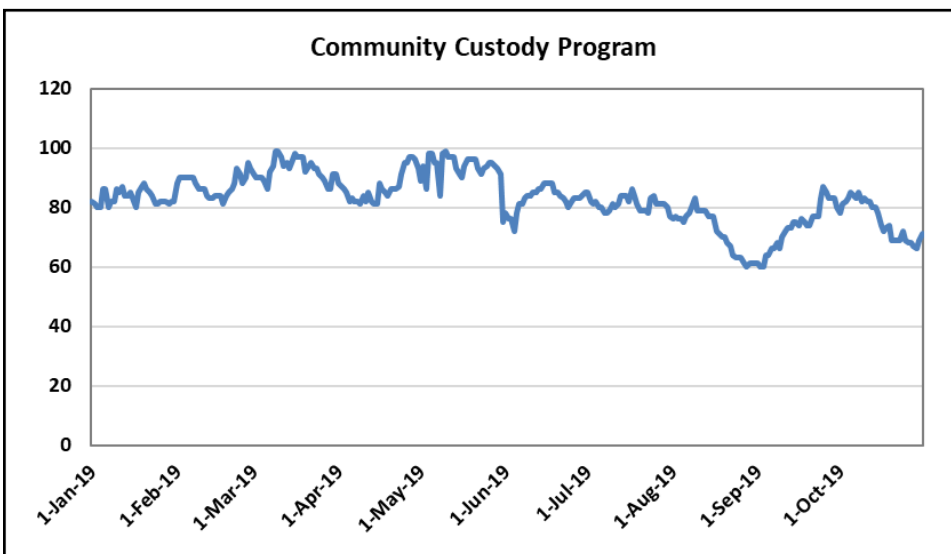


- Jail population is affected by two factors: how many people are booked and how long they stay.
- Bookings decreased 15.1% from 2,263 in September 2019 to 1,921 in October 2019. Releases decreased to a lesser degree, decreasing 6.0% from September 2019 to October 2019.
- The number of bookings and releases were higher in October 2019 than in October 2018. There were 1.5% (29) more



- The LOS in October 2019 was 27.7 days, 6.5 days (30.7%) higher than the LOS of 21.2 days in September 2019.
- The LOS in October 2019 was higher than the LOS in October 2018, 27.7 days in 2019 compared to 24.7 days in 2018.

COMMUNITY CUSTODY PROGRAM

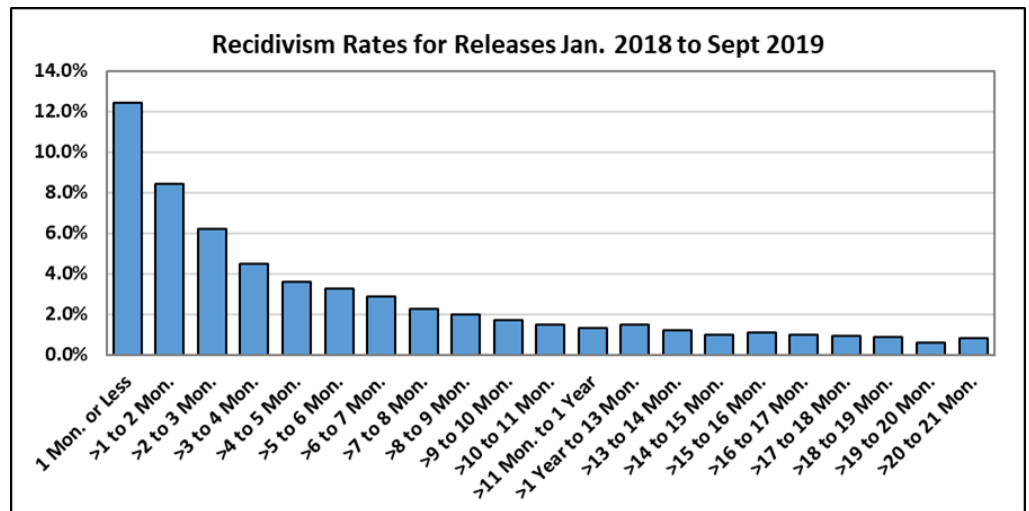


- CCP decreased at the end of May from 80 at the end of September 2019 down to 71 at the end of October 2019.
- CCP currently accounts for 5% of the total MDC population.

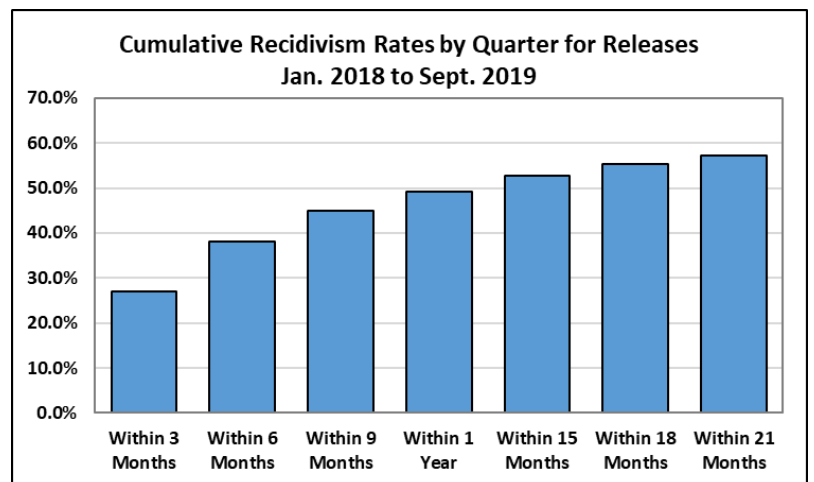
MONTHLY RECIDIVISM

- According to the Bureau of Justice Statistics¹, recidivism measures require 3 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 a prison, 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 May 2019. 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 current measure of failure used was any new booking into the MDC.

• Within the first month after release from the MDC, an average of 12.4% of inmates are booked back into the MDC. An additional 8.5% were booked back into the MDC between 1 and 2 months from release. 6.2% were booked between 2 and 3 month from release. 6.2% were booked between 2 and 3 month from release. After 9 months, the percent of inmates being rebooked into the MDC increases by 2% or less per month.



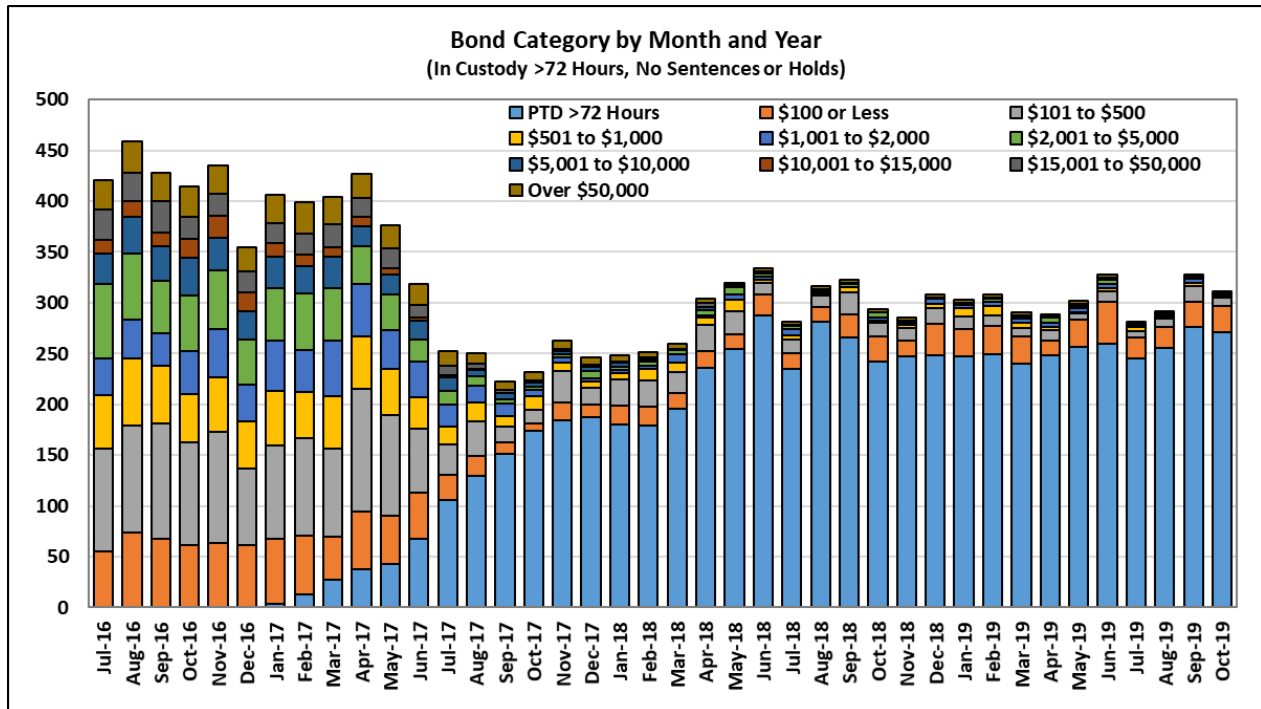
• During the first 3 months following release from the MDC, approximately 27.0% of inmates return to custody. Within 6 months, the rate increases to 38.1%. The recidivism rate increases over time, with 57.2% of inmates returning to custody for any booking within 21 months following release from the MDC.



IN CUSTODY BOND AMOUNTS

- On October 31, 2019, there were approximately 278 inmates in custody on a no bond hold that had a preventive detention motion either granted or still pending.
- There were 40 individuals in custody 3 days or more who could be released from custody if all bonds were paid. This accounted for 3.0% 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 65.0% (26) of the 40 inmates who could be released if all bonds were paid and 1.9% of the confined population. Those individuals with bonds requiring payment of between \$101 and \$500 accounted for 20.0% (8) of those in on a bond and 0.6% of the confined population.
- Overall, 35 inmates out of 40 were in custody longer than 3 days with bonds requiring payment of \$1,000 or less.

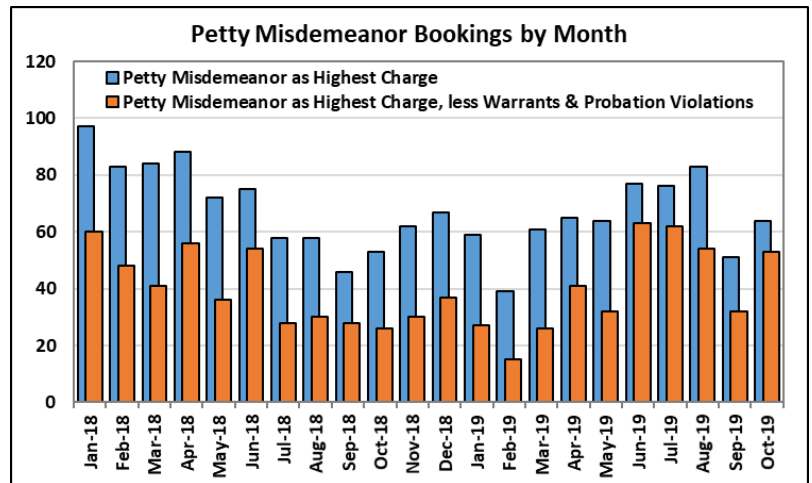
In Custody Bond Figures	Any LOS	LOS >72 Hours
\$100 or Less	32	26
\$101 to \$500	12	8
\$501 to \$1,000	4	1
\$1,001 to \$2,000	1	1
\$2,001 to \$5,000	1	1
\$5,001 to \$10,000	2	1
\$10,001 to \$15,000	0	0
\$15,001 to \$50,000	1	1
Over \$50,000	1	1
Total	54	40
Preventive Detention (Granted or Pending)	278	271
On-Site Population (End of Month)	1,353	



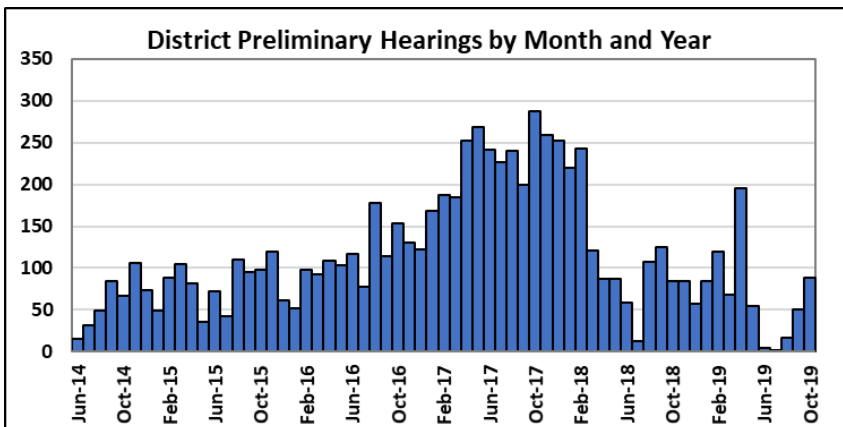
Over time, the number of individuals in custody who could be released if all bonds were paid has decreased. The decrease in the higher categories in particular may have decreased due to the implementation of preventive detention. Lower bond amounts in particular have been addressed by special hearings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

PETTY MISDEMEANOR BOOKINGS

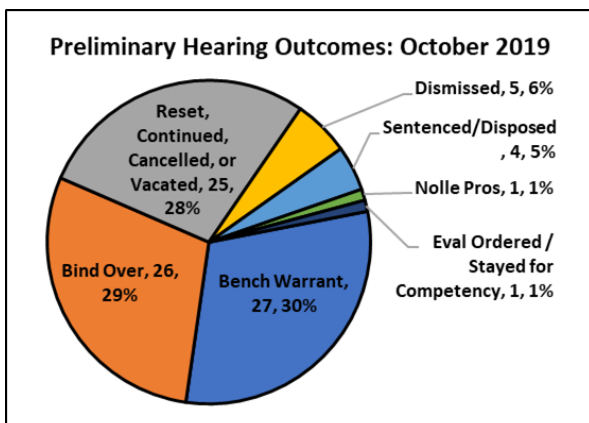
- Bookings at the MDC were reviewed for new charges with petty misdemeanors as the highest charge. Prior reporting excluded assault and battery charges, but these have been included in the current report. Updated figures are provided for petty misdemeanor bookings overall and petty misdemeanor bookings excluding warrants and probation violations.
- Since January 2018, there have been an average of 68 bookings a month with a petty misdemeanor as the highest charge new charge. These bookings may include a warrant or probation violation.
- Since January 2018, there have been an average of 40 petty misdemeanor bookings as the highest new charge with no warrants or probation violations.
- Petty misdemeanor bookings can include charges such as larceny, shoplifting, traffic violations, criminal trespass, public intoxication, battery, or assault.



DISTRICT PRELIMINARY HEARINGS



- The number of preliminary hearings increased during August, September, and October 2019 from 4 in June 2019 up to 89 in October 2019.
- Over the last year, there have been an average of 69 hearings per month.
- At the latest hearing for the 3,949 cases, approximately 53.1% resulted in case resolution.

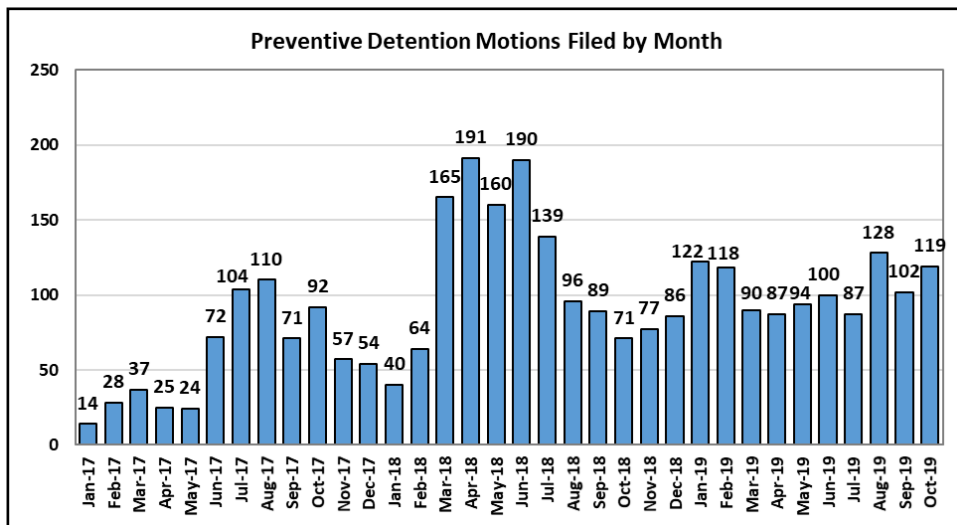


- During October 2019, approximately 12% of hearings resulted in case resolution (5 dismissed, 4 sentenced/disposed, 1 nolle pros).
- Of the 89 hearings that occurred in October 2019, 26 (29%) resulted in a bind over.
- An additional 25 cases (28%) were reset, continued, cancelled, or vacated.

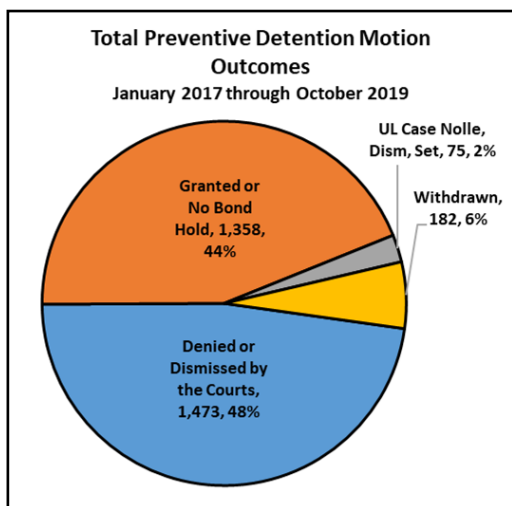
2019 Monthly Report

PREVENTIVE DETENTION MOTIONS

From January 2017 through October 2019, there were approximately 3,103 motions for preventive detention filed for 2,620 individuals³. 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, the hearing outcomes were categorized based the motion outcome rather than the eventual case outcome.



The number of preventive detention motions filed by month has remained relatively consist over the past few months, ranging from 87 to 100. There were an average of 101 motions filed per month over the last year.




The preventive detention motions were filed for a variety of charge types, including shoplifting, burglary, auto theft, assault, and murder. October 31, 2019, there were approximately 15 cases that had a motion still pending. These cases were removed from the monthly outcomes.

- Approximately 4% more motions were denied or dismissed by the courts than were granted (1,473 compared to 1,358).
- In 182 instances (6%) the motion was withdrawn, and in 75 (2%) the case for which the motion was filed was nolle'd, dismissed, or sentenced.

NOTES

1. 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
2. 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. 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.
3. Separate bookings for the same inmate are considered unique.

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