



# 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

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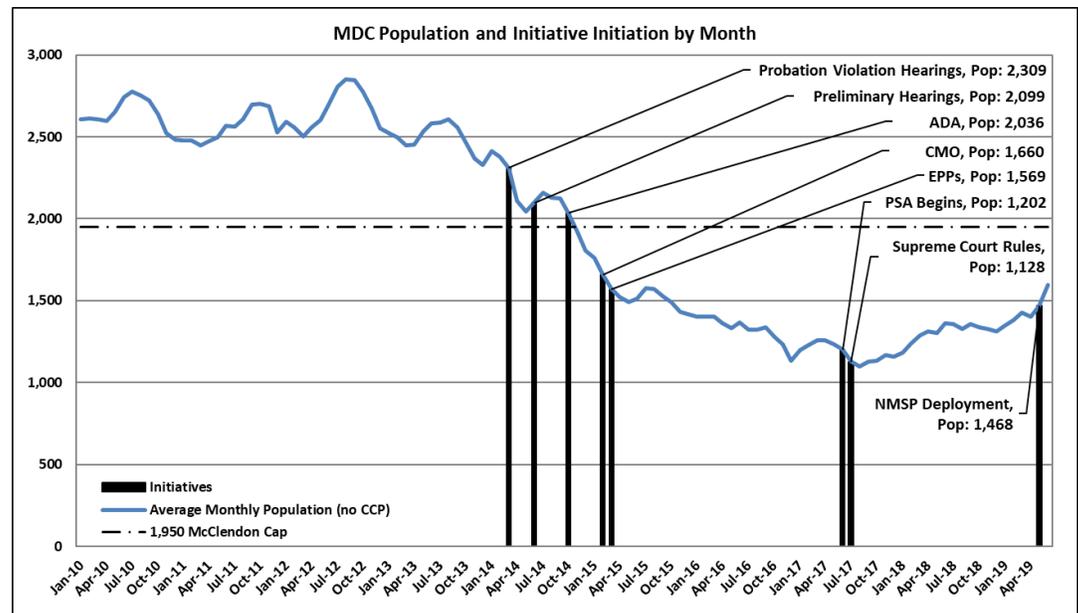
- Jail population is a result of two factors: how many people are booked and how long they stay.
- Population reduction initiatives have helped to reduce the length of stay which, combined with reduced bookings, has decreased the jail population. Recently the MDC population has increased.

Quick Population Figures	Jan-19	Feb-19	Mar-19	Apr-19	May-19	Jun-19
On-Site Average Male Population	1,091	1,129	1,163	1,151	1,197	1,300
On-Site Average Female Population	248	244	258	242	263	288
On-Site Average Infirmary	6	8	7	8	9	9
<b>On-Site Average Daily Population (ADP)</b>	<b>1,345</b>	<b>1,381</b>	<b>1,428</b>	<b>1,401</b>	<b>1,469</b>	<b>1,597</b>
Average Community Custody Program	84	88	93	87	94	83
<b>Average Total Jail Population (w/CCP)</b>	<b>1,429</b>	<b>1,469</b>	<b>1,521</b>	<b>1,488</b>	<b>1,563</b>	<b>1,680</b>
Monthly Bookings	2,087	1,880	2,170	2,011	2,513	2,358
Monthly Releases	2,048	1,802	2,149	2,028	2,398	2,294
Average Length of Stay (in Days)	27.1	22.3	22.5	20.5	21.8	18.9
Total Consecutive Days 1,950 or Less						1,692

\* Monthly averages slightly higher due to rounding.

### Report Highlights

- The MDC average on-site ADP increased from 1,401 in April 2019 to 1,597 in June 2019.
- Bookings and releases increased compared to June 2018 but decreased compared to May 2019.
- The number of preliminary hearings decreased, from 196 in April 2019, to 55 in May 2019, and then to 4 in June 2019.
- Monthly recidivism rates from January 2018 to May 2019 were added to this report.



- The MDC population began increasing in late 2017. This increase continued through May and June 2019. The on-site ADP in April 2019 was 1,401. The ADP increased 4.9% (68 inmates) to 1,469 in May 2019. The ADP increased 8.7% (128 inmates) to 1,597 from May to June 2019.

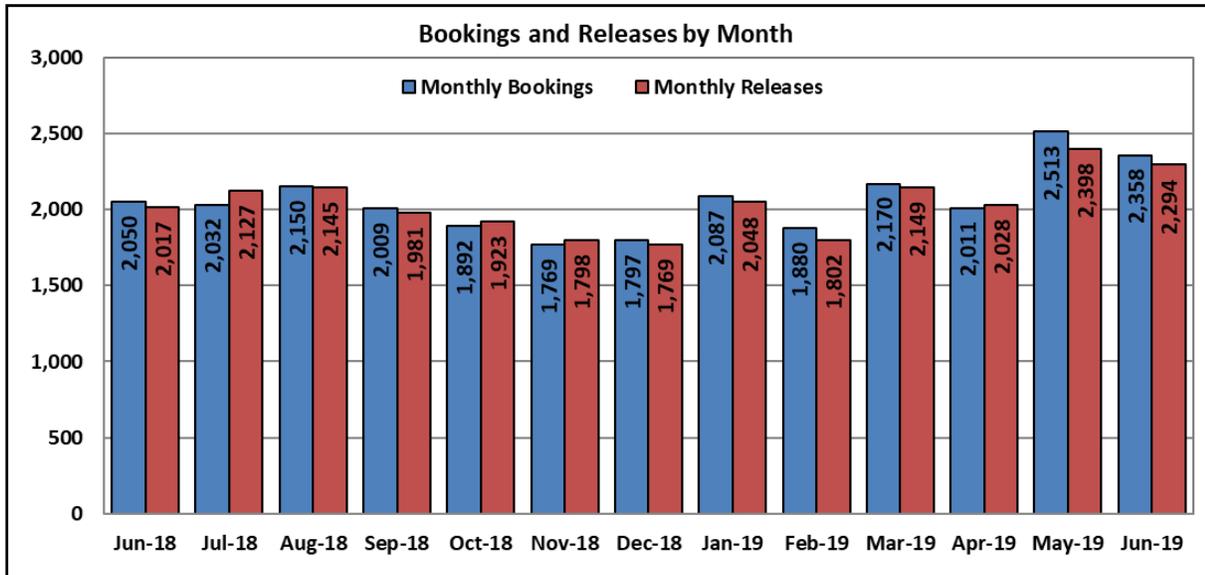
## CRIMINAL JUSTICE REFORM INITIATIVES

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

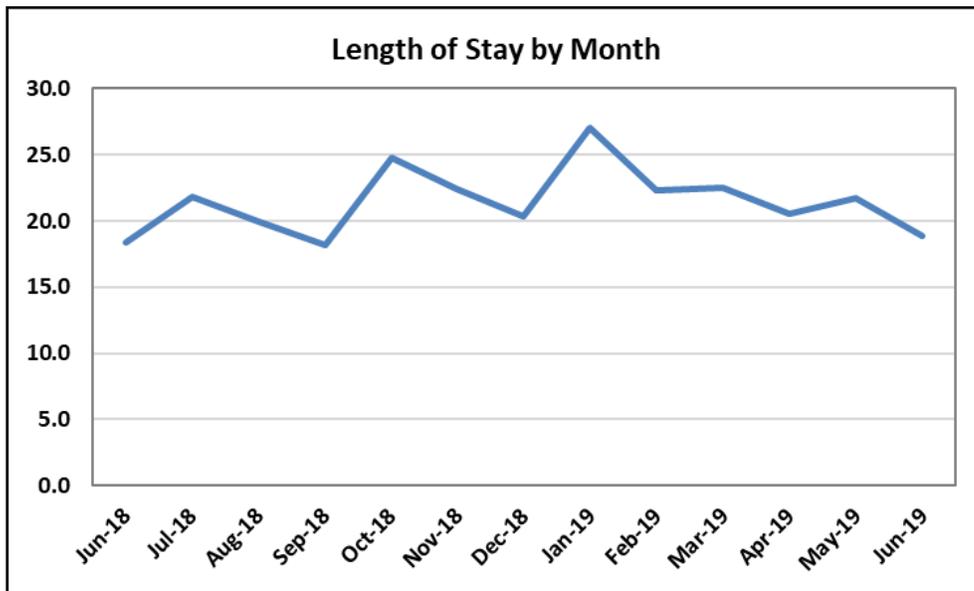
- ◆ The [National Network of CJCCs](#), in partnership with the [National Criminal Justice Association \(NCJA\)](#), invited the Bernalillo County CJCC to participate in developing a Training and Technical Assistance program to “build the CJCC’s capacity to respond to state strategic priorities”. Ms. Rey Banks and Ms. Aimee Wickman of the Justice Management Institute, along with Ms. Sylvia Serna, Grants Management Bureau Director at the NM Department of Public Safety, gave a presentation to CJCC members at the June monthly meeting. View the presentation in the “Reports and Studies” section of the [Bernalillo County CJCC website](#).
- ◆ In June, CJCC Vice Chair Damon Martinez and CJCC Technical Advisor Judge Nan Nash traveled to Portland, Oregon to attend the annual meeting of the National Network of Criminal Justice Coordinating Councils. In addition to hosting a panel discussion, our local representatives met and exchanged ideas with peers from over 20 different CJCCs around the country. [Learn more](#) about the event.
- ◆ The CJCC’s Diversion & Reentry Subcommittee is partnering with UNM Project Echo and Bernalillo County on the [Justice and Mental Health Collaboration Program \(JMHC\) grant from BJA’s Office of Justice Programs](#). The Project Echo team is facilitating a planning team as part of the D&R subcommittee to learn better ways to serve individuals interacting within behavioral health and criminal justice systems. The focus will be to design a program under the grant that promises to affect the prevalence of individuals with mental health disorders in the county jail. Technical Assistance experts from the [Justice Center at the Council of State Governments](#) will conduct a site tour in mid-August 2019.
- ◆ The 2019 legislature passed HB 267 and the bill received the governor’s signature. The bill includes implications for the structure and activities of the Bernalillo County CJCC. Other provisions address limitations in the state Mental Health Code and promotion of data collection and data sharing best practices. For more information [go here](#).
- ◆ The County Department of Behavioral Health Services (DBHS) and the LEAD (Law Enforcement Assisted Diversion) Planning Team are implementing a LEAD program in Bernalillo County. BCSO and APD units have received specialized training from LEAD Santa Fe experts. The program is utilizing \$50,000 in Innovation Grant funding from MacArthur Foundation’s Safety + Justice Challenge and \$250,000 in recurring county Behavioral Health Initiative dollars. On the horizon: The governor recently signed legislation allocating \$664,000 for LEAD implementation in select counties, including Bernalillo.

BOOKINGS, RELEASES, AND LENGTH OF STAY

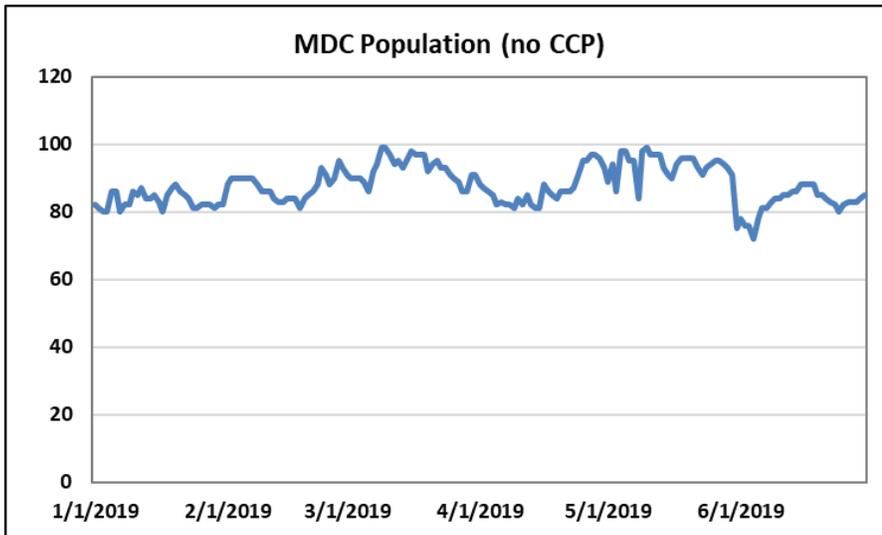
- Jail population is affected by two factors: how many people are booked and how long they stay.
- Bookings decreased 6.2% from 2,513 in May 2019 to 2,358 in June 2019. Releases decreased to a lesser degree, decreasing 4.3% from May 2019 to June 2019.
- The number of bookings and releases were higher in June 2019 than in June 2018. There were 15.0% (308) more bookings in 2019 and 13.7% (277) more releases.



- The Length of Stay (LOS) for June 2019 was 18.9 days, 2.9 days (13.3%) lower than the LOS of 21.8 days in May 2019.
- The LOS in June 2019 was slightly higher than the LOS in June 2018, 18.9 days in 2019 compared to 18.4 days in 2018.



## COMMUNITY CUSTODY PROGRAM



- CCP decreased at the end of May from the a high of 99 during the month to 75 at the end of May.
- CCP increased back to the mid-eighties during June.
- CCP currently accounts for 5% of the total MDC population.

## MONTHLY RECIDIVISM

- According to the Bureau of Justice Statistics<sup>4</sup>, 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 12.3% of inmates are booked back into the MDC. An additional 8.4% were booked back into the MDC between 1 and 2 months from release. 6.2% were booked between 2 and 3 month from release. (The quarterly average is not equal to the average for each separate follow-up time period.)**
- **Almost half of inmates booked were booked again at MDC within 1 year of their initial booking.**

Follow-up Time Period	Average Recidivism Rate
1 Month or Less	12.3%
>1 Month to 2 Months	8.4%
>2 Months to 3 Months	6.2%
<b>Within 3 Months</b>	<b>26.6%</b>
>3 Months to 4 Months	4.5%
>4 Months to 5 Months	3.6%
>5 Months to 6 Months	3.3%
<b>Within 6 Months</b>	<b>37.7%</b>
>6 Months to 7 Months	2.9%
>7 Months to 8 Months	2.3%
>8 Months to 9 Months	2.1%
<b>Within 9 Months</b>	<b>44.6%</b>
>9 Months to 10 Months	1.7%
>10 Months to 11 Months	1.5%
>11 Months to 1 Year	1.4%
<b>Within 1 Year</b>	<b>49.1%</b>
>1 Year to 13 Months	1.5%
>13 Months to 14 Months	1.1%
>14 Months to 15 Months	1.1%
<b>Within 15 Months</b>	<b>51.8%</b>
>15 Months to 16 Months	1.3%
>16 Months to 17 Months	1.4%

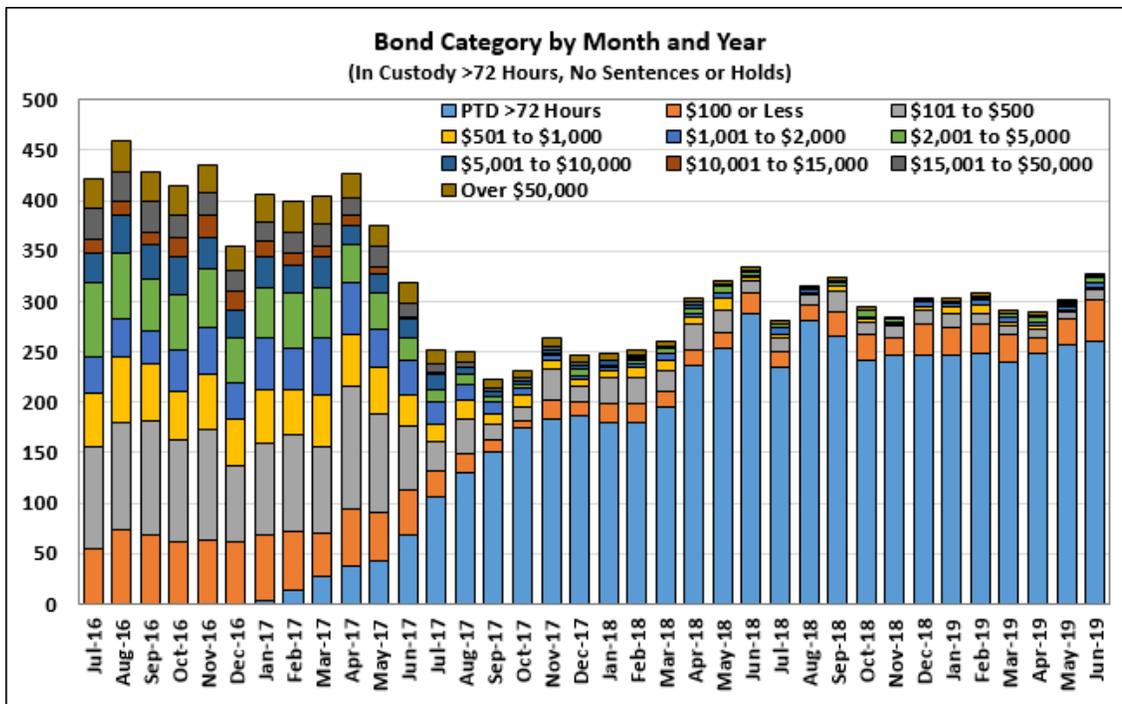
### Recidivism Rates by Month and Year

	Jan-18	Feb-18	Mar-18	Apr-18	May-18	Jun-18	Jul-18	Aug-18	Sep-18	Oct-18	Nov-18	Dec-18	Jan-19	Feb-19	Mar-19	Apr-19	May-19
<b>First Unique Release</b>	<b>2,191</b>	<b>2,053</b>	<b>2,232</b>	<b>2,014</b>	<b>2,081</b>	<b>1,940</b>	<b>2,067</b>	<b>2,065</b>	<b>1,903</b>	<b>1,857</b>	<b>1,744</b>	<b>1,724</b>	<b>1,985</b>	<b>1,751</b>	<b>2,073</b>	<b>1,954</b>	<b>2,295</b>
1 Month or Less	12.3%	13.0%	12.3%	14.7%	11.3%	12.6%	11.2%	11.2%	12.7%	11.5%	11.2%	11.1%	12.1%	11.7%	12.3%	13.2%	14.5%
>1 Month to 2 Months	8.8%	9.0%	9.0%	7.0%	8.9%	8.6%	7.5%	7.9%	7.0%	7.6%	6.8%	9.3%	8.9%	8.5%	9.4%	9.9%	
>2 Months to 3 Months	5.4%	5.6%	6.5%	5.6%	7.0%	6.3%	6.0%	6.5%	5.5%	6.2%	7.1%	6.6%	5.0%	6.8%	6.8%		
<b>Within 3 Months</b>	<b>26.5%</b>	<b>27.5%</b>	<b>27.8%</b>	<b>27.3%</b>	<b>27.2%</b>	<b>27.5%</b>	<b>24.7%</b>	<b>25.7%</b>	<b>25.2%</b>	<b>25.4%</b>	<b>25.0%</b>	<b>27.0%</b>	<b>26.0%</b>	<b>27.0%</b>	<b>28.5%</b>		
>3 Months to 4 Months	3.9%	4.8%	3.3%	4.7%	5.2%	3.8%	3.7%	5.2%	4.3%	4.9%	5.6%	4.4%	5.0%	5.1%			
>4 Months to 5 Months	3.4%	3.5%	3.2%	3.8%	3.7%	3.1%	3.0%	4.2%	3.6%	4.0%	3.8%	3.2%	4.9%				
>5 Months to 6 Months	3.1%	3.8%	3.0%	3.2%	3.5%	2.6%	2.5%	3.4%	2.9%	2.7%	4.3%	4.2%					
<b>Within 6 Months</b>	<b>36.9%</b>	<b>39.6%</b>	<b>37.3%</b>	<b>39.0%</b>	<b>39.6%</b>	<b>37.0%</b>	<b>33.8%</b>	<b>38.5%</b>	<b>35.9%</b>	<b>37.0%</b>	<b>38.6%</b>	<b>38.9%</b>					
>6 Months to 7 Months	3.0%	2.3%	2.9%	2.4%	2.9%	2.2%	3.4%	2.8%	2.9%	2.7%	4.2%						
>7 Months to 8 Months	2.4%	1.9%	1.9%	1.8%	2.4%	2.1%	2.9%	2.3%	2.4%	3.4%							
>8 Months to 9 Months	1.7%	1.7%	2.1%	1.3%	2.3%	2.7%	2.7%	2.1%	2.0%								
<b>Within 9 Months</b>	<b>44.0%</b>	<b>45.4%</b>	<b>44.1%</b>	<b>44.5%</b>	<b>47.2%</b>	<b>44.0%</b>	<b>42.8%</b>	<b>45.6%</b>	<b>43.3%</b>								
>9 Months to 10 Months	1.3%	1.6%	1.5%	1.8%	1.3%	1.5%	2.0%	2.5%									
>10 Months to 11 Months	1.1%	1.3%	1.0%	1.8%	1.7%	1.2%	2.6%										
>11 Months to 1 Year	1.3%	1.2%	1.6%	1.6%	1.0%	1.6%											
<b>Within 1 Year</b>	<b>47.7%</b>	<b>49.4%</b>	<b>48.2%</b>	<b>49.7%</b>	<b>51.2%</b>	<b>48.2%</b>											
>1 Year to 13 Months	1.5%	1.3%	1.3%	1.5%	1.9%												
>13 Months to 14 Months	1.0%	1.0%	0.9%	1.7%													
>14 Months to 15 Months	0.6%	1.2%	1.4%														
<b>Within 15 Months</b>	<b>50.8%</b>	<b>52.8%</b>	<b>51.9%</b>														
>15 Months to 16 Months	1.3%	1.2%															
>16 Months to 17 Months	1.4%																
<b>Cummulative Total</b>	<b>53.5%</b>	<b>54.1%</b>	<b>51.9%</b>	<b>53.0%</b>	<b>53.1%</b>	<b>48.2%</b>	<b>47.4%</b>	<b>48.1%</b>	<b>43.3%</b>	<b>43.2%</b>	<b>42.9%</b>	<b>38.9%</b>	<b>35.9%</b>	<b>32.1%</b>	<b>28.5%</b>	<b>23.1%</b>	<b>14.5%</b>

## IN CUSTODY BOND AMOUNTS

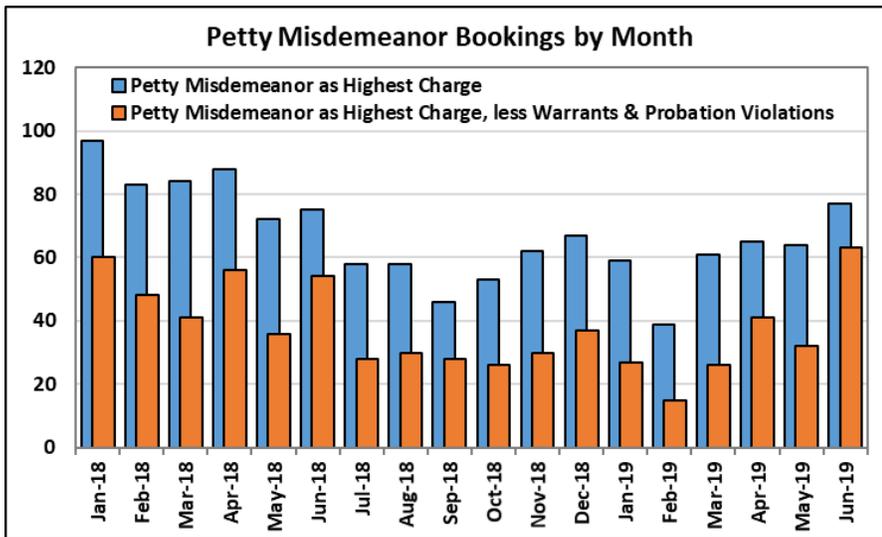
- On June 30, 2019, there were approximately 269 inmates in custody on a no bond hold that had a preventive detention motion either granted or still pending.
- There were 68 individuals who could be released from custody if all bonds were paid. This accounted for 4.2% of the confined population.
- This 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 bonds<sup>2</sup> represented approximately 60.3% (41) of the 68 inmates who could be released if all bonds were paid and 2.5% of the confined population. Those individuals with bonds requiring payment of between \$101 and \$500 accounted for 14.7% (10) of those in on a bond and 0.6% of the confined population.
- Overall, 54 inmates out of 68 were in custody with bonds requiring payment of \$1,000 or less.

In Custody Bond Figures	Any LOS	LOS >72 Hours
\$100 or Less	50	41
\$101 to \$500	18	10
\$501 to \$1,000	5	3
\$1,001 to \$2,000	6	5
\$2,001 to \$5,000	4	4
\$5,001 to \$10,000	1	1
\$10,001 to \$15,000	0	0
\$15,001 to \$50,000	1	1
Over \$50,000	3	3
<b>Total</b>	<b>88</b>	<b>68</b>
Preventive Detention (Granted or Pending)	269	260
On-Site Population (End of Month)	1,627	



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.

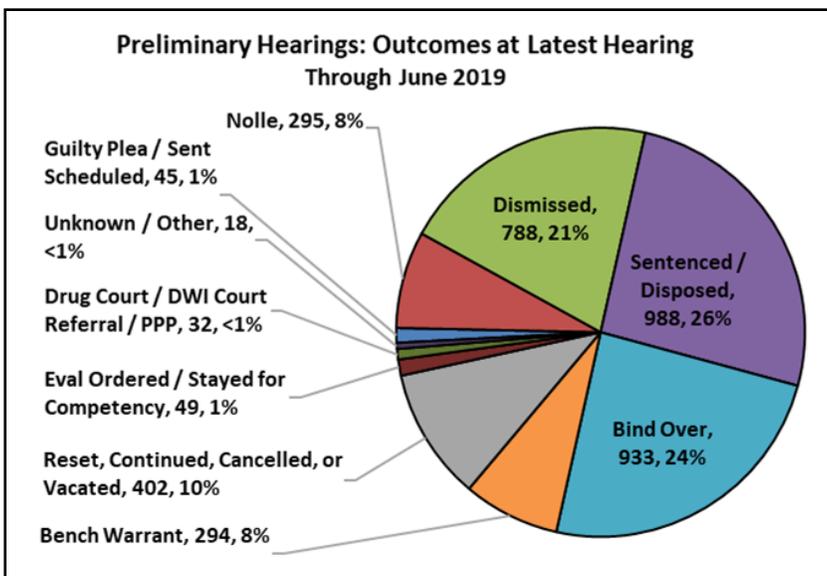
## PETTY MISDEMEANOR BOOKINGS



- 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 new charge. These bookings may include a warrant or probation violation.
- Since January 2018, there have been an average of 30 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



- Between June 23, 2014 and June 30, 2019, a total of 7,316 hearings were scheduled for 3,845 cases (cases were at times reset and hearings for the same case for a separate incident were considered unique).
- The number of preliminary hearings decreased from 196 in April 2019 to 55 in May 2019 and 4 in June 2019.
- Over the last year, there have been an average of 83 hearings per month.
- At the latest hearing for the 3,844 cases, approximately 53.9% resulted in case resolution.

- Through June 2019, approximately 21% (788) were dismissed, 8% (295) were nolle pros'd, and 26% (988) were sentenced or disposed.
- Reset and vacated hearings accounted for 402 (10%) of the outcomes at the latest hearing.

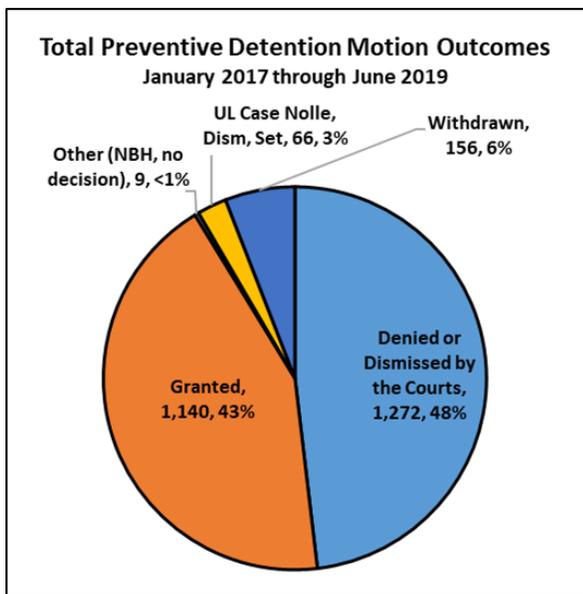
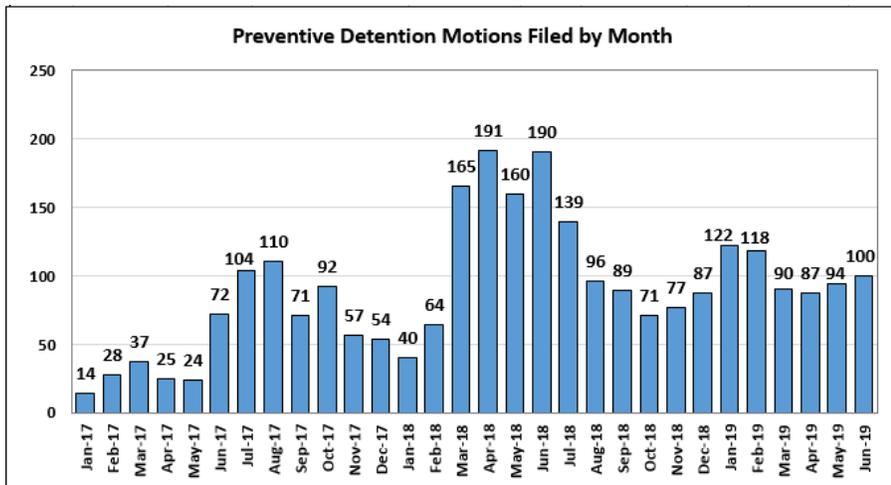
June 2019 Monthly Report

# PREVENTIVE DETENTION MOTIONS

From January 2017 through June 2019, there were approximately 2,668 motions for preventive detention filed for 2,481 individuals<sup>3</sup>. 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 on each motion rather than the overall outcome per individual.

There was an 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 and began to decrease in July of 2018 and then increase again starting in November 2018. There were an average of 113 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. As of June 30, 2019, there were approximately 24 cases that had a motion still pending. These cases were removed from the monthly outcomes.

- Approximately 5% more motions were denied or dismissed by the courts than were granted (1,272 compared to 1,140).
- In 156 instances (6%) the motion was withdrawn, and in another 66 (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](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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