



Bernalillo County Metropolitan Detention Center

Prepared for Bernalillo County by the Institute for Social Research
 by: E. Ferguson and H. De La Cerda with S. Laird and A. O'Connell

The MDC Population and Criminal Justice Reforms

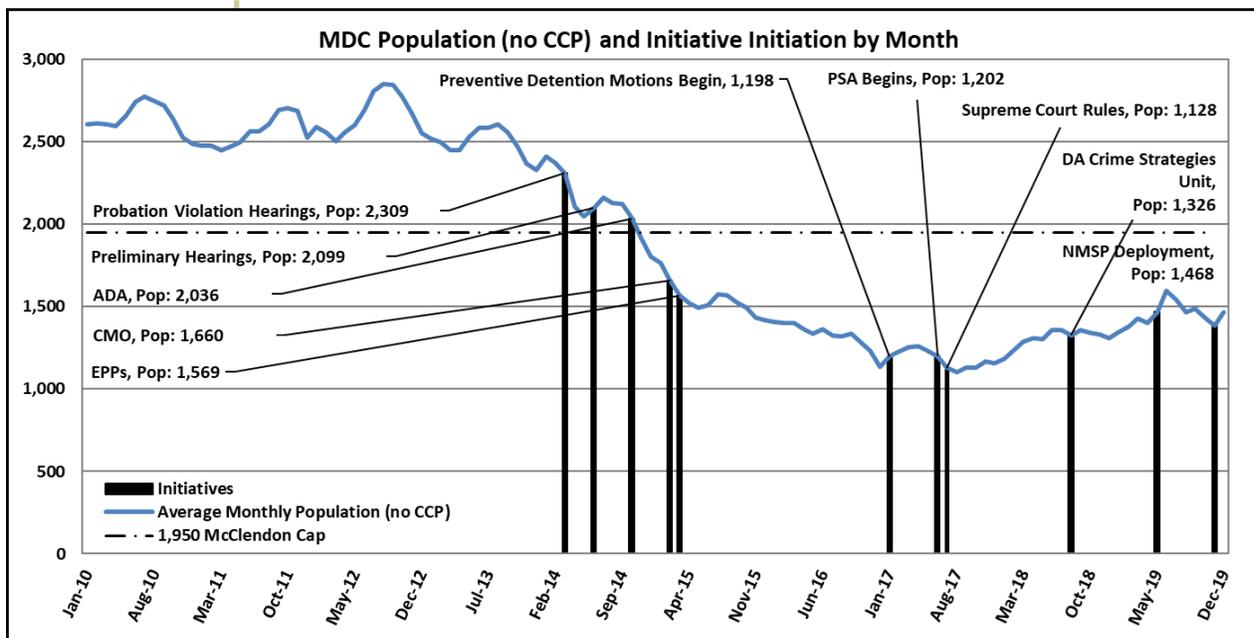
- Jail population is a result of two factors: how many people are booked and how long they stay.
- Population reduction initiatives have helped to reduce the length of stay which, combined with reduced bookings, has decreased the jail population.

| Quick Population Figures | Jul-19 | Aug-19 | Sept-19 | Oct-19 | Nov-19 | Dec-19 |
|--|--------------|--------------|--------------|--------------|--------------|--------------|
| On-Site Average Male Population | 1,260 | 1,189 | 1,194 | 1,166 | 1,131 | 1,189 |
| On-Site Average Female Population | 277 | 268 | 285 | 259 | 248 | 270 |
| On-Site Average Infirmary | 8 | 8 | 8 | 9 | 8 | 7 |
| On-Site Average Daily Population (ADP) | 1,545 | 1,465 | 1,487 | 1,434 | 1,387 | 1,466 |
| Average Community Custody Program | 82 | 72 | 74 | 76 | 71 | 67 |
| Average Total Jail Population (w/CCP) | 1,627 | 1,537 | 1,561 | 1,510 | 1,458 | 1,533 |
| Monthly Bookings | 2,320 | 2,255 | 2,263 | 1,921 | 1,755 | 1,872 |
| Monthly Releases | 2,499 | 2,239 | 2,211 | 2,078 | 1,684 | 1,849 |
| Average Length of Stay (in Days) | 25.8 | 20.8 | 21.2 | 27.7 | 23.6 | 21.1 |
| Total Consecutive Days 1,950 or Less | | | | | | 1,876 |

Report Highlights

- The MDC average on-site ADP decreased 5.1% from 1,545 in June 2019 to 1,466 in December 2019.
- Bookings and releases increased from November 2019 to December 2019.
- The number of preliminary hearings decreased from October to December 2019.

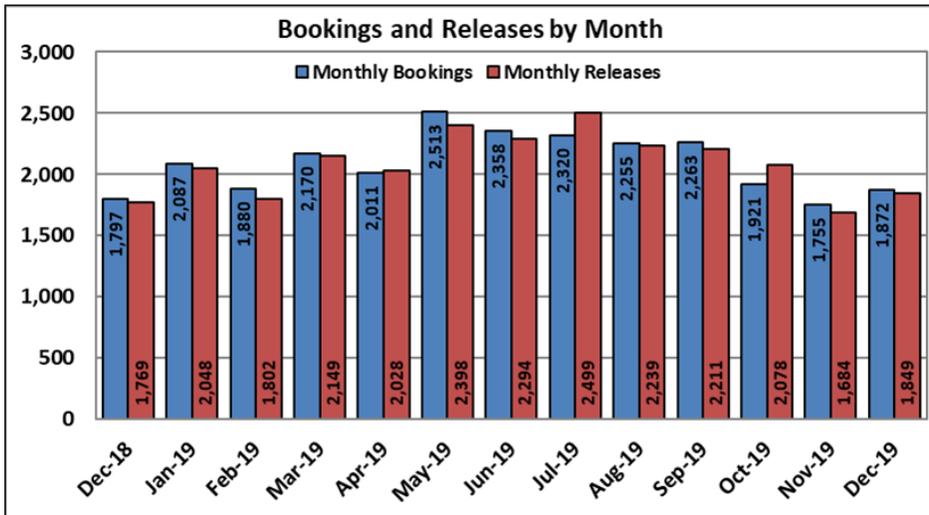
* Monthly averages slightly higher due to rounding.



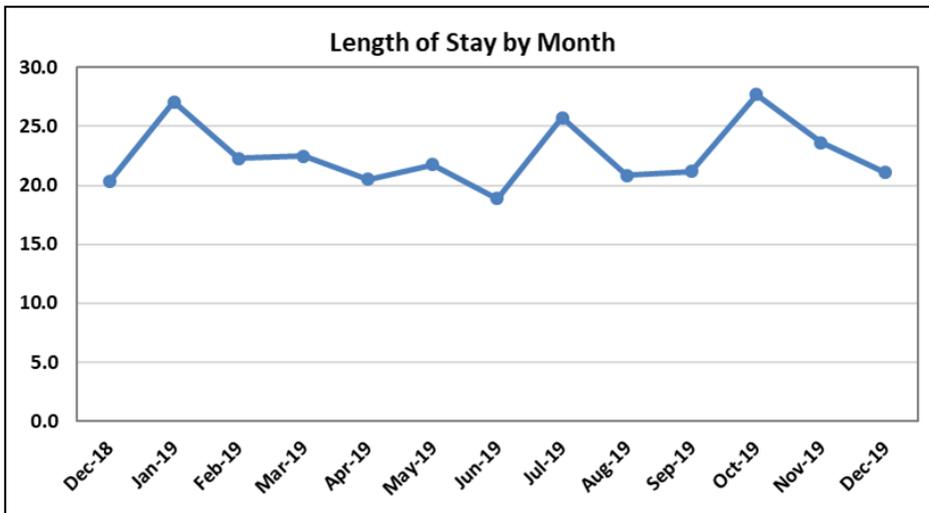
- The MDC population began increasing in late 2017. This increase continued through June 2019 when the population began to decrease. From July 2019 to December 2019, the on-site population of the MDC decreased from 1,545 down to 1,466, a decrease of 5.1%.

Bookings, Releases, and Length of Stay

- Jail population is affected by two factors: how many people are booked and how long they stay.

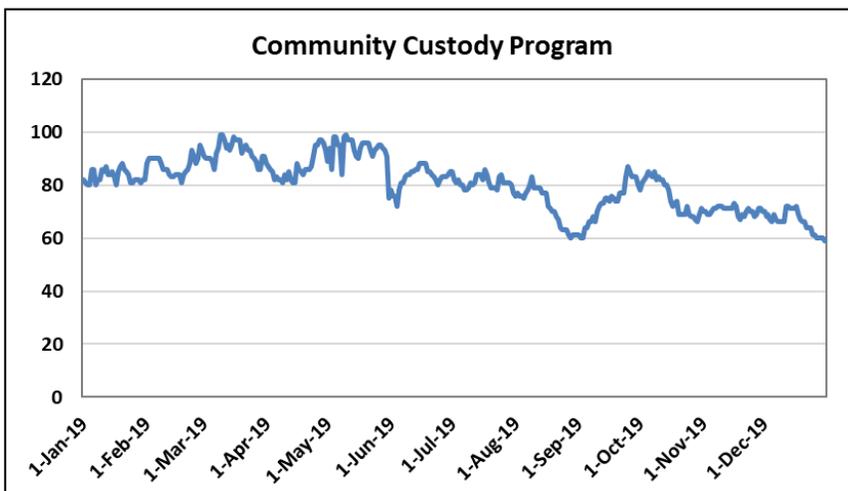


- Bookings increased 6.7% from 1,755 in November 2019 to 1,872 in December 2019. Releases increased 9.8% from 1,684 in November 2019 up to 1,849 in December 2019.
- The number of bookings and releases were higher in December 2019 than in December 2018. There were 4.2% (75) more bookings in 2019 and 4.5% (80) more releases.



- The LOS in December 2019 was 21.1 days, 2.5 days (10.6%) lower than the LOS of 23.6 days in November 2019.
- The LOS in December 2019 was higher than the LOS in December 2018, 21.1 days in 2019 compared to 20.3 days in 2018.

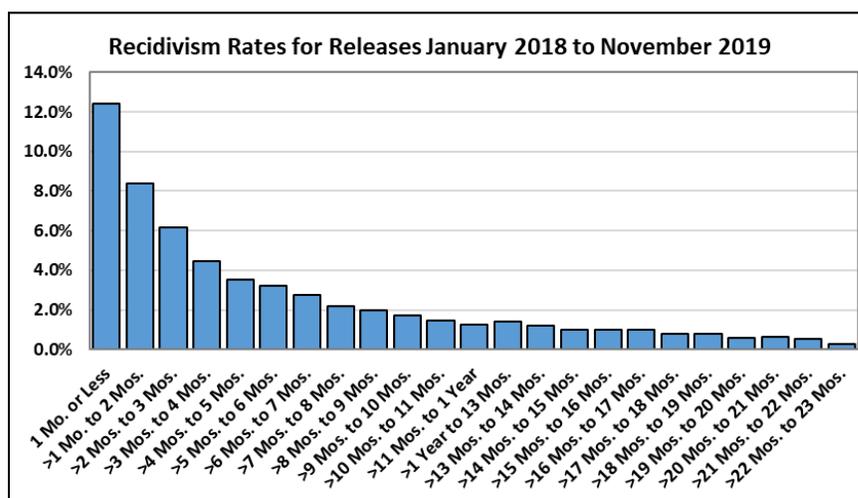
Community Custody Program



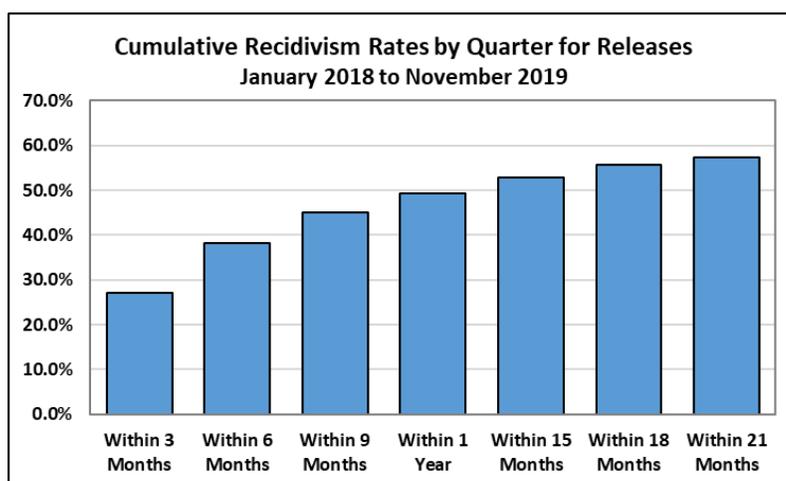
- CCP decreased 28% from 82 on January 1, 2019 down to 59 on December 31, 2019.
- At the end of 2019, CCP accounted for 3.9% of the total MDC population.

Monthly Recidivism

- According to the Bureau of Justice Statistics¹, a recidivism measure requires 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 November 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 8.4% were booked back into the MDC between 1 and 2 months from release. 6.2% were booked between 2 and 3 months from release. 6.2% were booked between 2 and 3 months from release. After 9 months, the percent of inmates being rebooked into the MDC increases by 2% or less per month.



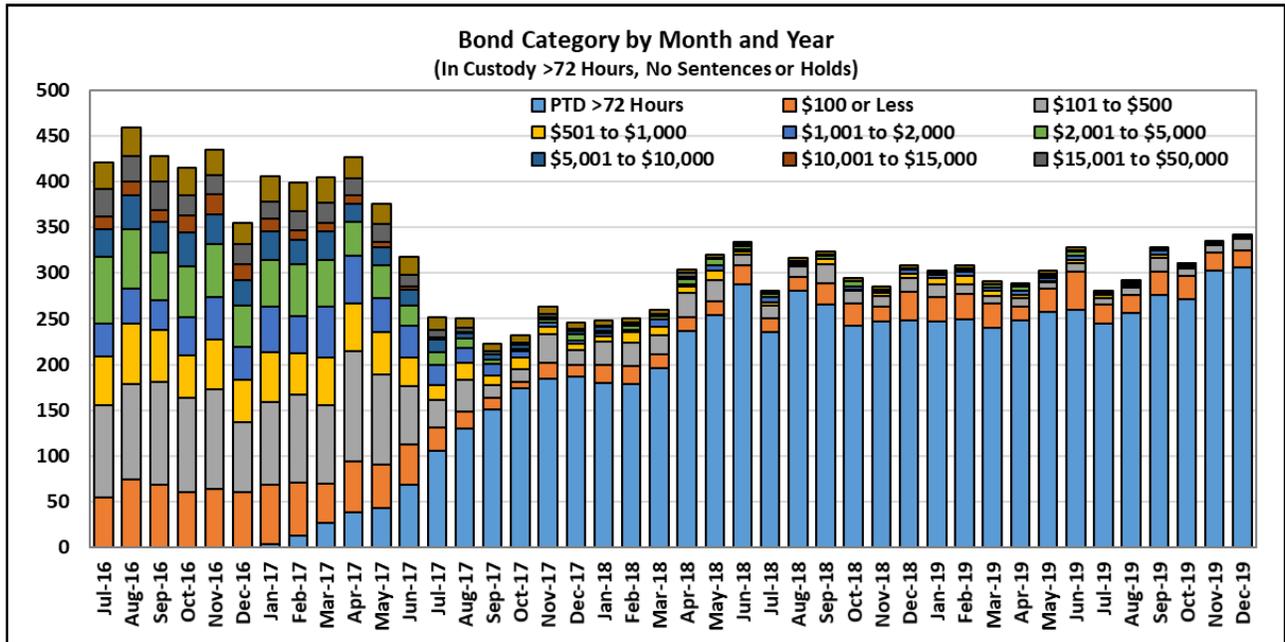
- During the first 3 months following release from the MDC, approximately 27% of inmates return to custody. Within 6 months, the rate increases to 38.2%. The recidivism rate increases over time, with 57.3% of inmates returning to custody for any booking within 21 months following release from the MDC.



In Custody Bond Amounts

- On December 31, 2019, there were approximately 311 inmates in custody on a no bond hold that had a preventive detention motion either granted or still pending.²
- There were 36 individuals in custody 3 days or more who could be released from custody if all bonds were paid. This accounted for 2.5% 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.
- For those in custody greater than 3 days, those with \$100 or less in unpaid bonds³ represented approximately 52.8% (19) of the 36 inmates who could be released if all bonds were paid and 1.3% of the confined population.
- For those in custody greater than 3 days, inmates with bonds requiring payment of between \$101 and \$500 accounted for 33.3% (12) of those in on a bond and 0.8% of the confined population.
- Overall, 32 inmates out of 36 were in custody longer than 3 days with total bonds requiring payment of \$1,000 or less.

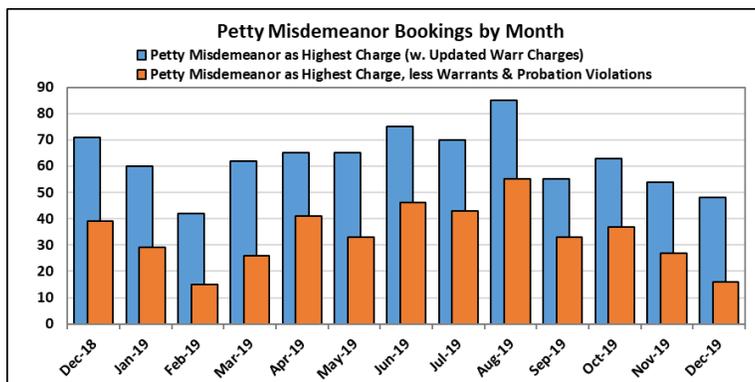
| In Custody Bond Figures | Any LOS | LOS >72 Hours |
|---|---------|---------------|
| \$100 or Less | 24 | 19 |
| \$101 to \$500 | 14 | 12 |
| \$501 to \$1,000 | 2 | 1 |
| \$1,001 to \$2,000 | 0 | 0 |
| \$2,001 to \$5,000 | 3 | 1 |
| \$5,001 to \$10,000 | 1 | 1 |
| \$10,001 to \$15,000 | 0 | 0 |
| \$15,001 to \$50,000 | 2 | 1 |
| Over \$50,000 | 1 | 1 |
| <i>Total</i> | 39 | 36 |
| Preventive Detention (Granted or Pending) | 311 | 307 |
| On-Site Population (End of Month) | 1,419 | |



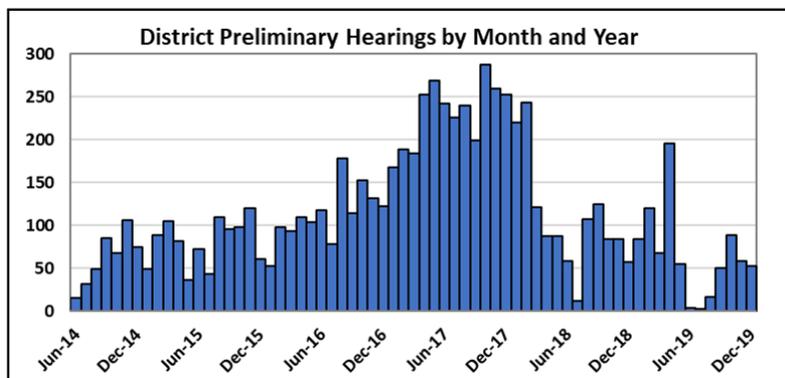
Over time, the number of individuals in custody who could be released if all bonds were paid, has decreased. The decrease in the higher categories, in particular, may have decreased due to the implementation of preventive detention. Lower bond amounts in particular, have been addressed by special hearings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

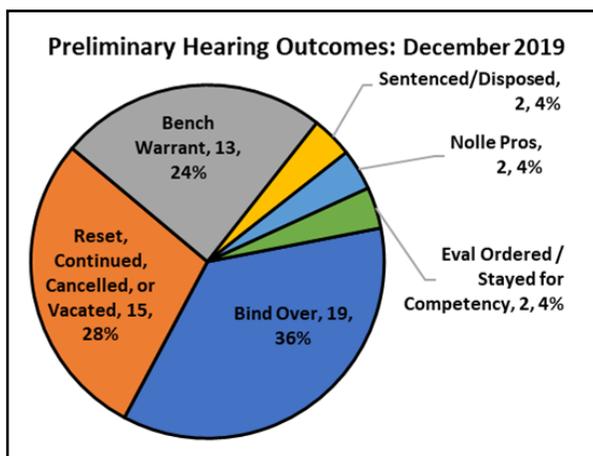
- Bookings at the MDC were reviewed for new charges with petty misdemeanors as the highest charge. Prior reporting excluded assault and battery charges, but these have been included in the current report. In addition, recent improvements to data processing² have improved data quality to provide more accurate counts of bookings without a warrant of probation violation.
- During 2019, there were an average of 62 bookings a month with a petty misdemeanor as the highest charge new charge (with and without warrants and probation violations).
- During 2019, there were an average of 34 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



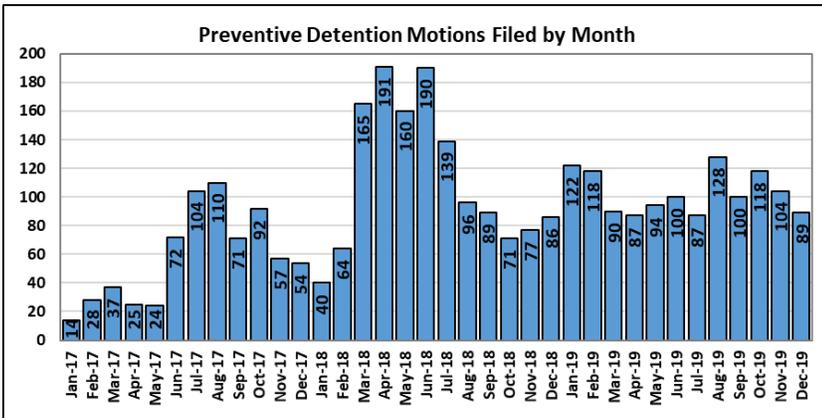
- The number of preliminary hearings decreased during November and December 2019.
- During 2019, there were an average of 66 hearings per month.
- At the latest hearing for the 4,013 cases, approximately 52.6% resulted in case resolution.



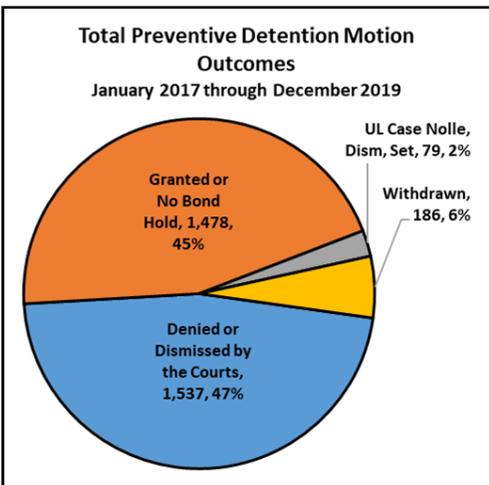
- During December 2019, 7.5% of hearings resulted in case resolution (2 sentenced/ disposed and 2 nolle pros).
- Of the 53 hearings that occurred in December 2019, 19 (35.8%) resulted in a bind over.
- An additional 15 cases (28.3%) were reset, continued, cancelled, or vacated.

Preventive Detention Motions

From January 2017 through December 2019, there were approximately 3,293 motions for preventive detention filed for 2,778 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 on the motion outcome.



The number of preventive detention motions filed by month during 2019 has ranged from 87 to 128. There were an average of 103 motions filed per month over the last 12 months.



The preventive detention motions were filed for a variety of charge types, including shoplifting, burglary, auto theft, assault, and murder. December 31, 2019, there were approximately 13 cases that had a motion still pending. These cases were removed from the monthly outcomes.

- Approximately 2% more motions were denied or dismissed by the courts than were granted (1,537 compared to 1,478).
- In 186 instances (6%) the motion was withdrawn, and in 79 (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. Recently data was processed for the jail bookings that included data located in a separate table in EJS, the jail management system used at the MDC. This helps to identify cases with warrants and probation violations that may not have been identified correctly with the more limited information previously available.
3. 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.

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