



**Bernalillo County  
Metropolitan Detention  
Center:**

**Analysis of the Jail  
Population,  
June 30, 2023**

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Jail populations are constantly fluctuating due to changes in both bookings and length of stay. The population of the Metropolitan Detention Center (MDC) decreased approximately 50% during the last decade due to numerous factors including but not limited to, criminal justice reform initiatives, changes in bookings and booking policies, and more recently, the COVID-19 pandemic. The MDC population changes daily, and regular and consistent reviews of the population are an effective method to assess the composition of the jail, how it has changed over time, and, can be an indicator of how the criminal justice system in Bernalillo County is functioning.

#### HIGHLIGHTS

- While the MDC population has fluctuated between 1,100 and 1,600 since mid-2015, there has been a steady increase in the portion of the population comprised of serious offenders.
- The MDC population increased by 4.8% from December 31, 2022, to June 30, 2023 and the percent rated capacity occupied on June 30, 2023 was 69.0%.
- Bookings and releases increased from FY22 to FY23 (15.3% and 16.6%, respectively) and LOS increased (12.4%).
- The incarceration rate was estimated at 283 per 100,000 adults in Bernalillo County on June 30, 2023. Bernalillo County Adult Incarceration rates are currently greater than the latest BJS national average of 245 (2021).
- The percent of inmates at the MDC with one or more sentenced cases increased from 17.2% on December 31, 2022, to 19.7% on June 30, 2023.
- The portion of inmates in custody with a preventive detention motion granted or pending and a hold increased from 33.4% on December 31, 2022 to 37.8% on June 30, 2023 (a 4.4% change).
- There has been an 1.8% increase in first year recidivism between FY21 and FY22.

### Population and Capacity

The Institute for Social Research (ISR) at the Center for Applied Research and Analytics (CARA) analyzes the MDC population twice a year, at midyear and end of year. Jail and court data are used to complete these in-depth reviews and they have been compiled since midyear 2015. These semiannual reports are snapshots of the jail population, and include demographic information, sentencing status, and charges. The data reported also includes changes in bookings, releases, and length of stay (LOS).

The MDC population has decreased over the last decade, from the low 2,900s in FY12 to the low 1,500s in FY23. The population decrease occurred, in part, as a result of a series of criminal justice initiatives that were implemented in Bernalillo County (initiatives can be seen in Appendix A.) As the COVID-19

**Table 1. Inmates Confined at End of Fiscal Year, Annual Admissions, and Incarceration Rates**

Fiscal Year	Confined Inmates <sup>1</sup>	Annual Admissions	Incarceration Rate <sup>2</sup>
FY15	1,584	26,101	305
FY16	1,347	24,782	258
FY17	1,105	24,481	211
FY18	1,403	25,286	267
FY19	1,599	24,668	295
FY20	1,192	21,665	225
FY21	1,102	15,737	209
FY22	1,386	14,492	259
FY23	1,511	16,580	283

<sup>1</sup> Number of inmates held on June 30 each year

<sup>2</sup> Number of confined inmates at MDC at midyear per 100,000

pandemic began to spread nationwide, the governor of New Mexico issued a Stay-At-Home Order on March 24, 2020, and later a Shelter in Place Order beginning on November 16, 2020. These orders, in conjunction with changes in procedures and policies by criminal justice agencies, contributed to a marked decrease in the jail population during 2020 and 2021, although there has been a recent increase in jail population.

The current<sup>1</sup> rated capacity of the beds available in the MDC is 2,190. Operating below capacity, at about 90% or less of the rated capacity, is vital for the safe operation of a jail<sup>2</sup>. At midyear 2023, 69.0% of the rated capacity at the MDC was occupied, which is higher than recent years, and more consistent with pre-COVID-19 rated capacities. As of June 30, 2023, the MDC population was 1,511 (see Table 2)<sup>3</sup>. This was 4.8% more than on December 31, 2022, and 9.0% higher than June 30, 2022. According to the latest Jail Inmate report by the Bureau of Justice Statistics (BJS), the national average percent capacity occupied for jail jurisdictions at midyear 2021 was 69.5% (Zeng & Minton, 2022, p. 13), which is 0.5% higher than the percent of the MDC occupied (69.0% at midyear 2023)<sup>4</sup>.

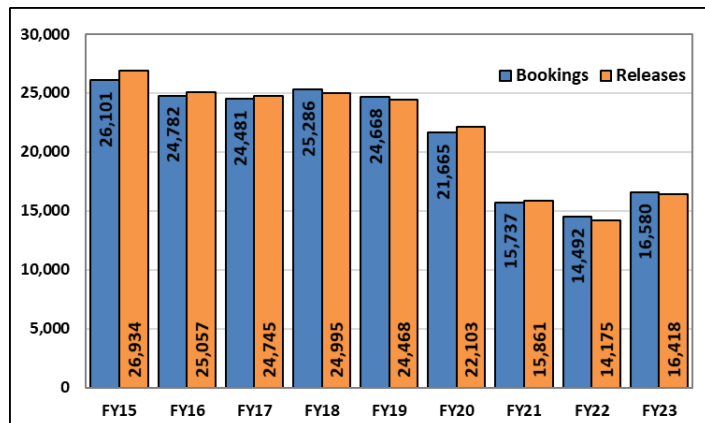
**Table 2.** *Biannual Population Counts and Capacity (In Custody, On Site)*

Date	Population	% Capacity Occupied	Date	Population	% Capacity Occupied
30-Jun-15	1,584	72.3%	30-Jun-19	1,599	73.0%
31-Dec-15	1,342	61.3%	31-Dec-19	1,451	66.3%
30-Jun-16	1,347	61.5%	30-Jun-20	1,192	54.4%
31-Dec-16	1,063	48.5%	31-Dec-20	1,080	49.3%
30-Jun-17	1,105	50.5%	30-Jun-21	1,102	50.3%
31-Dec-17	1,138	52.0%	31-Dec-21	1,147	52.4%
30-Jun-18	1,403	64.1%	30-Jun-22	1,386	63.3%
31-Dec-18	1,301	59.4%	31-Dec-22	1,442	65.8%
30-Jun-23	1,511	69.0%			

### Annual Bookings/Releases

Figure 1 shows the bookings and releases by fiscal year (FY) from FY15 to FY23. While bookings and releases remained relatively consistent from FY15 to FY19, there was a decrease in bookings and releases during FY20 through FY22, followed by an increase in FY23. In FY23, there were 16,580 bookings, an increase of 14.4% from the prior fiscal year. Similarly, in FY23 there were 16,418 releases, an increase of 15.8% from FY22.

**Figure 1. MDC Bookings and Releases by Fiscal Year**



### Average Length of Stay

Figure 2 shows the average length of stay (ALOS) by fiscal year from FY15 to FY23. The length of stay decreased from FY15 to FY18, and this decrease corresponds closely with changes to probation violation case processing in 2014, Case Management Order (CMO) in 2015, and the implementation of the Public Safety Assessment (PSA) in 2017. The ALOS increased in FY19 and continued to increase through FY23. These increases are likely due in part to the increase in the proportion of felons in the jail population that continued until midyear 2023 and case processing delays during COVID-19 between 2020 and 2022. In FY23, the ALOS for MDC was 32.7 days, an increase of 3.6 days from FY22, and lower than the ALOS of 39.5 days for jail jurisdictions of a comparable size at midyear 2021 (Zeng & Minton, 2022, p. 14).

The median LOS in FY23 was 3.6 days, meaning that half of all inmates in MDC were released on or before 3.6 days of incarceration and the other half were released in 3.6 days or more. The median LOS (3.6 days) was considerably lower than the average LOS (39.5), this signals that there was a larger volume of inmates with shorter lengths of stay and a smaller number of inmates with particularly longer lengths of stay.

**Figure 2. MDC Average and Median Length of Stay by Year**

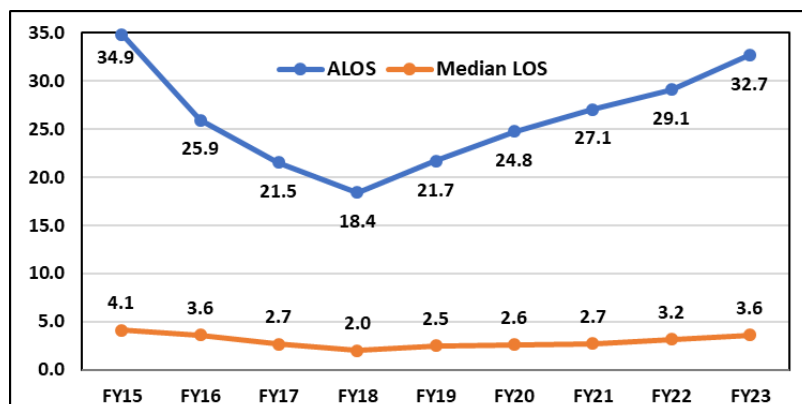


Table 3 shows the ALOS by race and fiscal year. In FY23, the ALOS was highest for Hispanic inmates at 38.1 days and Black inmates at 34.5 days. The ALOS was most similar between White inmates (27.9 days) and Native American inmates (26.8 days). The ALOS in FY23 for Black inmates was a decrease from FY22 of 5 days, while there was an increase for Hispanic, White, and Native American inmates between 1.5 days and 5.9 days. An Analysis of Variance did not indicate statistically significant differences in ALOS by race in FY23.

**Table 3. Average Length of Stay by Race by Fiscal Year**

	FY15	FY16	FY17	FY18	FY19	FY20	FY21	FY22	FY23
Hispanic	37.7	27.9	22.2	20.3	24.5	26.6	28.4	32.2	38.1
White	29.0	22.1	17.2	16.5	18.6	24.6	27.6	26.2	27.9
Native American	31.7	22.9	18.9	13.5	16.4	18.1	19.4	21.1	26.8
Black	40.6	33.3	28.1	21.2	27.8	28.0	31.6	39.5	34.5
Other/Unknown	31.3	20.8	17.7	17.1	8.5	10.5	12.2	9.8	14.7

Table 4 shows the ALOS by sex by fiscal year. Females had a significantly shorter ALOS across all fiscal years compared to males, and with an ALOS lower by between 7.5 days (FY18) and 18.6 days (FY15). In FY23, the ALOS was 14.8 days lower for females. The ALOS in FY23 increased for both male and female inmates. An Analysis of Variance indicated a statistically significant difference in ALOS between the sexes in FY23.

**Table 4. Average Length of Stay by Sex by Fiscal Year**

	FY15	FY16	FY17	FY18	FY19	FY20	FY21	FY22	FY23
Male	39.6	28.6	23.7	20.4	24.2	27.1	30.0	33.5	36.4
Female	21.0	18.3	15.4	12.9	15.0	18.1	18.0	16.7	21.6

## Recidivism

According to the Bureau of Justice Statistics (BJS), a recidivism measure requires three 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 (Alper & Markman, 2018)<sup>5</sup>. For the first unique release per year, an inmate was tracked forward for up to eight years when possible. The measure of failure was a new booking into the MDC.

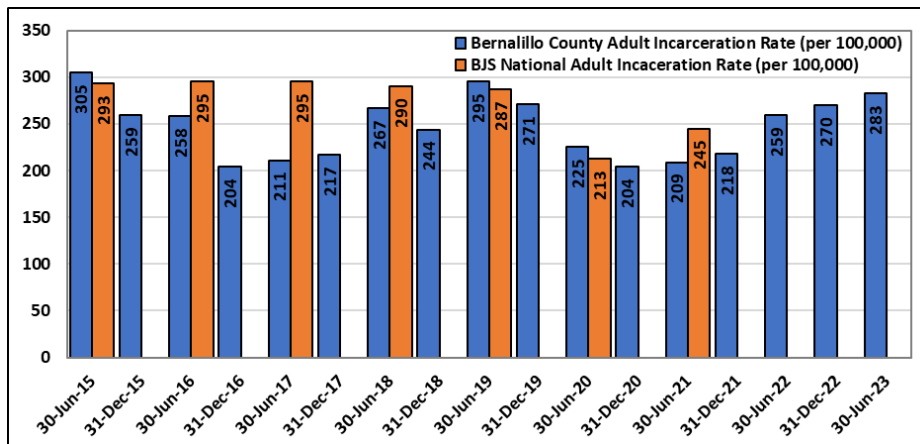
Table 5 shows recidivism rates for inmates released each fiscal year through FY22. Subsequent years are added when a full year follow-up time period has passed for inmates released during that year. Inmates released in FY22 had an increase in bookings within one year (35.4%) compared to those released in FY21 (33.6%), though the rate was lower than FY15 through FY20. Recidivism for year two increased slightly from FY21. Recidivism for years three through seven remained in line across the year, indicating that while some variation is expected year to year, there is less variation several years after release from the MDC.

**Table 5. MDC Recidivism by Fiscal Year**

	FY15	FY16	FY17	FY18	FY19	FY20	FY21	FY22
Unique Releases per FY	19,495	17,705	17,472	17,280	16,964	15,269	11,733	10,847
No Subsequent Bookings	7,316	6,546	6,917	7,144	7,549	7,639	6,437	7,011
Within 1 Year	38.8%	40.3%	39.3%	40.5%	40.9%	36.5%	33.6%	35.4%
> 1 Year to 2 Years	10.2%	10.7%	10.5%	10.3%	7.9%	8.5%	11.5%	
> 2 Years to 3 Years	5.2%	5.2%	5.2%	4.0%	3.9%	5.0%		
> 3 Years to 4 Years	3.1%	3.3%	2.5%	2.1%	2.7%			
> 4 Years to 5 Years	2.2%	1.6%	1.5%	1.7%				
> 5 Years to 6 Years	1.3%	1.1%	1.3%					
> 6 Years to 7 Years	0.9%	0.9%						
> 7 Years to 8 Years	0.8%							
<b>Total by Fiscal Year</b>	<b>62.5%</b>	<b>63.0%</b>	<b>60.4%</b>	<b>58.7%</b>	<b>55.5%</b>	<b>50.0%</b>	<b>45.1%</b>	<b>35.4%</b>

### Incarceration Rate

Figure 3 shows the adult incarceration rate per 100,000 in Bernalillo County<sup>6</sup>. The incarceration rate in Bernalillo County at midyear 2023 was approximately 283 per 100,000 residents. While national data from 2022 and 2023 is not currently available, data from 2015 to 2021 indicates Bernalillo County has had an adult incarceration rate similar to or less than the national rate since mid-2016, although currently Bernalillo County Adult Incarceration Rate is higher than the last reported BJS National Adult Incarceration Rate (245 per 100,000 in 2021). Bernalillo County Adult Incarceration rates have increased by 13 (per 100,000) between December 31, 2022 (270), and June 30, 2023 (283).

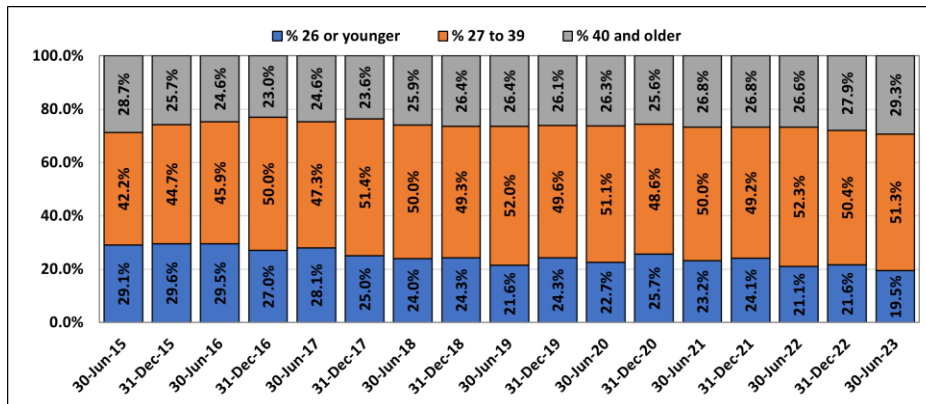
**Figure 3. Biannual Incarceration rates (Adults Only, per 100,000)**

## Demographics

### Age Group

Figure 4 reports the age of inmates at the MDC. The percent of inmates in custody aged 26 or younger decreased from 21.6% on 31 December 2022, to 19.5% on June 30, 2023, a 2.1% change. Inmates aged 27 to 39 increased 0.9% (from 50.4% to 51.3%). Lastly, the percent of inmates 40 or older increased from 27.9% on December 31, 2022, to 29.3% on June 30, 2023.

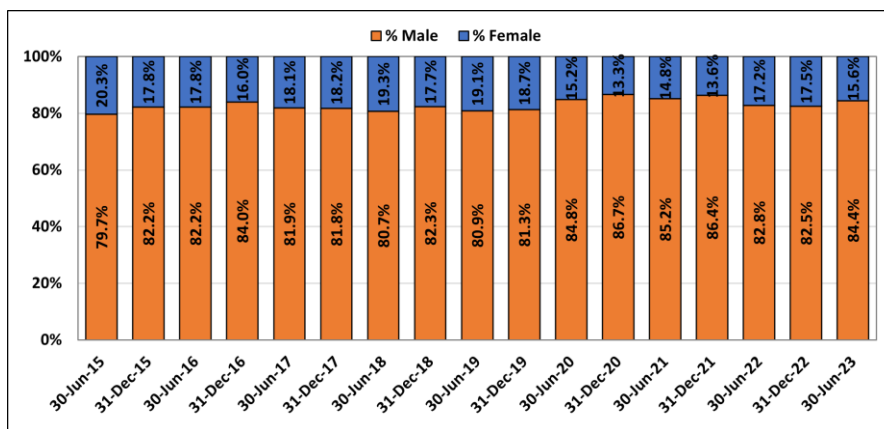
**Figure 4. Percent of Inmates in Custody by Age Group**



### Sex

At midyear 2023, male inmates comprised 84.4% of the population (an increase of 1.9% since December 31, 2022) and female inmates comprised 15.6% of the population. By comparison, Bernalillo County was slightly higher than the national average of adult female inmates mid-2021 of 13.4% (Zeng & Minton, 2022, p. 9).

**Figure 5. Percent of Inmates in Custody by Sex**

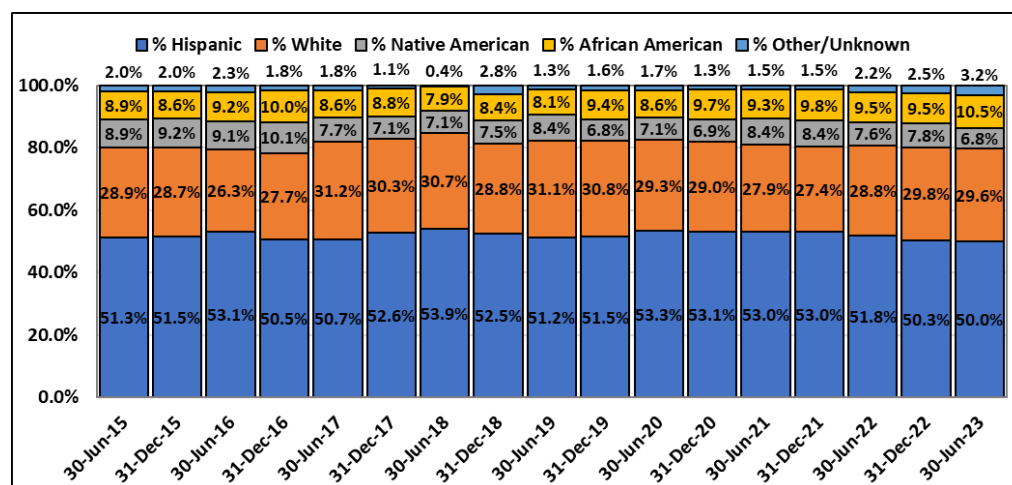




## Race/Ethnicity

Across all snapshot dates from 2015 to midyear 2023, approximately half of the inmates (50.0% to 53.9%) were Hispanic (see Figure 6)<sup>7</sup>. White inmates accounted for between 26.3% to 31.1% of the MDC population. Native American inmates accounted for between 6.8% and 10.1% of the MDC population and Blacks inmates accounted for between 7.9% and 10.5%. At midyear 2023, Hispanic inmates accounted for 50.0% of inmates, Native American inmates accounted for 6.8% and Other/Unknown at 3.2% of the population, respectively. White inmates accounted for 29.6% and Black inmates accounted for 10.5%.

**Figure 6. Percent of Inmates in Custody by Race**



To estimate the degree to which the inmate population is disproportionate to the population of the County, estimates were created to determine the adult population by race (see Table 6)<sup>8</sup>. Compared to the County population, White inmates are underrepresented in comparison with an inmate to population ratio of 0.78. All other groups are overrepresented, with an inmate population ratio greater than one. The ratios were 1.08 for Hispanic adults, 1.51 for Native American adults, and 3.39 for Black adults. Disparities can occur for a variety of reasons including differential offending and differential treatment at one of many points in the criminal justice system.

**Table 6. MDC Inmates by Race/Ethnicity and County Estimates**

Race/Ethnicity	Count	Percent	2021 ACS Estimates, 18+	Inmate to Population Ratio
Hispanic	756	50.0%	46.2%	1.08
White	447	29.8%	38.3%	0.78
Native American	102	6.8%	4.5%	1.51
Black	158	10.5%	3.1%	3.39

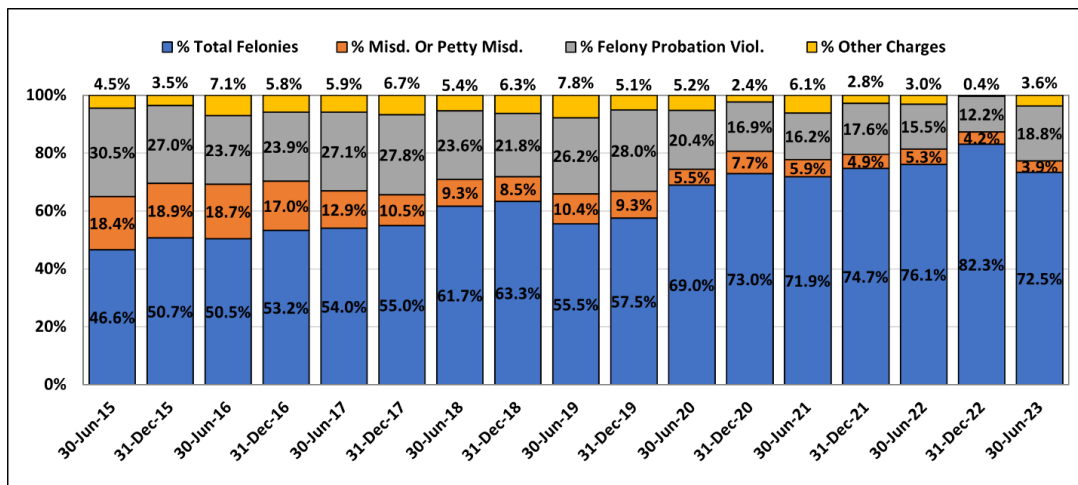
## Highest Charge and Sentencing Status

### Highest Charge

For the inmates in custody at MDC on the snapshot dates, the highest charge was selected based on charges for which the individual was in custody<sup>9</sup>. Over time, the composition of the jail by highest charge has shifted, with larger portions of inmates in custody on a felony charge (see Figure 7). In FY23, there was a decline in the portion of inmates in custody on a felony. On June 30, 2023, 72.5% of the 1,511 inmates in custody had at least one felony charge, which is a decrease of 9.8% from December 31, 2022. Of the remaining inmates in custody on June 30, 2023, 3.9% had a misdemeanor or petty misdemeanor as their highest charge. The percent of individuals in the MDC on a felony probation violation was 18.8% (284) an increase from 12.2% at the end of 2022.

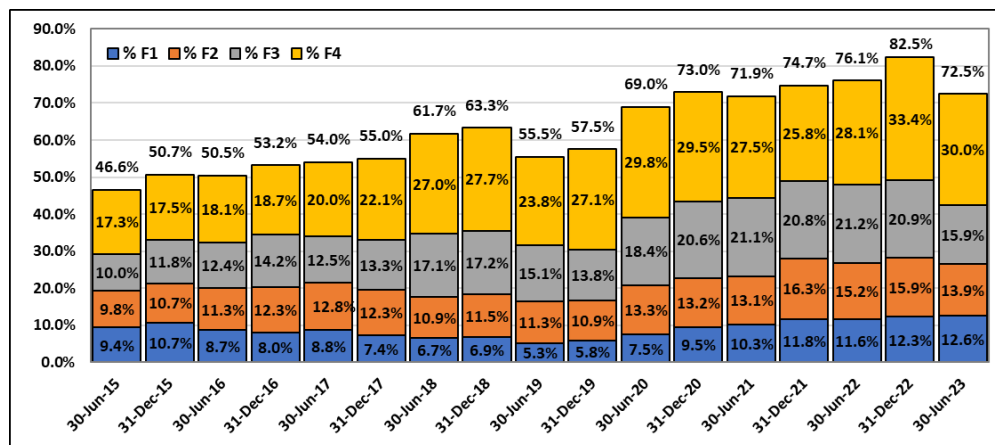
The jail is increasingly being used to detain higher level and presumably higher risk offenders rather than detaining lower-level offenders.

**Figure 7. Collapsed Charge Level by Census Date**



Of the 1,096 inmates with at least one felony charge, 30.0% had a fourth-degree felony<sup>10</sup> as the highest charge (see Figure 8). Another 15.9% of inmates had a third-degree felony and 13.9% of inmates had a second-degree felony as the highest charge. There were 12.6% of inmates with a first-degree felony. Felonies have decreased from 82.3% on December 31, 2022 to 72.5% on June 30, 2023.

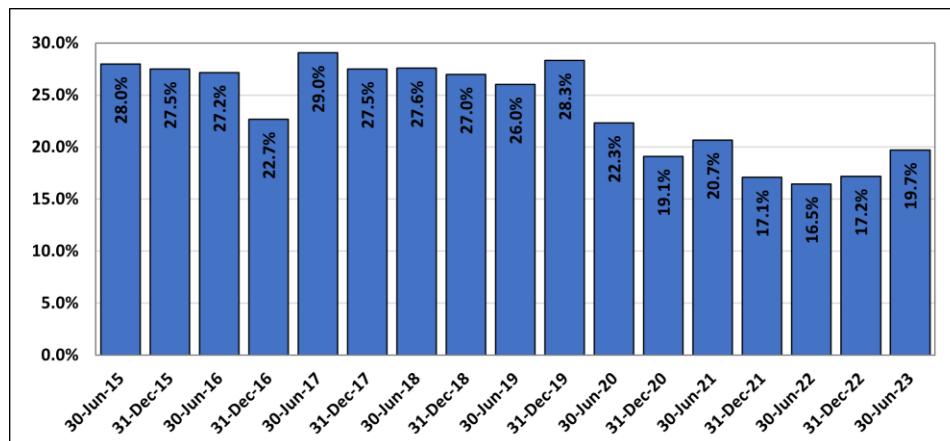
**Figure 8. In Custody by Highest Felony Charge**



### Sentenced and Unsentenced Inmates

Sentencing information was collected for all cases for which inmates were in custody on the snapshot dates<sup>11</sup>. On June 30, 2023, 298 (19.7%) of the 1,511 inmates in custody were sentenced on at least one case, an increase from December 2022 (17.2%) and 3.2% from June 30, 2022 (see Figure 9).

**Figure 9. Percent of Inmates Serving a Sentence on One or More Cases**



The three largest charge groups that typically make up the MDC population were inmates with a felony, felony probation violation, and/or misdemeanors/petty misdemeanors. The percent of these bookings that were unsentenced has changed over the last five years, particularly for inmates with a felony probation violation as the highest charge (see Table 8). The percent of unsentenced felony bookings are currently at their lowest since June 2021 and higher than 2015 to 2019. On June 30, 2023, the MDC's felony inmate population was 86.8% unsentenced felons, which is a decrease from the 88.8% on December 31<sup>st</sup>, 2022. On June 30, 2023, unsentenced misdemeanor and petty misdemeanor bookings were at 71.2%, 4.2% less than

December 31, 2022, and a decrease of 2.8% from June 30, 2022. The percent of unsentenced felony probation violation bookings increased to 56.0%, an increase of 10.5% from December 31, 2022, and a 0.3% increase from June 30, 2022.

**Table 8. Percent of Bookings Unsented by Highest Charge**

	Unsentenced Felony Bookings	Unsentenced Misdemeanor and Petty Misdemeanor Bookings	Unsentenced Felony Probation Violation Bookings
30-Jun-15	86.0%	77.4%	45.1%
31-Dec-15	86.0%	73.9%	44.2%
30-Jun-16	84.3%	79.8%	40.8%
31-Dec-16	86.7%	86.7%	47.2%
30-Jun-17	86.1%	81.8%	36.3%
31-Dec-17	84.6%	87.5%	41.8%
30-Jun-18	85.9%	77.7%	33.5%
31-Dec-18	82.0%	80.2%	44.0%
30-Jun-19	84.9%	82.0%	50.4%
31-Dec-19	83.6%	72.6%	47.2%
30-Jun-20	83.8%	73.8%	56.8%
31-Dec-20	83.9%	77.1%	70.5%
30-Jun-21	84.7%	69.2%	60.7%
31-Dec-21	89.6%	87.5%	53.5%
30-Jun-22	89.6%	75.7%	56.3%
31-Dec-22	88.8%	75.4%	45.5%
30-Jun-23	86.8%	71.2%	56.0%

### Unsentenced Inmates and Jail Bloating

While the MDC population has decreased significantly in recent years, the portion of inmates who are unsentenced is a potential indicator of a condition called jail bloating. Allen Beck (2001) describes jail bloating as a condition that increases the jail population via causes other than crime and sentencing laws (p. 1)<sup>12</sup>. This can be caused in part by inefficiencies in the local criminal justice system (Beck, 2001, p. 1). Historically, these delays were likely due at least in part to adjustments made in during the COVID-19 pandemic, such as: how hearings were held, or how inmates were transported. These delays, in addition to other inefficiencies, could have inflated the jail population.

Beginning February 2, 2015, a new CMO<sup>13</sup> was instituted in Bernalillo County, which provided rules and time limits on criminal cases in Bernalillo County Second Judicial District Court. Depending on the complexity of a given case, it is assigned to one of three tracks that have different timelines for the commencement of trial from a triggering event, such as the arraignment, with a timeline of 180 days, 270 days, or 365 days. The CMO timelines were suspended for a time during the COVID-19 pandemic and were reinstated as of September 12, 2022.

Table 9 is a visual representation of MDC’s unsentenced felons, showcasing the total inmates in custody on June 30, 2023, the total unsentenced inmates with felonies (995), and the portion of inmates with unsentenced felony cases over 180 days (303). The CMO timelines were not in effect during this time period, and with various issues related to inmate transportation and hearing scheduling, it is to be anticipated that the portion of unsentenced inmates would increase. On June 30, 2023, there were 1,096 felons in MDC. Out of the 995 unsentenced felons, 303 (30.5%) had one or more unsentenced felony cases and had been in custody 180 days or more (see Table 9). While the National Center for State Courts (NCSC) has proposed a model time standard for case processing times which suggest that 90% of felony cases should be resolved in 180 days<sup>14</sup>, this time standard would be difficult given the challenges of the pandemic.

**Table 9. MDC Unsentenced Felons**

	Count	Percent
Unsentenced Felony w/LOS >180 Days	303	30.5%
Total Unsentenced Inmates w/Felony as Highest Charge	995	100.0%

On June 30, 2023, there were 284 inmates in custody with a felony probation violation as their highest charge (see Table 10). Of these inmates, 15 (5.3%) had been in custody 60 days or more and the felony probation violation had yet to be resolved.

Table 10 is a visual representation to MDC’s unsentenced probation violators. It shows the total population at MDC on June 30, 2023, the total number of inmates with a probation violation as their highest charge, and the portion of unsentenced inmates. While there is no recommended case processing time for probation violations, if these inmates were sentenced, it would help to reduce the jail population and decrease jail bloating. On August 15, 2022, policy changes related to transportation and felony probation violation hearings occurred that should reduce the number of hearings rescheduled by the court and improve case processing times.

**Table 10. MDC Unsentenced Probation Violators**

	Count	Percent
Unsentenced w/Probation Violation as Highest Charge and LOS >60 Days	15	5.3%
Total Inmates w/Probation Violation as Highest Charge	284	100.0%

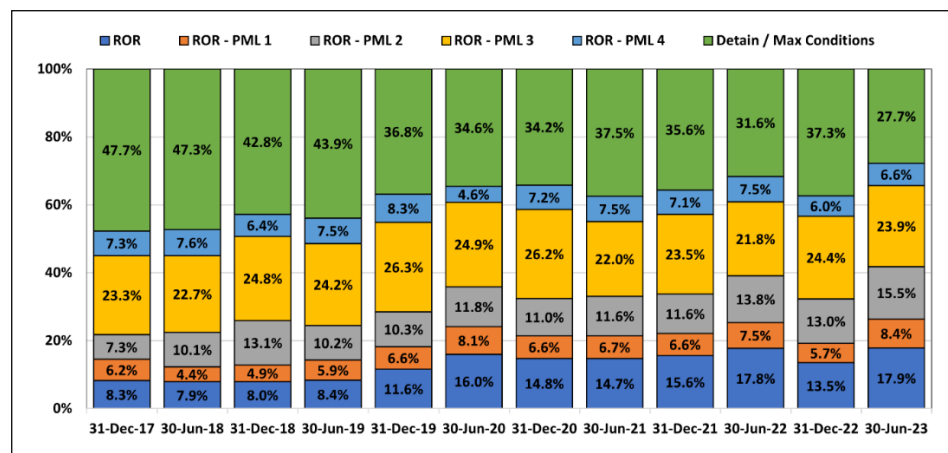
### **Public Safety Assessment Recommendations**

The Public Safety Assessment (PSA) was implemented in Bernalillo County in June 2017<sup>15</sup>. The PSA is a judicial decision-making tool for judges to help gauge the risk a defendant poses if they were released during pretrial and does not replace judicial discretion. The PSA is administered on felony cases (not on misdemeanors) and is primarily used for release decision-making at the Felony First Appearance (FFA) in Bernalillo County Metropolitan Court (BCMC) and at the Felony Arraignment (FA) in Second Judicial District Court (SJDC)<sup>16</sup>. The recommendations

provided on the PSA range from “low risk” to “high risk”: ROR (release on own recognizance); ROR with pretrial supervision (Pretrial Management Level or PML) that ranges from level one to level four and increase in restrictiveness, and to either detain if constitutional requirements are met, or release with maximum conditions<sup>17</sup>. The PSA information for each inmate and the number of inmates in each category can indicate the number of higher risk offenders or lower risk offenders, based on the PSA recommendation.

The most common recommendation category was to detain or release with maximum conditions (see Figure 10), which has fluctuated from 47.7% (December 31, 2017) to 27.7% on June 30, 2023. The detain/max category has decreased 9.6% from December 31, 2022 (37.3%) to June 30, 2023 (27.7%). ROR with PML 3 was the second most common recommendation category and accounted for between 21.8% (June 30, 2022) and 26.3% (December 31, 2019) of inmates over the last ten census dates, decreasing 0.5% from December 31, 2022 (24.4%) to June 30, 2023 (23.9%). ROR with PML 2 accounted for between 7.3% on December 31, 2017, and 15.5%, a seven-year high, on June 30, 2023, of inmates. ROR with PML 1 accounted for between 4.4% and 8.4% on June 30, 2023. ROR accounted for between 7.9% (June 30, 2018) and 17.9% (June 30, 2023) of inmates. The increase in inmates with a low-risk recommendation and the simultaneous decrease in inmates with a high-risk recommendation may indicate a shift in the MDC population.

**Figure 10. Percent PSA Recommendations for Felons by Date**

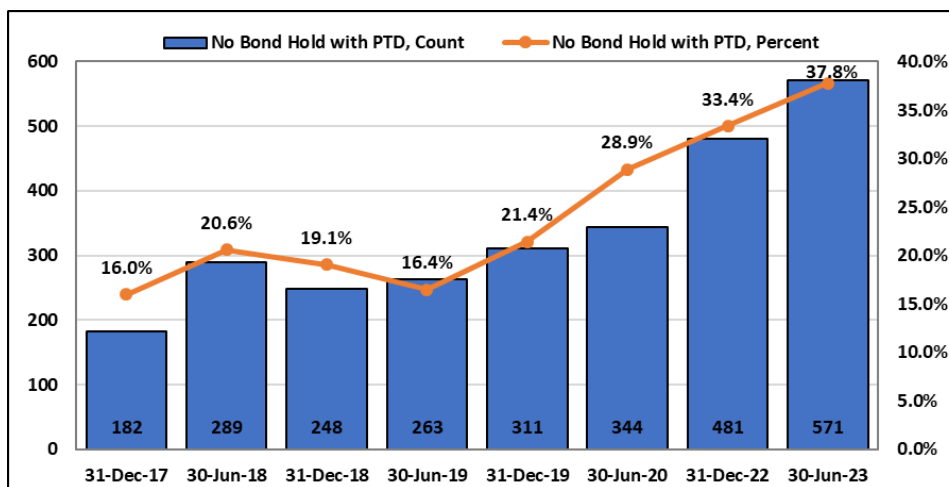


## Preventive Detention Holds

Bernalillo County implemented preventive detention in January 2017, which allows a motion to be filed by the District Attorney's Office for possible detention during the inmate's pretrial period. Case data was reviewed to determine the number of unsentenced inmates with a no bond hold and a motion for preventive detention (PTD) that was either granted or pending.

The percent of the MDC population with a no bond hold and pending or granted PTD motion has ranged from 16.0% to 37.8% (see Figure 11). On June 30, 2023, there were 571 bookings (an all-time high) with these circumstances accounting for 37.8% of the MDC population.

**Figure 11.** *Preventive Detention Motions and No Bond Holds by Date*



## Conclusion

The MDC population has operated below capacity for over 8 years. There were decreases in bookings and releases over 2020 and 2021, due in part to circumstances around the COVID-19 pandemic. Recidivism for inmates released over the last several years decreased slightly, which is likely due at least in part to policy changes related to booking fewer low-level offenders. There have been small changes in the composition of the population by sex and race, as well as shifts in the composition of the population by age.

The portion of inmates serving a sentence on at least one case increased to 19.7% on June 30, 2023 from 16.5% at midyear 2022. The composition of the population by charge has also changed over the last 8 years with a notable increase in the proportion of the population with a felony overall despite a decrease on June 30, 2023, a decrease in the proportion of inmates with a misdemeanor or petty misdemeanor, and a general trend showing a decrease in the proportion of inmates with a felony probation violation, though this increased on June 30, 2022.

The change in composition of MDC inmates can affect the ALOS and may also indicate changes in the types of inmates being booked as well as shifts in how release decision-making occurs. Part of this may be due to the implementation of the PSA as well as the implementation of preventive detention. Additionally, changes in the criminal justice system to respond to COVID-19 have likely resulted in the increase in felons in custody and longer case processing times.

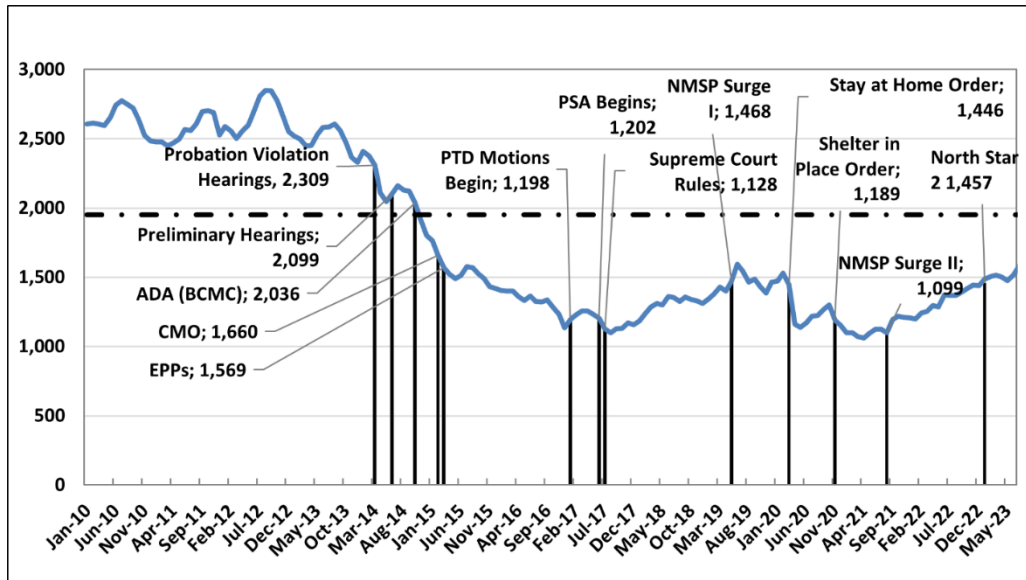
Compared to jails nationally, the MDC has a lower length of stay than jails of a similar size. Finally, Bernalillo had an adult incarceration rate over the last several years that is similar to the national adult incarceration rate and was lower than the national average for several years prior to this. MDC population decreases and continued population management strategies have helped to adjust the population of the facility to operate more safely and within capacity by housing more serious offenders than in years past and continues to operate well below the rated capacity.



## Appendix A

Figure A1 shows the MDC population from January 2010 to June 2023 and criminal justice initiatives implemented in Bernalillo County over the last 7 years.

**Figure A1.** *MDC Population (no CCP) and Initiative Initiation by Month*



The UNM Institute for Social Research (ISR), a division of the Center for Applied Research & Analysis (CARA), is a leading provider of program evaluation and policy research in New Mexico. ISR staff members and faculty affiliates have expertise the fields of crime, policing, the court system, corrections, behavioral health and substance abuse treatment, poverty and homelessness, home visiting, economics, domestic violence, public health, and traffic safety.

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<sup>1</sup> The MDC was originally designed and built to hold 288 inmates. During the 1980s, the original structure was expanded to house 586 inmates. In 2000, County officials began planning and building the new MDC facility which was occupied in 2002 had had a capacity of 2,048 beds. In December 2006, 188 beds were added, increasing the rated capacity to 2,236. The current rated capacity is 2,190, largely due to changes in cell use from double occupancy to single occupancy.

<sup>2</sup> Guerin, P. 2013. Bernalillo County Metropolitan Detention Center: Analysis of the Jail Population.

<sup>3</sup> Inmates in custody as at the end of the day, excluding individuals listed as AWOL or in Federal custody on the census date. Additionally, this does not include inmates in the custody of the Community Custody Program (CCP), those in the hospital, or those in the Receiving Discharge Transfer (RDT) unit.

<sup>4</sup> Zeng, Z (2021). *Jail Inmates in 2021*. Bureau of Justice Statistics (Report NCJ 304888). Retrieved from: <https://bjs.ojp.gov/sites/g/files/xyckuh236/files/media/document/ji21st.pdf>.

<sup>5</sup> Alper, M., Markman, J. (2018). *2018 Update on Prisoner Recidivism: A 9-Year Follow-up Period (2005-2014)*. Bureau of Justice Statistics (Report NCJ 255608). <https://www.bjs.gov/index.cfm?ty=pbdetail&iid=6266>.

<sup>6</sup> This calculation was updated from previous versions using population estimates from Bernalillo County from <https://gps.unm.edu/pru/projections>. The estimates for 2015 and 2020 were used and for the years in between an equal increase was included to allow for updated population figures. The population was reduced by 22.7% to account for individuals under 18 prior to 2019. This figure came from the 2015 U.S. Census estimates. From 2019 on, the 2019 U. S. Census estimated the population under 18 at 21.4%.

<sup>7</sup> In data from the MDC, Hispanic is included as both a race and as an ethnicity. Racial categories were limited based on both categories. For example, an individual listed as White and Hispanic was categorized as Hispanic. Individuals listed as Mexican were collapsed into the Hispanic category.

<sup>8</sup> ACS Estimates for 2021 were used to estimate the adult population. The ACS 5-year estimates were available for Hispanic and Black Only (which in this instance could include Hispanic) and ACS 1-year estimates were used for White, non-Hispanic and American Indian Only (also including Hispanic). The calculated total for each category over 18 was compared to the estimated population for 2021 and this percent was compared to the race of inmates at the jail.

<sup>9</sup> For the highest charge, dual violators (those who violated both parole and probation) are categorized with the parole violation as the highest charge. In instances where there is a civil contempt warrant, this remains a warrant as it is difficult to ascertain what is holding an individual in custody and there is often not a precise charge that can be identified. For instances where the booking charges included a warrant, if the warrant had been resolved by the snapshot date the underlying charge was used instead of the warrant. If the warrant was unresolved, then it was considered the highest charge for that case. For probation violations, regardless of whether the case was sentenced, the violation was considered the highest charge. In instances where the violation was due to a new charge, the charge on the new case for which they were in custody was considered the highest charge. For cases in the process of being bound over to the SJDC, the charge information from the processing case was used as the highest charge.

<sup>10</sup> If a specific statute identified a charge as one of multiple degrees, the lowest degree charge was selected. For instance, by statute a kidnapping charge could be an F1 or F2, so an F2 was selected if the degree was not specified.

<sup>11</sup> A case was considered pending if it had not been resolved or if there was insufficient information to determine if there had been a resolution. Sentencing status was assigned based on court data that indicated the inmate was serving a sentence or waiting for release to a facility that was part of the sentencing order.

<sup>12</sup> Beck, A. R. (2001). Jail bloating: A common but unnecessary cause of jail overcrowding. Justice Concepts Incorporated.

<sup>13</sup> The Case Management Order is outlined in detail in New Mexico Rule LR2-400. [http://www.nmcompcomm.us/nmrules/NMRules/LR2-400\\_11-6-2014.pdf](http://www.nmcompcomm.us/nmrules/NMRules/LR2-400_11-6-2014.pdf).

<sup>14</sup> Van Duizend, R., Steelman, D., and Suskin, L. 2011. Model Time Standards for State Trial Courts. <http://www.ncsc.org/Services-and-Experts/Technology-tools/~media/Files/PDF/CourtMD/Model-Time-Standards-for-State-Trial-Courts.ashx>

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<sup>15</sup> The PSA was developed by Arnold Ventures in partnership with leading criminal justice researchers. The PSA uses evidence-based, neutral information to predict the likelihood that an inmate will commit a new crime if released before trial, and to predict the likelihood that he/she will fail to return for a future court hearing.

<sup>16</sup> For some felony cases, there was either no PSA administered, or a PSA had been administered as part of a previous booking. For cases in which the highest charge was a felony and a PSA was administered during the booking, the most restrictive PSA recommendation was selected.

<sup>17</sup> The PML level indicates to what degree the defendant should be supervised, including the frequency and type of contacts with PTS (phone versus office visits), electronic monitoring, and the frequency of UAs.