CENTER FOR APPLIED RESEARCH & ANALYSIS

Snapshot Analysis of The New Mexico Corrections Department's Prison Population in February 2024

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Introduction

In March 2024, the Center for Applied Research and Analysis (CARA) at the University of New Mexico completed a validation study of the New Mexico Corrections Department's (NMCD) external custody classification tools. That report recommended statistically-grounded revisions to the NMCD custody classification scoring forms. Among other things, the report recommended (1) deleting factors from the current custody classification tools that were nonpredictive of serious violent misconduct (SVM) and those that were not face-valid (e.g., drug and alcohol abuse was measured as drug and alcohol trafficking and distribution) and (2) increasing scores for specific factors which were more predictive of misconduct (e.g., increasing the points assigned to younger age on the tool) and decreasing scores for factors that were less predictive of misconduct (e.g., decreasing the scores assigned to current conviction risk). Moreover, we also identified other aspects of NMCD's classification system that need revision to optimize the predictive accuracy of the tools. The overuse of overrides, and specifically mandatory overrides, (1) limited the quality of inferences we were able to make within the validation study and (2) resulted in the over-supervision of inmates who were mandatorily overridden (i.e., inmates whose scores on the classification tools would have placed them in Level II facilities, when mandatorily overridden to Level III facilities, engaged in misconduct at rates similar to individuals who scored at Level II and remained in Level II facilities relative to inmates who scored at and were placed in Level III facilities).

In the validation report, we noted that before implementing the revised tools, a snapshot study of the prison population should be completed to evaluate (1) how proposed revisions to the tool would likely impact the distribution of the current prison population across custody levels and facilities absent overrides and (2) any policy-related changes that resulted from the validation study (e.g., policy reducing the use of mandatory overrides).

In the present report, we provide descriptive statistics on a snapshot of inmates in NMCD prison facilities as of February 14, 2024, including demographic characteristics, the use of overrides, the distribution of inmates across facilities, and scores on the current classification tool. We then rescored the snapshot based on the scoring revisions we recommended from the validation report and showed (1) the distribution of scoring on each modified factor item and (2) the overall distribution of recommended custody levels based on the specific thresholds recommended in our validation report. We conclude by discussing the limitations of the present analysis and offering a high-level overview of the snapshot study results.

Analysis

On February 14, 2024, CARA received Excel files from the NMCD, including data on inmate admissions, classification records, demographics, program engagement, charge history, and misconduct. The admissions file contained 7,029 admission records spanning 2015 through 2024. Whereas in our validation report, we excluded inmates who did not have six months of post-classification exposure time, in this report, we specifically only included inmates who were confined on February 14, 2024.

We received 30,310 classification records for 4,087 unique inmates. Once we reduced the data to include only the most recent classification event for each unique inmate, the number of unique classification events decreased from 30,310 to 3,888, including 688 initial classification records and 3,399 reclassification records.

Within the February 2024 NMCD prison population, 76% of inmates were overridden following initial classification (n = 520), including 91% who were mandatorily overridden into higher custody levels (n = 480). Fifty-eight percent of inmates were overridden following reclassification (n = 1,965),

including 95% who were mandatorily overridden into higher custody levels (*n* = 1,893). In sum, there were 556 initial classification records for male inmates and 132 for female inmates. There were 3,088 reclassification records for male inmates and 311 for female inmates.

Table 1 shows the descriptive characteristics of the initial classification snapshot population and the reclassification snapshot population by sex, age group, race-ethnicity, scored security level and placed security level.

Table 1.

Descriptive Characteristics of Unique Inmates Within the Snapshot Sample (n = 4,087)

	Initial Classification	**Reclassification**
Sex: Male	81% (n = 556)	91% (n = 3,088)
Sex: Female	19% (n = 132)	9% (n = 311)
Age: 18-21	6% (n = 39)	2% (n = 52)
Age: 22-25	11% (n = 74)	8% (n = 287)
Age: 26-34	35% (n = 242)	34% (n = 1,137)
Age: 35-44	30% (n = 204)	33% (n = 1,131)
Age: 45+	19% (n = 129)	23% (n = 792)
Race-Ethnicity: Hispanic	51% (n = 353)	57% (n = 1,941)
Race-Ethnicity: White	25% (n = 170)	23% (n = 795)
Race-Ethnicity: Native American	13% (n = 87)	9% (n = 297)
Race-Ethnicity: Black	6% (n = 41)	6% (n = 205)
Race-Ethnicity: Other	5% (n = 37)	5% (n = 161)
Scored Level: Level I	65% (n = 447)	47% (n = 1,610)
Scored Level: Level II	30% (n = 208)	24% (n = 821)
Scored Level: Level III	4% (n = 30)	20% (n = 693)
Scored Level: Level IV	0% (n = 3)	8% (n = 275)
Placed Level: Level I	4% (n = 30)	5% (n = 164)
Placed Level: Level II	51% (n = 350)	33% (n = 1,103)
Placed Level: Level III	42% (n = 288)	54% (n = 1,824)
Placed Level: Level IV	3% (n = 20)	9% (n = 307)
Total (*n*)	688	3,399

Figures 1 and 2 are stacked bar charts showing the impact of override use on final custody level placements by classification tool.

Figure 1.
Percent of Inmates Placed within Each Custody Level Based on Score-Based Level on Initial Tool (n = 688)

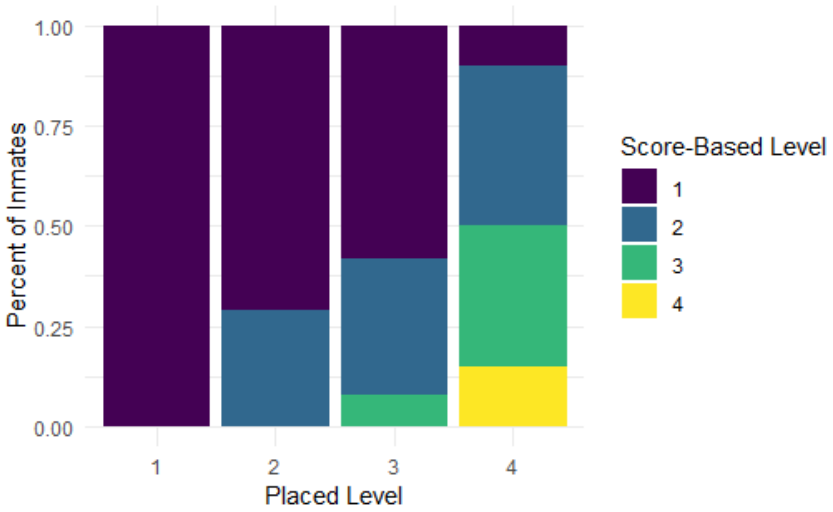
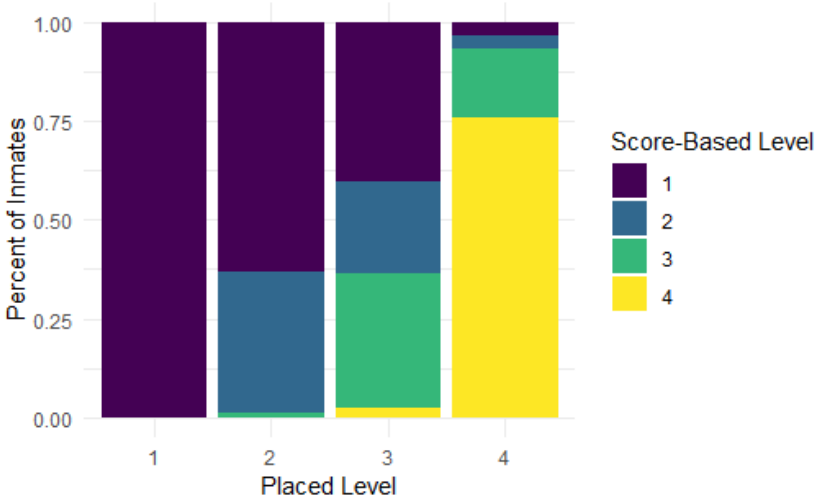


Figure 1 shows that 100% of inmates placed in Level I facilities scored at Level I on the tool (n = 30). 70% of the inmates in Level II facilities scored at Level I on the tool (n = 248), whereas 30% scored at Level II (n = 102). 57% of the inmates who were placed in Level III facilities scored at Level I on the tool (n = 167), 34% at Level II on the tool (n = 98), and 8% at Level III on the tool (n = 23). 10% of the inmates who were placed in Level IV facilities scored at Level I on the tool (n = 2), 40% (n = 8) at Level II, 35% at Level III (n = 7), and 15% at Level IV (n = 4). Except for Level I, all other custody levels were majority-comprised of inmates who did not belong in the level based on their score on the classification tool.

Figure 2.
Percent of Inmates Placed within Each Custody Level Based on Scored-Based Level on Reclass Tool (n = 3,398)



Similarly, Figure 2 shows the impact of override use on custody placements. Figure 2 shows that 100% of inmates placed in Level I facilities scored at Level I on the tool (n = 164). 63% of the inmates who were placed in Level II facilities scored at Level I on the tool (n = 697), whereas 35% scored at

Level II (n = 391) and 1% at Level III (n = 15). 40% of the inmates who were placed in Level III facilities scored at Level I on the tool (n = 738), 23% at Level II on the tool (n = 420), 34% at Level III on the tool (n = 624), and 2% (n = 42) at Level IV on the tool. 3% of the inmates who were placed in Level IV facilities scored at Level I on the tool (n = 10), 3% (n = 10) at Level II, 18% at Level III (n = 54), and 76% at Level IV (n = 233). Except for Level I and IV placements, custody-level II and III facilities were majority-comprised of inmates who did not belong in the level based on their score on the classification tool.

Male Inmates – Initial Classification Tool

Table 2 shows the frequency distribution of male inmate scores on each of the NMCD's initial classification tool factors related to the revisions we recommended in the validation study. We identify the proposed factor and scoring changes in dark red text in Table 2. In Figure 3, we present the distribution of scores on the initial tool for male inmates, and in Figure 4, we present the distribution of scores on the revised initial tool for male inmates.

Table 2.

Frequency Distribution of Custody Classification Scores Among Male Inmates on Initial Tool (n = 556)[1]

Factor	**Current Tool**	**Revised Tool**
Institutional Violence	10 Years Prior	3 Years Prior
None (0/0)	82% (n = 455)	96% (n = 531)
10+ or Non-Violent (2/2)	10% (n= 56)	1% (n = 6)
Violent - No Weapon (4/6)	7% (n = 40)	3% (n = 17)
Violent – Weapon (7/8)	1% (n = 5)	0% (n = 2)
Current Conviction Risk		
Low (1)	48% (n = 264)	48% (n = 264)
Moderate (3)	20% (n = 112)	20% (n = 112)
High (5)	25% (n = 138)	25% (n = 138)
Highest (7)	8% (n = 42)	8% (n = 42)
Escape History	10 Years Prior	3 Years Prior
None (0/0)	99% (n = 549)	99% (n = 549)
Escape from < IV (4/5)	1% (n = 7)	1% (n = 7)
Escape w/ Violence (7/10)	0% (n = 0)	0% (n = 0)
Prior Felony Convictions		
None (0/0)	45% (n = 250)	45% (n = 250)
One (1/1)	11% (n = 63)	11% (n = 63)
Two (2/1)	10% (n = 53)	10% (n = 53)
Three+ (3/1)	34% (n = 190)	34% (n = 190)
Risk Prior Convictions		
None/Low (0/0)	68% (n = 378)	68% (n = 378)
Moderate (1/2)	14% (n = 75)	14% (n = 75)
High (2/4)	12% (n = 64)	12% (n = 64)
Highest (3/6)	7% (n = 39)	7% (n = 39)
Alcohol/Drug Abuse		
None (0/N/A)	94% (n = 520)	N/A
Trafficking (1/N/A)	7% (n = 36)	N/A

[1] Percents within scoring categories occasionally cumulatively sum to numbers either slightly less than or greater than 100% due to rounding.

Current Age		
<=21 (2/8)	6% (n = 34)	6% (n = 34)
22 – 25 (1/5)	11% (n = 60)	11% (n = 60)
26-34 (0/4)	35% (n = 194)	35% (n = 194)
35-44 (-1/2)	28% (n = 154)	28% (n = 154)
45+ (-2/0)	21% (n = 114)	21% (n = 114)
Gang Membership	10 Years Prior	3 Years Prior
No (0/0)	89% (n = 495)	96% (n = 531)
Yes (2/3)	11% (n = 61)	5% (n = 21)

Figure 3.

Distribution of Scores on Current Initial Classification Tool Among Male Inmates (n =556)

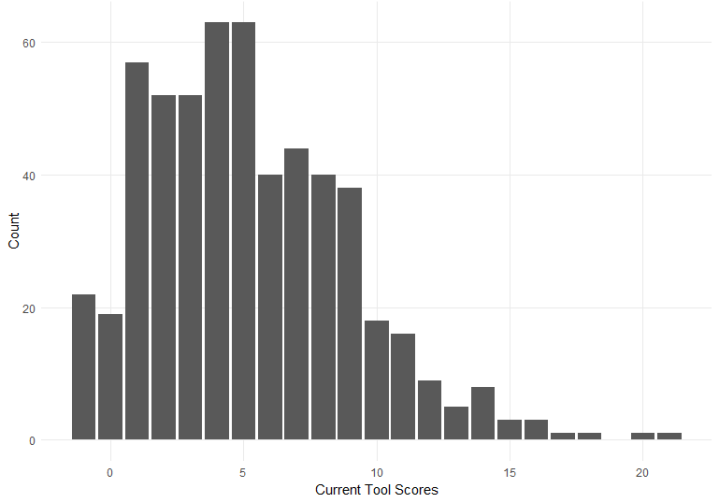
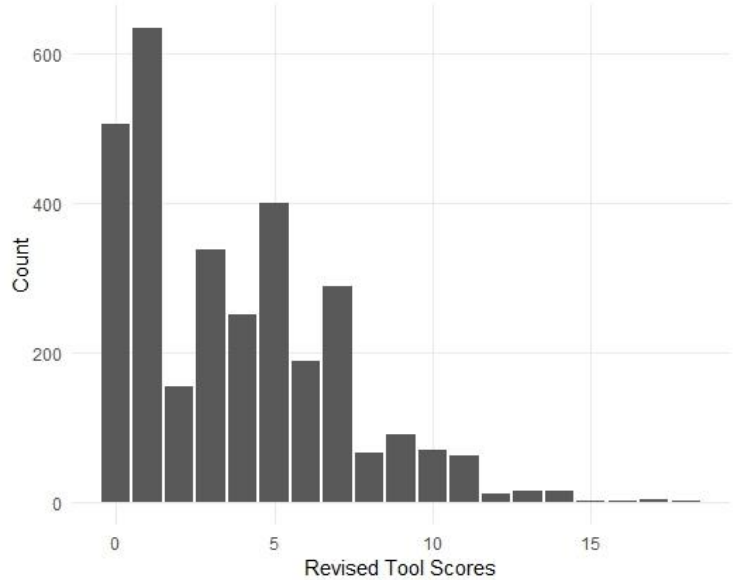


Figure 4.

Distribution of Scores on Revised Initial Classification Tool Among Male Inmates (n =556)



Figures 3 and 4 show that revising the initial custody classification tool did not significantly shift the center or broad shape of the distribution of inmate scores overall. A series of statistics describing the distribution in more detail corroborates as much[2]. However, even if the wide distribution of inmates does not appear visually to be much different between the current and revised tool, only examining the visual distribution masks individual-level differences in scoring (i.e., while broad numbers of inmates *within* levels may not be that different between the current and revised tools, *which specific inmates* are in each level may). We revisit this point shortly.

Beyond the scoring changes we recommended in our validation study (e.g., making age <=21 worth +8 points instead of worth +2; eliminating the additional point inmates received for being male), we also recommended reducing the timeframes for the history of institutional violence, escape history, and gang membership factors from 10 years to three years. We made this recommendation for theoretical and empirical reasons: (1) older misconduct was less predictive of future misconduct than more recent misconduct, and (2) having more temporally distant misconduct exert an outsized impact on scoring relative to more recent misconduct may counterintuitively incentivize more misconduct.

To adjust for reductions in timeframes for these three revised factors (i.e., history of institutional violence, escape history, and gang membership), we briefly describe the background coding we used to attempt to generate these estimates. For the history of institutional violence and escape history factors, we created two variables which, within each inmate, calculated the number of overall misconduct events for which the inmate was found guilty by type of misconduct (e.g., violent versus non-violent; escape) in the three years before their classification date.

We generated estimates of how inmates would score within the history of institutional violence factor. To do this, we evaluated the number of times an inmate engaged in a serious non-violent Class A event based on the specific inclusionary criteria identified in Section B, Item B of NMCD CD-081200 "Institutional Classification and Risk Assessment" policy and the number of inmates who engaged in misconduct ten or more times in the three years before classification.

In the three years before initial classification, 11% of male inmates (n = 62) were convicted of at least one instance of misconduct, and 3% (n = 17) were convicted of at least one violent incident. The current classification tool indicated that 82% of inmates had no recorded violent misconduct history within the decade before their initial classification. However, under the revised tool, which considered misconduct within the three years before initial classification, 96% of inmates (n = 531) had no recorded scoreable misconduct within the three years before initial classification, aligning with expectations that a shorter review period would yield fewer misconduct incidents. Furthermore, while the existing classification tool identified seven male inmates with escape attempts in the 10 years before their initial classification, the updated tool with a three-year review period revealed no escapes. Regarding gang affiliation, the current tool identified 11% of inmates as having a history of gang membership in the ten years before initial classification. The updated tool, however, reported that 5% had a suspected or confirmed gang affiliation in the three years leading up to their initial classification.

In Figure 5, we present the distribution of custody levels conditional on the specific recommendations we provided in Appendix E of the validation report.

[2] For reference, the average score on the current tool was 5.2; the average score on the revised tool was 6.0. The standard deviation of the current tool was 3.8; the standard deviation of the revised tool was 3.4. The interquartile range of the current tool was 6; the interquartile range of the new tool was 4.

Figure 5.
How Male Inmates Move Across Levels When Changing from Current Tool Levels to Revised Tool by Level (n = 556)

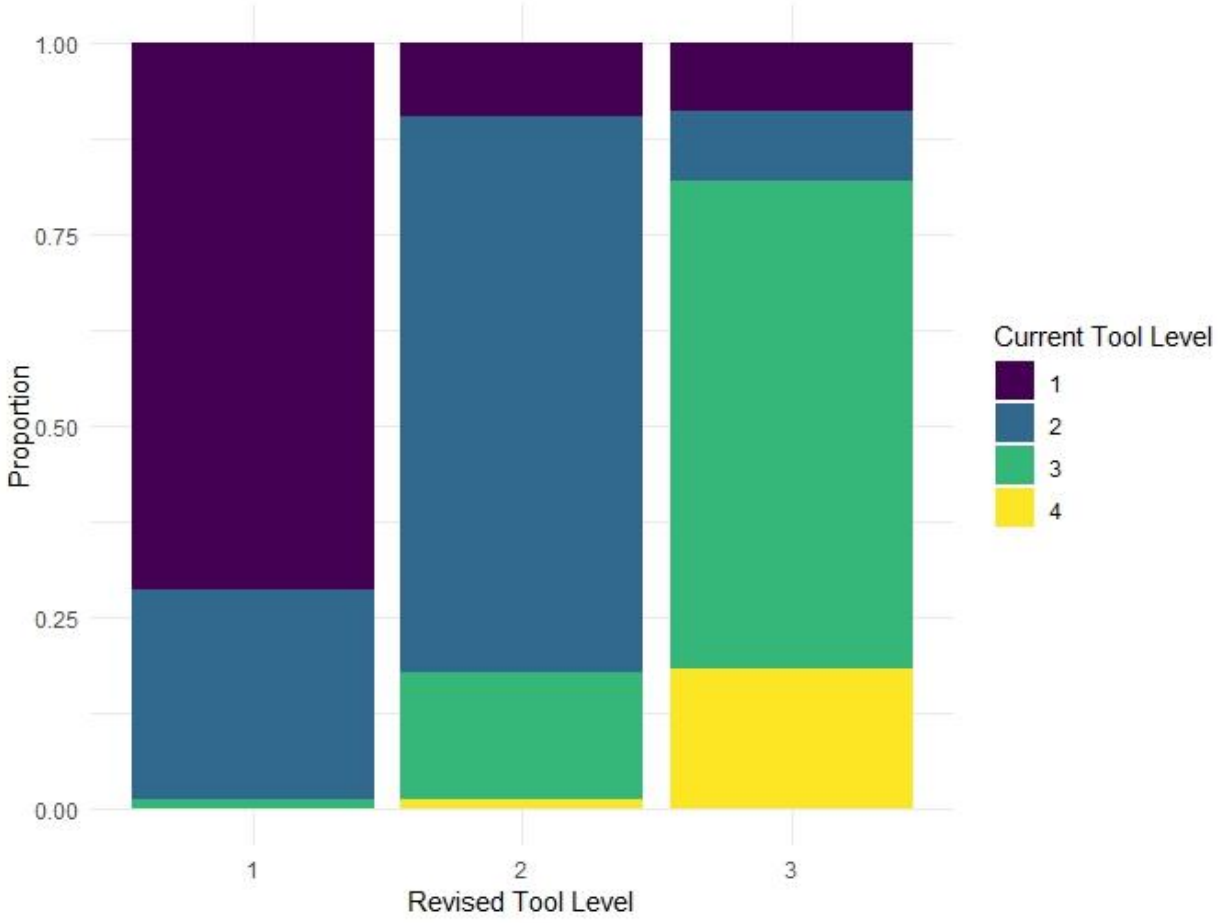


Figure 5 shows the movement of the snapshot population of male inmates following initial classification, conditional on whether the inmate was scored using the revised tool relative to the current tool, assuming no overrides were used. Together with Table 3, Figure 5 reveals a few interesting things. First, most male inmates who on the current tool would score at Level I, II, or III would remain at the same custody level, suggesting that the proposed revisions to the existing tool would not lead to much aggregate displacement across facilities [i.e., 71% (n = 317) of Level I inmates would remain at Level I; 73% (n = 74) of Level II inmates would remain at Level II; 64% (n = 7) of Level III inmates would remain at Level III]. Twenty-eight percent of male inmates would move to a different custody level if facility placement were exclusively determined by scores on the custody tool (*n* = 158).

Table 3.
How Male Inmates Move Across Levels When Changing from Current Tool Levels to Revised Levels (n = 556)[3][4]

	Level I – Current	Level II – Current	Level III – Current	Level IV - Current
Level I – Revised	72% (n = 317)	27% (n = 121)	1% (n = 5)	0% (n = 0)
Level II – Revised	10% (n = 10)	73% (n = 74)	17% (n = 17)	1% (n = 1)
Level III - Revised	9% (n = 1)	9% (n = 1)	64% (n = 7)	18% (n = 2)
Level IV - Revised	0% (n = 0)	0% (n = 0)	0% (n = 0)	0% (n = 0)

One limitation of the analysis in Table 3 is that it does not show how the current actual distribution of inmates across facilities would change, given the scope of override use. For this reason, in Table 4, we show cross-tabulations that describe the relationship between the current custody level placements (which includes overrides) and proposed tool revisions.

Table 4.
How Male Inmates Move Across Levels When Changing from Current Custody Levels (Including Overiddes) to Revised Levels (n = 556)

	Level I – Final Placement	Level II – Final Placement	Level III – Final Placement	Level IV – Final Placement
Level I – Revised	5% (n = 22)	55% (n = 242)	38% (n = 171)	2% (n = 8)
Level II – Revised	0% (n = 1)	37% (n = 38)	54% (n = 55)	8% (n = 8)
Level III - Revised	0% (n = 0)	9% (n = 1)	55% (n = 6)	36% (n = 4)
Level IV - Revised	0% (n = 0)	0% (n = 0)	100% (n = 1)	0% (n = 0)

Table 4 suggests that if we assume that no mandatory or discretionary overrides were used, Scores on the revised tool were used exclusively to determine custodial placement; 88% (n = 490) of male inmates would be relocated to alternate custody levels, with a majority of the movement (76%; n = 421) consisting of inmates currently housed at Level II and III facilities being rescored to Level I facilities.

Female Inmates – Initial Classification Tool

Table 5 shows the frequency distribution of female inmate scores on each of the NMCD's current initial classification tool factors about the revisions we recommended in the validation study. We identify the proposed factor and scoring changes in dark red text in Table 5. In Figure 6, we present the distribution of scores on the initial tool for female inmates. In Figure 7, we present the distribution of scores on the revised initial tool for female inmates.

[3] Percents within scoring categories occasionally sum to numbers either slightly less than or greater than 100% due to rounding.
[4] Percents should be read horizontally, not vertically. For example, Row 1 of Table 3 indicates that within the subset of 432 inmates that would be classified as Level I using the revised tool, 72% of them scored at Level I on the current tool, 27% of them scored at Level II on the current tool, and 1% of them scored at Level III on the current tool.

Table 5.

Frequency Distribution of Custody Classification Scores Among Female Inmates on Initial Tool (n = 132)[5]

Factor	Old Tool	Revised Tool
Institutional Violence	10 Years Prior	3 Years Prior
None (0/0)	88% (n = 116)	97% (n = 128)
10+ or Non-Violent (2/2)	10% (n = 13)	2% (n = 2)
Violent - No Weapon (4/6)	2% (n = 2)	2% (n = 2)
Violent – Weapon (7/8)	1% (n = 1)	0% (n = 0)
Current Conviction Risk		
Low (1)	66% (n = 87)	66% (n = 87)
Moderate (3)	16% (n = 21)	16% (n = 21)
High (5)	14% (n = 18)	14% (n = 18)
Highest (7)	5% (n = 6)	5% (n = 6)
Escape History	10 Years Prior	3 Years Prior
None (0/0)	100% (n = 132)	100% (n = 132)
Escape from < IV (4/5)	0% (n = 0)	0% (n = 0)
Escape w/ Violence (7/10)	0% (n = 0)	0% (n = 0)
Prior Felony Convictions		
None (0/0)	80% (n = 105)	80% (n = 105)
One (1/1)	8% (n = 11)	8% (n = 11)
Two (2/1)	5% (n = 7)	5% (n = 7)
Three+ (3/1)	7% (n = 9)	7% (n = 9)
Risk Prior Convictions		
None/Low (0/0)	95% (n = 125)	95% (n = 125)
Moderate (1/2)	2% (n = 2)	2% (n = 2)
High (2/4)	1% (n = 1)	1% (n = 1)
Highest (3/6)	3% (n = 4)	3% (n = 4)
Alcohol/Drug Abuse		
None (0/N/A)	99% (n = 130)	N/A
Trafficking (1/N/A)	2% (n = 2)	N/A
Current Age		
<=21 (2/8)	4% (n = 5)	4% (n = 5)
22 – 25 (1/5)	11% (n = 15)	11% (n = 15)
26-34 (0/4)	36% (n = 47)	36% (n = 47)
35-44 (-1/2)	38% (n = 50)	38% (n = 50)
45+ (-2/0)	11% (n = 15)	11% (n = 15)
Gang Membership	10 Years Prior	3 Years Prior
No (0/0)	98% (n = 129)	100% (n = 132)
Yes (2/3)	2% (n = 3)	0% (n = 0)

[5] Percents within scoring categories occasionally cumulatively sum to more than 100% due to rounding.

Figure 6.

Distribution of Scores on Current Initial Classification Tool Among Female Inmates (n =132)

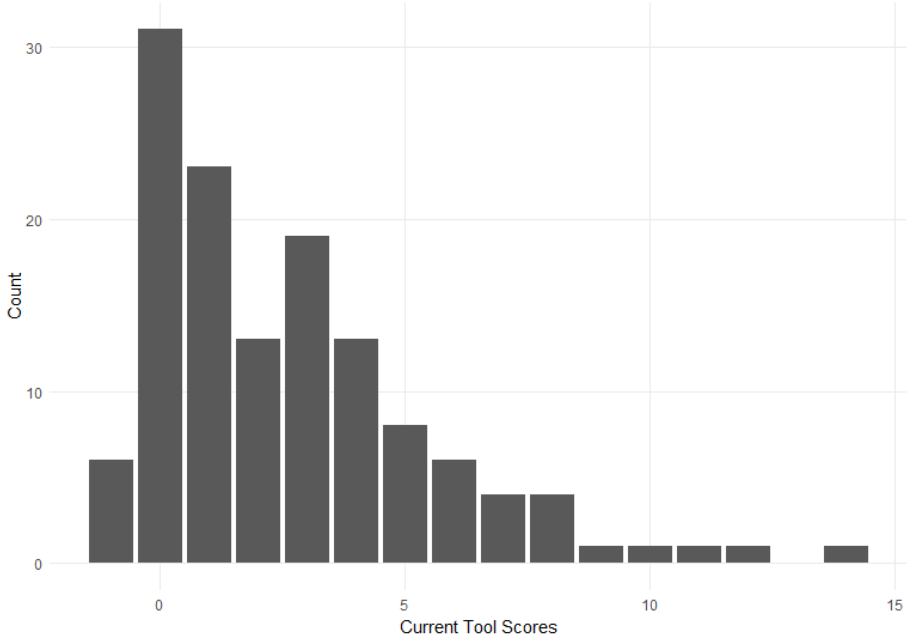
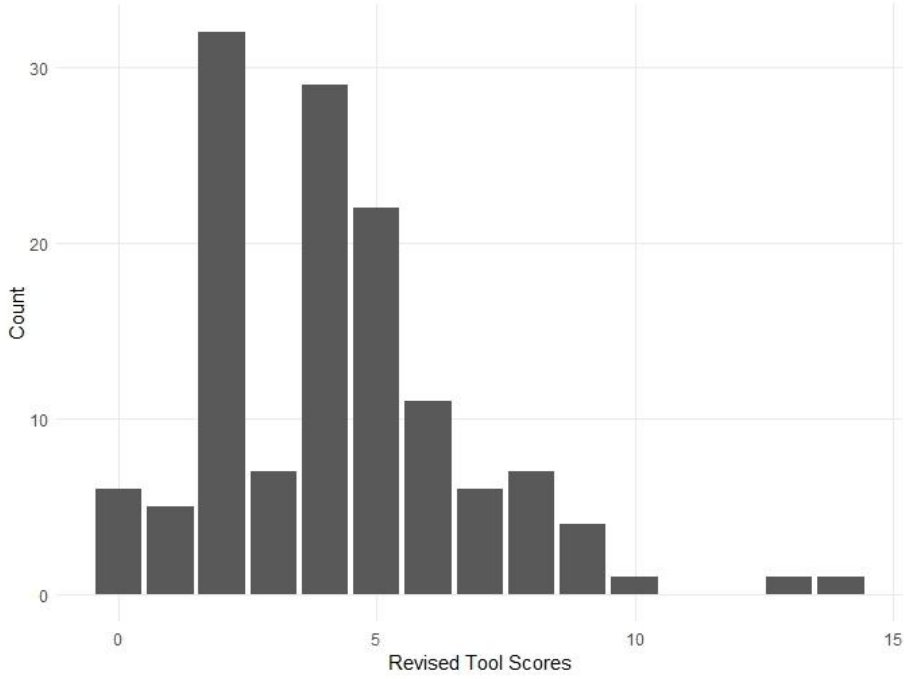


Figure 7.

Distribution of Scores on Revised Initial Classification Tool Among Female Inmates (n =132)



Figures 6 and 7 reveal that while the average score of the revised custody classification tool increases from 2.6 to 4.1, modifying the custody classification tool does not significantly shift the broad

shape of the distribution in the aggregate. A series of statistics describing the distribution in more detail confirm as much[6].

Within the three years before their initial classification, 14% of female inmates (n = 18) had been convicted of at least one instance of misconduct. Two percent (n = 2) were involved in at least one violent incident. The current classification tool indicated that 88% of female inmates had no misconduct within the decade before their initial classification. However, under the revised tool, which considered misconduct within the three years before initial classification, 97% had no scoreable misconduct within three years before their initial classification, aligning with expectations that a shorter lookback period would yield fewer misconduct incidents. The proposed modification of the escape history lookback period from 10 to three years did not change how the current female inmate population would score on this factor, as no female inmates within the current population had an escape history within the preceding ten or three years before initial classification. The current tool identified 2% of female inmates as having a history of gang membership in the ten years before initial classification. The updated tool, however, reported that none had a suspected or confirmed gang affiliation in the three years leading up to their initial classification.

In Figure 8, we present the distribution of custody levels conditional on the specific recommendations we provided in Appendix E of the validation report.

Figure 8.
How Female Inmates Move Across Levels When Changing from Current Tool Levels to Revised Levels (n = 132)

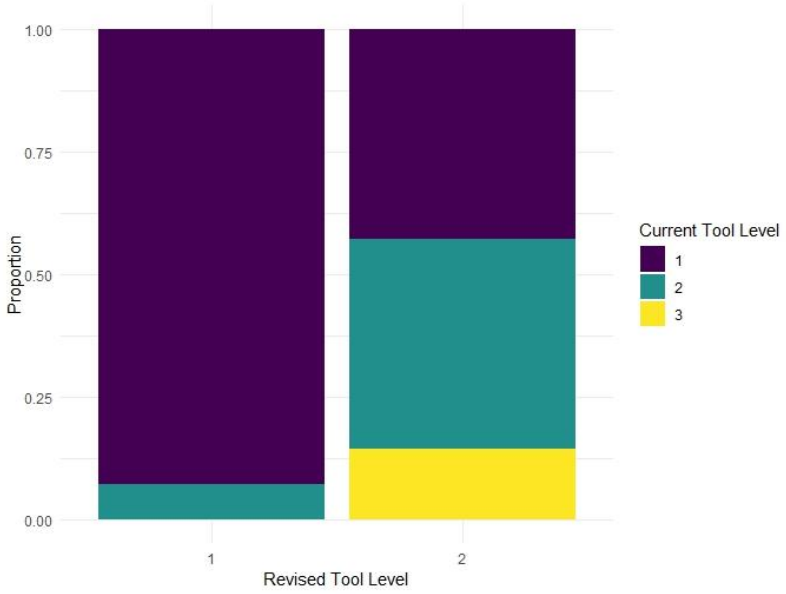


Figure 8 shows what the movement of the snapshot population of female inmates following initial classification would look conditional on whether the inmate was scored using the revised tool relative to the current tool, *assuming that no overrides were used*. Figure 8 and Table 6 reveal that, in contrast to the

[6] For reference, the average score on current tool was 2.6; the average score on the revised tool was 4.1. The standard deviation of the current tool was 2.9; the standard deviation of the revised tool was 2.5. The interquartile range of the current tool was 4; the interquartile range of the new tool was 3.

effect of revisions to the initial classification tool for male inmates, only 10% of female inmates would score at a different custody level (*n* = 13).

Table 6.
How Female Inmates Move Across Levels When Changing from Current Tool Levels to Revised Levels (n = 132)[7]

	Level I – Current	Level II – Current	Level III – Current	Level IV - Current
Level I – Revised	93% (n = 116)	7% (n = 9)	0% (n = 0)	N/A
Level II – Revised	43% (n = 3)	43% (n = 3)	14% (n = 1)	N/A
Level III - Revised	N/A	N/A	N/A	N/A
Level IV - Revised	N/A	N/A	N/A	N/A

Table 7 shows the cross-tabulation results that describe the relationship between the current custody-level placements (which include overrides) and proposed tool revisions.

Table 7.
How Female Inmates Move Across Levels When Changing from Current Custody Levels (Including Overiddes) to Revised Levels (n = 132)

	Level I – Final Placement	Level II – Final Placement	Level III – Final Placement	Level IV – Final Placement
Level I – Revised	5% (n = 6)	54% (n = 68)	41% (n = 51)	N/A
Level II – Revised	14% (n = 1)	14% (n = 1)	72% (n = 5)	N/A
Level III – Revised	N/A	N/A	N/A	N/A
Level IV - Revised	N/A	N/A	N/A	N/A

Table 7 suggests that if we assumed that no mandatory or discretionary overrides were used and scores on the revised tool were used exclusively to determine custodial placement, 95%% (n = 125) of female inmates would be relocated to alternate custody levels with most of the movement (95%; n = 119) consisting of inmates currently housed at Level II and III facilities being rescored to Level I facilities.

Male Inmates – Reclassification Tool

Table 8 shows the frequency distribution of male inmate scores on each of the NMCD's current reclassification tool factors compared to the revisions we recommended in the validation study. We identify the proposed factor and scoring changes in dark red text in Table 8. In Figure 9, we present the distribution of scores on the initial tool for female inmates, and in Figure 10, we present the distribution of scores on the revised reclass tool for male inmates.

[7] Percents should be read horizontally, not vertically. For example, Row 1 of Table 7 indicates that within the subset of 119 female inmates which would be classified as Level I within the revised tool, 93% of them scored at Level I on the current tool, 7% of them scored at Level II on the current tool, and 0% of them scored at Level III on the current tool.

Table 8.

Classification Score Distributions (n = 3,087)

Factor	Current Tool	Revised Tool
Institutional Violence	10 Years Prior	3 Years Prior
None (0/0)	44% (n = 1,353)	66% (n = 2,043)
Non-Violent Class A (1/3)	27% (n = 846)	20% (n = 604)
Violent - No Weapon (3/8)	25% (n = 781)	13% (n = 394)
Violent – Weapon (6/10)	4% (n = 107)	2% (n = 46)
Current Conviction Risk		
Low (1/0)	41% (n = 1,268)	41% (n = 1,268)
Moderate (2/1)	21% (n = 645)	21% (n = 645)
High (4/2)	28% (n = 857)	28% (n = 857)
Highest (6/3)	10% (n = 317)	10% (n = 317)
Escape History	10 Years Prior	3 Years Prior
None (0/0)	98% (n = 3,038)	100% (n = 3,084)
Escape from < III (3/3)	2% (n = 49)	0% (n = 3)
Escape from Level III + (5/6)	0% (n = 0)	0% (n = 0)
Escape w/ Violence (6/10)	0% (n = 0)	0% (n = 0)
Prior Felony Convictions		
None (0/0)	39% (n = 1,212)	39% (n = 1,212)
One (1/1)	11% (n = 326)	11% (n = 326)
Two (2/1)	10% (n = 303)	10% (n = 303)
Three+ (3/1)	40% (n = 1,246)	40% (n = 1,246)
Disciplinary Convictions Received		
None (0/0)	34% (n = 1,039)	34% (n = 1,039)
One + Class C (2/2)	17% (n = 527)	17% (n = 527)
One + Class B (4/3)	5% (n = 159)	5% (n = 159)
One + Class A (5/4)	4% (n = 122)	4% (n = 122)
One Class C + One Class B(6/5)	15% (n = 454)	15% (n = 454)
One Class A + One Class C (7/6)	6% (n = 185)	6% (n = 185)
One Class A + One Class B (9/7)	3% (n = 76)	3% (n = 76)
One Class A + One Class B + One Class C (11/9)	17% (n = 525)	17% (n = 525)
History of Disciplinary		
Clear Conduct 36+ Months (-3/N/A)	9% (n = 264)	N/A
Clear Conduct 24+ Months (-2/N/A)	5% (n = 150)	N/A
Clear Conduct 12+ Months (-1/N/A)	16% (n = 498)	N/A
No Clear Conduct (0/N/A)	71% (n = 2,175)	N/A
Program/Work Performance		
Less than Max Good Time (0/N/A)	20% (n = 615)	N/A
Max Good Time (-2/N/A)	80% (n = 2,472)	N/A

Current Age		
<=21 (2/8)	1% (n = 44)	1% (n = 44)
22 – 25 (1/7)	9% (n = 261)	9% (n = 261)
26-34 (0/3)	33% (n = 1,021)	33% (n = 1,021)
35-44 (-1/2)	33% (n = (1,023)	33% (n = (1,023)
45+ (-2/0)	24% (n = 738)	24% (n = 738)
Gang Membership	10 Years Prior	3 Years Prior
No (0/0)	80% (n = 2,453)	92% (n = 2,842)
Yes (2/2)	21% (n = 634)	8% (n = 245)

Figure 9.

Distribution of Scores on Current Reclassification Tool Among Male Inmates (n =3,087)

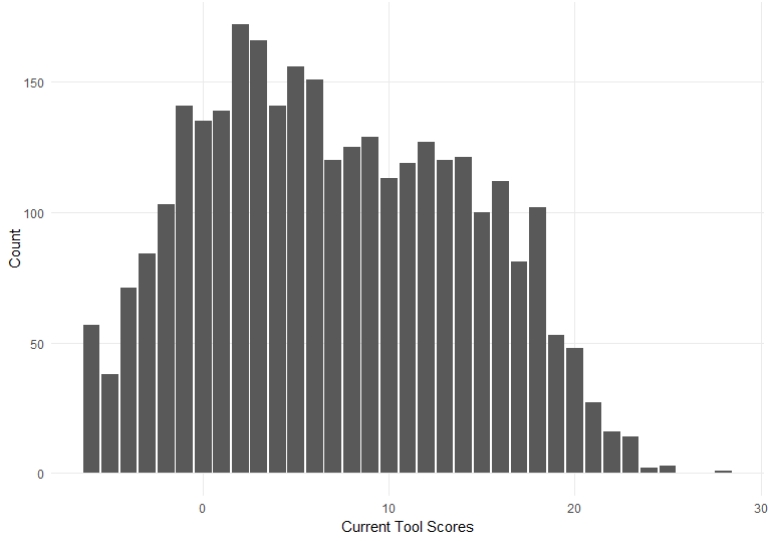
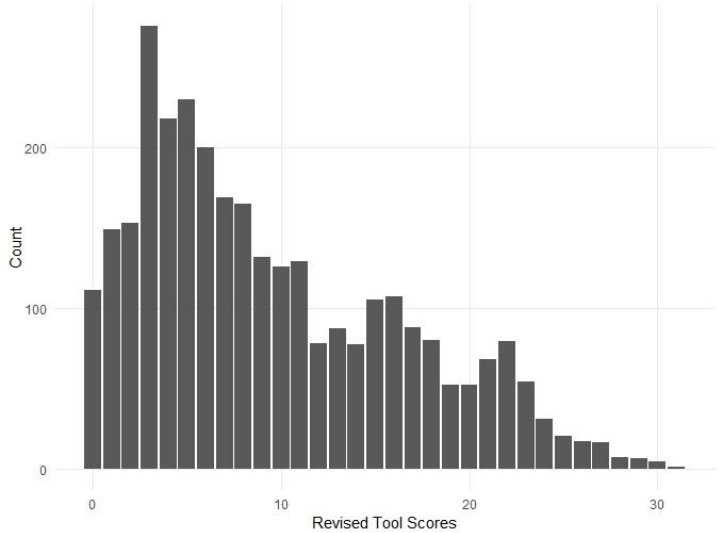


Figure 10.

Distribution of Scores on Revised Reclassification Tool Among Male Inmates (n =3,087)



Figures 9 and 10 reveal some differences in both the central tendency and skew of the distribution of the revised classification tool in relation to the current tool. A series of statistics describing the distribution suggest such differences: for instance, male inmates have higher average scores on the revised tool relative to the current tool, and the distribution of the revised tool is more right-skewed than the distribution of scores on the current tool (i.e., fewer inmates score at the highest possible levels of the tool relative to the current tool and more clustering around lower scores)[8].

In Figure 11, we present the distribution of custody levels conditional on the specific recommendations we provided in Appendix E of the validation report.

Figure 11.
How Male Inmates Move Across Levels When Changing from Current Tool Levels to Revised Levels (n = 3,088)

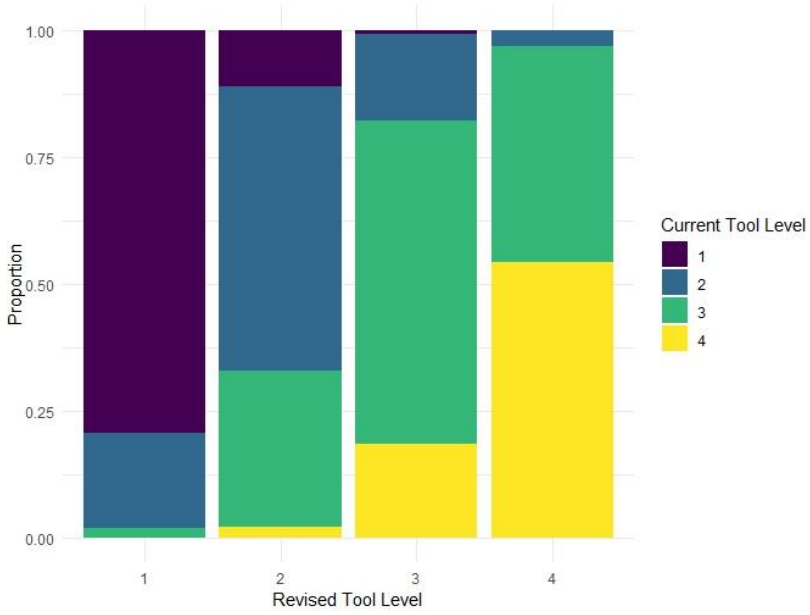


Figure 11 shows the movement of the snapshot population of male inmates following reclassification conditional on whether the inmate was scored using the revised tool or the current tool, *assuming that no overrides were used*. Figure 11 – together with Table 11 – suggests that most male inmates who on the current tool would score at Level I, II, or III would remain at the same custody level [i.e., 79% (n = 1,329) of Level I inmates would remain at Level I; 56% (n = 353) of Level II inmates would remain at Level II; 64% (n = 309) of Level III inmates would remain at Level III; 54% of Level IV inmates would remain at Level IV (n = 164)]. Thirty percent of male inmates would move to a different custody level if facility placement were exclusively determined by scores on the custody tool (n = 933).

[8] For reference, the average score on current tool was 7.1; the average score on the revised tool was 9.5. The standard deviation of the current tool was 7.1; the standard deviation of the revised tool was 6.9. The interquartile range of the current tool was 11; the interquartile range of the new tool was 11. The skew of the current tool was 0.18; the skew of the revised tool was 0.70.

Table 11.
How Male Inmates Move Across Levels When Changing from Current Tool Levels to Revised Levels (n = 3,088)

	Level I – Current	Level II – Current	Level III – Current	Level IV - Current
Level I – Revised	80% (n = 1,329)	19% (n = 312)	2% (n = 30)	0% (n = 0)
Level II – Revised	11% (n = 70)	56% (n = 353)	31% (n = 193)	2% (n = 4)
Level III - Revised	0% (n = 4)	17% (n = 82)	64% (n = 309)	18% (n = 89)
Level IV - Revised	0% (n = 0)	3% (n = 10)	43% (n = 129)	54% (n = 164)

As before, it is important to evaluate the practical effect of implementing the revised tool in relation to current custody placements, which include overrides. This provides the most realistic comparison of how the shift to the revised tool would influence facility placements. Table 12 shows the relationship between the current custody level placements (which include overrides) and proposed tool revisions.

Table 12.
How Male Inmates Move Across Levels When Changing from Current Custody Levels (Including Overiddes) to Revised Levels (n = 3,088)

	Level I – Final Placement	Level II – Final Placement	Level III – Final Placement	Level IV – Final Placement
Level I – Revised	8% (n = 131)	43% (n = 719)	48% (n = 805)	1% (n = 16)
Level II – Revised	1% (n = 9)	35% (n = 219)	61% (n = 381)	3% (n = 20)
Level III – Revised	0% (n = 0)	7% (n = 36)	73% (n = 352)	20% (n = 96)
Level IV - Revised	0% (n = 0)	1% (n = 3)	45% (n = 137)	54% (n = 163)

Similar to the effect observed within the male inmate snapshot population following initial classification, Table 12 suggests that, in practice, if we assumed that no mandatory or discretionary overrides were used and scores on the revised tool were used exclusively to determine custodial placement, 72% (n = 2,223) of male inmates would be relocated to alternate custody levels with most of the movement (69%; n = 1,524) consisting of inmates currently housed at Level II and III facilities being rescored to Level I facilities.

Female Inmates –Reclassification Tool

Table 13 shows the frequency distribution of female inmate scores on NMCD's reclassification tool compared to our proposed revisions. We indicate the proposed factor and scoring changes in dark red text in Table 13. In Figure 12, we present the distribution of scores on the initial tool for female inmates, and in Figure 13, we present the distribution of scores on the revised reclass tool for female inmates.

Table 13.

Classification Score Distributions (n = 311)

Factor	Current Tool	Revised Tool
Institutional Violence	10 Years Prior	3 Years Prior
None (0/0)	55% (n = 172)	72% (n = 224)
Non-Violent Class A (1/3)	25% (n = 77)	11% (n = 33)
Violent - No Weapon (3/8)	17% (n = 54)	15% (n = 47)
Violent – Weapon (6/10)	3% (n = 8)	2% (n = 7)
Current Conviction Risk		
Low (1/0)	52% (n = 163)	52% (n = 163)
Moderate (2/1)	18% (n = 56)	18% (n = 56)
High (4/2)	21% (n = 66)	21% (n = 66)
Highest (6/3)	8% (n = 26)	8% (n = 26)
Escape History	10 Years Prior	3 Years Prior
None (0/0)	99% (n = 309)	100% (n = 311)
Escape from < III (3/3)	1% (n = 2)	0% (n = 0)
Escape from Level III + (5/6)	0% (n = 0)	0% (n = 0)
Escape w/ Violence (6/10)	0% (n = 0)	0% (n = 0)
Prior Felony Convictions		
None (0/0)	74% (n = 231)	74% (n = 231)
One (1/1)	6% (n = 17)	6% (n = 17)
Two (2/1)	7% (n = 23)	7% (n = 23)
Three+ (3/1)	13% (n = 40)	13% (n = 40)
Disciplinary Convictions Received		
None (0/0)	39% (n = 122)	39% (n = 122)
One + Class C (2/2)	20% (n = 62)	20% (n = 62)
One + Class B (4/3)	8% (n = 24)	8% (n = 24)
One + Class A (5/4)	3% (n = 10)	3% (n = 10)
One Class C + One Class B(6/5)	9% (n = 29)	9% (n = 29)
One Class A + One Class C (7/6)	6% (n = 19)	6% (n = 19)
One Class A + One Class B (9/7)	3% (n = 8)	3% (n = 8)
One Class A + One Class B + One Class C (11/9)	12% (n = 37)	12% (n = 37)
History of Disciplinary		
Clear Conduct 36+ Months (-3/N/A)	5% (n = 14)	N/A
Clear Conduct 24+ Months (-2/N/A)	6% (n = 18)	N/A
Clear Conduct 12+ Months (-1/N/A)	16% (n = 50)	N/A
No Clear Conduct (0/N/A)	74% (n = 229)	N/A
Program/Work Performance		
Less than Max Good Time (0/N/A)	79% (n = 245)	N/A
Max Good Time (-2/N/A)	21% (n = 66)	N/A

Current Age		
<=21 (2/8)	2% (n = 7)	2% (n = 7)
22 – 25 (1/7)	8% (n = 25)	8% (n = 25)
26-34 (0/3)	36% (n = 112)	36% (n = 112)
35-44 (-1/2)	36% (n = 112)	36% (n = 112)
45+ (-2/0)	18% (n = 55)	18% (n = 55)
Gang Membership	10 Years Prior	3 Years Prior
No (0/0)	94% (n = 291)	97% (n = 303)
Yes (2/2)	6% (n = 20)	3% (n = 8)

Figure 12.

Distribution of Scores on Current Reclassification Tool Among Female Inmates (n =311)

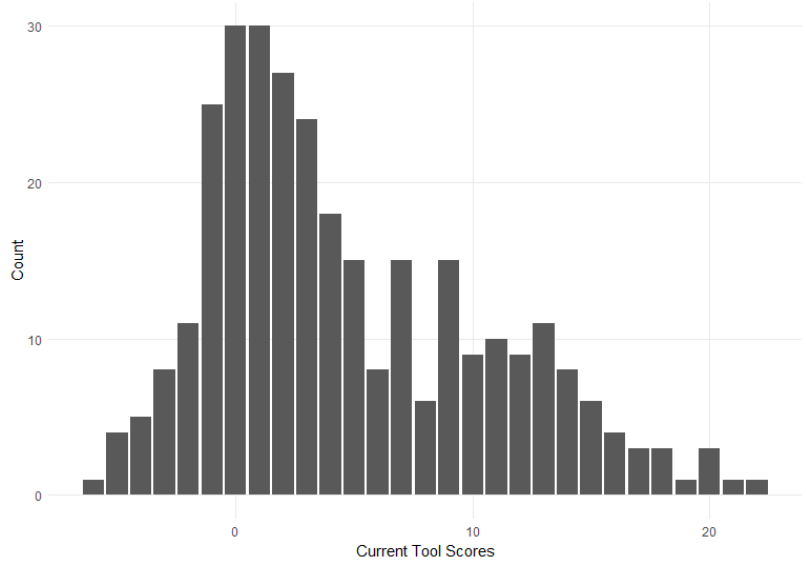
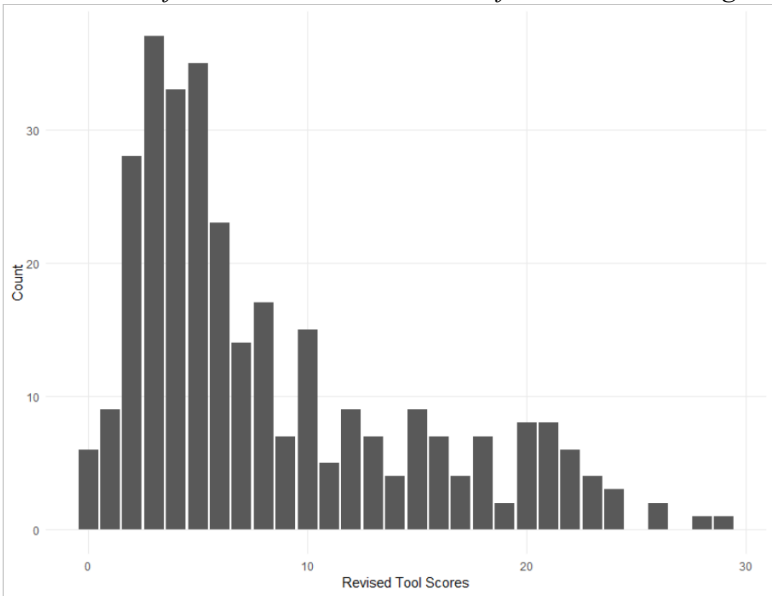


Figure 13.

Distribution of Scores on Revised Reclassification Tool Among Female Inmates (n =311)



Figures 12 and 13 reveal some differences in both the central tendency and skew of the distribution of the revised reclassification tool in relation to the current tool. A series of statistics describing the distribution in more detail suggest such changes: for instance, female inmates have higher average scores on the revised tool relative to the current tool, and the distribution of the revised tool is more right-skewed (i.e., fewer inmates score at the highest possible levels of the tool relative to the current tool and more clustering around lower scores)[9].

In Figure 14, we present the distribution of custody levels conditional on the specific recommendations we provided in Appendix E of the validation report.

Figure 14.

How Female Inmates Move Across Levels When Changing from Current Tool Levels to Revised Levels (n = 311)

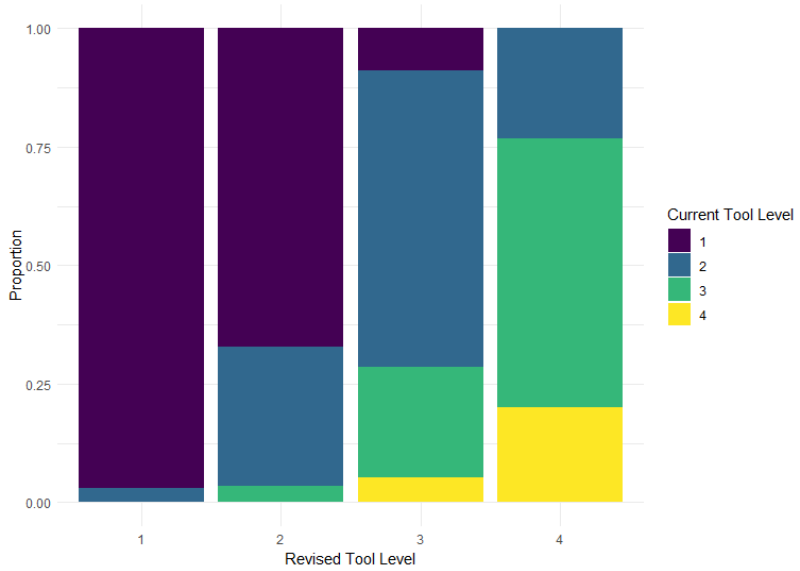


Figure 14 shows the movement of the February 2024 snapshot population of female inmates following reclassification, conditional on whether the inmate was scored using the revised tool relative to the current tool, assuming that no overrides were used. Twenty-four percent of female inmates would move to a different custody level (n = 75).

[9] For reference, the average score on current tool was 4.7; the average score on the revised tool was 8.3. The standard deviation of the current tool was 5.9; the standard deviation of the revised tool was 6.5. The interquartile range of the current tool was 9; the interquartile range of the new tool was 9. The skew of the current tool was 0.72; the skew of the revised tool was 1.06.

Table 14.
How Female Inmates Move Across Levels When Changing from Current Tool Levels to Revised Levels (n = 311)

	Level I – Current	Level II – Current	Level III – Current	Level IV - Current
Level I – Revised	94% (n = 189)	6% (n = 13)	0% (n = 0)	0% (n = 0)
Level II – Revised	34% (n = 16)	57% (n = 27)	9% (n = 4)	0% (n = 0)
Level III - Revised	3% (n = 1)	51% (n = 19)	38% (n = 14)	8% (n = 3)
Level IV - Revised	0% (n = 0)	20% (n = 5)	56% (n = 14)	24% (n = 6)

As previously noted, it is important to evaluate the practical effect of implementing the revised tool in relation to current custody placements that include overrides. In Table 15, we show the cross-tabs that describe the relationship between the current custody level placements (including overrides) and proposed tool revisions.

Table 15.
How Female Inmates Move Across Levels When Changing from Current Tool Levels (Including Overrides) to Revised Levels (n = 311)

	Level I – Final Placement	Level II – Final Placement	Level III – Final Placement	Level IV – Final Placement
Level I – Revised	11% (n = 22)	49% (n = 98)	41% (n = 82)	0% (n = 0)
Level II – Revised	2% (n = 1)	34% (n = 16)	60% (n = 28)	4% (n = 2)
Level III – Revised	3% (n = 1)	22% (n = 8)	65% (n = 24)	11% (n = 4)
Level IV - Revised	0% (n = 0)	16% (n = 4)	60% (n = 15)	24% (n = 6)

Similar to the effect observed within the female inmate snapshot population following initial classification, Table 15 suggests that if we assumed that no mandatory or discretionary overrides were used and scores on the revised tool were used exclusively to determine custodial placement, 78% (n = 243) of female inmates would be relocated to alternate custody levels with most of the movement (74%; n = 180) consisting of inmates currently housed at Level II and III facilities being rescored to Level I facilities.

Limitations

There are a few limitations to the snapshot analysis. First, our system of rescoring the classification tools relied on an automated, code-based approach that did not rely on classification officers to make scoring decisions. This choice represents a tradeoff: on the one hand, using an automated, code-based approach removes the potential subjectivity of classification officers scoring inmates and increases the sample size for analysis to the whole snapshot. This positions the analysis more strongly than an analysis relying on classification officers to manually rescore inmates simultaneously using both the old and new classification tools. Moreover, the automated, code-based approach is more cost-effective and comprehensive than an approach to a snapshot analysis, which would rely on CARA researchers traveling to each prison and manually observing the classification process for a smaller subset of inmates.

However, one limitation is that it is possible that our rescoring of the history of institutional violence underestimates violent institutional histories as the specific text of Section B Item B of NMCD

CD-081200 Institutional Classification and Risk Assessment notes the need for classification officers to "Consider inmate's entire history of institutional violence for ten (10) years before his or her review date. This ten-year period includes violence within the Department, other correctional jurisdictions, juvenile facilities, mental institutions or jails" (2022, pg. 5). To estimate histories of institutional violence, we relied on NMCD's CMIS database, which means it is possible that while we were able to score misconduct histories accurately *within* NMCD prisons, we were not able to evaluate these histories at institutions outside of NMCD. This likely impacts estimates more for institutional violence histories at the point of initial versus reclassification.

Relatedly, Section B Item B of NMCD CD-081200 Institutional Classification and Risk Assessment, in its discussion of which offenses should be scored under the History of Institutional Violence factor, notes:

> *"…Also, rate non-violent serious Class "A" level incidents for which the inmate received a disciplinary conviction within the past ten (10) years; refer to the Disciplinary Offense Scale Attachment (CD-080103.B). No more than two points will be assessed under this item" (2022, pg 6).*

Attachment CD-081200.B identifies 24 unique Class A offenses on the disciplinary offense scale including "murder, manslaughter, taking of hostages or kidnapping, assault or battery with a weapon on another person, assault or battery without a weapon on an inmate, assault or battery without a weapon on a staff member or visitor, battery, inciting to riot, engaging in a riot, participating in or contributing to disturbance in any area either physically or verbally, dealing in dangerous drugs, arson, engaging in security threat group/street gang behavior, escape with or without force, possession of escape paraphernalia, tampering with locks or security items, possession of a key or key pattern, rape, sexual misconduct, sexual harassment, attempt to or engaging in any unauthorized relationship, possession of dangerous contraband, refusal to be move or be restrained, attempt or complicity to any Class 'A" offense." We have broken down these Class A offenses by examining whether we perceive them as involving violence or non-violence, as shown in Table 16.

Table 16.

Classification of Class A Offenses as Violent or Non-Violent

Violent	**Non-Violent**
Murder (A1)	Dealing in Dangerous Drugs (A19)
Manslaughter (A2)	Arson (A4)
Taking of Hostages or Kidnapping (A3)	Engaging in Security Threat Group/Gang Activity (A34)
Assault or Battery with a Weapon (A1D, A7, A6, A8)	Possession of Escape Paraphernalia (A13)
Battery	Tampering with Locks or Security Items (A28)
Inciting/Engage in Riot (A9)	Possession of a Key or Key Pattern (A29)
Rape (A22)	Sexual Harassment (A40)
--	Attempt to or Engaging in Any Unauthorized Relationship (A36)
--	Possession of Dangerous Contraband (A20)
--	Refusal to Move or Be Restrained (A32)
--	Attempt or Complicity to Any Class "A" Offense (A31)

It may be helpful within the Disciplinary Offense Scale Attachment (CD-080103.B) to identify which types of misconduct fall within the scope of the relevant Class-A coding as violent, non-violent, and serious infractions. For instance, while fighting could be considered violent, within the CMIS data we received, it was listed as an A-level offense (A39). In contrast, within the Disciplinary Offense Scale Attachment, it was listed as a B-level offense. It is also unclear, based on the Disciplinary Offense Scale Attachment, whether *only* the A-class offenses listed are considered as serious for purposes of scoring the history of institutional violence factor or whether all A-class offenses rise to the level of severity required by the specific text of the scoring factor. More specificity within existing policy surrounding the inclusion criteria for relevant misconduct would improve the reliability of the existing coding.

Additionally, because this is a snapshot study and the revised tool has yet to be implemented as of the drafting of this report, it is difficult to evaluate how the revisions to the current tool relate to misconduct. Preliminary results suggest that higher scores on the revised tool have a stronger, positive correlation with general misconduct counts than the current tool, which, while a promising finding, is limited since inmates may be in different custody levels than the revised tool recommends. We aim to systematically evaluate the correlation between scoring revisions and misconduct in subsequent studies exploring the revised tool's implementation.

Finally, as discussed in our validation report, it is possible that the adoption of the revised tool may have unanticipated effects on inmate misconduct if the adoption of the revised tool is implemented with other recommended policy-related changes. That is, if the revisions to the tool are adopted and the use of overrides is reduced relative to the population explored within our validation study, the relocation of inmates will occur across facilities. Because of this relocation, unforeseen environmental effects (i.e., crowding potential and the fact that there may be different facility-level risk profiles within custody levels relative to the validation sample) may influence subsequent misconduct patterns in unknown ways. Moreover, it is unclear what impact changes in mandatory override policy may have on the use of discretionary override use (i.e., if mandatory overrides decrease per policy, would there be an increase in discretionary override use to offset environmental or facility-level constraints?). Moreover, the selection of level thresholds on the revised tool (i.e., the point at which a score on the tool places someone into a higher custody level) is somewhat arbitrary as there are no clear, obvious statistical increases in misconduct that occurred around level threshold points. However, this was also true of the current tool. For these reasons, it is important to continue to evaluate the implementation and use of the revised tool to assess the effects its adoption – in conjunction with other policy changes – may have on misconduct and potential crowding at facilities.

Conclusion

In this report, we conducted a snapshot analysis of NMCD's prison population as of February 2024. This report is an adjunct to CARA's validation study of NMCD's custody classification tool completed in March 2024 and was designed to evaluate how the NMCD's adoption of CARA's proposed revisions to the custody classification tools would impact the distribution of inmates across custodial levels. We evaluated the effect of the revisions within the February 2024 prison population of 4,086 inmates following their most recent classification events.

It is important to consider how adopting the revised tool would result in deviations from (1) the current custody classification tool's scoring and (2) existing custody-level placements. When we only compare the current and revised tool scores, we find that a change to the scoring would result in anywhere from 11% - 34% of inmates being scored at different levels. However, on average, when considering the scope of override use for both male and female initial and reclassification tools, a change to the scoring –

assuming an environment of no overrides – would result in anywhere from 72% – 95% of inmates being relocated to alternate custody levels. Most relocation would include reducing custodial classification from Level II and III facilities – typically a function of the use of medical/mental health mandatory override policies - down to Level I facilities. The impact of the revised tool's adoption on custody-level movement likely lies somewhere between these two estimates, as the use of overrides is unlikely to be zero.

Appendix A – Proposed Revisions to Existing NMCD Classification Tools

Proposed Scoring Form Changes: Initial Classification Tool

Form CD-081200.1
ISR Revisions

NEW MEXICO CORRECTIONS DEPARTMENT
INITIAL CUSTODY SCORING FORM

Inmate's Name:_____NMCD#_____
Last *First* *MI*

Classification Officer:_____Classification Date:_____

1. **HISTORY OF INSTITUTIONAL ADJUSTMENT/VIOLENCE.** (Review individual's entire background for 3 years prior to classification date to include juvenile incidents) (Include date of incident; rate most severe)
   None _____ 0
   Ten or more non-violent disciplinary reports _____ 2
   Non-Violent /Serious Class A Level Incidents _____ 2
   Violent Incident with no weapon, serious injury or death _____ 6
   Violent Incident involving a weapon, serious injury or death _____ 8

2. **CURRENT CONVICTION SEVERITY** (score the most serious conviction, list offense and date)
   Low _____ 0
   Moderate _____ 1
   High _____ 2
   Highest 3

3. **ESCAPE HISTORY** (Last 3 years from this rating date. List date of escape)
   None _____ 0
   Escape/Attempted Escape from Level I or II, County Jail, Juvenile Facility, or Peace Officer (no violence) _____ 3
   Escape/Attempted Escape from Level III facility or above (no violence) 5
   Escape/Attempted Escape (with violence) _____ 10

4. **PRIOR # OF FELONY CONVICTIONS** (Do not include current conviction; list offenses and dates.) None _ 0 One or More _____ 1

5. **PRIOR CONVICTION SEVERITY** (Score the most serious offence; list offence and date) None/Low _____ 0 Moderate _____ 2 High ___ 4 Highest _ 6

6. **CURRENT AGE**
   21 and under _ 8 22 to 25 _ 5 26 to 34 _ 4 35 to 44 _ 2 45 and above _____ 0

7. **GANG MEMBERSHIP/ACTIVITIES IN THE PAST 3 YEARS**
   Yes _____ 3 No _____ 0

TOTAL SCORE (Add 1 through 7)

Level Thresholds:

- Level I: 0 - 8
- Level II: 9 - 14
- Level III: 15 - 20
- Level IV: 21+

Proposed Scoring Form Changes: Reclassification Tool

Form CD-081200.2
ISR Revisions

NEW MEXICO CORRECTIONS DEPARTMENT
RECLASSIFICATION SCORING FORM

Inmate's Name:_____NMCD#_____
Last *First* *MI*

Classification Officer:_____Reclassification Date:_____

1. **HISTORY OF INSTITUTIONAL ADJUSTMENT/VIOLENCE.** (Review individual's entire background for 3 years prior to classification date to include juvenile incidents) (Include date of incident; rate most severe)
   None _____ 0
   Non-Violent /Serious Class A Level Incidents _____ 3
   Violent Incident with no weapon, serious injury or death_____ 8
   Violent Incident involving a weapon, serious injury or death_____ 10 ☐

2. **CURRENT CONVICTION SEVERITY** (score the most serious conviction, list offense and date)
   Low_____ 0
   Moderate _____ 1
   High_____ 2
   Highest _____ 3 ☐

3. **ESCAPE HISTORY** (Last 3 years from this rating date. List date of escape)
   None _____ 0
   Escape/Attempted Escape from Level I or II, County Jail, Juvenile Facility, or Peace Officer (no violence) _____ 3
   Escape/Attempted Escape from Level III facility or above (no violence) _____ 6
   Escape/Attempted Escape (with violence) _____ 10 ☐

4. **PRIOR # OF FELONY CONVICTIONS** (Do not include current conviction; list offenses and dates.) None _ 0 One or more _____ 1 ☐

5. **DISCIPLINARY CONVICTIONS RECEIVED** (only one per class)
   Last 24 months: One or more class A = 4 _____
   Last 24 months: One or more class B = 3 _____
   Last 24 months: One or more class C = 2_____ ☐

6. **CURRENT AGE**
   21 and under _ 8 22 to 25 _ 7 26 to 34 _ 3 35 to 44 _ 2 45 and above _____ 0 ☐

7. **GANG MEMBERSHIP/ACTIVITIES IN THE PAST 3 YEARS**
   Yes _____ 2 No _____ 0 ☐

TOTAL SCORE (Add 1 through 7) ☐

LEVEL THESHOLDS:

- Level I: 0 - 8
- Level II: 9 - 14
- Level III: 15 - 20
- Level IV: 21+