

# Bernalillo County—Metropolitan Detention Center

Prepared for Bernalillo County by the Institute for Social Research  
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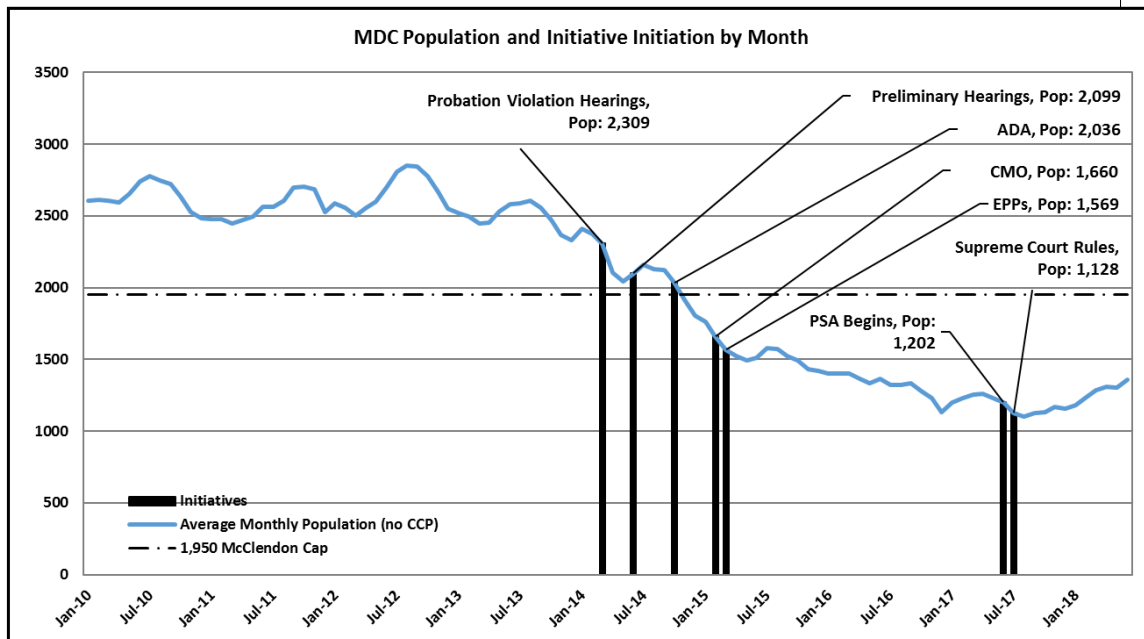
## THE MDC POPULATION AND CRIMINAL JUSTICE REFORMS

Quick Population Figures	Jan-18	Feb-18	Mar-18	Apr-18	May-18	June-18
On-Site Average Male Population	955	990	1,041	1,061	1,048	1,093
On-Site Average Female Population	221	240	237	241	246	261
On-Site Average Infirmary	8	8	9	9	8	7
On-Site Average Daily Population	1,224	1,238	1,287	1,311	1,302	1,361
Average Community Custody Program	90	91	87	88	78	84
Average Total Jail Population (w/CCP)	1,314	1,329	1,374	1,399	1,380	1,445
Monthly Bookings	2,283	2,176	2,391	2,171	2,179	2,050
Monthly Releases	2,275	2,121	2,323	2,100	2,148	2,017
Total Consecutive Days 1,950 or Less						1,327

### Report Highlights

- From June 2017 to June 2018:
  - The monthly total MDC population increased 10.7% from 1,305 to 1,445.
- Of the inmates in custody on a hold on June 30, 2018, 298 had a preventive detention motion granted or pending.
- The number of inmates who could be released from custody if all bonds has been less than 100 since September 2017 and there were 46 in June 2018.

- Jail population is a result of two factors: how many people are booked and how long they stay.
- Bookings decreased annually from 2009 through 2015 followed by a slight increase in 2016 and a slight decrease in 2017.
- Population reduction initiatives have helped to reduced the length of stay which, combined with reduced bookings, decreased the jail population.

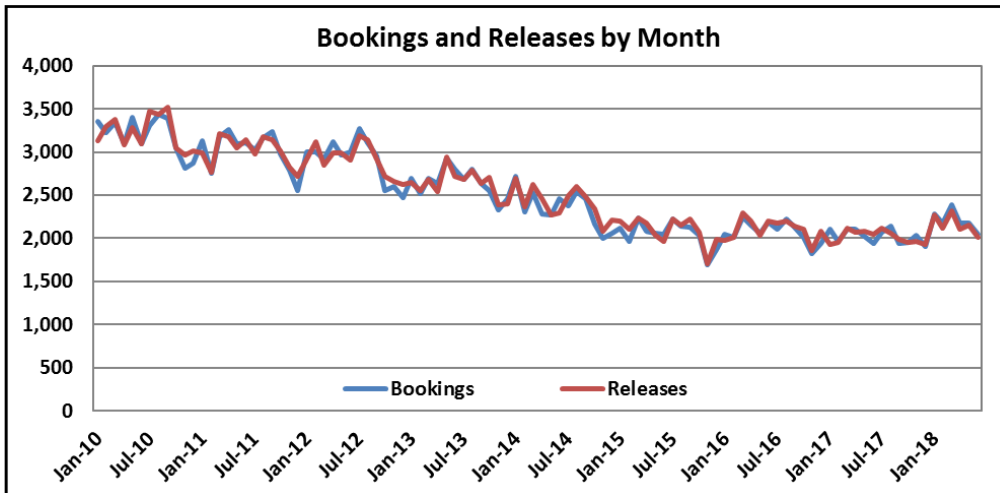


## CRIMINAL JUSTICE REFORM INITIATIVES

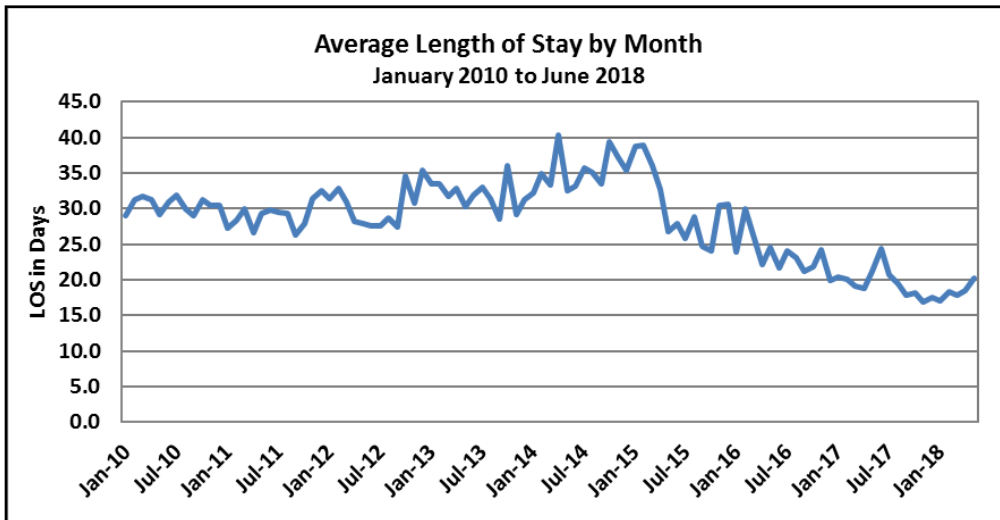
Since mid-March 2014, the County has collaborated with criminal justice stakeholders to implement an array of initiatives that improve the efficiency and fairness of the system and move our jurisdiction closer to best practices. Ongoing efforts include:

- In the middle of June 2018, the Second Judicial District and Metropolitan courts passed the 1-year mark for implementing the Arnold Public Safety Assessment (PSA) for all felony in-custody defendants.
- Bernalillo County's Reentry Resource Center began receiving the first released individuals via MDC transports on June 11, 2018. So far, more than 1,850 people have come through the center in over 235 transports, averaging more than 52 people per day. The program, in partnership with UNMH and the Health Sciences Center, is ramping up services and staff through the summer months, adding more comprehensive assessment, transition planning and community connection services for higher risk/need individuals. Early feedback from released individuals and the public has been positive.
- The County Metropolitan Detention Center's Medication-Assisted Treatment (MAT) program for individuals with opioid addictions expanded its services to include methadone *induction*. MDC is broadening Narcan education in the jail and distribution to discharging inmates. The Reentry Resource Center will be training Narcan distribution to staff starting in August to create an additional point for distribution.
- NM Legislative Finance Committee researchers presented its review of the Bernalillo County criminal justice system to the LFC on July 19, 2018. The full report and agency responses can be found on the LFC website.
- Bernalillo County and other criminal justice stakeholders continue discussions around establishing a Law Enforcement Assisted Diversion (LEAD) program. A group of stakeholders visited the Seattle LEAD program in April 2018 and continue to meet about next steps.
- In early July 2018 Metropolitan Court relocated its Felony First Pretrial Services program to the 2<sup>nd</sup> floor of the County's Public Safety Center at 401 Roma NW. Now, both SJDC and Metro Court felony pretrial programs are upstairs from the Reentry Resource Center to better facilitate connecting felony defendants to pretrial supervision and improve compliance.

## BOOKINGS, RELEASES, AND LENGTH OF STAY



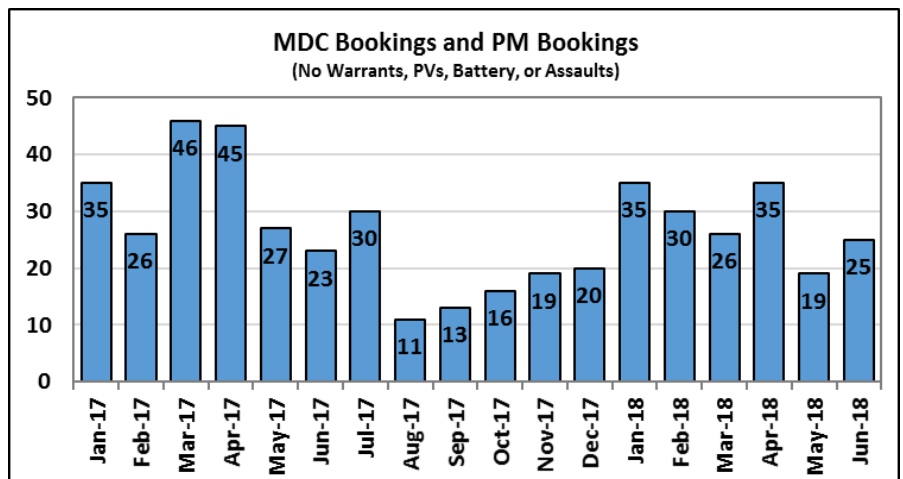
- Until a slight increase in 2016, annual bookings had decreased since 2009.
- During the first half of 2018, bookings were higher than the first half of the last several years. From January to June of 2018 there were 13,250 bookings. This was 8.2% higher than the same time period in 2017 (12,251 bookings) and 4.4% higher than 2016 (12,696) bookings.



- The LOS for June 2018 was 18 days, 6 days lower than June 2017 and 3 days lower than June 2016.
- Criminal justice initiatives have reduced the LOS, improved efficiency, and increased the rate at which inmates turnover at the jail.

## PETTY MISDEMEANOR BOOKINGS

- Bookings at the MDC were reviewed for new charges that included petty misdemeanors<sup>4</sup> and did not include warrants, probation violations, or battery or assault charges.
- In June 2018 there were 25 petty misdemeanor bookings compared to 23 in June 2017.
- In the last year the number of these types of bookings peaked at 46 in March 2017 and averaged 24 per month over the last 12 months.



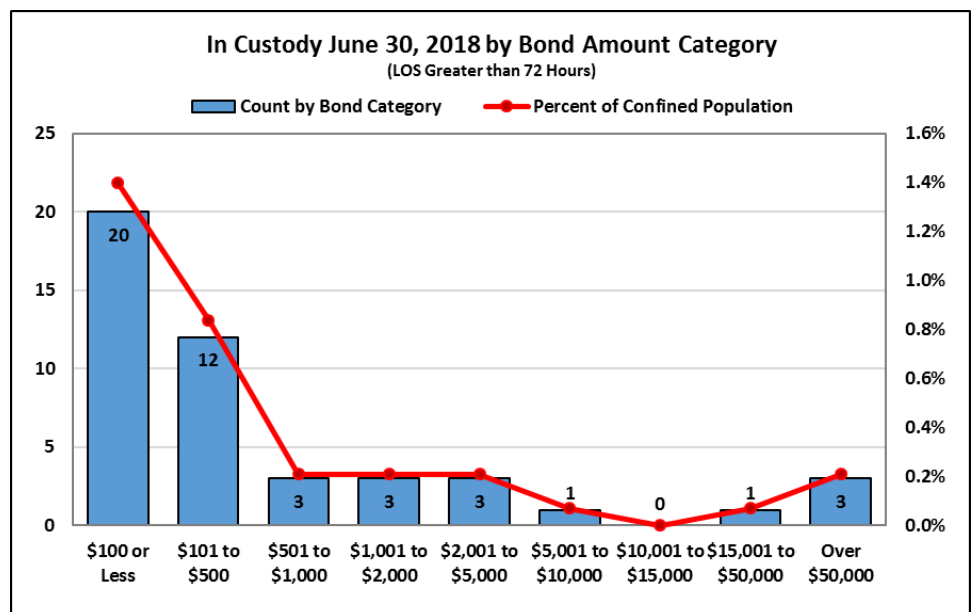
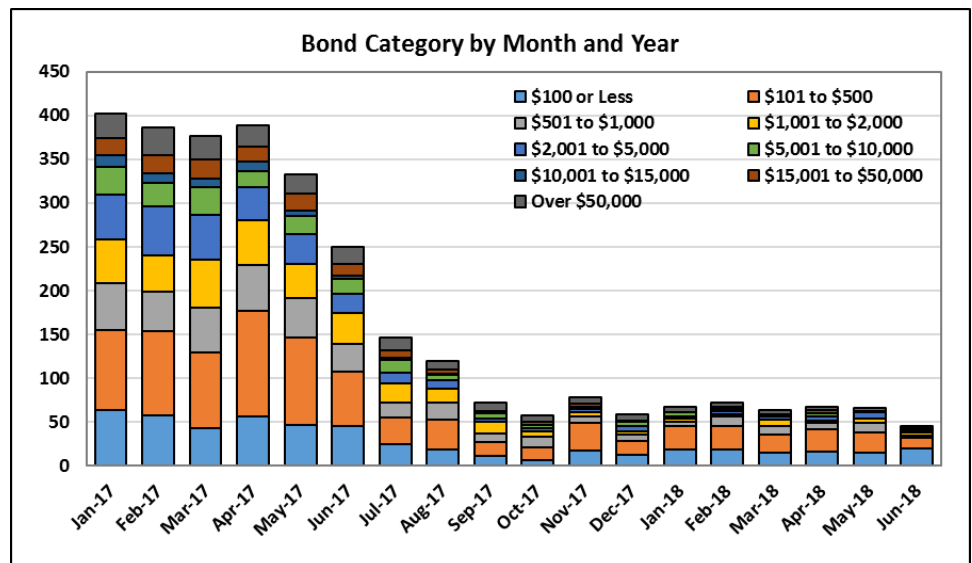
- Petty misdemeanor bookings can include charges such as larceny, shoplifting, traffic violations, criminal trespass, or public intoxication.

### IN CUSTODY BOND AMOUNTS

- On June 30, 2018, there were approximately 298 inmates in custody on a no bond hold that had a preventive detention motion either granted or still pending.
- There were 46 individuals who could be released from custody if all bonds were paid. This accounted for 3.2% of the confined population. On June 30, 2017, the portion of the population that could be released if bonds were paid was 21.9%.
- This excludes any inmate on a hold or who were serving a sentence that would otherwise keep them in custody. This excludes those who had the option to bond out or release to a third party.
- The number of inmates in custody on a bond excludes inmates who have been in custody less than 72 hours.
- Those with \$100 or less in unpaid bonds<sup>2</sup> represented approximately 43.5% (20) of the 46 inmates who could be released if all bonds were paid and 1.4% of the confined population. Those individuals with bonds requiring payment of between \$101 and \$500 accounted for 26.1% (12) of those in on a bond and 0.8% of the confined population.
- Overall, 35 inmates out of 46 were in custody with bonds requiring payment of \$1,000 or less.

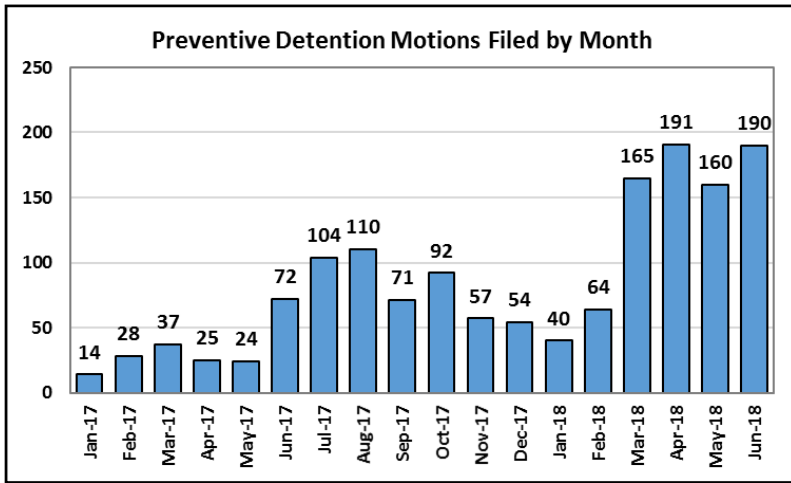
Over time, the number of individuals in custody who could be released if all bonds were paid has decreased. The decrease in the higher categories in particular may have decreased in part due to the implementation of preventive detention. Lower bond amounts in particular have been addressed by special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

The number of inmates in custody on a bond decreased from 66 to 46 from May 31, 2017 to June 30, 2018. The number of inmates in custody with bonds of \$100 or less increased from 15 to 20 inmates and the number of inmates with bonds between \$101 and \$500 decreased from 23 to 12. There were decreases in other bond amount categories.



## PREVENTIVE DETENTION

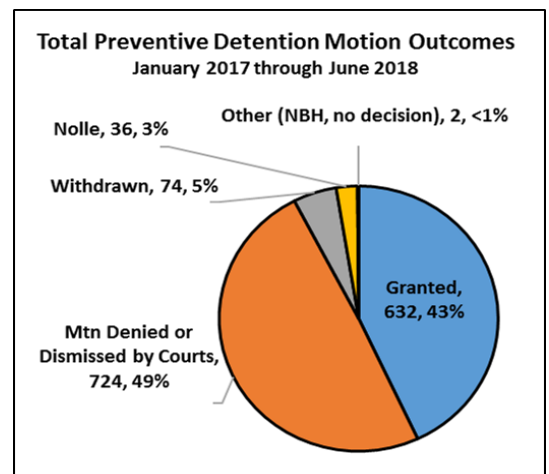
From the beginning of January 2017 through June 30, 2018, there were approximately 1,498 motions for preventive detention filed for 1,310 individuals. This includes motions filed in both Metro and District Court. During the review of these motions, outcomes were categorized based on each motion rather than the overall outcome per individual.



The number of preventive detention motions filed monthly have increased since its use began, particularly since March of 2018. The number of motions increased in June and July 2017 and then decreased in late 2017. Over the last year there have been an average of 108 preventive detention motions filed per month and an average of 177 over the last four months. Compared to the annual average, the average during the last four months was 69 (63.9%) higher.

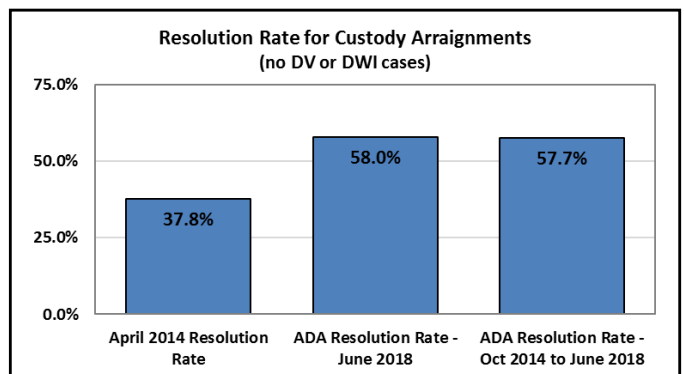
The preventive detention motions were filed for a variety of charge types, including shoplifting, burglary, auto theft, assault, and murder. As of June 30, 2018, there were approximately 29 cases that had a motion still pending. These cases were removed from the monthly outcomes.

- Approximately 6% more motions were denied than were granted (724 compared to 632).
- In 74 instances (5%) the motion was withdrawn, and in another 36 (3%) the case for which the motion was filed was nolle'd, dismissed, or sentenced.
- During the last 4 months when the number of motions increased, the percent of motions granted has decreased. From January 2017 through February 2018, the percent granted was 48.4% and from March through June 2018, the percent granted was 37.1%.



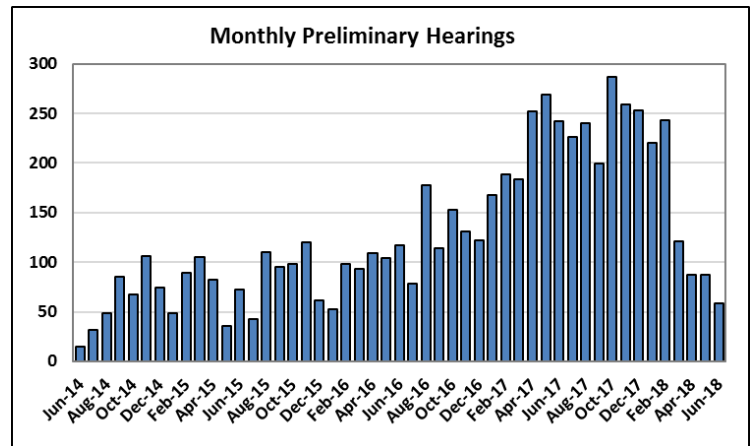
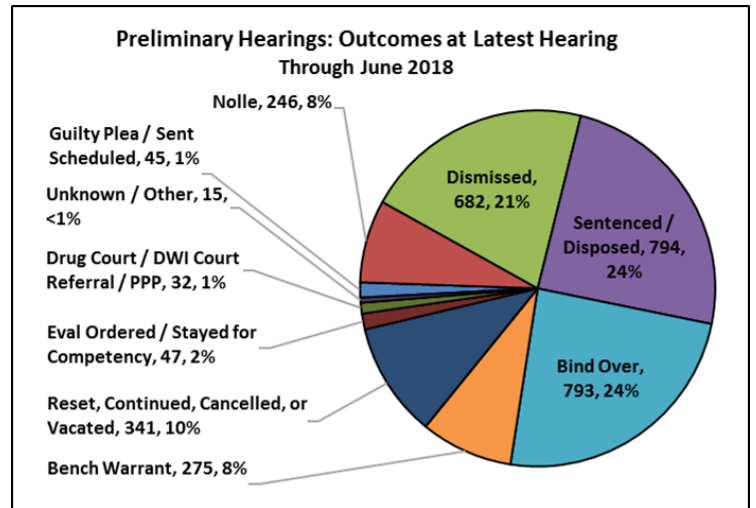
## ADA CASE RESOLUTION

- From October 2014 through June 2018, the ADA resolved approximately 11,098 cases for 8,465 people.
- Over the last 12 months, there are approximately 297 cases resolved by the ADA per month.
- A 16 week sample beginning April 2014 (one day per week) was previously collected for custody arraignments. For cases that were not domestic violence or DWI cases, the resolution rate was 37.8%.
- All available dockets and resolved cases for those dates were reviewed. From October 2014 through June 2018, for cases that were not domestic violence or DWI, the resolution rate was 57.7%. There were 463 cases resolved by the ADA that were not on the first appearance dockets. **The ADA resolution rate for the entire reporting period was 19.9% higher than the 2014 sample of similar cases.**



## DISTRICT PRELIMINARY HEARINGS

- Between June 23, 2014 and June 30, 2018, a total of 4,706 hearings were scheduled for 3,270 cases (cases were at times reset and hearings for the same case for a separate incident were considered unique).
- At the latest hearing for the cases, approximately 53% were resolved at the preliminary hearing.
- Of the resolved cases, 24% (794) were sentenced or disposed. An additional 21% (682) were dismissed and 8% (246) were nolle pros.
- The number of preliminary hearings scheduled has decreased over the past 4 months. The number of hearings peaked at 287 in October of 2017 and decreased monthly through June of 2018, when the number of hearings decreased to 58.



### NOTES

- \* Monthly averages slightly higher due to rounding.
1. Bond amounts reflect the financial requirement that would be needed to be released from MDC. Although cash surety bonds can vary in the percentage that may be required to post bond, if no percent is assigned, it is assumed that this amount would be approximately 10% of the bond amount. In instances where requirements must be met before the inmate can be released, such as the completion of ATP, the individual is considered on hold until that obligation is met. Bonds for the month of August of 2017 were updated in this report to fix a corrected error in removal of individuals in custody less than 72 hours. Bonds on multiple cases were combined to determine the total bond amount holding the individual.
  2. Corrected filing dates or previously unlisted cases may result in slight changes in the figures from one month to the next.

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