



NEW MEXICO
LEGISLATIVE
FINANCE
COMMITTEE

LFC Review of the Criminal Justice System in Bernalillo County

-Update, Benchmarks, and Best Practices-

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PRESENTATION TO THE LEGISLATIVE FINANCE
COMMITTEE

APRIL 25, 2018

Overview

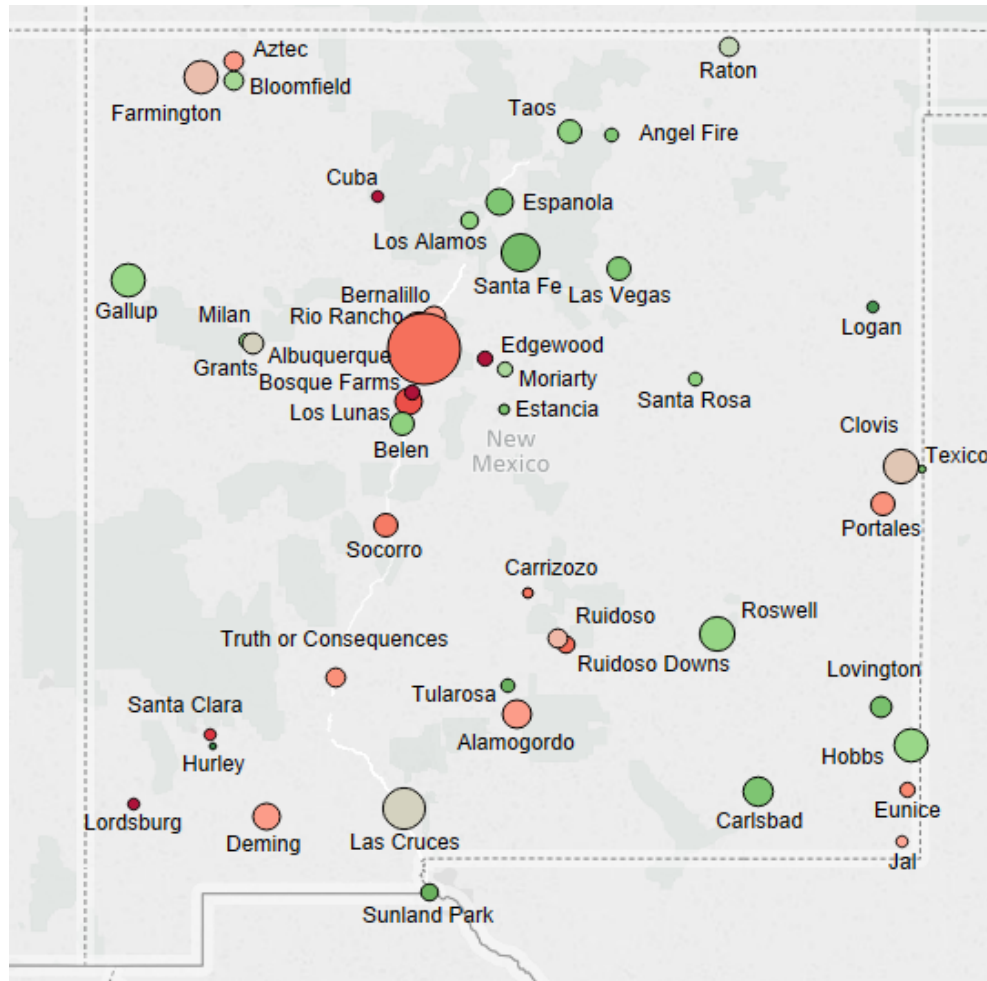
LFC is reviewing the crime increase in the Bernalillo County/Albuquerque area

- Scope and background reported January 2018
- Target completion date is July 2018

Today's presentation will describe the current status of the review, including:

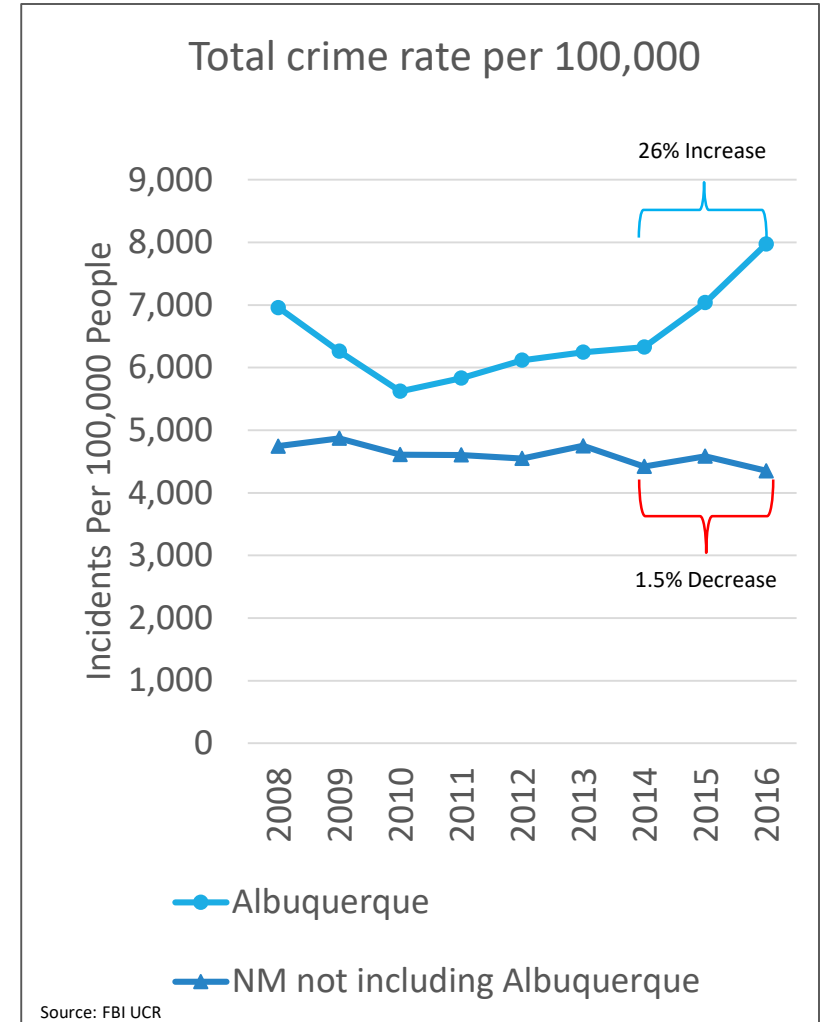
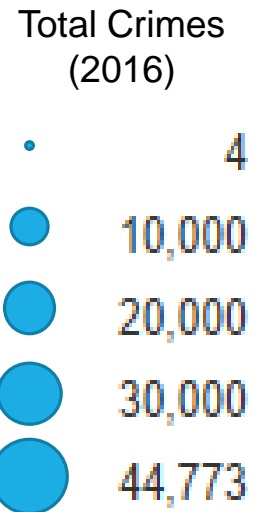
- Updated criminal justice statistics through March 2018
- Benchmarking resources spent on criminal justice in Albuquerque compared to similar cities
- Outline research on best practices within the criminal justice system

Statewide Crime Trends



Source: FBI UCR

Percent Change in Criminal Offenses per 100 Thousand Persons from 2010 to 2016

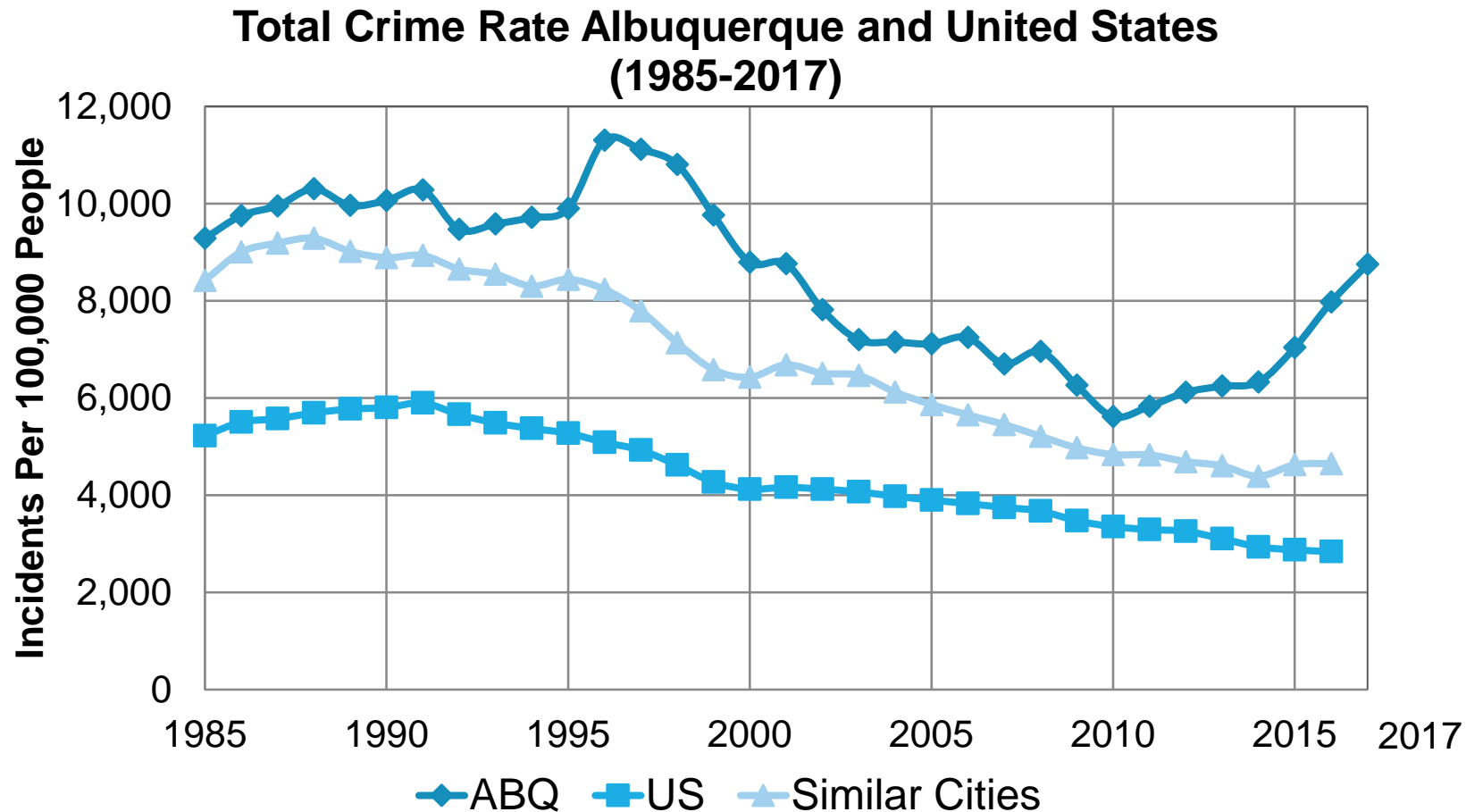


Source: FBI UCR

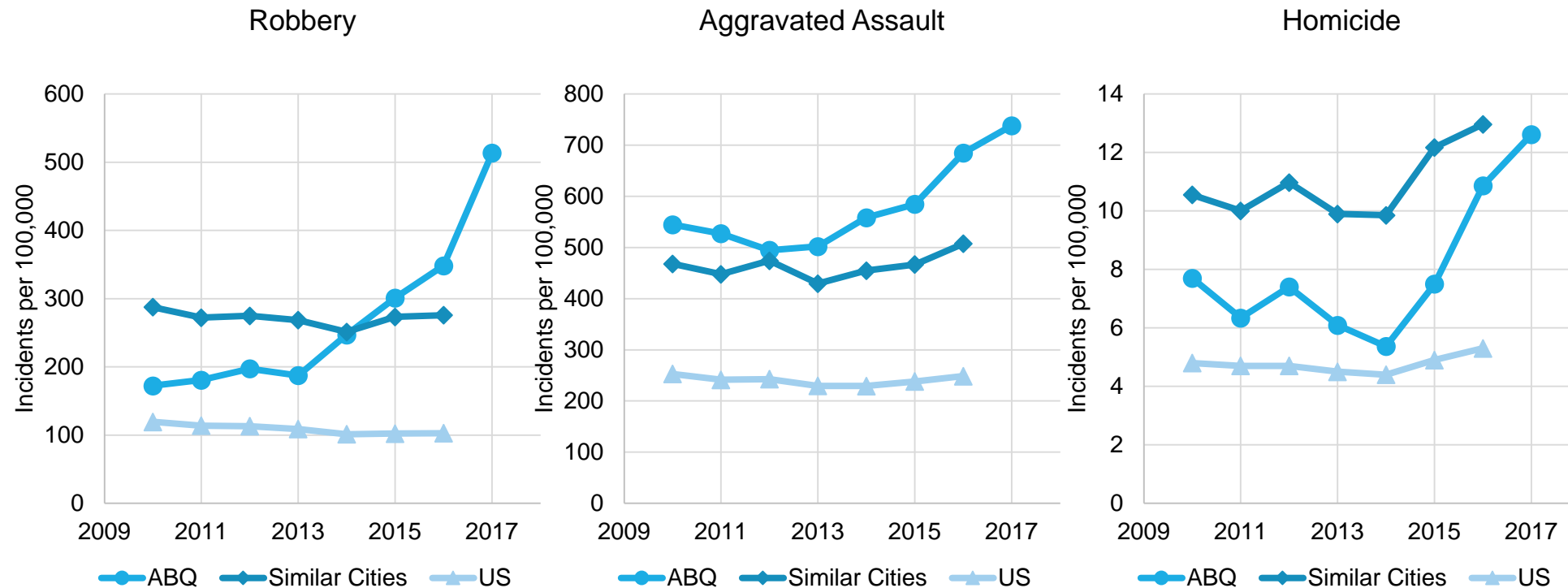
The ABQ crime rate is higher than average of other NM cities

Note: Some cities with small populations had percent changes in crime rate larger than 100%, for the purposes keeping the scale consistent, those cases have been capped at 100%

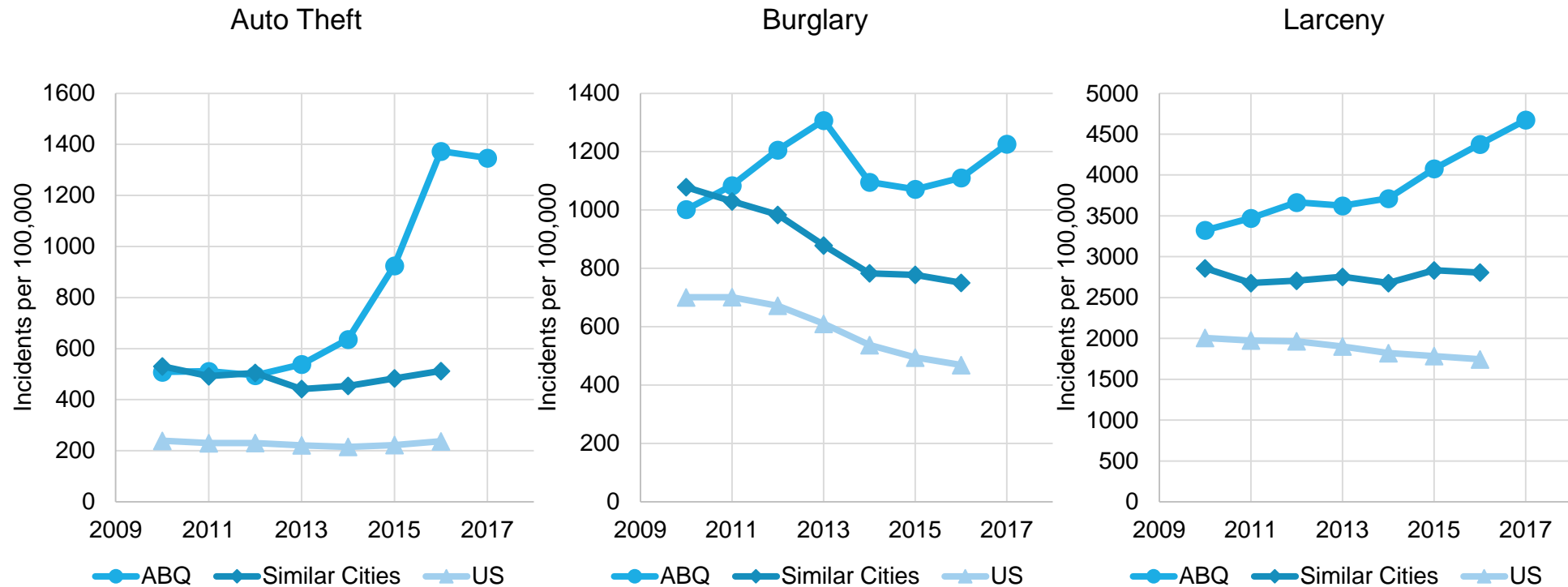
Historic Crime Rates in Albuquerque and the US



Violent crime rate trends by type in Albuquerque and the US (2010-2017)

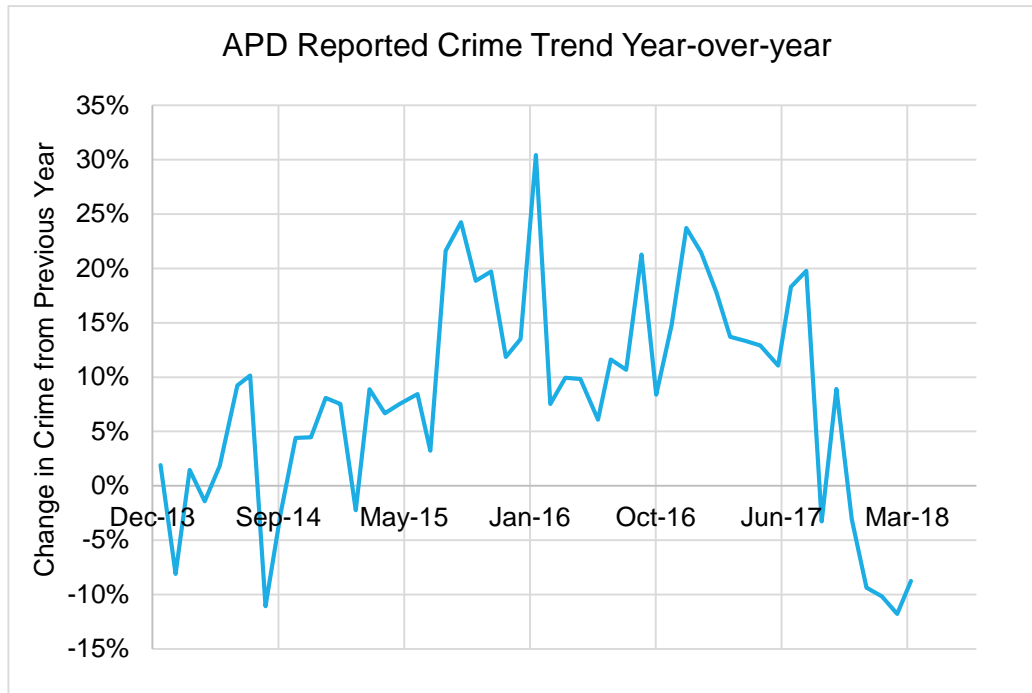


Property crime rate trends by type in Albuquerque and the US (2010-2017)

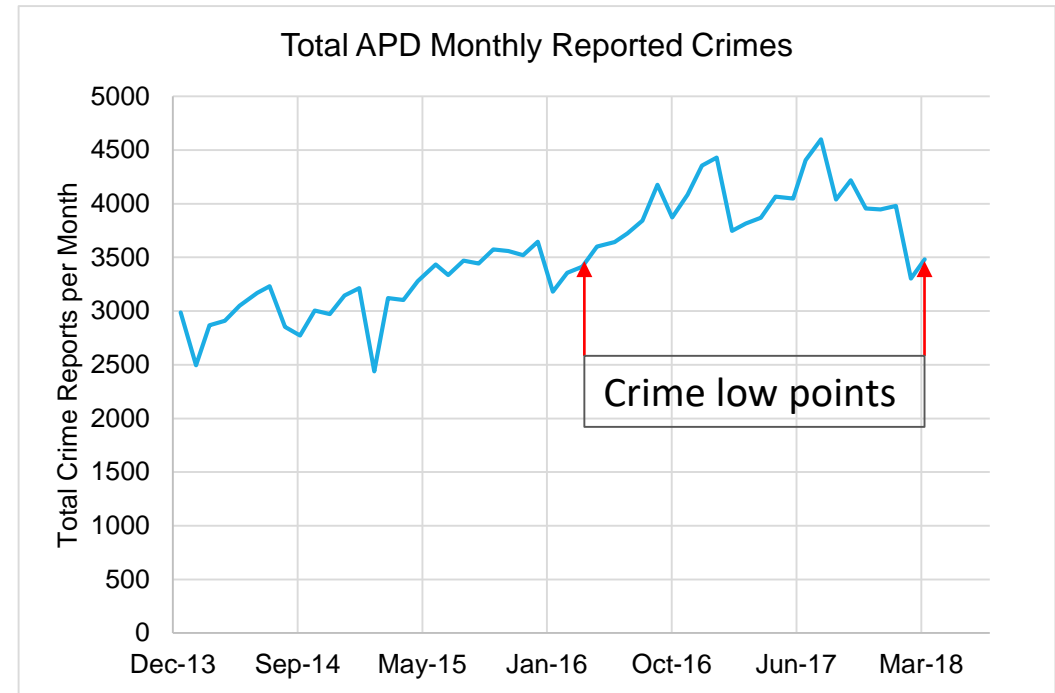


Overall crime trend down for 5 straight months

YEAR-OVER-YEAR DECLINES FOR FIRST TIME SINCE FEBRUARY 2015

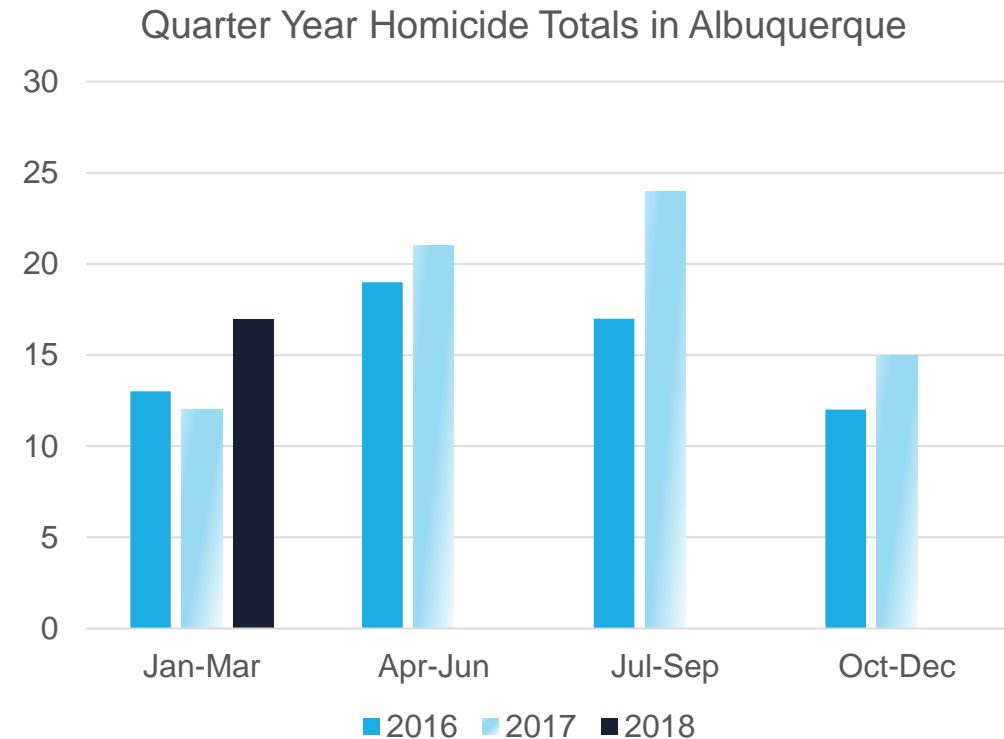


TOTAL REPORTED CRIMES AT LOWEST POINT SINCE APRIL 2016



Crime trends by type

Crimes by Type from Peak in August 2017 to Most Recent Data from March 2018			
Crime	Aug-17	Mar-18	% Change
Murder	7	10	43%
Rape	52	41	-21%
Robbery	239	126	-47%
Agg. Assault	401	300	-25%
Burglary	639	481	-25%
Larceny	2,445	2,055	-16%
Auto Theft	810	462	-43%
Total Crimes	4,600	3,483	-24%

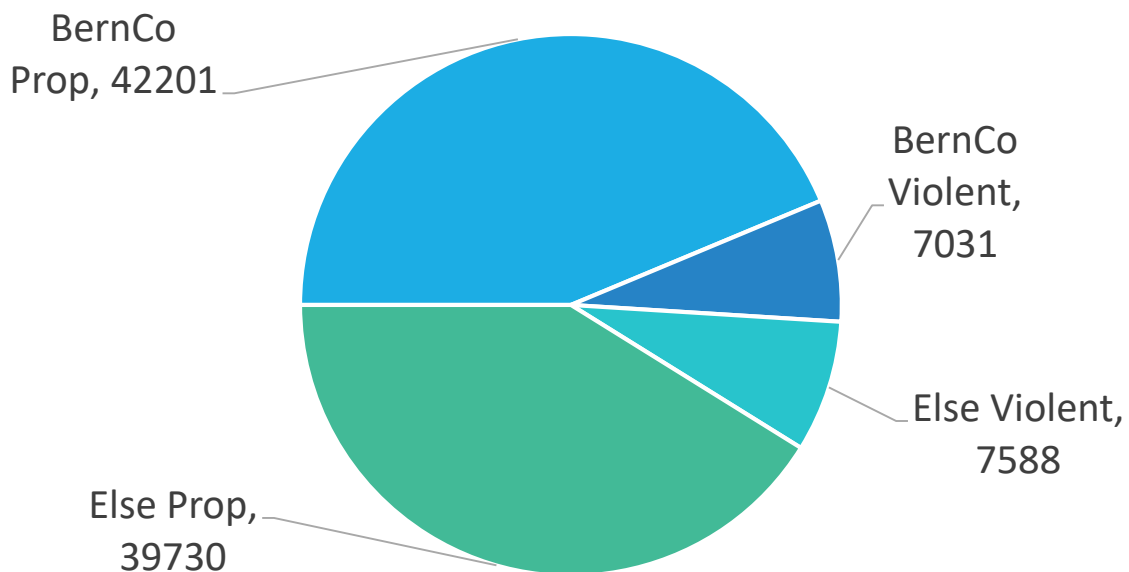


*Crime is usually higher in summer months because of seasonal patterns.

Crime distribution and prison 'admissions from' and 'releases to' Bernalillo county

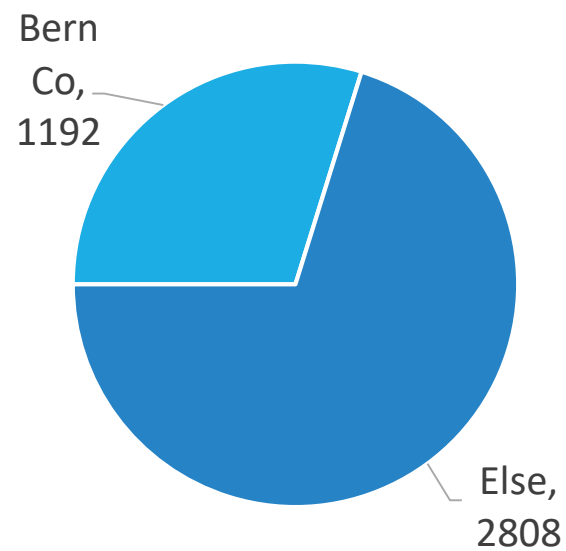
51% OF CRIME OCCURRED IN BERNCO IN 2016

2016 New Mexico Crime Distribution

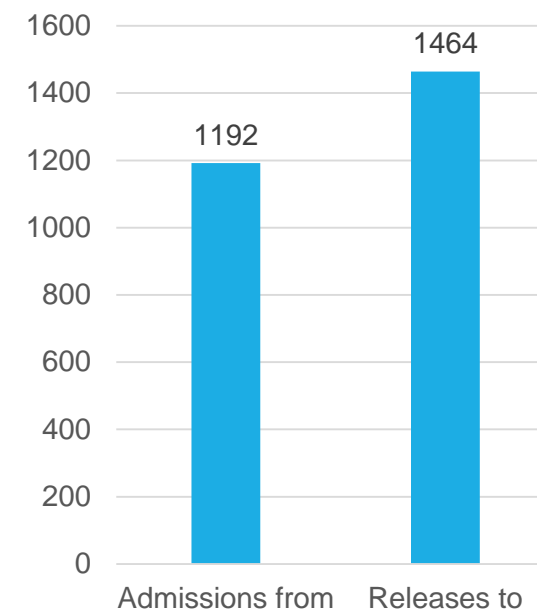


30% OF PRISON ADMITS FROM BERNCO; 272 MORE RELEASES TO THAN ADMITS FROM BERNCO

FY17 NMCD Admissions

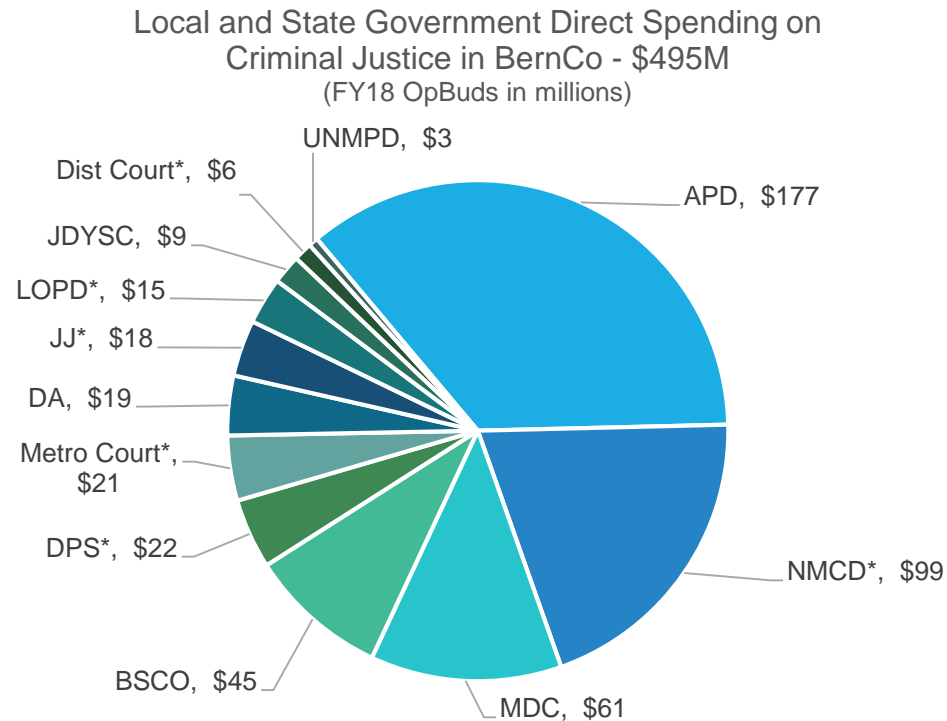


FY17 NMCD Interaction with Bernalillo County

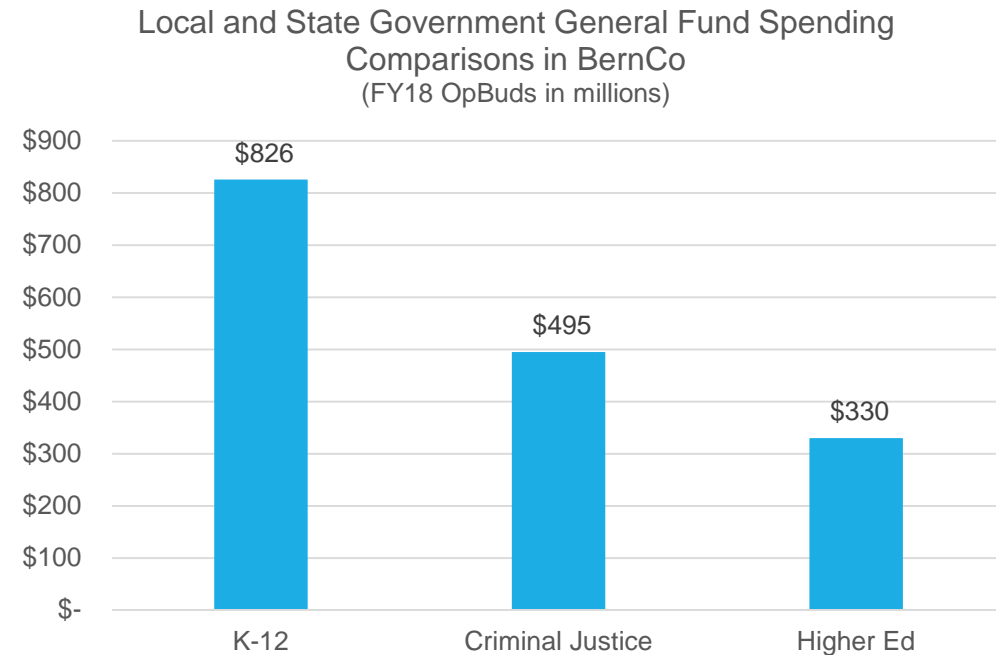


State and local government spend \$495M directly on criminal justice in Bernalillo County annually

\$495M IN GOVERNMENT SPENDING ACROSS AT LEAST 12 DIFFERENT AGENCIES



DIRECT CJ SPENDING COMPARED TO OTHER LARGE GOVERNMENT SPENDING CATEGORIES

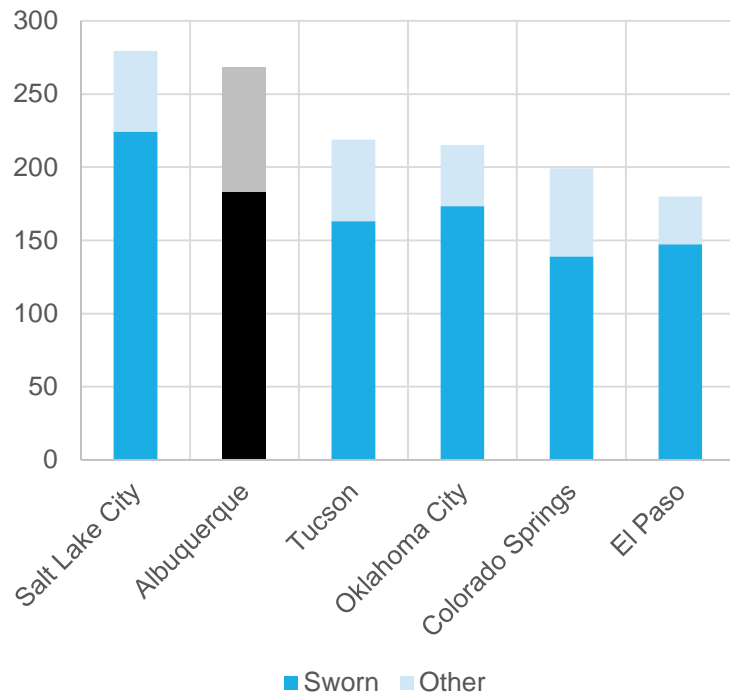


Source: City of Albuquerque, Bernalillo County, University of New Mexico, State of New Mexico budgets

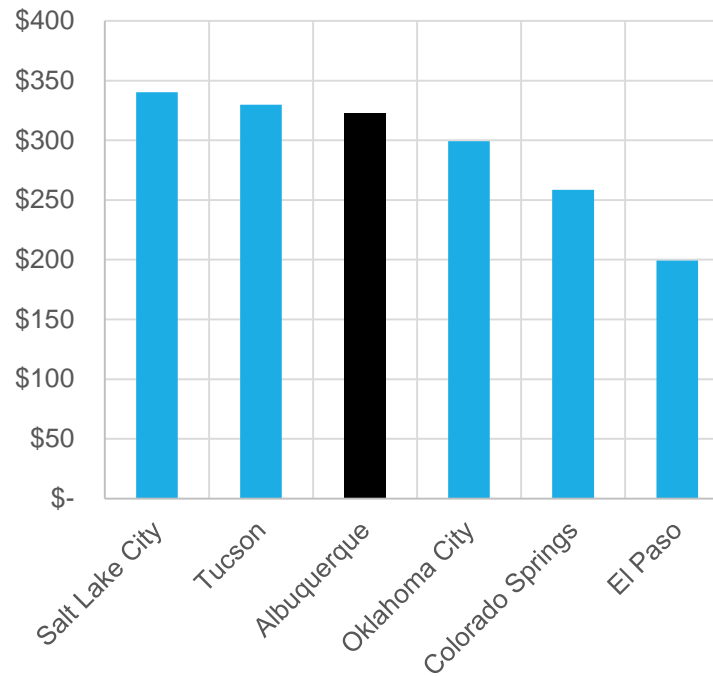
*NMCD and JJ spending estimated by fraction of admissions from Bernalillo county. LOPD and DPS spending estimated as fraction of FTE stationed in Bernalillo county. District and metro court spending estimated by fraction of criminal cases opened. JJ = juvenile justice facilities, JDYSC = juvenile detention center, LOPD = public defender's office

APD and similar police departments

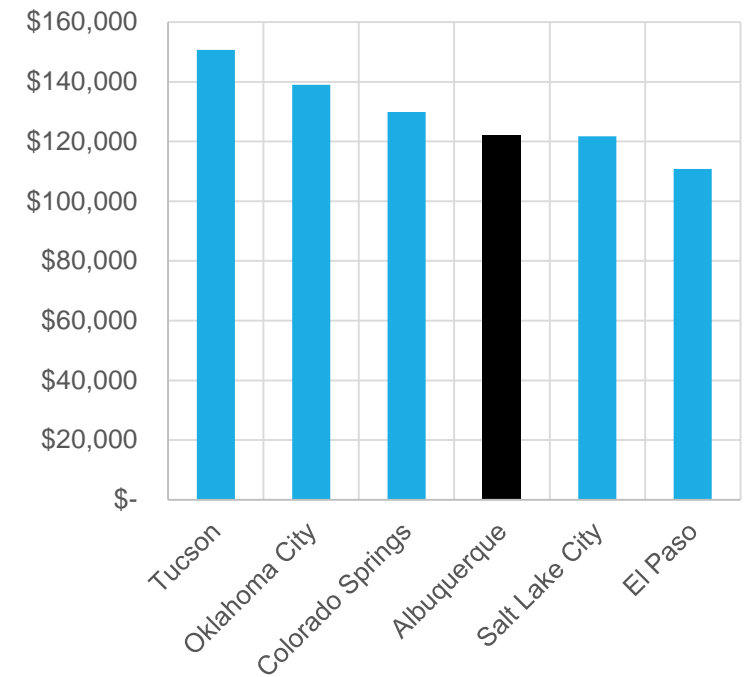
Police Department Budgeted FTE per 100,000 Residents



Police Department Funding per Resident

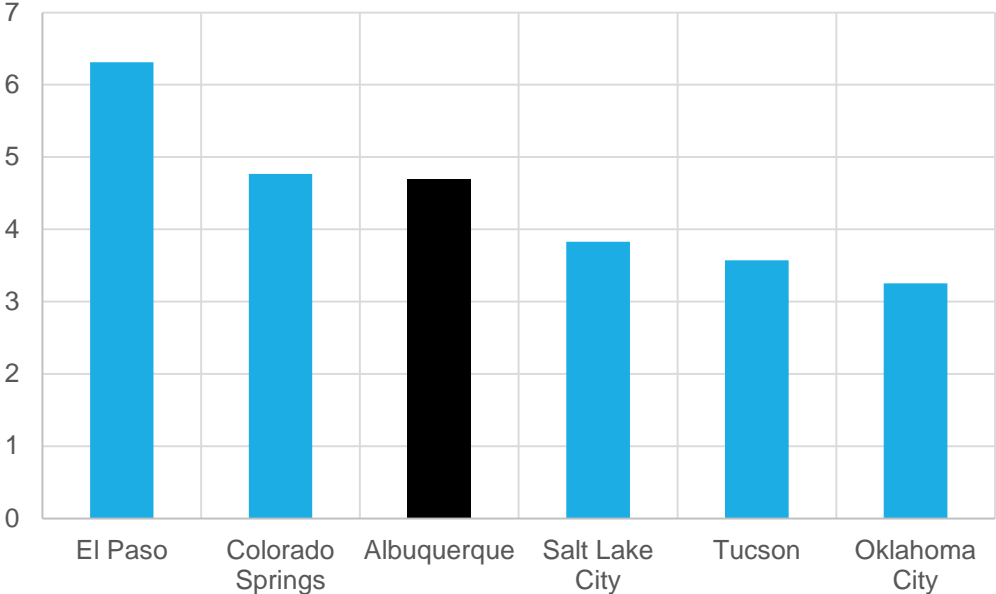


Department Budget per Police FTE

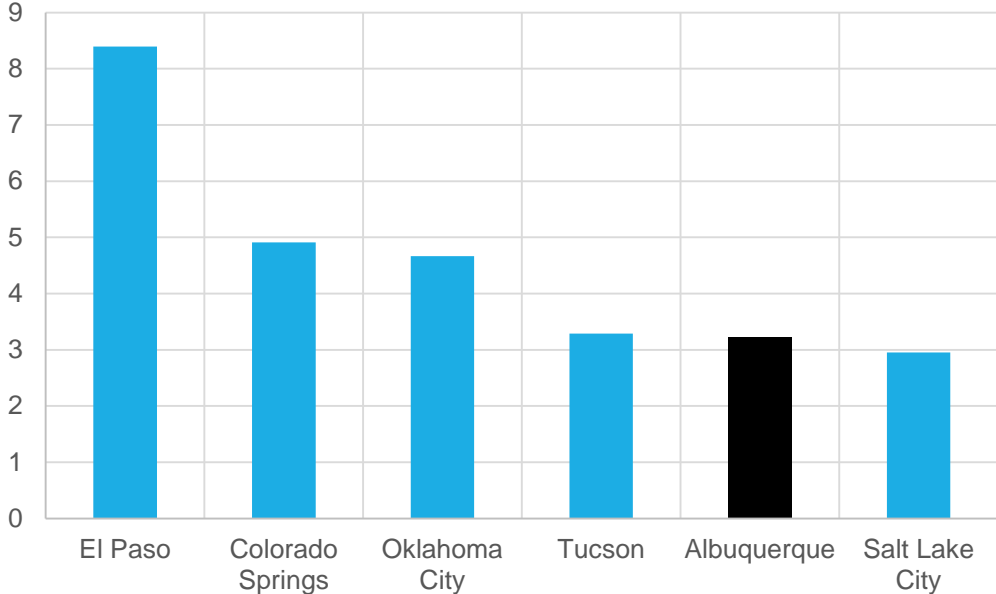


Police per crime from 2010 to 2016

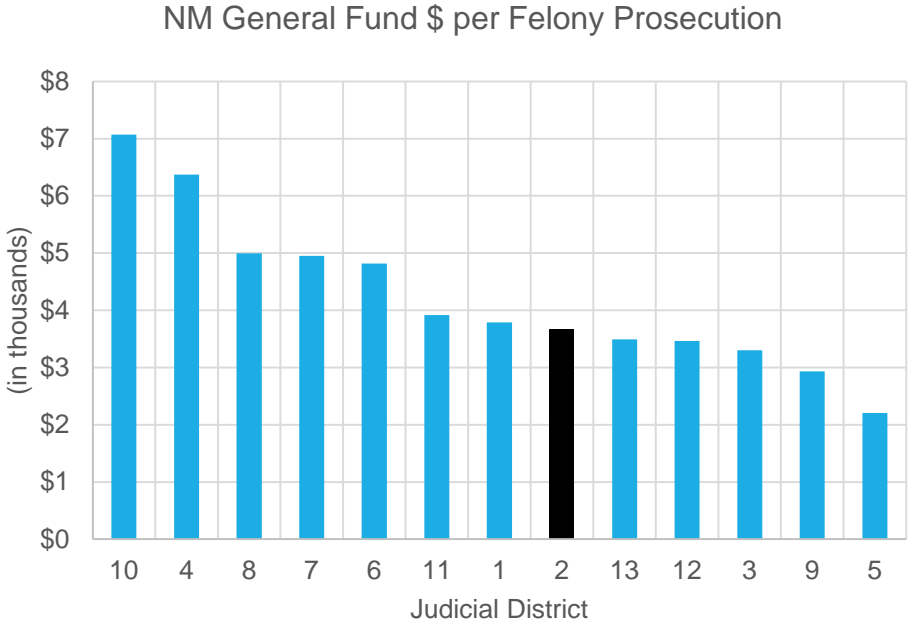
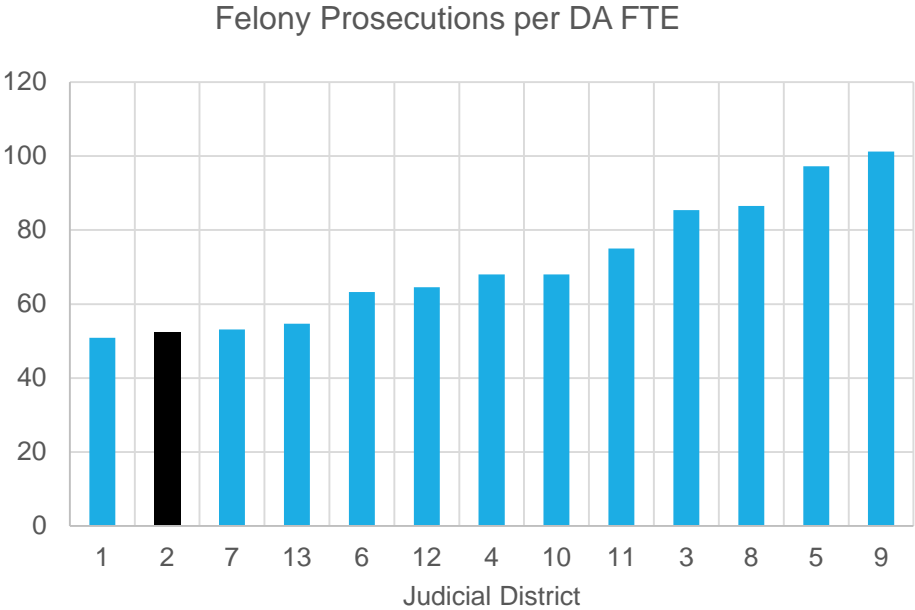
Budgeted Police FTE per 100 Crimes, 2010



Budgeted Police FTE per 100 Crimes, 2016

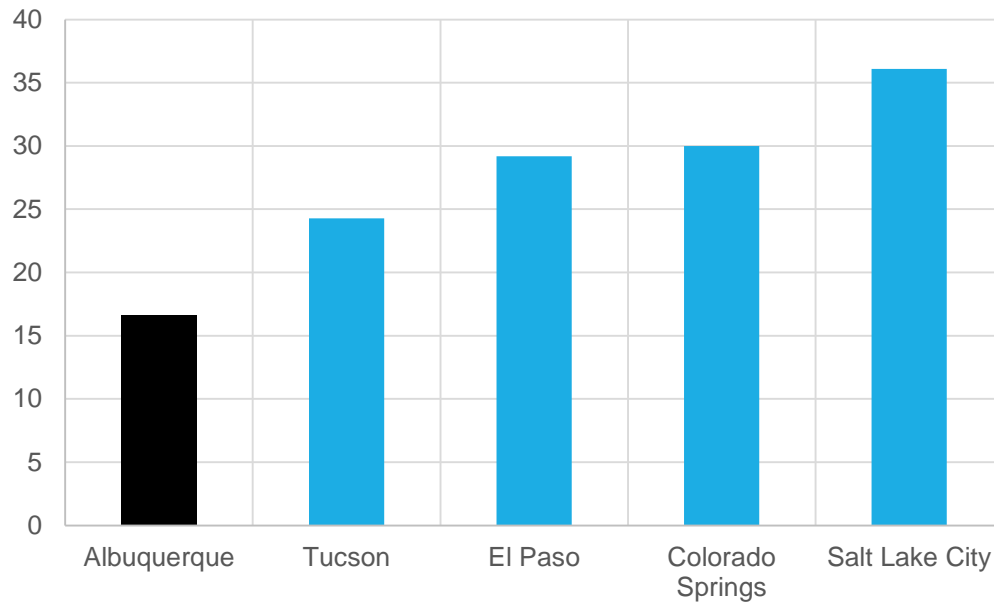


New Mexico DA Resources FY17

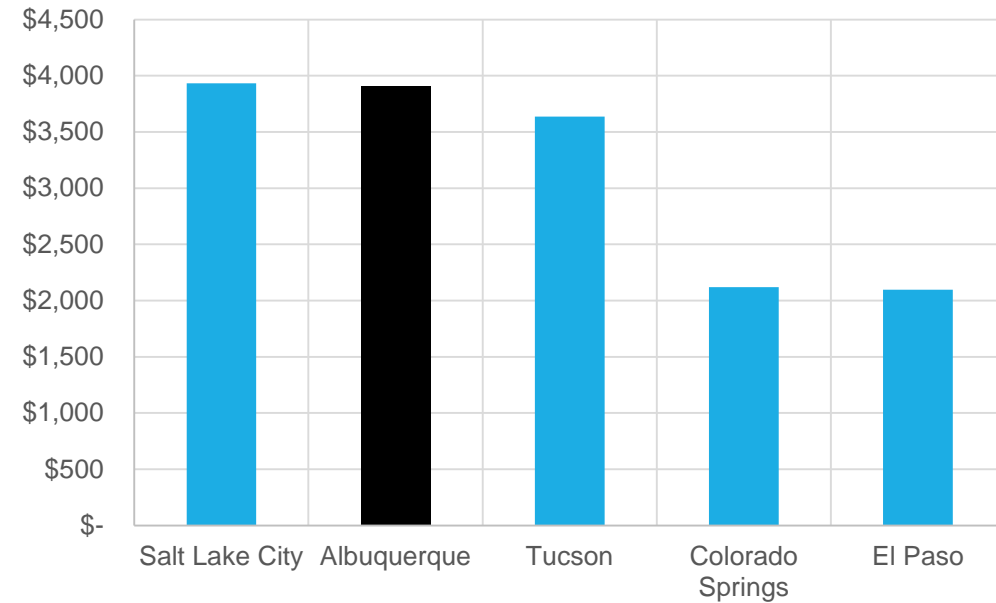


Similar City DA Resources FY18

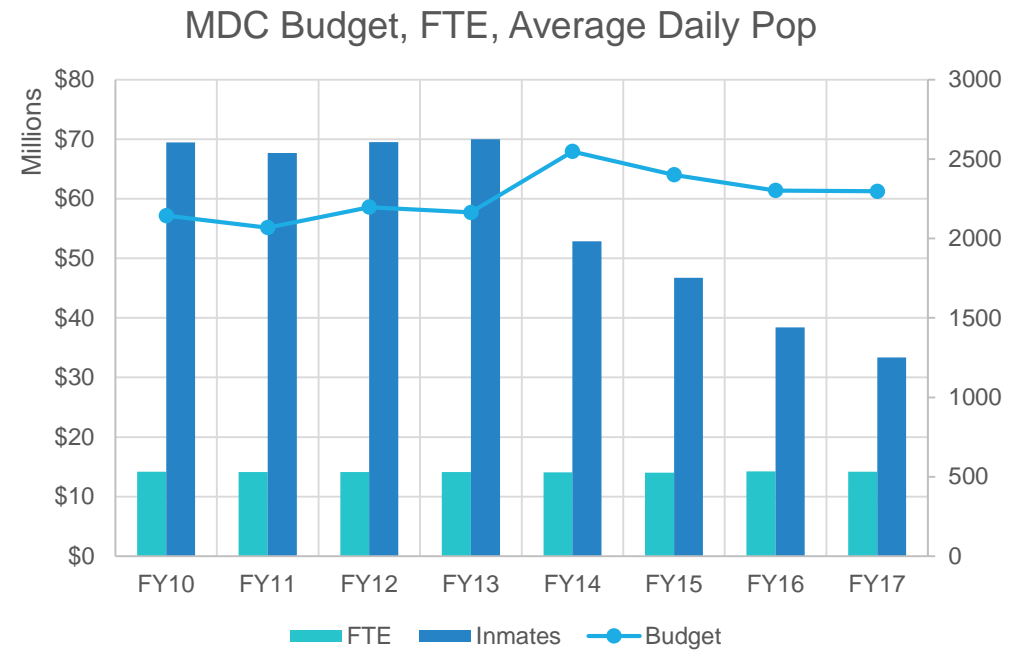
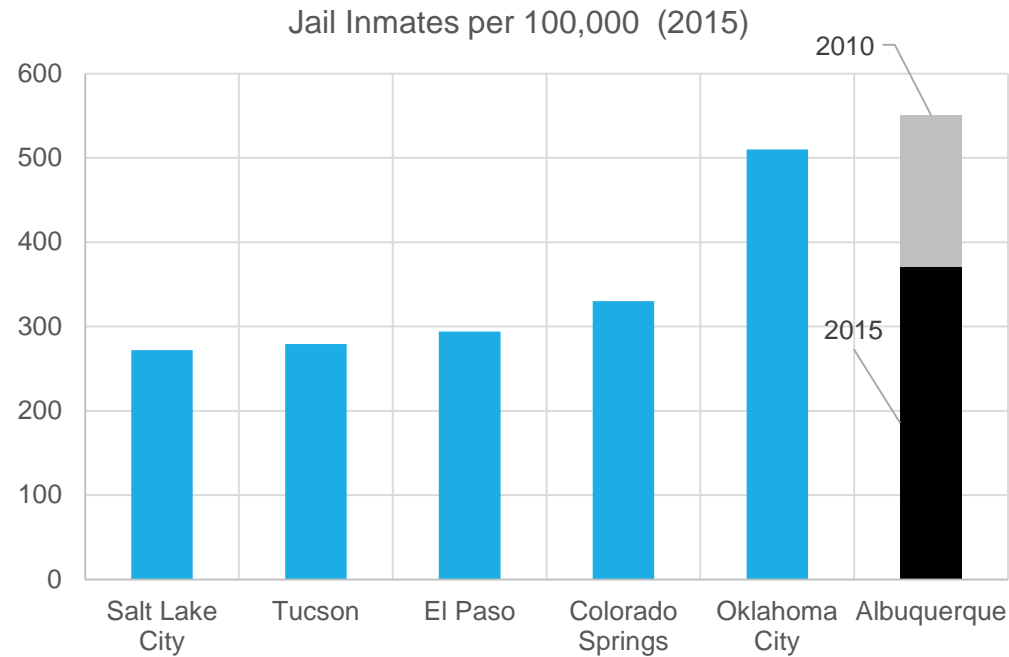
Felony Prosecutions per Budgeted DA FTE



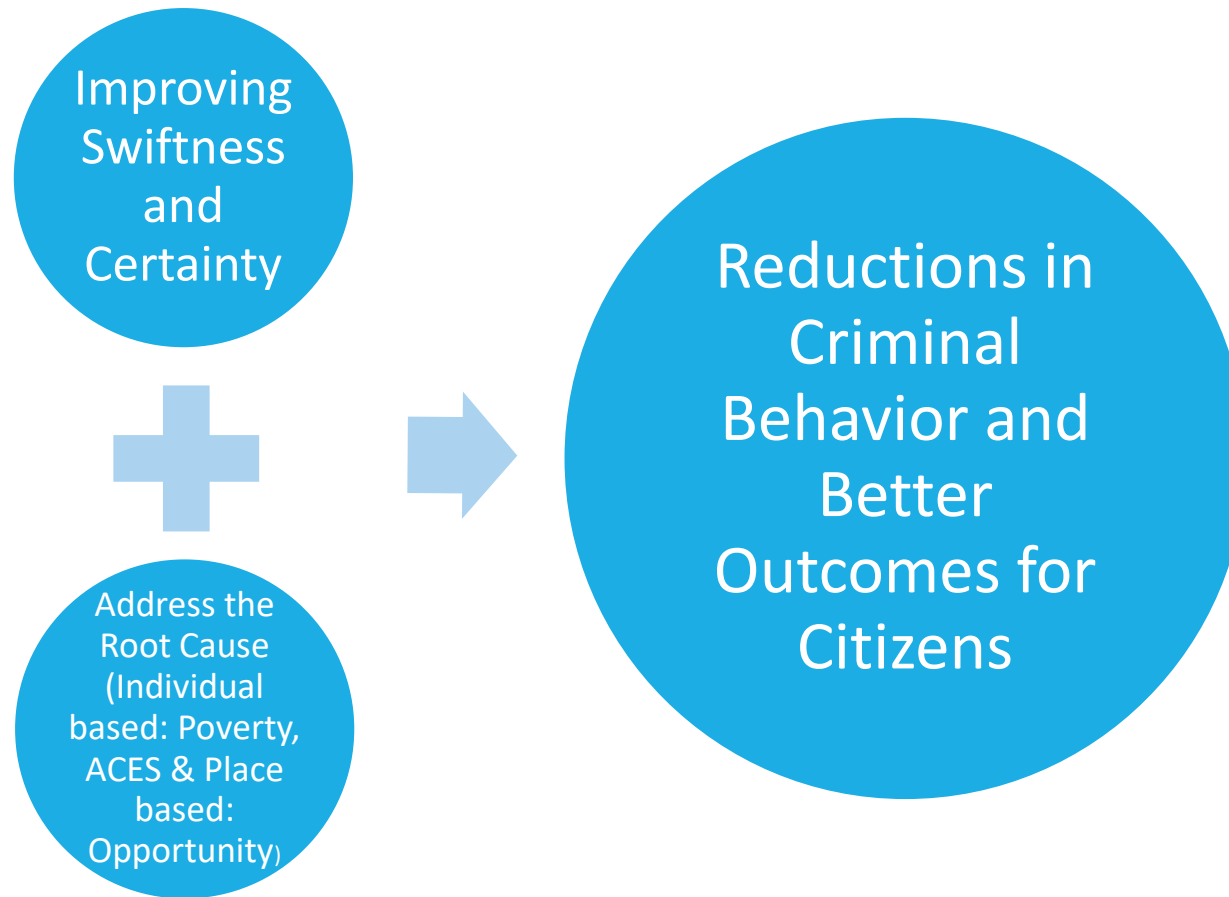
DA Budget per Felony Prosecution



Jail Benchmarks and Trends



Strengthening the Criminal Justice System





Traditional Correlates

Potential Correlates/Characteristics

- Childhood Trauma/Family Issues (static theories)
- Developmental and social issues (dynamic models and social psychology)
- Biological influence (genetics, individual differences)
- Disrupted transitions (graduation, teen parenthood, etc)
- Social Disorganization/Social Control (criminology)
- Rational Choice (criminology)

Potential Indicators

- Poverty
- Child abuse
- Homelessness
- Substance Use

Bernalillo County Selected Indicators

Measure	2010	2016
Poverty Rate	15.6%	18.7%
Poverty Rate for Families with Children	18.9%	23.1%
<i>Albuquerque</i> Residents Living in High Poverty Neighborhoods	2.9%	10.7%
Percent of Population in Labor Force	66.4%	62.9%
Family Received Public Assistance in Past 12 Months ^a	26.9%	31.4%
Drug Overdose Death Rate Per 100,000 ^b	26.7 per 100,000	27.5 per 100,000

Measure	2013	2017
Chronically Homeless	233	379

Measure	2010	2017
Child Maltreatment Rate	8.8 per 1,000	12.6 per 1,000

Sources: US Census, NM DOH IBIS, NMCEH, USA Today, CYFD

a Includes SSI, cash public assistance income, or SNAP benefits

b The drug overdose death rate was higher in 2014 and 2015, however the Bernalillo County drug overdose death rate is higher than the state and national average



System Changes

The Albuquerque criminal justice system has undergone substantial changes over the last 8 years

- November 2012: DOJ launches investigation
- June 2013: Payment suspension to NM behavioral health providers
- November 2014: DOJ settlement agreement
- February 2015: CMO implemented
- February 2015: Bernalillo County imposes 1/8th GRT for behavioral health services
- March 2016: Preliminary McClendon Settlement
- June 2017: Arnold pretrial tool implemented
- July 2017 Constitutional amendment/bail reform takes effect



Addressing Crime Throughout The Criminal Justice System

- What does a high functioning criminal justice system look like
- Evidence-based programs and policies at each system level





Addressing Crime Throughout The Criminal Justice System

Pre-arrest/Policing

- Prevention
- Early Intervention
- Policing Strategies

Courts & Attorneys

- Court Practices
- Diversion/Specialty Courts

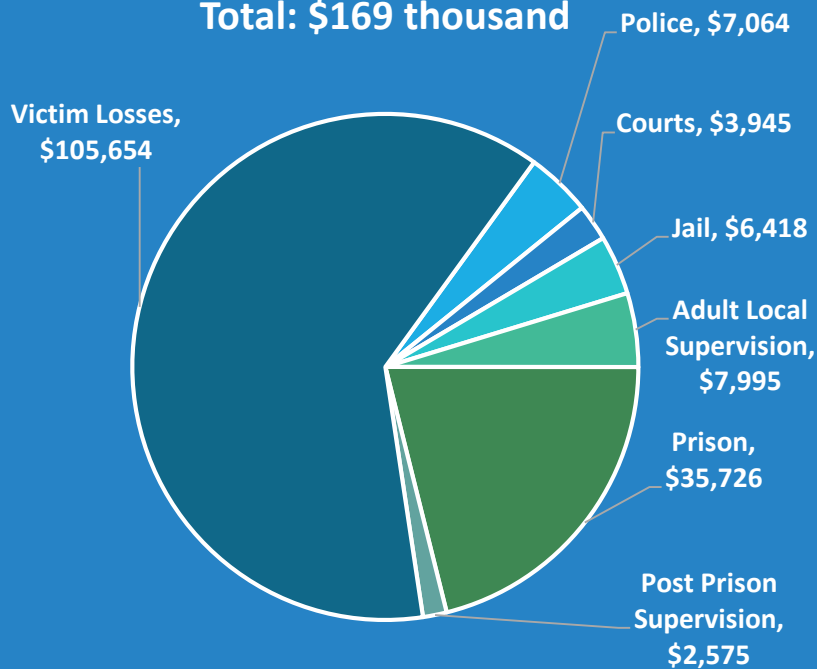
Incarceration & Reentry

- Jail/Prison Services
- Supervision Programs
- Residential Treatment

Pre-arrest/Policing

Average Cost of A Felony Crime & Conviction In New Mexico

Total: \$169 thousand



Source: LFC Results First

- Key Principles (Lum and Nagin, 2016; Lum and Koper, 2017)
 - Crime prevention is paramount
 - Citizen reaction matters
 - Police being proactive is key
 - Focus on places, not just people
 - Police are more effective when they tailor actions to identifiable problems



Pre-arrest/Policing Selected Strategies

What Works Or is Promising

- **Policing Strategies:**
 - Problem oriented policing
 - Hot Spot Policing
 - Compstat
 - Focused Deterrence
 - Community policing*
- **Prevention/Early Intervention**
 - Law Enforcement Assisted Diversion (LEAD) Program
 - Target hardening (engine immobilizers, street lighting, CCTV)
 - Group violence reduction strategy

Mixed Effects or No Evidence

- License plate recognition technology
- Broken windows policing
- Select second responder programs
- “Standard model” policing tactics*

Negative Effects

- Select second responder programs
- Drug Abuse Resistance Education (D.A.R.E.)*

Source: All categorizations are from the Results First Clearinghouse Database unless noted otherwise. Traditional and Standard models of policing have been shown to have negative effects as a policing strategy

*Center for Evidence-Based Crime Policy

Problem-Oriented Policing

Definition

- Problem-oriented policing (POP) is an analytic method used by police to develop strategies that prevent and reduce crime. Problem-oriented policing combines the resource targeting strategies of hot spots policing with the diverse approaches of community policing

Best Practices (Using the SARA Model)

- **S**canning and identifying problems of concern to the community
- **A**nalysis of relevant data to learn more about the problem
- **R**esponse and interventions based on results from the analysis
- **A**ssessment of whether the responses implemented achieved their intended effects.

Outcome measures

- Changes in rates of crime and disorder

Source: Crime Solutions.gov

Results

- The New Haven Police reduced monthly shootings by almost 73 percent by offering housing assistance to the most violent gang members

CEASEFIRE MODEL

CASE STUDY: In 2012, **New Haven** police offered housing assistance to members of the most violent gangs. In the program's first three years, monthly shootings fell nearly **73%**.



SOURCE: Yale University's Institution for Social and Policy Studies



Hot Spots Policing

Definition

- Hot spots policing is a place based focus on small units of geography with high rates of crime. Hot spots policing covers a range of police responses that all share in common a focus of resources on the locations where crime is highly concentrated

Best Practices

- Increase patrol time and presence in hot spots
- Implementing situational crime prevention strategies
- Incorporating Problem-Oriented Policing approaches

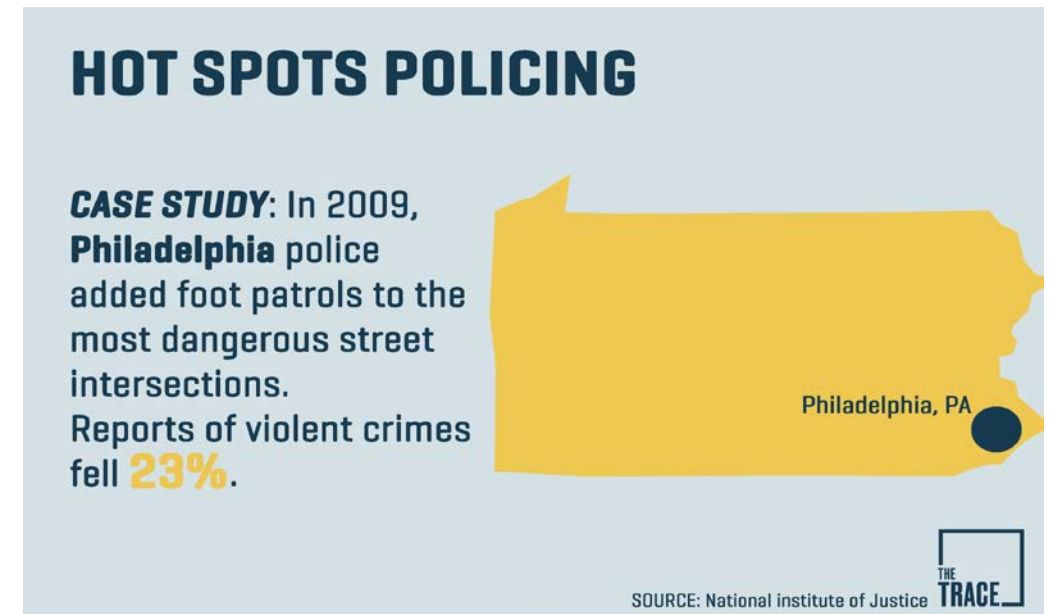
Outcome measures

- Changes in rates of crime and disorder

Source: Center for Evidence-Based Crime Policy

Results

- Adding foot patrols in Philadelphia on its most dangerous street intersections reduced reports of violent crimes by 23 percent



CompStat

Definition

- CompStat is a managerial approach that stresses data-driven problem identification and assessment, geographic resource allocation, problem solving, and greater accountability for managers.

Best Practices

- Timely or accurate information or intelligence gathering
- Rapid deployment of resources
- Effective tactics and strategies
- Relentless follow-up

Outcome measures

- Percent of crime change
- Number of arrests
- Number of traffic stops
- Rates of criminal victimization

Results

- Fort Worth Police Department showed a significant decrease in property crime but not violent crime

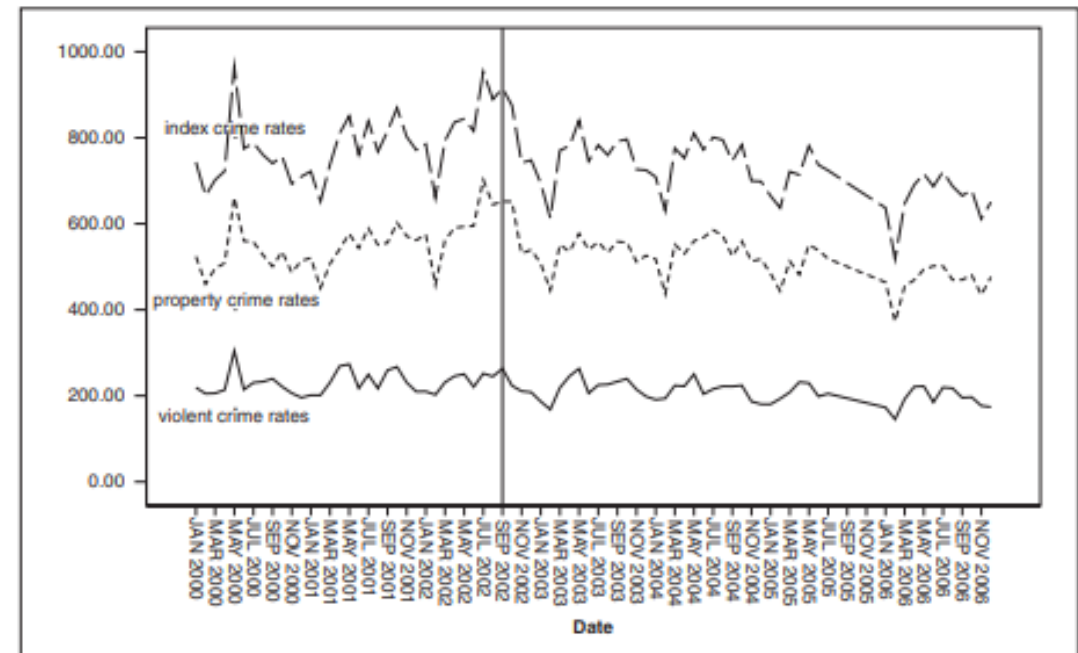


Figure 2. Sequence chart of violent, property, and total index crime rates of Fort Worth.



Making use of data



REAL TIME CRIME CENTER (RTCC): PROVIDES CAPABILITY TO ACCESS AND PROVIDE INFO IN REAL TIME TO OFFICERS

Currently in use at APD

CRIME STRATEGIES UNIT (CSU): USES A DATA-DRIVEN APPROACH TO ADDRESS CHRONIC CRIME

Proposed by 2nd DA & partially funded by Legislature

The RTCC and CSU are two examples of police and district attorney's using data to fight crime

Common Tools (In use at APD RTCC and San Francisco CSU):

- Access to multiple databases in real time
- Network of city cameras and camera registry for private businesses
- ALeRT system: Flagging of habitual offenders
- Crime mapping tools and area based crime assessments



Addressing Crime Throughout The CJ System

Pre-arrest/Policing

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- Early Intervention
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Courts & Attorneys

- Court Practices
- Diversion/Specialty Courts

Incarceration & Reentry

- Jail/Prison Services
- Supervision Programs
- Residential Treatment

Courts and Attorneys



The seminal case on speedy trial law, *Baker v Wingo*:

“As the time between the commission of the crime and trial lengthens, witnesses may become unavailable or their memories may fade. If the witnesses support the prosecution, its case will be weakened, sometimes seriously so.”

- Courts have the duty to protect citizens’ constitutional rights, provide procedural due process and preserve the rule of law
- The sixth amendment of the constitution and subsequent research has made timeliness an additional focus of state courts
- Nationally, three major organizational shifts came in response to jail overcrowding and overuse of resources
 - Pretrial release and bail reform
 - Alternative dispute resolution
 - Problem solving courts



Courts and Attorneys

What Works Or is Promising

- **Court Practices:**
 - Pretrial release of low risk offenders*
 - Pre-Adjudication Model for all Specialty Courts
 - Court reminder notices⁺
- **Diversion/Specialty Courts**
 - Drug Court
 - Mental Health Court
 - DWI First Offenders Program

Mixed Effects or No Evidence

- Domestic violence court
- DWI First Offenders Program (Victim Impact Panels)

Negative Effects

Source: All categorizations are from the Results First Clearinghouse Database unless noted otherwise

*National Institute of Corrections

+Crimesolutions.org

Pretrial Services

Definition

- Assist the court in pretrial release decision making, through objective, empirically based information that promotes community safety, pretrial appearance, maximizes pretrial release and provides fair and equitable pretrial supervision.

Best Practices

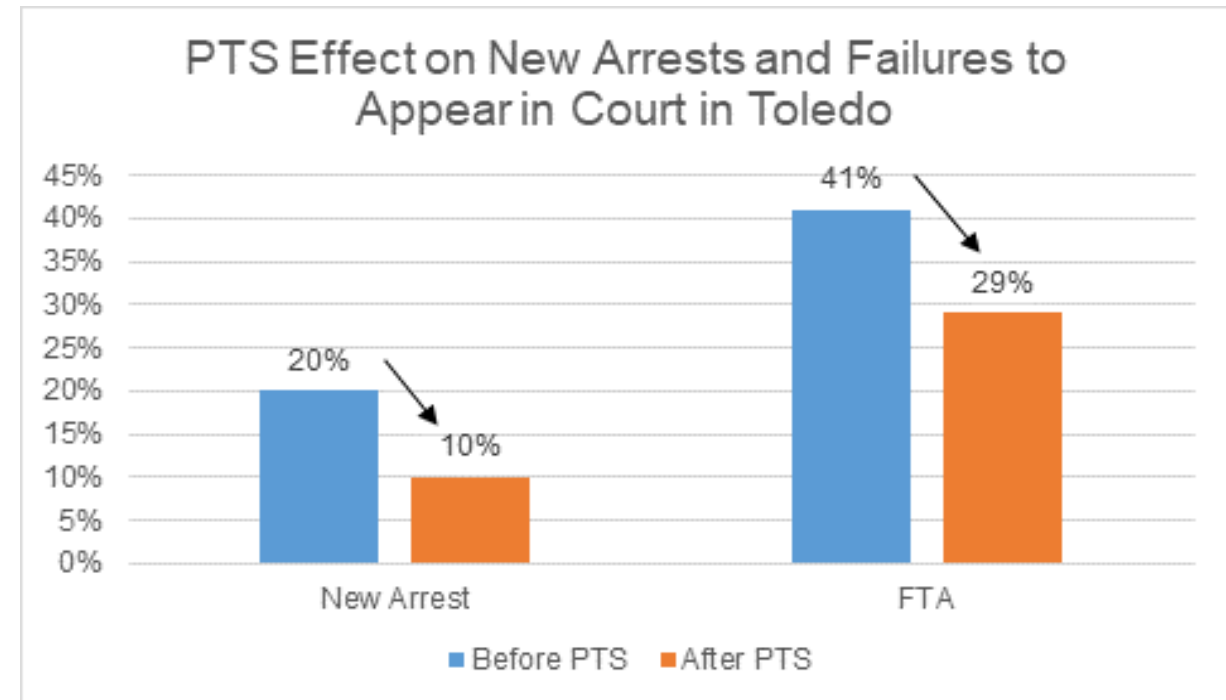
- Validated risk/needs assessment with universal screening
- Least restrictive supervision necessary to monitor compliance
- Risk-based supervision
- Performance measurement and feedback

Outcome measures

- Appearance Rate
- Success Rate
- Safety Rate
- Post-Program Success

Results (Toledo)

- Pretrial defendants arrested for other crimes while out was cut in half and more defendants are returning to court when assigned pretrial services vs business as usual



Drug Courts

Definition

- Addresses substance abuse for both adults and juveniles under the supervision of the judicial system.

Best Practices:

- Collaborative, non-adversarial, outcome driven court processing
- Early identification
- Drug treatment integrated into case processing
- Urine testing
- Judicial monitoring
- Use of sanctions and rewards

Outcome measures

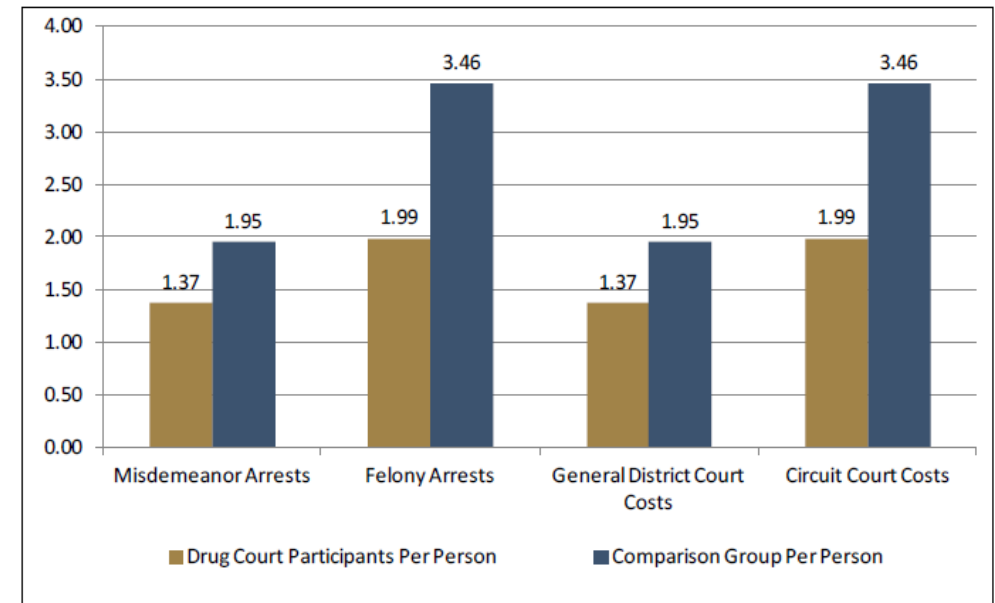
- Percentage of individuals that graduate successfully
- Changes in criminal recidivism

Source: National Institute of Justice

Results

- In Virginia, drug courts reduced the odds of recidivism by 36%

Average Number of Misdemeanor Recidivism Events for Drug Court and Non Drug Court Groups



Source: National Center for State Courts



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Incarceration and Reentry

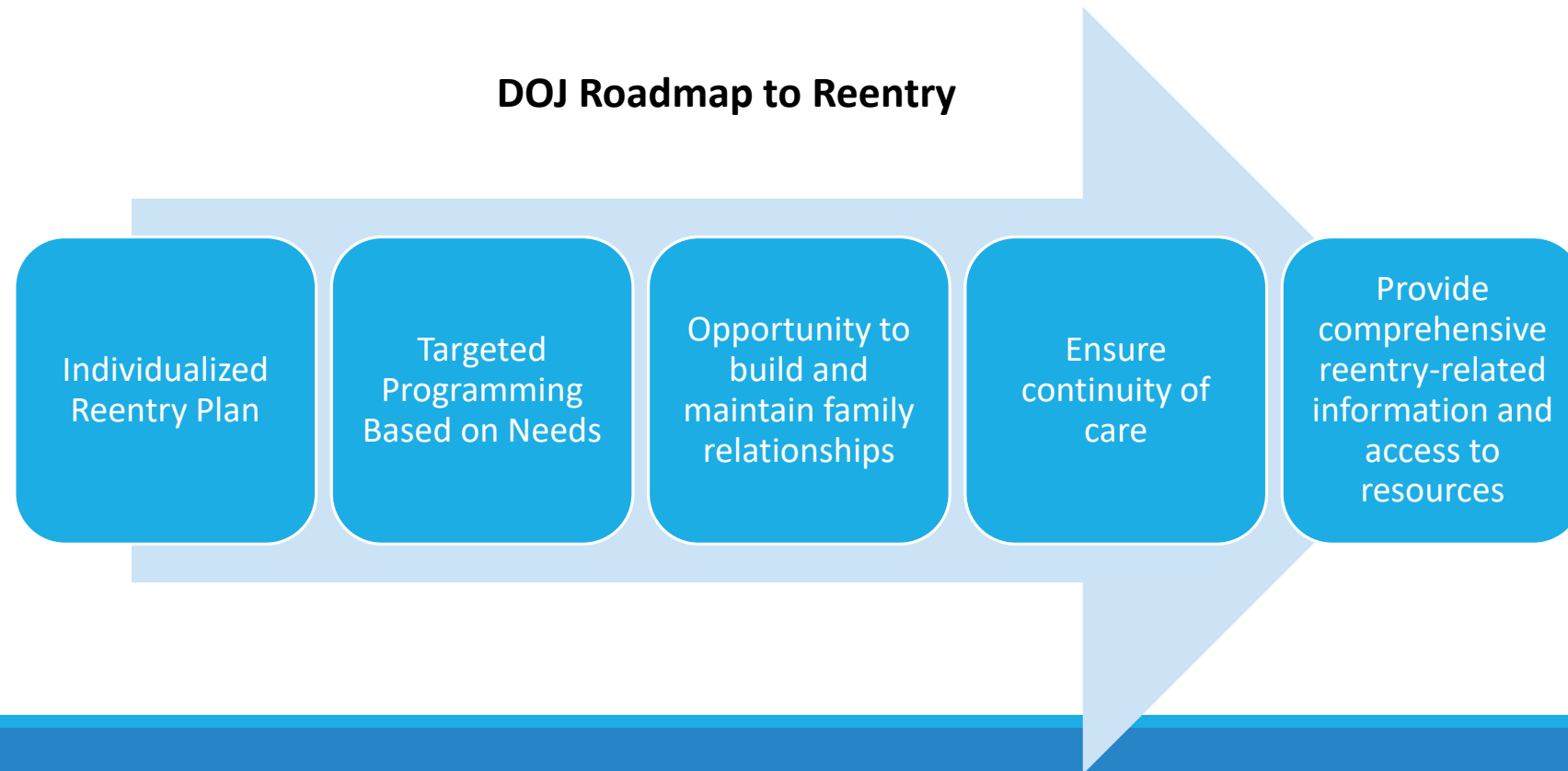


- NM Prison=\$104 a day
- NM Jail=\$85 a day

- Incarceration is an expensive crime reduction strategy
 - Incarceration alone does not address the root cause
 - Incarceration paired with reentry strategies and evidence-based programming is proven to reduce recidivism
- There have been national movements to shift resources toward evidence-based programs.
 - What works (Pew)
 - Justice reinvestment (CSG)

Reentry

95% of incarcerated offenders will be released back into the community





Incarceration and Reentry

What Works Or is Promising

- **Screening:**
 - Use of validated risk needs assessment to inform case management
- **Jail/Prison Programming**
 - Therapeutic Communities
 - Medically Assisted Treatment
 - Post-secondary education
- **Reentry Programs**
 - Serious and Violent Offender Reentry Initiative (SVORI)
 - Offender Reentry Community Safety Program
 - Affordable homes program

Mixed Effects or No Evidence

- Intensive supervision
- Adult boot camps
- Brief motivational interviewing for alcohol use

Negative Effects

- State run halfway houses not employing evidence-based practices

Therapeutic Communities

Definition

- Separate residential drug treatment programs for substance-abusing and addicted offenders in the community or while incarcerated.

Best Practices Individuals progress through three treatment stages:

- Induction and early treatment
 - Introduction to the model treatment and integration into the community
- Primary treatment
 - Focusing on changing attitudes and behaviors related to substances
- Reentry
 - Transition into aftercare services

Outcome measures

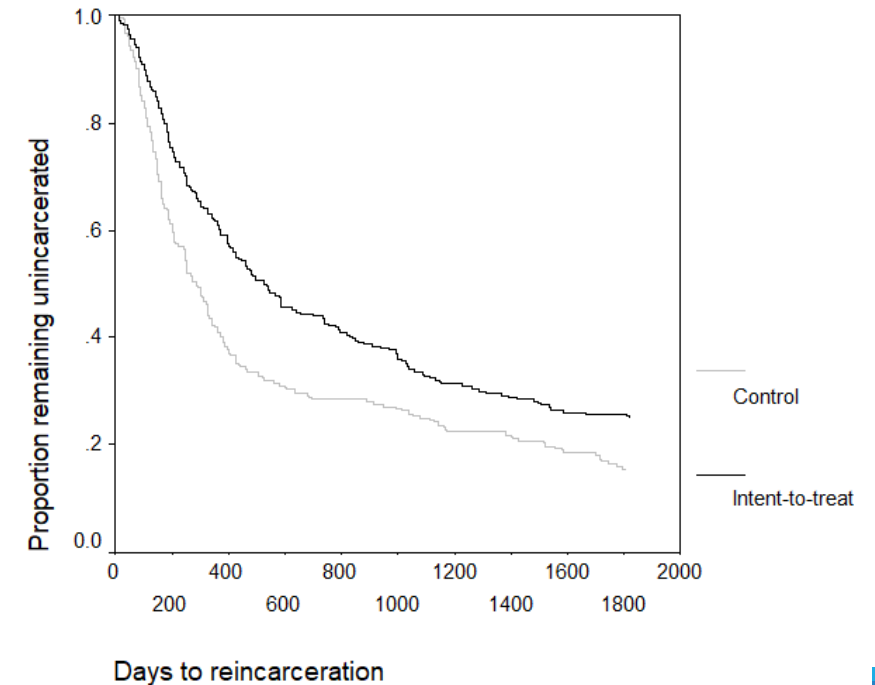
- Relapses in substance use
- Criminal recidivism
- Prolonged period maintained in treatment

Source: Vanderplasschen et al., 2013 and the National

Results

- In California, recidivism drops by 8 percent for those who are in therapeutic communities

Days until re-incarceration for those in therapeutic communities versus controls



Source: Prendergast et al 2004

Serious and Violent Offender Reentry Initiative

Definition

- Aims to improve successful reentry for individuals leaving correctional facilities by requiring cross-agency collaboration and centered program services around a case management model

Best Practices Key components of effective medically assisted treatment:

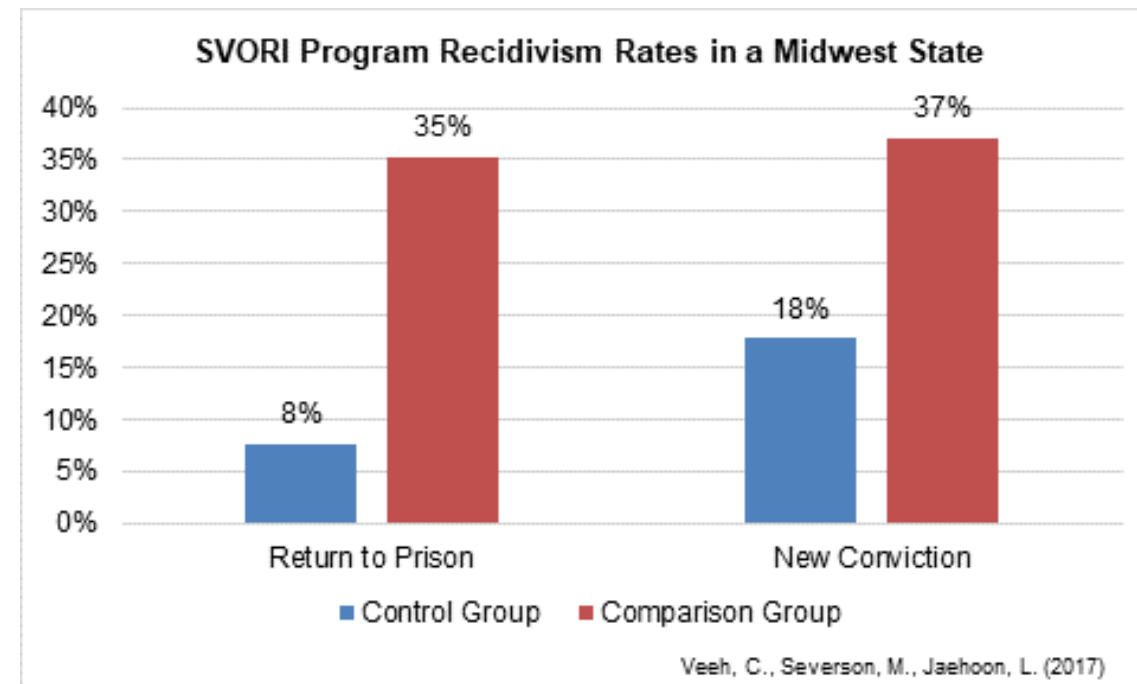
- Services are oriented toward individual change are more effective than those addressing practical needs
- Educational programs are consistently associated with positive outcomes

Outcome measures

- Recidivism, employment, housing, substance abuse

Results

- Recidivism rates were significantly lower for SVORI participants



Summary

- Crime in Albuquerque
 - As predicted by LFC in Jan, continued to rise in 2017
 - Albuquerque has experienced five straight months of crime declines through 2018
 - Murder has increased but the 2017 rate is in line with rates in similarly sized cities
- Almost half a billion is spent in the Bernalillo Criminal Justice system every year
 - Benchmarking indicates certain agencies are similarly resourced as sister agencies in other cities
- Focused on improving outcomes through swiftness and certainty along with addressing root causes
 - Causes of crime are various but data indicate worsening trends in poverty, child maltreatment, and adults in the workforce
 - Solutions include (but are not limited to) implementing and adhering to evidence-based programming and best practices based on previous research

Future directions

- Examine geographic patterns in crime and other indicators
- Analyze data from APD, courts, MDC, etc. to provide additional context to the current situation
- Conduct more analysis on current situation of the criminal justice system in Bernalillo County compared to best practices
- Conduct cost/benefit analysis to build a consumer reports guide to practices and programs
- Formulate actionable recommendations

Questions?

LFC staff would like to acknowledge the assistance provided by the following agencies and organizations:

- 2nd Judicial District Court
- 2nd Judicial District Attorney
- Administrative Office of the Courts
- Albuquerque Police Department
- Bernalillo County
- Bernalillo County Metropolitan Court
- Bernalillo County Sheriff's Office
- Bureau of Alcohol, Tobacco, Firearms and Explosives
- Children, Youth & Families Department
- City of Albuquerque
- Department of Public Safety and the New Mexico State Police
- Federal Bureau of Investigation
- Alcohol Tobacco and Firearms
- Members of the Mental Health Response Advisory Committee (MHRAC)
- Members of the Bernalillo County Criminal Justice Coordinating Council (BCCJCC)
- New Mexico Association of Counties
- New Mexico District Attorney's Association
- New Mexico Sentencing Commission
- Public Defender Department
- University of New Mexico Institute for Social Research