



BERNALILLO COUNTY METROPOLITAN DETENTION CENTER

Monthly Report—August 2014

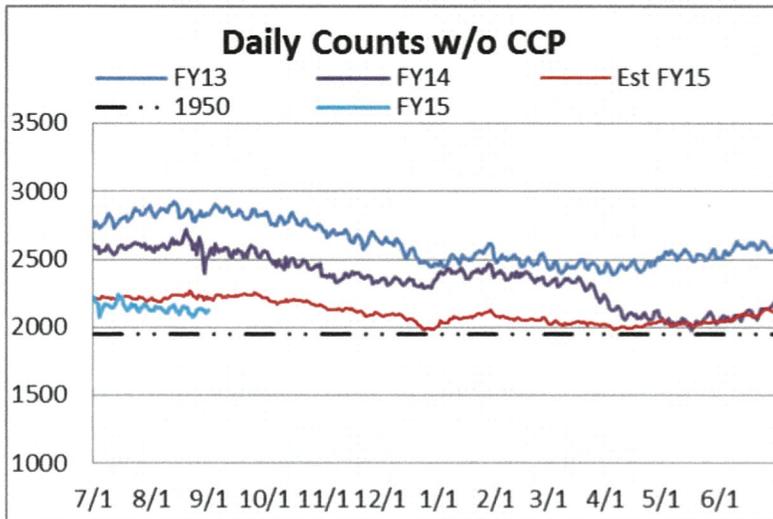
Highlights

- * Compared to August of 2013 when the average custody count was 2,919, the count for August of 2014 is on average 476 lower, or 16.3% lower than last year.
- * For July 7-day probation custody hearings showed that 24 of the 61 cases heard were resolved.
- * A sample of probation violation hearings in July showed the median length of time from arrest to the first hearing was 20 days.

Quick Figures for July:

- * On-Site Average Daily Population: 1975
- * Average Out of County (OOC): 155
- * Average Community Custody Program (CCP): 292

Population Goals and Progress



Recently, Bernalillo County elected to develop a population plan to keep the number of inmates below 1,950. The daily counts in this section account for the MDC population without individuals who are in Receiving-Discharge-Transfer (RDT), in the hospital, on furlough, or in the Community Custody program (CCP). The figure does include those who are housed Out of County (OOC).

The estimate for FY15 is based on an average of yearly changes that have occurred in the MDC Population for the last several years and uses the ending FY14 population as a starting point. This does not represent an official forecast, merely a graphic representation of how the population may fluctuate if the trend seen in previous years occurred. For these calculations CCP is held at 300.

As of August 31st, the count was 2,123

Population Details

The 3:30 am count from the Metropolitan Detention Center (MDC) is used for the following calculations. This time period provides the most accurate count.

During the month of August 2014, MDC had an on-site average daily population (ADP) of 1,975 inmates. This includes all inmates being held in the facility with the exception of those who are in RDT, as these individuals are not occupying physical bed space. This is a decrease of 1.3% from the month of July, during which the ADP was 2,002.

There was an average of 324 females held in custody at the

facility for the month of August (this excludes individuals in the infirmary). This is an decrease of 6.1% when compared to July when the average was 345. On average, females accounted for 16.4% of those held at MDC in July and 17.2% in July.

The CCP ADP was 319 in July 2014. In August, this population decreased approximately 8.5% to 292.

The total custody count for August, which includes RDT but not those in the “Out of County – Other” category (as these individuals are typically those who are at MDC for court and they are included in the regular headcount), was 2,443. This is a

decrease of 2.4% from the month of July when the total custody count was 2,502. Compared to August of 2013 when the average custody count was 2,919, the count for August of 2014 is on average 476, or 16.3% lower than last year. Additionally, the total MDC custody count was 2,459 at the beginning of the month and 2,410 at the end of the month, a decrease of nearly 2%.

The court order in McClendon limiting the MDC population to 1,950 applies only to those in the MDC facility. However, the County's goal is to achieve this without out of county beds. For this reason, Bernalillo County elected to develop a population plan to keep the number of inmates below 1,950. This group of individuals includes those at the MDC facility (excluding those at RDT). Calculations are included that total the 1950 count and the OOC count, as the ultimate goal is to cease housing individuals OOC.

<u>Unit</u>	<u>ADP Current Month</u> July 2014 ADP	<u>ADP Current Month</u> August 2014 ADP	<u>Difference</u>
D Unit	607	598	-9
E Unit	484	480	-4
F Unit ¹	480	469	-11
Seg & Intake Unit	283	275	-8
Health Services Unit	143	148	5
Infirmery	8	9	1
Total Physical Bed Space² (1950 Count)	2002	1975	-27
RDT	21	22	1
Area Hospital	2	2	0
Out of County - Sandoval	0	0	0
Out of County - Santa Fe	16	4	-12
Out of County - Torrance	144	151	7
Out of County - Polk, TX	0	0	0
Out of County - Other ³	[17]	[13]	[-4]
OOO Total	159	155	-4
CCP	319	292	-27
MDC Custody Count⁴	2502	2443	-59
1950 Count with OOC	2161	2129	-32

¹ F1 was reclassified as a segregation unit around mid-2013. The Seg & Intake Unit and F1 ADP for July was 336 and for August was 322. Some of the pods in segregation are used for intake and detox.

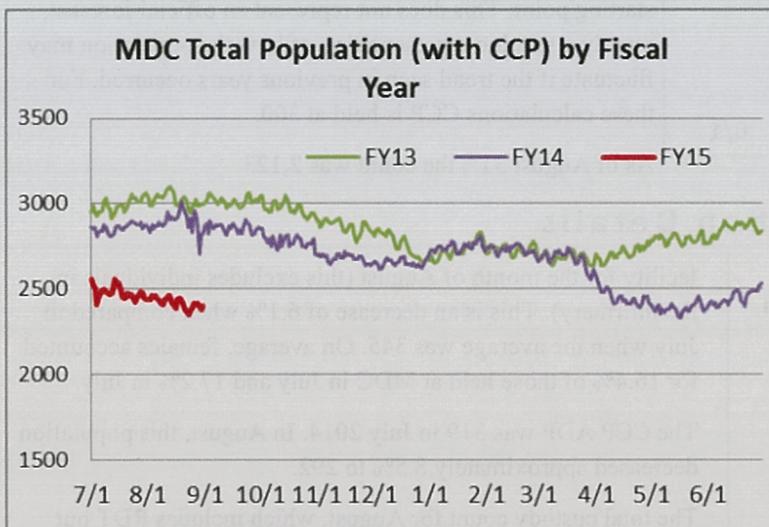
² Overall total may vary slightly due to rounding of unit totals.

³ Individuals in the "Out of County - Other" category are counted in two places on the headcount sheet and so should not be added to the overall totals. This category may also include individuals out on furlough, but appears to be typically individuals who are here for court.

⁴ Excludes Out of County - Other.

Housing inmates OOC began in June of 2013 and peaked in October of 2013 at 707. While inmates were once housed in four counties in New Mexico – Cibola, Sandoval, Santa Fe, and Torrance – and Polk County in Texas. Inmates are no longer being housed in Cibola County (as of 10/4/13) or Polk County (as of 4/12/14). No inmates were housed in Sandoval in July 2014. During August, the average number of individuals housed OOC was 155 and during July there were an average of 159 individuals housed

Overall Population

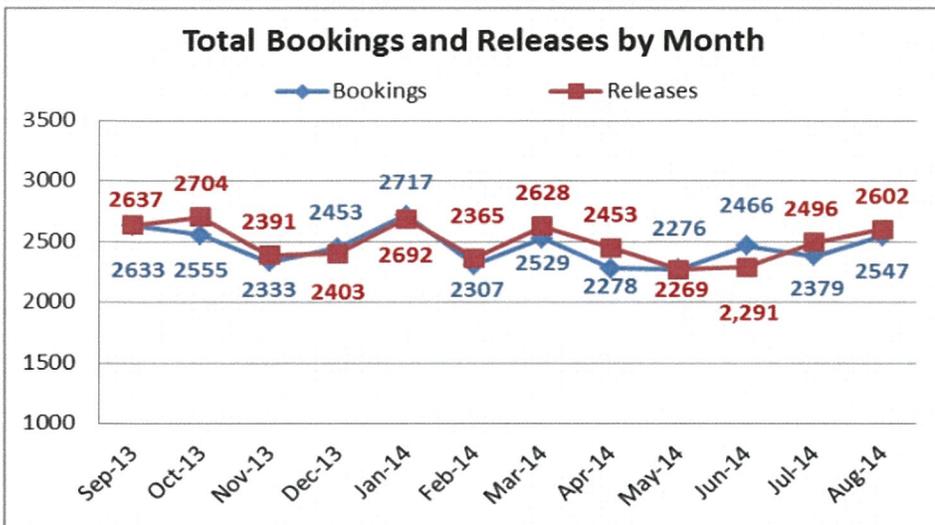


The overall population of MDC includes all individuals in custody at the facility with the exception of individuals in RDT, out of the facility at the hospital, or on furlough. Inmates in CCP and those housed OOC are included in the overall population.

Though the population trends for MDC have been relatively consistent, in FY14 a decrease in the population occurred that continued to the end of April through the beginning of May. While there were some increases around the end of May and into June, there has been a general decrease over the last several months. As of August 31, 2014, the population was 15.3% or 432 people lower than same day in 2013. This marked decrease can be partially attributed to the effectiveness of recently implemented initiatives designed to improve efficiency in the local criminal justice system.

These initiatives include: preventing instances of failures to comply with court orders, reducing case processing times, and reducing the length of stay (LOS) of inmates.

Bookings & Releases



The number of bookings and releases is important to consider when looking at the population of MDC. Overall, bookings and releases have both decreased in the past 12 months.

In August, there were 2,547 bookings and 2,602 releases. During the last 12 months, releases exceeded bookings in 8 months.

Comparing the bookings and releases provides a better – though still incomplete – picture of the changes in the MDC population. The processes of the local criminal justice system have an impact on the population.

Jail Management Initiatives

Several jail and criminal justice initiatives have been implemented since the start of 2014: setting a maximum population of 1,950, strict contractual obligations with the Court's Pretrial Services, providing inmates with a copy of their conditions of release when they are released from MDC, urging the implementation of preliminary hearings in the District Court, holding 7-day probation violation hearings, changes to ICE hold policies, and setting probation violation hearings 10 days earlier. Limitations of the data prevent linking specific initiatives with specific drops in the population. However, the timing of these changes suggests that these initiatives have had a positive impact on bookings and releases and decreases in jail population.

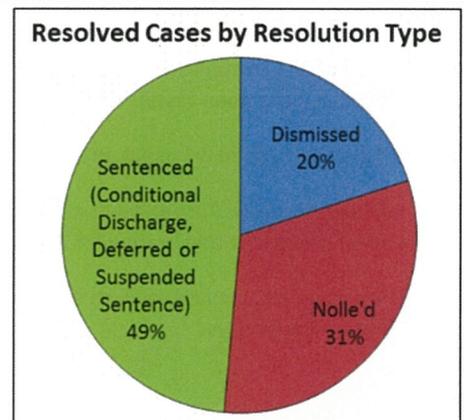
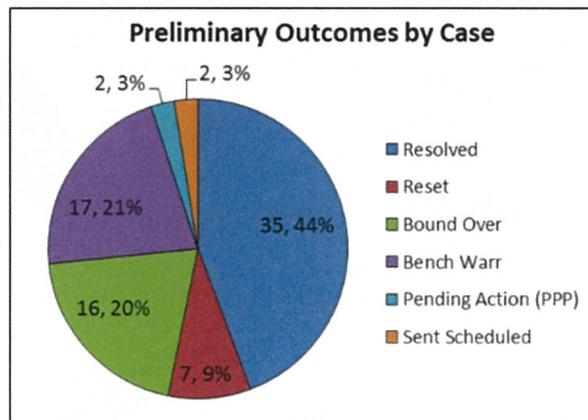
Pretrial Services

Second Judicial District Court (SJDC) PTS has begun to implement changes specified by the county to their monthly reporting. PTS is refining the data collection and reporting process to improve the ability to track and report services provided and outcomes. Additionally, PTS is using the Risk Assessment Instrument (RAI) to set supervision levels. Furthermore, Metro and District Court PTS are working toward developing a RAI that, if approved by the courts, will be used by both courts to determine eligibility for PTS.

Preliminary Hearings

Preliminary hearings were instituted beginning the 23rd of June and are held every Monday. This strategy aims to resolve cases earlier in the court process.

During the last ten weeks, a total of 95 hearings were scheduled for 79 cases (16 hearings were resets from earlier preliminary hearings). At the latest hearing for the 79 cases, approximately 44% were resolved at the preliminary hearing.



Due to the success of the preliminary hearings at resolving cases, beginning in September there will be a reduction in the number of grand jury panels held.

ICE Hold Policy

On July 27th, Bernalillo County opted to change the Immigration and Customs Enforcement (ICE) policy. Rather than holding individuals on ICE detainer requests, individuals are released in accordance with the conditions set forth by the court. As of July 25th, there were 103 inmates on ICE holds in MDC. As of August 26th there were 60 inmates in MDC on ICE holds. This is a net reduction of 44 inmates. Though it is likely that the policy change is having some impact on the MDC ICE population, it is difficult to determine the extent of the impact of the policy alone.

7 Day PV Custody Hearings

Beginning April 22, 2014, 7 day custody hearings for Probation Violations (PV) began to be included as part of the pro tem docket. In an initial review of for July of probation violation custody arraignments focused on several factors. There were 61 custody arraignments (hearings that were vacated or were cancelled because they were heard on the Rocket Docket were excluded, a change from the previous analysis of these cases). Of the 61 custody arraignments, a total of 24 cases were resolved, 6 of which resulted in a release. In the remaining 18 cases, the case was resolved but the individual was not released because the defendants received jail sentences. Release was available for an additional 29 of the 61 cases, though this does not mean that the individual was actually released. Some defendants were assigned a bond as part of their conditions of release, so the bond would still need to be paid in order to be released. In 8 of the 61, the case was not resolved and release was not allowed.

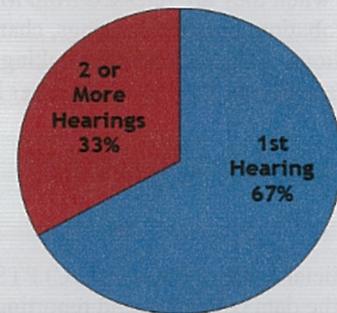
Probation Violation Hearings

Several initiatives have been implemented that intend to impact the Length of Stay (LOS) for probation violators. Starting March 24th, the scheduling of PV hearings was changed from 30 days from the filing of the motion to revoke probation to 20 days from arrest. As mentioned above, a PV custody hearing was then added for cases meeting specified criteria. These coincide with the large dip in population in April and May.

April PV Hearings

- Previous Pro-Tem samples from 2013 of resolved cases had median days from arrest to disposition of 32 and 33 days.
- Between 4/7/14 and 4/24/14, 195 probation violation hearings were held in the regular probation violation (PV) docket.
- 108 first hearings in the April sample
- For the 127 cases that were resolved at their April hearing, the median number of days from arrest to disposition was 21.
- The majority of cases (83%) were resolved within 45 days or less with the large majority of these (72%) being resolved within 30 days.

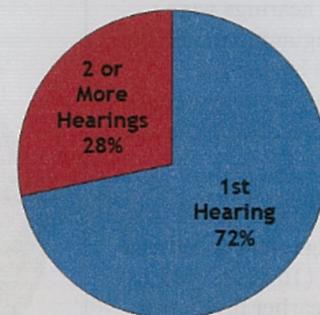
April PV Resolutions
by Number of Hearings



June PV Hearings

- For June of 2014 there were two days where hearings were not held and one for which the data was not collected.
- A total of 284 hearings for 246 cases (not including status, competency, rocket docket, and afternoon cases).
- 169 first hearings in the month of June.
- 120 cases resolved, 72% at the first hearings, approximately 5% higher than the percent resolved at first hearing for April.
- The median number of days from the arrest / arrival to the initial hearing for the June hearings was 20 days.

June PV Resolutions
by Number of Hearings



While there are a variety of factors that may have impacted this reduction, the court initiatives to reduce the number of days between the arrest and hearing is likely driving at least part of this reduction in days. It is believed that the PV program is resulting in quicker processing of probation violation cases and may be unpinning the PV population at MDC.