



Bernalillo County Metropolitan Detention Center Monthly Report – Jan 2024

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Criminal Justice Reforms and the Jail Population

Table 1. MDC Quick Population Figures by Month

Quick Population Figures	Jan 23	Aug 23	Sep 23	Oct 23	Nov 23	Dec 23	Jan 24
On-Site Average Daily Population	↘ 1,498	1,495	↘ 1,488	↗ 1,498	↘ 1,406	↘ 1,396	↗ 1,438
Average Community Custody Program	↗ 35	47	↗ 50	↘ 49	↘ 47	↘ 46	↗ 47
Average Total Jail Population (w/CCP)	↘ 1,533	1,542	↘ 1,538	↗ 1,547	↘ 1,453	↘ 1,442	↗ 1,485
Monthly Bookings	↗ 1,400	1,435	↗ 1,600	↘ 1,498	↗ 1,533	↘ 1,446	↗ 1,683
Bookings Ages 18-24	↗ 209	188	↗ 237	↘ 207	↗ 236	↘ 172	↗ 243
Monthly Releases	↗ 1,341	1,495	↗ 1,530	↗ 1,630	↘ 1,515	↘ 1,432	↗ 1,631
Average Length of Stay (in Days)	↗ 28.6	38.3	↘ 31.5	↗ 34.6	↗ 35.6	↘ 29.3	↗ 29.5
Total Consecutive Days 1,950 or Less	3,368 (>10 years)						

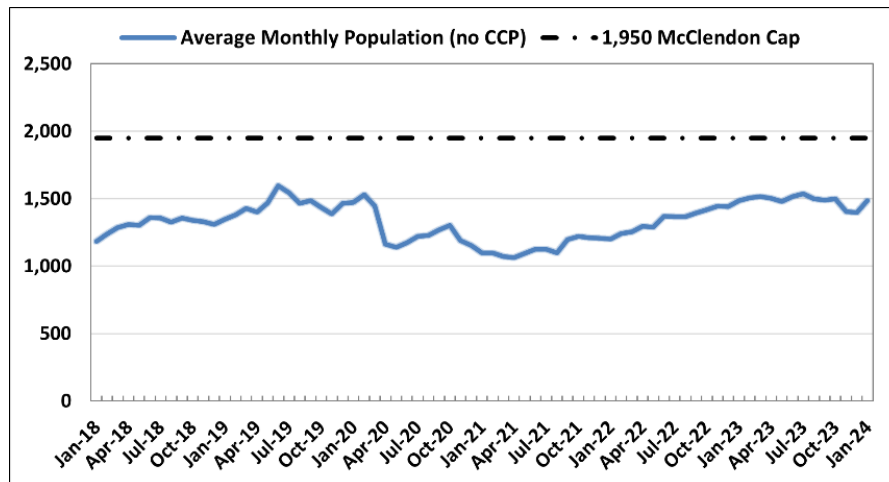
*Arrows show increase or decrease in counts from prior month, with the exception of 2022, which indicates if the equivalent month of the following year is an increase or decrease.

Report Highlights

- The MDC population has been below the 1,950 cap for just over nine years.
- The MDC population (on-site) in January 2024 was 1,438, an increase of 3.0% from December 2023.
- Bookings increased by 16.4% from December 2023 to January 2024 and releases increased by 13.9% over the same period.
- The LOS in January 2024 increased 0.1% from December 2023 (29.3 to 29.5).
- Short-term returns to custody (within one month) post-COVID have remained lower than pre-COVID.
- In January 2024, 43.2% of motions were denied or dismissed by the courts and 55.3% were granted.

The MDC jail population decreased to a historic low starting in March 2020 and then increasing in October 2021 (see Figure 1). In January 2024, the average monthly population was 1,438, an increase of 3.0% from December 2023. As of September 2022, the MDC population increased back to pre-COVID numbers (1,404).

Figure 1. MDC Population (no CCP) by Month



Criminal Justice Initiatives

Criminal justice initiatives in Bernalillo County impact arrests and bookings into the MDC, potentially changing the size of the jail population. These initiatives may include, but are not limited to, operations conducted by, or in joint operation with state, local, or federal law enforcement and/or courtroom actors. This list is not comprehensive and is generally sourced from official agency press releases:

- *New Mexico State Police Three Day Proactive Operation* – The New Mexico State Police had a three-day operation where they arrested 27 people for various offenses including violent crime, drug trafficking, DWI, and aggressive driving. Additionally, the NMSP recovered six stolen vehicles, 80 fentanyl pills, seven firearms, among other serious contraband.
- *New Mexico State Police Warrant Round-Up Operation* – The NMSP announced that they will continue to utilize warrant round up operations into 2024. While no exact figures or operations have been announced yet, it could lead to an increase in warrant arrests in the coming months.
- *Streamlined Warrant Information* – The New Mexico courts, State Police, and Department of Public Safety have announced that they will turn to electronic updates of warrant information. This will lead to real-time issuing and closing of warrants and may allow law enforcement officers in Bernalillo County to identify individuals with warrants more quickly.

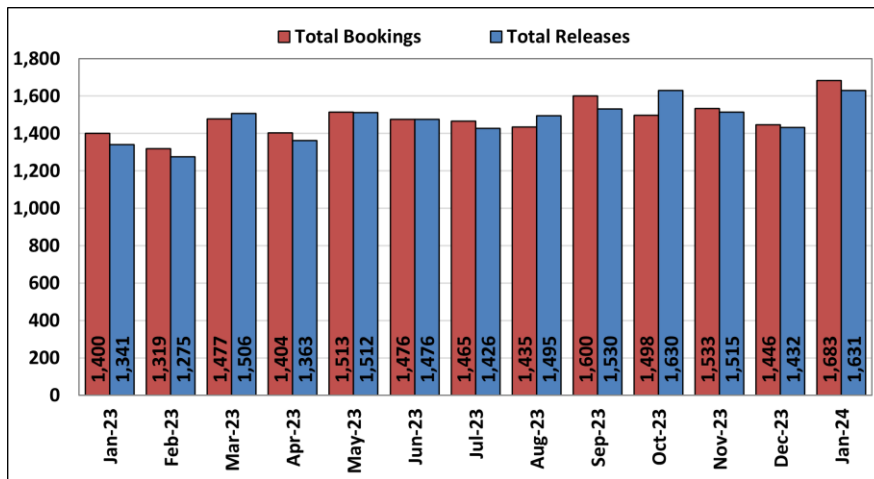
Criminal Justice Initiatives, Year in Review

- *Governor's Executive Order on Firearms* – In September 2023, Governor Michelle Grisham signed into law an executive order which banned the carry of firearms in certain areas, funded firearm buyback programs, and provides free gun locks, among other initiatives.
- *Organized Retail Theft Law Changes* – A new law passed in January 2023, HB 234, adds the crime of “aggravated retail theft” to the law, as well as allows prosecutors to add multiple incidents of theft into one. APD and BCSO both cracked down on shoplifting during Operation Sticky Fingers (APD) and Holiday Hammer (BCSO).
- *Multiple Warrant Operations* – There were multiple warrant operations by APD, BCSO, NMSP, US Marshals Service, and other agencies. These included, but are not limited to, operations in September (121 arrests), December (27 arrests), Operations North Star 2 (88 arrests), and 3 (unknown arrests). These, and other warrant operations, have led to the arrests of hundreds of wanted persons.

Bookings, Releases, and Length of Stay

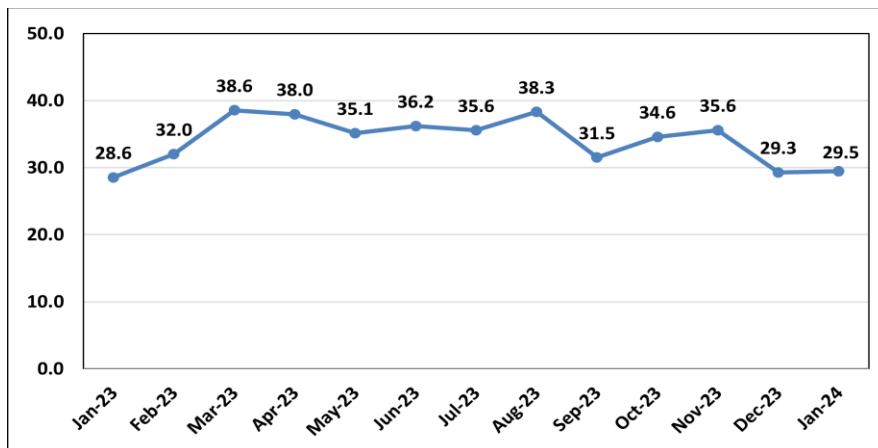
- Jail population is affected by two factors: how many people are booked and how long they are in custody.
- From December 2023 to January 2024, the number of bookings increased (16.4%) from 1,446 to 1,683 and releases increased (13.9%) from 1,432 to 1,631 (see Figure 2).
- There were 283 more bookings in January 2024 than in January 2023 (20.2%), and there were 290 more releases in January 2024 than in January 2023 (21.6%).

Figure 2. Monthly Bookings and Releases



- The LOS in January 2024 (see Figure 3) was 29.5 days, (<0.1%) 0.2 days longer than December 2023, and 0.9 days (0.3%) longer than January 2023.

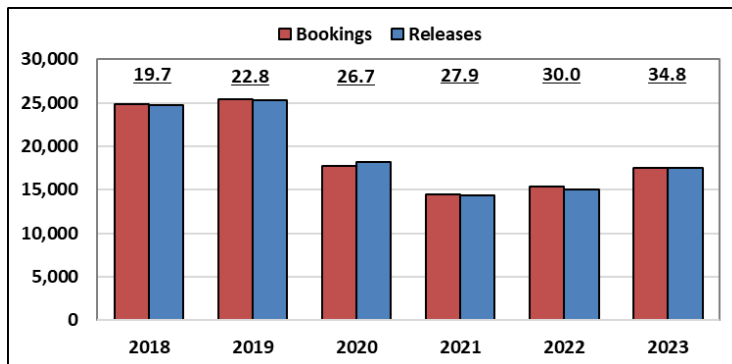
Figure 3. Monthly Length of Stay



Annual Bookings, Releases, LOS

- During the height of COVID-19, bookings and releases decreased from around 25,000 per year to less than 15,000 by 2021 (see Figure 4). Bookings and releases increased in 2022 and 2023. In 2023 there were 17,566 bookings and 17,501 releases.
- The annual LOS has increased every year since 2018. The average LOS in 2023 was 34.8 days. This changed is due to factors including the shifting composition of bookings into the MDC. As felony bookings have increased, the LOS has increased.

Figure 4. Bookings, Releases, and LOS by Year, 2018-2023

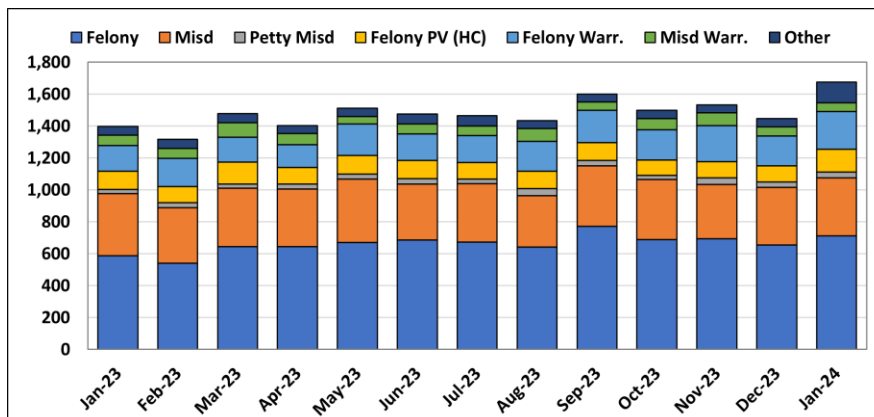


Bookings by Highest Charge

For the inmates booking into the MDC, the highest charge was assigned based on charges for which the individual was in custodyⁱ. Over time, the composition of the jail by highest charge has shifted, with larger portions of inmates in custody on a felony charge and fewer in custody on felony warrants and remands (see Figure 5).

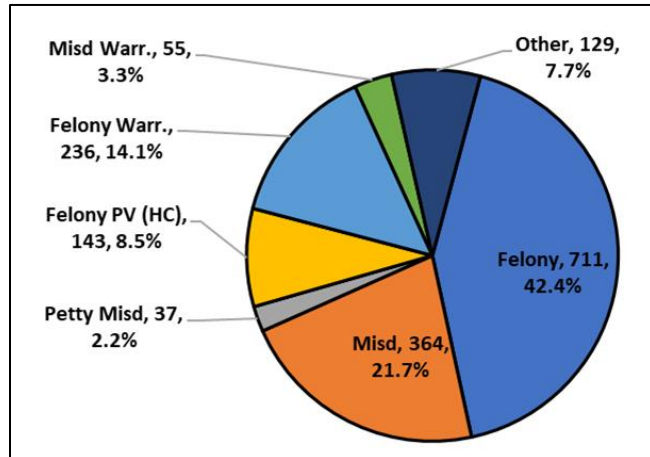
Compared to January 2023, the number of bookings with a felony increased 34.0% and increased 20.3% from December 2023 to January 2024. Misdemeanor and Petty Misdemeanor bookings were 3.8% lower than this time last year and increased 1.7% from December 2023. Felony warrants increased by 45.0% from January 2023 to January 2024, and increased 21.6% from December 2023 to January 2024.

Figure 5. Monthly Bookings by Highest Charge



During the month of January 2024, there were approximately 700 felony bookings into the MDC (see Figure 6). This accounted for 42.4% of all bookings. There were primarily 3rd (122) and 4th (501) degree felonies. Approximately 1 in 5 booking were for a misdemeanor (21.7%). Felony probation violations (8.5%), felony warrants (14.1%), and misdemeanor warrants (3.3%) accounted for most of the remaining booking charges.

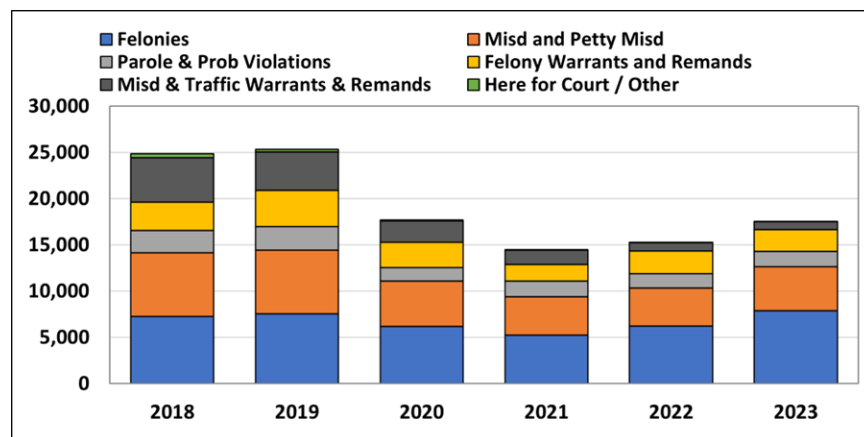
Figure 6. Bookings by Highest Charge – January 2024



Annual Bookings by Highest Charge

From 2022 to 2023, felony bookings increased 26.6% (see Figure 7). Misdemeanors and petty misdemeanors bookings increased 15.4%, parole and probation violations increased 6.0%, and here for court/other increased 20.5%. In the same time frame felony warrants decreased 3.0% and Misdemeanor/Traffic Warrants decreased 6.0%. Over time, decreases have occurred in bookings for lower-level charges and misdemeanor warrants. In 2023, there were more felony bookings than 2018 through 2022.

Figure 7. Bookings by HC Year Over Year



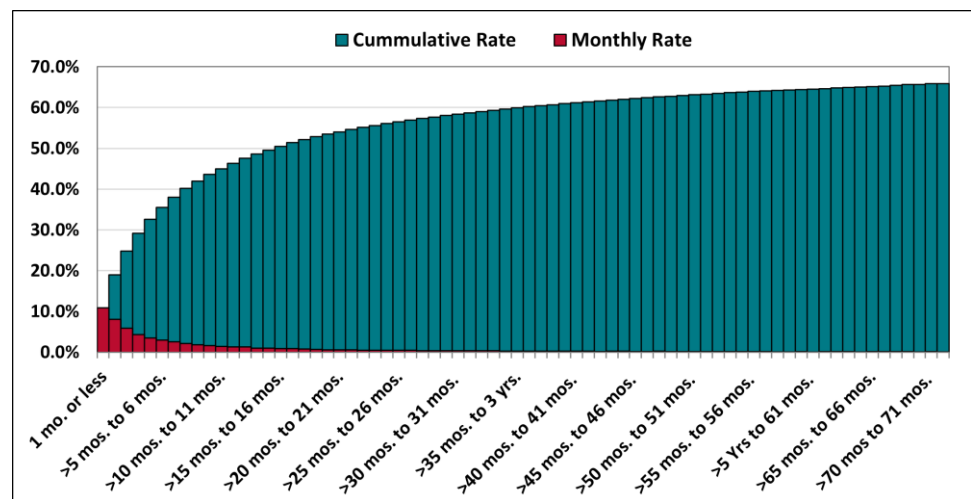
Recidivism

According to the Bureau of Justice Statistics, a recidivism measure requires three items: a starting event, such as a release from a facility; a measure of failure, such as a booking; and a follow-up time period from the starting event. Compared to prisons, jails have a much higher rate of turnover. A preliminary recidivism rate was calculated for the MDC using the following:

- Unique monthly releases beginning in January 2018 through December 2023. The releases end the month prior to reporting to allow the same follow-up time-period for each month.
- Bookings in subsequent months within approximate one-month intervals (365/12).
- The measure of failure is any new booking into the MDC.

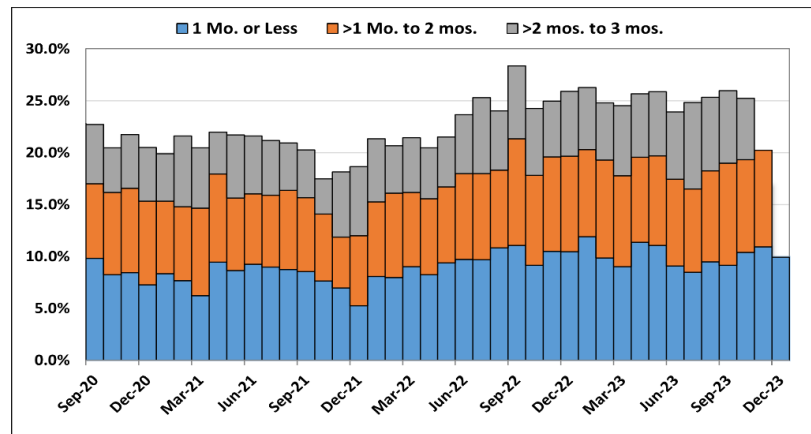
During the first three months following release from the MDC, 24.8% of inmates return to custody (see Figure 8), increasing to 35.5% within six months. The cumulative recidivism rate increased over time and 65.9% inmates returned to custody for any booking within 72 months. Recidivism occurs with decreasing frequency over time, so inmates typically return to custody within a shorter time frame rather than years after release.

Figure 8. Long Term Recidivism – December 2023



Short-term returns to custody decreased from 12.7% between January 2018 and February 2020 to 9.2% from March 2020 to December 2023 (see Figure 9). From March 2020 to December 2023, 9.2% of inmates returned to custody in the first month, 8.0% returned to custody in the second month, and 5.8% returned to custody in the third month.

Figure 9. Short-Term Recidivism – Through December 2023

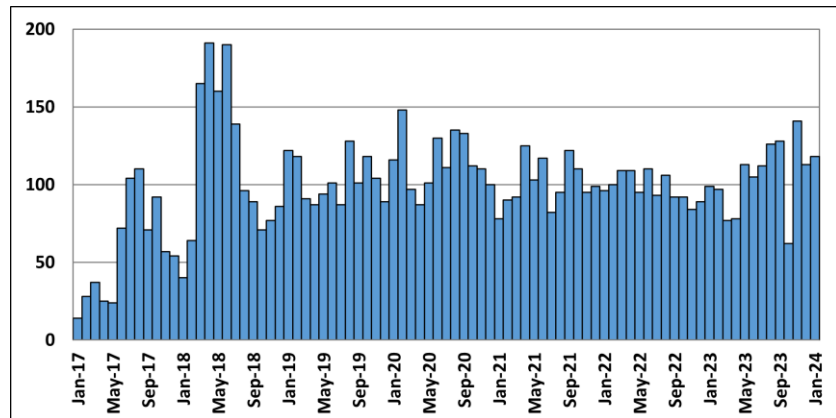


Preventive Detention Motions

From January 2017 to January 2023, there were 8,428 motions for preventive detention (PTD) filed across 7,880 bookings for 6,664 individualsⁱ. This includes motions filed in both Bernalillo County Metropolitan Court and Second Judicial District Court. Preventive detention motions were filed for a variety of charge types, including shoplifting, burglary, auto theft, assault, and murder.

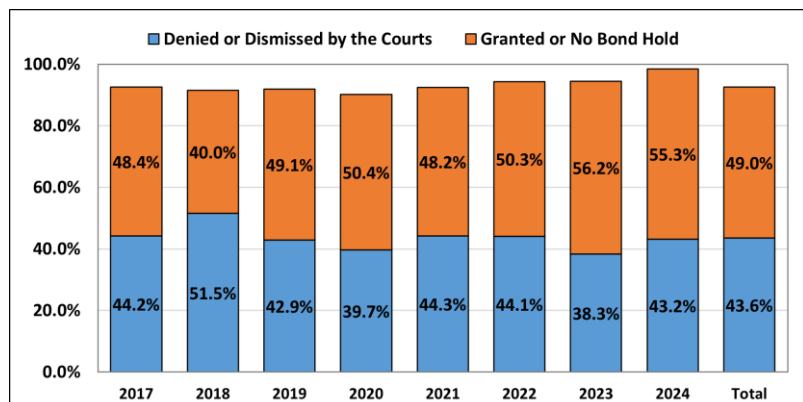
In the last 12 months, between January 2024 and December 2024, the number of PTD motions filed per month ranged from 62 to 141, with an average of 105 per month (see Figure 10). There were 118 motions filed in January 2024, 5 more motions (4.4%) than December 2023 and 19 (19.2%) more than in January 2023.

Figure 10. PTD Motions Files by Month



In January 2024, 43.2% of motions were denied or dismissed and 55.3% were grantedⁱⁱⁱ. By year, since 2019, a greater portion of motions were granted than denied (see Figure 11). Since 2017, 49.0% of motions have been granted and 43.6% have been denied. The remainder were withdrawn (4.2%) or the underlying case was nolle prosecuted, dismissed, or sentenced (3.3%). The portion of motions granted has increased since 2021.

Figure 11. Percent Granted or Denied by Year



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ⁱ The ranking for bookings is as follows, from highest ranked to lowest ranked. The highest was selected and assigned to each case. F1, F2, F3, F4, misdemeanor, petty misdemeanor, parole violation, felony probation violation, felony warrant, felony remand or retake, misdemeanor probation violation, misdemeanor warrant, misdemeanor remand or retake, and other.

ⁱⁱ Approximately 100 of these motions occurred when an inmate was not booked into the MDC, but this is generally uncommon.

ⁱⁱⁱ At the end of December 2023, there were approximately 38 cases that had a PTD motion pending. These cases were removed from the motion outcomes analysis.