



Bernalillo County Metropolitan Detention Center Monthly Report – November 2023

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Prepared for Bernalillo County by the Institute for Social Research,
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Criminal Justice Reforms and the Jail Population

Table 1. MDC Quick Population Figures by Month

Quick Population Figures	Nov 22	Jun 23	Jul 23	Aug 23	Sep 23	Oct 23	Nov 23
On-Site Average Daily Population	↘ 1,458	1,520	↗ 1,537	↘ 1,495	↘ 1,488	↗ 1,498	↘ 1,406
Average Community Custody Program	↗ 44	48	↗ 49	↘ 47	↗ 50	↘ 49	↘ 47
Average Total Jail Population (w/CCP)	↘ 1,502	1,567	↗ 1,585	↘ 1,541	↘ 1,537	↗ 1,546	↘ 1,453
Monthly Bookings	↗ 1,283	1,476	↘ 1,465	↘ 1,435	↗ 1,600	↘ 1,498	↗ 1,533
Bookings Ages 18-24	↗ 197	179	↗ 215	↘ 188	↗ 237	↘ 207	↗ 236
Monthly Releases	↗ 1,256	1,476	↘ 1,426	↗ 1,495	↗ 1,530	↗ 1,630	↘ 1,589
Average Length of Stay (in Days)	↗ 31.6	36.2	↘ 35.6	↗ 38.3	↘ 31.5	↗ 34.6	↗ 35.6
Total Consecutive Days 1,950 or Less	3,306 (9 years)						

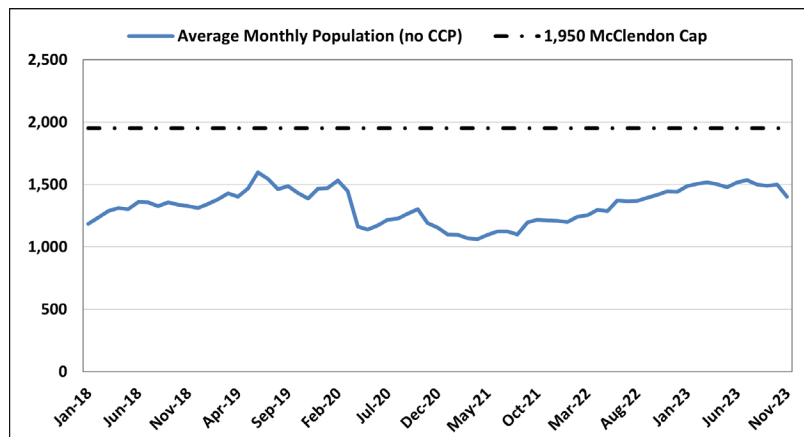
*Arrows show increase or decrease in counts from prior month, with the exception of 2022, which indicates if the equivalent month of the following year is an increase or decrease.

Report Highlights

- The MDC population has been below the 1,950 cap for over nine consecutive years.
- The MDC population (on-site) in November 2023 was 1,406, a decrease of 6.1% from October 2023.
- Bookings decreased by 6.4% from September 2023 to October 2023 and releases decreased 2.5% over the same period.
- The LOS in November 2023 increased 2.9% from October 2023 (34.6 to 35.6).
- Short-term returns to custody (within one month) post-COVID have remained lower than pre-COVID.
- In November 2023, 46.9% of motions were denied or dismissed by the courts and 49.2% were granted.

The MDC jail population decreased to a historic low starting in March 2020 and then increasing in October 2021. In November 2023, the average monthly population was 1,406, a decrease of 6.0% from October 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

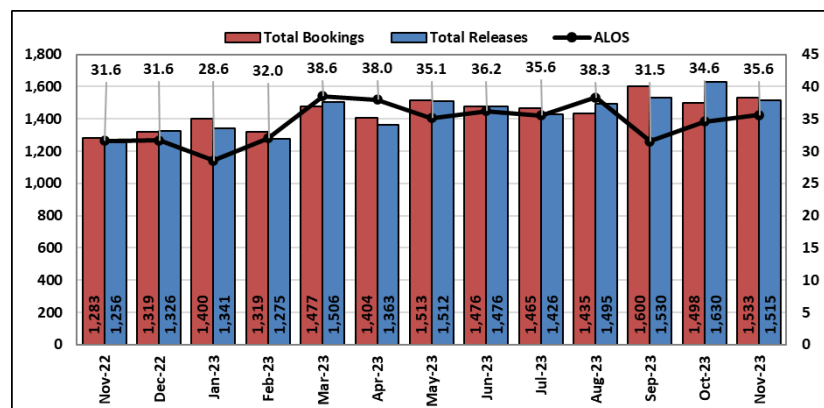
Criminal justice initiatives in Bernalillo County impact arrests and bookings into the MDC, potentially changing the size of the jail population. These initiatives may include, but are not limited to, operations conducted by, or in joint operation with state, local, or federal law enforcement and/or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

- Central Corridor Operation – Albuquerque Police Department and the Bernalillo County Sheriff's Office, have continued their operations to reduce crime in the Central Avenue Corridor. As of Nov. 14th, there have been 73 arrests and 83 warrants cleared by APD. Bernalillo County Sheriff's Office did not report arrests, but did report increased officer presence and community services in the area.
- Weekly Warrant Operation(s) – Albuquerque Police Department's press releases indicated one weekly warrant operation this month has cleared 112 warrants, including 77 felony warrants.
- DWI Checkpoints and Saturation Patrols – Bernalillo County Sheriff's Office has conducted proactive measures to reduce DWIs on Bernalillo County roads. While no arrest numbers were reported in the press release, this operation likely impacted the number of arrestees with DWI charges.
- Public Health Order on Firearms Violence – Gov. Michelle Lujan Grisham renewed her order on firearms violence on November 2nd.
- Joint Auto Theft Operation – The New Mexico State Police, working in conjunction with the Bernalillo County Sheriff's Office and 2nd Judicial District Attorney's Office, conducted the Joint Auto Theft Operation, which lead to the recovery of four stolen vehicles, and the arrest of five suspects.

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 October to November 2023, the number of bookings increased (2.3%) from 1,498 to 1,533 and releases decreased (7.1%) from 1,630 to 1,515 (see Figure 2).
- There were 259 more bookings in November 2023 than in November 2022 (19.5%), and there were 259 more releases in November 2023 than in November 2022 (20.6%).
- The LOS in November 2023 was 35.6 days, (2.9%) 1.0 day longer than October 2023. The LOS in November 2023 was 35.6, (14.4%) 4.0 days longer than November 2022.

Figure 2. Monthly Bookings, Releases, and LOS



Bookings by Highest Charge

For the inmates booking into the MDC, the highest charge was selected 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, misdemeanors, and remands (see Figure 3).

Compared to November 2022, in November 2023, the number of bookings with a felony increased 28.5% and decreased 0.9% from October 2023 to November 2023. Compared to November 2022, in November 2023, misdemeanor bookings were 12.6% higher, and compared to October 2023, there was a decrease of 10.3%. Felony warrants increased 3.2% from November 2022 and when compared to October 2023, increased 19.7%.

Figure 3. Monthly Bookings by Highest Charge

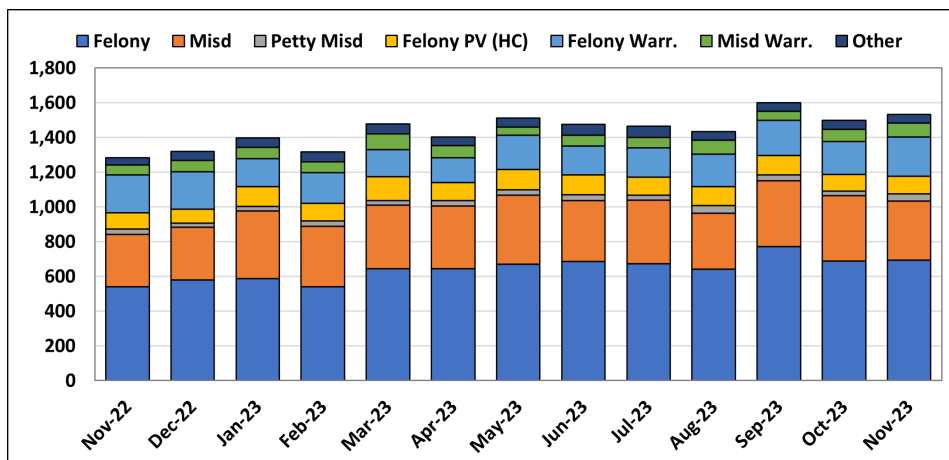
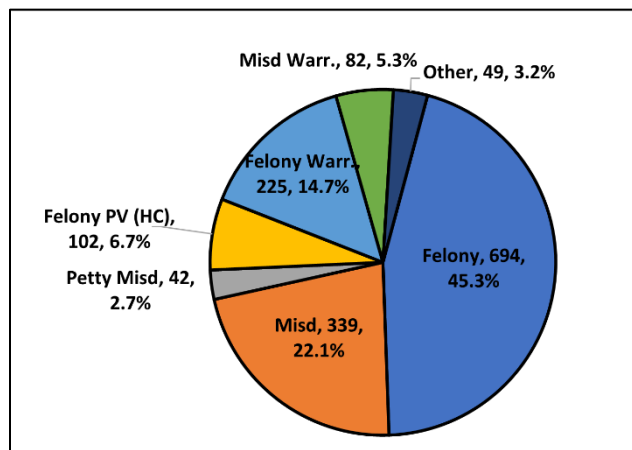


Figure 4. Bookings by Highest Charge – November 2023



During the month of November 2023, there were 694 felony bookings into the MDC. This accounted for approximately 45.3% of all bookings. These were primarily 3rd (105) and 4th (507) degree felonies. Approximately 22.1% of booking were for a misdemeanor. Felony probation violations (6.7%), felony warrants (14.7%), and misdemeanor warrants (5.3%) accounted for many of the remaining booking charges.

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 October 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.

Figure 5. Long Term Recidivism – October 2023

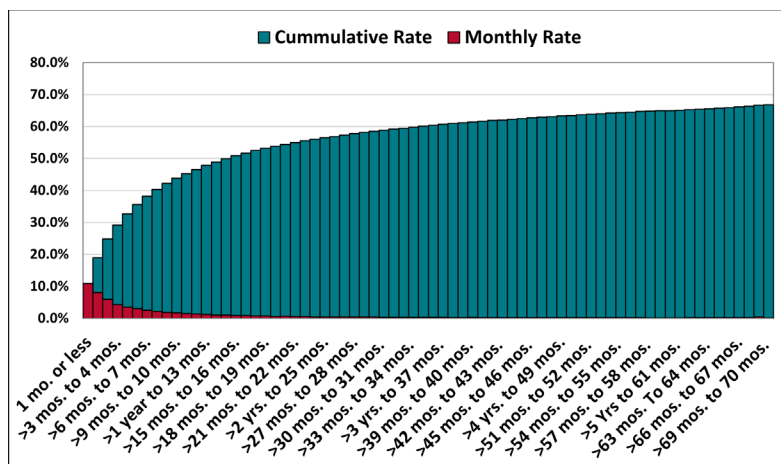
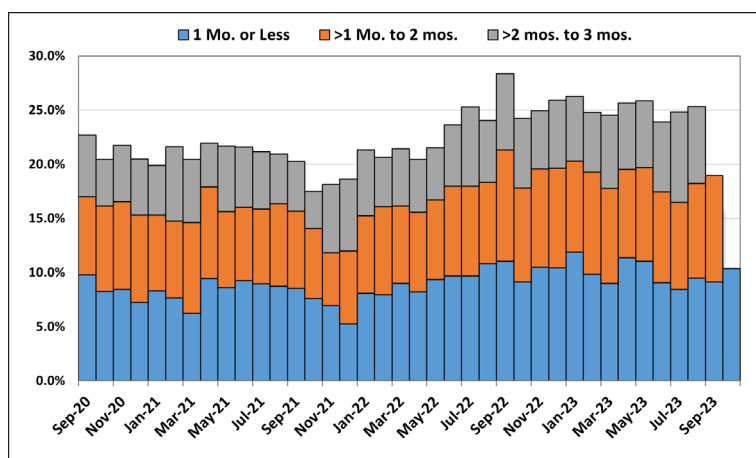


Figure 6. Short-Term Recidivism – Through Oct 2023



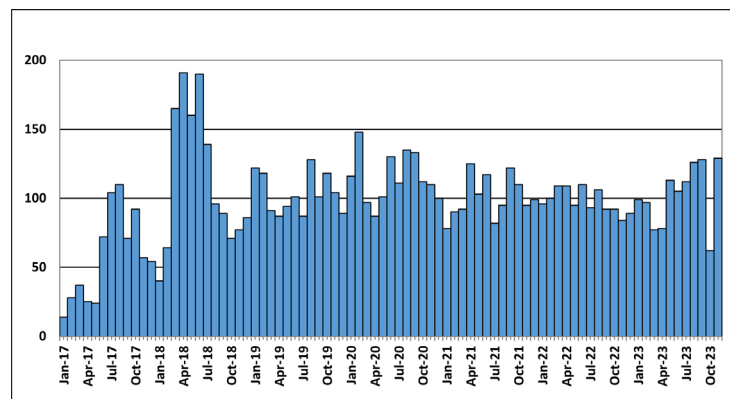
During the first three months following release from the MDC, 24.8% of inmates return to custody (see Figure 4), increasing to 35.6% within six months. The cumulative recidivism rate increased over time and 66.8% inmates returned to custody for any booking within 70 months. Recidivism occurs with decreasing frequency over time, so inmates typically return to custody within a shorter time frame rather than years after release.

Short-term returns to custody decreased from 12.7% between January 2018 and February 2020 to 9.2% from March 2020 to October 2023 (see Figure 5). From March 2020 to October 2023, 9.2% of inmates returned to custody in the first month, 7.9% returned to custody in the second month, and 5.7% returned to custody in the third month.

Preventive Detention Motions

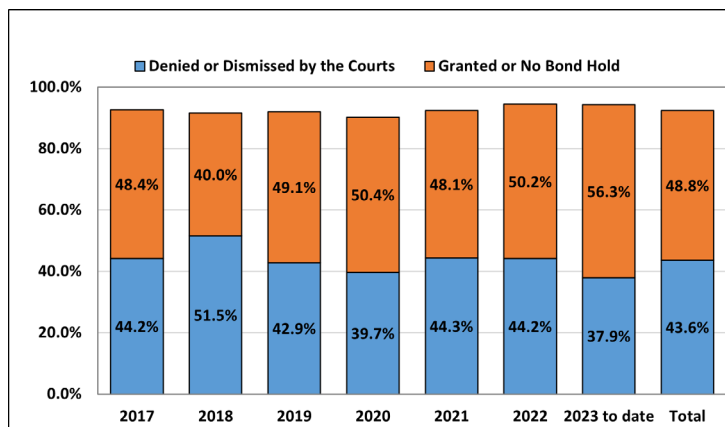
From January 2017 to November 2023, there were 8,185 motions for preventive detention (PTD) filed across 7,661 bookings for 6,484 individualsⁱⁱ. This includes motions filed in both Bernalillo County Metropolitan Court and Second Judicial District Court. The preventive detention motions were filed for a variety of charge types, including shoplifting, burglary, auto theft, assault, and murder. In the last 12 months, between November 2022 and November 2023, the number of PTD motions filed per month ranged from 62 to 129, with an average of 100 per month (see Figure 6). There were 129 motions filed in November 2023, 45 (53.6%) more than in November 2022.

Figure 7. PTD Motions Files by Month



In November 2023, 46.9% of motions were denied or dismissed and 49.2% were grantedⁱⁱⁱ. By year, since 2019, a greater portion of motions have been granted than denied (see Figure 7). Between January 2023 and November 2023, 56.3% of motions were granted and 37.9% were denied or dismissed. Since 2017, 48.8% of motions have been granted and 43.6% have been denied. The remainder were withdrawn (4.3%) or the underlying case was nolle prosequi, dismissed, or sentenced (3.3%).

Figure 8. 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 November 2023, there were approximately 25 cases that had a PTD motion pending. These cases were removed from the motion outcomes analysis.