



THE UNIVERSITY OF  
NEW MEXICO

**Bernalillo County  
Metropolitan Detention  
Center:**

**Analysis of the Jail  
Population,  
December 31, 2023**

**Prepared by:**

Elise M. Ferguson, M.A.

Daniel Goldberg, M.S.

Prepared for:

Bernalillo County

CENTER FOR APPLIED RESEARCH AND ANALYSIS  
INSTITUTE FOR SOCIAL RESEARCH  
UNIVERSITY OF NEW MEXICO

June 2024

## Table of Contents

Population and Capacity .....	2
Annual Bookings/Releases .....	3
Average Length of Stay .....	4
Recidivism .....	4
Incarceration Rate.....	5
Demographics .....	6
Age Group .....	6
Gender .....	6
Race/Ethnicity .....	7
Highest Charge and Sentencing Status .....	8
Highest Charge .....	8
Sentenced and Unsented Inmates .....	9
Unsented Inmates, Confined LOS, and Jail Bloating .....	10
Public Safety Assessment Recommendations .....	11
Preventive Detention Holds.....	12
Conclusion.....	13

The population of a jail is driven by two factors: bookings and length of stay. The population of the Metropolitan Detention Center (MDC) has decreased approximately 50% during the last decade due to numerous factors including but not limited to, criminal justice reform initiatives, changes in bookings and booking policies, and the COVID-19 pandemic. The MDC population changes daily, and regular and consistent reviews of the population are necessary to assess the composition of the jail, how it has changed over time, and is an indicator of how the criminal justice system in Bernalillo County is functioning.

### Population and Capacity

The Institute for Social Research (ISR) analyzes the MDC population twice a year, at midyear and end of year. Jail and court data are used to complete these in-depth reviews and they have been compiled since mid-year 2015. These semiannual reports are snapshots of the jail population and include demographic information, sentencing status, and charges. The data reported also includes changes in bookings, releases, and length of stay (LOS), the Public Safety Assessment (PSA), and preventive detention (PTD) holds.

The MDC population has decreased over the last decade, from up to 2,900 in 2012 down to 1,422 in 2023. The population decrease occurred, in part, because of a series of criminal justice initiatives that have been implemented in Bernalillo County. During the COVID-19 pandemic, the governor of New Mexico issued a Stay-At-Home Order on March 24, 2020, and later a Shelter in Place Order beginning November 16, 2020. These orders, in conjunction with changes in procedures and policies by criminal justice agencies, contributed to a marked decrease in the jail population during 2020 and 2021, followed by an increase in 2022 and 2023 back to pre-COVID levels (see Table 1).

**Table 1. Annual Admissions, LOS, Average Daily Population, & Inmates Confined by Date**

Calendar Year	Annual Admissions	LOS	Average Daily Population <sup>1</sup>	Confined Inmates <sup>2</sup>
2015	24,583	30.1	1,544	1,342
2016	24,926	23.4	1,324	1,063
2017	24,288	19.3	1,183	1,138
2018	24,898	19.7	1,308	1,301
2019	25,405	22.8	1,450	1,451
2020	17,733	26.7	1,273	1,080
2021	14,441	27.9	1,125	1,147
2022	15,325	30.1	1,340	1,442
2023	17,566	35.5	1,476	1,422

<sup>1</sup> The Average Daily Population is the sum of all inmates in jail each day for 1 year, divided by the number of days in the year. These figures are updated to reflect corrections as needed.

<sup>2</sup> Number of inmates confined at end of year

The current rated capacity<sup>1</sup> of the beds available in the MDC is 2,190. Operating below capacity, at about 90% or less of the rated capacity, is vital for the safe operation of a jail<sup>2</sup>. At the end of 2023, 64.9% of the rated capacity at the MDC was occupied (see Table 2). As of December 31, 2023, the MDC population was 1,422 (see Table 2)<sup>3</sup>. This was 5.9% fewer inmates than on June 30, 2023, and 1.4% fewer than on December 31, 2022. According to the latest report on jail inmates by the Bureau of Justice Statistics, the national percent occupied capacity for jail

jurisdictions of a comparable size to the MDC at midyear 2022 was 74.3% (Zeng, 2023, p. 13), which is 8.5% higher than the percent of the MDC occupied as of the same date (65.8%)<sup>4</sup>.

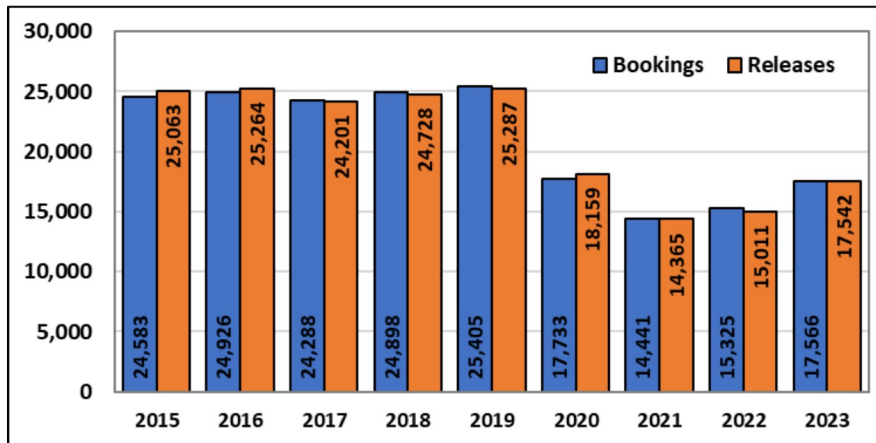
**Table 2. Biannual Population Counts and Capacity (In Custody, On Site)**

Date	Population	% Capacity Occupied	Date	Population	% Capacity Occupied
30-Jun-15	1,584	72.3%	31-Dec-19	1,451	66.3%
31-Dec-15	1,342	61.3%	30-Jun-20	1,192	54.4%
30-Jun-16	1,347	61.5%	31-Dec-20	1,080	49.3%
31-Dec-16	1,063	48.5%	30-Jun-21	1,102	50.3%
30-Jun-17	1,105	50.5%	31-Dec-21	1,147	52.4%
31-Dec-17	1,138	52.0%	30-Jun-22	1,386	63.3%
30-Jun-18	1,403	64.1%	31-Dec-22	1,442	65.8%
31-Dec-18	1,301	59.4%	30-Jun-23	1,511	69.0%
30-Jun-19	1,599	73.0%	31-Dec-23	1,422	64.9%

### Annual Bookings/Releases

Figure 1 shows the bookings and releases by calendar year from 2015 to 2023. While bookings and releases remained relatively consistent from 2015 to 2019, there was a noticeable decrease in bookings and releases in 2020 and 2021 followed by increases in 2022 (up 6.1% from 2021) and 2023 (up 14.6% from 2022). Releases varied to a similar degree, with consistent numbers of releases from 2015 to 2019, a decrease from 2019 to 2021 and then increases in 2022 (up 4.5% from 2021) and 2023 (up 16.9% from 2022).

**Figure 1. MDC Bookings and Releases by Year**

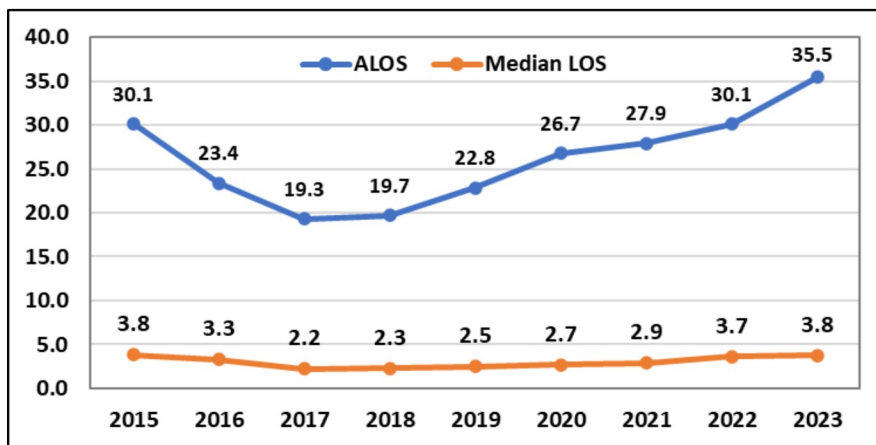


## Average Length of Stay

Figure 2 shows the average length of stay (ALOS) by year from 2015 to 2023. The ALOS decreased from 2015 to 2017 and only rose slightly in 2018. This decrease corresponds closely with the implementation of the Case Management Order (CMO) in 2015, and changes to probation violation case processing in 2014. The ALOS increased beginning in 2019 and has continued to increase through 2023. These increases are due in part to the increase in the proportion of felons in the jail population, as well as, more recently, delays in case processing due to pandemic-related issues.

In 2023, the ALOS for MDC was 35.5 days, an increase of 5.4 days from 2022. Compared to the 2022 national annual length of stay of 38.8 days for jail jurisdictions of a comparable size, the 2023 MDC ALOS was lower by 3.3 days (Zeng, 2023, p. 14). The median LOS in 2023 was 3.8 days, meaning that half of all inmates in MDC were released in 3.8 days or less and the other half were released in 3.8 days or more. This was only slightly higher than the median LOS in 2022 (0.1 days). The large difference between the median and mean indicates that the ALOS is skewed. The LOS was positively skewed, meaning there was a disproportionate number of releases with shorter lengths of stay.

**Figure 2.** MDC Average and Median Length of Stay by Year



## Recidivism

According to the Bureau of Justice Statistics (BJS), 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 extending from the starting event (Alper & Markman, 2018)<sup>5</sup>. For the first unique release per year, inmates were tracked forward for up to eight years when possible. The measure of failure was a new booking into the MDC. Subsequent years are added when a full year follow-up time period has passed for inmates released during that year.

Table 3 shows recidivism rates for each year through 2022. Inmates released in 2020 through 2022 had the lowest recidivism rate within one year of release and ranged from 34.1% up to 37.5%. Year two recidivism for inmates released in 2021 was 11.6%, a small increase from prior years. Recidivism during year three ranged from 3.6% (2018) to 5.9% (2020). The recidivism rates during year four increased slightly for those released in 2018 and year 5 and 6 recidivism rates stayed relatively approximately the same. These recidivism rates indicate a small increase in year 1 and 2 recidivism for inmates in the last several years.

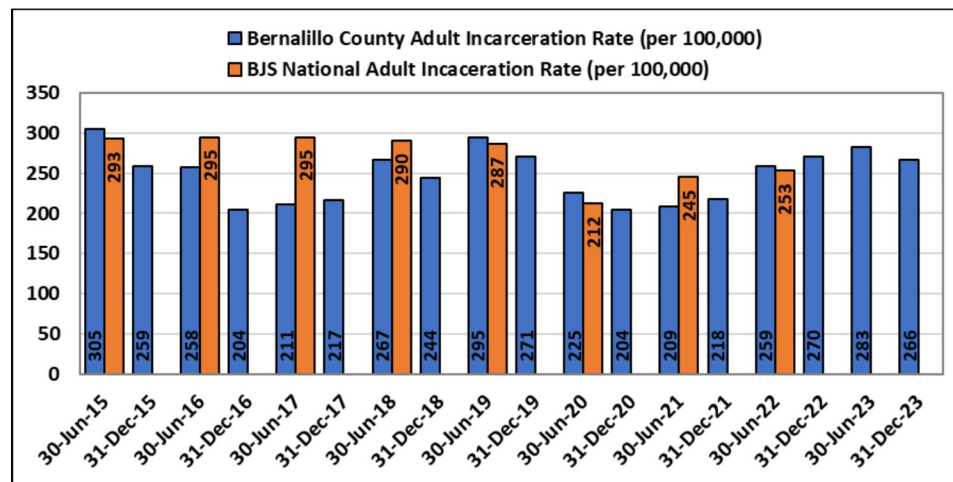
**Table 3. MDC Recidivism by Year**

	2015	2016	2017	2018	2019	2020	2021	2022
Unique Releases per FY	17,944	17,650	17,038	17,014	17,189	13,067	10,931	11,090
No Subsequent Bookings	6,568	6,597	6,742	7,131	7,917	6,481	5,942	6,927
Within 1 Year	39.8%	40.1%	40.2%	40.5%	39.1%	34.3%	34.1%	37.5%
> 1 Year to 2 Years	10.5%	10.8%	10.2%	9.6%	7.7%	10.2%	11.6%	
> 2 Years to 3 Years	5.1%	5.1%	4.8%	3.6%	4.1%	5.9%		
> 3 Years to 4 Years	3.2%	3.0%	2.1%	2.4%	2.9%			
> 4 Years to 5 Years	2.0%	1.5%	1.7%	2.0%				
> 5 Years to 6 Years	1.1%	1.3%	1.4%					
>6 Years to 7 Years	0.8%	0.9%						
>7 Years to 8 Years	0.8%							
Total by Year	63.4%	62.6%	60.4%	58.1%	53.9%	50.4%	45.6%	37.5%

### Incarceration Rate

Figure 3 shows the adult incarceration rate per 100,000 in Bernalillo County. At mid-year 2022, the incarceration rate was slightly higher (2.3%) in Bernalillo County than the national incarceration rate<sup>4</sup> (see Figure 3). The incarceration rate in Bernalillo County<sup>6</sup> at end of year 2023 was approximately 266 per 100,000 residents.

**Figure 3. Biannual Incarceration Rates (Adults Only, per 100,000)<sup>1</sup>**

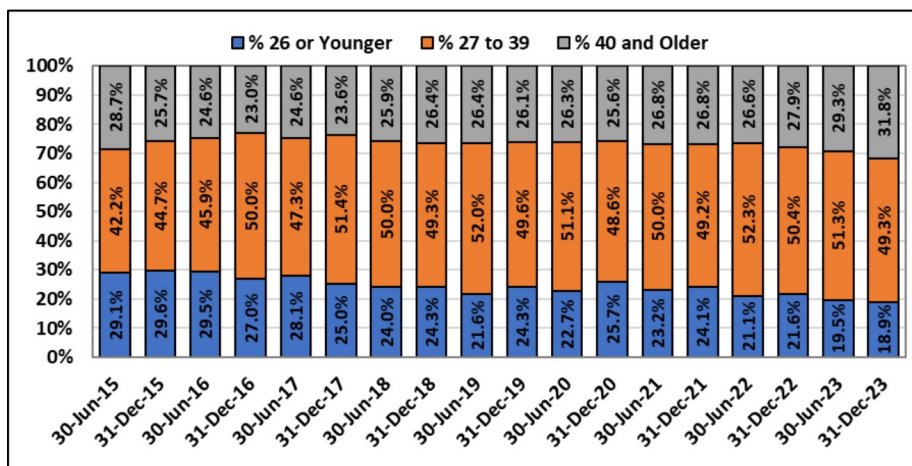


## Demographics

### Age Group

Figure 4 reports the age of inmates in custody at the MDC. The composition of inmates has shifted over the last nine years, with a decrease in younger inmates in custody and an increase in older inmates in custody (see Figure 4). The percent of inmates in custody aged 26 or younger decreased to 18.9% by the end of 2023 while the percent of those aged 27 to 39 and those 40 or older increased to 49.3% and 31.8%, respectively.

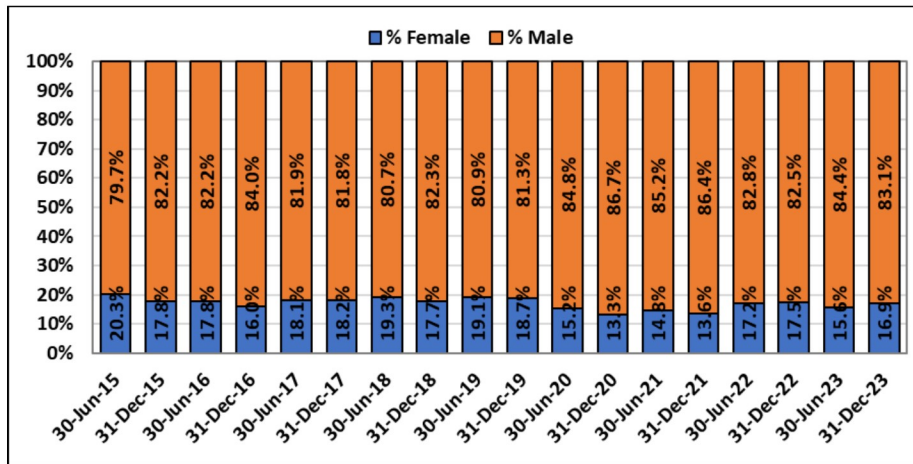
**Figure 4.** *Percent of Inmates in Custody by Age Group*



### Gender

The portion of the jail population comprised of males has been far greater than the female population historically (see Figure 5). At mid-year 2015, males accounted for 79.7% of the MDC population with the female population accounting for 20.3%. At end-of-year 2023, male inmates comprised 83.1% of the MDC population, and female inmates comprised 16.9% of the MDC population. It is likely that the increasing portion of felons among the jail population over the years has contributed to the increased disproportion between male and female inmates.

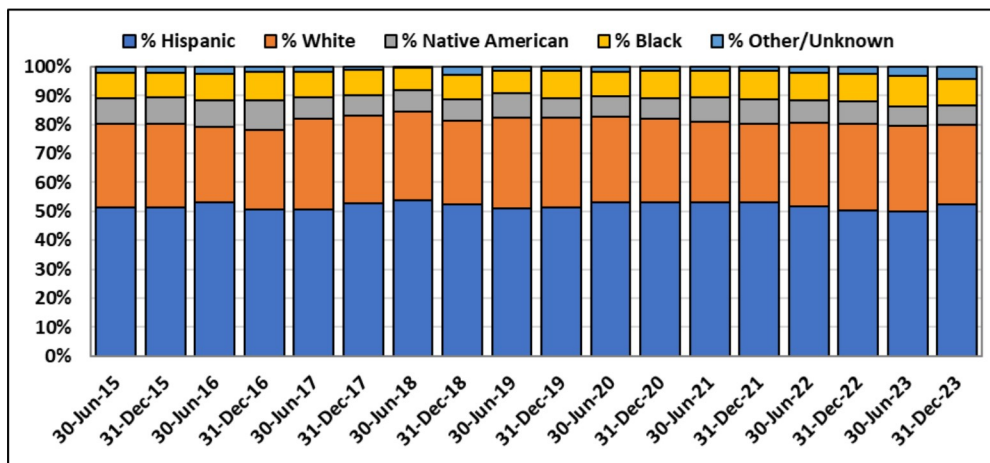
**Figure 5. Percent of Inmates in Custody by Gender**



**Race/Ethnicity**

Across all snapshot dates from mid-2015 to end-of-year 2023, a little over half of the inmate population (50.0% to 53.9%) was Hispanic (see Figure 6)<sup>7</sup>. White inmates accounted for between 26.3% to 31.1% of the MDC population. Native American inmates accounted for between 6.6% and 10.1% of the MDC population and Black inmate accounted for between 7.9% and 10.0% of the MDC population. At the end-of-year 2023, Hispanic inmates accounted for 52.3% of inmates, Native American inmates accounted for 7.7%, and Other/Unknown at 4.1% of the population, respectively. White inmates accounted for 27.8% of the population and Black inmates accounted for 9.2% of the population.

**Figure 6. Percent of Inmates in Custody by Race**



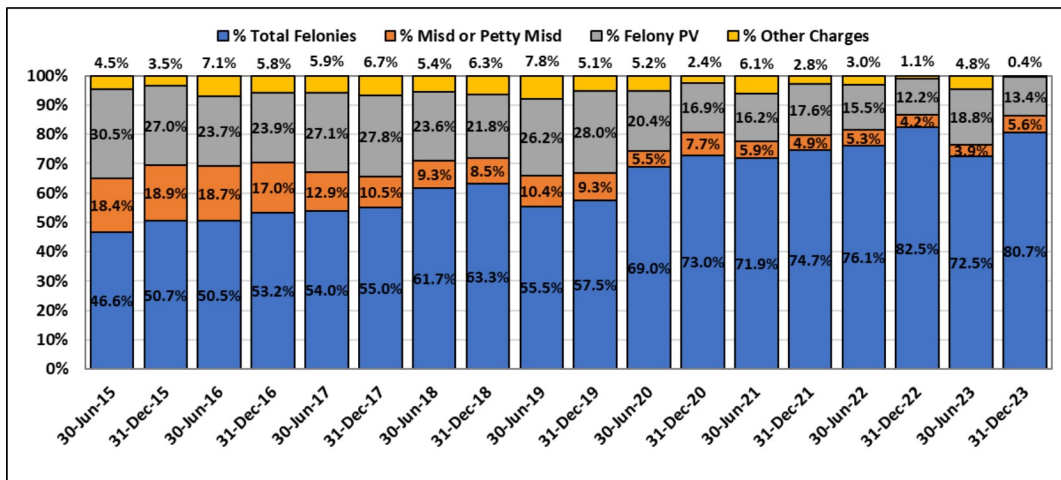


## Highest Charge and Sentencing Status

### Highest Charge

For the inmates in custody at MDC on the snapshot dates, the highest charge was selected based on charges for which the individual was in custody<sup>8</sup>. Over time, the composition of the jail by highest charge has shifted, with larger portions of inmates in custody on a felony charge and a decrease in misdemeanors and petty misdemeanors and felony probation violations (see Figure 7). On December 31, 2023, 80.7% of the 1,422 inmates in custody had at least one felony charge, which is 8.2% higher than June 30, 2023, and 1.8% lower than December 31, 2022. Of the remaining inmates in custody on December 31, 2023, 5.6% had a misdemeanor or petty misdemeanor as their highest charge (1.7% higher than June 30, 2023). The percent of individuals in the MDC on a felony probation violation was 13.4%, a decrease from June 30, 2023 of 5.4%. While some of these changes likely occurred due to changes in policy during COVID-19 – for example, probation violations decreased due to fewer face-to-face meetings for the pretrial population – these changes are part of an on-going shift in the MDC population. The jail is increasingly being used to detain higher level and presumably higher risk offenders rather than detaining lower-level offenders.

**Figure 7. Collapsed Charge Level by Census Date**



Of the 1,147 inmates with at least one felony charge at the end of 2023, 34.2% had a fourth-degree felony<sup>9</sup> as the highest charge. There were 19.6% of inmates who had a third-degree felony as the highest charge (see Table 4). An additional 14.5% of inmates had a second-degree felony as the highest charge and 12.3% of inmates had a first-degree felony. Felonies have increased overall, as well as an increase in each felony degree level. This is another indication of the shift in the jail population, with a larger share of inmates with higher level charges compared to lower-level charges (misdemeanor, petty misdemeanor, probation violation, etc.).

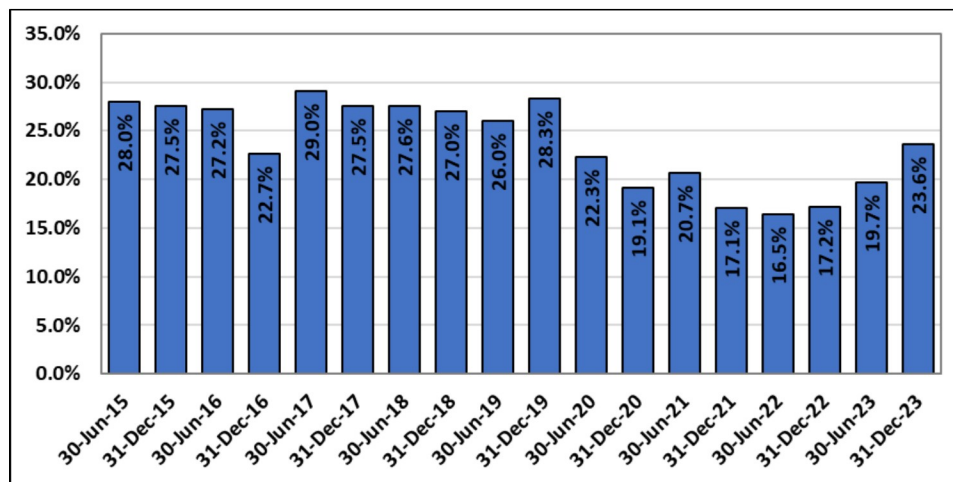
**Table 4. In Custody by Highest Felony Charge**

	F1	F2	F3	F4	Total in Custody	% F1	% F2	% F3	% F4	Total in Custody
30-Jun-15	149	156	159	274	738	9.4%	9.8%	10.0%	17.3%	46.5%
31-Dec-15	144	143	158	235	680	10.7%	10.7%	11.8%	17.5%	50.7%
30-Jun-16	117	152	167	244	680	8.7%	11.3%	12.4%	18.1%	50.5%
31-Dec-16	85	131	151	199	566	8.0%	12.3%	14.2%	18.7%	53.2%
30-Jun-17	97	141	138	221	597	8.8%	12.8%	12.5%	20.0%	54.1%
31-Dec-17	84	140	151	251	626	7.4%	12.3%	13.3%	22.1%	55.1%
30-Jun-18	94	153	240	379	866	6.7%	10.9%	17.1%	27.0%	61.7%
31-Dec-18	90	149	224	361	824	6.9%	11.5%	17.2%	27.7%	63.3%
30-Jun-19	84	181	242	381	888	5.3%	11.3%	15.1%	23.8%	55.5%
31-Dec-19	84	158	200	393	835	5.8%	10.9%	13.8%	27.1%	57.6%
30-Jun-20	89	159	219	355	822	7.5%	13.3%	18.4%	29.8%	69.0%
31-Dec-20	103	143	223	319	788	9.5%	13.2%	20.6%	29.5%	72.8%
1-Jan-21	113	144	232	303	792	10.3%	13.1%	21.1%	27.5%	72.0%
31-Dec-21	135	187	239	296	857	11.8%	16.3%	20.8%	25.8%	74.7%
30-Jun-22	161	211	294	389	1,055	11.6%	15.2%	21.2%	28.1%	76.1%
31-Dec-22	177	229	302	481	1,189	12.2%	15.9%	20.9%	33.3%	82.3%
30-Jun-23	191	210	241	454	1,096	12.6%	13.9%	15.9%	30.0%	72.5%
31-Dec-23	175	206	279	487	1,147	12.3%	14.5%	19.6%	34.2%	80.7%

**Sentenced and Unsented Inmates**

Sentencing information was collected for all cases for which inmates were in custody on the snapshot dates<sup>10</sup>. Inmates were considered partially sentenced if they were sentenced on at least one case. On December 31, 2023, approximately 336 (23.6%) of the 1,422 inmates in custody were sentenced on one or more cases (see Figure 8).

**Figure 8. Percent of Inmates Serving a Sentence on One or More Cases**



The three largest charge groups that typically make up the MDC population were inmates with a felony, a felony probation violation, and/or misdemeanors and petty misdemeanors. The percentage of unsentenced felony bookings remained relatively stable over time, fluctuating

between 82.0% and 89.6% (see Table 5). The percent of unsentenced felony bookings decreased from June 30, 2023 to December 31, 2023 by 4.4%. While unsentenced misdemeanor and petty misdemeanor bookings increased slightly (2.2%) from mid-year to end of year 2023, the portion of inmates in this category is comparable to previous dates. There was a decrease in inmates with an unsentenced felony probation violation during 2023 from 56.0% at midyear 2023 down to 41.6% at the end of 2023. This is the lowest percent of inmates unsentenced in this category since 2018.

**Table 5. Percent of Bookings Unsented by Highest Charge**

	Unsentenced Felony Bookings	Unsentenced Misdemeanor and Petty Misdemeanor Bookings	Unsentenced Felony Probation Violation Bookings
30-Jun-15	86.0%	77.4%	45.1%
31-Dec-15	86.0%	73.9%	44.2%
30-Jun-16	84.3%	79.8%	40.8%
31-Dec-16	86.7%	86.7%	47.2%
30-Jun-17	86.1%	81.8%	36.3%
31-Dec-17	84.6%	87.5%	41.8%
30-Jun-18	85.9%	77.7%	33.5%
31-Dec-18	82.0%	80.2%	44.0%
30-Jun-19	84.9%	82.0%	50.4%
31-Dec-19	83.6%	72.6%	47.2%
30-Jun-20	83.8%	73.8%	56.8%
31-Dec-20	83.9%	77.1%	70.5%
30-Jun-21	84.7%	69.2%	60.7%
31-Dec-21	89.6%	87.5%	53.5%
30-Jun-22	89.6%	75.7%	56.3%
31-Dec-22	88.8%	75.4%	45.5%
30-Jun-23	86.8%	71.2%	56.0%
31-Dec-23	82.4%	73.4%	41.6%

### Unsentenced Inmates, Confined LOS, and Jail Bloating

While the MDC population has decreased significantly in recent years, the portion of inmates who are unsentenced is a potential indicator of a condition called jail bloating. Allen Beck (2001) describes jail bloating as a condition that increases the jail population via causes other than crime and sentencing laws (p. 1)<sup>11</sup>. This can be caused in part by inefficiencies in the local criminal justice system (Beck, 2001, p. 1). During 2020 and 2021, inefficiencies were likely due at least in part to adjustments made in response to the COVID-19 pandemic, such as by the courts adjusting court hearing procedures or in jails having to adjust how inmates can be transported. These delays, in addition to other inefficiencies, can inflate the jail population.

Beginning February 2, 2015, a new CMO<sup>12</sup> was instituted in Bernalillo County, which provided rules and time limits on criminal cases in Bernalillo County Second Judicial District Court. Depending on the complexity of the case, it is assigned to one of three tracks that have different timelines for the commencement of trial from a triggering event, such as the

arraignment, with a timeline of 180 days, 270 days, or 365 days. The CMO timelines were suspended for a time during the COVID-19 pandemic and were reinstated as of September 12, 2022.

Table 6 shows the confined LOS by the highest charge. As expected, time spent in custody as of December 31, 2023 was higher as charge severity increased. At the end of 2023, inmates with a 4<sup>th</sup> degree felony were in custody an average of 80.3 days and those with a 3<sup>rd</sup> degree felony were in custody 150.3 days. Inmates with a 2<sup>nd</sup> degree felony were in custody just over 8 months (241.6 days) and 1<sup>st</sup> degree felons were in custody on average for nearly a year (347.3 days). Inmates with a misdemeanor or petty misdemeanor were in custody for approximately a month by the end of 2023 (27.5 days and 30.4 days respectively). Both felony and misdemeanor probation violators were in custody just over 80 days.

Table 6 also shows the number of inmates that were unsentenced and had a felony that were in custody over 180 days. The National Center for State Courts (NCSC) has proposed a model time standard for case processing times which suggest that 90% of felony cases should be resolved in 180 days<sup>13</sup>. There were 945 unsentenced felons in custody at the end of 2023 and 250 (26.7%) were in custody longer than 180 days. While there is no recommended case processing time for probation violations, if these inmates were sentenced, it would help to reduce the jail population and decrease jail bloating. There were 79 inmates with a felony probation violation that were unsentenced, and 15 of these inmates were in custody longer 60 days.

**Table 6. Confined LOS**

	Average LOS	N	Unsentenced LOS >180 Days	Unsentenced LOS >60 Days
F1	347.3	175	98	
F2	241.6	206	68	
F3	150.3	279	55	
F4	80.3	487	29	
Misdemeanor	27.5	70		
Petty Misdemeanor	30.4	9		
Parole Viol	11.3	3		
Felony PV	82.9	190		15
Misdemeanor PV	81.0	3		
Total	147.5	1,422	250	15

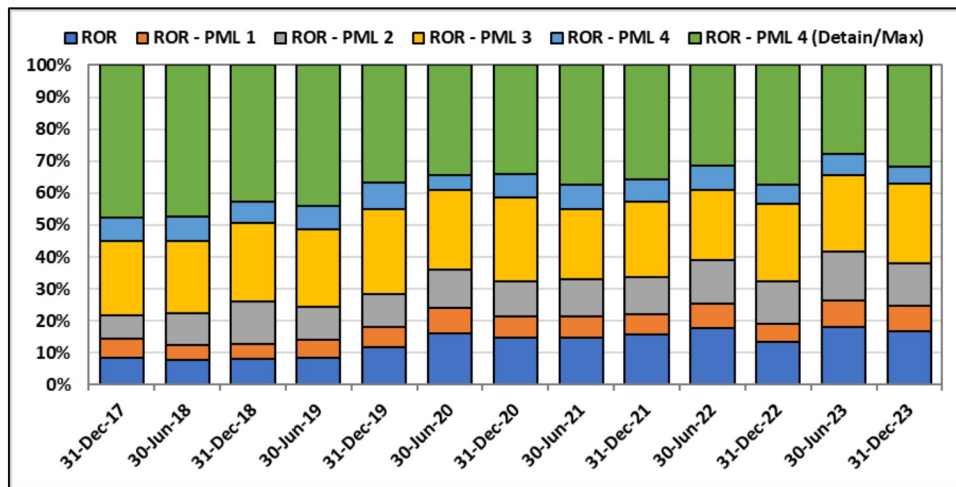
### Public Safety Assessment Recommendations

The Public Safety Assessment (PSA) was implemented in Bernalillo County in June 2017<sup>14</sup>. The PSA is a judicial decision-making tool for judges to help gauge the risk a defendant poses if they were released during pretrial and does not replace judicial discretion. The PSA is administered on felony cases and is primarily used for release decision-making at the Felony First Appearance (FFA) in Bernalillo County Metropolitan Court (BCMC) and at the Felony Arraignment (FA) in Second Judicial District Court (SJDC)<sup>15</sup>. The recommendations provided on the PSA range from “low risk” to “high risk”: ROR (release on own recognizance); ROR with pretrial supervision (the pretrial management level or PML) that ranges from level one to level four (from least to most

restrictive) and until April 2023, the highest risk category indicated to either detain if constitutional requirements are met, or release with maximum conditions. The category was changed to ROR with PML 4. This category is essentially unchanged, as the District Attorney’s office can file a pretrial detention motion on any felony case that meets the constitutional requirements regardless of risk level and the maximum conditions on the PSA are ROR with PML 4. It is unclear if this change in the category description will cause this category to be interpreted as less restrictive than the previous description.

There were 795 inmates with a PSA administered during their stay at the MDC. At the end of 2023, the most common recommendation category was ROR with PML 4 (formerly detain/maximum conditions) which comprised 31.7% of felons. The percent of inmates the highest recommendation category has been decreasing over the last several years with corresponding increases in lower recommendation categories. At the end of 2023, inmates with a recommendation of ROR accounted for 16.6% of felonies and those in ROR with PML 1 accounted for about half of that (8.1%). ROR with PML 2 made up 13.3% of recommendations while PML 3 was recommended for 25.0% of inmates and ROR with PML 4 accounted for 5.3% of inmates.

**Figure 9. Percent PSA Recommendations for Felons by Date**



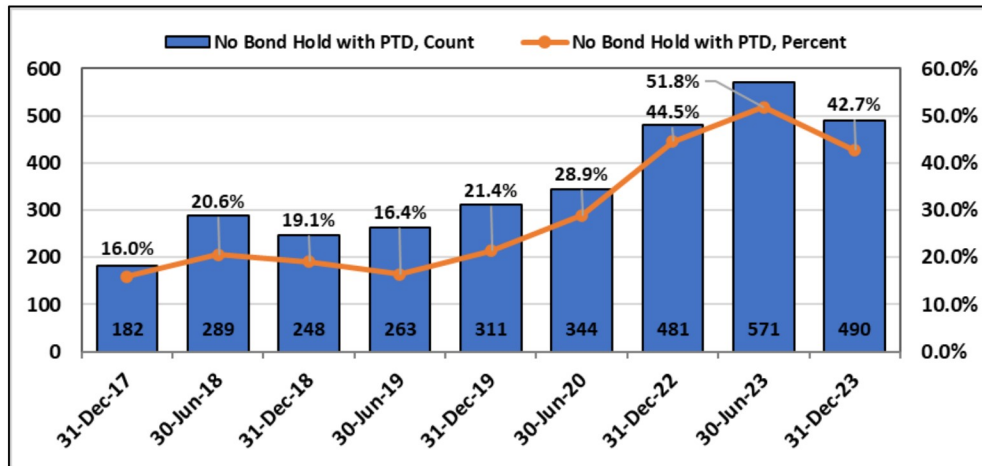
### Preventive Detention Holds

Bernalillo County implemented preventive detention in January 2017, which allows a motion to be filed by the District Attorney’s Office for possible detention during the inmate’s pretrial period. Case data was reviewed to determine the number of unsentenced inmates with a motion for preventive detention (PTD) that was either granted or pending as well as a no bond hold while also excluding inmates serving a sentence.

The percent of the MDC population with a no bond hold and a pending or granted PTD motion has ranged from 16.0% to 33.4% of the population (see Figure 12). On December 31, 2023,

there were 490 persons with a no bond hold with PTD comprising 42.7% of the total MDC population. This represents a decrease in both the number and percent of the inmates in this category from midyear 2023.

**Figure 12.** Preventive Detention Motions and No Bond Holds by Date



### Conclusion

The MDC population has generally decreased since over the last five years despite recent increases and has consistently operated below capacity for over 7 years. While there were large decreases in bookings and releases in 2020 and 2021, due in part to circumstances around the COVID-19 pandemic, both bookings and releases have increased over the last two years. Recidivism has increased slightly, which is likely due at least in part to policy changes related to booking low-level offenders. There have been small changes in the composition of the population by gender and race, as well as shifts in the composition of the population by age.

The percent of Inmates serving a sentence on one or more cases increased 7.1% over the last two years. The composition of the population by charge has also changed over the last 7 years with a notable increase in the proportion of the population with a felony, a decrease in the proportion of inmates with a misdemeanor or petty misdemeanor, and a decrease in the proportion of inmates with a felony probation violation. At the end of 2023, the MDC population was comprised of primarily felons (80.7%), a small portion of misdemeanors and petty misdemeanors (5.6%), and felony probation violators (13.4%).

The change in the composition of MDC inmates can affect the ALOS and may also indicate changes in the types of inmates being booked as well as shifts in how release decision-making occurs. Part of this may be due to the implementation of the PSA as well as the implementation of preventive detention. MDC population decreases and continued population management strategies have helped to adjust the population of the facility to operate more safely and within capacity by housing more serious offenders than in years past and continues to operate well below the rated capacity.

The UNM Institute for Social Research (ISR) is a leading provider of program evaluation and policy research in New Mexico. ISR staff members and faculty affiliates have expertise the fields of crime, policing, the court system, corrections, behavioral health and substance abuse treatment, poverty and homelessness, home visiting, economics, domestic violence, public health, and traffic safety.



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<sup>1</sup> The MDC was originally designed and built to hold 288 inmates. During the 1980s, the original structure was expanded to house 586 inmates. In 2000, County officials began planning and building the new MDC facility which was occupied in 2002 had had a capacity of 2,048 beds. In December 2006, 188 beds were added, increasing the rated capacity to 2,236. The current rated capacity is 2,190, largely due to changes in cell use from double occupancy to single occupancy.

<sup>2</sup> Guerin, P. 2013. Bernalillo County Metropolitan Detention Center: Analysis of the Jail Population.

<sup>3</sup> Inmates in custody as at the end of the day, excluding individuals listed as AWOL or in Federal custody on the census date. Additionally, this does not include inmates in the custody of the Community Custody Program (CCP), those in the hospital, or those in the Receiving Discharge Transfer (RDT) unit.

<sup>4</sup> Zeng, Z. (2023). Jail Inmates in 2022 - Statistical Tables (NCJ Number 307886). Retrieved from Bureau of Justice Statistics website: <https://bjs.ojp.gov/library/publications/jail-inmates-2022-statistical-tables>.

<sup>5</sup> Alper, M., & Markman, J. (2018). *2018 Update on Prisoner Recidivism: A 9-Year Follow-up Period (2005-2014)*. Bureau of Justice Statistics (Report NCJ 255608). <https://www.bjs.gov/index.cfm?ty=pbdetail&iid=6266>.

<sup>6</sup> The incarceration rate was calculated using ACS 5 Year Population Estimates and the July 1, 2022 U.S. Census population estimates. United States Census Bureau. (2022). U.S. Census Bureau quick facts: Bernalillo County, New Mexico. <https://www.census.gov/quickfacts/bernalillocountynewmexico>

<sup>7</sup> In data from the MDC, Hispanic is included as both a race and as an ethnicity. Racial categories were limited based on both categories. For example, an individual listed as White and Hispanic was categorized as Hispanic. Individuals listed as Mexican were collapsed into the Hispanic category.

<sup>8</sup> For the highest charge, dual violators (those who violated both parole and probation) are categorized with the parole violation as the highest charge. In instances where there is a civil contempt warrant, this remains a warrant as it is difficult to ascertain what is holding an individual in custody and there is often not a precise charge that can be identified. For instances where the booking charges included a warrant, if the warrant was resolved by the snapshot date the underlying charge was used instead of the warrant. If the warrant was unresolved, then it was considered the highest charge for that case. For probation violations, regardless of whether the case was sentenced, the violation was considered the highest charge. In instances where the violation was due to a new charge, the charge on the new case for which they were in custody was considered the highest charge. For cases in the process of being bound over to the SJDC, the charge information from the processing case was used as the highest charge.

<sup>9</sup> If a specific statute identified a charge as one of multiple degrees, the lowest degree charge was selected. For instance, by statute a kidnapping charge could be an F1 or F2, so an F2 was selected if the degree was not specified.

<sup>10</sup> A case was considered pending if it had not been resolved or if there was insufficient information to determine if there was a resolution. Sentencing status was assigned based on court data that indicated the inmate was serving a sentence or waiting for release to a facility that was part of the sentencing order.

<sup>11</sup> Beck, A. R. (2001). Jail bloating: A common but unnecessary cause of jail overcrowding. Justice Concepts Incorporated.

<sup>12</sup> The Case Management Order is outlined in detail in New Mexico Rule LR2-400. [http://www.nmcompcomm.us/nmrules/NMRules/LR2-400\\_11-6-2014.pdf](http://www.nmcompcomm.us/nmrules/NMRules/LR2-400_11-6-2014.pdf).

<sup>13</sup> Van Duizend, R., Steelman, D., and Suskin, L. 2011. Model Time Standards for State Trial Courts. <http://www.ncsc.org/Services-and-Experts/Technology-tools/~media/Files/PDF/CourtMD/Model-Time-Standards-for-State-Trial-Courts.ashx>

<sup>14</sup> The PSA was developed by Arnold Ventures in partnership with leading criminal justice researchers. The PSA uses evidence-based, neutral information to predict the likelihood that an inmate will commit a new crime if released before trial, and to predict the likelihood that he/she will fail to return for a future court hearing.

<sup>15</sup> For some felony cases, there was either no PSA administered, or a PSA was administered as part of a previous booking. For cases in which the highest charge was a felony and a PSA was administered during the booking, the most restrictive PSA recommendation was selected.