



New Mexico Justice Reinvestment Initiative Working Group

Key Data Findings

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About CJI & JRI



The Crime and Justice Institute (CJI) works with local, state, and national jurisdictions to help develop and implement data-driven solutions to strengthen their justice systems



CJI is a technical assistance provider for the Justice Reinvestment Initiative (JRI) grant funded by the Bureau of Justice Assistance with support from Arnold Ventures

Goals of JRI



Working Group Objective



“We are committed to using data and evidence to identify ways to improve the quality and functioning of New Mexico’s Criminal Justice System.”

-Signed letter to BJA, August 2023

Low-level Offenses Strain Law Enforcement Resources

Top 5 Arrest Offenses



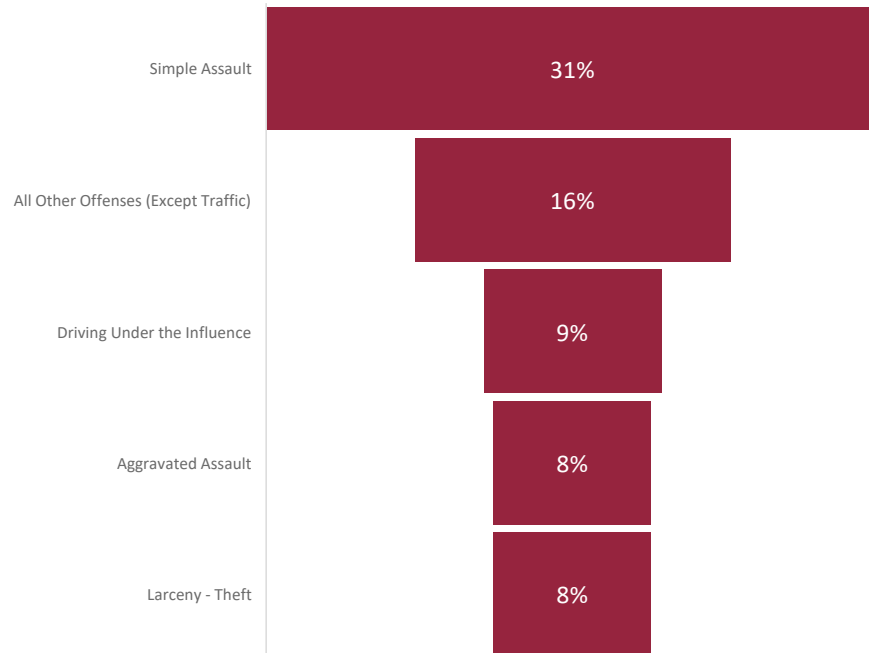
Data Notes

- All Other Offenses include offenses that don't fit into the FBI's categorization of person, property, or drug offenses and include Possession of Drug Paraphernalia, Trespassing, many public order offenses, and other offenses not otherwise classified
- Nationally, All Other Offenses makes up the largest proportion of arrests in the US
- Drug Abuse Violations include Sales, Trafficking, & Possession of a Controlled Substance

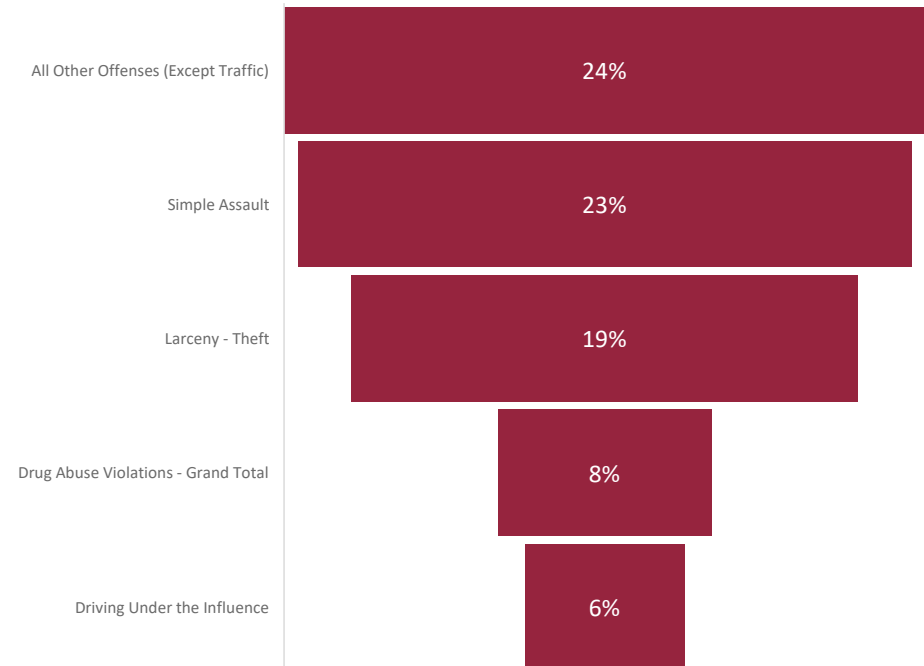
Top Arrests in State's Largest Metro Areas Largely for Other Offenses and Simple Assault



Top 5 Arrest Offenses Albuquerque PD 2022



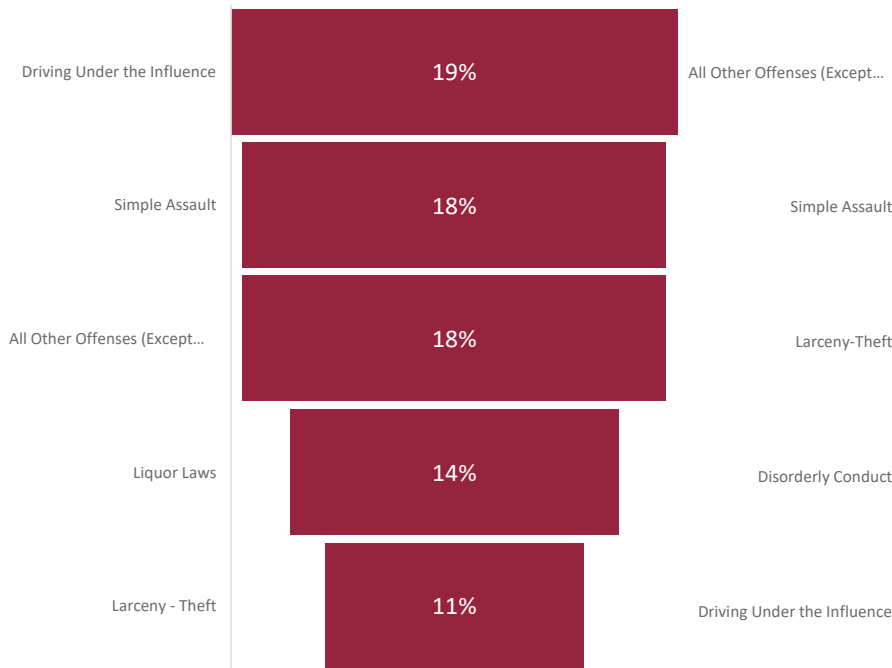
Top 5 Arrest Offenses Las Cruces PD 2022



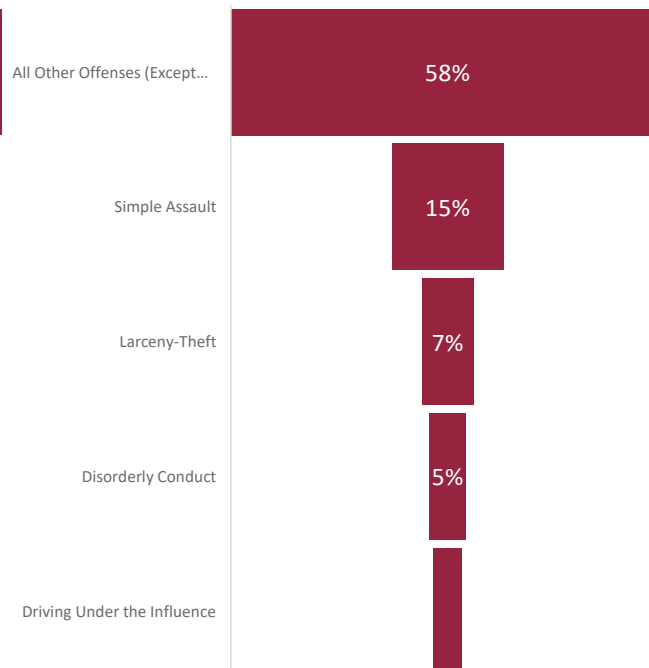
Regionally, Lower-Level Offenses Comprise Top Offenses



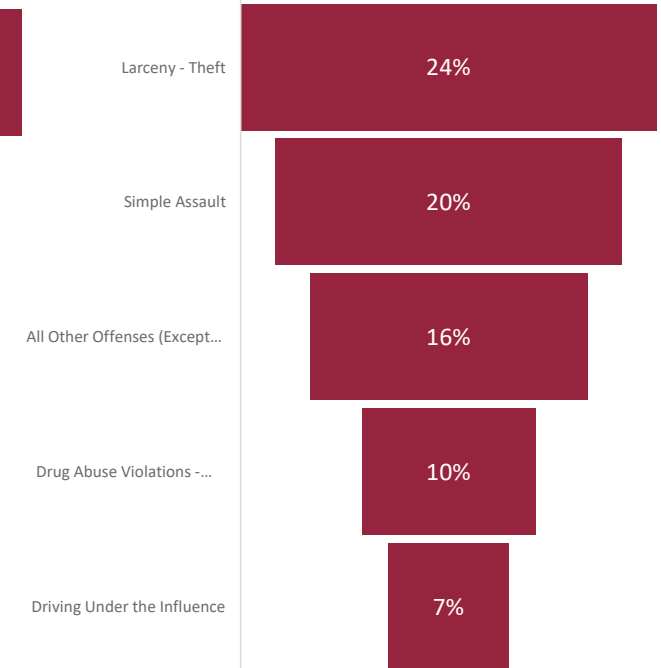
Top 5 Arrest Offenses Farmington PD 2022



Top 5 Arrest Offenses Roswell PD 2022



Top 5 Arrest Offenses Taos PD 2022



Law Enforcement Resources Key Takeaways



- There are limited resources and alternatives available to law enforcement to deflect and divert individuals from criminal justice involvement when responding to crisis calls that result in arrest.
- Law enforcement is understaffed across the state, creating additional challenges in responding to high call volume.
- Lack of statewide data collection and reporting regarding the needs of the community limit law enforcement's ability to deploy proactive policing strategies to target violent crime, as well as identify and manage low-risk/high-need individuals to deter criminal involvement

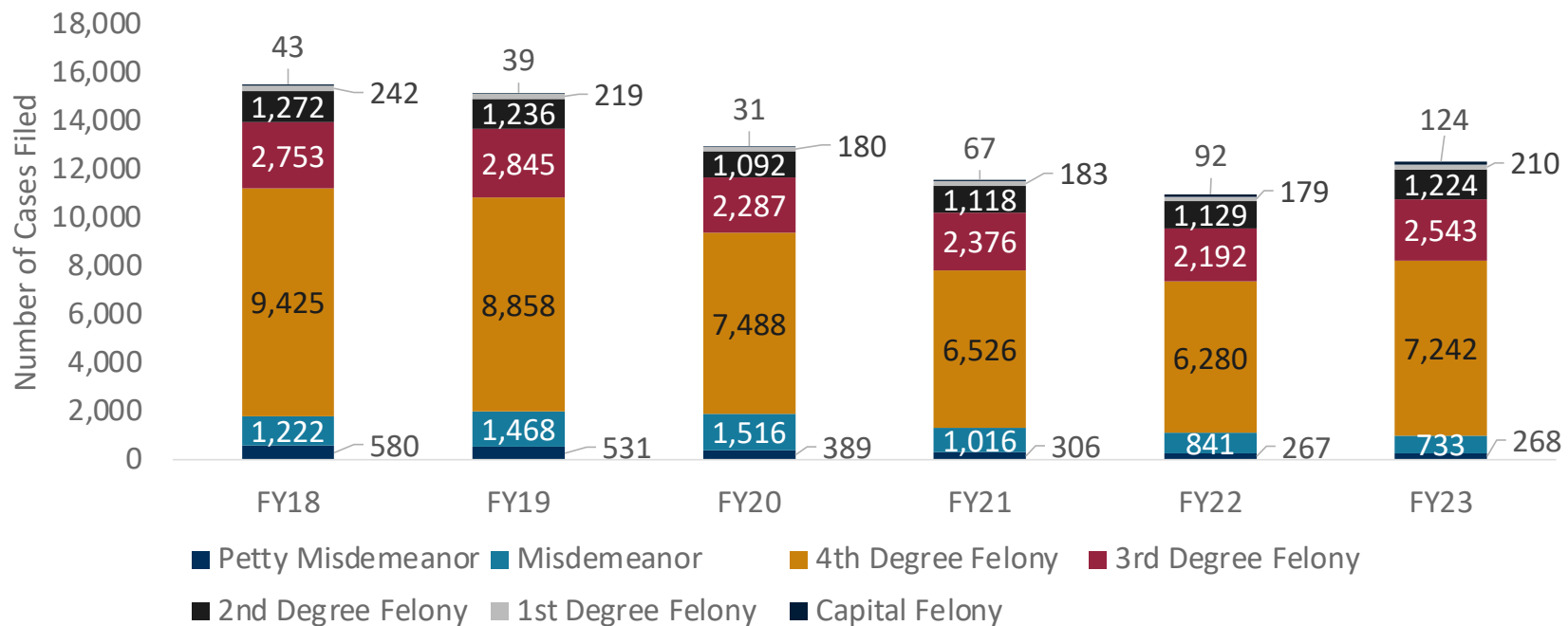
Low-Level Offenses Drive New Mexico's Criminal Justice System

Possession is the most common across all data sets

Majority of Criminal Case Filings Are 4th Degree Felonies



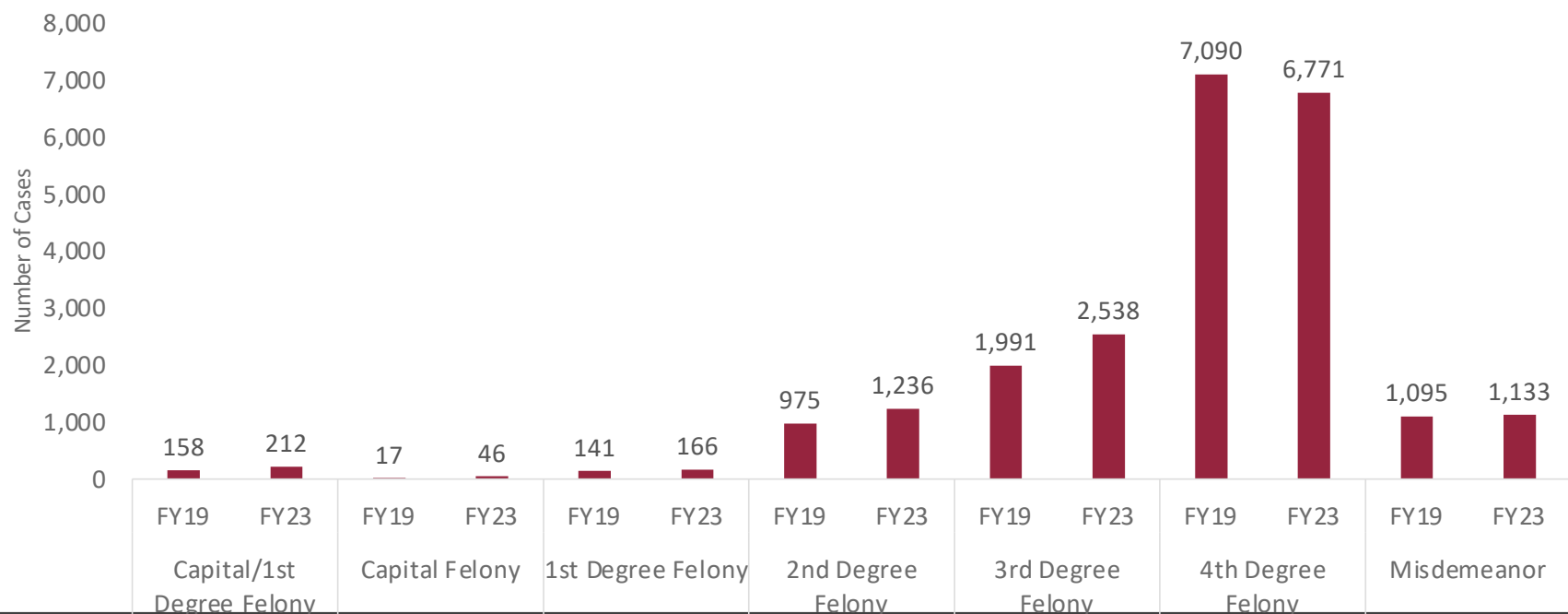
Number of District Criminal Case Filings by MSO Class per Fiscal Year, FY18-FY23



Fourth Degree Felonies Make Up Largest Number of Dispositions in 2023



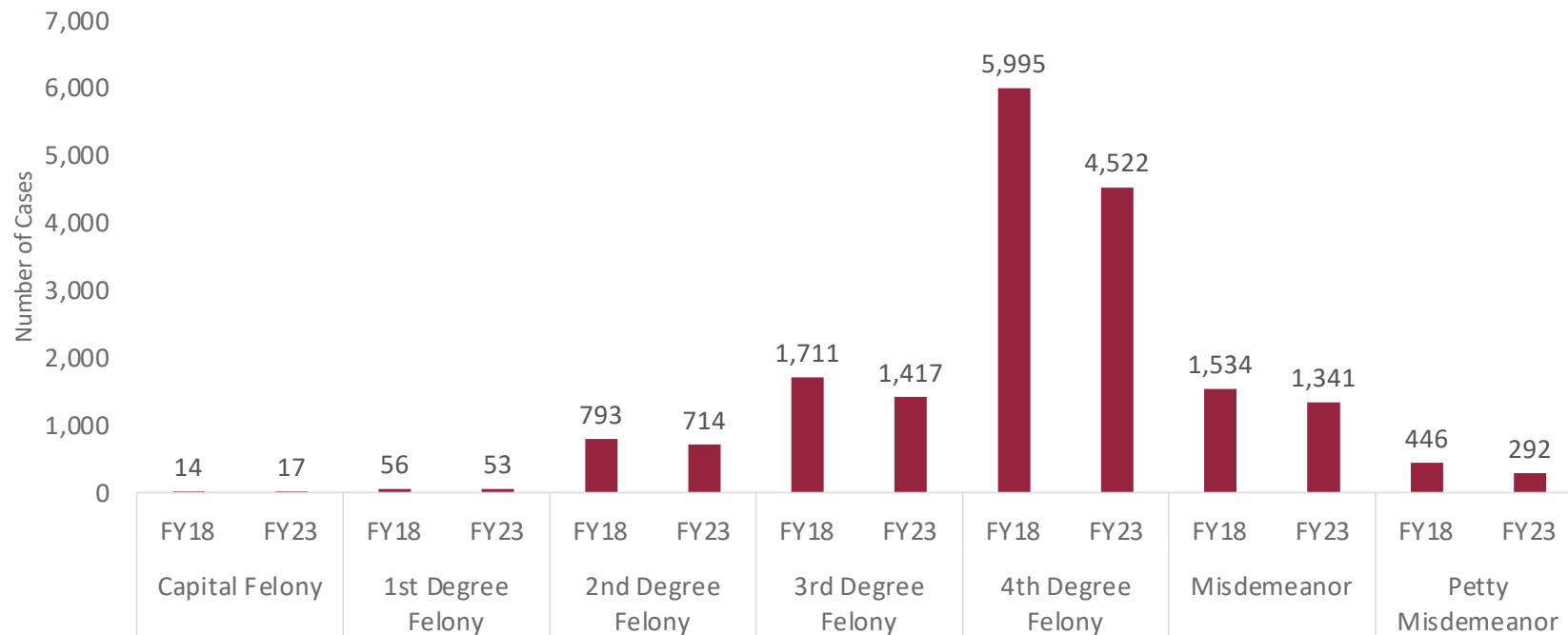
Number of District Criminal Case Dispositions by MSO Class, FY19 v. FY23



Fourth Degree Felonies Make Up Largest Number of Sentenced Offenses



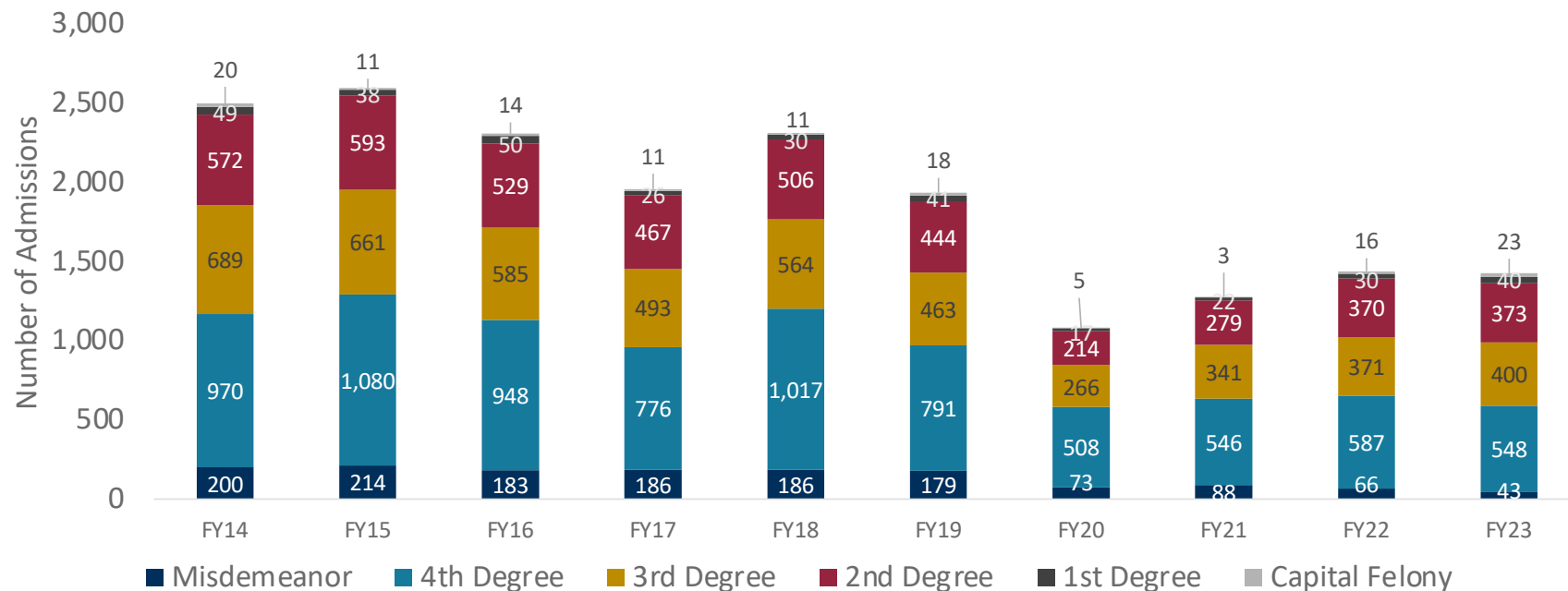
Number of Sentenced District Criminal Cases by MSO Class, FY18 v. FY23



Fourth Degree Felonies Most Common Offense Class For New Admissions



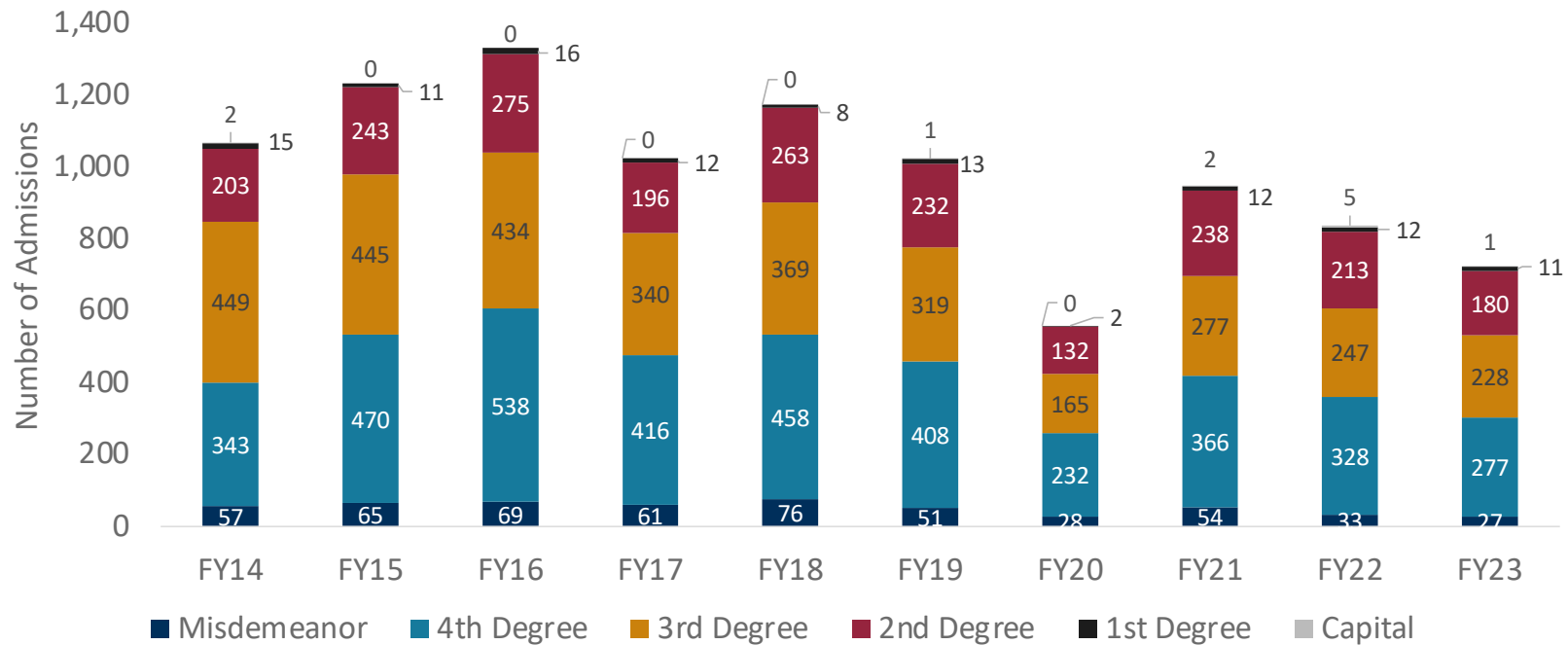
Number of New Prison Admissions by Crime Class per Fiscal Year, FY14-FY23



Fourth Degree Felonies Drive Underlying Offenses for Parole Violation Admissions



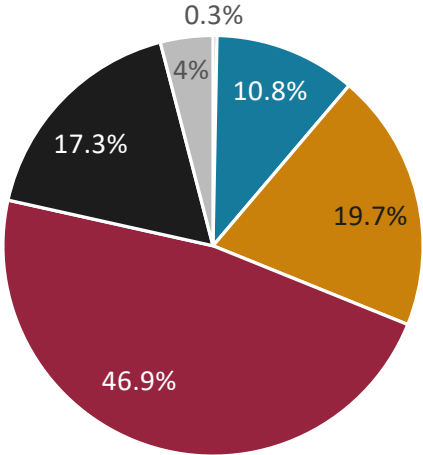
Parole Violation Admissions by Underlying Crime Class per Fiscal Year, FY14-FY23 (n)



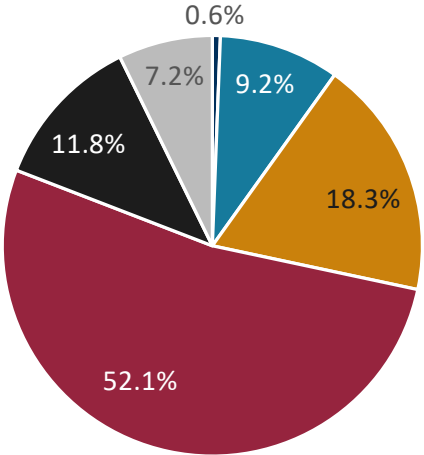
On Average, 4th Degree Felonies Represent 50% of Probation Entries



Percentage of Probation Entries by MSO Class, FY13 (n = 8,585)



Percentage of Probation Entries by MSO Class, FY22 (n = 4,927)



■ First + Capital ■ 2nd Degree Felony ■ 3rd Degree Felony
 ■ 4th Degree Felony ■ Misdemeanor ■ Other

■ First + Capital ■ 2nd Degree Felony ■ 3rd Degree Felony
 ■ 4th Degree Felony ■ Misdemeanor ■ Other

Drug Possession Most Common Underlying 4th Degree Felony Across Criminal Justice Stages in 2023



District Criminal Cases Filed	Poss. Of Controlled Subst. (28.9%)
	Agg. Assault (Deadly Weapon) (7.5%)
	Battery Upon Peace Officer (6.8%)
	Receipt./Transfer. Stolen Motor Vehicle (1st Off.) (6.1%)
	Shoplifting (> \$500 & < \$2,500) (4.3%)
New Admissions	Poss. Of Controlled Subst. (31%)
	Battery Upon Peace Officer (8%)
	Agg. Assault (Deadly Weapon) (6%)
	Agg. Fleeing of LE (4%)
	Burglary – Non-Residential (3%)
	Larceny (>\$500 & < \$2,500) (3%)
Parole Violation Admissions	Poss. Of Controlled Subst. (34%)
	Battery Upon Peace Officer (9%)
	Receipt./Transfer/Poss. Firearm by Felon (7%)
	Burglary – Non-Residential (5%)
	Agg. Assault (Deadly Weapon) (5%)
	Larceny (>\$500 & < \$2,500) (5%)

Fourth Degree Felony Key Takeaways



- Fourth degree felonies are the lowest felony class in New Mexico with a penalty of 18 months.
- Fourth degree felonies comprise the greatest percentage of 2023:
 - Case filings
 - Case dispositions
 - Sentenced cases
 - New prison admissions
 - Parole violation admissions (underlying offense)
 - Probation term starts
- Possession of a controlled substance was the most common 4th degree felony offense for case filings, new prison admissions, and parole violation admissions in 2023.

Unmet Behavioral Health Needs Driving Entrance & Re-entrance into the Criminal Justice System

Behavioral Health & the Criminal Justice System: How Do They Intersect?



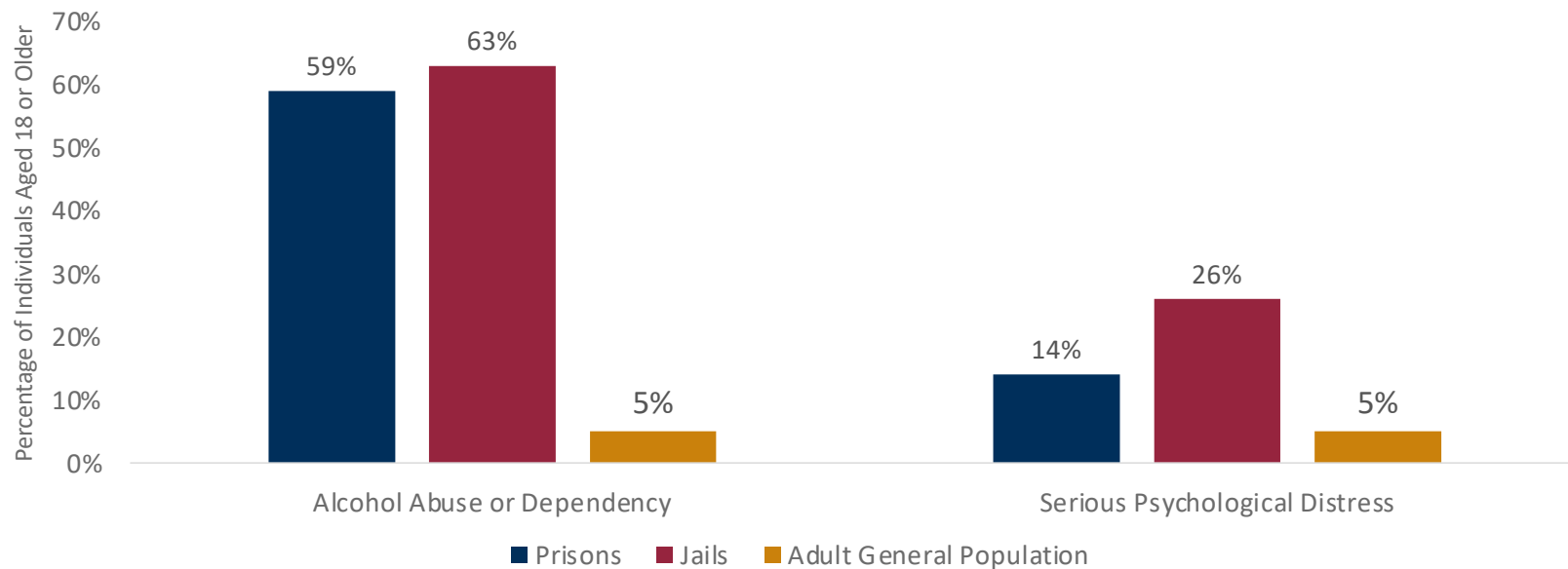
- Along the justice system, where there are gaps in the continuum of care, each system contact point becomes a de facto behavioral health provider
 - This is not only costly, but also leaves the responsibility to manage the complex needs of this population in the hands of those who are not equipped
 - The constant influx of these cases also diverts resources away from community safety



Individuals with Behavioral Health Needs Overrepresented in the Criminal Justice System



Behavioral Health Indicators in Prisons and Jails and Adult General Population, 2007-2009 & 2011-2012

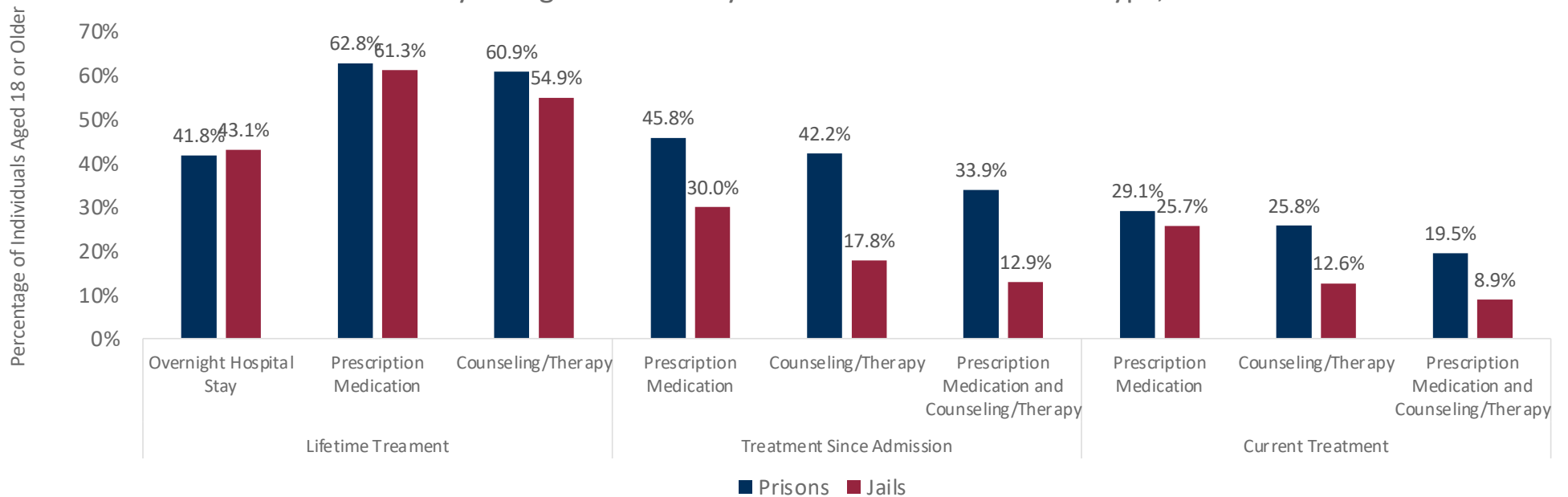


Source: Bureau of Justice Statistics, Special Reports 2011-2012 & 2007-2009

Nearly 75% of Individuals in Prison and Jail Received Mental Health Treatment in Lifetime Prior to Admission



Mental Health Treatment Received by Individuals in Prison and Jail With an Indicator of Serious Psychological Distress by Time Period and Treatment Type, 2011-2012

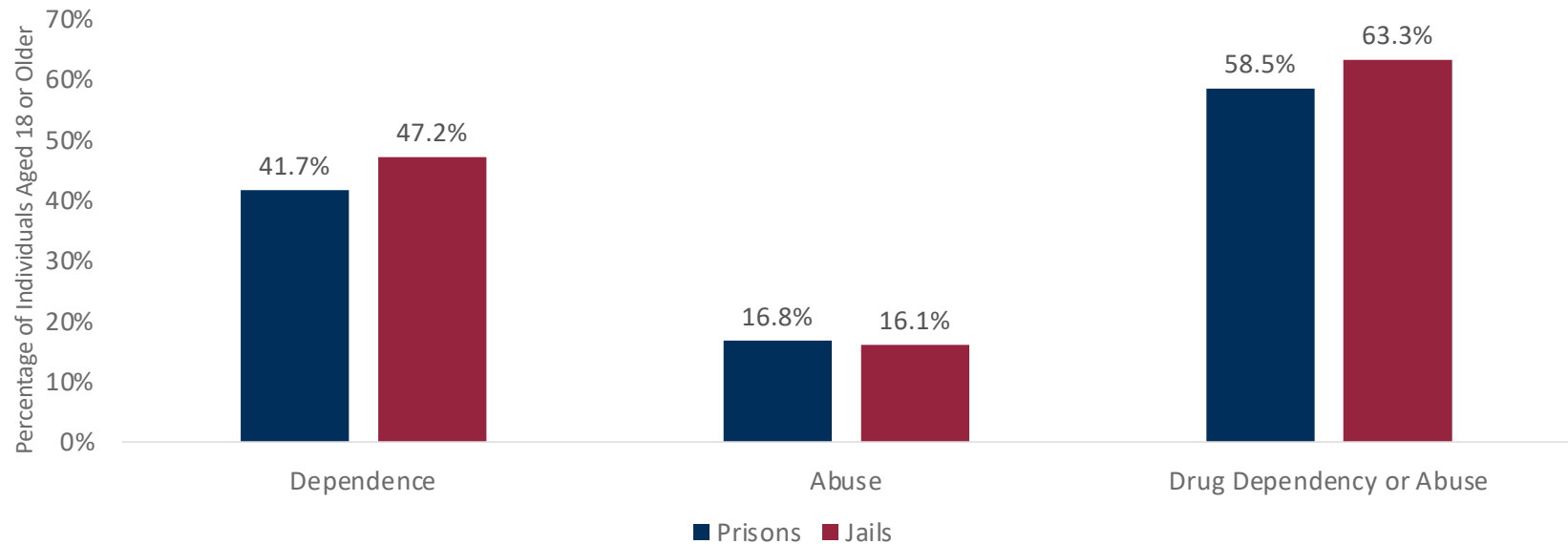


Source: BJS, Special Report 2011-2012

More than Half of Individuals in Prisons and Jails Met Drug Dependency or Abuse Criteria



Individuals in Jail (Sentenced) and Prison Who Met Criteria For Drug Dependency or Abuse, 2007–2009



Source: BJS, Special Report 2007-2009

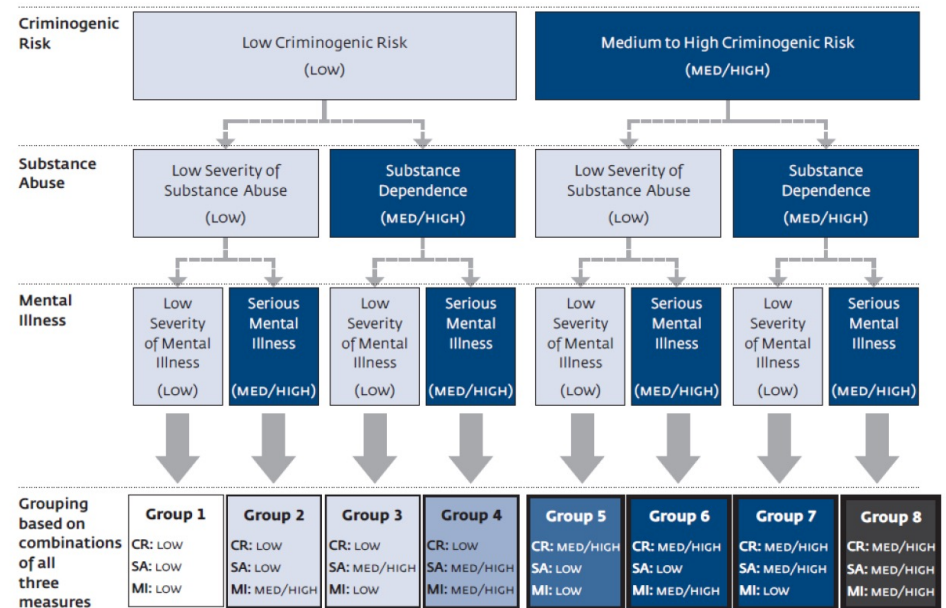
Nearly 50% of New Mexico's Largest Jail Population Scored As Medium to High Behavioral Health Needs



MDC Intake Assessment Framework

- 1,606 individuals on 6/7/2024
- 794 scoring between 6-8
 - 122 were a risk score of 6
 - 520 were a risk score of 7
 - 152 were a risk score of 8
- 801 individuals stated they were unhoused
- 1180 individuals stated they were unemployed (73.4%)

FIGURE 5. Criminogenic Risk and Behavioral Health Needs Framework*

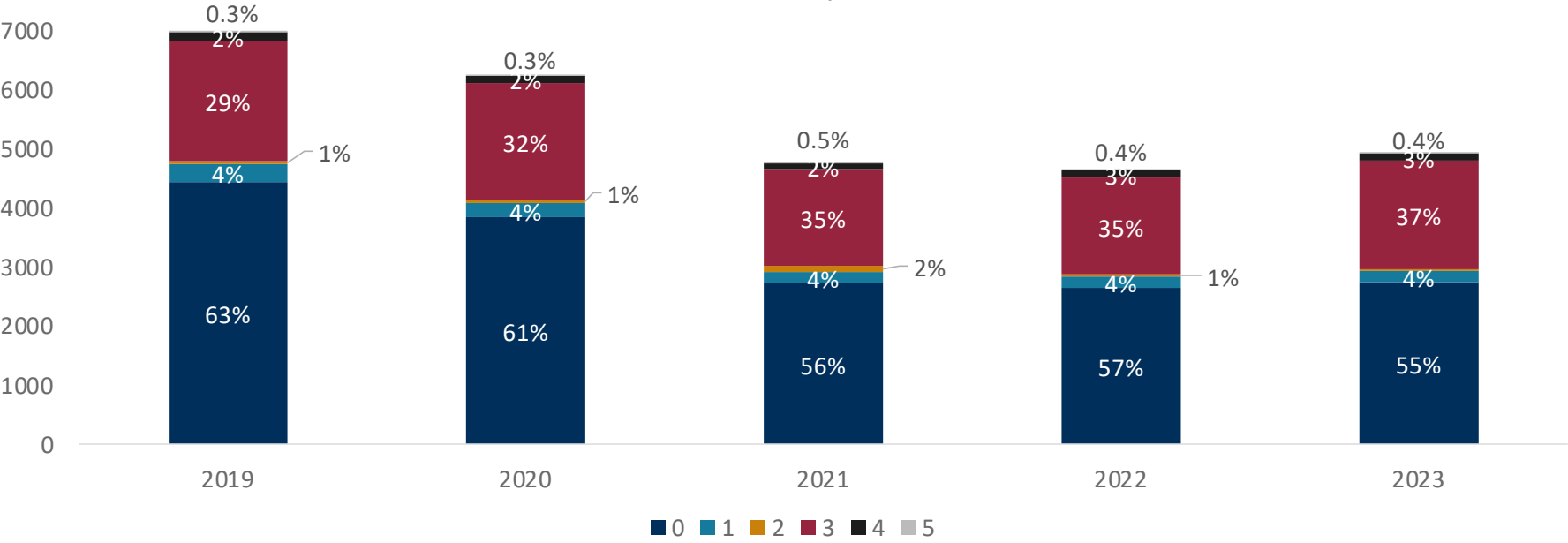


*Data received from the Metropolitan Detention Center on 6/7/2024

Nearly Half of Prison Population in New Mexico Has a Mental Health Code



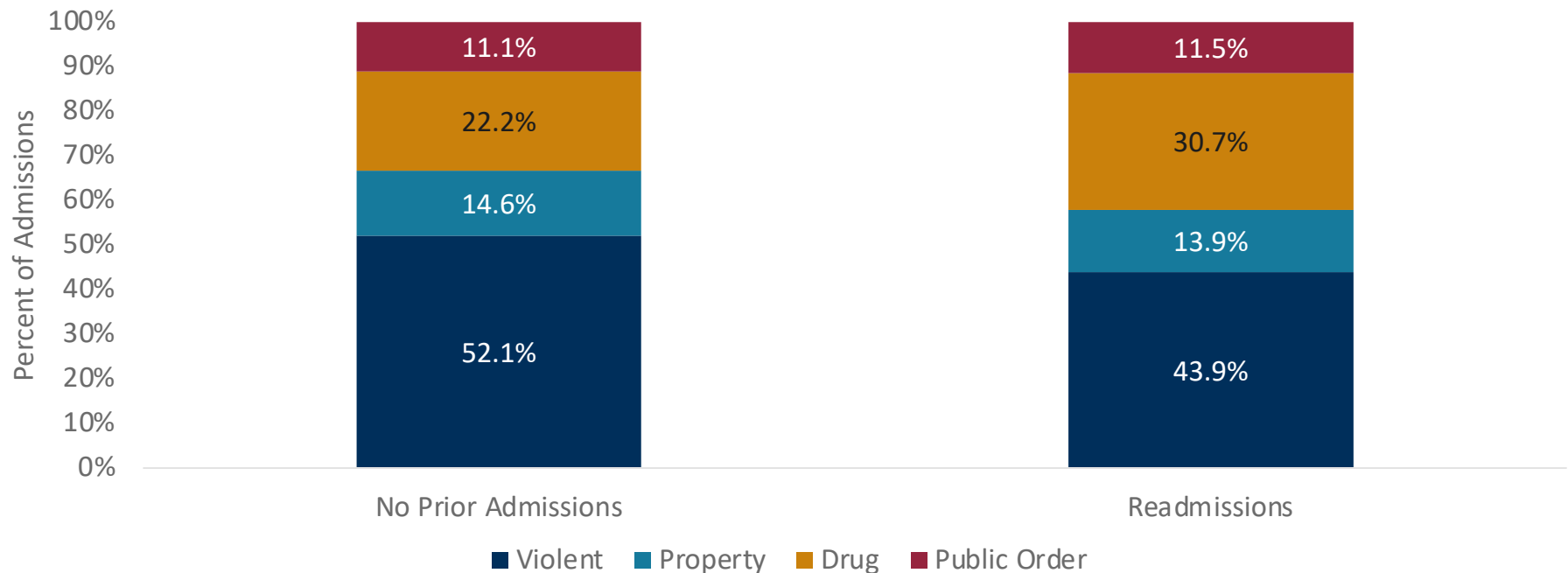
Mental Health Codes by Year, 2019-2023



A Greater Percent of 2023 Readmissions Admitted for Drug Offense vs. First Time Admissions



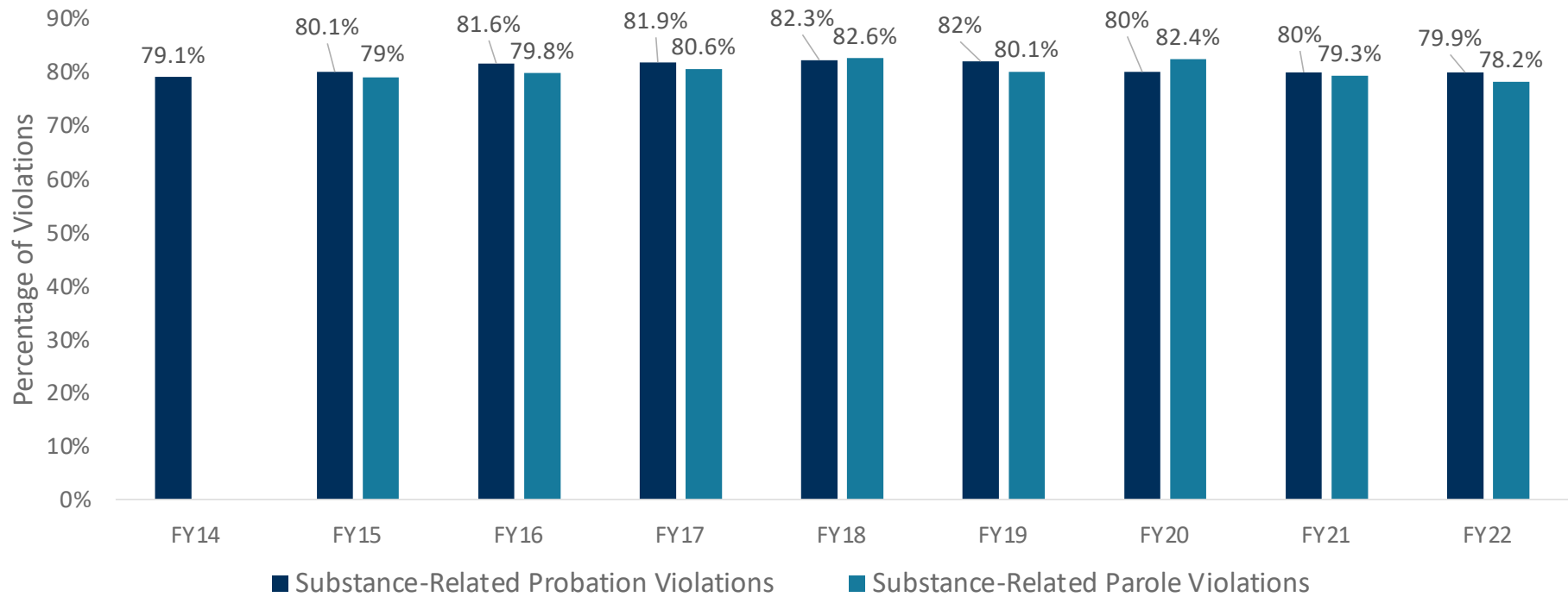
Crime Categories for FY23 New Admissions, No Prior Admissions v. Readmissions (%)



Substance Use Drives Probation & Parole Violations



For Individuals With a Violation, Percentage With a Substance-Related Violation, FY14-FY22



Barriers to Behavioral Health Treatment Exist At All Points



Crisis Response

- Not sustainable funding streams/locally funded
- Limited detox facilities
- Lack of resources beyond first 24-48 hours
- Staffing challenges
- ER transports for SUD and psychiatric
- Limited use of Medicaid funding for crisis response

Law Enforcement

- Largely locally funded
- No subsequent case planning as part crisis response
- Citations in lieu of arrest limited
- Limited access in rural areas, no telehealth
- Few LEAD programs
- Limited self-referral or active outreach models

Pretrial

- No specific behavioral health pre-prosecution diversion programs
- Pretrial services limited in treatment programming
- No uniform behavioral health screenings at initial detention, level of care recommendations , or treatment matching

Jail/Prison Incarceration

- Screenings and assessments at prison intake lacking behavioral health components
- No behavioral health diversion other than Mental Health Courts
- Mental Health Courts not available across state
- Limited MAT treatment in jail and prison facilities

Reentry

- Limited case planning to tailor treatment to specific risk and needs
- Reentry planning not focused on continuum of care
- Medication not provided upon release from jails or prisons consistently
- No automatic Medicaid enrollment
- Limited in-reach services

Community Supervision

- No behavioral health specialty caseloads
- Limited behavioral health training for supervision officers
- Limited support for housing/employment
- Conditions of supervision not responsive to behavioral health needs and no ability to modify conditions based on individual needs

Behavioral Health Key Takeaways



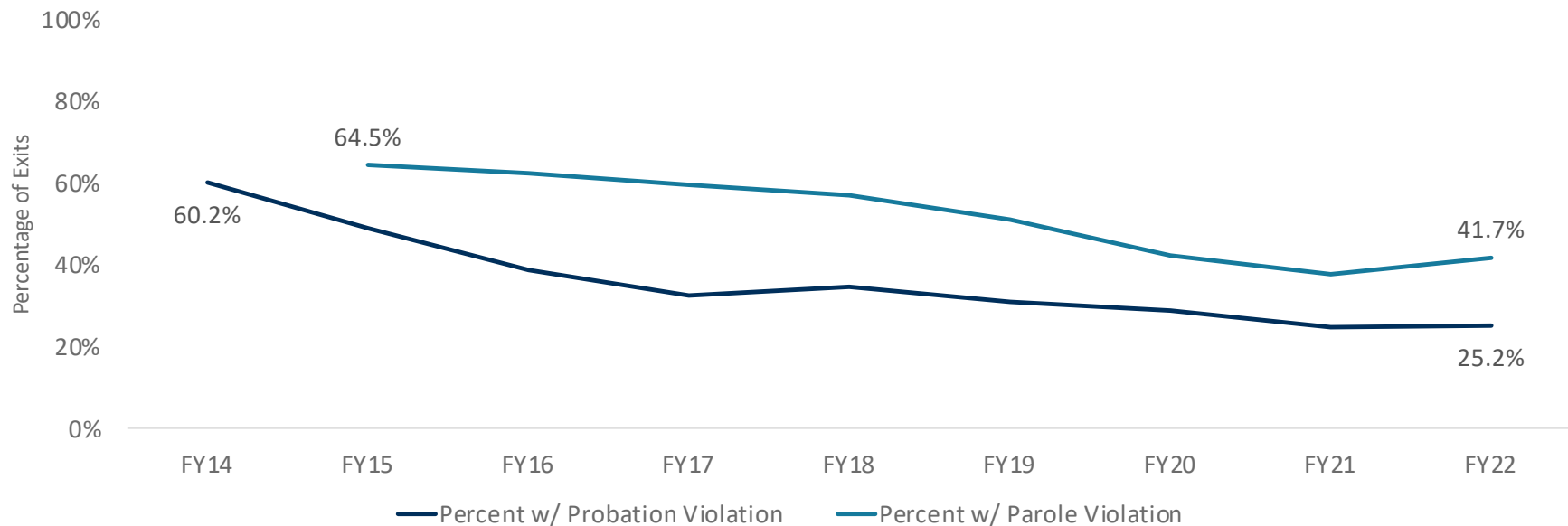
- Large percentage of individuals in jails and prisons with a serious mental illness or substance use disorder requiring treatment
- Without treatment, these individuals are likely to recidivate:
 - There is a greater percentage of prison readmissions for drug offenses as compared to new admissions
 - Most individuals with probation or parole violations, have a violation related to substance use.
- Among individuals with a community supervision violation, 80% had at least one that was substance-related

These Needs Contribute to Community Supervision Violations and Returns to Prison

Percentage of Community Supervision Sentences with Violations Decrease



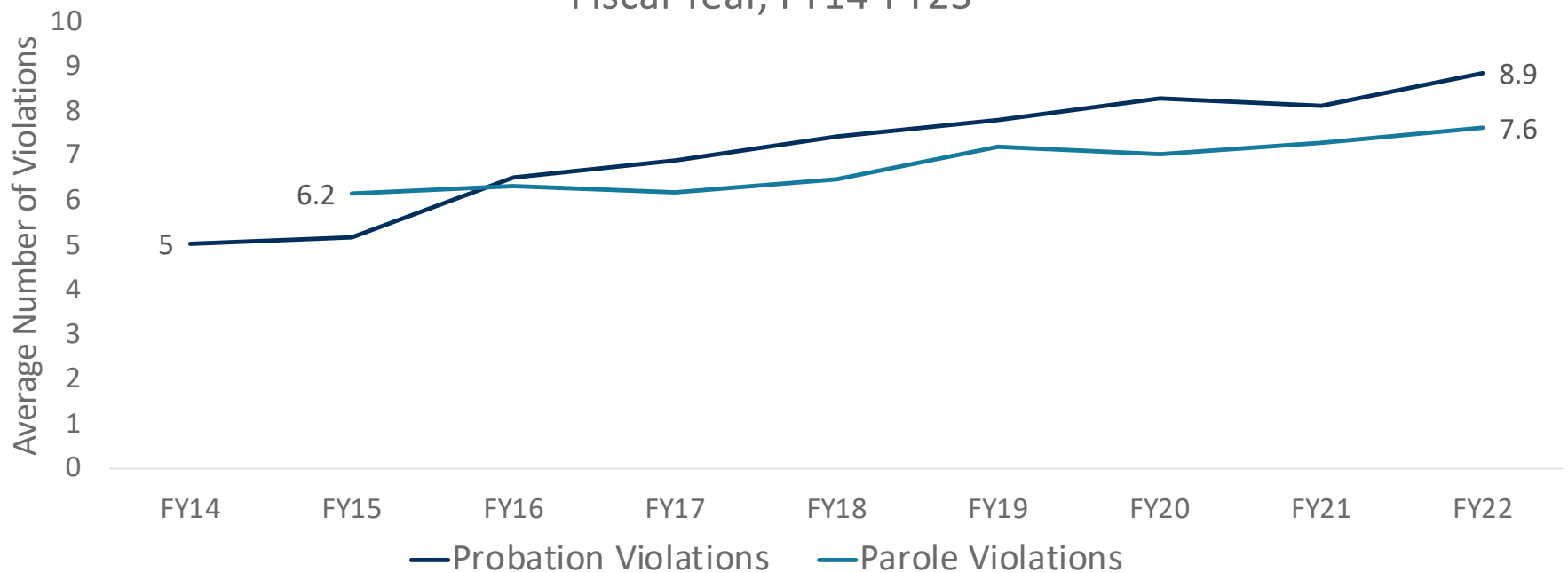
Percentage of Community Supervision Sentences with Violations by End Date/Exit Year, FY14-FY22



Average Number of Probation & Parole Violations Increased Per Person



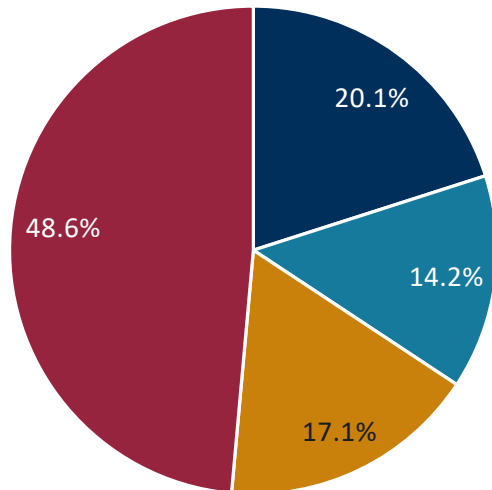
Average Number of Violations Among Individuals with Violations by Fiscal Year, FY14-FY23



In 2022, About Half of Violations Occurred Within First 4 Months of Community Supervision

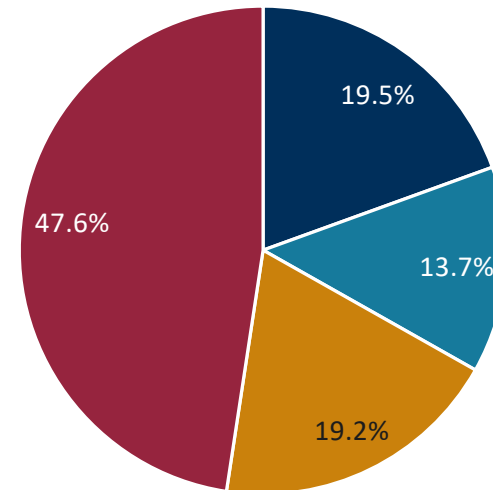


Percentage Breakdown of Time to First Probation Violation, FY22 Probation Exits



■ <30 Days ■ 30-59 Days ■ 60-119 Days ■ 120+ Days

Percentage Breakdown of Time to First Parole Violation, FY22 Parole Exits

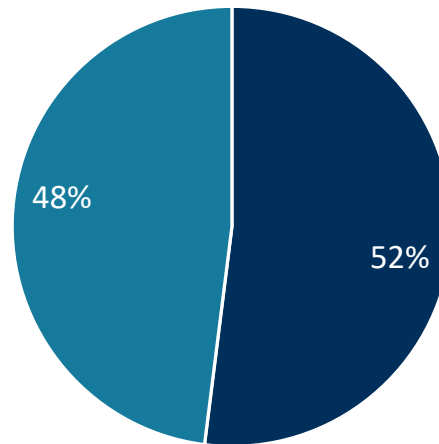


■ <30 Days ■ 30-59 Days ■ 60-119 Days ■ 120+ Days

Just Over Half of Parole Exits Were Revoked to Prison in 2023



Percentage of Parole Exits with Prison Admissions Prior to Exit Date by Fiscal Year, FY23

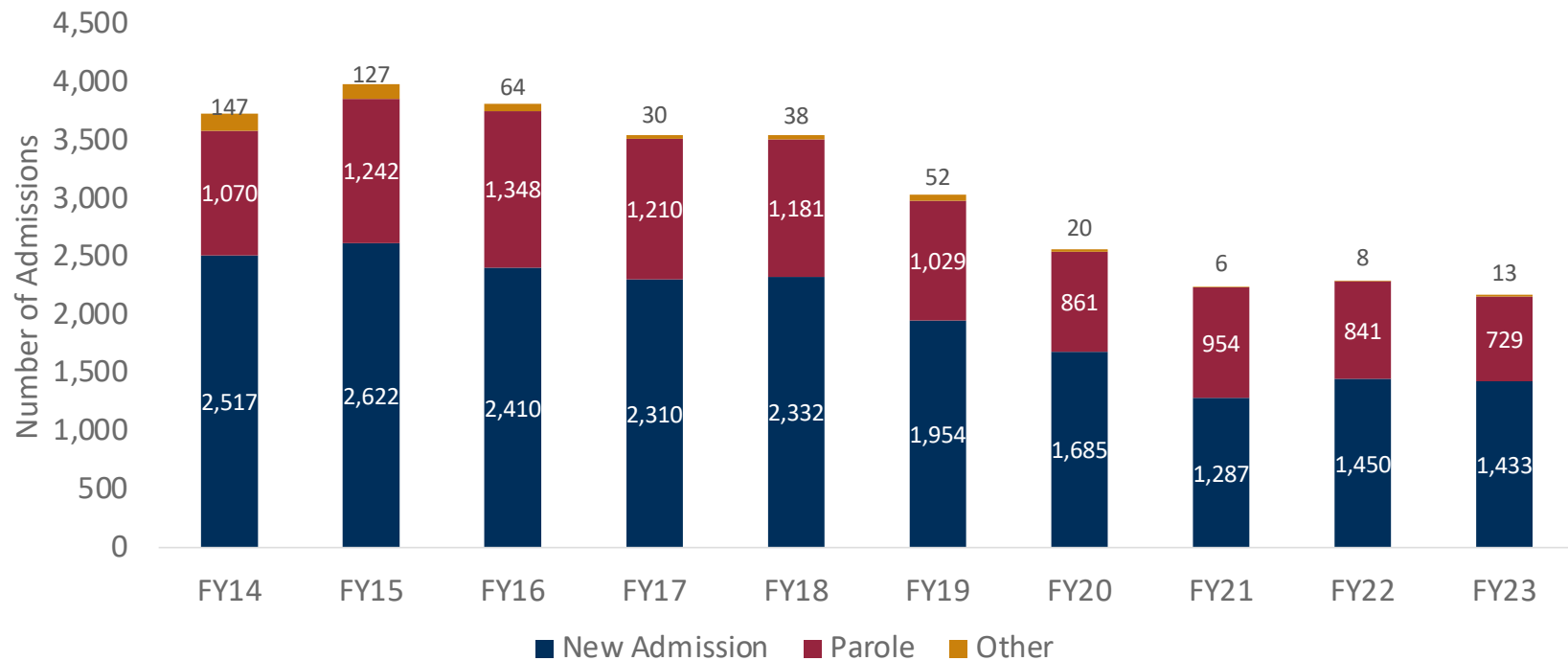


■ With Prison Admissions ■ Without Prison Admissions

Over 700 Individuals Admitted to Prison Due to a Parole Violation in 2023



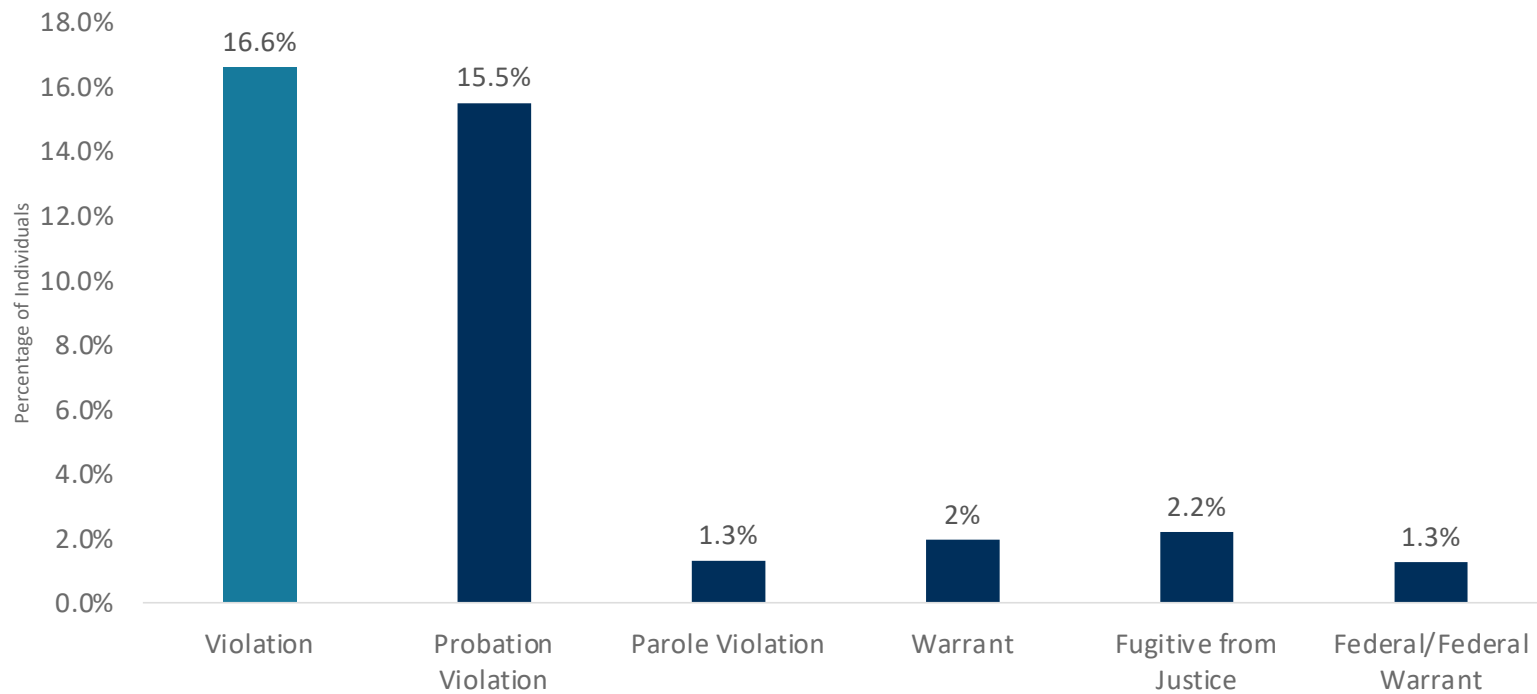
Total Admissions by Type per Fiscal Year, FY14-FY23 (n)



Nearly 300 Individuals in Custody at State's Largest Jail Due to a Community Supervision Violation



Individual-Level Flags Based on Offense Descriptions (%), Bernalillo (n = 1,594)



Community Supervision Key Takeaways



- While the percentage of individuals with a violation decreased, the average number of probation and parole violations among individuals who have violated has increased.
 - These violations are occurring within the first four months of supervision
- Over half of individuals who exited parole in 2023 were revoked prior to their release date.
- Parole violation admissions made up 1/3 of all prison admissions in 2023, an increasing proportion since 2014.
- About 17% of individuals in the Bernalillo County Detention Facility snapshot had a community supervision violation associated with their case.

Discussion/ Questions?

Thank You



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