



Profile of New Mexico Prison Population

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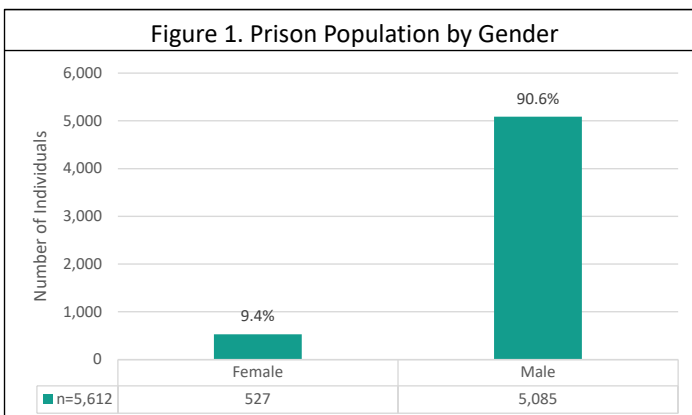
INTRODUCTION

A considerable portion of New Mexico Sentencing Commission’s (NMSC) research focuses on correctional populations. NMSC monitors the current prison population as part of its work projecting the state prison population for the New Mexico Corrections Department (NMCD), policymakers, and other interested parties. The information for this report is provided by NMCD. The report will review demographics of the confined population. On June 30, 2021, there were 5,676 individuals confined. The focus of this report is individuals serving new admission sentences and individuals admitted for parole violations. The report excludes 23 held for detention facilities (criminal justice holds), and 41 held for other states (compact offenders). This report focuses on the remaining 5,612 individuals confined in New Mexico prisons on June 30, 2021. When data is not available, we note the number of individuals in each chart legend.

Gender

Males comprise almost 91% of incarcerated individuals in New Mexico state prisons, while they represent 49% of the adult population in the state overall.¹ Among confined individuals in the United States, males comprise 93% of all states’ prison populations.²

Figure 1. Prison Population by Gender



Race

Over half of the New Mexico prison population is Hispanic, and a quarter is non-Hispanic white. Black and Native American people each comprise just under 10% of the prison population, with Asian and Pacific Islanders making up a small percentage of the total population.

Figure 2. Prison Population by Race

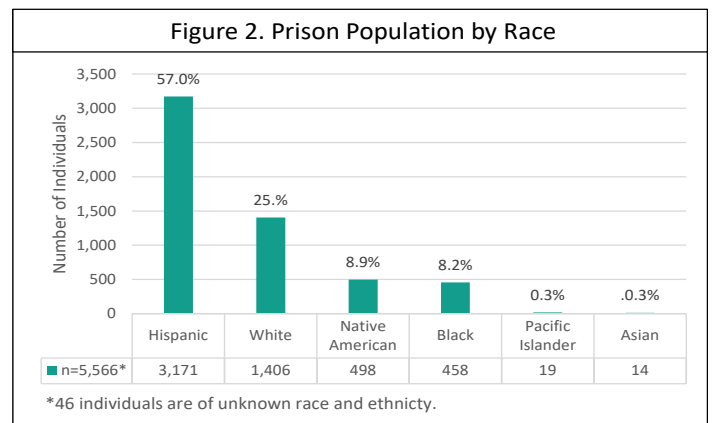


Table 1 depicts that compared to the composition of race and ethnicity among adults in New Mexico, Hispanic and Black people are over-represented in the prison population, especially among males, while white people are under-represented. Native American, Pacific Islander, and Asian people comprise about the same percentage of the prison population as they do in the state as a whole or are slightly under-represented.³

Table 1: Race and Ethnicity of Overall and Confined Populations			
	New Mexico	Confined Males	Confined Females
	1,638,989	5,042	524
Hispanic	44.3%	57.2%	55.2%
White	40.5%	24.6%	31.9%
Native American	9.4%	8.9%	9.4%
Black/African American	2.4%	8.7%	3.6%
Asian	2.2%	0.3%	0.0%
Pacific Islander	0.1%	0.4%	0.0%
Other	1.1%		

*Race and ethnicity information is unavailable for 44 confined males and 2 confined females.

Age

The New Mexico male prison population generally skews to the 20-49 age group, representing just over 80% of male individuals, similar to 77% of incarcerated males nationally in this age group.⁴ Incarcerated individuals are much younger than the adult New Mexican adult population overall, in which about 53% of males are in this age group.

These differences are even more extreme for females. Among New Mexico females who are incarcerated, almost 90% are between the ages of 20 and 49, compared to 52% of adult females in the state. Nationally, 84% of incarcerated females are between the ages of 20 and 49.⁵

Figure 3. Age of Male Population

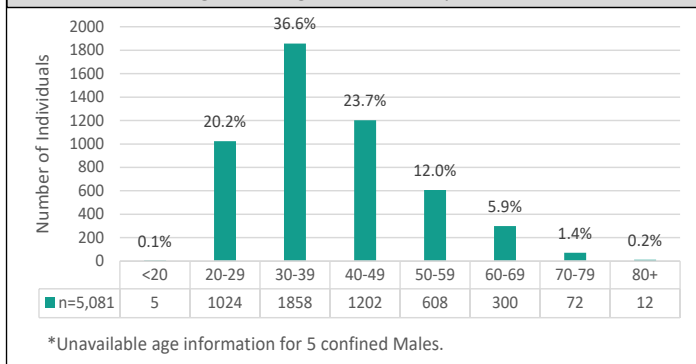
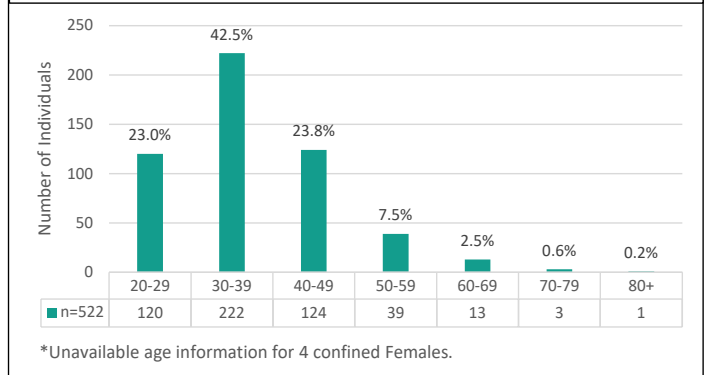


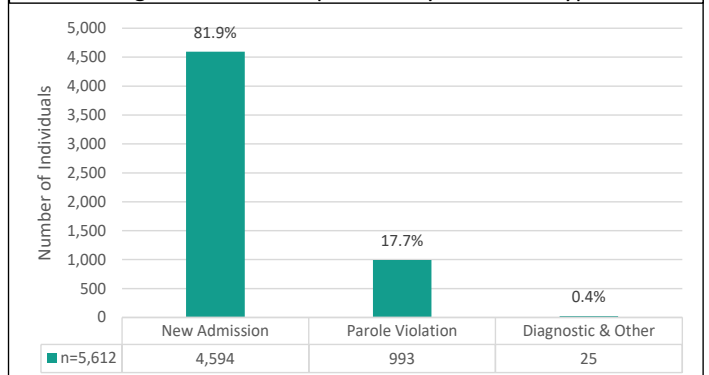
Figure 4. Age of Female Population



Admission Type

The most common admission type is by far “New Admission”, meaning individuals serving the initial portion of their sentence, representing 80% of all incarcerated males and females. “Parole Violation” signifies people who returned to prison while on parole due to a parole violation. If a parolee is convicted of a new crime, he or she is considered a new admission. The “Diagnostic & Other” category consists mostly of individuals ordered for a diagnostic evaluation, or people who violated probation.

Figure 5. Prison Population by Admission Type



New Admissions Analysis

We focus here on the cohort of 4,594 individuals incarcerated for a new admission. Offenses are coded by the most serious offense and categorized by type of crime. Nearly three in four male individuals incarcerated on a new admission were convicted of a violent offense. The two most common offenses for incarcerated males are both violent offenses that generally carry a lengthy sentence, homicide (22% of all offense categories) and sexual offenses (16%).

Drug offenses are just over 12% of offenses for males and are about equally divided between trafficking and possession (7% and 5% respectively of all offense categories.) Property crimes comprise about 10% of offenses among incarcerated males, most commonly burglary (4%) of all offense categories and larceny (3%). Finally, public order offenses comprise about 5% of all new admissions for males and are about equally divided between weapons violations, DWI, and judicial interference.

For females, the picture is somewhat different. While violent offenses still comprise the largest category of incarcerated individuals, violent offenses are less common than with the male population. Like men, the most common violent crime for females is homicide (12% of all offense categories;) but sexual offenses are uncommon (2%).

For females, offenses related to drugs comprise over 30% of new admissions; new admissions due to trafficking (17%) of all offense categories and possession (14%) are similar. Property offenses are a larger component of crime for females (17%) compared to men, the most common of which are fraud (6% of all offense categories) and larceny (4%). Public order offenses are less common among females than males (3%); most are judicial interference.

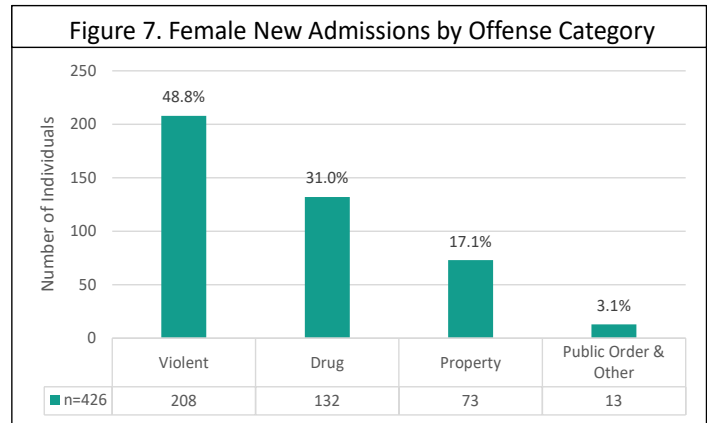
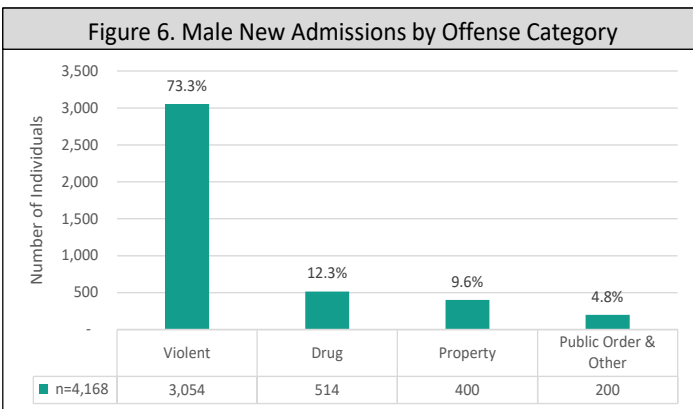


Table 2 identifies the types of crimes associated by offense category.

Table 2: Offense Categories:	
Offense Category	Description
Violent	Offenses include homicide, sexual offenses, robbery, battery, assault, and some offenses involving harm to minors.
Drug	Offenses relating to possession and trafficking of controlled substances.
Property	Offenses that involve larceny, fraud, burglary, or possession of instruments to those ends.
Public Order & Other	Offenses include DWI, witness tampering, fleeing law enforcement, and weapons possession.

Districts and Counties

Table 3 indicates the number of incarcerated persons by the Judicial District and county in which the incarcerated person was convicted (not necessarily where they lived at the time). Convictions in the Second Judicial District comprise about 30% of incarcerated individuals, followed by the Fifth Judicial District (12%) and the Twelfth Judicial District (9%).

Table 3: Incarcerated Individuals per County and District

	Incarcerated Individuals	Percentage of Incarcerated Individuals	Population
Statewide	5,577		2,096,829
District 1	269	5%	208,648
Los Alamos	11	0%	19,369
Rio Arriba	38	1%	38,921
Santa Fe	220	4%	150,358
District 2	1,669	30%	679,121
Bernalillo	1,669	30%	679,121
District 3	498	9%	218,195
Doña Ana	498	9%	218,195
District 4	102	2%	36,098
Guadalupe	16	0%	4,300
Mora	14	0%	4,521
San Miguel	72	1%	27,277
District 5	652	12%	194,145
Chaves	280	5%	64,615
Eddy	212	4%	58,460
Lea	160	3%	71,070
District 6	201	4%	54,905
Grant	74	1%	26,998
Hidalgo	19	0%	4,198
Luna	108	2%	23,709
District 7	150	3%	46,416
Catron	3	0%	3,527
Sierra	47	1%	10,791
Socorro	45	1%	16,637
Torrance	55	1%	15,461
District 8	150	3%	48,723
Colfax	70	1%	11,941
Taos	65	1%	32,723
Union	15	0%	4,059
District 9	399	7%	67,454
Curry	318	6%	48,954
Roosevelt	81	1%	18,500
District 10	85	2%	10,626
De Baca	12	0%	1,748
Harding	4	0%	625
Quay	69	1%	8,253

	Incarcerated Individuals	Percentage of Incarcerated Individuals	Population
District 11	496	9%	195,325
McKinley	112	2%	71,367
San Juan	384	7%	123,958
District 12	519	9%	87,062
Lincoln	102	2%	19,572
Otero	417	8%	67,490
District 13	387	7%	250,111
Cibola	96	2%	26,675
Valencia	169	3%	76,688
Sandoval	122	2%	146,748

*County and district are unavailable for 35 individuals.

Breakdown by Estimated Release Date for New Admissions

The next analysis examines how long individuals are expected to have left to serve in prison based on their planned release date. An individual's planned release date subtracts his or her potential meritorious time from their prison sentence. Eligibility for meritorious time is defined by state statute and depends on the severity of one's crime(s); it is either 15% or 50% of their sentence.⁶ From the planned release date, we calculated remaining time and their expected year of release.

Looking just at those serving time on a new admission, 80% of males and 93% of females have a projected release date in the next 10 years. A large portion of incarcerated females (54%) and males (40%) have planned release dates by the end of 2022.

Year	Female	Male	Total
All New Admissions	424	4,124	4,548
Release date prior to 6/30/2021	0	18	18
2021	89	633	722
2022	143	1,011	1,154
2023	66	530	596
2024	37	322	359
2025	21	207	228
2026	8	171	179
2027	8	93	101
2028	5	123	128
2029	10	71	81
2030	4	82	86
2031	4	66	70
Total	395	3,327	3,722

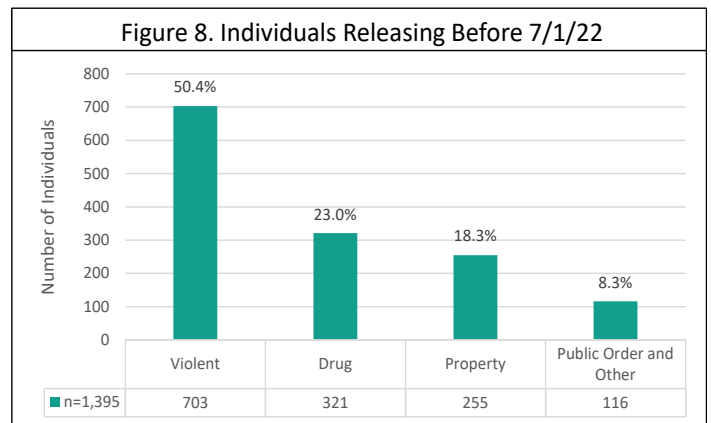
*Unavailable data for 46 newly-admitted individuals to calculate release year

Parole Admissions

While the parole population is significantly smaller than the new admissions population, there are 993 individuals in prison for parole violations. Over the last year the average length of stay on a parole revocation was 401 days. This category is defined by several admission situations that involve technical parole violations, absconding, or violations pending charge.

Analysis of Individuals Expected to Release

As of June 30, 2021 there are 1,395 individuals in the new admission cohort set for release within one year (before July 1, 2022). Of those expected to release, just over half are serving sentences for crimes classified as violent. The most common violent offenses in the one-year cohort are battery (29% of violent cases), followed by other violent offenses (14%) and armed robbery (13%).



Analysis of New Admissions Aged 55 and Over

New Mexico's Medical and Geriatric Parole Program allows the possibility of incarcerated individuals to be released before the end of their minimum sentence if they are (a) permanently incapacitated, (b) terminally ill, or (c) at least 65 years of age and suffering from a chronic infirmity, illness, or disease related to aging. Individuals serving a sentence for first-degree murder are not eligible for the program. Currently, the state is considering dropping the eligible age for the geriatric portion of the program from 65 to 55. Excluding individuals who are not serving as a new admission, there are 618 individuals at least 55 years of age in New Mexico's prison system who are serving a sentence in this snapshot. Of these, 111 would be ineligible for the Program because they were convicted of first-degree murder, resulting in a possible 507 incarcerated individuals who potentially are eligible. It is important to note, however, that 507 is an overcount of eligible persons since most incarcerated individuals aged 55 and older are unlikely to have the poor health conditions that would make a person eligible for the Medical and Geriatric Parole Program. NMSC does not have access to incarcerated individuals' health records.

Report Methodology

The data is constructed from a population snapshot of all NMCD facilities in New Mexico from June 30, 2021 provided by NMCD. NMCD provides the Sentencing Commission with this data on a quarterly basis.

NMCD provides release projections for most individuals in the dataset. The projected release date almost always matches parole eligibility date (the earliest possible release date) or the flat time release (no time taken off of sentence) date. In a few rare cases the projected does not match any release date in the dataset (n=11). The projected release date is used to generate the different expected release tables and the 2021 release cohort.

Endnotes

1. U.S. Census. (2019). American Community Survey, Table SO101. <https://data.census.gov/cedsci/table?t=Age%20and%20Sex%3APopulations%20and%20People&g=0400000US35&tid=ACSST1Y2019.S0101&hidePreview=true>.
2. Carson, E. Ann. (2020). Prisoners in 2019, Table P19T04. Bureau of Justice Statistics. <https://bjs.ojp.gov/library/publications/prisoners-2019>.
3. U.S. Census. (2020). Decennial Census, Table P4. <https://data.census.gov/cedsci/table?t=Age%20and%20Sex%3APopulations%20and%20People&tid=DECENNIALPL2020.P4>.
4. Carson, E. Ann. (2020). Prisoners in 2019, Table P19T09. Bureau of Justice Statistics. <https://bjs.ojp.gov/library/publications/prisoners-2019>.
5. Ibid.
6. Section 33-2-34 NMSA 1978. Additional lump-sum meritorious time may be added through completion of particular educational or treatment programs. Individuals may forfeit meritorious time by accumulating disciplinary actions during their time in prison.

Table 5. Projected Released Through 2031 for Individuals Age 55 and Older

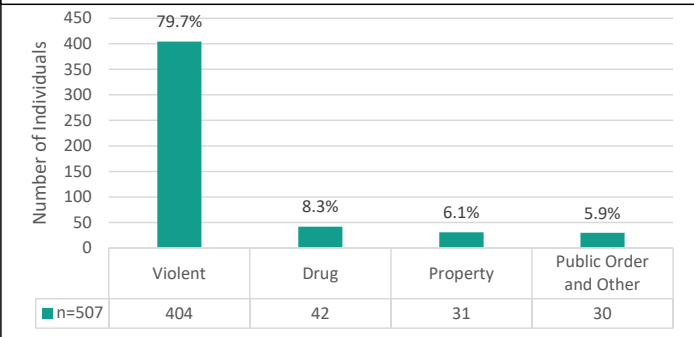
Release Year	Females	Males	Frequency	Percent
2021	7	50	57	11%
2022	7	68	75	15%
2023	2	60	62	12%
2024	2	37	39	8%
2025	0	31	31	6%
2026	1	20	21	4%
2027	1	19	20	4%
2028	1	20	21	4%
2029	1	20	21	4%
2030	1	13	14	3%
2031	0	14	14	3%
Projected Release After 2031	4	124	128	25%
Total	27	476	503	

*Projected Release Date is unavailable for 4 individuals.

New Admissions for Individuals Age 55 and Older

Almost 80% of individuals eligible for geriatric parole are serving sentences for violent offenses, most commonly sexual offenses and second-degree murder.

Figure 9. Offense Category for Individuals Age 55 and Older



The overarching vision of the New Mexico Sentencing Commission is to ensure the health, safety, and welfare of all New Mexicans. Its specific mission is to provide impartial information, analysis, recommendations, and assistance from a coordinated cross-agency perspective, with an emphasis on maintaining public safety and making the best use of New Mexico's criminal and juvenile justice resources.