



Profile of New Mexico Prison Population

Prepared by Grace Cairo

December 2022

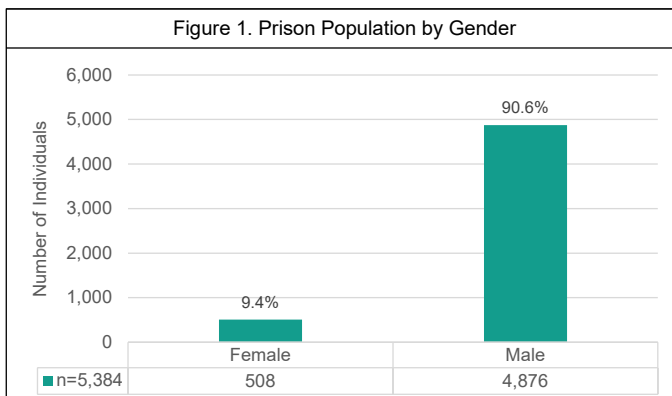
INTRODUCTION

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, 2022, there were 5,468 individuals confined. The focus of this report is individuals serving new admission sentences and individuals admitted for parole violations. The report excludes 14 held for detention facilities (criminal justice holds), 68 held for other states (compact offenders), and two that were missing an admission type. This report focuses on the remaining 5,384 individuals confined in New Mexico prisons on June 30, 2022. When data is unavailable, the number of individuals is in each chart legend.

Gender

Figure 1 shows that males comprise almost 91% of incarcerated individuals in New Mexico prisons, while they represent 51% of the adult population in the state as a whole (U.S. Census Bureau, 2021, Table S0101). Among confined individuals in the United States, females comprise 7% of all states’ prison populations (Carson, 2021, Table 10), therefore New Mexico’s female prison population is slightly larger than the national average.



Race

Figure 2 shows the proportion of prison population by 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 less than one percent of the total population.

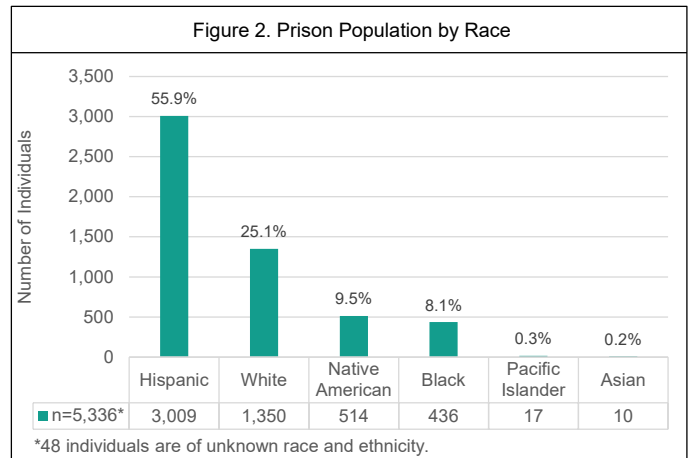


Table 1. Race and Ethnicity of Overall and Confined Populations

	New Mexico	Confined Males	Confined Females
	1,638,989	4,832	504
Hispanic	44.3%	56.8%	52.6%
White	40.5%	24.8%	30.6%
Native American	9.4%	9.4%	12.1%
Black/African American	2.4%	8.5%	4.8%
Asian	2.2%	0.2%	0.0%
Pacific Islander	0.1%	0.4%	0.0%
Other	1.1%		

*Race and ethnicity information is missing for 44 confined males and 4 confined females.

Table one compares the composition of race and ethnicity among adults in New Mexico with the confined population. Hispanic and Black people are over-represented in the prison population, especially among males, while white people are under-represented (U.S. Census, 2020, Table P4). Native Americans and Pacific Islanders comprise about the same percentage of the prison population as they do in the state as a whole, whereas Asian people are underrepresented in the prison population.

Age

The age distribution of people in New Mexico prisons is similar to the national age distribution for incarcerated people but skews younger than the overall age distribution in New Mexico.

The New Mexico male prison population generally skews to the 20-49 age group, shown in Figure 3, representing 78% of males, similar to 77% of incarcerated males nationally in this age group (Carson, 2021, Table 10). Incarcerated individuals are much younger than the New Mexican adult population overall, where approximately 51% of males are in the 20-49 age group. (U.S. Census, 2021, Table S0101).

Differences are even more extreme for females, as shown in Figure 4. Among incarcerated New Mexico females, 88% are between the ages of 20 and 49, compared to 47% of adult females in the state (U.S. Census, 2021, Table S0101). Nationally, 84% of incarcerated females are between the ages of 20 and 49 (Carson, 2021, Table 10). Additionally, there are no females under the age of 20 incarcerated in New Mexico's prisons.

Figure 3. Age of Male Population

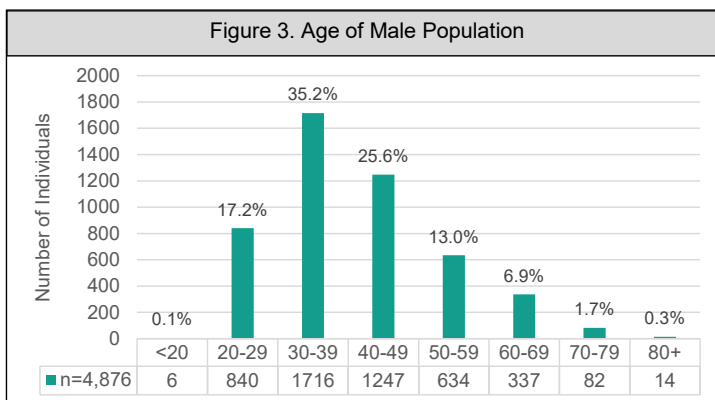
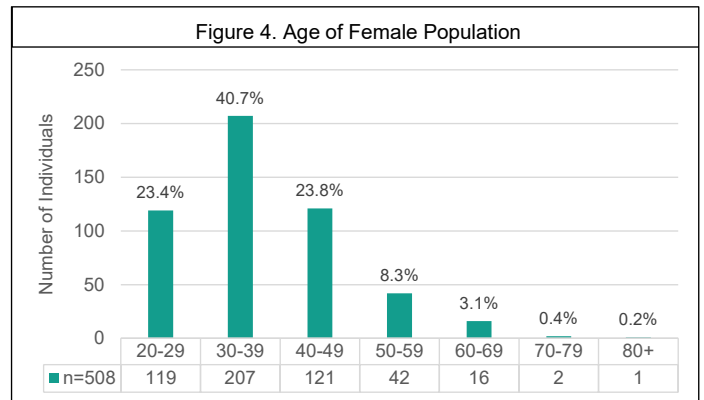


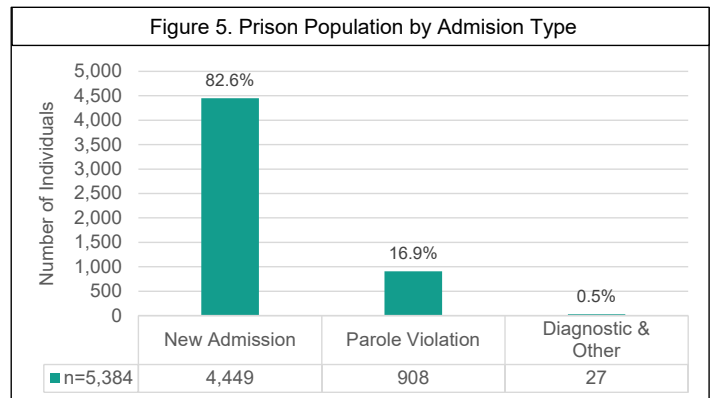
Figure 4. Age of Female Population



Admission Type

Figure 5 shows the proportion of the prison population by admission type, combining the male and female populations. The most common admission type is by far “New Admission”, meaning individuals serving time on a new conviction, representing 83% of all incarcerated individuals. “Parole Violation” signifies people who returned to prison while on parole due to a parole violation. 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

Analysis of new admissions focuses on the cohort of 4,432 individuals incarcerated for a new admission for whom we have offense details (this excludes 17 individuals who were missing offense types). Offenses are coded by the most serious offense and categorized by type of crime.

As shown in Figure 6, nearly three in four male individuals incarcerated on a new admission were convicted of a violent offense. (The types of crimes associated with each offense category are explained in Table 2, below.) The two most common offenses for incarcerated males are both violent offenses that generally carry a lengthy sentence, homicide (23% of all offense categories), and sexual offenses (17%).

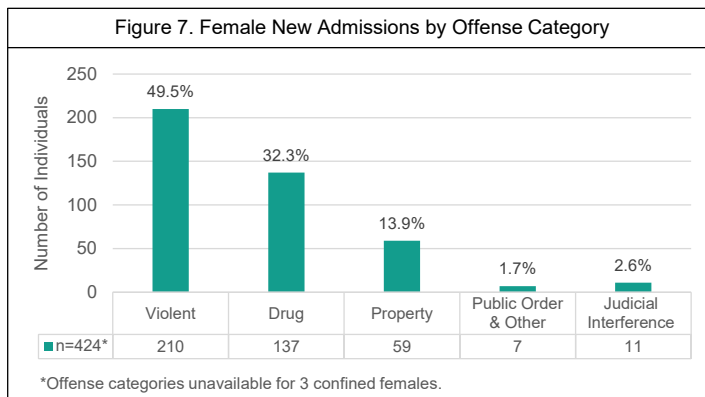
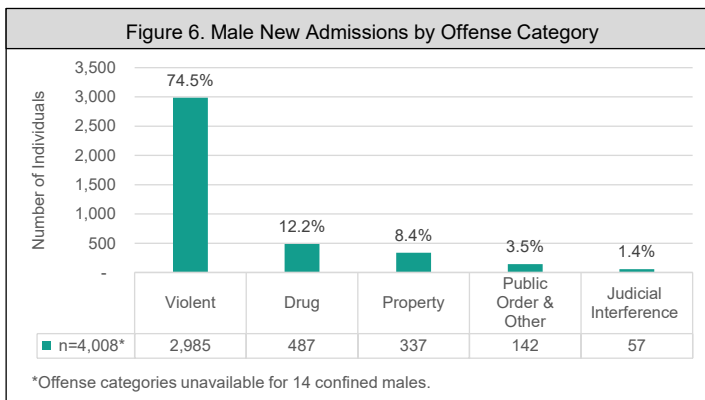
Drug offenses are just over 12% of offenses for males and are about equally divided between trafficking and possession (7% and 5% respectively of all offense categories). Property crimes comprise about 8% of offenses among incarcerated males, most commonly burglary (3%) and larceny (3%). Public order offenses comprise about 4% of all new admissions for males and are about equally divided between weapons violations and DWI offenses. Finally, judicial interference offenses were less than 2% of the total for males.

For females, as shown in Figure 7, the picture is somewhat different. While violent offenses still comprise the largest category of incarcerated individuals, violent offenses for females are less common than with the male population. Like males, the most common violent crime for females is homicide (14% of all offense categories), but sexual offenses are uncommon (1%). For females, offenses related to drugs comprise 32% of new admissions; admissions due to trafficking (19%) and possession (14%) are similar. Property offenses are a larger component of crime for females (14%) compared to males, the most common of which are larceny (5% of all offense categories) and fraud (4%). Public order and judicial interference offenses are both uncommon for females (2% and 3% respectively of all 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.
Judicial Interference	Offenses include bribery of a witness, tampering with evidence, and concealing identity.

Districts and Counties

Table 3 indicates the number of incarcerated persons by the Judicial District and the county in which the incarcerated person was convicted. Convictions in the Second Judicial District comprise about 28% of incarcerated individuals, followed by the Fifth Judicial District (12%) and the Eleventh and Twelfth Judicial Districts (10%).



	Incarcerated Individuals	Percentage of Incarcerated Individuals	Population
Statewide	5,353		2,115,877
District 1	232	4%	214,710
Los Alamos	12	<1%	19,330
Rio Arriba	37	1%	40,179
Santa Fe	183	3%	155,201
District 2	1,496	28%	674,393
Bernalillo	1,496	28%	674,393
District 3	437	8%	221,508
Doña Ana	437	8%	221,508
District 4	113	2%	35,795
Guadalupe	15	<1%	4,449
Mora	14	<1%	4,196
San Miguel	84	2%	27,150
District 5	653	12%	198,544
Chaves	280	5%	64,629
Eddy	216	4%	60,911
Lea	157	3%	73,004

Table 3. Incarcerated Individuals per County and District (cont.)

	Incarcerated Individuals	Percentage of Incarcerated Individuals	Population
District 6	193	4%	57,495
Grant	77	1%	27,889
Hidalgo	14	<1%	4,074
Luna	102	2%	25,532
District 7	136	3%	46,851
Catron	3	<1%	3,731
Sierra	48	1%	11,502
Socorro	42	1%	16,311
Torrance	43	1%	15,307
District 8	126	2%	51,099
Colfax	57	1%	12,369
Taos	57	1%	34,623
Union	12	<1%	4,107
District 9	391	7%	67,018
Curry	311	6%	47,999
Roosevelt	80	1%	19,019
District 10	79	1%	10,975
De Baca	9	<1%	1,680
Harding	3	<1%	639
Quay	67	1%	8,656
District 11	552	10%	192,773
McKinley	115	2%	71,780
San Juan	437	8%	120,993
District 12	551	10%	88,973
Lincoln	101	2%	20,436
Otero	450	8%	68,537
District 13	394	7%	255,743
Cibola	96	2%	27,184
Valencia	169	3%	77,190
Sandoval	129	2%	151,369

*County and district are unavailable for 31 individuals.
 Note. County population estimates are from the "Annual Estimates of the Resident Population for Counties in New Mexico: April 1, 2020 to July 1, 2021 (CO-EST2021-POP-35)," by the U.S. Census Bureau, 2022.

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 their 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.¹ 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 94% of females have a projected release date in the next 10 years (Table 4). A large portion of incarcerated females (58%) and males (40%) have planned release dates by the end of 2023.

Table 4. Projected Releases through 2032

Projected Release Year	Female	Male	Total
All New Admissions	424	3,967	4,391
Release date prior to 6/30/2022	5	36	41
2022	104	636	740
2023	135	907	1,042
2024	57	500	557
2025	34	284	318
2026	19	219	238
2027	8	129	137
2028	9	136	145
2029	12	85	97
2030	5	93	98
2031	5	76	81
2032	5	74	79
Total	398	3,175	3,573

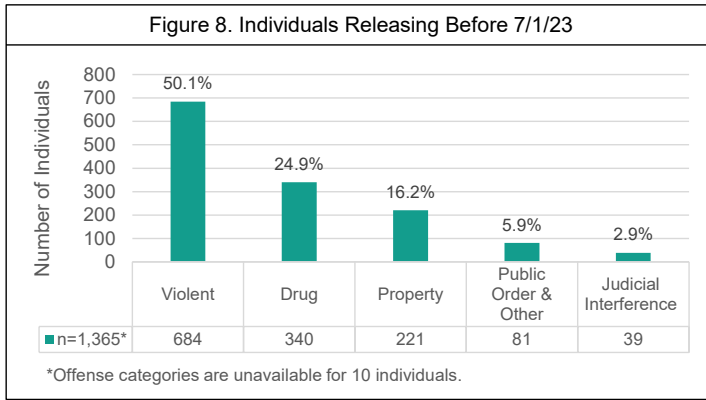
*Unavailable release year for 55 newly admitted males and 3 newly admitted females.

Parole Admissions

While the parole population is significantly smaller than the new admissions population, there are 908 individuals in prison for parole violations. Over the last year the average length of stay on a parole revocation was 377 days. This category is defined by several admission situations that involve technical parole violations, absconding, or violations pending charge.

Analysis of Individuals Expected to Be Released

As of June 30, 2022, as shown in Figure 8, there are 1,375 individuals in the new admission cohort set for release within one year (before July 1, 2023, including those with projected release dates before June 30, 2022). Of those expected to release for whom there is offense information (excluding 10 people without offense categories), half are serving sentences for crimes classified as violent. The most common violent offenses in the one-year cohort are battery (25% of violent cases), followed by other violent offenses (14%), and homicide (12%).



Analysis of New Admissions Aged 65 and Older

A focus on the older population in New Mexico’s prisons is critical because of the increased cost of incarcerating them due to increased medical expenses (McKillop & Boucher, 2018), which can significantly drain prison resources.

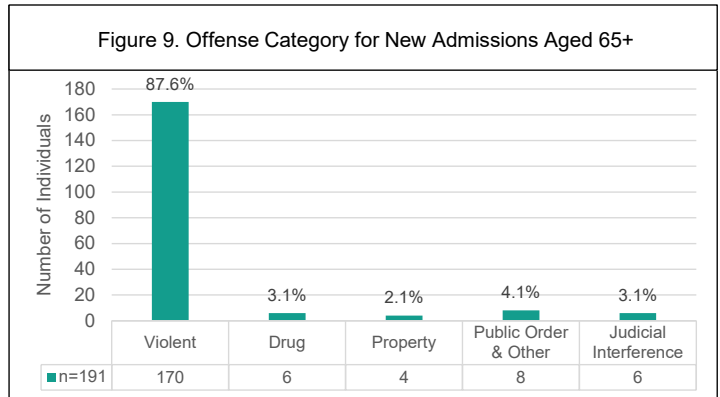
New Mexico’s present Medical and Geriatric Parole Program allows the possibility of incarcerated individuals to be released before the end of their minimum sentence if they are (a) permanently incapacitated, (b) terminally ill, or (c) at least 65 years of age and suffering from a chronic infirmity, illness, or disease related to aging.² In other words, a minimum age of 65 is required to be considered for eligibility for Geriatric Parole. It is important to remember, however, that age alone does not qualify someone for parole under the Medical and Geriatric Parole Program; there are a number of factors that have to be considered aside from age alone.

On June 30, 2022, there were 191 individuals confined on a new admission who were at least 65 years old. Table 5 shows the projected release years for these individuals. Less than 5% of the inmates were female, which is lower than the 9% of females in New Mexico prisons overall. Combining males and females, the largest proportion (41%) have expected release days after 2032, and only 6% are expected to release in 2022.

Table 5. Projected Releases through 2032 for New Admissions Aged 65+

Projected Release Year	Females	Males	Total	Percent
2022	0	11	11	6%
2023	1	29	30	16%
2024	0	11	11	6%
2025	1	10	11	6%
2026	1	8	9	5%
2027	1	11	12	6%
2028	0	6	6	3%
2029	0	10	10	5%
2030	0	4	4	2%
2031	0	7	7	4%
2032	0	2	2	1%
After 2032	5	73	78	41%
Total	9	182	191	100%

As shown in Figure 9, nearly 88% of individuals confined on a new admission aged 65 and older are serving sentences for violent offenses. These offenses are most commonly sexual offenses and homicides.



Report Methodology

The data is constructed from a population snapshot of all NMCD facilities in New Mexico from June 30, 2022, 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. In this dataset, the projected release date always matched the parole eligibility date (the earliest possible release date). The projected release date is used to generate the different expected release tables and the 2022 release cohort.

About The Commission

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.

Endnotes

1. 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.

2. For more information on the current Medical and Geriatric Parole Program in New Mexico, see Section 31-21-25.1 NMSA 1978.

Bibliography

1. Carson, A. (2021). Prisoners in 2020 - *Statistical Tables*. Bureau of Justice Statistics. <https://bjs.ojp.gov/content/pub/pdf/p20st.pdf>
2. McKillop, M., & Boucher, A. (2018). *Aging Prison Populations Drive Up Costs*. Pewtrusts.org. <https://www.pewtrusts.org/en/research-and-analysis/articles/2018/02/20/aging-prison-populations-drive-up-costs>
3. U.S Census. (2020). *Decennial Census*. census.gov. <https://data.census.gov/cedsci/table?t=Age%20and%20Sex%3APopulations%20and%20People&tid=DECENNIALPL2020.P4>.
4. U.S. Census Bureau. (2021). *American Community Survey*. Data.census.gov. <https://data.census.gov/cedsci/table?g=0400000US35&d=ACS%201-Year%20Estimates%20Selected%20Population%20Profiles&tid=ACSSPP1Y2021.S0201>
5. U.S. Census Bureau. (2022). *Annual Estimates of the Resident Population for Counties in New Mexico: April 1, 2020 to July 1, 2021 (CO-EST2021-POP-35)*. Census.gov. https://www.census.gov/data/tables/time-series/demo/popest/2020s-counties-total.html#par_textimage_24230176.