



Gordon Bernell Charter School

Supportive Housing Program

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About Gordon Bernell Charter School

Who We Are:

A unique APS district charter serving both **incarcerated and community-based students** through:

- High School and Adult Education Programs
- Career Development Center
- Behavioral Health and Social Supports

Inside MDC & Beyond:

We meet students where they are — inside the Metropolitan Detention Center (MDC) and at our North 4th Campus — offering education, workforce training, and wraparound supports that prepare students for a successful return to community.



Education is not enough — comprehensive social and behavioral supports and workforce development are necessary parts of return to community.

Lived Experience & Reality of Reentry

The Reality:

Many individuals leaving incarceration are ready to change — but surviving is not easy.

It takes a perfect storm of:

- Opportunity
- Flexibility
- Support
- Confidence
- Skills
- Sacrifice

Without coordination across housing, recovery, education, and employment, many fall back into cycles of crisis and incarceration.



Coordinated efforts to stabilize housing, recovery, education, and employment stop recidivism.

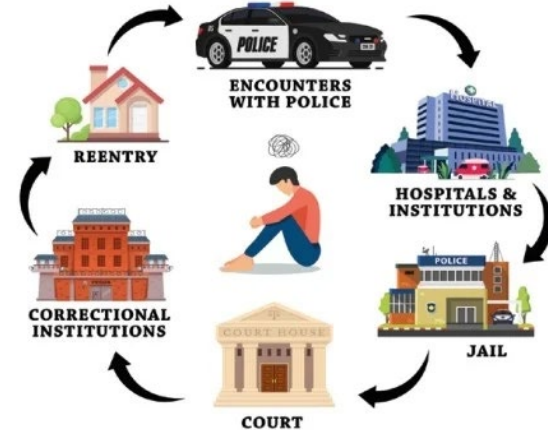
The challenge

The Problem:

- 78% of our students report needing help finding stable housing.
- 56% want career counseling; 67% need help finding employment.
- 24% identify addiction treatment as a top need.
- Without stable housing and behavioral health care, educational and employment progress stalls.

Research Insight:

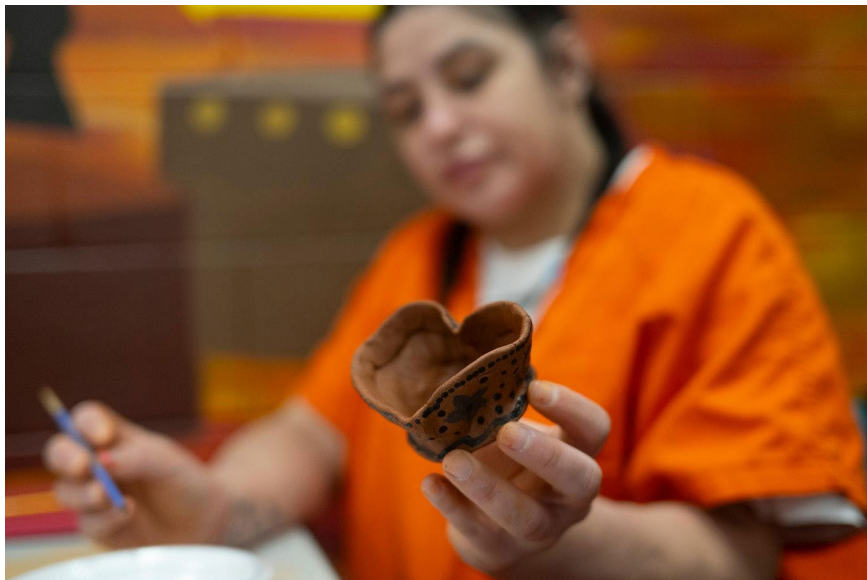
UNM research found students who attend Gordon Bernell see **significant drops in bookings and days of incarceration** after participation — even if they don't graduate.



Housing instability remains a significant barrier to maintaining progress and reducing recidivism.

One proposed solution - GBCS Housing Program

We don't just provide access to education — we strive to build structure, trust, and purpose.



Short-term **housing vouchers** tied to student engagement.

Pathway Navigators providing case management and **Peer Support**

Individualized Housing Plans connecting education, employment, and recovery.

Access to **harm-reduction, mental health, and career services.**



Early Impact of New Mexico Sentencing Commission Support

- Internal systems created
- 13 participants in SY25
- 5 successful exits into longer term housing situations with employment secured and educational credential earned

“Having a place to stay let me focus on school instead of survival.”

Lessons Learned:

- **Additional reentry supports** are needed to sustain success — housing vouchers alone are not enough.
- **Pre-release coordination** is critical; earlier engagement inside MDC helps stabilize transitions.
- **Expanded partnerships** with behavioral health providers, housing authorities, and workforce agencies are essential to scale impact.

Next Steps:

- Formalize additional partnerships for pre-release case management and wraparound services.
- Use program data to strengthen future grant applications and advocate for comprehensive reentry funding.

Long-Term Vision: A **replicable statewide model** integrating housing, education, and behavioral health to reduce recidivism and promote reintegration.

GORDON BERNELL CHARTER SCHOOL Supportive Housing Program

Beth Dorado, Gordon Bernell Charter School | Margaret Williams, Bernalillo County | Sheri Crider & Alayne Ballantine, Golden Forward

WHO WE ARE

A unique APS district charter serving incarcerated and community-based students through High School and Adult Education Programs, Career Development, and Behavioral Health Supports—inside the Metropolitan Detention Center (MDC) and at our North 4th Campus.

Education is not enough—comprehensive social and behavioral supports and workforce development are necessary parts of return to community.

THE CHALLENGE

78% of our students need help finding stable housing | **67%** need help finding employment | **24%** identify addiction treatment as a top need

UNM research shows students who attend Gordon Bernell see significant drops in bookings and incarceration days—but **housing instability remains the most significant barrier to reducing recidivism.**

OUR SOLUTION

We build structure, trust, and purpose through:

- Short-term housing vouchers tied to student engagement
- Pathway Navigators providing case management and Peer Support
- Individualized Housing Plans connecting education, employment, and recovery
- Access to harm-reduction, mental health, and career services

EARLY IMPACT

With New Mexico Sentencing Commission support:

- **13 participants** served
- **5 successful exits** into longer-term housing with employment and educational credentials

"Having a place to stay let me focus on school instead of survival."

Lessons Learned: Housing vouchers alone aren't enough—pre-release coordination and expanded behavioral health partnerships are critical to sustaining success.

LONG-TERM VISION

A replicable model integrating housing, education, and behavioral health to reduce recidivism and promote successful reintegration.



Grace Cairo

November 2025

Select Crimes Issue Paper: Violent Juvenile Offenses (FY2024)**Introduction**

The New Mexico Sentencing Commission's Select Crimes Issue Papers provide thorough examinations of data concerning criminal offenses that are regularly discussed by policymakers in New Mexico. Each paper in the series describes the frequency of charges and outcomes for a selected category of offenses in a given fiscal year. The Sentencing Commission publishes the Select Crimes Issue Papers pursuant to its statutory mandate (see Section 9-3-10(D) NMSA 1978).

This Select Crimes Issue Paper concerns violent juvenile offenses. A short description of the Dataset is followed by a Description of the tables. The Tables show the frequency, disposition, sentencing, and length of stay for violent juvenile crimes. A Methodology section at the end of the Issue Paper describes in detail how the information in each Table was compiled.

All papers in the series are published on the New Mexico Sentencing Commission website at <https://nmsc.unm.edu/reports/index.html>. They will be updated periodically. Please feel free to reach out to the Sentencing Commission with any questions.

Dataset

This Select Crimes Issue Paper concerns violent offenses committed by those under the age of 18. Crimes categorized as violent are based on the offense categories developed by NMSC research staff. See Table 1 for a full list of violent offenses occurring in this dataset. We include the 802 cases that included a violent offense as any charge and were adjudicated between July 1, 2023 and June 30, 2024. Information about the offenses comes from data collected by the Administrative Office of the Courts and the Corrections Department. The Methodology section describes how the information in each table was compiled.

Description of Tables

In Table 1, we describe the offenses by statute, including the typical degree assigned in statute (not including initiatory offenses, which may drop the degree) as well as the number of cases in which an offense of the statute was charged. Table 1 breaks down the nine main crime categories (homicide, assault, battery, sex offenses, kidnapping, domestic violence, child abuse, shooting, and theft with force) into the offenses included within each category. In subsequent tables, offenses are only identified by one of these nine main crime categories.

If an offender between the ages of 14 and 18 at the offense date is adjudicated for any of the asterisked charges in Table 1, they are considered a youthful offender (Section 32A-2-3(J) NMSA 1978). The exception is first-degree murder: the offender is considered a youthful offender if they are adjudicated for first-degree murder and are age 14 on the offense date (Section 32A-2-3(J)(3) NMSA 1978), and a serious youthful offender if they are between the

ages of 15 and 18 on the offense date and charged with and indicted for or bound over for trial for first-degree murder (Section 32A-2-3(H) NMSA 1978). For more information, please see Section 32A-2-3 NMSA 1978.

Tables 2 and 3 examine dispositions for the subset of cases (755, or 94%) in which a violent juvenile offense is the lead offense—that is, the charge with the highest degree. We define a finding of guilt as one in which either a conviction or a deferral has taken place. Conditional discharge is not a finding of guilt, but is included in its own column since a conditional discharge can result in a probation term. Acquittal means the defendant was found not guilty, while incompetency and dismissal suggest the court did not make a determination of guilt.¹ Tables 2 and 3 organize the same information differently: Table 2 provides dispositions by crime category while Table 3 provides the same information by degree.

In Tables 4 and 5, we examine dispositions of the most serious violent juvenile offense charged. Unlike Tables 2 and 3, these analyses include all cases, including those with lead offenses that are not violent offenses. One might thus expect lower rates of conviction here compared to Tables 2 and 3, as offenses other than lead offenses are often dismissed via plea bargains. Tables 4 and 5 organize the same information differently. Table 4 provides dispositions by crime category, while Table 5 provides the same information by degree.

Tables 6 and 7 examine sentencing for the subset of cases (397, or 50%) in which a violent offense is the most serious (meaning the highest degree) conviction, including all cases that could result in incarceration (prison or jail) or probation: convictions, deferrals, and conditional discharges. We calculate the median incarceration, probation, and parole sentence. Table 6 reports this information by crime category, while Table 7 provides the same information by degree.² These tables do not incorporate expected earned meritorious deductions (good time).

Table 8 reports the expected length of stay (LOS) for people who were incarcerated in a New Mexico prison for a violent offense on June 30, 2024, and who were under the age of 18 on their offense dates. This table incorporates expected earned meritorious deductions. The table does not include people incarcerated in a detention center or youth detention center.

Please see the Methodology section at the end of this report for more details.

¹ Different charges within cases may have different dispositions. Tables 2 and 3 consider only the disposition of the lead offense. In addition, dispositions are not necessarily indicative of sentencing. For example, a conviction may result in incarceration, probation, or a program such as a treatment court. A case may be dismissed for many reasons, including the possibility that the court assigned the defendant to a preprosecution diversion program.

² Electronic sentencing information is either unavailable or difficult to interpret for 7 or 2% of cases. In addition, sentencing information is complex and more prone to data entry error than other information included in this report.

Tables

Table 1: Violent Charges in Juvenile Cases³

Statute	Description	Typical Degree	Number of Cases	Percent of Cases
Homicide			42	5%
30-2-1(A)*	First-degree murder*	1 st Felony	25	3%
66-8-101(A), 66-8-101(B)	Homicide/great bodily injury by vehicle	3 rd Felony	8	1%
30-2-3(B)	Involuntary manslaughter	4 th Felony	5	<1%
30-2-1(B)*	Second-degree murder*	2 nd Felony	4	<1%
Assault			176	22%
30-3-2	Aggravated assault	4 th Felony	111	14%
30-3-1, 30-3-3*	Assault & assault w/ intent to commit violent felony*	P. Misdemeanor	28	4%
30-22-21, 30-3-9(B), 30-3-9.2(B)	Assault upon a peace officer, school employee, or healthcare worker	Misdemeanor	21	3%
30-22-22(A), 30-3-9(C), 30-3-9.2(C)	Aggravated assault upon a peace officer, school employee, or healthcare worker	3 rd Felony	11	1%
30-3A-3, 30-3A-3.1	Stalking and aggravated stalking	Misdemeanor	5	<1%
Battery			382	48%
30-3-4	Battery	P. Misdemeanor	166	21%
30-3-5*	Aggravated battery*	3 rd Felony	130	16%
30-22-24, 30-3-9(E), 30-3-9.2(E)	Battery upon a peace officer, school employee, or healthcare worker	4 th Felony	84	11%
30-3-9(F), 30-3-9.2(F)	Aggravated battery upon a school employee or health care worker	3 rd -4 th Felony	2	<1%
Sex Offenses			96	12%
30-9-13	Criminal sexual contact of a minor	3 rd -4 th Felony	67	8%
30-9-11*	Criminal sexual penetration*	1 st Felony	20	3%
30-6A-3	Sexual exploitation of children	2 nd Felony	9	1%
Kidnapping			30	4%
30-4-3	False imprisonment	4 th Felony	23	3%
30-4-1*	Kidnapping*	2 nd Felony	7	1%
Domestic Violence			255	32%
30-3-15	Battery against a household member	Misdemeanor	137	17%
30-3-18(A) & (B)	Criminal damage to the property of a household member	Misdemeanor	38	5%

³ Because cases can include charges for more than one type of violent offense, the sum of cases in Table 1 may exceed 802, and the sum of percentages may exceed 100%.

Statute	Description	Typical Degree	Number of Cases	Percent of Cases
30-3-16*	Aggravated battery against a household member*	3 rd Felony	32	4%
30-3-13	Aggravated assault upon a household member	4 th Felony	24	3%
30-3-12	Assault against a household member	P. Misdemeanor	22	3%
40-13-6	Violation of restraining order prohibiting domestic violence	Misdemeanor	2	<1%
Child Abuse			15	2%
30-6-1*	Child abuse/Reckless abuse of a child*	3 rd Felony	15	2%
Shooting			78	10%
30-3-8(B)*	Shooting at or from a motor vehicle*	4 th Felony	43	5%
30-3-8(A)*	Shooting at a dwelling or occupied building*	4 th Felony	22	3%
30-7-4	Negligent use of a deadly weapon	P. Misdemeanor	13	2%
Theft with Force			79	10%
30-16-2 *	Armed robbery/Robbery*	3 rd Felony	51	6%
30-16-4*	Aggravated burglary*	2 nd Felony	26	3%
30-16-20(E)	Aggravated shoplifting	3 rd -4 th Felony	2	<1%
<i>Note.</i> Asterisked charges are those included in the definition of a youthful offender, depending on the age at the offense date. For more information, please see Section 32A-2-3 NMSA 1978.				

Table 2: Violent Juvenile Lead Offenses and Their Dispositions by Crime Category

Crime Category	Number of Cases	Finding of Guilt for the Lead Offense	Conditional Discharge	Dismissal	Incompetency	Acquittal
Battery	268	22%	28%	47%	2%	<1%
Domestic violence	170	13%	26%	58%	3%	<1%
Assault	102	24%	25%	46%	5%	1%
Theft with force	69	35%	13%	49%	1%	1%
Sex offenses	45	27%	13%	58%	2%	--
Homicide	38	34%	0%	66%	--	--
Shooting	38	45%	13%	40%	3%	--
Kidnapping	13	8%	15%	77%	--	--
Child abuse	12	25%	8%	67%	--	--
Total cases	755	23%	22%	52%	2%	<1%

Table 3: Juvenile Violent Lead Offenses and Their Dispositions by Degree

Degree	Number of Cases	Finding of Guilt for the Lead Offense	Conditional Discharge	Dismissal	Incompetency	Acquittal
1 st Felony	37	32%	5%	62%	--	--
2 nd Felony	71	35%	7%	55%	1%	1%
3 rd Felony	156	30%	17%	52%	1%	<1%
4 th Felony	232	26%	23%	47%	3%	<1%
Misdemeanor	156	15%	32%	51%	2%	--
Petty Misdemeanor	103	10%	30%	56%	3%	1%
Total cases	755	23%	22%	52%	2%	<1%

Table 4: Most Serious Violent Juvenile Offense and Their Dispositions by Crime Category

Crime Category	Number of Cases	Findings of Guilt for the Most Serious Violent Offense	Conditional Discharge	Dismissal	Incompetency	Acquittal
Battery	291	22%	29%	47%	1%	<1%
Domestic violence	176	13%	27%	57%	3%	<1%
Assault	110	24%	25%	46%	5%	<1%
Theft with force	72	36%	13%	49%	1%	1%
Sex offenses	47	28%	13%	57%	2%	--
Shooting	39	46%	13%	39%	3%	--
Homicide	38	34%	--	66%	--	--
Kidnapping	16	6%	13%	81%	--	--
Child abuse	13	23%	8%	69%	--	--
Total Cases	802	23%	23%	51%	2%	<1%

Table 5: Most Serious Violent Juvenile Offense and Their Dispositions by Degree

Degree	Number of Cases	Findings of Guilt for the Most Serious Violent Offense	Conditional Discharge	Dismissal	Incompetency	Acquittal
1 st Felony	39	31%	5%	64%	--	--
2 nd Felony	75	36%	7%	55%	1%	1%
3 rd Felony	159	30%	16%	52%	1%	<1%
4 th Felony	239	26%	24%	46%	3%	<1%
Misdemeanor	161	14%	33%	51%	2%	--
Petty Misdemeanor	129	12%	30%	56%	2%	<1%
Total Cases	802	23%	23%	51%	2%	<1%

Table 6: Sentencing When Most Serious Conviction is a Violent Juvenile Offense by Crime Category⁴

Crime Category	Number of Cases	Fully Incarcerated		Partial Suspension		Fully Suspended
		Jail/prison sentence (yrs)	Parole term (yrs)	Jail/prison sentence (yrs)	Probation sentence (yrs)	Probation sentence (yrs)
Battery	158	1.0 (9)	0.0	--	--	1.0 (149)
Domestic violence	73	1.0 (2)	0.0	--	--	1.0 (71)
Assault	54	1.0 (5)	0.0	--	--	1.0 (49)
Theft with force	35	4.0 (10)	0.0	--	--	1.0 (25)
Shooting	30	1.5 (10)	0.0	--	--	1.0 (20)
Sex offenses	20	1.0 (1)	0.0	3.5 (1)	5.0	1.0 (18)
Homicide	11	4.5 (5)	0.0	25.0 (3)	5.0	2.0 (3)
Kidnapping	5	--	--	--	--	1.0 (5)
Child abuse	4	3.3 (3)	0.0	--	--	0.5 (1)
Total Cases	390	2.0 (45)	0.0	14.3 (4)	5.0	1.0 (341)

⁴ Numbers of cases are indicated in parentheses. Charges were not necessarily assigned the typical degree, especially for initiatory crimes.

Table 7: Sentencing When Most Serious Conviction is a Violent Juvenile Offense by Degree ⁵

Degree	Number of Cases	Fully Incarcerated		Partial Suspension		Fully Suspended
		Jail/prison sentence (yrs)	Parole term (yrs)	Jail/prison sentence (yrs)	Probation sentence (yrs)	Probation sentence (yrs)
1 st Felony	14	15.7 (4)	2.5	25.0 (3)	5.0	1.0 (7)
2 nd Felony	30	3.0 (14)	0.0	--	--	1.5 (16)
3 rd Felony	81	2.0 (12)	0.0	--	--	1.0 (69)
4 th Felony	126	1.0 (14)	0.0	1.0 (1)	1.0	1.0 (111)
Misdemeanor	82	1.0 (1)	0.0	--	--	1.0 (81)
Petty Misdemeanor	57	--	--	--	--	0.5 (57)
Total Cases	390	2.0 (45)	0.0	14.3 (4)	5.0	1.0 (341)

Table 8: Expected Lengths of Stay for People Younger Than 18 at Offense Date Incarcerated in NM Prisons on Violent Offenses June 30, 2024

Statute	Description	Number of Cases	Mean Expected LOS (yrs)	Median Expected LOS (yrs)
30-2-1(A)	First-degree murder	50	23.6	23.3
30-2-1(B)	Second-degree murder	16	15.2	12.5
30-4-1	Kidnapping	6	16.4	12.3
30-9-11	Criminal sexual penetration	7	19.2	5.3
30-3-5	Aggravated battery	2	1.5	1.5
30-3-8(B)	Shooting at/from motor vehicle	2	9.7	9.7
30-16-2	Armed robbery	1	10.9	10.9
30-9-13	Criminal sexual contact	1	4.3	4.3
30-16-4	Aggravated burglary	1	2.6	2.6
	Total Cases	86	19.7	16.1
<i>Note.</i> Sentencing information was unavailable for 2 individuals incarcerated for 1st-degree murder, who were excluded from this table.				

⁵ Numbers of cases are indicated in parentheses.

Methodology

The report covers violent crimes committed by those under the age of 18. It includes the 802 cases that were adjudicated between July 1, 2023 and June 30, 2024. We drew cases that included a violent offense as any charge and were committed by anyone under the age of 18; but the case was eliminated if (1) all charges of violent offenses were dropped before the case was adjudicated, (2) the case has not yet been adjudicated or (3) the case was bound over, transferred, or consolidated to a different case. Among all 2,109 charges in the 802 cases, 1,510 or 72% are violent offenses. Other common charges include unlawful carrying of a handgun by a person under age 19 and criminal damage to property.

Sometimes dispositions are amended; in this report we use the most recent disposition for each charge. However, we do not include changes in dispositions that may have occurred due to appeals processes.

We determine the Lead Offense for Tables 2 and 3 primarily based on the charges with the highest degree. If a violent offense is among those with the highest degree, we select it as the lead offense. If there are multiple such charges, we select the charge with a conviction, if any.

We determine the Most Serious violent offense for Tables 4 and 5 based on the violent charge with the highest degree. If there are multiple such charges, we select the charge with a conviction, if any.

The determination of sentencing in Tables 6 and 7 requires some explanation. Electronic sentencing information usually is recorded charge by charge, with an indication of whether the sentence is concurrent or consecutive to other convictions in the case. We determine the ‘charge term’—the intended length of incarceration for the charge—by adding any enhancement (e.g. habitual offender, firearm) to the sentence and subtracting any suspension. For total incarceration in the case, we use the longest charge term when all charge terms are to be served concurrently; we sum charge terms when they are each to be served consecutively. The incarceration sentences reported here do not incorporate the calculations of expected earned meritorious deductions (good time). Therefore, the lengths of incarceration for those incarcerated in prison (not jail) may be shorter than indicated here, as individuals incarcerated in prison earn meritorious deductions.

Probation sentences are derived from a different dataset than sentencing. There may be one entry for the entire case, or there may be separate entries for multiple convictions. We sum probation sentences. If the sum exceeds five years, we use the longest probation term instead, unless the defendant is a sex offender for whom the statutory maximum of five years of probation does not apply.

Parole sentences are derived from yet another dataset unrelated to sentencing or probation. While there is usually just one entry for a case, occasionally there are multiple entries. We assume the longest parole term. We do not include any parole term for partially suspended cases because, if one exists, it is served concurrently to the probation term, which is usually longer. We also do not include the parole term for fully suspended cases, as they only are served when a defendant completes probation incarcerated after probation has been revoked.

In Tables 6 and 7, we omit cases when electronic data is confusing or questionable, unless checked manually using New Mexico Secure Court Case Access. Omitted cases include those in which there are a mix of concurrent and consecutive charge terms, parole exceeds two years, a single probation record exceeds five years for a non-sex offender, parole terms are not accompanied by incarceration terms, or no sentencing information is available electronically.

Finally, for Table 8 we use admission dates and expected release dates to determine the mean and median lengths of stay for individuals under 18 at the offense date and incarcerated on June 30, 2024 for violent offenses in New Mexico prisons. The incarceration sentences reported here include expected earned meritorious deductions.



Nancy Shane

November, 2025

Select Crimes Issue Paper: Weapons Offenses (FY2024)**Introduction**

The New Mexico Sentencing Commission's Select Crimes Issue Papers provide thorough examinations of data concerning criminal offenses that are regularly discussed by policymakers in New Mexico. Each paper in the series describes the frequency of charges and outcomes for a selected category of offenses in a given fiscal year. The Sentencing Commission publishes the Select Crimes Issue Papers pursuant to its statutory mandate (see Section 9-3-10(D) NMSA 1978).

This Select Crimes Issue Paper concerns weapons offenses. A short description of the Dataset is followed by a Description of the tables. The Tables show the frequency, disposition, sentencing, and length of stay for weapons crimes. A Methodology section at the end of the Issue Paper describes in detail how the information in each Table was compiled.

All papers in the series are published on the New Mexico Sentencing Commission website at <https://nmsc.unm.edu/reports/index.html>. They will be updated periodically. Please feel free to reach out to the Sentencing Commission with any questions.

Dataset

This Select Crimes issue paper concerns weapons offenses. The offenses included are those in Section 30-3-7 NMSA 1978 (Weapons and Explosives) as well as those in Sections 30-3-8, 30-7-2, 4 and 16, 30-16-1(H) and 11, 30-20-16, and 30-22-16 NMSA 1978. We include the 2,587 cases that included a weapons offense as any charge and were adjudicated between July 1, 2023 and June 30, 2024. Information about the offenses comes from data collected by the Administrative Office of the Courts and the Corrections Department. The Methodology section describes how the information in each table was compiled.

Description of Tables

In Table 1, we describe the offenses by statute, including the typical degree assigned in statute (not including initiatory offenses, which may drop the degree) as well as the number of cases in which an offense of the statute was charged.

Tables 2 and 3 examine dispositions for the subset of cases (1,646, or 64%) in which a weapons offense is the lead offense—that is, the charge with the highest degree. We define a finding of guilt as one in which either a conviction or a deferral has taken place. Conditional discharge is not a finding of guilt, but is included in its own column since a conditional discharge can result in a probation term. Acquittal means the defendant was found not guilty, while

incompetency and dismissal suggest the court did not make a determination of guilt.¹ Tables 2 and 3 organize the same information differently. Table 2 provides dispositions by statute, while Table 3 provides the same information by degree.

In Tables 4 and 5, we examine dispositions of the most serious weapons offense. Unlike Tables 2 and 3, these analyses include all 2,587 cases, including those with lead offenses that are not weapons offenses. One might thus expect lower rates of conviction here compared to Tables 2 and 3, as offenses other than lead offenses are often dismissed via plea bargains. Tables 4 and 5 organize the same information differently. Table 4 provides dispositions by statute, while Table 5 provides the same information by degree.

Tables 6 and 7 examine sentencing for the subset of cases (707, or 27%) in which a weapons offense is the most serious (meaning the highest degree) conviction, including all cases that could result in incarceration (prison or jail) or probation: convictions, deferrals, and conditional discharges. We calculate the median incarceration, probation, and parole sentence. Table 6 reports this information by statute, while Table 7 provides the same information by degree.² These tables do not incorporate expected earned meritorious deductions (good time).

Table 8 reports the expected length of stay (LOS) for people who were incarcerated in a New Mexico prison for a weapons offense on June 30, 2024. This information incorporates expected earned meritorious deductions. The table does not include people incarcerated in a detention center or youth detention center.

Please see the Methodology section at the end of this report for more details.

¹ Different charges within cases may have different dispositions. Tables 2 and 3 consider only the disposition of the lead offense. In addition, dispositions are not necessarily indicative of sentencing. For example, a conviction may result in incarceration, probation, or a program such as a treatment court. A case may be dismissed for many reasons, including the possibility that the court assigned the defendant to a preprosecution diversion program.

² Electronic sentencing information is either unavailable or difficult to interpret for 122 or 17% of the 707 cases. In addition, sentencing information is complex and more prone to data entry error than other information included in this report.

Tables

Table 1: Weapons Offenses Charges in Cases³

Statute	Description	Typical Degree	Number of Cases	Percent of Cases
30-7-16(A)1	Possession firearm – felon	3 rd Felony	950	37%
30-7-4	Negligent use of a deadly weapon	P. Misdemeanor	923	36%
30-3-8(B)	Shooting at/from motor vehicle	2 nd –4 th Felony	298	12%
30-7-2	Unlawful carrying	P. Misdemeanor	264	10%
30-7-2.2	Unlawful carrying – person under 19	Misdemeanor	191	7%
30-3-8(A)	Shooting at dwelling	2 nd –4 th Felony	121	5%
30-16-11	Receiving stolen property (firearm)	4 th Felony	107	4%
30-7-2.1	Unlawful carrying – school premises	4 th Felony	78	3%
30-20-16(B)	Making shooting threat	Misdemeanor	26	1%
30-7-16(A)2,3	Possession firearm – (A2) protection order and/or (A3) DV convictions	Misdemeanor	25	1%
30-7-3	Unlawful carrying – liquor establish.	4 th Felony	20	1%
30-16-1(H)	Larceny - firearm (Less than \$2500)	4 th Felony	20	1%
30-20-16(A)	Bomb scare	4 th Felony	13	1%
30-7-21	False report of fire or explosion	Misdemeanor	12	<1%
30-7-8	Unlawful possession switchblades	P. Misdemeanor	11	<1%
30-7-2.4	Unlawful carrying – university	P. Misdemeanor	10	<1%
30-7-19	Possession explosive device	4 th Felony	7	<1%
30-7-22	Interference bomb/fire control	Misdemeanor	6	<1%
30-7-5	Dangerous use of explosives	3 rd Felony	5	<1%
30-7-4.1	Negligent – accessible to minor	4 th Felony	5	<1%
30-7-7	Unlawful sale	P.-Misdemeanor	4	<1%
30-22-16	Possession deadly weapon – prisoner	2 nd Felony	1	<1%

³ Because cases can include charges for more than one type of weapon violation, the sum of cases in Table 1 exceeds 2,587, and the sum of percentages exceeds 100%.

Table 2: Weapons -Related Lead Offenses and Their Dispositions by Statute

Statute	Description	Number of Cases	Finding of Guilt for the Lead Offense	Conditional Discharge	Dismissal	Incompetency	Acquittal
30-7-16(A)1	Possession firearm – felon	682	35%	0%	63%	1%	<1%
30-7-4	Negligent use of a deadly weapon	391	20%	8%	71%	--	1%
30-3-8(B)	Shooting at/from motor vehicle	180	30%	10%	59%	1%	--
30-7-2.2	Unlawful carrying – person under 19	71	30%	24%	45%	1%	--
30-3-8(A)	Shooting at dwelling	70	33%	9%	56%	1%	1%
30-7-2.1	Unlawful carrying – school premises	64	30%	22%	47%	2%	--
30-7-2	Unlawful carrying	63	25%	6%	68%	--	--
30-16-11	Receiving stolen property (firearm)	30	17%	3%	80%	--	--
30-20-16(B)	Making shooting threat	23	17%	26%	52%	4%	--
	All other weapon violations	72	25%	4%	67%	3%	1%
	Total cases	1,646	29%	6%	63%	1%	1%

Table 3: Weapons-Related Lead Offenses and Their Dispositions by Degree

Degree	Number of Cases	Finding of Guilt for the Lead Offense	Conditional Discharge	Dismissal	Incompetency	Acquittal
2 nd Felony	45	27%	2%	69%	--	2%
3 rd Felony	667	36%	<1%	62%	1%	<1%
4 th Felony	350	27%	11%	61%	1%	<1%
Misdemeanor	127	29%	18%	50%	2%	--
Petty Misdemeanor	457	20%	8%	70%	--	1%
Total cases	1,646	29%	6%	63%	1%	1%

Table 4: Most Serious Weapons Offenses and Their Disposition by Statute

Statute	Description	Number of Cases	Finding of Guilt for the Most Serious Weapons Offense	Conditional Discharge	Dismissal	Incompetency	Acquittal
30-7-16(A)1	Possession firearm – felon	932	36%	15%	63%	1%	1%
30-7-4	Negligent use of a deadly weapon	731	17%	6%	76%	--	1%
30-3-8(B)	Shooting at/from motor vehicle	237	31%	8%	59%	<1%	1%
30-7-2	Unlawful carrying	191	18%	5%	75%	1%	1%
30-7-2.2	Unlawful carrying – person under 19	144	27%	15%	56%	1%	1%
30-3-8(A)	Shooting at dwelling	105	32%	6%	60%	1%	1%
30-7-2.1	Unlawful carrying – school premises	73	29%	25%	45%	1%	--
30-16-11	Receiving Stolen Property (Firearm)	40	15%	2%	83%	--	--
30-20-16(B)	Making shooting threat	25	16%	24%	56%	4%	--
	All other weapon violations	109	22%	5%	71%	2%	1%
	Total cases	2,587	27%	5%	67%	1%	1%

Table 5: Most Serious Weapons Offenses and Their Disposition by Degree

Degree	Number of Cases	Finding of Guilt for the Most Serious Weapons Offense	Conditional Discharge	Dismissal	Incompetency	Acquittal
2 nd Felony	63	27%	2%	70%	--	2%
3 rd Felony	906	36%	<1%	62%	1%	1%
4 th Felony	457	28%	9%	61%	1%	1%
Misdemeanor	223	27%	1%	58%	2%	<1%
Petty Misdemeanor	457	18%	6%	76%	<1%	1%
Total cases	2,587	27%	5%	67%	1%	1%

Table 6: Sentencing When Most Serious Conviction is a Weapons Offense by Statute⁴

Statute/ Description	Typical Degree	Number of Cases	Fully Incarcerated		Partial Suspension		Fully Suspended
			Jail/prison sentence (yrs)	Parole term (yrs)	Jail/prison sentence (yrs)	Probation sentence (yrs)	Probation sentence (yrs)
30-7-16(A)1: Possession firearm – felon	3 rd F	237	3.0 (40)	2.0	2.0 (95)	3.0	3.0 (102)
30-7-4: Negligent use of a deadly weapon	P. Mis.	105	<.1 (1)	0.0	<.1 (17)	1.0	.5. (87)
30-3-8(B): Shooting at/from motor vehicle	2 nd - 4 th F	17	--	--	2.5 (17)	4.0	--
30-7-2.2: Unlawful carry- person under 19	Mis.	43	1.0 (4)	0.0	<.1 (3)	1.2	1.0 (36)
30-3-8(A): Shooting at dwelling	4 th F	87	2.5 (13)	0.0	2.0 (9)	5.0	1.5 (65)
30-7-2.1: Unlawful carry – school premises	4 th F	30	1.0 (3)	0.0	2.0 (1)	2.5	1.0 (26)
30-7-2: Unlawful carrying	P. Mis.	28	.1 (6)	0.0	.1 (4)	.5	.5 (18)
30-16-11: Stolen Firearm	4 th F	11	.5 (1)	1.0	1.5 (1)	4.5	1.5 (9)
30-20-16B: Shooting threat	Mis.	10	--	--	--	--	.7 (10)
All other Weapon offenses		17	7.0 (1)	1.0	1.0 (2)	.5	1.2 (14)
Total cases		585	3.0 (69)	1.0	1.5 (149)	3.0	1.5 (367)

⁴ Numbers of cases are indicated in parentheses. Charges were not necessarily assigned the typical degree, especially for initiatory crimes.

Table 7: Sentencing When Most Serious Conviction is a Weapons Offenses by Degree⁵

Degree	Number of Cases	Fully Incarcerated		Partial Suspension		Fully Suspended
		Jail/prison sentence (yrs)	Parole term (yrs)	Jail/prison sentence (yrs)	Probation sentence (yrs)	Probation sentence (yrs)
2 nd Felony	11	10.0 (3)	2.0	3.0 (5)	5.0	3.0 (3)
3 rd Felony	239	3.0 (43)	2.0	2.0 (96)	3.0	3.0 (100)
4 th Felony	133	1.0 (12)	0.0	1.7 (22)	2.5	1.5 (99)
Misdemeanor	69	1.0 (4)	0.0	<.1 (5)	1.0	1.0 (60)
Petty Misdemeanor	133	<.1 (7)	0.0	<.1 (21)	1.0	.5 (105)
Total cases		585	3.0 (69)	1.0	1.5 (149)	3.0

Table 8: Expected lengths of stay for people incarcerated in NM Prisons on Weapons Offenses June 30, 2024

Statute	Description	Number of Cases	Mean Expected LOS (yrs)	Median Expected LOS (yrs)
30-7-16(A)1	Possession firearm – felon	92	2.2	2.0
30-3-8(B)	Shooting at/from motor vehicle	52	6.6	5.9
30-3-8A	Shooting at dwelling	13	7.1	3.6
30-22-16	Possession deadly weapon – prisoner	9	5.2	4.4
30-16-11	Receiving stolen property (firearm)	1	1.3	1.3
30-7-2.1	Unlawful carrying – school premises	1	.7	.7
30-7-5	Dangerous use of explosives	1	2.3	2.3
	Total cases	169	4.1	2.7

Methodology

This report covers offenses in those in Sections 30-3-8, 30-7-2, 4 and 16, 30-16-1(H) and 11, 30-20-16, and 30-22-16 NMSA 1978. It includes the 2,587 cases that were adjudicated between July 1, 2023 and June 30, 2024. We drew cases that included a weapons offense as any charge, but the case was eliminated if (1) all charges of weapons offenses were dropped before the case was adjudicated, (2) the case has not yet been adjudicated or (3) the case was bound over, transferred, or consolidated to a different case. Among all 8,803 charges in the 2,587 cases, 3,395 or 39% are weapons offenses. Other common charges include assault, drug offenses, and judicial interference.

Sometimes dispositions are amended; in this report we use the most recent disposition for each charge. However, we do not include changes in dispositions that may have occurred due to appeals processes.

We determine the Lead Offense for Tables 2 and 3 primarily based on charges with the highest degree. If a weapons offense charge is among those with the highest degree, we select it as the lead offense. If there are multiple such charges, we select the charge with a conviction, if any.

⁵ Numbers of cases are indicated in parentheses.

We determine the Most Serious weapons offense for Tables 4 and 5 based on the weapons charge with the highest degree. If there are multiple such charges, we select the charge with a conviction, if any.

The determination of sentencing in Tables 6 and 7 requires some explanation. Electronic sentencing information usually is recorded charge by charge, with an indication of whether the sentence is concurrent or consecutive to other convictions in the case. We determine the ‘charge term’—the intended length of incarceration for the charge—by adding any enhancement (e.g. habitual offender, firearm) to the sentence and subtracting any suspension. For total incarceration in the case, we use the longest charge term when all charge terms are to be served concurrently; we sum charge terms when they are each to be served consecutively. The incarceration sentences reported here do not incorporate the calculations of expected earned meritorious deductions (good time). Therefore, the lengths of incarceration for those incarcerated in prison (not jail) may be shorter than indicated here, as individuals incarcerated in prison earn meritorious deductions.

Probation sentences are derived from a different dataset than sentencing. There may be one entry for the entire case, or there may be separate entries for multiple convictions. We sum probation sentences. If the sum exceeds five years, we use the longest probation term instead, unless the defendant is a sex offender for whom the statutory maximum of five years of probation does not apply.

Parole sentences are derived from yet another dataset unrelated to sentencing or probation. While there is usually just one entry for a case, occasionally there are multiple entries. We assume the longest parole term. We do not include any parole term for partially suspended cases because, if one exists, it is served concurrently to the probation term, which is usually longer. We also do not include the parole term for fully suspended cases, as they only are served when a defendant completes probation incarcerated after probation has been revoked.

In Tables 6 and 7, we omit cases when electronic data is confusing or questionable, unless checked manually using New Mexico Secure Court Case Access. Omitted cases include those in which there are a mix of concurrent and consecutive charge terms, parole exceeds two years, a single probation record exceeds five years for a non-sex offender, parole terms are not accompanied by incarceration terms, or no sentencing information is available electronically.

Finally, for Table 8 we use admission dates and expected release dates to determine the mean and median lengths of stay for individuals incarcerated on June 30, 2024 for weapons offenses in New Mexico prisons. The incarceration sentences reported here do include expected earned meritorious deductions.



Jeremy Gonzales

November 2025

Select Crimes Issue Paper: Shoplifting Offenses (FY2024)**Introduction**

The New Mexico Sentencing Commission's Select Crimes Issue Papers provide thorough examinations of data concerning criminal offenses that are regularly discussed by policymakers in New Mexico. Each paper in the series describes the frequency of charges and outcomes for a selected category of offenses in a given fiscal year. The Sentencing Commission publishes the Select Crimes Issue Papers pursuant to its statutory mandate (see Section 9-3-10(D) NMSA 1978).

This Select Crimes Issue Paper concerns shoplifting offenses. A short description of the Dataset is followed by a Description of the tables. The Tables show the frequency, disposition, sentencing, and length of stay for shoplifting crimes. A Methodology section at the end of the Issue Paper describes in detail how the information in each Table was compiled.

All papers in the series are published on the New Mexico Sentencing Commission website at <https://nmsc.unm.edu/reports/index.html>. They will be updated periodically. Please feel free to reach out to the Sentencing Commission with any questions.

Dataset

This Select Crimes Issue Paper concerns shoplifting. The offenses included are those in Section 30-16-20 NMSA 1978 (shoplifting and aggravated shoplifting) and Section 30-16-20.1 (organized retail crime). We include the 2,684 cases that included a shoplifting offense as any charge and were adjudicated between July 1, 2023 and June 30, 2024. Information about the offenses comes from data collected by the Administrative Office of the Courts and the Corrections Department. The Methodology section describes how the information in each table was compiled.

Description of Tables

In Table 1, we describe the offenses by statute, including the typical degree assigned in statute (not including initiatory offenses, which may drop the degree) as well as the number of cases in which an offense of the statute was charged.

Tables 2 and 3 examine dispositions for the subset of cases (1,983, or 74%) in which a shoplifting offense is the lead offense—that is, the charge with the highest degree. We define a finding of guilt as one in which either a conviction or a deferral has taken place. Conditional discharge is not a finding of guilt, but is included in its own column since a conditional discharge can result in a probation term. Acquittal means the defendant was found not guilty, while incompetency and dismissal suggest the court did not make a determination of guilt.¹ Tables 2 and 3 organize the

¹ Different charges within cases may have different dispositions. Tables 2 and 3 consider only the disposition of the lead offense. In addition, dispositions are not necessarily indicative of sentencing. For example, a conviction may result in incarceration, probation, or a

same information differently: Table 2 provides dispositions by statute, while Table 3 provides the same information by degree.

In Tables 4 and 5, we examine dispositions of the most serious shoplifting offense. Unlike Tables 2 and 3, these analyses include all 2,684 cases, including those with lead offenses that are not shoplifting offenses. One might thus expect lower rates of conviction here compared to Tables 2 and 3, as offenses other than lead offenses are often dismissed via plea bargains. Tables 4 and 5 organize the same information differently. Table 4 provides dispositions by statute, while Table 5 provides the same information by degree.

Tables 6 and 7 examine sentencing for the subset of cases (640, or 24%) in which a shoplifting offense is the most serious (meaning the highest degree) conviction, including all cases that could result in incarceration (prison or jail) or probation: convictions, deferrals, and conditional discharges. We calculate the median incarceration, probation, and parole sentence. Table 6 reports this information by statute, while Table 7 provides the same information by degree.² These tables do not incorporate expected earned meritorious deductions (good time).

Table 8 reports the expected length of stay (LOS) for people who were incarcerated in a New Mexico prison for a shoplifting offense on June 30, 2024. This information incorporates expected earned meritorious deductions. The table does not include people incarcerated in a detention center or youth detention center.

Please see the Methodology section at the end of this report for more details.

Tables

Table 1: Shoplifting Offenses Charges in Cases

Statute	Description	Typical Degree	Number of Cases	Percent of Overall Cases
30-16-20(B)-1	Shoplifting \$250 or less	P. Misdemeanor	1,486	55%
30-16-20(B)-2	Shoplifting \$250-\$500	Misdemeanor	514	19%
30-16-20(B)-3	Shoplifting \$500-\$2500	4 th Felony	638	24%
30-16-20(B)-4	Shoplifting \$2500-\$20,000	3 rd Felony	39	1%
30-16-20(E)	Aggravated shoplifting	3 rd Felony	7	<1%
30-16-20 (Initiatory)	Attempt, conspiracy, or solicitation	Varies	244	9%
30-16-20.1	Organized retail crime	2 nd Felony	2	<1%
30-16-20	Statute subsection not specified	Varies	5	<1%

program such as a treatment court. A case may be dismissed for many reasons, including that the court assigned the defendant a to preprosecution diversion program.

² Electronic sentencing information is either unavailable or difficult to interpret for 61 or 10% of cases. In addition, sentencing information is complex and more prone to data entry error than other information included in this report.

Table 2: Shoplifting-Related Lead Offenses and Their Dispositions by Statute

Statute	Description	Number of Cases	Finding of Guilt for the Lead Offense	Conditional Discharge	Dismissal	Incompetency	Acquittal
30-16-20(B)-1	Shoplifting \$250 or less	867	22%	1%	72%	4%	<1%
30-16-20(B)-2	Shoplifting \$250-\$500	414	23%	1%	73%	3%	--
30-16-20(B)-3	Shoplifting \$500-\$2500	596	28%	6%	64%	2%	<1%
30-16-20(B)-4	Shoplifting \$2500-\$20,000	36	28%	6%	64%	3%	--
30-16-20(E)	Aggravated shoplifting	6	33%	17%	50%	--	--
30-16-20 (Initiatory)	Attempt, conspiracy, or solicitation	58	60%	--	40%	--	--
30-16-20.1	Organized retail crime	2	--	--	100%	--	--
30-16-20	Statute subsection not specified	4	--	--	100%	--	--
Total cases		1,983	26%	2%	69%	3%	<1%

Table 3: Shoplifting-Related Lead Offenses and Their Dispositions by Degree

Degree	Number of Cases	Finding of Guilt for the Lead Offense	Conditional Discharge	Dismissal	Incompetency	Acquittal
2 nd Felony	2	--	--	100%	--	--
3 rd Felony	41	29%	7%	61%	2%	--
4 th Felony	625	28%	5%	65%	2%	<1%
Misdemeanor	441	29%	1%	67%	3%	--
Petty Misdemeanor	883	22%	1%	72%	4%	<1%
Total cases	1,983	25.5%	2.5%	69%	3%	<1%

Table 4: Most Serious Shoplifting Offenses and Their Disposition by Statute

Statute	Description	Number of Cases	Finding of Guilt for the Most Serious Shoplifting Offense	Conditional Discharge	Dismissal	Incompetency	Acquittal
30-16-20(B)-1	Shoplifting \$250 or less	1,459	20%	1%	74%	4%	<1%
30-16-20(B)-2	Shoplifting \$250-\$500	478	21%	1%	74%	3%	--
30-16-20(B)-3	Shoplifting \$500-\$2,500	625	28%	6%	64%	2%	<1%
30-16-20(B)-4	Shoplifting \$2,500-\$20,000	37	30%	5%	62%	3%	--
30-16-20(E)	Aggravated shoplifting	6	33%	17%	50%	--	--
30-16-20 (Initiatory)	Attempt, conspiracy, or solicitation	67	60%	--	40%	--	--
30-16-20.1	Organized retail crime	2	--	--	100%	--	--
30-16-20	Statute subsection not specified	5	--	--	100%	--	--
Total cases		2,684	24%	2%	71%	3%	<1%

Table 5: Most Serious Shoplifting Offenses and Their Disposition by Degree

Degree	Number of Cases	Finding of Guilt for the Most Serious Shoplifting Offense	Conditional Discharge	Dismissal	Incompetency	Acquittal
2 nd Felony	2	0.0%	0.0%	100.0%	0.0%	0.0%
3 rd Felony	43	32.6%	7.0%	58.1%	2.3%	0.0%
4 th Felony	662	27.2%	5.6%	65.4%	1.7%	0.2%
Misdemeanor	509	27.3%	1.2%	69.0%	2.6%	0.0%
Petty Misdemeanor	1,468	20.4%	1.0%	74.0%	4.5%	0.1%
Total cases	2,684	23.5%	2.3%	70.7%	3.4%	0.1%

Table 6: Sentencing When Most Serious Conviction is a Shoplifting Offense by Statute³

Statute/ Description	Typical Degree	Number of Cases	Fully Incarcerated		Partial Suspension		Fully Suspended
			Jail/prison sentence	Parole term	Jail/prison sentence	Probation sentence	Probation sentence
30-16-20(B)-1: Shoplifting \$250 or less	P. Mis.	236	<.1 (43)	--	0.1 (84)	0.5	0.5 (109)
30-16-20(B)-2: \$250-\$500	Mis.	104	<.1 (16)	--	0.1 (36)	1.0	1.0 (52)
30-16-20(B)-3: \$500-\$2500	4 th F	186	1.5 (20)	--	1.0 (33)	1.5	1.5 (133)
30-16-20(B)-4: \$2,500-\$20,000	3 rd F	8	3.0 (1)	--	3.5 (2)	3.0	3.0 (5)
30-16-20(E): Aggravated shoplifting	3 rd F	3	--	--	1.0 (2)	2.5	3.0 (1)
30-16-20 (Initiatory): Statute subsection not specified	Varies	42	--	--	0.5 (8)	1.0	1.0 (34)
Total cases		579	0.1 (80)	--	0.1 (165)	0.5	1.0 (334)

Table 7: Sentencing When Most Serious Conviction is a Shoplifting Offense by Degree⁴

Degree	Number of Cases	Fully Incarcerated		Partial Suspension		Fully Suspended
		Jail/prison sentence	Parole term	Jail/prison sentence	Probation sentence	Probation sentence
3 rd Felony	11	3.0 (1)	--	2.0 (4)	2.5	3.0 (6)
4 th Felony	188	1.5 (20)	--	1.0 (34)	1.5	1.5 (134)
Misdemeanor	144	0.1 (16)	--	0.1 (43)	1.0	1.0 (85)
Petty Misdemeanor	236	0.1 (43)	--	0.1 (84)	0.5	0.5 (109)
Total cases	579	0.1 (80)	--	0.1 (165)	0.5	1.0 (334)

Table 8: Expected Lengths of Stay for People Incarcerated in NM Prisons on Shoplifting Offenses June 30, 2024

Statute	Description	Number of Cases	Mean Expected LOS (yrs)	Median Expected LOS (yrs)
30-16-20(B)-3	Shoplifting \$500-\$2,500	10	2.0	1.8

³ Numbers of cases are indicated in parentheses. Charges were not necessarily assigned the typical degree, especially for initiatory crimes.⁴ Numbers of cases are indicated in parentheses.

Methodology

This report covers offenses in Section 30-16-20 NMSA 1978 (shoplifting and aggravated shoplifting) and Section 30-16-20.1 (organized retail crime).. It includes the 2,684 cases that were adjudicated between July 1, 2023 and June 30, 2024. We drew cases that included a Shoplifting offense as any charge, but the case was eliminated if (1) all charges of Shoplifting offenses were dropped before the case was adjudicated, (2) the case has not yet been adjudicated or (3) the case was bound over, transferred, or consolidated to a different case. Among all 5,062 charges in the 2,684 cases, 3,198 or 63% are shoplifting offenses. Other common charges include drug offenses and resisting an officer.

Sometimes dispositions are amended; in this report we use the most recent disposition for each charge. However, we do not include changes in dispositions that may have occurred due to appeals processes.

We determine the Lead Offense for Tables 2 and 3 primarily based on the charges with the highest degree. If a shoplifting offense charge is among those with the highest degree, we select it as the lead offense. If there are multiple such charges, we select the charge with a conviction, if any.

We determine the Most Serious shoplifting offense for Tables 4 and 5 based on the shoplifting charge with the highest degree. If there are multiple such charges, we select the charge with a conviction, if any.

The determination of sentencing in Tables 6 and 7 requires some explanation. Electronic sentencing information usually is recorded charge by charge, with an indication of whether the sentence is concurrent or consecutive to other convictions in the case. We determine the ‘charge term’—the intended length of incarceration for the charge—by adding any enhancement (e.g. habitual offender, firearm) to the sentence and subtracting any suspension. For total incarceration in the case, we use the longest charge term when all charge terms are to be served concurrently; we sum charge terms when they are each to be served consecutively. The incarceration sentences reported here do not incorporate the calculations of expected earned meritorious deductions (good time). Therefore, the lengths of incarceration for those incarcerated in prison (not jail) may be shorter than indicated here, as individuals incarcerated in prison earn meritorious deductions.

Probation sentences are derived from a different dataset than sentencing. There may be one entry for the entire case, or there may be separate entries for multiple convictions. We sum probation sentences. If the sum exceeds five years, we use the longest probation term instead, unless the defendant is a sex offender for whom the statutory maximum of five years of probation does not apply.

Parole sentences are derived from yet another dataset unrelated to sentencing or probation. While there is usually just one entry for a case, occasionally there are multiple entries. We assume the longest parole term. We do not include any parole term for partially suspended cases because, if one exists, it is served concurrently to the probation term, which is usually longer. We also do not include the parole term for fully suspended cases, as they only are served when a defendant completes probation incarcerated after probation has been revoked.

In Tables 6 and 7, we omit cases when electronic data is confusing or questionable, unless checked manually using New Mexico Secure Court Case Access. Omitted cases include those in which there are a mix of concurrent and consecutive charge terms, parole exceeds two years, a single probation record exceeds five years for a non-sex offender, parole terms are not accompanied by incarceration terms, or no sentencing information is available electronically.

Finally, for Table 8 we use admission dates and expected release dates to determine the mean and median lengths of stay for individuals incarcerated on June 30, 2024 for shoplifting offenses in New Mexico prisons. The incarceration sentences reported here do include expected earned meritorious deductions.