Profile of New Mexico Prison Population FY24

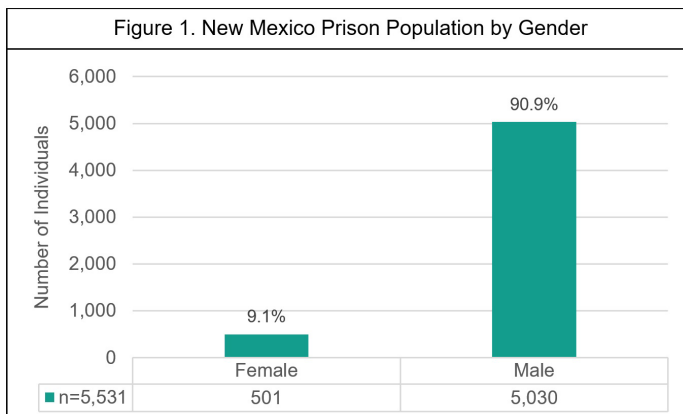Prepared by Gianna McManaman with Nancy Shane

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INTRODUCTION

The New Mexico Sentencing Commission (NMSC) monitors the current prison population as part of its work projecting the state prison population for the New Mexico Corrections Department (NMCD), policymakers, state residents, and other interested parties. This report will review demographic factors and other characteristics of the confined population.

On the last day of fiscal year 2024 (June 23, 2024), there were 5,613 individuals confined in New Mexico prisons. This report focuses on the 5,531 individuals held for convictions of state crimes. The report excludes 19 pre-adjudicated defendants held on behalf of county detention facilities (criminal justice holds) as well as 63 people whose original conviction was in another state and who violated probation or parole in New Mexico (compact offenders).

Gender

Figure 1 shows that males comprise approximately 90.9% of incarcerated individuals in New Mexico prisons, while they represent 48.9% of the adult population in the state as a whole (U.S. Census Bureau, 2023, Table S0101); females comprise 9.1% of the confined population. Among confined individuals in the United States, females comprise 7.0% of all states' prison populations (Carson and Kluckow, 2024, Table 11), making New Mexico's proportion of incarcerated females slightly higher than the national average.[1]

Figure 1. New Mexico Prison Population by Gender

	Female	Male
n=5,531	501	5,030

Race and Ethnicity

Figure 2 shows the proportion of the New Mexico prison population by race and ethnicity. There are notable differences in racial composition of the prison populations in New Mexico compared to the United States as a whole. In New Mexico, well over half of the prison population is Hispanic, a significantly higher proportion compared to the national average of 21.6% (Carson and Kluckow, 2024, Table 11). Conversely, the non-Hispanic white prison population in New Mexico is 24.0%, slightly lower than the national figure of 32.1%. Native American representation in New Mexico's prisons surpasses the national rate, with 11.0% compared to 1.5% nationally. The Black prison population in New Mexico is much lower than the national figures, at around 8.0% compared to a national rate of 32.5%. Finally, Asian and Pacific Islander individuals collectively make up less than 1.0% of the total incarcerated population in New Mexico, equivalent to the national population of about 1.2%.
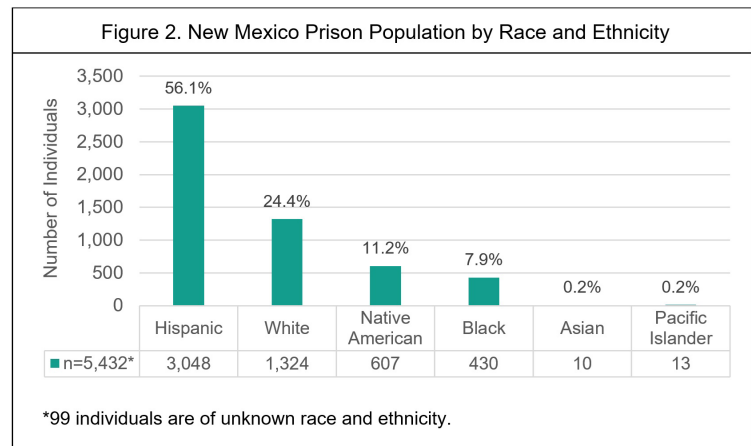

Figure 2. New Mexico Prison Population by Race and Ethnicity

	Hispanic	White	Native American	Black	Asian	Pacific Islander
n=5,432*	3,048	1,324	607	430	10	13

*99 individuals are of unknown race and ethnicity.

Table 1. Race and Ethnicity of Overall and Confined Populations			
	New Mexico	Confined Males	Confined Females
	1,638,989	5,030	501
Hispanic	44.3%	55.5%	51.5%
White	40.5%	23.3%	29.9%
Native American	9.4%	10.9%	12.2%
Black/African American	2.4%	8.1%	5.0%
Asian	2.2%	0.2%	0.4%
Pacific Islander	0.1%	0.3%	0.0%
Other	1.1%	N/A	N/A

*Race and ethnicity information is missing for 94 confined males and 5 confined females.
Note. New Mexico race and ethnicity data are drawn from table P11 of the Decennial Census, titled "Hispanic or Latino, and Not Hispanic or Latino by Race for the Population 18 Years and Over," by the U.S. Census Bureau, 2020.

[1]. When demographic and/or offense data is unavailable, the number of individuals is noted in each chart legend.

Table 1 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. To a lesser extent, Native Americans and Pacific Islanders are also over-represented. Asian and White people are underrepresented (U.S. Census, 2020, Table P11).

Age

The age distribution of men in New Mexico prisons is similar to the age distribution for incarcerated men nationally. The New Mexico male prison population is dominated by people in the 20-49 age group, shown in Figure 3, representing 77.7% of incarcerated males, similar to 75.1% nationally (Carson and Kluckow, 2024, Table 11). For incarcerated New Mexico females, 89.1% are between the ages of 20 and 49, somewhat higher than the national figure of 82.1%, as shown in Figure 4.

Incarcerated individuals are much younger than the New Mexican adult population overall. The 77.7% of incarcerated males between the ages of 20 and 40 is a much greater proportion than the 50.6% of adult males in that age range in the state (U.S. Census, 2023, Table S0101). Differences are even more extreme for females. The percentage of incarcerated females between the ages of 20 and 49, 89.1%, is nearly double the 46.8% of adult females in the state in that age range.

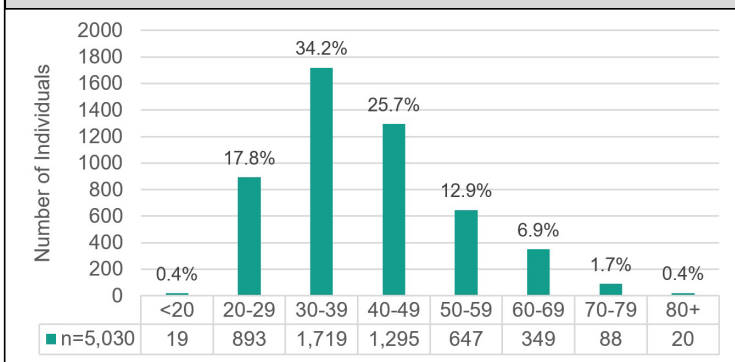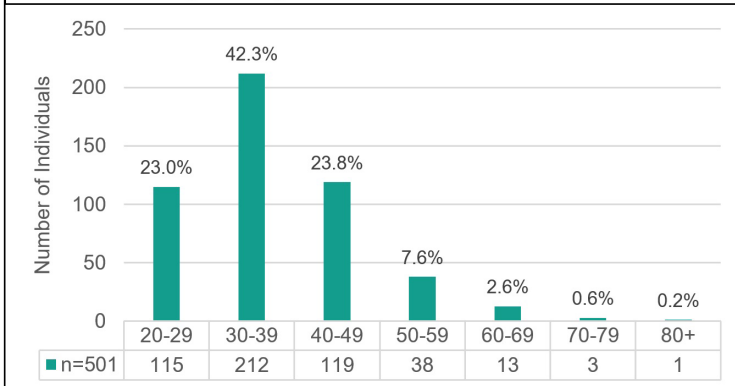Figure 3. Age of Male Prison Population

n=5,030	<20	20-29	30-39	40-49	50-59	60-69	70-79	80+
	19	893	1,719	1,295	647	349	88	20

Figure 4. Age of Female Prison Population

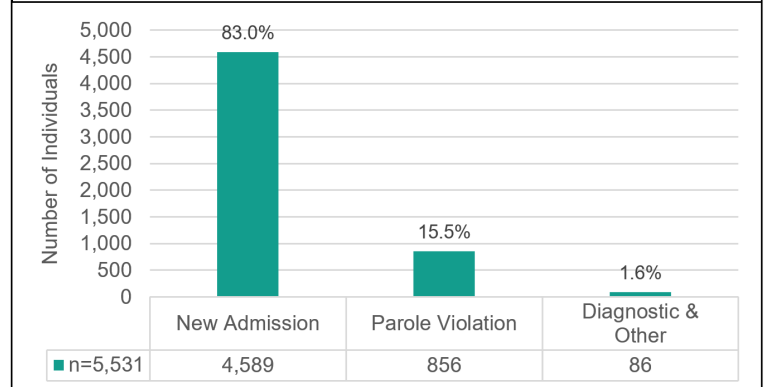| n=501	20-29	30-39	40-49	50-59	60-69	70-79	80+
	115	212	119	38	13	3	1

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 83.0% of incarcerated individuals. "Parole Violation", (15.5%) signifies people who returned to prison due to a parole violation. The "Diagnostic & Other" category (1.6%) consists mostly of individuals ordered for a diagnostic evaluation or who violated probation.[2]

Figure 5. Prison Population by Admission Type

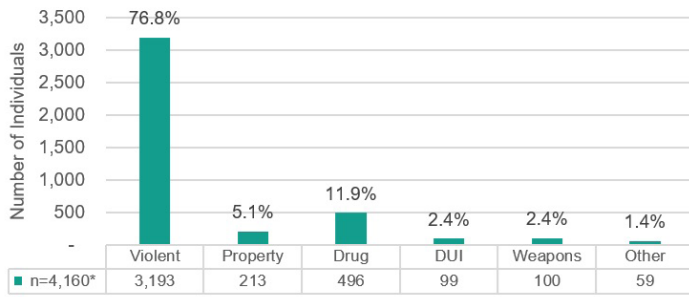| n=5,531	New Admission	Parole Violation	Diagnostic & Other
	4,589	856	86

New Admissions Analysis

As shown in Figure 6, more than three-quarters of male individuals, 76.8%, incarcerated on a new admission are convicted of a violent offense. Drug offenses are just under 12% of offenses. Property crimes comprise about 5% of offenses among incarcerated males, most commonly theft without force. DUI and weapons offenses each comprise about 2% each of total offenses.

For females, remembering that they comprise just over 9% of the prison population, the picture is somewhat different. As seen in Figure 7, violent offenses comprise a lower percentage of the total (58.7%) compared to the male population (76.8%), though violent offenses are still by far the largest offense category for females. Like males, the second and third most common offense categories for females are drug offenses (26.3%) and property crime (9.5%), comprising higher proportions of all crime compared to males. Like males, DUI comprises about 2% of offenses.

For males, the most common violent offenses are murder (31.% of violent crimes), child sex crimes (16.6%), assault (16.2%), and robbery (9.5%). For females, the most common violent crimes are murder (27.2%), child abuse (20.7%), assault (15.4%), and robbery (13.8%), similar except for the lack of a sexual element in most of females' crimes against children. The majority of drug crimes are drug trafficking for both males (58.9%) and females (57.3%). The most common property crime for males and females is theft without force (60.6% and 50.0%, respectively).
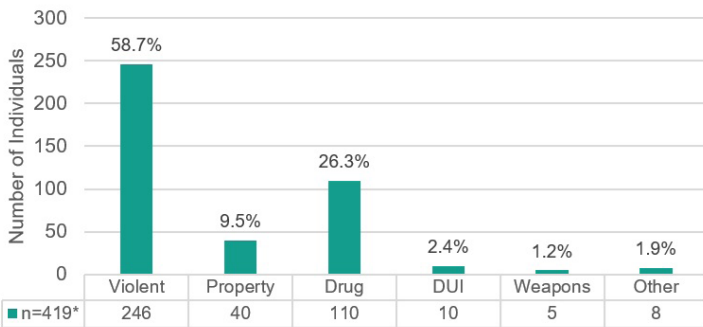
[2]. According to the New Mexico Corrections Department Strategic Plan, approximately 20% of released individuals are reincarcerated within 36 months due to technical violations. (See the 2023-2024 Strategic Plan: https://www.cd.nm.gov/wp-content/uploads/2024/07/FY24-NMCD-Strategic-Plan-Final.pdf.) On average, sentences for new offenses are longer than sentences for probation and parole violations, so we would expect fewer than 20% of admission types to be readmissions. The Sentencing Commission examines three pieces of information to determine admission type: admission type, intake reason, and legal status reason. When these variables are not in agreement for an individual and/or when offense information is missing, NMSC manually examines court information to make the correct determination of admission type.

Figure 6. Male New Admissions by Offense Category

n=4,160*	Violent	Property	Drug	DUI	Weapons	Other
	3,193	213	496	99	100	59
	76.8%	5.1%	11.9%	2.4%	2.4%	1.4%

*Offense categories are unavailable for 9 individuals.

Figure 7. Female New Admissions by Offense Category

n=419*	Violent	Property	Drug	DUI	Weapons	Other
	246	40	110	10	5	8
	58.7%	9.5%	26.3%	2.4%	1.2%	1.9%

*The offense category for one individual is unavailable.

Table 2. Offense Categories

Category	Included offenses
Violent	Homicide, assault and battery, sex crimes against adults and children, human trafficking, kidnapping, domestic violence, theft with force, and child abuse
Property	Theft without force, white-collar crime, fraud, arson, auto theft, property damage, and trespassing
Drug	Trafficking, distribution and manufacture, possession, legal substance violations, and paraphernalia
DUI	Automobile and other DUI
Weapons	Weapons violations and theft of a firearm
Other	Judicial interference (for example court, law enforcement, or bomb/fire control interference, contributing to the delinquency of a minor, failure to report accident); non-violent crimes against persons (libel, failure to render aid, prostitution, bigamy, incest, indecent exposure, & adult pornography); and public order (crimes against democracy, election fraud, public nuisance, animal cruelty, & statutory violations)

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 (Bernalillo County) comprise about 28% of incarcerated individuals, followed by the Fifth and Eleventh Judicial Districts (12% each). The number of inmates from the central counties of Bernalillo, Sandoval, and Santa Fe outpace their share of the state's population, as well as another urban center, Dona Ana County. Some counties with mid-size populations have fewer inmates that would be expected, including San Juan, Otero, Chavez, and Curry Counties.

Table 3. Incarcerated Individuals per County and Judicial District

Location	Incarcerated Indivduals	Percentage of all incarcerated Individuals	Population (percentage of total state pop.)
Statewide	5,613*	N/A	2,114,371 (100%)
First Judicial District	247	5%	215,276 (10.2%)
Los Alamos County	14	<1%	19,444 (100%)
Rio Arriba County	40	1%	39,876 (2%)
Santa Fe County	193	3%	155,956 (7%)
Second Judicial District	1,547	28%	671,586 (31.8%)
Bernalillo County	1,547	28%	671,586 (32%)
Third Judicial District	382	8%	225,210 (10.7%)
Doña Ana County	382	8%	225,210 (11%)
Fourth Judicial District	163	3%	35,083 (1.7%)
Guadalupe County	16	<1%	4,292 (<1%)
Mora County	29	<1%	4,123 (<1%)
San Miguel County	118	2%	26,668 (1%)
Fifth Judicial District	676	12%	195,937 (9.3%)
Chaves County	295	6%	63,561 (3%)
Eddy County	206	4%	60,275 (3%)
Lea County	175	3%	72,101 (3%)
Sixth Judicial District	215	4%	56,753 (2.7%)
Grant County	84	1%	27,472 (1%)
Hidalgo County	17	<1%	3,965 (<1%)
Luna County	114	2%	25,316 (1%)
Seventh Judicial District	118	2%	46,909 (2.2%)
Catron County	5	<1%	3,825 (<1%)
Sierra County	50	1%	11,488 (1%)
Socorro County	28	0%	15,963 (1%)
Torrance County	35	1%	15,633 (1%)
Eighth Judicial District	138	2%	50,624 (2.4%)
Colfax County	70	1%	12,255 (1%)
Taos County	60	1%	34,405 (1%)
Union County	8	<1%	3,964 (<1%)
Ninth Judicial District	351	6%	66,009 (3.1%)
Curry County	277	5%	47,222 (2%)
Roosevelt County	74	1%	18,787 (1%)
Tenth Judicial District	85	2%	10,791 (0.5%)
De Baca County	14	<1%	1,657 (<1%)
Harding County	5	<1%	624 (<1%)
Quay County	66	1%	8,510 (<1%)

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Table 3. Incarcerated Individuals per County and Judicial District			
Location	Incarcerated Indivduals	Percentage of all incarcerated Individuals	Population (percentage of total state pop.)
Eleventh Judicial District	661	12%	189,472 (9.0%)
McKinley County	141	3%	68,797 (3%)
San Juan County	520	9%	120,675 (6%)
Twelfth Judicial District	487	9%	88,864 (4.2%)
Lincoln County	98	2%	20,029 (1%)
Otero County	389	7%	68,835 (3%)
Thirteenth Judicial District	389	7%	261,857 (12.4%)
Cibola County	94	2%	26,780 (1%)
Valencia County	157	3%	79,141 (4%)
Sandoval County	138	2%	155,936 (7%)

Note. County population estimates are from the "Annual Estimates of the Resident Population for Counties in New Mexico: April 1, 2020, to July 1, 2022 (CO-EST2022-POP-35)," by the U.S. Census Bureau, 2024.

Breakdown by Estimated Release Date for New Admissions

An individual's planned release date is calculated by subtracting their potential earned meritorious leave ('good time') from their prison sentence. The amount of meritorious leave a person can earn. Eligibility for meritorious time is defined by state statute and depends on the severity of one's crime(s); it is either approximately 12% or 50% of their sentence. From the planned release date, we derive their expected year of release. Looking just at those serving time on a new admission, 79.8% of males and 92.1% of females have a projected release date in the next 10 years (Table 4). A large portion of incarcerated males (37.6%) and females (54.4%) have planned release dates by the end of 2025.

Parole Admissions

There are 856 individuals in prison for parole violations, making up 15.5% of all admission types. In fiscal year 2024, the average length of stay on a parole revocation was 421 days for males and 350 days for females. Parole may be revoked (i.e. parolee is made to return to prison) for committing a technical parole violation (non-compliance with a condition of parole), absconding, or pending charges for a new crime.

Analysis of Individuals Expected to be Released

As of June 30, 2024, as shown in Figure 8, there are 1,781 individuals (combining males and females) who were admitted for a new offense and are set for release within one year, before July 1, 2025 (including those with projected release dates before June 30, 2024). Of those expected to be released, about 57.1% are serving sentences for crimes classified as violent. The most common violent offenses in the one-year cohort are assault (31.0% of violent cases), followed by theft with force and murder. Drug offenses and property crime are the next most common offense categories among soon-to-release individuals. Approximately 92% are working-age individuals under 55.
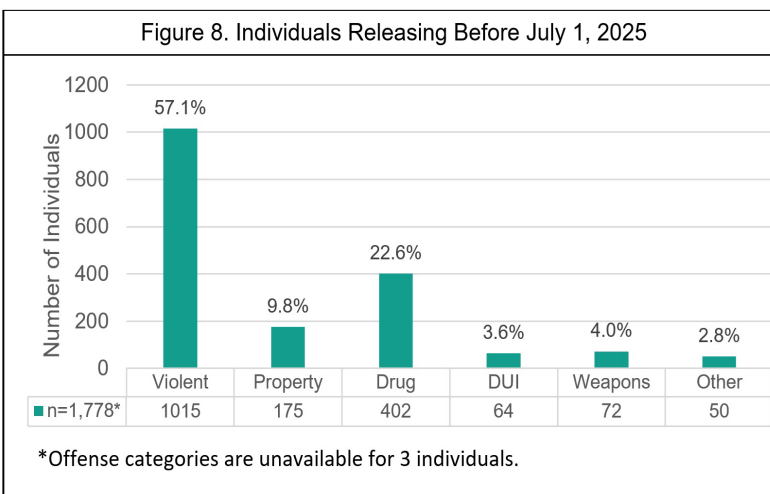

Figure 8. Individuals Releasing Before July 1, 2025

*Offense categories are unavailable for 3 individuals.

Table 4. Projected Releases Through 2023			
Projected Release year	Males	Females	Total
Planned release date prior to 6/30/2024	26	8	**34**
2024	617	113	**730**
2025	916	101	**1,017**
2026	539	51	**590**
2027	299	36	**335**
2028	243	21	**264**
2029	150	12	**162**
2030	130	10	**140**
2031	107	7	**114**
2032	112	8	**120**
2033	73	5	**78**
2034	89	4	**93**
10-Year Total	**3,301**	**376**	**3,677**
Planned release date after 2034	838	32	**870**
All new admissions	4,139	408	**8,224**

*Unavailable release year for 30 newly admitted males and 12 newly admitted females.

Analysis of New Admissions Aged 55 and Older

On June 30, 2024, there were 460 individuals confined on a new admission who were at least 55 years old and who were not convicted of first-degree murder, thus meeting the new minimum age requirement for consideration for geriatric parole. Of these, 62% are projected to be released within five years, and 76% are projected to be released within ten years.[3]

Report Methodology

The data is constructed from a population snapshot of incarcerated people in all NMCD facilities on June 30, 2024. NMCD provides the information on which this report is based to the NMSC quarterly, including release projections for most individuals. In this dataset, the projected release date always matches the parole eligibility date. The projected release date is used to generate the different expected release tables and the 2024 release cohort.

3. For more information on the current Medical and Geriatric Parole Program in New Mexico, see Section 31-21-25.1 NMSA 1978. (Many factors other than age and offense determine eligibility for geriatric parole).

The most serious offense in a case is provided by NMCD. In general, violent crimes are considered the most serious. NMSC categorizes offenses according to common classifications.

NMSC calculated the length of stay for parole revocations. If an individual was released on more than one parole revocation in the fiscal year, NMSC selected the longest length of stay.

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.

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3. U.S. Census Bureau. (2023). American Community Survey. Table S0101: https://data.census.gov/table/ACSST1Y2023.S0101?q=new%20mexico%20age%20sex.

4. U.S. Census Bureau. (2023). Annual Estimates of the Resident Population for Counties in New Mexico: April 1, 2020, to July 1, 2022 (CO-EST2022-POP-35) https://www.census.gov/data/tables/time-series/demo/popest/2020s-counties-total.html#v2022