
COLORADO DEPARTMENT OF CORRECTIONS

PAROLE BOARD HEARINGS AND DECISIONS

Fiscal Year 2006



**Office of Planning and Analysis
General Statistics, Research and Evaluation Unit
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PAROLE BOARD HEARINGS AND DECISIONS

The Colorado Department of Corrections has established this report for the purpose of tracking Colorado State Board of Parole hearings and decisions. The Department tracks Parole Board activity to the extent the offender's time and release functions are affected. The Parole Board tracks hearings and decisions to monitor workload activities and effects on Parole Board staff. These differing purposes create a discrepancy between the numbers and types of parole hearings and decisions that are reported by the Colorado Department of Corrections (DCIS) and the Colorado State Board of Parole. Many of the differences are noted in the following paragraphs.

The fiscal year 2006 parole board decision data was extraordinarily difficult to analyze and verify; therefore data quality assurance and cleansing efforts were minimal and the data is reported with very few adjustments.

The Department implemented procedural changes in December 2005 affecting offenders scheduled for release during the weekend. Ordered decisions (releases on the mandatory release date (MRD) or mandatory reparole date) are changed to granted (discretionary) decisions and offenders are released earlier as a result of the changes. These releases are counted as discretionary instead of mandatory upon the actual release to parole. Granted decisions on the parole eligibility date (PED) are changed to granted on a set date, if the PED falls over the weekend, and the offenders are released later. These changes are made retroactively and affect prior year decision data compilations, as the current system (DCIS) only keeps the latest change. Fiscal year 2006 data was extracted in August 2006 and reflects offender parole board decisions as of the run date, with minor data cleansing adjustments. The decisions are typically altered when the projected release date is close (within a few weeks) and may affect recent decisions or decisions dating back as far as five years ago. Historical data for prior fiscal years has not been revised to reflect these discretionary and mandatory changes.

Senate Bill 03-252

The enactment of Senate Bill (S.B.) 03-252, and subsequent legal interpretations, affected offenders considered for revocation since fiscal year 2004, as this legislation limited the placement options and set revocation time limits. Final outcomes of revocation hearings may not coincide with offender movements and incarceration dates, as decisions were modified to ensure compliance with this law.

The Parole Board determines if an offender meets the non-violent criteria of SB03-252 and possible revocations to CRCF (Community Return to Custody Facility) are further evaluated. Many offenders are deemed to be ineligible or do not meet the criteria, or bed space is unavailable at the time or place of revocation. The hearings for these offenders can be modified to include: retraction of the revocation decision and continuing parole, revising the revocation placement to jail or a community corrections program, or revocation to DOC (prison) if specific violation criteria are met. An offender's status may change several times during this process. These changes are not fully reflected or captured as only the final decision/action is maintained generally.

Release and Ordered Decisions

- ❖ Discretionary decisions by the Board to parole an offender on the earliest eligible release date (PED) or on a specific **SET** date after the earliest eligible date are **Granted** decisions. An

offender is **Deferred** for a set period of time and scheduled for the next hearing if the Board does not grant release. Offenders are **Ordered** to release on the mandatory release date (MRD) if the Board does not grant parole prior to MRD or if an offender is deferred to the MRD. Ordered decisions also reflect those offenders with a set date to release following revocation, including but not limited to offenders subject to the revocation time limits of S.B. 03-252.

Revocations

- ❖ The Department of Corrections typically counts the final outcome of a hearing; whereas, the Parole Board counts the initial decision. The department's revocation decision reflects the offenders' final status and movements in most situations.
- ❖ Offenders revoked to jail or revoked to community where the revocation was later amended to revoke to the Department of Corrections will be reported as revocation to jail or community if the offender actually moved to these programs. Offenders revoked to prison who were never placed in jail or community corrections will reflect the final decision of revocation to prison.
- ❖ Offenders may decide to self-revoke during the revocation hearing. The Department of Corrections will enter the hearing as a self-revocation decision; whereas, the Parole Board may track the revocation for hearing workload purposes differently.
- ❖ The Department of Corrections uses the date of the original hearing unless the effective date is retroactive as determined by the Parole Board. DCIS would then use the effective date; whereas, the Parole Board would track the original hearing date. This variation results in some revocations being counted in different fiscal years.
- ❖ Overturned or modified revocation decisions in which the offender is continued on parole, are reported as the final outcome of continued. DCIS will contain the final continued on parole decision while the Parole Board reports the initial revocation.
- ❖ Fiscal year 2005 revocation decisions will not reflect the actual number of parole returns reported in other Department of Corrections documents, as final decisions occurred after the offender's status changed and decisions reflect workload not actual offenders.
- ❖ Neither system (Parole Board or DCIS) has the capability to track all revisions when the decisions are amended, modified, overturned or annulled.

Miscellaneous

Reinstatements

- ❖ The Colorado State Board of Parole shows reinstatements as continued; whereas, the Department of Corrections shows reinstatements in a separate category. Reinstatements reflect cases where the granted release decision was suspended and then the original granted action is reactivated

Hearing Continued, Continued and Dismissed Actions

- ❖ When a complaint is issued, a hearing date is set by the Parole Board. If the parolee has new charges, the Parole Board may continue the hearing multiple times until resolution is made on the new charges. Hearings continued by the Board are tracked for workload purposes but the

Department may not report all actions as there is no effect on the offender's time calculations at this point. In cases where the hearing occurs and the complaint charges are dismissed, the Board reports a dismissed action while DCIS will reflect the outcome of continued [on parole]. The Board also counts the cases where complaints were withdrawn and no hearing was held. DCIS will not reflect these actions as withdrawn complaints cannot be in the offender files and the offender does not have a hearing before the Board.

Warrants Issued

- ❖ The Colorado Department of Corrections counts all warrants issued for parolees throughout the year; whereas, the Parole Board reports only those warrants issued when a parolee does not appear at a revocation hearing.

**COLORADO DEPARTMENT OF CORRECTIONS
PAROLE BOARD DECISIONS**

| DECISION TYPE | FY02 | | FY03 | | FY04 | | FY05 | | FY06 | |
|--|---------------|---------------|---------------|---------------|--------------------|---------------|--------------------|---------------|---------------|---------------|
| | No. | % | No. | % | No. | % | No. | % | No. | % |
| Granted-PED | 86 | 0.9% | 84 | 0.8% | 73 | 0.7% | 61 | 0.6% | 65 | 0.5% |
| Granted-Set | 1,953 | 20.0% | 2,084 | 19.7% | 2,145 | 19.4% | 1,415 | 14.3% | 3,053 | 25.6% |
| Deferred | 7,722 | 79.1% | 8,385 | 79.5% | 8,860 | 80.0% | 8,414 | 85.1% | 8,799 | 73.8% |
| Subtotal | 9,761 | 100.0% | 10,553 | 100.0% | 11,078 | 100.0% | 9,890 | 100.0% | 11,917 | 100.0% |
| <u>Revocation Decisions¹</u> | | | | | | | | | | |
| ² Continued | 852 | 25.0% | 1,020 | 29.8% | 997 | 27.1% | 1,007 | 23.5% | 932 | 20.2% |
| Self-Revoked | 1,249 | 36.7% | 916 | 26.8% | 625 | 17.0% | 47 | 1.1% | 72 | 1.6% |
| ³ Revoked to Jail | 57 | 1.7% | 65 | 1.9% | 52 | 1.4% | 8 | 0.2% | 4 | 0.1% |
| ³ Revoked to Community | 13 | 0.4% | 7 | 0.2% | 20 | 0.5% | 9 | 0.2% | 4 | 0.1% |
| 1-day Revoked | 0 | | 0 | | 0 | | 0 | | 3 | 0.1% |
| ³ Rev to Comm Ret to Custody Fac. | NA | | NA | | 147 | 4.0% | 496 | 11.6% | 658 | 14.2% |
| ³ Revoked | 1,231 | 36.2% | 1,410 | 41.3% | 1,834 | 49.9% | 2,710 | 63.4% | 2,946 | 63.8% |
| Subtotal | 3,402 | 100.0% | 3,418 | 100.0% | 3,675 | 100.0% | 4,277 | 100.0% | 4,619 | 100.0% |
| <u>Miscellaneous Hearings</u> | | | | | | | | | | |
| Full Board | 509 | | 572 | | 511 | | 253 | | 444 | |
| Tabled | 1,421 | | 1,855 | | 1,420 | | 1,259 | | 1,512 | |
| Warrant Issued | 1,135 | | 1,236 | | 1,400 | | 1,901 | | 2,231 | |
| Hearing Continued | 1,127 | | 1,514 | | 1,914 | | 3,124 | | 3,758 | |
| Discharged | 19 | | 21 | | 8 | | 3 | | 0 | |
| Rescinded | 104 | | 143 | | 220 | | 296 | | 239 | |
| Suspended | 112 | | 153 | | 250 | | 294 | | 278 | |
| Reinstated | 4 | | 1 | | 0 | | 1 | | 9 | |
| Reinstated to Parole | 0 | | 0 | | 0 | | 1 | | 0 | |
| ⁴ Reinstated to Comm.Supv. | 1 | | 80 | | 0 | | 0 | | 0 | |
| ⁵ Dismissed | 2 | | 0 | | 0 | | 0 | | 0 | |
| ⁵ Courtesy Review | 4 | | 0 | | 1 | | 1 | | 0 | |
| Subtotal | 4,438 | | 5,575 | | 5,724 | | 7,133 | | 8,471 | |
| <u>No Decision</u> | | | | | | | | | | |
| Waived | 3,788 | | 1,241 | | 1,397 | | 1,261 | | 1,306 | |
| Ordered | 2,745 | | 3,135 | | 3,977 ⁶ | | 4,967 ⁶ | | 4,556 | |
| Subtotal | 6,533 | | 4,376 | | 5,374 | | 6,228 | | 5,862 | |
| TOTAL | 24,134 | | 23,922 | | 25,851 | | 27,528 | | 30,869 | |

¹Revocation decisions do not include all continued and 1-day revocations. The numbers reflect only those decisions entered into DCIS.

²Eleven Continued Hearings were identified as being Amended Revocations

³Final revocation decisions may not coincide with actual offender placement information.

⁴Reinstated to Community Supervision reflects offenders placed on Community Supervision (HB98-1160).

⁴Dismissed and courtesy review decisions not reported prior to FY98.

⁵Discharges pursuant to Cooper/Martin decision returned to parole supervision.

⁶Includes offenders paroled following a set period of revocation beginning in FY04.

**COLORADO DEPARTMENT OF CORRECTIONS
PAROLE BOARD DECISIONS
Facility Breakdown - FY06**

| Facility | Grant- | | | Full | | | Courtesy | | | TOTAL | | |
|-------------------------------|-----------|--------------|--------------|------------|--------------|------------|------------|------------|----------|--------------|--------------|---------------|
| | PEP | Grant-Set | Deferred | Board | Tabled | Rescinded | Suspended | Reinstated | Review | | Waived | Ordered |
| Colorado State Penitentiary | 0 | 27 | 255 | 3 | 8 | 0 | 0 | 0 | 0 | 55 | 68 | 416 |
| Centennial Corr Fac | 0 | 14 | 104 | 2 | 9 | 0 | 0 | 0 | 0 | 9 | 28 | 166 |
| Sterling Correctional Fac | 8 | 228 | 969 | 50 | 134 | 57 | 57 | 2 | 0 | 121 | 461 | 2,087 |
| Limon Correctional Fac | 0 | 45 | 220 | 23 | 35 | 8 | 6 | 0 | 0 | 47 | 64 | 448 |
| Arkansas Valley Corr Fac | 0 | 68 | 269 | 8 | 35 | 5 | 7 | 3 | 0 | 99 | 152 | 646 |
| Buena Vista Corr Complex | 0 | 60 | 326 | 6 | 29 | 19 | 18 | 0 | 0 | 29 | 159 | 646 |
| Buena Vista Min. Ctr | 1 | 43 | 125 | 4 | 33 | 4 | 1 | 0 | 0 | 23 | 46 | 280 |
| Colorado Territorial Corr Fac | 4 | 69 | 294 | 17 | 48 | 11 | 18 | 0 | 0 | 106 | 112 | 679 |
| Fort Lyon Corr Fac | 0 | 51 | 197 | 12 | 30 | 10 | 6 | 0 | 0 | 44 | 102 | 452 |
| Fremont Corr Fac | 0 | 98 | 597 | 21 | 20 | 10 | 11 | 0 | 0 | 176 | 216 | 1,149 |
| Arrowhead Corr Ctr | 7 | 87 | 225 | 14 | 53 | 4 | 6 | 0 | 0 | 38 | 149 | 583 |
| Four Mile Corr Ctr | 2 | 98 | 258 | 21 | 63 | 3 | 8 | 0 | 0 | 20 | 140 | 613 |
| Pueblo Min Ctr | 4 | 53 | 111 | 4 | 46 | 7 | 10 | 0 | 0 | 6 | 80 | 321 |
| La Vista Corr Fac | 0 | 1 | 8 | 0 | 6 | 1 | 0 | 0 | 0 | 0 | 4 | 20 |
| Trinidad Corr Fac | 2 | 105 | 225 | 18 | 78 | 9 | 12 | 2 | 0 | 9 | 156 | 616 |
| S.T.U. at YOS | 0 | 2 | 5 | 0 | 1 | 0 | 0 | 0 | 0 | 0 | 10 | 18 |
| Skyline Corr Ctr | 3 | 66 | 121 | 16 | 50 | 1 | 2 | 0 | 0 | 14 | 74 | 347 |
| Colorado Corr Ctr | 0 | 28 | 64 | 9 | 22 | 0 | 0 | 0 | 0 | 5 | 29 | 157 |
| Delta Corr Ctr | 0 | 102 | 231 | 11 | 63 | 1 | 2 | 0 | 0 | 9 | 134 | 553 |
| Rifle Corr Ctr | 1 | 52 | 107 | 4 | 35 | 0 | 0 | 0 | 0 | 8 | 34 | 241 |
| Colorado Corr Alt Pgm | 1 | 3 | 36 | 2 | 12 | 0 | 0 | 0 | 0 | 41 | 7 | 102 |
| Colorado Women's Corr Fac | 1 | 29 | 90 | 6 | 20 | 1 | 2 | 0 | 0 | 15 | 28 | 192 |
| Denver Women's Corr Fac | 6 | 169 | 354 | 8 | 98 | 10 | 14 | 0 | 0 | 37 | 272 | 968 |
| Denver Rec & Diag Ctr | 0 | 95 | 106 | 0 | 11 | 1 | 2 | 0 | 0 | 5 | 278 | 498 |
| Denver Rec & Diag Ctr | 0 | 20 | 79 | 1 | 6 | 2 | 2 | 0 | 0 | 39 | 49 | 198 |
| Subtotal | 40 | 1,613 | 5,376 | 260 | 945 | 164 | 184 | 7 | 0 | 955 | 2,852 | 12,396 |
| Bent County Corr Fac | 1 | 62 | 280 | 14 | 41 | 4 | 4 | 0 | 0 | 95 | 114 | 615 |
| Huerfano County Corr Fac | 0 | 64 | 309 | 14 | 50 | 12 | 11 | 1 | 0 | 52 | 126 | 639 |
| Crowley County Corr Fac | 2 | 99 | 493 | 15 | 79 | 23 | 22 | 0 | 0 | 97 | 190 | 1,020 |
| Kit Carson County Corr Fac | 1 | 69 | 317 | 13 | 32 | 18 | 18 | 0 | 0 | 55 | 134 | 657 |
| Cheyene Mtn. Reentry Fac. | 1 | 153 | 105 | 33 | 70 | 3 | 9 | 1 | 0 | 2 | 73 | 450 |
| Brush Corr Fac | 3 | 40 | 104 | 1 | 41 | 6 | 6 | 0 | 0 | 2 | 51 | 254 |
| Subtotal | 8 | 487 | 1,608 | 90 | 313 | 66 | 70 | 2 | 0 | 303 | 688 | 3,635 |
| Community (includes Regress) | 14 | 294 | 946 | 31 | 204 | 4 | 16 | 0 | 0 | 34 | 270 | 1,813 |
| ISP | 3 | 395 | 563 | 59 | 47 | 5 | 8 | 0 | 0 | 11 | 160 | 1,251 |
| Subtotal | 17 | 689 | 1,509 | 90 | 251 | 9 | 24 | 0 | 0 | 45 | 430 | 3,064 |
| Jail Backlog & Contract | 0 | 42 | 3 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 67 | 112 |
| Revoked-Ret. to Custody Fac | 0 | 131 | 0 | 0 | | | | | | | 302 | 433 |
| Other* | 0 | 91 | 303 | 4 | 3 | | | | | 3 | 217 | 621 |
| Subtotal | 0 | 264 | 306 | 4 | 3 | 0 | 0 | 0 | 0 | 3 | 586 | 1,166 |
| TOTAL | 65 | 3,053 | 8,799 | 444 | 1,512 | 239 | 278 | 9 | 0 | 1,306 | 4,556 | 20,261 |

*Other includes: Awaiting Transfer, Fugitive, Federal Transfer, Technical Parole, Interstate Compact and Misc.