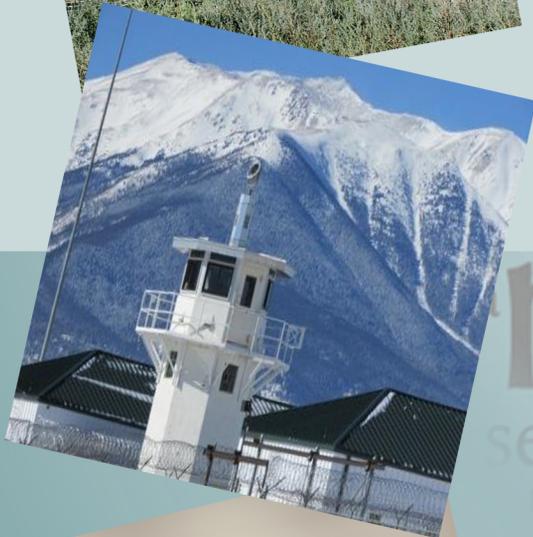


COLORADO DEPARTMENT OF CORRECTIONS  
RICK RAEMISCH, EXECUTIVE DIRECTOR



2011 2012 2013  
prison offenders  
discharge need  
convictions offense population  
serious

# Statistical Report **FY 2013**

release return  
served crime new include  
number parole admissions  
facilities each

*~Building a Safer Colorado for  
Today & Tomorrow~*



# FOREWORD

The Colorado Department of Corrections (CDOC), Office of Planning and Analysis (OPA), is pleased to present its revamped Annual Statistical Report. OPA has undertaken efforts to create a more reader-friendly and cognizant summary of the CDOC offender population. The reader will notice new graphing approaches, illustrating populations and trends in a more meaningful fashion. Many large data tables found in previous statistical reports have been moved to an electronic appendix, which can be found as Microsoft Excel spreadsheet files on the CDOC website under Planning and Analysis in the Publications section. All of the data presented as percentages in this report are available as numbers in the appendices.

All data found in this Annual Statistical Report is based on fiscal year unless otherwise noted.



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# OVERVIEW

## INTRODUCTION

The Colorado Department of Corrections (CDC) statistical report provides an analysis of Colorado's prison system. This overview describes growth trends, population projections, facilities, costs, and staff data. Subsequent sections focus on admissions, releases, inmate and parolee characteristics, and recidivism rates. Both inmate and parole populations are represented in this report but a separate annual report is done for the Youthful Offender System (YOS).

## POPULATION GROWTH

The average daily population (ADP) is used to measure population trends in CDC. Figure 1 shows the ADP of the inmate, parole (including absconders and interstate parolees), YOS, and total populations over the past 5 years. There has been an 8.2% decrease in CDC's jurisdictional population from fiscal year (FY) 2009 to FY 2013.

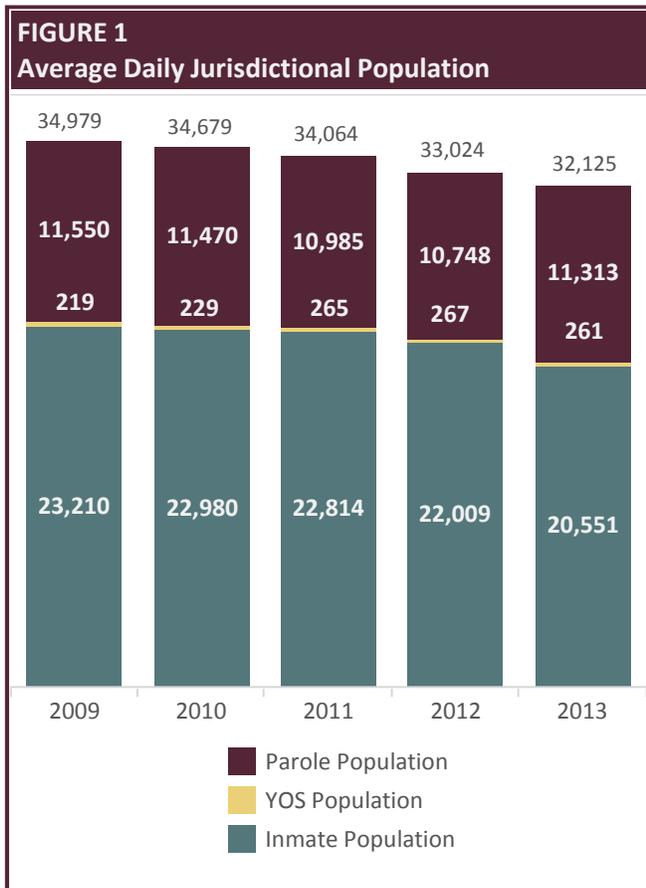
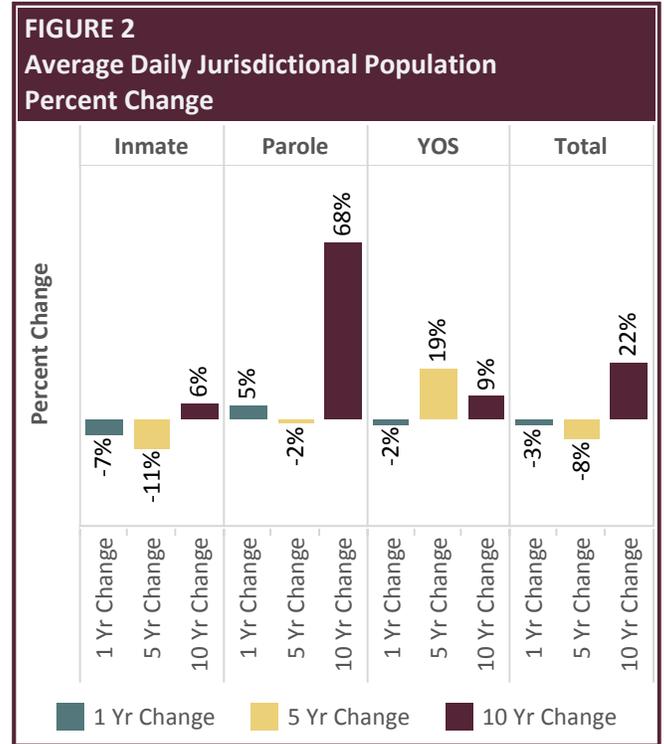


Figure 2 details the 1-, 5-, and 10-year growth rates of the jurisdictional population. Inmate and YOS populations have seen a minimal 10-year growth rate, while parole has experienced a substantial increase over the last ten years.



Figures 3 and 4, on the following page, provide the ADP breakdown for state and private prisons, community corrections, jail backlog, and jail contracts. Private prisons in use during FY 2013 included Bent County Correctional Facility, Crowley County Correctional Facility, Kit Carson Correctional Center, and Cheyenne Mountain Reentry Center. As with FY 2012, 22% of the incarcerated population was housed in private prisons in FY 2013. The number of offenders housed in private prisons has steadily decreased since FY 2009, as the rest of the general population also saw a decline.

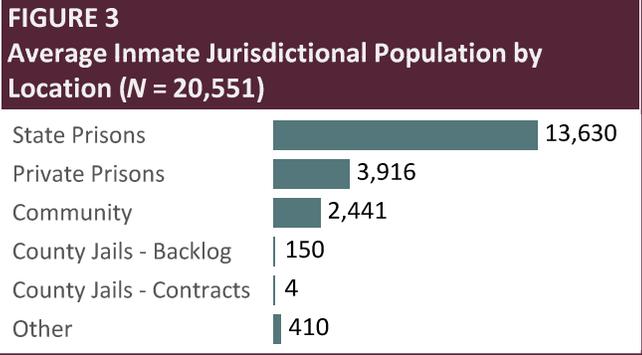
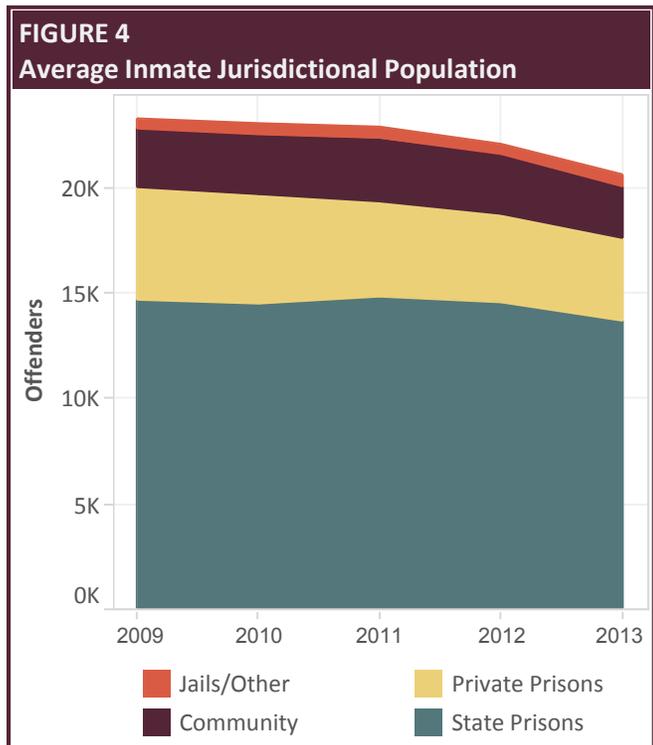


Figure note. Other includes fugitives, revocations in jail, awaiting transfer, and external placements.

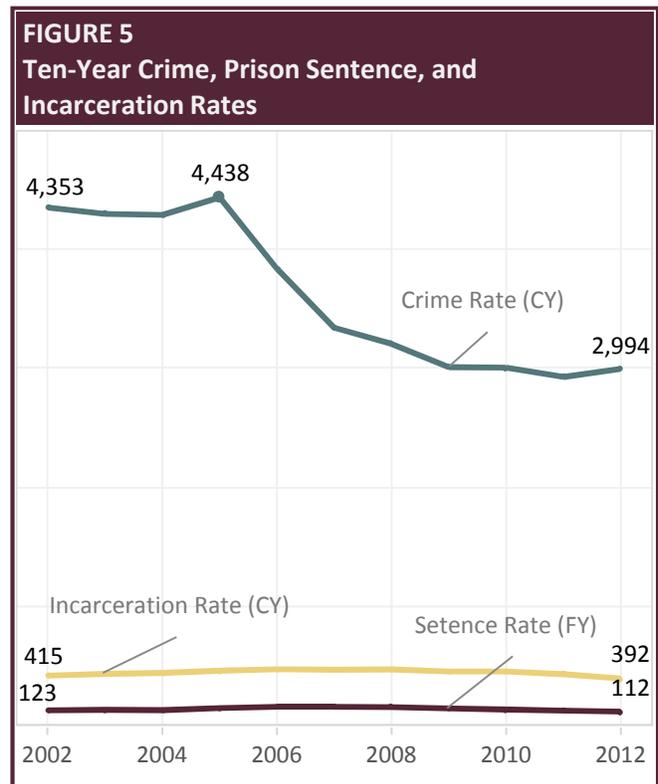


**CRIME, PRISON SENTENCE, AND INCARCERATION RATES**

Figure 5 presents sentence, incarceration, and crime rates since 2002. Crime rates<sup>1</sup>, which include offense and arrest data, are calculated per calendar year and are only available with a 1-year delay. Prior to the FY 2011 statistical report, incarceration rates were estimated by the CDOC. Now, incarceration rate figures are as reported by BJS, which are published in December for the previous year; therefore, 2012 is the most current data. Prison sentence rates and

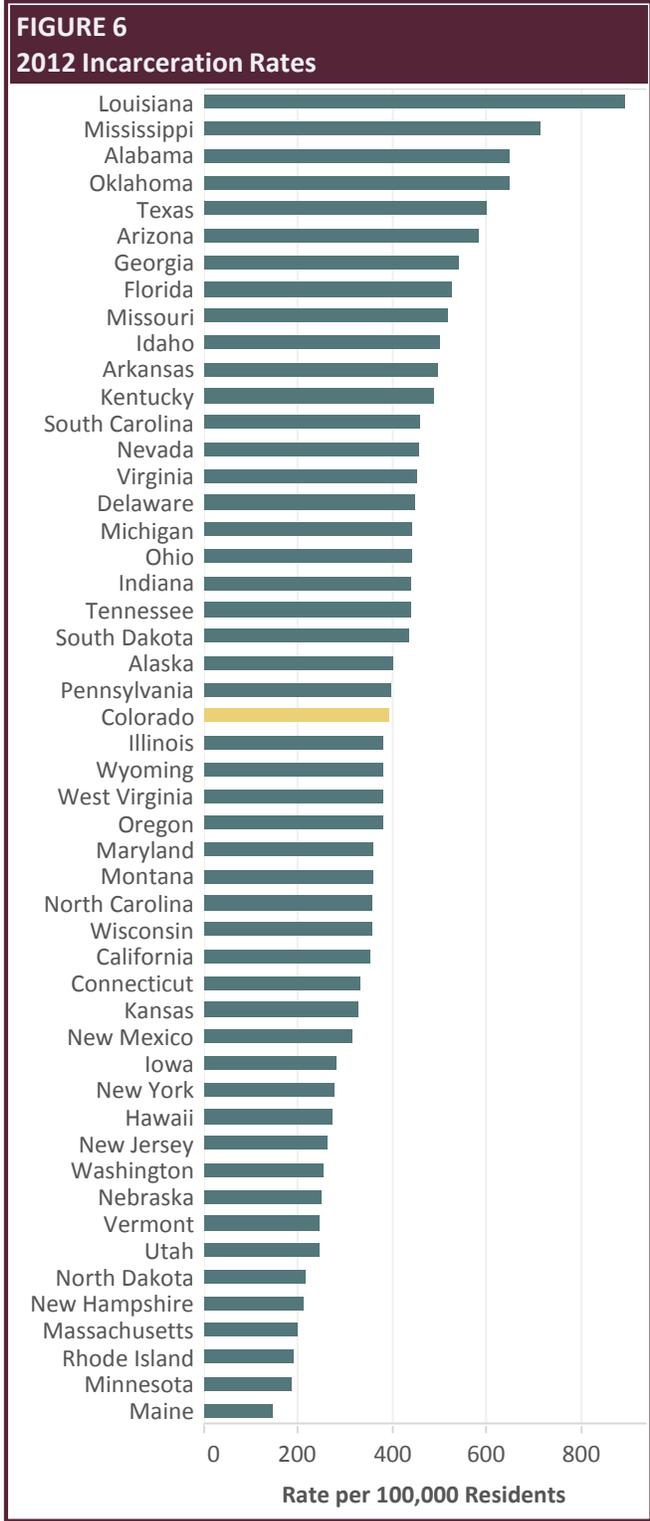
incarceration rates<sup>2</sup> are used as indicators of growth in the prison population relative to the growth in the state populace, as estimated annually each year by the Colorado Department of Local Affairs. Prison sentence rates are calculated as the ratio of the number of offenders sentenced to prison (i.e., court commitments) per 100,000 Colorado residents during a fiscal year. Incarceration rates and crime rates are computed per 100,000 Colorado residents during a calendar year.

Figure 5 provides data on crime, sentence, and incarceration rates for the past ten years. The crime rate has dramatically declined 31.2% since 2002, although the rate was slightly higher in 2012 than in 2011. The sentence rate has dropped for the fifth straight year since 2007, and the incarceration rate has declined each year since 2008. Overall, the incarceration rate has decreased 5.5% since 2002, with 2012 being the lowest rate recorded during this time frame. Incarceration rates for the 50 states are shown in Figure 6 for 2012.<sup>2</sup> Colorado's rate of incarceration ranked in the middle of the nation.



<sup>1</sup> FBI Uniform Crime Reports 2003-2012.

<sup>2</sup> Prisoners in 2003-2012. Washington, DC: U.S. Department of Justice, Bureau of Justice Statistics.



**LEGISLATIVE CHANGES**

Several key pieces of legislation since 1979 have impacted the size of the CDOC prison population. Following is a summary of the House bills (HB) and Senate bills (SB) that have had the most significant effects on felony sentencing and the CDOC.

- **HB 79-1589** changed sentences from indeterminate to determinate terms and made parole mandatory at 50% of an offender’s sentence.
- **HB 81-1156** required sentences to be above the maximum of the presumptive range for offenses defined as “crimes of violence” and crimes with aggravating circumstances.
- **HB 85-1320** doubled the maximum penalties of the presumptive ranges for all felony classes, and parole became discretionary.
- **SB 88-148** lowered sentencing ranges for crimes of violence and crimes with aggravating circumstances to at least the midpoint of the presumptive range.
- **SB 89-246** lowered several class 5 felonies to a newly created felony class 6 with a presumptive range of 1 to 2 years.
- **HB 90-1327** raised the amount of earned time from 5 days to 10 days per month for inmates and allowed parolees to earn 10 days per month to reduce parole time served.
- **SB 90-117** raised life sentences from parole eligibility after 40 years for class 1 felony convictions to “life without parole” for class 1 felonies committed on or after September 20, 1991.
- **HB 93-1302** lowered the presumptive ranges for certain nonviolent felony class 3 through 6 felonies and added a split sentence, mandating a period of parole for all crimes following a prison sentence. Habitual offender sentencing was changed for felony classes 2 to 5 offenses. For two previous convictions, sentences would be three times the maximum of the presumptive range, and for three previous convictions, sentences would be four times the

maximum of the presumptive range. If the new conviction was for a crime of violence, offenders would be sentenced to life (40 years to parole eligibility date). This bill also eliminated earned time awards while on parole. See Table 1 for a summary of presumptive ranges by felony class prior to and subsequent to HB 93-1302, and see Table 2 for a summary of habitual sentencing law changes.

- **Special Fall Session SB 93-09** created a new judicial sentencing provision for offenders between the ages

of 14 to 18 for certain crimes and established the Youthful Offender System (YOS) within CDOC.

- **SB 94-196** added a new habitual sentencing provision of life (40 years to parole eligibility) if a new crime conviction was for a class 1, 2, or 3 felony of violence with two previous convictions for these same offenses.

**TABLE 1**  
**Presumptive Sentencing Ranges and Parole Periods**

Felony Class	1985 – 1993		1993 – present		
	Presumptive Range		Presumptive Range		Mandatory Parole Period <sup>a</sup>
	Minimum	Maximum	Minimum	Maximum	
1	Life	Death	Life	Death	N/A
2	8 yr	24 yr	8 yr	24 yr	5 yr
3 Ext	4 yr	16 yr	4 yr	16 yr	5 yr
3	4 yr	16 yr	4 yr	12 yr	5 yr
4 Ext	2 yr	8 yr	2 yr	8 yr	3 yr
4	2 yr	8 yr	2 yr	6 yr	3 yr
5 Ext	1 yr	4 yr	1 yr	4 yr	2 yr
5	1 yr	4 yr	1 yr	3 yr	2 yr
6 Ext	1 yr	2 yr	1 yr	2 yr	1 yr
6	1 yr	2 yr	1 yr	1.5 yr	1 yr

Note. Ext = extraordinary risk crimes.

<sup>a</sup> The mandatory parole period for unlawful sexual behavior and incest was 5 years for crimes committed before November 1, 1998; however, the final ruling of the Colorado Supreme Court in July 2001 determined these offenses were not subject to mandatory parole. Sexual offenses committed on or after November 1, 1998, are subject to lifetime on parole.

**TABLE 2**  
**Habitual Sentencing Law Changes**

Legislation	Previous Convictions		Crime of Violence	Class 1, 2, or 3 Crime of Violence/
	Two	Three	Previous Habitual <sup>a</sup>	Two Previous Class 1, 2, or 3 Crimes of Violence <sup>b</sup>
Pre HB93-1302	25-50 yrs	Life (40-yr PED) <sup>c</sup>	—	—
Post HB93-1302	3x maximum of presumptive range of felony	4x maximum of presumptive range of felony	Life (40-yr PED)	—
Post SB94-196	3x maximum of presumptive range of felony	4x maximum of presumptive range of felony	Life (40-yr PED)	Life (40-yr PED)

Note. A felony constitutes any felony in this state or another state in the United States or any territory subject to U.S. jurisdiction, or a crime that would be a felony if committed in this state.

<sup>a</sup> Any person who is convicted and sentenced for habitual (three previous convictions) and is thereafter convicted of a felony that is a crime of violence.

<sup>b</sup> Any person who is convicted of a class 1 or 2 felony or a class 3 that is a crime of violence and has been convicted twice previously of a class 1, 2, 3 crime of violence, excluding first-degree and second-degree burglary.

<sup>c</sup> PED = parole eligibility date.

- **HB 95-1087** reinstated earned time while on parole for certain nonviolent offenders.
- **HB 96-1005** lowered the age limit for YOS from 14 to 12 years of age and broadened the offenses eligible for YOS sentencing.
- **HB 98-1156** added the “Colorado Sex Offender Lifetime Supervision Act of 1998.” All offenders convicted of a felony sex offense committed on or after November 1, 1998, receive an indeterminate sentence of at least the minimum of the presumptive range for the level of offense committed and a maximum of natural life. All offenders sentenced under this law must undergo evaluation and treatment to be eligible for parole. The Parole Board determines when these offenders can be supervised in the community.
- **HB 98-1160** applied to class 2, 3, 4, or 5 or second or subsequent class 6 felonies occurring on or after July 1, 1998, mandating that every offender complete a period of 12 continuous months of parole supervision after incarceration.
- **SB 03-252** removed the 12 continuous months of parole supervision after incarceration, allowing the Parole Board to return an offender who paroled on a nonviolent class 5 or 6 felonies, except menacing and unlawful sexual behavior, to a community corrections program or to a pre-parole release and revocation center for up to 180 days. This bill also limited the time a parolee may be returned to prison to 180 days for a technical violation if confined for nonviolent offenses.
- **HB 04-1189** increased the time served before parole eligibility for certain violent offenses. First time offenders convicted of these violent offenses must serve 75% of their sentence less earned time awarded. If convicted of a second or subsequent violent offense, they must serve 75% of their sentence.
- **HB 06-1315** reduced sentences for juveniles convicted of class 1 felonies from a term of life in prison without parole eligibility to life with parole eligibility after 40 years.
- **HB 09-1122** expanded YOS sentencing eligibility to include offenders who were 18 or 19 years old at the time of their offense and sentenced prior to their 21st birthday.
- **HB 09-1351** increased the amount of earned time from 10 days to 12 days for those serving a sentence for certain class 4, 5, or 6 felonies who are program compliant.
- **HB 09-1263** enabled those confined pending a parole revocation hearing to receive credit for the entire period of such confinement.
- **HB 10-1338** allowed a person who had been twice convicted of a felony upon charges separately brought, and had arisen out of separate and distinct criminal episodes, to be eligible for probation unless his or her current conviction or a prior conviction was for first or second degree murder; manslaughter; first or second degree assault; first or second degree kidnapping; a sexual offense; first degree arson; first or second degree burglary; robbery; aggravated robbery; theft from the person of another; a felony offense committed against a child; or any criminal attempt or conspiracy to commit any of the aforementioned offenses if convicted on or after the effective date of the act.
- **HB 10-1352** lowered the penalty for unlawful use of a controlled substance; separated the crime of possession of a controlled substance (other than marijuana) from the crime of manufacturing, dispensing, selling, distributing, or possessing with intent to manufacture, dispense, sell, or distribute a controlled substance and changed the penalties; and made distributing a controlled substance to a minor a class 3 felony subject to enhanced sentencing. In addition, the bill increased the amount of a schedule I or II controlled substance necessary to designate a special offender and lowered the penalty for fraud and deceit in connection with controlled substances from a class 5 to a class 6 felony.
- **HB 10-1360** made offenders with class 4 felonies eligible for the Community Return to Custody Program

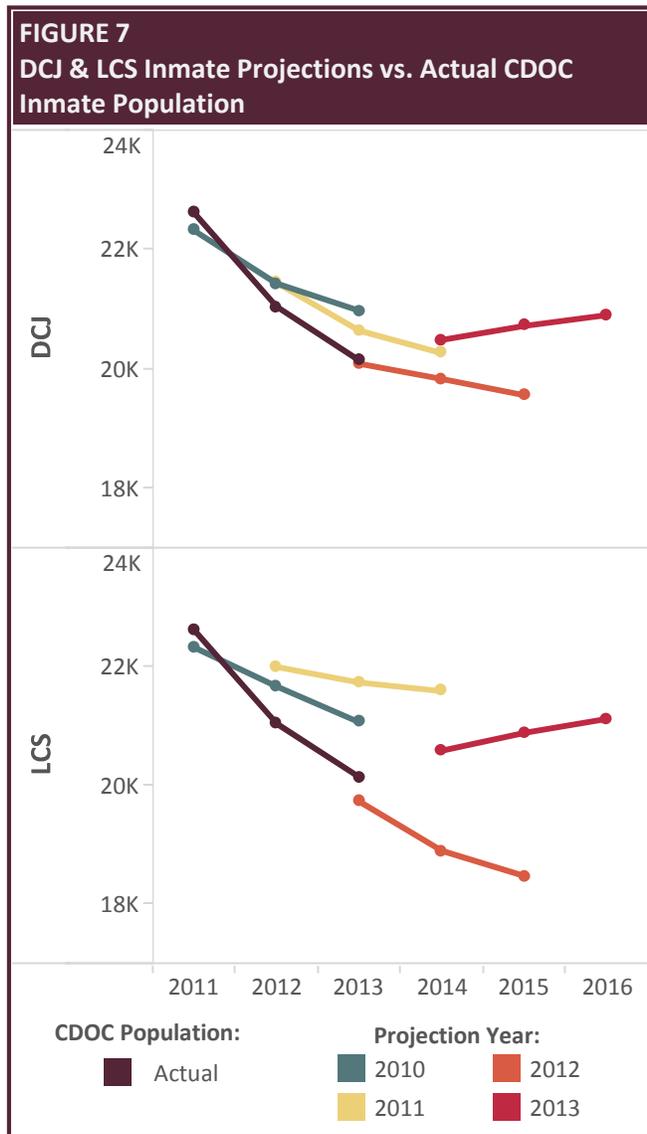
and restricted the amount of time a parole violator can return to prison to 90 or 180 days based on the offender's risk level.

- **HB 10-1373** reduced the penalty of escape from a class 4 felony to a class 5 felony and no longer mandated the sentence had to be served consecutively to any other sentence if the escape was from a direct sentence to a community corrections facility or intensive supervised parole.
- **HB 10-1374** determined that the Sex Offender Management Board would develop a specific sex offender release guideline instrument for the Parole Board to use when determining whether to release a sex offender on parole or revoke his or her parole status. This bill also required the CDOC to work with the Parole Board to develop guidelines for the Parole Board to use in determining when to release an offender or revoke an offender's parole and removed the statutory provision that required a parole officer to arrest a parolee as a parole violator if the parolee is located in a place without lawful consent. This bill made certain offenders serving sentences for lower-class, nonviolent felonies eligible for more earned time awards per month than other offenders.
- **HB 10-1413** changed the minimum age of the defendant from 14 to 16 years, except in the case of first-degree murder, second-degree murder, or certain sex offenses. The bill allows class 2 felonies (excluding sex offenses) to be sentenced to YOS except in the case of a second or subsequent sentence to the CDOC or YOS.
- **SB 11-176** allowed offenders housed in administrative segregation the opportunity to accrue earned time to be deducted from their sentences.
- **SB 11-241** expanded the eligibility of inmates who meet criteria for special needs parole and created presumptions in favor of parole for nonviolent offenders with immigration detainers.
- **HB 11-1064** built upon HB 10-1352 by creating a pilot program of presumption in favor of granting parole for an inmate who is parole-eligible and serving a sentence for a drug use or drug possession crime that was committed prior to August 11, 2011. The inmate must meet other criteria related to previous criminal behavior and institutional behavior to be eligible for the presumption.
- **HB 12-1223** allowed offenders sentenced and paroled for a felony offense committed after July 1, 1993, to receive earned time while reincarcerated after a parole revocation. It also allowed offenders who successfully complete a milestone or phase of an educational, vocational, therapeutic, or reentry program, or who demonstrate exceptional conduct that promotes the safety of correctional staff, volunteers, contractors, or other persons, to be awarded as many as 60 days of earned time per accomplishment up to 120 days per incarceration.
- **HB 12-1271** limited the offenses for which a juvenile may be subject to direct file to class 1 felonies, class 2 felonies, crime of violence felonies, or sex offenses, if the juvenile has a previous felony adjudication or violent sex offenses, and instances in which the juvenile was subject to certain previous district court proceedings. The act also limited direct file to juveniles 16 and older.
- **SB 13-216** reinstated certain provisions of HB 09-1122 that were repealed on October 1, 2012, relating to the sentencing of young adult offenders to YOS. Provisions of this bill allowed certain young adult offenders to be sentenced to YOS if they were 18 or 19 years old at the time a crime was committed and under 21 years old at the time of sentencing.
- **SB 13-250** created a new sentencing grid for drug crimes. This bill primarily decreased the seriousness of drug crimes and reduced penalties for those crimes.
- **HB 13-1160** modified theft conviction penalties to be based on the value of the goods or property stolen.

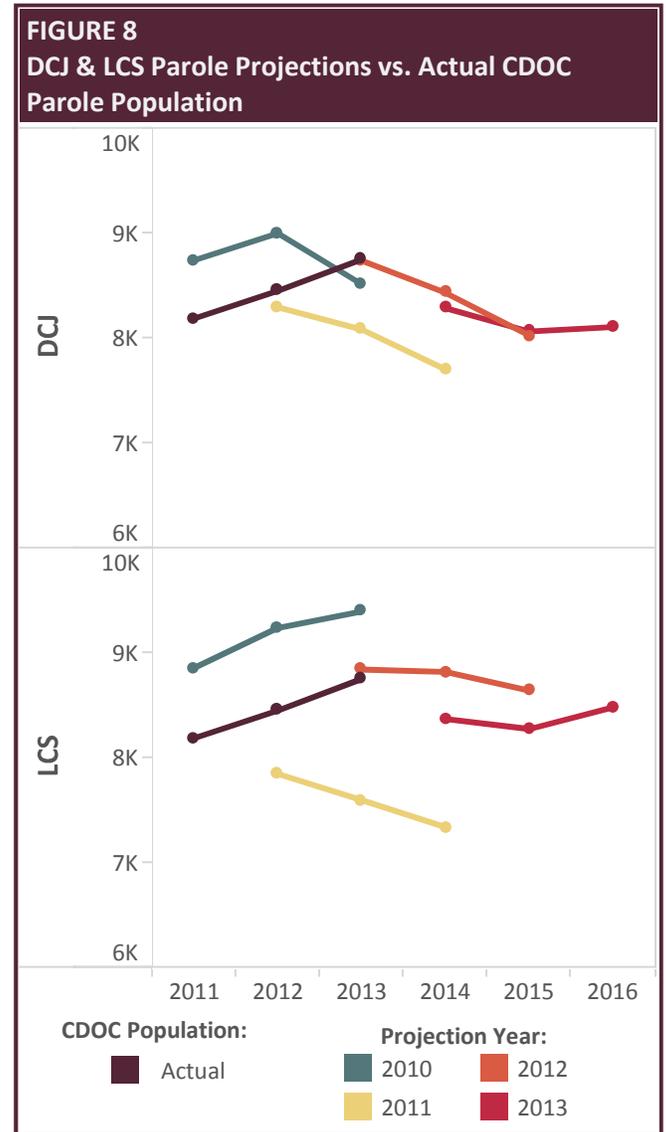
## POPULATION PROJECTIONS

Two sets of population projections are prepared by outside agencies for budgeting and planning purposes. The Division of Criminal Justice (DCJ), within the Department of Public Safety, and Legislative Council Staff (LCS) are statutorily mandated to develop forecasts for the adult and juvenile populations within the criminal justice system. DCJ updates its projections every 6 months to reflect the most recent sentencing revisions and trends and LCS completes its projections once per year.

Figure 7 compares the actual population of the DOC to the last 4 years of inmate population projections developed by DCJ and LCS. The most recent inmate



population projections were released in December 2013. The graph illustrates wide variations in year-to-year projections. Parole population projections are similarly compared in Figure 8. Both inmate and parole population projections are affected by a number of factors, including the number and sentence length of new commitments, Parole Board discretion to release offenders, rates of revocation for parolees, and new legislation.



## PRISON FACILITIES

Figure 9 illustrates the locations and security levels of the 24 prisons throughout the state of Colorado. Twenty are owned and operated by the state of Colorado and 4 are private contract facilities. The security levels identified in Figure 9 are defined in Colorado Revised Statutes (CRS) 17-1-104.3 as follows:

**Level I** facilities shall have designated boundaries, but need not have perimeter fencing. Inmates classified as minimum may be incarcerated in level I facilities, but generally inmates of higher classifications shall not be incarcerated at level I facilities.

**Level II** facilities shall have designated boundaries with single or double perimeter fencing. The perimeter of level II facilities shall be patrolled periodically. Inmates classified as minimum restrictive and minimum may be incarcerated in level II facilities, but generally inmates of higher classifications shall not be incarcerated in level II facilities.

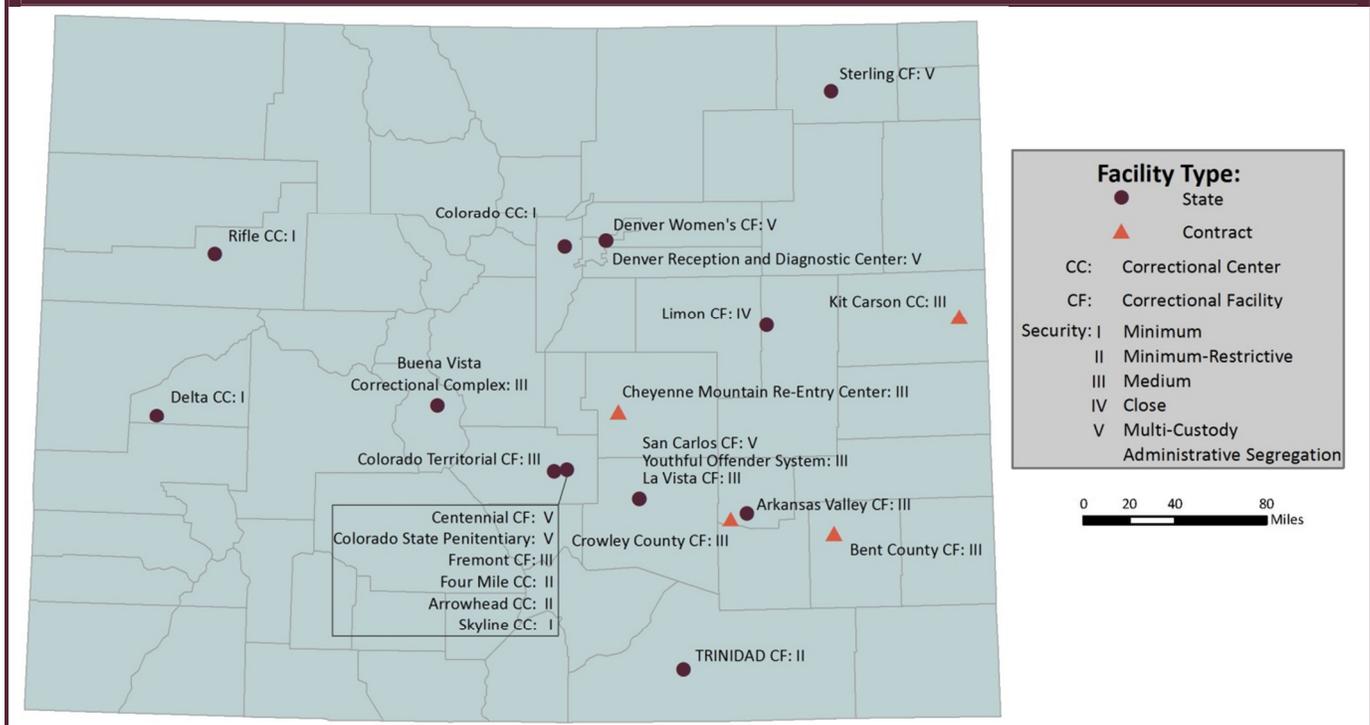
**Level III** facilities generally shall have towers, a wall or double perimeter fencing with razor wire, and

detection devices. The perimeter of level III facilities shall be continuously patrolled. Appropriately designated close classified inmates, medium classified inmates and inmates of lower classification levels may be incarcerated in level III facilities, but generally inmates of higher classifications shall not be incarcerated in level III facilities.

**Level IV** facilities shall generally have towers, a wall or double perimeter fencing with razor wire, and detection devices. The perimeter of level IV facilities shall be continuously patrolled. Close classified inmates and inmates of lower classification levels may be incarcerated in level IV facilities, but generally inmates of higher classifications shall not be incarcerated in level IV facilities on a long-term basis.

**Level V** facilities comprise the highest security level and are capable of incarcerating all classification levels. The facilities shall have double perimeter fencing with razor wire and detection devices or equivalent security architecture. These facilities generally shall use towers or stun-lethal fencing as well as controlled sally ports. The perimeter of level V facilities shall be continuously patrolled.

**FIGURE 9**  
CDOC State and Private Facilities



## FACILITY CAPACITIES

Capacity refers to the number of state prison beds available to house inmates. Three capacity terms are used by the CDOC to describe prison bed space.

**Design capacity:** The number of housing spaces for which a facility is constructed or modified by remodeling, redesign, or expansion.

**Expanded capacity:** The number of housing spaces above the facility design capacity.

**Operational capacity:** Design capacity plus expanded capacity.

Management control, special use, segregation, and reception beds are included in the design capacity for all facilities.

State facility capacities and on-grounds population as of June 30, 2013, are shown in Table 3. The percent of capacity used, calculated as the on-grounds population divided by the design capacity, is also listed; therefore, percentages greater than 100% indicate prison housing in excess of the design capacity of the facility. Capacities of contract beds and community placements are not provided because these can vary according to need and contract terms.

**TABLE 3**  
**Facility Populations & Capacities**

State Facilities	Year Open	On-Grounds Population	Capacities			% Design Capacity
			Design	Expanded	Operational	
Arkansas Valley Correctional Facility	1987	991	1,007	0	1,007	98%
Arrowhead Correctional Center	1989	495	484	40	524	102%
Buena Vista Correctional Facility	1892	771	803	0	803	96%
Buena Vista Minimum Center	1984	293	304	0	304	96%
Centennial Correctional Facility	1980	257	336	0	336	76%
Colorado Correctional Center	1969	137	150	0	150	91%
Colorado State Penitentiary	1993	717	756	0	756	95%
Colorado Territorial Correctional Facility <sup>a</sup>	1871	897	694	235	929	129%
Delta Correctional Center	1964	294	484	0	484	61%
Denver Reception & Diagnostic Center <sup>a</sup>	1991	544	496	70	566	110%
Denver Women's Correctional Facility	1998	904	900	76	976	100%
Four Mile Correctional Center	1983	520	484	41	525	107%
Fremont Correctional Facility	1957	1,651	1,448	213	1,661	114%
La Vista Correctional Facility	1994	492	519	16	535	95%
Limon Correctional Facility	1991	928	500	453	953	124%
Rifle Correctional Center	1979	157	192	0	192	82%
San Carlos Correctional Facility	1995	242	250	5	255	97%
Skyline Correctional Center	1957	247	249	0	249	99%
Southern Transport Unit	2002	21	30	0	30	70%
Sterling Correctional Facility	1998	2,313	2,445	40	2,485	95%
Trinidad Correctional Facility	2001	402	404	0	404	100%
<b>Total State Capacity</b>		<b>13,273</b>	<b>12,935</b>	<b>1,189</b>	<b>14,124<sup>a</sup></b>	<b>103%</b>

<sup>a</sup> Infirmiry beds at Colorado Territorial Correctional Facility and Denver Reception & Diagnostic Center are not included.

### FULL-TIME EMPLOYEES

There were 5,977 full-time CDOC employees at the end of FY 2013. The demographic composition was primarily Caucasian males aged 40 and over (see Figure 10). The ethnic composition of CDOC staff is similar those of the state of Colorado (74% vs. 70% Caucasian).

Correctional officers (CO) comprise 55% of all CDOC staff. Figure 11 breaks down the rank of the CO series; the majority of COs is at the first level and very few are at the highest level (V). Figure 12 shows the number of employees by facility or location. During the course of the year, 899 employees left employment resulting in a turnover rate of 15%.

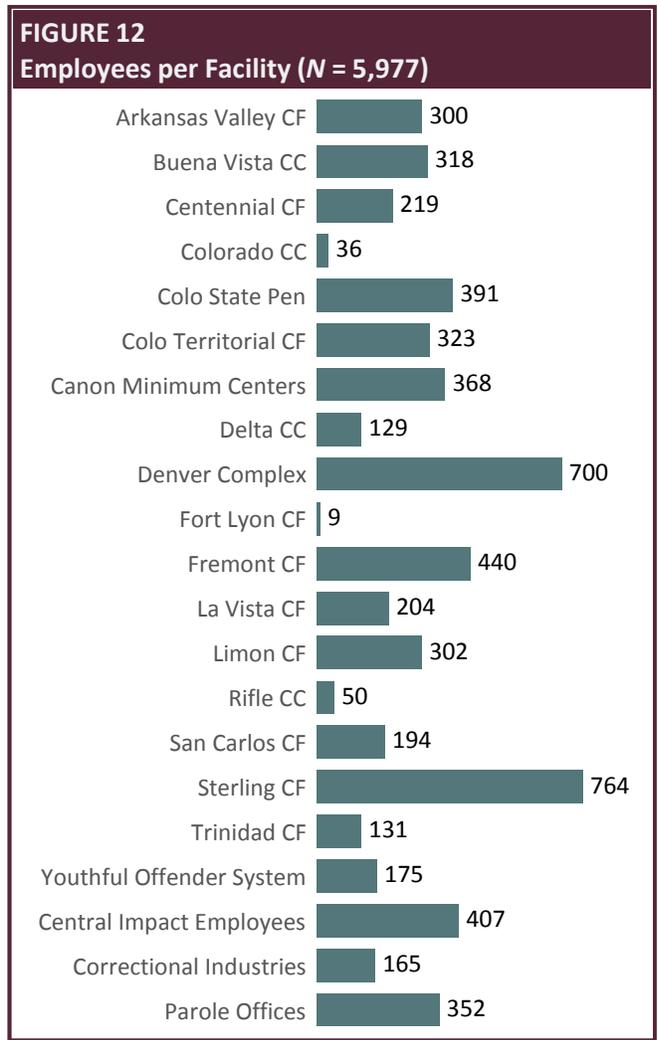
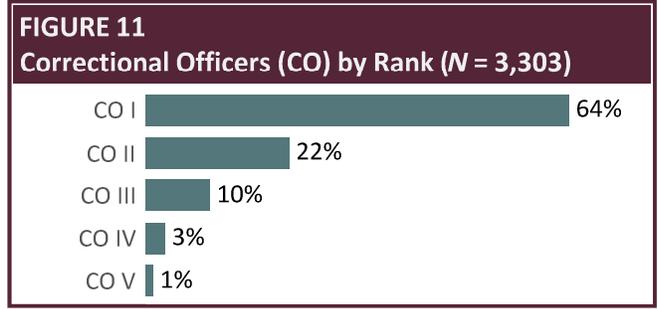
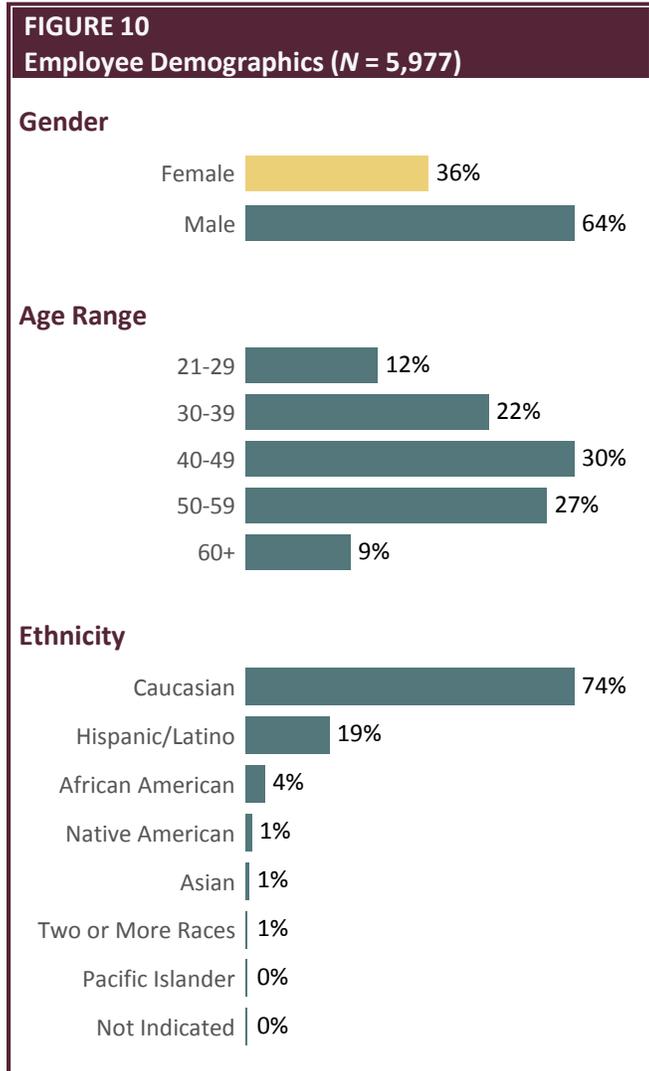


Figure note. Central Impact Employees includes Central Office, Parole Board, Business Office, Training, Warehouse, Transportation, Investigations, CWCF, Canteen.

# INMATE ADMISSIONS

Admissions to the CDOC adult prison system increased 5.5% from FY 2012 to FY 2013, which is in contrast to the decrease from FY 2008 to FY 2012 (see Figure 13). Nonetheless, releases have still surpassed admissions, now for the fourth year in a row, causing the inmate population to continue its declining trend.

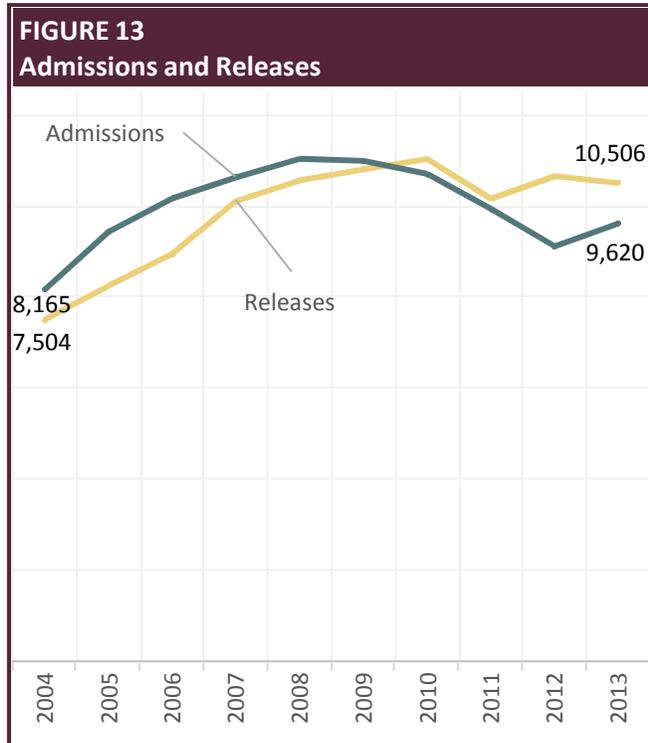
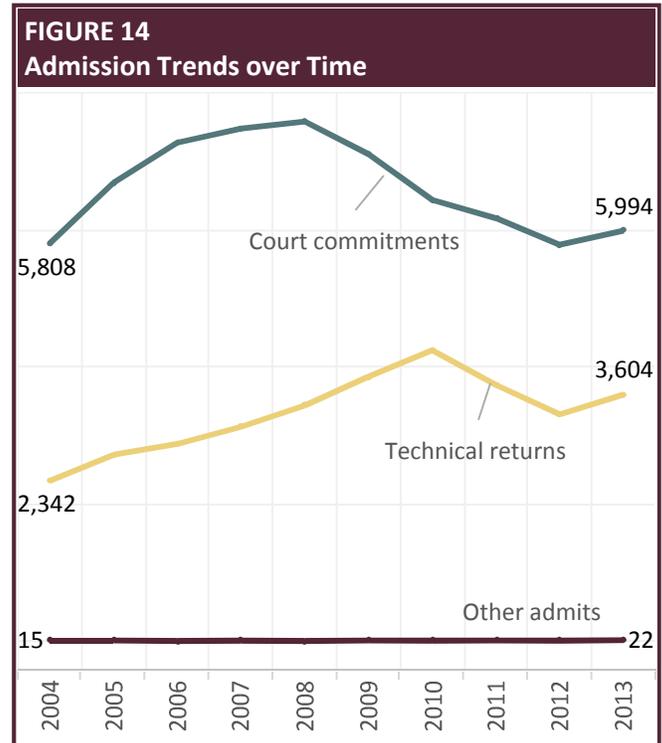


Table 4 shows counts by admission type and gender for FY 2013. Compared to FY 2012, male admissions increased 6.1% while female admissions only increased 1.6%. Court commitments include individuals receiving new incarceration sentences while technical returns include offenders previously incarcerated in Colorado who released to parole, probation, or a court-ordered discharge and subsequently returned without a new felony conviction. Technical returns may have new misdemeanor convictions, traffic convictions, or violations of conditions specified in the parole agreement. Other admissions consist of transfers under interstate compact agreements, bond returns, returns under the consecutive sentence audit, and dual commitments (i.e., from the state hospital).

**TABLE 4**  
**Adult Admissions**

Admission Type	Male	Female	Total
<b>Court Commitments/New Conviction</b>			
New Commitments	4,509	635	5,144
Parole Return	721	94	815
Court-Ordered Return	9	5	14
Probation	17	1	18
YOS Failure	3	0	3
<b>Subtotal</b>	<b>5,259</b>	<b>735</b>	<b>5,994</b>
<b>Technical Returns</b>			
Parole Return	3,170	388	3,558
Court-Ordered Discharge	22	1	23
Probation	22	1	23
<b>Subtotal</b>	<b>3,214</b>	<b>390</b>	<b>3,604</b>
<b>Other</b>			
Interstate Compact	8	0	8
Bond Return/Audit	11	3	14
Return/State Hospital			
<b>Total Admissions</b>	<b>8,492</b>	<b>1,128</b>	<b>9,620</b>

Figure 14 shows 10-year trends of admissions by type. Court commitments decreased from FY 2008 through FY 2012, while technical returns only decreased from FY 2010 through FY 2012. Both court commitments and technical returns contributed to the overall increase in admissions in FY 2013.



## DEMOGRAPHIC CHARACTERISTICS

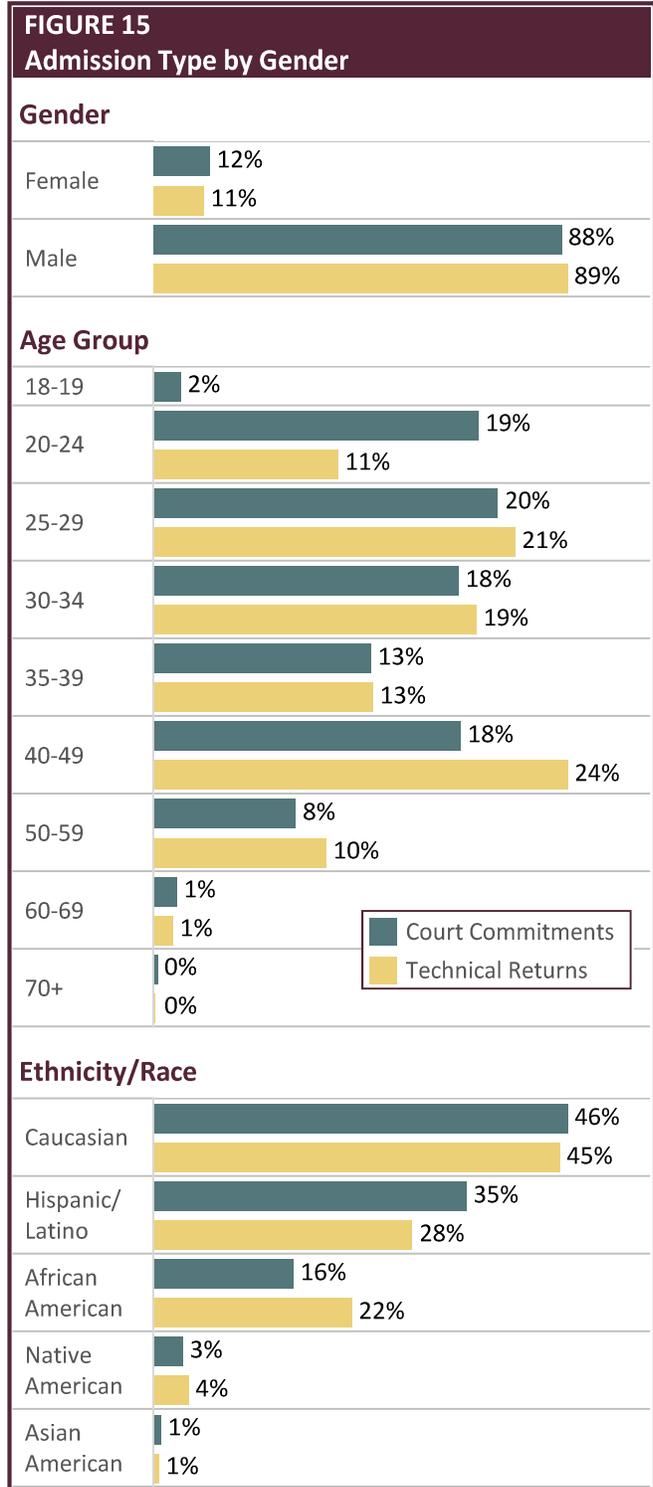
Demographic characteristics of offenders incarcerated as court commitments and technical returns were examined. In FY 2013, 494 offenders had multiple admissions. In order to illustrate the characteristics of offenders admitted, each offender was included only once using their first admission for this fiscal year. The descriptive analysis includes 5,904 court commitments and 3,203 technical returns.

The demographic characteristics of FY 2013 inmate admissions are provided in Figure 15. Gender was similar across admission types. However, new commitments tended to be younger by 2 years than technical returns. No commitments were under the age of 18 years. Certain youthful offenders receiving an adult prison sentence may be eligible for YOS, a sentencing alternative created in 1993; this population is reported elsewhere. Among 2013 commitments, 9% were 50 years or older, almost twice the rate of 2003 commitments (5.3%) in this age range. Technical returns were less likely to be Hispanic/Latino but more likely to be African American than court commitments.

## OFFENSE DATA

To assess the seriousness of offenders' sentences, the felony class of the most serious offense conviction is used. Most serious offense is determined by a number of factors including sentence length, felony class, enhancements (e.g., habitual, lifetime supervision), and crime type. Again, multiple admissions were removed so that individuals were only included once, using their first admission for the year. Felony class distributions of both court commitments and technical returns show that class 4 felonies were the most common, followed by class 5 and then class 3 offenses (see Figure 16).

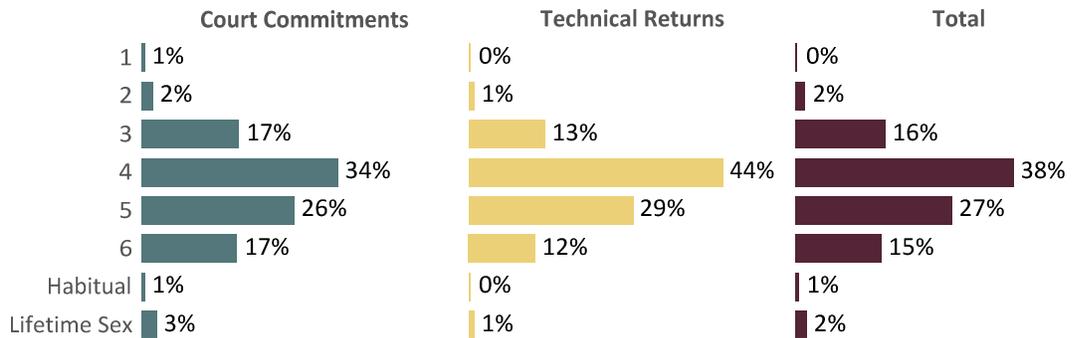
Figure 16 also presents the crime type of the most serious offense, again by admission type and violence category. Offenses are categorized as violent or nonviolent, using a broad definition describing the general nature of the offense rather than the statutory definition found in C.R.S. 18-1.3-406.



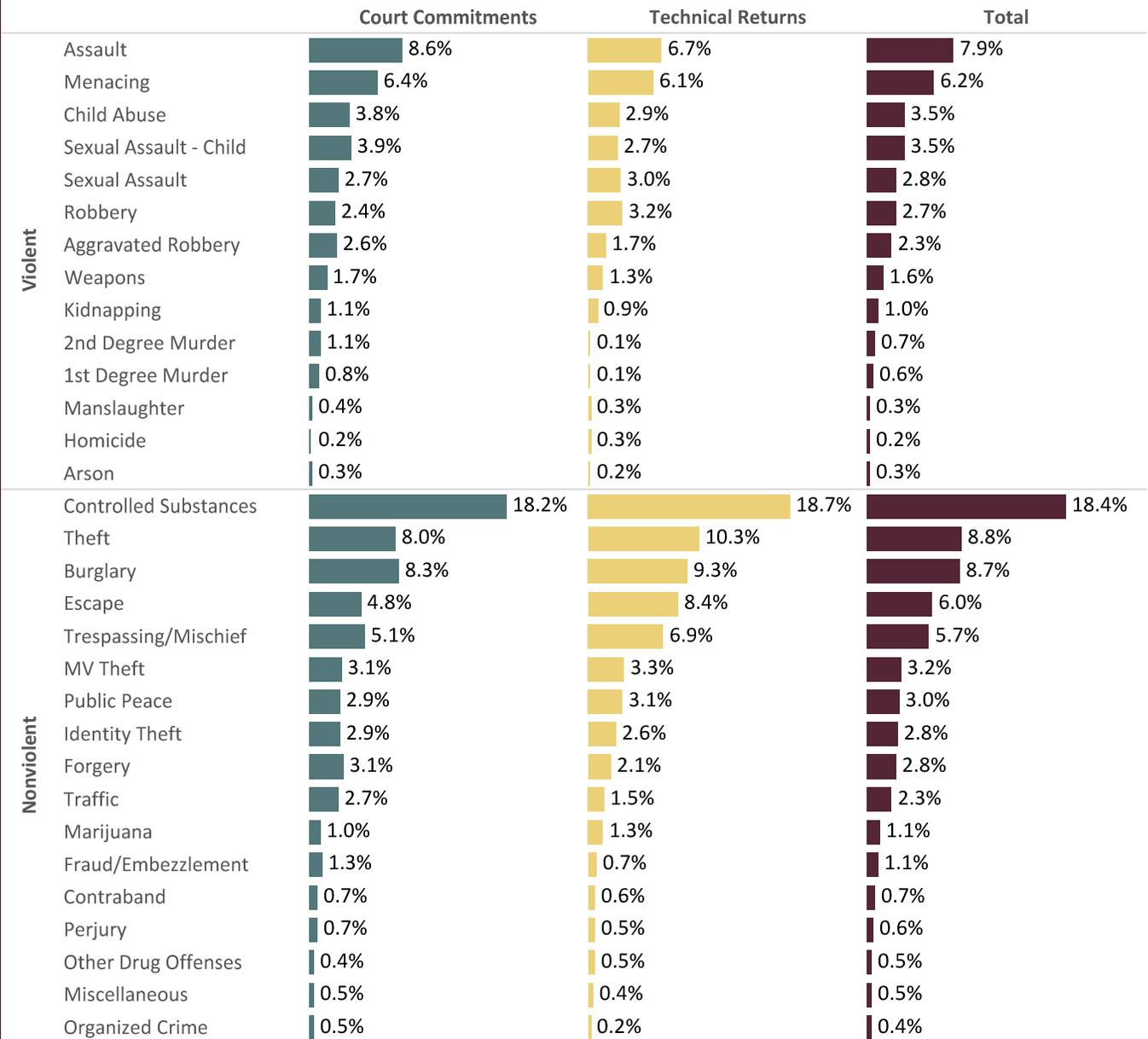
Roughly one-third of admissions are for violent crimes and two-thirds are nonviolent, although technical returns are more likely to have nonviolent offenses than are court commitments (because violent offenders have longer prison sentences and parole less frequently than nonviolent offenders).

**FIGURE 16**  
Admission Type by Most Serious Offense

**Felony Class**



**Crime Type**

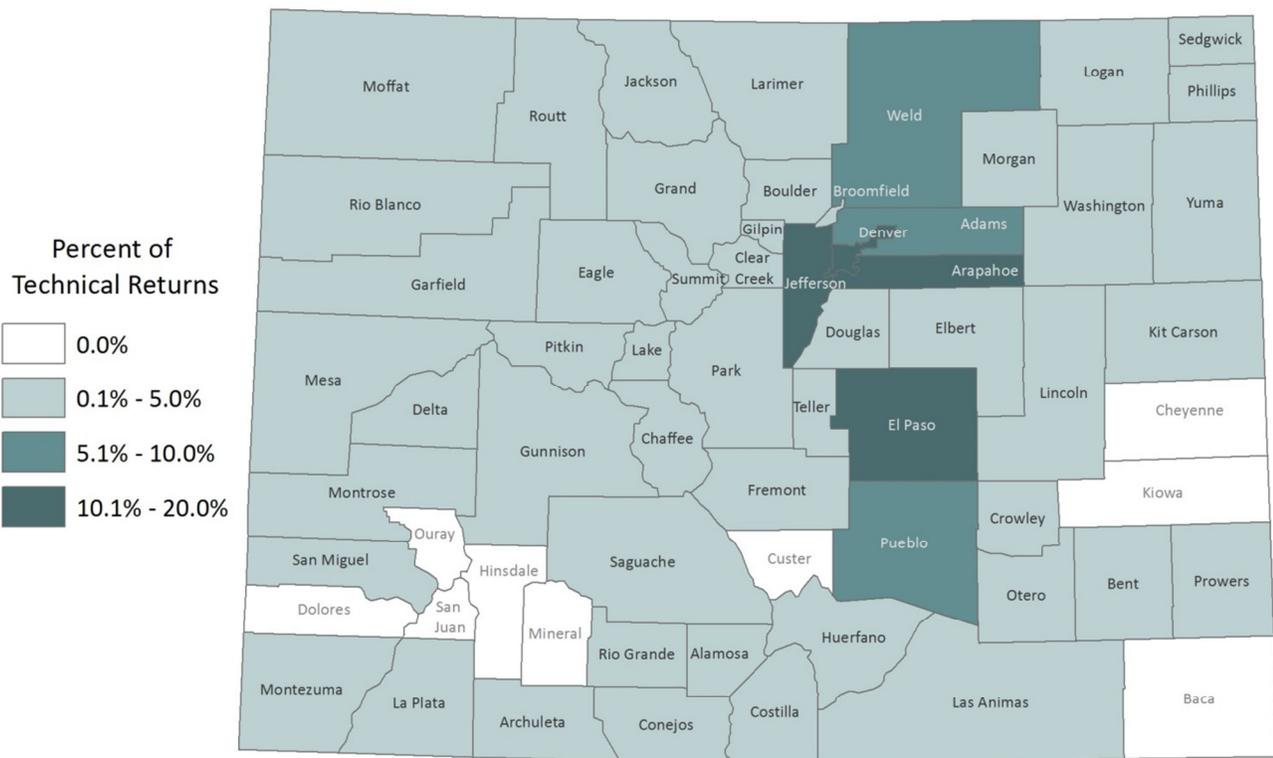
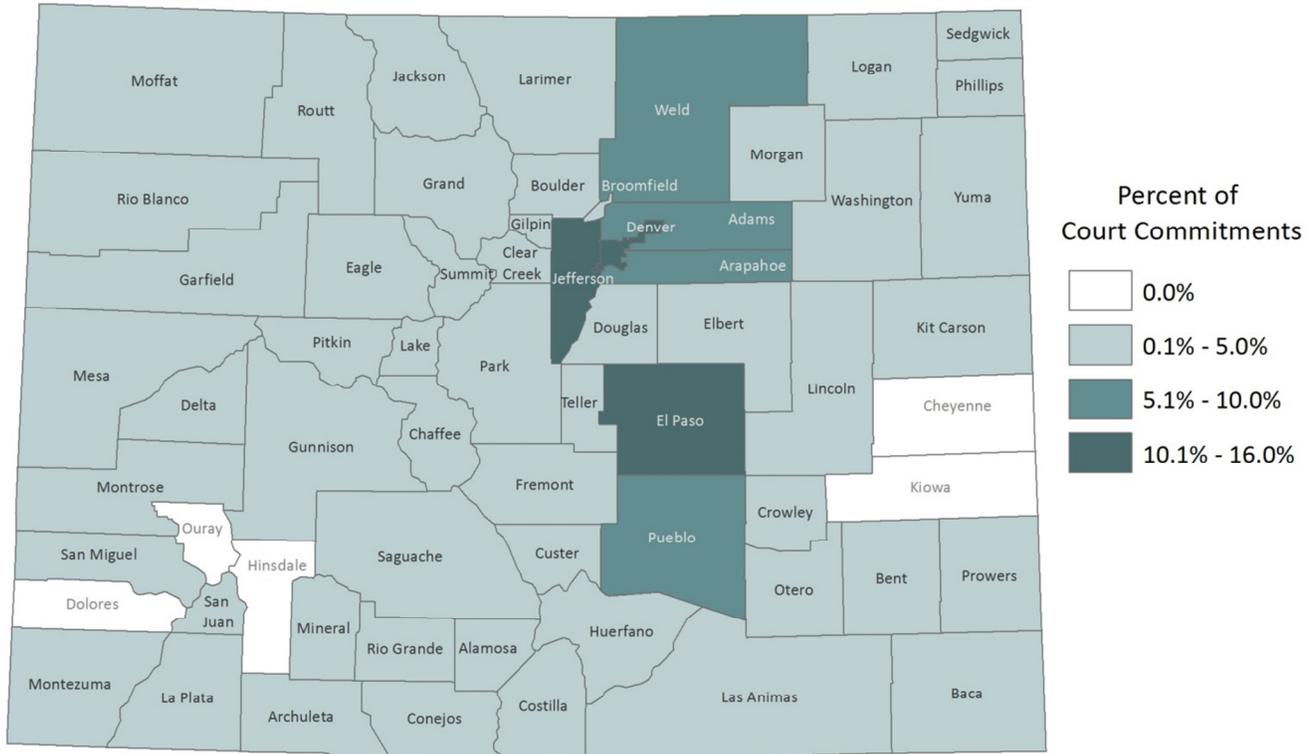


**COUNTY OF COMMITMENT**

Figure 17 displays the percentage of court commitments and technical returns from each county

in the state. Denver County continues to represent the largest portion of admissions, followed by other counties along the Front Range, such as El Paso, Jefferson, Adams, and Arapahoe counties.

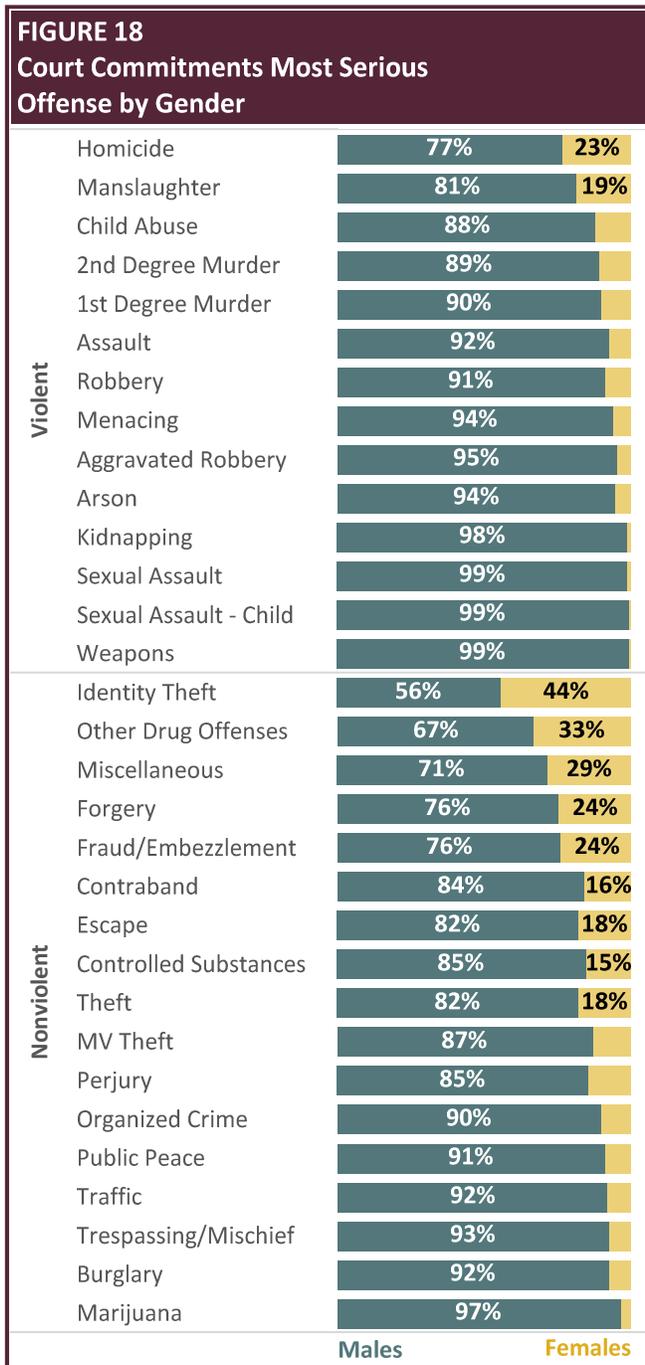
**FIGURE 17**  
**Percent of Court Commitments & Technical Returns by County of Conviction**



## COURT COMMITMENTS

### GENDER COMPARISON

Offenses were examined by gender to better understand disparities in the commission of crimes. Women were less likely than men to commit a violent offense (19.5% vs. 35.5%). Figure 18 shows the gender split for each crime category. Women were more likely than men to be convicted of homicide (but not murder), identity theft, drug offenses, forgery, and



fraud. Male offenders were more likely than women to have a conviction for all violent crime categories except homicide and manslaughter; they were about eight times more likely than women to have committed a sex offense.

### LENGTH OF STAY

The average length of stay of new court commitments and parole returns with a new crime is estimated by the Division of Criminal Justice in the annual Correctional Population Forecast<sup>3</sup>. Average lengths of stay are estimates of actual time that new admissions are expected to serve in prison. These calculations are made using sentence length and time served for inmates released during the same year. Table 5 presents anticipated lengths of stay based on felony class (F1 to F6) and crime type (extraordinary risk of harm, sex, drug, and other).

**TABLE 5**  
**Estimated Average Length of Stay (Months)**

Felony Class/Type	New Commitments		Parole Returns	
	Male	Female	Male	Female
F1	480.0	480.0		
F2 Ext	221.4	240.8	111.8	74.4
F2 Sex				
F2 Drug			30.6	
F2 Other	98.5	75.4	44.0	81.1
F3 Ext	80.6	63.8	59.7	40.3
F3 Sex	104.1		101.6	
F3 Drug	55.9	35.7	25.6	46.1
F3 Other	65.6	59.6	55.1	56.9
F4 Ext	50.1	41.1	42.6	26.8
F4 Sex	52.9			
F4 Drug	28.4	25.9	24.1	28.4
F4 Other	39.0	33.6	35.7	35.3
F5 Ext	25.8	19.9	26.9	32.1
F5 Sex	35.4	24.8	28.6	
F5 Drug	20.0	14.8	27.3	
F5 Other	23.4	20.4	23.1	25.2
F6 Ext	13.5	10.3	24.8	
F6 Sex	11.7		19.1	14.0
F6 Drug	13.2	11.4	14.0	25.2
F6 Other	11.5	11.6	14.6	
Habitual	226.2	288.0	150.9	
Lifetime	248.4	197.0	40.9	
<b>Total</b>	<b>51.6</b>	<b>37.7</b>	<b>39.4</b>	<b>35.4</b>

<sup>3</sup> Harrison, L., Colorado Division of Criminal Justice Correctional Population Forecasts, December 2013.

**HABITUAL OFFENDER SENTENCES**

Figure 19 summarizes court commitments with habitual convictions. Forty-six offenders (one was female) were sentenced under habitual offender provisions for their most serious offense in FY 2013, only one of which was sentenced under pre HB 93-1302 law. It should be noted that some offenders who received habitual sentences are not reported here if their most serious offense was not the crime(s) carrying the habitual sentence, although sentence enhancements correspond to most serious offenses in the majority of cases. Offenders sentenced under pre HB 93-1302 receive a life sentence with parole eligibility after 40 years or a 25- to 50-year sentence. Those sentenced post HB 93-1302 receive a sentence at three times the maximum of the presumptive range for two previous convictions and four times the maximum for three previous convictions. Table 6 shows the average, minimum and maximum sentences for those with two or three previous convictions.

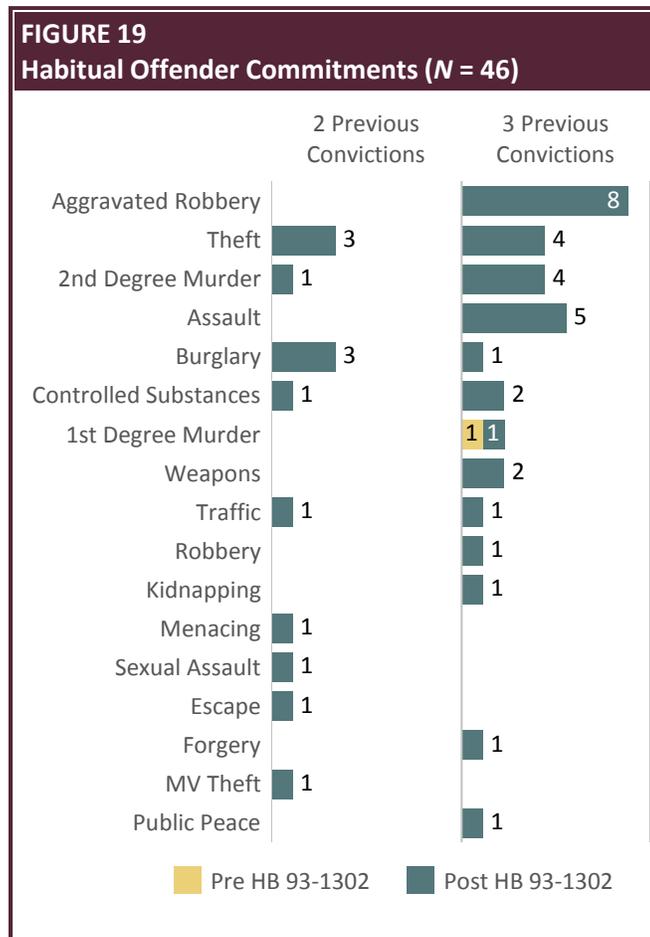
**TABLE 6**

**Habitual Offender Sentences (Years)**

	2 Previous Convictions	3 Previous Convictions
Average	26	139
Minimum	2	2
Maximum	72	1,256

**LIFETIME SUPERVISION SEX OFFENDER SENTENCES**

Legislation enacted in 1998 requires offenders convicted of class 2, 3, or 4 sex offense felonies to be sentenced to prison for a set minimum term and a maximum term of life. Table 7 details the felony class and average minimum sentences for offenders sentenced to prison under the lifetime sex offender supervision provision in FY 2013; all were males except two. The data shown in Table 7 may not represent all commitments sentenced under these provisions, as this analysis uses only the most serious crime. In some cases the most serious crime is a non-sexual offense and the lesser qualifying sex offense carries the lifetime supervision sentence.



**TABLE 7**

**Lifetime Supervision Sentences (Years)**

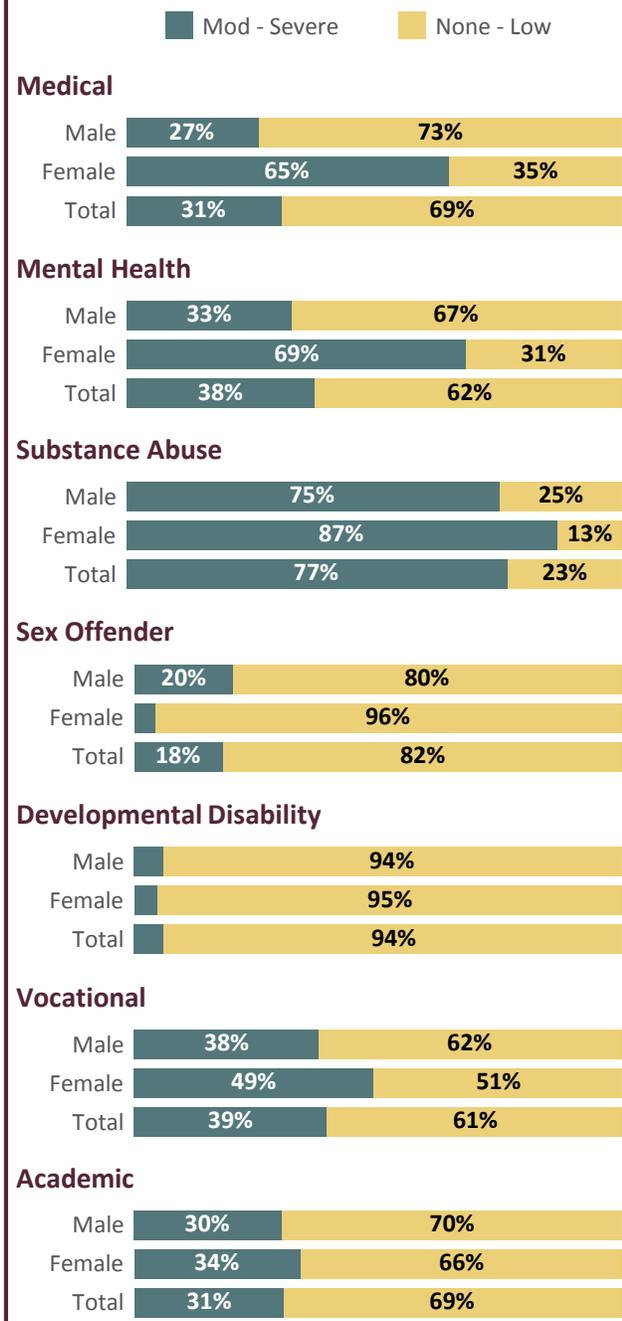
	# Offenders	Avg. Minimum Sentence
Felony Class 2	5	49
Felony Class 3	69	22
Felony Class 4	74	6
<b>Total</b>	<b>148</b>	<b>15</b>

**RISK AND NEEDS ASSESSMENTS**

Initial needs levels are assessed during the diagnostic process for court commitments and are used for identifying offenders for placement in services. These needs levels are assessed through a combination of methods, including observation, interview, self-report, standardized testing, and review of criminal justice records. Each needs level is rated on a scale of 1 through 5, where higher scores indicate greater needs.

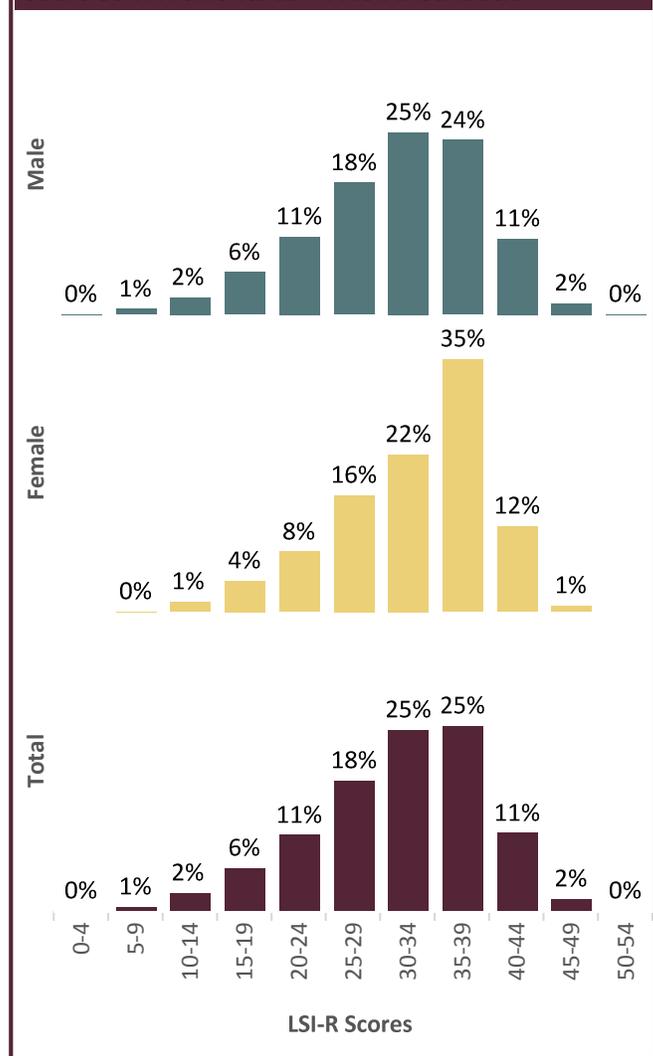
Figure 20 compares the ratio of court commitments with moderate to severe needs (levels 3-5) in each area to those with none or low needs (levels 1-2). Generally, offenders with moderate to severe needs

**FIGURE 20**  
**Court Commitments Needs Levels**



are targeted for services in that area. The highest needs areas overall are substance abuse followed by vocational and mental health. Compared to males, females have much higher medical, mental health, substance abuse, and vocational needs but lower sex offender treatment needs. Lastly, Figure 21 shows risk distributions of male and female court commitments, as assessed using the Level of Supervision Inventory – Revised (LSI-R). The average score is 30.2 for males and 32.4 for females (31.1 overall).

**FIGURE 21**  
**Court Commitments LSI-R Risk Distribution**



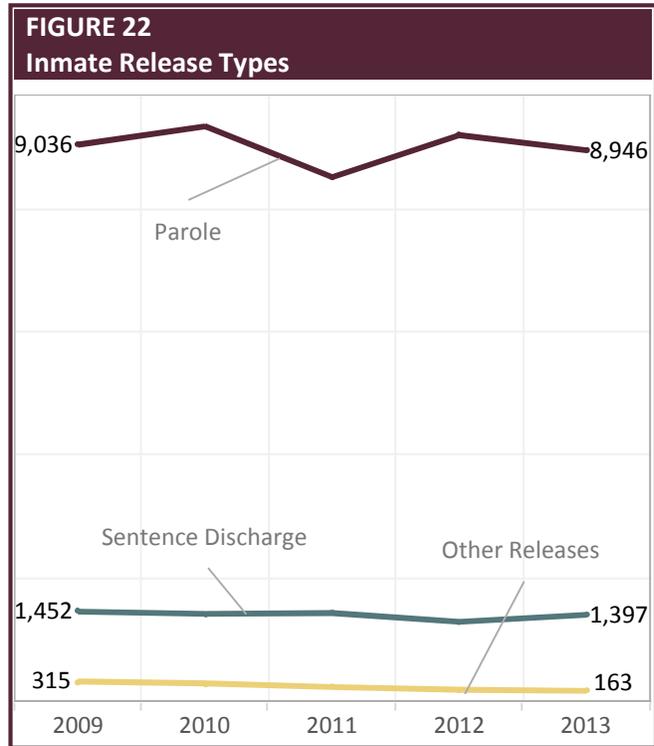
# INMATE RELEASES

This section reflects actual releases from inmate status, which may include releases from prison, community corrections, or jail settings. These releases may differ from those reported by the Parole Board, which are a reflection of when releases are granted and may not occur in the same fiscal year as the actual release.

There are three main release categories. **Parole releases** include offenders who are granted discretionary parole by the Parole Board, offenders who serve their maximum sentence and release on their mandatory release date, and offenders who reparole after having their parole revoked. Certain felony class 4, 5, and 6 offenders who do not receive discretionary parole may release 30 – 60 days before their mandatory release date if eligible per the provisions of HB 09-1351. **Sentence discharges** include Martin/Cooper discharges and discharges to pending charges or detainers. Martin/Cooper discharges apply to offenders convicted of sex offenses between July 1, 1993, and November 1, 1998. The Colorado State Supreme Court (People v. Martin, Case 99SC602) and the Colorado Court of Appeals (People v. Cooper, Case 98CA1614) ruled that these sex offenders were subject to a period of discretionary parole that could not be longer than the remainder of the imposed maximum sentence of incarceration. These cases became final in July 2001, and as a result, sex offenders convicted of offenses between 1993 and 1998 are no longer subject to the mandatory parole provisions. This ruling has resulted in 1,330 sex offenders discharging their prison sentences without further supervision since FY 2002. **Other releases** include release to probation, court-ordered discharge, and deceased.

## RELEASES BY TYPE

Inmate releases have increased each year over the past 10 years, except for FYs 2011 and 2013 (see Figure 13 in the Inmate Admissions section). An examination of release types shows that the decreases correspond with fewer releases to parole (see Figure 22).

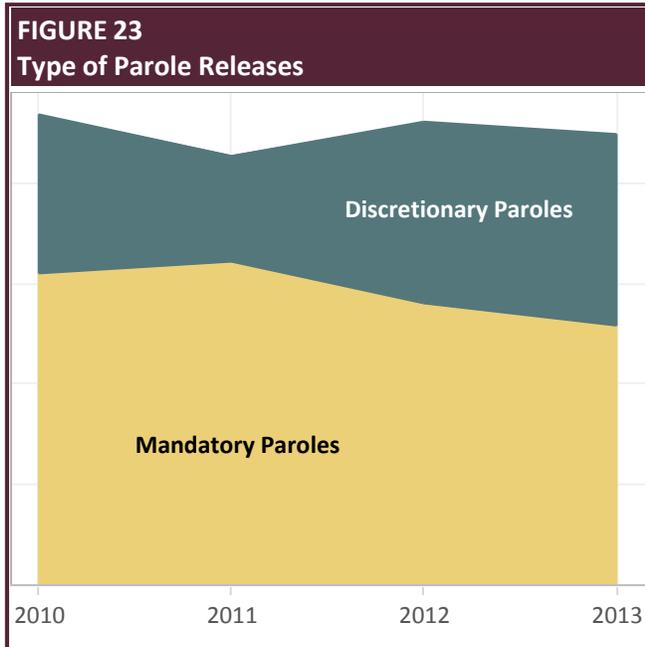


CDOC implemented procedural changes in December 2005 affecting offenders scheduled for parole release during the weekend. Releases on the mandatory release date or mandatory reparole date falling on a weekend day were released a few days earlier, resulting in offenders being reported as discretionary parole instead of the mandatory parole or reparole categories. Since December 2008, weekend releases (mandatory and reparole) have been coded separately from discretionary parole releases.

Figure 23 shows the breakdown of parole releases by fiscal year since the releases have been coded correctly (reparoles are included with mandatory parole). The decrease in FY 2011 coincides with a substantial decrease in discretionary parole releases. The decrease in parole releases in FY 2013 is attributable to fewer mandatory parole releases. Table 8 shows details of releases by gender for FY 2013.

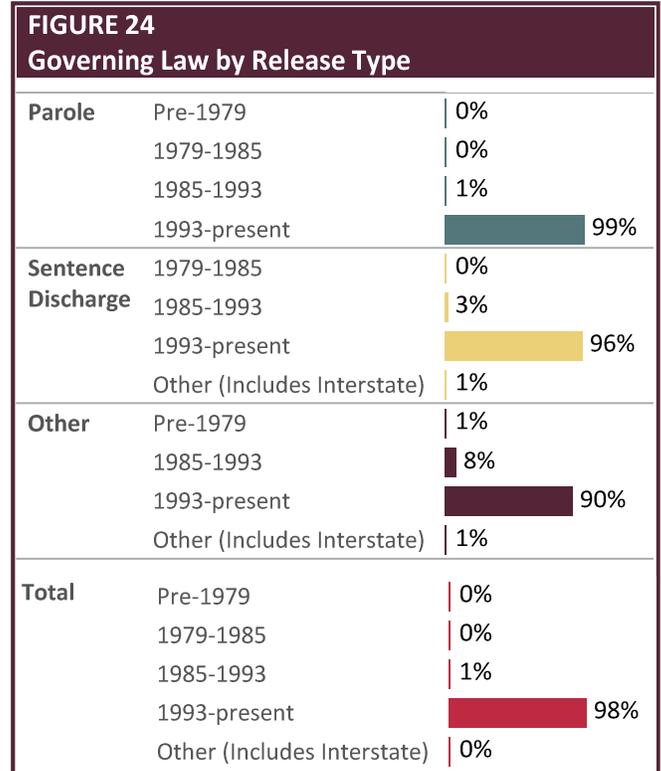
Approximately 12-14% of releases each year are sentence discharges. However, as can be seen in Figure 24, the majority of offenders releasing are governed by current law (1993-present), which requires a period of parole supervision. Only 4% of

offenders who discharge their sentence are *not* required to serve a period of parole. The other 96% had released to parole previously and subsequently had their parole revoked. These individuals discharged from inmate status as they reached the end of their sentence before they could reparole.

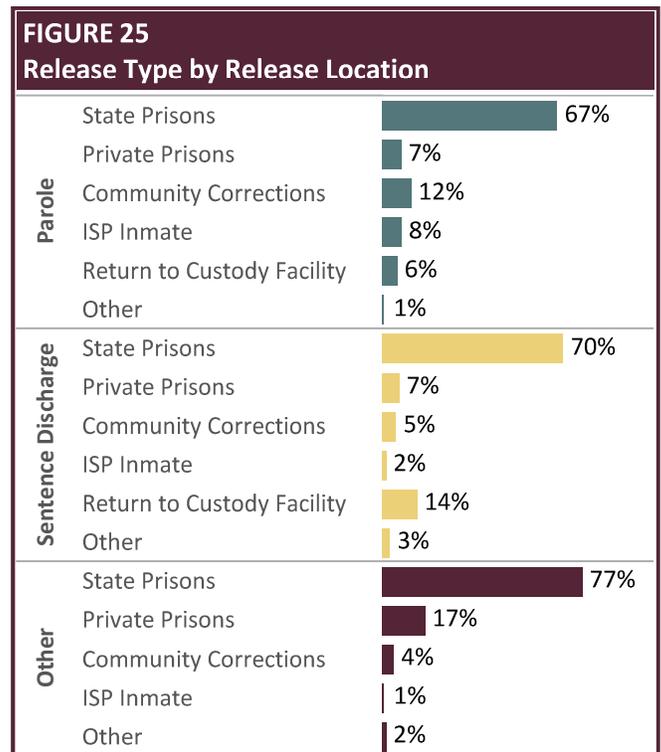


**TABLE 8**  
Inmate Release Types by Gender, FY 2013

Release Type	Male	Female	Total
<b>Parole</b>			
Discretionary	3,293	513	3,806
Mandatory	2,134	221	2,355
Mandatory Reparole	1,896	244	2,140
HB 1351 Mandatory	554	91	645
<b>Subtotal</b>	<b>7,877</b>	<b>1,069</b>	<b>8,946</b>
<b>Sentence Discharge</b>			
Discharge	1,070	115	1,185
Martin/Cooper Discharges	27	0	27
Discharge to Pending Charges	124	6	130
Discharge to Detainer	48	7	55
<b>Subtotal</b>	<b>1,269</b>	<b>128</b>	<b>1,397</b>
<b>Other</b>			
Probation	57	13	70
Court-Ordered Discharge	36	9	45
Deceased	44	2	46
Colorado State Hospital Transfer	1	0	1
Appeal Bond	1	0	1
<b>Subtotal</b>	<b>139</b>	<b>24</b>	<b>163</b>
<b>Total Releases</b>	<b>9,285</b>	<b>1,221</b>	<b>10,506</b>



The rate of releases by type and location is displayed in Figure 25. Releases are not shown by specific prison facilities because inmates often release from a transport hub, which skews the data.



The majority of inmates release from state prisons to parole. Approximately 16% successfully transition from prison to parole via community corrections and/or ISP inmate status. More offenders released from private prisons in FY 2013 than in previous years; this is due to a large number (703) of releases directly from Cheyenne Mountain Reentry Center. Approximately 7% either return to parole or discharge their sentence from a return to custody facility. Inmates sentenced in Colorado who are under the supervision of other jurisdictions are reported in "Other." Other jurisdictions may include the Colorado Mental Health Institute at Pueblo (CMHIP), other state facilities, dual commitments to interstate compact and Colorado, and the federal system.

**TIME SERVED IN PRISON**

Time served in prison relative to governing sentence was analyzed for prison releases. The **governing sentence** represents the original sentence to incarceration, including consecutive terms for multiple sentences; the parole sentence for technical parole returns serving a mandatory parole period; and the combined governing sentence, including the parole sentence plus new conviction sentences for parole returns with new sentences to incarceration. The broad presumptive sentencing ranges, combined with

enhanced sentencing and concurrent versus consecutive sentencing provisions, create vast disparities within each crime category and felony class. **Time served in prison** does not include time previously served in prison, time credits awarded for probation or diversionary programs, jail credits, and presentence confinement awards; however, time spent in county jail (backlog) waiting for prison bed space after sentencing is included as time served in prison.

A narrow definition was used to best represent the amount of time that newly sentenced inmates might spend in prison. Only court commitments that released to parole or discharged their sentence were included in the comparison (see Figure 26). Governing sentences and imprisonment time clearly increases with felony class. Habitual offenders and lifetime supervision sex offenders also serve lengthy sentences, with habitual offenders serving about the same amount of time as class 2 felons and lifetime sex offenders serving slightly more than class 3 felons. It should be noted that many offenders in the lower felony class ranges (i.e., class 5 and 6) may have first been sentenced to probation or diversion, but were resentenced to serve a term of imprisonment due to technical violations or new crimes.

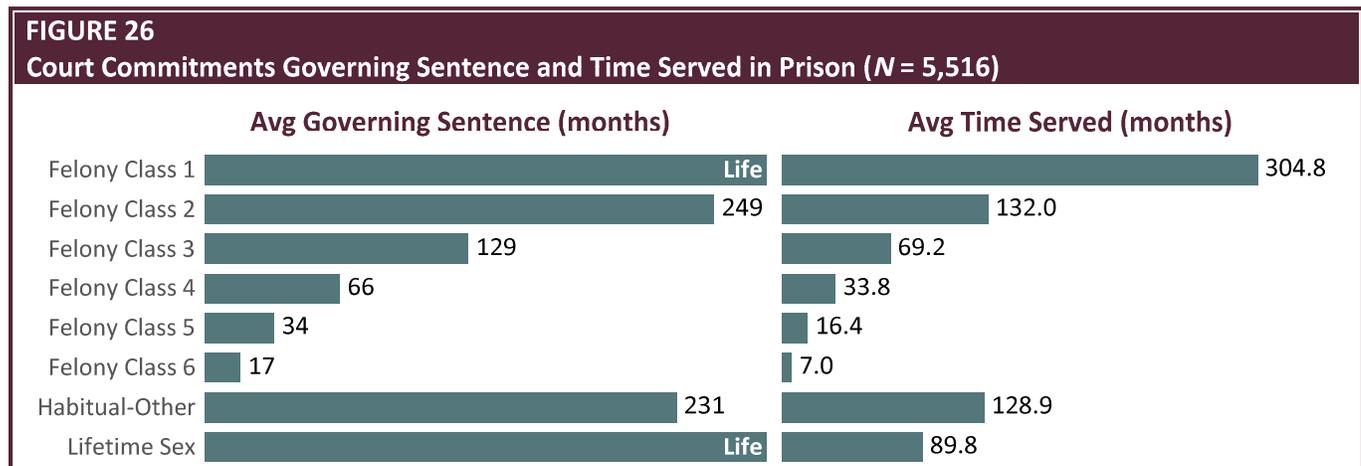


Figure Note. Data is based on new commitments who released to parole or discharged their sentence. Time served only includes prison time served from admission to release date.

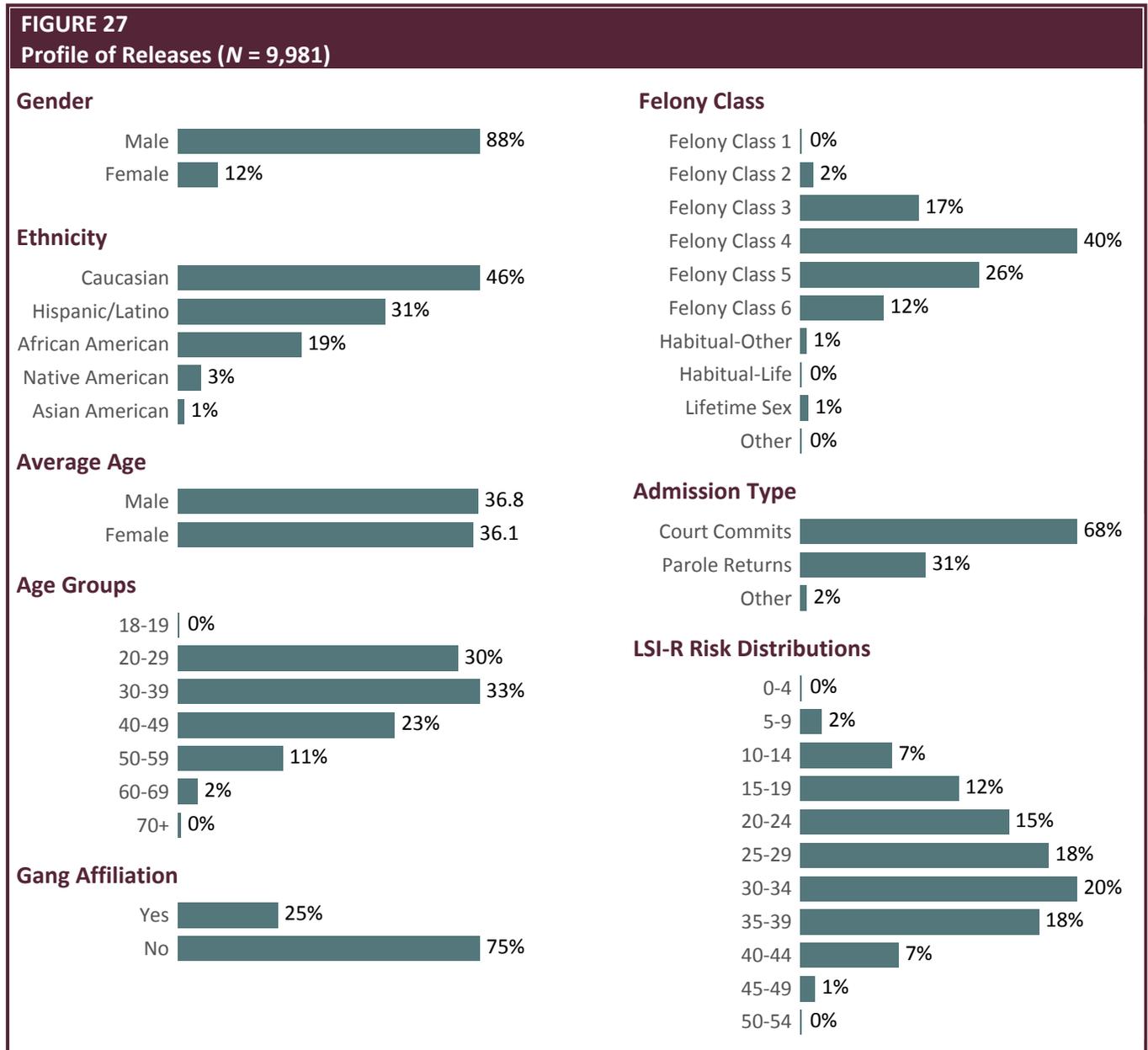
## PROFILE OF INMATE RELEASES

Demographic and sentencing data were examined for the FY 2013 release cohort (see Figure 27). Certain offenders may release more than once during a given year (particularly those who violate the conditions of their parole). In order to best represent the characteristics of the people who release from inmate status, each offender was included in the release profile once. Consequently, the profile cohort included 8,809 males and 1,172 females for a total of 9,981 offenders.

An exploration of the profile data by gender revealed few differences, so the data is not shown here (please

see appendix file). Likewise, the profile data is not shown by release type due to no meaningful differences.

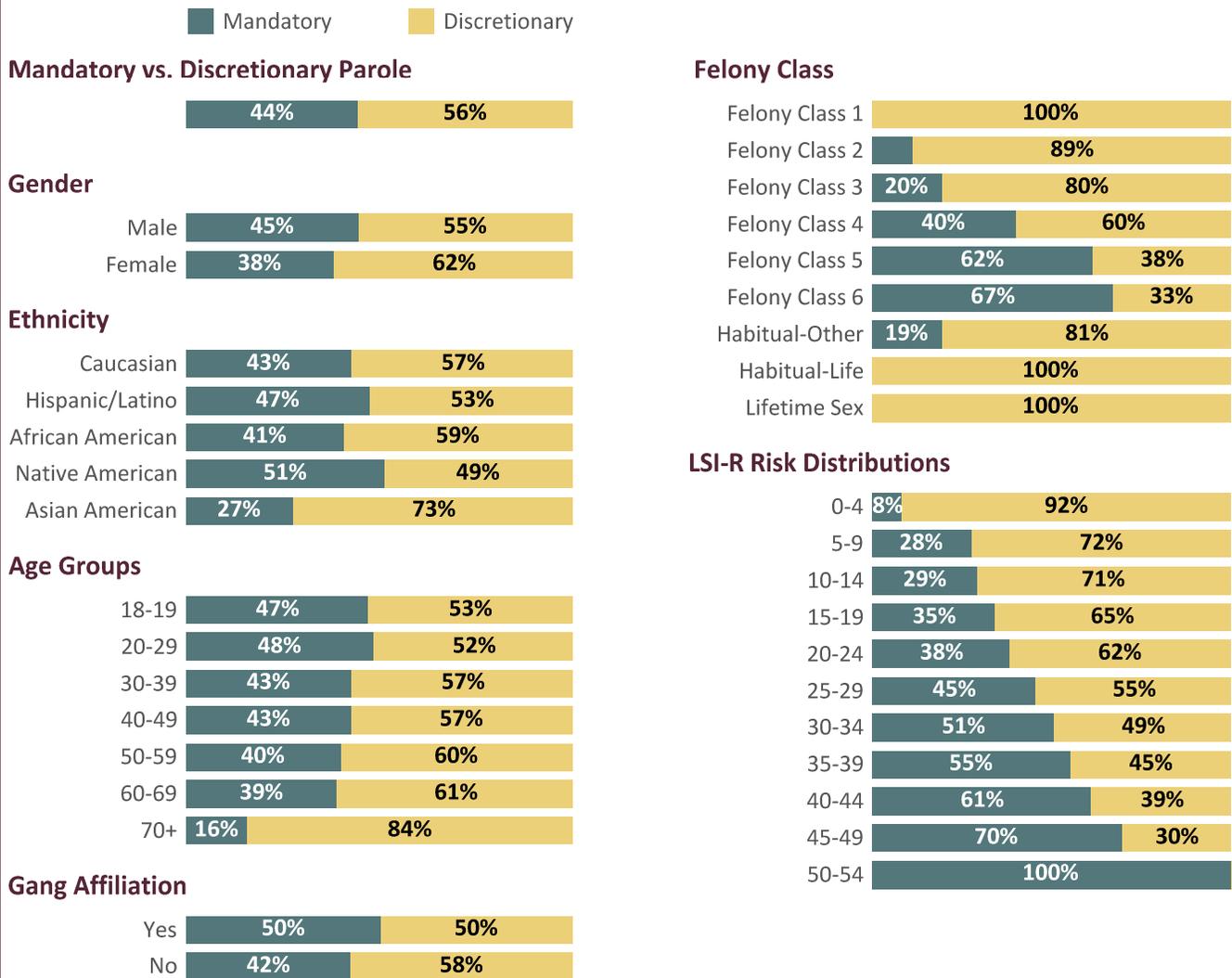
There are substantial differences between offenders who release on discretionary parole and those who release on mandatory parole (see Figure 28). In this comparison, only the first release was counted, and only releases to discretionary parole and mandatory (including HB 1351) parole were included. Reparoles are not included in the mandatory parole releases. The final sample included 3,796 discretionary parole releases and 2,984 mandatory parole releases.



Offenders who released on discretionary parole during FY 2013 were more likely to be female, African American or Asian American, older, and have no gang affiliation. Offenders with more serious felonies were more likely to receive discretionary parole, but for

many (class 1 felonies, lifetime sex offenders), release can only be granted through by the Parole Board. The LSI-R risk distributions show a “stair-stepping” of risk levels, whereby offenders with increasing risk are less likely to be granted discretionary parole.

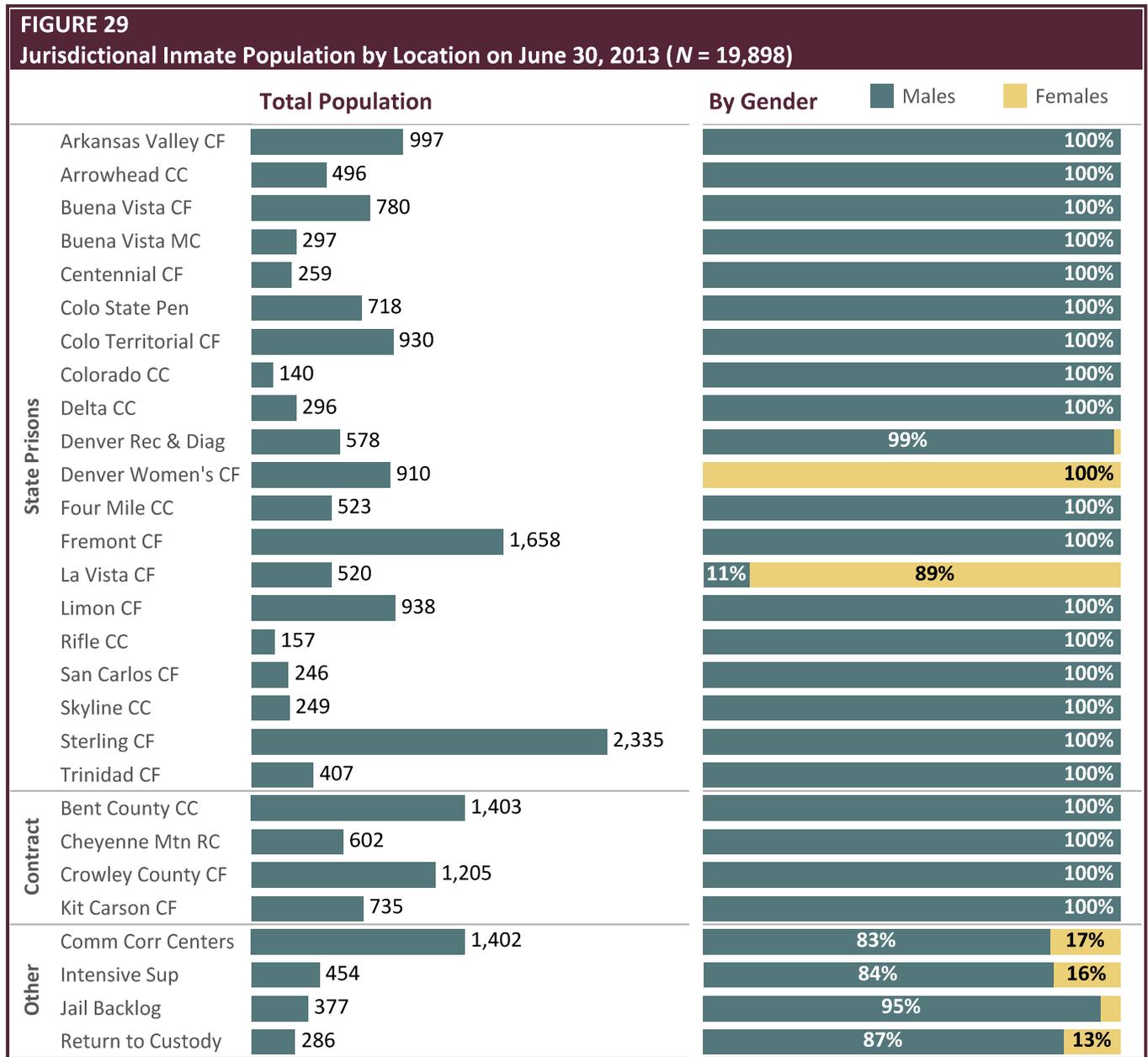
**FIGURE 28**  
**Mandatory vs. Discretionary Parole Releases (N = 6,780)**



# INMATE POPULATION

This section explores and summarizes the adult jurisdictional inmate population, excluding 236 fugitives. Figure 29 shows the number of inmates by their location on the last day of the fiscal year. The majority (68%) was in state prisons, with 22% housed in private prisons or jail backlog and approximately 10% in the community. Jail backlog includes inmates awaiting placement in CDOC as a court commitment, a parole return for either a new crime or technical violation, or a regression from a community placement. In the case

of certain eligible parole violators, jail backlog also includes those awaiting placement in a community return to custody facility. The four private prisons used in FY 2013 only house male inmates. Denver Women’s Correctional Facility and La Vista Correctional Facility were the sole prisons for female inmates, although females may be placed in the infirmary at the Denver Reception and Diagnostic Center. A small population of males was housed separately from the females at La Vista Correctional Facility during FY 2013.



### CUSTODY CLASSIFICATION AND STATUS

All inmates are assessed upon intake into CDOC and reassessed at intervals during their incarceration to determine the most appropriate housing placement. There are separate instruments for males and females, for both the initial and reclassification assessments. In February 2013, implementation of a revised male classification system began, with full implementation achieved in July 2013. Changes were made to the items and scoring on the male initial and reclassification instruments; administrative segregation moved from a custody level to a status; protective custody and residential treatment program (RTP) were added as a status for prison-based inmates; and community inmates were no longer classified using the inmate classification instrument.

Figure 30 provides a comparison of inmates' custody levels at the end of FY 2012 and end of FY 2013. In order to make a fair comparison, community inmates were removed from the 2012 figures, so the data shown will not match the classification levels reported

in the FY 2012 Annual Statistical Report. There was no change to the female classification instruments, so the small amount of variation in their custody levels is likely due to fluctuations in the population characteristics.

Significant changes occurred among the males' custody levels, most notably a decrease in minimum custody inmates and an increase in medium custody inmates. This difference is largely attributable to the new instrument that requires mandatory overrides to medium custody for inmates scoring minimum or minimum-restrictive who meet certain criteria (e.g., sex offenders, violent crimes, immigration or felony detainers). Also, under the new system, inmates with an administrative segregation status are classified as close custody. So even though 6% of the incarcerated male population moved into close custody, there was still a reduction in close inmates, indicating that a large proportion (approximately 10%) moved from close to medium custody as a result of changes to the classification instrument.

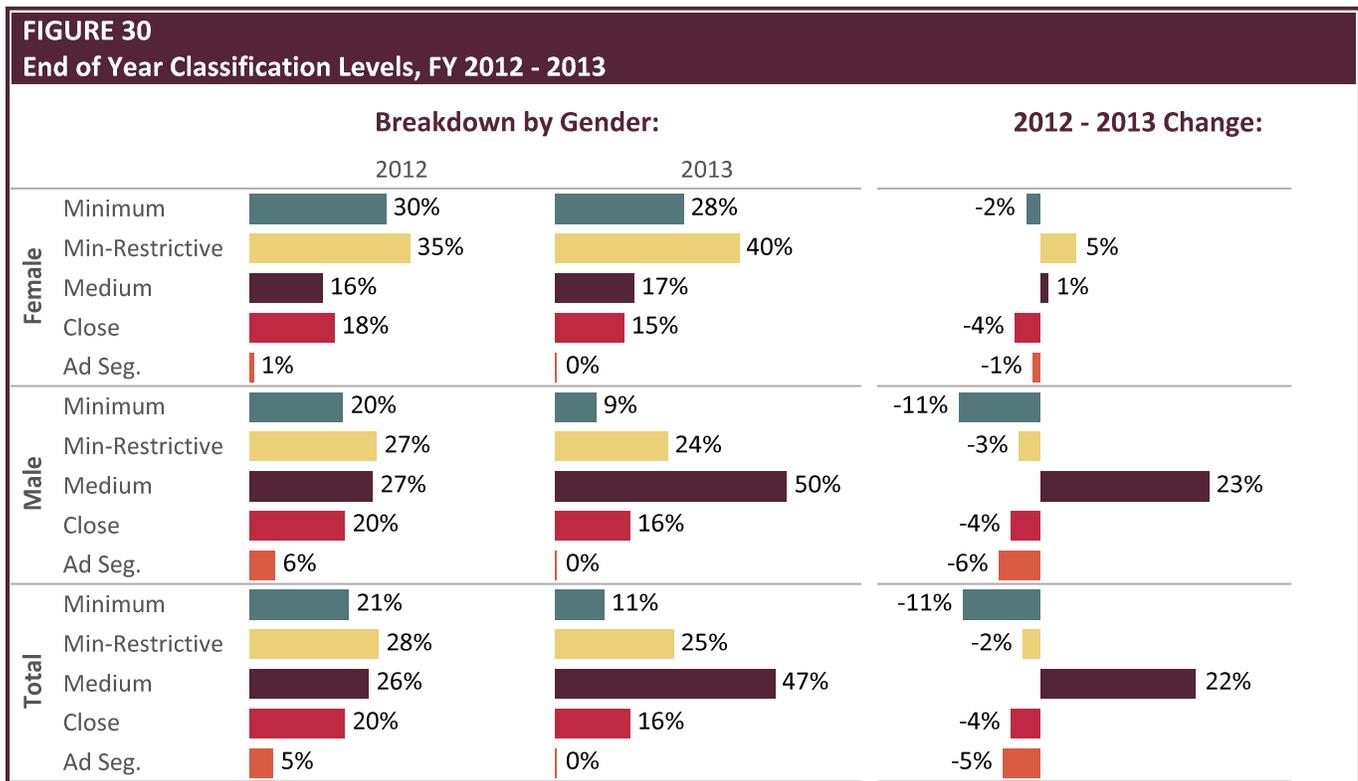
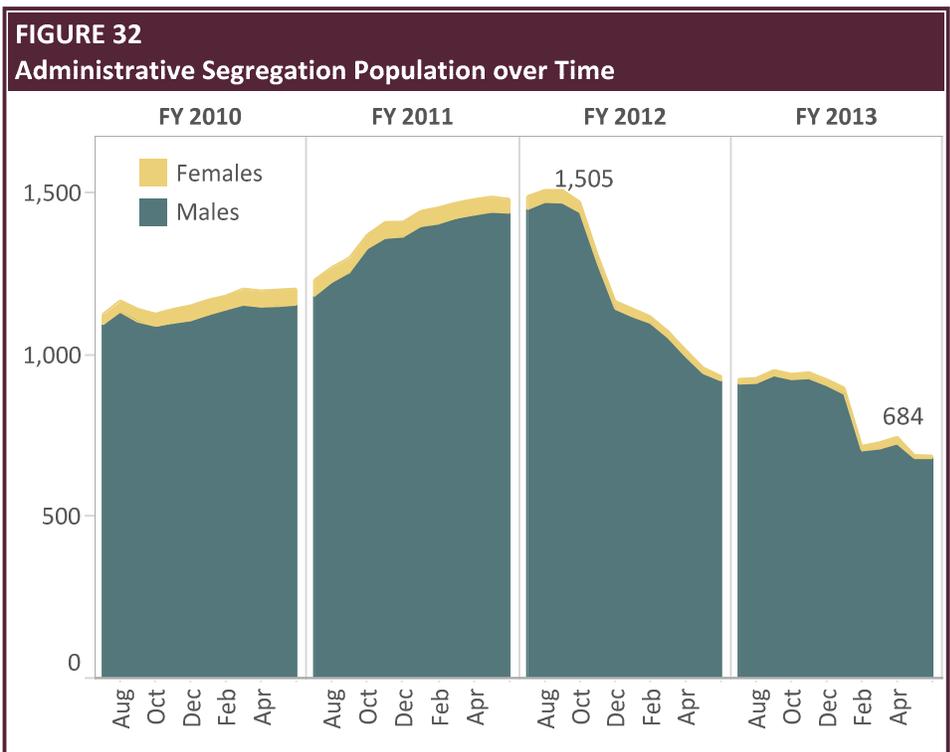
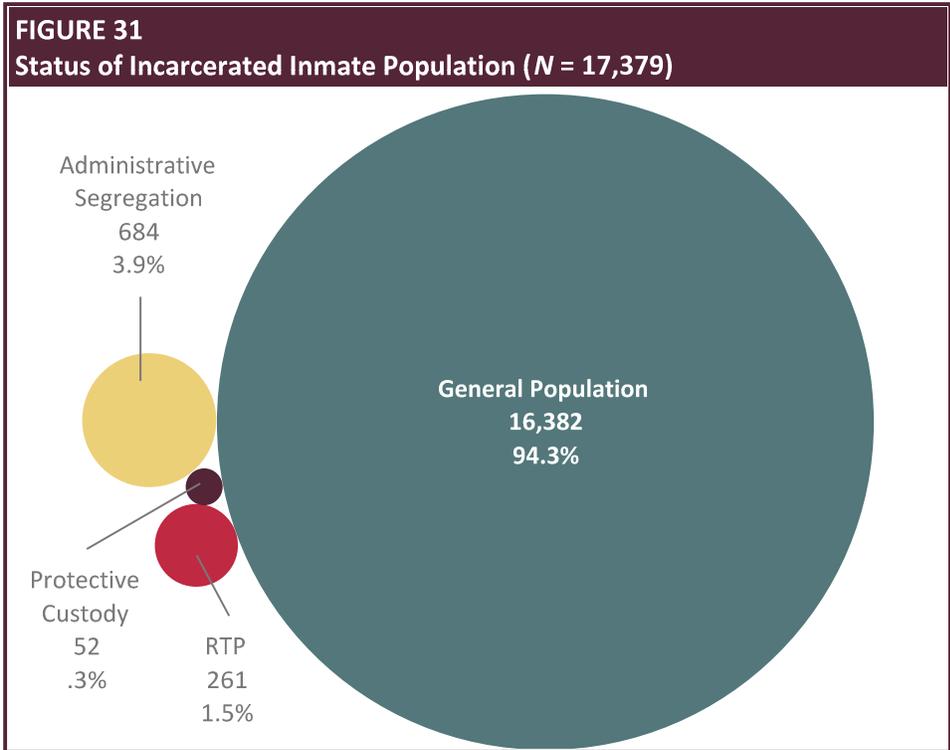


Figure note. Approximately 1% of inmates were unclassified as of June 30, 2013, due to being newly admitted. The percent of unclassified inmates are not shown in above figure.

There were three status types added during FY 2013 to distinguish certain inmates from general population inmates. **Administrative segregation** is designed for offenders who have demonstrated through their behavior that they pose a risk to the safety and security of a general population prison and is the most restrictive housing option in CDOC. **Protective custody** was added in 2013 to provide a non-punitive housing option for offenders who would be at substantial risk of harm if placed in a general population setting. **RTP** was also added to designate offenders with mental illness or intellectual disabilities who are participating in specialized programs designed to promote prosocial behavior. Figure 31 shows that the vast majority of incarcerated inmates are in the general population (94%) and approximately 6% have one of the status designations.

Since FY 2012, there has been a concerted effort to reduce the number of inmates housed in administrative segregation. Figure 32 shows the changes over time in the population that have occurred as a result of these efforts. This population peaked in September 2011 with 1,505 inmates (7.4%) in administrative segregation. This number dropped to 684 at the end of FY 2013, or 3.9%.



**MOST SERIOUS OFFENSE**

Figure 33 contains the most serious offense distribution for the adult inmate population as of June 30, 2013. More than half (55%) was incarcerated for a violent offense, although females were about half as

likely as males to have committed a violent crime. In contrast to the inmate population, only 36% of court commitments had a violent offense. This discrepancy exists between the inmate population and new admissions because violent offenders with longer sentences remain in the prison system longer.

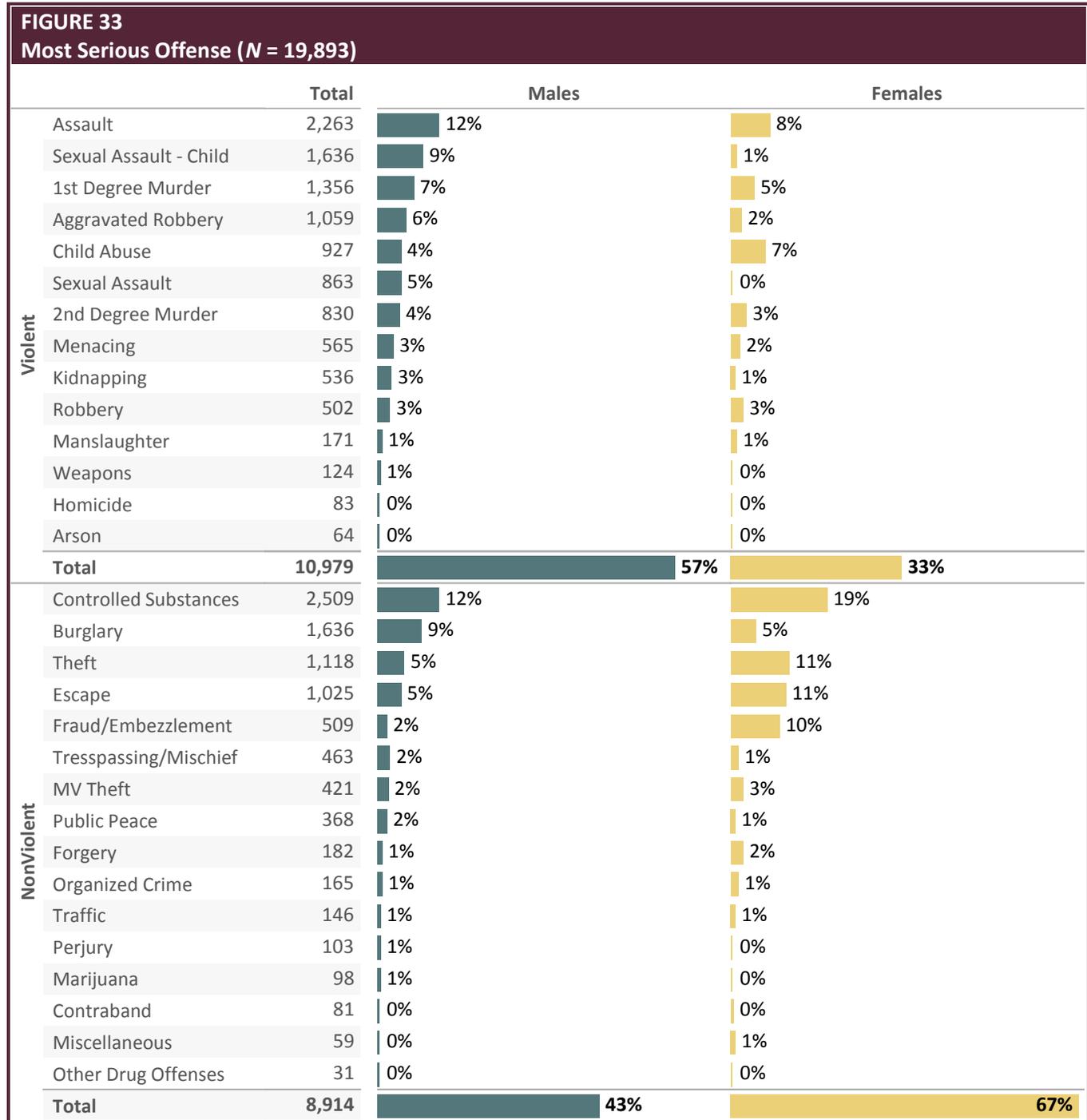


Figure note. Data excludes 236 fugitives and 5 dual commitment cases from Colorado Mental Health Institute – Pueblo with no crimes. Violent offenses are broadly defined by the general nature of the crime and do not conform to the statutory definition in CRS 18-1.3-406.

Numerous legislative bills were passed from 2009 through 2013 to reduce the inmate population (see Overview section). These bills targeted less serious offenders for alternatives to incarceration, shorter sentences, increased earned time, and increased preference for discretionary parole. As a result, the inmate population has shifted to one with more serious offenders serving longer sentences. Figure 34 shows a 10-year history of the total inmate population and the percent serving life or lifetime sentences. As can be seen, even during periods of population decline, life/lifetime offenders continued to account for a greater percentage of the population. The inset graph shows that much of the increase is due to offenders sentenced under lifetime supervision. However, offenders serving life without parole sentences nearly doubled over the past decade; over this same time period, the total inmate population only increased 3%.

**INMATE PROFILE**

The profile of the **total inmate jurisdictional population** on June 30, 2013, is summarized in Figure 35. The total inmate jurisdictional population includes inmates in jail, prison and the community but does not include fugitives. Inmates were predominantly male, minority, and ages 20 to 49. The majority were new court commitments sentenced from urban areas. Thirteen percent were serving sentences with a maximum term of life, but only 3% will never become parole eligible. Only 44% were past their parole eligibility date (PED), a rate much lower than that seen in recent years (49% in FY 2012 and 51% in FY 2011). The maximum governing sentence of the inmate jurisdictional population was quite long on average – 177 months or 15 years. In contrast, inmates had served a total of 52.4 months. Due to earned time eligibility and accruals, inmates may serve as little as 35% of their sentence before being eligible for parole.

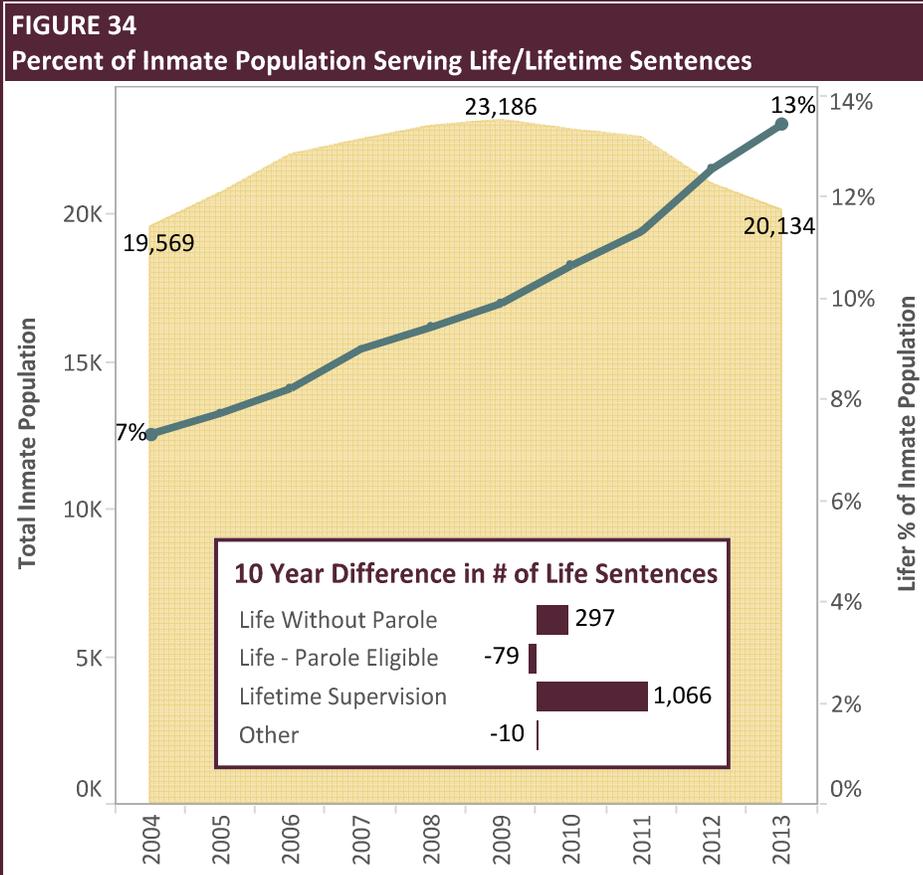


Figure note. Other includes pre-1979 and 1-day-to-life sentences.

Figure 36 provides similar information for **female inmates** only. Women differed from males across several categories. Female inmates were less likely to be minorities and more likely to be middle-aged than males. Women have higher sentencing rates from El Paso and Arapahoe counties but lower sentencing rates from Denver County than men. Women’s offenses were different than men’s: they were more likely than men to have a drug, theft, or escape conviction as their most serious offense; they had shorter sentences; and were less likely to have a life/lifetime sentence.

The profile of **community inmates** is shown in Figure 37. They differed from the total inmate

jurisdictional population in some expected ways. Because of the community return to custody option available to felony class 4 – 6 parole violators, there

were more offenders serving their parole sentence in the community and they had lower felony classes. Similarly, there were few community inmates serving life/lifetime sentences and a much higher percentage

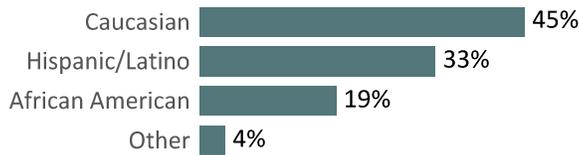
of them were past their PED due to community eligibility requirements. Community inmates had a higher percentage of female, Caucasian, and aged 30 – 49 inmates than the jurisdictional population.

**FIGURE 35**  
**Jurisdictional Inmate Population Characteristics (N = 19,898)**

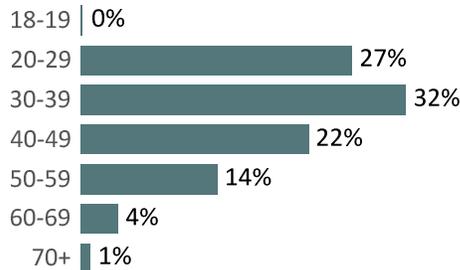
**Gender**



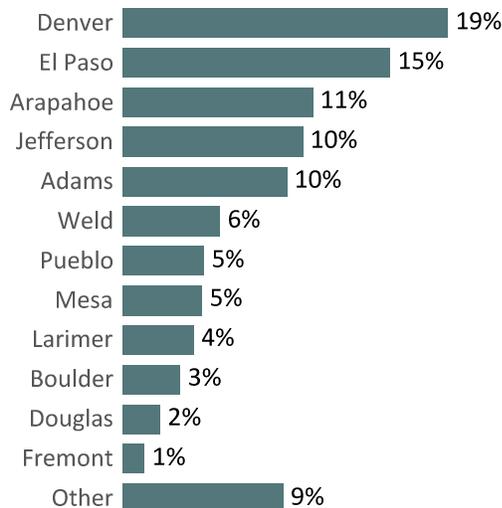
**Ethnicity**



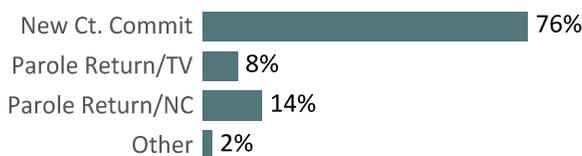
**Age Groups**



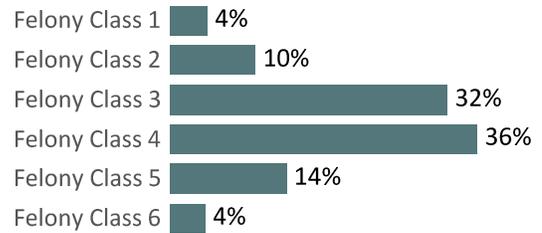
**County of Commitment**



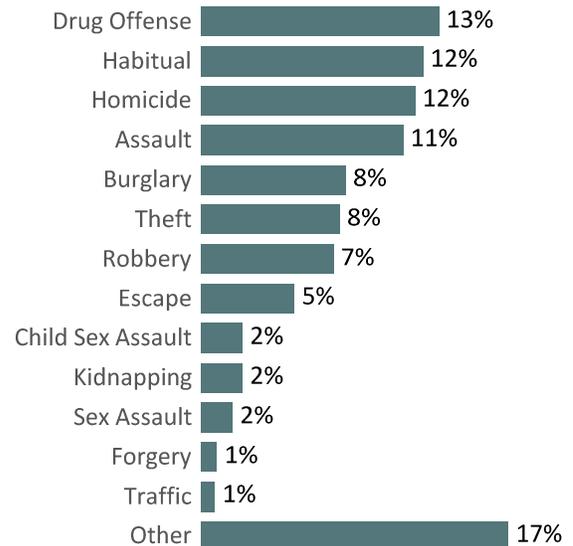
**Admission Type**



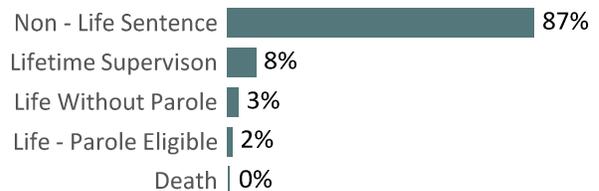
**Offense Severity**



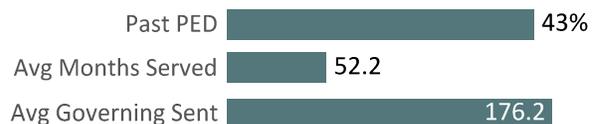
**Offense Type**



**Life Sentences**



**Sentence**

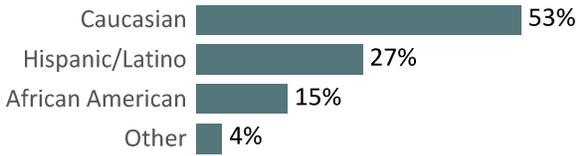


**Gang Affiliation**

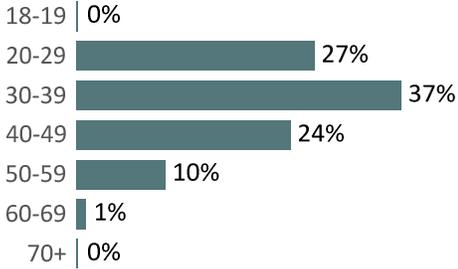


**FIGURE 36**  
**Female Inmate Population Characteristics (N = 1,742)**

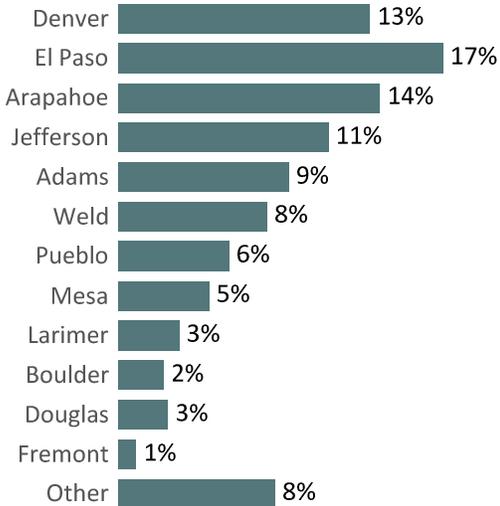
**Ethnicity**



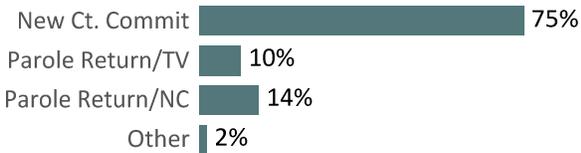
**Age Groups**



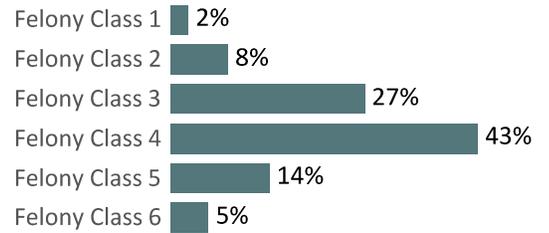
**County of Commitment**



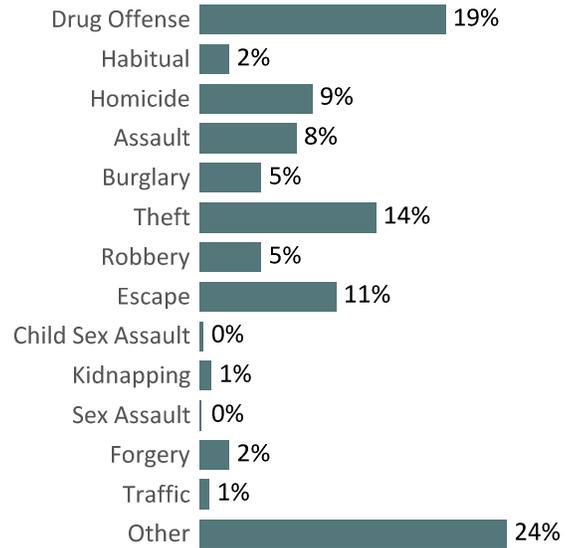
**Admission Type**



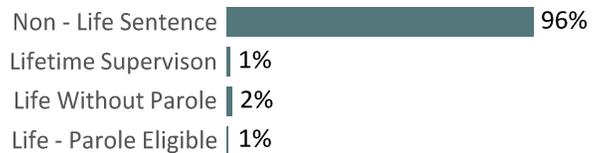
**Offense Severity**



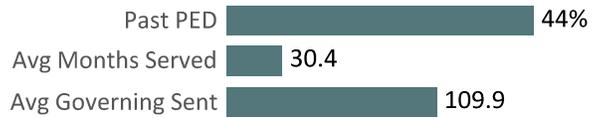
**Offense Type**



**Life Sentences**



**Sentence**

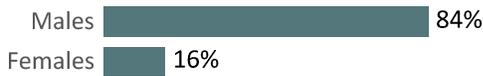


**Gang Affiliation**

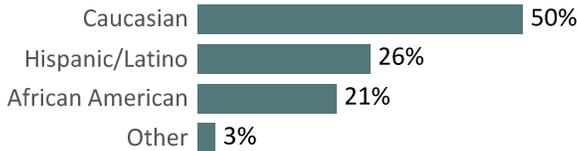


**FIGURE 37**  
**Community-Based Inmate Population Characteristics (N = 2,142)**

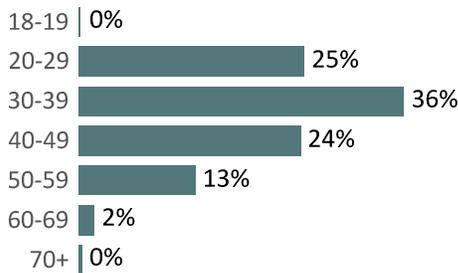
**Gender**



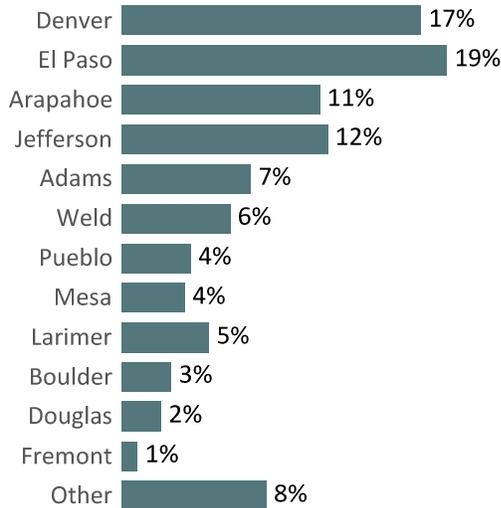
**Ethnicity**



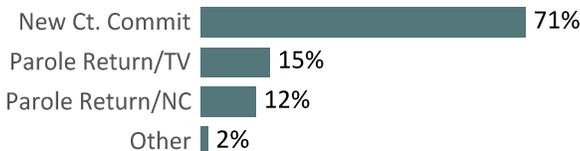
**Age Groups**



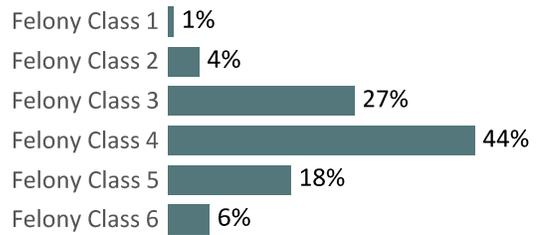
**County of Commitment**



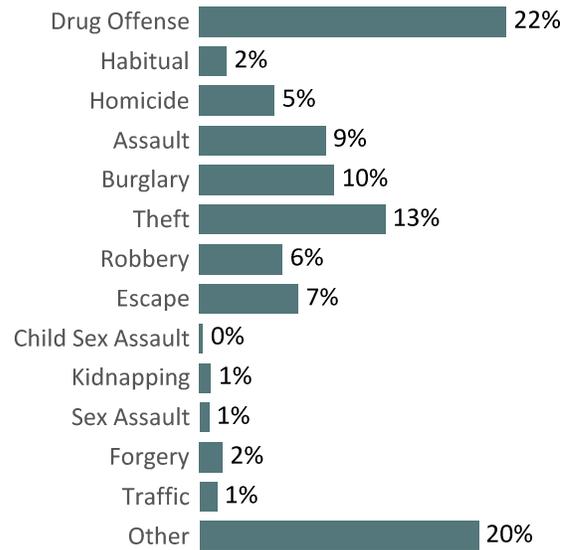
**Admission Type**



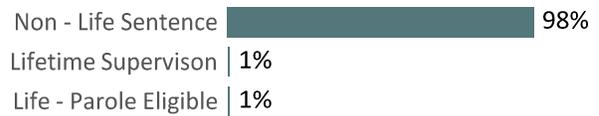
**Offense Severity**



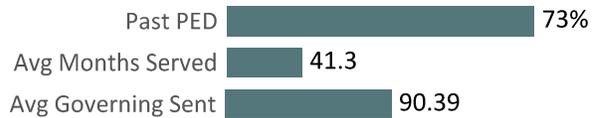
**Offense Type**



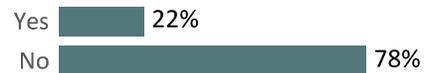
**Life Sentences**



**Sentence**



**Gang Affiliation**



**AGING TRENDS**

The number of older inmates is now the fastest-growing segment of the prison population. Between 1995 and 2010, the number of state and federal prisoners age 55 or older nearly quadrupled, increasing at almost seven times the rate of the general prison population<sup>4</sup>. In CDOC, between 1993 and 2013, the number of inmates aged 50 and over increased by 683%, compared to the total population that grew 127% during the same time (see Figure 38).

These statistics can be attributed to a combination of factors: aging baby boomers representing a larger percentage of the population overall<sup>5</sup>, increased life expectancy, and tougher sentencing laws<sup>6</sup>. With this

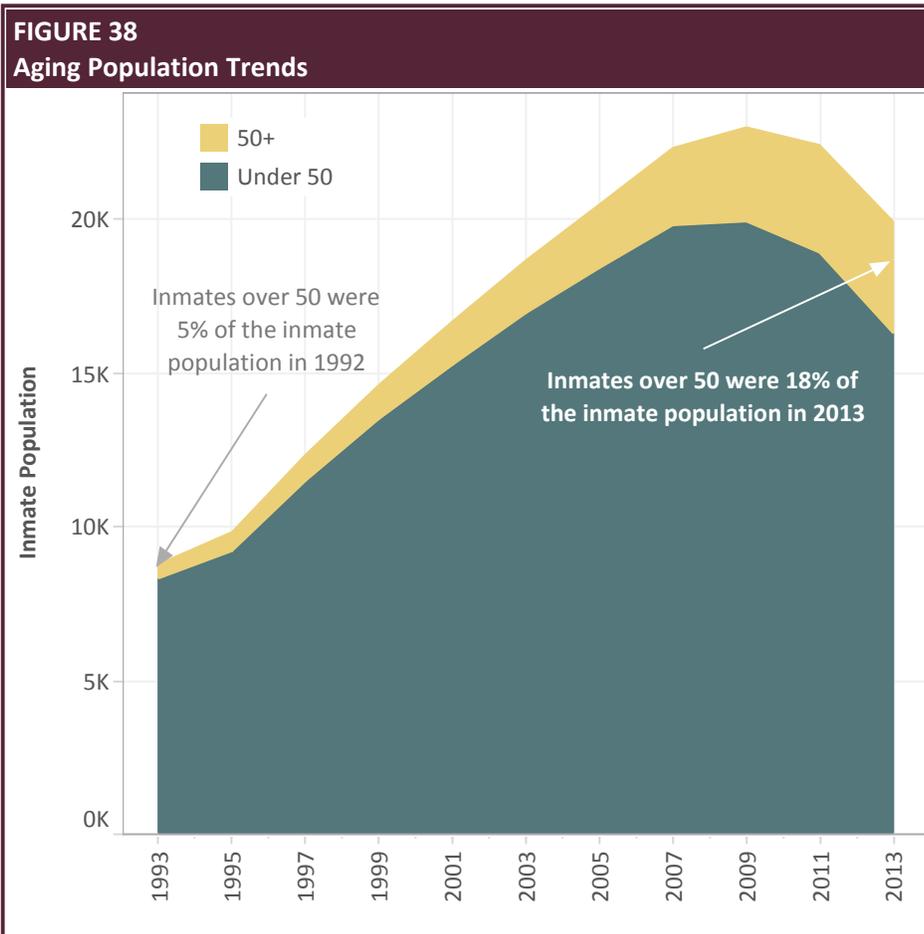
graying inmate population come myriad challenges for the criminal justice system, including higher medical costs; the need for special housing, accommodations, and programming; a higher risk of victimization; and reconsideration of prison policies and sentencing practices as they relate to elder inmates<sup>7</sup>.

**NEEDS LEVELS**

Needs levels were examined for the jurisdictional inmate population (see Figure 39), dichotomized as moderate to severe needs (levels 3-5) and none to low needs (levels 1-2). Needs levels are examined by gender due to the large number of differences between men and women. Similar to admissions, females have higher needs than males across all areas except sex

offender where their needs are lower and developmental disabilities where their needs are equal. The differences are greater in the areas of medical and mental health needs.

The percent of inmates scoring in each needs level is different from those of the prison admission cohort, although most of the differences were slight. However, the stock inmate population has higher sex offender treatment needs than new admissions due to longer sentences. Among the inmate population, 52% of inmates versus 39% of admissions had moderate to severe vocational needs. On the other hand, 21% of the inmate population had moderate to severe academic needs compared to 31% of admissions,



<sup>4</sup> Human Rights Watch. (2012). *Old behind bars: The aging prison population in the United States*.

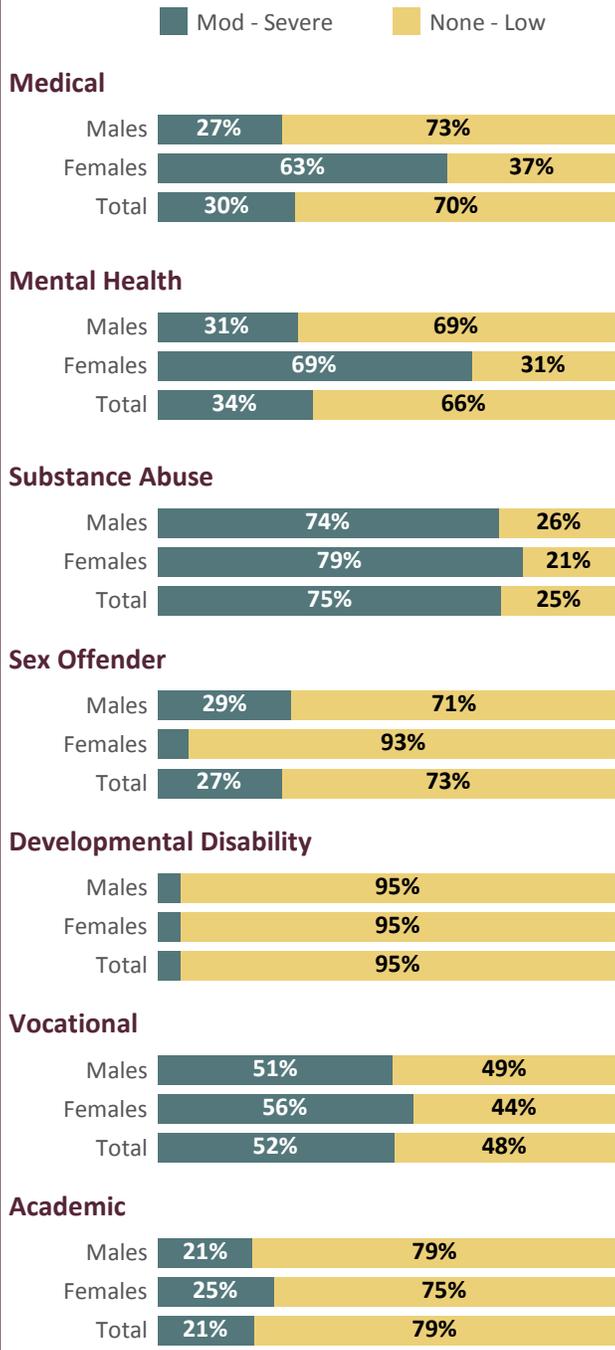
<sup>5</sup> Administration on Aging. (2011). *A profile of older Americans: 2011*.

<sup>6</sup> Anno, B. J., Graham, C., Lawrence, J. E., & Shansky, R. (2004). *Correctional health care: Addressing the needs of elderly, chronically ill, and terminally ill inmates* (NIC No. 018735). Washington, DC: U.S. Department of Justice, National Institute of Corrections.

a difference attributable to inmates attaining their GED while incarcerated.

<sup>7</sup> Aday, R. H. (2003). *Aging prisoners: Crisis in American corrections*. Westport, CT: Praeger.

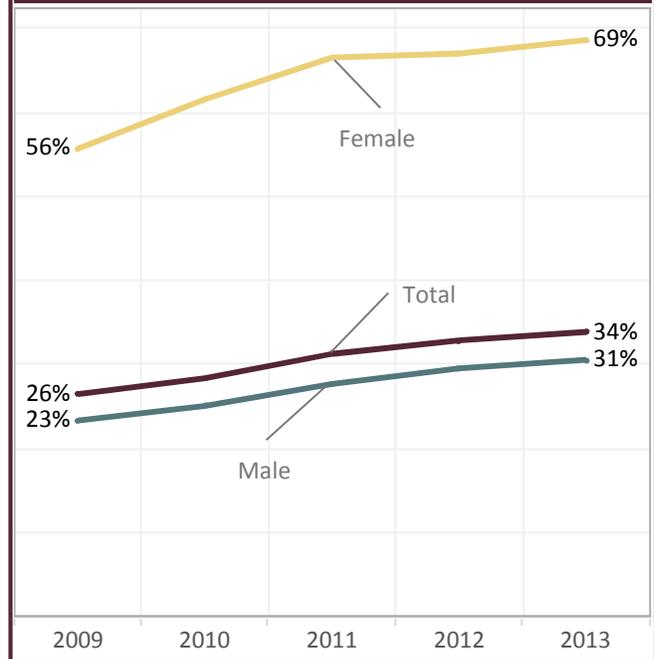
**FIGURE 39  
Needs Levels**



inmates is approximately two to three times higher than mental illness in the general population<sup>8</sup>.

Figure 40 shows the trends of offenders with mental health needs (levels 3-5) over time. Females have consistently had higher mental health needs than males, but the rate has been increasing over time faster for males than females (35% vs. 23% increase from FY 2009 to FY 2013).

**FIGURE 40  
Mental Health Needs**

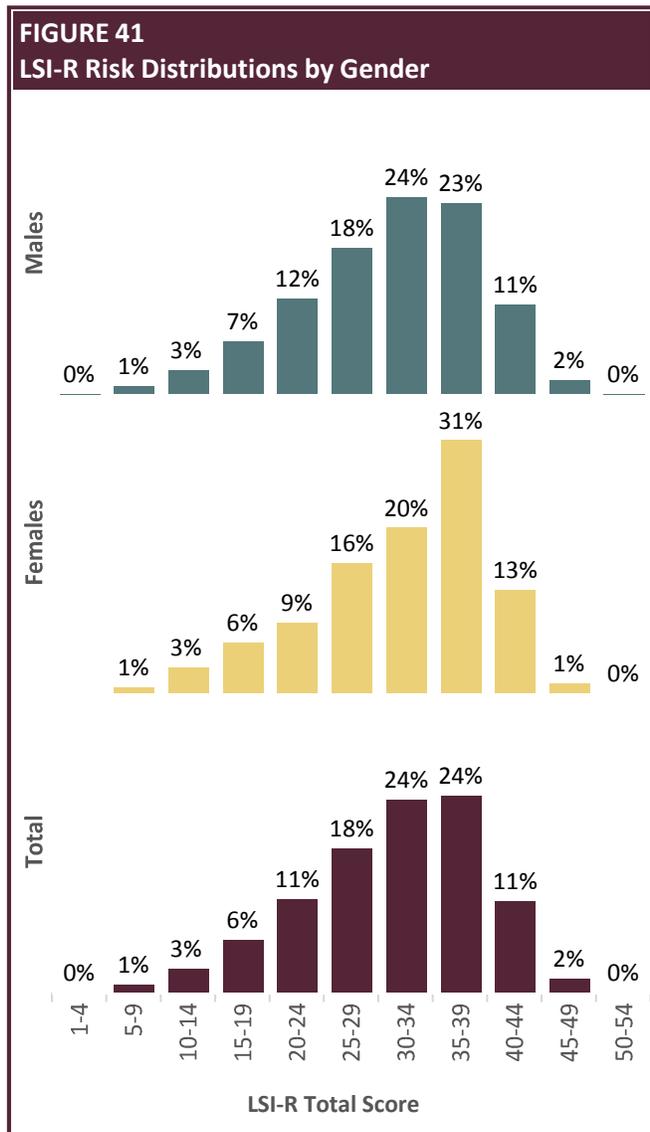


The most significant trend in this area is the growing population of inmates with mental illness. A disproportionately large number of individuals with mental illness exist within the criminal justice system compared to the general population. Indeed, national prevalence rates suggest that mental illness (e.g., schizophrenia, major affective disorders) among

<sup>8</sup> Teplin, L. A. (1990). The prevalence of severe mental disorder among male urban jail detainees: Comparison with the Epidemiologic Catchment Area Program. *American Journal of Public Health, 80*, 663-669. Retrieved from <http://ajph.aphapublications.org/>

**RISK ASSESSMENT**

The LSI-R is used to assess offender’s risk of recidivism. Figure 41 provides the LSI-R score distributions for male, female, and total inmate populations. Overall, CDOC inmates score in the higher ranges of the LSI-R scale. Female inmates tend to have somewhat higher risk levels than male inmates. Although this seems counterintuitive, it is likely because the LSI-R assesses a broad range of criminogenic needs. A review of the literature shows that females have different pathways to crime, including domestic or sexual abuse, mental illness, substance abuse, economic hardships, and overwhelming parental responsibilities. These factors need to be addressed for a successful avenue back toward a productive lifestyle.



**REPORTABLE INCIDENTS**

Reportable incidents summarized in this report include inmate assaults on staff, inmate assaults on inmates, fighting, uses of force, inmate deaths, and escapes. CDOC also tracks sexual assaults in compliance with the Prison Rape Elimination Act (PREA). PREA was signed into federal law in 2003 in order to address incidents of prison sexual abuse through a zero tolerance policy. CDOC PREA incidents are investigated by the Inspector General’s Office to determine whether there is a factual basis to the report and whether they meet PREA criteria used for federal reporting. CDOC is mandated to report this data yearly to the Bureau of Justice Statistics (BJS). Due to the reporting process time frame required by BJS, PREA data is not covered in this statistical report. PREA data can be found on CDOC’s website under “Planning and Analysis.”

**ASSAULTS AND USE OF FORCE**

Prison-based incidents are tracked electronically via the Reportable Incident System, which became operational on January 1, 2008, and has been used since to report incidents department wide. Assaults against inmates and staff include any physical force, hazardous substance (i.e., feces, urine, chemicals), or item applied against a person intentionally, regardless of whether or not injury occurs. Beginning in July 2013, assaults against staff are tracked by the type of assault (e.g., with serious injury, without serious injury, hazardous liquid). The use of force category includes incidents involving the use of soft and hard empty hand control, soft and hard intermediate control, forced cell entry, cell extraction with oleoresin capsicum (OC), restraint chair, four or five point restraints, warning shot, or lethal force.

Figure 42 shows a 5 year history of assaults and use of force incidents in state and private prisons. Assaults and fighting are counted by each incident and not by the number of offenders involved. Use of force counts the number of offenders involved in each incident. There was a small increase in the rate of assaults against staff and inmates in FY 2013. Fights stayed at the same rate and use of force incidents decreased.

Figure 43 provides the number of incidents during FY 2013, with use of force broken down by type.

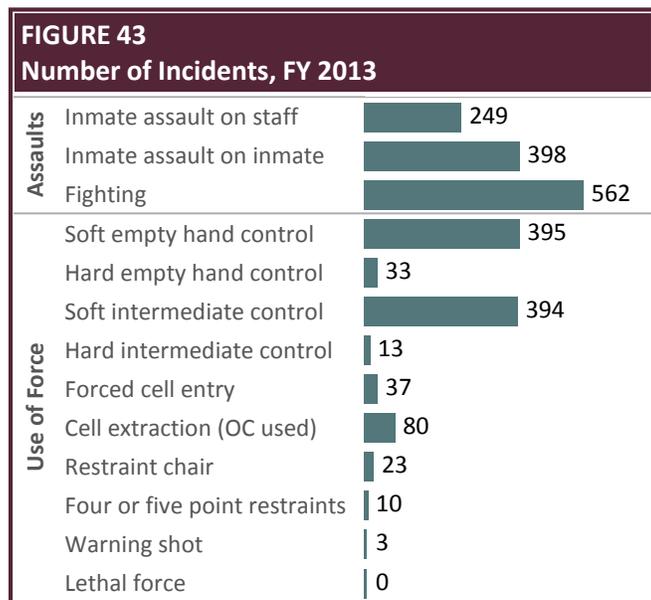
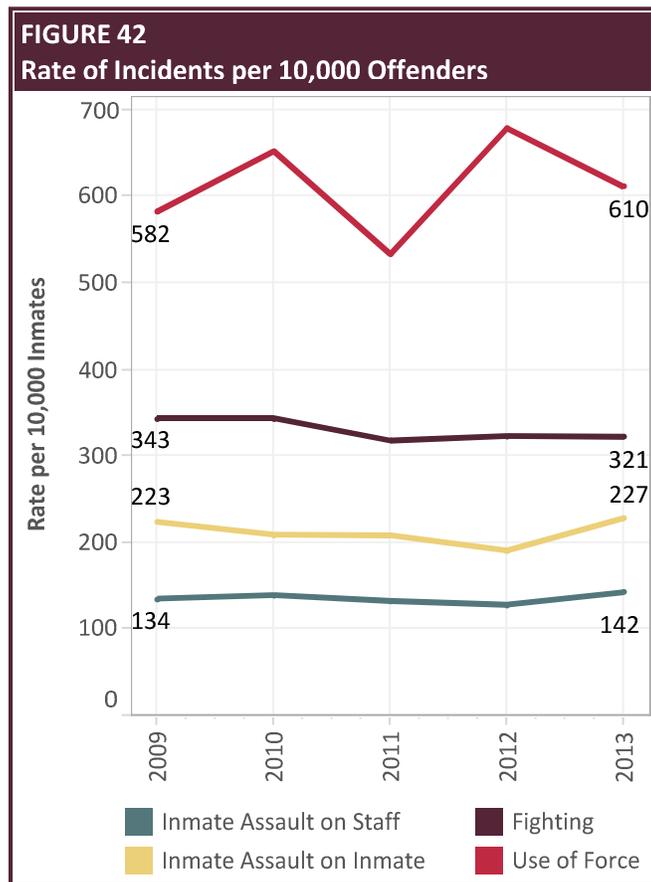


Figure note. Graph does not include 96 emergent need cell entries or 55 four or five point restraints without force.

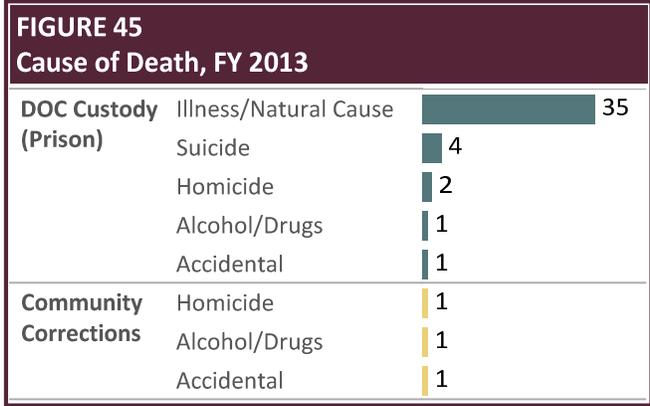
**DEATHS IN CUSTODY**

CDOC participates annually in the Bureau of Justice Statistics’ Deaths in Custody Reporting Program (DCRP), which collects national, state, and incident-level data on persons who died while in the physical custody of 50 state departments of corrections, the federal system, or approximately 3,000 local adult jail jurisdictions. DCRP records decedent characteristics as well as the circumstances surrounding the death, information on whether an autopsy was conducted, and whether the decedent had a pre-existing medical condition for which he/she received prior medical treatment in cases of deaths due to illness.

Deaths in custody, as defined by DCRP, apply to offenders confined in CDOC facilities, whether housed under our jurisdiction or that of another state; private facilities; special facilities (medical/treatment/release centers, halfway houses, police/court lockups, and work farms); and offenders in transit under our jurisdiction. They do not include deaths by execution or deaths of inmates in local jails, in a state-operated facility in another state, on ISP inmate status, or under probation or parole supervision.

There were 46 deaths in custody in FY 2013, 3 of which were in community corrections (see Figure 44). Cause of death is determined by a coroner or medical examiner external to CDOC. Most offenders (76%) died of an illness or natural cause (see Figure 45). Three of the deaths were females, one suicide and the other two illness/natural cause. The average age at time of death was 51 years, although it is lower (33 years) when those who died of illness or natural causes are excluded.





**ESCAPES**

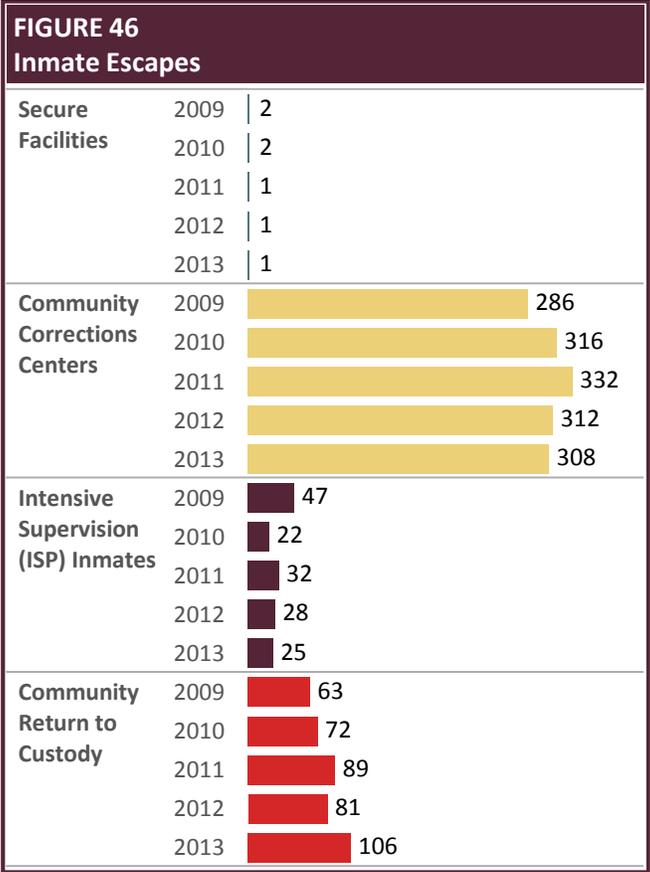
Escape is defined by CDOC as leaving the last barrier of a secured facility, the imaginary barrier of an unsecured facility (camp), or a work crew or escorted trip outside a facility without permission. A court conviction for escape, a code of penal discipline conviction for escape, or an unauthorized absence for 24 hours or more constitutes an escape from a community corrections center or ISP placement. Escapes primarily occur from community and ISP placements.

Figure 46 provides a 5-year history of escapes from secure facilities (state and private prisons on- or off-grounds), community corrections centers, intensive supervision program (ISP) inmate status, and community return to custody facilities. There have been seven escapes from secure facilities over the past 5 years:

- **FY 2009:** Colorado Correctional Center and Bent County Correctional Facility
- **FY 2010:** Four Mile Correctional Center and San Carlos Correctional Facility (while out to court)
- **FY 2011:** Sterling Correctional Facility
- **FY 2012:** Delta Correctional Center (Inmate crossed the identified boundary on foot and staff immediately stopped him. Facility is a level I camp without a security fence or barrier.)
- **FY 2013:** Colorado Correctional Center

Escapes from community corrections centers are the most common, followed by escapes from community

return to custody facilities. The number of escapes from return to custody facilities has generally been increasing over time while community corrections have been fairly stable and ISP inmate escapes have been decreasing.

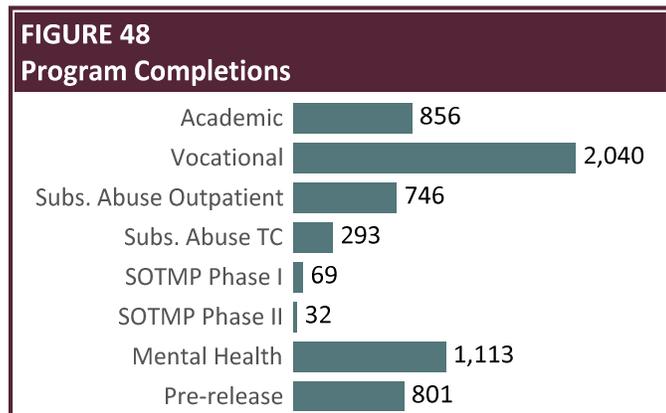
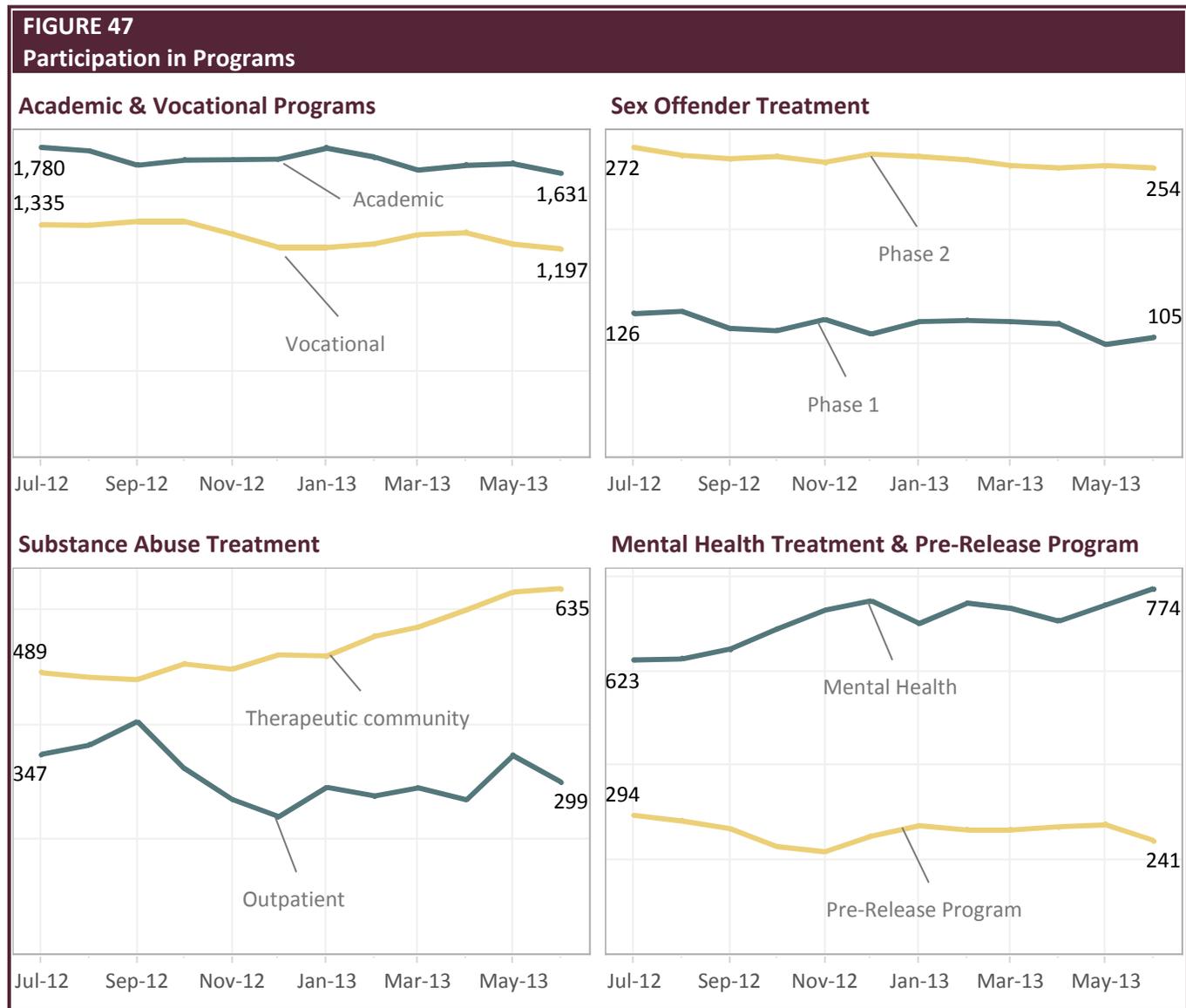


**PROGRAM PARTICIPATION**

Inmates have the opportunity to participate in educational, behavioral health, and pre-release programs during their incarceration to improve their chances of success upon re-entry. Figure 47 shows the participation levels at the end of the month for funded programs. Participation in voluntary programs, such as Alcoholics Anonymous or Thinking for a Change, are not shown.

In August 2012, CDOC implemented achievement earned time awards per HB 12-1223 for program completions or milestone achievements. This has enabled accurate reporting of program completions.

Figure 48 shows completions by program area across all state and private prisons, as determined by awarded earned time.



# PAROLE POPULATION

Colorado has a blended parole system. The Parole Board has the authority to grant parole to offenders who reach parole eligibility but have not completed their full sentence. However, all offenders sentenced after 1993 must serve a period of parole (unless sentenced to life or death). Those who release before serving the full term receive “discretionary” parole and those who serve the maximum term release on “mandatory” parole. Upon release, both discretionary and mandatory parolees discharge their prison sentence and begin serving their parole sentence. If parole is revoked, they continue to serve their parole sentence and may discharge the sentence from prison or “reparole.”

## PAROLE CASELOAD

The average daily parole caseload is shown in Figure 49. Using a daily average more accurately reflects the workload maintained throughout the year. The **average daily parole caseload** declined steadily from FY 2009 through FY 2012 before experiencing an increase in FY 2013 (a 5.3% increase in domestic parole and a 2.4% increase in offenders serving their parole out of state).

Figure 50 displays the number of offenders by parole office. As expected, the highest concentration was found along the Front Range and Grand Junction. This can be attributed to the overall higher populations and access to needed programs found in these areas. Nearly one-quarter of parolees (24%) are assigned to the Lincoln Office with the next highest at Westminster (15%).

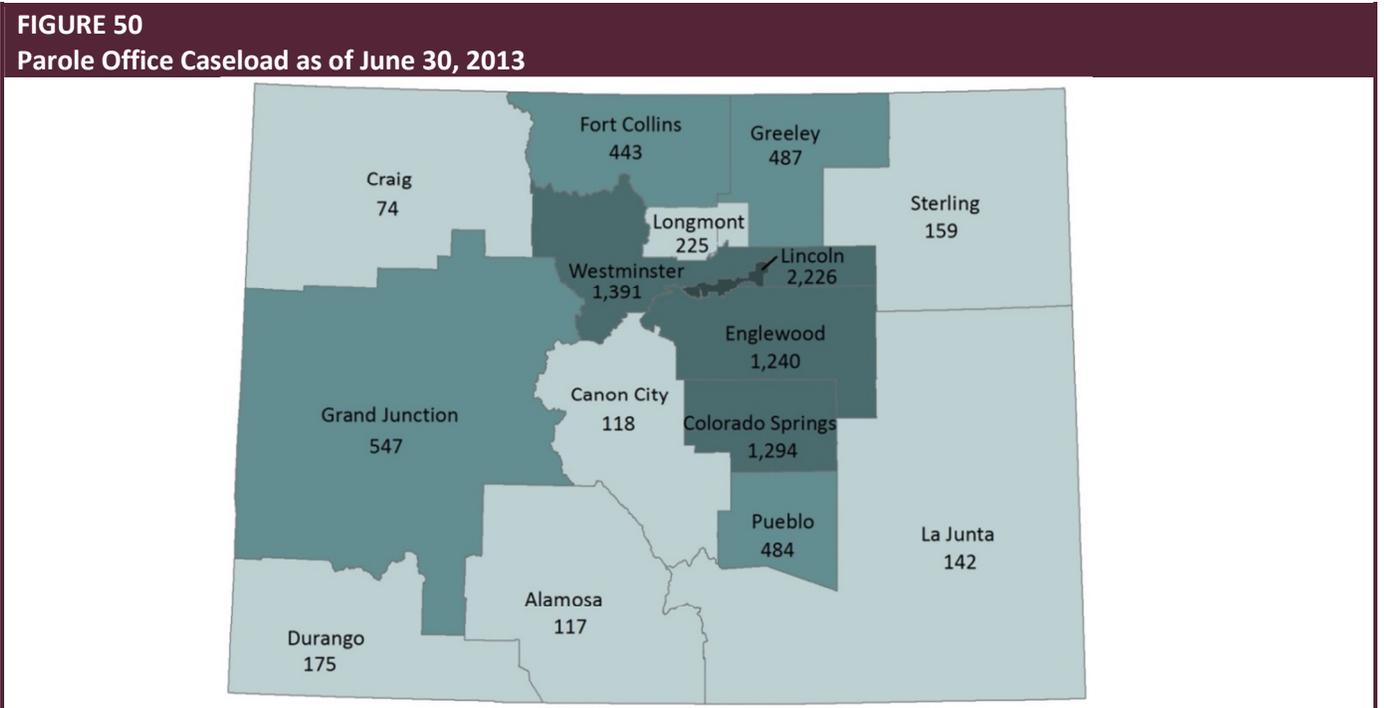
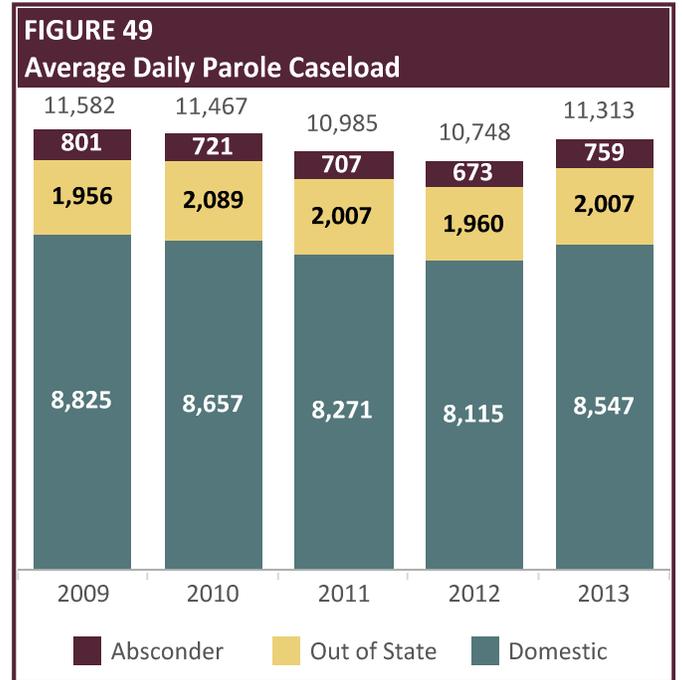


Figure note. Sherman Parole Office and Interstate Compact do not have unique territory, therefore not included.

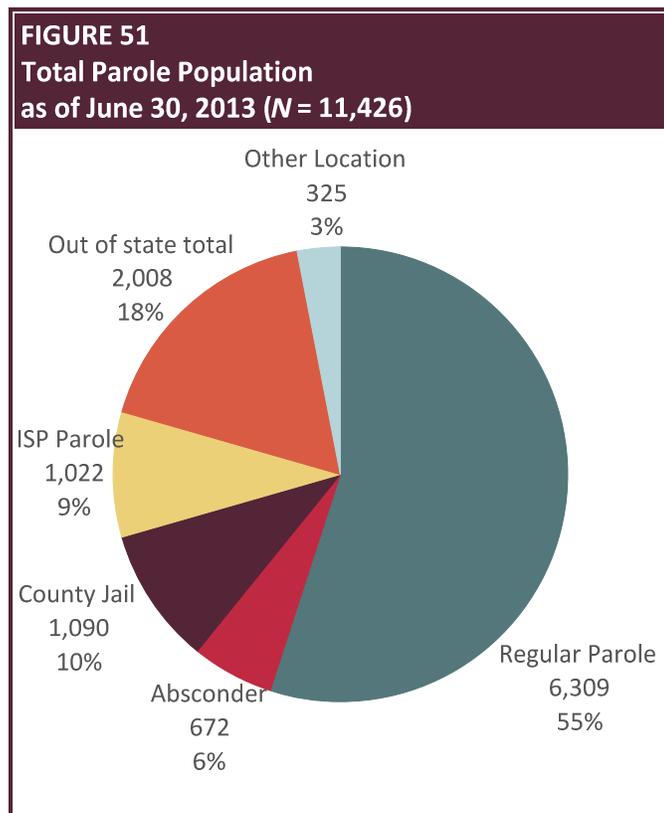
### PAROLEE PROFILE

Figure 51 breaks out the parole population by supervision type. Over half of the population is active on **regular parole** supervision. **ISP parolees** are assigned to the Intensive Supervision Program (ISP), which was started in 1991 to provide additional supervision and program participation for high-risk parolees. Out of state, county jail, absconders and parolees in other locations account for 36% of the population. The **out-of-state** category includes offenders paroled to a felony detainer, offenders deported by U.S. Immigrations and Customs Enforcement, and offenders supervised on parole in other states. Parolees in **county jail** are most likely awaiting a revocation hearing by the Parole Board due to a technical parole violation or a pending criminal conviction. **Absconders** are parolees whom fail to report to their community parole officer, change their residence without their parole officer’s knowledge and consent, and the parolees’ whereabouts and activities are unknown. Parolees in **other locations** primarily encompass those who are in residential programs, such as community corrections or inpatient substance abuse program, as a condition of their parole.

The demographic characteristics of parolees displayed in Figure 52 are relatively similar to those of the jurisdictional inmate population profile, although there is a higher rate of female offenders on parole (14%) than in prison (9%). The majority of offenders on parole were sentenced for nonviolent crimes, whereas the majority of inmates were sentenced for violent offenses. Offenders on parole can be generally described as male; of minority descent; in the age range of 20-49; having a discretionary release type; nonviolent; not affiliated with gangs; and having a medium to high LSI risk level.

**Females** on parole represent 14% of the total domestic parole population (see Figure 53). Compared to males, they tend to be younger, nonviolent, fewer gang affiliations, lower risk levels, on regular parole supervision, and received discretionary parole.

Figure 54 shows that **ISP parolees** tend to be younger and were either released on their mandatory parole date or were reparaoled. Consistent with the program’s purpose, parolees on ISP are more likely violent, affiliated with gangs, and have higher LSI-R risk levels.



**FIGURE 52**  
Domestic Parole Profile as of June 30, 2013 (N = 9,094)

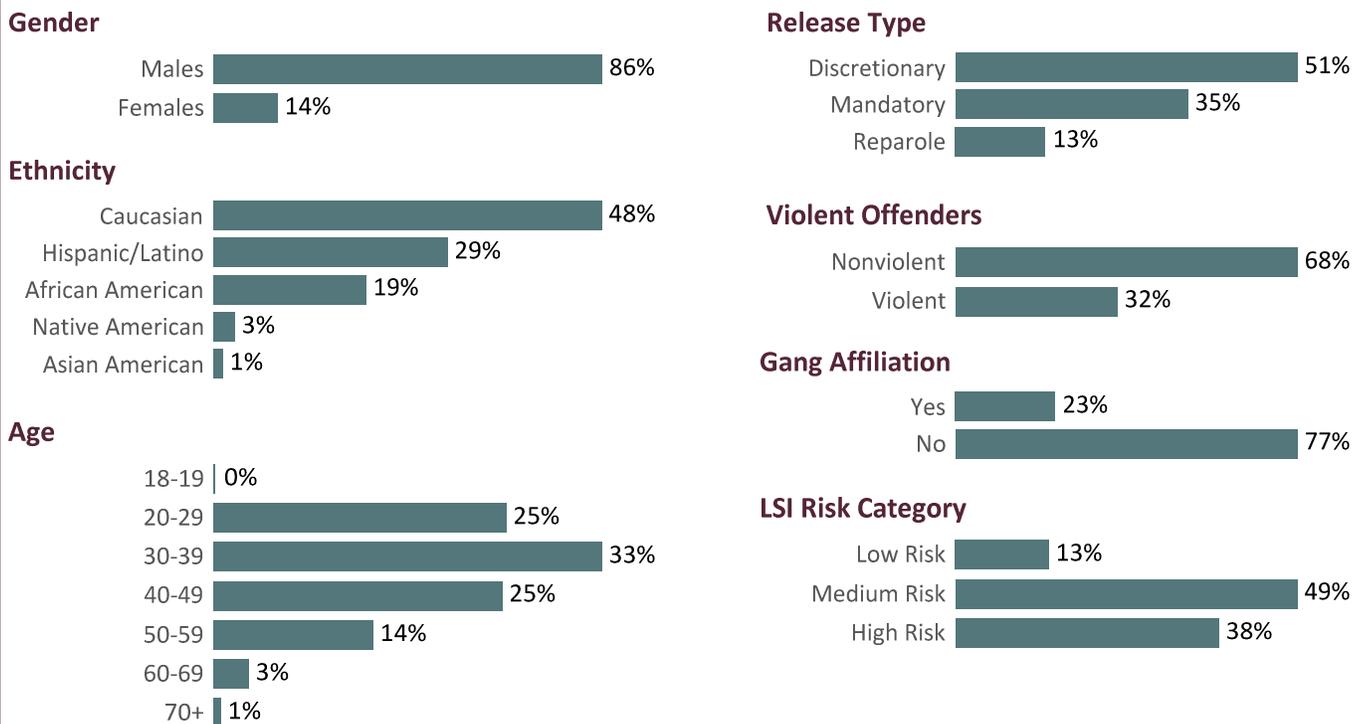
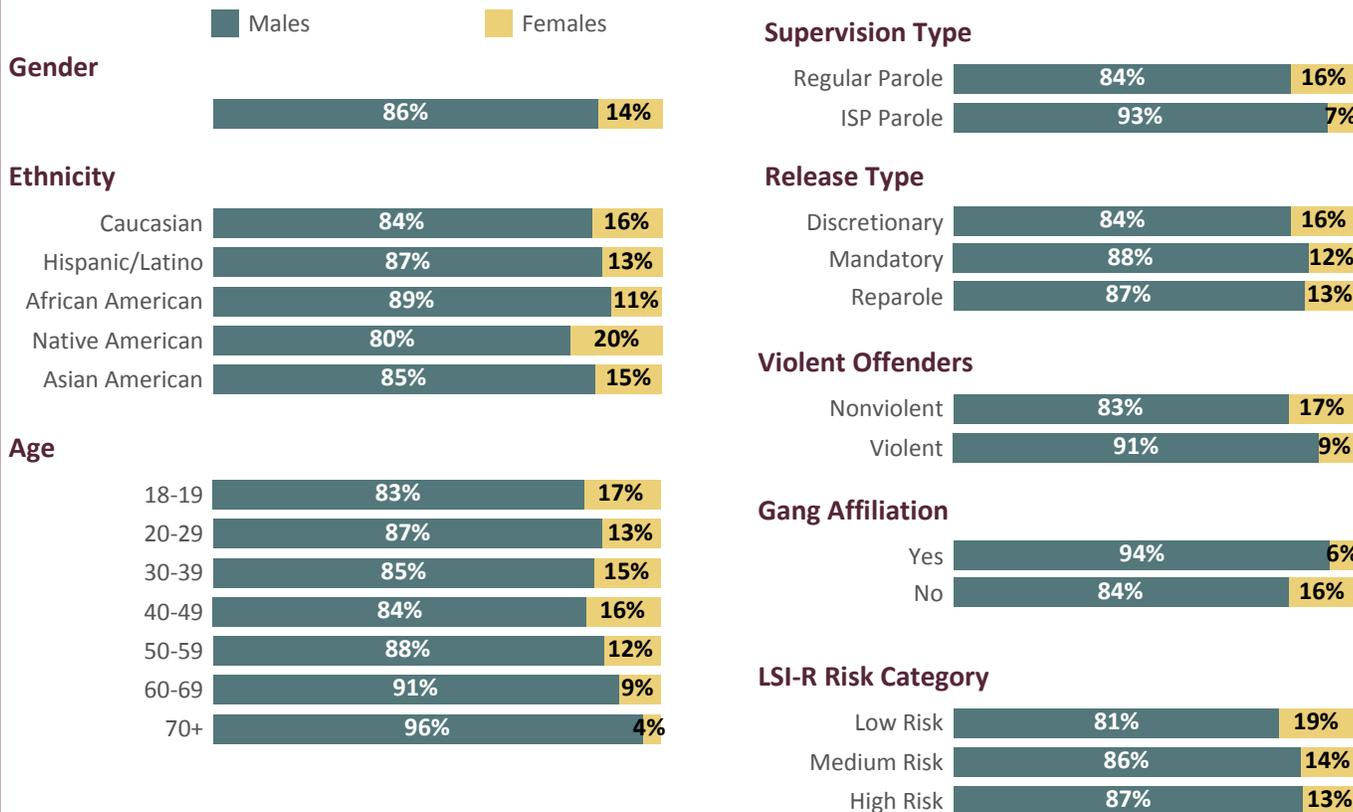
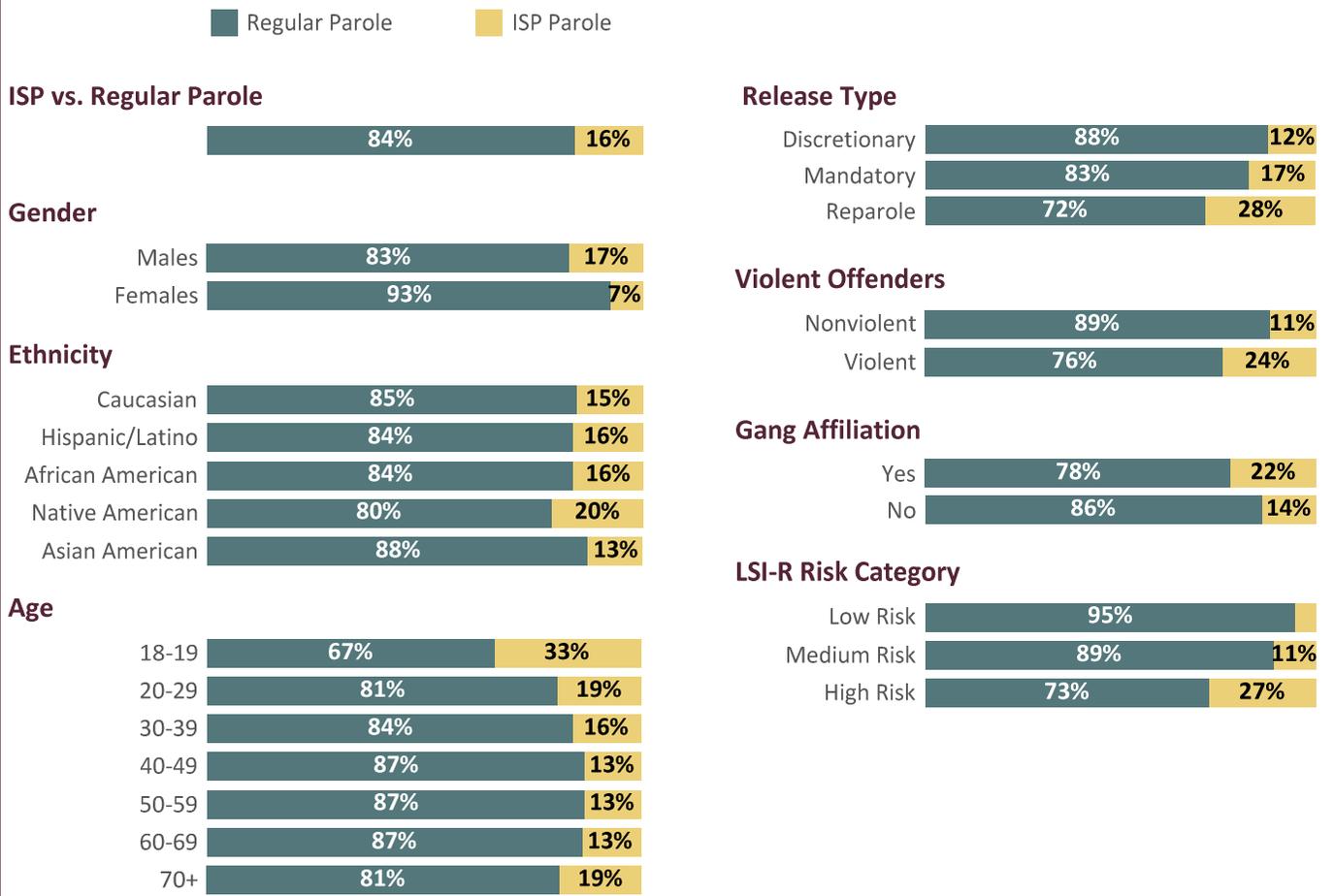


Figure note. Parolees from other states supervised in Colorado are not included due to missing data on most categories.

**FIGURE 53**  
Domestic Parole Gender Comparison (N = 9,094)



**FIGURE 54**  
**Domestic Parole Supervision Type Comparison (N = 9,094)**



**NEEDS LEVELS**

Parolees’ needs levels are shown in Figure 55. When comparing needs levels of parolees to needs levels of the inmate population (shown in Figure 39), parolees have lower needs levels in all categories except for substance abuse. Similar to the inmate population, female parolees have higher needs than males in all categories except for sex offender and developmental disabilities. The biggest differences in needs between

females and males are in the medical and mental health categories, where females have the highest needs.

**PAROLE SUPERVISION OUTCOMES**

Half of parolees leaving parole supervision during FY 2013 completed their parole sentence (see Figure 56). A small percentage (4%) received an early parole discharge. Parolees who have been under supervision for at least 6 months, served at least half of their parole sentence, and are compliant with the conditions of parole may be eligible for early discharge; final authority rests with the Parole Board to grant early discharges from parole. Female offenders and discretionary releases were more likely to receive an early parole discharge. Discretionary parole releases were also more likely to complete their sentence than be revoked for a technical violation or new crime.

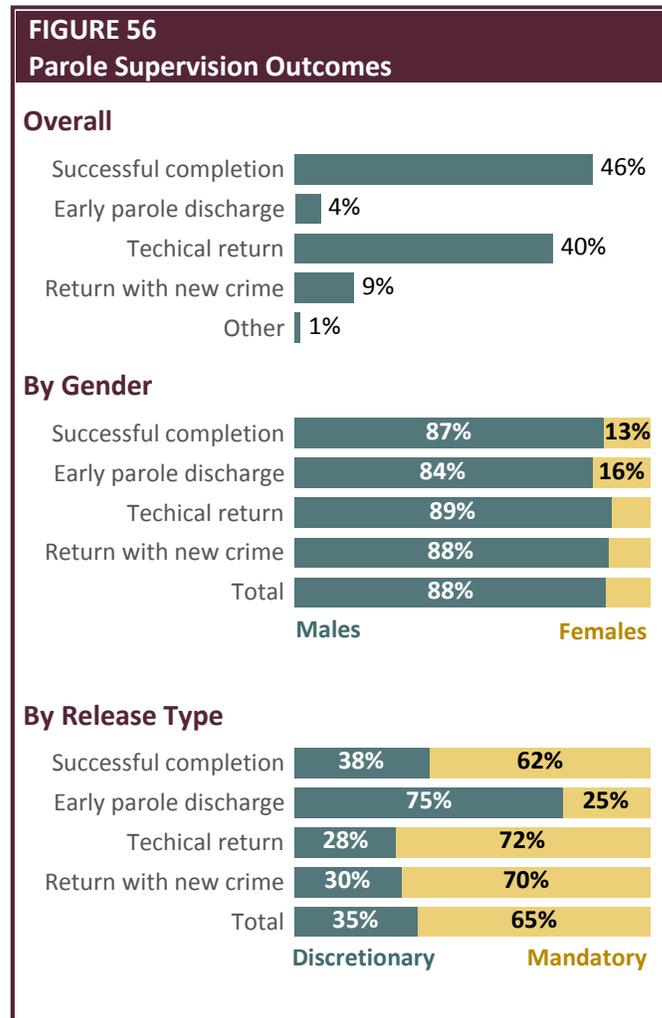
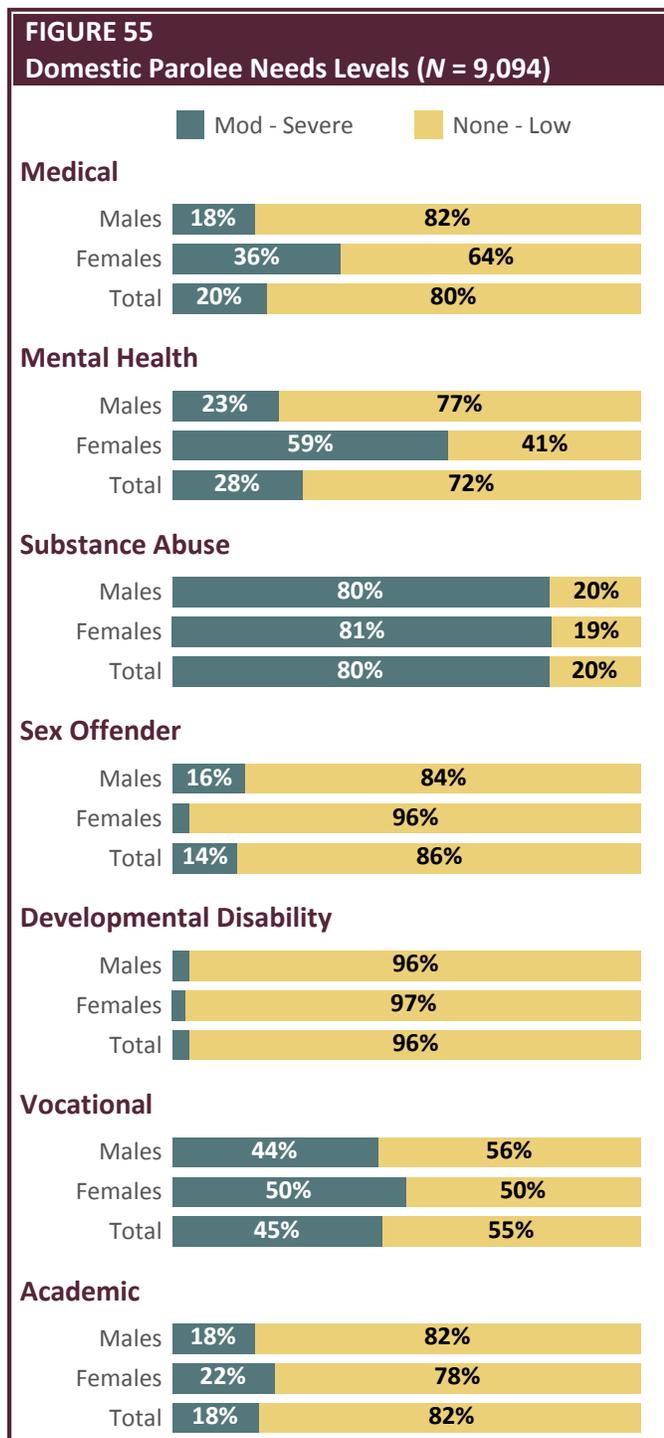
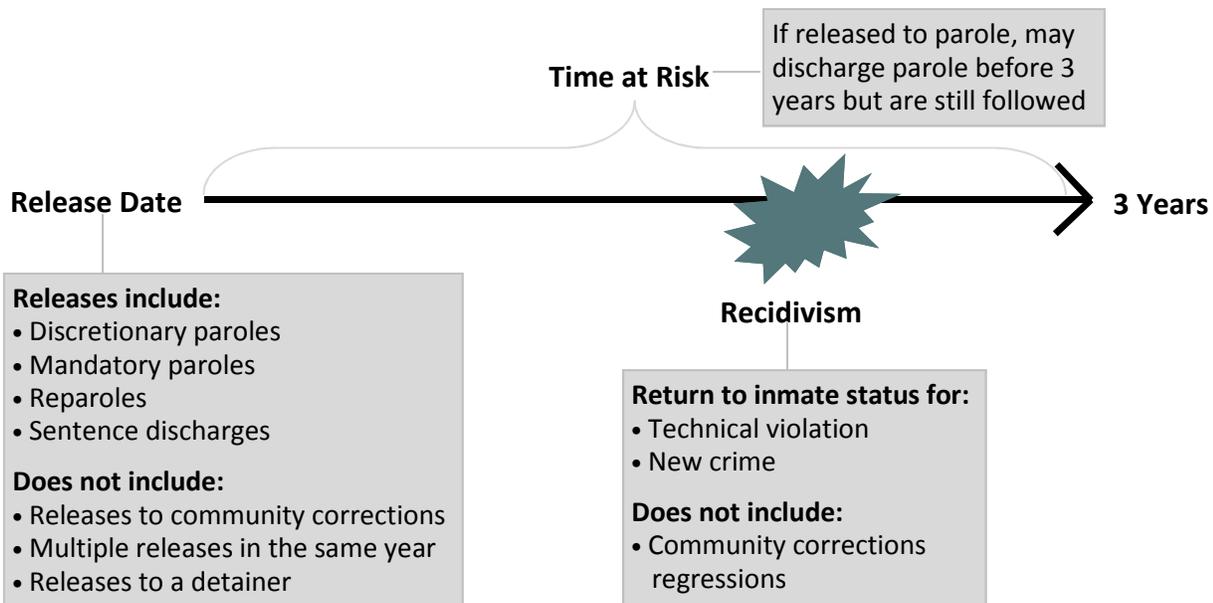


Figure note. Other includes interstate transfers, new conviction while supervised out of state, and court-ordered discharges or releases to probation.

# RECIDIVISM RATES

CDOC defines recidivism as a return to prison or inmate status in Colorado within 3 years of release, for either new criminal activity or a technical violation of parole, probation, or non-departmental community placement. This definition is common across state correctional departments, but the methodology for computing recidivism is often not reported. After a review of other correctional recidivism rate calculation methods and national standards, Colorado developed new methodology in 2008, although the definition of recidivism has not changed. The current methodology is based on the Association of State Correctional Administrators (ASCA) performance-based measurement system, which has highly specific measures and counting rules for calculating recidivism rates. The following summarizes this methodology:

- **Recidivism:** Defined as return to inmate status and calculated using three measures: new convictions, technical violations, and overall recidivism (new convictions + technical violations) at 1-year post-release intervals.
- **Cohort:** Includes the number of inmates released, not the number of times inmates release. Even if an inmate released multiple times within a year, that individual was counted only once per release cohort. Therefore, an inmate can fail only once within any given cohort.
- **Release types:** Includes only inmates who released to the community, including releases to parole, completion of sentence, court-ordered discharge, or released to probation. To be counted, inmates must release from their inmate status. Inmates who died while incarcerated, escaped, or had their sentence vacated or inactivated were not included in the recidivism cohort. Additionally, offenders who released to a detainer or charges were excluded.
- **Calendar year (CY):** Although the CDOC statistical report is based on fiscal year data, it was decided to continue reporting recidivism on a calendar year basis to be consistent with ASCA standards and other national prison surveys.



The overall 3-year recidivism rate (including returns for new crimes and technical violations) is 48.8% for the calendar year 2010 release cohort (see Figure 57). The recidivism rate has decreased 8.3% from 2006 releases to 2010 releases. The majority of returns are for technical violations.

To better explore recidivism rates by return type, Figure 58 displays cumulative return-to-prison rates across seven release cohorts, at 1 year intervals up to 3 years post-release. Technical violations consistently constitute the largest proportion of returns to prison over time. Although recidivism rates have remained on a slow but steady decline, it is important to note the relationship between new crime and technical violation returns. As technical returns increased among 2009 releases, new crime returns decreased. So, while there may be more variations from year to year in the new crime and technical violation return rates, the overall recidivism rate varies less.

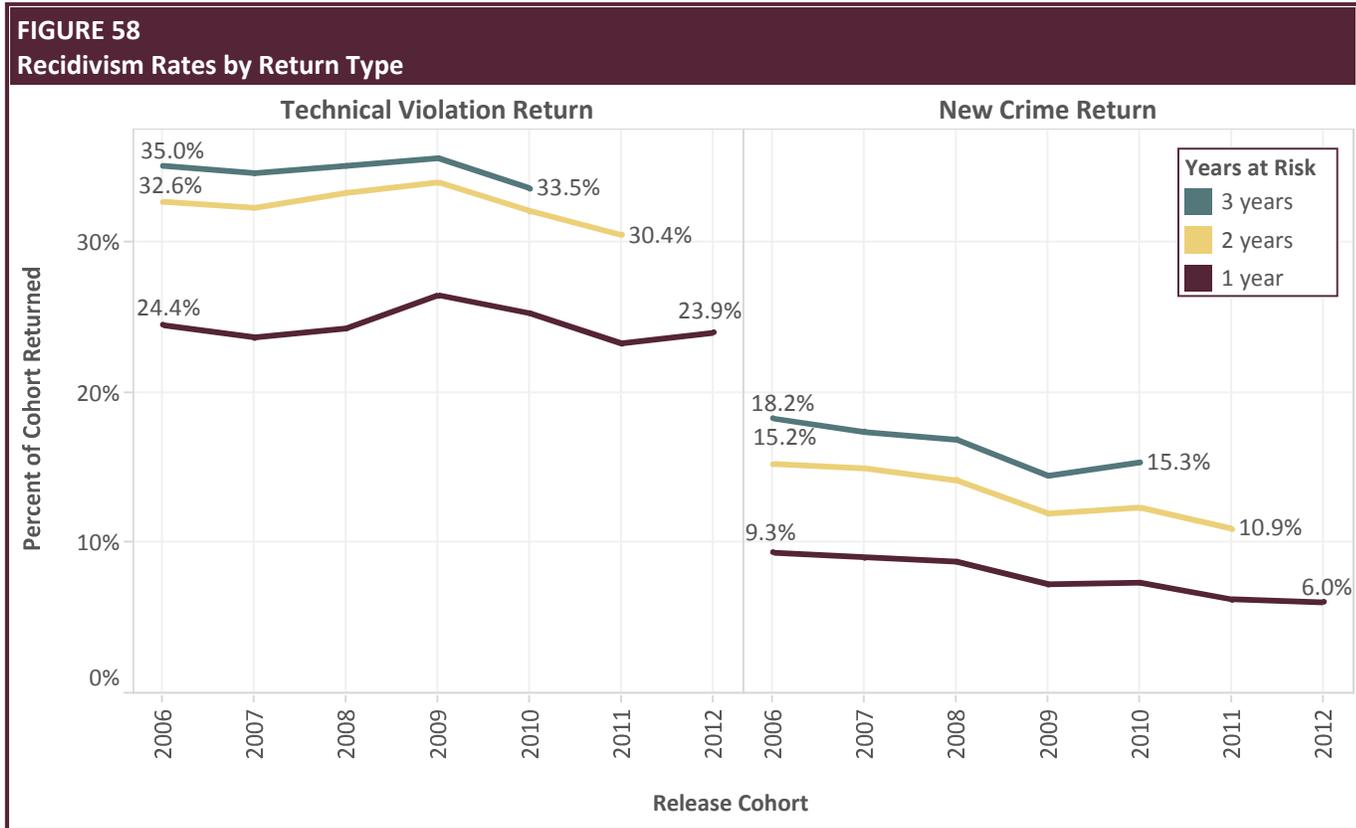
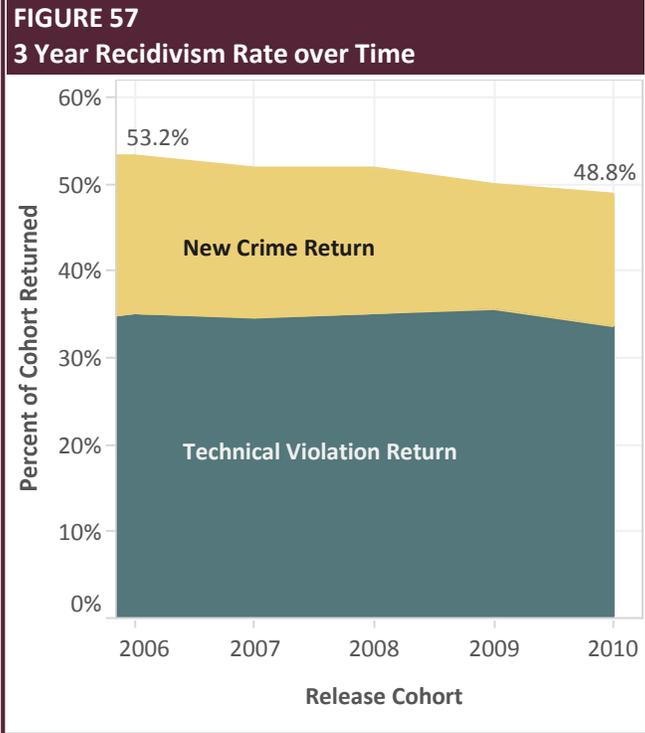
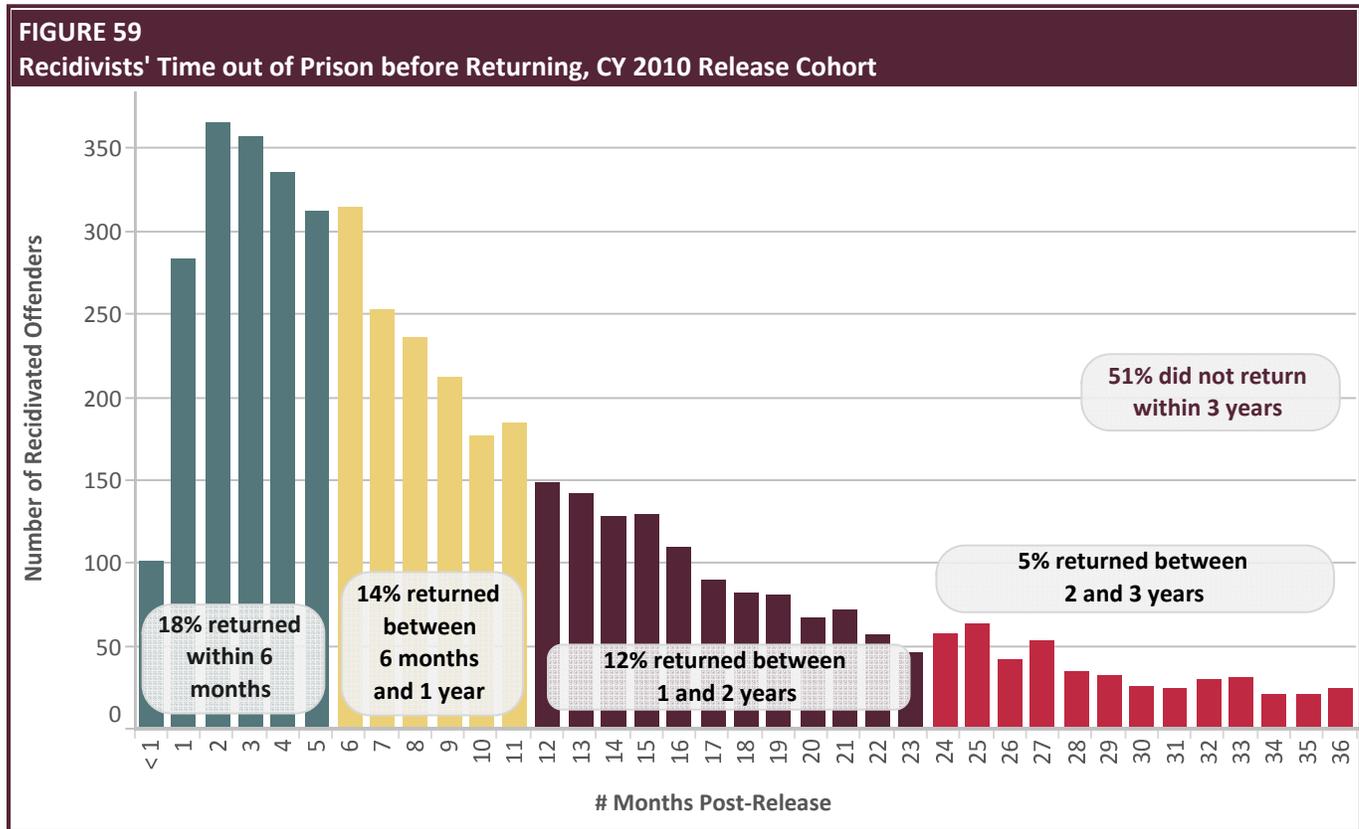


Figure 59 analyzes the 2010 release cohort, detailing the amount of time it took a recidivist to return back to inmate status. As time passed, the number of offenders who returned to prison decreased. The

majority of offenders who failed did so within the first year, particularly within two to seven months post-release, showing that this is the highest risk period.



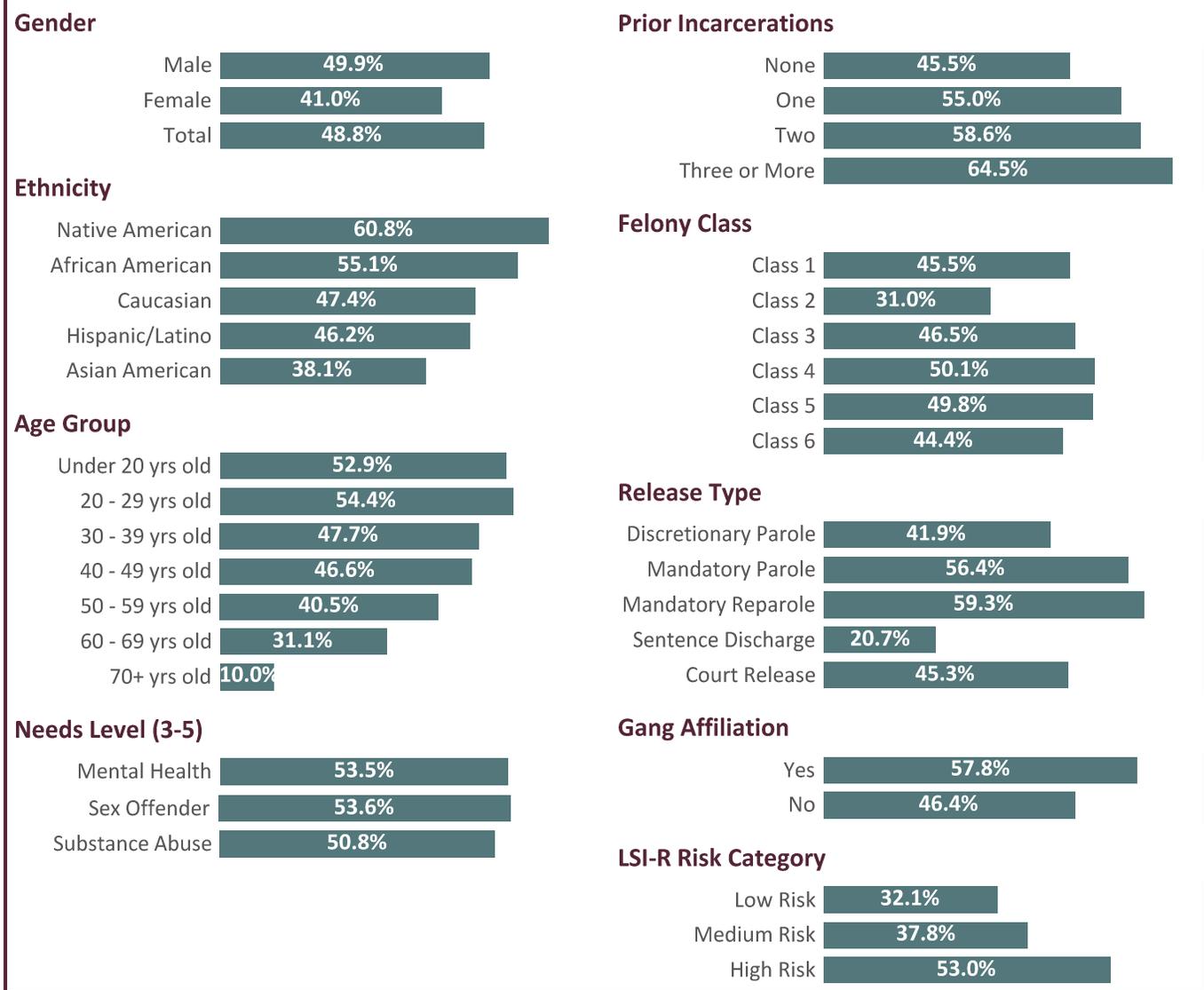
Recidivism rates vary by offender characteristics (see Figure 60). Recidivism rates are higher for males than females and are higher for younger offenders than older ones. Certain minority groups are more likely to fail (Native Americans and African Americans) than other minority groups (Hispanics/Latinos and Asian Americans).

Criminal history is a strong predictor of post-release success. The number of prior incarcerations and type of release are among the strongest recidivism predictors. Offenders who discharge their sentence receive no post-release supervision and thus have the lowest return rate. Discretionary parole is granted by

the Parole Board to offenders who are the most prepared to re-enter society, and their recidivism rate is the next lowest. Offenders who do not release until their mandatory parole date or who re-parole after a failure have the highest return rates. Felony class alone does not have a clear relationship with outcomes, but gang membership has one of the strongest relationships with recidivism.

Certain needs areas, including mental health, sex offender, and substance abuse, increase an offender's likelihood of recidivism. Risk, as measured by the Level of Supervision Inventory – Revised (LSI-R) is also a strong indicator of recidivism.

**FIGURE 60**  
**3-Year Recidivism Rate by Offender Characteristics**



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