

COLORADO

DEPARTMENT OF CORRECTIONS

STATISTICAL REPORT



**RICK RAEMISCH,
EXECUTIVE DIRECTOR**

FY 2017



EXECUTIVE DIRECTOR'S LETTER

The MISSION of the Colorado Department of Corrections is “To protect the citizens of Colorado by holding offenders accountable and engaging them in opportunities to make positive behavioral changes and become law-abiding productive citizens.”

Our VISION is in “Building a safer Colorado for today and tomorrow.”

We accomplish these through our greatest resource, our staff: correctional professionals who honor and respect the rights of victims; who engage in safe, humane, and effective correctional practices; who deliver exceptional correctional services; and who are dedicated to providing opportunities for offender success, thereby ensuring long-term public safety.

This statistical report provides an overview of the average daily jurisdictional population of 30,684 offenders (20,207 offenders, 10,477 parolees). As you will see, the offender population has fallen by 4.5% over the past five fiscal years. The information contained within this Statistical Report will provide both the public and private sectors an appreciation of the tremendous effort demonstrated by our staff members who work within a framework of available resources to provide public safety while meeting and addressing the needs of our offender population.

Sincerely,



Rick Raemisch
Executive Director
Colorado Department of Corrections

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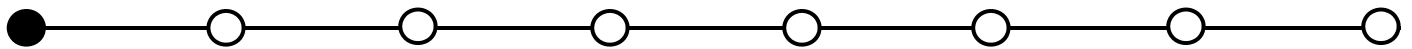
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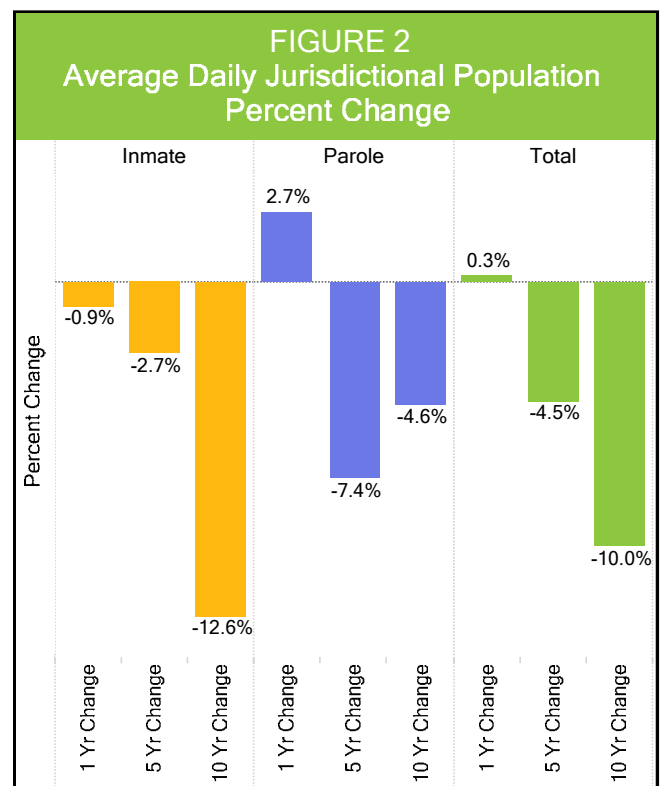
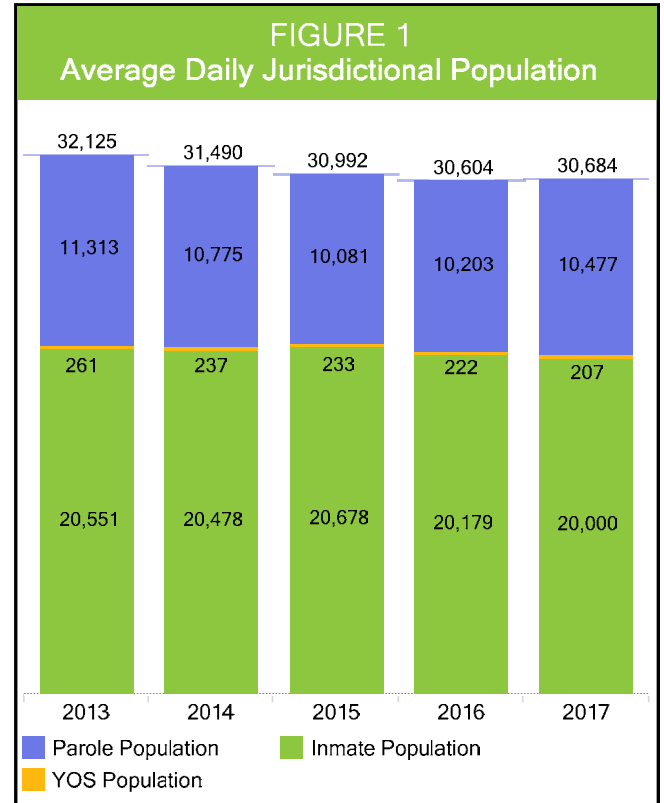
OVERVIEW

INTRODUCTION

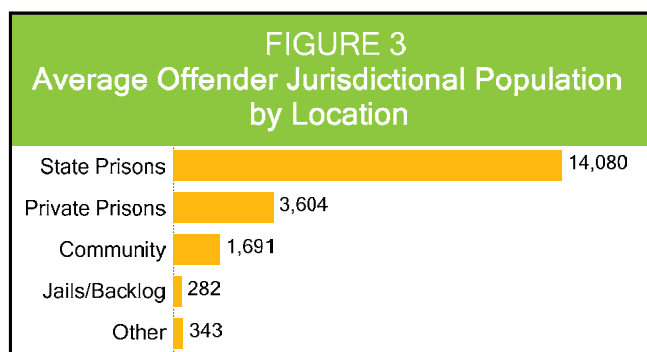
The Colorado Department of Corrections' (CDOC) statistical report provides an analysis of Colorado's corrections system. This overview describes growth trends, population projections, facilities, costs, and staff data. Subsequent sections focus on admissions, releases, offender and parolee characteristics, and recidivism. Adult offender and parole populations are represented in this report. A separate annual report is produced for the Youthful Offender System (YOS).

POPULATION GROWTH

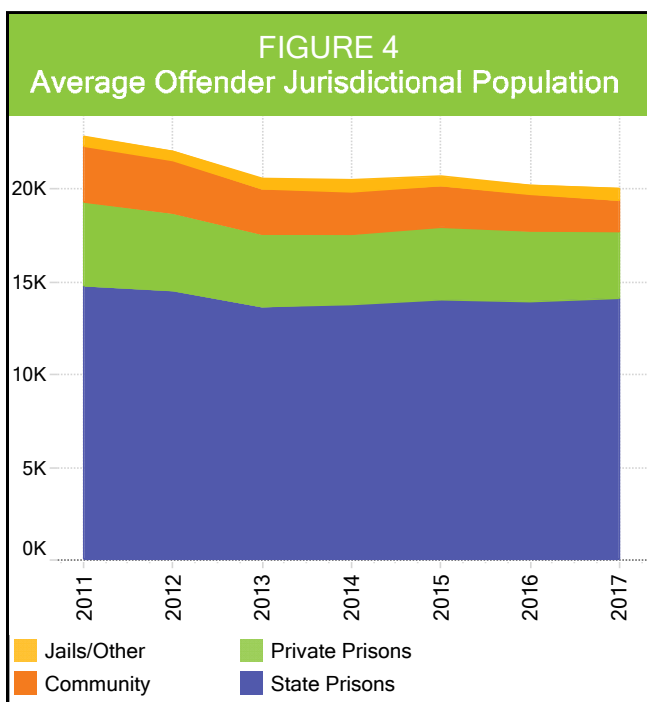
The average daily population (ADP) tracks trends in the CDOC population. **Figure 1** shows the ADP of the offender, parole (which includes absconders and interstate parolees), YOS, and total populations over the past five years. There was a 4.5% decrease in CDOC's jurisdictional population from fiscal years (FY) 2013 to 2017. **Figure 2** details the one-year, five-year, and 10-year growth rates of the jurisdictional population. The offender and parole population have seen a decrease over the last decade, although the parole population experienced a small increase between FY 2016 and FY 2017.



Figures 3 and 4 convey the ADP breakdown for state and private prisons, community corrections, jail backlog, and contracts. Private prisons in use during FY 2017 included Bent County Correctional Facility, Kit Carson Correctional Facility, Crowley County Correctional Facility, and Cheyenne Mountain Reentry Center. The Kit Carson Correctional Facility contract expired July 31, 2016 and all Colorado offenders were reassigned by July



Note: Other includes fugitives, revocations in jail, awaiting transfer and external placements.



Note: Other includes fugitives, revocations in jail, awaiting transfer and external placements.

27, 2016. In FY 2016, 18.0% of the incarcerated population was housed in private prisons. This was 0.9% less than in FY 2016. The actual number of offenders housed in both private and state-run prisons decreased slightly between FY 2016 and FY 2017.

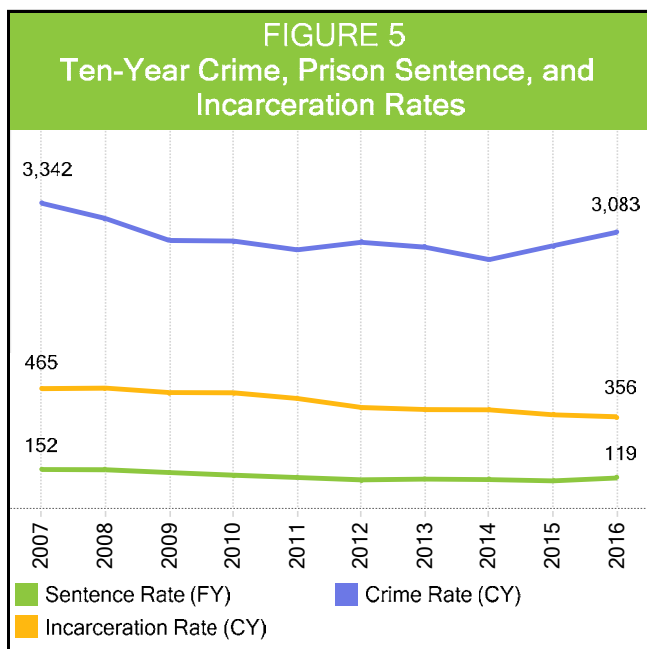
CRIME, PRISON SENTENCE & INCARCERATION RATES

Figure 5 displays sentence, incarceration, and crime rates since 2007. Crime rates¹, which include offense and arrest data, are calculated per calendar year (CY) and are available on a one-year delay. The U.S. Bureau of Justice Statistics (BJS) reports incarceration rates each December for the previous year; therefore, 2016 data is the most current. Prison sentence and incarceration rates² are used as indicators of growth in the prison population comparative to growth in the state populace, as estimated annually by the Colorado Department of Local Affairs. Prison sentence rates are calculated as the ratio of the number of offenders sentenced to prison 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. The crime rate has declined 7.8% since 2007, although 2016's crime rate was higher than

¹ Annual Crime in the United States reports, 2007-2016. Washington, D.C.: FBI.

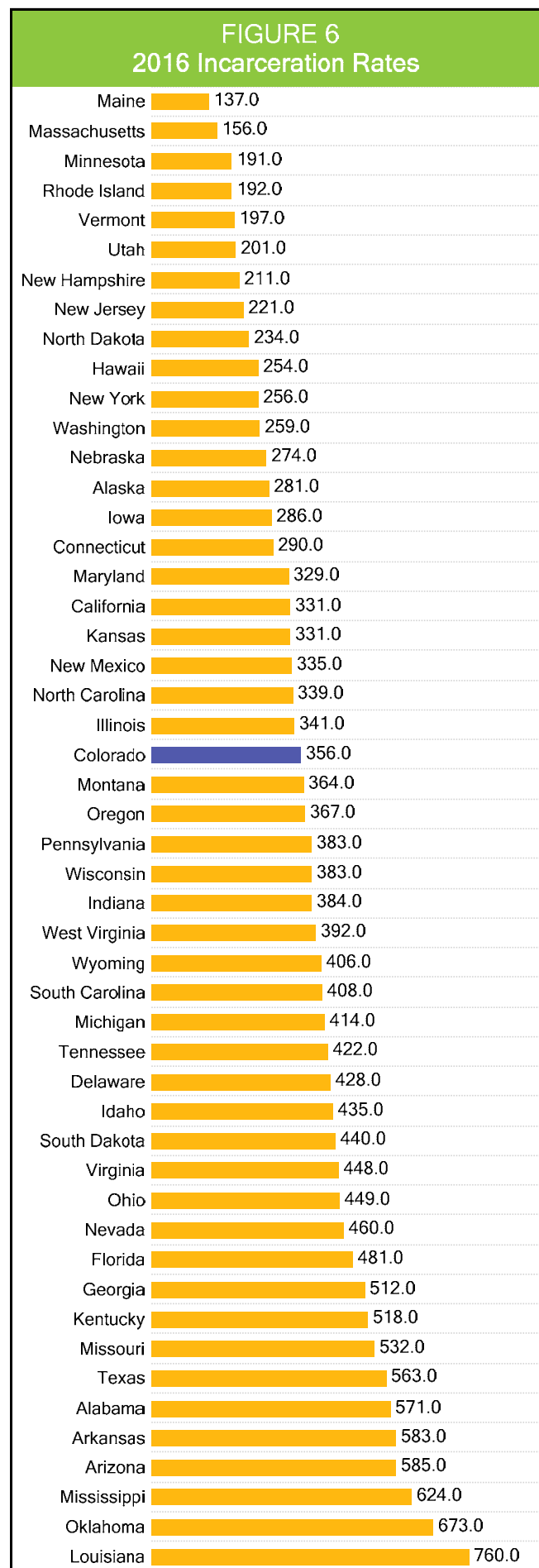
² Prisoners in 2016. Washington, D.C.: U.S. Department of Justice, Bureau of Justice Statistics.

2013, 2014, and 2015's. The sentence rate was also higher in 2016 than in 2015, but saw an overall decrease (21.7%) since 2007. The incarceration rate has declined each year since 2008 with an overall decrease of 23.4% since 2007. Calendar Year 2016 had the lowest recorded rate during this period. The CY 2016 incarceration rates for all 50 states are shown in **Figure 6**. Colorado's rate of incarceration ranked in the middle compared to other state's rates.



LEGISLATIVE CHANGES

Several key pieces of legislation that have been passed since 1979 influence the size of the CDOC prison population. The **Appendix** lists the historical Legislative bills. Following is a summary of recent House Bills (HB) that have impacted felony sentencing and CDOC in FY 2017.

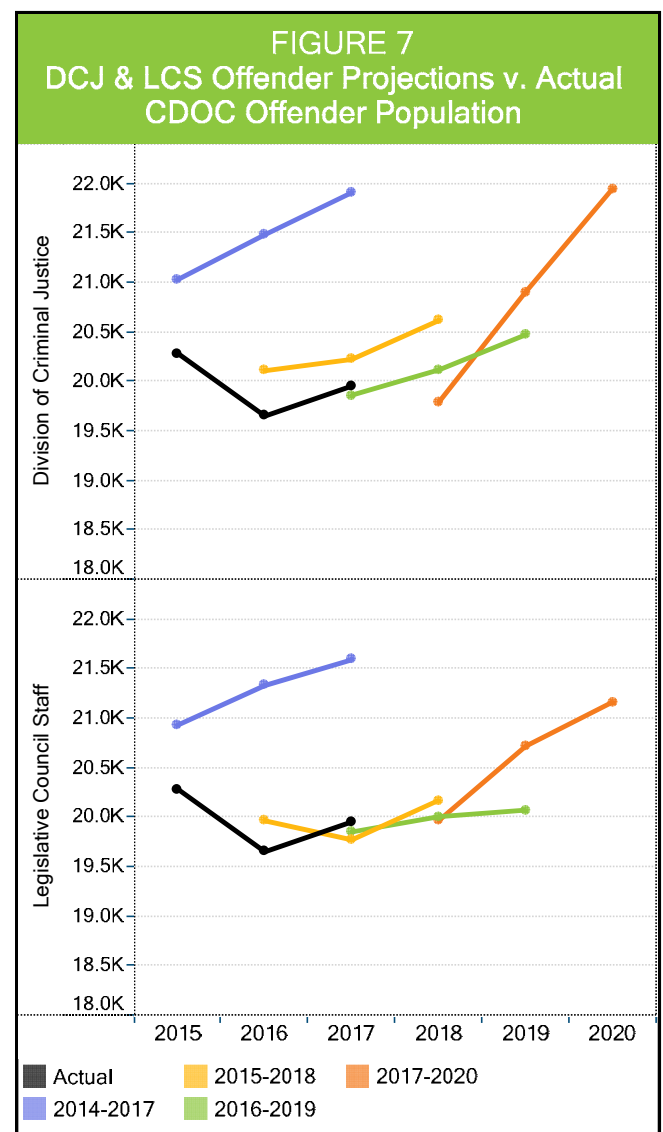


- House Bill 17-1308 removed the mandatory imposition of certain parole conditions, including the manner and time of restitution, regular urinalysis, other drug testing, and solicitation of a parole officer's permission to change residences or contact another person with a prior criminal history. The bill will result in fewer revocations for technical parole violations to the same extent that it will increase parole caseload and reduce the offender population.
- House Bill 17-1326 lowered the period of time for which an offender who commits a technical parole violation may be revoked to DOC custody. The bill directs the Parole Board to conduct a parole release review in lieu of a hearing if the offender is assessed to be a "low" or "very low" risk and victim notification is not required by law. This provision is expected to expedite discretionary parole releases, reducing the offender population while increasing parole caseload.

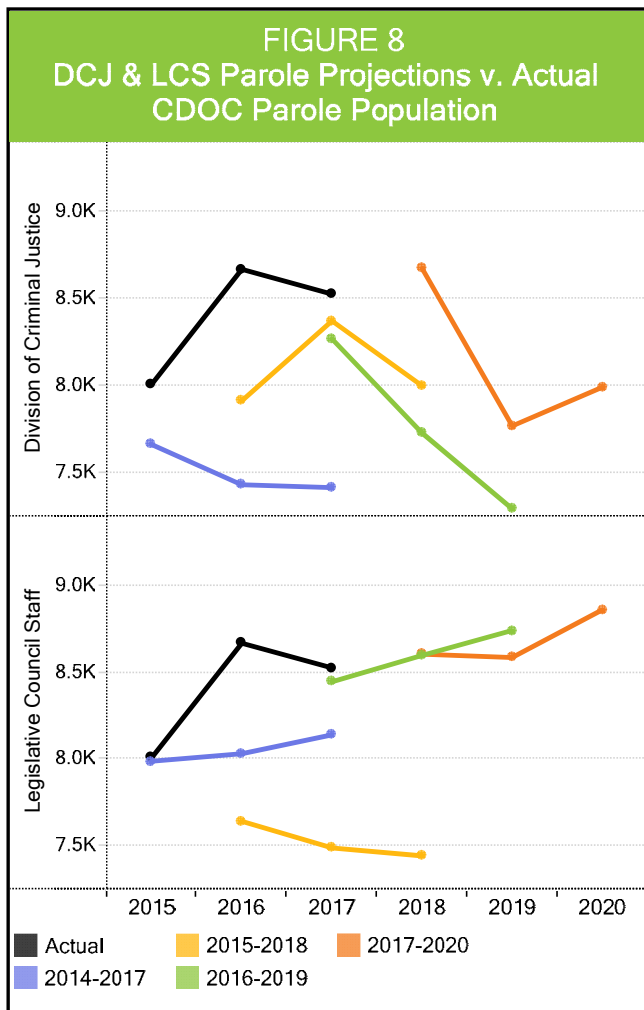
POPULATION PROJECTIONS

Two sets of population projections are prepared by outside agencies for budgeting and planning purposes. The Division of Criminal Justice (DCJ), within the Colorado Department of Public Safety, and the Legislative Council Staff (LCS) are statutorily mandated to develop

forecasts for the adult and juvenile populations within the criminal justice system. DCJ updates these projections twice a year to reflect the most recent sentencing revisions and trends; LCS completes these projections annually. **Figure 7** compares the actual population of CDOC to the last three years of offender population projections developed by DCJ and LCS. The most recent offender population projections were released in December 2017. The comparison shows the variations in year-to-year projections.



Parole population projections are similarly compared in **Figure 8**. Both offender and parole population projections are affected by a number of factors to include the number and sentence length of new commitments, Parole Board determinations for release of offenders, rates of revocation for parolees, and new legislation.



PRISON FACILITIES

Figure 9 maps the locations and levels of the 23 prisons throughout Colorado. Twenty are owned and operated by the state of Colorado, and three are private-contract facilities. The

security levels identified 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. Offenders classified as minimum may be incarcerated in level I facilities, but generally offenders of higher classifications shall not be incarcerated in level I facilities.

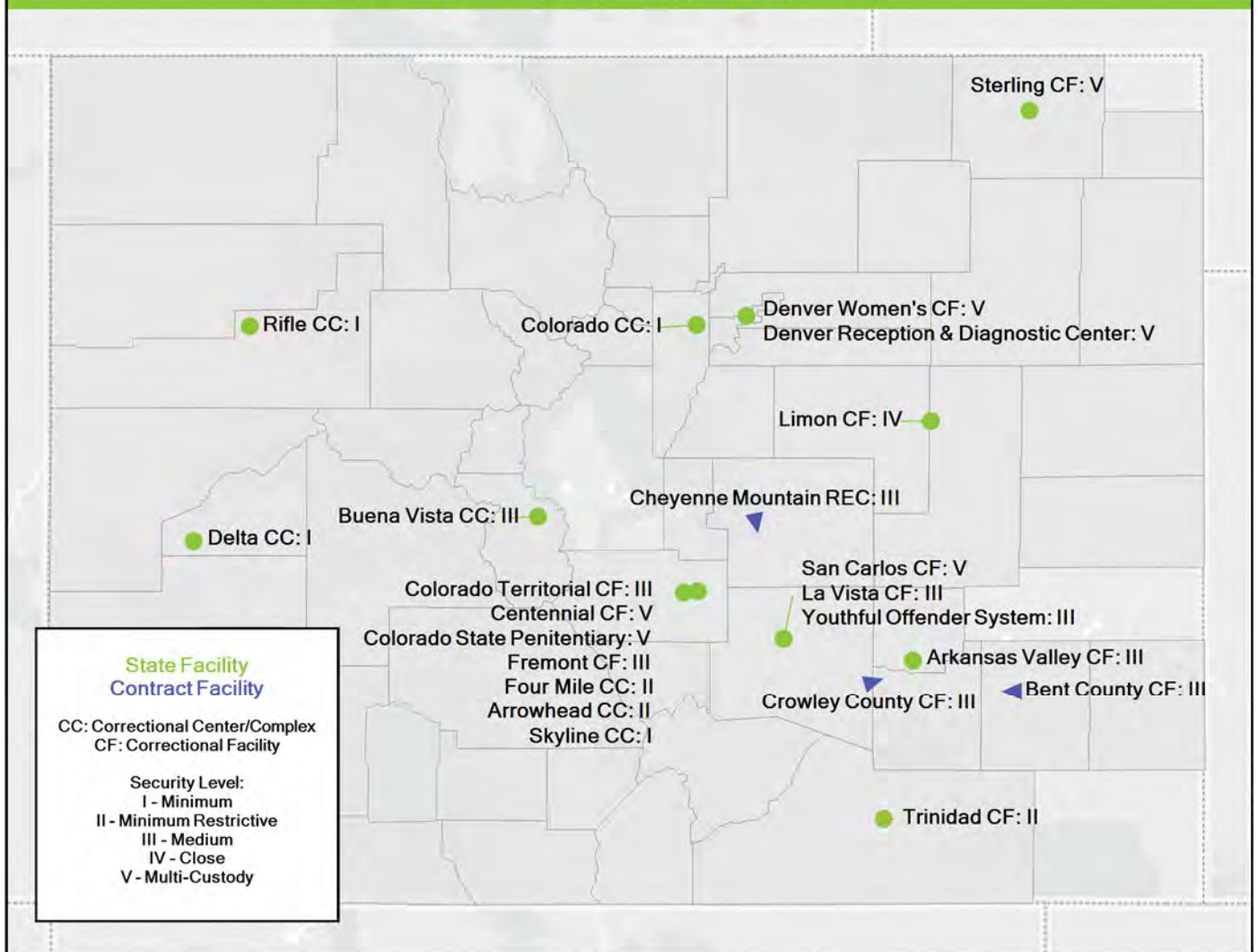
LEVEL II facilities shall have designated boundaries with single or double perimeter fencing. The perimeter of level II facilities shall be patrolled periodically. Offenders classified as minimum restrictive and minimum may be incarcerated in level II facilities, but generally, offenders of higher classifications 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 offenders, medium classified offenders, and offenders of lower classification levels may be incarcerated in level III facilities, but generally, offenders 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 offenders and offenders of lower classification levels may be incarcerated in level IV facilities, but generally, offenders 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 facility beds available to house offenders. 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 for which a facility is 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, and reception beds are included in the design capacity for all facilities.

State facility capacities and on-grounds population on June 30, 2017, are shown in **Table 1**. 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 1
Facility Populations & Capacities

<i>STATE FACILITIES</i>	<i>ON-GROUNDS POPULATION</i>	<i>DESIGN CAPACITY</i>	<i>EXPANDED CAPACITY</i>	<i>OPERATIONAL CAPACITY</i>	<i>% DESIGN CAPACITY</i>
Arkansas Valley Correctional Facility	1038	1007	49	1056	103%
Arrowhead Correctional Center	518	484	36	520	107%
Buena Vista Correctional Complex	1212	1107	127	1234	109%
Centennial Correctional Facility	300	294	42	336	102%
Colorado Correctional Center	145	150	0	150	97%
Colorado State Penitentiary	697	756	-31	725	92%
Colorado Territorial Correctional Facility*	934	694	259	953	135%
Delta Correctional Center	479	480	0	480	100%
Denver Reception & Diagnostic Center*	561	496	74	570	113%
Denver Women's Correctional Facility	989	900	108	1008	110%
Four Mile Correctional Center	520	484	37	521	107%
Fremont Correctional Facility	1618	1448	172	1620	112%
La Vista Correctional Facility	664	519	112	702	128%
Limon Correctional Facility	852	500	430	930	170%
Rifle Correctional Center	188	192	0	192	98%
San Carlos Correctional Facility	213	250	5	255	85%
Skyline Correctional Center	233	249	3	252	94%
Southern Transport Unit	26	30	0	30	87%
Sterling Correctional Facility	2476	2445	43	2488	101%
Trinidad Correctional Facility	500	404	96	500	124%
Youthful Offender System	167	241	38	279	69%
TOTAL STATE CAPACITY	14,330	13,130	1,600	14,801	109%

*Infirmary beds at Colorado Territorial Correctional Facility & Denver Reception & Diagnostic Center are not included.

ANNUAL OFFENDER COSTS

The annual cost per offender by facility is shown in **Table 2**. Costs generally increase with the security level of the facility, although variations occur by facility due to construction, offender needs, and services available. The average annual cost per adult offender increased from \$37,958 in FY 2016 to \$38,146

in FY 2017. The FY 2017 private prison per diem cost was \$62.01, and the local jail per diem was \$57.93. Table 2 also displays cost data for community programs and YOS. The cost to supervise community-based offenders is substantially lower than prison costs because residential stay is funded by the Division of Criminal Justice. Nevertheless, Community Parole Officers (CPOs) are responsible for the supervision of these transitional offenders. CPOs provide case management services and release planning in order to transition community offenders to the Intensive Supervision Program (ISP), parole, or sentence discharge. They also coordinate with local law enforcement departments regarding matters of public safety. Youthful Offender System (YOS) costs are higher than that of adult facilities because of the intensive education and treatment services provided to YOS offenders.

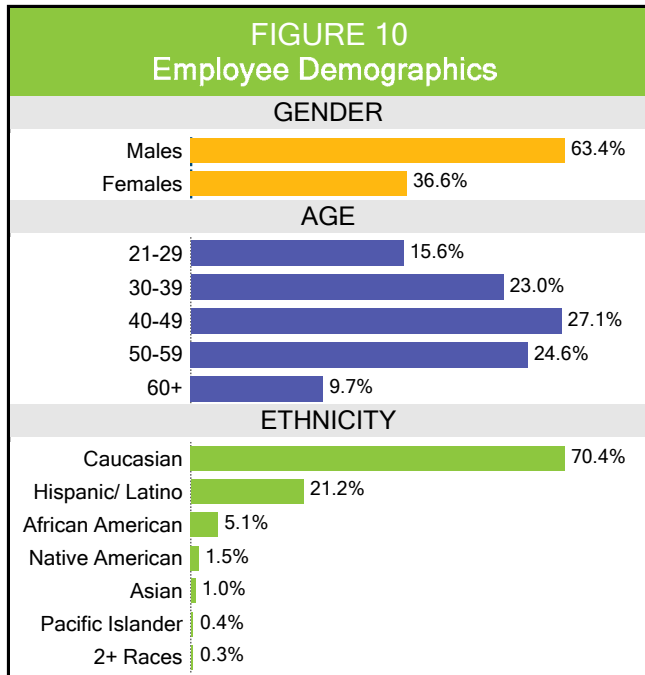
TABLE 2 Cost Per Offender by Facility*		
FACILITY	ANNUAL	DAILY
LEVEL I SECURITY		
Colorado Correctional Center	\$26,360	\$72.22
Delta Correctional Center	\$29,514	\$80.86
Rifle Correctional Center	\$30,372	\$83.21
Skyline Correctional Center	\$24,659	\$67.56
LEVEL II SECURITY		
Arrowhead Correctional Center	\$30,817	\$84.43
Four Mile Correctional Center	\$28,255	\$77.41
Trinidad Correctional Facility	\$31,277	\$85.69
LEVEL III SECURITY		
Arkansas Valley Correctional Facility	\$35,113	\$96.20
Buena Vista Correctional Complex	\$32,251	\$88.36
CO Territorial Correctional Facility	\$44,034	\$120.64
Fremont Correctional Facility	\$30,594	\$83.82
La Vista Correctional Facility	\$38,066	\$104.29
LEVEL IV SECURITY		
Limon Correctional Facility	\$39,113	\$107.16
LEVEL V SECURITY		
Centennial Correctional Facility	\$77,190	\$211.48
Colorado State Penitentiary	\$51,742	\$141.76
Denver Reception & Diagnostic Center	\$64,955	\$177.96
Denver Women's Correctional Facility	\$40,103	\$109.87
San Carlos Correctional Facility	\$96,918	\$265.53
Southern Transportation Unit	\$35,328	\$96.79
Sterling Correctional Facility	\$32,934	\$90.23
<i>Average Cost Grand Total</i>	<i>\$38,146</i>	<i>\$104.51</i>
EXTERNAL CAPACITY		
Private Prisons	\$22,632	\$62.01
County Jails	\$21,145	\$57.93
COMM. & PAROLE SUPERVISION		
Parole	\$6,125	\$16.78
Community	\$9,552	\$26.17
YOUTHFUL OFFENDER SYSTEM		
YOS Pueblo Facility	\$89,863	\$246.20
YOS Aftercare	\$40,705	\$111.52
YOS Backlog	\$19,579	\$53.64

*Colorado Department of Corrections Finance and General Administration.

FULL-TIME EMPLOYEES

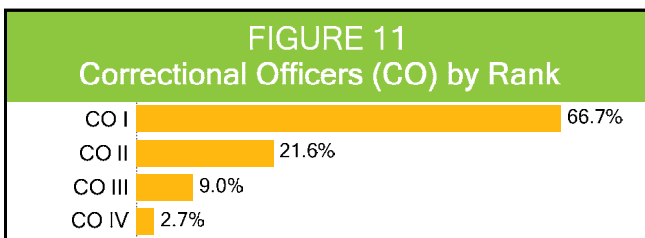
There were 6,010 full-time CDOC employees at the end of FY 2017. The predominant demographic consisted of Caucasian males ages 40 and over (**Figure 10**). The ethnic composition of CDOC staff is similar to that of Colorado citizens (70.4% of CDOC staffers identify as Caucasian, while 68.2% of

Colorado citizens identify as Caucasian³). Correctional officers (CO) comprise 55.4% of CDOC staff.



*Values may not total 100% due to rounding error.

Figure 11 breaks down the rank of the CO series. The majorities (66.7%) of officers are at the first level of rank (I); very few (2.7%) are at the highest level (IV).



*Values may not total 100% due to rounding error.

Figure 12 shows the percent of Community Parole Officer assignment designations. The types of parole employees range throughout the

18 parole office locations. Distribution of parole employees varies depending on the caseload of each office.

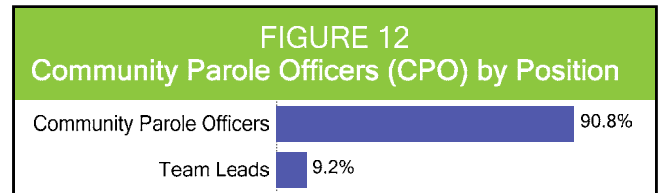
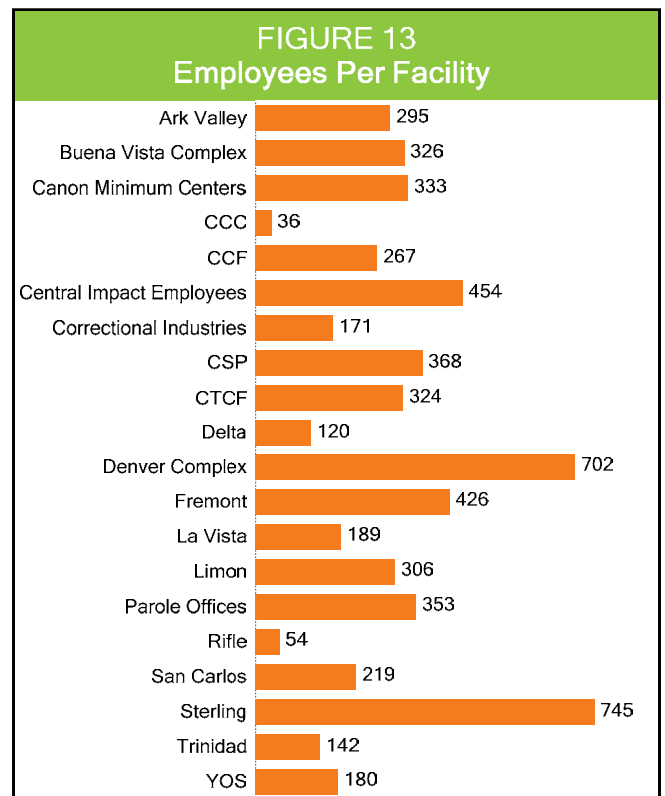


Figure 13 shows the number of employees by location. During the course of the year, 1,033 employees left employment, resulting in a turnover rate of 17%.



³ 2016-2017 United States Census Bureau Colorado.

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ADMISSIONS

Admissions to CDOC adult prison system increased in FY 2017 by 1.9%. This is the first year of increase after two years of decrease between FY 2014 and FY 2016 (**Figure 14**). In FY 2017, admissions surpassed releases with releases showing a 6.9% decrease from FY 2016.

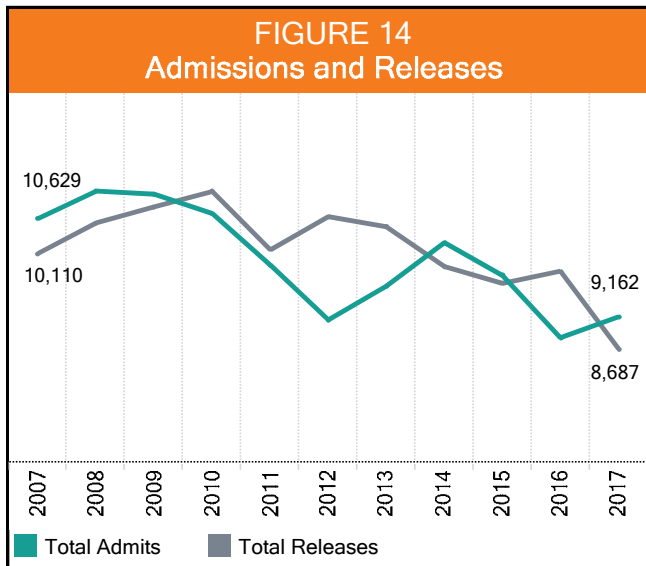
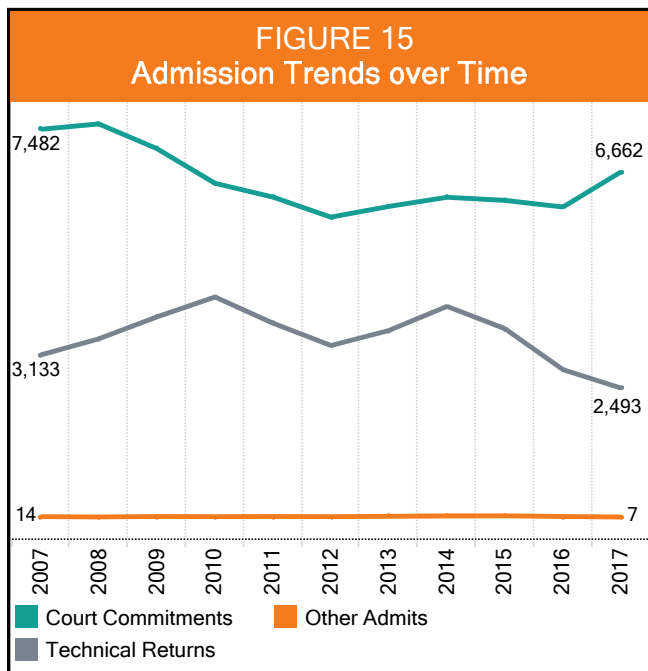


Table 3 shows totals by admission type and gender for FY 2017. Compared to FY 2016, male admissions increased by 1.6%, and female admissions increased by 16.5%. Court commitments include individuals receiving new incarceration sentences. Technical returns include offenders who were previously incarcerated and released to parole, probation, or a court-ordered discharge then later returned without a new felony conviction.

TABLE 3 Adult Admissions			
	Male	Female	Total
COURT COMMITMENTS/NEW CONVICTION			
New Commitments	4,785	912	5,697
Parole Return	834	111	945
Court-Ordered Return	5	1	6
Probation	5	3	8
YOS Failure	5	1	6
SUBTOTAL	5,634	1,028	6,662
TECHNICAL RETURNS			
Parole Return	2,149	306	2,455
Court-Ordered Discharge	16	2	18
Probation	17	3	20
SUBTOTAL	2,182	311	2,493
OTHER			
Bond Return/ Audit Return/State Hospital	0	0	0
Interstate Compact	7	0	7
SUBTOTAL	7	0	7
TOTAL ADMISSIONS	7,823	1,339	9,162

Technical returns may also have new misdemeanor convictions, traffic convictions, or other violations of conditions specified in the parole agreement or order. Other admissions consist of transfers related to interstate compact agreements, bond returns, returns under the consecutive sentence audit, and dual commitments. **Figure 15** shows 10-year trends of admissions by type. Court commitments increased from FY 2016, while technical returns have continued to decrease



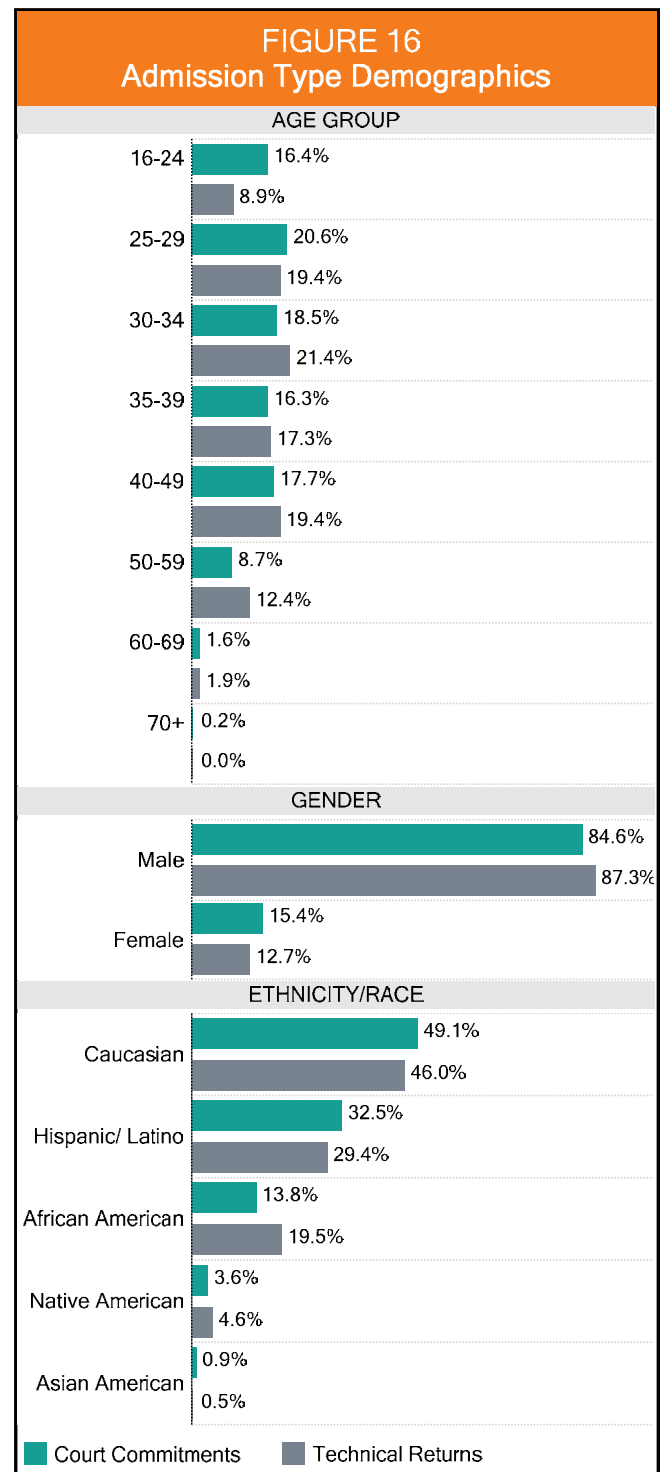
*Other includes Audit, Dual Commitment, interstate Compact In, and Appeal Bond.

since FY 2014. The increase in court commitments contributed to the increase in admissions between FY 2016 and FY 2017. Court commitments increased by 11.3%, and technical returns decreased by 12.5%, between FY 2016 and FY 2017.

DEMOGRAPHIC CHARACTERISTICS

In FY 2017, 304 offenders had multiple admissions. To portray admission characteristics accurately, each offender was included using only his or her first admission for the fiscal year when more than one admission occurred. Admissions include 6,565 court commitments and 2,286 technical returns. The demographic characteristics of FY 2017 offender admissions are provided in **Figure 16** by admission types. Among 2017 commitments, 10.5% were 50 or older. Less

than 1% of commitments were under the age of 19. The population of youthful offenders that received an adult sentence but were eligible for YOS is reported in the *Youthful Offender System Annual Report*.

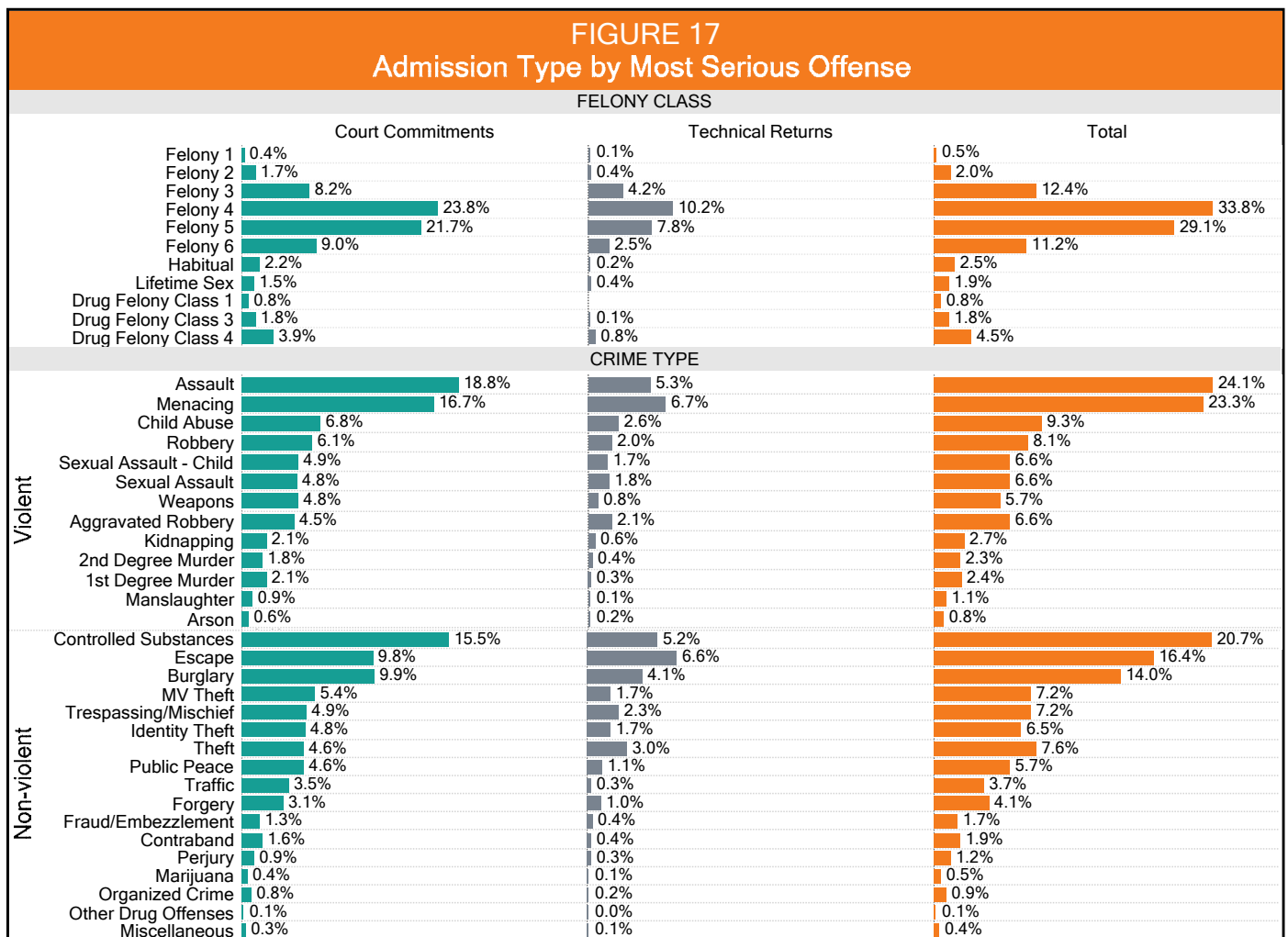


*Values may not total 100% due to rounding error.

OFFENSE DATA

To assess the seriousness of offender sentences, the class of felony for the most serious offense conviction is used. Most serious offense is determined by a number of factors including sentence length, class of felony, enhancements (e.g., habitual, lifetime supervision), and type of crime. As with demographics, individuals with more than one admission in the same year were included only once. Felony-class distributions of both court commitments and technical returns (Figure 17) show that Class 4 felonies were the most common, followed by Class 5 and then Class 3 felonies. Figure 17

also shows the most serious offense by admission type and violence category. Offenses are categorized as violent or non-violent using a broad definition of the general nature of the offense rather than the statutory definition in C.R.S. 18-1.3-406. About 34.9% of admissions were for violent crime and 65.1% were for non-violent crime. Technical returns are more likely to have non-violent offenses than court commitments. This occurs, in part, because violent offenders have longer prison sentences and parole less frequently than non-violent offenders do.

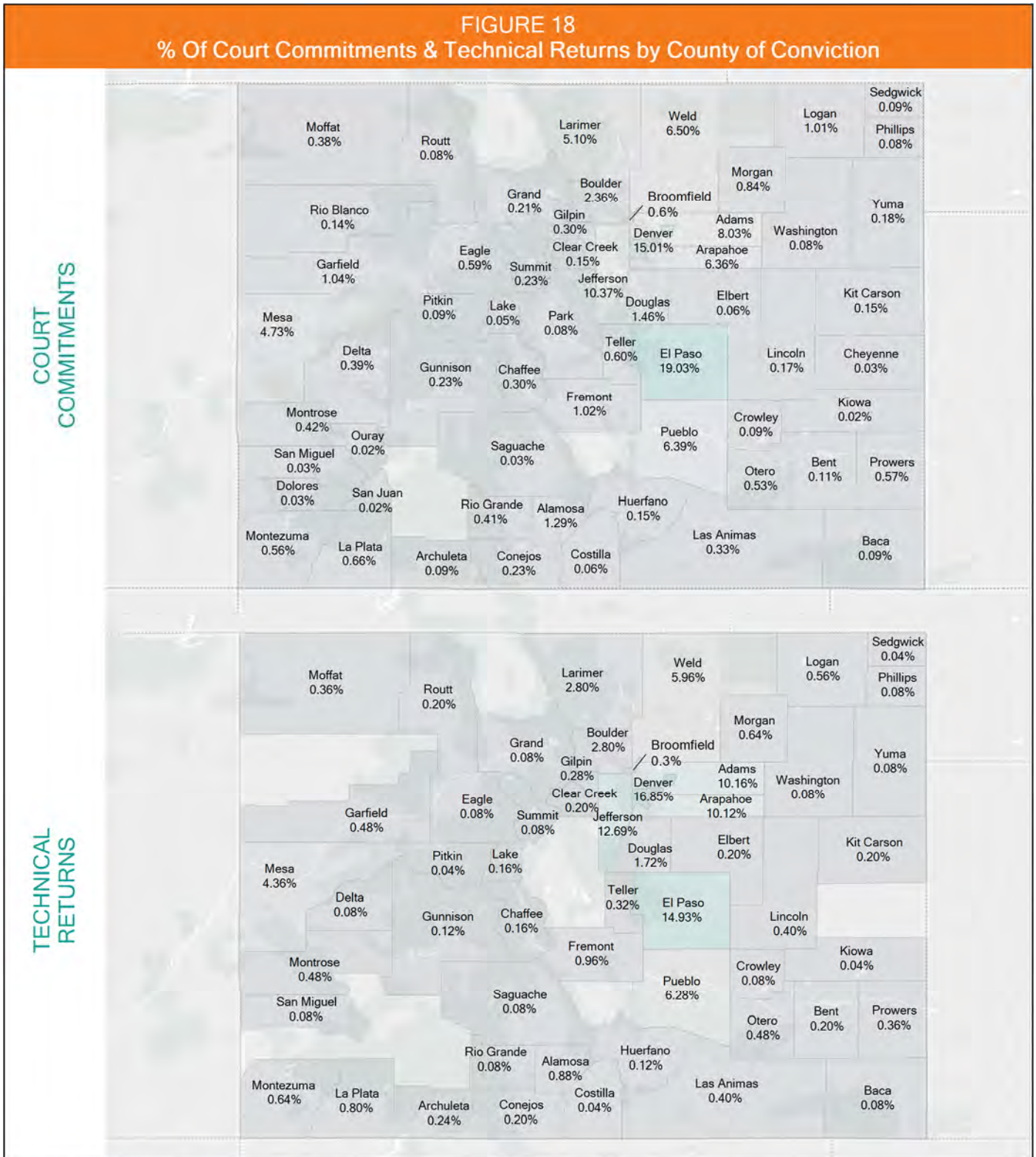


*Values may not total 100% due to rounding error.

COUNTY OF COMMITMENT

Figure 18 displays the percentage of court commitments and technical returns from each county in the state. El Paso County represents

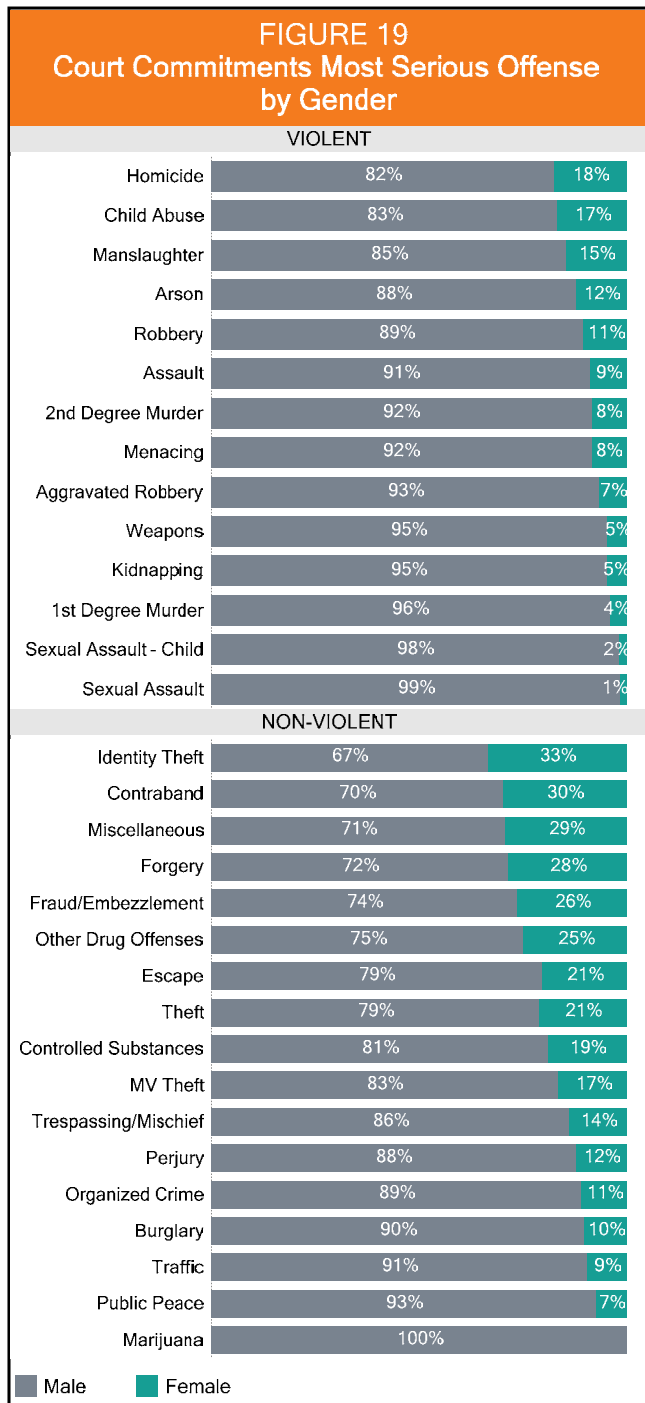
the largest proportion (19.03%) of new commitment admissions. Denver County continues to represent the largest proportion (16.85%) of technical return admissions.



*Values may not total 100% due to rounding error.

GENDER COMPARISON

Figure 19 divides each crime category between genders.



LENGTH OF STAY

The Correctional Population Forecast⁴ issued

⁴ Harrison, L. *Colorado Division of Criminal Justice Correctional Population Forecasts, January 2017.*

annually by the Division of Criminal Justice (DCJ) estimates the average length of stay of new court commitments and parole returns with a new crime. 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 actual time served for offenders released during the same year. **Table 4** displays projected lengths of stay based on class of felony (F1–F6) and type of crime (extraordinary risk, sex, and other).

TABLE 4 Estimated Avg. Length of Stay (Months)				
FELONY/TYPE	NEW COMMITMENTS		PAROLE RETURNS	
	MALE	FEMALE	MALE	FEMALE
F1	Life	Life	Life	0.00
F2 Extraordinary	202.99	162.97	117.67	0.00
F2 Sex	231.46	102.25	0.00	255.60
F2 Other	81.38	58.32	35.09	0.00
F3 Extraordinary	100.06	73.57	62.28	41.01
F3 Sex	87.52	56.63	3.08	0.00
F3 Other	53.84	51.40	52.85	45.90
F4 Extraordinary	46.48	37.81	42.55	27.49
F4 Sex	35.52	30.78	37.97	0.00
F4 Other	27.83	21.33	34.94	28.06
F5 Extraordinary	20.77	16.49	19.44	16.63
F5 Sex	20.99	41.58	27.36	0.00
F5 Other	16.08	12.30	23.01	16.56
F6 Extraordinary	11.08	12.58	10.44	0.00
F6 Sex	10.53	25.57	10.67	0.00
F6 Other	8.16	7.45	12.49	13.93
Drug Felony (DF) 1	70.11	0.00	0.00	0.00
Drug Felony (DF) 2	35.30	0.00	0.00	0.00
Drug Felony (DF) 3	24.38	0.00	0.00	0.00
Drug Felony (DF) 4	5.56	4.63	9.26	9.83
DF 1 Extraordinary	82.95	56.53	78.72	0.00
DF 2 Extraordinary	43.75	40.89	69.91	40.33
DF 3 Extraordinary	21.51	20.14	34.20	38.40
DF 4 Extraordinary	7.77	6.37	12.00	0.00
Habitual	172.85	0.00	175.95	0.00
TOTAL AVG.	42.31	24.34	42.71	28.24

Note: FY 2016 Statistical Report Table 4 reports DF4 male new commitment stay as 68.89 and DF4 Ext male new commitment stay as 80.08. These values are actually 6.89 for DF4 and 8.08 for DF4 Ext.

HABITUAL OFFENDER SENTENCES

Figure 20 summarizes court commitments with habitual convictions. Forty-one offenders were sentenced under habitual offender provisions for his or her most serious offense in FY 2017, of which none were sentenced under pre-HB 93-1302 law. It should be noted that some offenders who received habitual sentences are not reported here if the 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 who were sentenced before HB 93-1302 was passed received a life sentence with parole eligibility after 40 years or a 25 to 50-year sentence. Those sentenced after HB 93-1302 was passed received a sentence at three times the maximum of the presumptive range for two previous convictions and four times the maximum for three previous convictions.

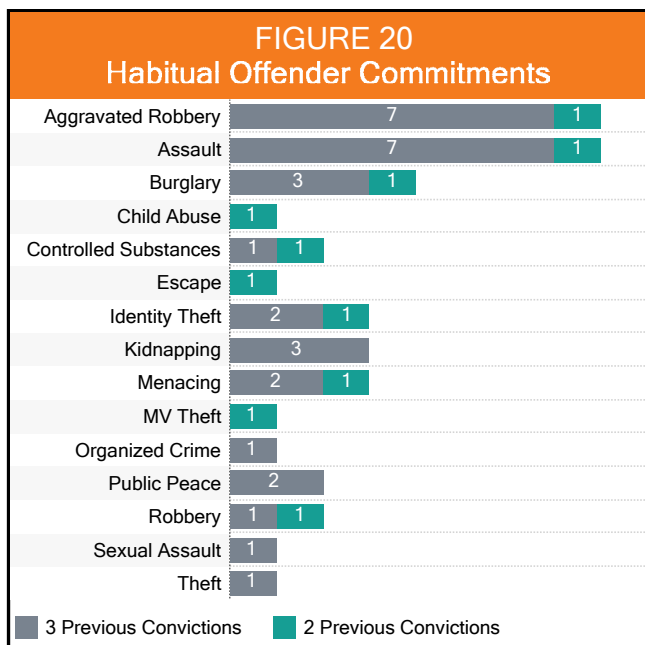


Table 5 shows the average, maximum and minimum sentences for those with two or three previous convictions.

TABLE 5 Habitual Offender Sentences (Years)		
	2 Previous Convictions	3 Previous Convictions
Average Governing Years	23.7	51.7
Maximum Governing Years	72.0	192.0
Minimum Governing Years	0.5	2.0

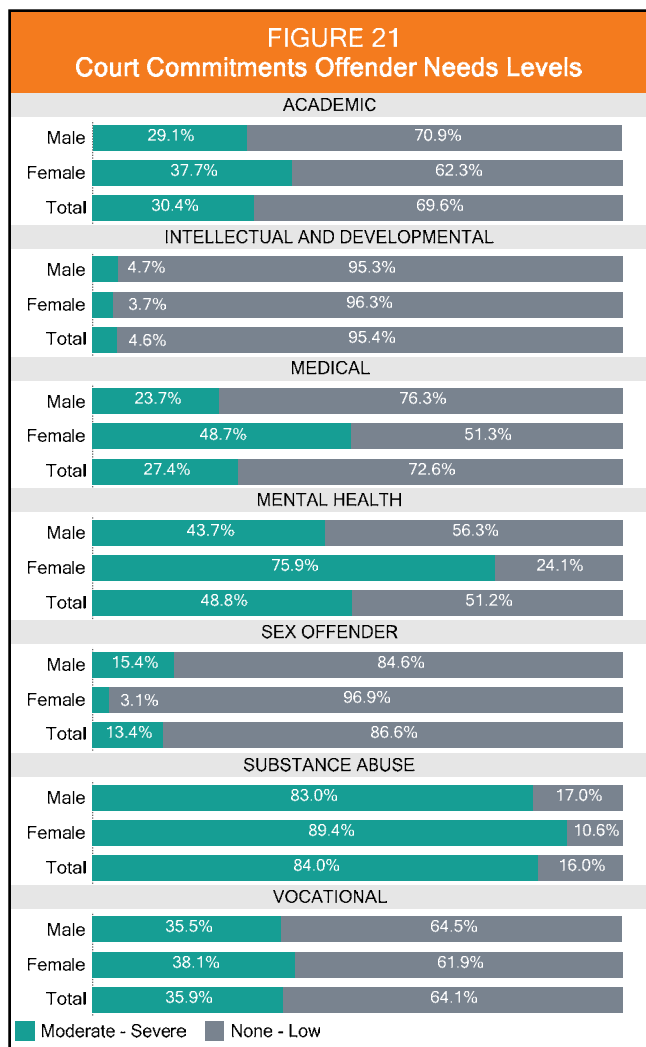
LIFETIME SUPERVISION SEX OFFENDERS

Legislation enacted in 1998 requires most 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 6** details the class of felony and average minimum sentences for offenders sentenced to prison under the Lifetime Supervision Sex Offender Act in FY 2017; three were females. The data shown in Table 6 may not represent all commitments sentenced under the act, 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 6 Lifetime Supervision Sentences (Years)		
	Average Minimum Sentence	Number of Offenders
Felony Class 2	45	5
Felony Class 3	30	73
Felony Class 4	5	55
TOTAL AVERAGE	20	133

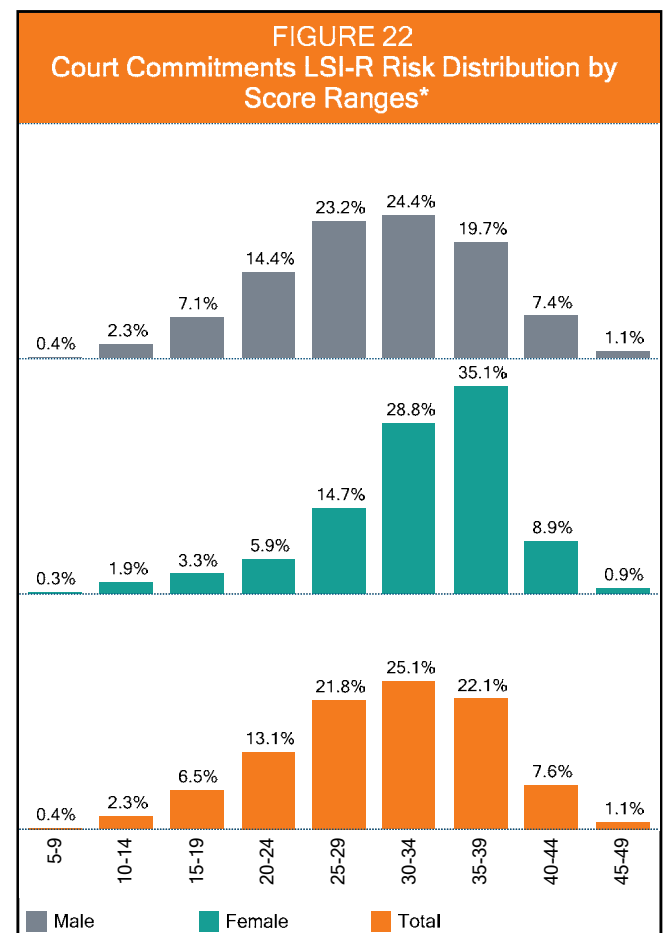
RISK & NEEDS ASSESSMENTS

Initial needs levels are calculated during the diagnostic process for court commitments and are used to identify offenders for placement in services. These needs levels are assessed through a combination of methods including; observation, interviewing, self-reporting, standardized testing, and review of criminal justice records. Each needs level is rated on a scale of 1-5, with higher scores representing greater needs. **Figure 21** compares the ratio of court commitments with moderate-to-severe needs (Levels 3-5) in each area to the ratio of none-to-low needs (Levels 1-2). Offenders



with moderate-to-severe needs are targeted for services in that area. The highest needs areas overall are substance abuse, followed by mental health and vocational needs. Females have higher academic, medical, mental health, substance abuse, and vocational needs, but have lower sex offender treatment and intellectual and developmental needs compared to males.

Figure 22 shows risk distribution of male and female court commitments, as assessed using the LSI-R (Level of Supervision Inventory - Revised.) The most common score range is 30–34 for males and 35–39 for females.



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RELEASES

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

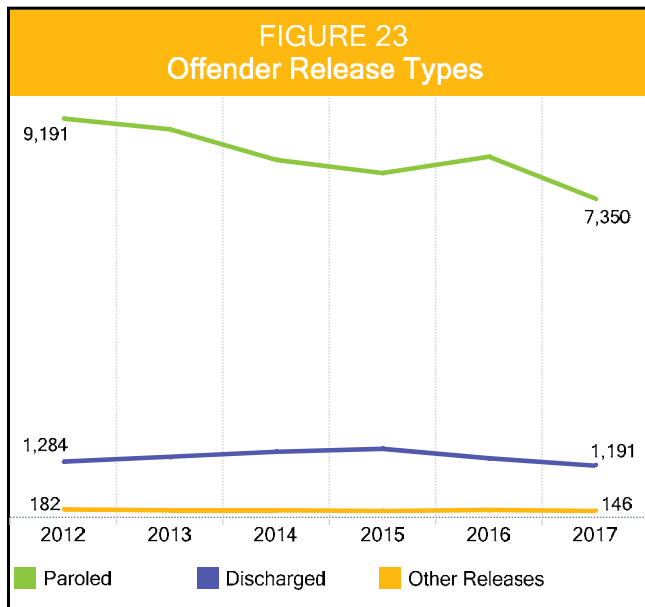
Three main release categories are used by the CDOC: parole release, sentence discharge, and other releases. Parole releases include offenders who are granted discretionary parole by the Parole Board, offenders who serve his or her maximum sentence and release on his or her mandatory release date, and offenders who re-parole after having his or her parole revoked. Offenders with certain class 4-6 felonies who do not receive discretionary parole may release 30-60 days before his or her 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 June 30, 2002. 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 were finalized in July 2001 and as a result, sex offenders convicted of offenses between 1993 and 2002 are not subject to the mandatory parole provisions. This resulted in 220 sex offenders completely discharging his or her prison sentence in FY 2017. An appellate court decision in *People v. Falls*, Case 00CA2169, ruled that habitual offenders with dates of offense between July 1, 1993, and June 30, 2003, fell into the same category as Martin/Cooper and were not required to serve a mandatory period of parole. Other releases include release to probation, court-ordered discharge, and deaths in custody. This release type makes up a very small percentage of the overall annual releases, totaling 1.7% of releases in FY 2017

RELEASES BY TYPE

Offender releases increased between FY 2015 and FY 2016 after a three-year decrease. In FY 2017, releases began to decrease again,

dropping by 11.8% (see Figure 14, pg. 11). An examination of release types shows that offender release rates correspond closely with the number of releases to parole (**Figure 23**).



The CDOC implemented procedural changes in December 2005 that affected offenders scheduled for weekend parole release. Releases on mandatory release dates or mandatory re-parole dates falling on a weekend day or observed federal holiday were released a few days earlier resulting in offenders being reported on discretionary parole instead of mandatory parole or re-parole. Since December 2008, weekend releases have been coded separately from discretionary parole releases. **Figure 24** shows the breakdown of parole releases by fiscal year beginning in 2012. The decrease in total parole releases in FY 2017 is attributable to a decrease in both discretionary and mandatory parole releases.

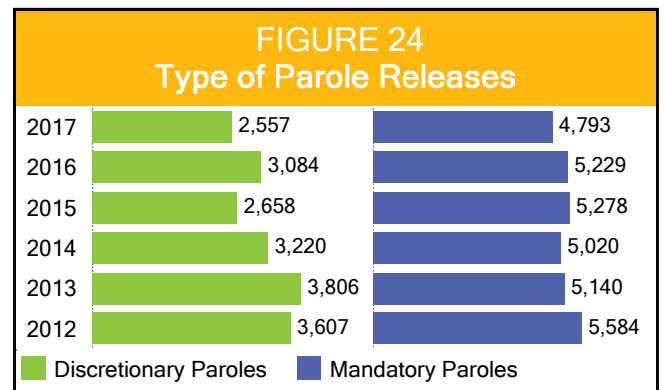
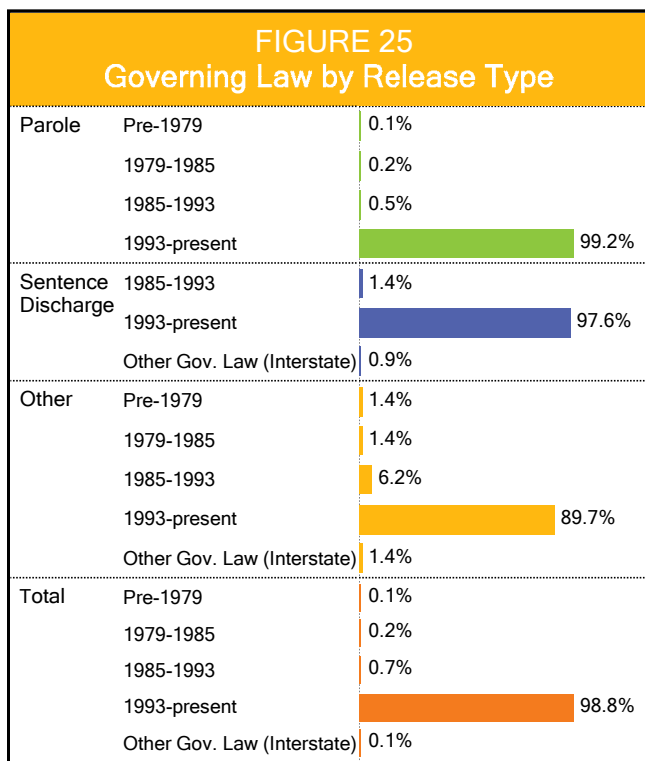


Table 7 provides details of releases by type and gender for FY 2017. Approximately 13.7% of these annual releases were sentence discharges.

TABLE 7 Offender Release Types by Gender			
	Male	Female	Total
PAROLE			
Discretionary	2,139	418	2,557
Mandatory	2,226	260	2,486
Mandatory Re-parole	1,177	159	1,336
HB 1351 Mandatory	784	187	971
SUBTOTAL	6,326	1,024	7,350
SENTENCE DISCHARGE			
Discharge	873	131	1,004
Discharge to Pending Charges	119	17	136
Discharge to Detainer	37	8	45
Martin/Cooper Discharges	6	0	6
SUBTOTAL2	1,035	156	1,191
OTHER			
Deceased	53	4	57
Probation	48	8	56
Court Ordered Discharge	30	3	33
Colorado State Hospital Transfer	0	0	0
Appeal Bond	0	0	0
SUBTOTAL	131	15	146
TOTAL RELEASES	7,492	1,195	8,687

The majority of offenders that released were governed by current law (1993–present), which requires a period of parole supervision (**Figure 25**). Only 1.4% of offenders who discharged his or her sentence were not required to serve a period of parole. The other 98.6% of offenders who discharged from facilities did so because they had returned to facilities after violating their parole, and then discharged from offender status by reaching sentence fulfillment without re-paroling.

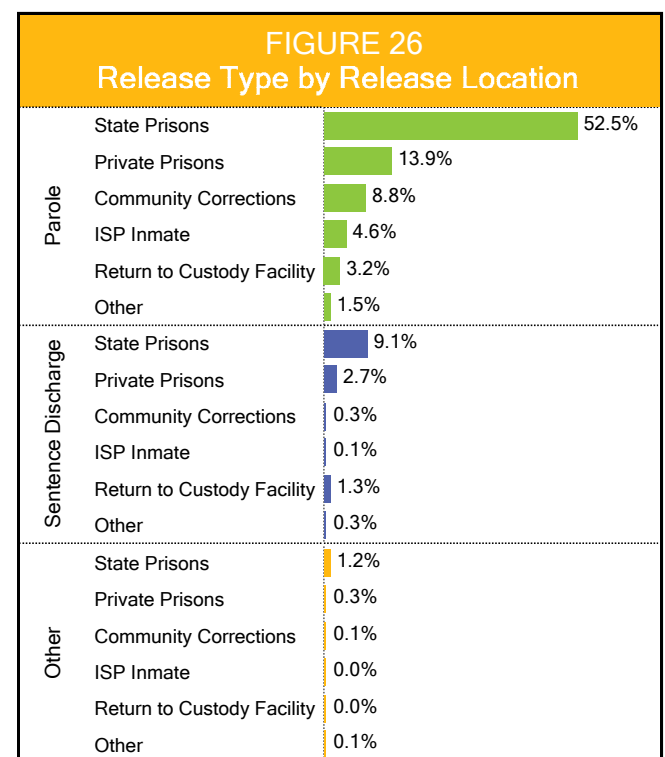


Note: Other includes Probation, Court-Ordered Discharge, Deceased, Dual Commitment and Appeal Bond.

*Values may not total 100% due to rounding error.

Figure 26 illustrates the rate of releases by type and location. Releases are not shown by specific prison facilities because offenders often release from a transport hub. The majority of offenders released from state

prisons to parole. Approximately 13.4% successfully transitioned from prison to parole via community corrections and/or ISP offender status. More offenders released from private prisons in FY 2017 than in previous years. This is attributable to a large number (968) of releases directly from Cheyenne Mountain Re-entry Center. Approximately 4.5% returned to parole or discharged his or her sentence from a return-to-custody facility. Offenders who are under the supervision of other jurisdictions but are sentenced to CDOC are reported in “Other.” Those jurisdictions include the Colorado Mental Health Institute at Pueblo (CMHIP) and other state facilities, dual commitments to Colorado and interstate compact, and the federal system.



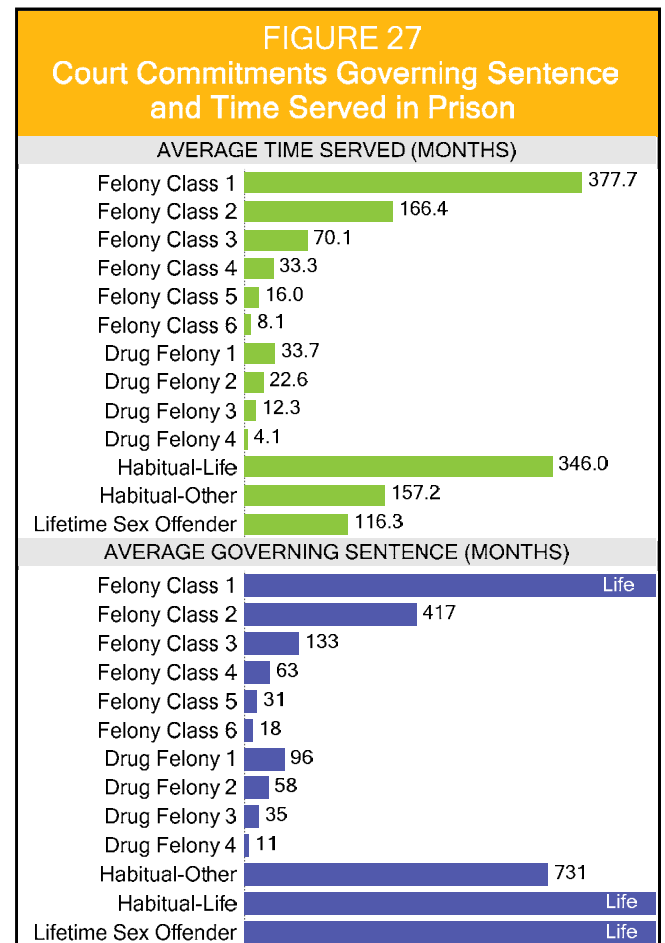
Note: Other includes Probation, Court-Ordered Discharge, Deceased, Dual Commitment and Appeal Bond.

*Values may not total 100% due to rounding error.

TIME SERVED IN PRISON

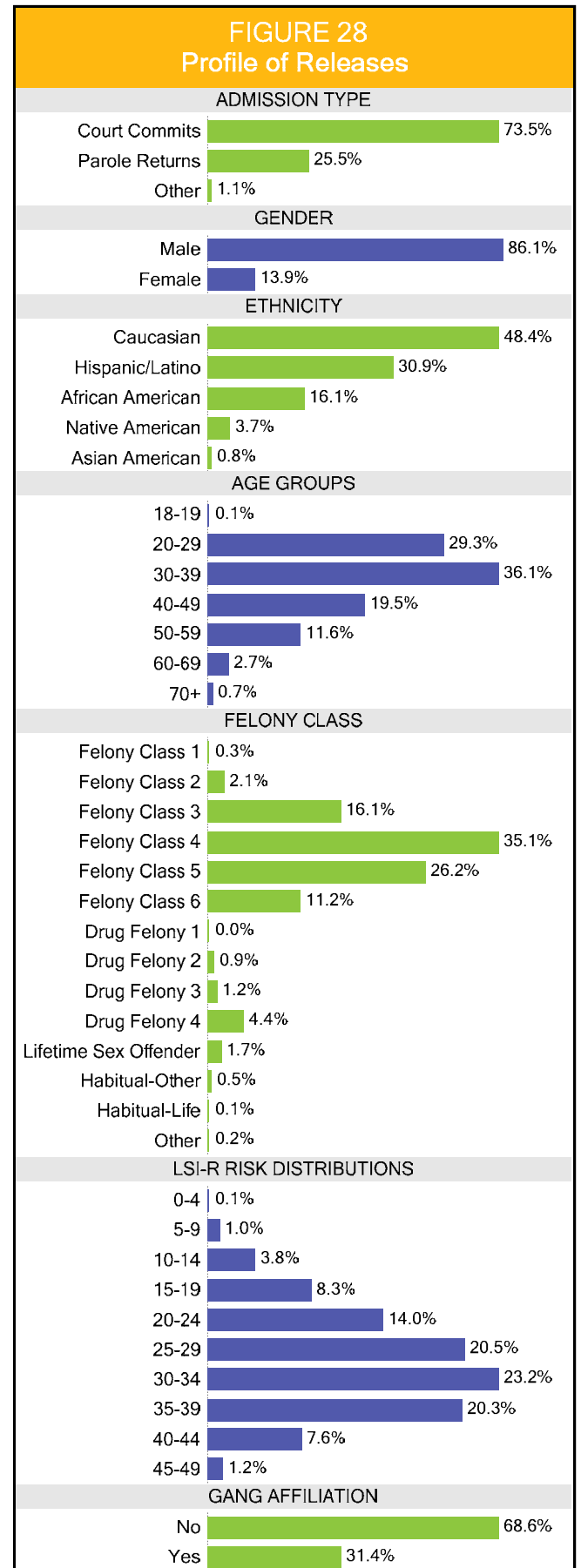
The time served in prison in relation to governing sentence was analyzed in **Figure 27**. For FY 2017, the governing sentence determines the Mandatory Release Date (MRD) or Statutory Discharge Date (SDD) release date. Once an offender paroles, the statutorily mandated parole period governs. If the offender is revoked for a technical violation, the parole period continues to govern. If an offender is revoked due to a new conviction, the governing sentence can be either the new conviction or the existing parole period. The sentence resulting in the latest mandatory release or statutory discharge date will govern. If the new conviction is ordered to run consecutively to the existing parole sentence, both sentences will be part of the governing scheme. The broad presumptive sentencing ranges, combined with enhanced sentencing and concurrent or consecutive sentencing provisions create vast differences within each crime category and felony class. Time served in prison does not include time served for previous incarcerations, time credits awarded for probation or diversionary programs, jail credits, and pre-sentence confinement awards. However, time spent in county jail (backlog) waiting for prison bed space after sentencing is included as time served in prison. A limited definition was used to represent the amount of time that newly

sentenced offenders might spend in prison. Only court commitments that released to parole or discharged his or her sentence were included in the comparison. Governing sentences and imprisonment time noticeably increase with felony class. Habitual offenders and lifetime-supervision sex offenders also serve extended sentences. Habitual offenders essentially serve the same amount of time as Class 2 felons; lifetime sex offenders serve an average total time between that of Class 2 and Class 3 felons. It is noted that many offenders in the lower felony class ranges (Class 5-6) may have first been sentenced to probation or diversion but re-sentenced to serve a term of imprisonment due to a technical violation or new crimes.



PROFILE OF OFFENDER RELEASES

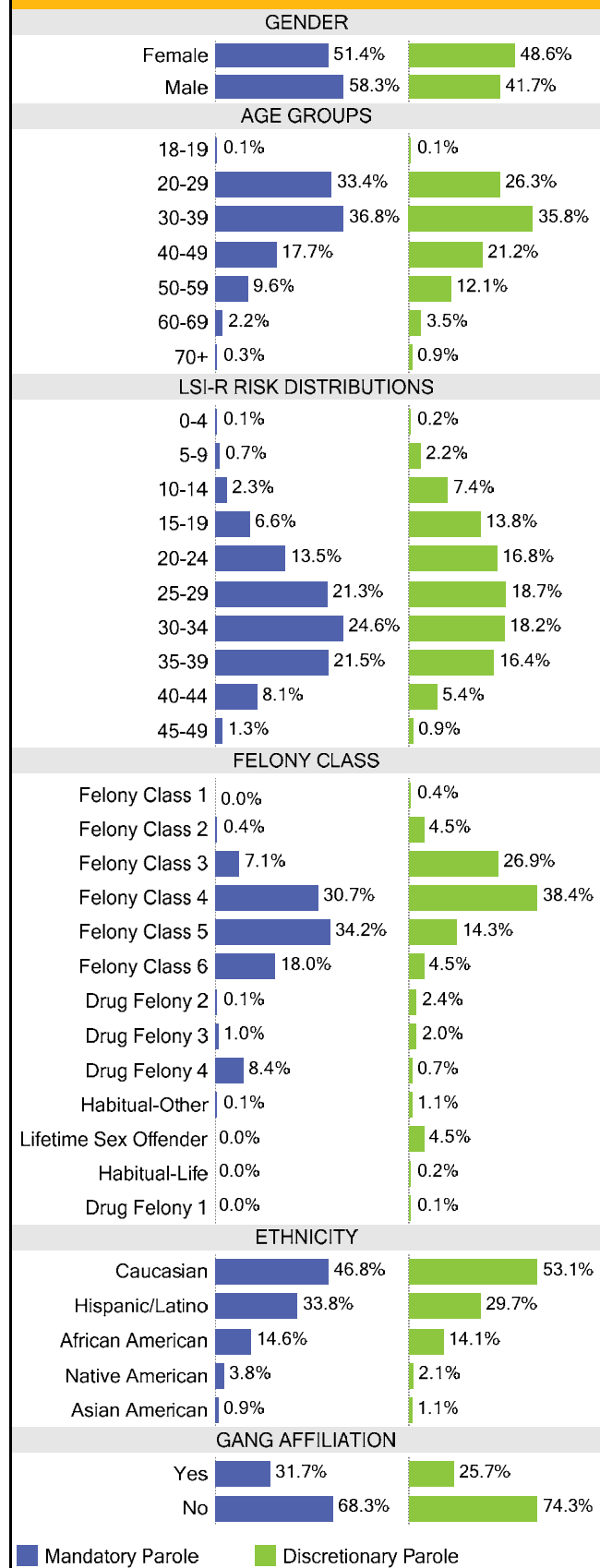
Demographic and sentencing data was examined for the FY 2017 release cohort (**Figure 28**). Certain offenders may release more than once during a given year (particularly those who violate the conditions of parole). To most accurately represent the characteristics of the individuals who release from offender status, each offender was included in the release profile only once. Consequently, the profile cohort included 7,208 males and 1,166 females, totaling 8,374 offenders. An exploration of the profile data by release type revealed few meaningful differences, so the data is not displayed here. In **Figure 29** the differences between offenders who release on discretionary parole and those who release on mandatory parole are compared. As in previous comparisons, 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 2,553 discretionary parole releases and 3,429 mandatory parole releases, totaling 5,982 offender releases. Offenders who released on discretionary parole during FY 2017 were more likely to be female, Caucasian, older than 40, and have no gang affiliation. Offenders with more serious felonies were more likely to receive discretionary parole, but for many



*Values may not total 100% due to rounding error.

(those convicted of Class 1 felonies and lifetime sex offenders) release can only be granted by the Parole Board. The LSI-R risk distributions indicate a tiered sequence of risk levels, whereby offenders with increased risk are less likely to be granted discretionary parole.

FIGURE 29
Mandatory v. Discretionary Parole Releases

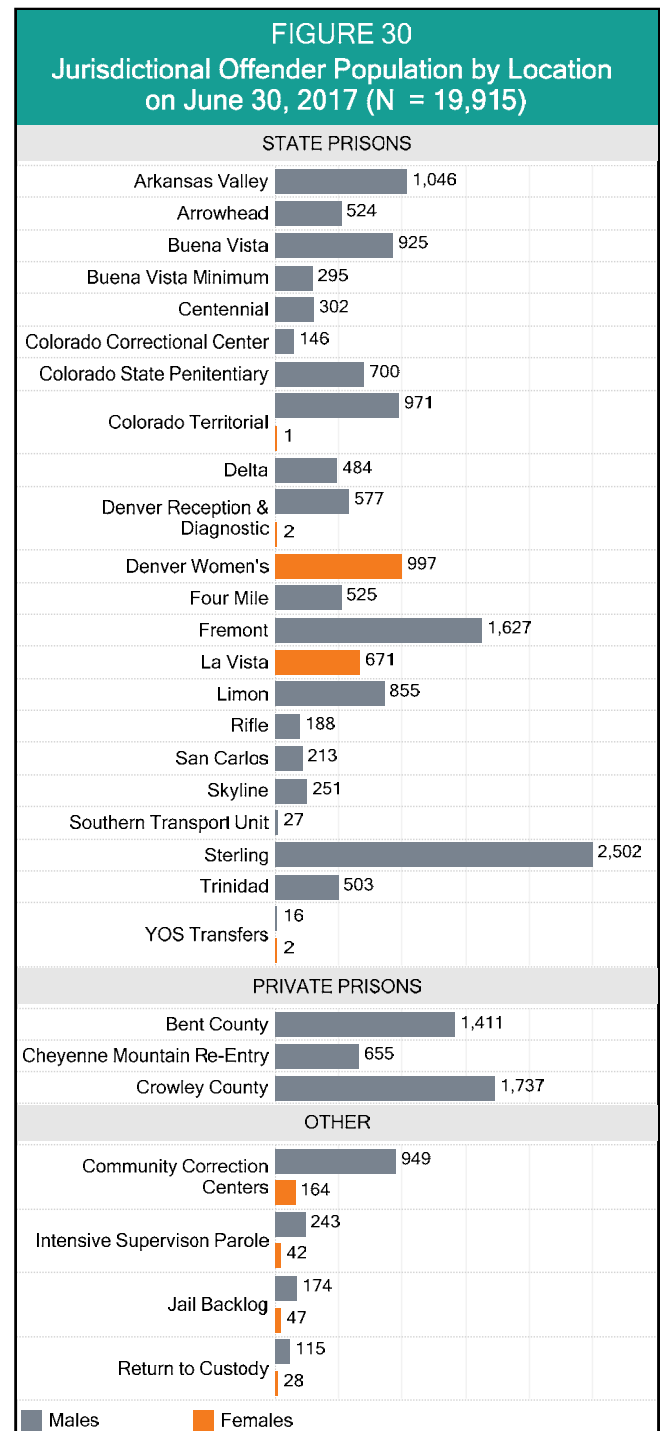


*Values may not total 100% due to rounding error.

OFFENDER POPULATION CHARACTERISTICS

OFFENDER POPULATION

This section explores and summarizes the adult jurisdictional offender population. **Figure 30** shows the number of offenders by location on the last day of the fiscal year (excluding 186 fugitives). The majority of offenders (72.1%) were in state prisons, 19.1% were housed in private prisons or jail backlog, and 8.8% were in the community. Jail backlog includes offenders awaiting placement into the CDOC as a court commitment, parole return for a new crime or technical violation, or regression from a community placement. In the case of certain eligible parole violators, jail backlog includes those awaiting placement in a community return-to-custody facility. The three private prisons used in FY 2017 house only male offenders. Denver Women's Correctional Facility and La Vista Correctional Facility exclusively house female offenders. Females may be placed in the infirmary at the Denver Reception and Diagnostic Center or Colorado Territorial Correctional Facility on a temporary basis for medical treatment or evaluation.



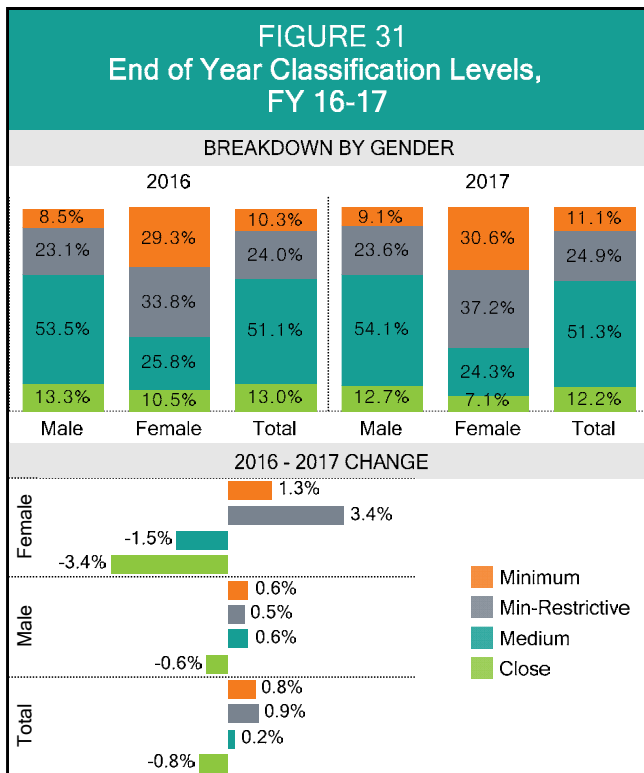
CUSTODY CLASSIFICATION & STATUS

All offenders are assessed upon intake into the CDOC and then re-assessed at different intervals during his or her incarceration. These assessments are completed to determine the most appropriate housing placement. There are separate instruments for each gender for both the initial and reclassification assessments.

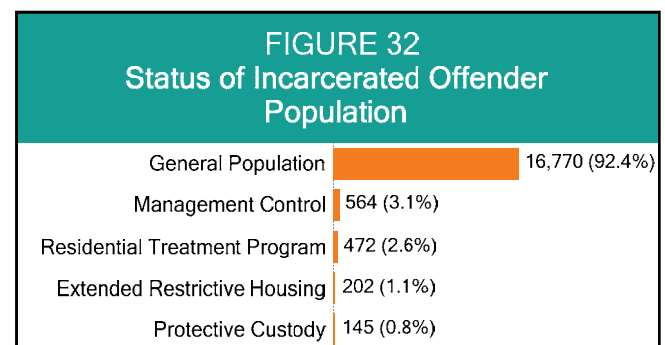
Figure 31 provides a comparison of offender custody levels at the end of FY 2016 and FY 2017. Over the last several years changes in custody designations have occurred. This has included the elimination of administrative segregation as a classification status and creation and implementation of Extended Restrictive Housing (ERH), which is designed for offenders who have demonstrated (through

behavior) that they pose a risk to the safety and security of a general prison population; ERH is the most restrictive housing option in CDOC. Protective Custody (PC) was added in 2013 to provide a non-punitive housing option for offenders who would be at substantial risk of harm if placed in general population housing. The Residential Treatment Program (RTP) is designated for offenders with mental illness or intellectual disabilities who are participating in specialized programs designed to promote pro-social behavior.

Figure 32 shows that 92.4% of the offenders in prison facilities are in the general population and 7.6% have one of the status designations. Since FY 2012, the effort to remove all offenders housed in administrative segregation has been successful. As of July 2014, all offenders were removed from administrative segregation conditions by way of a step-down and Extended Restrictive Housing processes, though punitive segregation is still used to house offenders serving disciplinary sanctions.

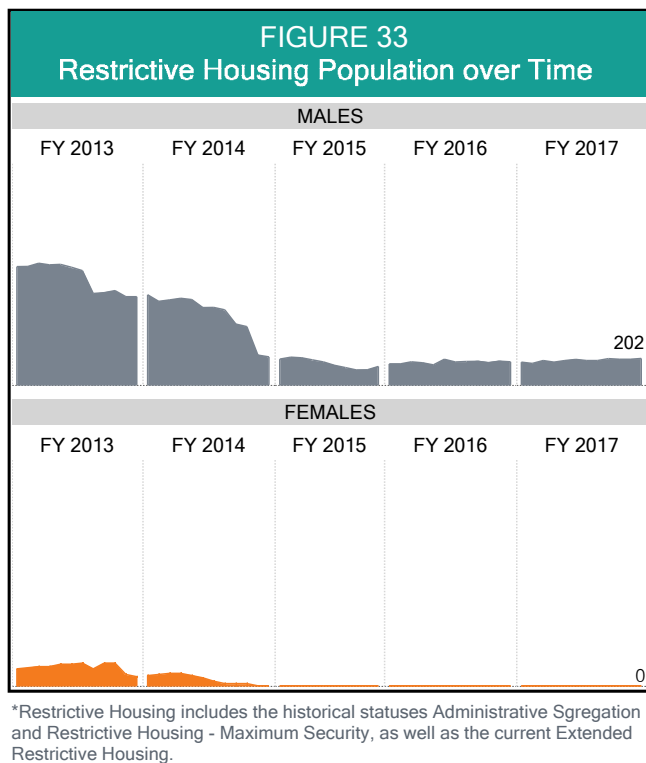


*Values may not total 100% due to rounding error. Does not include offenders who were unclassified at the end of each fiscal year.



*Values may not total 100% due to rounding error.

Figure 33 shows the changes in the population over time that have occurred because of these efforts. This population peaked in September 2011 with 1,505 offenders (7.4%) in administrative segregation. This number dropped to 202 offenders (1.1%) housed in Extended Restrictive Housing at the end of FY 2017.



MOST SERIOUS OFFENSE

Figure 34 contains the most serious offense distribution for the adult offender population on June 30, 2017. Fifty-seven percent (57.7%) of the currently incarcerated offender population has a violent offense while only 34.9% of new court commitments have a violent offense. From 2010 to 2017, numerous legislative bills were passed in an effort to

reduce the offender population (Overview and Appendix sections). 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 offender population now includes a higher proportion of offenders with more serious crimes and longer sentences.

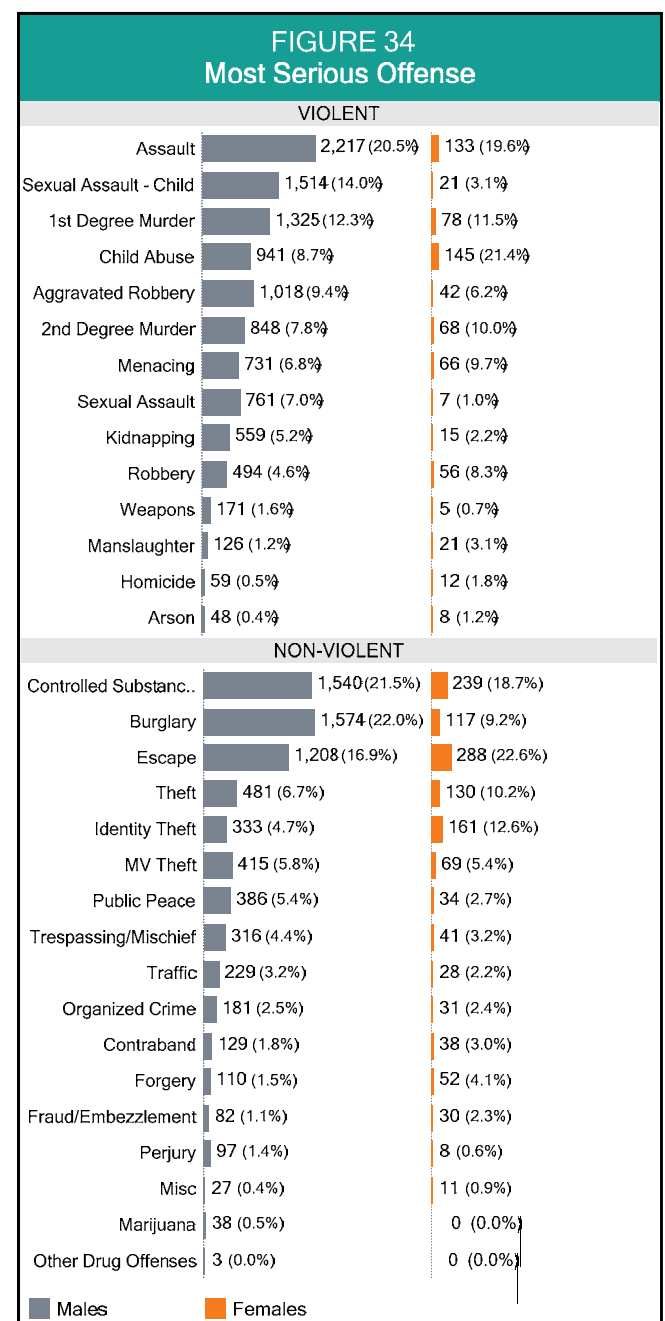
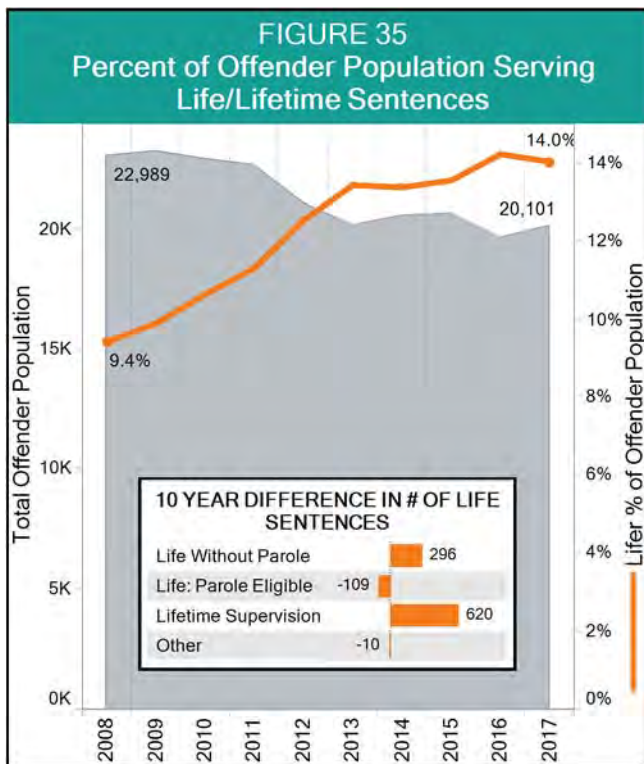
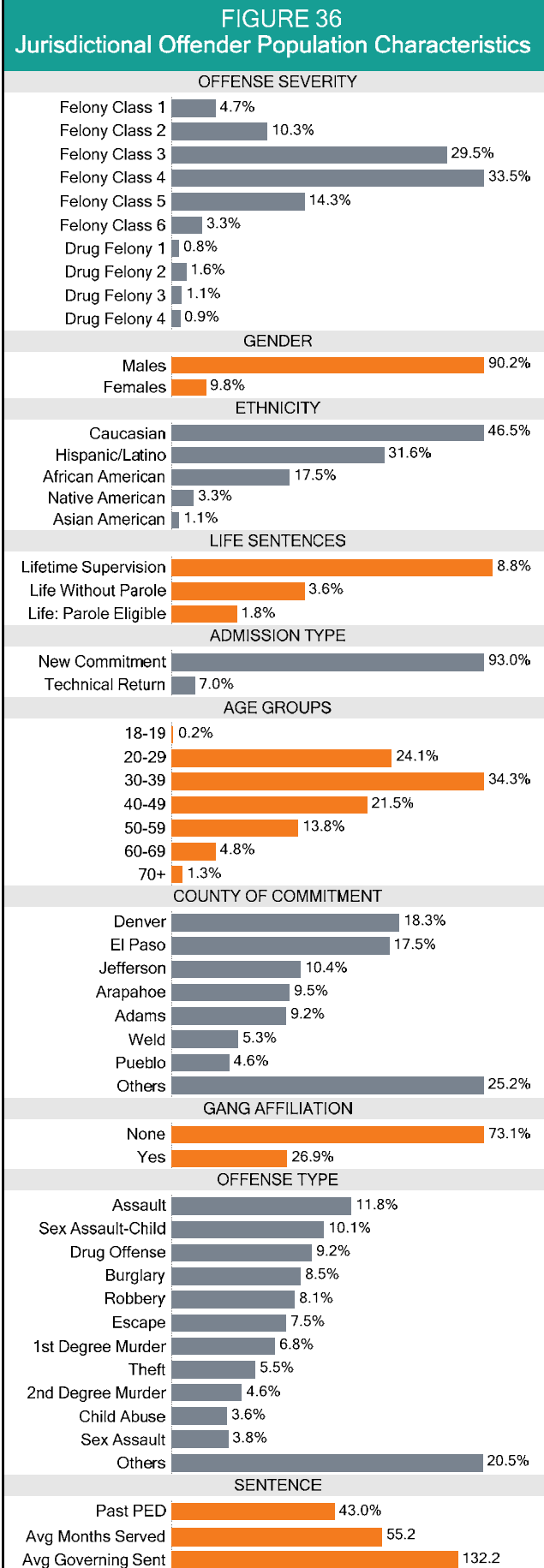


Figure 35 shows a 10-year history of the total offender population and the percent serving life or lifetime sentences. As shown, even during periods of population decline, life and lifetime offenders continued to account for a greater percentage of the population. A large proportion of the increase is due to offenders sentenced under lifetime supervision. Offenders serving life without parole sentences has risen by 4.6% over the past decade. Over the same period, the offender population decreased by 12.6%.



OFFENDER PROFILE

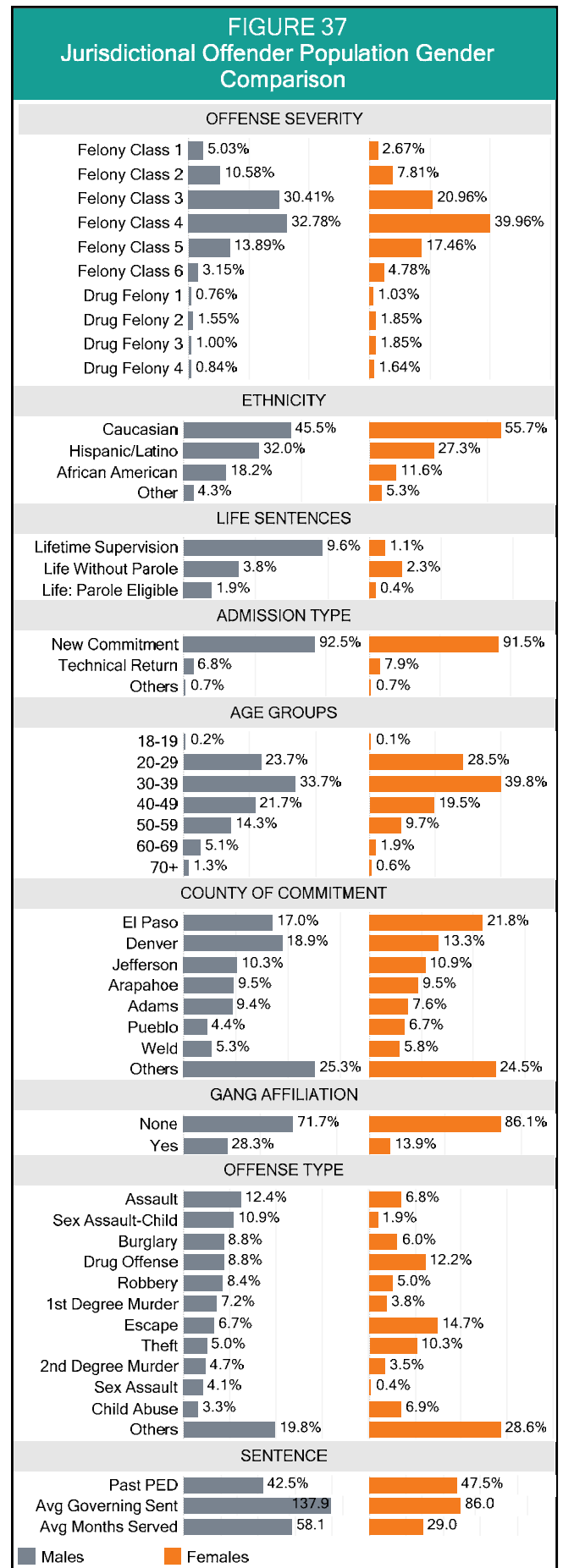
Figure 36 shows the profile of the total offender jurisdictional population on June 30, 2017. The total offender jurisdictional population includes offenders in jail, prison,



*Values may not total 100% due to rounding error.

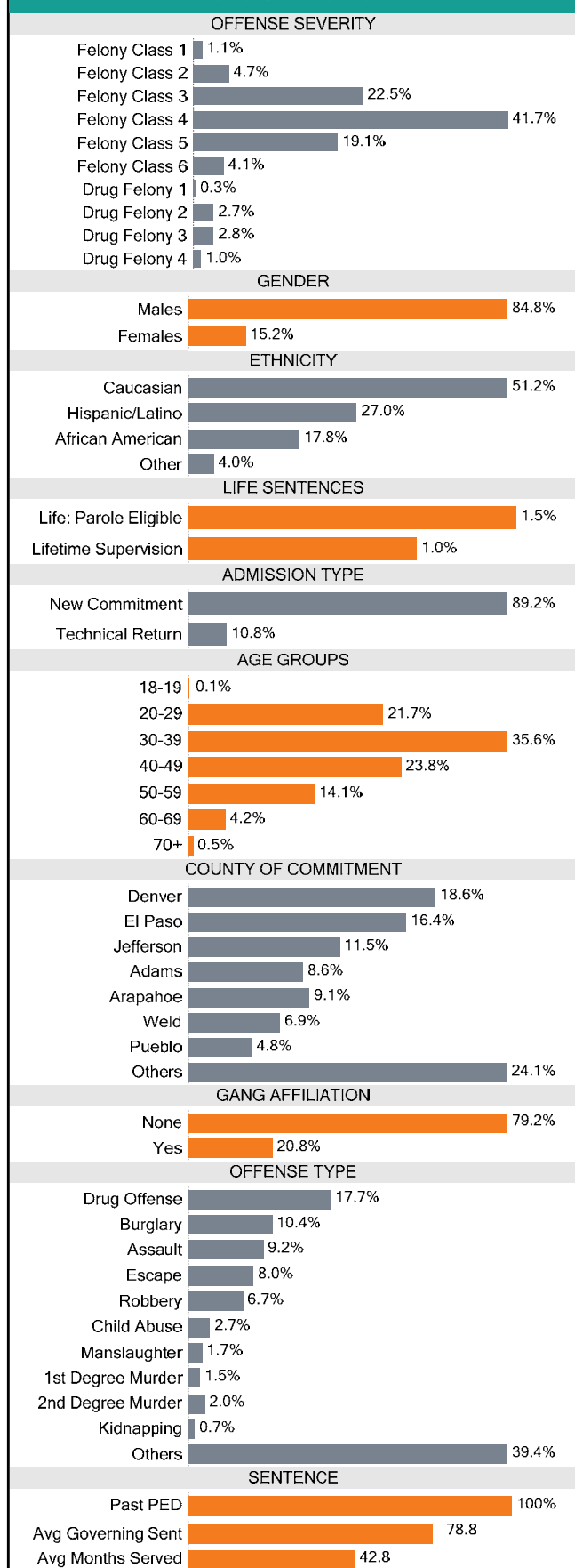
and the community but does not include fugitives. Offenders were predominantly male (90.2%), Caucasian or Latino (78.1%), and between the ages of 20–49 (79.9%). Of this population, 14.2% of offenders were serving sentences with a maximum term of life; 1.8% of those serving life sentences will be parole eligible. The average maximum governing sentence of the offender jurisdictional population was 132.2 months, or 11.0 years. In contrast, offenders had only served an average of 55.2 months (4.6 years) on average. Parole Eligibility Date (PED) is calculated as 50% of the maximum governing sentence length minus pre-sentence confinement awarded by the court. Mandatory release date (MRD) is calculated as 100% of the maximum governing sentence length minus any pre-sentence confinement awarded by the court. Various types of earned time awards can be applied to both PEDs and MRDs to reduce the actual amount of time spent incarcerated.

Figure 37 compares the gender differences of the jurisdictional population. Females differed from males across several categories. Female offenders were less likely to be minorities and more likely to be middle-aged than males were. El Paso County has a higher sentencing rate for women than men while Denver County has a lower sentencing rate for women than men.



*Values may not total 100% due to rounding error.

FIGURE 38
Community-Based Offender Population
Characteristics



*Values may not total 100% due to rounding error.

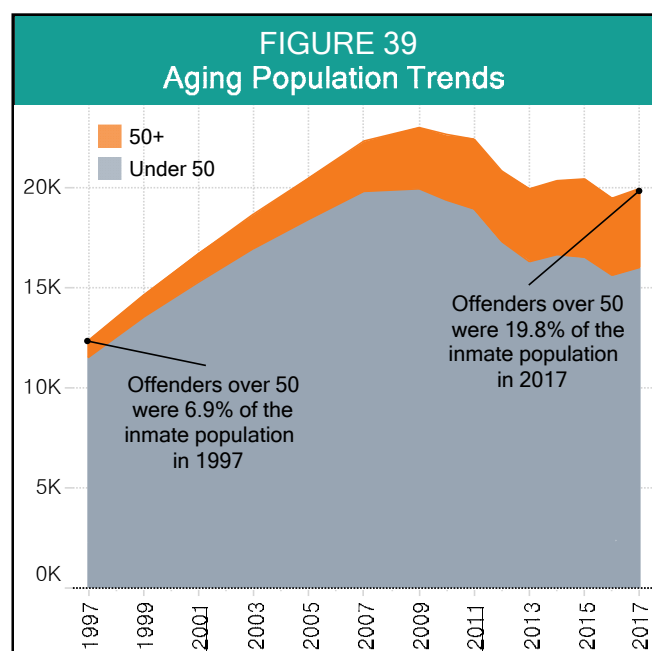
Most serious offenses differed by gender with women being more likely to have a drug or escape conviction as their most serious offense, having a shorter sentence, and being less likely to have a life sentence.

The profile of community offenders is shown in **Figure 38**. This population differed from the total offender jurisdictional population. Because of the community return-to-custody option available to felony Class 4–6 parole violators, there were more offenders serving parole sentences in the community, and these offenders had lower felony classes. Similarly, there were few community offenders serving life or lifetime supervision sentences and all of these offenders were past their PED due to community eligibility requirements. The community corrections population was more likely to be Caucasian between the ages of 30–49 than the jurisdictional population was.

AGING TRENDS

Offenders over 50 years of age are one of the fastest-growing prison populations. Between 1997 and 2010, the number of offenders over the age of 50 grew drastically, increasing by six times the rate of the general prison population. During these years, the number of offenders aged 50 and over increased from 850 to 3,937 (363.2%) while the total population experienced a 61.7% increase (from 12,317 to

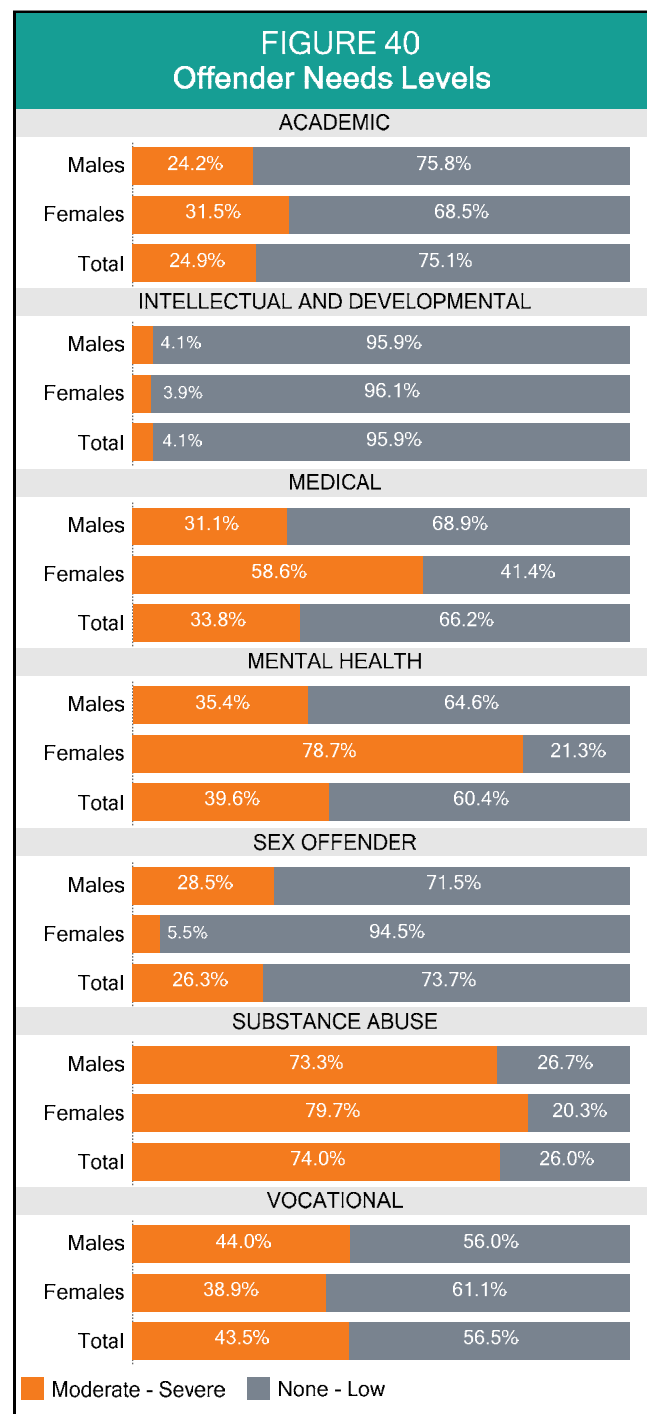
19,915) during the same time (**Figure 39**). This growth is attributed to a combination of factors: aging Baby Boomers representing a larger percentage of the U.S. population ⁵, increased life expectancy among adults, and tougher sentencing laws ⁶. With this aging population come challenges for the criminal justice system including higher medical costs, the need for special housing and programming, and a higher risk of victimization.



NEEDS LEVELS

Figure 40 displays the needs levels of the jurisdictional offender population. Needs are grouped as moderate-to-severe needs (Levels 3-5) and none-to-low needs (Levels 1-2) and are examined by gender. Similar to admissions,

females have higher academic, medical, mental health, and substance needs levels than males. Males have a higher need for sex offender treatment and vocational training than female have.



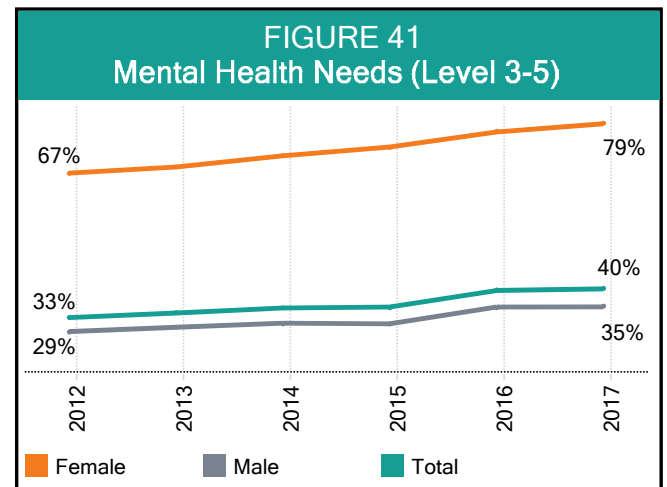
⁵ Administration on Aging. (2011). *A profile of older Americans: 2011*.

⁶ 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, D.C.: U.S. Department of Justice, National Institute of Corrections.

Both genders have similar needs in the area of intellectual and developmental programming. The males and females with high intellectual and developmental needs have equal needs in all other categories. Their needs are greater than the needs of offenders without high intellectual and developmental needs in the areas of academic, medical, and mental health needs. The percent of offenders scoring in each category differed slightly from those of the prison admission cohort. However, the jurisdictional offender population has higher sex offender treatment needs than new admissions. Among the offender population, 43.5% of offenders (versus 35.9% of admissions) had moderate-to-severe vocational needs while only 24.9% of the offender population had moderate-to-severe academic needs (versus 30.4% of admissions). This difference can be attributed, in part, to offenders attaining a GED while incarcerated. The number of offenders with mental illness continues to grow steadily. A disproportionately large number of individuals with mental illness exist within the criminal justice system compared with the U.S. populace. National occurrence rates suggest that rates of mental illness among offenders are nearly three times higher than rates of mental illness in the U.S. population⁷.

Figure 41 shows the percent of offenders with significant mental health needs (Levels 3–5) since FY 2012. Females have consistently displayed the highest need levels. However, the needs of both genders have steadily increased over time.

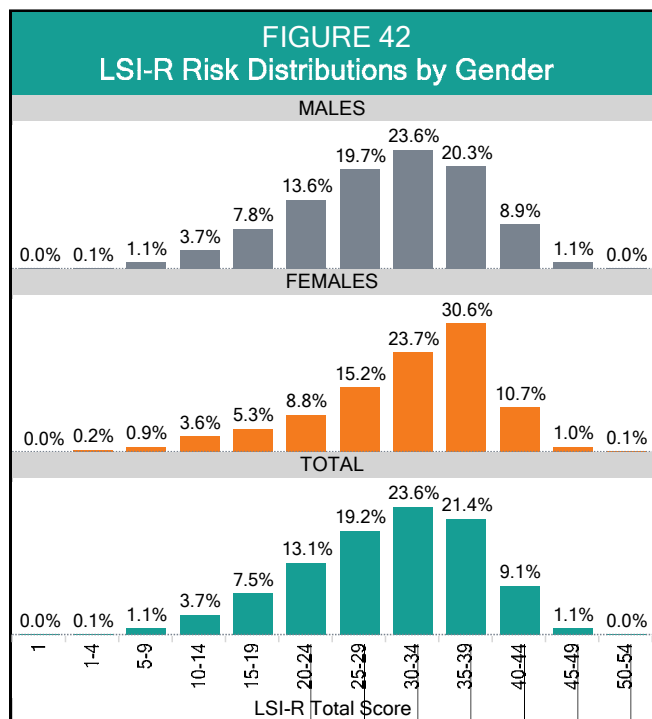


RISK ASSESSMENT

The LSI-R is used to assess risk of offender recidivism. **Figure 42** displays the LSI-R score distributions for both genders within the total offender population. CDOC offenders often score in the higher ranges of the LSI-R scale. Female offenders have higher risk levels than male offenders, which seems inconsistent when looking at the seriousness of their crimes but is likely because the LSI-R assesses a broad range of criminogenic needs. Females have diverse pathways to crime, including sexual abuse, mental illness, substance abuse, and

⁷Fazel, S., Hayes, A. J., Bartellas, K., Clerici, M., & Trestman, R. (2016). Mental health of prisoners: prevalence, adverse outcomes, and interventions. *The Lancet Psychiatry*, 3(9), 871-881.

overwhelming parental responsibilities and therefore typically have higher scores in those areas.



*Values may not total 100% due to rounding error.

REPORTABLE INCIDENTS

The reportable incidents described here include offender assaults on staff, offender assaults on other offenders, fighting, uses of force, offender deaths, and escapes. The CDOC also tracks sexual assaults in compliance with the Prison Rape Elimination Act (PREA). Signed into federal law in 2003, PREA addresses incidents of prison sexual abuse through a zero-tolerance policy. PREA incidents in the CDOC are investigated by the CDOC Office of the Inspector General (OIG) to determine whether a factual basis to the report exists and whether reports meet PREA criteria. The

CDOC is mandated to report this data yearly to the Bureau of Justice Statistics (BJS). PREA data can be found on CDOC's website but is not reported here.

ASSAULTS AND USE OF FORCE

Prison-based incidents are tracked electronically through the Reportable Incident System, which became operational on Jan. 1, 2008. This system has since been used to report incidents department wide. Assaults against offenders and staff include any physical force, hazardous substance (i.e., feces, urine, or chemicals) or item applied against a person intentionally, regardless of whether or not injury occurs. Beginning in July 2013, assaults against staff have been tracked by the type of assault (e.g., with serious injury, without serious injury, hazardous liquid, and spitting). 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 capicum (OC), restraint chair, four or five point restraints, warning shot, or lethal force. **Figure 43** shows a five-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 an increase in all reported areas in

FY 2017. These increases follow a decrease in offender assaults on offenders and use-of-force incidents in FY 2016. The total staff assaults shown do not include incidental contacts or attempted assaults as no injury occurred to staff.

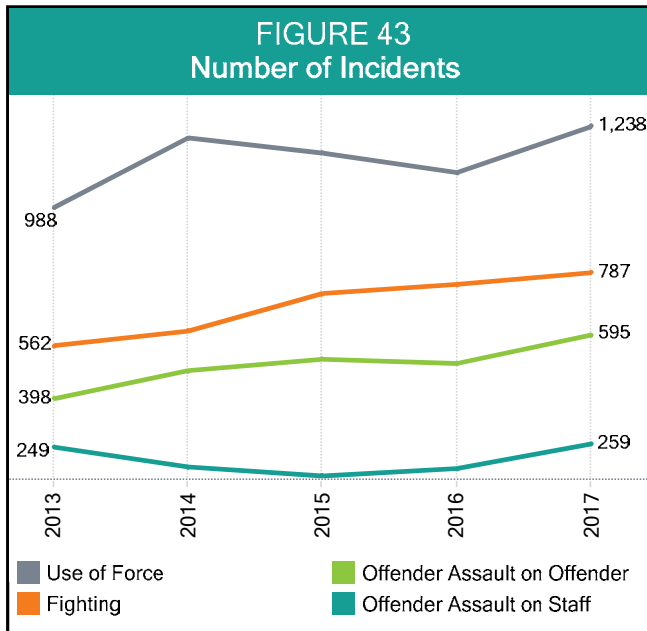
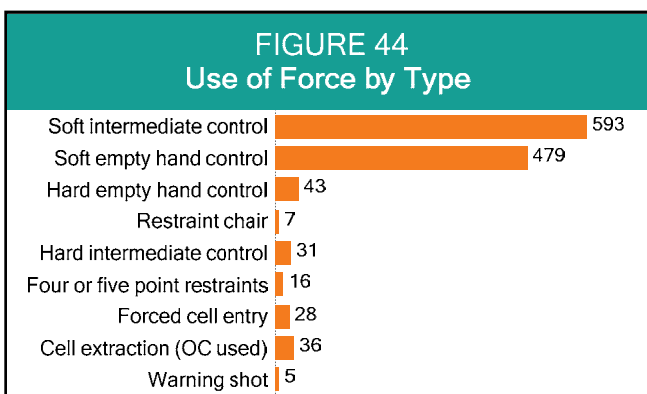


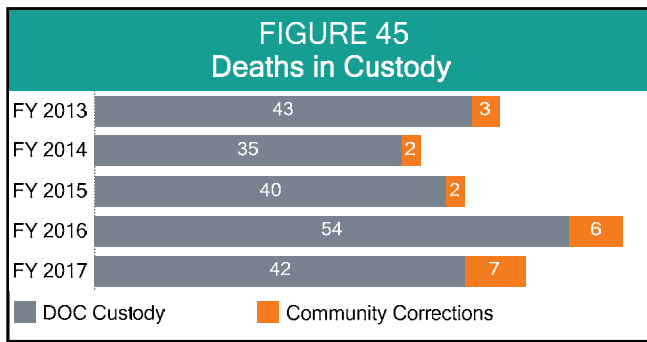
Figure 44 delineates the number of use-of-force incidents during FY 2017 by the use-of-force type.



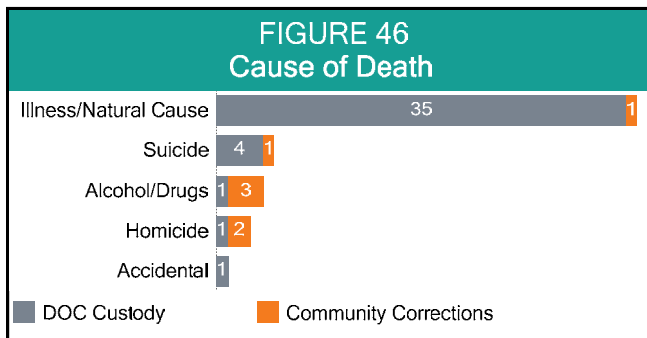
DEATHS IN CUSTODY

CDOC participates annually in the BJS'

Mortality in Correctional Institutions (MCI) program, which collects national, state and incident level data on persons who died while in the physical custody of the 50 state departments of corrections, the federal system, and approximately 3,200 local adult jail jurisdictions. MCI records decedent characteristics, information on whether an autopsy was conducted, the circumstances surrounding the death, and in cases of deaths due to illness, information on whether the decedent had a pre-existing medical condition for which he or she received prior medical treatment. Deaths in custody, as defined by MCI, apply to offenders confined in CDOC facilities, whether housed under CDOC jurisdiction or that of another state (i.e. interstate compact); private facilities; special facilities (medical, treatment, or release centers, halfway houses, police or court lockups, and work farms); and offenders in transit under CDOC jurisdiction. They do not include deaths by execution, deaths in a state-operated facility in another state, deaths of individuals on ISP offender status or deaths of those under probation or parole supervision. During FY 2017, there were 49 deaths in custody, seven of which occurred in community corrections (**Figure 45**). Cause of death is determined by a coroner or medical examiner external to CDOC.



Seventy-three (73.5%) percent of offenders who died did so due to an illness or natural cause (**Figure 46**). Three of the total deaths were female. The average age at the time of death was 58.1 years; when excluding those who died of illness or natural causes, the average age at the time of death was 41.1 years.



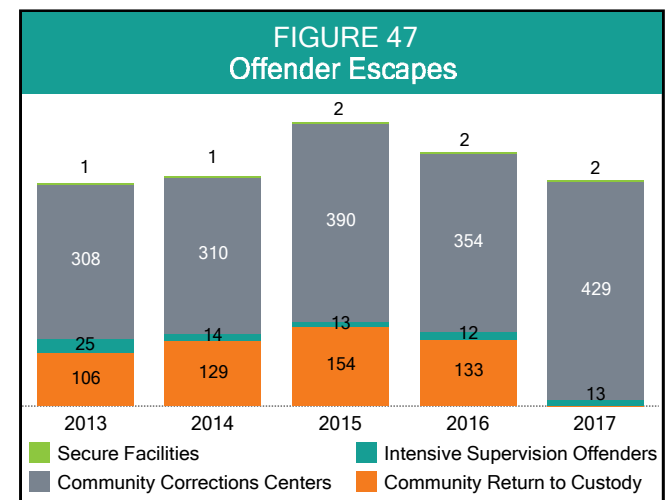
ESCAPES

CDOC defines escape as an act whereby an offender, without proper authority, leaves the confines of the last barrier of a secured facility, the imaginary barrier of an unsecured facility (camp) or a work crew, leaves an escorted trip outside a facility without permission, or fails to return to official custody following temporary leave granted for a specific purpose and for a specified period of time. A court conviction or 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 placements.

Figure 47 provides a five-year history of escapes from secure facilities (state and private prisons), community corrections centers, intensive supervision program (ISP) offender status, and community return-to-custody facilities. There were eight escapes from secure facilities over the last five years:

- FY 2013: Colorado Correctional Center (one)
- FY 2014: Skyline Correctional Center (one)
- FY 2015: Colorado Correctional Center (two)
- FY 2016: Colorado Correctional Center (one), Trinidad Correctional Facility (one)
- FY 2017: Delta Correctional Center (one), Colorado Correctional Center (one)



In FY 2017, escapes from community corrections centers were the most common, followed by escapes from intensive supervision parole (ISP). In August of 2017, HB 17-1326 revoked the Departments' authority to operate community return-to-custody facilities. Because these facilities are no longer being utilized, there were no reported escapes from them in FY 2017. The number of escapes from community corrections centers increased in FY 2017 while the number of ISP offender escapes remained about the same.

PROGRAM PARTICIPATION

To improve the chances of success upon re-entry, offenders have the opportunity to participate in educational, behavioral health and pre-release programs during his or her incarceration. **Figure 48** shows completions by program area across all state and private prisons as determined by earned time awarded. In August 2012, CDOC implemented achievement earned time awards per HB 12-1223 for program completions or milestone achievements and compliance. **Figure 49** shows the participation levels at the end of the month for funded programs. Participation in other elective programs such as *Alcoholics Anonymous*, *7 Habits on the Inside* or *Thinking for a Change* are not shown.

FIGURE 48
Program Completions

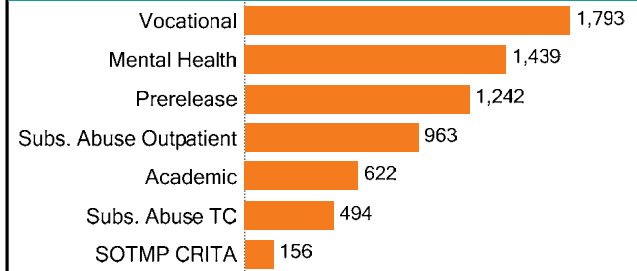
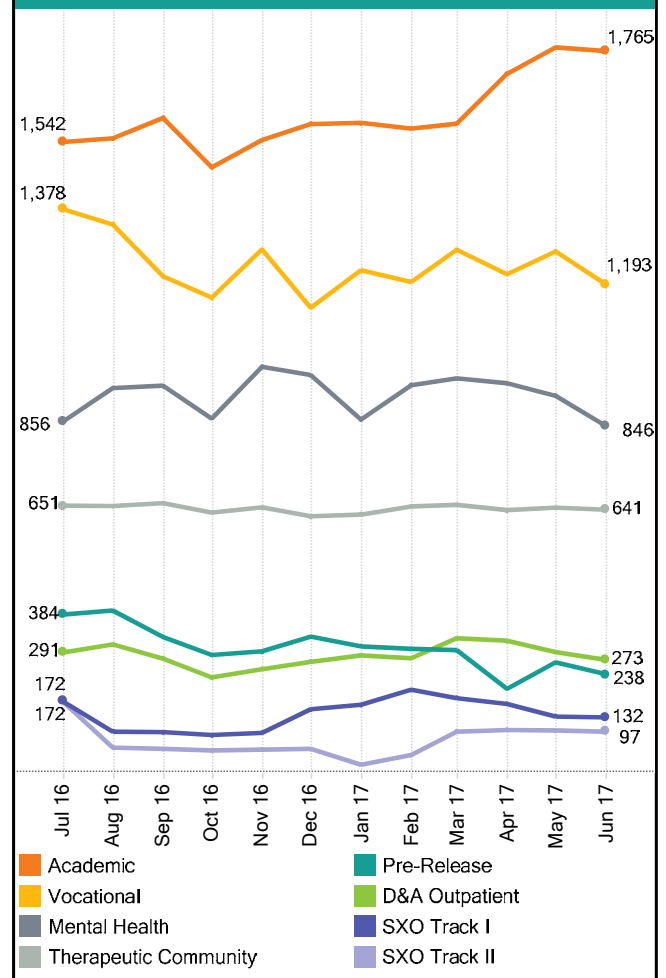


FIGURE 49
Participation in Programs, End of Month



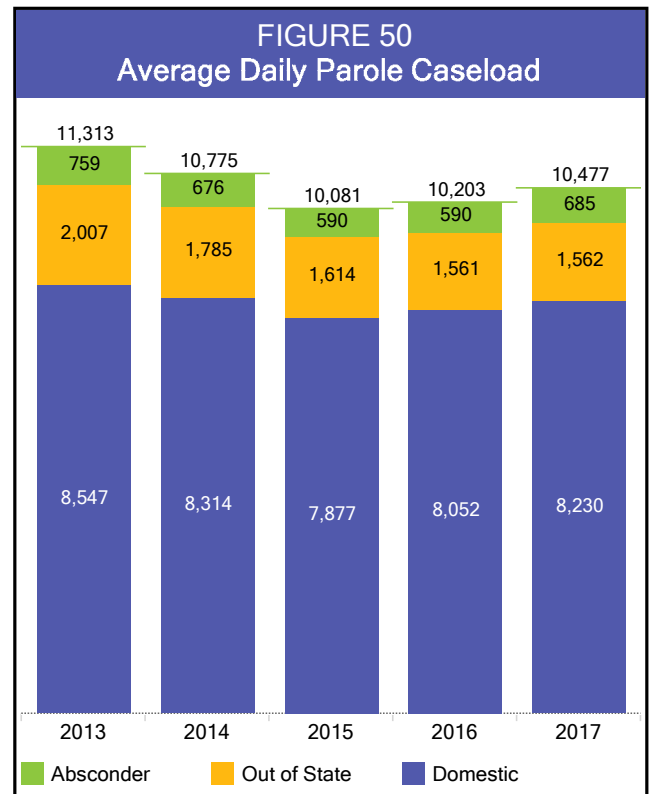
PAROLE POPULATION CHARACTERISTICS

PAROLE POPULATION

Colorado has a blended parole system. The Parole Board has the authority to grant parole to offenders who have reached parole eligibility but have not completed his or her full sentence. However, all offenders sentenced for a crime committed after 1993 are required to serve a period of parole, unless sentenced to life or death. Those who release before serving the full term of his or her sentence receive discretionary parole. Those who serve the maximum term of his or her sentence release on mandatory parole. Upon release, both discretionary and mandatory parolees complete his or her prison sentence and begin serving his or her parole sentence. If parole is revoked, he or she will continue to serve his or her parole sentence and may discharge that sentence from prison or re-parole.

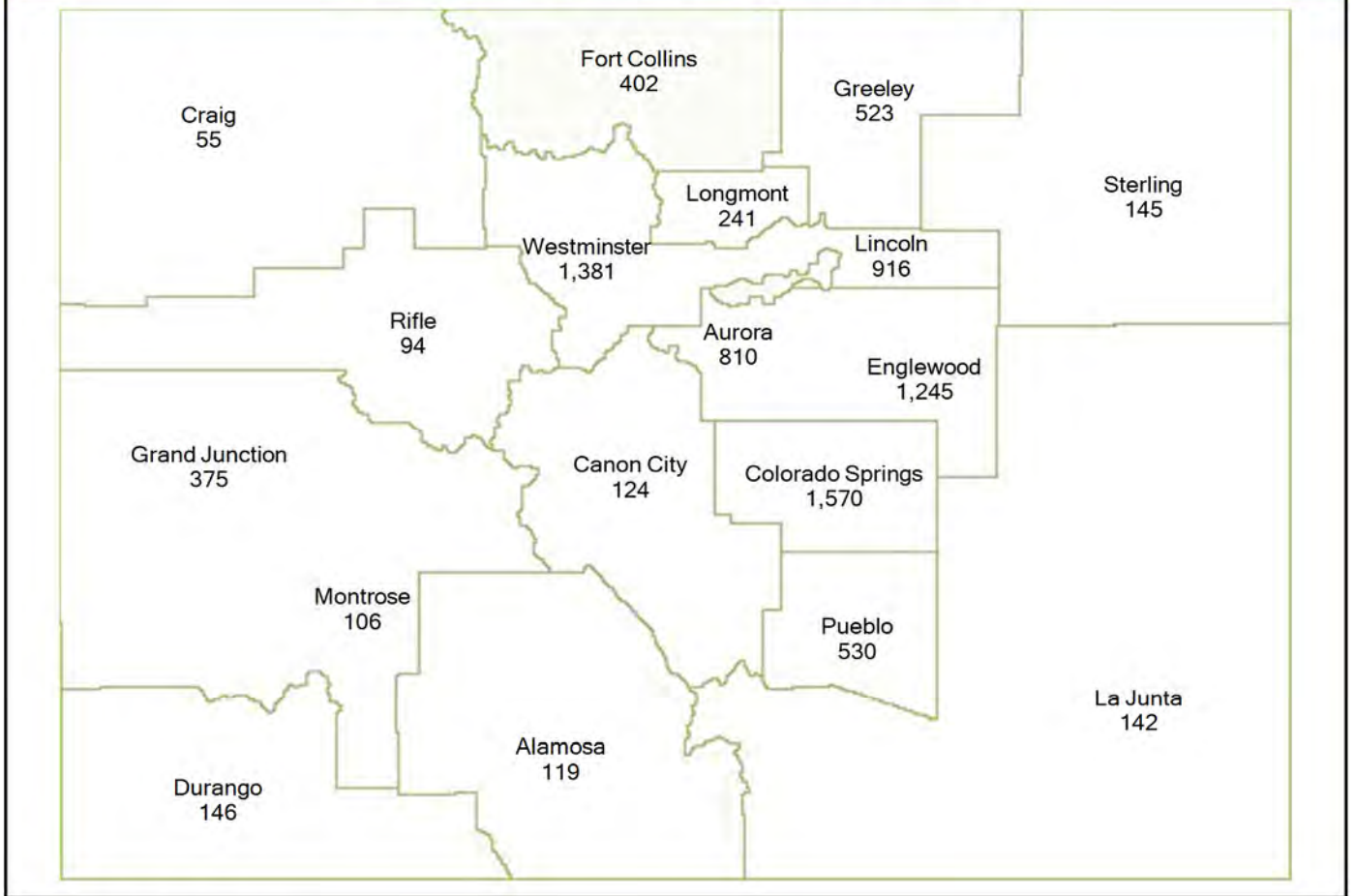
PAROLE CASELOAD

The average daily parole caseload is shown in **Figure 50**. Using the daily average caseload is the best way to reflect the workload maintained throughout the year. The average daily parole



caseload in FY2017 was 10,477, an increase of 2.7% from FY 2016. **Figure 51** displays the number of parolees by parole office. The highest concentration was found around the Denver and Colorado Springs areas. This can be attributed to the overall higher populations and access to needed programs found in these areas. The highest percentage of parolees (14.9%) is assigned to the Colorado Springs Office followed by the Westminster office (13.1%).

FIGURE 51
Parole Office Caseload as of June 30, 2017

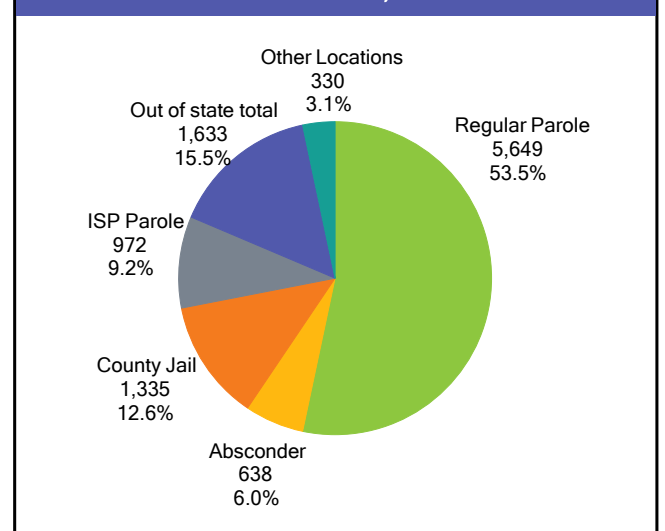


*Excludes 1,633 out of state parolees.

PAROLEE PROFILE

Figure 52 shows 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 launched 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 37.2% of the population. The out-of-state category includes offenders

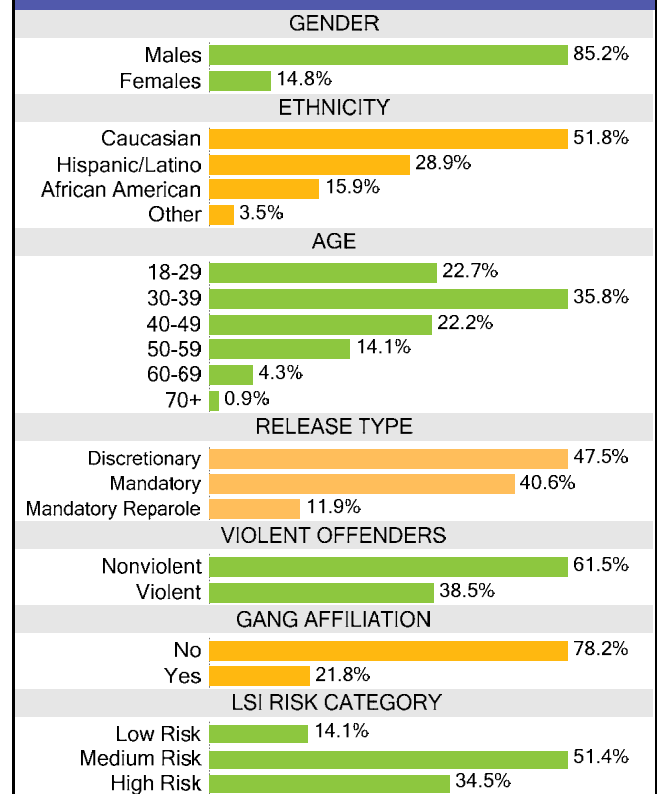
FIGURE 52
Total Parole Population
as of June 30, 2017



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 likely awaiting a revocation hearing by the Parole Board due to a technical parole violation or pending a new criminal conviction.

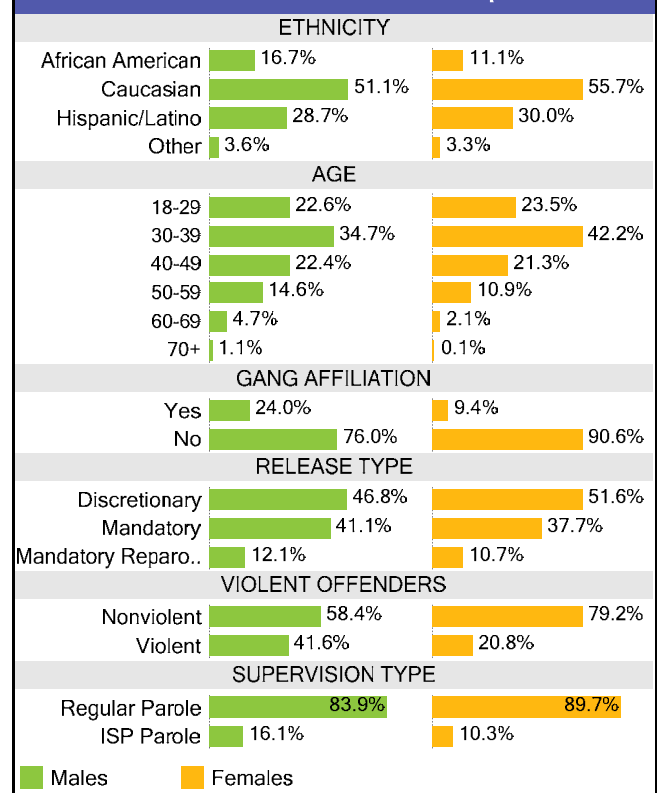
Absconders are parolees who fail to report to his or her Parole Officer or whose whereabouts and activities are unknown due to failure to report. The parolees in other locations encompass those who are in residential programs (e.g. community corrections or inpatient substance abuse program) as a condition of parole. The demographic characteristics of parolees displayed in **Figure 53** are similar to those of the jurisdictional offender population profile although a larger percentage of a female offenders are on parole (14.8%) than in prison (9.8%). Non-violent parolees comprised 61.5% of sentences, whereas 42.3% of offenders had been sentenced for non-violent crimes. The majority of parolees can be defined as male; Caucasian; between the ages of 18-49; having a discretionary release type; non-violent; not affiliated with gangs; and having a medium-to-high LSI risk level. When compared to males, female parolees are non-violent, on regular parole supervision, and received discretionary parole (**Figure 54**).

FIGURE 53
Domestic Parole Profile as of June 30, 2017



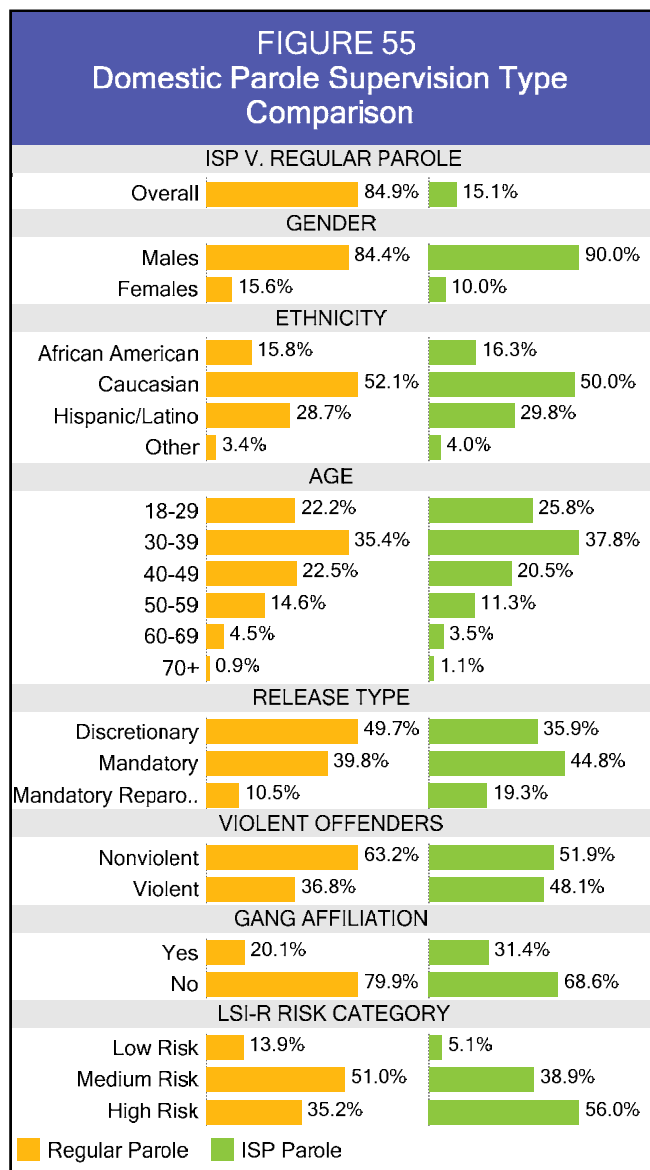
*Values may not total 100% due to rounding error.

FIGURE 54
Domestic Parole Gender Comparison



*Values may not total 100% due to rounding error.

Figure 55 shows that ISP parolees tend to be younger and were more likely to have been released on his or her mandatory parole date or re-paroled. Consistent with the program's purpose, parolees on ISP are more likely to be violent, affiliated with gangs, and have higher LSI-R risk levels.

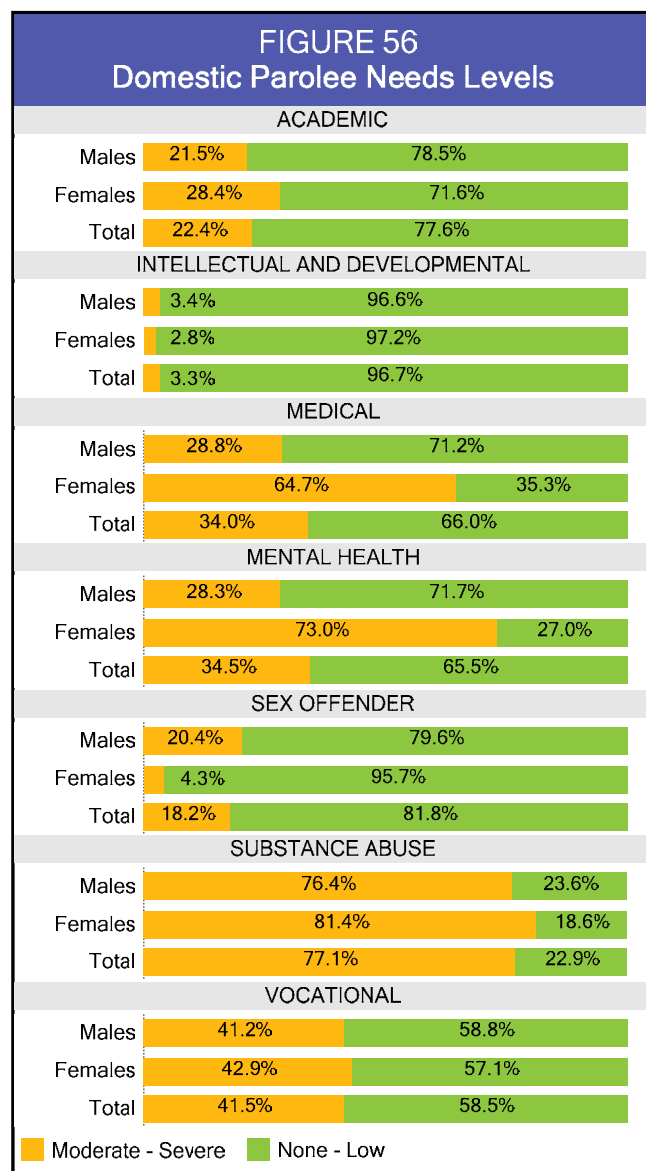


*Values may not total 100% due to rounding error.

NEEDS LEVELS

Parolees' needs levels are shown in **Figure 56**.

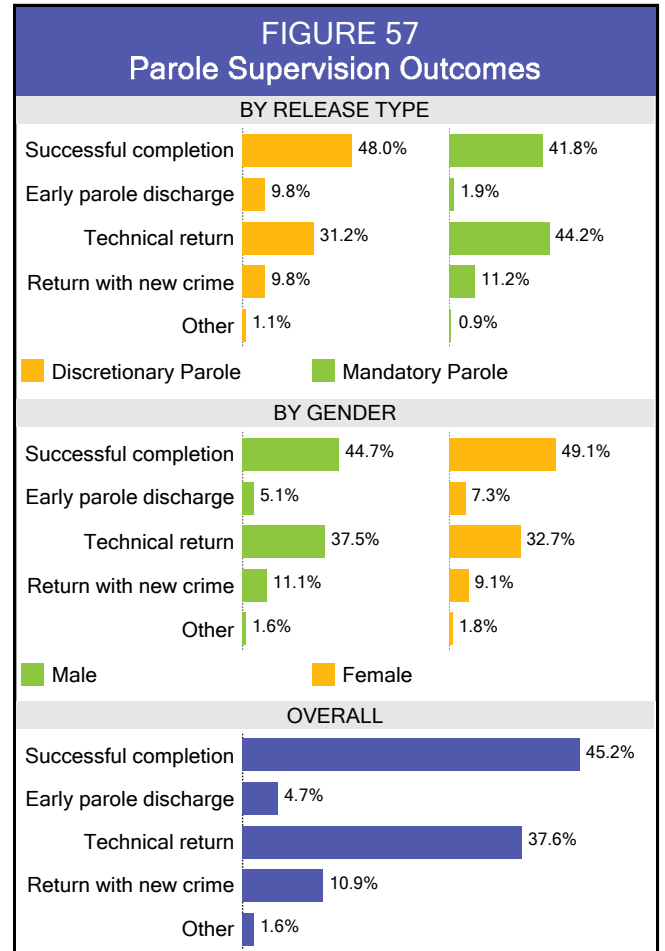
When comparing needs levels of parolees to needs levels of the offender population (shown in Figure 40), parolees have lower needs levels in all categories except for substance abuse and medical. Similar to the offender population, female parolees have similar or higher needs than males in most categories. The biggest differences in needs between females and males are in the medical and mental health categories, where females have much higher needs than males.



*Values may not total 100% due to rounding error.

PAROLE SUPERVISION OUTCOMES

Less than half (45.2%) of parolees leaving parole supervision completed his or her parole sentence (**Figure 57**). Around 4.7% percent received an early parole discharge. Parolees who have been under supervision for at least six months, have 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. Female offenders and discretionary releases were more likely to receive an early parole discharge. Discretionary parole releases were more likely to complete his or her sentence than be revoked for a technical violation or new crime.



Note: Other includes audit review return, deceased, deportation, dual commitment, interstate absconder, transfer out of state, and release to probation.
*Values may not total 100% due to rounding error.

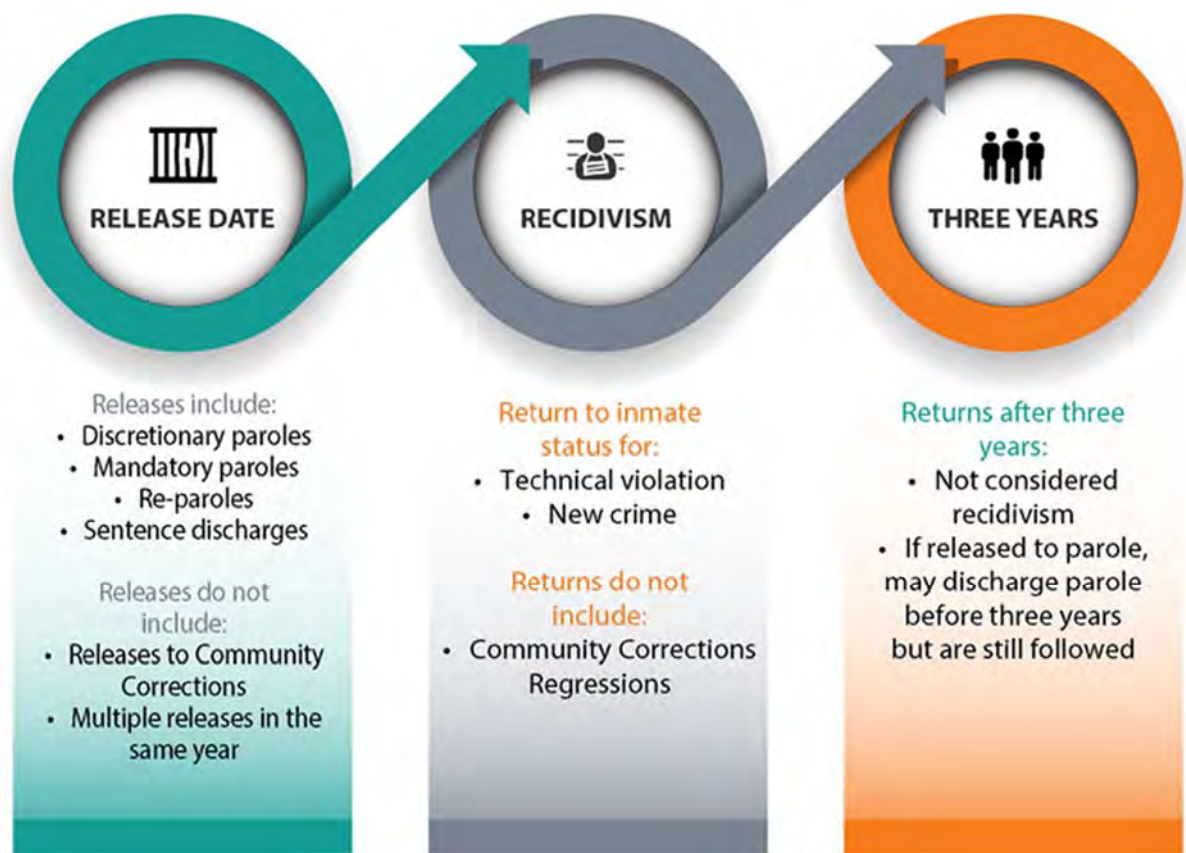
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RECIDIVISM RATES

The CDOC defines recidivism as a return to prison or offender status in Colorado within three years of release for new criminal activity or a technical violation of parole, probation, or non-departmental community placement. This definition is common across state corrections departments, but the methodology for computing recidivism is often not reported. After a review of other correctional

recidivism rate calculation methods and national standards, the CDOC developed new methodology in 2008 (though the definition of recidivism did not change). 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.

TIME AT RISK

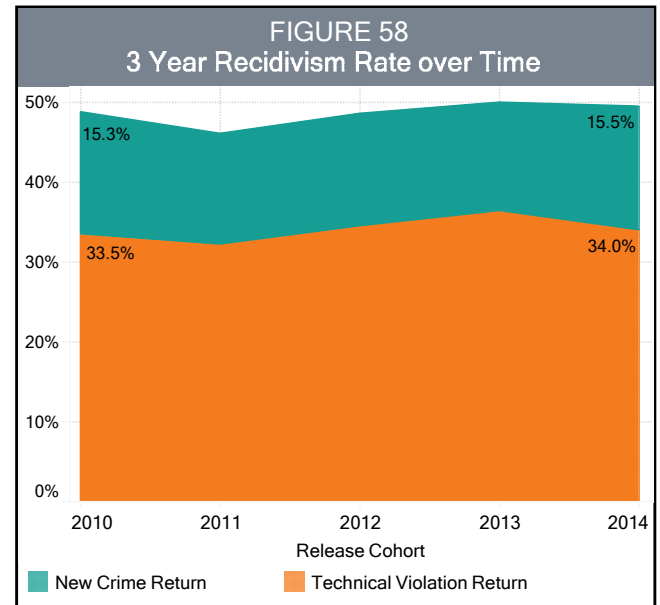


The following summarizes this methodology:

- **Recidivism:** Return to offender status calculated by combining new convictions plus technical violations to equal overall returns at one-year post-release intervals.
- **Cohort:** Includes the number of offenders released, not the number of times an offender released. Even if an offender released multiple times within a year, that individual was counted only once per release cohort. Therefore, an offender can fail only once within any given cohort.
- **Release types:** Contains offenders who released to the community to include releases to parole, completion of sentence, court-ordered discharge, and released to probation. To be counted, offenders must release from offender status. Those who died while incarcerated, escaped, or had a sentence vacated or inactivated were not included in the recidivism cohort. Additionally, offenders who released to a detainer or pending charges were excluded.
- **Calendar year (CY):** Although the CDOC statistical report is based on fiscal year, reporting recidivism on a calendar-year basis ensures data consistent with ASCA standards and other national prison surveys.

The overall three-year recidivism rate

(including returns for new crimes and technical violations) is 49.5% for the CY 2014 release cohort (**Figure 58**). The recidivism rate has increased 0.7% from 2010 releases to 2014 releases. More returns are for technical violations than new crime convictions.



To better explore recidivism rates by return type, **Figure 59** displays cumulative return-to-prison rates across seven release cohorts, at one-year intervals up to three years post-release. Technical violations consistently constitute the largest proportion of returns to prison over time. Technical returns decreased between 2013 and 2014 releases. New crime returns remained steady, and then increased for the same period. Therefore, 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.

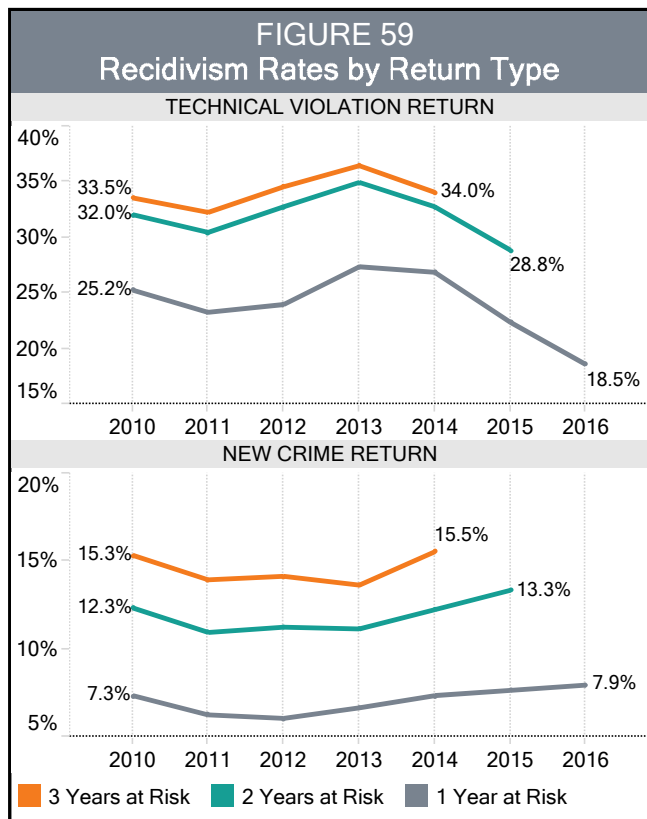
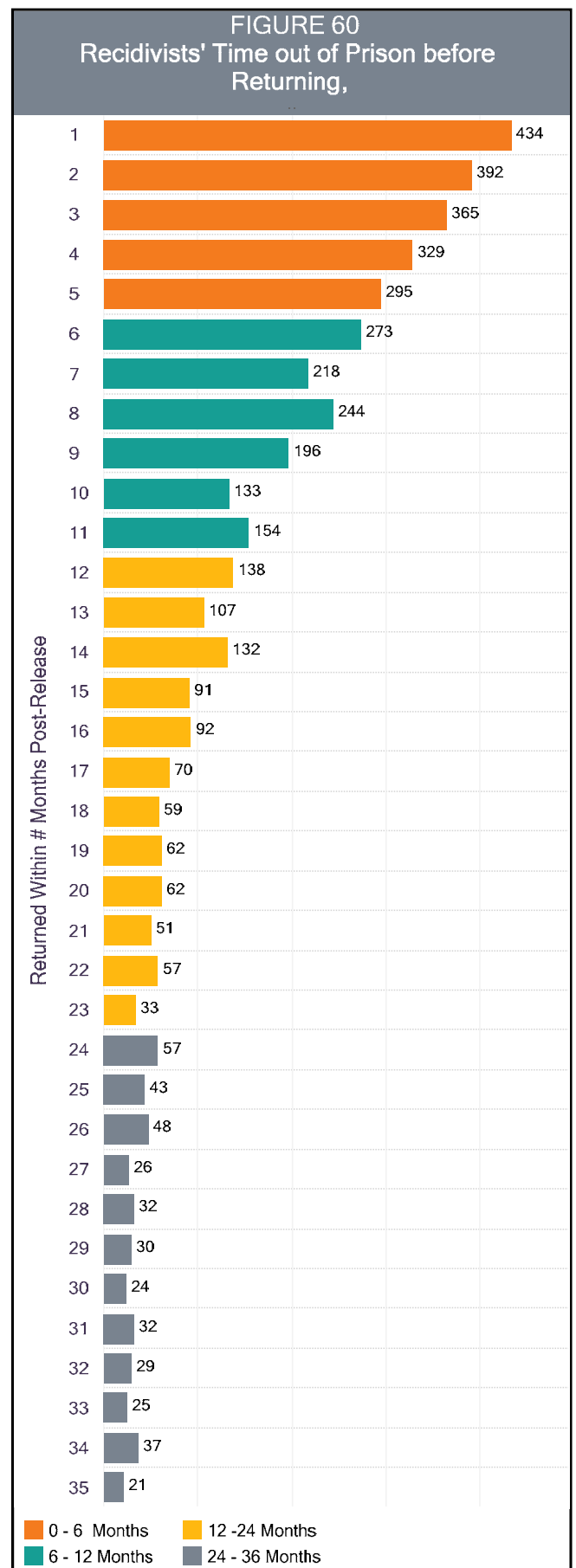
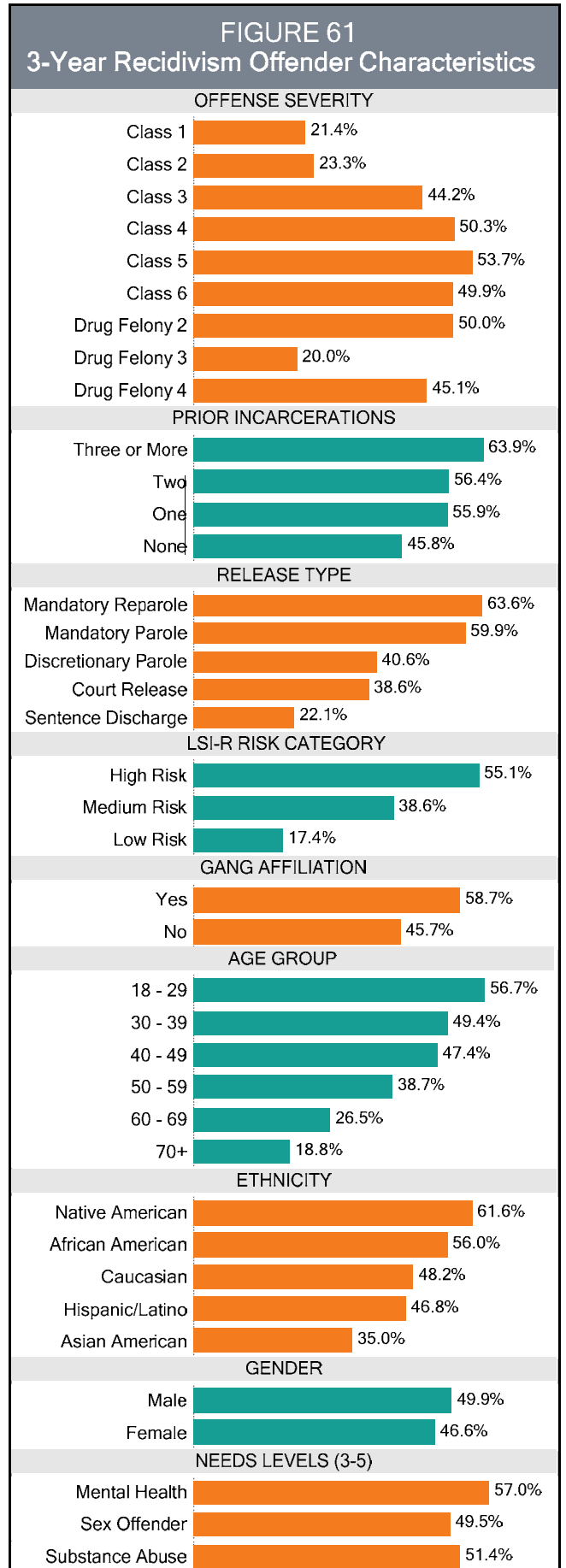


Figure 60 analyzes the 2014 release cohort, detailing the amount of time it took an offender to return to offender status. As time passed, the number of offenders who returned to prison decreased. More offenders failed within the first year, principally within six months post-release, than any other period. This high rate of return signifies that this period is the highest risk period. In the first six months after release, 20.4% of offenders returned. Another 13.7% returned between six months and one year. Between one and two years after release, 10.8% returned and between two and three years of release, an additional 4.6% returned. A total of 50.5% of offenders did not return within three years.



Recidivism rates vary by offender characteristics (**Figure 61**). Recidivism rates are higher for males than females and higher for younger offenders than older offenders. Certain minority groups are more likely to fail (Native Americans and African Americans) than other minority groups (Hispanics & Latinos and Asian Americans). Offenders who discharge their sentence cannot return for technical violations because they are not under supervision. Discretionary parole is granted by the Parole Board to offenders who are most prepared to re-enter society; these offenders have the third lowest recidivism rate of all release types. Offenders who re-parole after a failure or who do not release until his or her mandatory parole date 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 seem to increase an offenders' likelihood of recidivating. Risk, as measured by the Level of Supervision Inventory – Revised (LSI-R) and prior incarcerations are also strong indicators of recidivism.



*Values may not total 100% due to rounding error.



APPENDIX

- 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 made parole 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 one to two years.
- HB 90-1327 raised the amount of earned time from five to 10 days per month for offenders, 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 to life without parole for Class 1 felonies committed on or after Sept. 20, 1991.
- HB 93-1302 lowered the presumptive ranges for certain non-violent Class 3-6 felonies and added a split sentence, mandating a period of parole for all crimes following a prison sentence. Habitual offender sentencing was improved for felony offenses Classes 2-5. For those with two previous convictions, sentences were mandated to three times the maximum of the presumptive range; three previous convictions, sentences were mandated to four times the maximum of the presumptive range. This bill also eliminated earned time awards while on parole. **Table 8** summarizes presumptive ranges by felony class prior to, and subsequent to, HB 93-1302. **Table 9** summarizes habitual sentencing law changes.

TABLE 8
Presumptive Sentencing Ranges & Parole Periods

<i>Felony Class</i>	<i>1985 - 1993 Presumptive Range</i>		<i>1993 - Present Presumptive Range</i>		<i>Mandatory Parole Period*</i>
	<i>Minimum</i>	<i>Maximum</i>	<i>Minimum</i>	<i>Maximum</i>	
1	Life	Death	Life	Death	N/A
2	8 yr	24 yr	8 yr	24 yr	5 yr
3	4 yr	16 yr	4 yr	12 yr	5 yr
3 Ext	4 yr	16 yr	4 yr	16 yr	5 yr
4	2 yr	8 yr	2 yr	6 yr	3 yr
4 Ext	2 yr	8 yr	2 yr	8 yr	3 yr
5	1 yr	4 yr	1 yr	3 yr	2 yr
5 Ext	1 yr	4 yr	1 yr	4 yr	2 yr
6	1 yr	2 yr	1 yr	1.5 yr	1 yr
6 Ext	1 yr	2 yr	1 yr	2 yr	1 yr

Ext = extraordinary risk crimes

*The mandatory parole period for unlawful sexual behavior and incest was five years for crimes committed before Nov. 1, 1998. However, the final ruling of the Colorado Supreme Court in July 2001 determined these offenses were not subject to mandatory parole. Most sexual offenses committed on or after Nov. 1, 1998, are subject to lifetime on parole.

TABLE 9
Habitual Sentencing Law Changes


<i>Legislation</i>	<i>Previous Convictions Two Previous</i>	<i>Previous Convictions Three Previous</i>	<i>Crime of Violence OR Previous Habitual*</i>	<i>Class 1 or 2 or Class 3 Crime of Violence OR 2 Previous Class 1 or 2 or 3 Crimes of Violence**</i>
Pre HB93-1302	25-50 year	Life (40-year PED)***	-	-
Post HB93-1302	3x maximum of presumptive range of felony	4x maximum of presumptive range of felony	Life (40-year PED)	-
Post SB94-196	3x maximum of presumptive range	4x maximum of presumptive range of felony	Life (40-year PED)	Life (40-year 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.

*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.

**Any person who is convicted of a Class 1 or 2 felony, or a Class 3 felony that is a crime of violence, and previously has been.

***PED = Parole Eligibility Date

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- Special Fall Session SB 93-09 created a new judicial sentencing provision for offenders between the ages of 14 - 18 for certain crimes and established YOS.
 - SB 94-196 added a new habitual sentencing provision of life (40 years to parole eligibility) if a new crime conviction is for a Class 1 or 2 felony, or for a Class 3 felony crime of violence with two previous felony convictions within 10 years of commission of the new crime.
 - HB 95-1087 reinstated the ability of certain non-violent parolees to accumulate earned time while on parole.
 - HB 96-1005 lowered the YOS age limit from 14 to 12 years and broadened the offenses eligible for YOS sentencing.
 - HB 98-1156 is the Colorado Sex Offender Lifetime Supervision Act of 1998. Under it, all offenders convicted of a felony sex offense committed on or after Nov. 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 qualify for parole. The Colorado State Board of Parole determines when these offenders are supervised in the community.
 - HB 98-1160 applied to Class 2, 3, 4 and 5, or second or subsequent Class 6, felonies occurring on or after July 1, 1998. It mandated 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 a parolee who paroled on a non-violent Class 5 or 6 felony (except menacing or unlawful sexual behavior) to a community corrections program or pre-parole release-and-revocation center for up to 180 days. This bill limited the time a parolee may be returned to prison for a technical violation if confined for non-violent offenses to 180 days.
 - HB 04-1189 increased time served before parole eligibility for certain violent offenses. Under this bill, first-time offenders convicted of these violent offenses must serve 75% of his or her sentence (less earned time awarded). If convicted of a second or subsequent violent offense, they must serve 75% of their sentence and are not eligible for earned time.
 - 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 and have never been convicted of specified offenses.
- 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 — charges that 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 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 for such crimes; 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 limited the amount of time a technical parole violator can return to prison to 90 or 180 days based on an offender's risk level.
- HB 10-1373 reduced the penalty for escape from a Class 4 felony to a Class 5 felony



and abolished the mandate that a sentence be served consecutively to any other sentence if the escape was from a sentence to a community corrections facility or intensive-supervised parole.

- HB 10-1374 determined that the Colorado Sex Offender Management Board would develop a sex offender release guideline instrument for the Parole Board to use when determining whether to release a sex offender on parole or revoke parole status. This bill required CDOC to work with the Parole Board to develop guidelines for the Parole Board to use in determining when to release a parolee or revoke parole. It also 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 redefined the criteria set forth in HB 09-1351 and made certain offenders serving sentences for lower class; non-violent felonies eligible for more earned time awards per month than other offenders did.
- HB 10-1413 changed the minimum age of the defendant being tried as an adult from 14 to 16 years of age, except in the case of first- and second-degree murder or certain sex offenses, and allowed Class 2 felonies (excluding sex offenses) to be sentenced to YOS except in the case of a second or subsequent sentence to 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 offenders who meet criteria for special-needs parole and created presumptions in favor of parole for non-violent offenders with immigration detainees.
- HB 11-1064 built upon HB 10-1352 by creating a pilot program of presumption in favor of granting parole to an offender who is parole-eligible and serving a sentence for a drug-use or drug-possession crime that was committed prior to Aug. 11, 2011. The offender must meet other criteria related to previous criminal 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 re-incarcerated after a parole revocation. It also allowed offenders who successfully complete a milestone or phase of an educational, vocational, therapeutic, or re-entry program, and/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.

involving a child.

- HB 12-1271 limited the offenses for which a juvenile may be subject to direct file to Class 1 felonies, Class 2 felonies, and crime-of-violence felonies or sex offenses if the juvenile has previous felony adjudication or violent sex offenses. It also limited instances in which juveniles were 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 Oct. 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, basing them on the value of the goods or property stolen.
- HB 14-1260 required mandatory minimum sentences for certain sexual offenses
- HB 14-1266 modified value-based offenses, basing them on the value of the loss.
- HB 14-1355 This bill directs the Department of Corrections (DOC) to develop and implement initiatives to decrease recidivism, enhance public safety, and increase each offender's chances of achieving success upon his or her release. Subject to available appropriations, on and after July 1, 2014, these initiatives are to include programs to assist offenders in a correctional facility to prepare for release to the community; efforts to assist each offender's transition from a correctional facility into the community; and Operational enhancements, including equipment, training, and programs to supervise offenders in the community.
- HB 15-1043 created a felony penalty for repeat convictions of driving under the influence (DUI), DUI per se, or driving while ability impaired (DWAI), and reduced the felony penalty for aggravated driving with a revoked license to a misdemeanor. The bill is expected to increase court commitments to prison beginning in FY 2015-16 and continuing at increased rates through the forecast period.

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- HB 15-1122 stipulated that an offender is ineligible for parole if he or she has been convicted of certain penal discipline violations or failed to participate in programs related to the original crime. This bill could result in a minimal prison population increase and parole caseload decrease through the forecast period.
 - SB 15-124 required parole officers to use intermediate sanctions to address noncompliance by parolees unless the nature of the violation mandates arrest or revocation. The bill narrowed the scope of behavior that warrants arresting a parolee for a technical violation. It is expected to decrease re-admissions to prison and increase parole caseload beginning in FY 2015-16 and continuing through the forecast period.
 - SB 16-180 created a specialized program in CDOC for juveniles convicted as adults. The bill required CDOC to develop and implement a program for offenders who were sentenced to an adult prison for a felony offense committed while the

offender was less than 18 years of age and who are determined to be appropriate for placement in the program. An offender who successfully completes the program may apply to the governor for early parole.

- SB 16-181 affected sentencing of individuals convicted of Class 1 felonies while the individual was a juvenile. This bill allows for a juvenile sentenced for a class 1 felony committed on or after July 1, 1990, and before July 1, 2006, to be re-sentenced to life with the possibility of parole.



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