

# **COLORADO**

## **DEPARTMENT OF CORRECTIONS**



**DEAN WILLIAMS**  
**EXECUTIVE DIRECTOR**  
**FY 2018**

# **STATISTICAL REPORT**





# LETTER FROM THE EXECUTIVE DIRECTOR

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 and who engage inmates with effective correctional practices and humane treatment. We also believe inmates should be directly involved in their own rehabilitation as the Department advances research and data-driven correctional practices.

This statistical report provides an overview of the average daily jurisdictional population of 30,531 offenders (20,003 offenders and 10,528 parolees). As you will see, the offender population has fallen by 2.4% 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,

A handwritten signature in black ink, appearing to read 'D Williams', is positioned above the printed name.

Dean Williams

Executive Director

Colorado Department of Corrections

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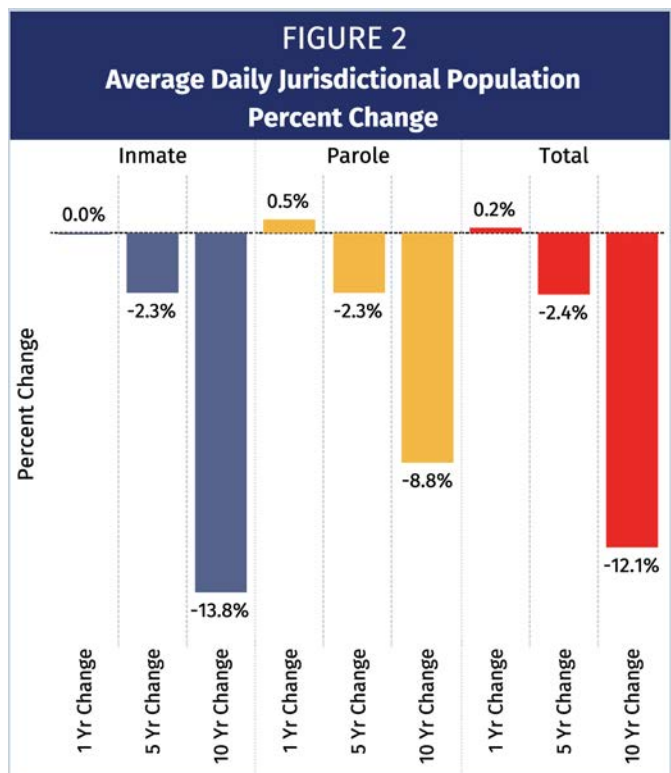
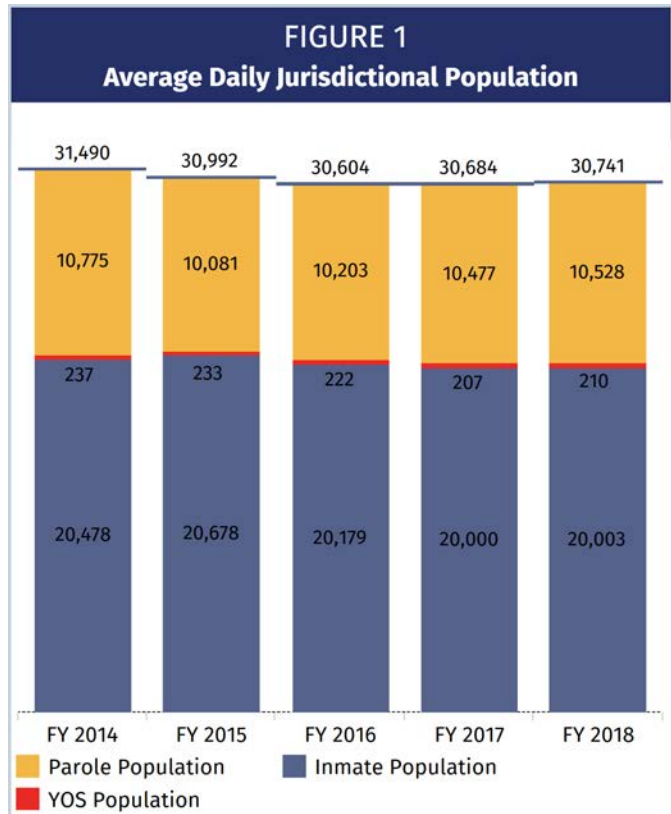
# OVERVIEW

## INTRODUCTION

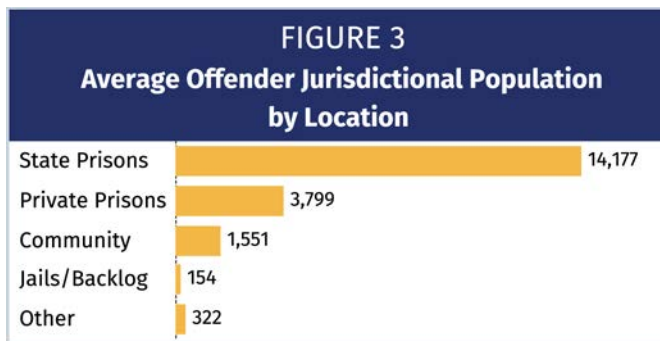
The Colorado Department of Corrections' (CDOC) statistical report provides a descriptive and visual overview of a range of aspects of Colorado's corrections system. Topics and areas covered include, to start with: growth trends, population projections, facilities, costs, and staff data. Subsequent sections focus on admissions, releases, offender and parolee characteristics, and recidivism. Both adult inmate and parole populations are represented in this report. A separate annual report is produced for the Youthful Offender System (YOS).

## POPULATION GROWTH

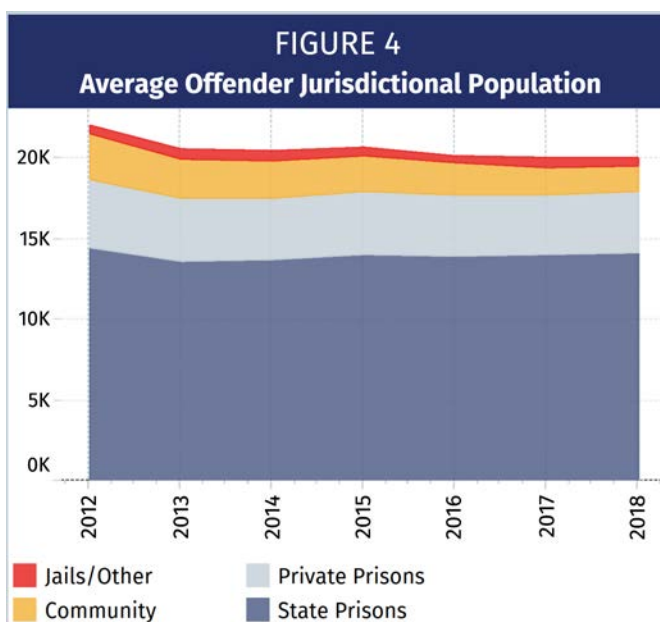
The average daily population (ADP) tracks trends in the CDOC population. **Figure 1** shows the ADP of the offender, parole (including absconders and interstate parolees), YOS, and total populations over the past five fiscal years (FY). There was a 2.4% decrease in CDOC's jurisdictional population from FY 2014 to FY 2018. **Figure 2** details the one-year, five-year, and 10-year growth rates of the jurisdictional population. The offender and parole populations showed a total decrease over the last decade although they experienced a small increase from FY 2017 to FY 2018.



**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 2018 included Bent County Correctional Facility, Crowley County Correctional Facility, and Cheyenne Mountain Reentry Center. In FY 2018, 19.0% of the incarcerated population was housed in private prisons. This was a 1.0% increase from FY 2017. The actual number of offenders managed by both private and state-run prisons increased slightly between FY 2017 and FY 2018.



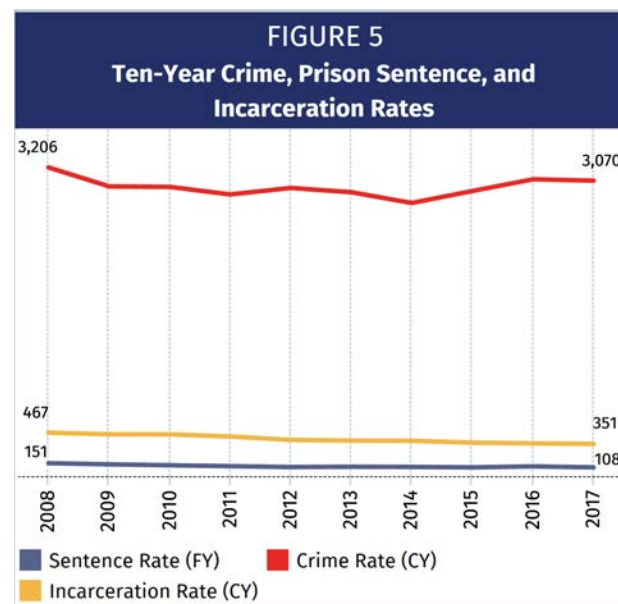
Note: Other includes fugitives, revocations in jail, awaiting transfer and external placements.



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

## CRIME, PRISON SENTENCE & INCARCERATION RATES

**Figure 5** displays sentence, incarceration, and crime rates since 2008. Crime rates<sup>1</sup>, 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<sup>2</sup> each December for the previous year; therefore, 2017 data is the most current. Prison sentence and incarceration rates are used as indicators of growth in the prison population compared to growth in the state populace, as estimated annually by the Colorado Department of Local Affairs. Prison sentence rates are expressed as the proportion of new court commitments per



1. *Annual Crime in the United States reports, 2008-2017.* Washington, D.C.: FBI.

2. *Prisoners in 2017.* Washington, D.C.: U.S. Department of Justice, Bureau of Justice Statistics.



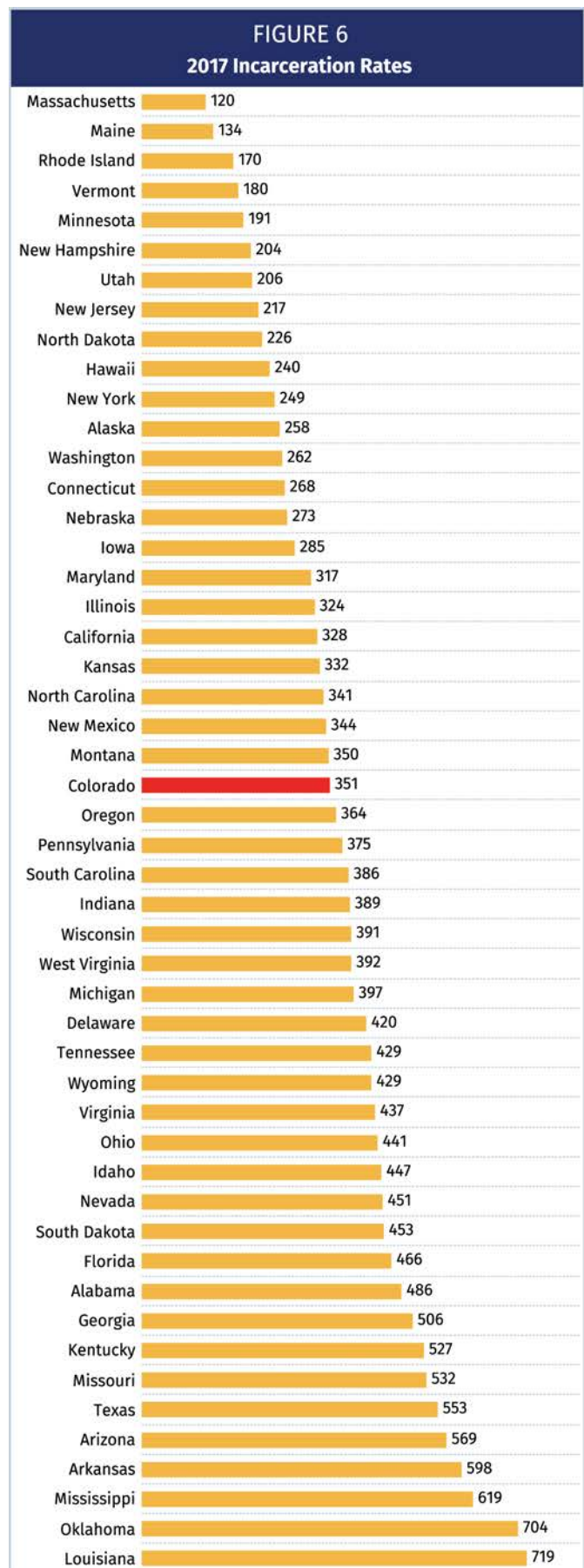
100,000 Colorado residents during a fiscal year. Incarceration and crime rates are computed per 100,000 Colorado residents for a calendar year.

The overall crime rate has declined 4.25% since 2008. This includes a 0.4% decline between FY 2016 and FY 2017. The sentence rate also declined by 9.2% between CY 2016 and CY 2017 and showed an overall decrease of 28.5% since CY 2008. The incarceration rate has continued to decline each calendar year with an overall decrease of 24.8% since CY 2008. Calendar Year 2017 had the lowest recorded incarceration rate during this period. The CY 2017 incarceration rates for all 50 states are shown in **Figure 6**. Colorado's rate of incarceration ranked 24th among the 50 states.

## LEGISLATIVE CHANGES

Several key pieces of legislation that have been passed since 1979 have influenced the size of the CDOC prison population. This document's **Appendix** lists the historical legislative bills. To follow is a summary of recent House Bills (HB) that have impacted felony sentencing and the CDOC in FY 2018.

- House Bill 18-1029 lowers mandatory parole periods from five years to three years for class 3 felony crimes committed on and after July 1, 2018, and for class 2



felony crimes that are not crimes of violence. This will affect the size of the parole caseload, but not for approximately 8 years from implementation.

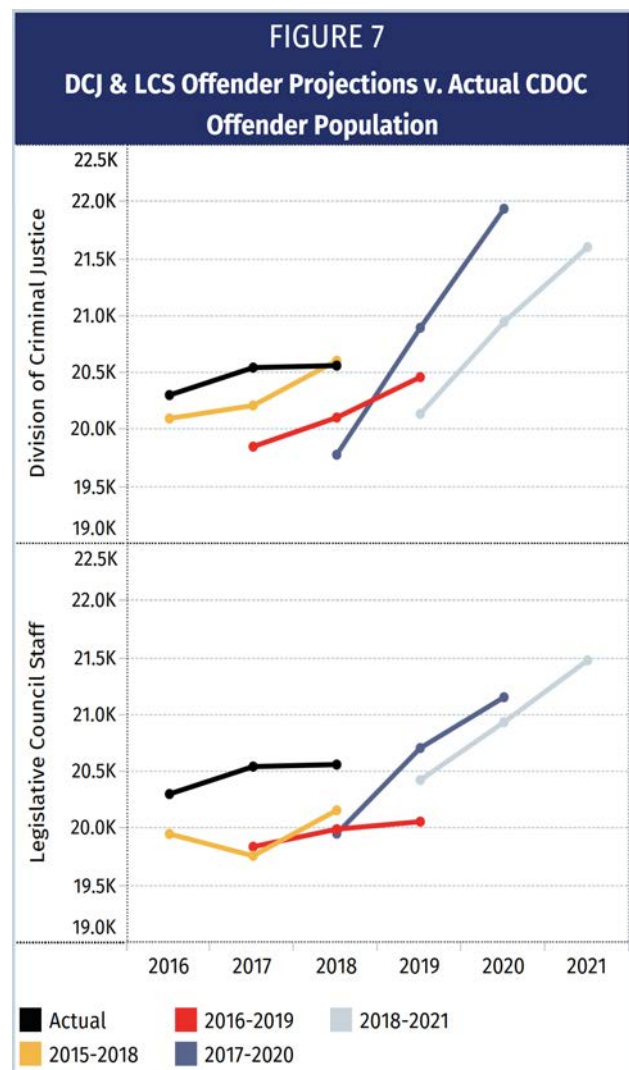
- House Bill 18-1109 expands the existing eligibility requirements for special needs parole, and adds a third eligibility category for special needs parole consideration. The bill lowers the age requirement for one of the existing special needs offender categories from 60 to 55 years and older, and adds a category of special needs offenders to include those determined to be incompetent to complete any sentence and not likely to pose a risk to public safety.

- House Bill 18-1410 requires that DOC track the prison bed vacancy rate in DOC facilities and funded private prisons. If the vacancy rate falls below 2 percent for 30 consecutive days, DOC is required to notify other state government agencies and may request that other agencies take action to increase the vacancy rate.

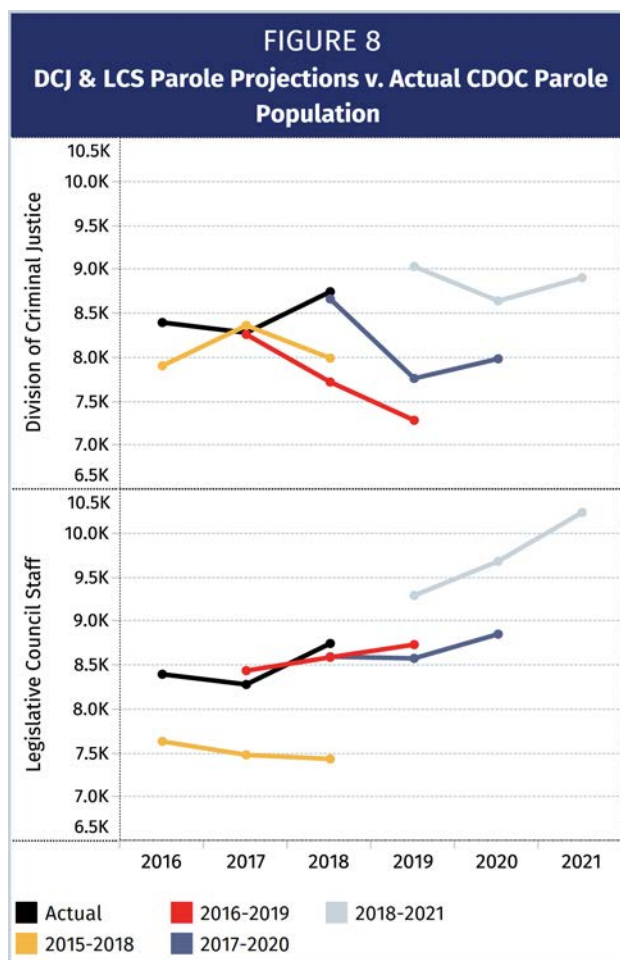
## POPULATION PROJECTIONS

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 with developing 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 the CDOC to the last four years of offender population projections developed by DCJ and LCS. The most recent offender population projections were released in January of 2019. 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 who are 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.

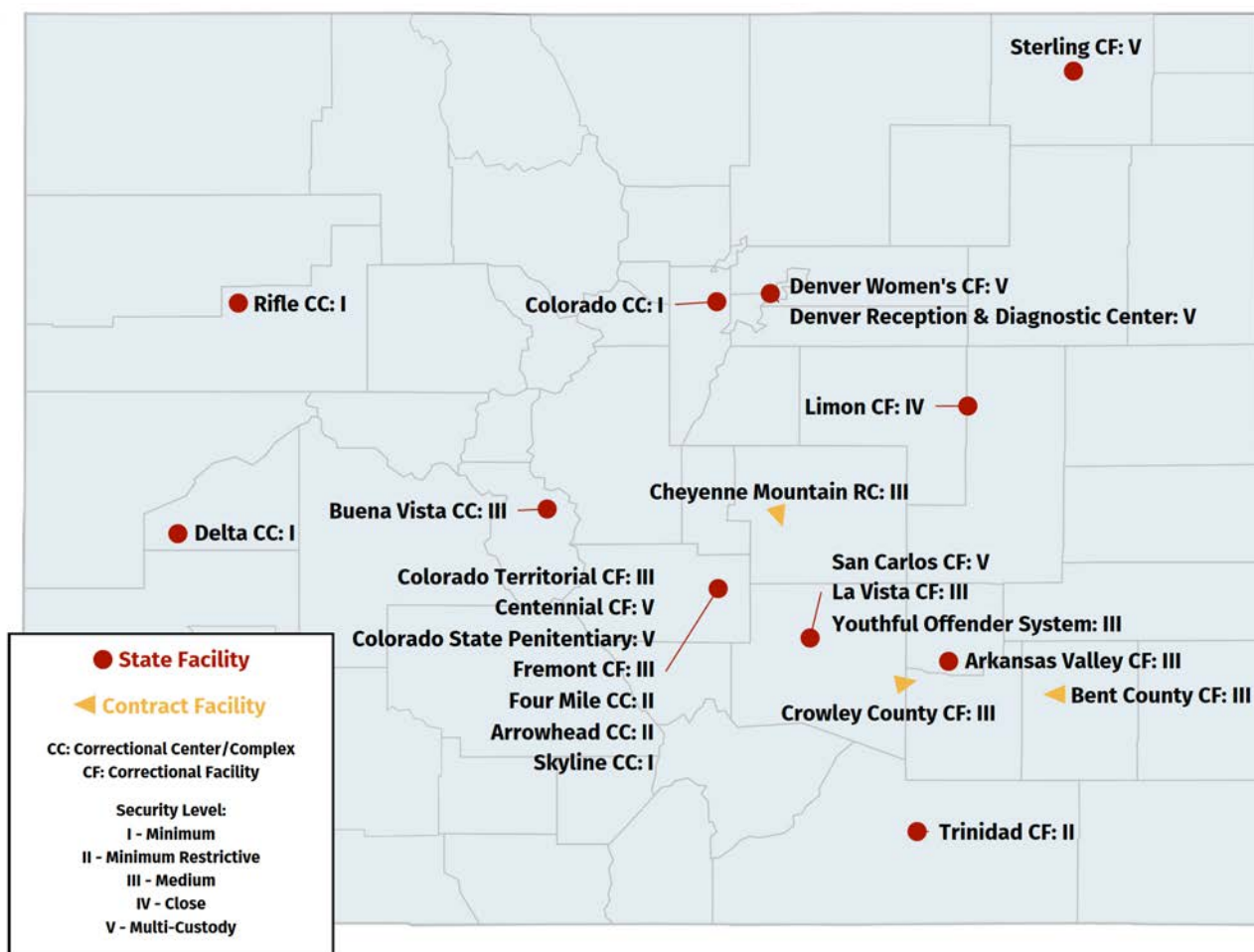
**LEVEL IV** facilities shall generally have towers,



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, those 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**



© 2019 Mapbox © OpenStreetMap



## 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 a facility originally provided, or the number of beds it provides after remodeling, redesign, or expansion.
- **Expanded capacity:** The number of housing spaces above the facility design capacity.
- **Operational capacity:** The design capacity plus expanded capacity.

Management control, Residential Treatment Program (RTP), special use, and reception beds are included in the design capacity for all facilities.

State facility capacities and on-grounds population on June 30, 2018 are shown in **Table 1**. The percent of design 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**

STATE FACILITIES	ON-GROUNDS POPULATION	DESIGN CAPACITY	EXPANDED CAPACITY	OPERATIONAL CAPACITY	% DESIGN CAPACITY
Arkansas Valley Correctional Facility	1040	1007	49	1056	103%
Arrowhead Correctional Center	518	484	36	520	107%
Buena Vista Correctional Complex	1199	1107	127	1234	108%
Centennial Correctional Facility	275	294	42	336	94%
Colorado Correctional Center	147	150	0	150	98%
Colorado State Penitentiary	691	756	-31	725	91%
Colorado Territorial Correctional Facility*	908	694	235	929	131%
Delta Correctional Center	473	480	0	480	99%
Denver Reception & Diagnostic Center*	543	496	74	570	109%
Denver Women's Correctional Facility	965	900	76	976	107%
Four Mile Correctional Center	517	484	37	521	107%
Fremont Correctional Facility	1599	1448	172	1620	110%
La Vista Correctional Facility**	680	549	158	707	124%
Limon Correctional Facility	899	500	430	930	180%
Rifle Correctional Center	188	192	0	192	98%
San Carlos Correctional Facility	201	250	5	255	80%
Skyline Correctional Center	236	249	3	252	95%
Sterling Correctional Facility	2428	2445	43	2488	99%
Trinidad Correctional Facility	492	404	96	500	122%
Youthful Offender System/YOS Transfers	179	241	38	279	74%
<b>TOTAL STATE CAPACITY</b>	<b>14,178</b>	<b>13,130</b>	<b>1,590</b>	<b>14,720</b>	<b>108%</b>

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

\*\*In October 2017, the 30 beds from the Southern Transport Unit were moved to La Vista Correctional Facility.

## 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 \$38,146 in FY 2017 to \$39,701 in FY 2018 for state facilities. The FY 2018 cost

per day was \$63.40 for private prison, and \$60.04 per day for local jails. 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 and release planning services 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 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	\$28,101	\$76.99
Delta Correctional Center	\$30,193	\$82.72
Rifle Correctional Center	\$31,332	\$85.84
Skyline Correctional Center	\$25,966	\$71.14
LEVEL II SECURITY		
Arrowhead Correctional Center	\$29,196	\$79.99
Four Mile Correctional Center	\$29,616	\$81.14
Trinidad Correctional Facility	\$32,668	\$89.50
LEVEL III SECURITY		
Arkansas Valley Correctional Facility	\$34,993	\$95.87
Buena Vista Correctional Complex	\$33,522	\$91.84
CO Territorial Correctional Facility	\$46,578	\$127.61
Fremont Correctional Facility	\$32,649	\$89.45
La Vista Correctional Facility	\$37,566	\$102.92
LEVEL IV SECURITY		
Limon Correctional Facility	\$39,686	\$108.73
LEVEL V SECURITY		
Centennial Correctional Facility	\$85,589	\$234.49
Colorado State Penitentiary	\$53,597	\$146.84
Denver Reception & Diagnostic Center	\$72,927	\$199.80
Denver Women's Correctional Facility	\$40,654	\$111.38
San Carlos Correctional Facility	\$105,430	\$288.85
Sterling Correctional Facility	\$34,660	\$94.96
<b>Average Cost Grand Total</b>	<b>\$39,701</b>	<b>\$108.77</b>
EXTERNAL CAPACITY		
Private Prisons	\$23,142	\$63.40
County Jails	\$21,916	\$60.04
COMM. & PAROLE SUPERVISION		
Parole	\$5,942	\$16.28
Community	\$9,621	\$26.36
YOUTHFUL OFFENDER SYSTEM		
YOS Pueblo Facility	\$87,538	\$239.83
YOS Aftercare	\$38,902	\$106.58
YOS Backlog	\$19,579	\$53.64

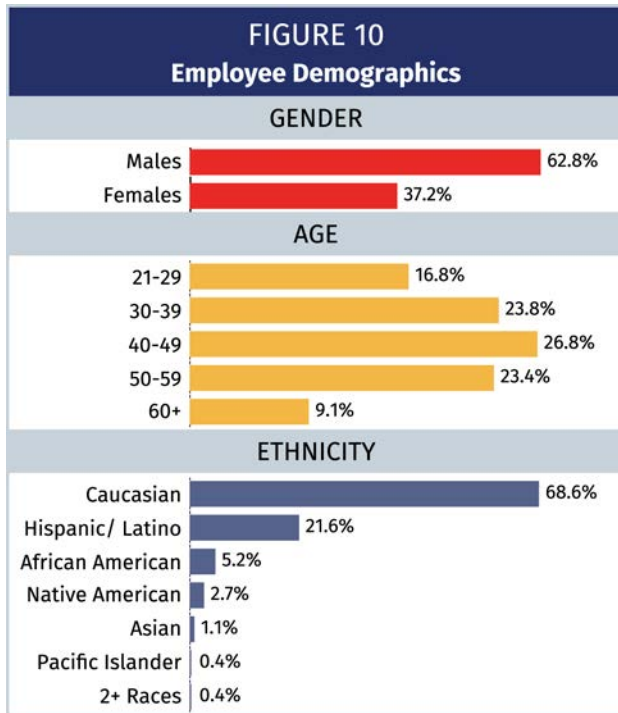
\*Colorado Department of Corrections Finance and Administration.

## FULL-TIME EMPLOYEES

There were 6,069 full-time CDOC employees at the end of FY 2018. The predominant demographic consisted of Caucasian males over 40 years of age (**Figure 10**). The ethnic composition of CDOC staff is similar to that of Colorado citizens (68.6% of CDOC staffers identify as Caucasian, while 68.3% of Colorado citizens identify as Caucasian<sup>3</sup>).

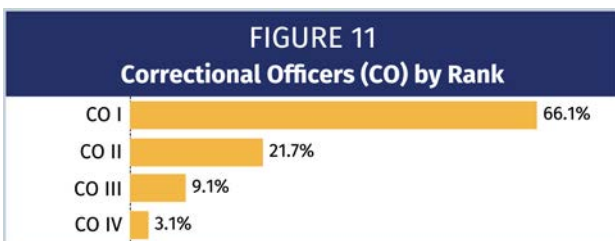
3. 2017-2018 United States Census Bureau Colorado.

Correctional officers (CO) comprise 54.7% of CDOC staff.



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

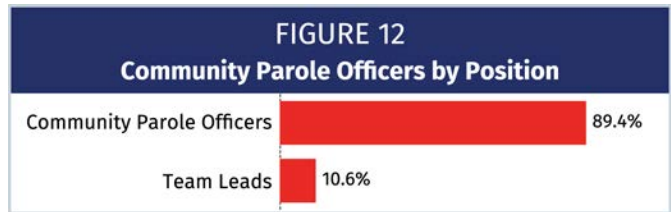
**Figure 11** breaks down the rank of the CO series. The majority (66.1%) of officers are at the first level of rank (I); while a small percentage (3.1%) have promoted to the highest level (IV).



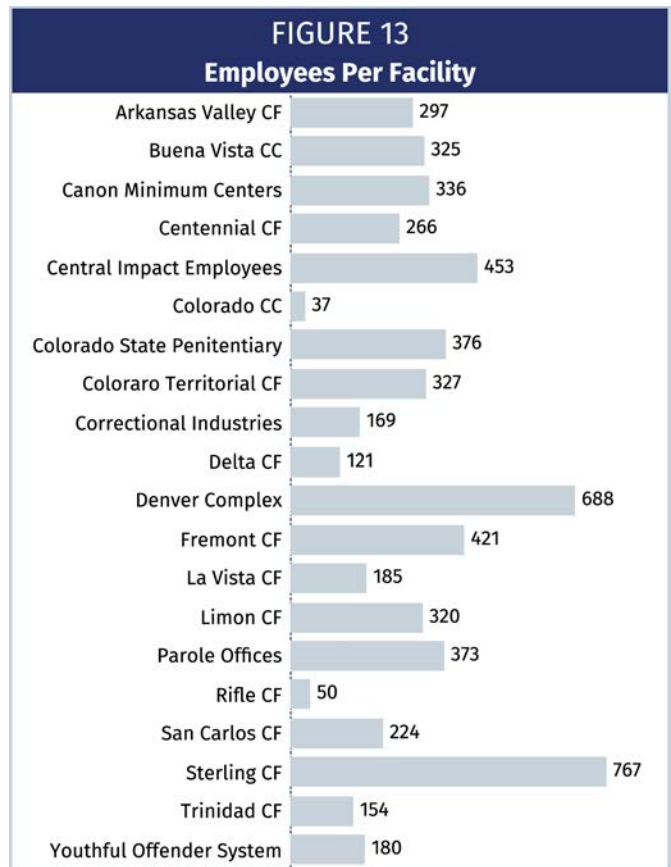
\*Values may not total 100% due to rounding.

**Figure 12** shows the percent of Community Parole Officer assignment designations. The types of parole employees range throughout the 19 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 fiscal year, 1,132 employees left employment, resulting in a turnover rate of 18.7%.

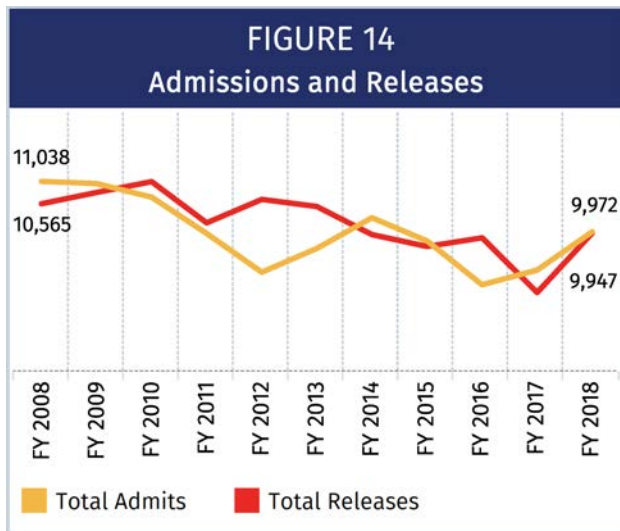


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# ADMISSIONS

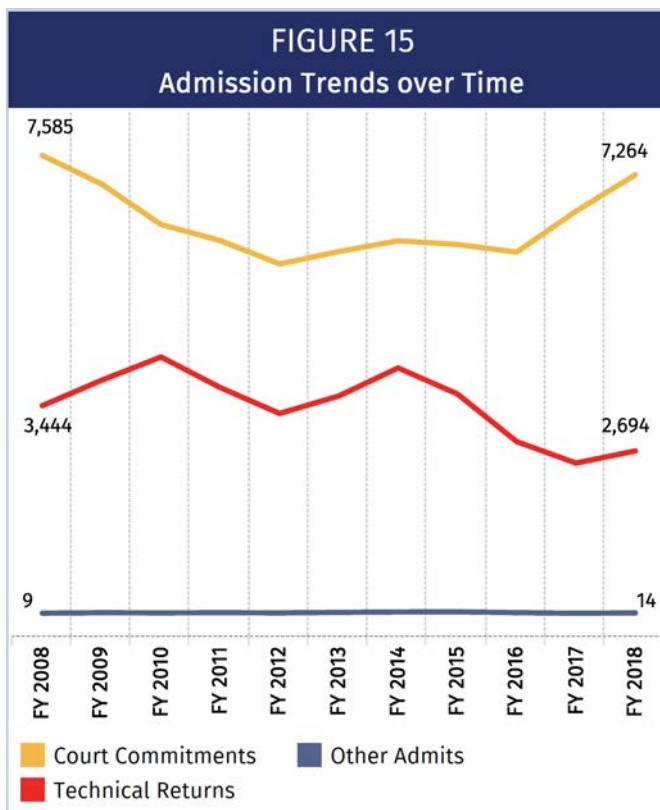
Admissions to the CDOC adult prison system increased in FY 2018 by 9.0%. This is the second year of increase after two years of decrease between FY 2014 and FY 2016 (**Figure 14**). In FY 2018, admissions slightly surpassed releases although releases showed a 14.5% increase from FY 2017.



**Table 3** shows totals by admission type and gender for FY 2018. Compared to FY 2017, male admissions increased by 8.6%, and female admissions increased by 11.2%. Total admissions are up 9.0% since 2017. Court commitments include individuals receiving new incarceration sentences. Technical returns include offenders who were previously incarcerated and released to parole or probation, or who were discharged by court order and later returned without a new felony conviction.

TABLE 3 Adult Admissions			
	Male	Female	Total
COURT COMMITMENTS/NEW CONVICTION			
New Commitments	5,159	1,011	6,170
Parole Return	967	128	1,095
Court-Ordered Return	3	0	3
Probation	5	1	6
YOS Failure	11	1	12
<b>SUBTOTAL</b>	<b>6,145</b>	<b>1,141</b>	<b>7,286</b>
TECHNICAL RETURNS			
Parole Return	2,312	339	2,651
Court-Ordered Discharge	16	2	18
Probation	10	6	16
<b>SUBTOTAL</b>	<b>2,338</b>	<b>347</b>	<b>2,685</b>
OTHER			
Bond Return/Audit Return	0	0	0
Interstate Compact	13	1	14
<b>SUBTOTAL</b>	<b>13</b>	<b>1</b>	<b>14</b>
<b>TOTAL ADMISSIONS</b>	<b>8,496</b>	<b>1,489</b>	<b>9,985</b>

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 under the consecutive sentence audit, and dual commitments. **Figure 15** shows 10-year trends of admissions by type. Court commitments and technical returns both increased from FY 2017. The increase in court commitments contributed



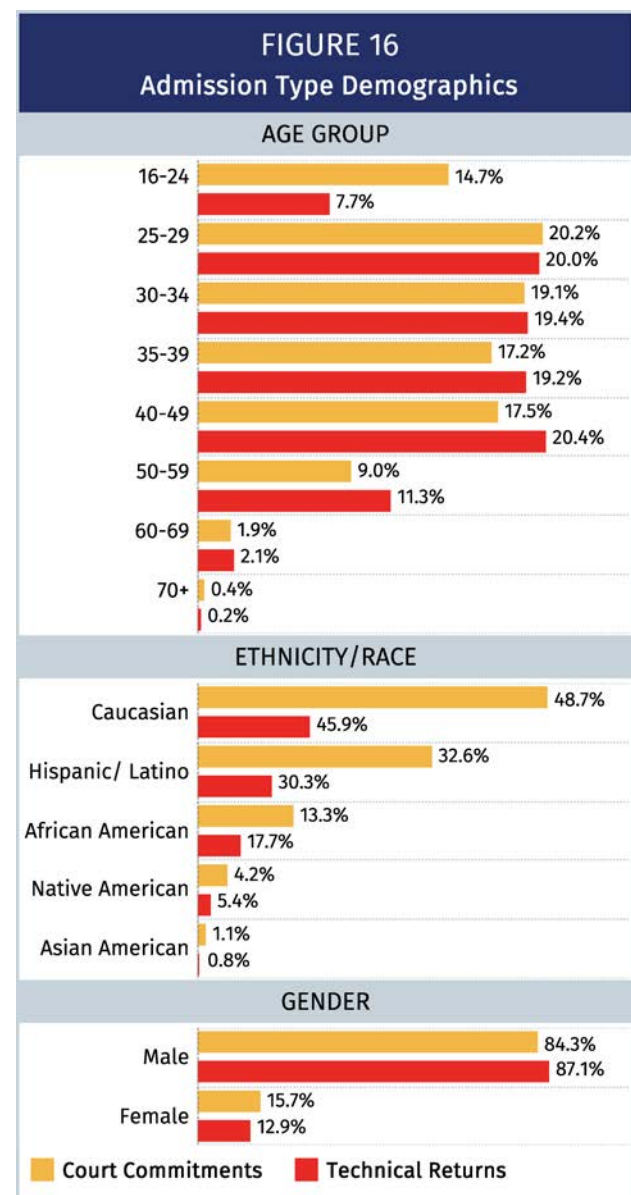
\*Other includes Audit, Dual Commitment, and Interstate Compact In.

to the increase in admissions between FY 2017 and FY 2018. Court commitments increased by 9.4%, and technical returns increased by 7.7% between FY 2017 and FY 2018.

## DEMOGRAPHIC CHARACTERISTICS

In FY 2018, 424 offenders had multiple admissions. To most accurately portray admission characteristics, each offender with a multiple admission was included in the profile only once, using only his or her first admission for the fiscal year. First admissions included a total of 9,561 admissions (7,237 court commitments and 2,452 technical returns). The demographic characteristics of FY 2018 offender admissions are provided in

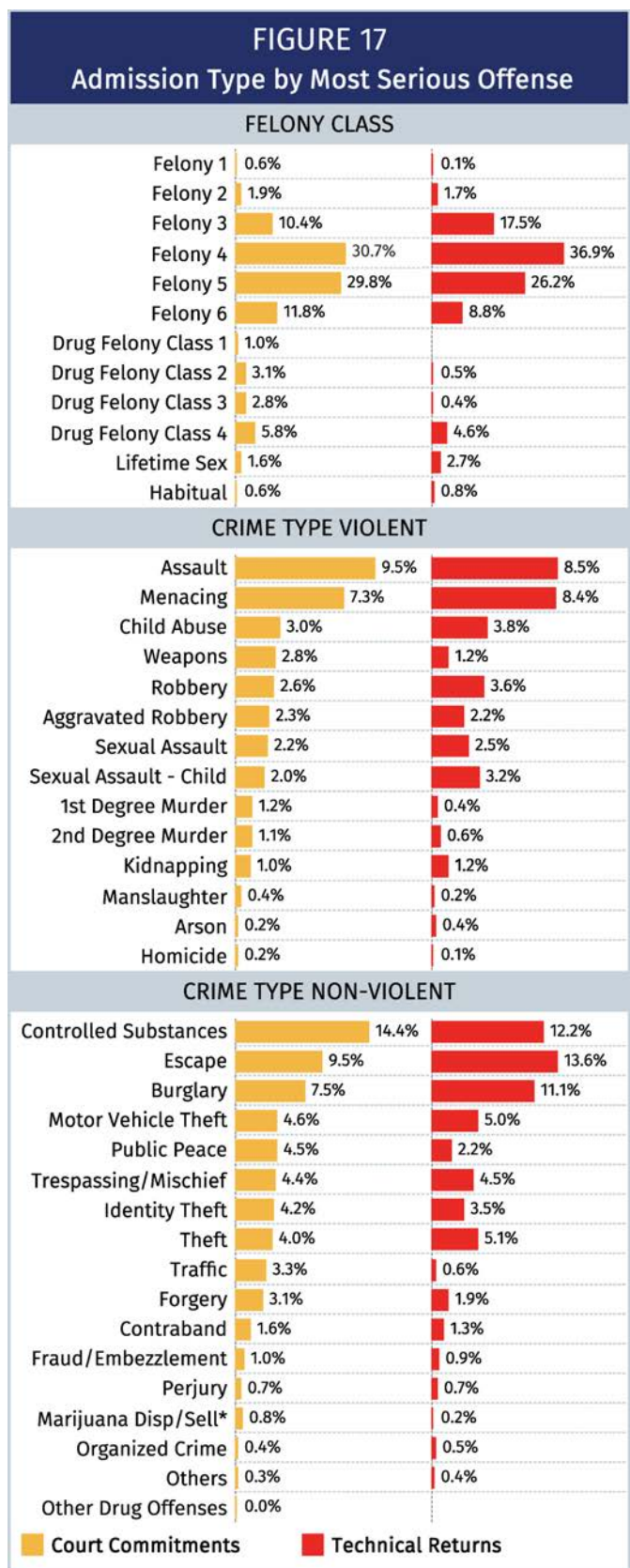
**Figure 16** by admission types. The majority of admissions ranged from age 25 to 49. Less than 1% of court commitments were under the age of 19, and only 11.3% over age 50. The population of youthful offenders that received an adult sentence but were eligible for YOS is reported in the *Youthful Offender System Annual Report*.



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

## OFFENSE DATA

To assess the seriousness of offender sentences, the class of felony for the most serious offense conviction is used. The most serious offense designation is defined 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 6 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 CRS. 18-1.3-406. In FY 2018, 36.2% of admissions were for violent crimes and 63.8% were for non-violent crimes. In FY 2018, the rate of returns based on violent offenses was nearly equivalent for technical returns (36.3%) and new court commitments (36.0%). In previous years new commitments tended to involve more violent offenses.



\*Includes illegal dispensing/sale/distribution, cultivation/processing of over 30 plants, and possessions of over 12 ounces.

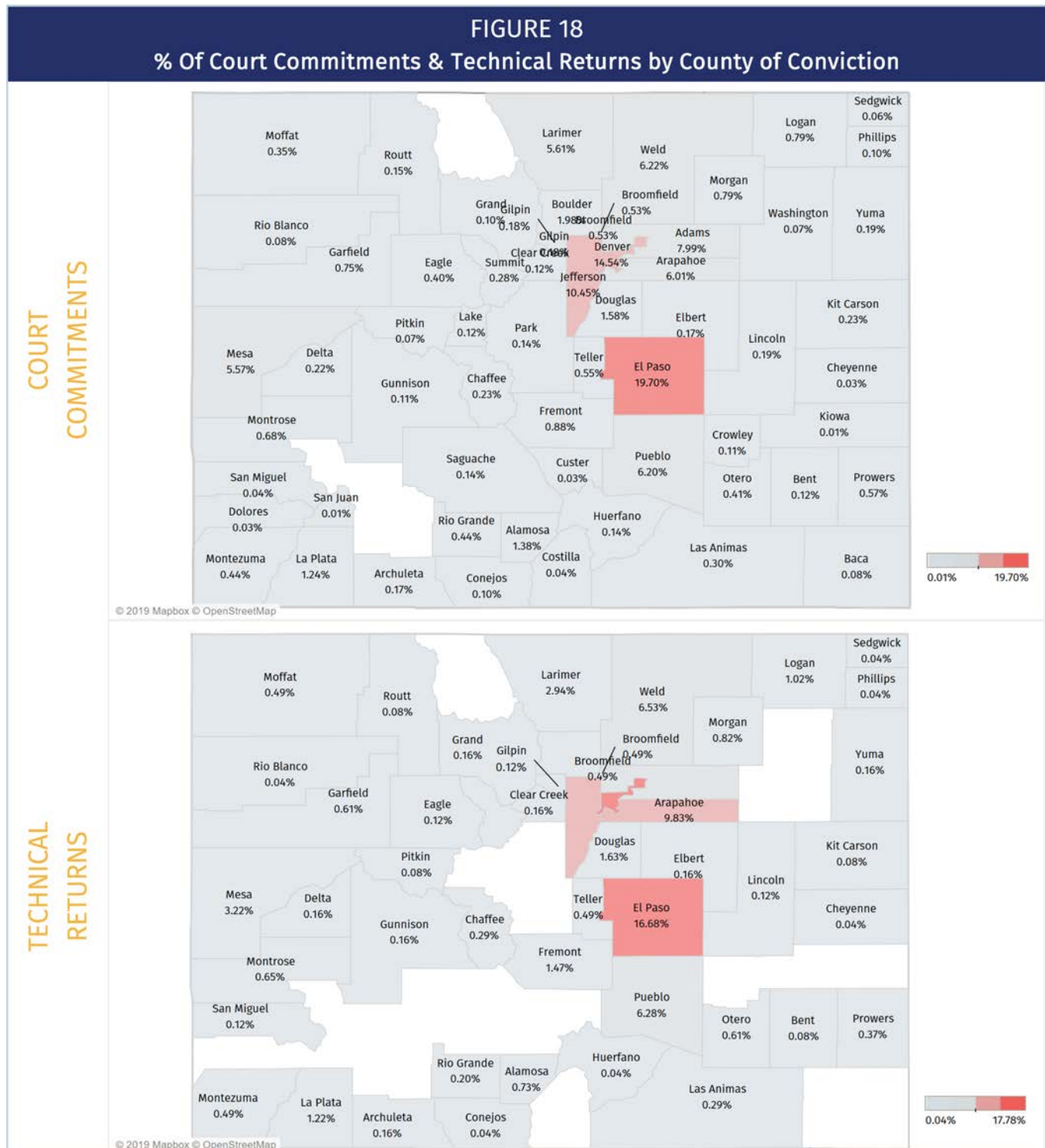
\*\*Values may not total 100% due to rounding.



## COUNTY OF COMMITMENT

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

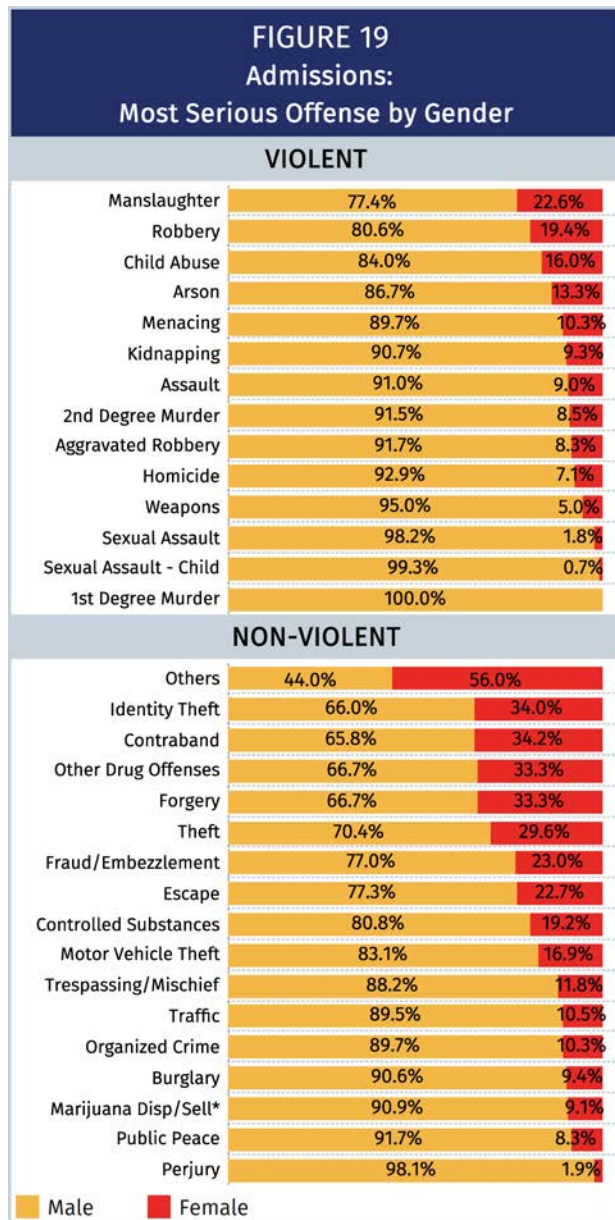
percentage (19.70%) of court commitment admissions. Denver County continues to show the largest percentage (17.78%) of technical return admissions.



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

## GENDER COMPARISON

**Figure 19** divides each crime category between genders.



\*Includes illegal dispensing/sale/distribution, cultivation/processing of over 30 plants, and possessions of over 12 ounces.

## LENGTH OF STAY

The Correctional Population Forecast<sup>4</sup> is issued annually by the Division of

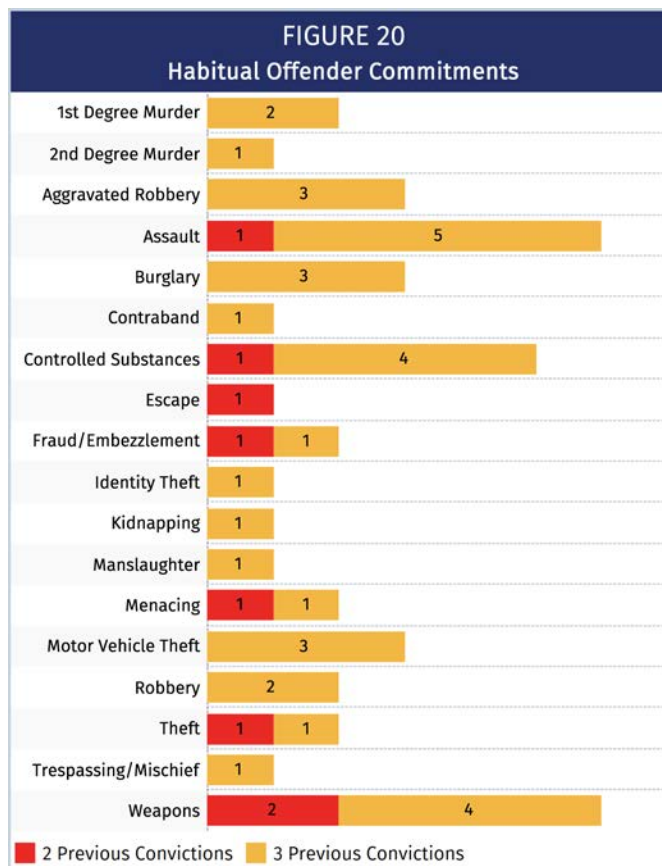
4. Harrison, L. Colorado Division of Criminal Justice Correctional Population Forecasts, January 2019.

Criminal Justice (DCJ). It estimates the average length of stay for new court commitments and parole returns with a new crime. Average lengths of stay are estimates of the amount time that new admissions are expected to serve. These calculations are based upon sentence length and actual time served for offenders released during the same year. **Table 4** displays projected lengths of stay by class of felony (F1–F6) and type of crime, extraordinary risk, sex offenses, and other.

TABLE 4 Estimated Average Length of Stay (Months)				
FELONY/TYPE	NEW COMMITMENTS		PAROLE RETURNS	
	MALE	FEMALE	MALE	FEMALE
F1	Life	Life	Life	Life
F2 Extraordinary	179.40	154.61	174.30	-
F2	70.43	58.52	47.78	-
F2 Sex	-	-	278.40	-
F3	47.40	41.18	48.65	33.85
F3 Extraordinary	97.06	81.76	54.44	36.67
F3 Sex	79.84	43.20	140.60	-
F4	22.69	19.01	33.83	24.31
F4 Extraordinary	40.41	26.14	38.15	23.02
F4 Sex	25.05	24.47	47.40	-
F5	13.04	12.07	20.08	16.41
F5 Extraordinary	15.47	11.98	14.30	11.09
F5 Sex	18.70	19.44	19.35	-
F6	6.99	6.38	10.36	9.36
F6 Extraordinary	8.89	9.05	15.59	15.65
F6 Sex	8.61	-	12.08	-
Drug Felony (DF) 1	63.87	29.52	82.32	-
DF 1 Extraordinary	99.17	90.73	157.38	-
DF 2	34.12	-	-	-
DF 2 Extraordinary	43.49	38.74	37.88	62.40
DF 3	14.46	12.32	-	-
DF 3 Extraordinary	21.20	18.22	22.25	-
DF 4	4.96	4.36	7.12	-
DF 4 Extraordinary	9.27	5.19	-	-
Habitual	146.94	53.00	186.72	-
TOTAL AVG.	37.54	18.82	37.48	22.44

## HABITUAL OFFENDER SENTENCES

**Figure 20** summarizes court commitments with a habitual conviction. Forty-three offenders were sentenced under habitual offender provisions for his or her most serious offense in FY 2018. The figures reported here exclude a minority of instances in which an offender's most serious offense fell in a different category than those constituting his/her habitual sentence. Offenders sentenced after HB 93-1302 was passed received a sentence at three times the maximum presumptive range if they had two previous convictions and four times the maximum presumptive range if they had three previous convictions.



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

TABLE 5 Habitual Offender Sentences (Years)		
	2 Previous Convictions	3 Previous Convictions
Average Governing Years	23.4	45.4
Maximum Governing Years	66.0	192.0
Minimum Governing Years	5.0	3.0

## LIFETIME SUPERVISION SEX OFFENDERS

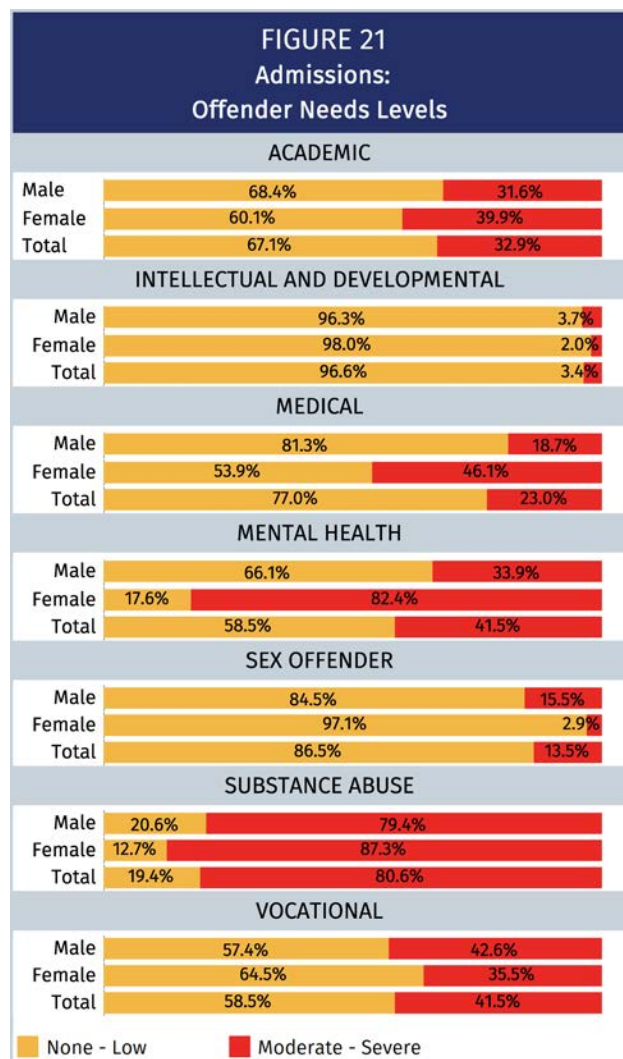
Legislation enacted in 1998 requires most offenders convicted of Class 2, 3 or 4 sex-offense felonies to be sentenced to prison for a set minimum term and a maximum term of life. **Table 6** details the class of felony and average minimum sentences for offenders sentenced to prison under the Lifetime Supervision Sex Offender Act in FY 2018. 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	4
Felony Class 3	32	66
Felony Class 4	4	44
TOTAL AVERAGE	22	114



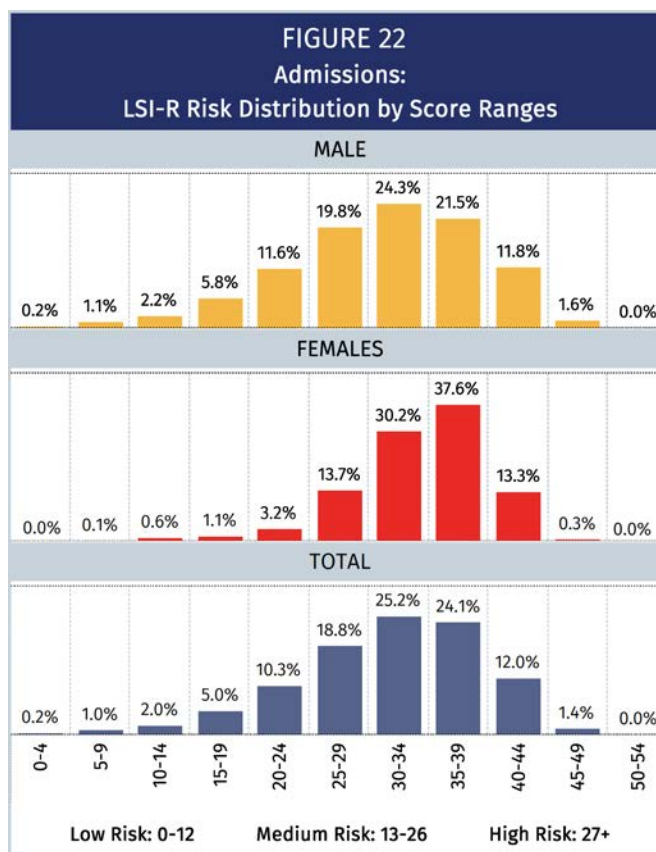
## RISK & NEED ASSESSMENTS

Initial needs levels are calculated during the diagnostic process for court commitments and are used to identify offenders for placement in services. 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** shows ratios of court commitments involving moderate-to-severe needs (Levels



3-5) versus none-to-low needs (Levels 1-2). Offenders with moderate-to-severe needs are targeted for services. The three most prevalent areas of need were found to be substance abuse, mental health, and vocational. Females showed higher academic, medical, mental health, substance abuse, and vocational needs, but lower sex offender treatment and intellectual and developmental needs, compared to males.

**Figure 22** shows court commitments by LSI-R (Level of Supervision Inventory - Revised) risk score ranges and gender. The most common score ranges were 30-34 for males and 35-39 for females.



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# RELEASES



This section reflects 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 (i.e. not enacted), 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 the following: 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, court-ordered discharges, and discharges to pending charges or detainers. These discharges resulted in the release of 179 offenders in FY 2018. Martin/Cooper discharges apply to

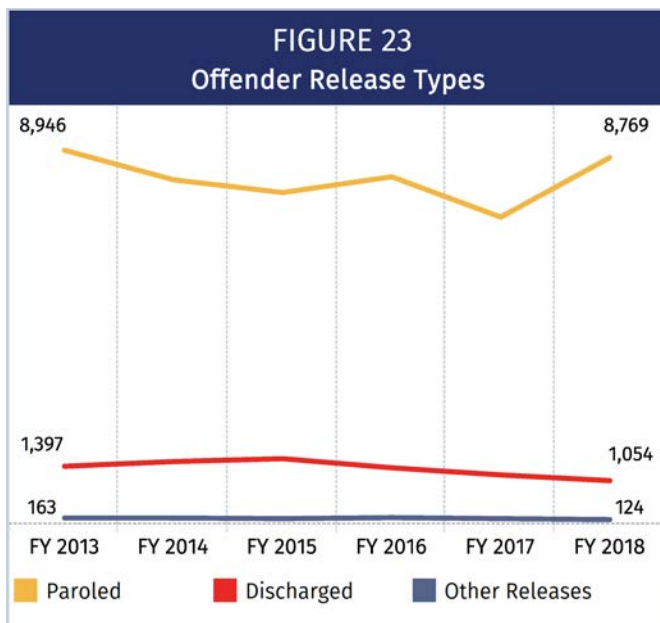
offenders convicted of sex-offenses between July 1, 1993, and June 30, 2002. The Colorado State Supreme Court (People v. Martin, Case 99SC602) and the Colorado Court of Appeals (People v. Cooper, Case 98CA1614) ruled that these sex offenders were subject to a period of discretionary parole that could 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. 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. Of the 179 sentence discharges, 11 offenders fell under Martin/Cooper discharges in FY 2018.

Other types of releases occur on relatively rare occasions, including release to probation and deaths in custody. These release types constituted only 1.2% of releases in FY 2018.

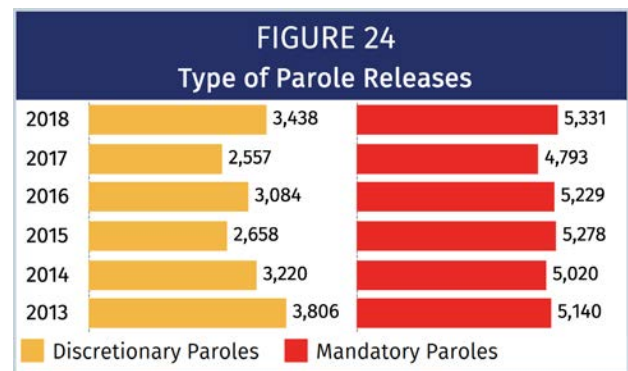
## RELEASES BY TYPE

Offender releases increased between FY 2015 and FY 2016, then decreased in FY 2017.

In FY 2018, releases began to increase again, rising by 14.5% (see Figure 14, pg. 11). An examination of release types shows that most releases reflect offenders who have paroled (**Figure 23**).



In December 2005 the CDOC implemented procedural changes that affected offenders scheduled for weekend parole release. Offenders with mandatory release dates or mandatory re-parole dates that fell on a weekend or on an observed federal holiday were released a few days earlier. This resulted 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 parole releases by fiscal year. The increase in total parole releases in FY 2018 is attributable to an increase in both types of releases.

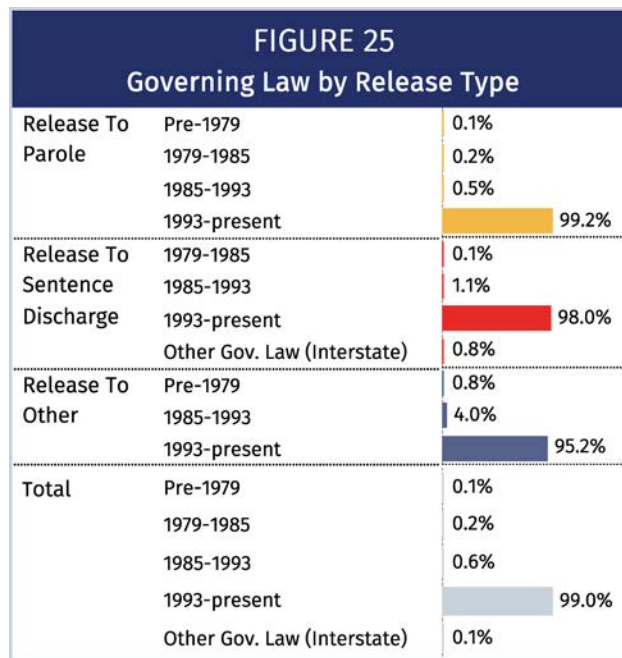


**Table 7** provides details of releases by type and gender for FY 2018. Approximately 10.6% of these annual releases were sentence discharges while 88.2% were parole releases.

TABLE 7 Offender Release Types by Gender			
	Male	Female	Total
PAROLE			
Discretionary	2,865	573	3,438
Mandatory	2,231	295	2,526
Mandatory Re-parole	1,517	251	1,768
HB 1351 Mandatory	805	232	1,037
<b>SUBTOTAL</b>	<b>7,418</b>	<b>1,351</b>	<b>8,769</b>
SENTENCE DISCHARGE			
Discharge	813	99	912
Discharge to Pending Charges	91	15	106
Discharge to Detainer	21	4	25
Martin/Cooper Discharges	11	0	11
<b>SUBTOTAL</b>	<b>936</b>	<b>118</b>	<b>1,054</b>
OTHER			
Deceased	46	3	49
Probation	34	4	38
Court Ordered Discharge	34	3	37
Colorado State Hospital Transfer	0	0	0
Appeal Bond	0	0	0
<b>SUBTOTAL</b>	<b>114</b>	<b>10</b>	<b>124</b>
<b>TOTAL RELEASES</b>	<b>8,468</b>	<b>1,479</b>	<b>9,947</b>



The majority of released offenders were governed by current law (1993–present), which requires a period of parole supervision (**Figure 25**). Only 2.0% of the 1,054 offenders who released to sentence discharge were not required to serve a period of parole. The remaining 1,033 offenders who discharged his or her sentence were those who had returned to a prison facility after a parole violation, and then discharged from offender status by reaching sentence fulfillment without re-paroling.

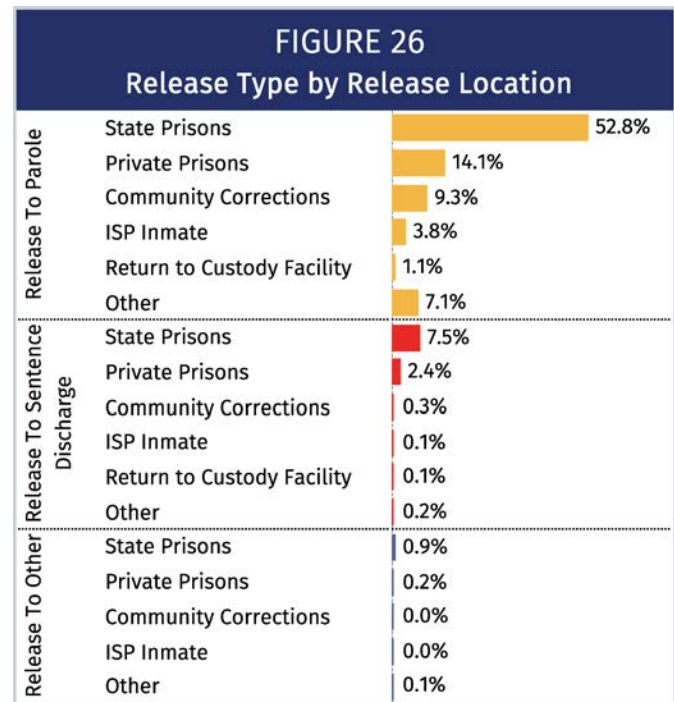


Note: Other includes Probation, Court-Ordered Discharge, Deceased, Dual Commitment and Appeal Bond.

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

**Figure 26** illustrates the percentage 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 in

FY 2018. Approximately 13.1% successfully transitioned from prison to parole via community corrections and/or ISP inmate status. More offenders released from private prisons in FY 2018 than in previous years. This is attributable to a large number (896) of releases directly from Cheyenne Mountain Re-entry Center. Approximately 1.2% of offenders returned to parole or discharged their sentence from a return-to-custody facility. Offenders who are under the supervision of other jurisdictions but are sentenced to the CDOC are reported in the “Other” category. 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.



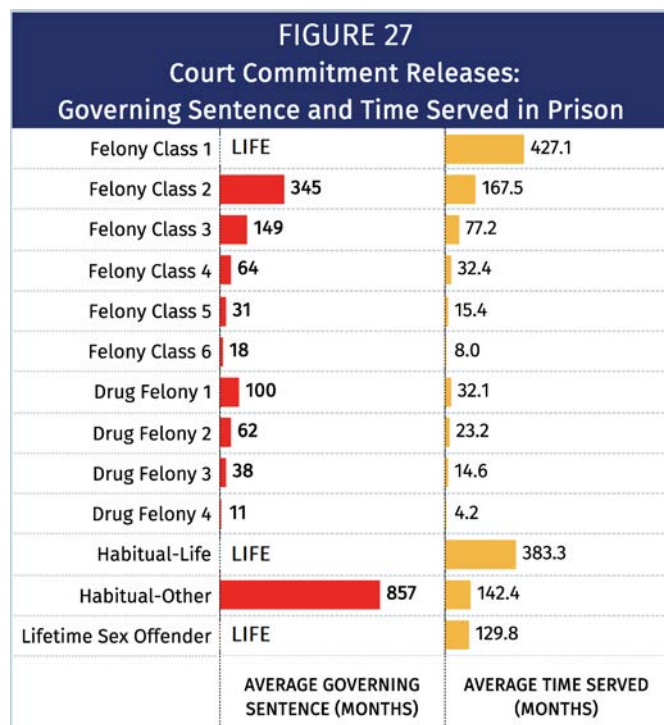
Note: Other includes Probation, Court-Ordered Discharge, Deceased, Dual Commitment and Appeal Bond.

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



## TIME SERVED IN PRISON

The time served in prison in relation to offenders' governing sentences was charted in **Figure 27**. The governing sentence determines the Mandatory Release Date (MRD) or Statutory Discharge Date (SDD).

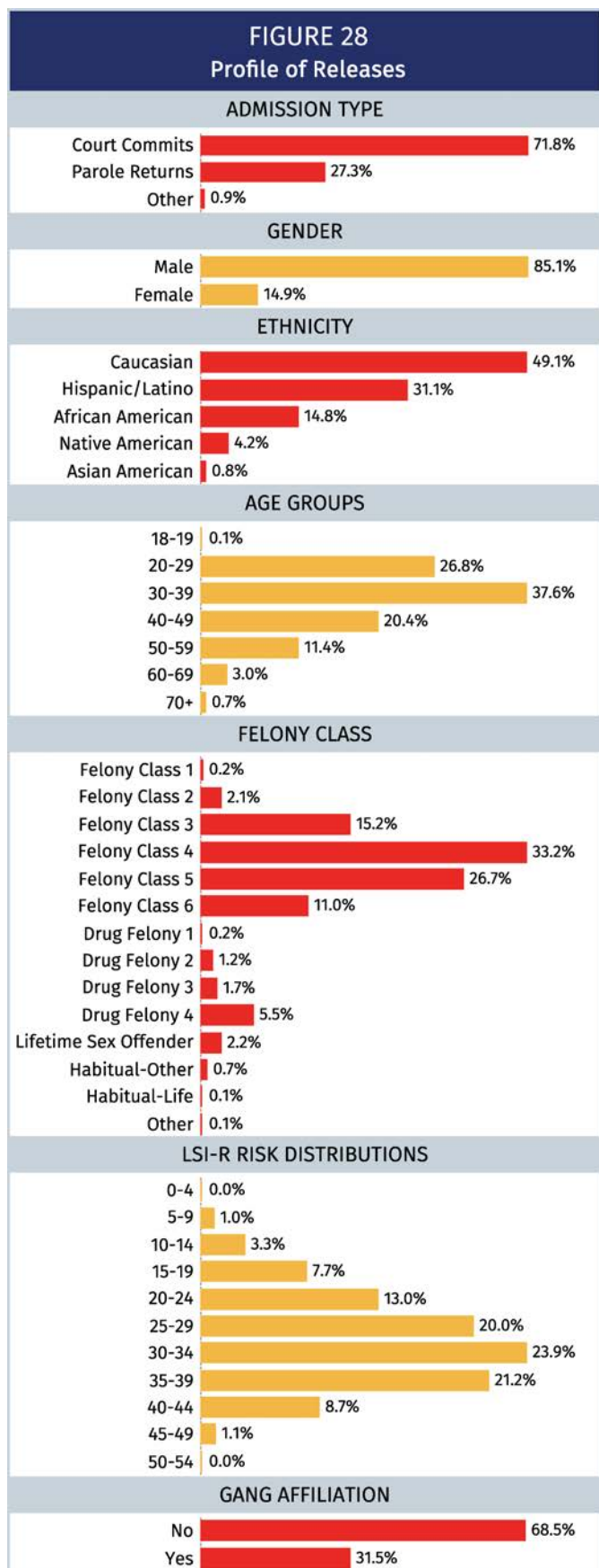


Once an offender paroles, the statutorily mandated parole period then governs. If the offender is revoked for a technical violation, the parole period continues to govern. If an offender is revoked due to a new conviction, the governing sentence can be either the new conviction or the existing parole period. The sentence resulting in the latest mandatory release or statutory discharge date will govern. If the new conviction is ordered to run consecutively with 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, or pre-sentence confinement awards. However, time spent in county jail (backlog) waiting for prison bed space after sentencing is included. 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 who discharged a sentence were included in the comparison. Governing sentences and imprisonment time increase with felony class. Habitual offenders and lifetime-supervision sex offenders also serve extended sentences. Habitual offenders serve close to 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. Notably, 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.

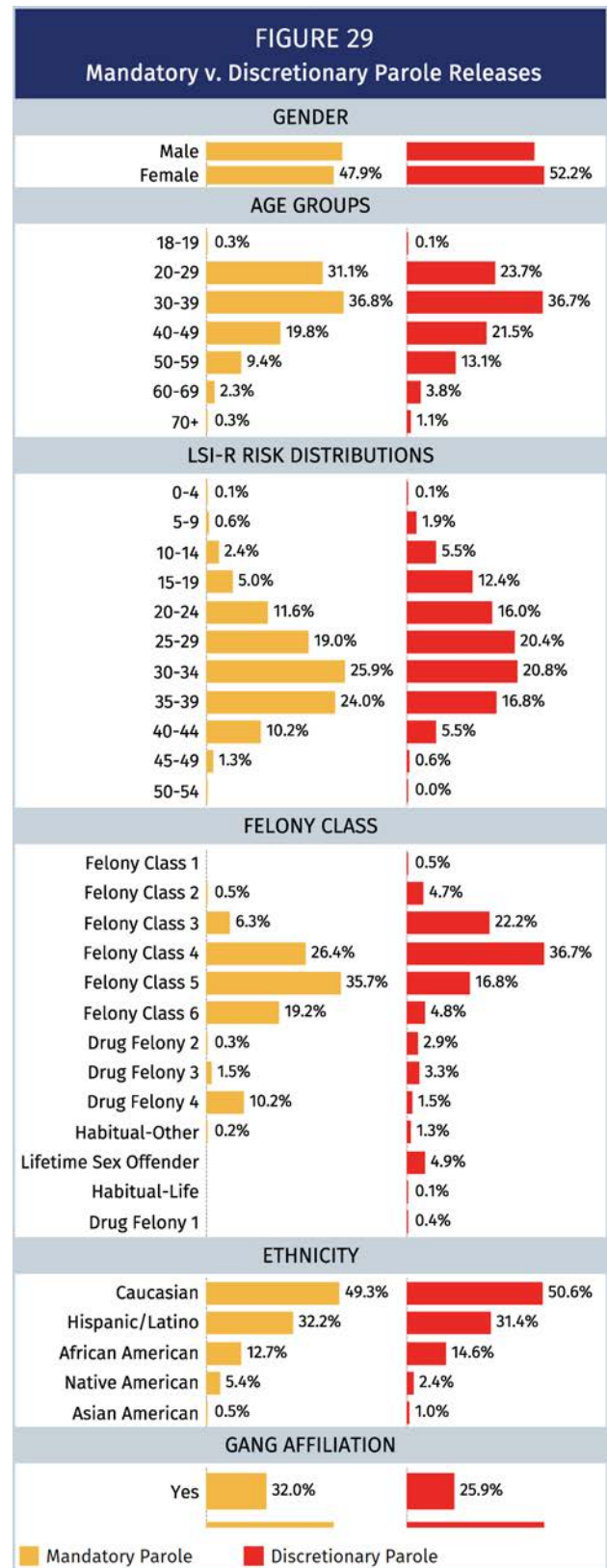
## PROFILE OF OFFENDER RELEASES

Demographic and sentencing data was examined for the FY 2018 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 individuals who release from offender status, each offender was included in the release profile only once using his or her first release. Consequently, the profile cohort included 7,992 males and 1,416 females, totaling 9,408 first releases. An exploration of the profile data by release type revealed few meaningful differences, so the data is not displayed here. In **Figure 29** various differences between offenders who release on discretionary parole versus mandatory parole are contrasted. As in previous comparisons, only the first release was counted, and only releases to discretionary parole and mandatory parole (including HB 1351) were included. Re-paroles are not included in the mandatory parole releases. The final sample included 3,435 first discretionary parole releases and 3,545 first mandatory parole releases, totaling 6,980 first releases. Offenders who released on discretionary parole during FY 2018 were more likely to



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

have Class 3 or 4 felonies and have lower LSI-R risk scores compared to offenders on mandatory parole. Offenders with more serious felonies were more likely to receive discretionary parole. However, for offenders convicted of Class 1 felonies or who were sentenced to lifetime supervision for sex offenses, release can only be granted by the Parole Board. Offenders with higher LSI-R risk scores are less likely to be granted discretionary parole.

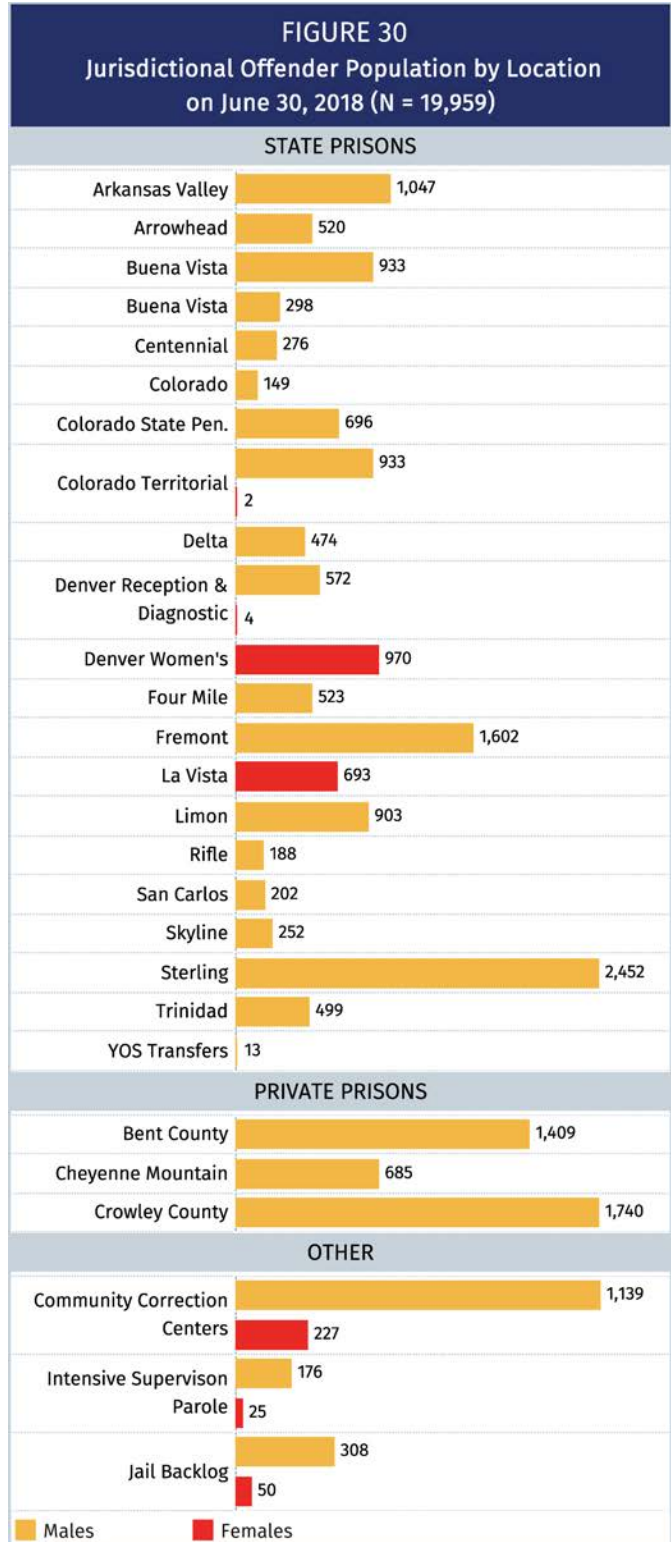


# OFFENDER POPULATION CHARACTERISTICS

## 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 176 fugitives). The majority of offenders (70.5%) were in state prisons, 19.0% were in private prisons, and 9.6% were in the community, on Intensive Supervision Parole, or in jail backlog. 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. The three private prisons used in FY 2018 house male offenders only. Denver Women's Correctional Facility and La Vista Correctional Facility exclusively house female offenders. However, female offenders 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. Qualifying women may also volunteer to be placed in a specialized program (per SB16-180) located at YOS (YOS Transfers).

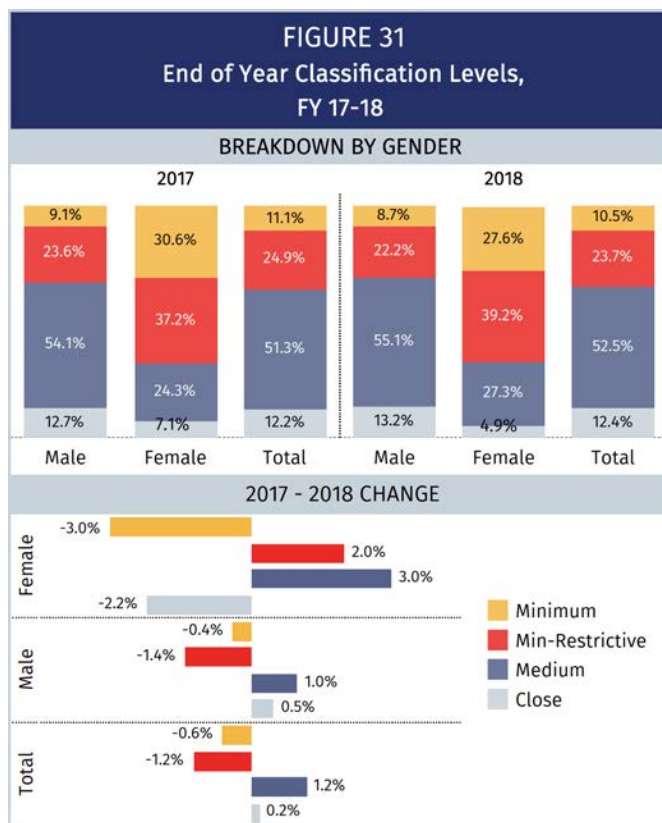




## CUSTODY CLASSIFICATION & STATUS

All offenders are assessed upon intake into the CDOC and then re-assessed at different intervals during their incarceration. These assessments are completed to help determine appropriate housing placement. Initial and reclassification assessments include gender-specific criteria.

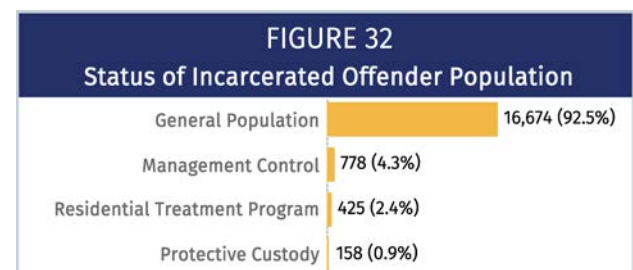
**Figure 31** provides a comparison of offender classification levels at the end of FY 2017 and FY 2018. Over the last several years significant changes in custody designations have occurred. This has included the elimination of administrative segregation and restrictive housing followed by the implementation



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

of Management Control (MC) status. Management Control status is designed for offenders who have demonstrated (through behavior) that they pose a risk to the safety and security of a general prison population. 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 is designated for offenders with mental illness or intellectual disabilities who are participating in specialized programs designed to promote pro-social behavior.

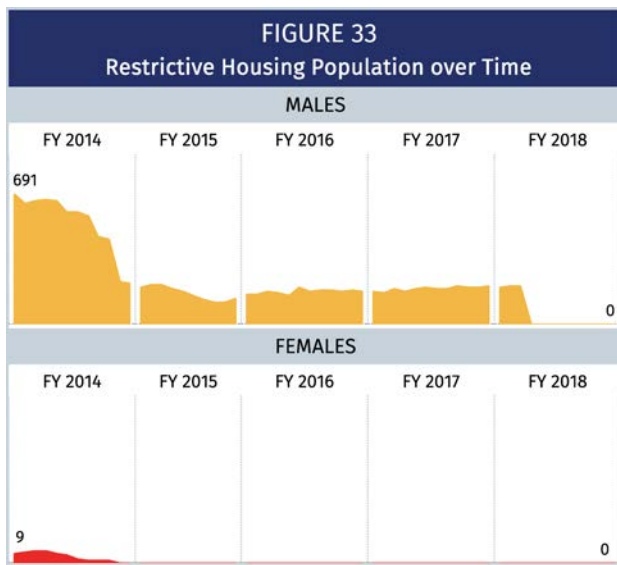
**Figure 32** shows that 92.5% of the offenders in prison facilities are in the general population and 7.5% have special designations. The effort to remove all offenders housed in administrative segregation and restrictive housing has been successful. As of August 2017, Management Control is the most restrictive status designation, though punitive segregation is still used to house offenders serving disciplinary sanctions.



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



**Figure 33** shows changes that have occurred in the restrictive housing population over time. This population peaked in September 2011 with 1,505 offenders (7.4%) in administrative segregation. No offenders were housed in Extended Restrictive Housing at the end of FY 2018, due to full elimination of the status in August 2017.

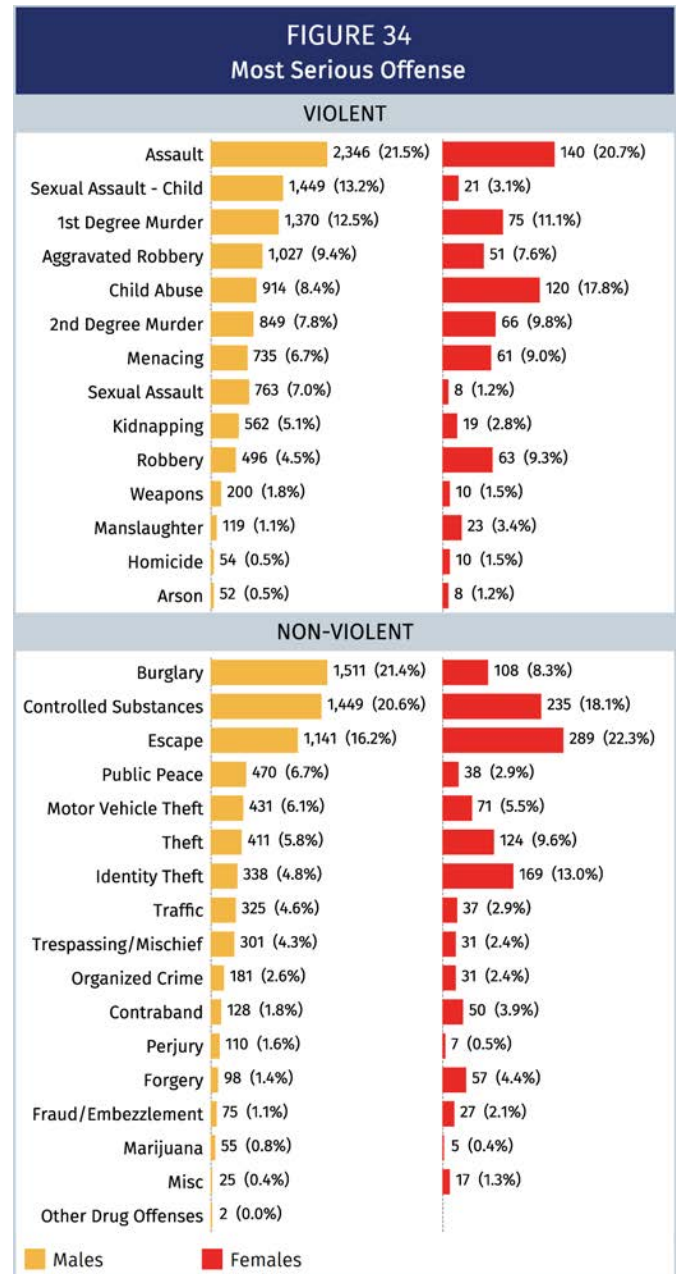


\*Restrictive Housing includes the historical statuses Administrative Segregation, Restrictive Housing - Maximum Security (RH-Max), and Extended Restrictive Housing (ERH).

## MOST SERIOUS OFFENSE

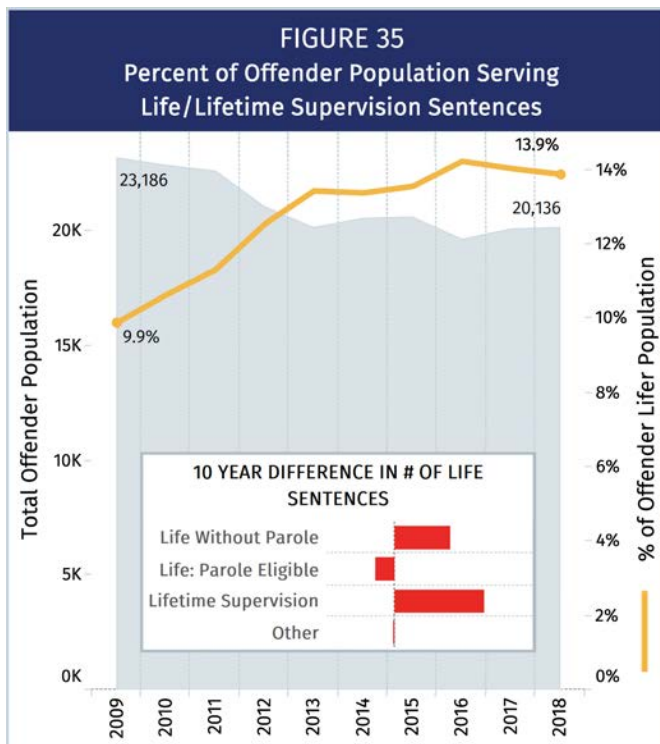
**Figure 34** contains the most serious offense distribution for the adult offender population as of June 30, 2018. Of the currently incarcerated offender population 58.7% has a violent offense while only 35.7% (**Figure 17**) of new court commitments have a violent offense. Since 2010, numerous legislative bills have been passed in an effort to reduce the offender population

(Overview and Appendix sections). These bills target 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.



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

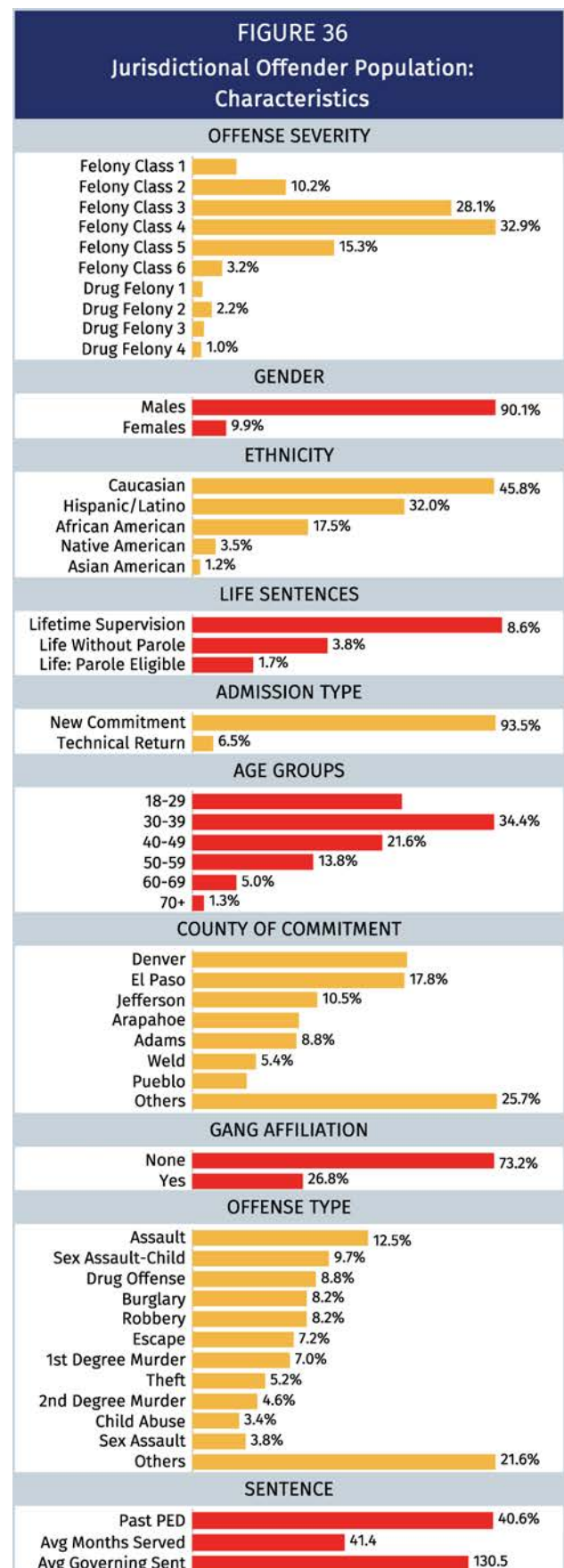
**Figure 35** shows a 10-year history of the total offender population and the percent serving life or lifetime sentences. Even during periods of population decline, offenders serving life and lifetime supervision sentences continued to account for a greater percentage of the population. Offenders serving life without parole sentences have risen by 4.0% while the offender population decreased by 13.2% from 2009 to 2018. A large proportion of the increase is due to offenders sentenced under lifetime supervision.



\*Includes Fugitives

## OFFENDER PROFILE

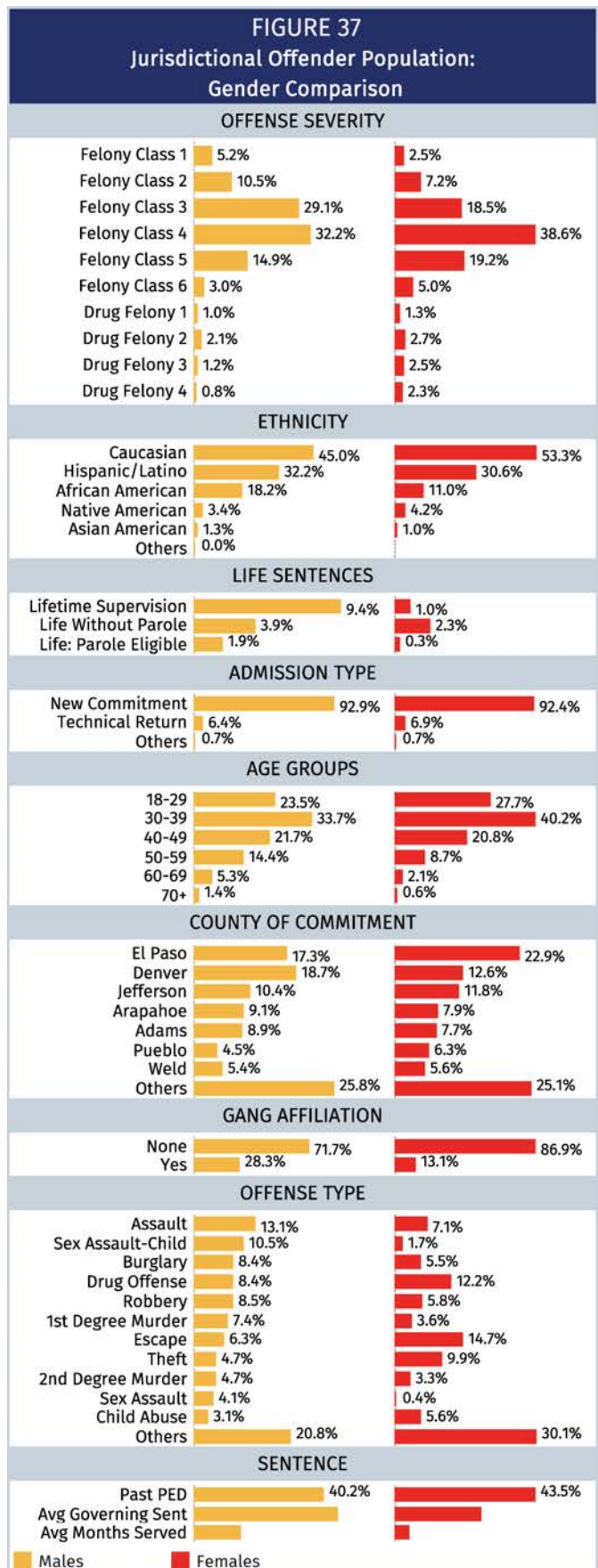
**Figure 36** shows the profile of the total offender jurisdictional population on June 30, 2018. This population includes offenders



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

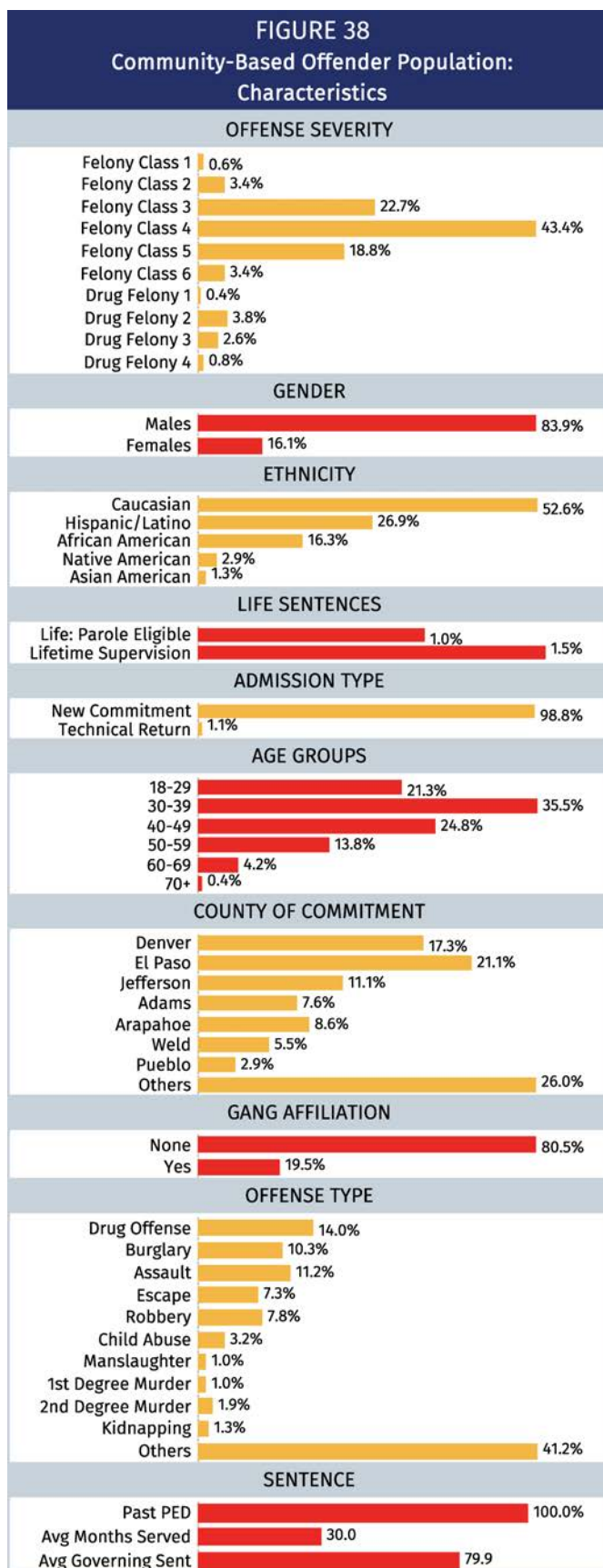
in jail, prison, and the community but does not include fugitives. Offenders were predominantly male (90.1%), Caucasian or Latino (77.8%), and between the ages of 18–49 (79.9%). Within this population, 14.1% of offenders were serving sentences with a maximum term of life; 1.7% of those serving life sentences will be parole eligible. This group’s average maximum governing sentence was 130.5 months, or 10.9 years. However, they had only served an average of 41.4 months (3.4 years). Parole Eligibility Date (PED) is calculated as 50% of the maximum governing sentence length minus credit for pre-sentence confinement awarded by the court. Mandatory release date 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** highlights the gender differences across the jurisdictional population. Among some of the larger observed differences, males showed higher rates of violent offense types, a higher rate of gang affiliation, and a higher rate of life sentences. Females had notably shorter governing sentences and time



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





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

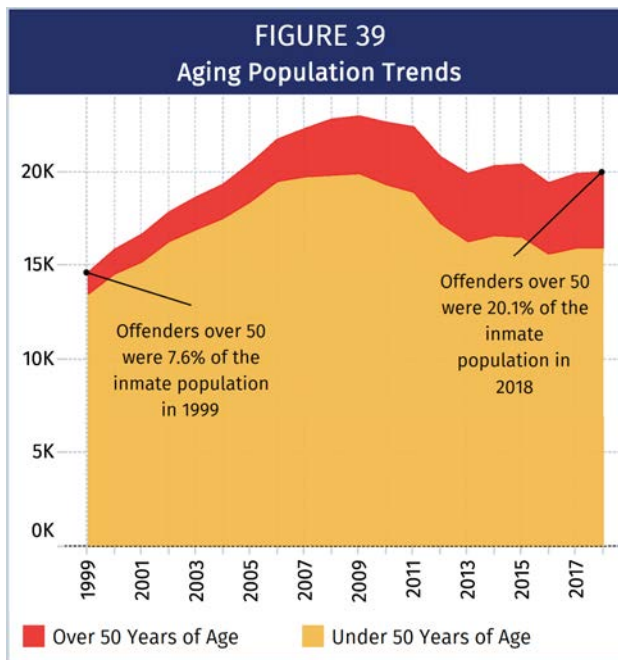
served, on average. Females also showed higher rates of drug, escape, and theft convictions as their most serious offense.

The profile of community offenders is shown in **Figure 38**. This population differs in various ways from the total jurisdictional population. Offenders serving sentences in the community were more likely to have been convicted of a lower felony class. Very few community offenders were serving life or lifetime supervision sentences. All of the community offenders were past their PED due to meeting community eligibility requirements.

## AGING TRENDS

Offenders over 50 years of age are one of the fastest-growing prison populations. Between 1999 and 2018, the number of offenders over the age of 50 grew by more than seven times the rate of the overall general prison population. During the last 10 years, the number of offenders aged 50 and over increased from 3,059 to 4,019 (31.4%), while the total population experienced a 13.1% decrease (from 22,964 to 19,961) 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<sup>5</sup>, increased life expectancy among adults, and tougher sentencing laws.<sup>6</sup> The aging population creates unique challenges for the criminal justice system, including higher medical costs, the need for special housing and programming, and a higher risk of victimization.



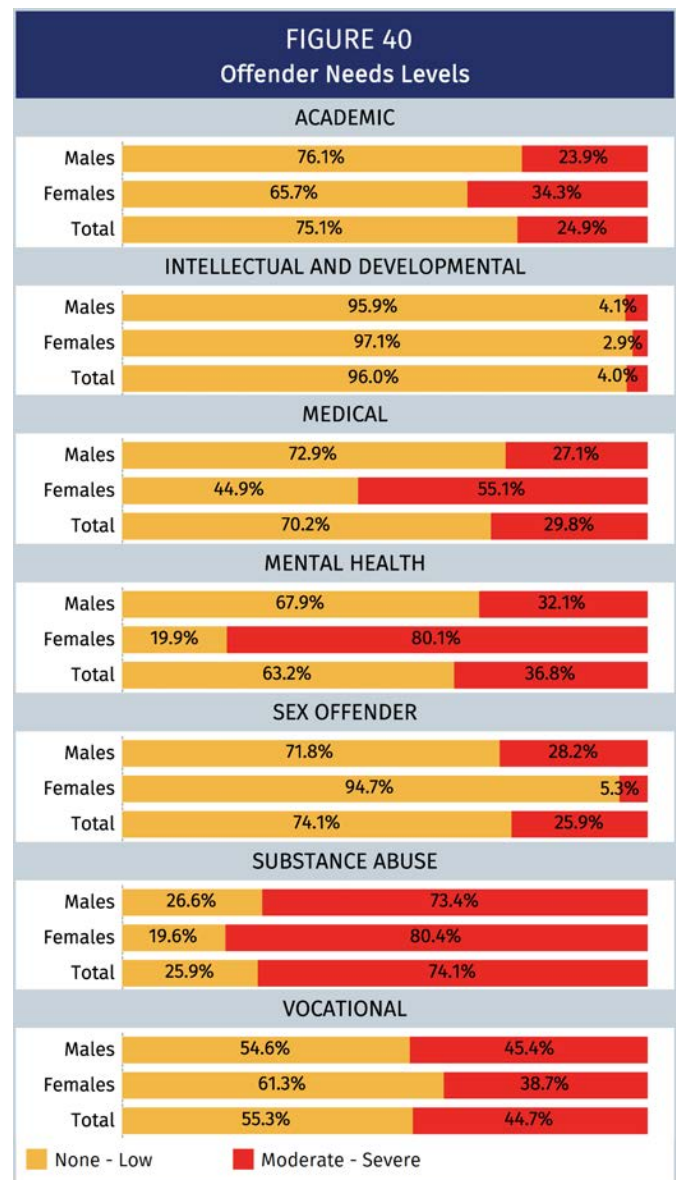
## NEEDS LEVELS

**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

5. Administration on Aging, U.S. Department of Health and Human Services. (2017). 2017 Profile of older Americans. Washington, DC: U.S. Government Printing Office.

6. Anno, B. J., Graham, C., Lawrence, J. E., Shansky, R., Bisbee, J., & Blackmore, J. (2004). Correctional health care: Addressing the needs of elderly, chronically ill, and terminally ill inmates. Middletown, CT: Criminal Justice Institute.

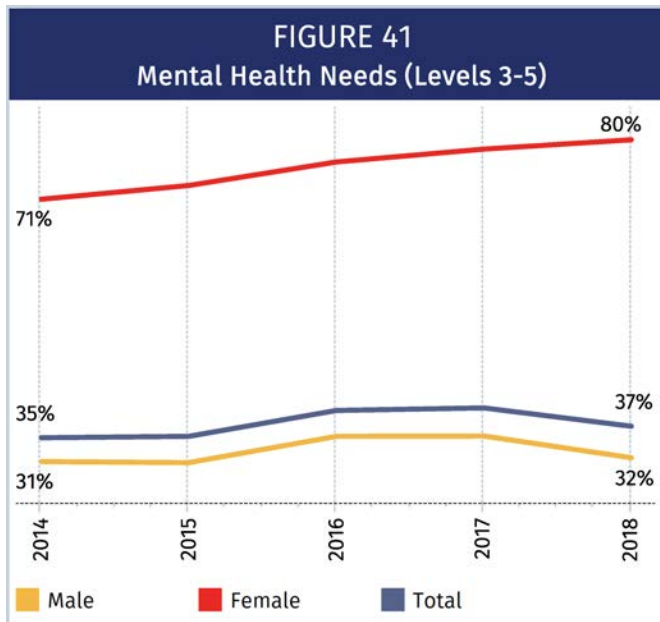
(Levels 1-2). Need levels are examined by gender and across multiple need categories. Examination of the data shows that females have higher academic, medical, mental health, and substance needs levels than males. Males have a higher need for sex offender treatment and vocational training than females have. Both gender groups showed similar need levels in the Intellectual and Developmental area. A disproportionately large number of individuals with mental illness exist within





the criminal justice system. National data suggests that offenders are nearly three times as likely to have a mental illness as members of the general population<sup>7</sup>.

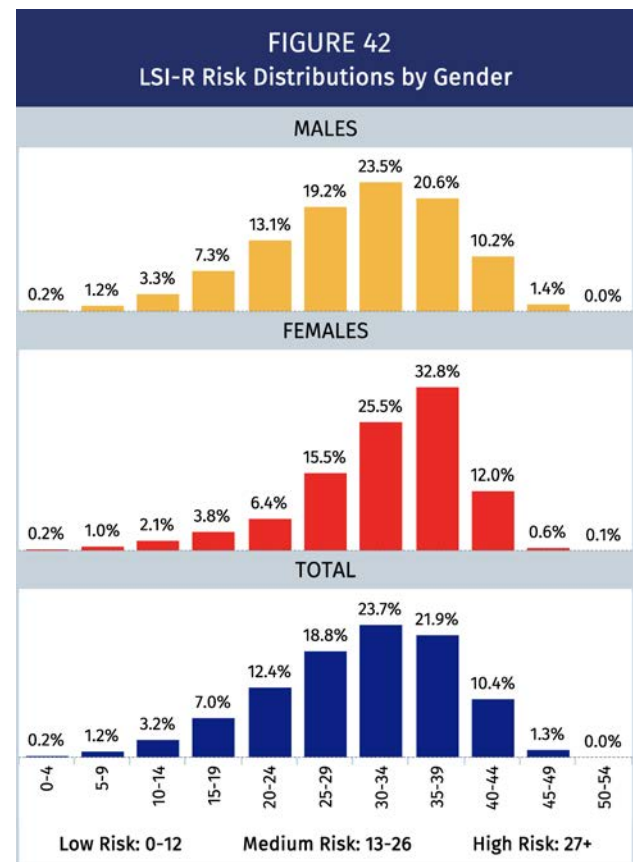
**Figure 41** shows the percent of offenders with significant mental health needs (Levels 3–5) since FY 2014. Female offenders have consistently showed moderate-to-severe needs more often than males, though males also tend to show moderate-to-severe needs to a substantive degree.



## RISK ASSESSMENT

The LSI-R is used to assess risk of offender recidivism. **Figure 42** displays the most recent LSI-R score distributions as of June 30, 2018 for both genders within the total

offender population. CDOC offenders most often score in the high risk range of the LSI-R scale. Female offenders also score in the high range most often, but even more frequently than male offenders. Females have diverse pathways to crime, including not only substance abuse and mental illnesses common among male offenders, but also potentially additional mental health complications following from, for example, a potential history of sexual abuse victimization and/or increased stress following from heavier parenting responsibilities.



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

7. Fazel, 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.

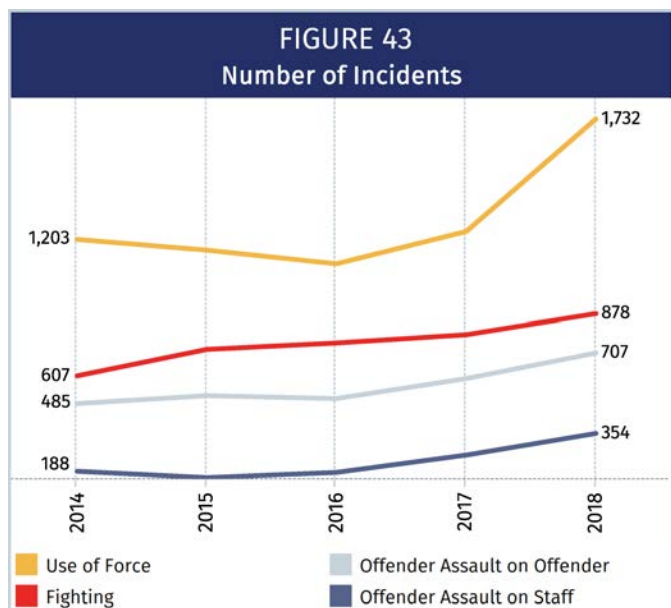
## REPORTABLE INCIDENTS

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 for any 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 the CDOC's website but is not reported here.

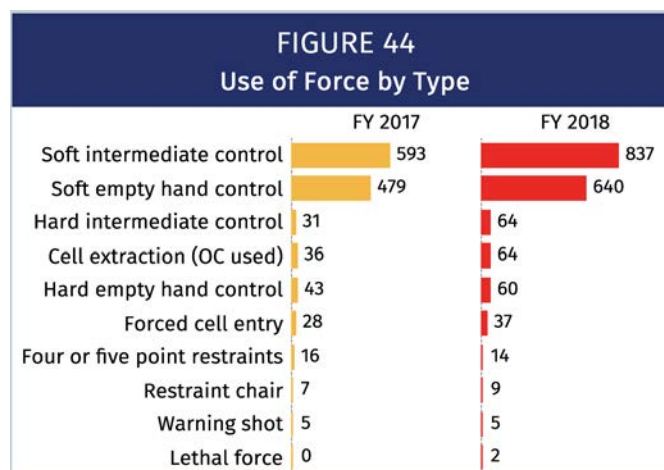
## ASSAULTS & USE OF FORCE

Prison-based incidents are tracked electronically through the Reportable Incident System, which became operational on January 1, 2008. This system has since been used to report incidents department wide. Assaults against offenders and staff include any uses of physical force, intentional transfers of hazardous substances (i.e., feces, urine, or chemicals), or use of any object for the purpose of threatening or causing harm, regardless of whether injury occurs. Beginning in July of

2013, assaults against staff have been tracked by type (e.g., with serious injury, without serious injury, hazardous liquid, or spitting). The use-of-force category includes incidents involving: soft and hard empty-hand control; soft and hard intermediate control; a forced cell entry; a cell extraction with oleoresin capsicum (OC); use of a restraint chair; four or five point restraints; warning shots; or use of 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 unique incident rather than by the number of offenders involved. Use-of-force incidents are counted by the number of offenders involved in each incident. In FY 2018 noticeable increases can be seen in all categories, reflecting an upward trend since FY 2016. The total staff assaults shown do not include incidental contacts or attempted assaults that did not result in staff injury.



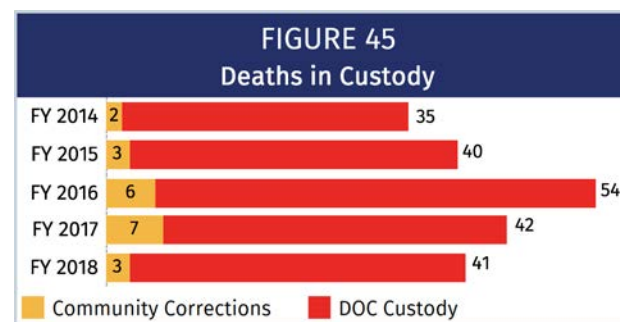
**Figure 44** shows how often different types of force were used during FY 2018. There was a noticeable increase for most types in FY 2018, compared to FY 2017. The use of four or five point restraints declined and the use of warning shots stayed the same.



## DEATHS IN CUSTODY

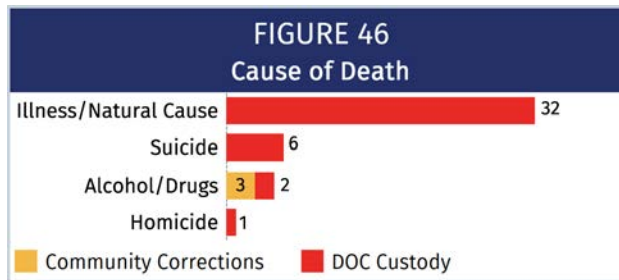
The CDOC participates annually in the BJS' Mortality in Correctional Institutions (MCI) program, which collects national, state and incident level data on persons who died while in the physical custody of the 50 state departments of corrections and approximately 2,800 local adult jail jurisdictions. MCI records decedent characteristics, information on whether an autopsy was conducted, the circumstances surrounding deaths, and in cases of deaths due to illness, information on the presence or absence of pre-existing medical conditions and prior medical treatment. Deaths in custody, as defined by MCI, apply to offenders confined in CDOC facilities,

whether housed under CDOC jurisdiction or the jurisdiction of another state (i.e. interstate compact); private facilities; special facilities (medical, treatment, or release center, halfway house, police or court lockup, and work farm); 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 inmate status or deaths of those under probation or parole supervision. During FY 2018, there were 44 deaths in custody, three of which occurred in community corrections (**Figure 45**). Cause of death is always determined by a coroner or medical examiner external to CDOC.



Approximately 72.7% percent of offenders who died did so due to an illness or natural cause (**Figure 46**). Among all deaths, three of the deceased were female offenders. The average age at the time of death was 56.6 years (exclusive of those who died of illness or of natural causes) and 39.4 years (inclusive of those who died of illness

or of natural causes).



## ESCAPES

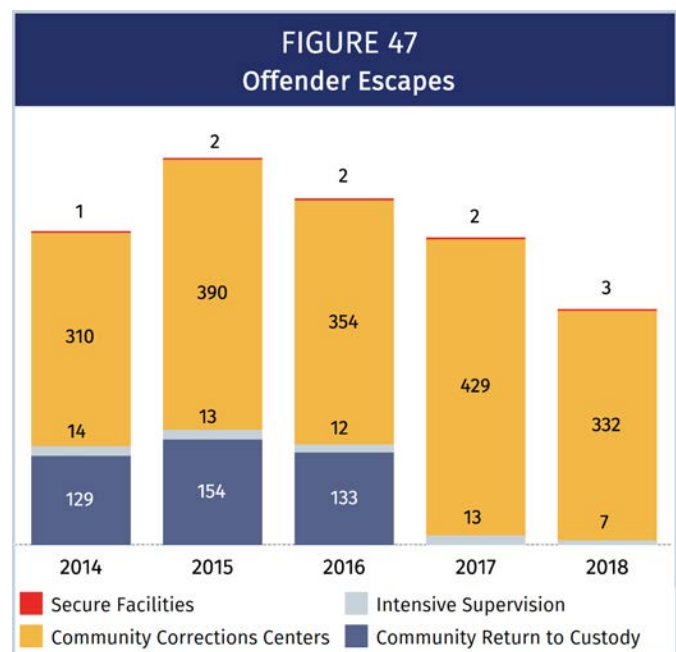
CDOC defines escape as an act whereby an offender, without authorization, leaves the confines of the last barrier of a secured facility, the imaginary barrier of an unsecured facility (camp) or work crew, leaves an escorted trip outside a facility without permission, or fails to return to official custody following temporary leave granted for a specific purpose and for a specified period of time. Escapes can result in a court conviction or a code of penal discipline conviction. In the context of community supervision (a community corrections facility or ISP placement), an unauthorized absence for 24 hours or more constitutes an escape. Escapes are most often committed by offenders in some form of community supervision.

**Figure 47** provides a five-year history of escapes from secure facilities (state and private prisons), community corrections centers, Intensive Supervision Program status, and community return-to-custody

facilities. The number of escapes from community corrections centers and the number of ISP escapes both decreased in FY 2018. 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 2018.

During the last five fiscal years 10 escapes occurred from locked facilities:

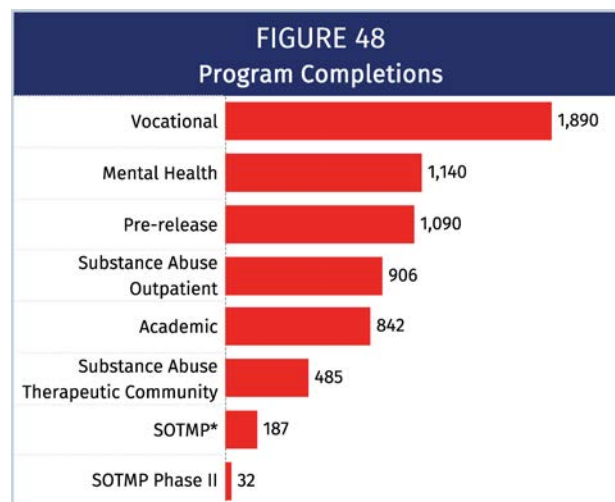
- FY 2014: Skyline Correctional Center (one)
- FY 2015: Colorado Correctional Center (two)
- FY 2016: Colorado Correctional Center (one), Trinidad Correctional Facility (one)
- FY 2017: Colorado Correctional Center (one), Delta Correctional Center (one)
- FY 2018: Colorado Correctional Center (one), Four Mile Correctional Center (one), Skyline Correctional Center (one)



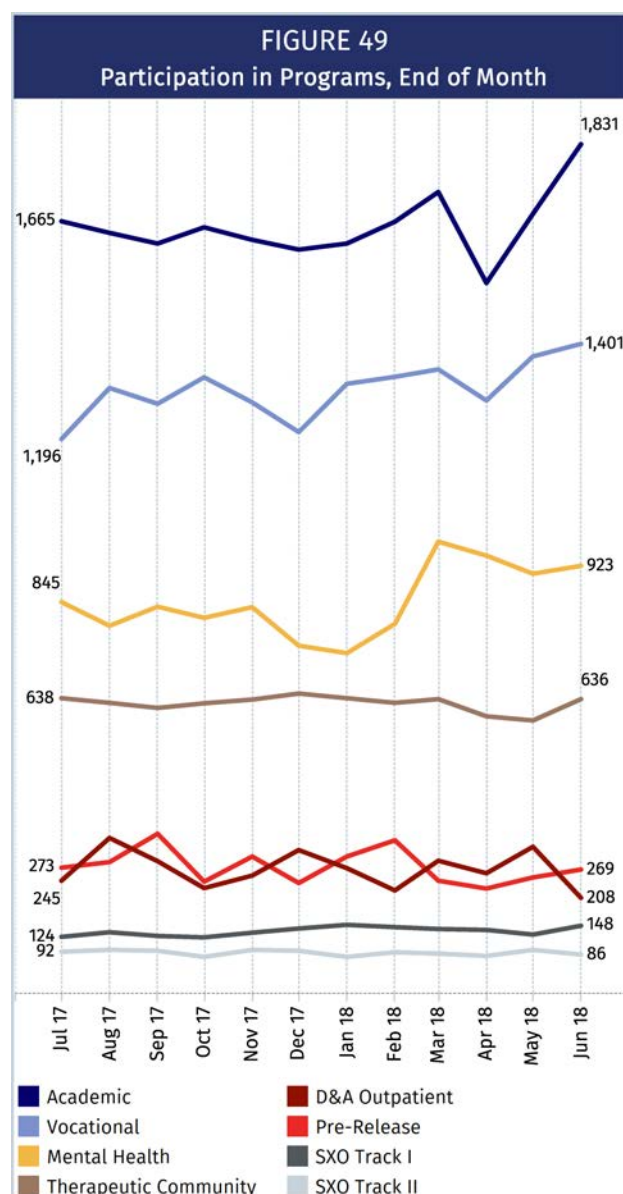


## PROGRAM PARTICIPATION

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 each of 12 consecutive months, for funded programs. Academic, vocational, and mental health treatment participation showed an upward trend from December of 2017 to June of 2018. Participation in other elective programs such as *Alcoholics Anonymous*, *7 Habits on the Inside* or *Thinking for a Change* may also take place but are not included in this chart.



\*Sex Offender Treatment and Management Program Criteria



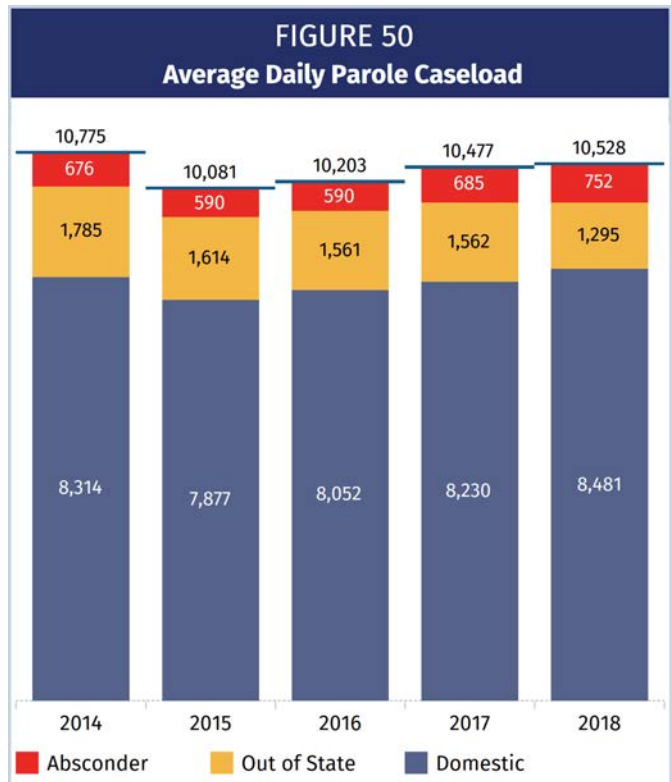
# PAROLE POPULATION CHARACTERISTICS

## PAROLE POPULATION

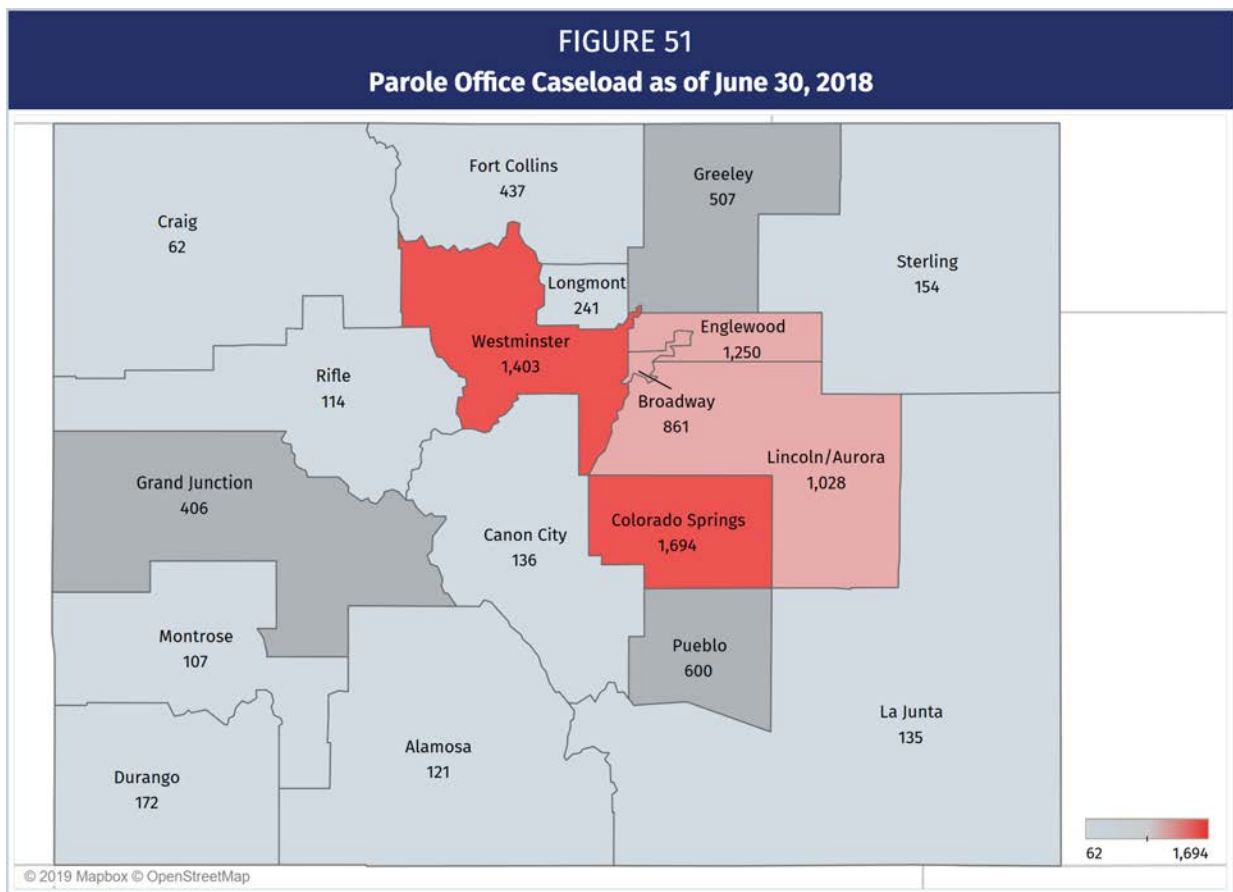
Colorado has a blended parole system. The Parole Board has the authority to grant parole to offenders who have reached parole eligibility but have not completed his or her full sentence. However, all offenders sentenced for a crime committed after 1993 are required to serve a period of parole, unless sentenced to life in prison 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 sentences and begin serving their parole sentence. If parole is revoked, they will continue to serve their parole sentence and may discharge that sentence during re-incarceration 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 total



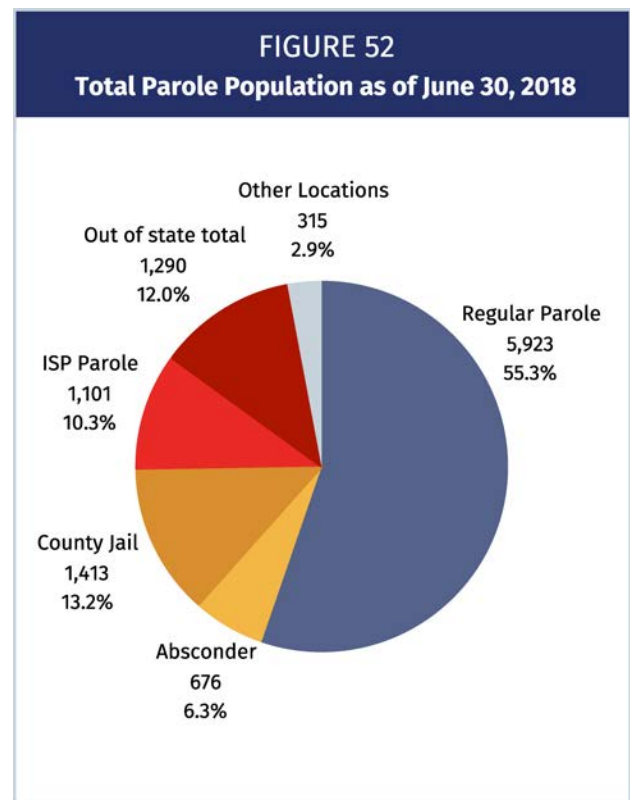
workload of staff maintained throughout the year. The average daily parole caseload in FY 2018 totaled 10,528, an increase of 0.5% from FY 2017. **Figure 51** displays the number of parolees by servicing parole office. The highest concentrations were found in the vicinities of Denver and Colorado Springs. This can be attributed to the overall higher populations and access to needed programs located in these areas. The highest percentage of parolees (15.8%) is assigned to the Colorado Springs office followed by the Westminster office (13.1%).



\*Excludes 1,290 out of state parolees.

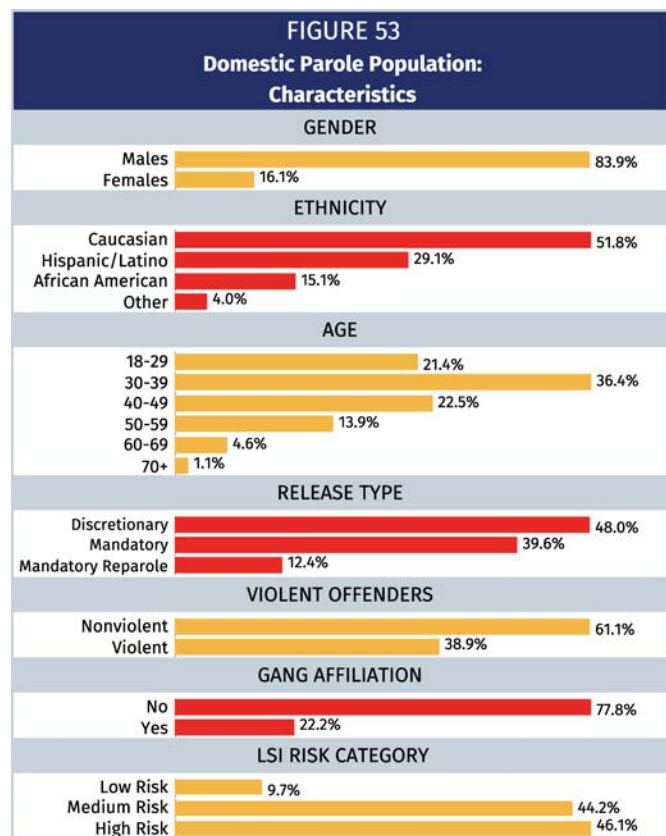
## PAROLEE PROFILE

**Figure 52** shows the parole population by supervision type. Over half (55.3%) of the population is active on regular parole supervision. Ten percent (10.3%) of parolees are assigned to the Intensive Supervision Program, which was launched in 1991 to provide additional supervision and program participation for especially high-risk parolees. Out-of-state, county jail, absconders, and parolees in other locations account for 34.5% of the population. The out-of-state category includes offenders: paroled to a felony detainer; deported by U.S. Immigrations and

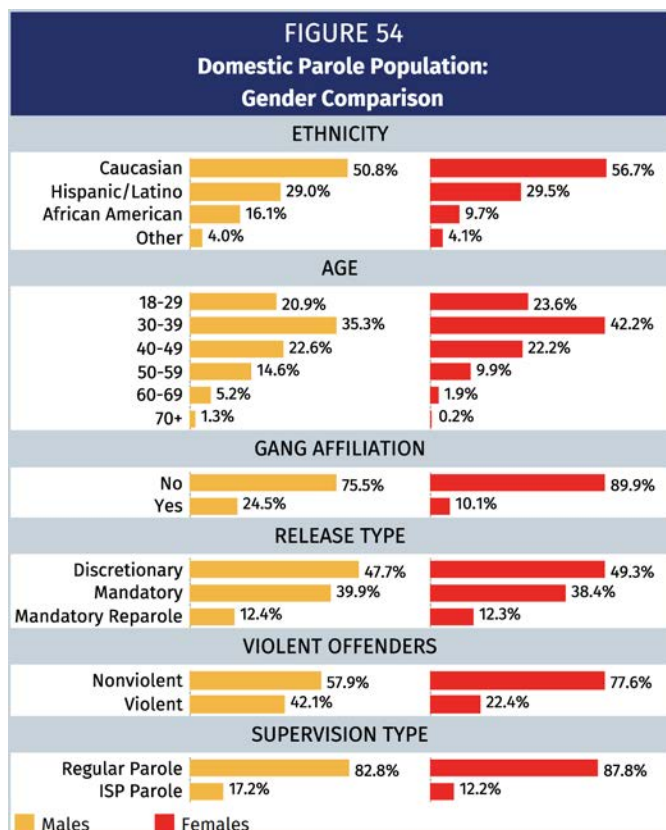


Customs Enforcement; and supervised on parole in other states. Parolees in county jail are likely awaiting a revocation hearing by the Parole Board due to a technical parole violation or pending a new criminal conviction.

Absconders are parolees who fail to report to their Parole Officer or whose whereabouts and activities are unknown due to their failure to report as required. 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 proportion of female offenders are on parole (16.1%) versus prison (9.9%). Non-violent parolees comprised 61.1% of sentences, whereas 41.3% of the offender population had been sentenced for non-violent crimes. The majority of parolees can be defined as: male, Caucasian, aged 18 to 49, having a discretionary or mandatory release types, being classified as non-violent, having no gang affiliation, and having a medium-to-high LSI risk level. When compared to males (**Figure 54**), fewer females are classified as violent and have fewer gang affiliations.



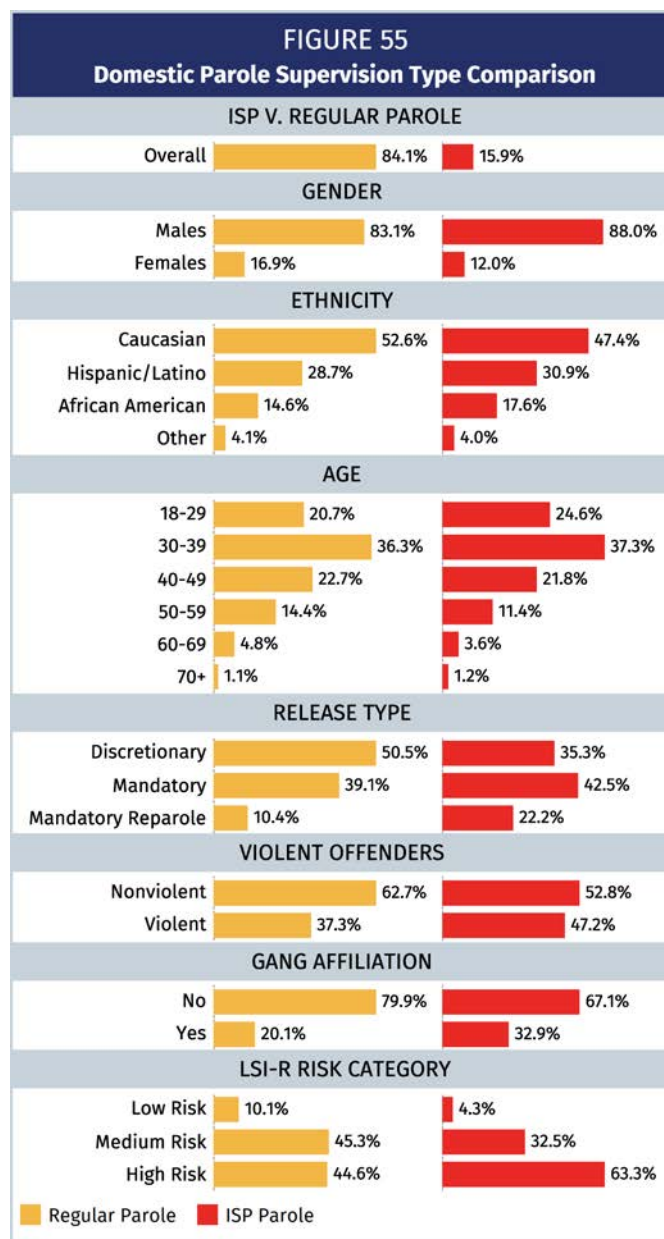
\*Values may not total 100% due to rounding.



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



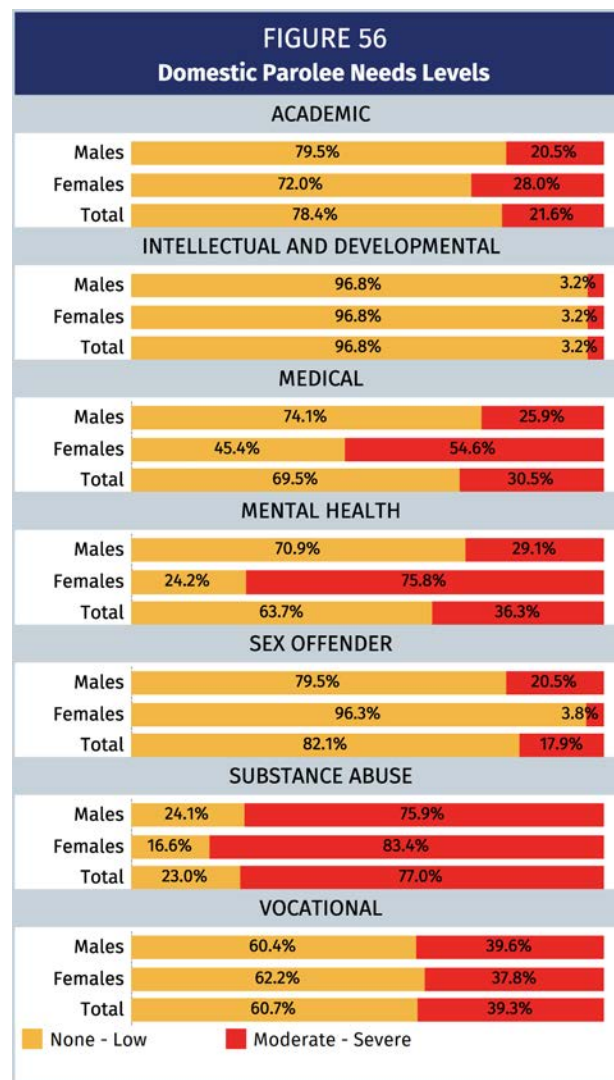
**Figure 55** shows that ISP parolees, compared to regular parolees: are substantially less prevalent; tend to be younger; less often receive discretionary release; more often are released on mandatory re-parole; tend to be classified as violent more often; less often are gang affiliated; and more often score in the LSI-R High risk range.



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

## NEEDS LEVELS

The needs levels for parolees are shown in **Figure 56**, contrasting individuals with none-low needs to those with moderate-high needs, and according to gender. As shown in the chart, parolees show the greatest area of need in the area of substance abuse and vocational skills needs. Female parolees also show higher levels of need in the areas of mental and medical health.



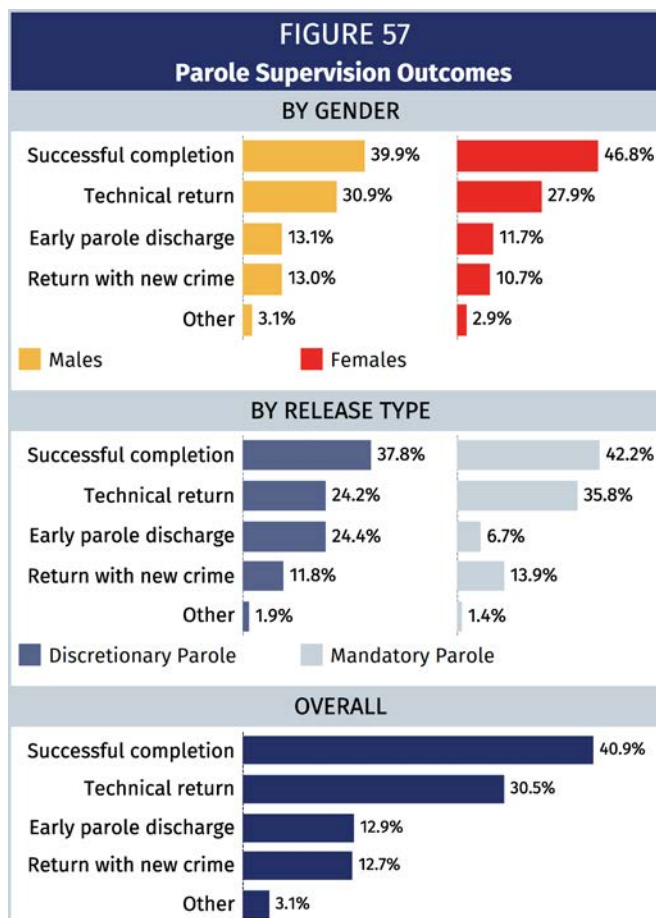
\*Values may not total 100% due to rounding.

When comparing the needs levels of parolees to needs levels of the jurisdictional offender population (**Figure 40**), the profiles of the two groups are similar. However, a few minor to moderate differences appear. Compared to the total jurisdictional population, female parolees show severe mental health and academic needs less often. Compared to the total jurisdictional population, male parolees show less severe sex offender and vocational needs. Differences between male and female parolees match the differences already highlighted for the total jurisdictional population.

## PAROLE SUPERVISION OUTCOMES

Less than half (40.9%) of parolees leaving parole supervision completed their parole sentence (**Figure 57**). Early parole discharge was granted to 12.9% of parolees in FY 2018. Parolees who have been under supervision for at least six months, have served at least half of his or her parole sentence, and are compliant with the conditions of parole may be eligible for early discharge. Final decision authority rests with the Parole Board. As indicated in the chart, female parolees successfully completed parole more often than males. Those with mandatory parole more often experienced technical violation returns

and much less often received early parole discharges. Technical returns, regardless of parolee gender, represents the most prevalent obstacle to successful parole completion.



Note: Other includes audit review return, deceased, deportation, dual commitment, interstate absconder, transfer out of state, and release to probation.

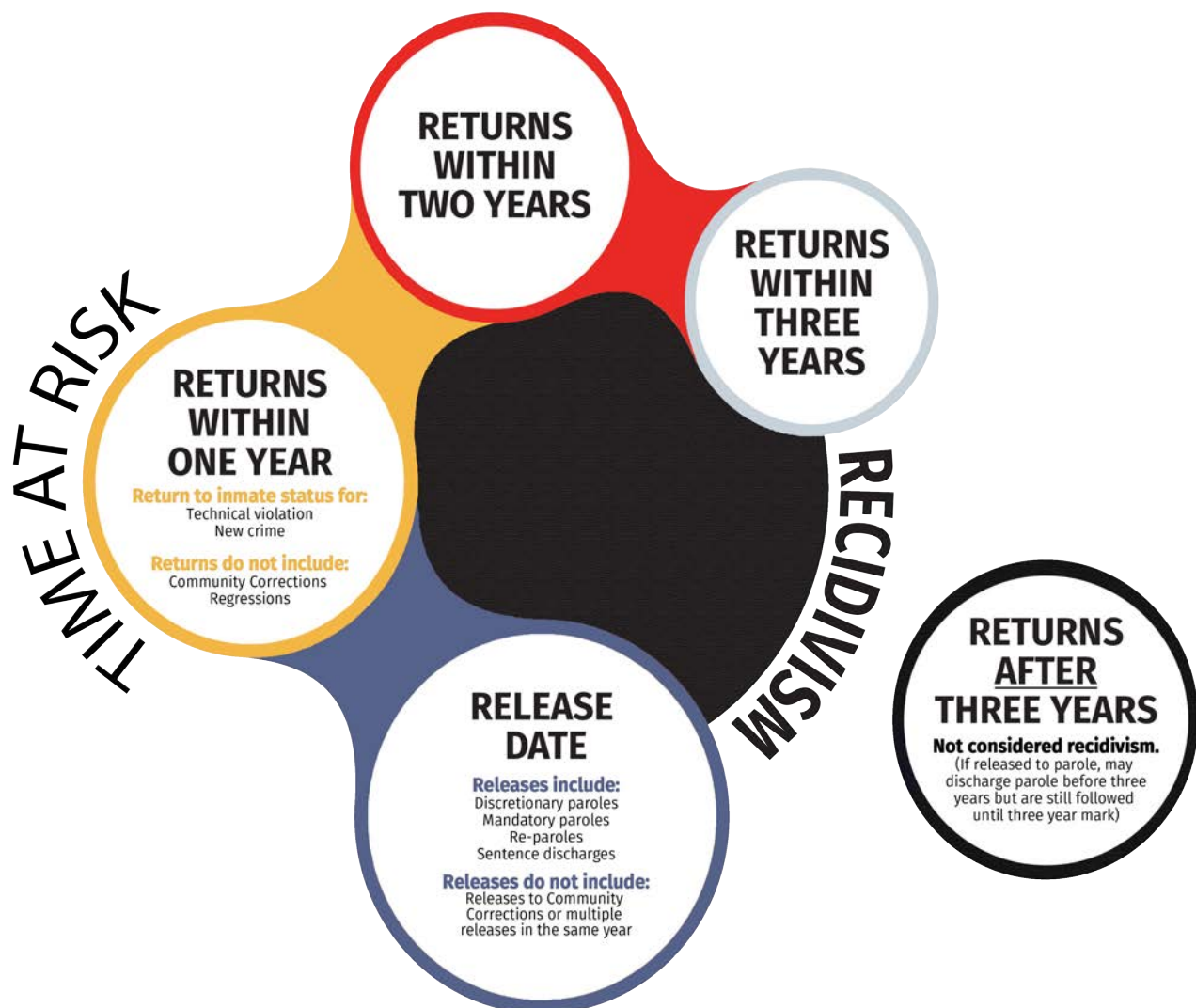
\*Values may not total 100% due to rounding.

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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. The new methodology did not change the historical standard definition of recidivism used in Colorado. However, explicit counting rules were confirmed and additional recidivism (or return-rate) definitions were made available for optional use (e.g., one year and two year definitions). The new methodology is based on the Association of State Correctional



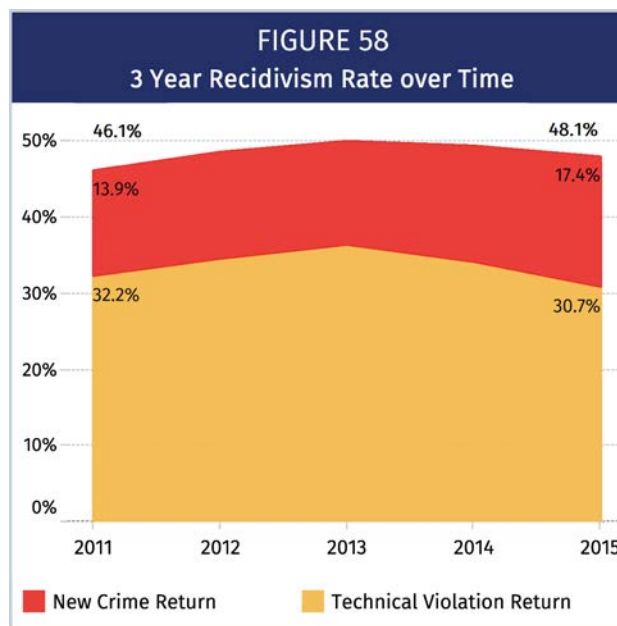


Administrators (ASCA) performance-based measurement system, which has specific measures and counting rules for calculating recidivism rates. The following summarizes the methodology:

- **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 is counted only once per release cohort. Therefore, only one offender failure can be counted per cohort.
- **Release types:** Contains offenders who released to the community to include releases to parole, completion of sentence, court-ordered discharge, and release to probation. To be counted, offenders must release from offender status. Those who died while incarcerated, escaped, or had a sentence vacated or inactivated are not to be included in the recidivism cohort. Additionally, offenders who release to a detainer or pending charges are to be excluded.
- **Calendar year (CY):** Although the CDOC statistical report is based on fiscal year, reporting recidivism on a calendar year basis ensures data is consistent with ASCA

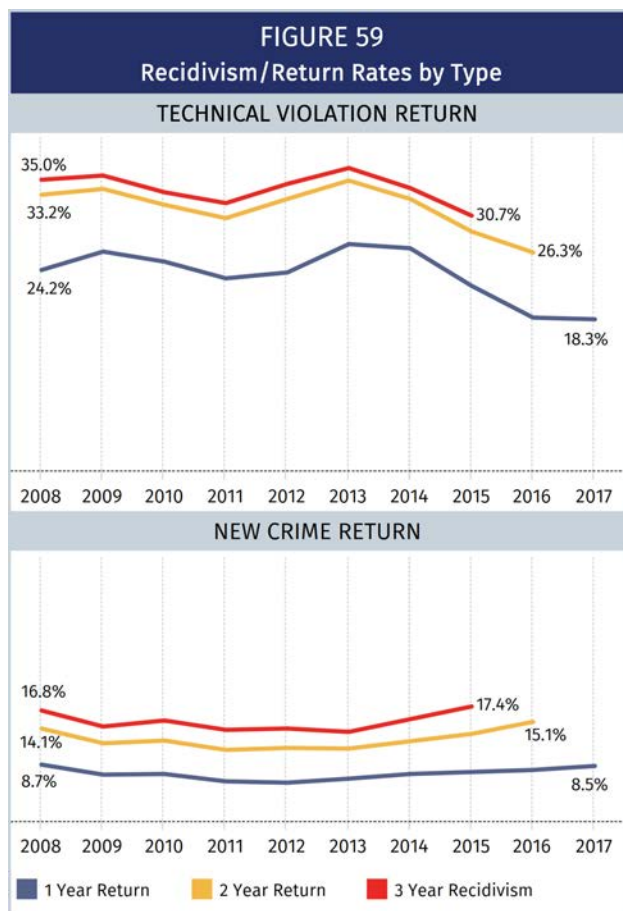
standards and other national prison surveys.

The overall three-year recidivism rate (including returns for new crimes and technical violations) is 48.1% for the CY 2015 release cohort (**Figure 58**). The overall recidivism rate increased 2.0% from 2011 releases to 2015 releases, though the rate gradually declined between 2013 releases and 2015 releases. More returns are for technical violations than for new crime convictions.

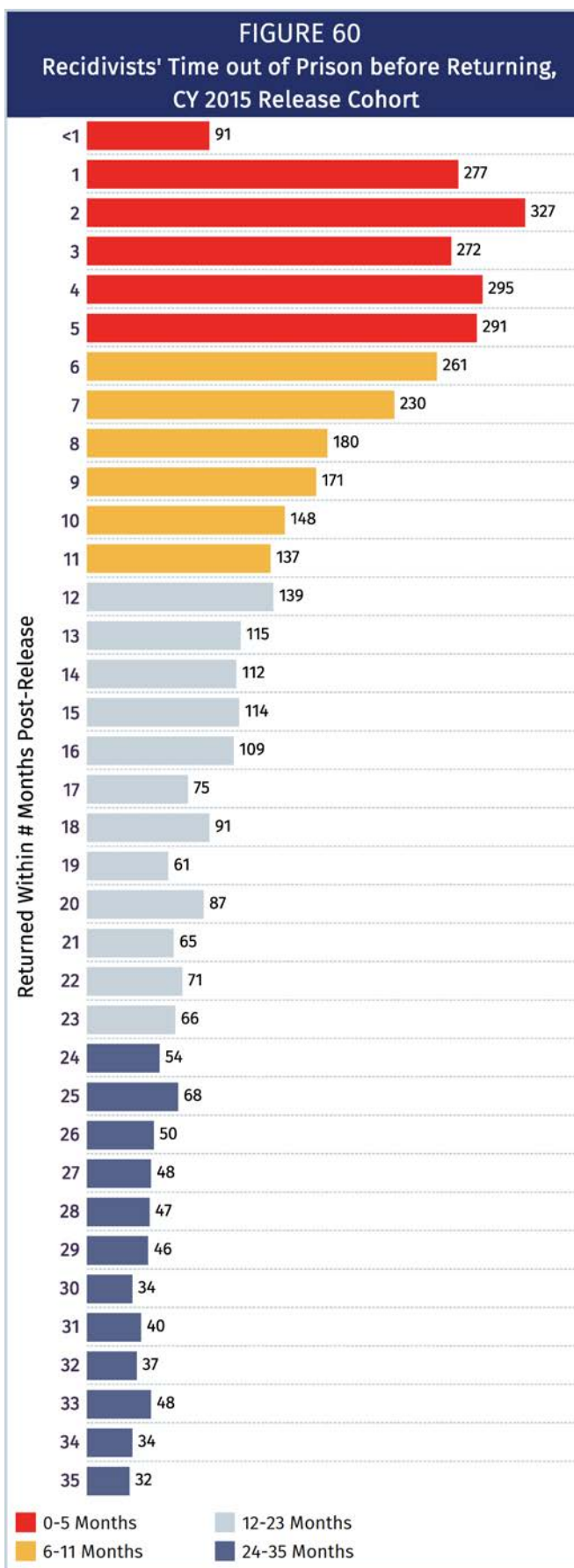


To further explore recidivism rates by return type, **Figure 59** displays cumulative return-to-prison rates across the past ten release cohorts, at one-year, two-year, and three-year post release intervals. Technical returns have seen an overall decrease over the last decade, with a notable decline beginning in 2013. New crime returns, by comparison, have remained more steady

but showed a slight increase beginning in 2013.

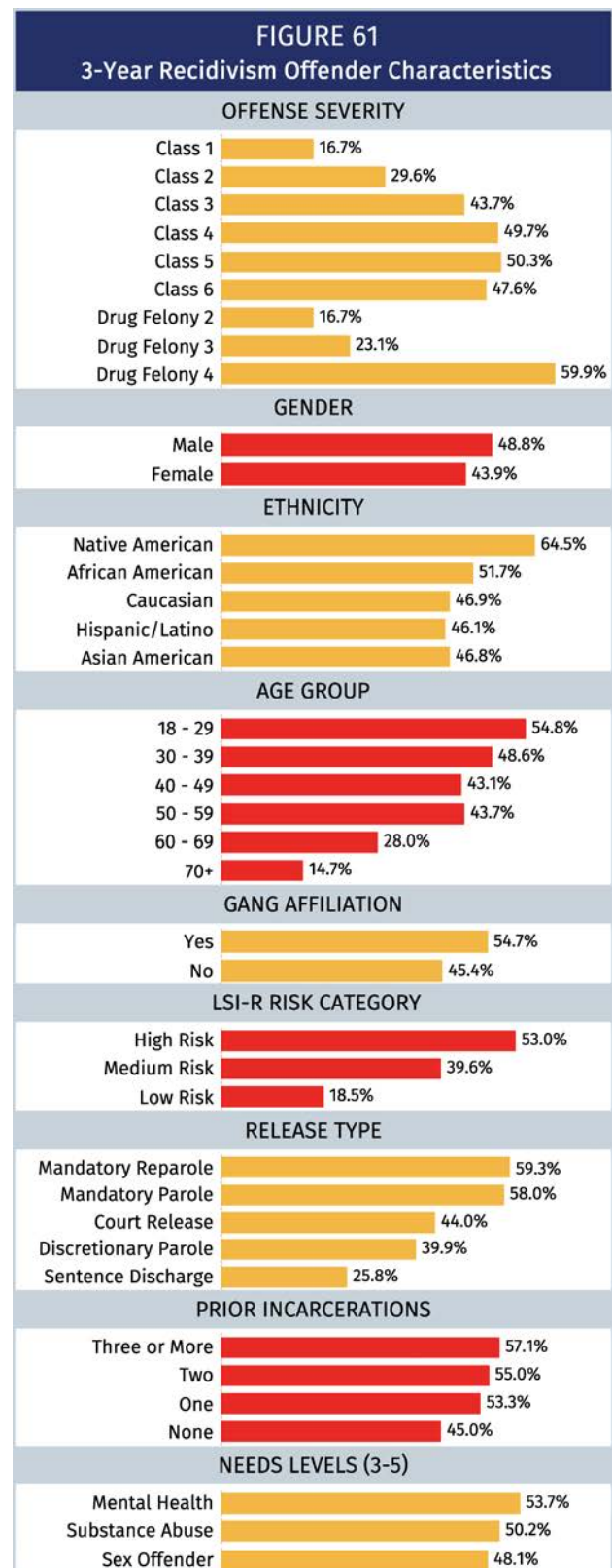


**Figure 60** illustrates the 2015 release cohort, detailing the amount of time it took an offender to return to offender status. The largest proportion of offenders failed within the first year (29.8%), principally within six months post-release (17.3%), compared to other post-release spans of time. This suggests inmates are at highest risk to return within their first year of release and especially their first six-months post-release. Between one and two years post-release, an additional 12.3% returned; followed by 6.0% between two



and three years post-release. A total of 51.9% of offenders did not return within three years.

Recidivism rates vary by offender characteristics (**Figure 61**). The most stand out characteristics include: having a Drug Felony 4 conviction, being younger than age 40, having gang affiliation, having a high LSI-R Risk score, having been mandatory paroled or re-paroled, and having one or more past incarcerations. Certain minority groups (African Americans) are more likely to recidivate than other minority groups (Hispanics or Latinos and Asian Americans). While Native American ethnicity showed a distinctively high rate, this is based on a relatively small subgroup and can't be assumed to be a generalizable characteristic. Although rates were not distinctively elevated, certain moderate-to-high needs areas, including mental health, substance abuse, and sex offender, may figure into any offender's risk for recidivating.



# 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 5 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 September 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.

**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.



**TABLE 8**  
**Presumptive Sentencing Ranges & Parole Periods**

<b>Felony Class</b>	<b>1985 – 1993 Presumptive Range</b>		<b>1993 – Present Presumptive Range</b>		<b>Mandatory Parole Period*</b>
	<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**

<b>Legislation</b>	<b>Previous Convictions</b>		<b>Crime of Violence</b>	<b>Class 1 or 2 or Class 3 Crime of Violence</b>
	<i>Two Previous</i>	<i>Three Previous</i>	<i>OR</i> <i>Previous Habitual*</i>	<i>OR</i> <i>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 convicted twice of a Class 1, 2 or 3 crime of violence, excluding first- and second-degree burglary.

\*\*\*PED = Parole Eligibility Date

**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 for 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 detainers.

**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.

**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 involving a child.

**HB 14-1266** modified value-based offenses, basing them on the value of the loss.

**HB 14-1355** directed 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.

**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.

**HB 17-1308** removed the mandatory imposition of certain parole conditions, including the manner 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.

**HB 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.





## COLORADO DEPARTMENT OF CORRECTIONS

[www.colorado.gov/cdoc](http://www.colorado.gov/cdoc)

OFFICE OF PLANNING & ANALYSIS  
1250 ACADEMY PARK LOOP  
COLORADO SPRINGS, CO 80910

