

# COLORADO

## DEPARTMENT OF CORRECTIONS



MOSES "ANDRE" STANCIL  
EXECUTIVE DIRECTOR

FY 2022 STATISTICAL REPORT

# LETTER FROM THE EXECUTIVE DIRECTOR

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

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

The last 12 months have challenged the department and the entire world as we have faced an unprecedented pandemic. As we confronted the pandemic, it is important to note the significant impacts it had on our population and the related effects on our department.

As always, our greatest resource is, of course, our staff: correctional professionals who honor and respect the rights of victims and who engage inmates with effective correctional practices and humane treatment. We believe inmates should be directly involved in their own rehabilitation as the department advances research and data-driven correctional practices. Data, while critically important, is backed up with dedicated staff. This was more evident by our staffs' response to these challenging times.

This statistical report provides an overview of the average daily jurisdictional population of 26,625 inmates (15,862 inmates and 10,763 parolees) during the period of July 1, 2021 through June 30, 2022. 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 inmate population.

Sincerely,



Moses "Andre" Stancil  
Executive Director  
Colorado Department of Corrections

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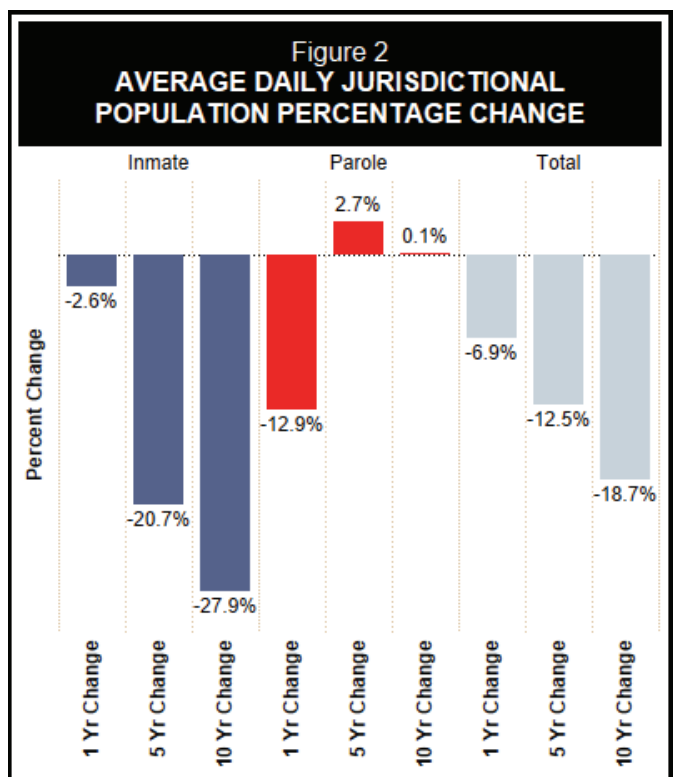
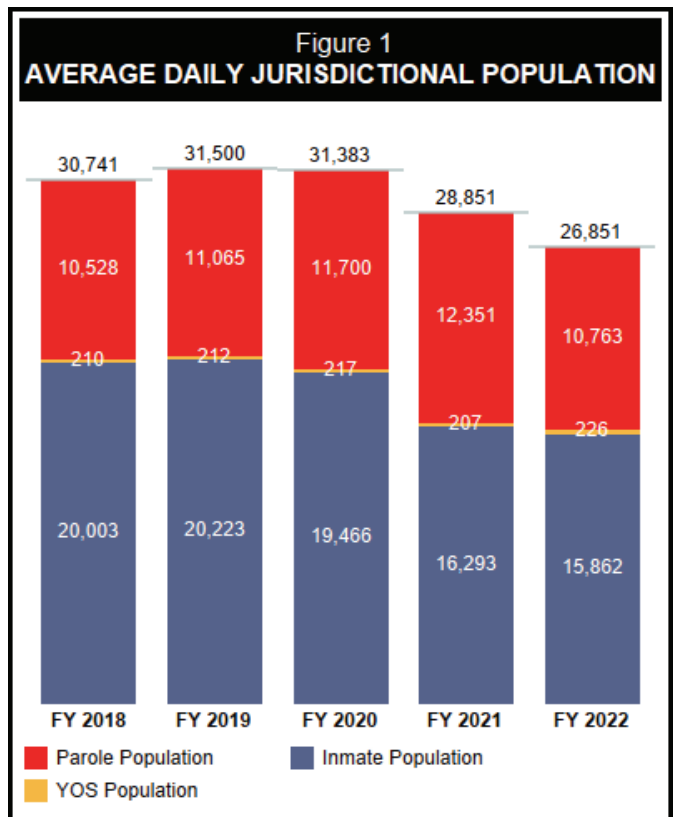
# OVERVIEW

## INTRODUCTION

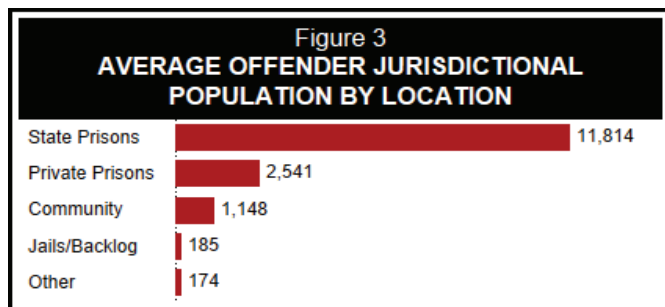
The Colorado Department of Corrections' (CDOC) statistical report provides a descriptive and visual overview of Colorado's correctional system. Topics covered in the overview include growth trends, population projections, facilities, costs, and staff data. Subsequent sections focus on admissions, releases, inmate 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). Please note that not all data values in the graphics will total 100% due to rounding.

## POPULATION GROWTH

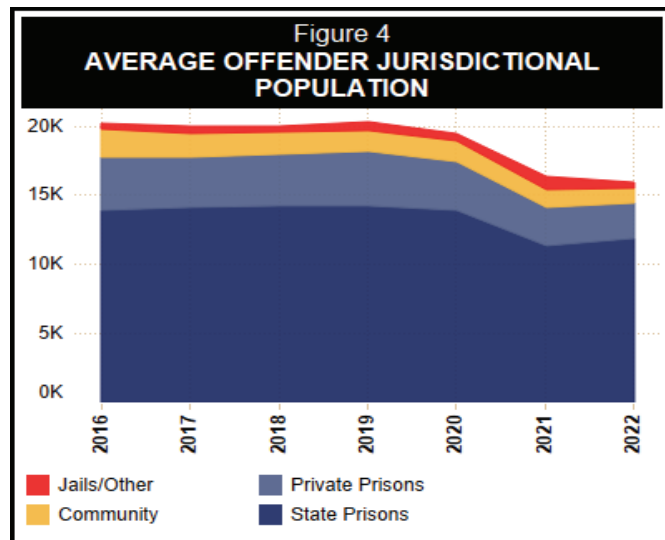
The average daily population (ADP) is used to track trends in the CDOC population. **Figure 1** shows the ADP of the inmate, parole (including absconders and interstate parolees), YOS, and total populations over the past five fiscal years (FY). There was a 12.5% decrease in CDOC's jurisdictional population from FY 2018 to FY 2022. **Figure 2** details the 1-year, 5-year, and 10-year growth rates of the jurisdictional population. The inmate population showed



a total decrease over the last decade while the parole population experienced an overall increase. **Figures 3 and 4** convey the ADP breakdown for state and private prisons, community corrections, jail backlog, and others. Private prisons in use during FY 2022 included Bent County Correctional Facility and Crowley County Correctional Facility; Cheyenne Mountain Reentry Center (CMRC) was closed in February 2020. In FY 2022, 16.0% of the inmate population was housed in private prisons. The actual number of inmates managed by both private and state-run prisons increased from 14,061 to 14,355 (2.1%) between FY 2021 and FY 2022.



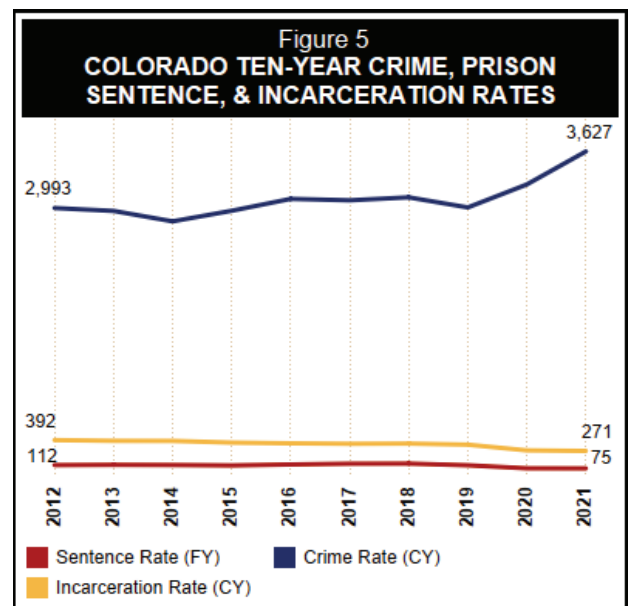
Note: Other includes fugitives, revocations in jail, awaiting transfer and external placements.



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 2012. Crime rates<sup>1</sup>, which include offense and arrest data, are calculated per calendar year (CY) and are available to the public 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, 2021 data is the most current. Prison sentence and incarceration rates are indicators of change in the prison population relative to the state populace, as estimated annually by the Colorado Department of Local Affairs. Prison sentence rate is the proportion of new court commitments per 100,000 Colorado residents during a fiscal



1. Annual Crime in the United States reports, 2010-2021. Washington, D.C.: FBI.

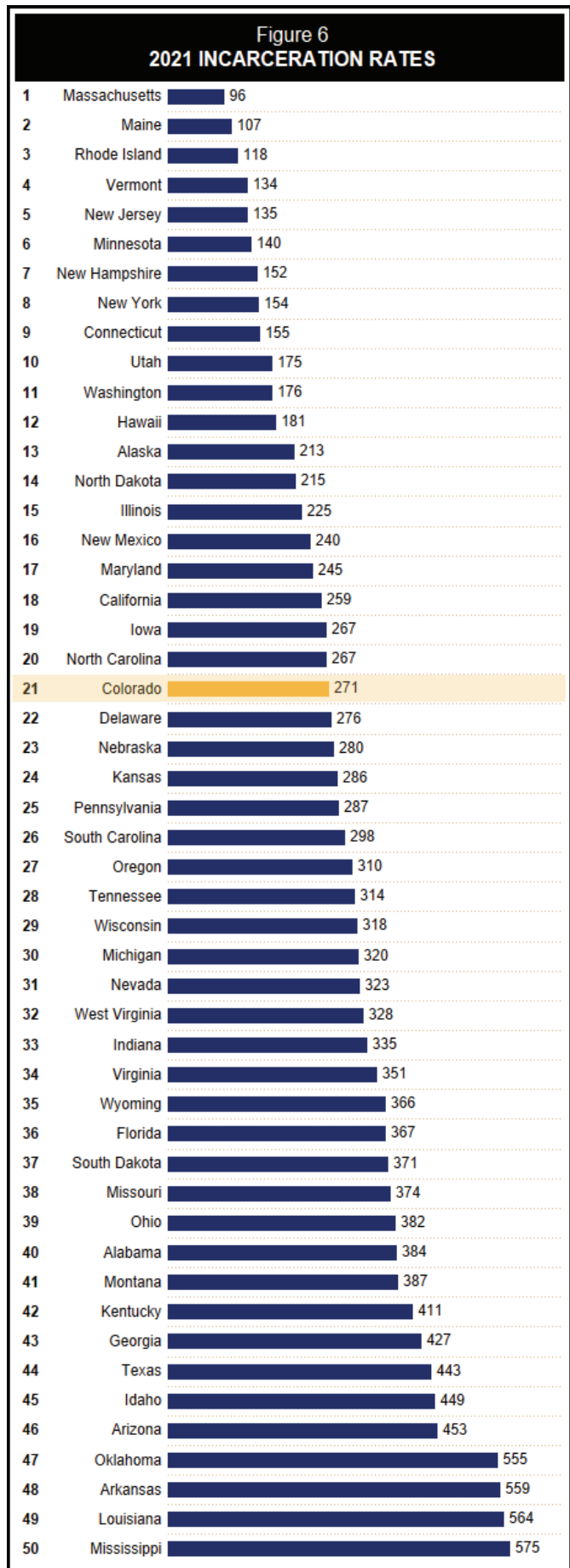
2. Prisoners in 2021. Washington, D.C.: U.S. Department of Justice, Bureau of Justice Statistics.

year. Incarceration and crime rates are computed per 100,000 Colorado residents in a calendar year. The overall crime rate has increased from 2,993 per 100,000 Colorado residents to 3,627 since CY 2012, which equates to a 21.2% increase. This includes an increase from 3,257 to 3,627 (9.6%) between CY 2020 and CY 2021. The sentence rate decreased from 76 to 75 (1.3%) between FY 2020 and FY 2021, showing an overall decrease of 33.0% since FY 2012. The incarceration rate has decreased from 392 to 271 (30.9%) since CY 2012 and includes an 2.2% decrease (277 to 271) between CY 2020 and CY 2021 (**Figure 5**). The CY 2021 incarceration rates for all 50 states are shown in **Figure 6**. Colorado's rate of incarceration ranked 21st lowest among the 50 states.

## LEGISLATIVE CHANGES

Several key pieces of legislation 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) and Senate Bills (SB) that have impacted felony sentencing and the CDOC in FY 2022:

- House Bill 19-1263 reclassifies several existing drug felonies as drug misdemeanors, reduces the fine penalties and jail terms for drug



misdemeanors, and makes several other changes to sentencing for drug offenses. The bill is expected to significantly reduce felony filings for drug offenses and to reduce the prison and parole population. Impacts on parole caseload will be more significant than the impact on the prison population because offenders previously sentenced for these crimes generally spent more time on parole than in prison.

- House Bill 20-1019 creates a new crime of an unauthorized absence for an inmate on an intensive supervision program, in a community corrections program, or participating in a work release program. These categories of offenders are removed from the offenses of escape and attempted escape, which carry a charge of a class 2 or class 3 felony for escape or a class 4 or class 6 felony for attempted escape. The bill also allows for a wider range of circumstances under which inmates may be awarded earned time. These provisions of the bill are expected to reduce the prison population and increase the parole population.

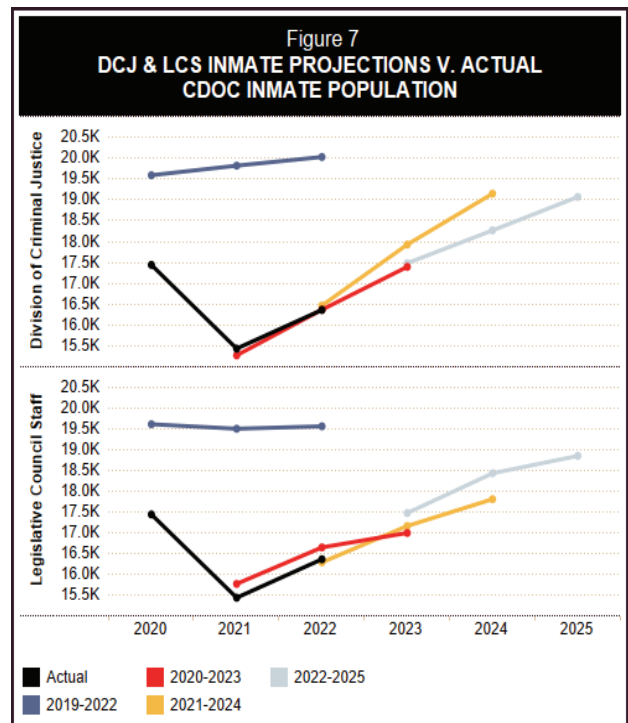
- Senate Bill 21-146 modifies the eligibility criteria for parole for senior and special needs inmates, and it requires the DOC and the Parole Board to develop policies and procedures to improve the special needs parole process. The bill, by potentially

increasing releases to special needs parole, is anticipated to marginally decrease the prison population while concurrently elevating the parole population.

- Senate Bill 21-271 reclassifies the level for several felonies. The bill is expected to have offsetting impacts on the prison population so the overall impact is expected to be minimal.

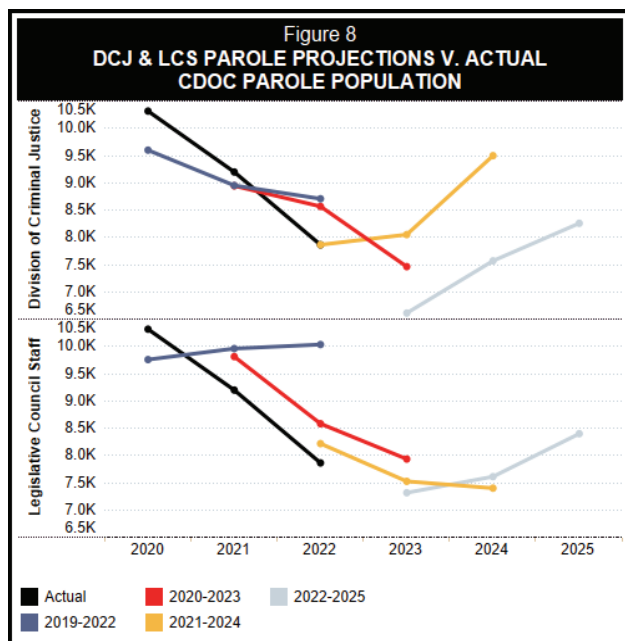
## POPULATION PROJECTIONS

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 (CDPS), 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 the CDOC to the last four years of inmate population projections developed by DCJ and LCS. The most recent inmate population projections were released in December 2021.

The comparison shows the variations in year-to-year projections. Parole population projections are similarly compared in **Figure 8**. Both population projections are affected by several factors, including the number and sentence length of new commitments, parole board release determinations, revocation rates for parolees, and new legislation.



## PRISON FACILITIES

**Figure 9** (next page) maps the locations and levels of the 21 prisons throughout Colorado. Twenty are owned and operated by the state of Colorado, and two 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. Inmates classified as minimum may be incarcerated in level I facilities, but generally inmates 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. Inmates who are classified as minimum restrictive and minimum may be incarcerated in level II facilities, but generally, inmates of higher classifications shall not be incarcerated in level II facilities.

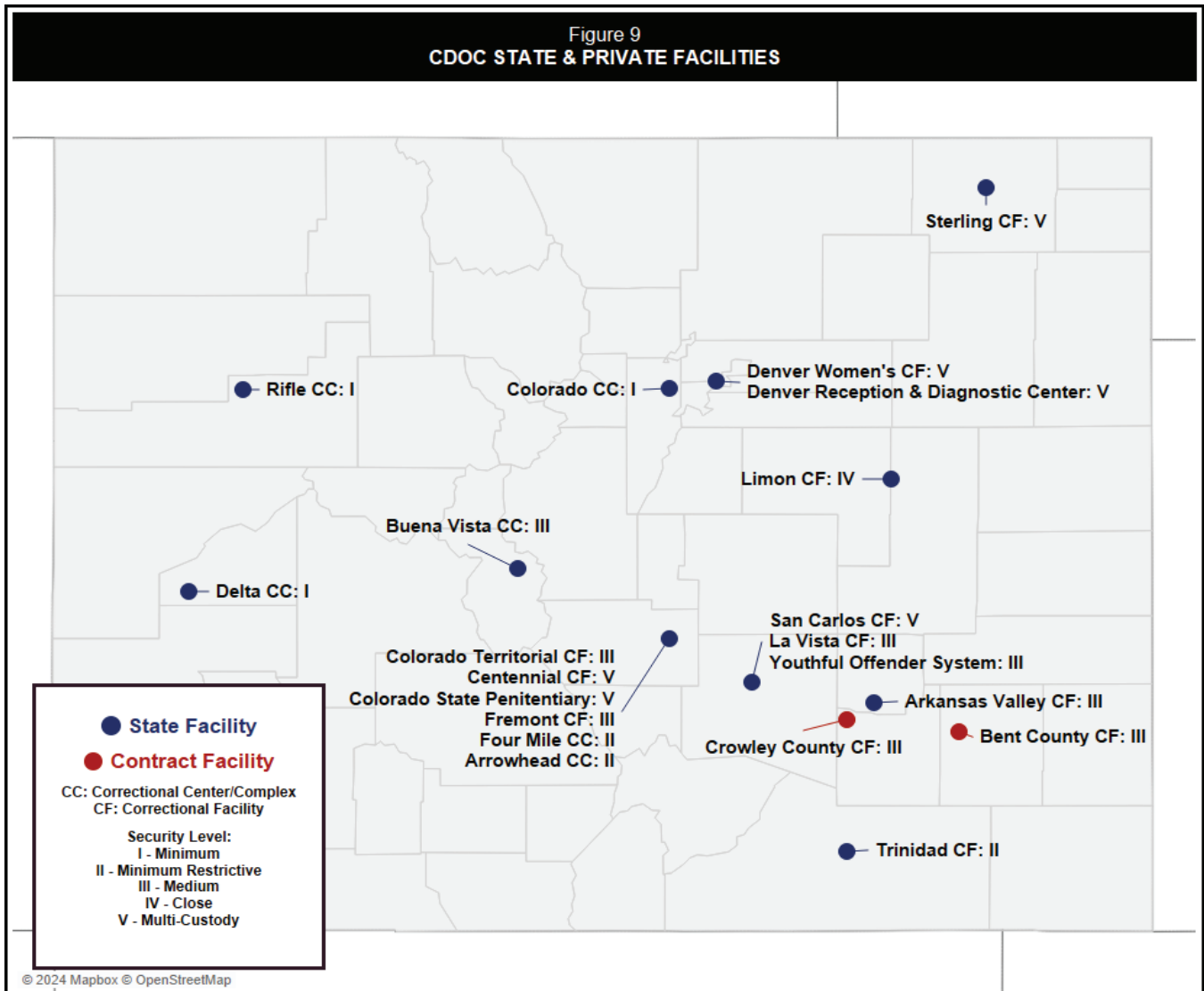
**LEVEL III** facilities generally shall have towers, a wall or double perimeter fencing with razor wire, and detection devices. The perimeter of level III facilities shall be continuously patrolled. Appropriately, designated close classified inmates, medium classified inmates, and inmates of lower

classification levels may be incarcerated in level III facilities, but generally, inmates of higher classifications shall not be incarcerated in level III facilities.

**LEVEL IV** facilities shall generally have towers, a wall or double perimeter fencing with razor wire, and detection devices. The perimeter of level IV facilities shall be continuously patrolled. Close classified inmates and inmates of lower classification levels may be incarcerated in level IV facilities, but generally, 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.



## FACILITY CAPACITIES

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

- **Design capacity:** The number of housing spaces a facility originally provided, or the number of beds it provides after remodeling, redesign, or expansion. Management control, Residential Treatment Program (RTP), special use, and reception beds are included in the design capacity for all facilities.

- **Expanded capacity:** The number of housing spaces in a facility beyond the design capacity.

- **Operational capacity:** The design capacity plus expanded capacity.

State facility capacities and on-grounds population on June 30, 2022 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

STATE FACILITIES	ON-GROUNDS POPULATION	DESIGN CAPACITY	EXPANDED CAPACITY	OPERATIONAL CAPACITY	% DESIGN CAPACITY
Arkansas Valley Correctional Facility	1,016	1,007	82	1,089	101%
Arrowhead Correctional Center	517	484	36	520	107%
Buena Vista Correctional Complex	1,107	1,107	27	1,134	100%
Centennial Correctional Facility	876	1,284	-348	936	68%
Colorado State Penitentiary	685	756	-31	725	91%
Colorado Territorial Correctional Facility*	878	694	227	921	127%
Delta Correctional Center	366	480	-89	391	76%
Denver Reception & Diagnostic Center*	450	496	74	570	91%
Denver Women's Correctional Facility	724	900	-132	768	80%
Four Mile Correctional Center	495	484	37	521	102%
Fremont Correctional Facility	1,392	1,448	172	1,620	96%
La Vista Correctional Facility	380	549	-149	400	69%
Limon Correctional Facility	766	500	282	782	153%
Rifle Correctional Center	140	192	0	192	73%
San Carlos Correctional Facility	217	250	5	255	87%
Sterling Correctional Facility	1,981	2,445	-357	2,088	81%
Trinidad Correctional Facility	291	404	-104	300	72%
Youthful Offender System/YOS Transfers	192	241	38	279	80%
<b>TOTAL STATE CAPACITY</b>	<b>12,473</b>	<b>13,721</b>	<b>-230</b>	<b>13,491</b>	<b>91%</b>

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

\*\*Skyline Correctional Center closed on January 21, 2021



of the design capacity of the facility. The capacities of contract beds and community placements are not specified due to their variability based on need and contract terms.

## ANNUAL INMATE COSTS

The annual cost per inmate 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, inmate needs, and services available. The average annual cost per adult inmate increased from \$55,717 in FY 2021 to \$56,766 in FY 2022 for state facilities. The FY 2022 cost per year of an adult inmate was \$25,448 for private prison, and \$23,973 per year for local jails. Table 2 also displays cost data for community programs and YOS. Supervising community-based inmates incurs substantially lower costs compared to prison expenses, as the funding for the residential stay is provided by the Division of Criminal Justice. CDOC funds Community Parole Officers (CPOs) to supervise inmates transitioning to a community-based status. CPOs provide case management and release planning services in order to transition community inmates 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

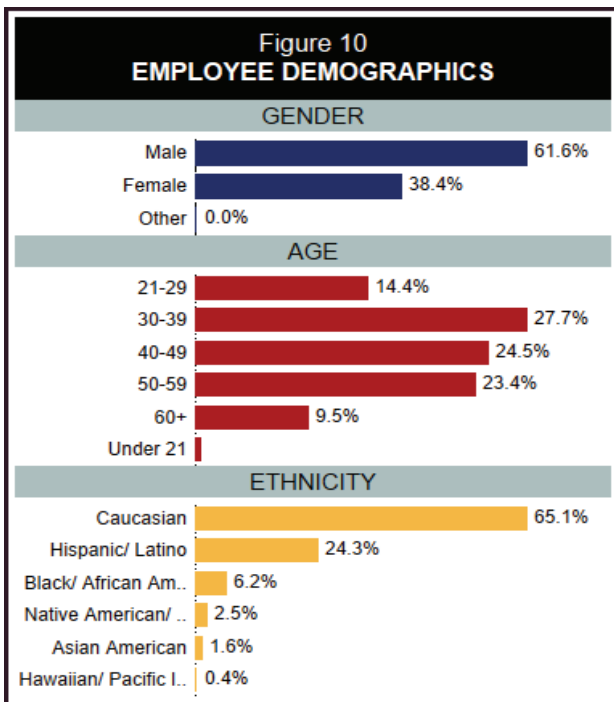
are higher than that of adult facilities due to the intensive education and treatment services provided to the YOS population.

Table 2 COST PER OFFENDER BY FACILITY*		
FACILITY	ANNUAL	DAILY
<b>LEVEL I SECURITY</b>		
Colorado Correctional Center	\$45,240	\$149.31
Delta Correctional Center	\$54,388	\$149.01
Rifle Correctional Center	\$53,951	\$147.81
<b>LEVEL II SECURITY</b>		
Arrowhead Correctional Center	\$41,117	\$112.65
Four Mile Correctional Center	\$41,139	\$112.71
Trinidad Correctional Facility	\$71,952	\$197.13
<b>LEVEL III SECURITY</b>		
Arkansas Valley Correctional Facility	\$45,314	\$124.15
Buena Vista Correctional Complex	\$45,194	\$123.82
CO Territorial Correctional Facility	\$64,258	\$176.05
Fremont Correctional Facility	\$46,183	\$126.53
La Vista Correctional Facility	\$64,393	\$176.42
<b>LEVEL IV SECURITY</b>		
Limon Correctional Facility	\$54,458	\$149.20
<b>LEVEL V SECURITY</b>		
Centennial Correctional Facility	\$109,602	\$300.28
Colorado State Penitentiary	\$67,254	\$184.26
Denver Reception & Diagnostic Center	\$92,633	\$253.79
Denver Women's Correctional Facility	\$64,700	\$177.26
San Carlos Correctional Facility	\$123,407	\$338.10
Sterling Correctional Facility	\$50,085	\$137.22
<b>Average Cost Grand Total</b>	<b>\$56,766</b>	<b>\$155.52</b>
<b>EXTERNAL CAPACITY</b>		
Private Prisons	\$25,448	\$69.72
County Jails	\$23,973	\$65.68
<b>COMM. &amp; PAROLE SUPERVISION</b>		
Parole	\$7,749	\$21.23
Community	\$9,287	\$25.44
<b>YOUTHFUL OFFENDER SYSTEM</b>		
YOS Pueblo Facility	\$99,941	\$273.81
YOS Aftercare	\$37,918	\$103.89
YOS Backlog	\$21,688	\$59.42

\*Colorado Department of Corrections Finance and Administration.

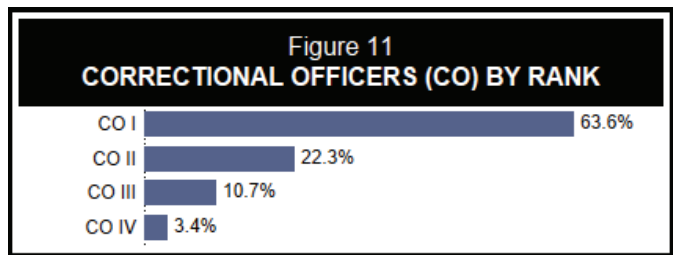
## FULL-TIME EMPLOYEES

The CDOC had 5,320 full-time employees at the end of FY 2022. The predominant demographic consisted of Caucasian males from 30 to 59 years of age (**Figure 10**). The ethnic composition of CDOC staff is similar to that of Colorado citizens (65.1% of CDOC staff members identify as Caucasian, while 66.5% of Colorado citizens identify as Caucasian<sup>3</sup>).



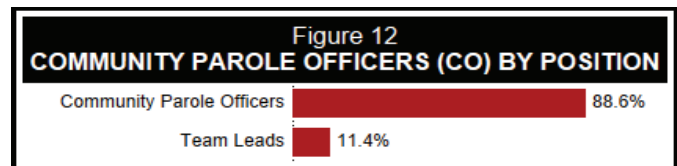
\*Values may not total 100% due to rounding.

**Figure 11** delineates the rank of the CO series. The majority (63.6%) of officers are at the first level of rank (I); while a small percentage (3.4%) have promoted to the highest level (IV). Correctional officers (CO) comprise 52.8% of CDOC staff.

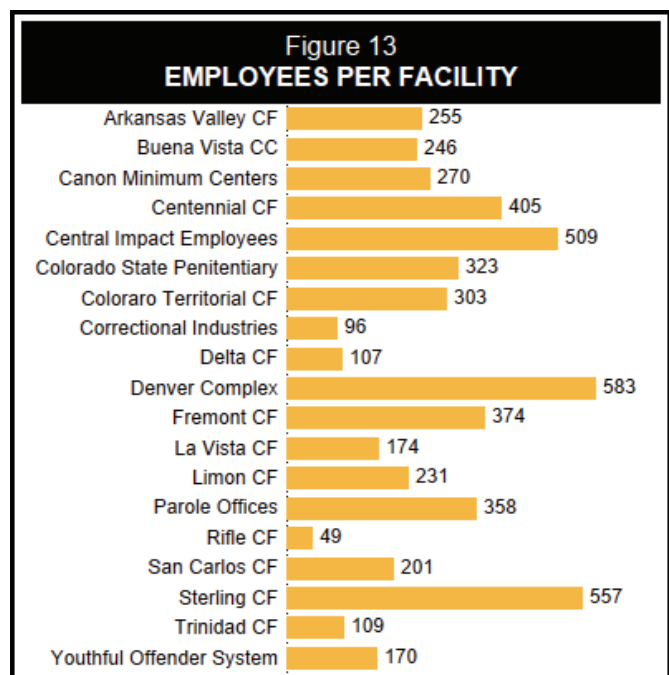


\*Values may not total 100% due to rounding.

**Figure 12** shows the percentage of Community Parole Officer assignment designations. The types and 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, 993 employees left CDOC employment, resulting in a turnover rate of 16.3%.

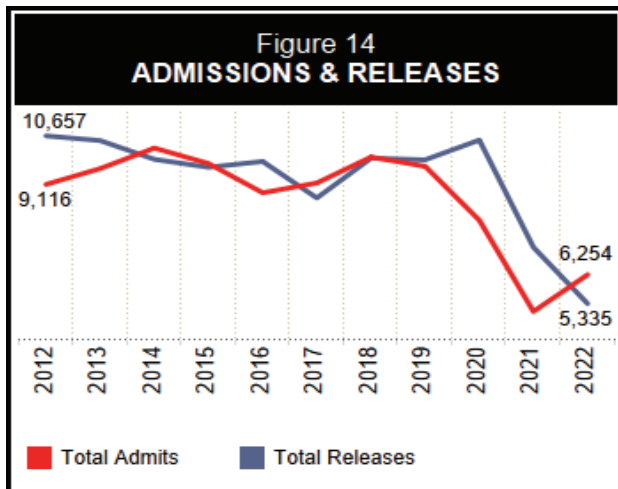


3. 2020-2021 United States Census Bureau Colorado.

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# ADMISSIONS

Admissions to the CDOC adult prison system increased to 6,254 from 5,086 in FY 2022 (**Figure 14**). This substantial increase (23.0%) can be attributed to the recommencement of regular operations after removal of COVID-19 restrictions. Releases decreased from 7,122 to 6,254 (25.1%) in FY 2022 for similar reasons.

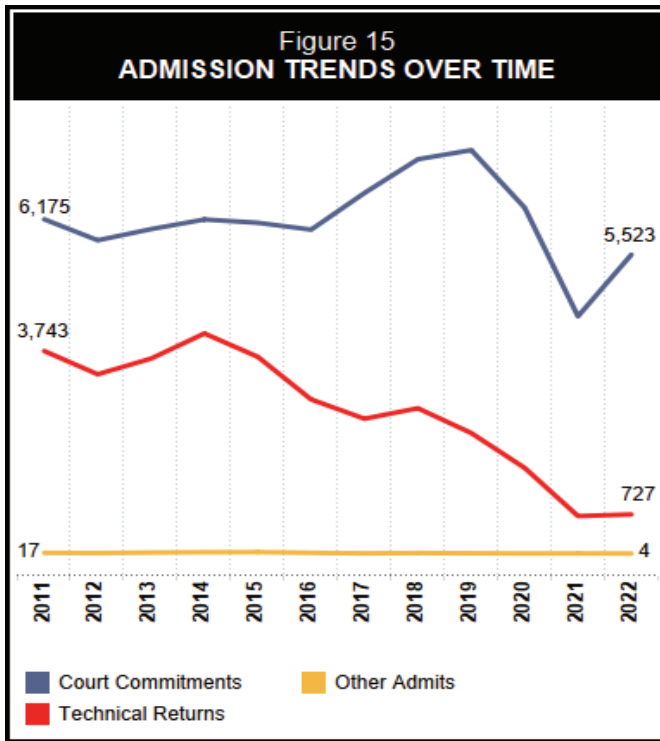


	Male	Female	Total
<b>COURT COMMITMENTS/NEW CONVICTION</b>			
New Commitments	4,017	694	4,711
Parole Return	738	70	808
Court-Ordered Return	0	0	0
Probation	0	0	0
YOS Failure	4	0	4
<b>SUBTOTAL</b>	<b>4,759</b>	<b>764</b>	<b>5,523</b>
<b>TECHNICAL RETURNS</b>			
Parole Return	644	77	721
Court-Ordered Discharge	1	2	3
Probation	2	1	3
<b>SUBTOTAL</b>	<b>647.0</b>	<b>80.0</b>	<b>727.0</b>
<b>OTHER</b>			
Bond Return/Audit Return	1	0	1
Interstate Compact	2	1	3
<b>SUBTOTAL</b>	<b>3</b>	<b>1</b>	<b>4</b>
<b>TOTAL ADMISSIONS</b>	<b>5,409</b>	<b>845</b>	<b>6,254</b>

**Table 3** shows totals by admission type and gender for FY 2022. Compared to FY 2021, male admissions decreased by 34.1%, and female admissions decreased by 48.4%, for a total decrease of 36.3%. Court commitments include individuals receiving new incarceration sentences. Technical returns include inmates 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.

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 admission trends by type. Both court commitments and technical returns increased from FY 2021. Court commitments increased by 26.0%

(from 4,384 to 5,523) and technical returns increased by 4.5% (from 696 to 727) between FY 2021 and FY 2022.

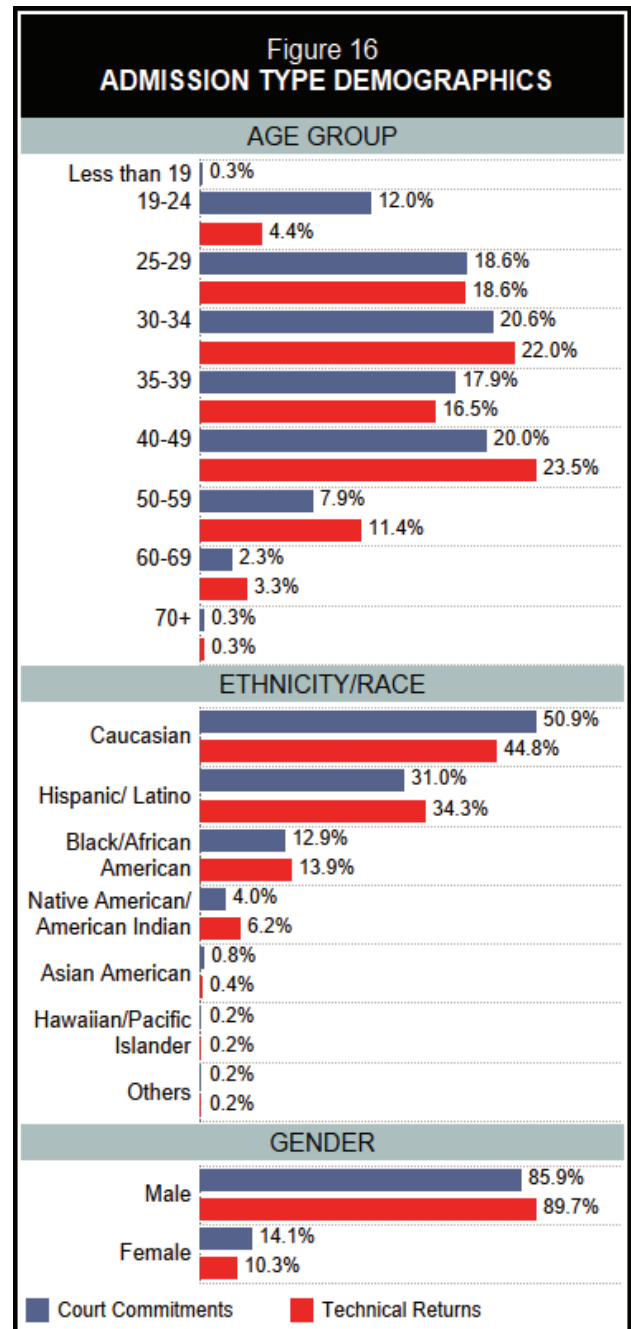


\*Other includes Audit, Dual Commitment, and Interstate Compact In.

## DEMOGRAPHIC CHARACTERISTICS

In FY 2022, 24 inmates had multiple admissions. To most accurately portray admission characteristics, each inmate with multiple admissions was included in the profile only once, using only their first admission for the fiscal year. First admissions included a total of 6,226 admissions (5,231 court commitments and 995 technical returns). The demographic characteristics of each admission type for FY 2022 are provided in **Figure 16**. The majority of admissions ranged from age 25 to 49. Less than 1%

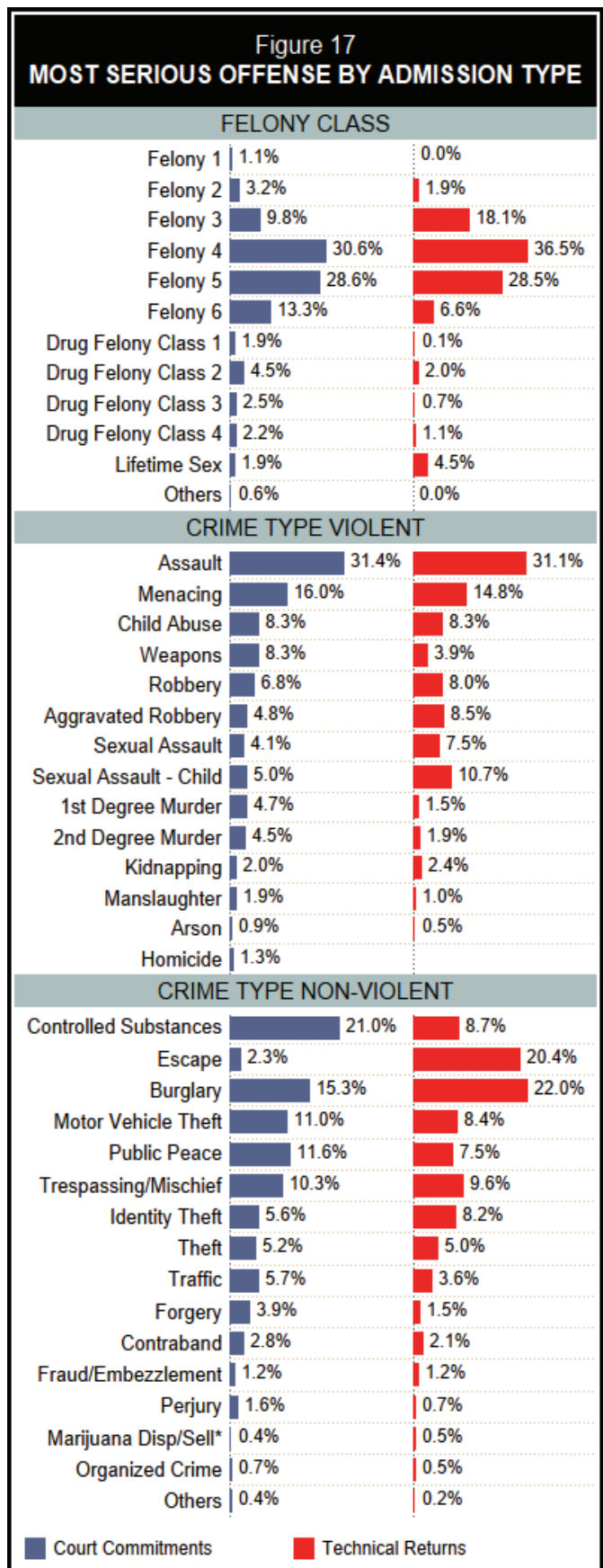
of court commitments were under the age of 19, and only 10.5% over age 50. The *Youthful Offender System Annual Report* details the population of young adult inmates who, despite receiving an adult sentence, were eligible for the Youthful Offender System (YOS).



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

## OFFENSE DATA

To assess the seriousness of inmate 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, Class 6, and Class 3 felonies. Figure 17 also shows the most serious offense and violence category by admission type. Offenses are categorized as "violent" or "non-violent" using a broad definition of the offense rather than the statutory definition in CRS. 18-1.3-406 This is because the statutory definition does not include every crime that might be considered violent by other statutes. In FY 2022, 43.9% (2,719) of admissions were for violent crimes and 56.2% (3,482) were for non-violent crimes. In FY 2022, admissions based on violent offenses were higher for new court commitments (44.3%) than for technical returns (41.4%). As in most previous years, new commitments tend to involve more violent offenses than technical returns.



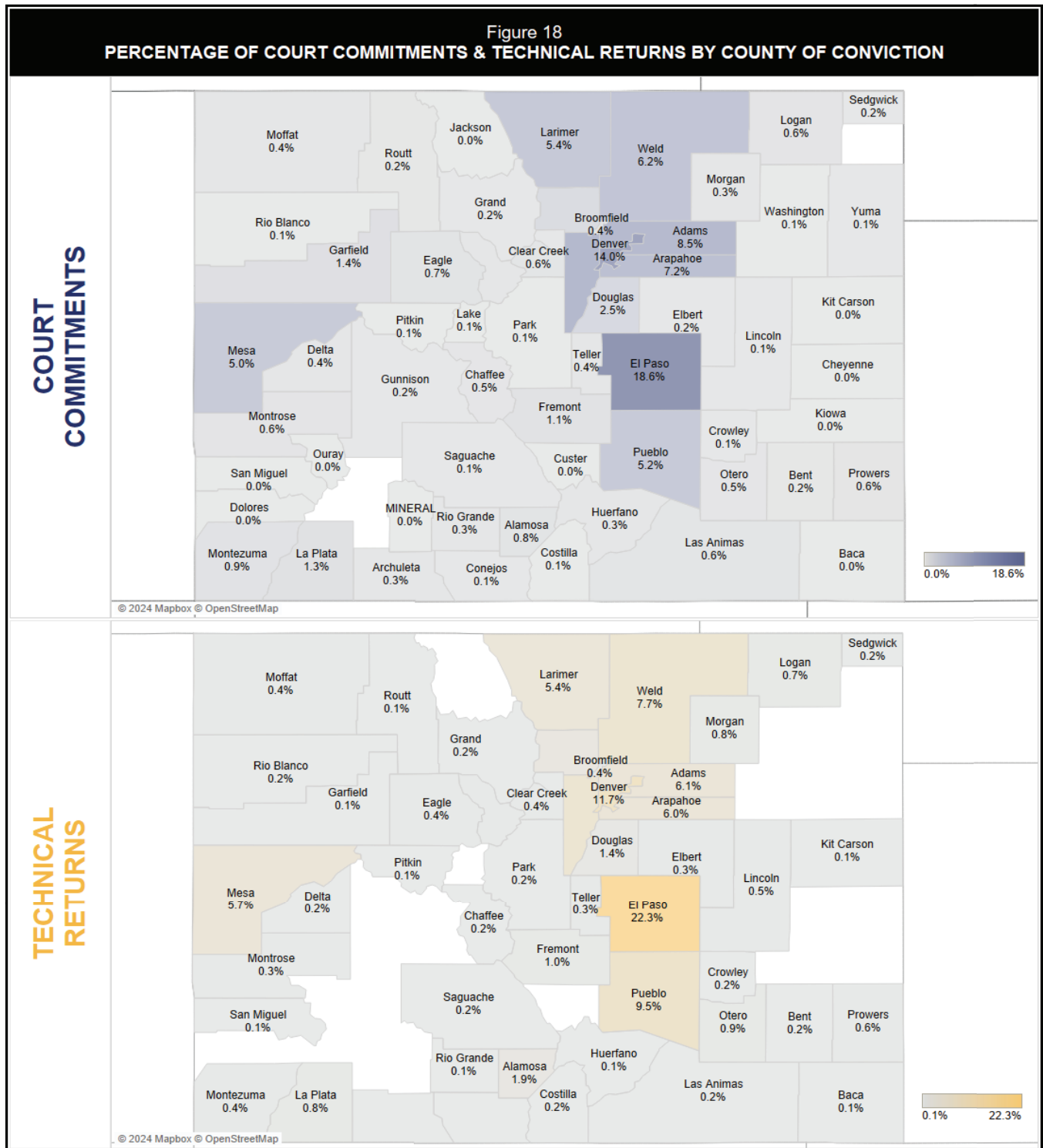
\*Includes illegal dispensing/sale/distribution, cultivation/processing of over 30 plants, and possessions of over 12 ounces.

\*\*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

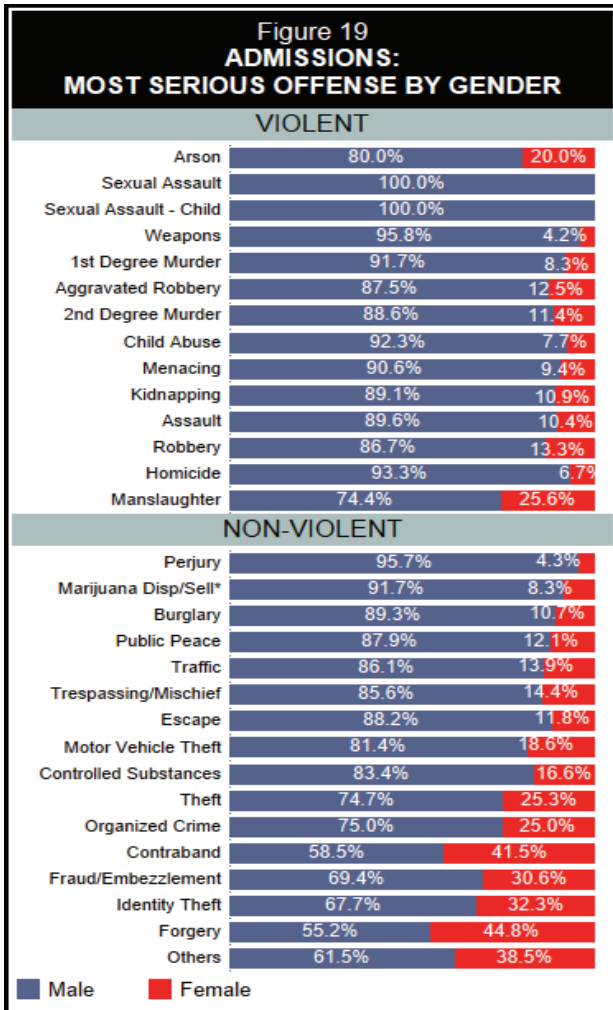
percentage (18.6%) of court commitment admissions. El Paso County also remained the county with largest percentage (22.3%) of technical return admissions in FY 2022.



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

## GENDER COMPARISON

Figure 19 shows gender distribution by crime category. Males are shown to have been convicted of more violent crimes than females. A majority of female incarcerations are due to theft-related crimes.



\*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 Criminal Justice (DCJ). It estimates the average length of stay for new court commitments

4. Harrison, L. Colorado Division of Criminal Justice Correctional Population Forecasts, December 2021.

and parole returns with a new crime. Average lengths of stay are estimates of the amount of time new admissions are expected to serve. These calculations are based on sentence length and actual time served for inmates released during the same year. Table 4 displays projected lengths of stay by felony class, type of crime, extraordinary risk (offenses defined by statute as "extraordinary risk of harm offenses"), sex offenses, and other. "Other" includes all crimes except sex, drug, and extraordinary risk crimes.

**Table 4  
ESTIMATED AVERAGE LENGTH OF STAY (MONTHS)**

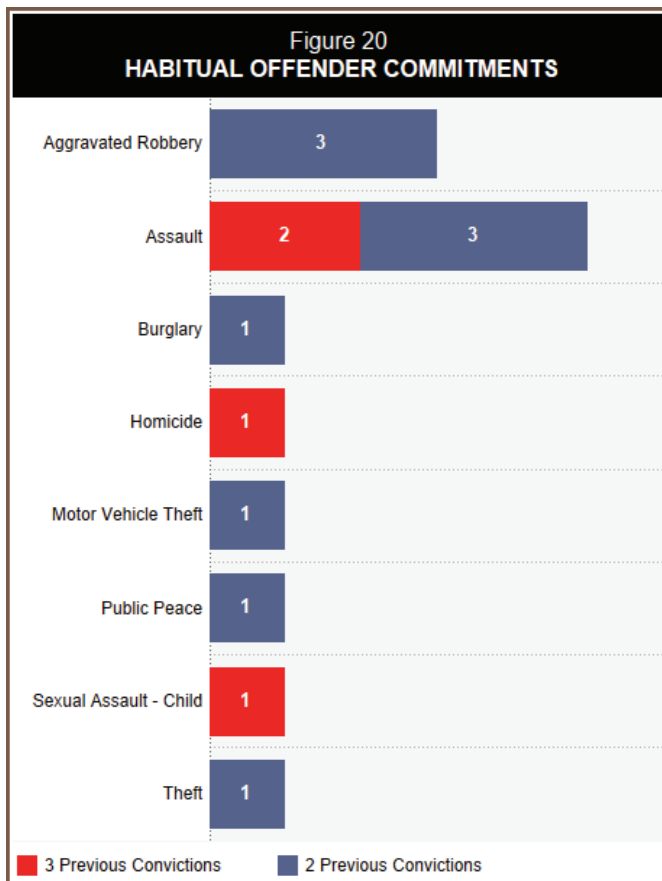
FELONY/TYPE	NEW COMMITMENTS		PAROLE RETURNS	
	MALE	FEMALE	MALE	FEMALE
F1	480.00	480.00	480.00	-
Sex Offender Act	196.82	-	80.00	45.43
Habitual	132.07	-	18.48	-
F2 Extraordinary	184.97	161.82	29.97	-
F2 Sex	142.57	-	-	-
F2 Other	62.34	64.93	34.44	-
F3 Extraordinary	98.31	66.51	42.31	59.33
F3 Sex	89.54	138.00	26.70	-
F3 Other	47.90	34.53	29.22	46.19
F4 Extraordinary	37.61	28.39	24.12	24.23
F4 Sex	36.33	-	29.49	-
F4 Other	24.61	16.99	22.41	20.95
F5 Extraordinary	18.89	14.72	20.57	15.83
F5 Sex	22.05	-	17.16	-
F5 Other	15.37	12.95	15.67	15.25
F6 Extraordinary	9.61	9.67	7.47	7.70
F6 Sex	7.31	-	-	-
F6 Other	8.21	7.68	7.28	12.77
DF1 Extraordinary	46.58	52.26	12.97	-
Drug Felony 1	58.35	81.60	52.20	-
DF2 Extraordinary	26.02	25.41	22.25	13.20
Drug Felony 2	29.22	-	-	-
DF3 Extraordinary	13.64	15.36	6.88	11.03
Drug Felony 3	6.94	10.80	-	-
DF4 Extraordinary	5.56	5.59	9.23	-
Drug Felony 4	6.59	3.23	-	-

\*Felony (F), Drug Felony (DF)



## HABITUAL OFFENDER SENTENCES

**Figure 20** summarizes court commitments for habitual offenders (see **Table 9** for habitual definitions). In FY 2022, 13 inmates were sentenced under habitual offender provisions for their most serious offense. The reported numbers exclude a minority of instances in which an inmate’s most serious offense fell in a different category than those constituting their habitual sentence. Inmates 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 inmates with two or three previous convictions.

	<i>2 Previous Convictions</i>	<i>3 Previous Convictions</i>
Average Governing Years	24.7	25.7
Maximum Governing Years	128.0	64.0
Minimum Governing Years	1.0	1.0

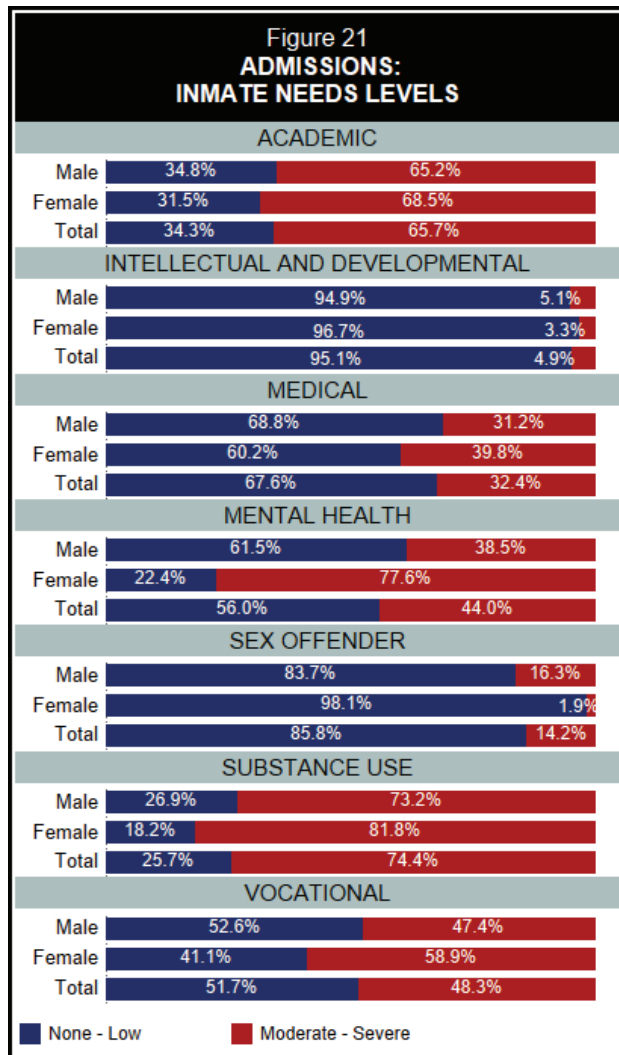
## LIFETIME SUPERVISION SEX OFFENDERS

The Lifetime Supervision Sex Offender Act, enacted in 1998, placed a set of requirements on the length of sentences for inmates convicted of Class 2, 3, or 4 sex-offense felonies. It required set minimum and maximum terms of life in prison. **Table 6** details the class of felony and average minimum sentences for the 98 inmates sentenced to prison under the act in FY 2022. 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.

	<i>Average Minimum Sentence</i>	<i>Number of Offenders</i>
Felony Class 2	29.6	5
Felony Class 3	27.1	49
Felony Class 4	7.2	43
Felony Class 5	2.0	1
<b>TOTAL AVERAGE</b>	<b>16.5</b>	<b>98</b>

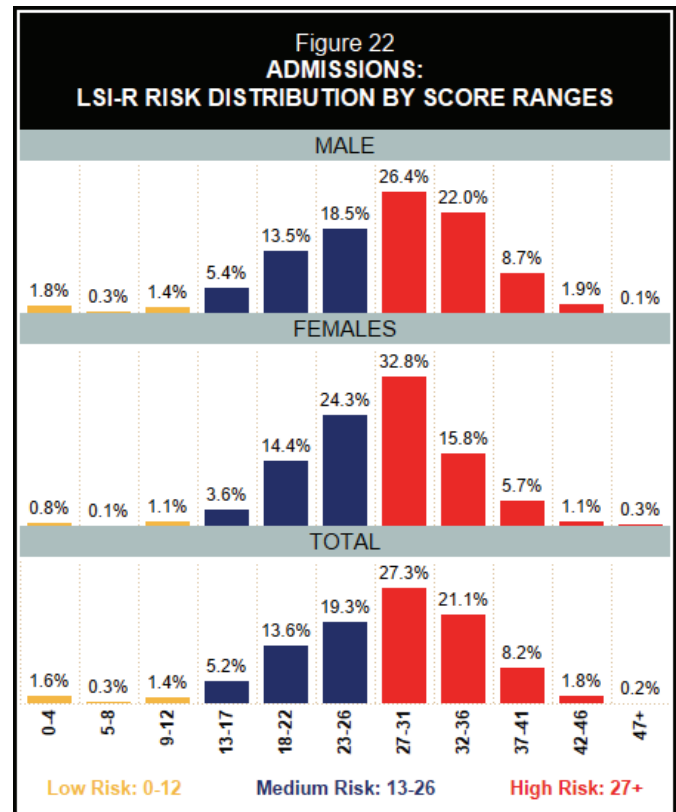
## RISK & NEED ASSESSMENTS

Initial needs levels are calculated during the diagnostic process for court commitments and are used to identify inmates 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 the ratios of court commitments involving moderate-to-severe needs (Levels



3-5) to none-to-low needs (Levels 1-2). Inmates with moderate-to-severe needs are targeted for services. The three most prevalent areas of moderate-to-severe needs were found to be academic, substance abuse, and mental health needs. Compared to males, females showed higher moderate-to-severe academic, medical, mental health, substance abuse, and vocational needs, but lower sex offender treatment needs. Intellectual and developmental needs were similar for both genders.

**Figure 22** shows court commitments by Level of Supervision Inventory - Revised (LSI-R) risk score ranges and gender. The most common score range was 27–31 for both males and females in FY 2022.



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# RELEASES

This section reflects releases from inmate status, which include releases from prison, community corrections, and 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: inmates who are granted discretionary parole by the parole board; inmates who serve their maximum sentence and release on their mandatory release date; and inmates who re-parole after having their parole revoked. Inmates with certain Class 4 through Class 6 felonies who do not receive discretionary parole may release 30 to 60 days before their mandatory release date, if they are eligible per the provisions of HB 09-1351.

Sentence discharges include Martin/Cooper discharge types and discharges to pending charges or to pending detainers. These discharges resulted in the release of 95 inmates in FY 2022. Martin/Cooper

discharges apply to inmates 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 these sex offenders were subject to a period of discretionary parole which 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 inmates 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 95 sentence discharges, three inmates fell under Martin/Cooper discharges in FY 2022.

Other types of releases are rare. These can include deaths in custody, releases to probation, court ordered discharges, Colorado State hospital transfers, and appeal bonds. These other release types constituted only 1.9% of the total releases in FY 2022.

## RELEASES BY TYPE

Inmate releases decreased from 7,122 in FY 2021 to 5,335 in FY 2022, a 25.1% decrease. This significant change can be attributed to admission and movement restrictions implemented during COVID-19 quarantine efforts (Figure 23).

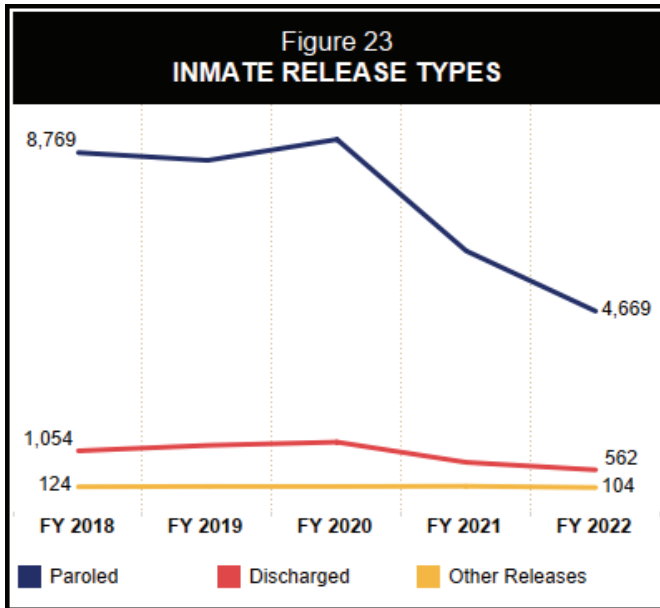


Figure 24 shows parole releases by fiscal year. The total parole release drop in FY 2022 is most attributable to a considerable decrease in discretionary parole releases, which dropped by 1,118 (27.6%) from FY 2021.

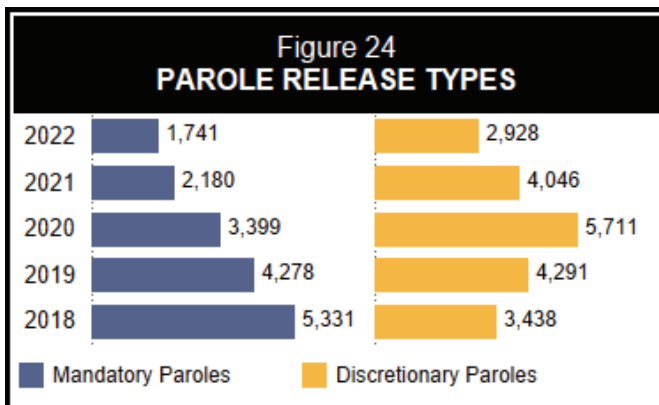
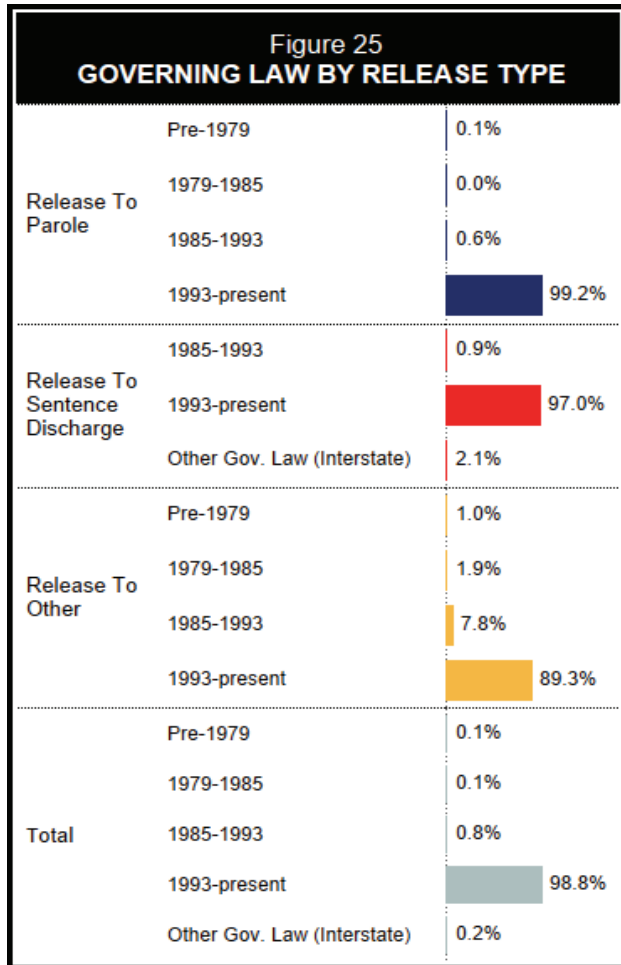


Table 7 provides details of releases by type and gender for FY 2022. Approximately 10.5% of these annual releases were sentence discharges while 87.5% were parole releases.

	Male	Female	Total
<b>PAROLE</b>			
Discretionary	2,476	452	2,928
Mandatory	1,270	142	1,412
Mandatory Re-parole	68	7	75
HB 1351 Mandatory	197	58	255
<b>SUBTOTAL</b>	<b>4,011</b>	<b>659</b>	<b>4,670</b>
<b>SENTENCE DISCHARGE</b>			
Discharge	443	61	504
Discharge to Pending Charges	37	4	41
Discharge to Detainer	14	0	14
Martin/Cooper Discharges	3	0	3
<b>SUBTOTAL</b>	<b>497</b>	<b>65</b>	<b>562</b>
<b>OTHER</b>			
Deceased	56	1	57
Probation	5	4	9
Court Ordered Discharge	33	4	37
Colorado State Hospital Transfer	0	0	0
Appeal Bond	0	0	0
<b>SUBTOTAL</b>	<b>94</b>	<b>9</b>	<b>103</b>
<b>TOTAL RELEASES</b>	<b>4,602</b>	<b>733</b>	<b>5,335</b>

The majority of released inmates were governed by current law (1993–present), which requires a period of parole supervision (Figure 25). Only 17 of the 562 inmates who released to sentence discharge were not required to serve a period of parole.

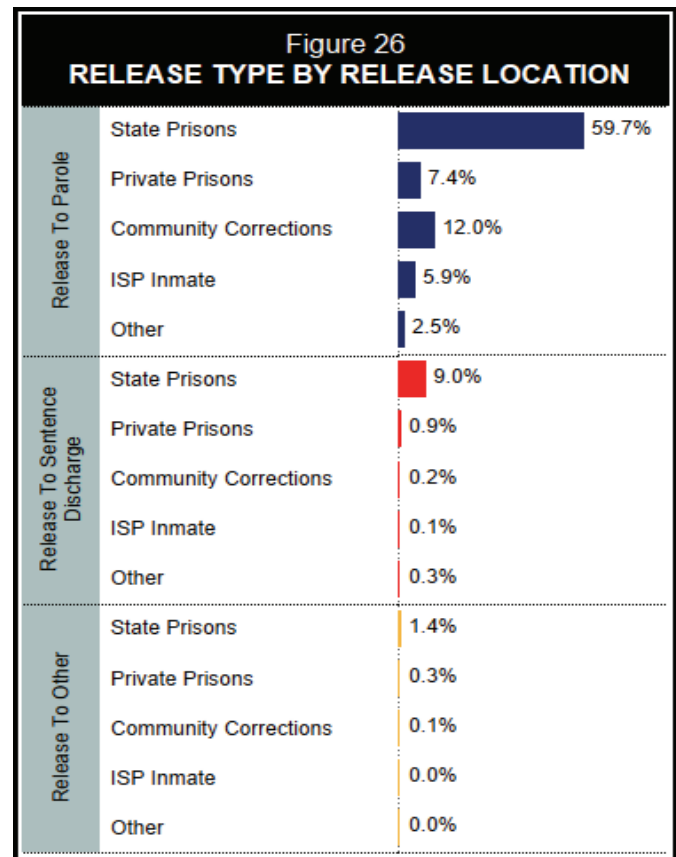
The remaining 545 inmates who discharged their sentence were those who had returned to a prison facility after a parole violation. These inmates then discharged from inmate status by reaching their sentence discharge date before they could re-parole, and while they were still housed in a prison facility.



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 release types by location. Releases are not shown by specific prison facilities because inmates often release from a transport hub. In FY 2022, the majority

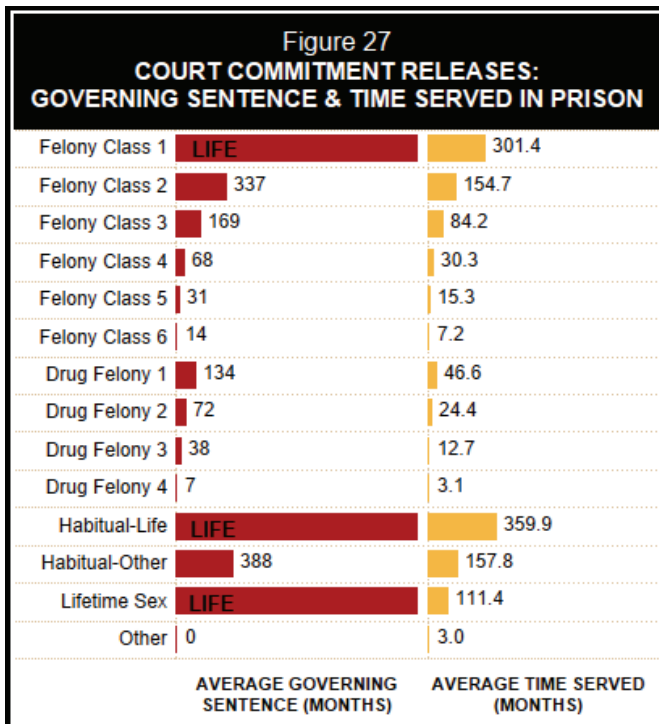
of inmates released from state prisons to parole. Approximately 12.1% of inmates successfully transitioned from prison to parole via community corrections and/or Intensive Supervision Parole status. Fewer inmates released from private prisons in FY 2022 than in previous years. This is attributable to fewer overall releases in FY 2022 due to COVID-19 restrictions. Inmates under the supervision of other jurisdictions, yet sentenced to the CDOC, are categorized as "other." Those jurisdictions include the Colorado Mental Health Institute at Pueblo (CMHIP), 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 inmates' governing sentences is represented in **Figure 27**. The governing sentence determines the Mandatory Release Date (MRD) or Statutory Discharge Date (SDD).



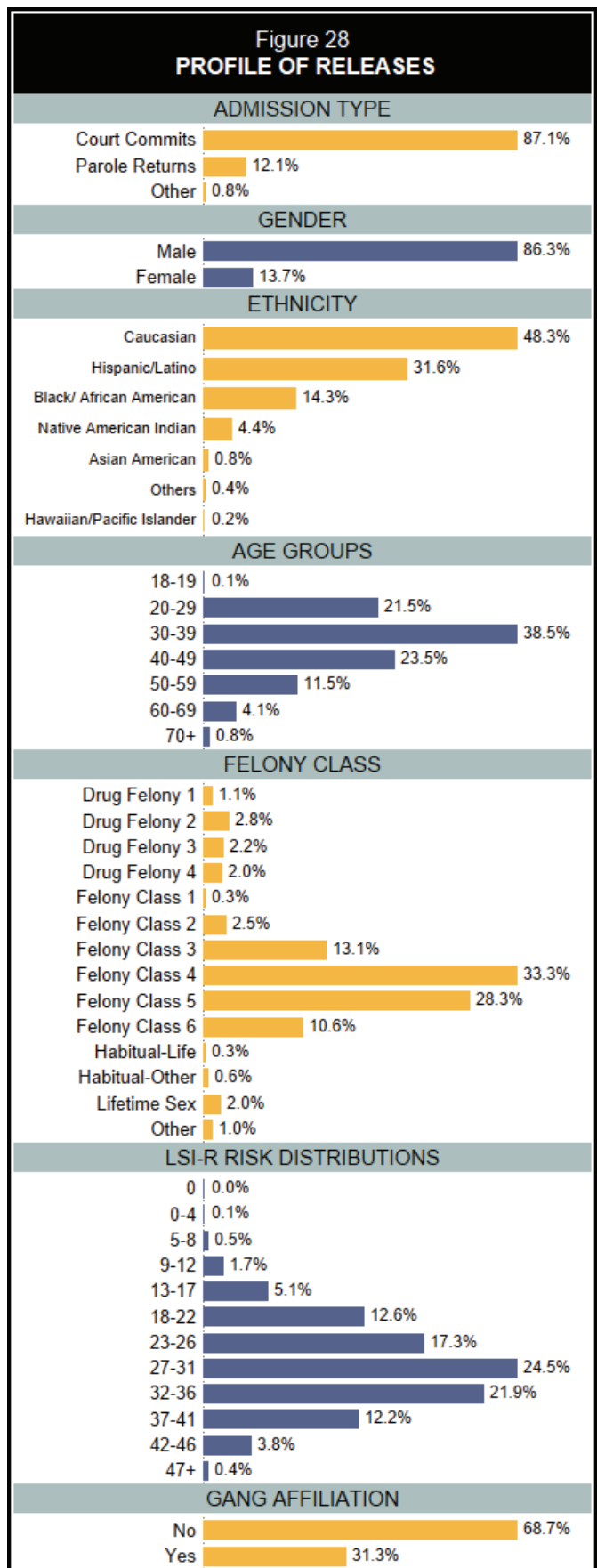
The statutorily mandated parole period governs the parole period once an inmate paroled. If the inmate's parole is revoked for a technical violation, the parole period continues to govern. If an inmate is revoked due to a new conviction, the governing sentence can be either the new conviction or the 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 structure. 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 a county jail (backlog) waiting for prison bed space after sentencing is included. A limited definition was used to represent the amount of time newly sentenced inmates might spend in prison. Only court commitments released to parole, or those 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 typically serve an amount of time comparable to that of Class 1 felons. Lifetime sex offenders serve an average total time comparable to that of Class 2 felons. Many inmates within the lower felony classes (Classes 5 and 6) often receive initial sentences or probation or diversion, but may subsequently be re-sentenced to imprisonment due to technical violations or new crimes.

## PROFILE OF INMATE RELEASES

Demographic and sentencing data was examined for the FY 2022 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 their first release. Consequently, the profile cohort included 4,570 males and 728 females, totaling 5,298 first releases. An exploration of the profile data by release type revealed few meaningful differences, so that data is not displayed here.

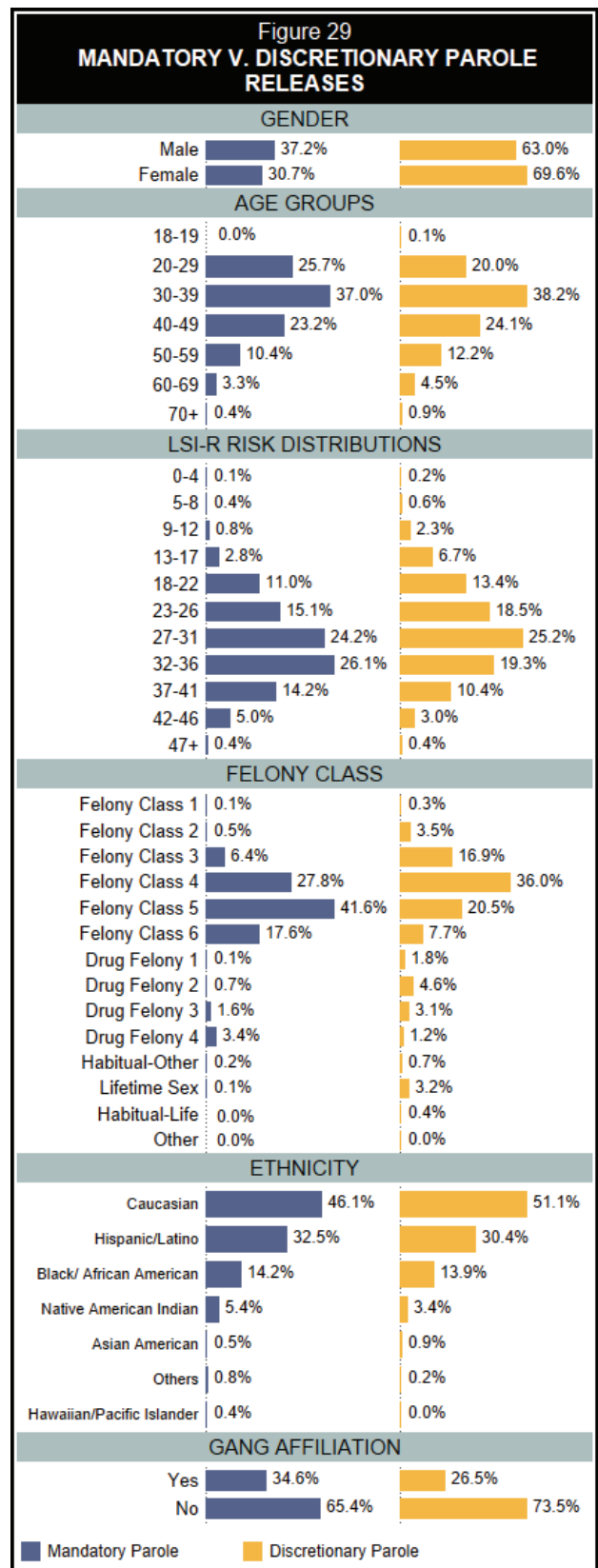
In **Figure 29**, various differences between inmates who release on discretionary parole and inmates who release on mandatory parole are contrasted. As in previous comparisons, only the first release was counted, and only releases to discretionary parole and mandatory parole (including HB 09-1351) were included. Re-paroles are not included in the mandatory parole releases. The final sample included 2,926 first time discretionary parole releases and 1,659 first time mandatory parole releases, totaling 4,585 first time releases. Inmates



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



who released on discretionary parole during FY 2022 were more likely to have Class 3 or 4 felonies, have lower LSI-R risk scores, and have no gang affiliation compared to offenders on mandatory parole. Inmates with more serious felonies were more likely to receive discretionary parole. However, for inmates convicted of Class 1 felonies or were sentenced to lifetime supervision for sex offenses, release can only be granted by the Parole Board. Inmates with higher LSI-R risk scores are less likely to be granted discretionary parole.



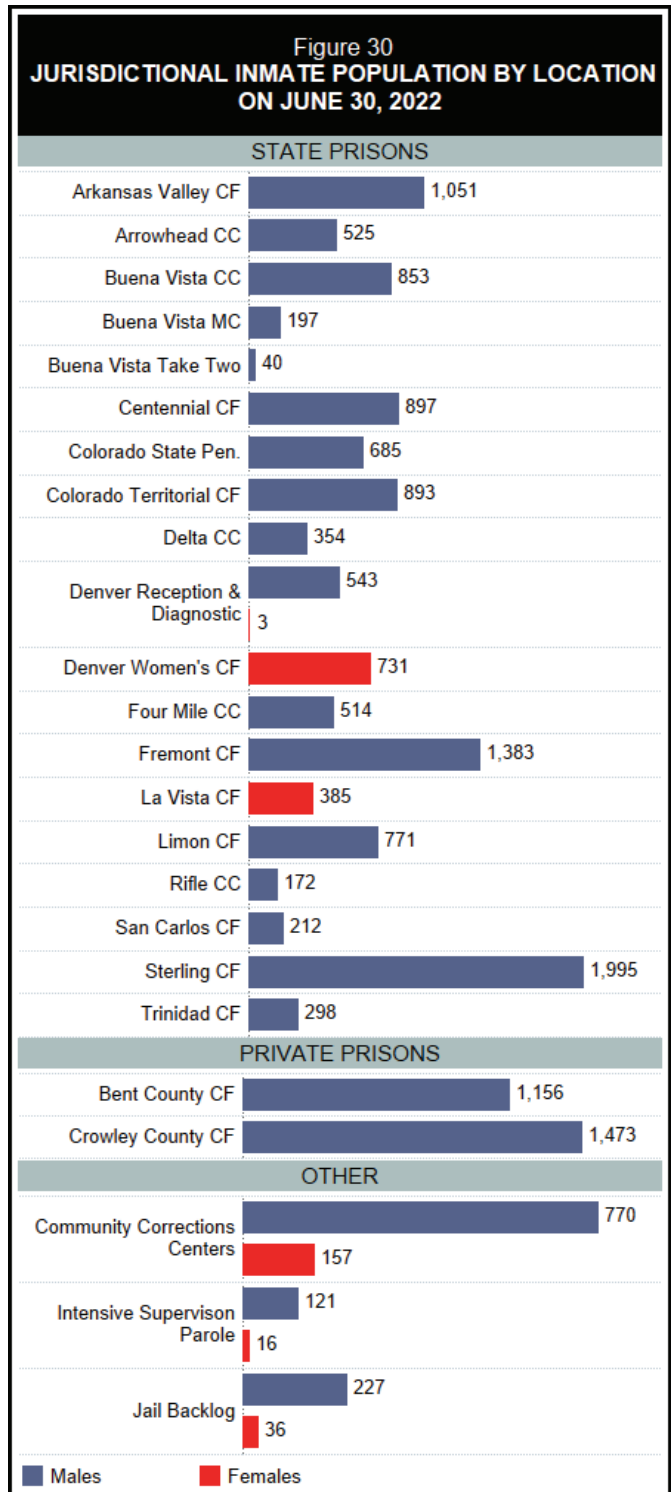
\*Values may not total 100% due to rounding.

# INMATE POPULATION CHARACTERISTICS

## INMATE POPULATION

This section explores and summarizes the adult jurisdictional inmate population.

**Figure 30** shows the number of inmates by location on the last day of the fiscal year (excluding 74 fugitives). The majority of inmates (76.0%) were in state prisons, 16.0% were in private prisons, and 8.1% were in the community, on Intensive Supervision Parole (ISP), or in jail backlog. Jail backlog includes inmates 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 two private prisons used in FY 2022 house male inmates only. Denver Women’s Correctional Facility and La Vista Correctional Facility exclusively house female inmates. However, female inmates 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 SB 16-180) located at YOS (YOS Transfers).



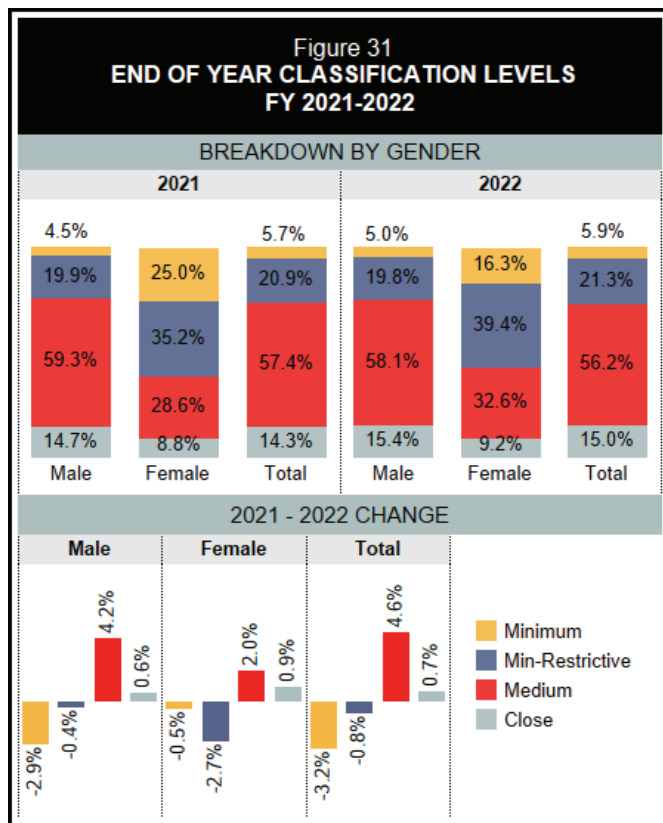
Note: Skyline Correctional Center closed on January 21, 2021; therefore, no jurisdictional data was available on June 30, 2022.

## CUSTODY CLASSIFICATION & STATUS

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

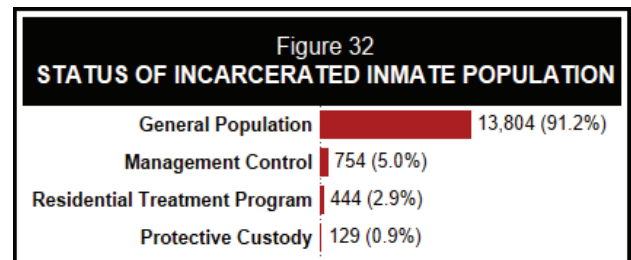
**Figure 31** provides a comparison of inmate classification levels at the end of FY 2021 and FY 2022. In recent years, significant changes in custody designations have occurred. This has included the elimination of administrative segregation and restrictive housing followed

by the implementation of Management Control (MC) status. Management Control status is designed for inmates 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 inmates who would be at substantial risk of harm if placed in general population housing. The Residential Treatment Program (RTP) is designated for inmates with mental illness or intellectual disabilities who are participating in specialized programs designed to promote pro-social behavior.



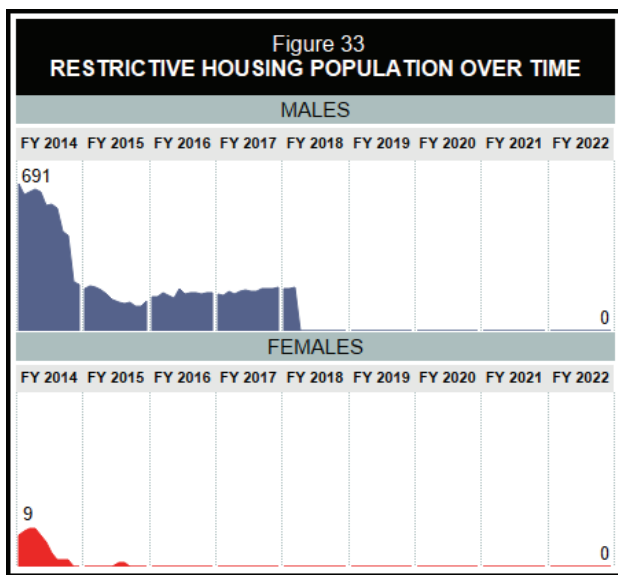
\*Values may not total 100% because "Unclassified Inmates" are excluded and rounding of percentages.

**Figure 32** shows 91.2% of the inmates in prison facilities are in general population and 8.8% have special designations. The effort to remove all inmates housed in administrative segregation and restrictive housing has been successful. As of August 2017, MC is the most restrictive status designation, though punitive segregation is still used to house inmates serving disciplinary sanctions.



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

**Figure 33** shows changes that have occurred in the restrictive housing population since FY 2014. This population peaked in September 2011 with 1,505 (7.4%) inmates in restrictive housing. No inmates were housed in Extended Restrictive Housing in FY 2022 due to the full elimination of the status in August 2017.

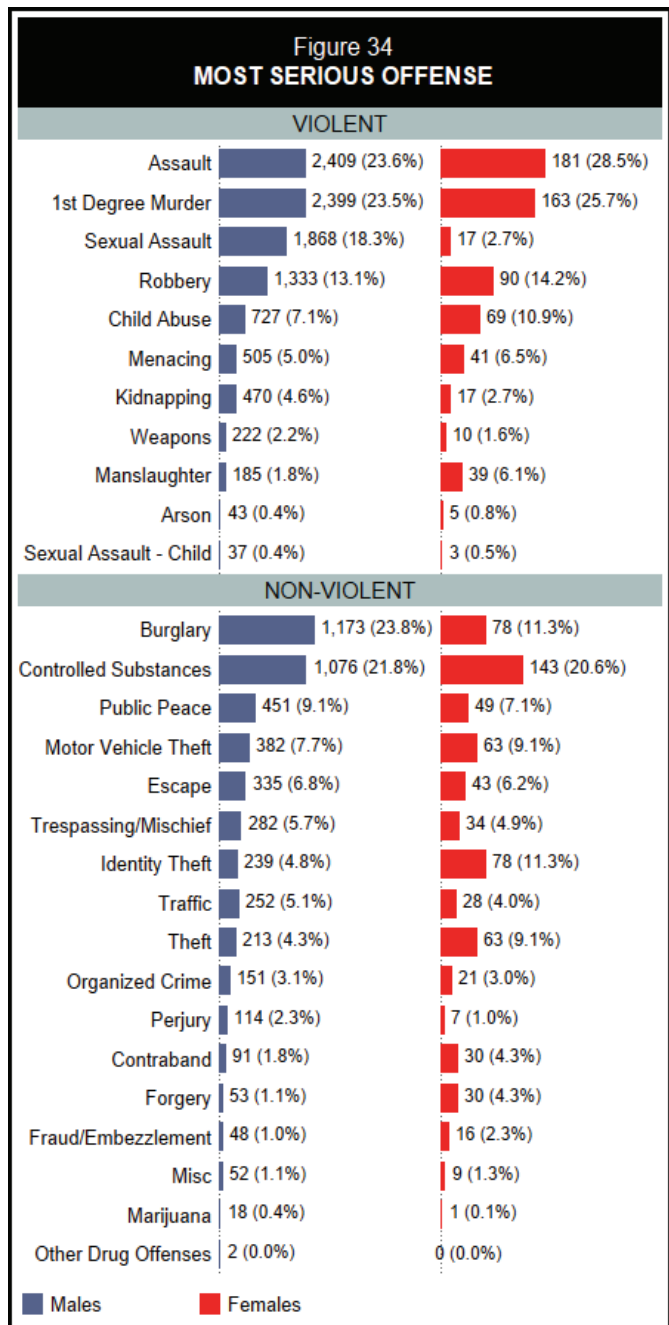


\*Restrictive Housing includes the historical statuses Administrative Segregation, Restrictive Housing - Maximum Security (RH-Max), Extended Restrictive Housing (ERH), and Special Housing.

## MOST SERIOUS OFFENSE

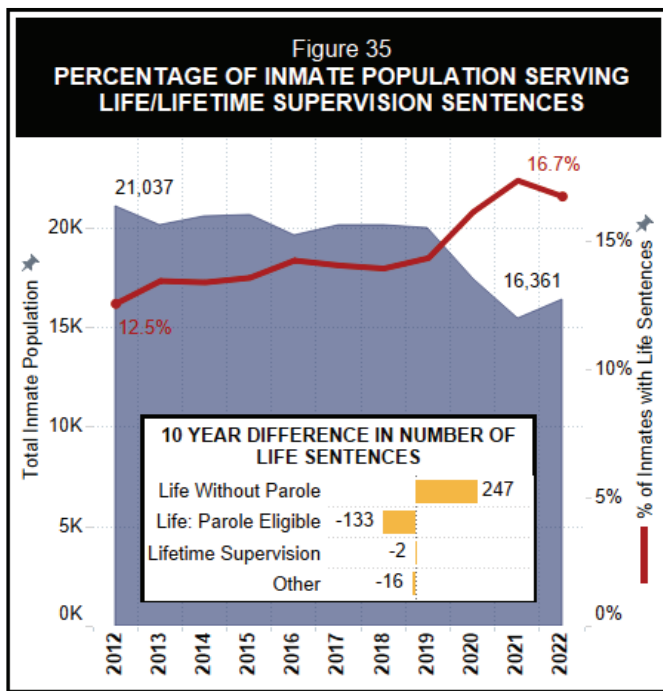
**Figure 34** contains the most serious offense distribution for the adult inmate population as of June 30, 2022. Of the currently incarcerated inmate population, 65.7% have a violent offense while only 43.9% (**Figure 17**) of new court commitments have a violent offense. Since 2010, numerous legislative bills have been passed in an effort to reduce the inmate population

(overview and appendix sections). These bills target less serious inmates for alternatives to incarceration, shorter sentences, increased earned time, and increased preference for discretionary parole. As a result, the inmate population now includes a higher proportion of inmates with more serious crimes and longer sentences.



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

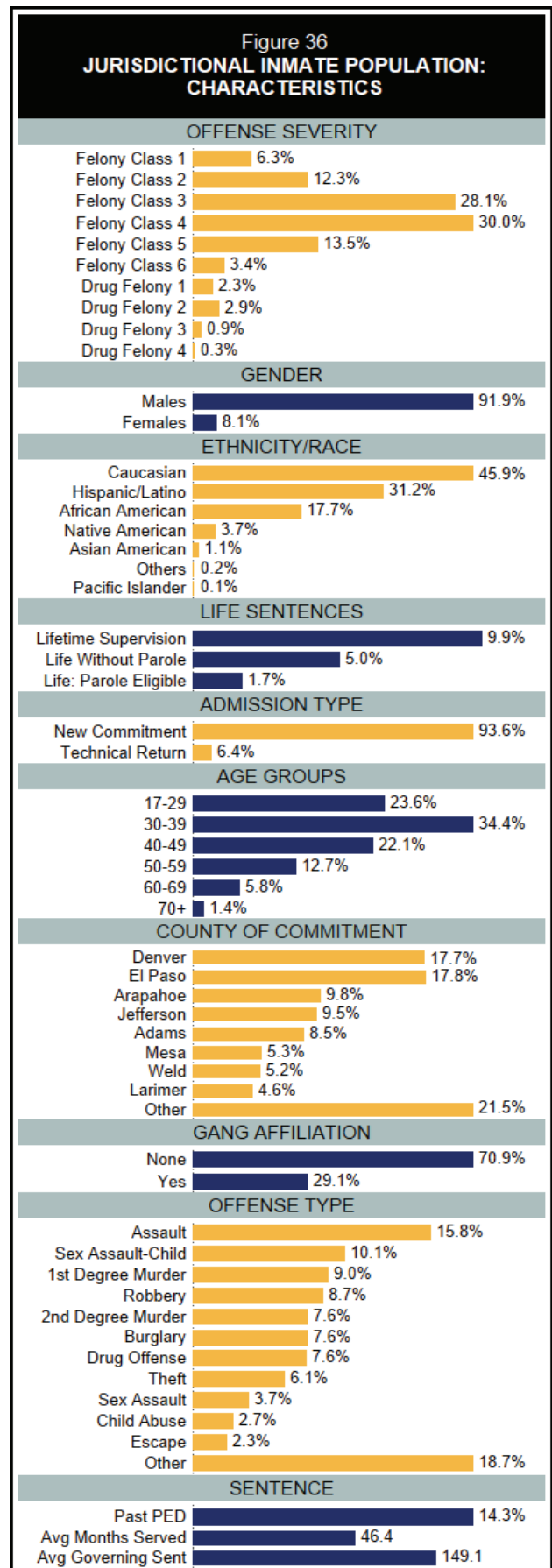
**Figure 35** shows a 10-year history of the total inmate population and the percent serving life or lifetime sentences. During periods of population decline, inmates serving life and lifetime supervision sentences continued to account for a greater percentage of the population. The portion of inmates serving life without parole sentences have risen by 4.2% while the overall inmate population decreased by 22.2% between 2012 and 2022. A large proportion of the increase is due to more inmates being sentenced to lifetime supervision.



Note: Includes Fugitives

## INMATE PROFILE

**Figure 36** shows the profile of the total inmate jurisdictional population on June 30, 2022. This population includes inmates in jail, prison, and the community, but but excludes fugitives. Inmates were

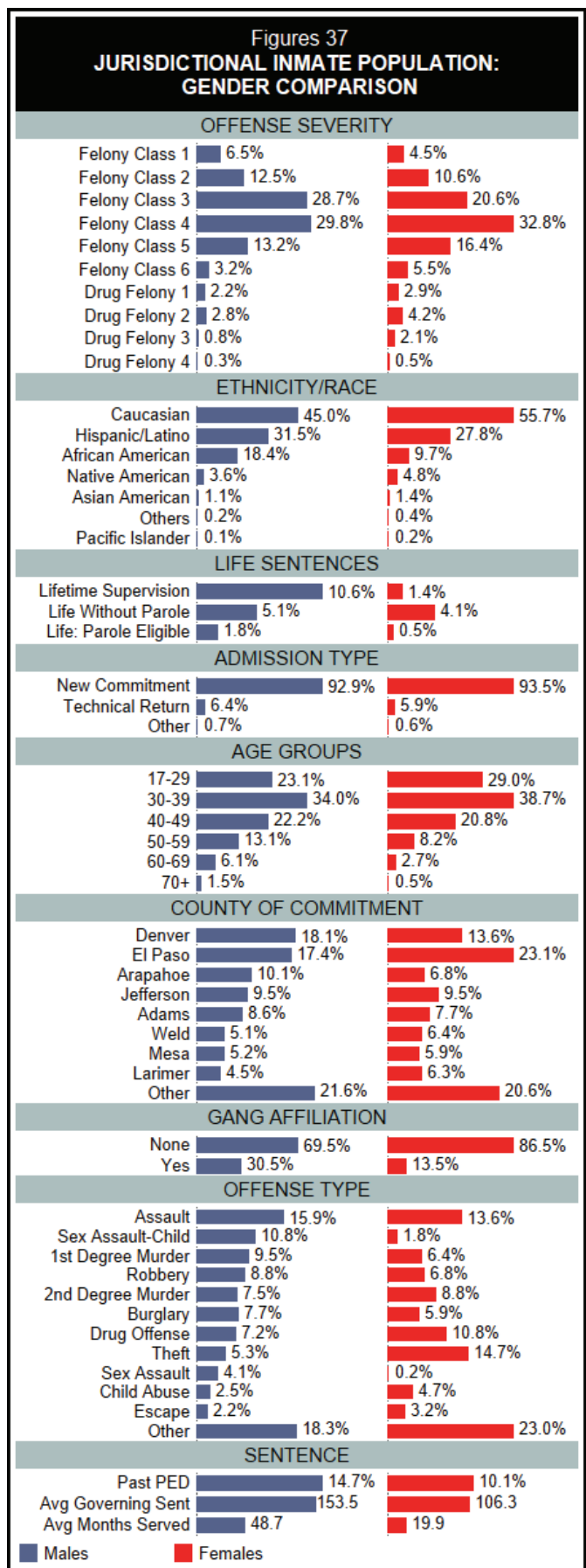


\*Values may not total 100% due to rounding.

predominantly male (91.9%), Caucasian or Latino (77.1%), and between the ages of 17–49 (80.1%). Within this inmate population, 16.7% (2,741) were serving sentences with a maximum term of life; 10.4% (284) of those serving life sentences will be parole eligible. This group’s average maximum governing sentence was 149.1 months, or 12.4 years. However, they have served an average of 46.4 months (3.9 years).

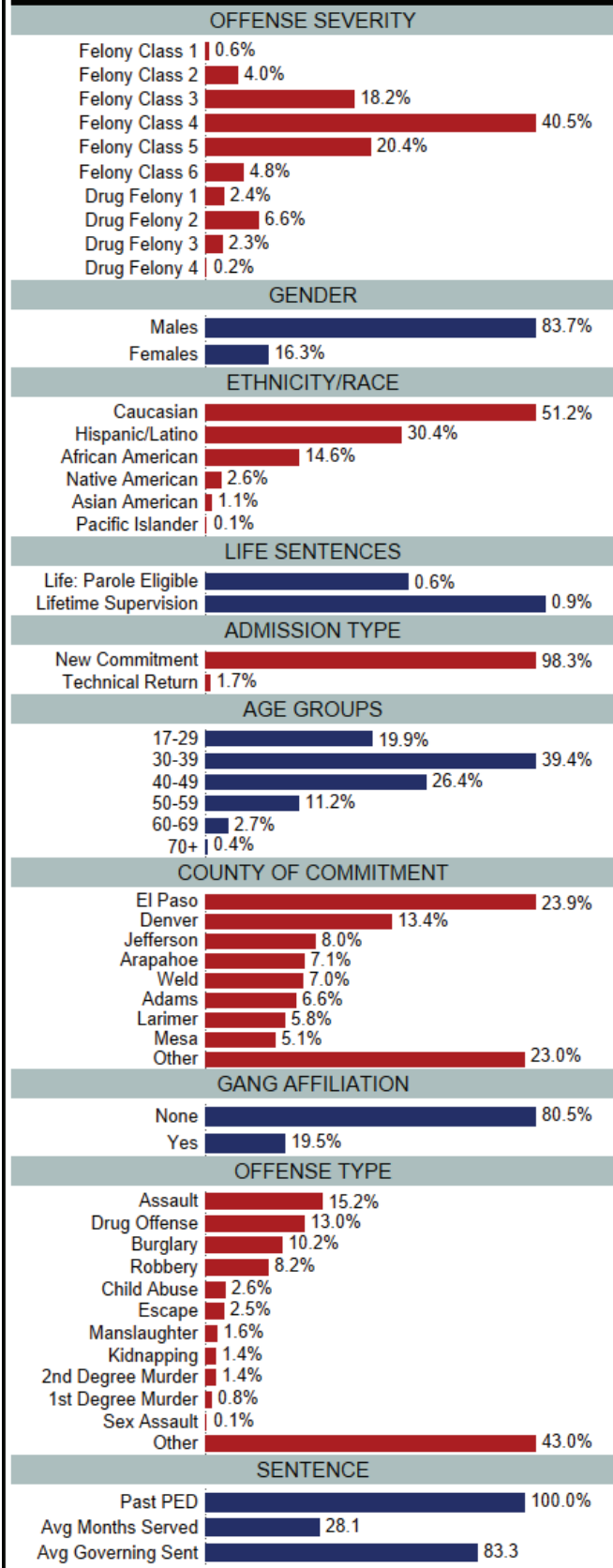
Parole Eligibility Date (PED) is calculated as 50% of the maximum governing sentence length minus credit for pre-sentence confinement awarded by the court. Mandatory Release Date (MRD) is calculated as 100% of the maximum governing sentence length minus any pre-sentence confinement awarded by the court. 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** highlights the gender differences across the jurisdictional population. In observed differences, males demonstrated higher rates of violent offenses, greater gang affiliation, and more life sentences. On average, females had shorter governing sentences and time served. Females also showed higher rates of theft, escape, and drug convictions as their most serious offense.



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

**Figure 38  
COMMUNITY-BASED INMATE POPULATION:  
CHARACTERISTICS**



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

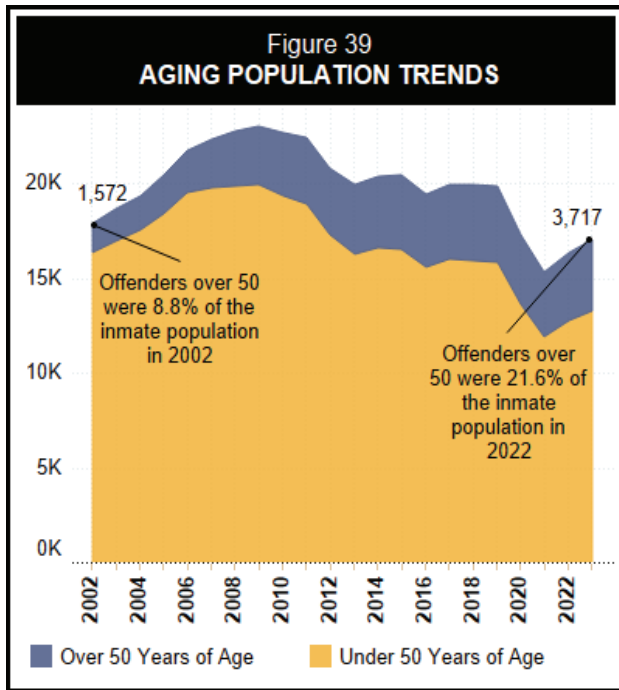
The profile of community inmates is shown in **Figure 38**. This population differs in various ways from the total jurisdictional population. Inmates serving sentences in the community were more likely to have been convicted of a lower felony class. Very few community inmates were serving life or lifetime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

## AGING TRENDS

Inmates over the age of 50 remain one of the fastest-growing prison populations. Between 2002 and 2022, the number of inmates over the age of 50 has grown at a significantly higher rate (123.4% increase) than the general population (8.8% decrease). In the past 10 years, the general population has decreased by 21.7%, the population over the age of 50 has only decreased by 0.5% (**Figure 39**). As a result, offenders over the age of 50 now represent 21.6% of the inmate population in 2022. This growth in the percentage of inmates over the age of 50 is due to a number of factors: aging baby boomer presenting a larger percentage of the US population, increased life expectancy among adults, and tougher sentencing laws.<sup>6</sup> The aging population creates unique challenges for

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.

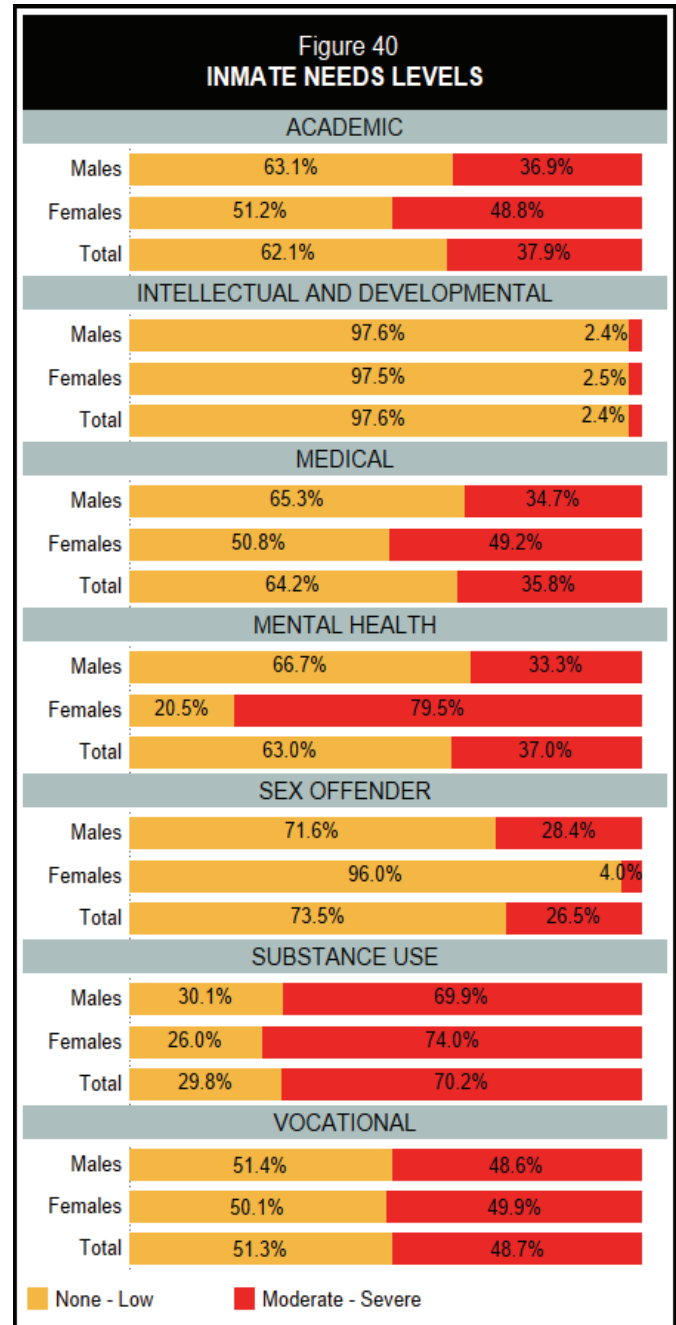
the criminal justice system, including higher medical costs, the need for special housing and programming, and a higher risk of victimization.



## NEEDS LEVELS

**Figure 40** displays the current needs levels of the jurisdictional inmate population. Needs are grouped as moderate-to-severe needs (Levels 3-5) and none-to-low needs (Levels 1-2). Need levels are examined by gender across multiple need categories. The data shows females have a greater frequency of moderate-to-severe needs levels in academic, medical, mental health, and substance use needs categories than males. Males have higher moderate-to-severe needs prevalence

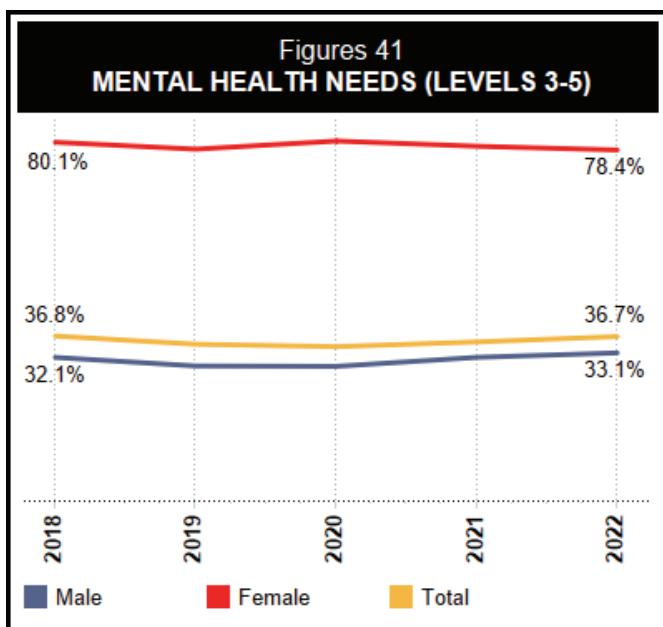
in the sex offender treatment category than females. Both gender groups showed similar need levels in the vocational training and intellectual and developmental needs areas.



A disproportionately large number of individuals with mental illness exist within the criminal justice system. National data suggests that



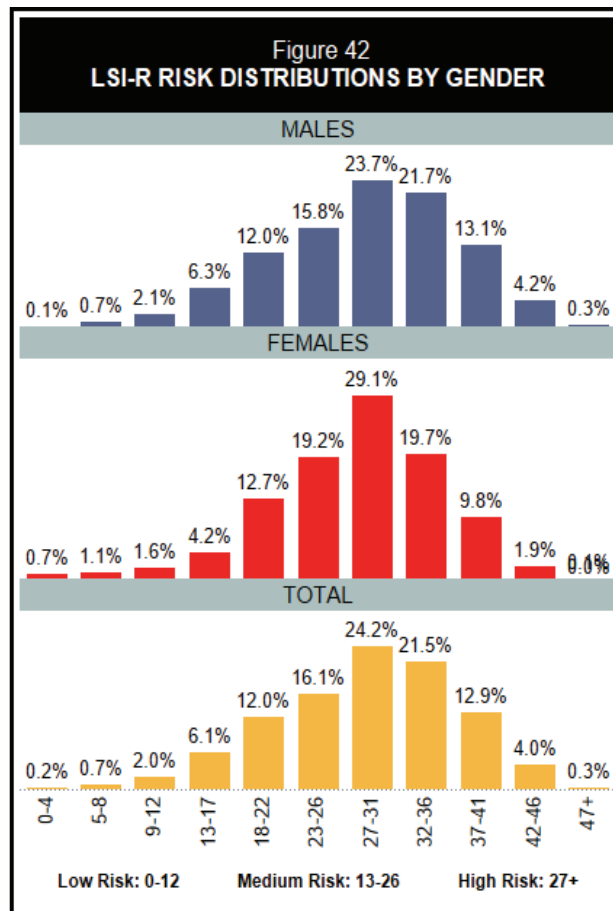
inmates are nearly three times as likely to have a mental illness as members of the general population<sup>7</sup>. **Figure 41** shows the percent of inmates with significant mental health needs (Levels 3–5) since FY 2018. Female inmates have demonstrated moderate-to-severe needs more frequently than males, although males also exhibit moderate-to-severe needs to a significant extent.



## RISK ASSESSMENT

The LSI-R is used to assess risk of inmate recidivism. **Figure 42** displays LSI-R score distributions as of June 30, 2022 for both genders in the inmate population. Over 60% of CDOC inmates score in the high risk range of the LSI-R scale. Female and

male inmates had similar LSI-R scores for all ranges at the end of FY 2022.



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

## REPORTABLE INCIDENTS

The reportable incidents described here include inmate assaults on staff, inmate assaults on other inmates, fighting, uses of force, inmate 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-

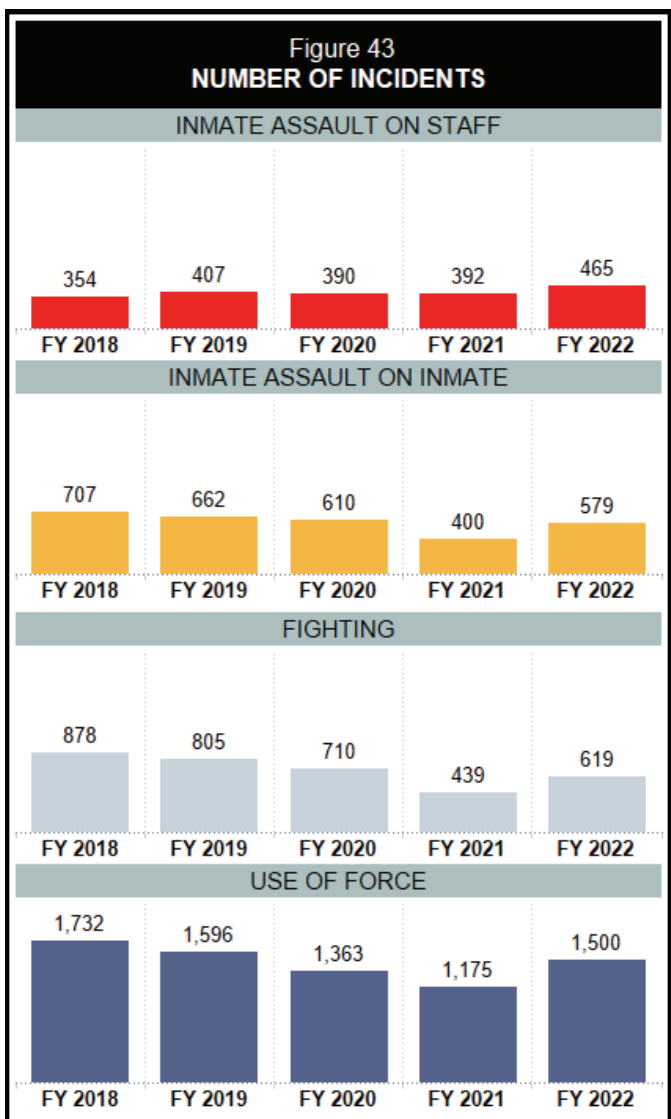
7. Fazel, S., Hayes, A. J., Bartellas, K., Clerici, M., & Trestman, R. (2016). Mental health of prisoners: prevalence, adverse outcomes, and interventions. *The Lancet Psychiatry*, 3(9), 871-881.

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 annually to the Bureau of Justice Statistics (BJS). PREA data is not included in this report but can be found on the CDOC's website.

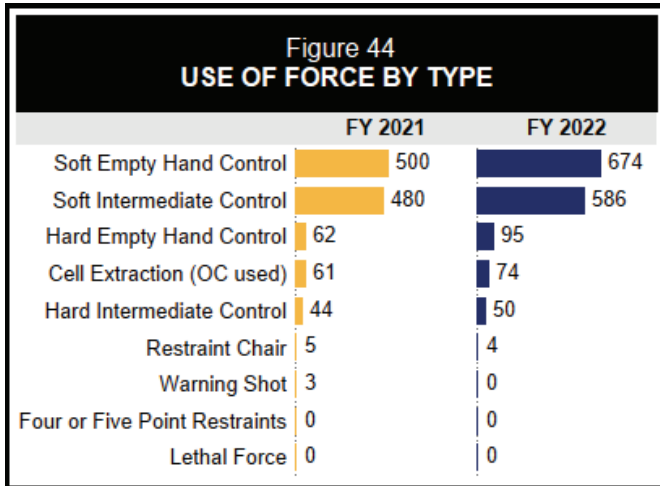
## ASSAULTS & USE OF FORCE

Prison-based incidents are tracked electronically through the Reportable Incident System (RIS). The RIS became operational on January 1, 2008 and has since been used to report incidents for the entire department. Assaults against inmates 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 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 the following: 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. Assaults and fighting are counted by unique incident rather than by the number of inmates involved. Use-of-force incidents are counted by the number of inmates involved in each incident. In FY 2022, increases can be seen in all categories. The total staff assaults shown do not include incidental contacts or attempted assaults that did not result in staff injury.



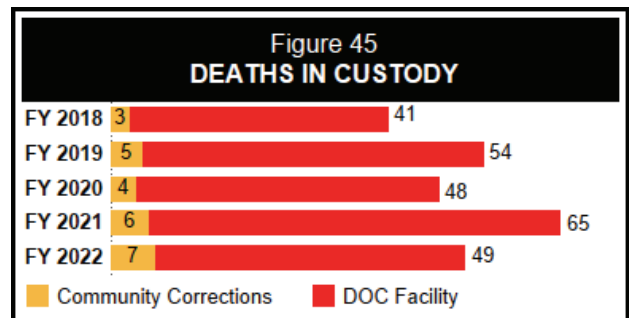
**Figure 44** shows how often different types of force were used during FY 2021. There was an increase for a majority of force types in FY 2022. However, the utilization of four and five point restraints and lethal force remained consistent in FY 2021 and FY 2022, with both years recording zero (0) incidents.



## DEATHS IN CUSTODY

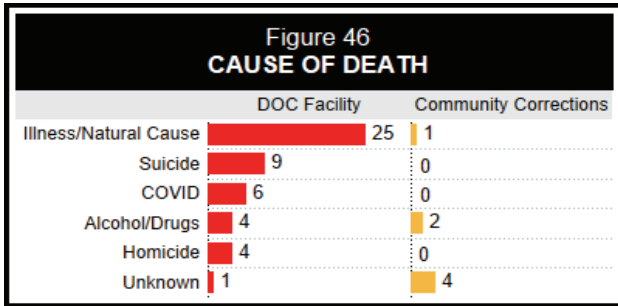
The CDOC participates annually in the The Bureau of Justice Assistance (BJA) Death in Custody Reporting Act (DCRA) program which collects national, state and incident level data on persons who died while in the physical custody of the 50 state departments of corrections and several local adult jail jurisdictions. DCRA records decedent characteristics, information on whether an autopsy was conducted, and the circumstances surrounding deaths. Deaths in custody, as defined by DCRA, apply to inmates 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 inmates 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 2022, there were 56 deaths in custody, 7 of which occurred in community corrections (**Figure 45**). Cause of death is always determined by a coroner or medical examiner external to the CDOC.



More than half (57.1%) of inmates who died in FY 2022 did so due to an illness or natural cause, including 6 from or among COVID-19. (**Figure 46**). One female inmate died in FY 2022. The average age at the time of death was 50.5 years when including illness/natural cause related deaths. Excluding deaths due to illness or natu-

ral causes, the average age at the time of death was 39.6 years.



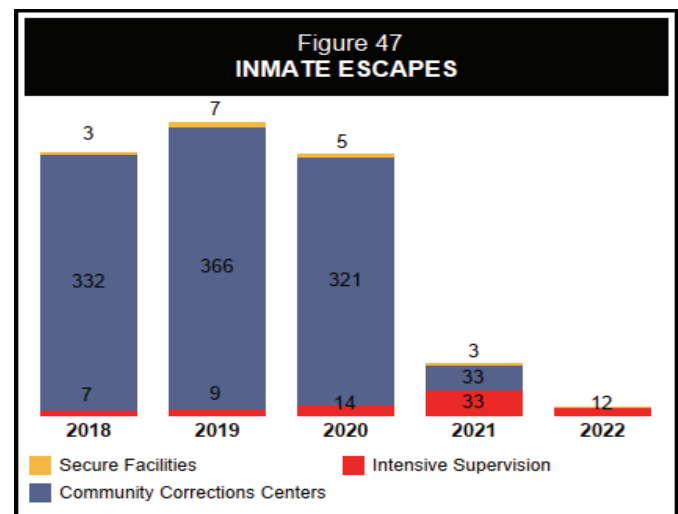
## ESCAPES

The CDOC defines escape as an act whereby an inmate, without any authorization, leaves the confines of the last barrier of a secured facility, leaves 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 or a code of penal discipline convictions. In the context of community supervision (community corrections or ISP placement), an unauthorized absence for 24 hours or more constitutes an escape.

**Figure 47** provides a five-year history of escapes from secure facilities (state and private prisons), community corrections centers, ISP status, and community return-to-custody facilities. In 2017, HB 17-1326 revoked the CDOCs' authority to operate community return-to-custody facilities;

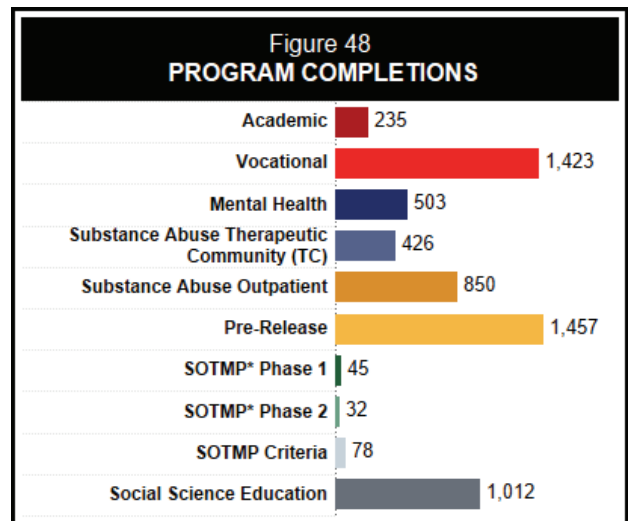
therefore, escapes are not reported for these facilities between FY 2017 and FY 2021. In 2020, HB 20-1019 changed the type of conduct for which a defendant could be charged with escape. This contributed to the significant drop in Community Corrections escapes in FY 2021 and FY 2022. During the last five fiscal years, 18 escapes occurred from CDOC facilities:

- FY 2018: Colorado Correctional Center (one), Four Mile Correctional Center (one), Skyline Correctional Center (one)
- FY 2019: Colorado Correctional Center (two), Colorado Territorial Correctional Facility (two), Crowley County Correctional Facility (one), Delta Correctional Facility (one), Skyline Correctional Center (one)
- FY 2020: Colorado Correctional Center (one), Colorado Territorial Correctional Facility (one), Four Mile Correctional Center (two), Skyline Correctional Center (one)
- FY 2021: Colorado Correctional Center (one), Four Mile Correctional Center (two)
- FY 2022: No facility escape

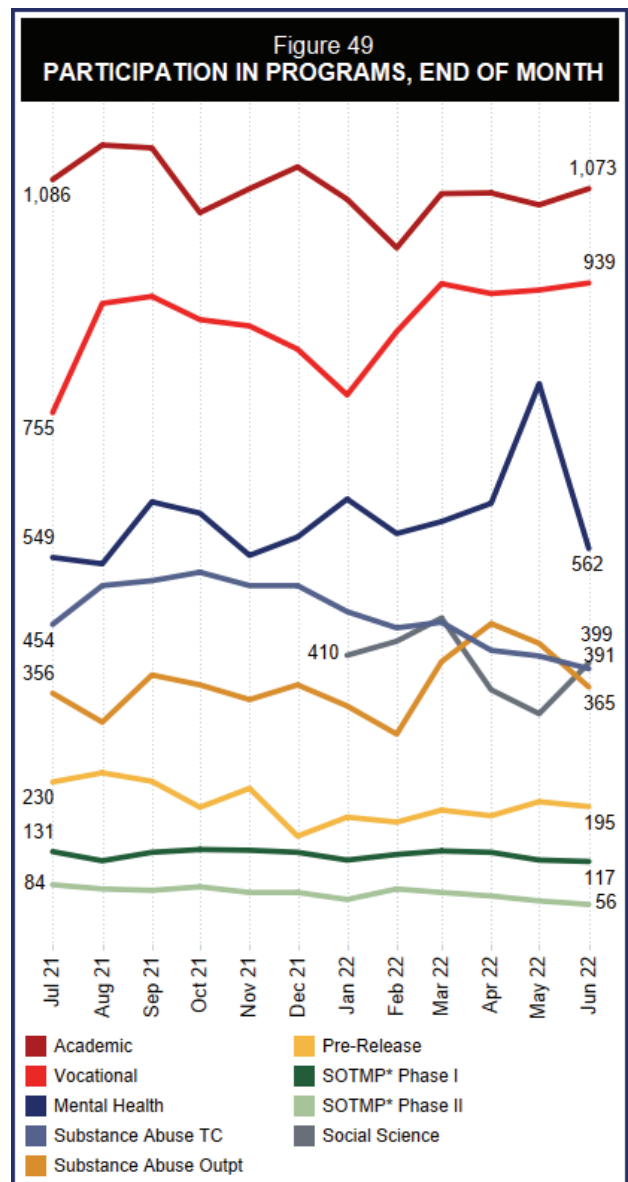


## PROGRAM PARTICIPATION

To improve the chances of success upon re-entry, inmates have the opportunity to participate in educational, behavioral health, and pre-release programs during their incarceration. **Figure 48** shows completions by program area across all state and private prisons as determined by earned time awarded. In August 2012, the 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. Participation in other elective programs such as *Alcoholics Anonymous*, *7 Habits on the Inside*, or *Thinking for a Change*, may also take place; however, they are not included in this figure.



\*Sex Offender Treatment and Management Program



\*Sex Offender Treatment and Management Program

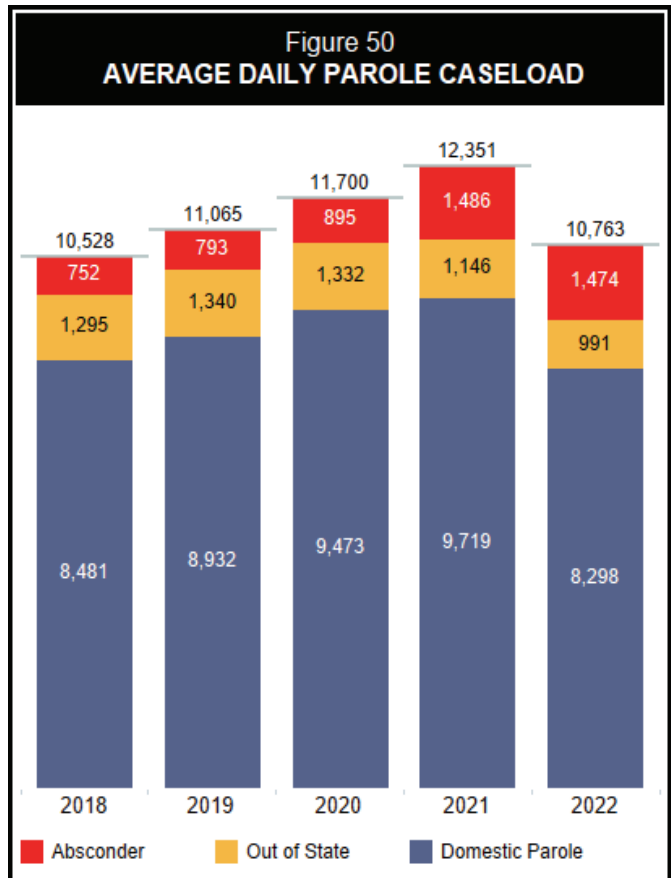
# PAROLE POPULATION CHARACTERISTICS

## PAROLE POPULATION

Colorado has a blended parole system. The Parole Board has the authority to grant parole to inmates who have reached parole eligibility, but have yet to complete their full sentence. However, all inmates sentenced for a crime committed after 1993 are required to serve a period of parole unless they were sentenced to life in prison or death. Those who release before serving the full term of their sentence receive discretionary parole. Those who serve the maximum term of their sentence release on mandatory parole. Upon release, both discretionary and mandatory parolees complete their 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 reincarceration or re-parole.

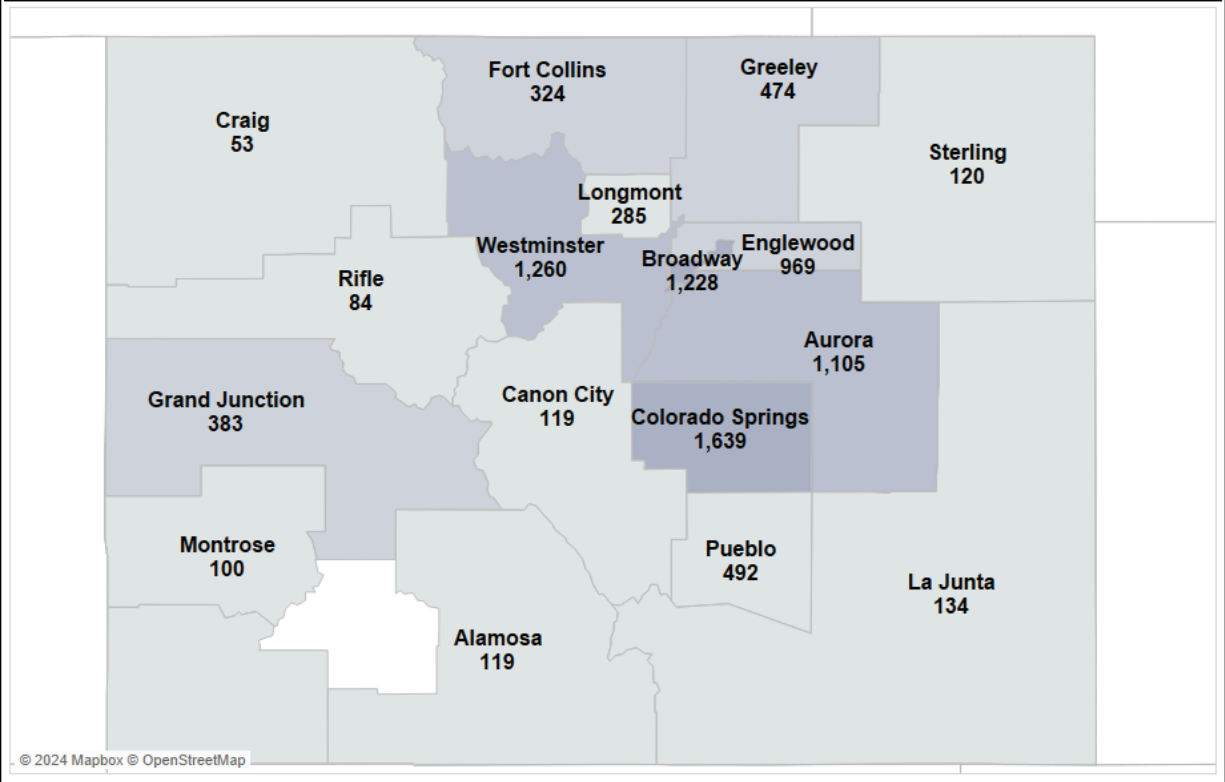
## PAROLE CASELOAD

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



in FY 2022 totaled 10,763, a decrease of 12.9% from FY 2021. **Figure 51** displays the number of parolees by each servicing parole office. The highest concentrations were found in the vicinities of Denver and Colorado Springs. This can be attributed to the higher populations, and the increased access to needed programs located in these areas. The highest percentage of parolees (16.3%) is assigned to the Colorado Springs office, followed by the Westminster office (12.5%).

**Figure 51  
PAROLE OFFICE CASELOAD AS OF JUNE 30, 2022**

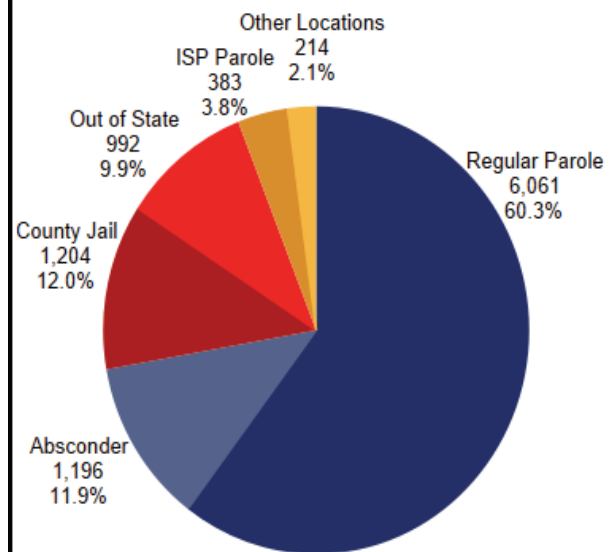


\*Excludes 992 out of state parolees.

## PAROLEE PROFILE

**Figure 52** shows the parole population by supervision type. Over half (60.3%) of the population is active on regular parole supervision. Less than three percent of parolees are assigned to the Intensive Supervision Program (ISP), which was launched in 1991 to provide additional supervision and program participation for especially high-risk parolees. Out-of-state, absconders, county jail, and parolees in other locations account for 35.9% of the population. The out-of-state category includes inmates who were paroled to a felony detainer, deported by U.S. Immigrations and Customs Enforcement, and those who are

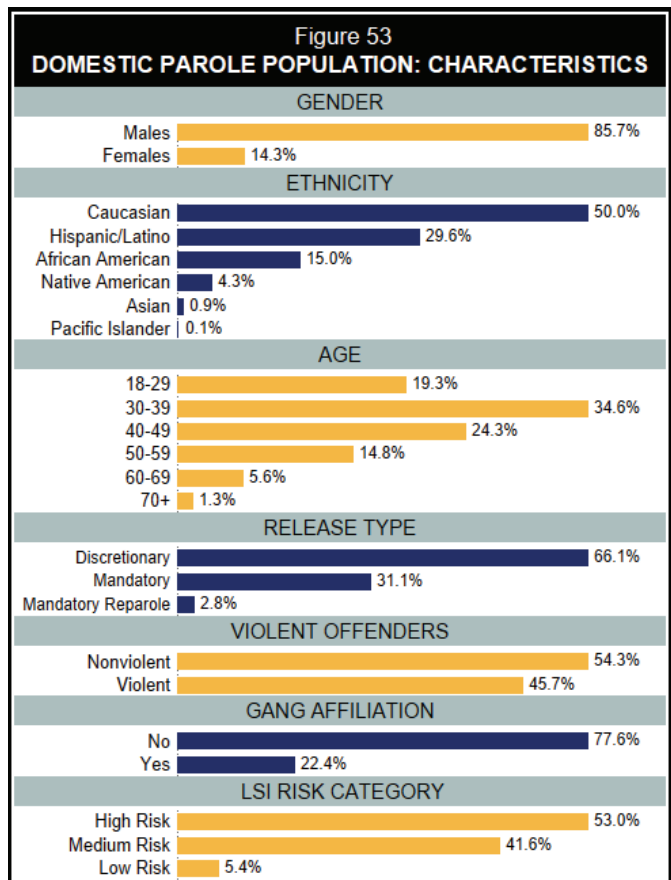
**Figure 52  
TOTAL PAROLE POPULATION AS OF JUNE 30, 2022**



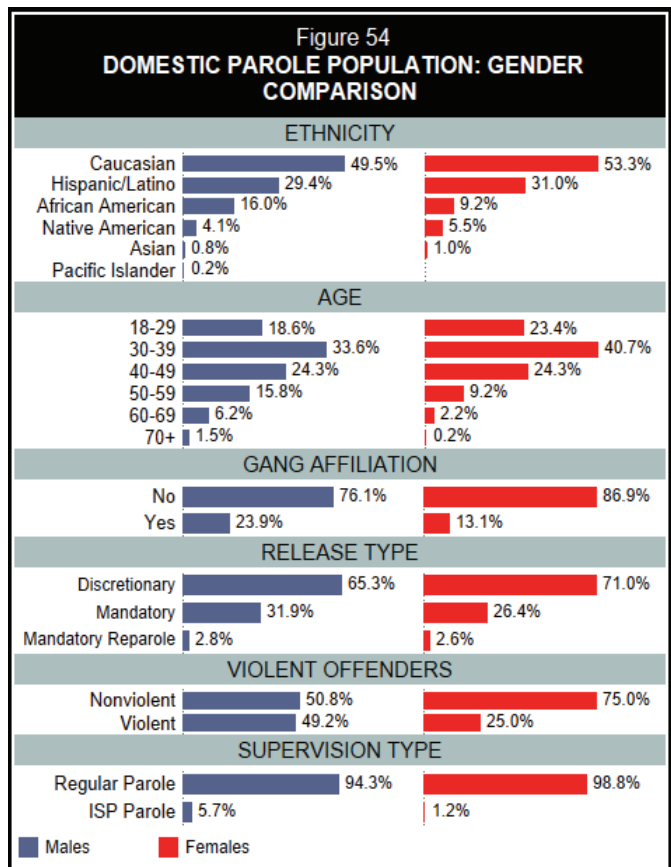
supervised on parole in other states. Parolees in county jail are likely awaiting a revocation hearing by the Parole Board due to a technical parole violation or pending a new criminal conviction.

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 inmate population profile (**Figure 36, page 28**). Over half (54.3%) of the parole population have non-violent charges, whereas only 34.3% of the incarcerated inmate population have been sentenced for non-violent crimes. The majority of parolees can be defined as: male, Caucasian, aged 18 to 49, having a discretionary release types, being classified as non-violent, having no gang affiliation, and having a medium-to-high LSI-R risk range. When compared to males (**Figure 54**), females have lower rates of violent crimes and gang affiliations, are typically younger, and are more likely to receive discretionary parole.



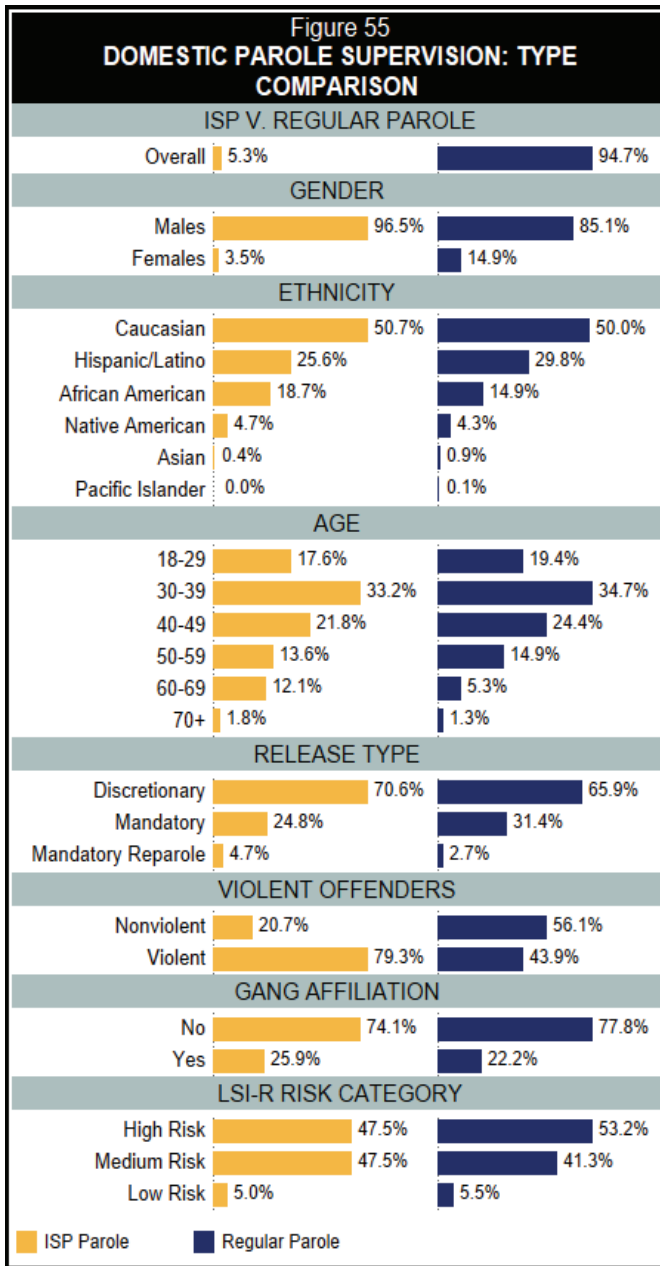
\*Values may not total 100% due to rounding.



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



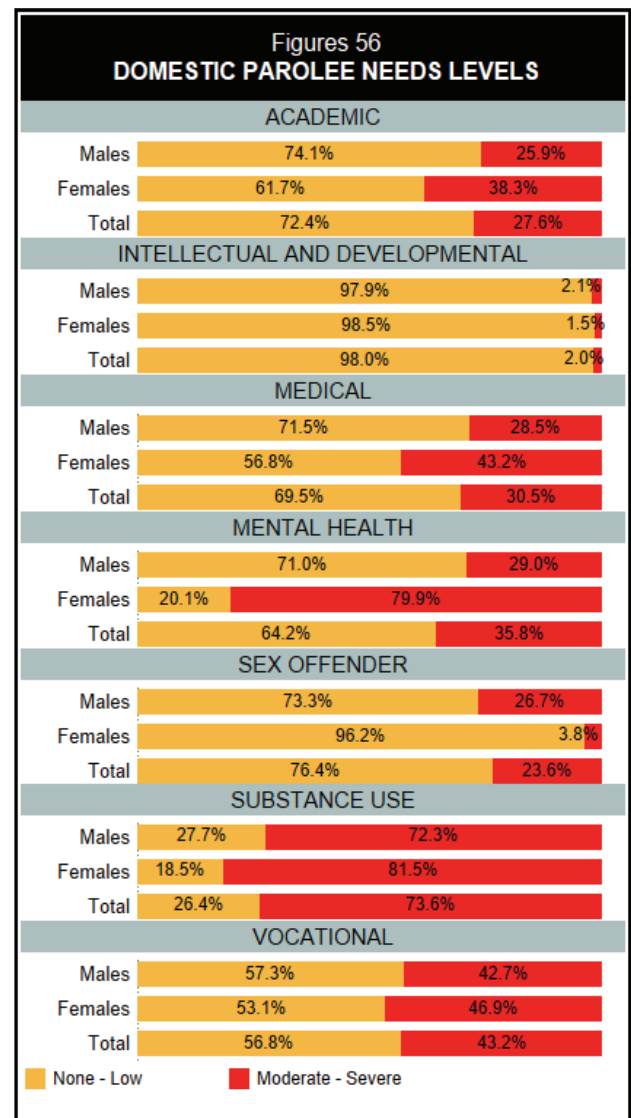
**Figure 55** illustrates that compared to regular parolees, ISP parolees are substantially less prevalent, tend to be older, more often receive discretionary release, are more frequently released on mandatory re-parole, have more violent crimes, more often have a gang affiliation, and frequently score in the medium risk range of the LSI-R.



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

## NEEDS LEVELS

The needs levels for parolees are shown in **Figure 56**. It contrasts individuals with non-to-low needs to those with moderate-to-severe needs, and delineates by gender. Parolees show the greatest moderate-to-severe needs in the areas of substance abuse and vocational skills needs. Female parolees also show higher levels of need in the areas of medical and mental health. When comparing



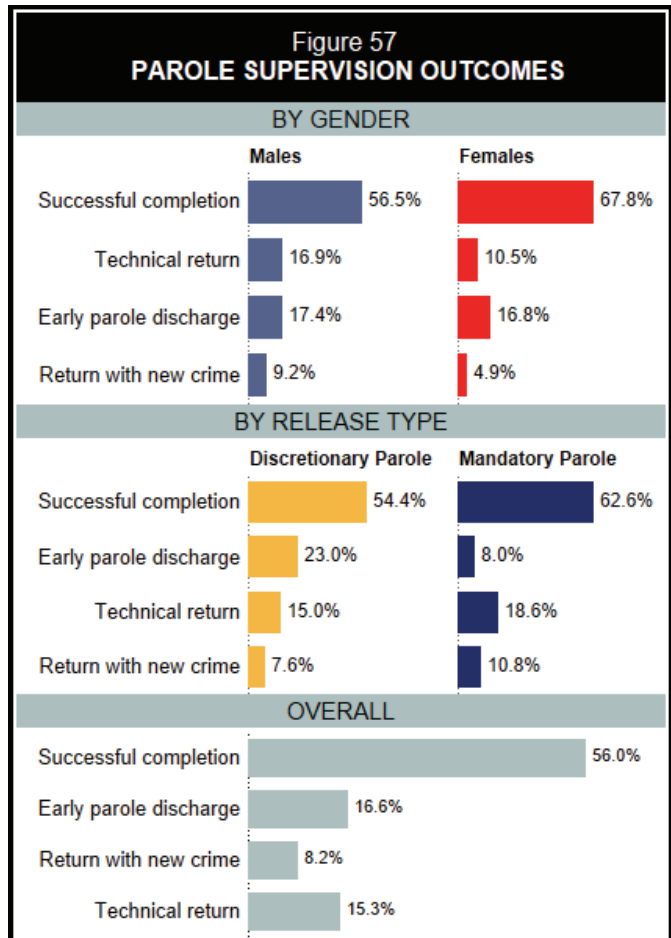
\*Values may not total 100% due to rounding.

the needs levels of parolees to needs levels of the jurisdictional inmate 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 moderate-to-severe academic, medical, mental health, and vocational needs less often. Compared to the total jurisdictional population, male parolees show more severe needs in all areas except for substance abuse needs. Differences between male and female parolees are similar to the differences already highlighted for the total jurisdictional population.

## PAROLE SUPERVISION OUTCOMES

More than half (56.0%) of parolees leaving parole supervision completed their parole sentence, either by way of successful completion or discharge (Figure 57). Early parole discharge was granted to 16.6% of parolees in FY 2022. Parolees may be eligible for early discharge if they 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 their parole. 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 experienced higher rates

of technical violation returns. They also received early parole discharges at a much lower rate. The commission of new crime, 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.

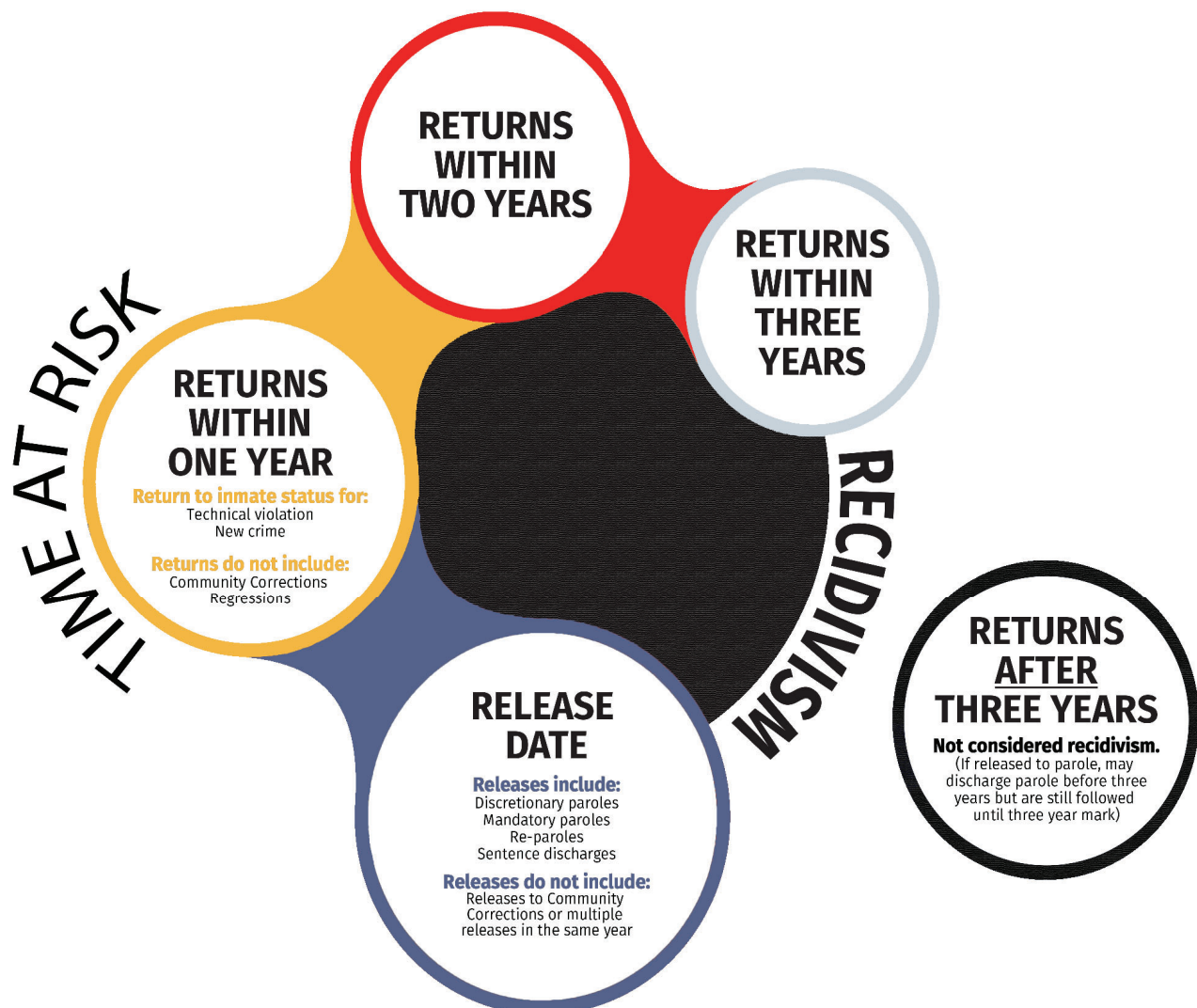
\*Values may not total 100% due to rounding.

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# RECIDIVISM RATES

The CDOC defines recidivism as a return to prison or inmate 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 correctional departments, but the methodology for computing recidivism is often not reported. After a review of other correctional recidivism rate calculation methods and national standards, the CDOC

developed a new approach in 2008. This new practice 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 processes developed by the Correctional Leaders Association (CLA), formerly the Association of State Correctional Administrators (ASCA).



The CLA established a performance-based measurement system with specific criteria and counting rules for calculating recidivism rates. The following summarizes this new procedure:

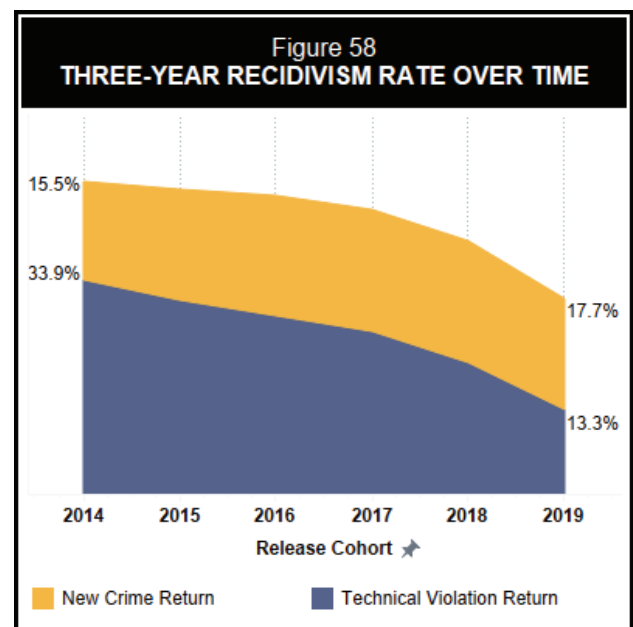
■ **Recidivism:** Return to inmate status calculated by combining new convictions plus technical violations to equal overall returns at one-year post-release intervals.

■ **Cohort:** Includes the number of inmates released, not the number of times an inmate released. Even if an inmate released multiple times within a year, that individual is counted only once per release cohort. Therefore, only one inmate failure can be counted per cohort.

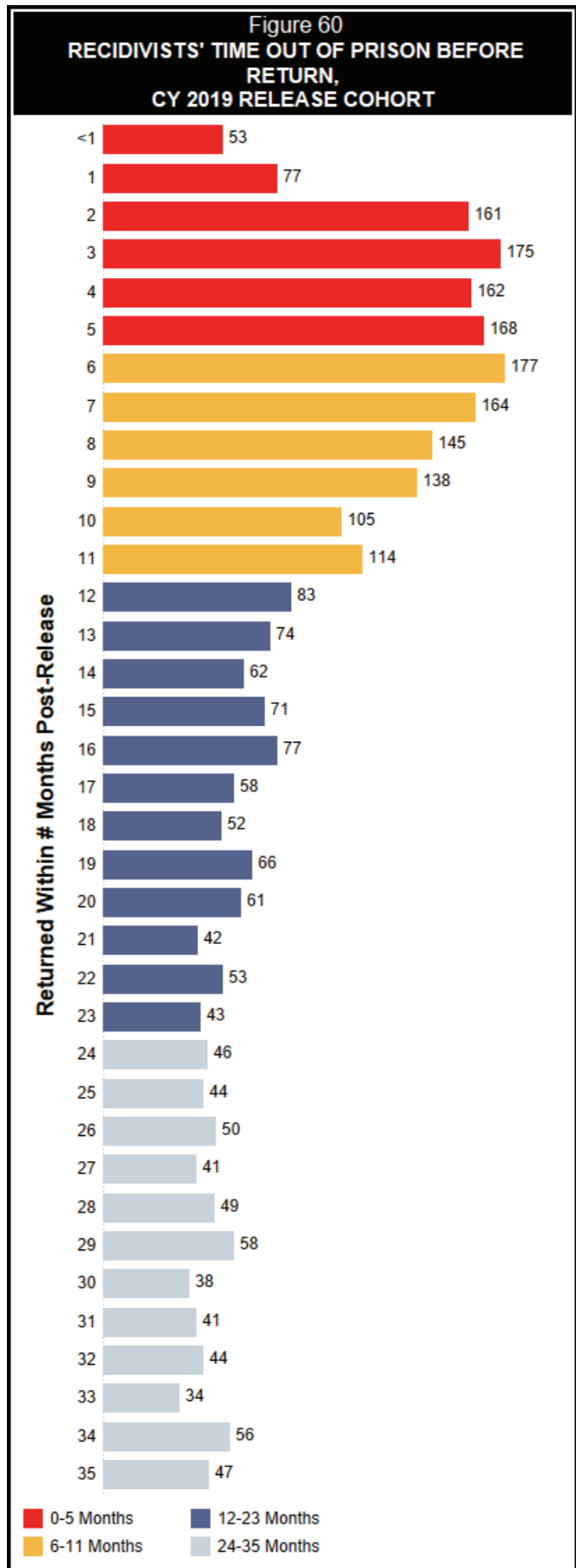
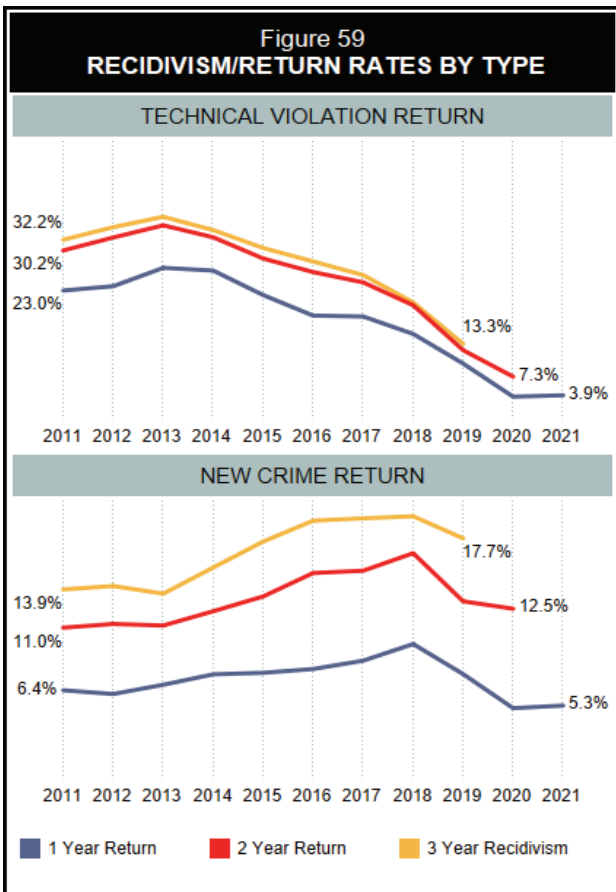
■ **Release types:** Includes inmates who released to the community, including releases to parole, completion of sentence, court-ordered discharge, and release to probation. To be counted, inmates must release from inmate status. Those who died while incarcerated, escaped, or had a sentence vacated or inactivated are not to be included in the recidivism cohort. Additionally, inmates 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 CLA standards and other national prison surveys.

The overall three-year recidivism rate (including returns for new crimes and technical violations) is 31.0% for the CY 2019 release cohort (**Figure 58**). The overall recidivism rate decreased 18.5% between 2014 releases and 2019 releases. Unlike previous years, more returns are for new crime convictions rather than technical violations convictions in FY 2022.

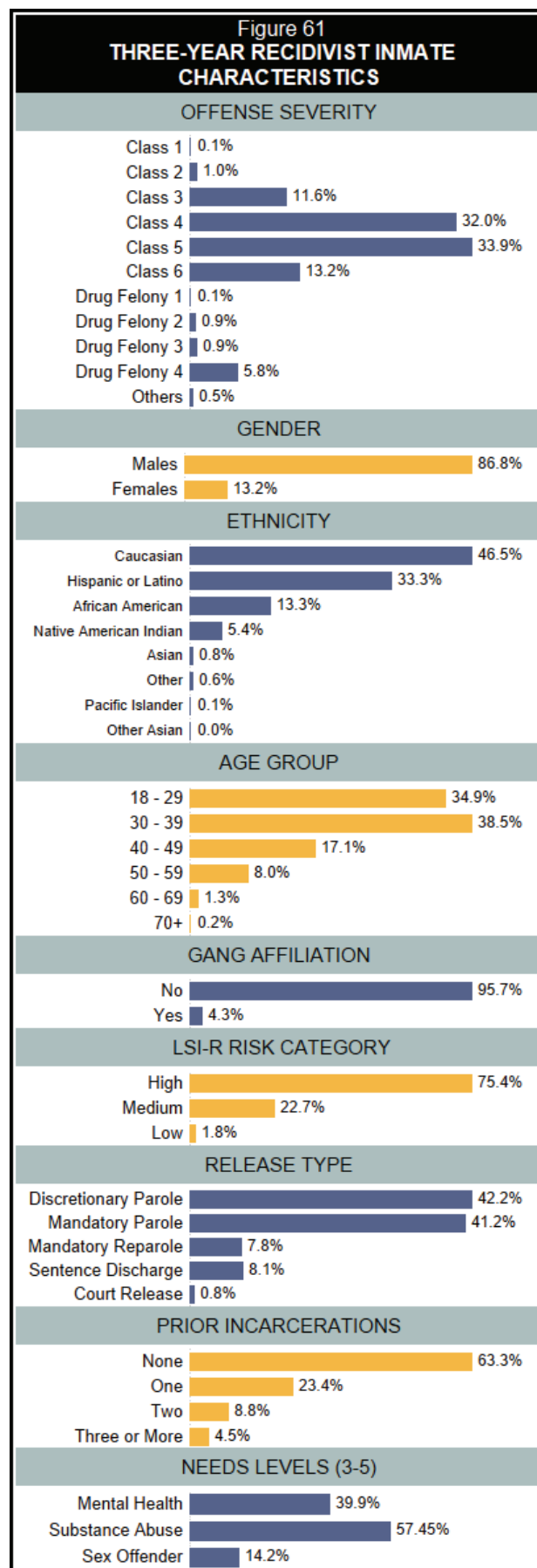


To further explore recidivism rates by return type, **Figure 59** displays cumulative return-to-prison rates across the past ten release cohorts, at one-year, two-year, and three-year post release intervals. Technical returns have seen an overall decrease over the last decade, with a notable decline beginning in 2014. New crime returns, by comparison, have remained more steady. A gradual increase begins in 2013, but decreases by 5.3% between 2018 and 2019.



**Figure 60** illustrates the 2019 release cohort, detailing the amount of time it took an inmate to return to inmate status. The largest proportion of inmates failed within the first year (17.3%) compared to other post-release spans of time. Within this first year, 8.4% of inmates returned within 5 months, while 8.9% returned within 6 to 11 months post release. This pattern is similar to last fiscal year where inmates were at the highest risk to return within their first six months post-release. Between one and two years post-release, an additional 7.8% returned, followed by 5.8% between two and three years post-release. A total of 69.1% of inmates did not return within three years.

Recidivism rates vary by inmate characteristics (Figure 61). Higher rates of recidivism are associated most with the following characteristics: having a Class 3 through Class 6 felony conviction; being male; being younger; having no gang affiliation; having a high LSI-R Risk score; having been discretionary or mandatory paroled, and having no past incarcerations. Although rates were not distinctively elevated, certain moderate-to-high needs areas, including mental health, substance abuse, and sex offender may figure into any inmate's risk for recidivating.



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

# APPENDIX

**HB 79-1589** changed sentences from indeterminate to determinate terms and made parole mandatory at 50% of an inmate'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 inmates, and allowed parolees to earn 10 days per month to reduce parole time served.

**SB 90-117** raised life sentences from parole eligibility after 40 years 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 inmate 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 inmates 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



**Table 8  
PRESUMPTIVE SENTENCING RANGES & PAROLE PERIODS**

Felony Class	1985 – 1993 Presumptive Range		1993 – 2018 Presumptive Range		2018 – Present Presumptive Range*		Mandatory Parole Period**
	Minimum	Maximum	Minimum	Maximum	Minimum	Maximum	
F1	Life	Death	Life	Death	Life	Death	N/A
DF1	-	-	8 yr	32 yr	8 yr	32 yr	3 yr
F2	8 yr	24 yr	8 yr	24 yr	8 yr	24 yr	3 yr
DF2	-	-	4 yr	8 yr	4 yr	8 yr	2 yr
3 Ext	-	-	4 yr	16 yr	4 yr	16 yr	3 yr
F3	4 yr	16 yr	4 yr	12 yr	4 yr	12 yr	3 yr
DF3	-	-	2 yr	4 yr	2 yr	4 yr	1 yr
4 Ext	-	-	2 yr	8 yr	2 yr	8 yr	3 yr
F4	2 yr	8 yr	2 yr	6 yr	2 yr	6 yr	3 yr
DF4	-	-	0.5 yr	1 yr	0.5 yr	1 yr	1 yr
5 Ext	-	-	1 yr	4 yr	1 yr	4 yr	2 yr
F5	1 yr	4 yr	1 yr	3 yr	1 yr	3 yr	2 yr
6 Ext	-	-	1 yr	2 yr	1 yr	2 yr	1 yr
6	1 yr	2 yr	1 yr	1.5 yr	1 yr	1.5 yr	1 yr
2 Ext	-	-	-	-	8 yr	24 yr	5 yr

Note: Ext = extraordinary risk crimes, F = Felony, DF = Drug Felony

\*Except as otherwise provided in section 18-1.3-401.5 for offenses contained in article 18 of this title 18 committed on or after October 1, 2013, as to any person sentenced for a felony committed on or after July 1, 1993, and before July 1, 2018.

\*\*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**

Legislation	Previous Convictions		Crime of Violence OR Previous Habitual*	Class 1 or 2 or Class 3 Crime of Violence OR 2 Previous Class 1 or 2 or 3 Crimes of Violence**
	Two Previous	Three Previous		
Pre HB93-1302	25-50 years	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 of felony	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

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 inmates sentenced under this law must undergo evaluation and treatment to qualify for parole. The Colorado State Board of Parole determines when these inmates 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 inmate 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 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 inmates convicted of these violent offenses must serve 75% of their sentence (less earned time awarded). If convicted of a second or subsequent violent offense, they must serve 75% of their sentence 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 inmates 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 their current or a prior conviction was for first or second degree murder, manslaughter, first or second degree assault, first or second degree kidnapping, sexual offenses, first degree arson, first or second degree burglary, robbery, aggravated robbery, theft from the person of another, a felony committed against a child, or any criminal attempt or conspiracy to commit 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 inmate 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 inmates 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 inmate'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 inmates serving sentences for lower Class, non-violent felonies eligible for more earned time awards per month than other inmates 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 inmates housed in administrative segregation the opportunity to accrue earned time to be deducted from their sentences.

**SB 11-241** expanded the eligibility of inmates who meet criteria for special-needs parole and created presumptions in favor of parole for non-violent inmates 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 inmate 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 inmate must meet other criteria related to previous criminal and institutional behavior to be eligible for the presumption.

**HB 12-1223** allowed inmates 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 inmates 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 inmates to YOS. Provisions of this bill allowed certain young adult inmates 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 inmate'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 inmates in a correctional facility to prepare for release to the community; efforts to assist each inmate's transition from a correctional facility into the community; and operational enhancements, including equipment, training, and programs to supervise inmates 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 inmate is ineligible for parole if they have 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 inmates who were sentenced to an adult prison for a felony offense committed while the inmate was less than 18 years of age and who are determined to be appropriate for placement in the program. An inmate 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 inmate population.

**HB 17-1326** lowered the period of time for which a parolee 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 parolee 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 inmate population while increasing parole caseload.

**HB 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.

**HB 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 inmate categories from 60 to 55 years and older, and adds a category of special needs inmates to include those determined to be incompetent to complete any sentence and not likely to pose a risk to public safety.

**HB 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.

**HB 19-1030** creates the crime of unlawful sexual communication with a minor by an adult in a position of trust, which is a Class 6 felony or a Class 5 felony if committed with the intent of engaging in sexual exploitation or sexual contact. To the extent that inmates are convicted and sentenced to prison for the new crime, and would not have otherwise been sentenced to prison, the bill could increase admissions from new court commitments.

**HB 19-1155** expands the definition of sexual contact for the purpose of the preexisting crimes of unlawful sexual contact or sexual assault on a child. To the extent that inmates are convicted and sentenced to prison as a result of the expanded definition, and would not have otherwise been sentenced to prison, increasing admissions from new court commitments.

**HB 19-1250** creates the criminal offense of unlawful sexual conduct by a peace officer. The bill is expected to increase new court commitment admissions to the DOC.

**SB 19-043** increases the number of district court judges. To the extent that the additional judges expedite the pace at which criminal cases are tried and sentenced, the bill could accelerate admissions to the DOC, which would increase the prison population.

**HB 19-1263** reclassifies several existing drug felonies as drug misdemeanors, reduces the fine penalties and jail terms for

drug misdemeanors, and makes several other changes to sentencing for drug offenses. The bill is expected to substantially reduce felony filings for drug offenses, and to reduce the prison and parole population. Impacts on the prison population will be less significant than the impact on felony filings, because offenders previously convicted for low-level drug felonies often did not receive prison sentences, and because those who were sentenced to CDOC remained incarcerated for an average of four to five months.

**SB 19-143** makes a number of changes to parole. The bill broadens the circumstances in which the CDOC can refer inmates to the Parole Board for application hearings, requires a majority vote of the Parole Board to deny the parole application of certain very low or low risk inmates, narrows the circumstances in which a parolee may be revoked for a technical parole violation, requires that revoked parolees be returned to the CDOC for the duration of their sentence, lengthens the allowable jail confinement period for intermediate sanctions, and expands eligibility for participation in a parolee work training program. The impact of the bill on the prison and parole population is bidirectional because it is expected to increase discretionary releases to parole, decrease revocations to the DOC, and lengthen the prison length of stay for revoked parolees. On net, the bill is expected to decrease the prison population and increase the parole population.

**SB 19-165** increases the number of Parole Board members from seven to nine. It is expected to accelerate the pace at which parole application hearings can be conducted, which will decrease the prison population and

increase the parole population correspondingly.

**SB 19-172** creates offenses for unlawful abandonment or false imprisonment of an at-risk person. This offense is usually a Class 1 misdemeanor; however, false imprisonment of an at-risk person can become a Class 6 felony depending on the circumstances of the crime. The bill is expected to increase new court commitment admissions to the CDOC.

**SB 19-211** extends a preexisting Mental Health Criminal Justice Diversion Grant Program in four judicial districts. To the extent that the bill allows for continued diversion of inmates who would otherwise be sentenced to the CDOC, the bill decreases admissions from new court commitments.

**SB 19-259** allows for the temporary use of the south campus of the Centennial Correctional Facility when the state male inmate vacant bed rate falls below 1 percent for two consecutive months. The bill is not expected to affect the prison population. If the male inmate vacant bed rate were to fall below 1 percent for two consecutive months, the bill could increase the share of jurisdictional inmates located at state-operated prisons and decrease the share located at private prisons, the jail backlog, or other locations.

**HB 20-1019** contains several provisions with potential impact on the prison population. Specifically, the bill reopened the south campus of the Centennial Correctional Facility, allowed for a wider range of circumstances for which an inmate may be awarded earned time, removed the requirement that earned time be awarded in accordance with statutory

categories, and allowed the application of performance standards established by the CDOC, and created a new crime of an unauthorized absence for an inmate on an intensive supervision program, in a community corrections program, or participating in a work release program.

**SB 20-100** repealed the death penalty in the state of Colorado. Because of the small number of death row inmates in Colorado (three at the time the bill was signed into law) and death penalty cases tried each year (zero to three), this bill is expected to have minimal impact on the prison population.

**SB 2021-271** reclassifies various criminal offenses from felony charges to misdemeanors which will lead to a slight reduction in new commitments. In addition, the reduction from felony charges to misdemeanors will reduce the length of stay. However, certain provisions of the bill (reclassification of class 3 misdemeanors to class 2 misdemeanors) may increase lengths of stay slightly. Thus, this bill provides some downward pressure on the population in the short term and some upward pressure in the longer term.

**SB 2021-146** targets improving prison release outcomes. This bill is expected to reduce the population by expanding special needs parole, which will result in an equal increase in the parole caseload. Additionally, the bill requires the Parole Board to schedule a hearing for an inmate serving a sentence for

an escape crime that would now constitute the misdemeanor offense of unauthorized absence, within 60 days. This may result in an increase in releases in early FY 2022. Given the recency of this bill's enactment, any impact will not be evident until FY 2022.

**SB 2021-064** creates a new crime of retaliation against an elected official, which is expected to have little to no impact on prison admissions.

**SB 2021-124** reclassifies certain first-degree murder offenses to a class 2 felony, which reduces a life sentence to a 16- to 48-year sentence with the possibility of parole. Reducing the length of stay from an estimated 40 years for a felony 1 offense to an estimated 16.8 years for a felony 2 offense will have no measurable impact on the prison population until FY 2038.



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# FY 2022 STATISTICAL REPORT



COLORADO DEPARTMENT OF CORRECTIONS

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